

City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING

Wednesday, April 17, 2024 at 6:30 PM

1. **Call to Order: Chairman Robert Meisel.**

- a. Meeting begins at 6:30pm
- b. Roll Call
 - i. Chair Robert Meisel: Present
 - ii. Vice-Chair Jim Pledger: Present
 - iii. Commissioner Julia Webber: Present
 - iv. Commissioner Karen Bartoletti: Present
 - v. Commissioner Patrick Stewart: Present
 - vi. Commissioner Laurie Maccini: Present

2. **Citizen Communications:**

- a. Stephanie Lynch:
 - i. Ms. Lynch wanted to inquire about the City of West Lake Hills Dark Skies regulations. She has noticed lots of tree and garage lighting at all hours, especially near construction sites and is concerned about keeping the night skies dark for wildlife.
 - 1. Director Bills has indicated that she will reach out regarding the City's lighting regulations.

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 items unless a Commission Member or citizen so requests.

- a. Minutes from the March 20, 2024 regular Zoning & Planning Commission Meeting.
 - i. Commissioner Bartoletti noted a typo in the minutes where a comment is cut off mid-sentence.
 - 1. Development Coordinator Joel Sherrouse clarified the comment was regarding the Commission's wish for Council to be made aware of its frustration regarding fence variances, and that the minutes could be corrected.
 - ii. Commissioner Bartoletti moved that the minutes be approved with the correction applied.
 - 1. Commissioner Webber Seconded the motion

2. Motion Carried Unanimously (5-0)

b. Report of Previous ZAPCO cases acted on by the BOA/City Council.

i. Commissioner Webber Requested more detail on Council's discussion on 112 Swiftcurrent fence as it related to fences in general.

1. Director Bills explained that Council agreed that the fence rules are worth revisiting

a. **Action:** Commissioner Stewart moves that all items be approved

- Commissioner Maccini Seconds
- Motion carries 5-0

4. **Public Hearing: 803 Rock Creek Dr:** Discuss and make a recommendation on a variance to allow grading in the setback greater than 18 inches (Section 22.03.170 of the West Lake Hills Code).

Applicant: Eric Krause, Property Owner

a. **Staff Report:** Director Bills delivered a briefing on property's unique geographical characteristics and the request to erect retaining walls slightly higher than the 18" maximum allowed by code within the setbacks.

b. **Public Comments:**

- Eric Krause: Applicant
 - Mr Krause delivered a presentation on the history of his property's drainage issues and his attempts to limit erosion on his property and discharge for the neighbors, including pictures and video of existing conditions and detention/revegetation plans to stabilize slope and limit erosion.

c. **Discussion:**

- Commissioners appreciate quality of applicant presentation
- Commissioner Maccini appreciates the variety of vegetation included in the plans

d. **Action:**

- Commissioner Maccini moves that the variance be forwarded to Council with a recommendation of **approval**.
 - Commissioner Bartoletti Seconds
 - Motion carries unanimously (5-0)

Recommendation will be forwarded to the Board of Adjustment for final consideration on May 8, 2024.

5. Public Hearing 1511 Wildcat Hollow: Discuss and make recommendation on the proposed variances:
1. The removal of one tree (17.7 Cedar) with trunk diameter of 14 inches or greater (Section 22.03.304 of the West Lake Hills Code)
 2. Increase impervious cover to 30% where 25% is the maximum (Section 22.03.281(b) of the West Lake Hills Code)
 3. Allow for 30 feet encroachment of the building and grading into a 50-foot front setback (22.03.281 (b) of the West Lake Hills Code)

Applicant: Matt Sener, Michael Hsu Office of Architecture

- a. **Staff Report:** Director Bills delivers briefing on site including existing and proposed conditions.
- b. **Public Comment:**
 - i. Matt Sener: Applicant
 - a) Delivered presentation demonstrating extreme slope on large portion of property except within setback, where existing non-conforming house exists
 - ii. Renee Womack- Neighbor
 - a) Asks how project can extend into the setbacks without building closer to property lines within the setback.
 - Director Bills explains that existing home was already in the setback prior to current rules and applicant is requesting to keep existing non-compliant setback distance, but not to further encroach
- c. **Discussion:**
 - i. Commissioner Webber appreciates plan, profile and preservation of existing view.
- d. **Action:** Commissioner Webber moves that the variance be forwarded to Council with a recommendation of **approval** with staff conditions.
 - i. Commissioner Bartoletti Seconds
 - ii. Motion Carries Unanimously (5-0)

