



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF CITY COUNCIL REGULAR MEETING
Wednesday, December 13, 2023 at 7:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 13th day of December 2023 at 7:00 p.m., in the Council Chambers, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS - Join Zoom Meeting: <https://us02web.zoom.us/j/3499549035>
Or via telephone: Dial (346) 248-7799
Meeting ID: 349 954 9035

If you wish to speak during the meeting or provide written comments, please email your name, phone number, comments, and the item number you wish to speak/comment on to citysec@westlakehills.gov by 1:00 P.M. on December 13, 2023.

1. Call to Order
2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.
3. Consent Agenda All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Council Member.
 - a. Approval of the November 21, 2023 Regular Meeting Minutes.
 - b. Approval of the December 6, 2023 Joint Special Meeting Minutes.
 - c. Approval of the 2024 ZAPCO meeting schedule and timelines for the application process.
 - d. Approval of an Interlocal Agreement with Travis County Emergency Services District (ESD) No. 9 and the City of West Lake Hills for enforcement of the City of West Lake Hills, Texas fire code.

4. Land Use 434 Brady Lane - Discuss and consider action on proposed variances for the removal of two (2) trees with trunk diameters of 14 inches or greater, a double trunk 14"/19" live oak and an 18" live oak (Section 22.03.304 of the West Lake Hills Code). Applicant Monte Janssen, J5 Homes, LLC.
 - Tree # 323 - Double trunk 14" / 19" Live Oak; and
 - Tree # 325 - 18" Live Oak.
5. Land Use 5001 Jeffery Place - Discuss and consider action on variances for 1. A 7-foot encroachment for a fence in a 20-foot fence setback, and 2. To allow 0% transparency, where 80% is required on a corner lot (Section 22.03.173 and Section 22.03.275 of the West Lake Hills Code). Applicants: Huang Lung Wang (Victor) & Elisa Jiang, Property Owners
6. Ordinance Discuss and consider action on the approval of Ordinance 2023-013 to adopt a Subdivision Checklist, as required by House Bill 3699, codified in Texas Local Government Code Section 212.0081.
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
7. Administration Discuss and consider action to approve a Guaranteed Maximum Price (GMP) with SpawGlass for the construction of the new municipal offices to be located at 4010 Bee Cave Road, and authorization for the City Administrator to execute any change orders up to the contingency amount.
8. Administration Discussion and update on bond items regarding Proposition B (street and drainage projects).
9. Executive Session In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess in Executive Session (closed meeting) to discuss the following:
 - a. Section 551.071 - Consultation with the attorney regarding pending or contemplated litigation, or settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, re: City of West Lake Hills v. the following:
 1. Jaffe - 1405 Wildcat Hollow;
 2. Alvarez - 1505 Wildcat Hollow;
 3. Lambert - 1600 Westlake Drive; and
 4. 1836 Real Estate, LLC - 707 Butler Cove.
 - b. Section 551.071 - Consultation with the attorney regarding the tree ordinance.
10. Executive Session Reconvene into Open Session and take action if and as deemed appropriate in the City Councils' discretion regarding consultation with attorney.
11. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the December 13, 2023 City Council Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, December 8, 2023 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Terry Blanchard, City Secretary

The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodation and equal access to communications will be provided upon request.

All items on the agenda are for discussion and/or action. City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Tuesday, November 21, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:00 p.m.

CITY COUNCIL PRESENT:

Mayor Linda Anthony
Mayor Pro Tem Gordon Bowman
James Vaughan
Brian Plunkett
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Josh Brockman-Weber

2. Citizen Communications The City Council welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Council later in the meeting. The Council cannot respond to or discuss matters not listed on the agenda. The Council may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Mayor Anthony opened the meeting for public comments. Hearing none, the public comment section was closed.

3. Consent Agenda All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Council Member.
 - a. Approval of the November 8, 2023 Regular Meeting Minutes.
 - b. Approval of an Interlocal Agreement with Travis County Emergency Services District (ESD) No. 9 and the City of West Lake Hills for enforcement of the City of West Lake Hills, Texas fire code.

Item 3b was removed from the Consent Agenda.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember South, the Council voted five (5) for and none (0) opposed to approve the revised Consent Agenda as presented. Motion carried.

4. Land Use 900 Live Oak Circle- Discuss and reconsider action on a variance to replace an existing fence approximately 20 feet from the street edge (30 feet is required) and an 8-foot-tall side yard fence along the western side property line (6-foot height maximum) (Section

22.03.173 of the West Lake Hills Code). Applicant Leah Romero, Word + Carr Design Group.

- a. In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess in Executive Session (closed meeting) pursuant to Section 551.071 Consultation with the attorney.
- b. Reconvene into Open Session and take action if and as deemed appropriate in the City Councils' discretion regarding consultation with attorney.

Mayor Anthony gave a brief summary.

Council convened into Executive Session at 7:04 p.m. and reconvened in Open Session at 7:30 p.m.

Director Bills gave a report and brief summary. The 8-foot-tall side yard fence variance was approved at the previous meeting. The fence variance for Lot 34 was approved at a Council meeting in 2005. The remaining portion of fence for Lot 20 will either need to come into compliance or the applicant will need to seek a separate variance. Leah Romero and Jason Karp were available for questions.

MOTION: Upon a motion made by Councilmember Bowman and a second by Councilmember Vaughan, the Council voted five (5) for and none (0) opposed to modify our previous Council action on this item and affirm the approval of the previously granted variance from last sessions discussion on this issue for the 8' fence at the shared property line of Lots 19 & 20; and to confirm the variance at 900 Live Oak Circle and to allow the replacement of the existing portion of the fence and to rescind any action previously taken to the contrary; and finally, to indicate that Lot 20 is not affected by this action and if a variance is requested for a fence on that site then the applicant on this issue should submit a separate variance request, otherwise they are free to build a fence in compliance with our code; with a Motion Amendment that if the applicant comes back with a subsequent variance for the adjoining lot for a fence, then we waive the variance fees for that request. Motion carried.

5. Staff Briefing Introduction of new Building & Development Services Staff and update on development review process improvements.

Director Bills introduced the Building & Development Services staff.

Joel Sherrouse reviewed the new process for applications and resubmittals. The process allows for a more thorough completeness check with improved applications and checklists. The streamlined process includes weekly review meetings with staff and contractors providing services.

6. Administration Discuss and consider approving a Task Order Contract with Walter P Moore Engineering for Wastewater Collection System Model Development and Capacity Analysis and authorizing the City Administrator to execute the same.

Item was postponed until the December 13th meeting.

7. Executive Session In accordance with Texas Government Code, Section 551.001, et seq, the City Council will recess in Executive Session (closed meeting) to discuss the following:
- a. Section 551.071 - Consultation with the attorney regarding pending or contemplated litigation, or settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, re: City of West Lake Hills v. the following:
 1. Jaffe - 1405 Wildcat Hollow;
 2. Alvarez - 1505 Wildcat Hollow;
 3. Lambert - 1600 Westlake Drive; and
 4. 1836 Real Estate, LLC - 707 Butler Cove.
 - b. Section 551.072 - Deliberations about Real Property.

Council convened into Executive Session at 7:55 p.m.

8. Executive Session Reconvene into Open Session and take action if and as deemed appropriate in the City Councils' discretion regarding consultation with attorney and deliberations about real property.

Council reconvened in Open Session at 8:11 p.m. No action was taken.

9. Adjournment

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember Plunkett, the Council voted five (5) for and none (0) opposed to adjourn the meeting at 8:12 p.m. Motion carried.

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on December 13, 2023.

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL , BOA AND ZAPCO JOINT SPECIAL MEETING
Wednesday, December 6, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Chair Meisel called the meeting to order at 7:00 p.m.

ZAPCO PRESENT:

Chair Robert Meisel
Julia Webber
Laurie Maccini
James Pledger
Karen Bartoletti
Patrick Stewart

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Patty Akers
Asst City Attorney Josh Brockman-Weber

CITY COUNCIL PRESENT:

Mayor Linda Anthony
Mayor Pro Tem Gordon Bowman
James Vaughan
Brian Plunkett
Beth South
Darin Walker

BOA PRESENT:

Chair Linda Anthony
Gordon Bowman
James Vaughan
Brian Plunkett
Beth South
Darin Walker

2. Administration Receive a presentation and discuss actions necessary for the new municipal complex to be located at 4010 Bee Cave Road.

City Administrator Fletcher gave a brief summary and presentation. Director Bills continued the presentation reviewing the four variances requested by the City. She pointed out that three of the requests are due to site considerations and the other variance is due to requests from residents.

3. Land Use **ZAPCO VARIANCE REQUEST NO. 1** - Discuss and consider action on a variance request for the removal of up to 50 trees with diameters of 14 inches or greater (Section 22.03.304(a)(4) of the West Lake Hills Code).
- a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. ZAPCO - Discussion and action regarding Variance Request No. 1.

Chair Meisel opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Commissioner Pledger and a second by Commissioner Stewart, the Commission voted five (5) for and one (1) opposed to recommend approval of Variance Request No. 1. Voting against the motion was Maccini. Motion carried.

4. Land Use ZAPCO VARIANCE REQUEST NO. 2 - Discuss and consider action on a variance request to provide fewer replacement inches than required on-site or fee-in-lieu (Section 22.03.304(d)(4) of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. ZAPCO - Discussion and action regarding Variance Request No. 2.

Chair Meisel opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Commissioner Pledger and a second by Commissioner Webber, the Commission voted six (6) for and none (0) opposed to recommend approval of Variance Request No. 2. Motion carried.

5. Land Use ZAPCO VARIANCE REQUEST NO. 3 - Discuss and consider action on variance requests to allow an 8-foot-tall fence/wall (where 6-foot maximum is allowed) and to allow the fence to go to the front property line (where a 30-foot setback from the pavement edge is required) (Sections 22.03.216 and 22.03.173 of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. ZAPCO - Discussion and action regarding Variance Request No. 3.

Chair Meisel opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Commissioner Webber and a second by Commissioner Bartoletti, the Commission voted six (6) for and none (0) opposed to recommend approval of Variance Request No. 3. Motion carried.

6. Land Use ZAPCO VARIANCE REQUEST NO. 4 - Discuss and consider action on a variance request for site disturbance of greater than 18 inches of grading over the natural grade in the setback (Section 22.03.170 of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. ZAPCO - Discussion and action regarding Variance Request No. 4.

Chair Meisel opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Commissioner Pledger and a second by Commissioner Webber, the Commission voted six (6) for and none (0) opposed to recommend approval of Variance Request No. 4. Motion carried.

7. Adjournment Adjournment of Zoning and Planning Commission meeting.

Chair Meisel declared the ZAPCO portion of the Joint Meeting to be adjourned at 7:56 p.m.

At this time, the City Council / Board of Adjustment will be seated at the dais to consider items and recommendations from the Zoning and Planning Commission.

With a quorum present, Mayor Anthony called the City Council meeting to order at 8:02 p.m.

8. Land Use **CITY COUNCIL VARIANCE REQUEST NO. 1** - Discuss and consider action on a variance request for the removal of up to 50 trees with diameters of 14 inches or greater (Section 22.03.304(a)(4) of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. City Council - Discussion and action regarding Variance Request No. 1.

Mayor Anthony opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Councilmember Plunkett and a second by Councilmember South, the Council voted five (5) for and none (0) opposed to approve Variance Request No. 1. Motion carried.

9. Land Use **CITY COUNCIL VARIANCE REQUEST NO. 2** - Discuss and consider action on a variance request to provide fewer replacement inches than required on-site or fee-in-lieu (Section 22.03.304(d)(4) of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. City Council - Discussion and action regarding Variance Request No. 2.

Mayor Anthony opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember Bowman, the Council voted five (5) for and none (0) opposed to approve Variance Request No. 2. Motion carried.

10. Land Use **CITY COUNCIL VARIANCE REQUEST NO. 3** - Discuss and consider action on variance requests to allow an 8-foot-tall fence/wall (where 6-foot maximum is allowed) and to allow the fence to go to the front property line (where a 30-foot setback from the pavement edge is required) (Sections 22.03.216 and 22.03.173 of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. City Council - Discussion and action regarding Variance Request No. 3.

Mayor Anthony opened the item for public comments. Erica Alejandro (201 Westhaven Drive) stated that the fence/wall would be more attractive if both sections were consistent in design (either stone or wood pattern, but not both). Hearing no further comments, the public comment section was closed.

MOTION: Upon a motion made by Councilmember Vaughan and a second by Councilmember Bowman, the Council voted five (5) for and none (0) opposed to approve Variance Request No. 3. Motion carried.

MOTION: Upon a motion made by Councilmember Walker and a second by Councilmember South, the Council voted five (5) for and none (0) opposed to adjourn the City Council portion of the joint meeting at 8:15 p.m. Motion carried.

With a quorum present, Chair Anthony called the BOA meeting to order at 8:15 p.m.

11. Land Use **BOA VARIANCE REQUEST NO. 4** - Discuss and consider action on a variance request for site disturbance of greater than 18 inches of grading over the natural grade in the setback (Section 22.03.170 of the West Lake Hills Code).
 - a. Public Hearing - All persons wishing to speak for or against shall be heard.
 - b. BOA - Discussion and action regarding Variance Request No. 4.

Chair Anthony opened the item for public comments. Hearing none, the public comment section was closed.

MOTION: Upon a motion made by Board Member Vaughan and a second by Board Member South, the Board voted six (6) for and none (0) opposed to approve Variance Request No. 4. Motion carried.

12. Adjournment of City Council / Board of Adjustment meeting.

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Plunkett, the Board voted six (6) for and none (0) opposed to adjourn the meeting at 8:19 p.m. Motion carried.

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on December 13, 2023.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>December 13, 2023</u>	Item Number:	<u>3d</u>
Department:	<u>Administration</u>		
	<u>Trey Fletcher, City</u>		
Prepared By:	<u>Administration</u>	Cost / Budget:	<u>None</u>
	<u>Proposed Interlocal</u>		
Exhibits:	<u>Agreement</u>	Source of Funds:	<u>n/a</u>

Subject

Discuss and consider action to approve an Interlocal Agreement with Travis County Emergency Services District (ESD) No. 9 and City of West Lake Hills, Texas for enforcement of the City of West Lake Hills, Texas fire code.

Recommendation

Staff recommends approval of the proposed agreement.

Discussion

The city and ESD9 have enjoyed a strong and collaborative relationship. The establishment of this agreement furthers this partnership for the enforcement of fire codes adopted by the city of West Lake Hills. The agreement further authorizes ESD9, through the role of the Fire Marshal, to augment the city's efforts for the enforcement of other measures adopted by the city related to fire prevention and control, enforcement of prohibited parking areas such as fire lanes, and building regulations including site plan review and fire flow requirements.

The ILA also authorizes ESD9 to take whatever action is necessary to enforce the West Lake Hills Fire Code, including imposing any related penalties described in it, within the limits imposed by applicable law and processed through the West Lake Hills Municipal Court.

**INTERLOCAL AGREEMENT
BETWEEN TRAVIS COUNTY EMERGENCY SERVICES
DISTRICT NO. 9 AND
CITY OF WEST LAKE HILLS, TEXAS
FOR ENFORCEMENT OF CITY OF WEST LAKE HILLS,
TEXAS FIRE CODE**

THIS AGREEMENT is entered into by the following parties:

City of West Lake Hills, Texas, a general law municipality located in Travis County, Texas, ("City"),
and Travis County Emergency Services District No. 9, a political subdivision of Texas ("District").

RECITALS

City and District have each determined that it would be mutually advantageous for District to enforce the West Lake Hills Fire Code within the municipal boundaries of City.

City designates the District's Fire Marshal to serve in the capacity of fire marshal for the City.

City and District are authorized to enter into this agreement in all respects by TX. GOV'T. CODE, Chapter 791.

AGREEMENT

City and District agree as follows:

1.0 Definitions

1.01 Council "Council" means City Council of the City of West Lake Hills, Texas.

1.02 Board "Board" means the Board of Commissioners of Travis County Emergency Services District No. 9.

1.03 District "District" means Travis County Emergency Services District No. 9.

1.04 Day "Day" means calendar day.

1.05 Fire Code Inspection(s) "Fire Code Inspection(s)" means the review of plans, the issuance of construction permits, the inspection of installations, the issuance of operational permits for compliance with the City of West Lake Hills Fire Code, as amended from time to time, upon request for a permit, and approving alternative means of compliance, if requested by an applicant and such alternative means conforms to the requirements of alternative compliance provided by the City of West Lake Hills Fire Code and is approved by the City's City Administrator or designee. It also includes the investigation of complaints and the inspection of establishments upon receipt of requests or complaints about non-compliance with the City of West Lake Hills. Inspection includes all follow-up necessary to ensure compliance with City of West Lake Hills Fire Code.

1.06 District Fire Marshal "District Fire Marshal" means the person(s) designated by the District's Fire Chief to perform the functions of District Fire Marshal. The District Fire Marshal(s) shall be knowledgeable and experienced in fulfilling the role of District Fire Marshal, performing similar functions in unincorporated areas of the District's territory.

1.07 Fire Regulation Inspection(s) "Fire Regulation Inspection(s)" means the routine inspection of establishments and the investigation of complaints and the inspection of establishments upon receipt of requests or complaints about non-compliance with any applicable federal, state and local rules or regulations related to fire control and fire prevention and establishing the requirement for annual permits and fees. Inspection includes all follow-up necessary to ensure compliance with any applicable federal, state, and local rules or regulations related to fire control and fire prevention and establishing the requirement for annual permits and fees. Routine inspections mean annual inspection and all follow-up necessary to ensure compliance with applicable federal, state and local rules or regulations related to fire control and fire prevention and establishing the requirement for annual permits and fees.

1.08 In the City of West Lake Hills "In the City of West Lake Hills" means any location within the full purpose corporate limits of the City of West Lake Hills, Texas and does not include locations within its extraterritorial jurisdiction or its limited purpose jurisdiction, if any.

1.09 West Lake Hills Fire Code "West Lake Hills Fire Code" means any ordinance related to fire safety, including but not limited to the following provisions of the City of West Lake Hills, Texas Code of Ordinances at the time of service, as amended from time to time by City Council: Chapter 22 Building Regulations, Article 22, Sec. 22.03.097 adopting the International Fire Code, 2015 edition, Section 22.03.018- Site plan approval and fire flow, and Sec. 22.03.214-Fire Warning System; Chapter 8 Fire Prevention and Control, Articles 8.01-8.04 [inclusive], and Sec. 16.05.063; All definitions in the West Lake Hills Fire Code are incorporated the same as if set forth in full in this Agreement.

2.0 Term of Agreement

2.01 Initial Term This interlocal agreement ("Agreement") begins on the date when it has been executed by both parties and ends on September 30, 2024 unless earlier terminated by either party in compliance with 13.0 of this Agreement.

2.02 Renewal Term This interlocal agreement, as properly amended or modified from time to time, automatically renews on October 1, 2024, and each subsequent year for a term of one year unless terminated by either party in accordance with 13.0 of this Agreement.

3.0 Responsibilities of City

3.01 Provider City grants District the right to provide the services described in this Agreement in the City of West Lake Hills. City may grant the right to provide the Fire Code Inspection(s) services described in this Agreement to a third party, so long as the City notifies District of the project name and third party providing the services for that project.

3.02 Creation of District Fire Marshal's Authority Prior to or concurrent with the approval and execution of this Agreement, City shall pass whatever ordinances, orders, rules, or resolutions may be necessary under its governing documents to give the same powers, rights, and privileges to the District Fire Marshal that the District Fire Marshal would have as a designated department of City. Despite this authority, employees of the District designated to serve as Fire Marshal are not employees of City and work solely for District.

3.03 Copies of Ordinance, Rule or Resolution Prior to or concurrent with the approval of this Agreement, City shall provide District with copies of all ordinances, orders, rules, and resolutions initially passed pursuant to this Agreement. Within 30 days after Council approves an ordinance, order, rule or resolution adopting the amended, revised or replaced West Lake Hills Fire Code, City shall provide District with copies of the ordinances, orders, rules and resolutions adopting the amended, revised or replaced West Lake Hills Fire Code.

3.04 Notice of Complaints Citizen complaints can be made to either City or District and staff shall manage, distribute and coordinate appropriate corrective actions and communications with the parties.

3.05 Fire Code Inspection For Fire Code Inspections under this Agreement, City designates the District Fire Marshal to receive information for administering the provisions of and prosecuting violations of the West Lake Hills Fire Code. The procedures for requests for hearings, for hearings and for actions taken as a result of those hearings are set forth in the West Lake Hills Fire Code. Subject to Section 3.07 of this Agreement, City authorizes District to take whatever action is necessary to enforce the West Lake Hills Fire Code, including imposing any related penalties described in it, within the limits imposed by applicable law.

3.06 Fire Regulation Inspection For Fire Regulation Inspections under this Agreement, City designates the District Fire Marshal to receive information for prosecuting violations of any applicable federal, state and local rules or regulations related to fire control and prevention and establishing the requirement for annual permits and fees. Subject to Section 3.07 of this Agreement, City authorizes District to take whatever action is necessary to enforce the applicable rules, including any related penalties described in the other applicable federal, state and local rules or regulations related to fire control and prevention and establishing the requirement for annual permits and fees, within the limits imposed by applicable law.

3.07 Legal Action In any legal action which is required as a result of the services provided under this Agreement, City Attorney is responsible for judicial prosecution of violations of the applicable West Lake Hills Fire Code and any applicable federal, state and local rules or regulations related to fire control and prevention and establishing the requirement for annual permits and fees. Prosecution of all violations of the applicable federal, state and local rules or regulations related to fire control and prevention and establishing the requirement for annual permits and fees shall be brought in the court of competent jurisdiction as set forth in those federal, state and local rules or regulations.

3.08 Compliance with Laws City shall comply with all applicable laws, rules, and regulations in the performance of this agreement.

4.0 Responsibilities of District

4.01 Enforcement of West Lake Hills Fire Code To the extent allowed by law and this Agreement, District shall administer and enforce the West Lake Hills Fire Code in relation to new construction and work on structures for which City is issuing a building permit under City's building code and carry out the following services related to the West Lake Hills Fire Code in City of West Lake Hills:

4.01.01 -review fire safety and site plans of applicants for permits under City's building code to ensure compliance with the West Lake Hills Fire Code;

4.01.02 - attend pre-development meetings as requested by City;

4.01.03 - provide the City's building official with plan review comments and stop work orders when issued by the Fire Marshal;

4.01.04 - meet with City to discuss and approve an alternative means of compliance for a plan if requested by the applicant or City in order to meet the intent of the West Lake Hills Fire Code;

4.01.05 - issue permits for fire safety requirements under the West Lake Hills Fire Code,;

4.01.06 - perform inspections of installations required by the West Lake Hills Fire Code; and

4.01.07 - perform the investigation of complaints and the inspection of establishments upon receipt of requests or complaints about non-compliance with the West Lake Hills Fire Code made to City, with City then contacting the District Fire Marshal, including all follow-up necessary to ensure compliance with the West Lake Hills Fire Code.

4.02 Complaint Investigation District shall investigate West Lake Hills Fire Code complaints and complaints about violations of any other applicable federal, state and local rules or regulations related to fire control and prevention that are made directly to City, with City then contacting the District Fire Marshal. If the investigations of a complaint reveal the violation of the West Lake Hills Fire Code or any other applicable federal, state and local rules or regulations related to fire control and prevention, District shall enforce these legal requirements to the extent allowed by law, except that District's enforcement shall not include condemnation of buildings, enforcement of zoning ordinances, or enforcement of flood plain ordinances.

4.03 Other Permit Inspections District shall routinely inspect establishments for compliance with any applicable federal, state, and local rules or regulations that establish the requirement for permits and fees pursuant to those rules or regulations. These inspections include all follow-up necessary to ensure compliance with the applicable federal, state and local rules or regulations. Routine inspections may be either inspection prior to and as part of both the initial state licensing process and all renewals of the state license or the annual inspection and all follow-up necessary to ensure compliance with state rules and regulations.

4.04 Quarterly Reports Within fifteen (15) days after the end of each quarter (90 days) District shall provide City with a report of its operations in the City of West Lake Hills for the preceding quarter (90 days) that includes at least the following information:

4.04.01 the number of applications received in the City of West Lake Hills

4.04.02 the number of permits issued in the City of West Lake Hills, and

4.04.03 the number and type of inspections related to other law that are performed.

4.05 Annual Reports Annually District shall provide City with at least a summary report for the information provided in the quarterly reports under 4.04.

4.06 Access to Reports, Records, and Facilities District shall provide City with full access to all records and permits about the District Fire Marshal that are available by law to members of the public generally.

4.07 Compliance with Laws District shall comply with all applicable laws, rules, and regulations in the performance of this Agreement. District shall enforce the West Lake Hills Fire Code in City of West Lake Hills, but nothing in this Agreement shall limit the City's ability to enforce the Fire Code through its police department or code enforcement department.

5.0 Fire Code Permits, Inspections, and Other Fire Regulation Fees

5.01 Concurrently with the approval of this Agreement, the City will adopt a fee schedule as attached hereto as Exhibit A (the Fire Code Fee Schedule"). Adjustments to the Fire Code Fee Schedule may be proposed by the District based on the cost incurred by the District in administering the West Lake Hills Fire Code, including inspections, enforcement, permits, investigations, and follow-ups for complaints regarding violations of the West Lake Hills Fire Code. Fees shall be payable in connection with applications, inspections, reviews, and enforcement as provided in the Fire Code Fee Schedule as may be amended from time to time. Such fees shall be payable by an applicant, property owner, developer, or other person, as applicable, directly to the District. Payment of an applicable fee shall constitute a condition to action on behalf of the City for approval of an application or other request for approval. The City and the District shall reasonably cooperate with each other in arranging for enforcement of an obligation to pay a fee pursuant to the Fire Code Fee Schedule, and disbursement to District of recovered fees payable to the District.

6.0 Responsibility for Losses and Insurance

6.01 Limits of Liability City is not liable for any claims, damages, or attorney fees arising from the negligent or illegal acts of District or its employees or agents in relation to the services provided by District under this Agreement. District is not liable for any claims, damages, or attorney fees arising from the negligent or illegal acts of City or its employees or agents in relation to the responsibilities of City under this Agreement.

6.02 Shared Liability If both District and City are liable for any claims, damages, or attorney fees arising from the negligent or illegal acts of City and District in relation to the services provided under this Agreement, City and District are individually liable for the portion of the claims, damages, and attorney fees attributable to each that arise from their negligent or illegal acts or those of their respective employees and agents as determined by a court adjudicating the matter or as agreed in any settlement.

6.03 Assumption of Risk City bears all property losses that result from damages caused by City that would be covered by automobile, fire and casualty insurance coverage offered by a commercial insurance company. District bears all property losses that result from damages caused by District that would be covered by automobile, fire and casualty insurance coverage offered by a commercial insurance company.

7.0 Acknowledgements

7.01 Limit of Authority to Represent City and District intend to enter into this Agreement as independent contractors and assume all the rights, obligations, and liabilities applicable to it as an

independent contractor. This Agreement shall be construed to give effect to this intent. Neither party is authorized to represent the other for any purpose whatsoever without the prior written consent of the other party. Employees of City shall not be considered to be employees of District. Employees of District shall not be considered to be employees of City.

7.02 Limit on Agents No agent, official, employee, or representative of District has the authority to amend or assign this Agreement or waive violations of it unless expressly granted this specific authority by the Board of Commissioners. No agent, official, employee or representative of City has the authority to amend or assign this Agreement or waive violations of it unless expressly granted this specific authority by the Council.

8.0 Amendment of Agreement

8.01 The only modification concerning this Agreement that has any force or effect is a subsequent amendment in writing signed by both parties. No official, representative, agent, or employee of District or City has any authority to modify this Agreement except pursuant to specific authority to do so expressly granted by the respective governing body.

9.0 Entire Agreement

9.01 This Agreement supersedes any and all other agreements, either oral or in writing, between the parties to it with respect to the subject matter of it and contains all of the covenants and agreements between the parties with respect to this subject matter. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement and that any agreements, statements, or promises not contained in this Agreement are not valid or binding.

10.0 Breach

10.01 The failure of either party to comply with the terms and conditions of this Agreement is a breach of this agreement.

11.0 Dispute Resolution

11.01 When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties shall use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in the TX. CIV. PRAC. AND REM. CODE ANN., § 154.073. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation must remain confidential as described in TEX. CIV. PRAC. AND REM. CODE ANN., § 154.073, unless both parties agree, in writing, to waive the confidentiality.

12.0 Waiver and Reservation of Rights

12.01 Waiver The waiver by either party of a breach of this Agreement shall not constitute a continuing waiver of that breach or of a subsequent breach of the same or a different provision unless the party not in breach agrees to a waiver.

12.02 Reservation of Rights and Remedies All rights of both parties under this Agreement are specifically reserved. Any reimbursement, installment, payment, act, or omission by a party shall not impair or prejudice any remedy or right of that party under this agreement. Any right or remedy stated in this Agreement shall not preclude the exercise of any other right or remedy under this agreement, the law or in equity, and any action taken in the exercise of any right or remedy shall not be deemed a waiver of any other rights or remedies.

13.0 Termination

13.01 Termination Either party to this Agreement may terminate this Agreement by giving 90 days prior written notice to the other party.

13.02 Termination for Breach Either party may terminate this Agreement if it is found that the other party has breached this Agreement. Prior to termination, the terminating party shall provide written notice to the other party of any breaches. Upon receipt of this notice, the breaching party has 90 days to correct the breaches or explain why the actions do not breach this Agreement to the satisfaction of the terminating party. Failure to correct the breaches or give a satisfactory explanation within 90 days results in automatic termination of this Agreement at the end of the 90-day period unless the parties agree in writing to extend the time to cure the breaches.

14.0 Notice

14.01 Written Notice All notices sent pursuant to this agreement shall be in writing and either hand delivered or sent by registered or certified mail, postage prepaid, return receipt requested.

14.02 District Address Notice sent pursuant to this agreement shall be delivered or sent to District at the following addresses:

If hand delivered to:
Board President,
Travis County ESD 9
1301 S. Capital of Texas Hwy
Building B, Suite 123
West Lake Hills, TX 78746

If mailed to:
Board President
Travis County ESD 9
PO BOX 162170
Austin, TX 78716

14.03 City Address Notices sent pursuant to this agreement shall be delivered or sent to City at the following address:

If hand delivered or mailed to:
City Administrator,
City of West Lake Hills, Texas
911 Westlake Drive
West Lake Hills, TX 78746

14.06 Time of Delivery When notices sent are hand delivered, notice is effective upon delivery. When notices are mailed by registered or certified mail, notice shall be deemed effective three days after deposit in a U.S. mailbox or at a U.S. post office.

14.07 Change of Address Either party may change its address for notice under this Agreement by providing a notice of the change to all parties in compliance with this paragraph.

15.0 Parties Bound

15.01 This Agreement shall be binding upon and inure to the benefit of the parties to it and to their respective legal representatives and successors where permitted by this Agreement. This Agreement is not assignable without consent of the other party which shall not be unreasonably withheld.

16.0 Miscellaneous

16.01 Third Party Rights Not Created This Agreement is not intended and shall not be construed to create any rights or remedies in any person or legal entity that is not a party to it and neither District nor City is waiving any defense or immunity to which it is entitled against any person or legal entity that is not a party to it.

16.02 Texas Law to Apply This Agreement shall be construed under and in accordance with the laws of the State of Texas and all obligations of the parties created under it are performable in Travis County, Texas.

16.03 Severability of Provisions In case any one or more of the provisions in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement and this Agreement shall be construed as if the invalid, illegal, or unenforceable provisions had never been in it.

16.04 Computation of Time When any period of time is stated in this Agreement, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday, or a day that either District or City has declared a holiday for its employees, these days shall be omitted from the computation.

16.05 Gender and Number Words of gender used in this Agreement shall be construed to include any other gender and words in the singular number shall be construed to include the plural and vice versa unless this Agreement requires otherwise.

16.06 Headings The headings at the beginning of the various provisions of this Agreement have only been included to make it easier to locate the subject matter covered by that section or subsection and are not to be used in construing this Agreement.

16.07 Recitals. The Recitals as set forth above are declared true and correct and are hereby incorporated as part of this Agreement.

[Signature Pages Follow]

THIS AGREEMENT is executed by the Parties and will become effective on the later of the dates shown below (the “Effective Date”).

Travis County Emergency Services District No. 9

By: _____
President of Board of Commissioners

Date: _____

ATTEST:

Secretary

City of West Lake Hills

By: _____
Linda Anthony, Mayor
Date: _____

ATTEST:

Terry Blanchard, City Secretary

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 9
EMERGENCY PREVENTION DIVISION
FEE SCHEDULE

Plan Reviews	
○ Subdivision Plan	\$100.00 per section /phase
○ Site Plan	\$100.00
○ New Building Plan	\$100.00 + \$0.10/Sq. Ft.
○ New Building Shell Only	\$100.00 + \$0.05/Sq. Ft.
○ New Building Finish-Out	\$100.00 + \$0.05/Sq. Ft.
○ Existing Building Remodel	\$100.00 + \$0.05/Sq. Ft.
○ Fire Alarm	\$100.00
○ Fire Sprinkler > 50 Heads	\$300.00
○ Fire Sprinkler < 50 Heads	\$100.00
○ Engineering Services	\$50.00 per hr.
○ Record Retention (sorting, scanning, merging & filing of submitted documents)	\$50.00 per hr.
Inspections	
○ First and Second Visit	No Charge
○ Subsequent Follow-up Visits (2 nd Re-inspection, 3 rd Re-inspection, & 4 th Re-inspections)	\$200(2 nd), \$300(3 rd), & \$400(4 th)
○ Annual State Req. Insp. (Daycare, Foster Care, or Hospitals)	\$100.00
○ Annual State Req. Insp. (Daycare, Foster Care, or Hospitals) 1 ST Follow-up	No Charge
○ Annual State Req. Insp. (Daycare, Foster Care, or Hospitals) Subsequent Follow-up	\$200.00
○ Certificate of Occupancy / Fire Final Initial and Follow-up	\$50.00
○ Certificate of Occupancy / Fire Final Multiple Visits	\$200.00
○ Fire Hydrant, Fire Pump, or Stand Pipe Flow Test	\$100.00
○ Kitchen Extinguishing Hood System Test	\$100.00
○ Engineering Services/Inspectors Other than Plan Review:	\$50.00 per hr.
○ After Hours Inspections	\$100.00 per hr.*
Hazardous Materials Permit	
○ Annual Hazardous Material Permit Based on Quantity of Material	\$100.00
High Risk Occupancies & Event Permits	
○ Mass Gathering of > 2,500 people	\$200.00
○ Tent (Temporary Structure) Permit	\$50.00
○ Fire Works Display	\$50.00
○ Apparatus Standby for System Test or Event	\$150.00 per hr. per apparatus*
○ Inspector Standby for System Test or Event	\$100.00 per hr.*
○ Annual Fireworks Retail Stand	\$100.00
○ Pyrotechnics Event	\$50.00
○ Theatrical Performance w/ open flame	\$50.00
Administrative Fees	
○ Returned Check – (The charge for checks made payable to the District and returned due to insufficient funds)	\$25.00

***A two-hour minimum will be required when calculating the fee for this inspection.**

2024 Application Schedule Variance

Submittal Date	Submittal Check Date	Notification Posted (mailed & sign)	Zoning & Planning Commission Meeting Date	BOA/City Council Meeting Date*
Must be received by 5:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	30 days in advance of meeting	Public Hearing (Wednesday)	Public Hearing (Wednesday)
12/4/2023	12/5/2023	12/18/2023	1/17/2024	2/14/2024
1/8/2024	1/9/2024	1/22/2024	2/21/2024	3/26/2024
2/5/2024	2/6/2024	2/19/2024	3/20/2024	4/10/2024
3/4/2024	3/5/2024	3/18/2024	4/17/2024	5/8/2024
4/1/2024	4/2/2024	4/15/2024	5/15/2024	6/12/2024
5/6/2024	5/7/2024	5/20/2024	6/19/2024	7/10/2024
6/3/2024	6/4/2024	6/17/2024	7/17/2024	8/14/2024
7/8/2024	7/9/2024	7/22/2024	8/21/2024	9/11/2024
8/5/2024	8/6/2024	8/19/2024	9/18/2024	10/9/2024
9/3/2024	9/4/2024	9/16/2024	10/16/2024	11/13/2024
10/7/2024	10/8/2024	10/21/2024	11/20/2024	12/11/2024
No December ZAPCO				
12/2/2024	12/3/2024	12/16/2024	1/15/2025	2/12/2025

*Refer to **Section 38.05.036: Notice of public hearing before zoning and planning commission** for approval process.

