



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, January 20, 2021 at 6:30 PM

Notice is hereby given that the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas, will hold a remote Regular Meeting on the 20th day of January 2021 at 6:30 p.m., in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS ONLY:

In accordance with the order of the Office of the Governor issued March 16, 2020, the Zoning & Planning Commission of the City of West Lake Hills will conduct a telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The public may participate in this meeting by dialing in to the following toll-free number **1-346-248-7799, Meeting ID: 880 5915 6670, Password: 840735**

If you wish to speak during the meeting, please submit your **name, phone number and the item #** you wish to speak on at least 6 hours prior to the meeting (12:30 p.m. on Wednesday January 20th) by emailing planner@westlakehills.org or pzsec@westlakehills.org.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing planner@westlakehills.org or pzsec@westlakehills.org. **Comments must be received by 12:30 P.M. on January 20th.**

1. Call to Order. Chairman Robert Meisel.
2. 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.
 - a. Approval of the October 21, 2020 Regular Meeting Minutes.
 - b. Approval of the November 18, 2020 Regular Meeting Minutes.

3. **Land Use 118 Bluff Park Circle:** Discussion/recommendation on a variance request to construct a swimming pool encroaching a building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Emily & Matt Franke.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
4. **Land Use 1001 Live Oak Ridge:** Discussion/recommendation on a variance request to remove three trees 14" or greater in order to construct a new home: 1) Tree # 5037 - 15.25" Cedar; 2) Tree # 5051 - 16.75" Live Oak; and 3) Tree # 5057 - 29" Cedar (West Lake Hills Code Sec. 22.03.304). Owner/Applicant Ricardo Lyra.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
5. **Land Use 4611 Bee Cave Road (Eagle Center):** Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, sign base height, and area. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
6. **Land Use 618 Rocky Ledge:** Discussion/recommendation on a variance request to construct a fence and driveway gates encroaching the front yard setback (West Lake Hills Code Sec. 22.03.173(d)(6)(a)). Owner Chris Birchby/Applicant Austin Nelson.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
7. **Land Use 201 Redbud Trail:** Discussion/recommendation on a variance request to remove four trees 14" or greater in order to construct a new residence: 1) Tree # 5710 - 16" Cedar; 2) Tree # 5620 - 14.5" Cedar; 3) Tree # 5696 - 16.5" Multi-Trunk Spanish Oak; and 4) Tree # 5686 - 17.5" Multi-Trunk Spanish Oak (West Lake Hills Code Sec. 22.03.304). Owner Mark Hutchinson.

- a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
8. **Land Use 200 Blue Ridge Trail**: Discussion/recommendation on a variance request to construct a new garage encroaching the side building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Stephanie & Jonathan Mandle.
- a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
9. **Land Use 1407 Wildcat Hollow**: Discussion/consideration of a variance request to alter the roofline and remodel exterior walls of an existing non-conforming home that encroaches the side building setback (West Lake Hills Code Sec. 22.03.281). Owners Andrew & Kaitlyn Coney/Applicant Kristopher White - Dick Clark & Associates.
- a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action
10. **Land Use 3423 Bee Cave Road**: Discussion/recommendation on a request for several variances in order to construct a new medical office building: 1) removal of six trees 14" or greater (#5040 - 16" Cedar; #5046 - 14" Cedar; #5140 - 15" Live Oak; # 5143 - 14" Live Oak; #5324 - 18" Cedar; & # 5373 - 14" Cedar); 2) building height exceeds maximum permitted height; and 3) impervious cover exceeds maximum permitted (West Lake Hills Code Sec. 22.03.304 & Sec. 22.03.281). Owner the Keller Group/Applicant Central Austin Management Group-Peter Narvarte.
- a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
 - d. Deliberation and Action

11. **Land Use 4700 & 4704 Bee Cave Road:** Discussion/Consideration of a rezoning request from One-Family Residential District (R-1) to Government, Utility, & Institutional District (GUI) with the following variances: 1) cut/fill; 2) driveway and parking setback encroachments; 3) retaining walls encroaching a setback and exceeding maximum permitted height; 4) minimum lot size; 5) rear and side building setback encroachments; 6) consider incentives to have up to 45.2% impervious cover; and 7) removal of 48 trees 14" or greater (West Lake Hills Code Sec. 38.05.092, Sec. 22.03.210, Sec. 22.03.249, Sec. 22.03.276, Sec. 22.03.281, & Sec. 22.03.304). Owner/Applicant Ramon Aguirre - Young Peoples Workshop.

- a. Staff Briefing
- b. Presentation by applicant
- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
- d. Deliberation and Action

12. Adjournment. Chairman Robert Meisel.

Robert Meisel, Chairman
By Anjali Naini, Director of Building &
Development Services

Certificate

I certify that the above Notice of the January 20, 2021 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, January 15, 2021 by 5:00 pm. and will remain posted continuously until said meeting is convened.

By Anjali Naini, Director of Building &
Development Services

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

All items on the agenda are for discussion and/or action. ZAPCO 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 ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, October 21, 2020 at 6:30 PM



1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:34 p.m. Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Laurie Maccini, James Vaughan and Bill Vandersteel. Bill Harwell is absent.

2. 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.
 - a. Approval of the September 16, 2020 Regular Meeting Minutes.

**VICE-CHAIRMAN PLEDGER MOVES TO APPROVE THE MINUTES.
COMMISSIONER MACCINI SECONDS. UNANIMOUS (4-0) APPROVAL.**

3. Land Use 2 Downie Place: Discussion/recommendation of a request to partially release a drainage easement in order to construct a storage area (West Lake Hills Code Sec. 36.01.017). Owner/Applicant William Wiese.
 - a. Staff Briefing

City Planner Naini gives her staff briefing. Staff Recommendation: Approval.

- b. Presentation by applicant

Bill and Channing Wiese are present and the property owners. Tracy Bratton is the engineer and discusses the drainage and impact and provided requested information from the city engineer.

Bill Vandersteel: Thank you for a thorough report.

Chairman Meisel: Excellent Report.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (4-0) APPROVAL.

- 4. Land Use 409 Ledgeway Ridge: Discussion/recommendation on a variance application with five (5) variance requests in order to construct a new residence: 1) roof overhang setback encroachment on east side of house; 2) roof overhang setback encroachment on west side of house; 3) & 4) two (2) retaining walls encroaching into the setbacks; and 5) landscape arbor encroaching the front setback (West Lake Hills Code Sec. 22.03.170). Owners Jim and Laura McBride/Applicant Kyle McCollum.

- a. Staff Briefing

City Planner Naini gives her staff briefing. Staff Recommendation: Denial due to the building could be re-designed to conform to Code.

- b. Presentation by applicant

Kyle McCollum is the applicant. Because of the drainage easement we have a limited buildable area. The variances in the front are for drainage.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vandersteel: It's a beautiful house. I have issues with the front retaining walls and arbor.

Chairman Meisel: Why the retaining walls are the size they are?

Planner Naini: Our code allows 18" but these are up to 6'.

Chairman Meisel: It's a design driven issue.

Commissioner Vandersteel: It looks like a huge amount of fill?

Kyle: No, sir. We want to deflect the water on each side. We can bring that down. We're wanting to keep the water away from the house.

Commissioner Vandersteel: That is much too large a structure in the front. If you want privacy use plantings and not structures.

Commissioner Maccini: During the subdivision process we talked about the drainage. This is design driven.

Chairman Meisel: It's not our place to suggest alternatives.

COMMISSIONER MACCINI MOVES TO RECOMMEND DENIAL ON ALL VARIANCES. VICE-CHAIRMAN PLEDGER SECONDS. (4-0) DENIAL.

5. Land Use 301 A Cedar Oak Drive: Discussion/recommendation on a variance application for the removal of five (5) trees equal to or greater than 14" in diameter in order to construct a new residence: 1) Tree # 1000 - 15" Cedar; 2) Tree # 1081 - 15" Cedar; 3) Tree # 1087 - 14" Cedar; 4) Tree # 1127 - 19" Cedar; and 5) Tree # 1187 - 16" Cedar (West Lake Hills Code Sec. 22.03.304). Applicant Greg Reynolds.

a. Staff Briefing

City Planner Naini gives her staff briefing. Staff Recommendation: Approval. Consider each of the variance trees.

Commissioner Maccini: This is a 2-story house, bi-level?

Planner Naini: Yes.

Vice-Chairman Pledger: Any considerable amount of space left for the tree will support it?

Planner Naini: Yes. It is out of the Critical Root Zone.

Commissioner Maccini: We're only talking about the trees.

b. Presentation by applicant

Greg Reynolds is the applicant and owner. It is 1.1 acre. Only 1/3 of the area is

usable. Number one priority was to preserve this tree. I met with the owners of other properties and they are supportive.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vaughan: This seems reasonable.

Chairman Meisel: He does have to put in a lot of replacement trees. This is a win-win.

Commissioner Maccini: Mature Cedars do have a place in the ecosystem. Tree #1000 is a 15" Cedar, the other ones are outdoor areas. We do have ordinances for a reason.

Commissioner Vandersteel: They are saving the best tree possible. They did a nice job with this one.

Chairman Meisel: I don't see grounds to deny the variances requested.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL AS CITED. COMMISSIONER VAUGHAN SECONDS. APPROVED (3-1) COMMISSIONER MACCINI OPPOSES.

- 6. Land Use 416 Ridgewood Road: Discussion/recommendation on a variance request to encroach a setback in order to construct an accessory building to serve as a home office or school room (West Lake Hills Code Sec. 22.03.001) Applicant Victoria Keith.

- a. Staff Briefing

City Planner Naini gives her staff briefing. Staff Recommendation: Denial due to no hardship.

Commissioner Vandersteel: I have a discrepancy with the location.

Commissioner Vaughan: The house is in the setback?

Planner Naini: Yes on both sides.

- b. Presentation by applicant

Application is not present.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL FOR LACK OF HARDSHIP. MOTION DIES WITH NO SECOND.

Commissioner Vandersteel: This was built before the current setbacks.

Chairman Meisel: Variances are forever. A temporary structure has a different set of rules.

Commissioner Vaughan: I have a hard time voting on it without the applicant not being here.

Commissioner Maccini: If the structure does encroach more than the house.

Vice-Chairman Pledger: I don't see any kind of hardship.

Commissioner Vandersteel: I'm worried about setting a precedent with these small buildings.

COMMISSIONER VAUGHAN MOVES TO TABLE. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (4-0) TO TABLE.

7. Land Use 1801 Westlake Drive: Discussion/recommendation of an ordinance and zoning map amendment to rezone 1801 Westlake Drive from Transitional Residential District (R-3) to a Planned Development District (PDD) with a base zoning district of R-3 in order to construct residential condominiums (West Lake Hills Code Sec. 38.05.092 and Sec. 38.06). Applicants 1801 Westlake Drive Venture, LLC & BV Austin Apartments, LLC.

a. Staff Briefing

City Planner Naini gives her staff briefing.

This is 1.94 acres with 26 units. Steep topo, located on Bee Creek. 20 units are proposed. 2 separate buildings.

Building 1 is a 3-story and Building 2 is a 4-story unit. Height is 35' on Building 1 and 46' for Building 2; 34.01% impervious cover. Code deviations are gone over.

Staff Recommendation: Options

Vice-Chairman Pledger: When we look at the solutions, does that preclude

modifications like height and setback?

Planner Naini: You can make separate recommendations.

Commissioner Maccini: If we go for the PDD, that doesn't allow all the variances?

Planner Naini: Variances are part of the PDD.

Commissioner Maccini: They are currently apartments and they will be condos? Is that allowable?

Planner Naini: It's a similar use.

Chairman Meisel: There is no grandfathering of the use if the apartments are removed.

Commissioner Vandersteel: There is no non-residential around this site. It goes against the R-3 zoning.

b. Presentation by applicant

Terry Irion is speaking for the applicant. We are not asking for a grandfathering. It's an old structure. We are trying to stay within the R-3 zoning requirements. No increase in impervious cover. Current 26 units will be replaced with 24. All parking will be under the building.

David Shiflet is the architect. The VanDeMark's built this in 1962. We thought it would be very low impact.

c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments.

Josh Mabry asks if the Fire Department has ladder trucks that would reach the building?

Josephine Whitley: Thank you for the opportunity. I'm the southern neighbor of this property. I've been here since 1981. I'm concerned about it being torn down. Why should it be allowed to remain 5' from my property? The number of units is decreasing but the parking will increase. I got news about this through the notice but no specific plan was being discussed. The neighbors need to have a need to see this and its effects.

Dan Brown is the engineer on the project has no comments.

The Public Comments Section is closed.

d. Deliberation and Action

Commissioner Vandersteel: I have two problems with the setback and height. That is a very deep valley. I'm having a hard time with the 5' setback.

Mark Richardson is the architect: Building 1 does have 3 units on the ground level.

Vice-Chairman Pledger: Height and setback should be met if torn down. The last one to diminish is next to R-1 zoning.

Commissioner Vaughan: This is a unique situation. I think the council needs to decide what to do with R-3. I'm inclined to kick it to council since you've already talked to them.

Commissioner Vandersteel: R-3 needs to be re-thought.

Commissioner Vaughan: The zoning doesn't make sense.

Commissioner Vandersteel: The building is so deep it won't be that noticeable.

Vice-Chairman Pledger: I keep hearing about the height of the building is shielded from the road, the southside there are houses and I don't know how 45' building would look from those houses.

Commissioner Maccini: I have issues with height, impervious cover, setbacks and trees. Too much on a small property.

Chairman Meisel: The council needs a specific recommendation.

Vice-Chairman Pledger: I'm not opposed to using a PDD but I think the variances ought to be compliant.

Commissioner Vaughan: I think council needs to decide what they want with these two tracts. They need to fix R-3.

COMMISSIONER MACCINI MOVES TO RECOMMEND DENIAL OF PDD BASED ON THE VARIANCES AS PRESENTED. MOTION DIES WITH NO SECOND.

Commissioner Vandersteel: There is no communication between ZAPCO and council.

Commissioner Vaughan suggests going one by one.

Chairman Meisel: What's appropriate for this property?

Commissioner Maccini: Let's start with one.

Commissioner Vaughan: All in favor of going one by one?

#1: Impervious Cover - 32.51%

VOTE: (3-1) Commissioner Maccini Opposed.

#2: Mute; Council should deal with this one

VOTE: No action.

#3: 5.5' setback

VOTE: (4--0) DENIAL conditional over 25' setback.