Recommendation will be forwarded to the Board of Adjustment on May 8th, 2024

6. Public Hearing 406 Redbud Trl: Discuss and make recommendations on the proposed variances:

1. The removal of nine (9) trees with trunk diameters of 14 inches or greater (Section 22.03.304 of the West Lake Hills Code)
2. Excavation, grading or filling greater than 18" in setbacks (Section 22.03.170 (f) of the West Lake Hills Code)
3. Closed cut of 21 feet where maximum allowed is 15 feet (7.4.1 of the Drainage and Erosion Control Manual)
4. Driveway with an elevation change of greater than 6 feet from natural grade (Section 22.03.249 (b) (4))

Applicant: Bhavani Singal, Workshop No.5 LLC

- a. Staff Report: Director Bills delivers briefing on variances as well as the requested license to encroach into the Skyline Drive ROW. While licenses to encroach are only considered by Council, the proposed encroachment is linked to the variances.
 - Commissioner Bartoletti asks for clarification on fire department concerns
 - Director Bills explains fire access requirements
 - Commissioner Webber asks if floor plans have been provided, and if the applicants have had meetings with staff.
 - Director Bills explains that the applicants have met with staff and that floorplans have not been provided at this time, as more detailed plans are generally created after variance approval.
- b. Public Hearing:
 - **Refer to Appendix A for a list of those who attended the meeting regarding this item and recorded their position without speaking.**
 - Sarah Weigfield – Workshop No.5:
 - Describes slope and elevation challenges associated with project
 - Chris Gunter – Neighbor:
 - Opposed:
 - Believes fire trucks can already access unimproved Skyline Drive and doesn't want Skyline to become a throughway for regular traffic.
 - Steve Bartron – Neighbor:
 - Opposed
 - Believes developers started with house placement instead of driveway placement and that driveway on Redbud would be no worse than Valbella Drive's proximity to the intersection of Redbud and Skyline.
 - Ivan Bresok - Neighbor:
 - Opposed

- Martha Freeman - Neighbor:
 - Opposed
 - Believes homeowners are real-estate investors who have no interest in the community. Also concerned about projects getting tree removal variances, removing the trees, then abandoning the projects.
- Davin Filpot – Neighbor (Online):
 - Opposed
 - Believes license to encroach is effectively granting extra impervious cover to the developers, and that the variances are being driven by an extremely large house, not by hardships.
- Stephanie Lynch – Neighbor:
 - Opposed
 - Concerned about housing projects not being completed throughout town, and believes large-scale projects should be more-completely designed prior to approval of variances. Also concerned about paved driveway creating a parking lot along Skyline.
- Ashwini Rajah – Property Owner:
 - In favor
 - Explains that house is being built for their personal residence and that they want to be a part of the community.
- Bhavani Singal – Applicant:
 - Expresses that applicants have heard and appreciate neighborhood concerns
 - Requests postponement of variances to May meeting to allow for neighborhood meetings and potential project re-design
- c. **Action:** At applicant request, Commissioner Bartoletti moves that the variance considerations be postponed to the May 15th Zoning and Planning Commission Meeting
 - Commissioner Pledger Seconds
 - Motion Carries Unanimously (5-0)

Item will be revisited at the May 15th, 2024 Zoning and Planning Commission Meeting

Recess: 8:15

- A brief recess was called to address technical issues

Call to Order: 8:23

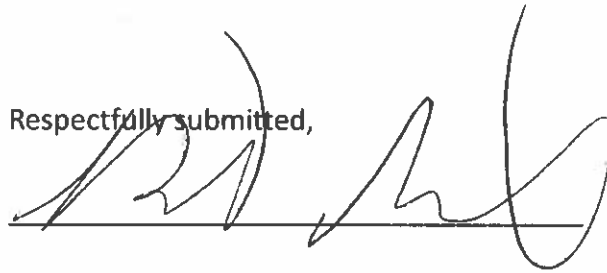
7. Public Works: Discuss and review street maintenance plans for fiscal year 2025
 - a. Director Bills gave a brief presentation on Fiscal Year 2025 street maintenance projects.

No action required

8. Adjournment:

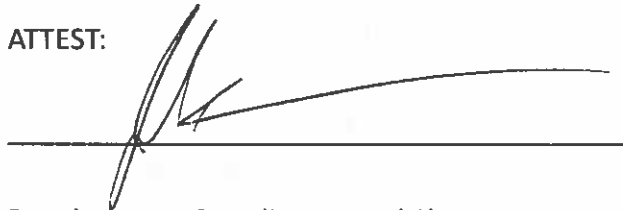
Chairman Meisel Adjourns the meeting at **8:32pm**

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'R. Meisel', written over a horizontal line.

ROBERT MEISEL, CHAIRMAN

ATTEST:

A handwritten signature in black ink, appearing to be 'Joel Sherrouse', written over a horizontal line.

Development Coordinator Joel Sherrouse

These minutes were approved on May 15, 2024.