2024 Application Schedule Zoning Changes/Special Use Permit

Submittal Date	Submittal Check Date	Notification Posted (newspaper, mailed & sign)	Zoning & Planning Commission Meeting Date	City Council Meeting Date
Must be received by 5:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	30 days in advance of meeting	Public Hearing (Wednesday)	Public Hearing (Wednesday)
12/4/2023	12/5/2023	12/18/2023	1/17/2024	2/14/2024
1/8/2024	1/9/2024	1/22/2024	2/21/2024	3/26/2024
2/5/2024	2/6/2024	2/19/2024	3/20/2024	4/10/2024
3/4/2024	3/5/2024	3/18/2024	4/17/2024	5/8/2024
4/1/2024	4/2/2024	4/15/2024	5/15/2024	6/12/2024
5/6/2024	5/7/2024	5/20/2024	6/19/2024	7/10/2024
6/3/2024	6/4/2024	6/17/2024	7/17/2024	8/14/2024
7/8/2024	7/9/2024	7/22/2024	8/21/2024	9/11/2024
8/5/2024	8/6/2024	8/19/2024	9/18/2024	10/9/2024
9/3/2024	9/4/2024	9/16/2024	10/16/2024	11/13/2024
10/7/2024	10/8/2024	10/21/2024	11/20/2024	12/11/2024
No December ZAPCO				
12/2/2024	12/3/2024	12/16/2024	1/15/2025	2/12/2025

2024 Application Schedule Subdivision Initial Submittal

Submittal Date	Submittal Check Date	Zoning & Planning Commission	City Council Meeting Date
Must be received by 5:00 pm CDT (Monday unless City holiday, then next business day)	All submissions must have all required items to enter review	Public Hearing (Wednesday)	Public Hearing (Wednesday)
12/18/2023	12/19/2023	1/17/2024	1/24/2024
1/22/2024	1/23/2024	2/21/2024	2/28/2024
2/19/2024	2/20/2024	3/20/2024	3/27/2024
3/18/2024	3/19/2024	4/17/2024	4/24/2024
4/15/2024	4/16/2024	5/15/2024	5/22/2024
5/20/2024	5/21/2024	6/19/2024	6/26/2024
6/17/2024	6/18/2024	7/17/2024	7/24/2024
7/22/2024	7/23/2024	8/21/2024	8/28/2024
8/19/2024	8/20/2024	9/18/2024	9/25/2024
9/16/2024	9/17/2024	10/16/2024	10/23/2024
10/21/2024	10/22/2024	11/20/2024	12/11/2024
No 2024 December ZAPCO Meeting			
12/16/2024	12/17/2024	1/15/2025	1/22/2025

2024 Application Schedule Subdivision Resubmittal

Resubmittal Date	City Council Meeting Date
Must be received by 5:00 pm CDT (Monday unless City holiday, then next business day)	Public Hearing (Wednesday)
1/8/2024	1/24/2024
2/12/2024	2/28/2024
3/11/2024	3/27/2024
4/8/2024	4/24/2024
5/6/2024	5/22/2024
6/10/2024	6/26/2024
7/8/2024	7/24/2024
8/12/2024	8/28/2024
9/9/2024	9/25/2024
10/7/2024	10/23/2024
11/25/2024	12/11/2024
1/6/2025	1/22/2025



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	December 13, 2023	Item Number:	4
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

434 Brady Ln: Discuss and consider action on proposed variances for the removal of two (2) trees with trunk diameters of 14 inches or greater, a double trunk 14"/19" live oak and an 18" live oak (Section 22.03.304 of the West Lake Hills Code).

Applicant: Monte Janssen, J5 Homes, LLC

Recommendation

Staff recommends denial of the variance request. The trees appear to be viable and a house with a smaller footprint could be built on the lot. However, the existing house is nonconforming and to rebuild in the same location, setback variances would be needed to build within the existing footprint.

This item was recommended for **approval** by the Zoning & Planning Commission by a vote of 3-1 at their regular meeting on November 15, 2023 (Attachment 7).

During the discussion, ZAPCO requested that there be future direction from City Council to consider addressing development and design requirements for smaller lots.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Monte Janssen, J5 Homes LLC

Legal Description: 0.235 acres of the Henry P. Hill League Survey, Abstract 21

Lot Size: 0.235 acre (10,454 sq. ft.)

Zoning: R-1 (One Family)

The properties surrounding the subject property are zoned R-1 (One-Family).

Background & Analysis:

This item was originally considered and recommended for denial at the June 21, 2023, ZAPCO meeting with the comment that they needed more information. The applicant requested a postponement to provide more information.

The applicant is proposing to demolish the existing home on the lot and rebuild a new home (Attachment 1). The applicant seeks a variance for the removal of Tree #323, a double trunk 14"/19" live oak and Tree #325 – an 18" live oak (Attachment 2 and 3). The existing house is a two-story house (second story is as partial story) with a 2,180 sq. ft. footprint, built in 1960. The existing house does not meet the setbacks required by the

adopted Code. The proposed house would be a two-story home with a walk-out basement, with a 3,052 sq. ft footprint and is proposed to meet the required setbacks. The applications for demolition and new residential construction are under review.

The applicant has provided an updated request letter providing more information that the current site is unsafe and the current improvements are valued at \$0. They also provided information from an arborist that the trees requested for removal are in average condition with average to below average tree canopies for their size. Site pictures showing the trees' relationship to the existing structure and the relationship to the rear property view (Attachment 4).

At the time of the meeting, three letters of support and one no objection had been received (Attachment 6).

Variance Criteria Review:

When applying for a variance, the applicant has provided the following evidence:

1. *The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.*
With 20' side setbacks and a 15' rear setback, the buildable area of the lot is significantly reduced from existing setbacks. To comply with city codes on setbacks, several trees must be removed.
2. *There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.*
The trees are in the back of the existing house and obscured from neighbors. They are not "beautiful and majestic" by any means. Rather the canopies are thin and sprawling. The February ice storm damaged much of the canopies and damaged several limbs as it is.
3. *There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.*
The existing house is dangerous and does not meet many current codes and building practices for construction. Without removing the trees, the proposed new family house will not be able to be built on this lot. A new house is essential.
4. *The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.*
We want to remove as few trees as possible, and with 11 trees to be removed, we believe we have been successful in our efforts for this result.
5. *The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.*
We believe the circumstances of building a new, safe house that meets all building codes and fire safety standards is the preferred intent of the City.
6. *The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.*
The trees are located in the back of back of the property and unseen by neighbors. There are NO trees inside the building setbacks that we seek a variance.

Outdoor Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to comply with the City's Code.

Compliance with Adopted International Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

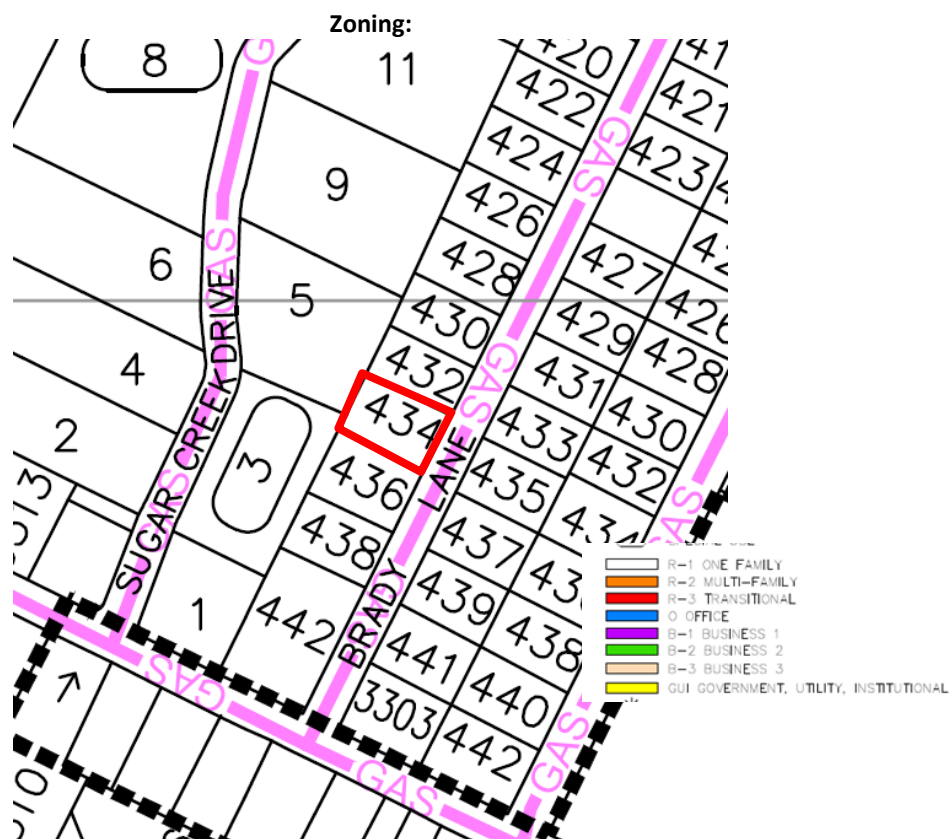
There is no change to the subdivision proposed with this application.

Comprehensive Planning Analysis

The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Links to Relevant Code:

- [Section 22.03.034](#) **Tree and Vegetation Removal and Replacement**
- [Section 38.05.031](#) **Variances**
- [Section 22.03.511](#) **Criteria and process required for granting variance**



Aerial:



November 15, 2023

Jennifer Bill
City of West Lake Hills
Director of Building & Development Services
911 Westlake Drive
West Lake Hills, TX 78746

Re: 434 Brady Lane

Site:

434 Brady Lane
ABS 14 SUR 211 Hill H P ACR .240 82.00X125.00

The proposed project will include the construction of a Single Family Residence of approximately 4,451 square feet. The house features five bedrooms with a rear walk-out area to an outdoor living area and swimming pool. The construction will include a Type 3 Drainage System that exceeds the City of WLH drainage guidelines.

Site Conditions:

This property was originally developed in 1960 with a SFR of 1903 sq.ft. The Travis County Appraisal District deemed the house unsafe and unlivable and set the 2023 value of the Homesite Improvement at \$0.00. The Land was appraised at \$1,200,000.

Request:

We are requesting to remove two (2) trees due to the overall condition of the trees and the hardship they present for the reasonable use of the property. The trees are described below:

Subject Trees:

Assessed by a certified Arborist at Tree Mann Solutions with a report that includes removal and replacement recommendations.

T323 is a 24.5" multi-stem live oak with the trunks measuring 19 and 14 inches diameter, respectively. The tree is in fair condition with average to below average canopy density and spread with a moderate amount of vine cover in the lower portion of the trunk. The smaller stem is moderately unbalanced towards the west and offers little canopy.

T325 is a 17" diameter live oak and found to be in fair condition. A fungal body was found on the west side of the base of the tree likely caused by the organic matter concentrated at the tree base. This could be an early stage of tree rot. There is notable deadwood accumulation within the canopy, and the tree canopy is not nearly as tall and substantial as one would expect given the trunk size and room to grow on the site.

Recommendation:

Based on site constraints and intended use, Tree Mann Solutions does not believe the proposed removals will hinder the natural character of the site, nor the ability to maintain the existing natural flora and fauna. The proposed removals will be replaced, allowing for younger generations of plant life to establish and thrive. TMS strongly encourages replacement with native species (i.e. Monterey Oaks).

Site Hardships:

The property is subject to numerous constraints which inhibit its use—first and foremost are the construction setbacks of 20 feet on each side of the property. The buildable area is necessarily narrow creating problems. When that narrow area is diminished further due to certain trees and their drip zones, the buildable hardships are multiplied.

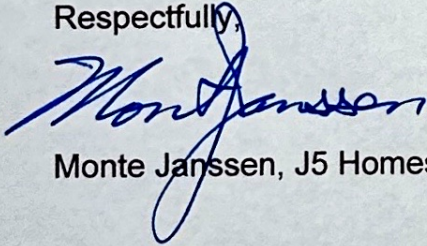
Reason for Removal:

Trees 323 and 325 need to be removed to allow for reasonable usage of the buildable area of construction. The removal of the trees will come with a replacement of new healthy trees to enhance the property and surrounding properties.

Conclusion:

We ask that the ZAPCO members support the request to remove trees 323 and 325 and recommend to the City Council to approve the tree variance.

Respectfully,



Monte Janssen, J5 Homes

Michael Andrew Barber
Architects

Transmittal

To: Monte Janssen – J5 Homes
From: Michael Barber
CC: File
Date: 10/30/2023 No. of pages including Cover Sheet: 1
Re: 434 Brady Ln, West Lake Hills, TX – site hardship & tree variance

Monte,

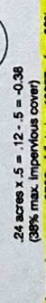
Per your request I have prepared the following bullet points to address the construction hardships at 434 Brady Lane.

- Although demolition of the house is not at issue and therefore not subject to discussion in regards to tree removal, it was brought to my attention that the developer should consider saving the house due to provenance.
 - From a historic point, the house has been remodeled and added onto over the years and as such it is not prime example of an A.D. Stinger house As a side bar opinion, its not one of his more interesting designs.
 - The ad hoc additions and modifications are neither code compliant or structurally sound, and lack the aesthetics of the remainder of the original house. Its my opinion that much of the work done to the house was done without a permit or a design professional.
 - The City of West Lake Hills Zoning Ordinances limit the construction budget for remodel/additions and this limit precludes doing any meaningful work to the house. This was discussed with city staff in detail.
- Tree 325 (17 inch Live Oak) sits just inside the South side yard set back near the midpoint of the buildable area. Designing around this tree is not feasible, nor is it practical given the setback requirements of the current zoning regulations. The reduction in buildable area would be 12.25 feet x 19.5 feet to the ½ critical root zone or 7.1% of the buildable area. To the full CRZ it would be considerably more.
- Tree 323 (multi-bole 14 inch/19 inch Live Oak) sits just inside the Southwest corner of the buildable area the hardship for removal is the same as the tree 325; however, tree 323 has a slightly smaller impact on buildable area as it sits at the corner. The loss to the ½ critical root zone would 4.4 percent.
- Great care was taken in designing the master wing which would be the only occupied space that in theory would have a view to the neighboring lots down slope. The West facing window is a high horizontal slot designed to provide daylight (the bottom of the window is 6 feet above the finish floor) and to facilitate furniture placement in the room.

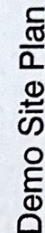
Thank you.

Sincerely,
Michael Barber
Architect

P.O.Box 476, Blanco, TX 78606-0476 p.512.201.3572
mabarchitects@gmail.com, www.mabarch.net



scale: 1"=10'



scale: 1' = 10'

General Number:

Free Notes:

P.O. Box 478 Blanco, TX 78606-0478, p.512.201.3572
www.mabarchitects.net, mabarchitects@gmail.com

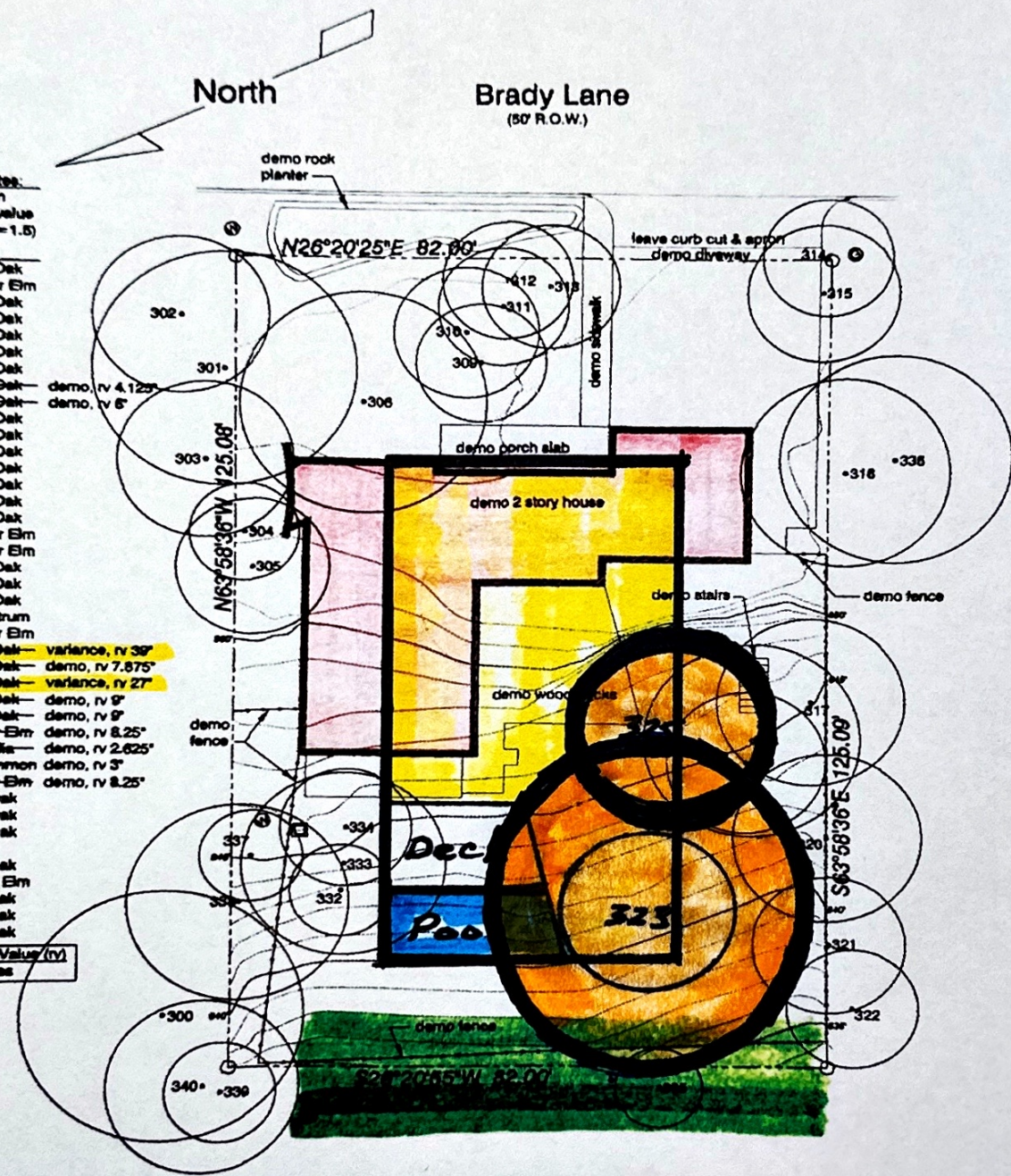


Tree Schedule Notes:
demo = demolition
rv = replacement value
($<14" = 0.75$, $>14" = 1.5$)

Tree Schedule:

300	18"	Live Oak	
301	18"	Cedar Elm	
302	12"	Live Oak	
303	12"	Live Oak	
304	7.5"	Live Oak	
305	10.5"	Live Oak	
306	17"	Live Oak	
307	5.5"	Live Oak	demo, rv 4.125"
308	8"	Live Oak	demo, rv 6"
309	8"	Live Oak	
310	10"	Live Oak	
311	9"	Live Oak	
312	9"	Live Oak	
313	9.5"	Live Oak	
314	9"	Live Oak	
315	10.5"	Live Oak	
316	14.5"	Cedar Elm	
317	13"	Cedar Elm	
318	15"	Live Oak	
319	11"	Live Oak	
320	13"	Live Oak	
321	3/4/7	Ligustrum	
322	9"	Cedar Elm	
323	14/19	Live Oak	variance, rv 39"
324	16.5"	Live Oak	demo, rv 7.875"
325	18"	Live Oak	variance, rv 27"
326	12"	Live Oak	demo, rv 9"
327	12"	Live Oak	demo, rv 9"
328	11"	Cedar Elm	demo, rv 8.25"
329	8.5"	Bumelia	demo, rv 2.625"
330	4"	Paralimmon	demo, rv 3"
331	14"	Cedar Elm	demo, rv 8.25"
332	7"	Live Oak	
333	14"	Live Oak	
334	9"	Live Oak	
335	6"	Cedar	
336	18"	Live Oak	
337	7"	Cedar Elm	
338	15"	Live Oak	
339	7.5"	Live Oak	
340	15"	Live Oak	

Total Replacement Value (rv)
(124.125) 124 inches



1 Demo Site Plan

scale: 1"=10'

Tree Notes:

1. Concrete-line pump: Keep circumference of concrete line pump with plastic to prevent concrete slurry from seeping into ground and near roots of trees.
2. Concrete truck: If heavy equipment of any kind will be sitting over any area of the full size of proposed trees, provide 10" plywood over full surface over 10" layer of mulch to bridge over the roots and prevent soil from compacting. After construction is completed, spread mulch around site to form a mulch layer of 10" within root zone.
3. Provide orange construction fencing around all remaining trees - fence to be placed at a minimum of 1/3 the diameter of the tree. example 14" diameter = 17 x 15 = 255 (17-47)

General Notes:

1. All dimensions are to face of stud or center line of structure.
2. Contractor to field verify all dimensions prior to work.
3. Contractor to provide temporary weather protection and security during construction.
4. If you encounter any errors or omissions in this set, stop work in that area and contact Architect 919-201-3578.

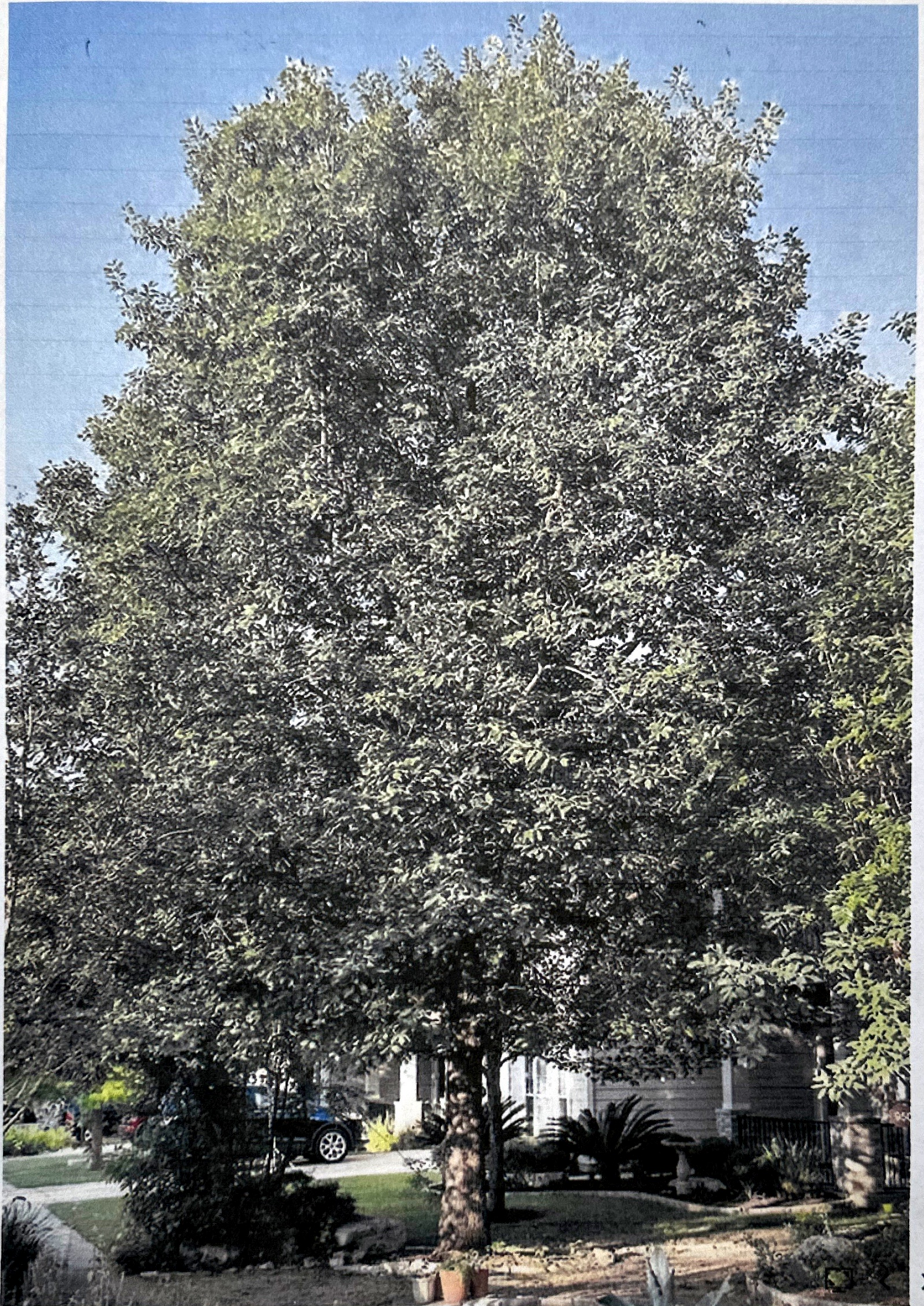


New Single Family Construction
434 Brady Lane
West Lake Hills, Texas 78746

Michael Andrew Barber
Architects

P.O. Box 478 Blanco, TX 78606-0478, p.512.201.3578
www.mabarchitect.com, mabarchitect@gmail.com

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DRAWN BY: MAB
CHECKED BY: MAB
DATE: 05/08/2023



>

1. Monterrey Oaks grow speedily and have long lives. Usually, fast-growing trees are known as 'trash trees'. People don't like to plant them. The Mexican White Oak is an exception to this rule. Why? The tree, which grows to about 40 feet tall, get to that height quickly. The tree has a growth rate as much as 4 feet per year. A newly planted sapling will tower majestically over your home well before you pay off your mortgage. Growth rate and ultimate height are dependent on growing conditions and other factors. For example, thin soil and extreme drought may limit the tree's ability to achieve maximum height. The tree can grow to be two feet in diameter, though as a sapling, the tree is lanky and gangly before it fills out, sort of like a teenager. This tree sapling is quite likely to mature well into grandparenthood since the Monterrey Oak's average lifespan is about 100 years. When it grows to its full maturity, the Monterrey Oak provides excellent cooling properties for your home.

2. The Mexican White Oak is almost evergreen. The leaves of the Monterrey Oak are four to five inches long with smooth or serrated edges of varying degrees. Different specimens can have different leaf shapes. Tiny seedlings' leaves are more serrated and tend to smooth out as the tree matures. A giant squirrel playground, the Mexican White Oak holds onto its leaves into late winter or early spring when it finally defoliates. This is followed by a rapid-leafing period. In lieu of a showy flower, the tree's small, young leaves display an attractive red-peach color before turning bright green and then maturing into thick, deep green leaves with a leathery texture. All in all, the tree is leafless for 2 to 8 weeks, depending on the climate in which it is planted. In Austin, they begin to re-leaf before we've finished raking up the fallen leaves.

3. The Monterrey Oak is well adapted. While especially happy in dry environments with some rainfall, this tree is found in a number of varying ecosystems including river banks, mountain forests and desert-like areas. This tree, as many Texan gardeners can attest to, is extremely drought-tolerant. Even in July and August when temperatures regularly hit triple digits, we don't give them any supplemental water. The Mexican White Oak prefers neutral to alkaline soil pH and can adapt to many soil types including sandy loam and well-drained clay soils.

4. The Mexican White Oak is resistant to pests and diseases. Generally speaking, the Monterrey Oak is very healthy. While many oaks are susceptible to oak wilt. Oak wilt is a highly contagious fungal disease that is often fatal. Members of the oak tree family are particularly at risk of succumbing to this disease. However, Mexican Oaks are rarely affected by this disease and others that are common to trees of their genus.

5. The Monterrey Oak requires minimum care. Because these trees are fast-growing, you'll want to regularly prune the lower limbs to raise the canopy. Other than that, these trees don't need much pruning or thinning. They aren't plagued by deadwood the way live oaks are. Assuming that you plant them in proper soil and they receive occasional rain, these trees require no additional care.



07/17/2023

J5 Homes
434 Brady Lane
West Lake Hills, TX 78746

Introduction:

Tree identification, measurement, inspection, and arboriculture consultation were performed by a board-certified master arborist team who through related training and experience are familiar with the techniques and equipment used in such operations.

TMS was contacted regarding a property being studied for construction. The team wanted a better understanding of trees on site and their potential impacts/benefits to the project.

Assignment:

Tree Mann Solutions to inspect, identify, measure DBH, and provide condition rating with supportive notes for 2 designated trees, per provided exhibit. TMS to review provided documents and make preservation/removal recommendations where warranted. Summary report with photos provided for team use.

Observations:

- **T323**, a 24.5" multi-stem live oak, was found to be in fair overall condition. The smaller stem is moderately unbalanced W. There is a moderate amount of vine cover in the lower portion of the tree.
- **T325**, a 17" live oak, was found to be in fair overall condition. The canopy and overall structure are in fair condition. A fungal body was found on the W side of the base of the tree. This fungus is most likely caused by the organic matter concentrated at the base of the tree.
- Based on the site constraints and intended use, TMS does not believe the proposed removals will hinder the natural character of the site, nor the ability to maintain the existing natural flora and fauna. These proposed removals will be replaced, allowing for younger generations of plant life to establish and thrive. TMS strongly encourages replacement with native species.

TMS recommends designing with good data, maintaining compliance with tree regulations, and promoting healthy urban canopy through quality preservation and/or mitigation with new, well-planned plantings. If you have any questions and/or concerns regarding tree assessment on this site, please contact me at (512) 745-9653 or joshua@treemannsolutions.com. We are here to help promote smart planning, aid efficient permitting, and ensure quality urban tree canopy preservation.

Respectfully,

Joshua Morales

Joshua Morales | Assistant Project Manager

Tree Mann Solutions, LLC

ISA Certified Arborist TX-4657AM

Tree Risk Assessment Qualified (TRAQ)

Texas Oak Wilt Qualified #410 (TXOWQ)

TDA Applicator License No. 0849823

To Whom It May Concern:

My name is Patrick Comer and I live at 424 Brady Lane. I am aware of the proposed construction at 434 Brady Lane. As a neighbor, it is my opinion that the Tree Variance should be granted and construction allowed to proceed for the overall good of our street and community.

Sincerely,

DocuSigned by:
Patrick Comer 11/7/2023
0D83ED2E1B0E4C0...

Patrick Comer
424 Brady Lane

To Whom It May Concern:

My name is Laurel Prats and I live at 408 Brady Lane. I am aware of the proposed construction at 434 Brady Lane. As a neighbor, it is my opinion that the Tree Variance should be granted and construction allowed to proceed for the overall good of our street and community.

Sincerely,

**Laurel Prats
408 Brady Lane**

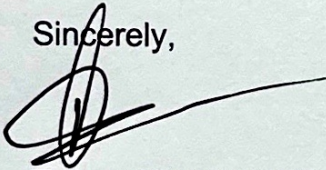
November 3, 2023

TO WHOM IT MAY CONCERN at the City of West Lake Hills,

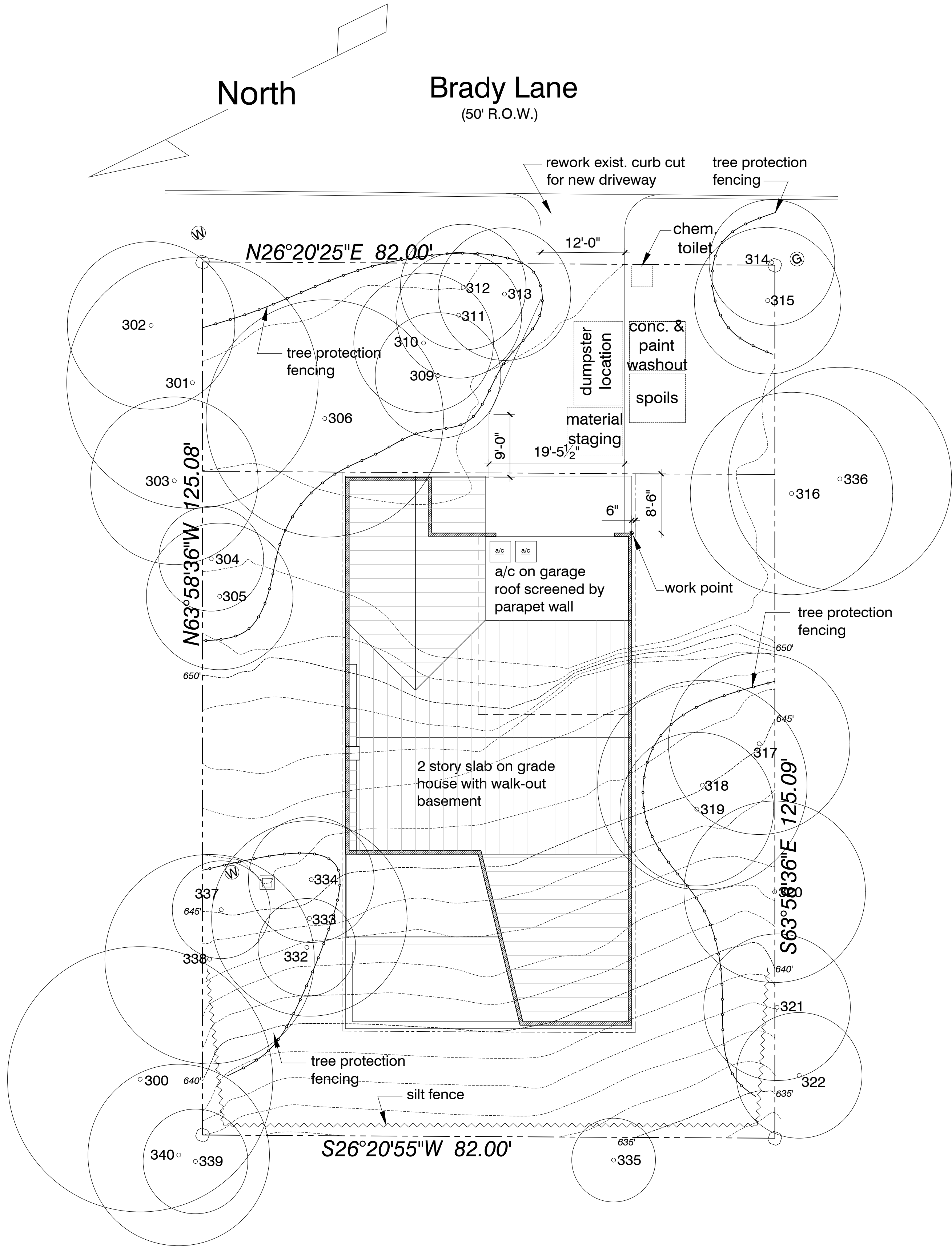
My name is Bob Litschi and I've lived in the West Lake Hills area for nearly 30 years. I'm familiar with the work of Monte Janssen and J5 Homes. I was the president of the HOA where Monte developed two houses in our cul-de-sac of five houses. His work was conscientious and professional. Monte is an honest builder and I support and trust him in his construction endeavors. I encourage you to grant the tree variance so that he can move forward and improve the property at 434 Brady Lane and enhance the neighborhood.

Feel free to contact me directly at 512 633-3899.