#4: '40 front North Side

VOTE: (4-0) APPROVAL

#5: '40 Rear South Side

VOTE: (4-0) APPROVAL

#6: Building 1 Height - 30' appropriate for this site

VOTE: (3-2) Go by existing rule, Commissioners Vandersteel and Vaughan oppose.

#7: Building 2 Height - 46'

VOTE: (4-0) Denied - Existing rule

#8: Number of units (impervious cover and height met, then a reasonable number should be considered)

VOTE: (4-0) Approved

#9: Firetruck turnaround

VOTE: (4-0) Approved

#10: Tree removal

VOTE: (no recommendation)

#11: Code Compliant Tree Removal

VOTE: (no recommendation)

#12: Water Quality

VOTE: (no recommendation)

#13: Pool and drainage

VOTE: (4-0) Approved

#14: Erosion control

VOTE: (4-0) – approval conditioned on compliance

#15: Cut and fill

VOTE: (4-0) Approved - conditioned on more development impervious cover and height

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND APPROVAL OF THE PDD WITH THE ABOVE CONDITIONS. COMMISSIONER MACCINI SECONDS. UNANIMOUS (4-0) APPROVAL.

8. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting at 8:47 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.

DRAFT

**CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, November 18, 2020 at 6:30 PM**



1. Call to Order. Chairman Robert Meisel.

With a quorum present, ZAPCO Chairman Meisel called the meeting to order at 6:30 p.m.

Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Bill Harwell, James Vaughan, Karen Bartoletti and Laurie Maccini.

2. 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.
 - a. Approval of the October 21, 2020 Regular Meeting Minutes.

Vice-Chairman Pledger: Suggests we spent a lot of time at the last meeting that were associated with the condo project. Those need more information because it is an important component.

Bill Harwell: Jim was listed instead of Bill Harwell.

Chairman Meisel: Bring them back for final approval.

3. Personnel Recognition of Commissioner Bill Vandersteel for his several years of service.

Chairman Meisel recognizes Bill Vandersteel's service. It has always been a joy and want to say thank you for everything you've done.

Chairman Meisel welcomes Karen Bartoletti to the Commission.

Commissioner Bartoletti: I'll try my best.

4. Personnel Welcome new Commissioner Karen Bartoletti.
5. Land Use 416 Ridgewood Road: Discussion/recommendation on a variance request to encroach a setback in order to construct an accessory building to serve as a home office or school room (West Lake Hills Code Sec. 22.03.001) Applicant Victoria Keith.
 - a. Staff Briefing

Planner Naini gives the staff briefing. Staff Recommendation: Denial due to the lack of physical hardship.

- b. Presentation by applicant

Victoria Keith is the applicant. I bought the house in 2019 and have a 13 year old son. Working and schooling from home has created the request. The building is 10 x 12 and would be painted the same colors as the home. The hardship is the loss of use to my backyard.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vaughan: Is page 30 where I see a photo of the neighbor's house?

Planner Naini: It shows the neighbors.

Victoria: Both are non-conforming.

Chairman Meisel: Be sure to point out to Board of Adjustment that it has not been built. Nobody anticipated having to work from home so we might be getting more of these requests.

Commissioner Bartoletti: If this was an addition to the home and no closer to the setback, would it be grandfathered?

Chairman Meisel: Extending a non-conforming encroachment, we don't have that in our code.

Vice-Chairman Pledger: I'm still not seeing a hardship.

Chairman Meisel: We need to be ready to make that accommodation to allow home offices due to unexpected conditions.

Commissioner Maccini: She is on an extremely small lot. In this case I'm in favor and doing it in a thoughtful manner.

Commissioner Vaughan: Is this structure slab built, pier and beam?

Victoria: I'm going to do a skid foundation on wood. It could be moved and will have no plumbing.

**COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL.
COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (6-0) APPROVAL.**

6. Land Use 895 Live Oak Circle: Discussion/recommendation on a variance request to build a front yard fence that encroaches the front building setback (West Lake Hills Code Sec. 22.03.173 (d)(6)(A)). Applicants/Owners Thomas & Gesine Seifert.

- a. Staff Briefing

Planner Naini gives staff briefing. Staff Recommendation: Denial.

Vice-Chairman Pledger: Did you receive photos of the fence?

Planner Naini: If you click on the individual exhibits under the agenda item.

Commissioner Maccini: Those are sketches.

- b. Presentation by applicant

Gesine and Thomas Seifert: We did provide photos so they should be with your documents. We want the fence for not only privacy but for dogs and children. If we push the fence back it would need to be higher and would be on top of a 3' retaining wall. The design will match the modern design of the house. The original fence was even closer.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Vice-Chairman Pledger: I drove by and looked at the layout and there was a cord or line that indicated the location of the fence. Is that where the fence would be?

Thomas Seifert: Yes.

Vice-Chairman Pledger: It is a very steep lot and being close to the road, it has a lot of glass and it would benefit from a little bit of privacy.

Commissioner Maccini: It would have a double gate inward, that wouldn't cause trouble with cars coming in and out? I'm a little concerned about that and the height.

Thomas Seifert: The gate would be further back than the fence.

Vice-Chairman Pledger: There is a representation of where the gate would be. Have you considered landscaping along the street to achieve the same effect?

Gesine Seifert: Security for the grandchildren and the dogs.

Commissioner Vaughan: The neighbors providing support, can they see the gate?

Thomas Seifert: The 900 Live Oak Circle property is right across from us.

Commissioner Vaughan: I'm appreciative of the need for grandchildren having a fence.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL. VICE-CHAIRMAN PLEDGER SECONDS. (4-1) APPROVAL. COMMISSIONER HARWELL OBJECTS.

7. **Land Use 1 Sweet Sky Road:** Discussion/recommendation on a variance request for three variances for the construction of a fence and driveway gate: 1) side yard fence encroaching front fence setback; 2) install driveway gate encroaching the front setback; 3) install front fence connecting to driveway gate that encroaches the front setback. (West Lake Hills Code Sec. 22.03.173). Applicants/Owners Kevin Stutz & Jeannette Spinelli.

- a. Staff Briefing

Planner Naini gives the staff briefing. Staff Recommendation: Denial due to lack of hardship for the driveway gates and fence.

- b. Presentation by applicant

Kevin Stutz and Jeannette Spinelli are the applicants. There is a safety issue with the wall. We've had two incidents where 2 people have fallen off that wall. 70% of the lot is too steep to be used.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Vice-Chairman Pledger: I got the impression that the guardrail was a good guardrail. If I'm looking at the topo and the area between the street and house, where were the people that fell off the ledge?

Jeannette: About the 8' line.

Commissioner Bartoletti: I thought that fence was going to be covered by council?

Planner Naini: You are correct.

Jeannette: We can put the gate at 30' but it would create more of a wall. We're pushing for safety.

Commissioner Maccini: There was something turned in as a letter. What is that encroachment?

Jeannette: From where the 15' marker in the street, that is where the hydrant is located.

Commissioner Maccini: What is that side setback?

Planner Naini clarifies the side yard ordinance.

Commissioner Maccini: It would be nice to know there would be fire access to that valley.

Vice-Chairman Pledger: Anybody that wants access will come to the lower side.

Chairman Meisel: This is no pre-existing condition. It sounds like a design driven variance request.

Vice-Chairman Pledger: The drop off is not anything that the homeowners designed. I'm not a fan of putting a fence along a guardrail.

Commissioner Vaughan: Points out the HOA.

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND APPROVAL OF VARIANCES AS REQUESTED. COMMISSIONER VAUGHAN SECONDS. MOTION DIES WITH NO VOTE.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND DENIAL. VICE-CHAIRMAN PLEDGER SECONDS. (3-2) DENIAL.

8. **Land Use 310 Westhaven Drive:** Discussion/recommendation on a request for two variances to remodel an existing nonconforming cabana: 1) building setback encroachment; and 2) exceed maximum allowed impervious cover. (West Lake Hills Code Sec. 22.03.281). Applicants/Owners Andrew Schwartz and Sylvia Arabian.

a. Staff Briefing

Planner Naini gives the staff report. Staff Recommendation: Approval as proposed.

b. Presentation by applicant

Andrew Schwartz is the applicant and discusses the previously approved variances.

c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Commissioner Maccini: I voted to approve in 2018.

COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (5-0) APPROVAL.

9. **Land Use 702 Loma Linda:** Discussion/recommendation on a variance request to remove six trees 14" or greater in order to construct a new home: 1) Tree # 595 - 17" Spanish Oak; 2) Tree # 597 - 15.5" Cedar; 3) Tree # 604 - 18" Live Oak; 4) Tree # 607 - 34.5" Multi-Trunk Cedar; 5) Tree # 626 - 14" Cedar; and 6) Tree # 649 - 14" Cedar. (West Lake Hills Code Sec. 22.03.304). Applicant Adam Mosier - Mosier Luxury Homes/Owners Santiago & Jenna Montoya.

a. Staff Briefing

Planner Naini gives the staff briefing. Staff Recommendation: Approval of Tree 649 and Tree 604. Denial of Trees 607, 595, 597 and 626. They may need to be considered differently.

b. Presentation by applicant

Adam Mosier explains the request of the owners. The hardship is the lot shape and would be difficult to build a functional home with the setbacks. The majority of the trees removed are cedars.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Vice-Chairman Pledger: I thought the recommendations Ms. Naini made sense. I'm comfortable with the staff recommendation for the removal of trees.

VICE-CHAIRMAN PLEDGER MAKES THAT A MOTION. COMMISSIONER BARTOLETTI SECONDS.

Commissioner Bartoletti: The staff recommendation makes sense to me.

Commissioner Harwell: In the recommendation regarding septic field, is there a plan for that?

Adam: There is no other place for the septic field.

Chairman Meisel: We cannot protect trees and enforce setbacks. We have to decide I think the applicant has made a reasonable choice. It's up to the city to move forward. I think we should approve it.

Vice-Chairman Pledger: If there are trees that cause a septic problem, we should delegate that distinction.

Commissioner Maccini: I appreciate wanting to save as many as we possibly came.

Vice-Chairman Pledger: I want a septic engineer to say it's critical to the septic system.

Commissioner Maccini: I agree.

Commissioner Vaughan: Are the trees directly related to the septic field?

Commissioner Bartoletti: We might have to reconsider those trees that effect the septic.

Planner Naini: There are two site plans in the packet, they don't have the same septic field. On page 99 you can see the field there is different.

Mr. Montoya: We've tried our best to save as many trees as we could.

Vice-Chairman Pledger: My original motion was on the smaller septic field.

Adam: The larger field is accurate.

Commissioner Maccini: I'd be real careful of any amendment we make.

VICE-CHAIRMAN PLEDGER AMENDS THE MOTION TO GRANT VARIANCES OTHER THAN TREE #626. UNANIMOUS (5-0) APPROVAL OF AMENDMENT.

VOTE ON ORIGINAL MOTION. (5-0) UNANIMOUS APPROVAL.

10. Land Use **4611 Bee Cave Road (Eagle Center)**: Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, sign base height, and area. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.

a. Staff Briefing

Planner Naini states applicant chose to withdraw.

b. Presentation by applicant

N/A

c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

NO ACTION TAKEN.

11. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

DRAFT

These minutes were approved on _____, 2020.

DRAFT



SETBACK VARIANCE STAFF REPORT

JANUARY 20, 2021

Project Address: 118 Bluff Park Circle

Project Number: 16339

Agenda Item: Land Use: 118 Bluff Park Circle: Discussion/recommendation on a variance request to construct a swimming pool encroaching a building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Emily & Matt Franke.

Applicant Information: Owners/Applicants Emily & Matt Franke

Hearing Dates:

January 20, 2021 ZAPCO

February 10, 2020 Board of Adjustment

Location: The subject property is located north of Bee Cave Road, south of Yaupon Valley Road, and west of Swiftcurrent Trail.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.72 acres. There is an existing home on the property.

Background & Analysis:

The homeowners are requesting a setback variance to construct a swimming pool located approximately five feet from the side fence line. The location was chosen to avoid the removal of large trees and to also avoid the need to construct large retaining walls. Additionally, the location of the septic drain field in the backyard limits the placement of the pool.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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

The application states – “We have a special needs son who cannot visit public places. The pandemic in particular has made this much harder on him and he cannot participate in regular therapies and activities. He needs an outdoor activity that is safe and on our property which we can monitor.”

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

The application states – “The location we have selected for the pool is the only one which requires no tree removal or massive concrete structure to be built. We love how natural the neighborhood keeps everything and want to keep it this way.”

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

The application states – “Another location would mean it would encroach on the septic or require tree removal (or require a massive concrete wall to be build, which takes away from the nature aspect of the neighborhood so much). We also have a special needs son and chose a location we can always see him which is very important.”

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

The application states – “It is the lease invasive location for nature, it gives us the safest option for our special needs son as well.”

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

The application states – “It is within the 30ft building line at the back of our home but there are no houses immediately along that fence line. The neighbor we share that fence with has a house set very far back and it would not be a disturbance.”