Appendix A - 406 Redbud Public Comments

406 Redbud Variance Public Comments

Zoning and Planing Commission 04/17/2024

Opposed Speaking:

Chris Gunter
Davin Filpot (Remote)
Ivan Brescic
Martha Freeman
Stephanie Lynch
Steve Barron

Opposed not speaking:

Alice Gunter
Amanda Schmidt
Deborah Humphrey
Delaine Weil
Farhan Mansuri
James Lynch
Jimmy Umstattd
Joe Freeman
Louisa Girsebaum
Mary Umstattd
Megan Brigham
Renee Womack
Richard Schmidt
Sally Masuri
Steven Zinn
Vince Brigham

Supportive Speaking:

Ashwini Rajah - Owner
Bhavani Singal - Architect
Sarah Wigfield - Applicant Presentation

Supportive Not Speaking

None

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME James Lynch DATE 4/17
ADDRESS 409 Skyline Dr CITY WCH ZIP 78746
E-MAIL ADDRESS jimandstephenelynch@gmail.com
PHONE # 512-306-0202

☐ I will speak on an item NOT on the agenda

Subject: _____

☐ For Agenda item # 6 Public Hearing ☒ yes ☐ no

☐ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME UMSTATT, JIMMY DATE 4-17-24
ADDRESS 1507 Wildcat Hollow CITY Westlake Hills ZIP 78746
E-MAIL ADDRESS mevygoround@gmail.com
PHONE # 512-327-0099

☐ I will speak on an item NOT on the agenda

Subject: Variance Requests, the City has a lot: Please keep it.

☐ For Agenda item # 6 Public Hearing ☐ yes ☐ no

☐ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Megan + Vince Brigham DATE 4/17/24
ADDRESS 300 Skyline Drive CITY Westlake Hills ZIP 78746
E-MAIL ADDRESS megan@brighamcompany.com
PHONE # 405-623-2224 megan 405-623-2264 vince

☐ I will speak on an item NOT on the agenda

Subject: Agenda

☐ For Agenda item # 6 Public Hearing ☐ yes ☐ no

☐ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME MARY ELLEN UMSTATT DATE 4/17/24
ADDRESS 1507 Wildcat Hollow CITY West ZIP 78746
E-MAIL ADDRESS MEVYGOROUND@gmail.com
PHONE # 512-825-8888

☐ I will speak on an item NOT on the agenda

Subject: 406 variance 1511 variance

☐ For Agenda item # 6 Public Hearing ☐ yes ☐ no

☐ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Richard Schmidt DATE _____
ADDRESS 19 Nob Hill Cir CITY Westlake ZIP 92076
E-MAIL ADDRESS d.schmidt@viejoenergy.com
PHONE # 512 914 6754

☐ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # 6 Public Hearing ___ yes ___ no

___ I will speak: ☒ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME DEBORAH HUMPHREY DATE 4-17-24
ADDRESS 201 Skyline Dr. CITY WESTLAKE ZIP 78746
E-MAIL ADDRESS deborahhumphrey2013@gmail
PHONE # 214 801 2858

☒ I will speak on an item NOT on the agenda

Subject: zoning proposal / variance
☐ For Agenda item # 6 Public Hearing ___ yes ___ no

___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Amanda Schmidt DATE 4/17/24
ADDRESS 19 Nob Hill Cir. CITY Westlake Hills ZIP 78746
E-MAIL ADDRESS amandaschmidt1@mac.com
PHONE # 512 914 6760

☐ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # 6 Public Hearing ___ yes ___ no

___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Renee Womack DATE 4-17-24
ADDRESS 1509 Wildcat Hollow CITY WCH ZIP 78746
E-MAIL ADDRESS renee.mack@womack.com
PHONE # 630-209-3302

☐ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # #6 Public Hearing ___ yes ___ no

___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME JOE FREEMAN DATE 4/17
ADDRESS 204 SKYLINE DR CITY WLH ZIP 78746
E-MAIL ADDRESS JFREEMAN33@AUSTIN.RR.COM
PHONE # 512 970 0423

☐ I will speak on an item NOT on the agenda
Subject: ANNOUNCEMENT 8B SKYLINE TERRACE #1
LOTS 80A & 7
☐ For Agenda item # _____ Public Hearing ____ yes ____ no
____ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment
OR
X I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Steven Zinn DATE 04/17/24
ADDRESS 20 Nob Hill Circle CITY Westlake Hills ZIP 78746
E-MAIL ADDRESS SEZ1@austin.rr.com
PHONE # 512-656-3503

☐ I will speak on an item NOT on the agenda
Subject: _____
☒ For Agenda item # 6 Public Hearing V yes ____ no ____
____ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment
OR
X I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Louisa Grisebaum DATE 4/17/24
ADDRESS 11 Nob Hill Circle CITY Austin ZIP 78746
E-MAIL ADDRESS louisa@mccland.com
PHONE # 512 327 3257