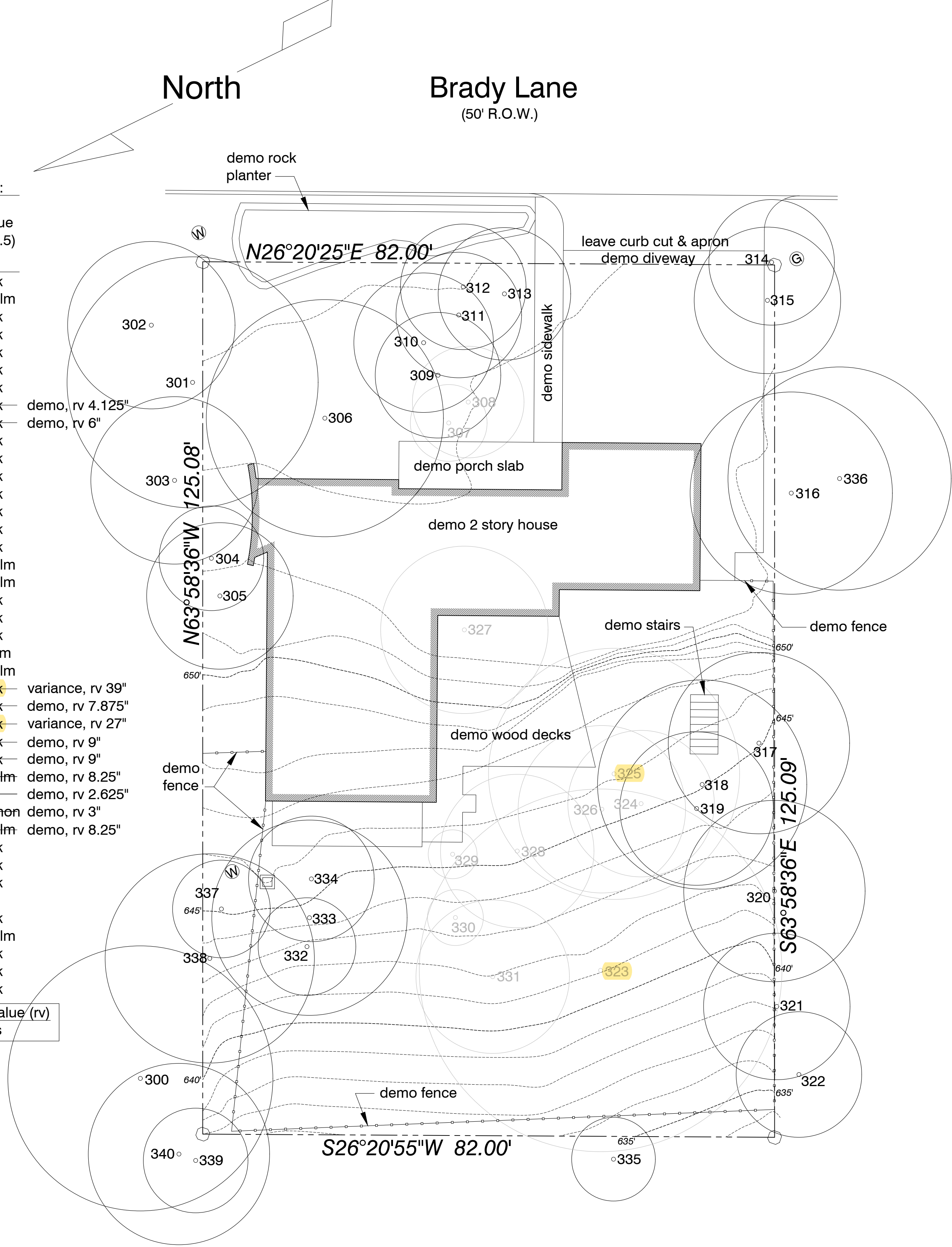
Sincerely,

A handwritten signature in black ink, appearing to be 'Bob Litschi', with a long horizontal flourish extending to the right.

Robert "Bob" Litschi



1 Proposed Site Plan
scale: 1"=10'



1 Demo Site Plan
scale: 1"=10'

Tree Schedule Notes:
demo = demolition
rv = replacement value
($< 14'' = 0.75$, $> 14'' = 1.5$)

Tree Schedule:

300	19"	Live Oak	
301	18"	Cedar Elm	
302	12"	Live Oak	
303	12"	Live Oak	
304	7.5"	Live Oak	
305	10.5"	Live Oak	
306	17"	Live Oak	
307	5.5"	Live Oak	demo, rv 4.125"
308	8"	Live Oak	demo, rv 6"
309	9"	Live Oak	
310	10"	Live Oak	
311	9"	Live Oak	
312	9"	Live Oak	
313	9.5"	Live Oak	
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315	10.5"	Live Oak	
316	14.5"	Cedar Elm	
317	13"	Cedar Elm	
318	15"	Live Oak	
319	11"	Live Oak	
320	13"	Live Oak	
321	3/4/7	Ligustrum	
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329	3.5"	Bumelia	demo, rv 2.625"
330	4"	Persimmon	demo, rv 3"
331	11"	Cedar Elm	demo, rv 8.25"
332	7"	Live Oak	
333	14"	Live Oak	
334	9"	Live Oak	
335	6"	Cedar	
336	16"	Live Oak	
337	7"	Cedar Elm	
338	15"	Live Oak	
339	7.5"	Live Oak	
340	13"	Live Oak	

Total Replacement Value (rv)
(124.125") 124 inches

- Tree Notes:
- Concrete line pump: Wrap connections of concrete line pump with plastic to prevent concrete slurry from leaching into ground and near roots of trees.
 - Concrete truck: If heavy equipment of any kind will be rolling over any area of the full CRZ of protected trees, provide 3/4" plywood over 2x4 lumber over 12" layer of mulch to bridge over the roots and prevent soil/root compaction. After construction is completed, spread mulch around site to leave a max layer of 3" within root zones.
 - Provide orange construction fencing around all remaining trees - fence to be placed at a minimum of $\frac{1}{2}$ the diameter of the tree, example 16" diameter = $8' \times 12' = 96"$ (8'-0")

- General Notes:
- All dimensions are to face of stud or center line of structure
 - Contractor to field verify all dimensions prior to work
 - Contractor to provide temporary weather protection and security during construction
 - If you encounter any errors or omissions in this set, stop work in that area and contact Architect 512-201-3572.



New Single Family Construction
434 Brady Lane
West Lake Hills, Texas 78746

Michael Andrew Barber
Architects

P.O. Box 476 Blanco, TX 78606-0476 p.512.201.3572
www.mabarch.net, mabarchitects@gmail.com

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DRAWN BY: MB
REVISION: 0
DATE: 05/08/2023





Tree 323 and Tree 325 locations in relation to the southwest corner of the property.

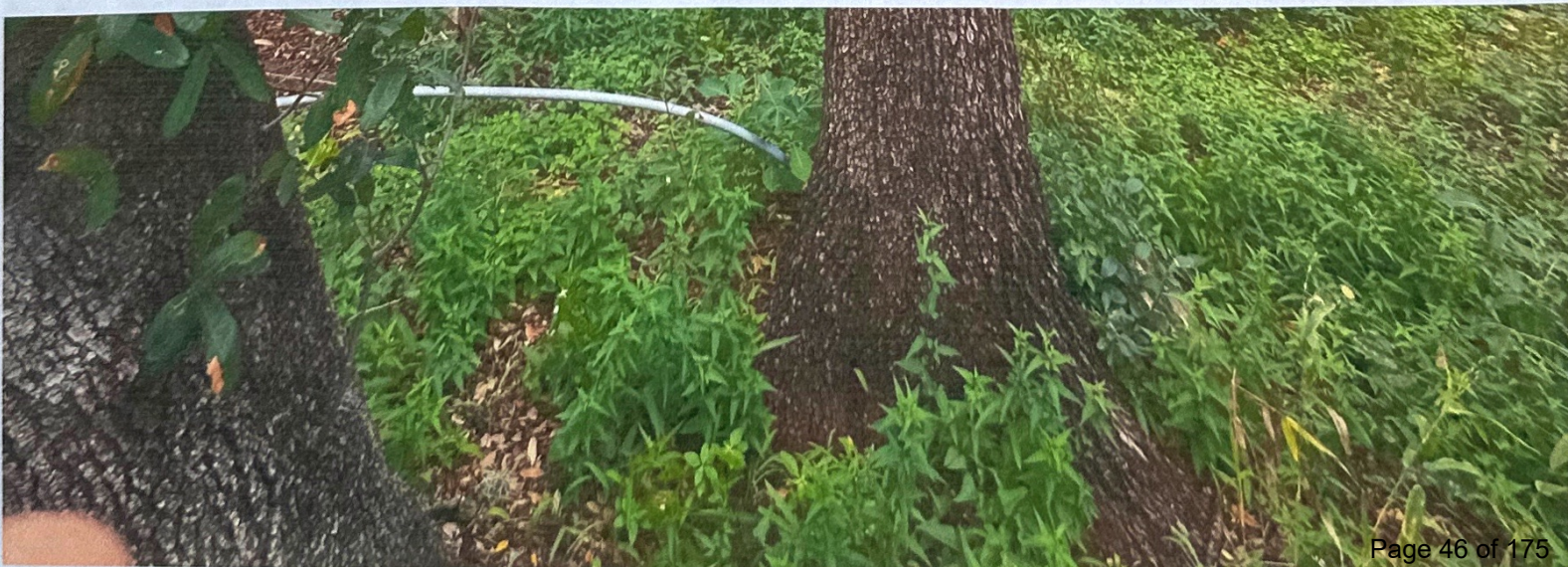


Tree 323 location in relation to the southwest corner of the property with finger pointing to the property pin.



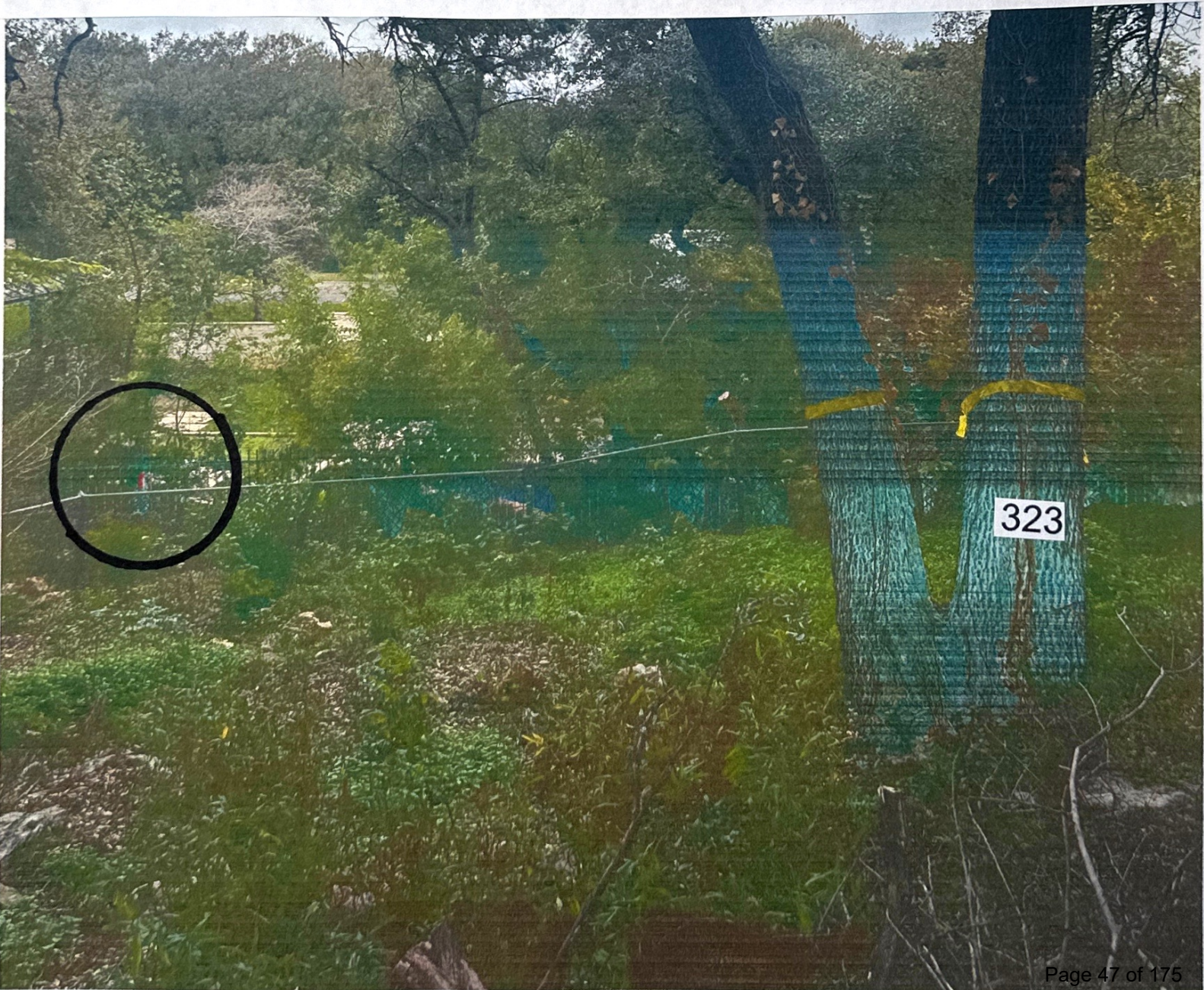


Tree 325 location with branches extending over current deck and house.





Tree 323 location as it relates to the house behind the property.





Tree 325 in relation to current deck and house.
Tree 323 in lower corner.

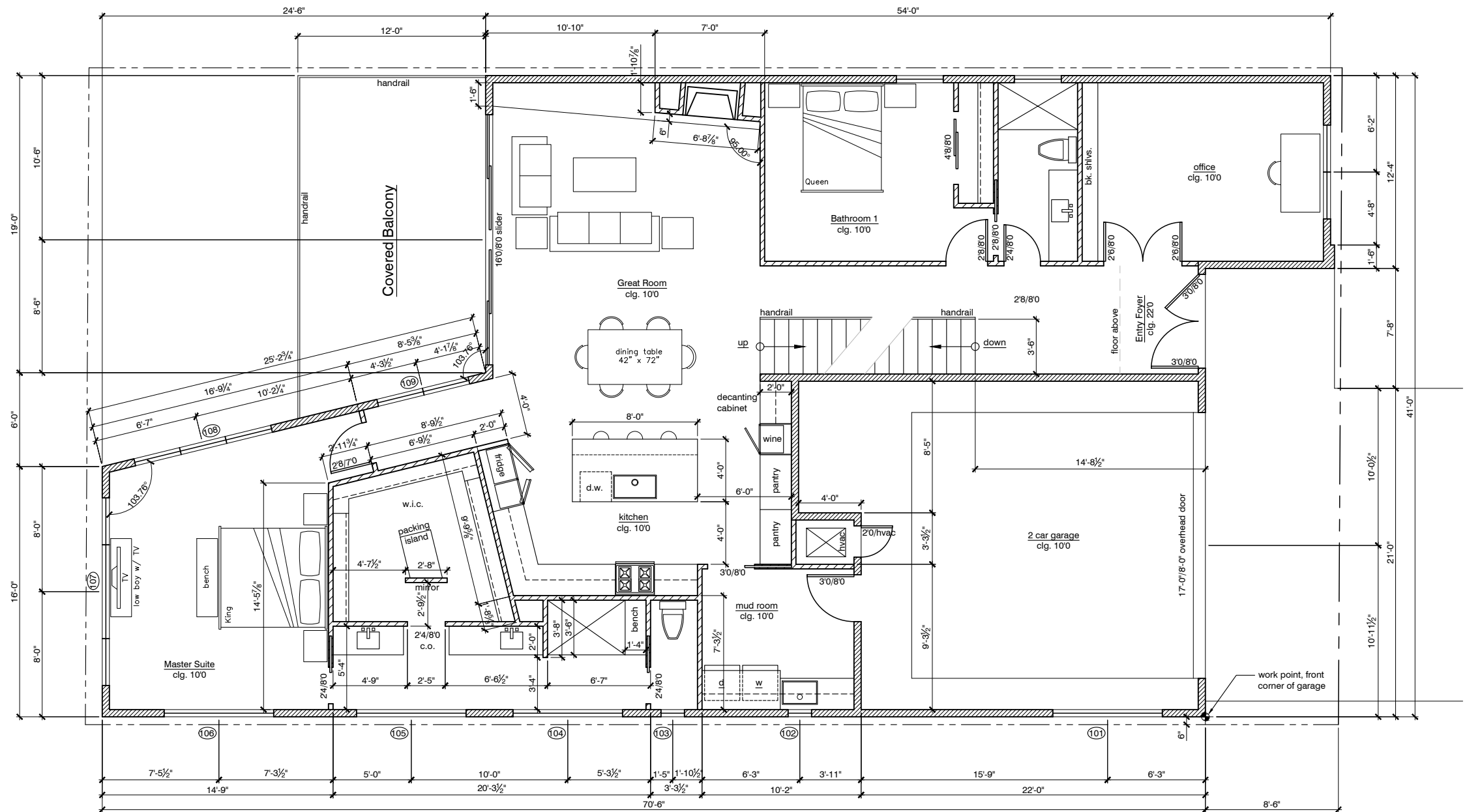


Neighbor's pool and cabana view of back of property (close up).



Neighbor's pool and cabana view of back of property (from distance).

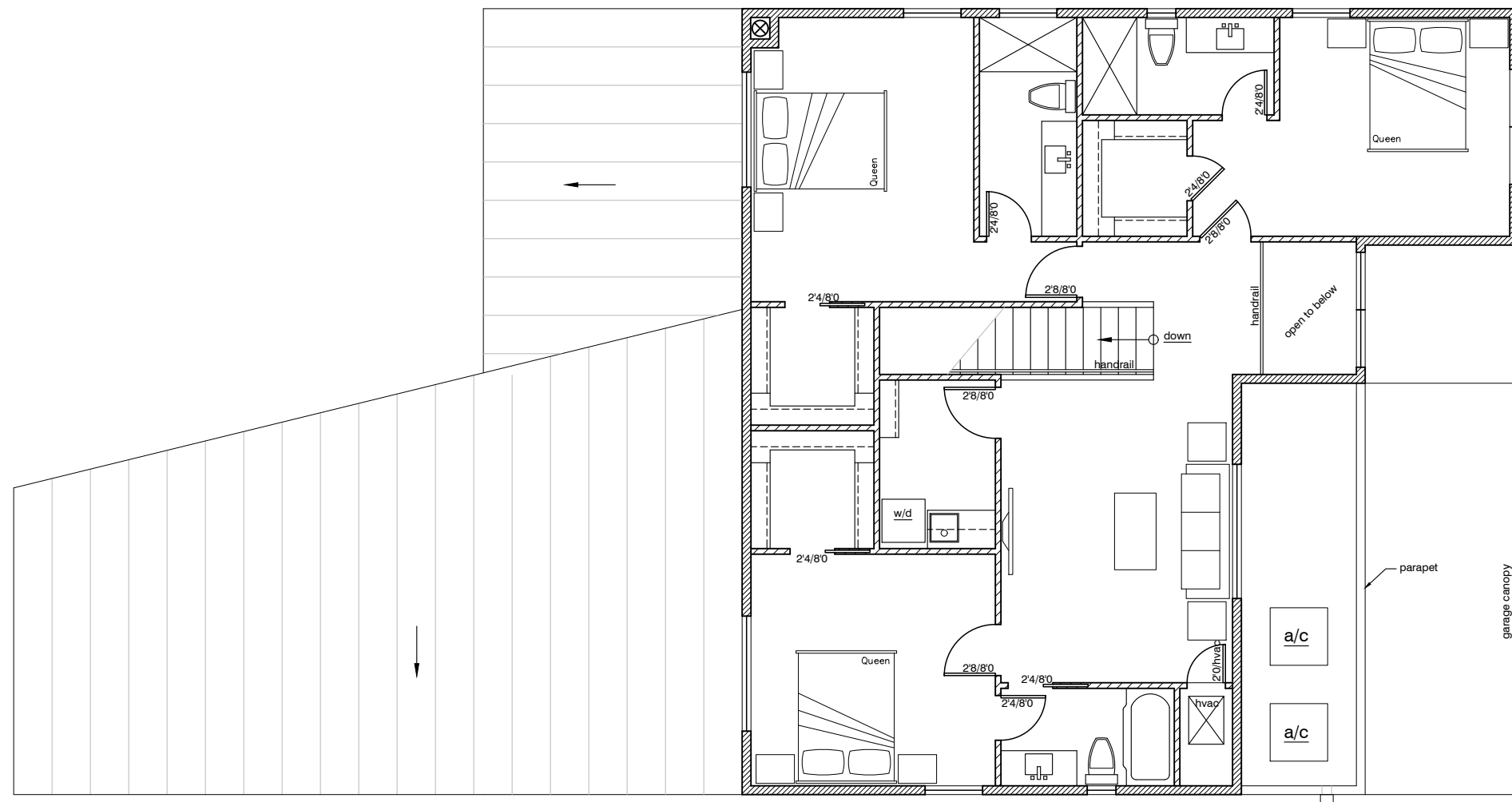




HVAC: 1,945 s.f.
Total HVAC: 4,451 s.f.

1 First Floor Plan
scale: 1/4" = 1'-0"

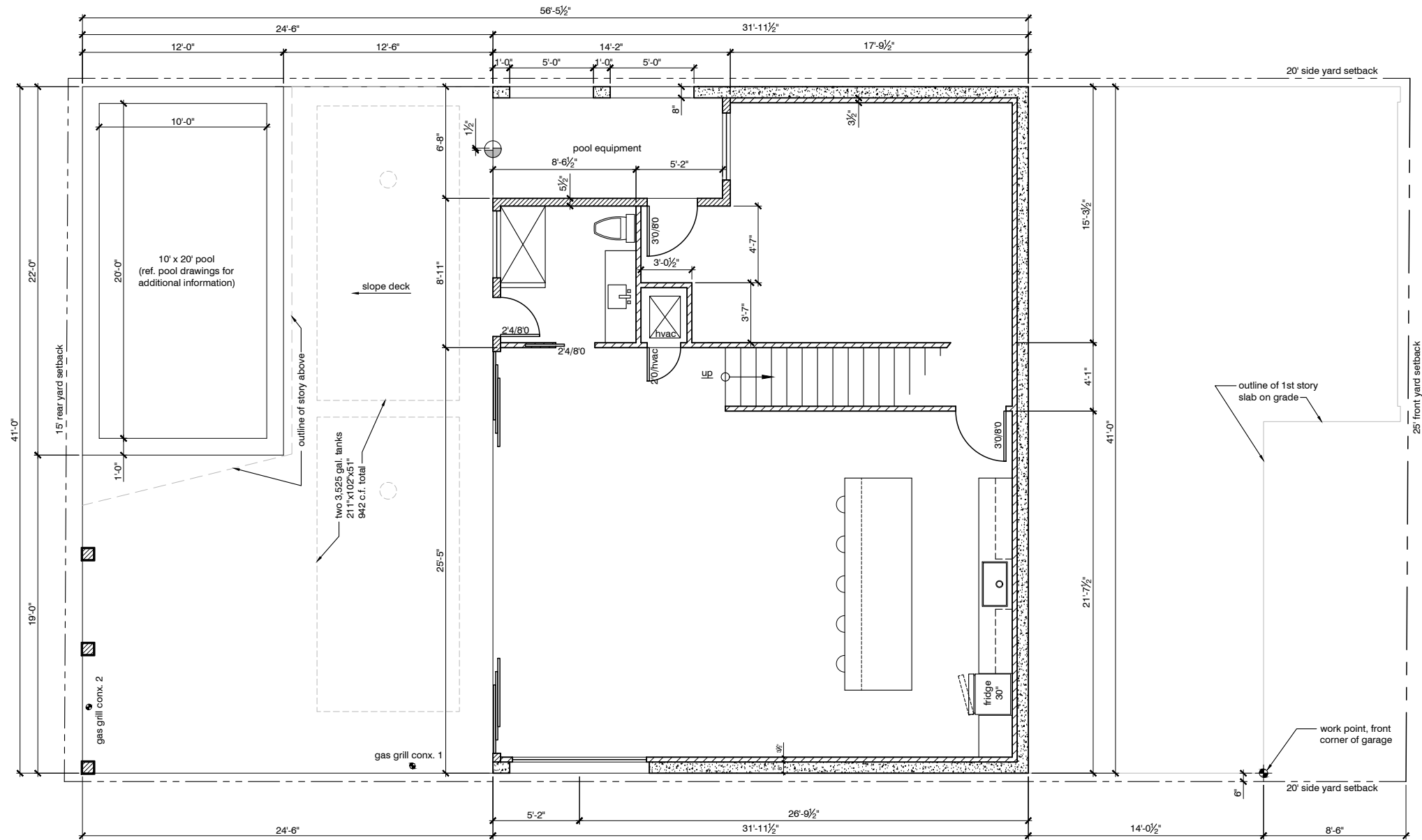
reference electrical layout
drawings for reflected
ceiling plans & finish notes



HVAC: 1,293 s.f.
Total HVAC: 4,451 s.f.

① Second Floor Plan
scale: 1/2" = 1'-0"

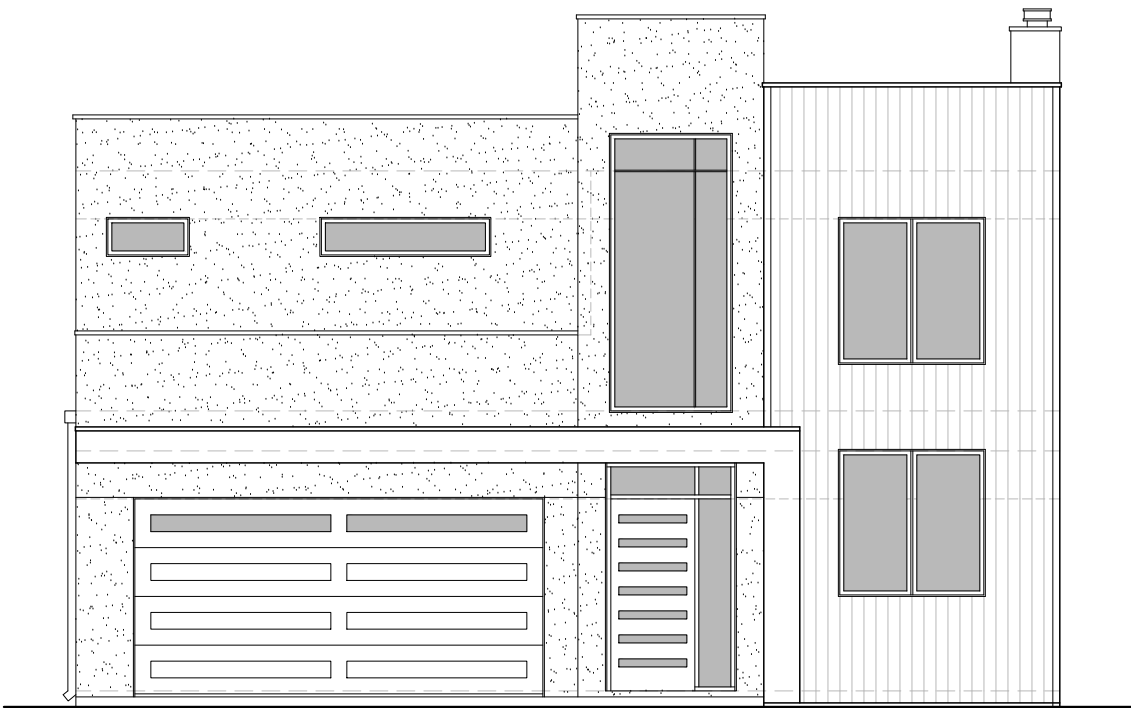
reference electrical layout
drawings for reflected
ceiling plans & finish notes



001 HVAC: 1,213 s.f.
Total HVAC: 4,451 s.f.

1 Walk-out Basement Floor Plan
scale: ¼" = 1'-0"

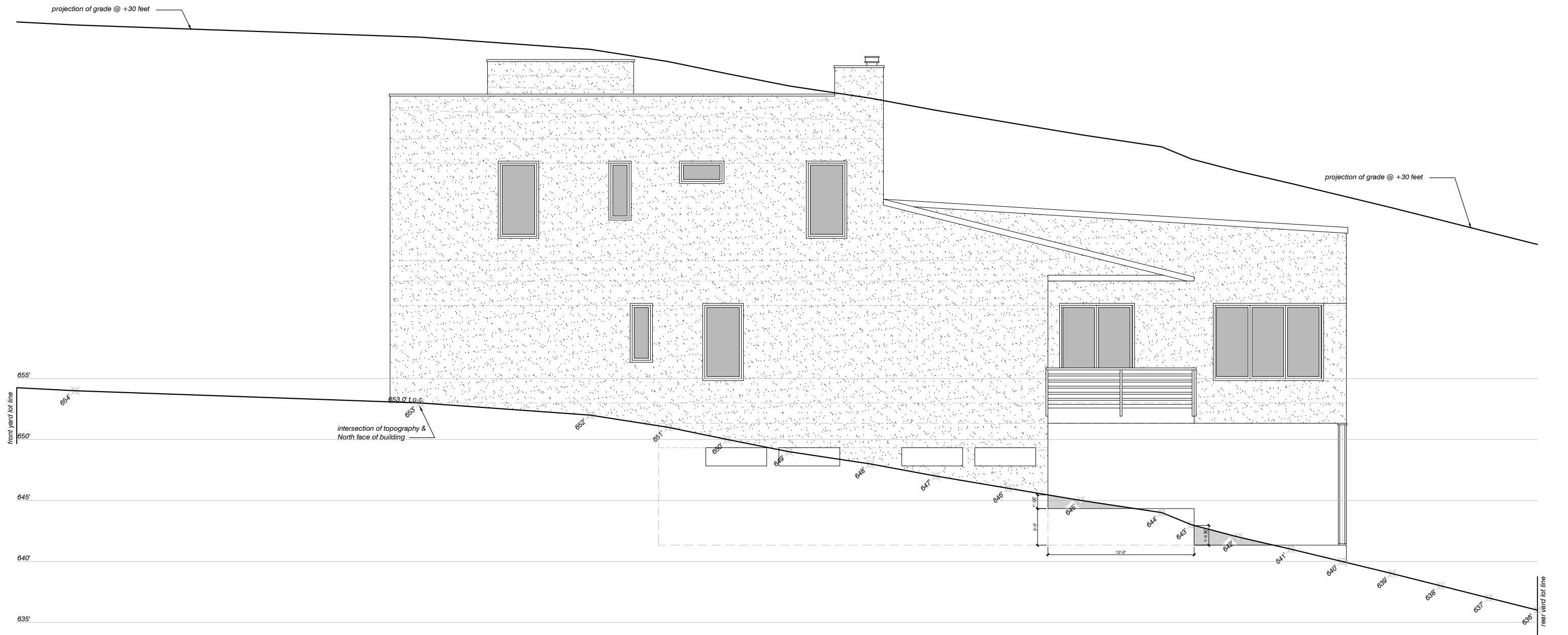
reference electrical layout
drawings for reflected
ceiling plans & finish notes

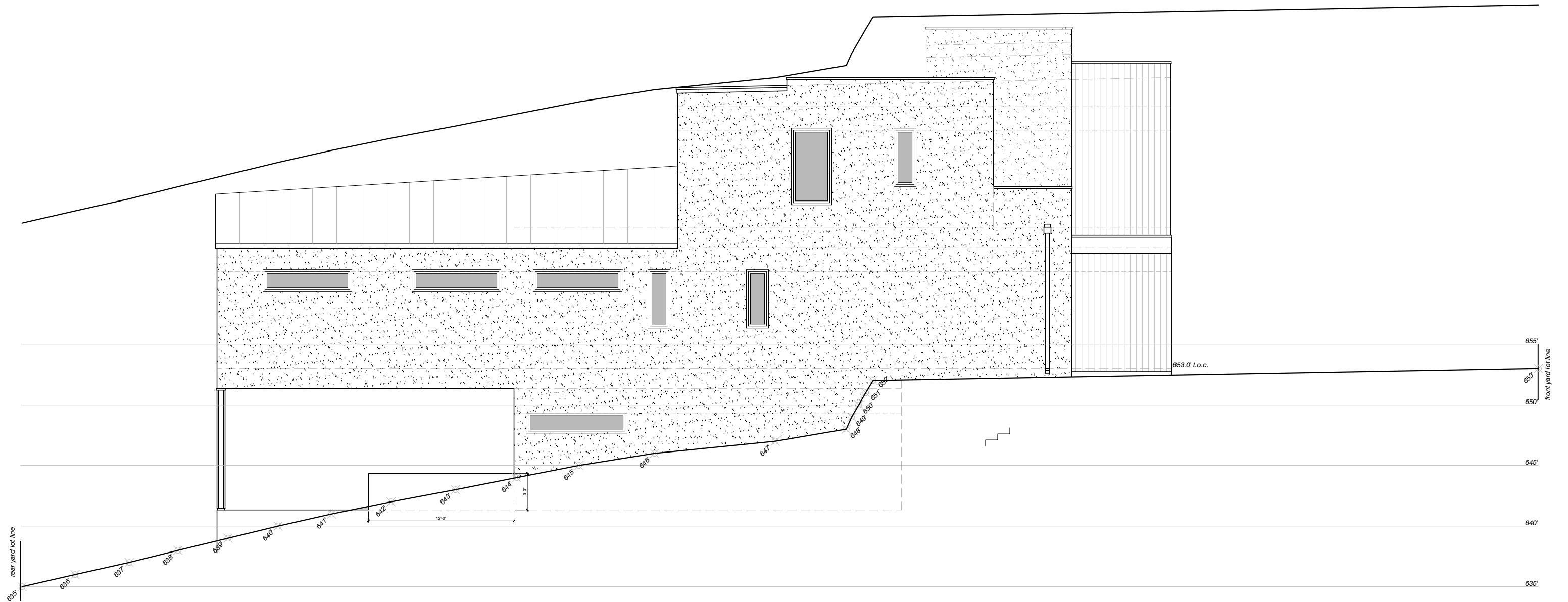


East Elevation
scale: $\frac{1}{4}" = 1'-0"$



West Elevation
scale: $\frac{1}{4}" = 1'-0"$





South Elevation
scale: 1/4" = 1'-0"

House directly across
the Street.

To Whom It May Concern:

My name is Tom Clarkson and I live at 435 Brady Lane.
I am aware of the proposed construction at 434 Brady Lane. It is my
opinion that the Tree Variance should be granted and construction
allowed to proceed for the overall good of our street and community.

Sincerely,



435 Brady Lane

Joel Deitz, 436 Brady Ln.



House next door
to the South (left of
front)

Jennifer Bills

From: graeme walker <graeme8@hotmail.com>
Sent: Wednesday, November 15, 2023 9:52 AM
To: Mark Littrell (PZSec); Jennifer Bills
Subject: Re: 6/21 Zapco Meeting & 11/15 Zapco Meeting Update

To whom it may concern,

Ref: 434 Brady Lane Variance

Please see below my original email from the 6/21 Zapco meeting regarding the proposed variance request for 434 Brady Lane.

I am the owner of 432 Brady Lane which is immediately adjacent to the property. I am also the owner of 433 Brady lane which is across the street. Each property will be directly impacted by any development on the site.

Since the previous Zapco meeting, Mr Jansenn has made efforts to meet with us and other neighbors to further discuss the proposals. Enclosed herein are my updated views on the proposed development of the site.

My principal reservation with the proposed redevelopment of the lot is that the intended new property is a stucco white box which is out of keeping with the mid-century modern aesthetic of the majority of other homes on the street. Most properties on Brady Lane are original Stenger properties, or close approximations from other builders. I would prefer to see a more sympathetic remodel of the existing property, if possible, or some incorporation of this aesthetic into any new structure. While the new setbacks would actually increase the distance between our house and the proposed new property, I would be willing to forego this added benefit in exchange for a more sympathetic remodel.

However, I am aware that these are just my opinions on what a final structure would look like rather than specifically addressing the issue at hand which is the removal of the 2 larger trees on the property to facilitate the new structure. Given Mr. Jansenn's assurances around replacement with the faster growing species of tree, my concerns around impact to the overall tree canopy are alleviated.

In summary, I do not oppose the proposed variance regarding the removal of the trees on a stand alone basis. However, I would ask that some consideration be given to maintaining the aesthetic of the property, in keeping with the remainder of the homes on the street.

Sincerely,
Graeme

From: graeme walker
Sent: Wednesday, June 21, 2023 3:39 PM
To: pzsec@westlakehills.gov <pzsec@westlakehills.gov>
Subject: 6/21 Zapco Meeting

To whom it may concern,

Ref: 434 Brady Lane Variance

Jennifer Bills

From: Mary Williams <marymccrory@yahoo.com>
Sent: Wednesday, November 15, 2023 12:23 PM
To: Mark Littrell (PZSec); Jennifer Bills
Subject: Tonight's ZAPCO meeting regarding variance request at 434 Brady Lane

Good afternoon Mark and Jennifer,
Hope both of you are doing well. I wanted to write and let you know that I have met with Monte Janssen regarding his request for a variance for tree removal at 434 Brady. Although I opposed this request in June, I am now changing my position based on a thorough understanding of his building plans as presented to me this week. If he doesn't take the trees out, we will have a considerably worse view and more noise/disturbance than if the protected trees are removed. Because he is already removing non-protected trees that are within our line of sight, our view is going to change no matter what, but removing the protected trees will actually be the least impactful to us and our lot because of where the deck and pool will be constructed in that plan. We support Mr. Janssen's variance request under the terms of the building plans he has presented to me this week.

I do not have Mr. Janssen's email address but you are welcome to share this with him at any time. Please let me know if you have any questions or need further information from me in support of his request.

All the best,
Mary Williams
3 Sugar Creek Dr
West Lake Hills 78746
(919) 360-4580

On Wednesday, June 21, 2023, 09:44:48 AM CDT, Mark Littrell (PZSec) <pzsec@westlakehills.gov> wrote:

Good morning!