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

The application states – “It is the least visible spot on our property to have one, we are at the end of a cul de sac and very secluded. It will be along a fence at the back of our home, not anywhere near others.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

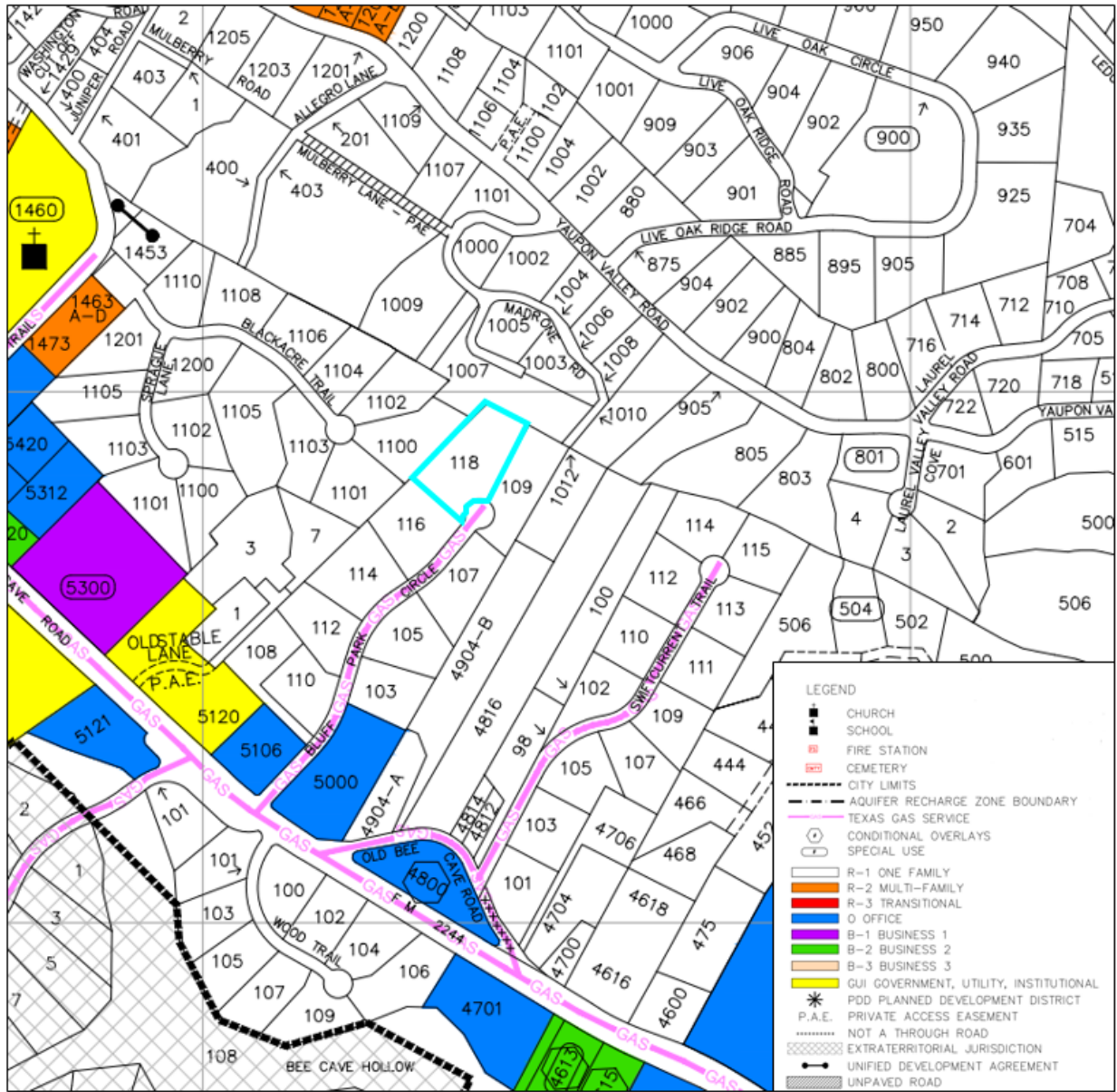
Staff recommends approval of the requested variances due to the site constraints including the location of the septic field and large trees.

Links to Relevant Code:

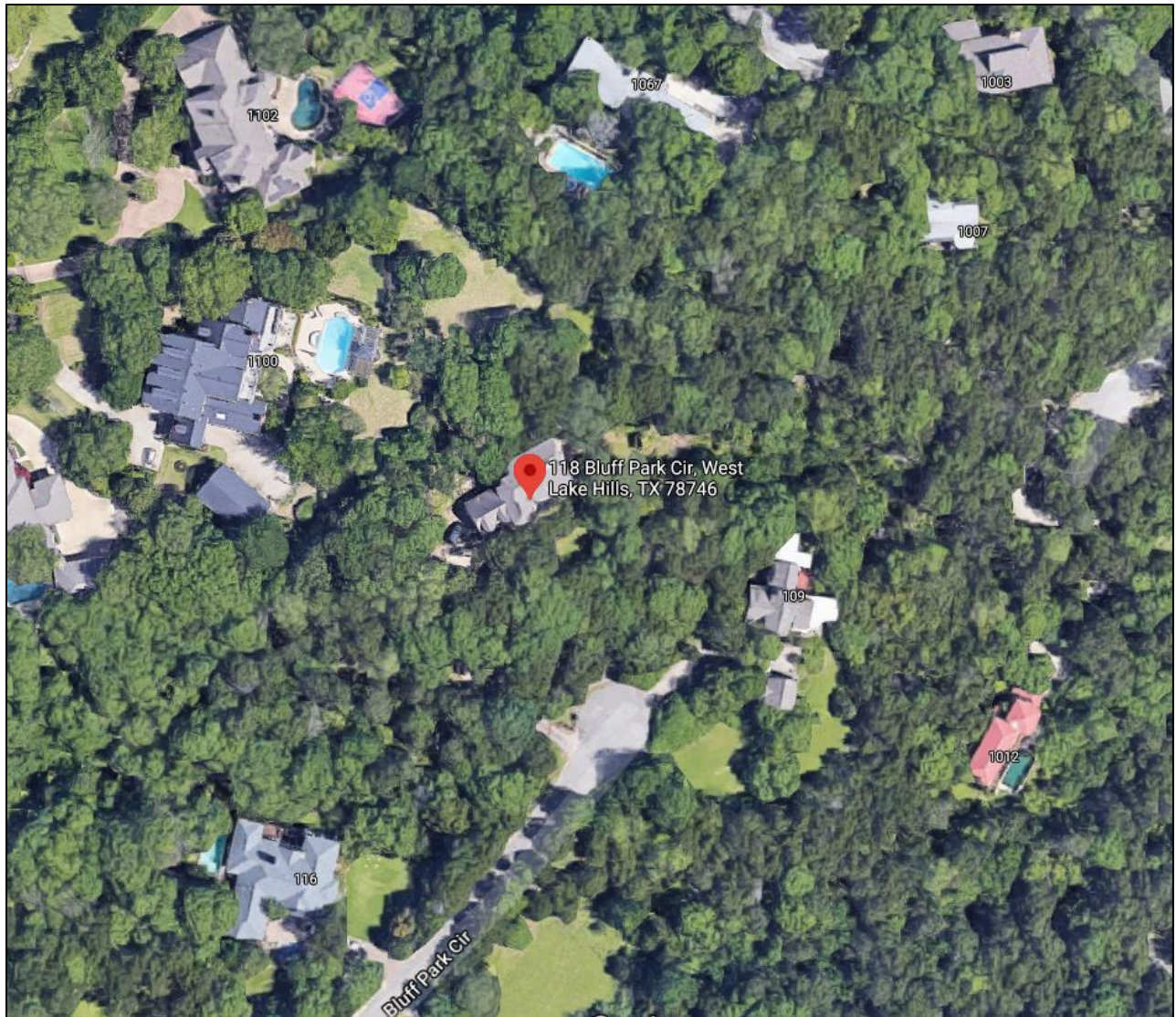
- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



November 28, 2020

Chairman Robert Meisel

West Lake Hills Zoning & Planning Commission

911 Westlake Drive

West Lake Hills, Texas 78746

Dear Mr. Chairman,

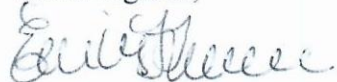
We have two children, one of whom has special needs, and the recent pandemic has brought on challenges even we could have never anticipated. Pre-COVID19, we had difficulties finding activities our family could do together as Tyler is not able to do things like go to restaurants or parks which are heavily populated – it is just too much for him to handle. Since the onset of this pandemic it is virtually impossible as he does not take the same precautions most do as far as safety for washing hands and not putting things in his mouth. It is very difficult to constantly ensure he is doing what is necessary to stay safe. Therefore, we have found ourselves in a position where we are basically home bound because it is the only safe place for him.

My husband and I decided this past summer to go under contract with Texas Pools & Patios to design a swimming pool for our backyard to create a safe place where he can do one of the only things he does enjoy and that is to play in water. We carefully selected the most advantageous spot available. There will be no large retaining walls needed and the ground in this area is extremely structurally sound as it is mostly rock. Additionally, there are no trees in this area so there will be no removal necessary as we had hoped to not disrupt any of the nature we so enjoy on our property which is one of the things we are so protective of and thankful for about living in West Lake Hills.

Unfortunately, we found out during the laying out phase that the swimming pool design has encroached into the property's build line along the back of our property at our privacy fence. We share this fence with a back neighbor; however, their home is quite far from the privacy fence. In between the privacy fence they have quite a bit of usable yard, a deck which is built up, a large pool and then their home. These neighbors are home for a few weeks out of the year and I would be more than happy to discuss this with them in further detail about our hopes for a pool near this shared fence line if it would make the board feel more comfortable to have the neighbor with whom I share this fence sign a variance stating they are ok with our having one there. They are very aware of our sons special needs and extremely supportive of our desire to help him in every way.

I understand that traditionally the Build Line's are created by Planning and Zoning for the development of communities to determine lot size, building & or home elevations & setbacks from front street, adjoining structures and home-additions in the backyard that exceed 8' in height. Our pool will not be above the ground at all and will not be seen above the fence whatsoever. There are no homes built immediately behind our property. As you understand, we are up against other setbacks that we must comply with such as large established trees we desperately hope to keep in place, septic, drain fields and slopes that would require large engineered concrete walls. Please let me know what possible efforts on our part that can help resolve this issue. We greatly appreciate your time and assistance.

Warm regards,



Emily Franke

APPLICATION COVER SHEET

Property Address: 118 BLUFF PARK CIRCLE
Applicant Name: Matt & Emily Franks
Designated Agent (if any, Power of Attorney Required):
Applicant Phone Number: 512-797-5480 Email Address: [REDACTED]
Date Application was Submitted: November 28, 2020
Variance(s) Requested:

To build within setback at back of property.

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

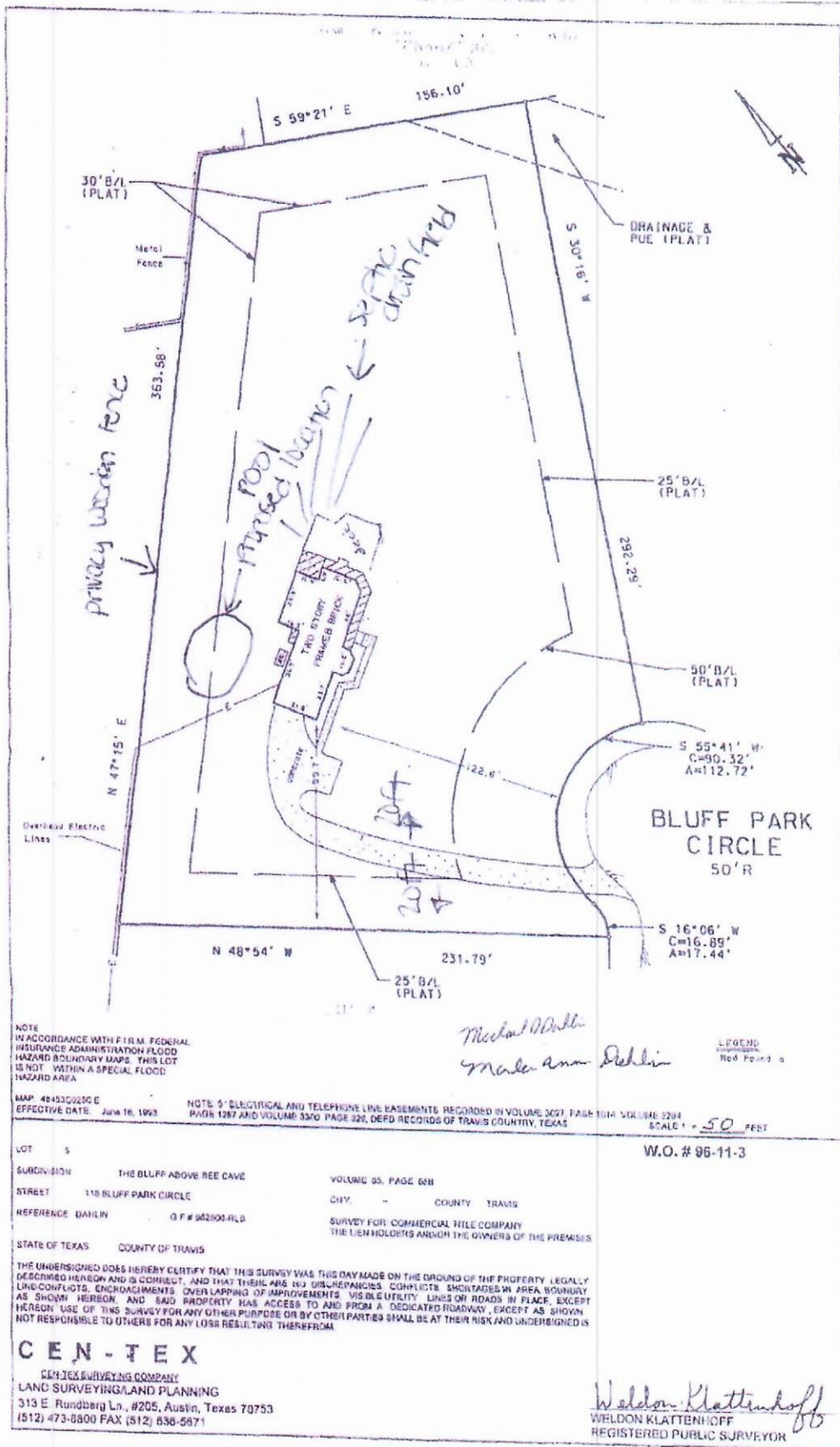
Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____
Postponement History (if any): _____
Notes: _____



Nov. 13, 1996
W.O. # 96-11-3

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application. (Feel free to respond to these questions on a separate page or document.)

(1) 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.

We have a special needs son who cannot visit public places. The pandemic in particular has made this much harder on him & he cannot participate in regular therapies & activities. He needs an outdoor activity that is safe & on our property which we can monitor. He loves water & we cannot afford to rebuild destroyed in the variance you are requesting is granted?

(2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?

The location we have selected for the pool is the only one which requires no tree removal or massive concrete structure to be built. We love how natural the neighborhood keeps everything & want to keep it this way.

(3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

Another location would mean it would encroach on the septic or require tree removal. (or require a massive concrete wall to be built, which takes away from the nature aspect of the neighborhood so much.) We also have a special needs son & those a location we can always see him which is very important.

(4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

It is the least invasive location for nature, it gives us the safest option for our special needs son as well.

(5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

It is within the 30 ft. building line at the back of our home but there are no houses immediately along that fence line. The neighbor we share that fence with has a house set very far back & it would not be a disturbance.

(6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

It is the least visible spot on our property to have one, we are at the end of a cul-de-sac & very secluded. It will be along a fence at the back of our home, not anywhere near others.

Property Address: 110 Bluff Park Circle

Photo of the front yard / driveway which Russell asked us to have tree surveyed in preperation of the pool. Tree protection plan has been made to ensure safety of the trees during construction and we have clear access points for all equipent without intruding on any septic fields as well.