☐ I will speak on an item NOT on the agenda
Subject: _____
☐ For Agenda item # 6 Public Hearing ____ yes ____ no
____ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment
OR
✓ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Deanne Wail DATE 4-17-24
ADDRESS 16 New Hill Circle CITY _____ ZIP 78746
E-MAIL ADDRESS deanne.wail@gmail.com
PHONE # 512 327-3255

☐ I will speak on an item NOT on the agenda
Subject: _____
☒ For Agenda item # 6 Public Hearing ____ yes ____ no ____
X I will speak: ☐ in support ☒ in opposition ☐ or I have a question/comment
OR
✓ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Sally Mansuri DATE 4/17/24
ADDRESS 401 Skyline Drive Westlake Hills CITY Westlake ZIP 78746
E-MAIL ADDRESS Sally.mansuri@gmail.com
PHONE # 512 657 2065

☒ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # 6 Public Hearing ___ yes ___ no
___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME FARHAN MANSURI DATE 04/17/2024
ADDRESS 401 SKYLINE CITY WEST LAKE ZIP 78746
E-MAIL ADDRESS farhanworks@gmail.com
PHONE # 512-300-3501

☐ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # 6 Public Hearing ☒ yes ___ no
___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Chris Gunter DATE 4-17-24
ADDRESS 410 Skyline Dr CITY Austin ZIP 78746
E-MAIL ADDRESS chris@gbafirm.com
PHONE # 512-217-2475

☐ I will speak on an item NOT on the agenda

Subject: _____
☒ For Agenda item # 6 Public Hearing ___ yes ___ no
☒ I will speak: ☐ in support ☒ in opposition ☐ or I have a question/comment

OR

___ I do not wish to speak but please record my: ☐ support ☐ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Alice Gunter DATE 4/17/24
ADDRESS 410 Skyline Dr. CITY Westlake Hills ZIP 78746
E-MAIL ADDRESS guntram@aol.com
PHONE # 512-2461-5219

☐ I will speak on an item NOT on the agenda

Subject: _____
☒ For Agenda item # 6 Public Hearing ___ yes ___ no
___ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME IVAN BRESIC DATE 4/17/24
ADDRESS 411 SKYLINE DRIVE CITY AVON ZIP 08746
E-MAIL ADDRESS ivanbresic@gmail.com
PHONE # 310 804-8502

☐ I will speak on an item NOT on the agenda

Subject: _____
☒ For Agenda item # 6 Public Hearing ☒ yes ☐ no
☒ I will speak: ☐ in support ☒ in opposition ☐ or I have a question/comment

OR

_____ I do not wish to speak but please record my: ☐ support ☐ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Martha Doty Freeman DATE 4/17/24
ADDRESS 204 Skyline Drive CITY West Lake Hills ZIP 78746
E-MAIL ADDRESS mdoty@historians-journal.com
PHONE # 512-750-7197

☐ I will speak on an item NOT on the agenda

Subject: _____
☐ For Agenda item # 6 Public Hearing ☒ yes ☐ no
☒ I will speak: ☐ in support ☒ in opposition ☐ or I have a question/comment

OR

_____ I do not wish to speak but please record my: ☐ support ☐ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Chris Bruner DATE 5-15-24

ADDRESS 410 Skyline Dr CITY Westlake ZIP 78746

E-MAIL ADDRESS ~~Chris Bruner~~ chris@gbafirm.com

PHONE # 512-219-2475

☐ I will speak on an item NOT on the agenda

Subject: _____

☐ For Agenda item # _____ Public Hearing ☐ yes ☐ no

_____ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

_____ I do not wish to speak but please record my: ☐ support ☐ opposition

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME _____ DATE _____

ADDRESS _____ CITY _____ ZIP _____

E-MAIL ADDRESS _____

PHONE # _____

☐ I will speak on an item NOT on the agenda

Subject: _____

☐ For Agenda item # _____ Public Hearing ☐ yes ☐ no

_____ I will speak: ☐ in support ☐ in opposition ☐ or I have a question/comment

OR

_____ I do not wish to speak but please record my: ☐ support ☐ opposition

Spoke on Deck Signs

PUBLIC COMMENTS – Speaker Sign-In Form

PLEASE PRINT CLEARLY

NAME Stephanie Lynch DATE 4/17/24
ADDRESS 409 Skyline Dr. CITY WRH ZIP 78746
E-MAIL ADDRESS jimandstephanie Lynch@gmail.com
PHONE # 512-300-0202

☐ I will speak on an item NOT on the agenda

Subject: _____

☐ For Agenda item # C Public Hearing ☐ yes ☐ no
☒ I will speak: ☐ in support ☒ in opposition ☐ or I have a question/comment

OR

☒ I do not wish to speak but please record my: ☐ support ☒ opposition