You'll be given 3 minutes to speak during the Public Hearing portion of the meeting.

If you have pictures that you want to show, please forward those ASAP to Jennifer Bills jbills@westlakehills.gov so she can review them.

Thank you.

From: Mary Williams <marymccrory@yahoo.com>
Sent: Wednesday, June 21, 2023 9:41 AM
To: Mark Littrell (PZSec) <pzsec@westlakehills.gov>
Subject: Tonight's ZAPCO meeting regarding variance request at 434 Brady Lane

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, November 15, 2023 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Vice-Chairman Pledger called the meeting to order at 6:31 p.m.

ZAPCO Members Present

**Vice-Chairman Jim Pledger
Patrick Stewart
Julia Webber
Laurie Maccini - arrived 6:54
Karen Bartoletti**

City Staff Present

**Dir. of Building & Development Jennifer Bills
Development Coordinator Joel Sherrouse
Asst. City Attorney Josh Brockman-Weber**

2. Citizen Communications The Commission welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Commission later in the meeting. The Commission cannot respond to or discuss matters not listed on the agenda. The Commission may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

3. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.
Motion for Approval made by Commissioner Stewart with a Second by Commissioner Bartoletti.
Motion for Approval carried unanimously by a vote of 3 ayes to 0 nays.

4. Land Use 100 Redbud Trail - Discuss and make a recommendation on variances for a 17-foot encroachment into the 50-foot front yard setback to demolish and reconstruct a pool house (Section 22.03.275 of the West Lake Hills Code). Applicant James Hughes Holland
Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Approval.

Presentation by Applicant

Hughes Holland is the applicant and explains the variance request. The impervious

cover is reduced.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Webber: Thank you for changing the submittal.

Commissioner Stewart: We appreciate the impervious cover reduction.

**COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL.
COMMISSIONER WEBBER SECONDS. UNANIMOUS (3-0) APPROVAL.**

5. Land Use 434 Brady Lane - Discuss and make a recommendation on proposed variances for the removal of two (2) trees with trunk diameters of 14 inches or greater, a double trunk 14"/19" live oak and an 18" live oak (Section 22.03.304 of the West Lake Hills Code).
Applicant: Monte Janssen, J5 Homes, LLC.

- Tree # 323 - Double trunk 14"/19" Live Oak; and
- Tree # 325 - 18" Live Oak.

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial due to design.

Commissioner Webber: Can you remind me what the impervious cover is?

Director Bills: It's about 37%.

Presentation by Applicant

Monte Janssen is the applicant and is with J5 Homes and I am the builder and the owner of this property. By the time you bring in 20' from both sides there's not a lot of lot left. We don't have enough left to build a house. I did go to various neighbors and gotten support for the removal of the trees and moving our project forward. We don't have anybody that's against us but we want you to be with us to be able to improve this property.

Public Hearing

Thomas Finsberg: I'm here to support this because I'm a potential buyer. All four of

our children have been raised and educated in Westlake; this is our home. We're interested in purchasing the home for our son who is wanting to do his residency in Austin. We learned the setbacks were changed from 5' to 20' and that would limit rebuilding the house. We're wanting to bring in more trees than what are there. We've been working really hard to comply with the new rules. I think the plans we have would be a significant improvement.

Vice-Chairman Pledger closes the Public Hearing.

Discussion/Recommendation

Commissioner Maccini: Before I say anything I want to apologize for my tardiness.

Commissioner Stewart: I think this is another one to tag along with Julia earlier, I appreciate we've received a great deal more information from the first time we saw this application. I do see a hardship in the lot size. I'm encouraged by what I see and the support of the neighbors.

Commissioner Webber: Thank you for the resubmittal with the additional information. I still have reservations about this project because the lot size is not unique to projects in our city. The street would like a much smaller house. The original house is 1,000 sq. ft. smaller. It's unfortunately we're trying to stuff all that into a Brady Lane lot. However, you've met the impervious cover restrictions and fitting in the setback rules. I'm in support because our zoning rules don't stop this sort of building on smaller lots.

Commissioner Maccini: We're changing the lot to fit the design instead of the design to fit the lot. Brady is a charming street. Replacement trees need to be watered.

COMMISSIONER WEBBER MOVES TO RECOMMEND APPROVAL DUE TO THE SIZE OF THE LOT AND ALL OTHER ASPECTS MEET CODE. COMMISSIONER STEWART SECONDS. APPROVED (3-1) COMMISSIONER BARTOLETTI OPPOSES.

Commissioner Webber: How and when do we bring up the discussion of potential code modifications to keep the nature and character we are talking about?

Director Bills: We can add that to the report that ZAPCO makes the request to look at design considerations dealing with the smaller lots because we can't have a one size fits all in the smaller neighborhoods.

Commissioner Maccini: Would that also include design?

Director Bills: Explains the state law has limitations on a municipality's ability to regulate design and materials.

6. Land Use 603 Spurlock Valley - Discuss and make recommendation on a variance to the side setback for pool encroachment of 10 feet to the required 20-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code.) Applicant Tim Kirkendall

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial. No public responses.

Commissioner Bartoletti: I have a couple of questions. The diagrams we've got are a little bit different than what was in the package and what we got tonight. Are we clear that there's not an encroachment into the 30' front setback? The original looks like there is an encroachment.

Director Bills: There has been an inspection and there isn't an encroachment.

Commissioner Stewart: Did I hear you correctly that with the pool addition it would put them over the impervious cover?

Director Bills: By the plans we have on file, yes.

Commissioner Maccini: Were there no trees on most of the lot?

Director Bills: The trees, under a separate action, they removed trees without permits and they have a court ordered replacement.

Commissioner Maccini: It just stood out to me.

Commissioner Webber: One portion of the pool is going to be 9' above grade?

Director Bills: The lot has a significant slope to it. 18" is the maximum grading they can do.

Presentation by Applicant

Richard Weise is the architect with the project. One item I'd like to clear up is the impervious cover issue. When we submitted our application we were required to do a detention pond and when they sized it they included additional square feet on Sheet 8 of the civil package and so that was in the original application but it's unused. It's a relatively small lot and going over the hardships, the setbacks take up 56% of the overall lot. We had limited possibilities working with the natural grade. One of the biggest hardships is we have a Spurlock Valley address but our lot is completely inaccessible from Spurlock Valley because of the culvert. The setbacks are a hardship because it compresses the lot. We do have letters of support (not provided to ZAPCO).

Public Hearing

The next door neighbor is present and states this is the first time he's seeing this.

Vice-Chairman Pledger closes the Public Hearing.

Discussion/Recommendation

Vice-Chairman Pledger: I can't imagine an argument that the existing setbacks that are applicable would constitute a hardship. I don't think that works.

Commissioner Webber: Remind me the square footage of the lot?

Director Bills: It's .46 acres. Roughly 20,000 sq. ft.

Commissioner Webber: I agree. The setbacks are not an issue for hardship. I also think placing a 3,600 sq. ft. house that takes up available land with a pool was a choice that was made. My biggest objection is that the pool will be 9' above grade. I'm very unconvinced of the viability of a pool that requires that condition of the land. I'm not compelled to change a setback for a pool if there's no real hardship. So I'm not in support of this project.

Commissioner Bartoletti: I might also add, I live in this general neighborhood and I wish I had a dollar for every unbuildable lot that I've seen a house get built on. The argument that the lot may not ever be built on the adjacent lot doesn't ring true.

COMMISSIONER WEBBER MOVES TO RECOMMEND DENIAL BASED ON LACK OF HARDSHIP AND LACK OF FEASIBILITY FOR FURTHER CONSTRUCTION AND VARIANCES. COMMISSIONER MACCINI SECONDS. UNANIMOUS (4-0) DENIAL.

7. Land Use 499 Rocky River Road - Discuss and make recommendations on variances to the front yard setbacks and to allow a second driveway (Section 22.03.275 and 22.03.175 of the West Lake Hills Code). Applicant Aaron McIntyre, Munir Group

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Approval of front yard to 30'. Denial of second driveway. No public responses.

Commissioner Bartoletti: I have a question for staff and probably you, Jim. When a variance is granted like this, ZAPCO can't approve changing a 50' setback to a 30' setback. Am I just dreaming that we've had this conversation?

Vice-Chairman Pledger: ZAPCO doesn't have the authority to approve anything. We just make recommendations.

Commissioner Bartoletti: But as part of the variance process in general.

Commissioner Webber: I thought that once a variance is passed it is with the lot.

Commissioner Stewart: We're not approving the entire 50' setback, we're only approving the encroachment into that setback.

Commissioner Bartoletti: So if this particular project does not get built, it's not like the setback has been changed.

Vice-Chairman Pledger: Right.

Commissioner Stewart: On the second driveway, if that is approved, they will be over the impervious cover?

Director Bills: They are proposing pervious pavers which is calculated at 50%.

Commissioner Stewart: It will still be over.

Presentation by Applicant

Michael Munir and Aaron McIntyre are the owners of the property. It came with a permissible set of plans with approved variances. The previous house had been demolished. Given the lot size that we were showing good faith. We did keep the trees and it is a hardship with the width on the Reveille side of the street. We wanted to look at the second drive as a safety issue. Our primary concern is the buildability of the lot. I don't think we're asking for more than what has previously been approved. The previous plan that was approved was around 7,000 sq. ft. We designed a smaller structure so we're decreasing the coverage.

Aaron McIntyre: I would just emphasize the placement of the trees. The previous variance approval was to remove some of those trees.

Commissioner Webber: If you were to have that second driveway do you foresee any place on the lot you could remove 229 sq. ft. of hardscape to be compliant with the impervious cover?

Michael: I'm just trying to stay in the rules. We maybe might make the existing driveway grasscrete.

Commissioner Webber: You may have more parking on that grasscrete.

Michael: That's something we discussed in the design meetings.

Commissioner Webber: I want to commend you for your presentation and thank you for your clarity.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: I have my own perspective of this lot. I live down the street. I have walked this street for 28 years. We're talking about adjusting a lot for the house instead of adjusting the house for the lot. I see a 3-car garage. There is also a pool house and a pool. I appreciate that it's less than 7,000 sq. ft. but there is almost 5,600 sq. ft. of conditioned space. I think the house is just too large for the lot. Off street parking is difficult on Reveille. I was one of the people fighting to get a sidewalk. If you didn't have so much sq. ft. of house you would have more room. I'm not in favor for the setbacks or the second driveway.

Commissioner Webber: I see this as a failing of our code to restrict this kind of project. As long as our code is written the way it is, I agree is it too large for the lot. The project should be delaying to ascertain the true clarification around the setback so the drawings truly reflect the information. There are two A/C units that are outside the setback that I would flag and I'm not in favor or increasing the impervious cover for this project for approving a second driveway.

Commissioner Stewart: Are we able to vote on this? It seems incomplete.

Vice-Chairman Pledger: Would the 50' setback on the side follow the street?

Director Bills: Yes.

Vice-Chairman Pledger: It's a very large house for a very small lot.

Commissioner Webber: And our code doesn't restrict that.

Vice-Chairman Pledger: It does through variances for setbacks.

Commissioner Webber: I agree with you. Until the proper setbacks are on the plan, I'm not sure we can make a recommendation.

Applicant requests to postpone.

**COMMISSIONER BARTOLETTI MOVES TO APPROVE TO POSTPONE TO JANUARY MEETING. SECONDED BY COMMISSIONER WEBBER.
UNANIMOUS APPROVAL (4-0).**

8. **Land Use 5001 Jeffery Place** - Discuss and make recommendations on variances for 1. A 13-foot encroachment for a fence in a 20-foot fence setback, 2. To allow 0% transparency, where 80% is required and 3. Encroachment of pool equipment 1.5 feet in the 20-foot side

yard setback on a corner lot (Section 22.03.173 and Section 22.03.275 of the West Lake Hills Code). Applicants Huang Lung Wang (Victor) & Elisa Jiang, Property Owners
Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial for fence location and transparency. No public comments received.

Presentation by Applicant

Victor Wang and wife Elisa, are the owners. This is a corner lot. We want 7.5' into the front setback and privacy. We moved the pool equipment so that variance isn't needed. Victor goes over each slide showing the details of the fence. Traffic is an issue on Ridgewood going to Rollingwood Drive. Having a solid fence will act as a buffer and also provide privacy. We do have support from our neighbors.

Vice-Chairman Pledger: All those properties you have marked, are they in Rollingwood?

Victor: No. All the lots on the left are West Lake Hills. The other side is Rollingwood.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: Here's where I stand with it. I'm not in favor of changing the setback. I am fine with a modified solid fence and no higher than six feet.

Vice-Chairman Pledger: I know we recently approved a fence for noise mediation at Westlake Drive and Yaupon. I think it's a flat fence completely.

Commissioner Maccini: I'm not at all in favor of modifying the setback. We have setbacks for a reason.

Commissioner Webber: This is my neighborhood. I drive by this property all the time. Welcome back to the hood and glad to have you back. It's a tricky situation for me to saying no that at least the property line request given there are other property line fences. I don't know when we stop approving these variances. I'm not in favor of a 0% fence. That can be resolved through greenery. Your presentation was beautiful.

Commissioner Stewart: We have to be careful using non-conforming things because we don't know how those came to be. I don't see the hardship.

COMMISSIONER WEBBER MOVES TO RECOMMEND DENIAL TO ALL

REQUESTS DUE TO LACK OF HARDSHIP AND NOT MEETING THE CONCERNS IN OTHER WAYS. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (4-0) DENIAL.

9. **Ordinance:** Discuss and make a recommendation on the approval of an ordinance to adopt a Subdivision Checklist, as required by House Bill 3699, codified in the Texas Local Government Code Section 212.0081

Staff Briefing

Director Bills goes over the subdivision checklist.

Discussion/Recommendation

Commissioner Bartoletti: One of these items talks about deed restrictions. The plat notes should show the pre-existing deed restrictions. For example, HOA restrictions. I thought the subdivision checklist should say existing and proposed should be connected with the subdivision. If you look at some of the new subdivisions they don't look like the rest of the city. The people moving in look at the HOA rules, not the code. I wish it would refer to deed restrictions.

Director Bills: Those are private property agreements and the city doesn't enforce those.

Commissioner Bartoletti: Would like to make HOA regulations be consistent with City Code.

Director Bills: They are private restrictions that the city is not a party to. The city regulations trump private restrictions.

Commissioner Bartoletti: They don't know that.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Continued Discussion

Commissioner Webber: Anytime I see an X I don't want to do it. Change it to a bullet on the checklist. Can we give an example of an approved plat?

Director Bills: We can definitely look into doing that.

Commissioner Maccini: We should do the same for variances.

COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL AS PRESENTED WITH AMENDMENTS AND GRAPHICS. COMMISSIONER WEBBER SECONDS. UNANIMOUS (4-0) APPROVAL.

10. Administration Update from staff on items forwarded to BOA and City Council from the previous meeting.

Staff Briefing

Director Bills gives updates.

11. Adjournment. Chairman Robert Meisel.

Vice-Chairman Pledger adjourns the meeting at 9:03 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

Development Coordinator Joel Sherrouse

These minutes were approved on _____, 2024.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	December 13, 2023	Item Number:	5
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

5001 Jeffery Place: Discuss and consider action on variances for 1. A 7-foot encroachment for a fence in a 20-foot fence setback, and 2. To allow 0% transparency where 80% is required on a corner lot (Section 22.03.173 and Section 22.03.275 of the West Lake Hills Code).

Applicant: Huang Lung Wang (Victor) & Elisa Jiang, Property Owners

Recommendation

Staff recommends denial of the variance requests.

1. The applicant has demonstrated with the approved site plan that they can meet the fence requirements. With a fence on the property line, vegetative screening would be problematic, given the overhead line in the right-of-way.

This item was recommended for **denial** by the Zoning and Planning Commission by a vote of 4-0 at the regular meeting on November 15, 2023 (Attachment 7).

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Huang Lung Wang (Victor) & Elisa Jiang
Legal Description: Dellana Hills, Section 2 Lot 9
Lot Size: 0.4038 acres (17,589.40 sf)
Zoning: R-1, One Family

The properties to the southwest of the subject property are zoned R-1. Properties to the east/northeast are in the City of Rollingwood, zoned Residential.

Background & Analysis:

The applicant is requesting two variances (the third variance request for the pool equipment was withdrawn) (Attachment 1). The first is for a fence to be placed on the property line adjacent to Ridgewood Road, which is approximately 13 feet from the edge of pavement, where 20 feet is required. The second is to allow a privacy fence with 0% transparency where 80% is required. 5001 Jeffery Place is a corner lot that has frontage on both Jeffery Place and Ridgewood Road, so both have a 20-foot fence setback. The third variance request is to allow pool equipment in the 20-foot side yard setback adjacent to another occupied residential lot (Attachment 3).

A new house was recently completed at the site (Attachment 4 & 5). The approved plans show a code-compliant wrought iron fence set 20-feet from the street edge.

The applicant has provided photos of the existing construction fence at the property line where the privacy fence would be located. Attachment 6 also has examples of fences, both transparent and privacy, at the property line in the surrounding area (Note - 1 Jeffery Cove, and 3214 Gentry are in Rollingwood's jurisdiction).

In order to place landscaping in front of the fence within the right-of-way, permission from Rollingwood would have to be received as Ridgewood Drive is operated by Rollingwood. Additionally, there are existing overhead electric and telecom lines in the right-of-way so if any landscaping is allowed it would have to be low profile in nature.

Variance Criteria Review:

When applying for a variance, the applicant has provided the following evidence (Attachment 2):

1. *The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.*

Fence: Ridgewood is a busy street with significant traffic noise, building the new privacy fence at the property line as a continuation of the existing fence at 5000 Gregory will help provide additional buffer and privacy from the street. We will plant new trees as per approved plans to screen the new fence. The 20' fence setback applies to lots <0.75 ac or less, our lot is 0.4 ac therefore the setback impact to us is much greater specially being a corner lot (street facing setbacks on two sides)

2. *There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.*

Fence: The fence is just being relocated to a new location, the construction impact of these will not deter from the previously approved plans.

3. *There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.*

Fence: We could use additional landscape in front of the fence as the buffer, but it does not provide the desired full privacy and sound barrier from the high pedestrian and vehicular traffic, also it's been difficult to maintain proper landscaping with the high temperatures / droughts.

4. *The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.*

Fence: A 7' or 8' fence would provide greater buffer and privacy specially with the street located at a lower elevation. A 6' fence would be the minimum required to mitigate the street noise and privacy concerns.

5. *The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.*

Fence: There is already a ~13' distance from Ridgewood Rd. to our property line which is significant for small lots, and all the City of West Lake Hills properties in this neighborhood with street-facing side yard fences are all built at the property line and some are privacy (5000 & 5001 Gregory, 5000 Jeffery, 1 Jeffery CV, 3214 Gentry, 3303 Gentry). We will use landscape to screen the fence to keep the intent and goals of the City's Comprehensive Plan.

6. *The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.*

Fence: Our property is at the edge of the City limits, houses on the same street already have the street-facing side yard fences at the property line: 5000 Jeffery, 5000 Gregory, 5001 Gregory (with privacy fence) Our proposed fence will be a continuation of 5000 Gregory's fence. Houses on the other side of Ridgewood Rd. (1 Jeffery CV & 3214 Gentry) also have privacy street-facing fences at the property line, therefore our proposal will be in line with current surroundings and not have adverse effect on neighborhood properties.

Outdoor Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will comply with the City's Code.

Compliance with Adopted International Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

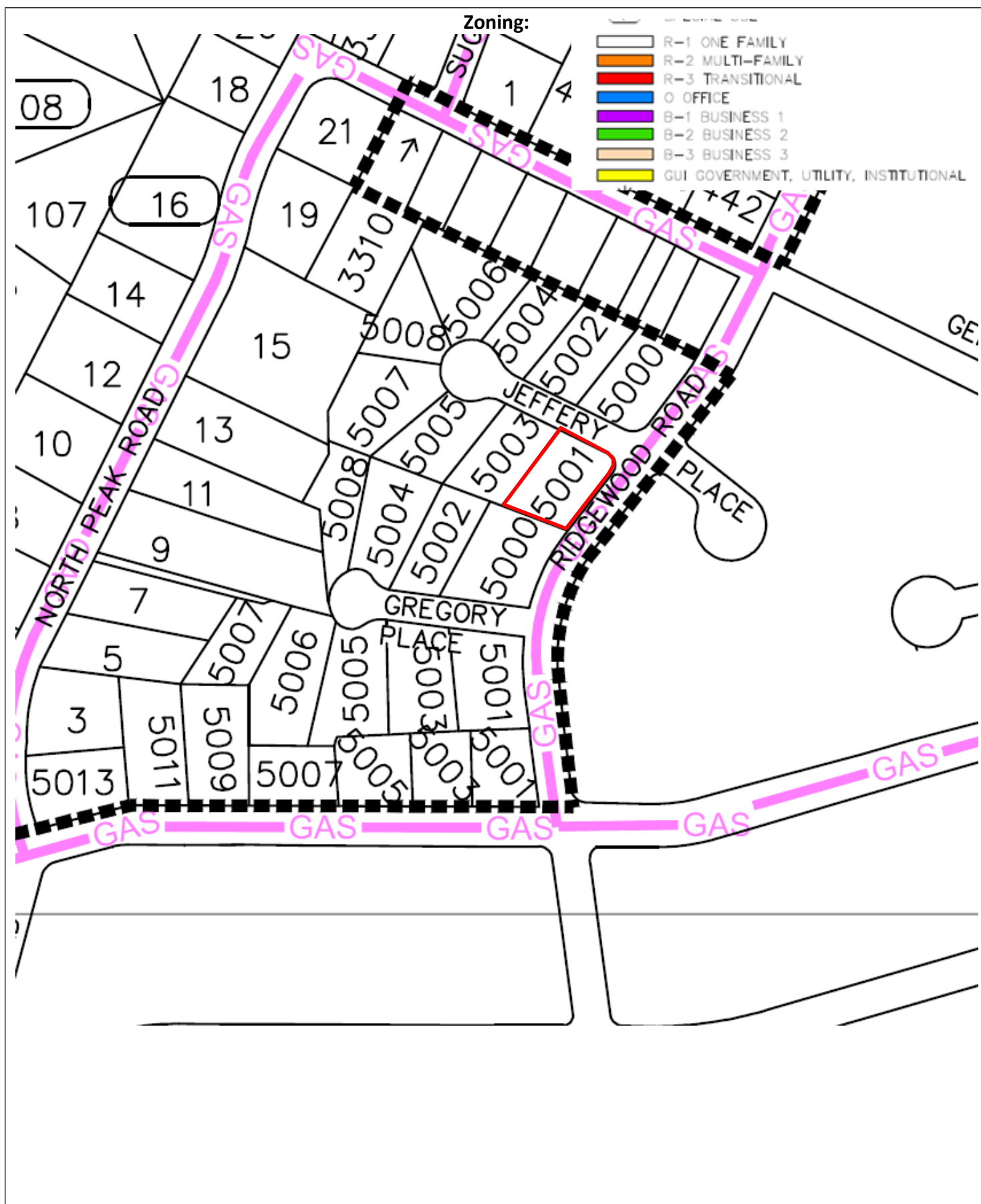
There is no change to the subdivision proposed with this application.

Comprehensive Planning Analysis

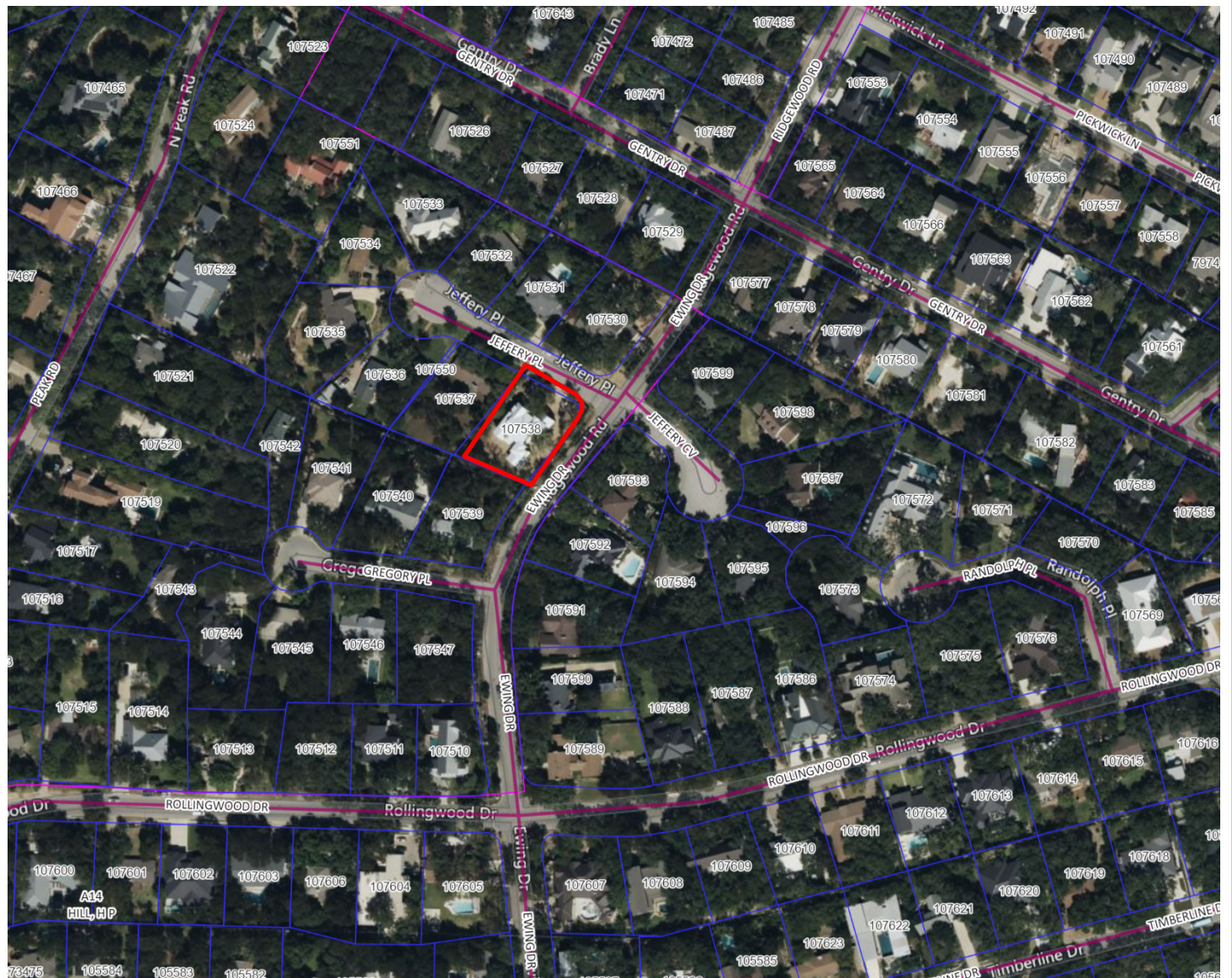
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Links to Relevant Code:

- [Section 22.03.173: Fences \(Residential\)](#)
- [Section 38.05.031: Variances](#)
- [Section 22.03.511: Criteria and process required for granting variance](#)



Aerial:



September 30, 2023

Huang Lung Wang (Victor) & Elisa Jiang
5001 Jeffery Place
West Lake Hills, TX 78746

City of West Lake Hills
Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, TX 78746

To the Chair of the Zoning and Planning Commission:

We are writing to request three variances to our property. The first two are in regards to building a privacy fence at the property line on the east facing Ridgewood Road. There are a lot more vehicle and pedestrian traffic in the Rollingwood neighborhood in the recent years due to new residents and new construction activities, Ridgewood Road is now one of the major / high traffic streets in the area. We are hoping to have better sound barrier with the privacy wood fence and a closer buffer from the street, the fence will still be 12' from the street pavement and screened with landscape per the City requirements as approved with the building plans. We also believe our proposal is in line with the existing fences on Ridgewood in regards to fence placement at the property line and privacy fence in several of the homes, please refer to the exhibits below for the specifics, our fence will be a continuation of the existing fence at 5000 Gregory. Also, we understand the 20' fence setback applies to lots <0.75 ac, our lot is 0.4 ac therefore the setback requirement has a much greater impact to our property.

The third variance is to relocate the pool equipment pad location. Current approved plans has it by the master bedroom behind the bed wall and windows, the architect placed it there originally due to very restrictive building setbacks all around. We are now learning that the equipment will have constant noise and vibrations that will be heard/felt inside the master bedroom. We are requesting to relocate to the southwest corner of the house instead, the house was built 22.5' from the property line therefore we will only need to encroach 1.5' into the setback to place the 4'x8' equipment pad there (20' side building setback). The equipment will not be visible from the street or by the neighbor as they will be below fence height.

We believe we fulfill the hardship requirements for the requested variances and kindly ask you to review and grant such variances. Thank you for your time and consideration.

Huang Lung Wang (Victor) and Elisa Jiang

Exhibits:

Existing construction fence placed at the property line at 5001 Jeffery Pl:





Current fence at 5000 Gregory (at the property line, chain link fence):



Current fence at 5001 Gregory (at the property line, privacy wood fence):



Current fence at 5000 Jeffery Pl (at the property line):



Current fence at 1 Jeffery CV and 3214 Gentry (at the property line & privacy wood fence):



3303 Gentry (at the property line & privacy wood fence):



VARIANCE APPLICATION



Date Received: _____	Received By: _____
Amount Due \$ _____	Date Payment Received: _____
Admin Complete Date: _____	Permit No: _____

All applications and supporting documents should be submitted electronically to
<https://www.mgoconnect.org/cp?JID=253>

APPLICANT & PROPERTY INFORMATION

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

Property Owner: Wang Huang Lung & Elisa Jiang Phone: 512-739-2814

Email: victor@latitude-re.com

Address: 5001 Jeffery Pl City: West Lake Hills State: TX Zip: 78746

Agent*: _____ Phone: _____

Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Property Address: _____ City: _____ State: _____ Zip: _____

Property Information

Subdivision Name: DELLANA HILLS SEC 2

Block: _____ Lot: 9 TCAD Tax Parcel ID: 107538

Current Zoning Classification: R-1 Total Lot Size (Acres): 0.4038

**Please submit Power of Attorney form designating authorized agent.*

PROJECT INFORMATION

Please list all variances being applied for with this project and include Code Section references: (Please be detailed-for tree variances, must include tree #, size, species; setback variances-which setback and how far is requested encroachment; for height specify how much height being requested; etc.)

1. East fence (facing Ridgewood Rd.) to be wood privacy fence, built at the property line, approx. 13' from the street pavement edge, instead of the required 20' and 80% visibility through per code

2. Pool equipment pad to encroach 1.5' into the west side yard setback at the SW corner of the house



VARIANCE APPLICATION

3. _____

4. _____

5. _____

6. _____

CONDITIONS REQUIRED FOR GRANTING A VARIANCE (SECTION 38.05.32):

No variance shall be granted unless the following conditions are fulfilled as provided by the applicant's statements:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant. Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.

Ridgewood is a busy street with significant traffic noise, building the new privacy fence at the property line as a continuation of the existing fence at 5000 Gregory will help provide additional buffer and privacy from the street. We will plant new trees as per approved plans to screen the new fence.

2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora. Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed if the variance you are requesting is granted?

Both the fence and pool equipment pad are just being relocated to a new location, the construction impact of these will not defer from the previous approved plans.

3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of. What other alternatives have you considered? Why won't those other options alleviate



VARIANCE APPLICATION

the difficulty or hardship that you think exists?

We could use additional landscape in front of the fence as the buffer, but it does not provide the desired full privacy and sound barrier from the high pedestrian and vehicular traffic, also it's been difficult to maintain proper landscaping with the high temperatures / droughts.

4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.

A 7' or 8' fence would provide greater buffer and privacy specially with the street located at a lower elevation. A 6' fence would be the minimum required to mitigate the street noise and privacy concerns.

5. The variance may violate the intent of this chapter or the goals of the city's comprehensive plan. Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

There is already a ~13' distance from Ridgewood Rd. to our property line which is significant for small lots, and all the City of West Lake Hills properties in this neighborhood with street-facing side yard fences are all built at the property line and some are privacy (5000 & 5001 Gregory, 5000 Jeffery, 1 Jeffery CV, 3214

6. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners' enjoyment thereof. Why do you believe your variance will not adversely affect or interfere with the enjoyment of neighboring properties?

Our property is at the edge of the City limits, houses on the same street already have the street-facing side yard fences at the property line: 5000 Jeffery, 5000 Gregory, 5001 Gregory (with privacy fence) Our proposed fence will be a continuation of 5000 Gregory's fence. Houses on the other side of Ridgewood Rd.

AUTHORIZATION & ACKNOWLEDGEMENT

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below is signed by the authorized agent of said property, the signature of the property owner must be included below or consent must be attached (Power of Attorney Form).

Signature

Huang Lung Wang

Digitally signed by Huang Lung Wang
DN: cn=Huang Lung Wang, o=ou, email=victor@latitude-re.com,
c=US
Date: 2023.09.30 20:43:48 -05'00'

Date

9/30/2023

Printed Name

Huang Lung Wang (Victor)



VARIANCE APPLICATION

APPLICATION CHECKLIST

Variance Application Checklist

- ☒ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☒ Proof of ownership of subject property
- ☒ Completed Variance Hardship Questionnaire
- ☒ Letter addressed to ZAPCO Chairperson explaining reason for the request
- ☒ Property survey
- ☒ Proposed site plan with building setbacks clearly labeled
- ☒ Building elevations, if applicable
- ☒ Tree and topo survey, if applicable
- ☒ Preliminary plans for proposed project (pool plans, building plans, fence design, etc.)
- ☒ Photos of property showing existing conditions (for tree variances, include photos of proposed variance trees)
- ☐ Letters/emails of support from neighbors, if able to obtain
- ☒ Payment of application fees (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees. Fees are due upfront with application.*)
- ☐ Other relevant information, as determined necessary by staff (for example, if variance is for cut/fill/retaining wall, you may be requested to provide a drainage report)

Variance Process and Information

- City staff will prepare public notification letters and will provide you a public notice sign to place on the property. You will be notified when the public notice sign is available to be picked-up.
- If you want to see example variance applications, please see the Agenda page on the City website at <https://www.westlakehills.org/> to view the latest ZAPCO, Council and BOA packets.
- All variance applications are first considered by the Zoning and Planning Commission (ZAPCO), which is an advisory commission only. Final action is then determined by either City Council or Board of Adjustment, depending on the type of variance being requested.
- Agenda packets are digital and posted on the website the Friday prior to the meeting by 5pm. Staff will send you a meeting reminder email after the agenda and packet are posted.
- **Applicants or a designated representative are required to attend/speak at each public hearing; otherwise you will risk postponement or denial for no-show. Applicants should keep remarks brief and the typical time allotment is 5 minutes for ZAPCO and 5 – 10 minutes for City Council/BOA.**
- Please note ZAPCO is an advisory commission only – final action must be taken by City Council or BOA, depending on the type of variance. If ZAPCO recommends denial, you can still move forward to City Council/BOA unless you decide to withdraw or postpone your variance request.
- If City Council/BOA denies your variance, you have to wait one year before you can reapply for the same variance.
- If approved by City Council/BOA, variances expire within one year of the approval date if a permit application has not been filed to perform the scope of work related to the variance.