Oak grove, a 4ft oak tree by the front door and giant cedar trees along our foundation carry over onto the other side of the septic drain field to the front yard. We desperately do not want to remove these trees, so this was not even a location we wanted to consider.



This is the beginning of the septic drain field coming off our porch (the tanks are under the wooden porch) so not a feasible location either).



This location was contemplated in order to keep the pool further from the fence line, however it is directly to the side of the septic drain field (literally just a couple of feet away) and the same proximity from the tanks which are located under the wooden deck. This location would also require removal of several large trees, some of which are very close to the foundation. Per our contractor and in discussions with Russell about how close in proximity we would have to be to the septic drain field, we decided this was also not an ideal location.



Making this location the most ideal one for our property. The pool would go directly where the open space is. No trees will be removed, the small orange tree which we planted, we will be relocating. You can see my neighbors' chimney in the very far left side by the trampoline – their house is SO far from us. We are building a very modest size pool in the best possible location on our property.





TREE VARIANCES STAFF REPORT

JANUARY 20, 2021

Project Address: 1001 Live Oak Ridge Road

Project Number: 16323

Agenda Item: Land Use: 1001 Live Oak Ridge: Discussion/recommendation on a variance request to remove three trees 14" or greater in order to construct a new home: 1) Tree # 5037 - 15.25" Cedar; 2) Tree # 5051 - 16.75" Live Oak; and #3) Tree # 5057 - 29" Cedar (West Lake Hills Code Sec. 22.03.304). Owner/Applicant Ricardo Lyra.

Applicant Information: Owners/Applicants Ricardo and Elena Lyra

Hearing Dates:

January 20, 2021 ZAPCO

January 27, 2020 City Council

Location: The subject property is located north of Yaupon Valley Road, south and east of Redbud Trail, and west of Westlake Drive.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.05 acre. There is an existing home on the property that the homeowners plan to demolish to construct a new home.

Background & Analysis:

The applicant is requesting variances for the removal of three trees that are 14" or greater in order to construct a new home. However, due to the recent storm, one of the requested trees – Tree # 5057(29" Cedar) fell down and no longer needs to be contemplated in the variance request. A permit was issued for its removal by the City Arborist. Therefore, two variance requests for Tree # 5037 (15.25" Cedar) and Tree # 5051 (16.75" Live Oak) remain.

The applicants are proposing to construct a new home while conserving as many trees as possible. In particular, the design takes into account three large Live Oak trees in addition to several other specimens being preserved. The property is heavily treed with 250 surveyed trees, including 40 that are 14" or greater. To minimize impact, the design of the proposed home will stay within the footprint of the existing home to the extent possible as well as utilize existing flat areas on the property.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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

The application states – “The choices made for this project were based on several criteria including minimal impact to site and trees and financial feasibility...The design protects 3 large Live Oak trees (14.5”, 11.0” and 11.0”) which sit almost in the center of the lot and significantly limit the site’s buildable option toward the South. Thus, the design required the house to extend on an East/West axis.”

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

The application states – “There will be minimal impact to the existing terrain and flora as the new house will occupy nearly the same footprint as the old one. Expansion decisions were done after alternative designs were considered, where protection of the natural environment was always a top priority. This led to the decision to extend the existing driveway instead of building a new one and locate the pool away from the new house though ideally, from a design standpoint, it would have sat closer to the house.”

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

The application states – “As mentioned in Questions 1 and 2, alternative configurations were considered, which required more substantial vegetation removal, due to either a new driveway and alternate placement of the kitchen or relocation of the pool. Given the quantity of existing large trees on the site and the buildable area being limited by their location, other design solutions would require the removal of a greater number of trees in order to create an adequate building footprint.”

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

The application states – “The site is a heavily wooded sloped lot with 250 trees (identified in the Tree Survey.) The new building was designed to have minimal impact to its natural environmental while delivering attributes in line with other residences in the neighborhood. By utilizing nearly the same footprint as the previous house, extending and reutilizing the existing driveway and minimally expanding into areas of least tree and terrain impact, the new project is able to protect several large trees...”

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

The application states – “The design utilizes the site’s attributes to create a project with minimal impact to its environment. Protecting the natural wooded beauty of Westlake Hills is a top priority of this project. The new house will utilize the old house’s footprint protecting trees and making use of flat areas to avoid terrain alterations. Design decisions, such as situating the home on a East/West axis, extending the existing driveway and the location of the pool, were made with the objective of minimizing alteration of the site’s natural beauty.”

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

The application states – “As previously mentioned, the new house will occupy nearly the same footprint as the old house. Thus, neighbors will not be significantly impacted by the new structure.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

Staff recommends approval of the requested variance trees due to the topography.

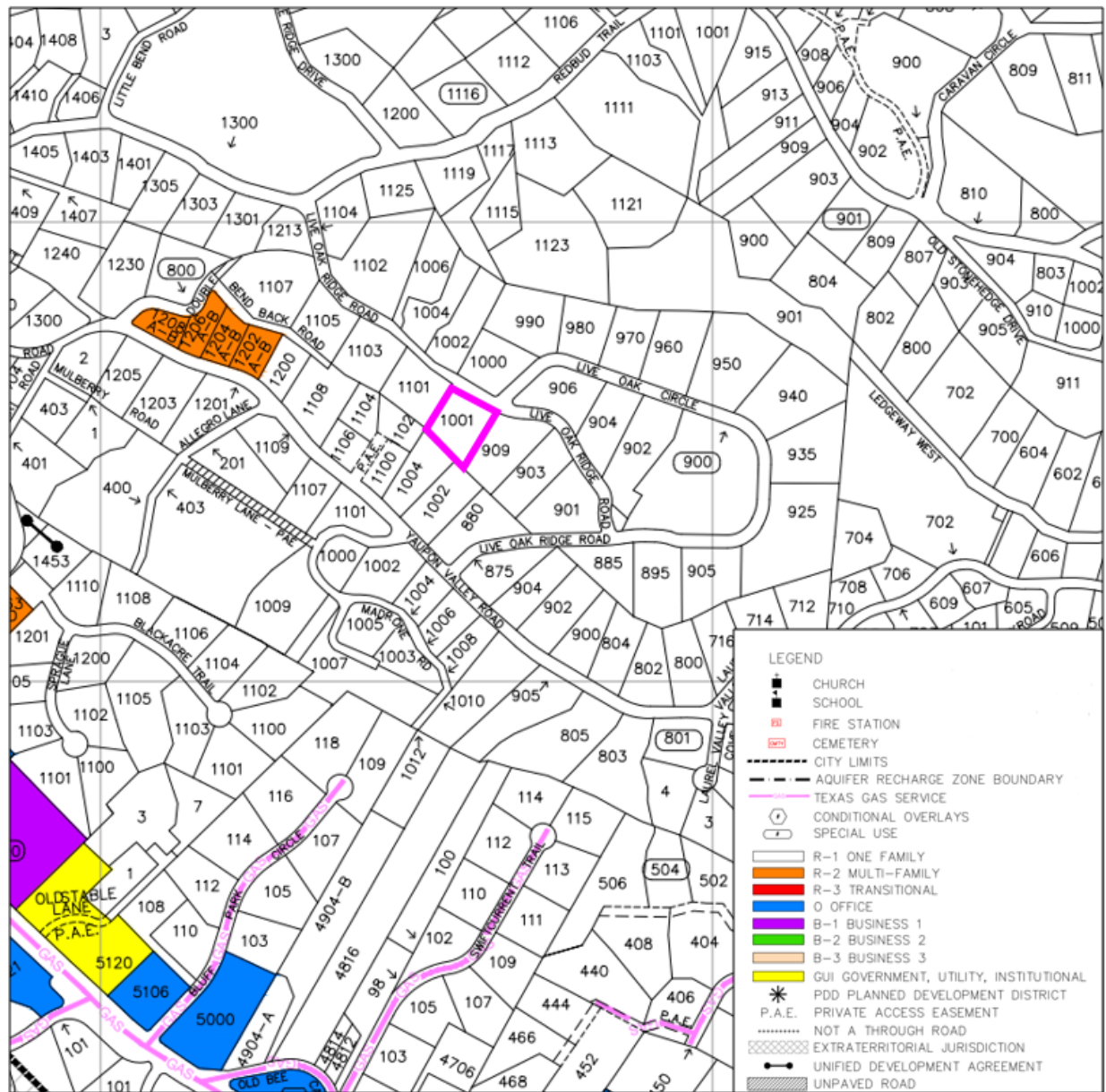
Removal of trees 14” and greater require mitigation at 150%.

Links to Relevant Code:

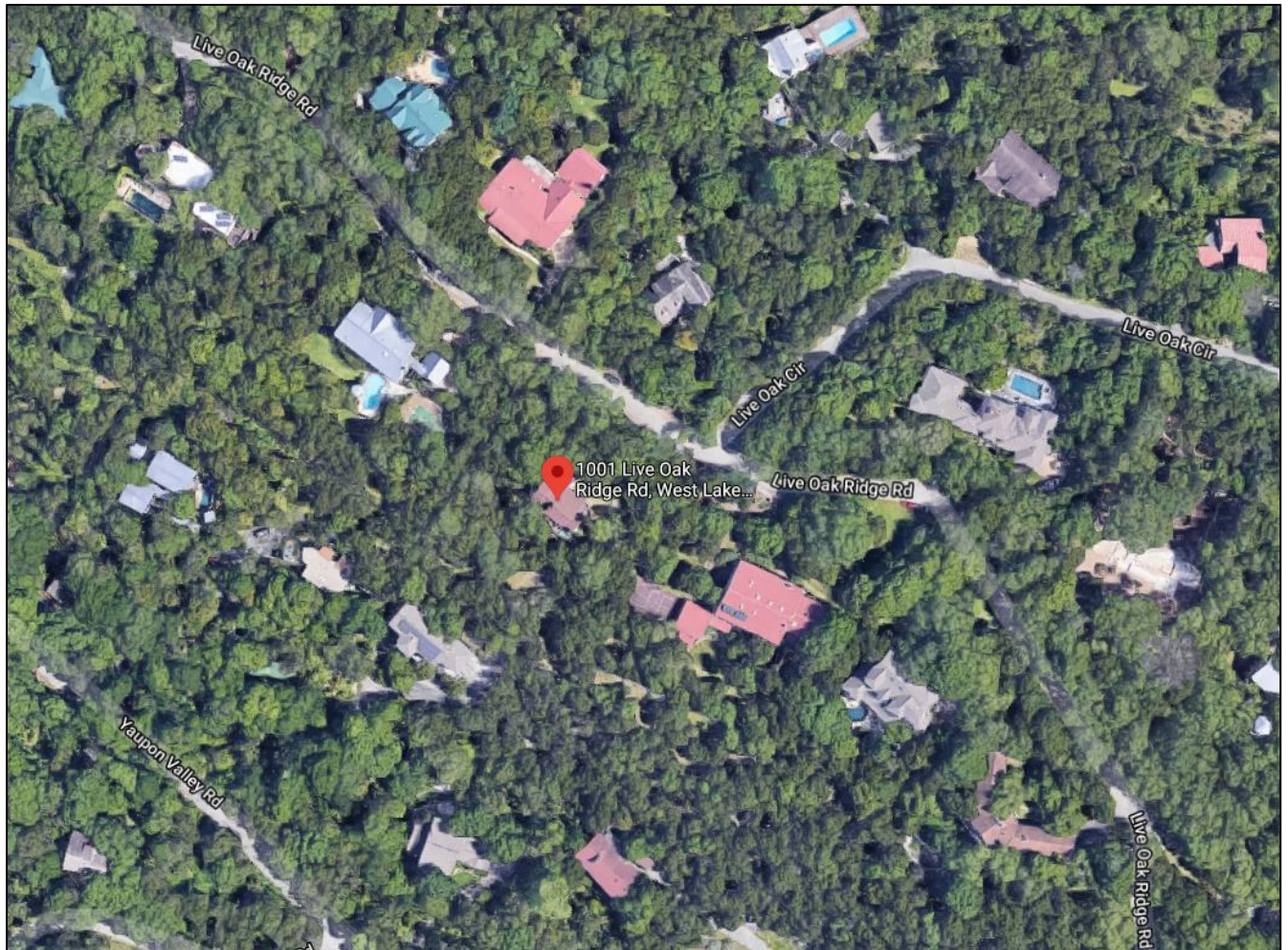
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 1001 Live Oak Ridge Rd - West Lake Hills, TX 78746
Applicant Name: Ricardo Lyra
Designated Agent (if any, Power of Attorney Required): N/A
Applicant Phone Number: (512) 484-6780 Email Address: [REDACTED]
Date Application was Submitted: December 2, 2020
Variance(s) Requested:

Variance to remove 3 trees:

(1) #5037 - 15.25" Cedar; (2) #5051 - 16.75" Live Oak; (3) #5057 - 29" Cedar

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____
Postponement History (if any): _____
Notes: _____

December 2, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

Tree variance request - Lyra Residence

Dear Mr. Chairman,

We request your consideration of the attached application for tree variances on 1001 Live Oak Ridge Rd. for the construction of our new home. The design had tree conservation as a top priority. Thus, we went to great lengths to occupy practically the same footprint as our current house. The project was designed to protect and highlight 3 large Live Oak trees as well as preserve several other large specimens. This generated many challenges to the design process and we believe that we succeeded in creating a new home for our family that will satisfy our day-to-day needs while also protecting the neighborhood's wooded and shady environment.

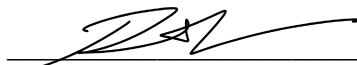
The site is a heavily wooded sloping lot with 250 surveyed trees, of which 40 are greater than 14". We believe our three variance requests will have little to no impact on neighboring properties or views from the streets due to their location in the lot and to their small representation within the total amount of trees.

Please find a summary of the tree variance requests in the bullets that follow (photos included in this package):

- #5037: 15.25" Cedar (4 branches): This tree sits where we plan to extend our driveway down to the main level (bottom-floor) of the house. Two factors are critical to this variance request: (1) to protect the site's trees, we opted to utilize the existing driveway and extend it rather than build a new one, and (2) the driveway extension is necessary since the bottom-floor of the house has incorporated ADA accessibility attributes; thus vehicle arrival at that level is critical for wheelchair accessibility. Tree #5037 sits where the driveway extension is situated - designing the extension around it leads to a variance request for a 19" Hackberry tree.
- #5051: 16.75" Live Oak (2 branches): This tree sits about 2' behind the current house (as per picture provided). To protect the 3 large Live Oaks (mentioned above), the house is unable to expand South (to the back of the lot) and, thus, it must sit on a East/West axis. This situates Tree #5051 about 1' from the new house. We attempted to save this tree by flipping the driveway and kitchen to the opposite side of the house and lot, but found we would have to build an entirely new driveway, which would impact many more trees, including two Red Oaks. We opted for protecting the 3 large Live Oaks and the Red Oaks.
- #5057: 29.00" Cedar (10 branches): This tree's critical root zone is found in the location where we plan to build a pool. The pool's location was chosen as it sits in the only clearing in the lot and impacts the least amount of trees. Its size and precise location protect the root zones of a large 29.50" Live Oak and several other trees (including a 14.75" Cedar). Relocation of the pool further south in the lot would impact a cluster of 8 trees and require pathways to be built that would impact the large 29.50" Live Oak and add to the impervious covered area.

Approved tree extractions will be replaced in accordance with mitigation requirements protecting the long term wooded environment of the site and enhancing the privacy of our neighbors. Please let me know if we can provide any other information after you review this application. We are confident our home will be a much better fit for our family, and a positive and compliant fit to the neighborhood.

Thank you for your consideration.
Sincerely,



Ricardo Lyra
Home owner and applicant
512-484-6780

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application. *(Feel free to respond to these questions on a separate page or document.)*

(1) 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.

The design choices made for this project were based on several criteria including minimal impact to site and trees and financial feasibility. Unfortunately, we faced situations that required the extraction of 3 trees greater than 14". The design protects 3 large Live Oak trees (14.5", 11.0" and 11.0"), which sit almost in the center of the lot and significantly limit the site's buildable options toward the South. Thus, the design required the house to extend on an East/West axis. Tree #5051, a 16.75" Live Oak (2 branches), which currently sits less than 2' from the current structure, will need to be extracted to protect the 3 central Live Oaks since the new house will sit approximately 1' from the tree. Though the new building will occupy nearly the same footprint as the previous one, ADA access to the main level (bottom floor) requires an extension to the current driveway, which will be utilized to mitigate further disturbance to the site. To protect a 19.0" Hackberry tree, Tree #5037, a 15.25" Cedar (4 branches), will need to be removed. Relocation of the driveway and kitchen to the eastern side of the lot were considered but would require the extraction of numerous other trees, including 2 Red Oaks (8.5" and 16.0"). Thus, we preferred to utilize the existing driveway and extend it to the main level of the house. The pool's location was chosen as it sits in the only clearing in the lot. Its size and precise location protect the root zones of a large 29.5" Live Oak and several other trees (including a 14.75" Cedar). Tree #5057, a 29" Cedar (10 branches), has its critical root zone where the pool will be located. Relocation of the pool further south in the lot would impact a cluster of 8 trees and require pathways to be built that would impact the large 29.5" Live Oak.

(2) 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?

There will be minimal impact to the existing terrain and flora as the new house will occupy nearly the same footprint as the old one. Expansion decisions were done after alternative designs were considered, where protection of the natural environment was always a top priority. This led to the decision to extend the existing driveway instead of building a new one and locate the pool away from the new house though ideally, from a design standpoint, it would have sat closer to the house. In both instances, decisions were made prioritizing the protection of the greatest number of trees. Additionally, the pool is set on the least sloping portion of the backyard, which will also reduce the need for changes to the terrain. Of the 250 trees identified in the Tree Survey, 40 are over 14". The current project was able to increase the square footage of the home protecting 37 of the largest trees (or over 90%). Existing vegetation will be protected during construction and approved tree extractions will be replaced in accordance with mitigation requirements.

(3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

As mentioned in Questions 1 and 2, alternate configurations were considered, which required more substantial vegetation removal, due to either a new driveway and alternate placement of the kitchen or relocation of the pool. Given the quantity of existing large trees on the site and the buildable area being limited by their location, other design solutions would require the removal of a greater number of trees in order to create an adequate building footprint.

(4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

The site is a heavily wooded sloped lot with 250 trees (identified in the Tree Survey). The new building was designed to have minimal impact to its natural environment while delivering attributes in line with other residences in the neighborhood. By utilizing nearly the same footprint as the previous house, extending and reutilizing the existing driveway and minimally expanding into areas of least tree and terrain impact, the new project is able to protect several large trees (please refer to Questions 1 and 2 for more details). Preserving the original wooded environment of the site is a top priority of this design project. As previously mentioned, other design options were evaluated but proved more burdensome on the natural attributes of the site (please refer to Question 1 and 2 for more details).

(5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

The design utilizes the site's attributes to create a project with minimal impact to its environment. Protecting the natural wooded beauty of Westlake Hills is a top priority of this project. The new house will utilize the old house's footprint protecting trees and making use of flat areas to avoid terrain alterations. Design decisions, such as situating the home on a East/West axis, extending the existing driveway and the location of the pool, were made with the objective of minimizing alteration to the site's natural beauty. All setback and easement areas are respected as well as impervious cover limits. Of the 250 trees identified in the Tree Survey, 40 are over 14" and the design was able to protect all but 3 trees (please refer to Questions 1 and 2 for more details). We believe we are protecting and maintaining the uniqueness of the neighborhood with this design - other options were evaluated, but had greater impact to the site's trees.

(6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

As previously mentioned, the new house will occupy nearly the same footprint as the old house. Thus, neighbors will not be significantly visually impacted by the new structure. The site, which is heavily wooded, will have the vast majority of its trees preserved by the design (please refer to Question 5 for more tree details). This Variance Process (removal of 3 trees) represents, as per the Tree Survey, only 1.2% of trees and 2.7% of tree inches in the site. Additionally, approved tree extractions will be replaced in accordance with mitigation requirements protecting the long term natural environment of the site.

Property Address: 1001 Live Oak Ridge Rd. - West Lake Hills, 78746

FLOOD INFORMATION

PER WWW.FEMA.GOV, THIS PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN MAP NUMBER 48453C0440J, DATED 01/22/2020.

DATUM & BEARING BASIS

TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203), NAD 83. ELEVATION DATA NAVD 88, GEOID 128. DISTANCES IN US SURVEY FEET (GRID).

GENERAL NOTES:

- 1) THIS PROPERTY IS SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS. SURVEYOR HAS MADE NO INVESTIGATION FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR OWNERSHIP TITLE EVIDENCE.
- 2) THIS SURVEY ONLY SHOWS ABOVE GROUND IMPROVEMENTS.
- 3) SUBJECT TO ALL APPLICABLE CITY OF AUSTIN DEVELOPMENT CODES AND ZONING ORDINANCES.
- 4) DUE TO DIFFERING BUILDING PRACTICES, BUILDING DIMENSIONS ARE APPROXIMATE.
- 5) ANY UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY.
- 6) OWNERSHIP DEED RECORDED IN DOCUMENT NO. 2017015632, TRAVIS COUNTY RECORDS.
- 7) TREE TYPES TO BE VERIFIED BY A CERTIFIED ARBORIST.

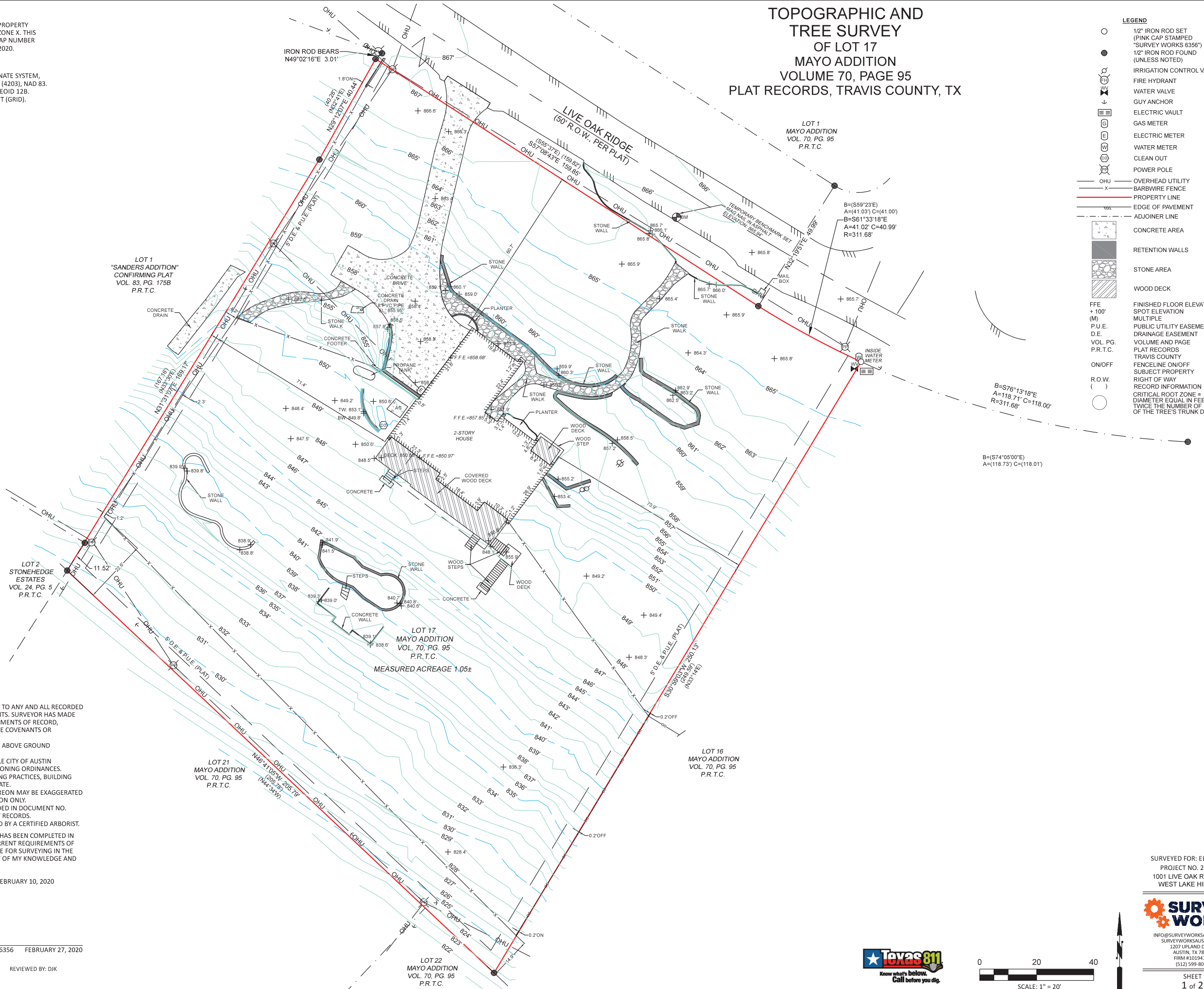
I CERTIFY THAT THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF TEXAS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF LAST FIELD WORK: FEBRUARY 10, 2020

DEREK KINSAUL, R.P.L.S. NO. 6356 FEBRUARY 27, 2020

DRAWN BY: M. LEONARDO
FIELD CREW: E. MAURER

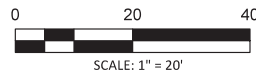
REVISION #:



SURVEYED FOR: ELENA LYRA
PROJECT NO. 20-0031
1001 LIVE OAK RIDGE RD,
WEST LAKE HILLS, TX

SURVEY WORKS
INFO@SURVEYWORKSAUSTIN.COM
SURVEYWORKSAUSTIN.COM
1207 UPLAND DRIVE
AUSTIN, TX 78741
FIRM #10194157
(512) 599-8067

SHEET
1 of 2



PER WWW.FEMA.GOV, THIS PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN MAP NUMBER 48453C0440J, DATED 01/22/2020.

TEXAS STATE PLANE COORDINATE SYSTEM,
GRID NORTH, CENTRAL ZONE (4203), NAD 83.
ELEVATION DATA NAVD 88, GEOID 12B.
DISTANCES IN US SURVEY FEET (GRID).

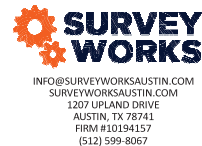
LEGEND

- | | |
|---|---|
|  | 1/2" IRON ROD SET
(PINK CAP STAMPED
"SURVEY WORKS 6356") |
|  | 1/2" IRON ROD FOUND
(UNLESS NOTED) |
|  | IRRIGATION CONTROL VALVE |
|  | FIRE HYDRANT |
|  | WATER VALVE |
|  | GUY ANCHOR |
|  | ELECTRIC VAULT |
|  | GAS METER |
|  | ELECTRIC METER |
|  | WATER METER |
|  | CLEAN OUT |
|  | POWER POLE |
|  | OHU |
|  | X |
|  | PROPERTY LINE |
|  | EDGE OF PAVEMENT |
|  | ADJOINER LINE |
|  | CONCRETE AREA |
|  | RETENTION WALLS |
|  | STONE AREA |
|  | WOOD DECK |
| FFE
+ 100' | FINISHED FLOOR ELEVATION
SPOT ELEVATION |
| (M) | MULTIPLE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| D.E. | DRAINAGE EASEMENT |
| V.O.L. | VOLUME AND PAGE |
| P.R.T. PG. | PLAT RECORDS |
| ON/OFF | TRAVIS COUNTY
FENCELINE ON/OFF |
| SUBJECT PROPERTY | |
| R.O.W. | RIGHT OF WAY |
| () | RECORD INFORMATION |
|  | CRITICAL ROOT ZONE =
DIAMETER EQUAL IN FEET TO
TWICE THE NUMBER OF INCHES
OF THE TREE'S TRUNK DIAMETER |