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

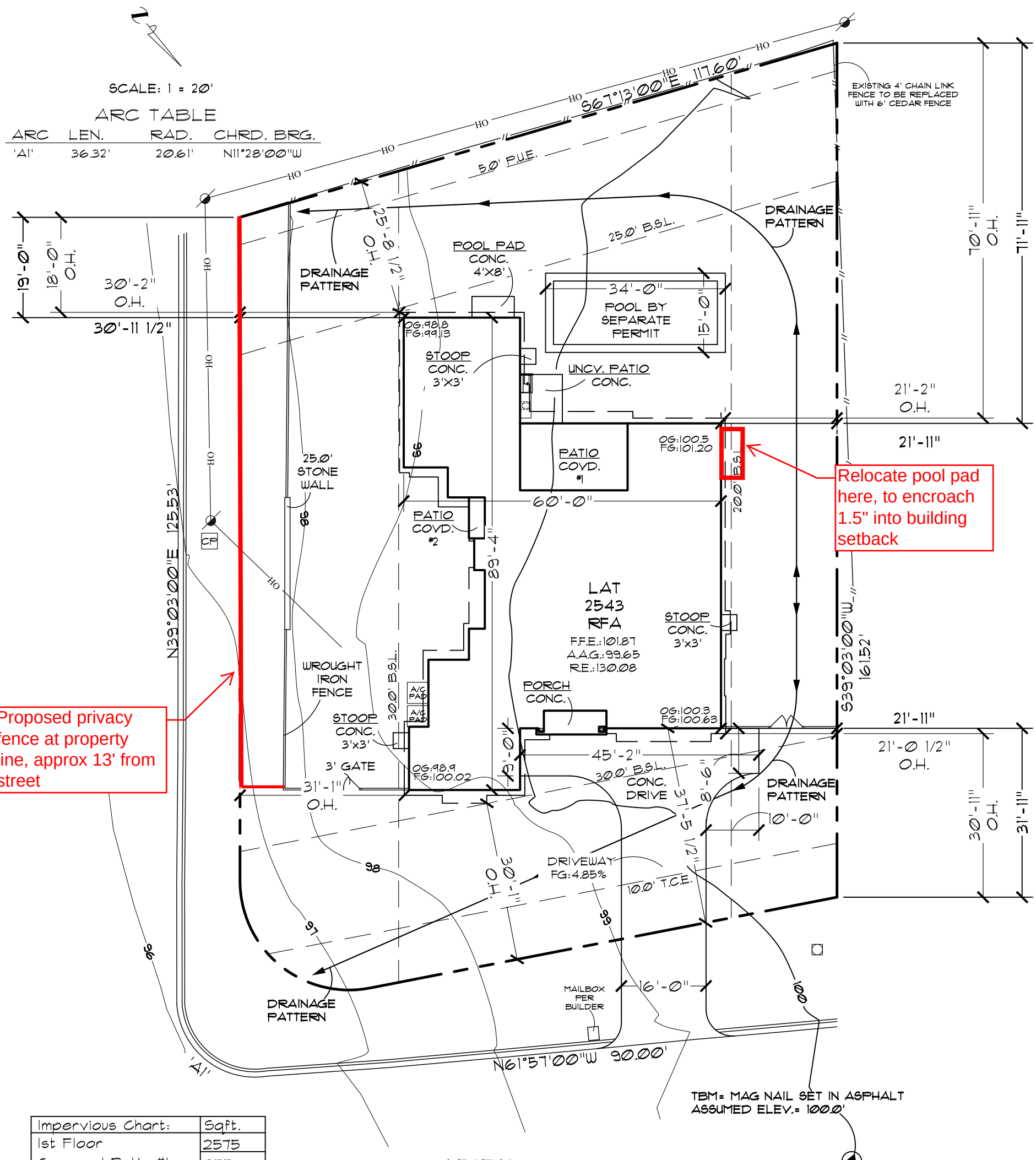
ZAPCO Recommendation: _____

Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:



Proposed privacy fence at property line, approx 13' from street

Relocate pool pad here, to encroach 1.5" into building setback

Impervious Chart:	Sqft.
1st Floor	2575
Covered Patio #1:	255
Covered Patio #2:	23
Garage #1:	242
Garage #2:	488
Porch:	61
Uncovered Patio:	74
Pool. Pad:	32
Pool:	510
Drive:	898
Stoops:	27
A/C Pads:	32
Total:	5217
Imper. Cover:	29.66%
Imper. Cover Max Calculation (.4038)(.5)-(.5) = 29.8%	

- LEGEND**
- : WATER METER
 - : CABLE TV PEDESTAL
 - : OVERHEAD UTILITY LINES
 - : POWER POLE

ABBREVIATION TABLE	
BSL:	BUILDING SETBACK LINES
PUE:	PUBLIC UTILITY EASEMENT
FFE:	FINISHED FLOOR ELEVATION
AAG:	AVERAGE ADJACENT GRADE
RE:	RIDGE ELEVATION
OG:	ORIGINAL GRADE
FG:	FINISHED GRADE
OH:	OVERHANG
CONC:	CONCRETE
COVD:	COVERED
TBM:	TEMPORARY BENCHMARK

SITE PLAN
SHEET 1 OF 2
5001 JEFFERY PLACE
REV. 11/11/21: CITY COMMENTS,
FINALIZED PLOT

SCALE: 1" = 20'

ARC TABLE

ARC	LEN.	RAD.	CHRD. BRG.
'A1'	36.32'	20.61'	N11°28'00"W

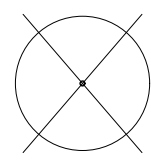
Proposed privacy fence at property line

Relocate pool pad here

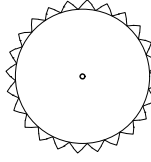
TREE TABLE

TAG#	TREE
61	21" LIVE OAK
68	6" LIVE OAK
70	21.3" CEDAR ELM
72	11.7", 6.4" CHINESE TALLOW (RATED)
73	17.7" CEDAR ELM
102	13.8" CEDAR ELM
103	7.6" CEDAR ELM
104	12.5" LIVE OAK
105	11.9" CEDAR
106	5" HACKBERRY
119	17.1" LIVE OAK
120	12.6" LIVE OAK
148	8.4", 6.7" CEDAR ELM (RATED)
149	9.9" CEDAR ELM
150	8.8", 6.5" CEDAR ELM (RATED)
151	12.5", 6.7" CEDAR ELM (RATED)
152	5" HACKBERRY
153	9.7" CEDAR ELM
154	13.8" CEDAR ELM
157	12.2" CEDAR ELM
160	12.8" CEDAR ELM
161	6" HACKBERRY
162	14.5" CEDAR ELM
163	5" HACKBERRY
164	5" WESTERN SOAPBERRY
165	6" WESTERN SOAPBERRY

*BUILDER TO PROVIDE AT LEAST 80% LANDSCAPE COVERAGE ALONG FENCE ON STREET SIDES



: TREES TO BE REMOVED



: EXISTING TREES W/ TREE PROTECTION



: WATER METER



: CABLE TV PEDESTAL



: OVERHEAD UTILITY LINES



: POWER POLE

LEGEND

LANDSCAPING LEGEND



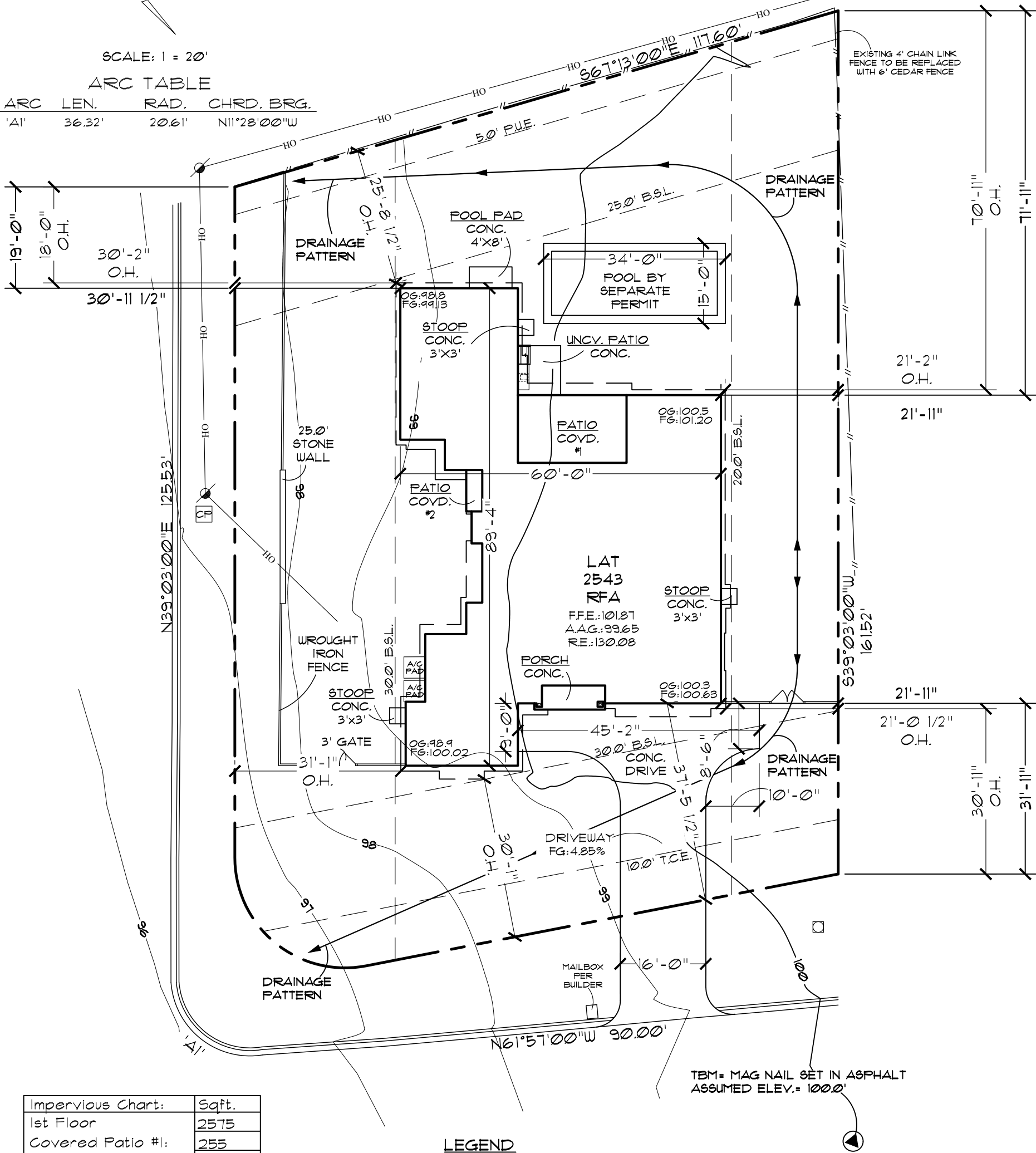
CHERRY LAUREL
30 GALLON/4" PER TREE
AMOUNT NEEDED PER BUILDER

SURVEYORS TO VERIFY ALL LOT DATA.

SCALE: 1" = 20'

ARC TABLE

ARC	LEN.	RAD.	CHRD. BRG.
'A1'	36.32'	20.61'	N11°28'00"W



Impervious Chart:	Sqft.
1st Floor	2575
Covered Patio #1:	255
Covered Patio #2:	23
Garage #1:	242
Garage #2:	488
Porch:	61
Uncovered Patio:	74
Pool. Pad:	32
Pool:	510
Drive:	898
Stoops:	27
A/C Pads:	32
Total:	5217
Imper. Cover:	29.66%
Imper. Cover Max Calculation (.4038)(.5)-(.5) = 29.8%	

	: WATER METER
	: CABLE TV PEDESTAL
	: OVERHEAD UTILITY LINES
	: POWER POLE

ABBREVIATION TABLE	
B.S.L.	BUILDING SETBACK LINES
P.U.E.	PUBLIC UTILITY EASEMENT
F.F.E.	FINISHED FLOOR ELEVATION
A.A.G.	AVERAGE ADJACENT GRADE
RE:	RIDGE ELEVATION
OG:	ORIGINAL GRADE
FG:	FINISHED GRADE
OH:	OVERHANG
CONC:	CONCRETE
COVD:	COVERED
TBM:	TEMPORARY BENCHMARK

SITE PLAN
SHEET 1 OF 2
5001 JEFFERY PLACE
REV. 11/11/21: CITY COMMENTS,
FINALIZED PLOT

BUILDERS REPRESENTATIVE TO
VERIFY ALL LOT DATA, LOCATION
OF MANHOLES, STORM SEWERS,
EASEMENTS, AND OTHER
INFRASTRUCTURE LOCATED ON LOT.
KIPP FLORES ARCHITECTS MAKES
NO REPRESENTATION AS TO THE
EXISTENCE OF MANHOLES, STORM
SEWERS, EASEMENTS, AND OTHER
INFRASTRUCTURE LOCATED ON LOT.

LOT AREA:17589 SQ. FT. (.4038 AC)

SIDEWALKS PER CITY OR SUBD. REQ.



KIPP FLORES
ARCHITECTS
(512) 335-5477 fax (512) 335-5852
11776 Jollyville Rd. Suite 100
Austin, Texas 78759



02/11/22

ADDRESS 5001 JEFFERY PLACE		
LOT 9	BLK -	CITY, STATE WEST LAKE HILLS, TX
SUBDIVISION DELLANA HILLS, SEC. 2		
BUILDER LAT	DATE 5/22/2019	

SURVEYORS TO VERIFY ALL LOT DATA.

SCALE: 1" = 20'

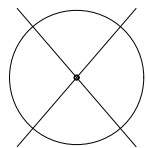
ARC TABLE

ARC	LEN.	RAD.	CHRD. BRG.
'AI'	36.32'	20.6'	N11°28'00"W

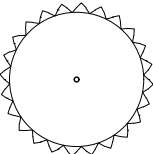
TREE TABLE

TAG#	TREE
67	21" LIVE OAK
68	6" LIVE OAK
70	21.3" CEDAR ELM
72	11.7", 6.4" CHINESE TALLOW (RATED)
73	17.7" CEDAR ELM
102	13.8" CEDAR ELM
103	7.6" CEDAR ELM
104	12.5" LIVE OAK
105	11.9" CEDAR
106	5" HACKBERRY
119	17.1" LIVE OAK
120	12.6" LIVE OAK
148	8.4", 6.7" CEDAR ELM (RATED)
149	9.9" CEDAR ELM
150	8.8", 6.5" CEDAR ELM (RATED)
151	12.5", 6.7" CEDAR ELM (RATED)
152	5" HACKBERRY
153	9.7" CEDAR ELM
154	13.8" CEDAR ELM
157	12.2" CEDAR ELM
160	12.8" CEDAR ELM
161	6" HACKBERRY
162	14.5" CEDAR ELM
163	5" HACKBERRY
164	5" WESTERN SOAPBERRY
165	6" WESTERN SOAPBERRY

*BUILDER TO PROVIDE
AT LEAST 80% LANDSCAPE
COVERAGE ALONG FENCE
ON STREET SIDES



: TREES TO BE REMOVED



: EXISTING TREES
W/ TREE PROTECTION

LEGEND

- : WATER METER
- : CABLE TV PEDESTAL
- : OVERHEAD UTILITY LINES
- : POWER POLE

LANDSCAPING LEGEND

- : CHERRY LAUREL
30 GALLON/4" PER TREE
AMOUNT NEEDED PER BUILDER

TREE EXHIBIT & LANDSCAPE PLAN
SHEET 2 OF 2
5001 JEFFERY PLACE
REV. 11/11/21: CITY COMMENTS,
FINALIZED PLOT

BUILDERS REPRESENTATIVE TO
VERIFY ALL LOT DATA, LOCATION
OF MANHOLES, STORM SEWERS,
EASEMENTS, AND OTHER
INFRASTRUCTURE LOCATED ON LOT.
KIPP FLORES ARCHITECTS MAKES
NO REPRESENTATION AS TO THE
EXISTENCE OF MANHOLES, STORM
SEWERS, EASEMENTS, AND OTHER
INFRASTRUCTURE LOCATED ON LOT.

Fence Area:	940.02 SQFT
Total Screening Area Needed (80%):	752.01 SQFT

LOT AREA:17589 SQ. FT. (.4038 AC)

SIDEWALKS PER CITY OR SUBD. REQ.



KIPP FLORES
ARCHITECTS
(512) 335-5477 fax (512) 335-5852
11776 Jollyville Rd. Suite 100
Austin, Texas 78759



02/11/22

ADDRESS
5001 JEFFERY PLACE

LOT
9

BLK
-

CITY, STATE
WEST LAKE HILLS, TX

SUBDIVISION
DELLANA HILLS, SEC. 2

BUILDER
LAT

DATE
5/22/2019



SQUARE FOOTAGE MAY VARY
DUE TO METHOD OF CALCULATIONS



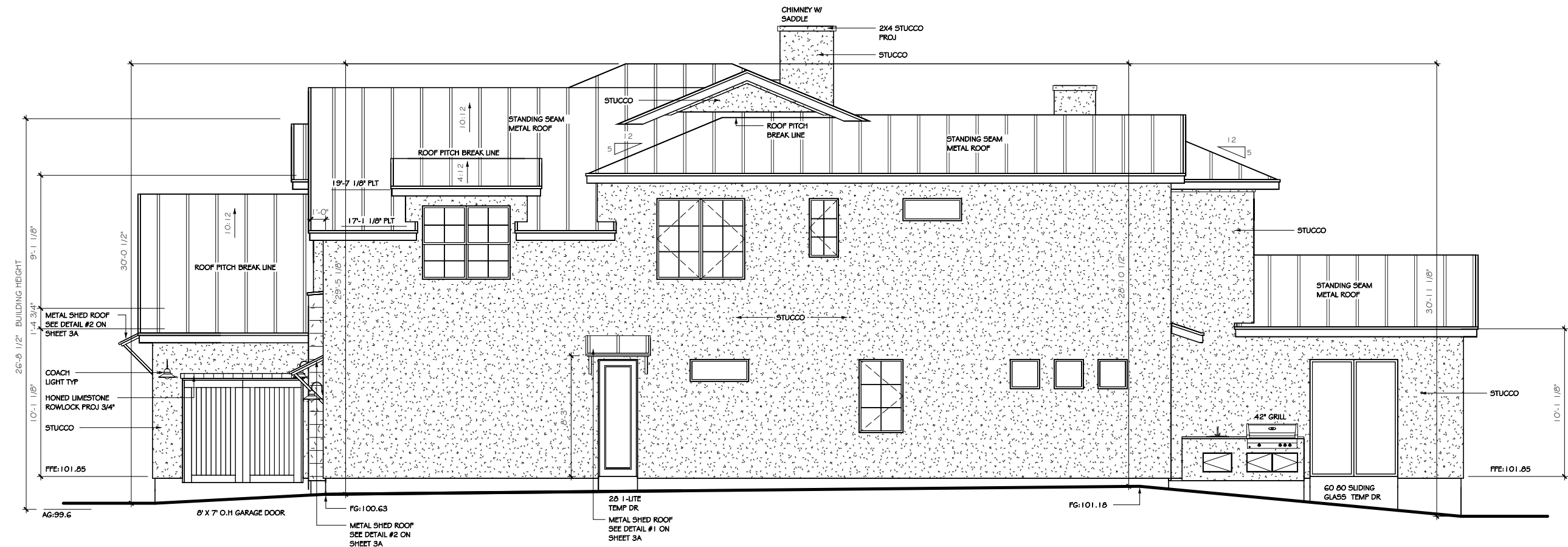
WANG'S RESIDENCE
5001 JEFFERY PLACE
PLAN 4543 RFA

05-14-19
Sheet
3A of 7



LEFT SIDE ELEVATION

SCALE 1/8" = 1'-0"



RIGHT SIDE ELEVATION

SCALE 1/8" = 1'-0"

ABBREVIATIONS

FFE:	FINISHED FLOOR ELEVATION
BEE:	BUILDING ENVELOPE ELEVATION
AAG:	AVERAGE ADJACENT GRADE
OGE:	ORIGINAL GRADE ELEVATION
FG:	FINISHED GRADE ELEVATION

1st FLOOR PLATE HGTS TO BE
10'-1 1/8" PLT W/ 8'-0" WINDOW
HEADER HGTS UNLESS NOTED OTHERWISE

2nd FLOOR PLATE HGTS TO BE
9'-1 1/8" PLT W/ 7'-6" WINDOW
HEADER HGTS UNLESS NOTED OTHERWISE

PROVIDE TEMPERED GLASS WHERE
REQUIRED

BUILDER TO VERIFY CURRENT LOCAL
CODES AND REQUIREMENTS OF 1 HOUR
FIRE RATED OVERHANGS

PROVIDE STEEL LINTELS ABOVE ALL
OPENINGS W/ MASONRY, AS REQD

SEE FRAMING SHEETS FOR HEADER SIZES
AND LOCATION

RECHECK OR IECC COMPLIANCE
PROVIDED BY OTHERS

5001 Jeffery Place



05/04/22

WANG'S RESIDENCE
5001 JEFFERY PLACE
PLAN 4543 RFA

LATITUDE DEVELOPMENT

Due to variations in construction methods and
divisions, all dimensions and elevations
are approximate and may vary per plan.
Builder accepts full responsibility for checking plans
to assure conformity with local codes. Should any
changes be made to these plans by Builder or his
representatives, Builder assumes full
liability for amended plans and specifications.

KIPP★FLORES
ARCHITECTS
© (512) 335-5477 fax (512) 335-5852
WWW.KIPPFLORES.COM
11776 Jollyville Rd. Suite 100 Austin, Tx 78759

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"Copyright Management
Information" under the Digital
Millennium Copyright Act. It is
included to detect and deter
copyright infringement, and as
such must not be modified or
omitted.
Date
05-14-19
Sheet
4A of 7

Existing construction fence placed at the property line at 5001 Jeffery Pl:





Current fence at 5000 Gregory (at the property line, chain link fence):



Current fence at 5001 Gregory (at the property line, privacy wood fence):



Current fence at 5000 Jeffery Pl (at the property line):



Current fence at 1 Jeffery CV and 3214 Gentry (at the property line & privacy wood fence):



3303 Gentry (at the property line & privacy wood fence):



CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, November 15, 2023 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Vice-Chairman Pledger called the meeting to order at 6:31 p.m.

ZAPCO Members Present

**Vice-Chairman Jim Pledger
Patrick Stewart
Julia Webber
Laurie Maccini - arrived 6:54
Karen Bartoletti**

City Staff Present

**Dir. of Building & Development Jennifer Bills
Development Coordinator Joel Sherrouse
Asst. City Attorney Josh Brockman-Weber**

2. Citizen Communications The Commission welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Commission later in the meeting. The Commission cannot respond to or discuss matters not listed on the agenda. The Commission may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

3. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.
Motion for Approval made by Commissioner Stewart with a Second by Commissioner Bartoletti.
Motion for Approval carried unanimously by a vote of 3 ayes to 0 nays.

4. Land Use 100 Redbud Trail - Discuss and make a recommendation on variances for a 17-foot encroachment into the 50-foot front yard setback to demolish and reconstruct a pool house (Section 22.03.275 of the West Lake Hills Code). Applicant James Hughes Holland
Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Approval.

Presentation by Applicant

Hughes Holland is the applicant and explains the variance request. The impervious

cover is reduced.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Webber: Thank you for changing the submittal.

Commissioner Stewart: We appreciate the impervious cover reduction.

**COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL.
COMMISSIONER WEBBER SECONDS. UNANIMOUS (3-0) APPROVAL.**

5. Land Use 434 Brady Lane - Discuss and make a recommendation on proposed variances for the removal of two (2) trees with trunk diameters of 14 inches or greater, a double trunk 14"/19" live oak and an 18" live oak (Section 22.03.304 of the West Lake Hills Code).
Applicant: Monte Janssen, J5 Homes, LLC.

- Tree # 323 - Double trunk 14"/19" Live Oak; and
- Tree # 325 - 18" Live Oak.

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial due to design.

Commissioner Webber: Can you remind me what the impervious cover is?

Director Bills: It's about 37%.

Presentation by Applicant

Monte Janssen is the applicant and is with J5 Homes and I am the builder and the owner of this property. By the time you bring in 20' from both sides there's not a lot of lot left. We don't have enough left to build a house. I did go to various neighbors and gotten support for the removal of the trees and moving our project forward. We don't have anybody that's against us but we want you to be with us to be able to improve this property.

Public Hearing

Thomas Finsberg: I'm here to support this because I'm a potential buyer. All four of

our children have been raised and educated in Westlake; this is our home. We're interested in purchasing the home for our son who is wanting to do his residency in Austin. We learned the setbacks were changed from 5' to 20' and that would limit rebuilding the house. We're wanting to bring in more trees than what are there. We've been working really hard to comply with the new rules. I think the plans we have would be a significant improvement.

Vice-Chairman Pledger closes the Public Hearing.

Discussion/Recommendation

Commissioner Maccini: Before I say anything I want to apologize for my tardiness.

Commissioner Stewart: I think this is another one to tag along with Julia earlier, I appreciate we've received a great deal more information from the first time we saw this application. I do see a hardship in the lot size. I'm encouraged by what I see and the support of the neighbors.

Commissioner Webber: Thank you for the resubmittal with the additional information. I still have reservations about this project because the lot size is not unique to projects in our city. The street would like a much smaller house. The original house is 1,000 sq. ft. smaller. It's unfortunately we're trying to stuff all that into a Brady Lane lot. However, you've met the impervious cover restrictions and fitting in the setback rules. I'm in support because our zoning rules don't stop this sort of building on smaller lots.

Commissioner Maccini: We're changing the lot to fit the design instead of the design to fit the lot. Brady is a charming street. Replacement trees need to be watered.

COMMISSIONER WEBBER MOVES TO RECOMMEND APPROVAL DUE TO THE SIZE OF THE LOT AND ALL OTHER ASPECTS MEET CODE. COMMISSIONER STEWART SECONDS. APPROVED (3-1) COMMISSIONER BARTOLETTI OPPOSES.

Commissioner Webber: How and when do we bring up the discussion of potential code modifications to keep the nature and character we are talking about?

Director Bills: We can add that to the report that ZAPCO makes the request to look at design considerations dealing with the smaller lots because we can't have a one size fits all in the smaller neighborhoods.

Commissioner Maccini: Would that also include design?

Director Bills: Explains the state law has limitations on a municipality's ability to regulate design and materials.

6. Land Use 603 Spurlock Valley - Discuss and make recommendation on a variance to the side setback for pool encroachment of 10 feet to the required 20-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code.) Applicant Tim Kirkendall

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial. No public responses.

Commissioner Bartoletti: I have a couple of questions. The diagrams we've got are a little bit different than what was in the package and what we got tonight. Are we clear that there's not an encroachment into the 30' front setback? The original looks like there is an encroachment.

Director Bills: There has been an inspection and there isn't an encroachment.

Commissioner Stewart: Did I hear you correctly that with the pool addition it would put them over the impervious cover?

Director Bills: By the plans we have on file, yes.

Commissioner Maccini: Were there no trees on most of the lot?

Director Bills: The trees, under a separate action, they removed trees without permits and they have a court ordered replacement.

Commissioner Maccini: It just stood out to me.

Commissioner Webber: One portion of the pool is going to be 9' above grade?

Director Bills: The lot has a significant slope to it. 18" is the maximum grading they can do.

Presentation by Applicant

Richard Weise is the architect with the project. One item I'd like to clear up is the impervious cover issue. When we submitted our application we were required to do a detention pond and when they sized it they included additional square feet on Sheet 8 of the civil package and so that was in the original application but it's unused. It's a relatively small lot and going over the hardships, the setbacks take up 56% of the overall lot. We had limited possibilities working with the natural grade. One of the biggest hardships is we have a Spurlock Valley address but our lot is completely inaccessible from Spurlock Valley because of the culvert. The setbacks are a hardship because it compresses the lot. We do have letters of support (not provided to ZAPCO).

Public Hearing

The next door neighbor is present and states this is the first time he's seeing this.

Vice-Chairman Pledger closes the Public Hearing.

Discussion/Recommendation

Vice-Chairman Pledger: I can't imagine an argument that the existing setbacks that are applicable would constitute a hardship. I don't think that works.

Commissioner Webber: Remind me the square footage of the lot?

Director Bills: It's .46 acres. Roughly 20,000 sq. ft.

Commissioner Webber: I agree. The setbacks are not an issue for hardship. I also think placing a 3,600 sq. ft. house that takes up available land with a pool was a choice that was made. My biggest objection is that the pool will be 9' above grade. I'm very unconvinced of the viability of a pool that requires that condition of the land. I'm not compelled to change a setback for a pool if there's no real hardship. So I'm not in support of this project.

Commissioner Bartoletti: I might also add, I live in this general neighborhood and I wish I had a dollar for every unbuildable lot that I've seen a house get built on. The argument that the lot may not ever be built on the adjacent lot doesn't ring true.

COMMISSIONER WEBBER MOVES TO RECOMMEND DENIAL BASED ON LACK OF HARDSHIP AND LACK OF FEASIBILITY FOR FURTHER CONSTRUCTION AND VARIANCES. COMMISSIONER MACCINI SECONDS. UNANIMOUS (4-0) DENIAL.

7. Land Use 499 Rocky River Road - Discuss and make recommendations on variances to the front yard setbacks and to allow a second driveway (Section 22.03.275 and 22.03.175 of the West Lake Hills Code). Applicant Aaron McIntyre, Munir Group

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Approval of front yard to 30'. Denial of second driveway. No public responses.

Commissioner Bartoletti: I have a question for staff and probably you, Jim. When a variance is granted like this, ZAPCO can't approve changing a 50' setback to a 30' setback. Am I just dreaming that we've had this conversation?

Vice-Chairman Pledger: ZAPCO doesn't have the authority to approve anything. We just make recommendations.

Commissioner Bartoletti: But as part of the variance process in general.

Commissioner Webber: I thought that once a variance is passed it is with the lot.

Commissioner Stewart: We're not approving the entire 50' setback, we're only approving the encroachment into that setback.

Commissioner Bartoletti: So if this particular project does not get built, it's not like the setback has been changed.

Vice-Chairman Pledger: Right.

Commissioner Stewart: On the second driveway, if that is approved, they will be over the impervious cover?

Director Bills: They are proposing pervious pavers which is calculated at 50%.

Commissioner Stewart: It will still be over.

Presentation by Applicant

Michael Munir and Aaron McIntyre are the owners of the property. It came with a permissible set of plans with approved variances. The previous house had been demolished. Given the lot size that we were showing good faith. We did keep the trees and it is a hardship with the width on the Reveille side of the street. We wanted to look at the second drive as a safety issue. Our primary concern is the buildability of the lot. I don't think we're asking for more than what has previously been approved. The previous plan that was approved was around 7,000 sq. ft. We designed a smaller structure so we're decreasing the coverage.

Aaron McIntyre: I would just emphasize the placement of the trees. The previous variance approval was to remove some of those trees.

Commissioner Webber: If you were to have that second driveway do you foresee any place on the lot you could remove 229 sq. ft. of hardscape to be compliant with the impervious cover?

Michael: I'm just trying to stay in the rules. We maybe might make the existing driveway grasscrete.

Commissioner Webber: You may have more parking on that grasscrete.

Michael: That's something we discussed in the design meetings.

Commissioner Webber: I want to commend you for your presentation and thank you for your clarity.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: I have my own perspective of this lot. I live down the street. I have walked this street for 28 years. We're talking about adjusting a lot for the house instead of adjusting the house for the lot. I see a 3-car garage. There is also a pool house and a pool. I appreciate that it's less than 7,000 sq. ft. but there is almost 5,600 sq. ft. of conditioned space. I think the house is just too large for the lot. Off street parking is difficult on Reveille. I was one of the people fighting to get a sidewalk. If you didn't have so much sq. ft. of house you would have more room. I'm not in favor for the setbacks or the second driveway.

Commissioner Webber: I see this as a failing of our code to restrict this kind of project. As long as our code is written the way it is, I agree is it too large for the lot. The project should be delaying to ascertain the true clarification around the setback so the drawings truly reflect the information. There are two A/C units that are outside the setback that I would flag and I'm not in favor or increasing the impervious cover for this project for approving a second driveway.

Commissioner Stewart: Are we able to vote on this? It seems incomplete.

Vice-Chairman Pledger: Would the 50' setback on the side follow the street?

Director Bills: Yes.

Vice-Chairman Pledger: It's a very large house for a very small lot.

Commissioner Webber: And our code doesn't restrict that.

Vice-Chairman Pledger: It does through variances for setbacks.

Commissioner Webber: I agree with you. Until the proper setbacks are on the plan, I'm not sure we can make a recommendation.

Applicant requests to postpone.

**COMMISSIONER BARTOLETTI MOVES TO APPROVE TO POSTPONE TO JANUARY MEETING. SECONDED BY COMMISSIONER WEBBER.
UNANIMOUS APPROVAL (4-0).**

8. Land Use 5001 Jeffery Place - Discuss and make recommendations on variances for 1. A 13-foot encroachment for a fence in a 20-foot fence setback, 2. To allow 0% transparency, where 80% is required and 3. Encroachment of pool equipment 1.5 feet in the 20-foot side

yard setback on a corner lot (Section 22.03.173 and Section 22.03.275 of the West Lake Hills Code). Applicants Huang Lung Wang (Victor) & Elisa Jiang, Property Owners
Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial for fence location and transparency. No public comments received.

Presentation by Applicant

Victor Wang and wife Elisa, are the owners. This is a corner lot. We want 7.5' into the front setback and privacy. We moved the pool equipment so that variance isn't needed. Victor goes over each slide showing the details of the fence. Traffic is an issue on Ridgewood going to Rollingwood Drive. Having a solid fence will act as a buffer and also provide privacy. We do have support from our neighbors.

Vice-Chairman Pledger: All those properties you have marked, are they in Rollingwood?

Victor: No. All the lots on the left are West Lake Hills. The other side is Rollingwood.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: Here's where I stand with it. I'm not in favor of changing the setback. I am fine with a modified solid fence and no higher than six feet.

Vice-Chairman Pledger: I know we recently approved a fence for noise mediation at Westlake Drive and Yaupon. I think it's a flat fence completely.

Commissioner Maccini: I'm not at all in favor of modifying the setback. We have setbacks for a reason.

Commissioner Webber: This is my neighborhood. I drive by this property all the time. Welcome back to the hood and glad to have you back. It's a tricky situation for me to saying no that at least the property line request given there are other property line fences. I don't know when we stop approving these variances. I'm not in favor of a 0% fence. That can be resolved through greenery. Your presentation was beautiful.

Commissioner Stewart: We have to be careful using non-conforming things because we don't know how those came to be. I don't see the hardship.

COMMISSIONER WEBBER MOVES TO RECOMMEND DENIAL TO ALL

REQUESTS DUE TO LACK OF HARDSHIP AND NOT MEETING THE CONCERNS IN OTHER WAYS. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (4-0) DENIAL.

9. **Ordinance:** Discuss and make a recommendation on the approval of an ordinance to adopt a Subdivision Checklist, as required by House Bill 3699, codified in the Texas Local Government Code Section 212.0081

Staff Briefing

Director Bills goes over the subdivision checklist.

Discussion/Recommendation

Commissioner Bartoletti: One of these items talks about deed restrictions. The plat notes should show the pre-existing deed restrictions. For example, HOA restrictions. I thought the subdivision checklist should say existing and proposed should be connected with the subdivision. If you look at some of the new subdivisions they don't look like the rest of the city. The people moving in look at the HOA rules, not the code. I wish it would refer to deed restrictions.

Director Bills: Those are private property agreements and the city doesn't enforce those.

Commissioner Bartoletti: Would like to make HOA regulations be consistent with City Code.

Director Bills: They are private restrictions that the city is not a party to. The city regulations trump private restrictions.

Commissioner Bartoletti: They don't know that.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Continued Discussion

Commissioner Webber: Anytime I see an X I don't want to do it. Change it to a bullet on the checklist. Can we give an example of an approved plat?

Director Bills: We can definitely look into doing that.

Commissioner Maccini: We should do the same for variances.

COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL AS PRESENTED WITH AMENDMENTS AND GRAPHICS. COMMISSIONER WEBBER SECONDS. UNANIMOUS (4-0) APPROVAL.

10. Administration Update from staff on items forwarded to BOA and City Council from the previous meeting.

Staff Briefing

Director Bills gives updates.

11. Adjournment. Chairman Robert Meisel.

Vice-Chairman Pledger adjourns the meeting at 9:03 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

Development Coordinator Joel Sherrouse

These minutes were approved on _____, 2024.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	December 13, 2023	Item Number:	
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
	Ordinance 2023-013 &		
Exhibits:	Exhibit A	Source of Funds:	N/A

Subject

Ordinance: Discuss and consider action on the approval of Ordinance 2023-013 to adopt a Subdivision Checklist, as required by House Bill 3699, codified in the Texas Local Government Code Section 212.0081.

Recommendation

Staff recommend approval of the subdivision checklist.

This item was recommended for approval by the Zoning & Planning Commission by a vote of 5-0 at the meeting on November 15, 2023.

Discussion

Background & Analysis:

In the 89th Legislative Session, House Bill 3699 was adopted which requires cities and counties that process subdivision applications to adopt a subdivision checklist that will be used to determine plat application completeness. In 2019, the legislature adopted House Bill 3667 which applies a time clock for the processing of a "complete application". If all items listed on the checklist are provided, the application must be deemed complete to accept for review and processing. Once the checklist is adopted by City Council, it must be placed on the city website for use by the public.