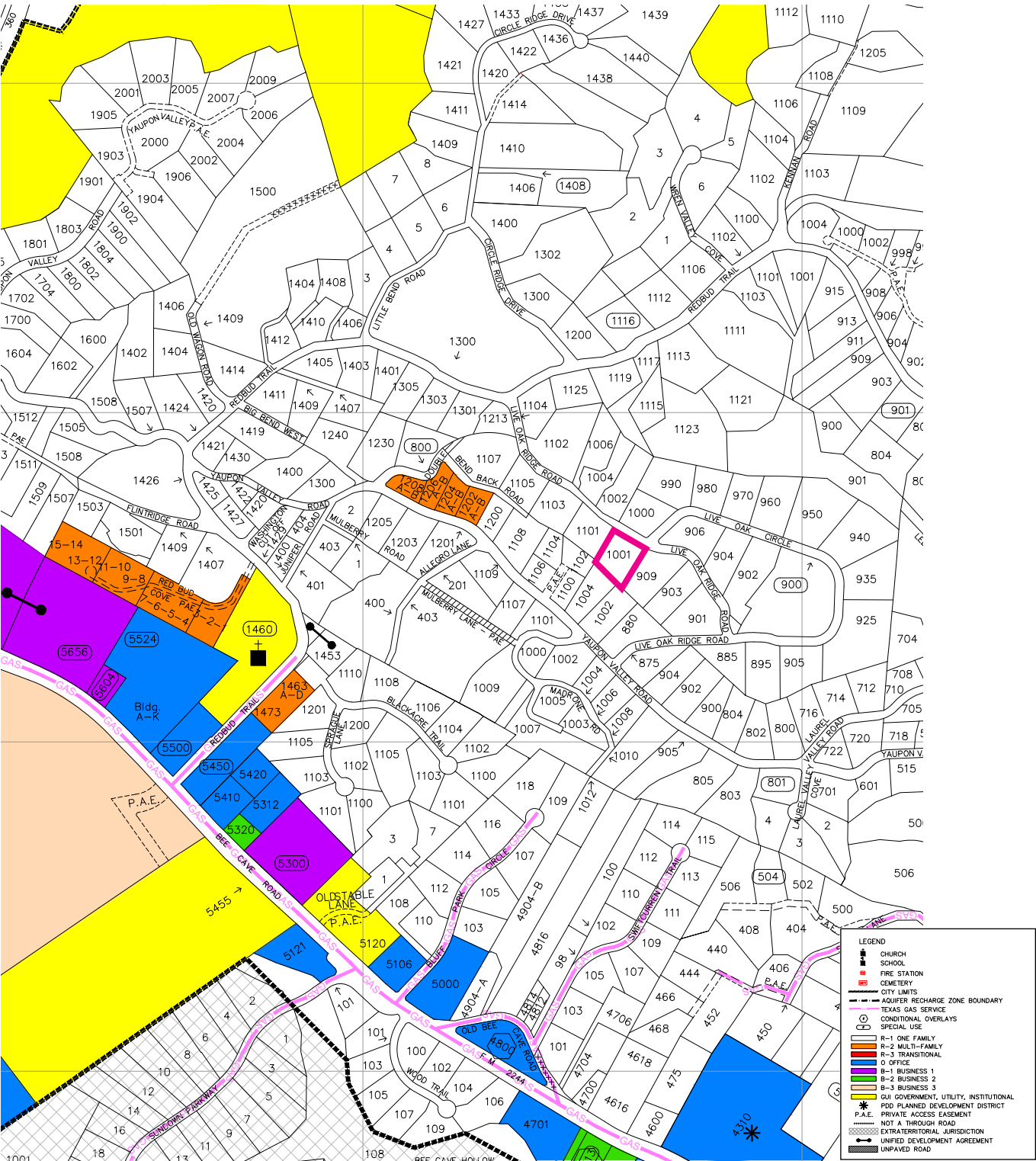
TREE TABLE			
Tag No.	Type	Trunk	
5018	CEDAR	8.6”(M)	
5019	CEDAR	11”	
5020	CEDAR	8.5,5.3”(M)	
5021	LIVE OAK	11”	
5022	CEDAR	9.5,4”(M)	
5023	CEDAR	7.5,5.4”(M)	
5024	LIVE OAK	8”	
5025	CEDAR	4”	
5026	LIVE OAK	9”	
5027	CEDAR	3.5”	
5028	CEDAR	7.5,4.5,3.3”(M)	
5029	CEDAR	8.5,7.3”(M)	
5030	LIVE OAK	7.5”(M)	
5031	CEDAR	6”	
5032	CEDAR	4”	
5033	LIVE OAK	9.5”	
5034	CEDAR	9.8,5.6”(M)	
5035	CEDAR	4”	
5036	CEDAR	4”	
5037	CEDAR	7.5,7.5,4.4”(M)	
5038	LIVE OAK	6”	
5039	HACKBERRY	19”	
5040	CEDAR	10”	
5041	CEDAR	11”	
5042	CEDAR	11”	
5043	LIVE OAK	9.5,5.5”(M)	
5044	LIVE OAK	8”	
5045	CEDAR	8”	
5046	CEDAR	7.5,7.6,6.5,5.5,5”(M)	
5047	CEDAR	9”	
5048	YALPON	3”	
5049	YALPON	4”	
5050	YALPON	4.5,4.3”(M)	
5051	LIVE OAK	13.7,5”(M)	
5052	LIVE OAK	10.5,8”(M)	
5053	LIVE OAK	11”	
5054	LIVE OAK	11”	
5055	LIVE OAK	7”	
5056	CEDAR	6.3”(M)	
5057	CEDAR	7.6,6.5,5.5,5.5,4.5,4.3”(M)	
5058	CEDAR	5”	
5059	LIVE OAK	16.14,13”(M)	
5060	CEDAR	4”	
5061	CEDAR	9”	
5062	CEDAR	6.5”	
5063	CEDAR	5”	
5064	CEDAR	5”	
5065	CEDAR	4,4”(M)	
5066	CEDAR	3”	
5067	CEDAR	4.5”	
5068	CEDAR	8.5,5.3,5”(M)	
5069	CEDAR	6.5,4”(M)	
5070	CEDAR	8.5,5.5,4.5”(M)	
5071	CEDAR	8.3,5.3,5”(M)	
5072	LIVE OAK	7”	
5073	LIVE OAK	5”	
5074	CEDAR	4.5”	
5075	CEDAR	5”	
5076	CEDAR	5.4,5”(M)	
5077	CEDAR	5”	
5078	CEDAR	5”	
5079	CEDAR	8.5”	
5080	CEDAR	15”	

Tag No.	Type	Trunk
5081	CEDAR	7.5"
5082	CEDAR	8"
5083	CEDAR	7.5 7.5"(M)
5084	CEDAR	5.5 5.5"
5085	CEDAR	7"
5086	CEDAR	7.7 6.5 5"(M)
5087	CEDAR	7.7 5.4 4"(M)
5088	CEDAR	6.6 5.4 4.5 4"(M)
5089	CEDAR	8"
5090	CEDAR	10.5"(M)
5091	CEDAR	5"
5092	CEDAR	10"
5093	CEDAR	6.5 3 3"(M)
5094	CEDAR	3"
5095	CEDAR	8.5"
5096	CEDAR	7.5 5.5 3"(M)
5097	CEDAR	5"
5098	CEDAR	6.4 5"(M)
5099	CEDAR	5.5"
5100	CEDAR	8.5 5.5"(M)
5101	LIVE OAK	7.5"
5102	LIVE OAK	6.5"
5103	CEDAR	4.5 4"(M)
5104	CEDAR	9"
5105	CEDAR	5.5"
5106	CEDAR	6.5"
5107	CEDAR	8"
5108	CEDAR	7.4"(M)
5109	CEDAR	3.5"
5110	CEDAR	3"
5111	CEDAR	4"
5112	LIVE OAK	4"
5113	CEDAR	9.6 5.5 5.5"(M)
5114	CEDAR	4.3 5.3"(M)
5115	CEDAR	3.5"
5116	CEDAR	6.5 5.5 5.4 5"(M)
5201	CEDAR	5.5 5"(M)
5202	CEDAR	5"
5203	CEDAR	4"
5204	CEDAR	5"
5205	CEDAR	5.5"
5206	CEDAR	4.5"
5207	CEDAR	7.7 4.3 5"(M)
5208	CEDAR	7"
5209	CEDAR	5.5 4"(M)
5210	CEDAR	5"
5211	CEDAR	5.4 3"(M)
5212	CEDAR	9"
5213	CEDAR	8.6"(M)
5214	CEDAR	4.5"
5215	LIVE OAK	8.4 5.5"(M)
5216	LIVE OAK	5.5 4.5 4.5, 3.5 3.5 3"(M)
5217	LIVE OAK	5"
5218	CEDAR	8.5 6.5 6.5 6.5 5"(M)
5219	CEDAR	8.7 7.5 4.4 4"(M)
5220	CEDAR	4.3 3"(M)
5221	CEDAR	7.8"(M)
5222	CEDAR	2.5"
5223	CEDAR	9"
5224	LIVE OAK	7.5"
5225	CEDAR	5.4 4"(M)

SURVEYED FOR: ELENA LYRA
PROJECT NO. 20-0031
1001 LIVE OAK RIDGE RD,
WEST LAKE HILLS, TX



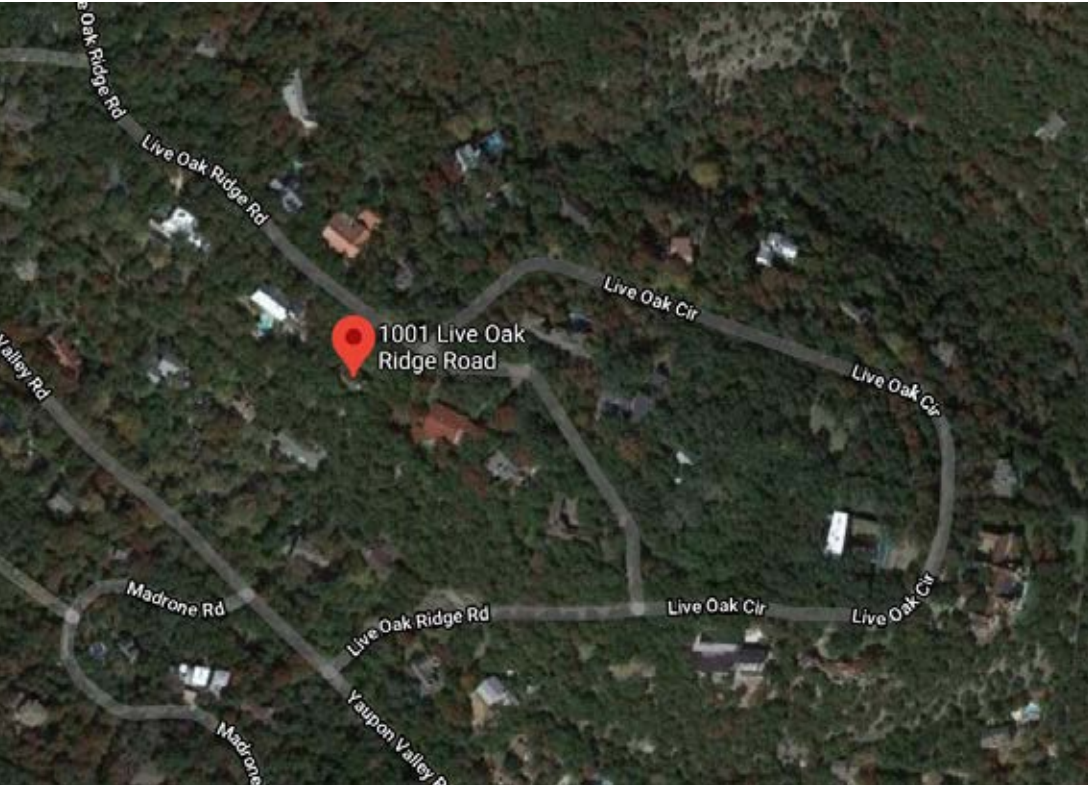
SHEET
2 of 2



City of West Lake Hills Zoning Districts



Area map



Aerial View



Adjacent Properties

December 2, 2020

LYRA RESIDENCE
1001 Live Oak Ridge Rd



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View from the street, NE corner.



View from the street, front approach.



View from street, NW side of property, driveway approach.



View from SW corner of property.



View from southern part of property.



View from SE corner of property.



5037 Cedar (Multiple branches) - 15.25"
Removal due to extension of driveway.



Existing driveway, to be extended down.



5051 Live Oak (Multiple branches) - 16.75"
Removal due to proximity to dwelling.

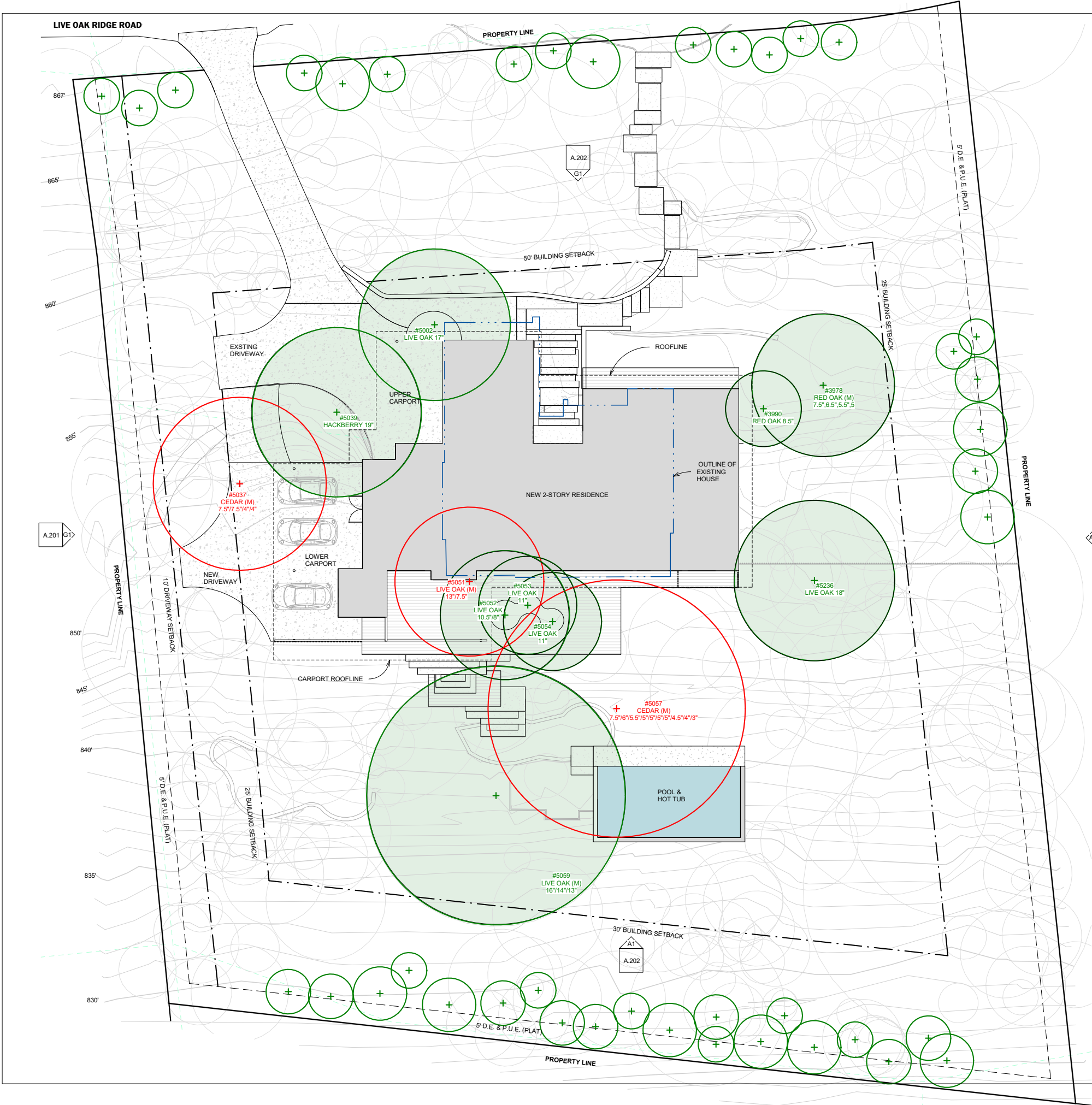




5057 Cedar (Multiple branches) - 29"
Removal due to building of the pool.



Natural clearing, pool's chosen site.