ORDINANCE NO. 2023-013

**AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS
ADOPTING A SUBDIVISION CHECKLIST, ESTABLISHING
FINDINGS OF FACT, PROPER NOTICE & MEETING, AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Texas Local Government Code, Chapter 212 allows the city to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction; and

WHEREAS, City of West Lake Hills has adopted a subdivision ordinance to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, the 89th Legislative Session adopted House Bill 3699, codified in the Texas Local Government Code 212.0081, requires municipalities to adopt and make available to the public a complete, written list of all documentation and other information that the municipality requires to be submitted with a plat application before January 1, 2024.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS, THAT:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

3. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 13th day of December, 2023

Linda Anthony, Mayor

ATTEST:

Terry Blanchard, TRMC

City Secretary



City of West Lake Hills

Subdivision Checklist

Section 1. Subdivision Application Materials

The requirements of this checklist were adopted with Ordinance 2023-01e3 on December 13, 2023. Subdivision process and standards can be found in [Chapter 36 of the West Lake Hills Code of Ordinances](#).

The subdivider shall submit a plat of the entire area being subdivided. Each application package shall contain the following documents in order to be deemed complete. If all items are not present, the submission will not be accepted. The submission will be considered a filed application on the next official submittal date after which the submission has been considered administratively complete.

A Preliminary Conference must be requested through the pre-application meeting request process and held before any application for a plat is submitted to the City. See Section 36.01.005 for requirements.

Mark left column with a P if provided. If not applicable mark N.A.

	A.	Completed Application in submitted online at https://www.mgoconnect.org/cp?JID=253 .
	B.	Power of Attorney Form
	C.	Signed Project Description Letter explaining proposed project, including number of lots existing and proposed, and if those lots are residential or commercial. If submission is for Vacating Plat, the Project Description Letter must provide evidence that the current plat does not meet the proposed development, granting the vacation would not be detrimental to the public health, safety, or welfare or otherwise injurious to the other property in the area, does not substantially conflict with the Comprehensive Plan and the purposes of the Code, and would not generally apply to other properties in the area and contain signatures of owners of all lots within the original subdivision, if not under common ownership.
	D.	Travis Central Appraisal District Map highlighting the subject property.
	E.	Copy of deed showing current ownership.
	F.	Tax Statement showing taxes have been paid. (Certified Tax Statements required before recordation).
	G.	PDF of the plat: Printed size 18" X 24". When more than one sheet is necessary, an index sheet is required.
		Tree survey as required by Section 22.03.304.
	H.	Preliminary Plat: Preliminary Plan showing future street layout, proposed utilities, and drainage
		Proposed and Existing Site Improvement Data and Slope Analysis
	I.	Final Plats, or Replats: Approved Construction Plans (subdivision improvements ie, drainage, streets, utilities, etc.)
	J.	A letter outlining Planned Development requirements and how those required are addressed on the plat, if zoning is derived from a Planned Development.
	K.	Utility Easement Release approvals from all utility providers (if removing easements).
	L.	Proof of ability to serve or completed utility evaluation by each proposed utility and the Westlake Fire Department (ESD #10).
	N.	Plat filing fee shall be paid at the time of the submission as set forth in City of West Lake Hills Code of Ordinances – Appendix A.
	O.	Copy of original plat and recorded deed restrictions, if filing an amending plat or replat.
	P.	Proof of approved variances, if any.

Section 1. Subdivision Application Materials

	Q.	All other required submittals and approvals required by the West Lake Hills Code of Ordinances.
	R.	For Final Plat or Replat with subdivision improvements, proof all subdivision improvements have been completed/accepted and that all contractors have been paid.
	S.	Texas Department of Transportation. For subdivisions with access from a TxDOT right-of-way, TxDOT approval is required prior to submission.
	T.	Federal Emergency Management Agency. For subdivision impacting a Special Flood Hazard Area, conditional or final approval is required prior to submission.
	U.	GIS or AutoCAD Files – should include files that show new parcel layout, utility plans and easements formatted in a GIS geodatabase, shape files, or AutoCAD dwg file spatially referenced using NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet. Files should be titled “[Plat Name][Submittal Number][Name of feature]” with no spaces in file names
	V.	Digital Submittal: Digital submittals shall be uploaded to the MGO Connect Customer Portal. Application will only be accepted if all required documents listed below are provided. All documents must be in .pdf format with exception of GIS data.
	File 1	Project Description letter titled “[Plat name] [Submittal Number] Narrative”
	File 2	Deed(s) showing property ownership titled “[Plat Name] [Submittal Number] Deed”
	File 3	Owner’s Authorization Form titled “[Plat Name] [Submittal Number] Agent” Not required if applicant is also sole property owner
	File 4	Plat document titled “[Plat Name] [Submittal Number]”
	File 5	Any Remaining Checklist Items in combined document Titled “[Plat Name] [Submittal Number] Submittal Docs”
	File 6	Compressed folder containing GIS files for submission titled “[Plat Name] [Submittal Number]_GIS”
	File 7	Copy of plat checklist with document number and page referenced for each item in checklist

Section 2. Plat preparation details (36.01.007)

		Amending	Minor	Replat	Preliminary Plat	Final Plat
1.	The plat shall show the names and addresses of the subdivider, record owner, engineer and surveyor.	✓	✓	✓	✓	✓
2.	The plat shall show the proposed name of the subdivision, which shall not have the same spelling as or be pronounced similarly to the name of any other subdivision located within the city or within the area of extraterritorial jurisdiction of the city or within the county.	✓	✓	✓	✓	✓
3.	The plat shall show the names of contiguous subdivisions and the owners of contiguous parcels of subdivided and unsubdivided land, and an indication of whether or not contiguous properties are platted.	✓	✓	✓	✓	✓
4.	The plat shall show primary control points or descriptions, and ties to such control points, to which all dimensions, angles, bearings, block numbers and similar data shall be referred.	✓	✓	✓	✓	✓

Section 2. Plat preparation details (36.01.007)		Amending	Minor	Replat	Preliminary Plat	Final Plat
5.	The plat shall show subdivision boundary lines, indicated by heavy lines, and the computed acreage of the total subdivision and each lot therein.	✓	✓	✓	✓	✓
6.	The exact location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within the subdivision intersecting or contiguous with its boundary or forming such boundary, with accurate dimensions, bearing or deflecting angles and radii, area, and central angle, degree of curvature, tangent distance and length of all curves where appropriate, and location of active private sewage drainfields.	✓	✓	✓	✓	✓
7.	The exact location, dimensions, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other rights-of-way, blocks, lots, units, existing structures and other sites within the subdivision with accurate dimensions, bearing or deflecting angles with radii, area and central angles, degree of curvature, tangent distance and length of all curves where appropriate.			✓	✓	✓
8.	The location and size of existing water lines and fire hydrants and one copy of plans and profiles of all proposed water lines and fire hydrants as approved by Travis County WC&ID No. 10.	✓	✓	✓	✓	✓
9.	The plat shall show the 100-year floodplain limits of the floodway and elevation data bearing the seal of an engineer. In accordance with section 60.3(b)(3) of the National Flood Insurance Program regulations, all new subdivision proposals and other proposed developments greater than fifty (50) lots or units or five (5) acres, whichever is the lesser, shall include within such proposals base flood elevation data, including floodplain or other boundary lines, reference marks and elevation data (floodway, velocity zones, etc.) transferred from the flood hazard boundary map (FHBM) or the flood insurance rate map (FIRM). The data source and source date should also be included. All data shall bear the seal of an engineer.	✓	✓	✓	✓	✓
10.	The location of the fifty (50) foot undisturbed conservation easement required for all subdivisions larger than five (5) acres.	✓	✓	✓	✓	✓
11.	The date of preparation, scale of the plat (min. 1"=100') and north arrow shall be shown.	✓	✓	✓	✓	✓
12.	The plat shall show density calculation based on total area of the subdivision in acres, multiplied by 0.67 and rounded down to the nearest whole number per section 36.01.008(2)(G) and a number (e.g., lot or unit 1, lot or unit 2, etc.) to identify each lot, unit or site and each block, and the exact (acreage) size of each lot.		✓		✓	✓

Section 2. Plat preparation details (36.01.007)		Amending	Minor	Replat	Preliminary Plat	Final Plat
13.	Identify each lot, unit or site and each block, and the exact (acreage) size of each lot.	✓	✓	✓	✓	✓
14.	The plat shall show the location of the city limits boundary line, the outer border of the city's extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary. Zoning district classification within the corporate limits of the city, or land usage as shown in the master plan for the city's extraterritorial jurisdiction, shall be designated on each lot or unit.	✓	✓	✓	✓	✓
15.	A vicinity sketch or map shall be included, which shall show existing subdivisions, streets, easements, rights-of-way, parks and public facilities in the vicinity. Such map shall be drawn at a scale in which such facilities can be clearly displayed. Maximum area of map should not exceed 1 square mile.	✓	✓	✓	✓	✓
16.	The general drainage plan and ultimate destination of water, and possible storm sewer, water, gas, electric and sanitary sewer connections, shall be shown by arrows. Such facilities shall be drawn at a scale in which such data can be clearly displayed.(Preliminary Plan)				✓	
17.	Plats shall indicate that each residential lot is of the minimum area prescribed in section 22.03.281(b), including public utility easements but excluding public streets and drainage easements. All lots or units shall have direct access to a public street.	✓	✓	✓	✓	✓
18.	Plats for multifamily housing developments shall contain indications of lot or unit size for such development and an indication that each lot or unit contains a minimum of one-quarter acre per bedroom for each family unit. All other lots or units shall contain dimensional regulation requirements as provided in this article.	✓	✓	✓	✓	✓
19.	A statement shall be included covering all aspects of private sewage facilities in accordance with Article 18.03.	✓	✓	✓	✓	✓
20.	Applicants shall submit with plats copies of all deed restrictions, restrictive covenants, and declarations of covenants, conditions, and restrictions applicable to the land. The plat shall include a statement indicating such documents, with provisions for the document number in deed records.	✓	✓	✓	✓	✓
21.	A statement shall be included as to the degree of lot or unit clearance planned and the methods for maximum preservation of live trees and vegetation, including the applicable percentage of impervious cover for the anticipated land usage.				✓	

Section 2. Plat preparation details (36.01.007)		Amending	Minor	Replat	Preliminary Plat	Final Plat
22.	The proposed plat and planned site improvement data shall be submitted on all nonresidential land usage subdivisions and residential land usage subdivisions over three lots or units, or five acres for review and recommendation by the city staff and consultants before referral to the commission and city council. Planned site improvement data includes the following information: a. The existing and proposed conditions of the lot(s) or unit(s), including but not necessarily limited to topography, vegetation, drainage, floodplains and waterways; b. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting and screening devices. All driveways are limited to undeveloped slopes below 25 percent gradient; and c. Any other information that may be reasonably required in order to determine whether the proposed development complies with the criteria and standards in this article and with the requirements of other city ordinances.		✓	✓	✓	✓
23.	The subdivider shall be required to provide the city with a topographic map with contour lines at one-foot intervals for at least 25 feet upslope and at least 50 feet downslope of the proposed primary and alternate sewage disposal field areas as certified on a ground survey performed by a professional registered surveyor. The subdivider shall be required to provide the city with a topographic map with contour lines at two-foot intervals for property not designated for the primary and alternate sewage disposal areas as certified on a ground survey performed by a professional registered surveyor. New development on lots or units subdivided after July 1, 1991, shall not dispose of effluent on natural slopes in excess of 30 percent. Any submission including disposal of effluent in contravention of this section must include an approved variance from this section, as reviewed by ZAPCO and city council, or will not be considered administratively complete.	✓	✓	✓	✓	✓
24.	The plat shall include the following applicable certification, executed by the appropriate person pertaining to: (i) Streets and roads (county or city, as applicable). (ii) Travis County Water Control and Improvement District No. 10 certification. (iii) Feasibility certification of private on-site sewage disposal facilities. (iv) Sanitation certification. (v) Floodplain certification. (vi) Lot clearance and cover limitations. (vii) Edwards Aquifer Recharge Zone certification, as applicable. (viii) Owner's acknowledgment. (ix) Certification by the surveyor. (x) Certificate by the engineer (if applicable). (xi) Certificate by the city arborist regarding Oak Wilt. Certifications are in Section 4 of this checklist.	✓	✓	✓	✓	✓
25.	Applicable Plat Notes as shown in Section 3	✓	✓	✓	✓	✓

Section 2. Plat preparation details (36.01.007)		Amending	Minor	Replat	Preliminary Plat	Final Plat
26.	A complete legal description by metes and bounds of the land being subdivided (field notes).		✓	✓	✓	✓
27.	For streets to be dedicated: Complete curve data (delta, length of curve, radius, point of reverse curvature, point of tangency, chord length and bearing) shown on each side of the street; length and bearing of all tangents; dimensions from all angle points of curve to an adjacent side lot line shall be provided.			✓		✓
28.	For water courses and easements to be dedicated: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream. Traverse line to be provided along the edge of all large water courses in a convenient location, preferably along a utility easement or drainage easement if paralleling the easement or stream. The 100- year flood plain easement shall be shown where applicable. A note shall be provided prohibiting construction within the 100-year flood plain except for public streets or roads or utilities unless a floodplain permit is obtained.		✓	✓		✓
29.	Phasing Plan, if all lots will not be in Final Plat				✓	
Section 3. Standard Plat Notes		Amending	Minor	Replat	Preliminary Plat	Final Plat
1.	The Benchmarks used are: INSERT BENCHMARK DATA AND MONUMENT DATA.	✓	✓	✓	✓	✓
2.	Water service is provided by the INSERT NAME OF PROVIDER.	✓	✓	✓	✓	✓
3.	Wastewater service is provided by INSERT NAME OF PROVIDER.	✓	✓	✓	✓	✓
4.	Electric service is provided by INSERT NAME OF PROVIDER.	✓	✓	✓	✓	✓
5.	This Plat conforms to the Preliminary Plat approved by the Zoning and Planning Commission on INSERT APPROVAL DATE.					✓
6.	All subdivision permits shall conform to the City of West Lake Hills Code of Ordinances, public improvement standards, and generally accepted engineering practices.	✓	✓	✓	✓	✓
7.	Construction Plans and Specifications for all subdivision improvements shall be reviewed and accepted by the City of West Lake Hills prior to any construction within the subdivision.			✓	✓	✓
8.	The owner of this subdivision, and his or her successors and assigns, assumes sole responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of West Lake Hills. The owner understands and acknowledges that plat vacation or re-platting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.			✓	✓	✓

9.	By approving this plat, the City of West Lake Hills assumes no obligation to construct any infrastructure in connection with this subdivision. Any subdivision infrastructure required for the development of the lots in this subdivision is the sole responsibility of the developer and/or the owners of the lots. Failure to construct any required infrastructure to City standards may be just cause for the City to deny applications for certain development permits including building permits, site plan approvals and/or Certificate of Occupancy.	✓	✓	✓	✓	✓
10.	Fiscal surety for subdivision construction, in a form acceptable to the City of West Lake Hills, shall be provided prior to plat approval by the City.			✓		✓
11.	No lot in this subdivision shall be occupied until connected to the approved water distribution and wastewater connection facilities.	✓	✓	✓	✓	✓
12.	Wastewater and Water systems shall conform to Texas Commission on Environmental Quality (TCEQ).	✓	✓	✓	✓	✓
13.	All new utilities will be underground. (Non-residential)	✓	✓	✓	✓	✓
14.	Developer or property owner shall be solely responsible for all relocation and modifications to existing utilities.	✓	✓	✓	✓	✓
15.	Flood Hazard: A PORTION/NO PORTION of this tract is within a flood hazard area as shown on the Flood Insurance Rate Map Panel # STATE NUMBER for Bastrop County, Effective INSERT DATE, INSERT COMMUNITY NUMBER Community Number, and is on Zone INSERT ZONE.	✓	✓	✓	✓	✓
16.	Site clearance, site disturbance and impervious cover note. Site clearance, site disturbance, or impervious cover: Every lot or unit in this subdivision is subject to the City of West Lake Hills' site clearance procedures. No site clearance, excavation, grading or landfill shall commence unless a permit shall have first been issued for such work in accordance with the provisions of applicable ordinances. Impervious cover shall not exceed the maximum percentage permitted under City Ordinance.	✓	✓	✓	✓	✓
Section 3. Standard Plat Notes		Amending	Minor	Replat	Preliminary Plat	Final Plat
17.	Septic systems: Every lot within the City's municipal boundaries in this subdivision is subject to Chapter 18 of the West Lake Hills Code, as amended. No septic system or other private sewage facility may be constructed in the City until the City of West Lake Hills has issued a permit for its construction. No private sewage facility in the City limits may be used until the facility has been approved and licensed by the City. Lot size requirements for residential and commercial private sewage facilities shall conform to construction and development limitations in Chapter 18 of the West Lake Hills Code, as amended.	✓	✓	✓	✓	✓
18.	Property owner shall provide for access to all easements as may be necessary and shall not prohibit access by government authorities.	✓	✓	✓	✓	✓
19.	No building, fences, landscaping or other structures are permitted within drainage easements shown, except as approved by the City of West Lake Hills.	✓	✓	✓	✓	✓

Section 3. Standard Plat Notes		Amending	Minor	Replat	Preliminary Plat	Final Plat
20.	All easements on private property shall be maintained by the property owner or his or her assignees.	✓	✓	✓	✓	✓
21.	Erosion and sedimentation controls constructed in accordance with the Code of Ordinances of the City of West Lake Hills are required for all construction on each lot.	✓	✓	✓	✓	✓
22.	Public utility and drainage easements where shown and/or described hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainage ways; including, but not limited to, sanitary sewers, force mains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.	✓	✓	✓	✓	✓
STANDARD PLAT NOTES SPECIFIC TO CITY LIMITS:						
23.	For subdivisions within the city limits of the City of West Lake Hills: Streets, roads and other public thoroughfares shown on plat: The building of all streets, roads and other public thoroughfares shown on this plat, and any bridges or culverts necessary to be constructed or placed in such streets, roads or other public thoroughfares or in connection therewith, shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with the plans and specifications prescribed by the City Council of the City of West Lake Hills, Travis County, Texas, if said plat is within the City limits of the City of West Lake Hills, Texas. The City of West Lake Hills, Texas assumes no responsibility to build any of the streets, roads or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. All curb cuts, entrances and exits onto public streets or highways shall first be approved by the City of West Lake Hills, Texas.	✓	✓	✓	✓	✓
24.	Build-to lines shall be in accordance with the ordinances of the City of West Lake Hills.	✓	✓	✓	✓	✓
25.	All of the land depicted on this subdivision plat IS/IS NOT located within the full purpose municipal boundaries of the City of West Lake Hills on this the _____ day of _____ 20 _____, A.D.	✓	✓	✓	✓	✓
STANDARD PLAT NOTES SPECIFIC TO EXTRATERRITORIAL JURISDICTION:						
26.	A Travis County development permit is required prior to any site development.	✓	✓	✓	✓	✓
27.	All or part of this subdivision is within the extraterritorial jurisdiction of the City of West Lake Hills. Under Chapter 241, Local Government Code, the City of West Lake Hills has sole and exclusive jurisdiction over approval of this plat. However, Travis County retains the sole and exclusive jurisdiction over maintenance of public roads in, and issuance of onsite sewage permits and development permits for this subdivision. The City of West Lake Hills' approval of this plat does not ensure Travis County's acceptance of the roads for maintenance, or approval of onsite sewage permits or development permits for this subdivision. The owner(s) or developer(s) is(are) responsible for ensuring that the requirements of this plat are consistent with and do not prevent acceptance of the roads or issuance of onsite sewage permits and development permits for this subdivision. In the event of a conflict, plat amendments may be required prior to accepting roads or issuing onsite sewage or development permits.	✓	✓	✓	✓	✓

Section 3. Standard Plat Notes		Amending	Minor	Replat	Preliminary Plat	Final Plat
	STANDARD PLAT NOTES SPECIFIC TO EDWARDS AQUIFER RECHARGE ZONE					
28.	Recharge zone: Lots in this subdivision are located over the Edwards Aquifer Recharge Zone and subject to the Texas Commission on Environmental Quality Edwards Rules 31, Texas Administrative Code (TAC) 313, as amended. No building permit will be issued by the City of West Lake Hills until the requirements of the Edwards Rules TAC Chapter 313 are fully complied with. The applicant for a building permit is responsible to furnish the City written compliance to the Edwards Aquifer Rules from the Texas Commission on Environmental Quality.	✓	✓	✓	✓	✓
	STANDARD PLAT NOTES, WHEN APPLICABLE:					
29.	Variance from INSERT CODE AND VARIANCE DESCRIPTION was approved by the City of West Lake Hills on INSERT DATE.	✓	✓	✓	✓	✓
30.	All restrictions and notes from the previous existing subdivision, INSERT SUBDIVISION NAME, recorded in INSERT RECORDATION NUMBER, plat records, Bastrop County, Texas, shall apply to this plat.	✓		✓		✓
31.	This project is located within the Balcones Canyonlands Conservation Plan area.	✓	✓	✓	✓	✓
32.	Restrictions or covenants filed as Document No. _____, of the Travis County Deed Records.	✓	✓	✓	✓	✓
Section 4. Signature Blocks		Amending	Minor	Replat	Preliminary Plat	Final Plat
1.	Zoning & Planning Commission Approval Format	✓*	✓	✓	✓	✓
This plat has been submitted to and considered by the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas. _____ ZAPCO Chairperson City of West Lake Hills, Texas						
2.	City Council Approval Format	✓*	✓	✓	✓	✓
Approved and authorized for record by the City Council of the City of West Lake Hills, Texas. DATED this _____ day of _____, 20 _____. Approved: _____ Attest: _____ _____ Mayor City of West Lake Hills, Texas City Secretary						

Section 4. Signature Blocks		Amending	Minor	Replat	Preliminary Plat	Final Plat
3.	Certification by the city administrator	✓	✓	✓	✓	✓
I, the undersigned, City Administrator of the City of West Lake Hills, Texas, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City for which my approval is required. DATED: _____ _____ City Administrator City of West Lake Hills, Texas						
4.	Certification by Water Control and Improvement District No. 10	✓	✓	✓	✓	✓
The tract of land described on this plat is within the boundaries of Travis County Water Control and Improvement District (WCID) No. 10 and has water service available. DATED: _____ _____ President of the Board WCID No. 10						
5.	Certificate of the Licensed Public Surveyor	✓	✓	✓	✓	✓
State of Texas§ County of Travis§ KNOW ALL MEN BY THESE PRESENTS That I, INSERT NAME, in the State of Texas, hereby certify that this plat is true and correct and was prepared from the actual survey of the property made under my supervision on the ground. _____ Signature and Seal of Registered Public Surveyor _____ Date						

Section 4. SIGNATURE BLOCKS		Amending	Minor	Replat	Preliminary Plat	Final Plat
6.	Certificate of the Licensed Engineer	✓	✓	✓	✓	✓
State of Texas§ County of Travis§ KNOW ALL MEN BY THESE PRESENTS That I, INSERT NAME, do hereby certify that the information contained on this plat complies with the subdivision regulations for the City of West Lake Hills, Texas and that the 100-year flood plain is as shown and will be contained within the drainage easement and or drainage right-of-way, as shown hereon. _____ Signature and Seal of Registered Engineer Date _____						
7.	Owner's Signature Block	✓	✓	✓	✓	✓
STATE OF TEXAS§ COUNTY OF TRAVIS§ WHEREAS, _____, the owner(s) of _____ acres of land out of the _____ Survey, Abstract No. _____ of Travis County, Texas, conveyed to me (us) by deed recorded in Volume _____, Page _____, of the Travis County Deed Records ; NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the _____ Subdivision of the City of West Lake Hills, Travis County, Texas, and whose name is subscribed hereto, hereby subdivides said _____ acres of land to be known as the _____ Subdivision and do hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, public easements, and public places thereon shown for the purposes and consideration therein expressed. WITNESS MY HAND this _____ day of _____, 20 _____. _____ Property Owner Name Property Owner Address STATE OF TEXAS COUNTY OF TRAVIS BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20 _____. _____ Notary Public in and for Travis County, Texas My Commission expires:						

Section 4. SIGNATURE BLOCKS		Amending	Minor	Replat	Preliminary Plat	Final Plat
8.	County Clerk Signature Block	✓	✓	✓	✓	✓
STATE OF TEXAS COUNTY OF TRAVIS I, _____, Clerk of the County Court of Travis County, Texas, hereby certify that the foregoing instrument with its Certification of Authentication was filed in my office at _____ o'clock __.m. this the _____ day of _____, 20 _____, and duly recorded at _____ o'clock __.m. on the _____ day of _____, 20 _____, in the Plat Records of Travis County, Texas, as Document No. _____. WITNESS MY HAND AND SEAL OF THE COURT OF TRAVIS COUNTY, TEXAS, this _____ day of _____, A.D. 20 _____. Clerk of the County Court Travis County, Texas By _____ Deputy STATE OF TEXAS COUNTY OF TRAVIS Filed for record this _____ day of _____, 20 _____, at _____ o'clock __.m. Clerk of the County Court Travis County, Texas By _____ Deputy						



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>December 13, 2023</u>	Item Number:	<u>7</u>
Department:	<u>Administration</u>		
	<u>Trey Fletcher, City</u>		
Prepared By:	<u>Administration</u>	Cost / Budget:	<u>\$16,902,447.00</u>
			<u>2021 GO Bond Funds</u>
			<u>2023 CO Bond Funds</u>
			<u>General Fund</u>
Exhibits:	<u>GMP Package 12/7/2023</u>	Source of Funds:	<u>ARPA Funds</u>

Subject

Discuss and consider action to approve a Guaranteed Maximum Price (GMP) with SpawGlass for the construction of the new municipal offices to be located at 4010 Bee Cave Road, and authorization for the City Administrator to execute any change orders up to the contingency amount.

Recommendation

Staff recommends approval of the proposed Guarantee Maximum Price (GMP) as presented including Alternate 1 for the Asset Building.

Discussion

Proposition A for the new municipal offices was authorized by voters in November 2021. The City Council authorized using the construction manager at risk (CMAR) project delivery method on December 14, 2022. This alternative delivery method enabled the city to procure a general constructor early in the design process to better ensure the project's constructability within the city's available resources given the challenging construction environment coming out of the pandemic, cost escalation, and extended lead times for materials. As a result of a competitive selection process, SpawGlass Construction was approved by City Council as the Construction Manager at Risk (CMAR) contractor on February 22, 2023.

As part of preconstruction services provided by SpawGlass, they reviewed the Design Development plan set and the 50% completion of the construction documents for the building and 100% completion of the civil site plan which is the basis of the GMP. The need for supplemental funding in the form of certificates of obligation (COs) was identified earlier this year in addition to other resources of the city such as ARPA funding and other general funds offsetting land acquisition expense and increased costs. Any contingency savings are for the benefit of the owner.

While the GMP is set at \$16,902.447.00, the total project cost exclusive of the land purchase is projected to be approximately \$21.25MM and within the available budget.

The site plan has been submitted to the Texas Commission on Environmental Quality (TCEQ) subject to Edward's Aquifer review. Construction is anticipated to start in April 2024 with substantial completion in Summer 2025.



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CITY OF WEST LAKE HILLS

MUNICIPAL COMPLEX

December 7, 2023

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GMP ESTIMATE OVERVIEW



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Project Cost Summary

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50% CD ESTIMATE OVERVIEW

SpawGlass Contractors, Inc. hereby submits to City of Westlake Hills for the use and benefit of the new Municipal Complex, a CMAR price based on the 50% CD Drawings, as follows:

1. The proposed amount for the Direct Cost of the Work: \$ 14,282,403
2. Owner Contingency (1.47%): \$ 210,000
3. General Conditions: \$ 1,137,665
4. Subcontractor Default Insurance: \$ 178,530
5. Construction Phase Fee (3.35%): \$ 522,553
6. Construction Manager's Contingency (4%): \$ 571,296
7. Price Forecasting: \$ 0

8. **TOTAL:** LINE ITEMS 1 THROUGH 7: \$ 16,902,447

Tyler Wenzel

Tyler Wenzel, Project Executive

TAB 2

EXECUTIVE SUMMARY



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Executive Summary

SpawGlass

City of West Lake Hills

Municipal Complex

4010 Bee Caves Road

West Lake Hills, TX 78746

100% DD Estimate

Scope of Work

This project is the proposed new Municipal Complex located at 4010 Bee Caves Road.

The 18,000 SF, two-story building will consist of the following; building concrete foundations and SOG/SOMD, select concrete sitework, masonry, structural steel, wood blocking, architectural millwork, waterproofing / damp proofing / joint sealants, roofing, doors / frames / hardware, storefronts / glass, framing and drywall, acoustical panels and ceilings, painting, ceramic tile, carpet, toilet compartments / accessories, elevator, fire suppression, plumbing, HVAC, electrical, communications cabling, BMS, fire alarm systems, A/V, earthwork, exterior improvements, fence / gates, street improvements, and landscaping.

Project Location, Relationship to Existing Buildings:

The project is located on a busy highway (2244). It backs up to residential houses on two sides, and businesses on the third side. There is an existing building with grinder pump and old septic system on the property. The site is also covered in trees, many of which will have to be removed for the new project.

TAB 3

ORG CHART



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ORGANIZATION CHART





DAVID PADEN, LEED AP
DIVISION PRESIDENT



JOEY GEORGE, LEED AP
OPERATIONS MANAGER



TYLER TUSCHER
ESTIMATOR



TYLER WENZEL
PROJECT EXECUTIVE



CEDRIC GARTMAN
PROJECT MANAGER



JJ Lollar
SUPERINTENDENT

TBD
ASSISTANT PROJECT MANAGER
ASSISTANT SUPERINTENDENT

LEGEND

- Management Support
- Team Lead/Single Point-of-Contact
- On-site Team/ Field Operations
- Preconstruction/Estimating Support

TAB 4

LIST OF DOCUMENTS



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City of West Lake Hills
City Hall
West Lake Hills, Texas
50% CD GMP Estimate

PAGE	TITLE	ISSUE DATE
	COVER	
CVR	COVER SHEET	11/03/23
CVR2	SHEET INDEX	11/03/23
	CIVIL	
01	COVER	10/20/23
02	GENERAL NOTES	10/20/23
03	GENERAL NOTES	10/20/23
04	EXISTING CONDITIONS	10/20/23
05	DEMOLITION PLAN	10/20/23
06	TREE REMOVAL PLAN	10/20/23
07	TREE REMOVAL PLAN	10/20/23
08	TREE LIST	10/20/23
09	EROSION AND SEDIMENTATION PLAN	10/20/23
10	EXISTING DRAINAGE AREA MAP	10/20/23
11	PROPOSED DRAINAGE AREA MAP	10/20/23
12	SITE PLAN	10/20/23
13	PAVING PLAN	10/20/23
14	STRIPING PLAN	10/20/23
15	OVERALL GRADING PLAN	10/20/23
16	GRADING DETAIL	10/20/23
17	GRADING DETAIL	10/20/23
18	GRADING DETAIL	10/20/23
19	GRADING DETAIL	10/20/23
20	OVERALL UTILITY PLAN	10/20/23
21	WL-A PLAN & PROFILE	10/20/23
22	WL-B PLAN & PROFILE	10/20/23
23	WL-D PLAN & PROFILE	10/20/23
24	WL-C, WL-E & WL-F PLAN & PROFILE	10/20/23
25	WWL-A PLAN & PROFILE	10/20/23
26	SSL-A & B PLAN & PROFILE	10/20/23
27	SSL-A-1, C & D PLAN & PROFILE	10/20/23
28	ROOF DRAIN COLLECTION PLAN	10/20/23
29	WATER QUALITY POND	10/20/23
30	WATER QUALITY DETAILS & CALCS	10/20/23
31	FIRE PROTECTION PLAN	10/20/23



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36	PAVING DETAILS	10/20/23
37	PAVING DETAILS	10/20/23
38	WASTEWATER AND STORM DETAILS	10/20/23
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40	BUILDING ELEVATIONS - DIMENSIONS	10/20/23
41	BUILDING ELEVATIONS - DIMENSIONS	10/20/23
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S102	GENERAL NOTES	11/03/23
S201	FOUNDATION PLAN	11/03/23
S202	LEVEL 2 – LOW ROOF FRAMING PLAN	11/03/23
S203	ROOF FRAMING PLAN	11/03/23
S204	SITE STRUCTURES	11/03/23
S301	TYPICAL FOOTING NOTES AND DETAILS	11/03/23
S302	TYPICAL SLAB-ON-GRADE NOTES AND DETAILS	11/03/23
S303	TYPICAL SLAB-ON-GRADE NOTES AND DETAILS	11/03/23
S304	TYPICAL GRADE BEAM SECTIONS AND DETAILS	11/03/23
S305	FOUNDATION SECTIONS AND DETAILS	11/03/23
S306	RETAINING WALL SCHED. AND DETAILS	11/03/23
S307	TYPICAL SLAB-ON-GRADE NOTES AND DETAILS	11/03/23
S401	STEEL COLUMN AND DETAILS	11/03/23
S402	SIMPLE BEAM CONNECTION DETAILS	11/03/23
S403	COMPOSITE STEEL BEAM DETAILS	11/03/23
S404	TYPICAL STEEL BEAM DETAILS	11/03/23
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S501	WIND BRACE ELEVATIONS	11/03/23
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A021	CODE PLAN	11/03/23
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A211	LEVEL 1 - FLOOR PLAN - WALL TAGS, DIMENSIONS	11/03/23
A212	LEVEL 1 - FLOOR PLAN - EQUIPMENT, INTERIOR ELEVATIONS, DOOR TAGS	11/03/23
A213	EQUIPMENT SCHEDULE	11/03/23
A220	LEVEL 2 - REFERENCE PLAN	11/03/23
A221	LEVEL 2 - FLOOR PLAN - WALL TAGS, DIMENSIONS	11/03/23
A222	LEVEL 2 - FLOOR PLAN - EQUIPMENT, INTERIOR ELEVATIONS, DOOR TAGS	11/03/23
A230	ENLARGED FLOOR PLANS	11/03/23
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A241	ELEVATOR SECTIONS	11/03/23
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A260	ASSET BUILDING	11/03/23
A301	LEVEL 1 - REFLECTED CEILING PLAN	11/03/23
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A401	BUILDING ELEVATIONS	11/03/23
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A420	3D - AXONOMETRIC VIEWS	11/03/23
A421	3D - AXONOMETRIC VIEWS	11/03/23
A501	BUILDING SECTIONS	11/03/23
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A521	SECTION DETAILS	11/03/23
A701	PARTITION TYPES	11/03/23
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A800	FINISH SCHEDULE AND LEGEND	11/03/23
A801	LVL 1 - FINISH PLAN	11/03/23
A812	LVL 2 - FINISH PLAN	11/03/23
A901	INTERIOR ELEVATIONS	11/03/23
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M002	MECHANICAL GENERAL NOTES	11/03/23
M003	MECHANICAL SCHEDULES	11/03/23
M004	MECHANICAL SCHEDULES	11/03/23
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M212	LEVEL 2 - FLOOR PLAN - MECHANICAL	11/03/23
M214	ASSET - FLOOR PLAN - MECHANICAL	11/03/23
M401	MECHANICAL CONTROLS	11/03/23
M402	MECHANICAL CONTROLS	11/03/23
M501	MECHANICAL DETAILS	11/03/23
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E020	ELECTRICAL SCHEDULES	11/03/23
E030	LIGHT FIXTURE SCHEDULE	11/03/23
E031	LIGHT FIXTURE SCHEDULE	11/03/23
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E102	SITE LIGHTING PLAN	11/03/23
E211	LEVEL 1 - FLOOR PLAN - ELECTRICAL	11/03/23
E212	LEVEL 2 - FLOOR PLAN - ELECTRICAL	11/03/23
E214	ASSET - FLOOR PLAN - ELECTRICAL	11/03/23
E311	LEVEL 1 - RCP - LIGHTING	11/03/23
E312	LEVEL 2 - RCP - LIGHTING	11/03/23
E314	ASSET - RCP - LIGHTING	11/03/23
E411	LEVEL 1 - MECHANICAL POWER PLAN	11/03/23
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E501	ELECTRICAL DETAILS	11/03/23
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P212	LEVEL 2 - PLUMBING	11/03/23
P213	ROOF LEVEL - PLUMBING	11/03/23
P214	ASSET - PLUMBING	11/03/23
P301	PLUMBING ENLARGED PLAN	11/03/23
P302	PLUMBING ENLARGED PLAN	11/03/23
P401	PLUMBING ISOMETRICS	11/03/23
P402	PLUMBING ISOMETRICS	11/03/23
P403	PLUMBING ISOMETRICS	11/03/23
P501	PLUMBING DETAILS	11/03/23
P502	PLUMBING DETAILS	11/03/23
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T004	TECHNOLOGY SCHEDULES	11/03/23
T101	TECHNOLOGY SITE PLAN	11/03/23
T211	LEVEL 1 - FLOOR PLAN - TECHNOLOGY	11/03/23
T212	LEVEL 2 - FLOOR PLAN - TECHNOLOGY	11/03/23
T214	ASSET - FLOOR PLAN - TECHNOLOGY	11/03/23
T311	LEVEL 1 - RCP - TECHNOLOGY	11/03/23
T312	LEVEL 2 - RCP - TECHNOLOGY	11/03/23
T411	LEVEL 1 - FLOOR PLAN - SECURITY	11/03/23
T412	LEVEL 2 - FLOOR PLAN - SECURITY	11/03/23
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T501	TECHNOLOGY ENLARGED PLAN	11/03/23
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T601	TECHNOLOGY DETAILS	11/03/23
T701	SECURITY DETAILS	11/03/23
T702	SECURITY DETAILS	11/03/23
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AV001	AUDIO VIDEO LEGEND AND NOTES	11/03/23
AV002	AUDIO VIDEO ONE-LINE	11/03/23
AV003	AUDIO VIDEO ONE-LINE	11/03/23
AV004	AUDIO VIDEO SCHEDULES	11/03/23
AV211	LEVEL 1 - FLOOR PLAN - AUDIO VIDEO	11/03/23
AV212	LEVEL 2 - FLOOR PLAN - AUDIO VIDEO	11/03/23
AV311	LEVEL 1 - RCP - AUDIO VIDEO	11/03/23
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AV501	AUDIO VIDEO DETAILS	07/19/23
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T-02	GENERAL NOTES	09/21/23
T-03	EXISTING CONDITIONS	09/25/23
T-04	TRAFFIC SIGNAL LAYOUT PLAN	09/25/23
T-05	TRAFFIC SIGNAL LEGEND SHEET 2	09/25/23
T-06	SCHEDULE	09/21/23
T-07	LEGEND	09/21/23
T-08	PROPOSED TRAFFIC SIGNAL ELEVATION	09/21/23
T-09	RAMP PLAN	09/25/23
T-10	CLAMP ON FITTING ASSEMBLY FOR LUMINAIRE MAST ARM	09/21/23
T-11	TRAFFIC SIGNAL SUPPORT STRUCTURES - DUAL MAST ARM	09/21/23
T-12	TRAFFIC SIGNAL SUPPORT STRUCTURES - DUAL MAST ARM 2	09/21/23
T-13	SHIPPING PARTS LIST	09/21/23
T-14	ELECTRICAL DETAILS CONDUITS & NOTES - ED (1)	09/21/23
T-15	ELECTRICAL DETAILS CONDUITS & NOTES - ED (3)	09/21/23
T-16	ELECTRICAL DETAILS GROUND BOXES - ED (4)	09/21/23
T-17	ELECTRICAL DETAILS SERVICE NOTES & DATA - ED (5)	09/21/23
T-18	ELECTRICAL DETAILS SERVICE ENCLOSURE AND NOTES - ED (6)	09/21/23
T-19	ELECTRICAL DETAILS SERVICE SUPPORT TYPES SF & SP - ED (7)	09/21/23
T-20	ELECTRICAL DETAILS TYPICAL TRAFFIC SIGNAL SYSTEM DETAILS - ED (8)	09/21/23
T-21	ELECTRICAL DETAILS ELECTRICAL SERVICE SUPPORT PEDESTAL SERVICE TYPE PS - ED (9)	09/21/23
T-22	STANDARD ASSEMBLY DRAWINGS FOR LUMINAIRE SUPPORT STRUCTURES - ARM DTL.	09/21/23



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T-23	STANDARD ASSEMBLY FOR TRAFFIC SIGNAL SUPPORT STRUCTURES - MAST ARM CONNECTIONS	09/21/23
T-24	TRAFFIC SIGNAL SUPPORT STRUCTURES MAST ARM POLE DETAILS	09/21/23
T-25	MAST ARM DAMPING PLATE DETAILS	09/21/23
T-26	SIGN MOUNTING DETAILS SMALL ROADSIDE SIGNS GENERAL NOTES & DETAILS	09/21/23
T-27	TRAFFIC SIGNAL HEAD WITH BACKPLATE	09/21/23
T-28	TRAFFIC SIGNAL CONTROLLER CABINET BASE AND PAD	09/21/23
T-29	TRAFFIC SIGNAL POLE FOUNDATION	09/21/23
T-30	TRAFFIC SIGNAL WORK TYPICAL DETAILS	09/21/23
T-31	TRAFFIC SIGNAL WORK BARRICADES AND SIGNS	09/21/23
T-32	PEDESTRIAN FACILITIES CURB RAMPS	09/21/23
T-33	PEDESTRIAN FACILITIES CURB RAMPS	09/21/23
T-34	PEDESTRIAN FACILITIES CURB RAMPS	09/21/23
T-35	PEDESTRIAN FACILITIES CURB RAMPS	09/21/23
	FINAL GEOTECH REPORT	07/28/23
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TAB 5

ASSUMPTIONS &
CLARIFICATIONS



SpawGlass

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Assumptions and Clarifications



West Lake Hills Municipal Complex

50% CD Documents

12/1/2023

GENERAL QUALIFICATIONS

1. The Architect of record is Brinkley Sargent Wiginton.
2. Malone Wheeler is the civil engineer of record.
3. Datum Engineers is the structural engineer of record.
4. ME Engineers is the MEPR engineer of record.
5. Coleman & Associates is the landscape architect of record.
6. Terracon is the Geotechnical Engineer.
7. Based on an anticipated start date of April 2024.
8. The baseline schedule is based on a 5-day work week.
9. Normal working hours have been included from 7:00 AM to 6:00 PM Monday through Friday, Saturday as needed. SpawGlass to request approval for any construction operations to be done outside of these days and hours, such as early morning concrete placements.
10. 30 Weather Days and Float included in the schedule.
11. Construction is a loud and vigorous process. While SpawGlass always endeavors to be a good neighbor, some noise and vibrations are to be expected. SpawGlass to hire sound and vibration monitoring as discussed. SpawGlass is not performing any work above and beyond what would be considered normal and will notify the City via weekly Owner Meetings of any activities that will generate any vigorous sound, vibration, or dust.
12. LEED Certifications or Green Building Programs are not incorporated into the project.
13. Proposal assumes that the specified material and equipment are available as required to meet the schedule. If they are not available as required, we assume the Owner/Architect will authorize alternate material or equipment selections.
14. Proposal is good for 30 days from bid date. Price escalation may apply if not approved timely.
15. No fee is included on Contingencies. Contingency Changes to include a 3.35% mark-up.

SPECIFIC QUALIFICATIONS

Division 01 – General Requirements and General Conditions

1. SpawGlass general requirements assumes a 14-month project construction schedule.
2. Caves or karsts are not assumed to be on this project.

Division 02 – Existing Conditions

1. Demolition of existing asphalt parking lot is included.
2. Asbestos removal/demo is included.



Assumptions and Clarifications



3. Includes removal of church, grinder pump, and decommissioned septic field.
4. Assumes existing foundations are 3'-0" below finish grade.
5. The existing site is covered in trees. This proposal does not include any tree mitigation fees/fines that may result from the removal of these existing trees.
6. Excluded saving existing stone panels from existing church.

Division 03 – Concrete

1. Shallow foundations are included in this project.
2. Elevator pit included with 12" thick floor and walls.
3. Monolithic Slab on Graded included at buildings and sally port - 5" thick reinforced with #3 @ 12" OCEW.
4. Level 2 Composite Slab on Metal Deck is included with WWM reinforcing where shown.
5. Site and Pond wall footings and walls, Class B finish. Point patch and rub is excluded on these detention walls.
6. Sally Port paving at 6".
7. No welded rebar included.
8. Sidewalks assumed to be 4" with WWF and 3,000 PSI concrete.
9. Polished concrete includes stain, to a Class C grind.
10. Stair to be polished concrete.

Division 04 – Masonry

1. CMU backup walls – 8"x8"x16" Standard Grey - at the trash container screen, generator screen, sally port, general site walls, and seat walls.
2. ST-1 to be Salado Sonoma pattern, Matera color.
3. ST-1 to be Salado Sonoma pattern, Red color.
4. Standard Galvanized wall ties.
5. Standard un-pigmented grey mortar at CMU.
6. Standard pigmented mortar at masonry veneer.
7. No stone on detention pond concrete walls.

Division 05 – Metals

1. Structural Steel columns, beams, bar joists, and metal decking are included.
2. Standard red primer is included
3. Corton art is excluded, see signage allowance.

Division 06 – Wood, Plastics, and Composites

1. Excluded all structural steel in casework as shown on 20 & 21 / A921.



Assumptions and Clarifications



2. Level 3 bullet resistant panels at Dias half wall will have to be built in flat panels within the radius wall with seam reinforcements. The material as shown does not bend to the profile as shown.
3. The GR/Granite under the millwork finishes shown on A800 are included at the two lobby window transaction types (A901: #2-5) only. It was not clear where else they would be and is assumed to be at these locations only.
4. Includes decorative grade T&D decking.

Division 07 – Thermal and Moisture Protection

1. Fluid-Applied waterproofing at exterior walls is included. Thru wall flashing at windows included.
2. Below grade waterproofing at retaining wall included.
3. Continuous XPS insulation board is included behind masonry and metal panel veneers at exterior walls.
4. Roof is a R-25, tapered isolation board, mechanically fastened roof with ½" cover board.
5. Standing seam metal roof is a standard color, 25 gauge, Pac-Clad roof panels, with hi-temp self-adhered underlayment on ¾" plywood with R-25 polyiso.
6. Standing seam metal roof to be mechanically fastened to tongue-in-groove wood decking.
7. Structural Steel Fireproofing is excluded.
8. SG Waterproofing consultant to review 90% CD drawings.

Division 08 – Openings

1. Wood doors have been included as 1 ¾ SC vertical grain Douglas Fir.
2. Bulletproof doors and glazing included as shown.
3. HM knock down frames and HM doors have been included at Armory, Gun Cleaning, and Quartermaster.
4. Keying included.

Division 09 – Finishes

1. Interior drywall walls have as shown have been included.
2. High security walls (wire mesh) at Armory and Quartermaster rooms.
3. Level 5 finish on any walls has not been included.
4. Include painting exposed structure ceilings at public areas.
5. Acoustical ceilings included.
6. Ceramic tile as shown.

Division 10 – Specialties

1. 7 markerboards included.



Assumptions and Clarifications



2. Included ventilated lockers at Sworn Locker Room.
3. Toilet accessories have been assumed to be Bobrick.
4. Signage has been included as an allowance.
5. Exterior monument sign has been included as an allowance.
6. Toilet partitions are ASI Accurate Black Core Phenolic Toilet Partitions.

Division 11 – Equipment

1. Includes allowance for window treatments.
2. Includes allowance for Evidence Processing Equipment.

Division 12 – Furnishings

1. Includes allowance for window treatments.

Division 13 – Special Construction

1. None included

Division 14 – Conveying Equipment

1. Holeless hydraulic elevator included.

Division 21 – Fire Suppression

1. Wet pipe, dry pipe, and pre-action systems have been included. No fire pump included.

Division 22 – Plumbing

1. Plumbing connections of equipment “by others” is included – gas grill, refrigerators, coffeemakers, icemakers.
2. Triplex booster system is included if needed. Deduct will be provided if PSI to building is adequate.
3. Furnish of building water and gas meters has not been included.
4. No French drain provided at building or detention pond.

Division 23 – HVAC and Controls

1. Building Automation System has been included.
2. TAB has been included, Cx to be by Owner.

Division 26 – Electrical



Assumptions and Clarifications



1. 300kw generator to be provided.
2. 75 dba at 25' sound enclosure at generator included.
3. Material lead times are 50 weeks for electrical gear, 60 weeks for generators.
4. Included power 22 LED landscape bollards.

Division 27 – Communications

1. Communications system as shown is included.
2. AV system as shown is included.

Division 28 – Electronic Safety

1. Fire Alarm is included as shown (Class A).
2. Access control and security by Owner.
3. BDA system is included.

Division 31 – Earthwork

1. Included 1/2" PVR.
2. Includes temp access road allowance as required by fire marshal.
3. Includes HMAC parking lots.

Division 32 – Exterior Improvements

1. FenceCrete precast fence included is 8' tall. This fence is included at 450 LF, which is the length shown on the drawings and not the entire property run.
2. Assumes boulders can be saved from earthwork operations, vs. purchasing new.
3. No site furnishings included.
4. Does not include the 25% more trees as described by Jose Perez in 11/13/23 email.

Division 33 – Utilities

1. Included three 4" conduits for comm into the building from the street.
2. Texas Gas Co. assumed to install gas line from main at Highway 2244 to meter at back of building. Plumber to run gas piping downstream of meter.
3. No traffic control permits required for street improvements.
4. Street improvement allowance until updated drawings received to replace pole.

EXCLUSIONS



Assumptions and Clarifications



1. Permits, by Owner.
2. Sales Tax.
3. LEED documentation and Submittals.
4. Additional work due to unforeseen below grade conditions.
5. Austin Energy costs / other utility connection fees.

TAB 6

COST ESTIMATE

SpawGlass

*Providing the Absolute Best
Construction Experience*



City of West Lake Hills Municipal Complex - 50 % CD - GMP

50 % CD - GMP Revision 4

Estimate Date: 12/07/2023 Documents Date: 10/18/2023
Project Size (SF): 17,953 Project #: 3023005
Project Location: Austin, TX Lead Estimator: Tyler Tuscher

ITEM	COST	COST SF	% OF TOTAL
Building (18,000 SF)	11,714,099	650.78	69.30 %
Site (100,535 SF)	2,568,304	25.55	15.19 %
Indirect Costs	2,620,044	145.94	15.50 %
Total Cost	\$ 16,902,447	\$ 941.48	100.00 %

City of West Lake Hills Municipal Complex - 50 % CD - GMP

50 % CD - GMP Revision 4

Estimate Date: 12/07/2023 Documents Date: 10/18/2023
Project Size (SF): 17,953 Project #: 3023005
Project Location: Austin, TX Lead Estimator: Tyler Tuscher

ITEM	COST	COST SF	% OF TOTAL
Building (18,000 SF)	11,714,099	650.78	69.30 %
Div. 01 - General Requirements	185,550	10.31	1.58 %
Div. 02 - Existing Conditions	70,250	3.90	0.60 %
Div. 03 - Concrete	1,329,249	73.85	11.35 %
Div. 04 - Masonry	300,000	16.67	2.56 %
Div. 05 - Metals	1,148,097	63.78	9.80 %
Div. 06 - Wood, Plastics & Composites	487,080	27.06	4.16 %
Div. 07 - Thermal & Moisture Protection	840,641	46.70	7.18 %
Div. 08 - Openings	1,096,393	60.91	9.36 %
Div. 09 - Finishes	1,088,149	60.45	9.29 %
Div. 10 - Specialties	320,139	17.79	2.73 %
Div. 11 - Equipment	55,500	3.08	0.47 %
Div. 12 - Furnishings	45,000	2.50	0.38 %
Div. 13 - Special Construction	198,989	11.05	1.70 %
Div. 14 - Conveying Equipment	95,488	5.30	0.82 %
Div. 21 - Fire Suppression	150,279	8.35	1.28 %
Div. 22 - Plumbing	596,877	33.16	5.10 %
Div. 23 - Heating, Ventilating & Air Conditioning	1,089,600	60.53	9.30 %
Div. 26 - Electrical	2,130,227	118.35	18.19 %
Div. 27 - Communications	394,372	21.91	3.37 %
Div. 28 - Electronic Safety & Security	92,219	5.12	0.79 %
Site (100,535 SF)	2,568,304	25.55	15.19 %
Div. 01 - General Requirements	50,000	0.50	1.95 %
Div. 31 - Earthwork	751,052	7.47	29.24 %
Div. 32 - Exterior Improvements	727,512	7.24	28.33 %

ITEM	COST	COST SF	% OF TOTAL
Div. 33 - Utilities	839,740	8.35	32.70 %
Div. 34 - Transportation	200,000	1.99	7.79 %
<i>Indirect Costs</i>	<i>2,620,044</i>	<i>145.94</i>	<i>15.50 %</i>
General Conditions	866,269	48.25	5.13 %
Builder's Risk Insurance	14,367	0.80	0.08 %
General Liability Insurance	131,163	7.31	0.78 %
Payment and Performance Bonds	125,866	7.01	0.74 %
Subcontractor Default Insurance (SDI):	178,530	9.94	1.06 %
Contractor's Contingency	571,296	31.82	3.38 %
Owner's Contingency	210,000	11.70	1.24 %
Construction Phase Fee (3.35%)	522,553	29.11	3.09 %
<i>Total Cost</i>	<i>\$ 16,902,447</i>	<i>\$ 941.48</i>	<i>100.00 %</i>



Detail Report
(Direct Costs Only)

City of West Lake Hills Municipal Complex - 50 % CD -
GMP

50 % CD - GMP Revision 4

Estimate Date: 12/07/2023 Documents Date: 10/18/2023
Project Size (SF): 17,953 Project #: 3023005
Project Location: Austin, TX Lead Estimator: Tyler Tuscher

ITEM	QUANTITY UM	UNIT COST	TOTAL COST
<i>Building</i>			11,714,099
<i>General Requirements</i>			140,550
Temporary Fencing	1.0 LS	8,550.00	8,550
Waterproofing Consultant	1.0 LS	7,000.00	7,000
Vibration and Sound Monitoring	1.0 LS	15,000.00	15,000
Field Engineering	1.0 LS	25,000.00	25,000
Site Cleanup	1.0 LS	15,000.00	15,000
Dewatering	1.0 LS	10,000.00	10,000
SWPPP Maintenance	1.0 LS	10,000.00	10,000
Surveying	1.0 LS	5,000.00	5,000
Dumpsters	1.0 LS	45,000.00	45,000
<i>Allowances</i>			45,000
Exterior Wall & Dias Finishes Mock-up	1.0 LS	25,000.00	25,000
Monument Sign	1.0 LS	20,000.00	20,000
<i>Demolition</i>			70,250
2.01 Complete Building Demolition & Haul-Off Including Abatement	1.0 LS	70,250.00	70,250
<i>Cast-In-Place Concrete (Building)</i>			1,299,173
3.01 - Turnkey Concrete	1.0 LS	1,299,173.00	1,299,173
<i>Concrete Staining/Polishing/Stamping/Sealing</i>			30,076
3.02 - Stained & Polished Concrete	1.0 LS	30,076.00	30,076
<i>Masonry / Stone</i>			300,000
4.01 - Masonry	1.0 LS	300,000.00	300,000
<i>Structural/Miscellaneous Steel - Fabrication</i>			1,148,097
5.01 - Structural Steel Fabrication and Erection	1.0 LS	1,148,097.00	1,148,097

ITEM	QUANTITY UM	UNIT COST	TOTAL COST
<i>Wood Decking</i>			<i>120,900</i>
6.02 - Wood Decking	1.0 LS	120,900.00	120,900
<i>Architectural Woodwork</i>			<i>366,180</i>
6.01 - Architectural Woodwork	1.0 LS	366,180.00	366,180
<i>Waterproofing / Dampproofing / Joint Sealants</i>			<i>220,615</i>
7.1 - Waterproofing, Dampproofing, & Joint Sealants	1.0 LS	220,615.00	220,615
<i>Metal Wall Panels</i>			<i>287,000</i>
7.2.1 - Metal Wall Panels and Roof Screen.	1.0 LS	287,000.00	287,000
<i>Roofing</i>			<i>333,026</i>
7.2 - Roofing - TPO and Standing Seam	1.0 LS	333,026.00	333,026
<i>Doors / Frames / Hardware</i>			<i>220,579</i>
8.1 - HM Doors, Frames, Hardware, Wood Doors	1.0 LS	205,079.00	205,079
8.2 - Doors and Hardware Installation	1.0 LS	15,500.00	15,500
<i>Storefronts / Glass / Curtain Walls</i>			<i>875,814</i>
8.3 - Aluminum Storefronts, Windows, Curtain Walls, and Glazing	1.0 LS	875,814.00	875,814
<i>Drywall / Acoustical</i>			<i>734,650</i>
9.1 - Metal Stud Framing, Drywall, and Acoustical	1.0 LS	734,650.00	734,650
<i>Tile</i>			<i>95,710</i>
9.2 - Tile	1.0 LS	95,710.00	95,710
<i>Carpet/Resilient Flooring</i>			<i>81,780</i>
9.3 - Carpet and Resilient Flooring	1.0 LS	81,780.00	81,780
<i>Painting / Wall Coverings</i>			<i>176,009</i>
9.4 - Painting	1.0 LS	176,009.00	176,009
<i>Visual Display Boards</i>			<i>10,000</i>
Display Case - Claridge 370 Series	1.0 LS	10,000.00	10,000
<i>Signage / Identification Devices</i>			<i>80,000</i>
10.1 - Signage Allowance	1.0 Allow.	80,000.00	80,000
<i>Lockers</i>			<i>166,489</i>
10.2 - Personnel Duty Lockers - Spacesaver Freestyle 24x24 with bench; Evidence Storage Lockers - Electronic Tracking Multi Rear Door by Southwest Solutions SSG-ELC-ED3DC_PCS; Evidence Lockers - Electronic Tracking by Southwest Solutions ED3DC02; Pistol Locker - 4 Compartment Surface Mounted by American Locker WMPL4P	1.0 LS	166,489.00	166,489

ITEM	QUANTITY UM	UNIT COST	TOTAL COST
<i>Flagpoles</i>			<i>24,680</i>
10.3 - Flagpoles	1.0 LS	24,680.00	24,680
<i>Miscellaneous</i>			<i>38,970</i>
10.4 - Toilet Accessories, Partitions, Fire Protection Specialties, and Visual Display Boards	1.0 LS	38,970.00	38,970
<i>Appliances</i>			<i>55,500</i>
11.1 - Residential Appliances	1.0 LS	5,500.00	5,500
Specification 11 53 63 - Evidence Processing Equipment - Allowance	1.0 LS	50,000.00	50,000
<i>Window Treatments</i>			<i>45,000</i>
12.1 - Window Treatments	1.0 Allow.	45,000.00	45,000
<i>Modular/Prefabricated Structures</i>			<i>198,989</i>
13.1 - Carport System at Sally Port, Pre-Fabricated Metal Canopy, Aluminum Sunscreens	1.0 LS	198,989.00	198,989
<i>Elevators</i>			<i>95,488</i>
14.1 - Holeless MRL Hydraulic	1.0 LS	95,488.00	95,488
<i>Fire Suppression</i>			<i>150,279</i>
21.1 - Fire Suppression	1.0 LS	150,279.00	150,279
<i>Plumbing</i>			<i>596,877</i>
22.1 - Plumbing	1.0 LS	596,877.00	596,877
<i>HVAC</i>			<i>1,089,600</i>
23.1 - HVAC	1.0 LS	1,077,300.00	1,077,300
Test and Balance	1.0 LS	12,300.00	12,300
<i>Electrical</i>			<i>2,130,227</i>
26.1 - Electrical	1.0 LS	2,130,227.00	2,130,227
<i>Communications Cabling and Equipment</i>			<i>155,480</i>
27.1 - Communications Cabling and Network Closet Buildout	1.0 LS	155,480.00	155,480
<i>Audio-Video Systems</i>			<i>238,892</i>
27.2 - A/V Systems	1.0 LS	238,892.00	238,892
<i>Fire Alarm Systems</i>			<i>92,219</i>
28.1 - Fire Alarm System	1.0 LS	36,300.00	36,300
28.2 - Public Safety DAS	1.0 LS	55,919.00	55,919
<i>Site</i>			<i>2,568,304</i>
<i>General Requirements</i>			<i>50,000</i>
Tree Health Survey and Maintenance	1.0 Allow.	14,000.00	14,000

ITEM	QUANTITY UM	UNIT COST	TOTAL COST
Temp Tree Irrigation	1.0 Allow.	21,000.00	21,000
Tree Trimming	1.0 Allow.	15,000.00	15,000
<i>Earthwork</i>			<i>702,300</i>
31.1 - Earthwork	1.0 LS	652,300.00	652,300
Temp Road Allowance	1.0 LS	50,000.00	50,000
<i>Erosion Control</i>			<i>48,752</i>
31.2 - Erosion Control	1.0 LS	48,752.00	48,752
<i>Traffic Markings/Signage</i>			<i>29,064</i>
32.1 - Traffic Markings & Signage	1.0 LS	29,064.00	29,064
<i>Fences / Gates</i>			<i>200,500</i>
32.2 - Fences and Gates	1.0 LS	142,000.00	142,000
32.3 - Fencecrete	1.0 LS	58,500.00	58,500
<i>Landscaping / Irrigation</i>			<i>497,948</i>
32.4 - Landscape/Hardscape/Irrigation	1.0 LS	497,948.00	497,948
<i>Site Utilities</i>			<i>810,740</i>
33.1 - Site Utilities	1.0 LS	810,740.00	810,740
<i>Ponds / Retention Systems</i>			<i>29,000</i>
33.2 - Water Quality System Including RipRap, Sand Bed, Limestone Gravel, Drainage Materials, Impermeable Liner with Geotextile Fabric Layers, RCP Tie In, and Rock Berm	1.0 LS	29,000.00	29,000
<i>Traffic Signals</i>			<i>200,000</i>
34.1 - Traffic Signal and Intersection Work Budget	1.0 LS	200,000.00	200,000

Total - Direct Costs

\$ 14,282,403

PROJECT: West Lake Hills Municipal Complex
 RE: GMP - 50% CD Estimate Alternate
 DATE: November 17th, 2023



Title	Quantity	UM	Rate	Amount
Alternate 1 - Support (Asset) Building - 1344 SF				
Slab on Grade	1.00	LS	\$35,722.00	\$35,722
Architectural Woodwork - Shelving Allowance	1.00	AL	\$10,000.00	\$10,000
Waterproofing, Joint Sealants	1.00	LS	\$1,368.00	\$1,368
Doors, Frames, Hardware	1.00	LS	\$9,711.00	\$9,711
Overhead Doors	1.00	LS	\$46,580.00	\$46,580
Metal Stud Framing and Drywall	1.00	LS	\$28,726.00	\$28,726
Flooring	1.00	LS	\$1,344.00	\$1,344
Painting	1.00	LS	\$18,911.00	\$18,911
Specialties Allowance	1.00	LS	\$5,000.00	\$5,000
Pre-Engineered Metal Buildings	1.00	LS	\$46,171.00	\$46,171
Plumbing	1.00	LS	\$10,000.00	\$10,000
HVAC	1.00	LS	\$8,500.00	\$8,500
Electrical	1.00	LS	\$56,215.00	\$56,215
Structured Cabling and Technology	1.00	LS	\$25,000.00	\$25,000
Earthwork - Included in Base Proposal	1.00	LS	\$0.00	\$0
Subtotal of Estimated Direct Costs				\$303,248
Apply Estimated Indirect Costs				\$33,752
Estimated Total				\$337,000



General Conditions

Name: **City of West Lake Hills - Municipal Complex**
 Location: **Westlake**
 Bid Date: **February 2, 2023**
 Priced By:

Duration (Mos): **14.0**
 Duration (Wks): **61.0**
 Total GCs: **\$ 866,269**
 Cost / Mo: **\$ 61,876**

Bonds and Insurance

P&P Bond 96,594 **0**
GL 122,220 **New Construction**
Builder Risk 20,475 **-**
1,105,558 **0.00%**
7.02%

Description	Quantity	Unit	Labor Rate	Material Unit Price	Material Total	Subcontract Unit Price	Subcontract Total	Total
			-		-	-	-	-
Project Executive - Tyler Wenzel	13.0	Wks	60,996		-	-	-	60,996
Project Manger - Cedric Gartman	61.0	Wks	216,764		-	-	-	216,764
Project Engineer - TBD	30.5	Wks	65,240		-	-	-	65,240
Superintendent - JJ Lollar	61.0	Wks	216,764		-	-	-	216,764
Assistant Superintendent - TBD	30.5	Wks	65,240		-	-	-	65,240
Quality Control - MEP - Daylon	6.1	Wks	21,777		-	-	-	21,777
Proj. Safety Coordinator (PSC) - Fermin Villalobos	12.0	Wks	30,139		-	-	-	30,139
Tina	8.0	Wks	13,248		-	-	-	13,248
BIM Engineer	6.0	Wks	12,006		-	-	-	12,006
ESC	14.0	Mos	-	450.00	6,820	-	-	6,820
Waterproofing / Building Envelope Consultant	40.0	Hrs	-	200.00	8,660	-	-	8,660
Construction Documents (Blueprint Repro.)	6.0	Sets	-	500.00	3,248	-	-	3,248
As-Built Documents	1.0	Sets	-	1,500.00	1,624	-	-	1,624
Scheduling Software	14.0	Mos	-	172.00	2,607	-	-	2,607
Water, Ice, & Cups (for Field)	14.0	Mos	3,864	225.00	3,410	-	-	7,274
First Aid Kits	2.0	Each	-	300.00	650	-	-	650
First Aid Supplies	14.0	Mos	-	100.00	1,516	-	-	1,516
General Safety Supplies	14.0	Mos	-	200.00	3,031	-	-	3,031
Temp. Fire Extinguishers (1 per 5,000 SF)	5.0	Each	-	225.00	1,218	-	-	1,218
Electric Power Consump. (for Office Trailers)	14.0	Mos	-	500.00	7,578	-	-	7,578
Temp. Water Meter	1.0	Each	-	1,000.00	1,083	-	-	1,083
Water Consumption (for Office Trailers)	14.0	Mos	-	100.00	1,516	-	-	1,516
Office Trailers - Mobilization / Demobilization	1.0	Each	-	2,500.00	2,706	-	-	2,706
Office Trailers - Setup / Takedown (Incl. Steps & Land.)	1.0	Each	1,932	2,000.00	2,165	-	-	4,097
Office Trailers - Rental	14.0	Mos	-	1,250.00	18,944	-	-	18,944
Desks, Tables, & Chairs	1.0	LS	-	3,500.00	3,789	-	-	3,789
Copy Machines / Scanners / Printer - Rental	14.0	Mos	-	550.00	8,335	-	-	8,335
Refrigerators	1.0	Each	-	500.00	541	-	-	541
Microwaves	1.0	Each	-	150.00	162	-	-	162
Coffee Machines	1.0	Each	-	125.00	135	-	-	135
Water Coolers - Water & Rental	14.0	Mos	-	165.00	2,501	-	-	2,501
Internet Router & Network Systems	1.0	Each	-	4,500.00	4,871	-	-	4,871
Internet Service Charges	14.0	Mos	-	500.00	7,578	-	-	7,578
Delivery / Courier Services	14.0	Mos	-	300.00	4,547	-	-	4,547
Postage / Shipping Expenses	14.0	Mos	-	200.00	3,031	-	-	3,031
Office Clean Up / Janitor Service	14.0	Mos	7,728	-	-	100.00	1,400	9,128
Portable Toilets - Rental	56.0	EA	-	450.00	27,279	-	-	27,279
Sewage Holding Tanks - Rental (for Office Trailers)	14.0	Mos	-	250.00	3,789	-	-	3,789
Portable Handwash Stations - Rental	14.0	Mos	-	125.00	1,894	-	-	1,894
Misc. Small Tools	14.0	Mos	-	150.00	2,273	-	-	2,273
1 Project Sign (SpawGlass)	1.0	Each	173	1,000.00	1,083	-	-	1,255

Description	Quantity	Unit	Labor Rate	Material Unit Price		Subcontract Unit Price	Subcontract Total	Total
					Material Total			
2 OSHA Required Signs	2.0	LS	690	750.00	1,624		-	2,314
10 Safety Signs	3.0	Each	207	150.00	487		-	694
10 Pedestrian Traffic Signs	5.0	Each	242	100.00	541		-	783
in COW Trash Dumpsters (40 Yd)(trailer only)	5.0	Pulls	-	425.00	2,300		-	2,300
Project Milestone Events	1.0	LS	-	3,000.00	3,248		-	3,248
Employee Identification System	1.0	LS	-	1,000.00	1,083		-	1,083
			-		-		-	-
Total General Conditions:			\$ 717,008	\$ 147,862		\$ 1,400	\$ 866,269	

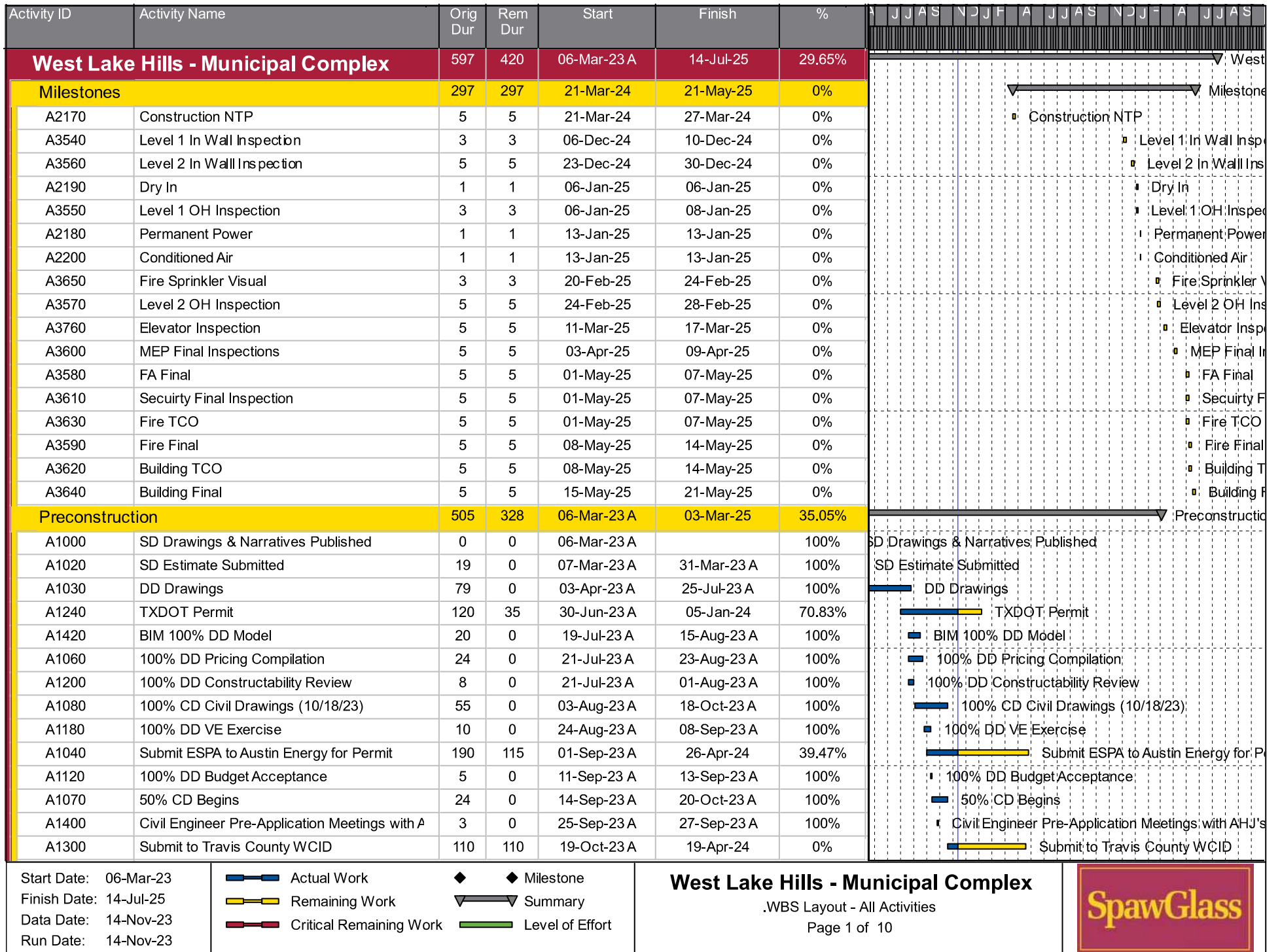
TAB 7

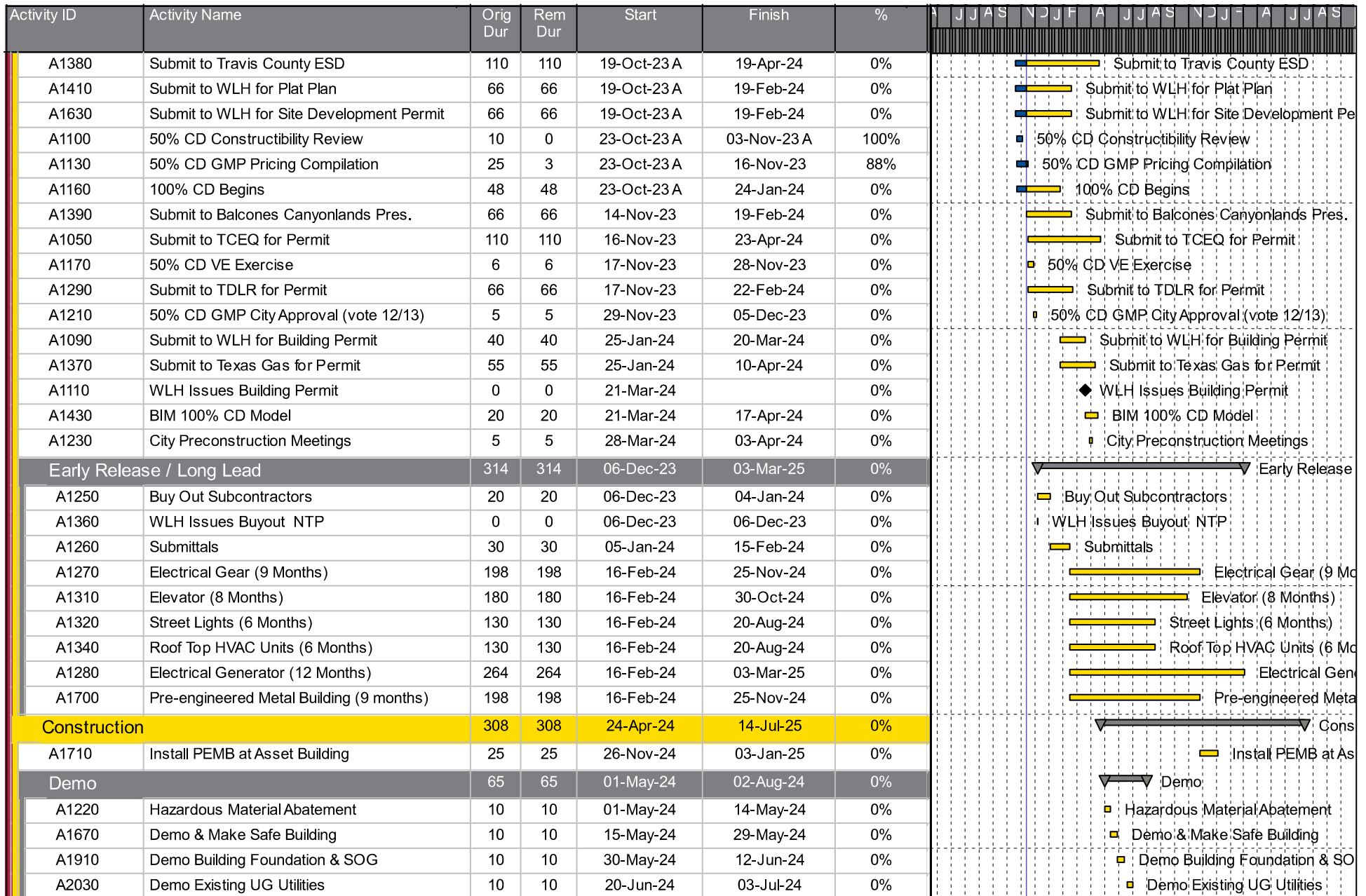
SCHEDULE



SpawGlass

*Providing the Absolute Best
Construction Experience*





Start Date: 06-Mar-23
 Finish Date: 14-Jul-25
 Data Date: 14-Nov-23
 Run Date: 14-Nov-23