LEGEND

- + REQUESTED VARIANCE TREES TO BE REMOVED
- + SPECIMEN TREES TO REMAIN
- + REPLACEMENT TREES (REFERENCE ONLY). TO BE COORDINATED W/ LANDSCAPE ARCHITECT

VARIANCE TREES (14"++)

5037	CEDAR (M)	15.25"	23" REQ. REPLACEMENT
5051	LIVE OAK (M)	16.75"	26" REQ. REPLACEMENT
5057	CEDAR (M)	29"	44" REQ. REPLACEMENT

AREA CHART

	SQ. FT.
LOWER LEVEL CONDITIONED	2,163
UPPER LEVEL CONDITIONED	2,864
TOTAL CONDITIONED SPACE	5,027

IMPERVIOUS COVERAGE

	SQ. FT.
LOT AREA (1.05 ACRES)	45,738
MAXIMUM ALLOWABLE COVERAGE (@ 25%)	11,435
FOUNDATION PAD	3,371
DRIVEWAY AND CARPORTS	3,014
WALKWAYS AND POOL COPING	1,272
WOOD DECKING (1,659 @ 50%)	830
TOTAL IMPERVIOUS COVERAGE	8,487
FINAL IMPERVIOUS COVERAGE %	18.56%

LEGAL LOT DESCRIPTION

1001 LIVE OAK RIDGE RD., WESTLAKE HILLS, TX. 78746
LOT 17 MAYO ADDITION
VOLUME 70, PAGE 95 - PLAT RECORDS, TRAVIS COUNTY, TX

PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

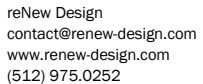
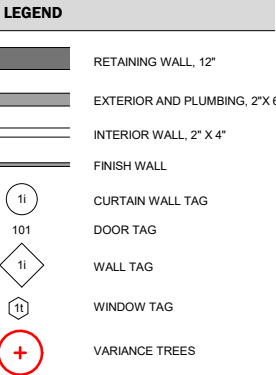
CLIENT
Ricardo & Elena Lyra

REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY ELL

SITE PLAN & TREE
VARIANCE REQUEST

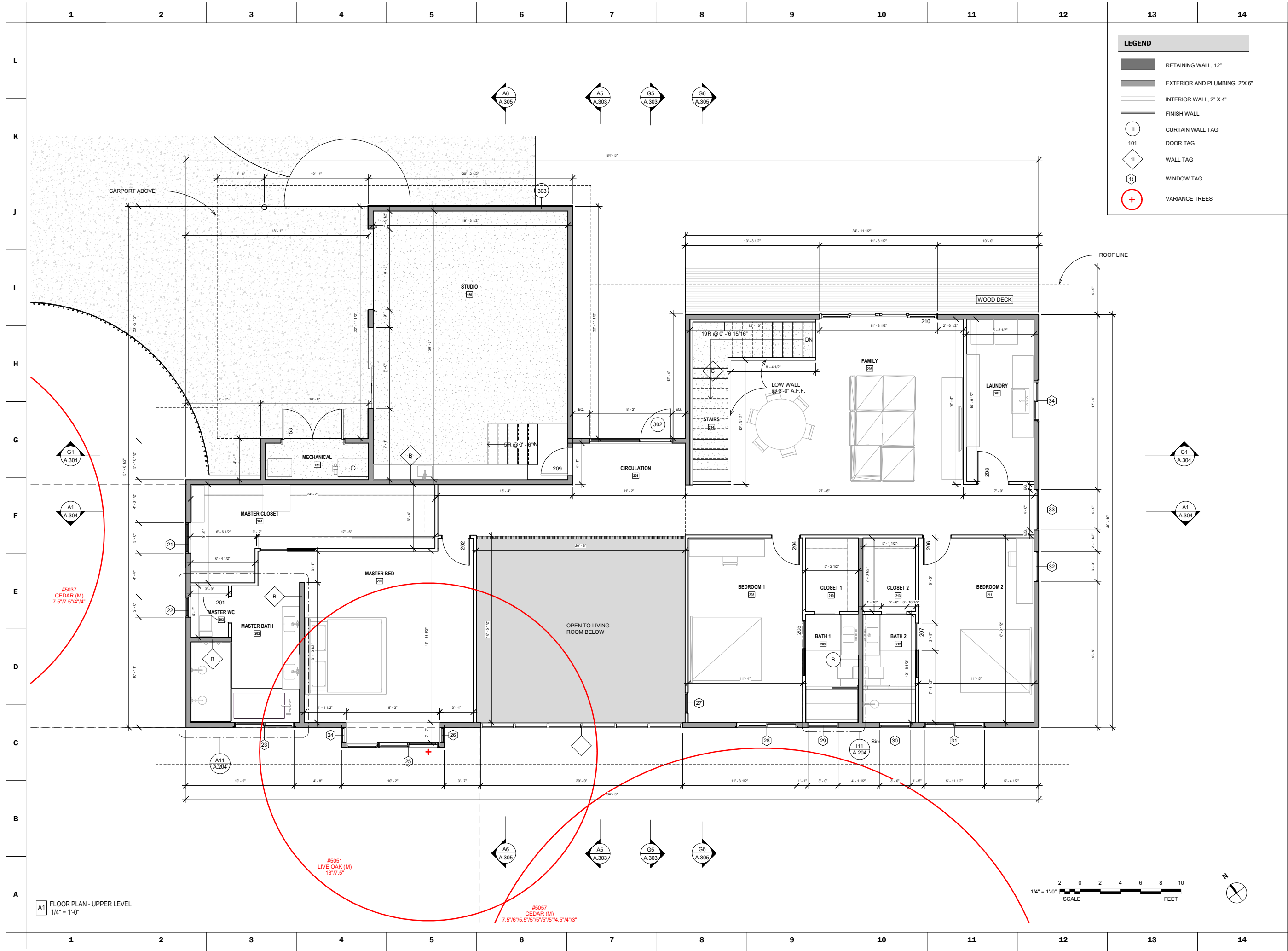


LIENT
icardo & Elena Lyra

REVISION LIST	
DATE	DESCRIPTION

PROJECT NUMBER	2020001
DESIGNED BY	Designer

FLOOR PLAN - MAIN
LEVEL



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www.renew-design.com
(512) 975.0252

PROJECT

LYRA RESIDENCE

1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

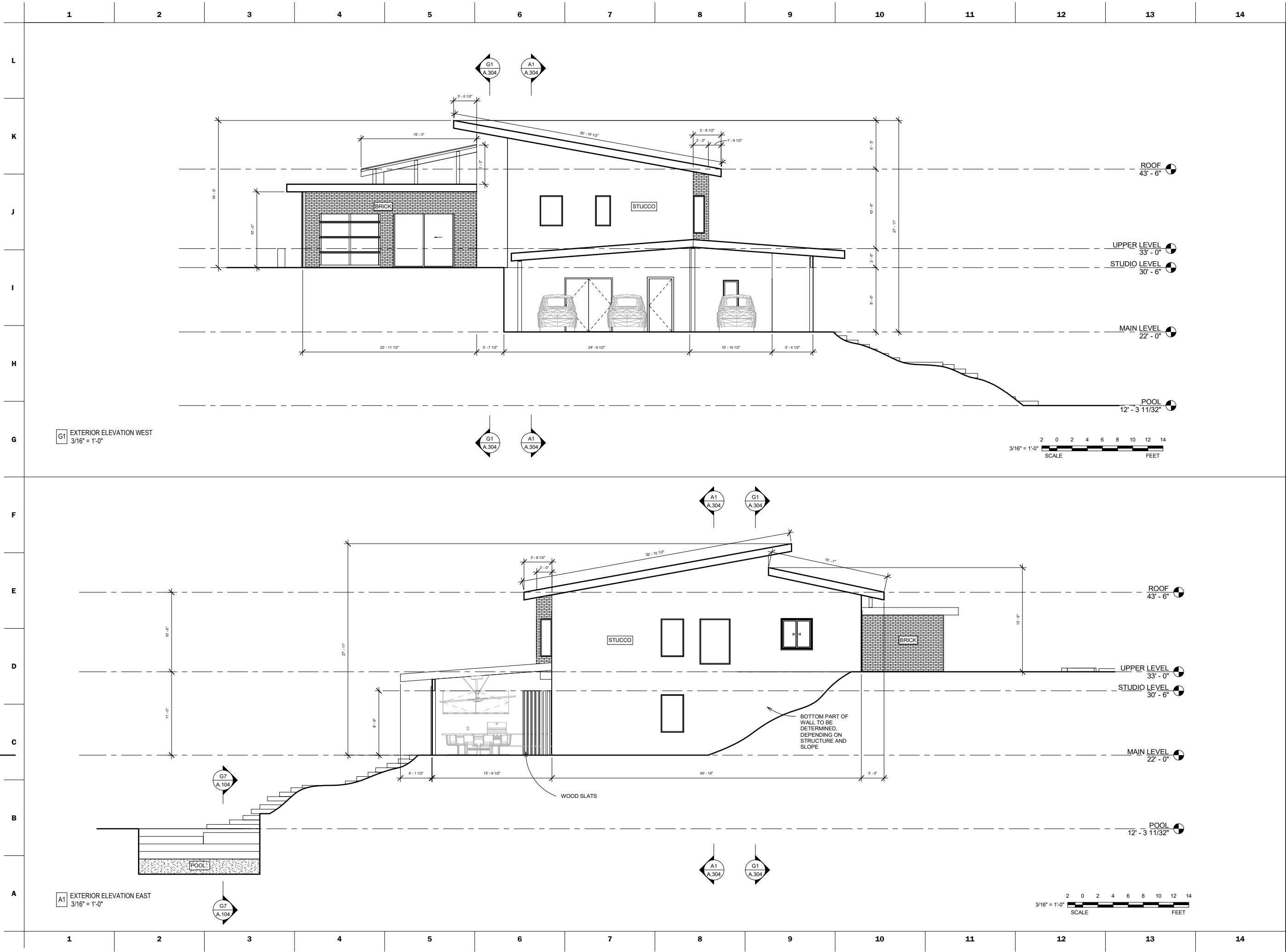
CLIENT
Ricardo & Elena Lyra

DATE	DESCRIPTION

PROJECT NUMBER	<u>2020001</u>
DESIGNED BY	<u>EL</u>

FLOOR PLAN - UPPER
LEVEL

A.102



PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

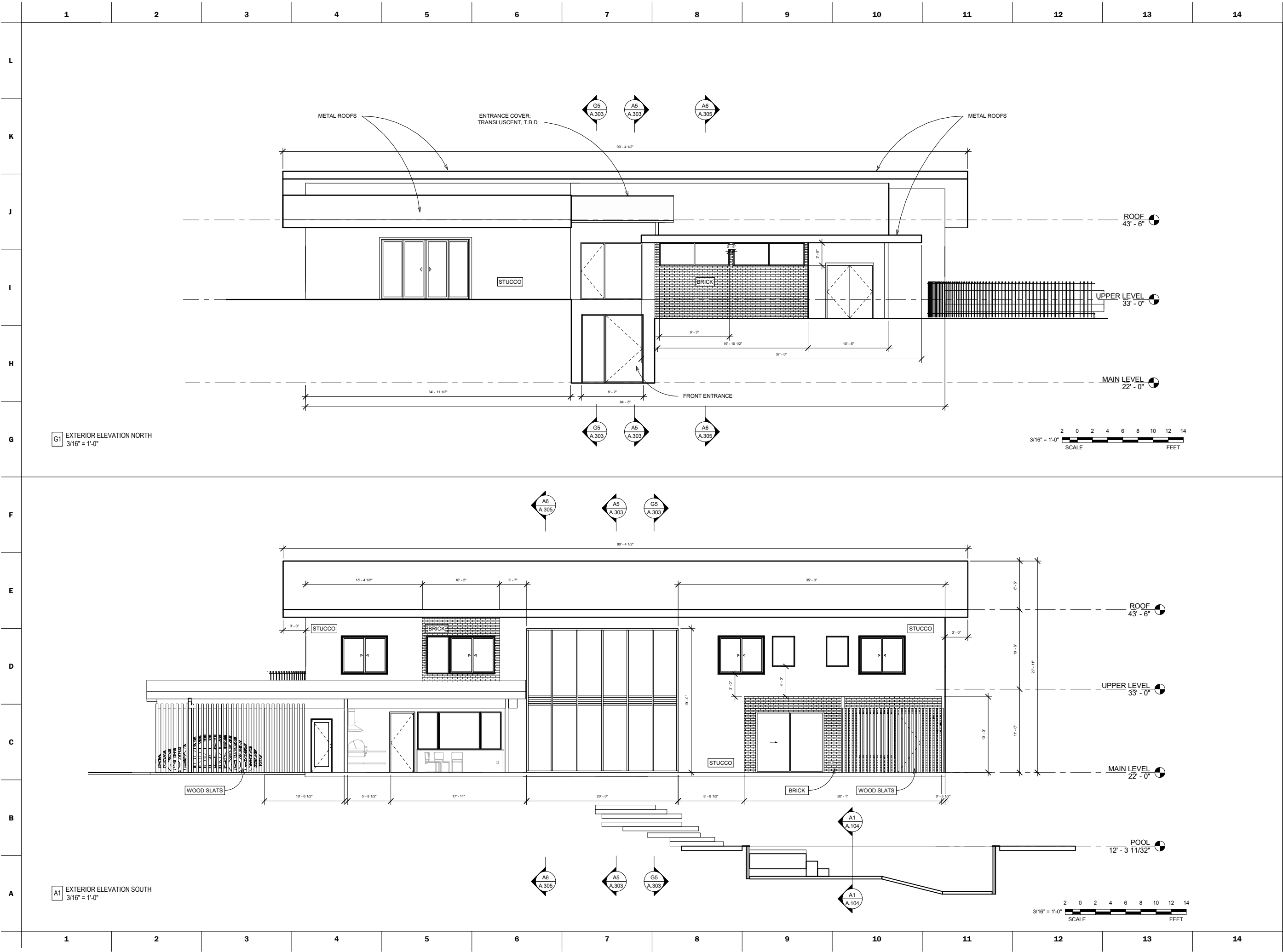
CLIENT
Ricardo & Elena Lyra

REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY EL

ELEVATIONS E & W



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(512) 975.0252

PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

CLIENT
Ricardo & Elena Lyra

REVISION LIST	
DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY EL

ELEVATIONS N & S



Render - View from the street

December 2, 2020

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Page 60 of 281



Render - Back view

December 2, 2020

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SIGN VARIANCE APPLICATION STAFF REPORT

JANUARY 20, 2021

Project Address: 4611 Bee Cave Road

Project Number: 16026

Agenda Item: Land Use: **4611 Bee Cave Road:** Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, area, and sign base height. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.