Actual Work Milestone
 Remaining Work Summary
 Critical Remaining Work Level of Effort

West Lake Hills - Municipal Complex

.WBS Layout - All Activities
 Page 2 of 10



Activity ID	Activity Name	Orig Dur	Rem Dur	Start	Finish	%	J	J	A	S	N	D	J	F	A	J	J	A	S	N	D	J	F	A	J	J	A	S
A2040	Demo Existing Asphalt	10	10	22-Jul-24	02-Aug-24	0%																						
Utilities/Site Prep		170	170	24-Apr-24	26-Dec-24	0%																						
A1330	Erect Fencing and SWPPP Measures	5	5	24-Apr-24	30-Apr-24	0%																						
A1470	Clear & Grub	5	5	13-Jun-24	19-Jun-24	0%																						
A1890	Excavate for WL main tie in	3	3	20-Jun-24	24-Jun-24	0%																						
A1970	Excavate WWL-A Tie In (Phase 1B)	2	2	20-Jun-24	21-Jun-24	0%																						
A2210	Install Fencrete Fence	10	10	20-Jun-24	03-Jul-24	0%																						
A1980	Tie in WWL-A (Phase 1B)	1	1	24-Jun-24	24-Jun-24	0%																						
A1900	Tie in WL- A,C,D,E&F	1	1	25-Jun-24	25-Jun-24	0%																						
A1990	Backfill tie in WWL-A (Phase 1B)	1	1	25-Jun-24	25-Jun-24	0%																						
A1930	Backfill WL main tie in	1	1	26-Jun-24	26-Jun-24	0%																						
A2000	Excavate WWL-A (Phase 1B)	5	5	26-Jun-24	02-Jul-24	0%																						
A1940	Excavate WL A&D (Phase 1A)	5	5	27-Jun-24	03-Jul-24	0%																						
A2010	Install WWL-A (Phase 1B)	2	2	03-Jul-24	08-Jul-24	0%																						
A1950	Install WL A&D (Phase 1A)	2	2	08-Jul-24	09-Jul-24	0%																						
A3660	Building Pad Excavation	10	10	08-Jul-24	19-Jul-24	0%																						
A2020	Backfill WWL-A (Phase 1B)	3	3	09-Jul-24	11-Jul-24	0%																						
A1960	Backfill WL A&D (Phase 1A)	3	3	10-Jul-24	12-Jul-24	0%																						
A1460	Building Pad - Fill	10	10	22-Jul-24	02-Aug-24	0%																						
A1550	Site Rough Grade	10	10	22-Jul-24	02-Aug-24	0%																						
A1140	Build Electrical Ductbank and Comm Ductba	20	20	05-Aug-24	30-Aug-24	0%																						
A1870	Texas Gas Install Gas Line	5	5	05-Aug-24	09-Aug-24	0%																						
A2080	Excavate SSL- East (Phase 2)	5	5	05-Aug-24	09-Aug-24	0%																						
A1880	Texas Gas Set Gas Meter	1	1	12-Aug-24	12-Aug-24	0%																						
A2090	Install SSL - East (Phase 2)	3	3	12-Aug-24	14-Aug-24	0%																						
A2100	Backfill SSL - East (Phase 2)	2	2	15-Aug-24	16-Aug-24	0%																						
A2050	Excavate WWL-A (Phase 3B)	3	3	19-Aug-24	21-Aug-24	0%																						
A2140	Excavate SSL A,C & D (Phase 3A)	5	5	19-Aug-24	23-Aug-24	0%																						
A1920	Asphalt Temp Road	10	10	19-Aug-24	30-Aug-24	0%																						
A2060	Install WWL-A (Phase 3B)	2	2	22-Aug-24	23-Aug-24	0%																						
A2070	Backfill WWL-A (Phase 3B)	1	1	26-Aug-24	26-Aug-24	0%																						
A2150	Install SSL A,C & D (Phase 3A)	3	3	26-Aug-24	28-Aug-24	0%																						
A2160	Backfill SSL A,C & D (Phase 3A)	2	2	29-Aug-24	30-Aug-24	0%																						
A1150	AE Installs Transformer	80	80	03-Sep-24	26-Dec-24	0%																						

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A2110	Excavate WL A,B & D (Phase 4)	3	3	03-Sep-24	05-Sep-24	0%																						
A2120	Install WL A,B & D (Phase 4)	1	1	06-Sep-24	06-Sep-24	0%																						
A2130	Backfill WL A,B & D (Phase 4)	2	2	09-Sep-24	10-Sep-24	0%																						
A3420	Site Final Grading	5	5	18-Nov-24	22-Nov-24	0%																						
Foundations/Structure		143	143	05-Aug-24	26-Feb-25	0%																						
A1450	Excavate Elevator Pit	3	3	05-Aug-24	07-Aug-24	0%																						
A2220	FRP SOG Elevator Pit	2	2	08-Aug-24	09-Aug-24	0%																						
A2230	FRP Elevator Pit Walls	2	2	12-Aug-24	13-Aug-24	0%																						
A2240	Excavate Exterior Grade Beams & Footings	5	5	14-Aug-24	20-Aug-24	0%																						
A2250	FRP Exterior Grade Beams & Footings	3	3	21-Aug-24	23-Aug-24	0%																						
A2260	Excavate Interior Grade Beams & Footings	4	4	21-Aug-24	26-Aug-24	0%																						
A1680	SOG U/G Utilities	10	10	27-Aug-24	10-Sep-24	0%																						
A2270	FRP Interior Grade Beams & Footings	2	2	27-Aug-24	28-Aug-24	0%																						
A1690	F/R/P Asset Building SOG	10	10	11-Sep-24	24-Sep-24	0%																						
A2280	SOG Vapor Barrier & Rebar	3	3	11-Sep-24	13-Sep-24	0%																						
A1660	Pour SOG	1	1	16-Sep-24	16-Sep-24	0%																						
A3670	Install & Plum Level 1 Columns	5	5	17-Sep-24	23-Sep-24	0%																						
A3680	Install Level 2 beams and & Joist	10	10	24-Sep-24	07-Oct-24	0%																						
A3690	Install Level 2 Columns	5	5	08-Oct-24	14-Oct-24	0%																						
A3710	Install metal decking level 2	3	3	08-Oct-24	10-Oct-24	0%																						
A3470	Install interior Stairs	10	10	11-Oct-24	24-Oct-24	0%																						
A3700	Install Roof Beams Joist	5	5	15-Oct-24	21-Oct-24	0%																						
A3720	Install metal decking Roof	2	2	22-Oct-24	23-Oct-24	0%																						
A1440	Structural Steel Weld Inspections	3	3	24-Oct-24	28-Oct-24	0%																						
A1650	Pour SOMD	5	5	29-Oct-24	04-Nov-24	0%																						
A1740	Install Misc. Steel at Window Lintels	10	10	29-Oct-24	11-Nov-24	0%																						
A2520	Pour Topping Slab	5	5	20-Feb-25	26-Feb-25	0%																						
Detention Pond		74	74	05-Aug-24	15-Nov-24	0%																						
A1560	Excavate Detention Pond	10	10	05-Aug-24	16-Aug-24	0%																						
A1570	Excavate Detentino Pond Footings	5	5	19-Aug-24	23-Aug-24	0%																						
A1640	FRP Detention Pond Footings	5	5	26-Aug-24	30-Aug-24	0%																						
A3370	FRP North Exterior Wall	10	10	03-Sep-24	16-Sep-24	0%																						
A3390	FRP South Exterior Wall	10	10	17-Sep-24	30-Sep-24	0%																						
A3400	FRP West Exterior Wall	7	7	01-Oct-24	09-Oct-24	0%																						

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A3410	Backfill Detention Pond	5	5	10-Oct-24	16-Oct-24	0%																						
A3430	FRP Interior Detention Pond Walls	10	10	10-Oct-24	23-Oct-24	0%																						
A3450	Install Detention Pond Ramp	5	5	24-Oct-24	30-Oct-24	0%																						
A3440	Install Rock Ribbon	5	5	31-Oct-24	06-Nov-24	0%																						
A3460	Install Sand Bed	5	5	31-Oct-24	06-Nov-24	0%																						
A3380	FRP East Exterior Wall	7	7	07-Nov-24	15-Nov-24	0%																						
Exterior		163	163	21-Aug-24	11-Apr-25	0%																						
A1590	2244 Street Improvements	10	10	21-Aug-24	04-Sep-24	0%																						
A1490	Install Ext. North Elevation Frame/Sheathe/W	10	10	12-Nov-24	25-Nov-24	0%																						
A1750	Install Ext. West Elevation Frame/Sheathe/W	10	10	19-Nov-24	04-Dec-24	0%																						
A1760	Install Ext. South Elevation Frame/Sheathe/W	10	10	26-Nov-24	11-Dec-24	0%																						
A3910	Install North Curtain Wall system	5	5	26-Nov-24	04-Dec-24	0%																						
A3930	Install North Storefront Windows	2	2	26-Nov-24	27-Nov-24	0%																						
A1770	Install Ext. East Elevation Frame/Sheathe/W	10	10	05-Dec-24	18-Dec-24	0%																						
A1790	Install North Elevation Stone	10	10	05-Dec-24	18-Dec-24	0%																						
A3730	Roofing Level 1	10	10	05-Dec-24	18-Dec-24	0%																						
A3950	Install West Storefront Windows	2	2	05-Dec-24	06-Dec-24	0%																						
A4000	Install West Curtain Wall System	3	3	05-Dec-24	09-Dec-24	0%																						
A3900	Install South Curtain wall system	5	5	12-Dec-24	18-Dec-24	0%																						
A3920	Install South Storefront Windows	3	3	12-Dec-24	16-Dec-24	0%																						
A1780	Wood Decking Roofing (Level 2)	10	10	19-Dec-24	03-Jan-25	0%																						
A1800	Install West Elevation Stone	10	10	19-Dec-24	03-Jan-25	0%																						
A3830	Set up RTUs	5	5	19-Dec-24	26-Dec-24	0%																						
A3840	Set Exhaust Fans	5	5	19-Dec-24	26-Dec-24	0%																						
A3940	Install East Storefront Windows	5	5	19-Dec-24	26-Dec-24	0%																						
A3970	Install North Metal Panels	5	5	19-Dec-24	26-Dec-24	0%																						
A4010	Install East Curtain Wall System	3	3	19-Dec-24	23-Dec-24	0%																						
A1600	RTU Screen Wall Install	5	5	27-Dec-24	03-Jan-25	0%																						
A1480	Dry In	0	0		03-Jan-25	0%																						
A1580	Paving Curbs & Asphalt	40	40	06-Jan-25	28-Feb-25	0%																						
A1820	Install South Elevation Stone	10	10	06-Jan-25	17-Jan-25	0%																						
A3990	Install West Metal Panels	5	5	06-Jan-25	10-Jan-25	0%																						
A3960	Install South Metal Panels	5	5	13-Jan-25	17-Jan-25	0%																						
A1720	Install DG Paths and Sidewalks	15	15	20-Jan-25	07-Feb-25	0%																						

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A1810	Install East Elevation Stone	10	10	20-Jan-25	31-Jan-25	0%																						
A3980	Install East Metal Panels	5	5	03-Feb-25	07-Feb-25	0%																						
A1540	Landscaping	30	30	03-Mar-25	11-Apr-25	0%																						
Level 1		138	138	29-Oct-24	14-May-25	0%																						
A2290	Interior Wall Layout	2	2	29-Oct-24	30-Oct-24	0%																						
A2300	MEP Priority OH Layout Priority Walls	1	1	29-Oct-24	29-Oct-24	0%																						
A2340	Install HVAC Hangers/Support	2	2	30-Oct-24	31-Oct-24	0%																						
A2410	OH Electrical Rough In	10	10	30-Oct-24	12-Nov-24	0%																						
A2420	OH Plumbing rough in	10	10	30-Oct-24	12-Nov-24	0%																						
A2310	Exterior Wall Framing Layout	1	1	05-Nov-24	05-Nov-24	0%																						
A1830	Interior Wall Framing	5	5	06-Nov-24	12-Nov-24	0%																						
A2320	Exterior Wall Framing	5	5	06-Nov-24	12-Nov-24	0%																						
A1840	MEP In Wall Rough-In	15	15	13-Nov-24	05-Dec-24	0%																						
A2330	Exterior Wall One Side Exterior	3	3	13-Nov-24	15-Nov-24	0%																						
A2500	Top Out Priority Walls	2	2	13-Nov-24	14-Nov-24	0%																						
A2530	Install Bathroom Counter top Supports	2	2	13-Nov-24	14-Nov-24	0%																						
A2540	Install In Wall Blocking	2	2	13-Nov-24	14-Nov-24	0%																						
A2580	Install Hollow Metal door Frames	3	3	13-Nov-24	15-Nov-24	0%																						
A2350	Install Medium Pressure Duct	5	5	15-Nov-24	21-Nov-24	0%																						
A2430	Install Fire Sprinkler Main & Branch lines	5	5	15-Nov-24	21-Nov-24	0%																						
A2370	Install Low Pressure Duct	5	5	22-Nov-24	02-Dec-24	0%																						
A2390	Test Medium Pressure duct	2	2	22-Nov-24	25-Nov-24	0%																						
A2360	Insulate Medium Pressure Duct	5	5	26-Nov-24	04-Dec-24	0%																						
A2400	Test Low Pressure Duct	2	2	03-Dec-24	04-Dec-24	0%																						
A2380	Insulate Low Pressure Duct	5	5	05-Dec-24	11-Dec-24	0%																						
A1850	Interior Sheathing	10	10	06-Dec-24	19-Dec-24	0%																						
A2510	One Side Interior wall framing	5	5	06-Dec-24	12-Dec-24	0%																						
A2560	In Wall Inspection - Passed	2	2	06-Dec-24	09-Dec-24	0%																						
A1860	Pull electrical wire	10	10	06-Dec-24	19-Dec-24	0%																						
A2570	Close Up Walls	5	5	10-Dec-24	16-Dec-24	0%																						
A2460	Frame Hard Lid Ceilings	5	5	12-Dec-24	18-Dec-24	0%																						
A2440	FA Wire install	3	3	13-Dec-24	17-Dec-24	0%																						
A2600	Low Voltage Wire Pulled	5	5	13-Dec-24	19-Dec-24	0%																						
A2610	Securty Wire install	3	3	13-Dec-24	17-Dec-24	0%																						

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A3800	Set Electrical gear	2	2	17-Dec-24	18-Dec-24	0%																						
A2470	Hard Lid MEPF Rough In	5	5	19-Dec-24	26-Dec-24	0%																						
A3810	Build out electrical gear	10	10	19-Dec-24	03-Jan-25	0%																						
A2480	Hard Lid MEPF & Framing Inspection	2	2	27-Dec-24	30-Dec-24	0%																						
A2800	Level 1 OH Inspection	5	5	27-Dec-24	03-Jan-25	0%																						
A1500	Interior Finishes (BASELINE ACTIVITY NEED	60	60	06-Jan-25	28-Mar-25	0%																						
A2490	Close Up Hard Lid Ceilings	3	3	06-Jan-25	08-Jan-25	0%																						
A3820	Pull and land homerun wire	5	5	06-Jan-25	10-Jan-25	0%																						
A3860	Install Vav's	10	10	06-Jan-25	17-Jan-25	0%																						
A2550	Tape/Float/Sand/Prime Walls	10	10	09-Jan-25	22-Jan-25	0%																						
A1190	Permanent Power On	0	0	13-Jan-25		0%																						
A1730	Conditioned Air Milestone	5	5	13-Jan-25	17-Jan-25	0%																						
A2450	Install Ceiling Grid	10	10	23-Jan-25	05-Feb-25	0%																						
A2620	Install Glass Panel Partitions	5	5	23-Jan-25	29-Jan-25	0%																						
A2630	Install RACO Frames	5	5	23-Jan-25	29-Jan-25	0%																						
A2670	Install Bathroom Countertops	5	5	23-Jan-25	29-Jan-25	0%																						
A2590	Install Millwork	10	10	06-Feb-25	19-Feb-25	0%																						
A2720	OH Deicing trim out	10	10	06-Feb-25	19-Feb-25	0%																						
A2730	Install Light Fixtures	10	10	06-Feb-25	19-Feb-25	0%																						
A2740	Install Fire Sprinkler Flex Heads	10	10	06-Feb-25	19-Feb-25	0%																						
A2640	Flooring Prep for CT	10	10	20-Feb-25	05-Mar-25	0%																						
A2750	OH Ceiling Inspection	3	3	20-Feb-25	24-Feb-25	0%																						
A2760	Drop Ceiling Tiles	10	10	25-Feb-25	10-Mar-25	0%																						
A2650	Install Ceramic Tile	10	10	06-Mar-25	19-Mar-25	0%																						
A2770	Install interior Glazing	10	10	11-Mar-25	24-Mar-25	0%																						
A2660	Install Carpet floors	10	10	20-Mar-25	02-Apr-25	0%																						
A3790	Install Bathroom Fixtures	10	10	20-Mar-25	02-Apr-25	0%																						
A1510	CX Testing & Inspections	10	10	31-Mar-25	11-Apr-25	0%																						
A2690	Final Paint Interior	10	10	03-Apr-25	16-Apr-25	0%																						
A2680	Install Bathroom Specialties	10	10	17-Apr-25	30-Apr-25	0%																						
A2710	Install Floor Base	10	10	17-Apr-25	30-Apr-25	0%																						
A3750	FA Panel install & Pretest	10	10	17-Apr-25	30-Apr-25	0%																						
A3850	Trim out wal devices	10	10	17-Apr-25	30-Apr-25	0%																						
A1520	Punchlist & Clean	5	5	01-May-25	07-May-25	0%																						

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A2700	Install Bathroom Partitions	10	10	01-May-25	14-May-25	0%																						
Level 2		167	167	13-Nov-24	14-Jul-25	0%																						
A2790	Interior Wall Layout	2	2	13-Nov-24	14-Nov-24	0%																						
A2780	MEP Priority OH Layout Priority Walls	1	1	13-Nov-24	13-Nov-24	0%																						
A2840	Exterior Wall Framing Layout	1	1	13-Nov-24	13-Nov-24	0%																						
A2860	Exterior Wall Framing	5	5	14-Nov-24	20-Nov-24	0%																						
A2810	Install HVAC Hangers/Support	2	2	14-Nov-24	15-Nov-24	0%																						
A2830	OH Electrical Rough In	10	10	14-Nov-24	27-Nov-24	0%																						
A2820	OH Plumbing rough in	5	5	14-Nov-24	20-Nov-24	0%																						
A2850	Interior Wall Framing	5	5	15-Nov-24	21-Nov-24	0%																						
A2900	Exterior Wall One Side Exterior	3	3	21-Nov-24	25-Nov-24	0%																						
A2870	Top Out Priority Walls	2	2	22-Nov-24	25-Nov-24	0%																						
A2880	Install Bathroom Counter top Supports	2	2	22-Nov-24	25-Nov-24	0%																						
A2890	Install In Wall Blocking	2	2	22-Nov-24	25-Nov-24	0%																						
A3060	Install Hollow Metal door Frames	3	3	22-Nov-24	26-Nov-24	0%																						
A2910	Install Medium Pressure Duct	5	5	26-Nov-24	04-Dec-24	0%																						
A2920	Install Fire Sprinkler Main & Branch lines	5	5	26-Nov-24	04-Dec-24	0%																						
A2960	MEP In Wall Rough-In	15	15	02-Dec-24	20-Dec-24	0%																						
A2940	Install Low Pressure Duct	5	5	05-Dec-24	11-Dec-24	0%																						
A2930	Test Medium Pressure duct	2	2	05-Dec-24	06-Dec-24	0%																						
A2950	Insulate Medium Pressure Duct	5	5	09-Dec-24	13-Dec-24	0%																						
A2970	Test Low Pressure Duct	2	2	12-Dec-24	13-Dec-24	0%																						
A2980	Insulate Low Pressure Duct	5	5	16-Dec-24	20-Dec-24	0%																						
A3030	Interior Sheathing	15	15	23-Dec-24	14-Jan-25	0%																						
A2990	Frame Hard Lid Ceilings	5	5	23-Dec-24	30-Dec-24	0%																						
A3020	One Side Interior wall framing	5	5	23-Dec-24	30-Dec-24	0%																						
A3000	In Wall Inspection - Passed	2	2	23-Dec-24	24-Dec-24	0%																						
A3100	Close Up Walls	5	5	26-Dec-24	02-Jan-25	0%																						
A3050	FA Wire install	3	3	31-Dec-24	03-Jan-25	0%																						
A3010	Hard Lid MEPF Rough In	5	5	31-Dec-24	07-Jan-25	0%																						
A3080	Low Voltage Wire Pulled	5	5	31-Dec-24	07-Jan-25	0%																						
A3070	Securty Wire install	3	3	31-Dec-24	03-Jan-25	0%																						
A3740	Pull electrical wire	10	10	31-Dec-24	14-Jan-25	0%																						
A3110	Tape/Float/Sand/Prime Walls	5	5	03-Jan-25	09-Jan-25	0%																						

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A3870	Install VAV's	5	5	06-Jan-25	10-Jan-25	0%																						
A3040	Hard Lid MEPF & Framing Inspection	2	2	08-Jan-25	09-Jan-25	0%																						
A3130	Install Glass Panel Partitions	10	10	10-Jan-25	23-Jan-25	0%																						
A3140	Install RACO Frames	10	10	10-Jan-25	23-Jan-25	0%																						
A3150	Install Bathroom Countertops	10	10	10-Jan-25	23-Jan-25	0%																						
A3170	Permanent Power On	0	0	13-Jan-25		0%																						
A3160	Install Ceiling Grid	10	10	13-Jan-25	24-Jan-25	0%																						
A3120	Interior Finishes (BASELINE ACTIVITY NEED)	60	60	15-Jan-25	08-Apr-25	0%																						
A3180	Conditioned Air Milestone	5	5	15-Jan-25	21-Jan-25	0%																						
A3090	Close Up Hard Lid Ceilings	3	3	15-Jan-25	17-Jan-25	0%																						
A3190	Install Millwork	10	10	27-Jan-25	07-Feb-25	0%																						
A3200	OH Deicing trim out	10	10	27-Jan-25	07-Feb-25	0%																						
A3210	Install Light Fixtures	10	10	27-Jan-25	07-Feb-25	0%																						
A3220	Install Fire Sprinkler Flex Heads	10	10	27-Jan-25	07-Feb-25	0%																						
A3780	Trim out ceiling devices	10	10	27-Jan-25	07-Feb-25	0%																						
A3230	Flooring Prep for CT	10	10	10-Feb-25	21-Feb-25	0%																						
A3240	OH Ceiling Inspection	10	10	10-Feb-25	21-Feb-25	0%																						
A3770	Level 2 OH Inspection	5	5	10-Feb-25	14-Feb-25	0%																						
A3250	Install Ceramic Tile	10	10	24-Feb-25	07-Mar-25	0%																						
A3270	Install Carpet floors	10	10	10-Mar-25	21-Mar-25	0%																						
A3880	Install Bathroom Fixtures	5	5	10-Mar-25	14-Mar-25	0%																						
A3290	Final Paint Interior	10	10	24-Mar-25	04-Apr-25	0%																						
A3260	Drop Ceiling Tiles	10	10	24-Mar-25	04-Apr-25	0%																						
A3300	Install Bathroom Specialties	5	5	07-Apr-25	11-Apr-25	0%																						
A3310	Install Floor Base	5	5	07-Apr-25	11-Apr-25	0%																						
A3280	Install interior Glazing	5	5	07-Apr-25	11-Apr-25	0%																						
A3890	Trim out wall devices	10	10	07-Apr-25	18-Apr-25	0%																						
A3330	CX Testing & Inspections	10	10	09-Apr-25	22-Apr-25	0%																						
A3320	Install Bathroom Partitions	5	5	15-May-25	21-May-25	0%																						
A3340	Punchlist & Clean	5	5	22-May-25	29-May-25	0%																						
A3350	Weather Days and Float	30	30	30-May-25	11-Jul-25	0%																						
A3360	Substantial Completion	0	0	14-Jul-25	14-Jul-25	0%																						
Elevators		78	78	15-Nov-24	10-Mar-25	0%																						
A3480	Frame Elevator Walls	10	10	15-Nov-24	02-Dec-24	0%																						

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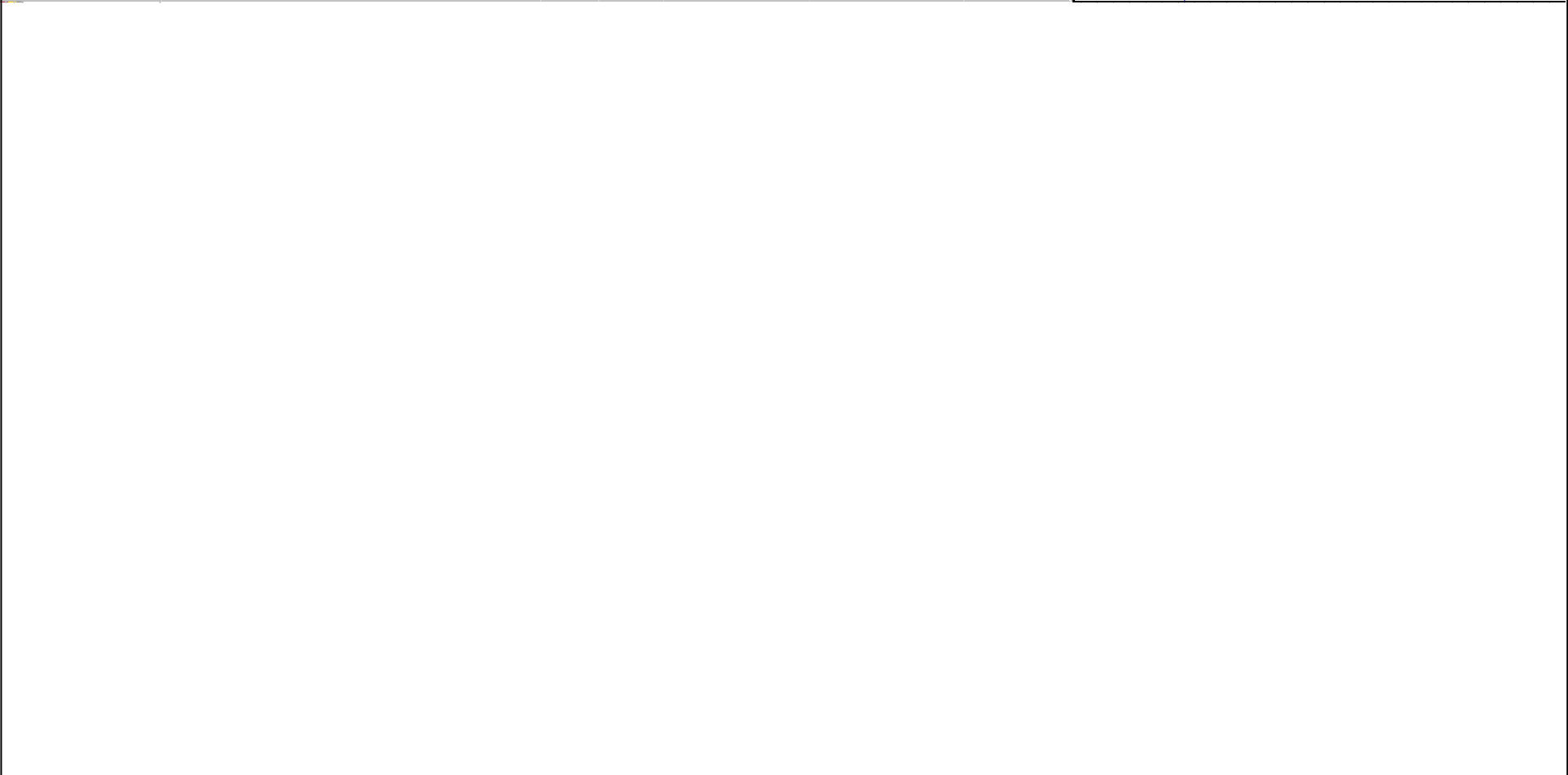
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Activity ID	Activity Name	Orig Dur	Rem Dur	Start	Finish	%	A	J	J	A	S	N	D	J	F	A	J	J	A	S	N	D	J	F	A	J	J	A	S
A3490	In wall Rough In	5	5	03-Dec-24	09-Dec-24	0%																							
A3500	Close Up Walls (Mold Resistant?)	5	5	10-Dec-24	16-Dec-24	0%																							
A3510	Install Hoist Way Barrier	3	3	17-Dec-24	19-Dec-24	0%																							
A3520	Install Elevator guide rails	10	10	20-Dec-24	06-Jan-25	0%																							
A3530	Build Elevator Car	45	45	07-Jan-25	10-Mar-25	0%																							
Mock-Up		50	50	03-Sep-24	11-Nov-24	0%																							
A1610	Exterior Mock-Up Construction	30	30	03-Sep-24	14-Oct-24	0%																							
A1620	Build Council Dyess Mock-Up	20	20	15-Oct-24	11-Nov-24	0%																							



TAB 8

BID PROPOSAL PACKAGE
STRATEGY



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Bid Proposal Package Strategy



**City of West Lake Hills
Municipal Complex
4010 Bee Cave Road
West Lake Hills, TX 78746
50% CD GMP Estimate**

Buyout Using 50% CD Drawings

After much discussion with the team, it was decided to GMP the entire project at 50% CD drawings. This allows SpawGlass to eliminate the escalation costs that had been carried in 100% DD estimate since buyout will begin late this year. Buyout will prioritize the early scopes of work (tree trimming, demo, earthwork, etc.) and long lead items (elevator, electrical gear, mechanical gear, FenceCrete, etc.).

This will require the 50% CD drawings to be as close to completed as possible, to help minimize any potential change orders from 50% CD drawings to 100% CD drawings. It is recommended that the Design Progression Contingency be used to fund any change orders that arise from the drawings being completed from 50% CD's to 100% CD's / IFC Drawings.

Proposal Package Strategy

The project will be advertised for proposals from suppliers, subcontractors, and vendors for all major features of work. Proposals shall be received via mail, email, courier, or hand delivered from subcontractors and suppliers. Any addendums that may be required will be issued one week prior to receiving proposals.

The respondents will be evaluated on the subcontractors' ability to perform the work. Subcontractors will be recommended based on their company's personnel and corporate qualifications. SpawGlass will recommend the best value supplier and/or subcontractor to the Owner for concurrence prior to negotiating their contract.



Bid Proposal Package Strategy

Self-Perform Work

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Below is a list of potential self-perform work items that SpawGlass may elect to submit for consideration of award. Each item will be included as a separate line item in a proposal that will include descriptions of the work to be performed. It is important to note that several of the self-perform items listed below are items that are generally excluded from the subcontractor proposals but are necessary to complete the entire scope of work required by the Contract Documents. Please note, SpawGlass will send in any proposals for self-performed work 24 hours prior to subcontractor bids being due.

Potential self-perform items:

- Turnkey Concrete – Foundations, SOG, retaining walls, SOMD, and site concrete

TAB 9

MINORITY GOALS



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City of West Lake Hills
Municipal Complex
4010 Bee Cave Road
West Lake Hills, TX 78746
50% CD GMP Estimate

Minority Business Goals

There are no HUB or Minority Business Goals for this Project.

Please note, SpawGlass will be sure to follow all Texas public bidding requirements related to new building construction.

TAB 10

REVIEW COMMENTS



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**City of West Lake Hills
Municipal Complex
4010 Bee Cave Road
West Lake Hills, TX 78746
50% CD GMP Estimate**

TAB 01 – 50% CD GMP Estimate - Overview Comments:

TAB 02 – Executive Summary Comments:

TAB 03 – Project Team Comments:

TAB 04 – Document List Comments:

TAB 05 – Assumptions and Clarifications Comments:

TAB 06 – Cost Estimate Comments:

TAB 07 – Schedule Comments:

TAB 08 – Bid Strategy Comments:

TAB 09 – Minority Business Goals

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City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	<u>December 13, 2023</u>	Item Number:	<u>8</u>
Department:	<u>Administration</u>		
	<u>Trey Fletcher,</u>		
Prepared By:	<u>City Administrator</u>	Cost / Budget:	<u>See 'Discussion' section</u>
Exhibits:	<u>none</u>	Source of Funds:	<u>2022 GO Bonds</u>

Subject

Discussion and update on bond items regarding Proposition B (street and drainage projects).

Recommendation

Receive the report and provide direction as appropriate.

Discussion

The purpose of this item is to provide the City Council with an update Proposition B bond project initiatives regarding project scope and development status, schedule and budget and costs.

Proposition A authorized \$11.8 million. Roads included are Camp Craft/Eanes School, Redbud Trail, Westlake Drive, Yaupon Valley Drive and Laurel Valley Drive. Projects are fully designed, and easement acquisitions have been completed. Closings are underway and most recently the Eanes ISD Board of Trustees approved a donation of an easement on November 28. Regulatory approvals have been received from the TCEQ and the US Army Corps of Engineers.

Bid advertising will occur in January, 2024 anticipating a bid date of February 1. Following the evaluation of bid, the bid award is scheduled for February 14.

Notice to proceed is projected for early April. Project priority sequence for completion will be improvements to Camp Craft Road and Eanes School Road during the summer.