Applicant Information: David Alsmeyer

Location: The property is located on the south side of Bee Cave Road, west of Buckeye Trail and east of Swiftcurrent Trail.

Zoning & Site Characteristics:

The property is zoned O – Office District. The entire property is approximately 2 acres.

Hearing Dates:

November 18, 2020 ZAPCO (*withdrawn at Applicant's request-no discussion*)

January 20, 2021 ZAPCO

January 27, 2021 City Council

Background/Analysis:

The Applicant is applying for a variance for a new monument sign to replace the existing sign. The driveway has a steep grade, and the applicant is asking for a height variance in order for the sign to be more visible from the street level. The proposed sign is 12ft 11in tall, and the Code allows a maximum of 8ft measured from natural ground grade. The total sign area is approximately 57.35sf, and the maximum allowed area is 36sf. Additionally, the sign base exceeds the maximum permitted 18in.

Sign Review under City Code Sec. 32.03.006 (Freestanding commercial signs, multitenant shopping center or office complex; option I, option II, and option III) – Option II

- 1) Purpose. *To identify the name of the multitenant shopping center or office complex (subject to the limitations contained in subsection (F) below) and the businesses located therein.* | **Complies**

- 2) Size. *A maximum size of 36 square feet, with a horizontal dimension of no greater than 9 feet.* | **The proposed sign is approximately 57.53sf (or 35.64sf for the sign panels minus the base) – variance requested.**
- 3) Height. *No part of the sign shall extend above 8 feet from average natural grade, including a base no greater than 18 inches tall.* | **Proposed sign is 12’11” – variance requested.**
- 4) Number. *One sign on the major traffic street or main entrance. If a multitenant shopping center has two or more public entrances, a separate sign is permitted on the subordinate driveway and such sign shall be limited in area to 12 square feet, no part of such sign shall extend above 5 feet from average natural grade and such sign shall only contain the name of the center (subject to the limitations contained in subsection (F) below) and the street address.* | **Only one sign proposed; complies. Proposed sign will replace existing monument sign.**
- 5) Location. *On premises of the center or complex and adjacent to major trafficway which the building abuts, between the right-of-way and the building setback lines so as not to create a traffic hazard.* | **Location complies**
- 6) Design. *The monument sign design shall contain the name of the center and the address at the top of the sign; the individual businesses may be listed under the name of the complex. Lettering designating the name of the shopping center and street address shall not exceed a maximum of 7 inches in height. Other subordinate lettering designating retail businesses shall not exceed 3 inches in height. The base of the monument sign shall have a maximum height of 18 inches in a landscaped setting, and any design shall be shown not to create a traffic hazard. The name of the multitenant shopping center or office complex may not be the same or similar to any individual tenant or business located in such shopping center or office complex.* | **Sign base is 4’11” and maximum permitted base is 18”.**
- 7) Lighting. *Indirect.* | **Sign is internally illuminated, complies.**
- 8) Landscaping: Shall be as follows:
 - (i) A landscaped area of 120 square feet at the base of the sign;
 - (ii) All landscaped areas shall be maintained in a neat, clean and healthy condition throughout the life of the permit; and
 - (iii) A plan showing the landscaping must be submitted to the council by the applicant at the time of application. | **Complies**

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
The application states – “Due to the topography of the site and the raised roadbed from the reconstruction of Bee Cave Road, the proposed sign location sits 4’11”

below the street level. In addition, the proposed sign sits approximately 20 feet from the road due to easements and road ROW. Lastly, a large heritage oak tree to the west of the proposed sign limits visibility from the West. Without a height variance we believe these 3 factors will result in poor visibility of the sign.”

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

The application states – “We are using the existing masonry sign base so there will be no excavation work or removal of any existing plant material. We worked with the City Arborist in the Fall of 2019 to prune a nearby heritage oak tree to make sure the proposed sign would not interfere with the tree’s canopy.”

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

The application states – “The frontage of the site falls off very steeply from the road and is heavily wooded in a natural terrain setting including several heritage trees. Any other location for the sign on the site would result in major disruption to the landscaping and would probably be less visible due to a concrete bulkhead installed during the road reconstruction.”

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

The application states – “The height and sign base variance we are requesting will bring the monument sign to 8 feet above street level and is needed for effective visibility. The variance for area of the sign face is necessary because the 4’11” sign base that is needed to raise the sign is included in the calculation.”

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

The application states – “We believe the intent of the Ordinance is to limit the height of tenant signs to 8 feet and 36 sf of area on the sign face at street level. At the street level, our proposed sign is in full compliance with the ordinance. The height and sign base variances are necessary to position the sign to where it can be seen. The sign face area complies if the sign base is not included in the calculation.”

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

The application states – “The neighboring properties have similar tenant signage include the Bright Horizons sign at the property to our west. Their site has similar topo as the subject site. The sign constructed there is nearly 17’ above grade with 42 sf of sign area. Our proposed sign is modeled after the Bright Horizons sign but is much smaller. We used the same sign company to design our sign and it will be constructed with high quality materials/illumination. In addition, our proposed sign

sits approximately 20 feet back from the road and will not be visible from the neighboring properties.”

Staff Recommendation

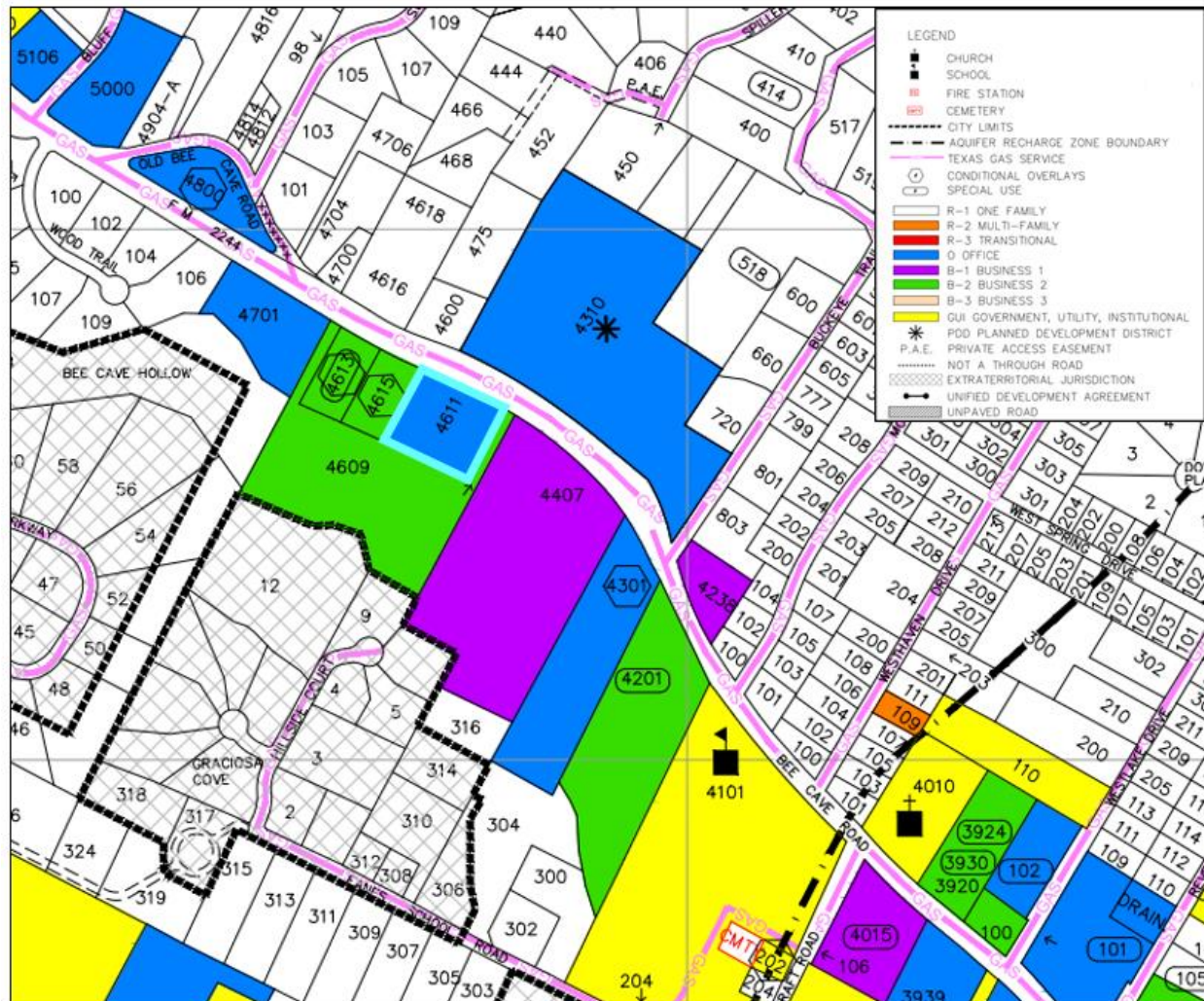
The proposed sign is much larger than what the Code permits at almost 5ft taller than the maximum height, and the total sign area is a little over one and a half times the permitted size. The original design was much larger and the Applicant has brought the height down by approximately one foot and significantly reduced the sign area.

As proposed, the sign does not appear to be the minimum needed to alleviate the hardship. Staff therefore recommends: 1) denial; or 2) ZAPCO could consider recommending a smaller sign that minimizes the requested variances.

Relevant Code Links:

- [Article 32.02 – Permits and Inspections](#)
- [Section 32.01.013 – Design review guidelines](#)
- [Section 32.03.006 – Freestanding commercial signs, multitenant shopping center or office complex; option I, option II, and option III](#)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 4611 BEE CAVE RD.
Applicant Name: DAVID ALSMEYER
Designated Agent (if any, Power of Attorney Required): N/A
Applicant Phone Number: 512-971-9111 Email Address: [REDACTED]
Date Application was Submitted: 12/11/20
Variance(s) Requested:

- OVERALL HEIGHT (4'11")
- SIGN BASE (4'11")
- SIGN FACE AREA (21.7 SF)

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____
Postponement History (if any): _____
Notes: _____

LETTER TO ZAPCO CHAIRPERSON

January 14, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

Dear Mr. Chairman:

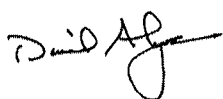
This letter summarizes our request to raise a proposed tenant sign 4' 11" on a multi-tenant office building located at 4611 Bee Caves Road. We believe a hardship exists because of the following:

1. The reconstruction of Bee Caves Road resulted in a raised roadbed and the installation of a concrete bulkhead and railing along the front of the property, and;
2. The topography of the site is such that it falls steeply from the road. This puts the foundation of the proposed sign 4' 11" below and 20 feet back from the current surface of the road, and;
3. We tried to find an alternate location for the sign but the topography and presence of heavily landscaped natural terrain including several heritage trees on the site made this option more disruptive to the landscaping.

We plan to replace the existing sign using the same masonry foundation so that the footprint of the sign will not change. From the reconstructed roadway, the proposed sign will be 8 feet above street level. It will be made of high-quality materials and comply with all other parts of the sign ordinance.

Without a variance, we believe the tenant sign would lack visibility from the road. This sign is the sole sign on the property and is the only place the address is posted. First responders and building visitors alike rely on clear, visible signage to safely identify and enter the property.

Sincerely,



David Alsmeyer
Managing Agent,
4611 Bee Cave Holdings, LLC

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

- (1) 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.**

Due to the topography of the site and the raised roadbed from the reconstruction of Bee Cave Road, the proposed sign location sits 4' 11" below the street level. In addition, the proposed sign location is approximately 20 feet back from the road due to easements and road ROW. Lastly, a large heritage oak tree to the west of the proposed sign location limits visibility from the West. These 3 factors have created a hardship that will result in poor visibility of the sign.

- (2) 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?**

We are using the existing masonry sign foundation so there will be no excavation work or removal of any existing plant material. We worked with the City Arborist in the Fall of 2019 to prune a nearby heritage oak tree so the proposed sign would not interfere with the tree's canopy.

- (3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?**

The frontage of the site falls off very steeply from the road and is heavily wooded in a natural terrain setting including several heritage trees. Any other location for the sign on the site would result in major disruption to the landscaping and would probably be less visible due to a concrete bulkhead installed during the road reconstruction.

- (4) Why do you believe the variances you are requesting are the minimum required to alleviate the difficulty or hardship you think exists?**

The height & sign base variance we are requesting will bring the monument sign to 8 feet above street level and is needed for effective visibility. The variance for area of the sign face is necessary because the 4' 11" sign base that is needed to raise the sign is included in the area calculation.

- (5) Why do you believe your variances do not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?**

We believe the intent of the Ordinance is to limit the height of tenant signs to 8 feet and 36 sf of area on the sign face at street level. At the street level, our proposed sign is in full compliance with the ordinance. The height & sign base variances are necessary to position the sign to where it can be seen. The sign face area complies if the sign base is not included in the calculation.

- (6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?**

The neighboring properties have similar tenant signage including the Bright Horizons sign at the property to our west. Their site has similar topo as the subject site. The sign constructed there is nearly 17' above grade with 42 sf of sign area. Our proposed sign is modeled after the Bright Horizons sign but is much smaller. We used the same sign company to design our sign and it will be constructed with high quality materials/illumination.

In addition, our proposed sign sits approximately 20 feet back from the road and will not be visible from the neighboring properties.



EAGLE CENTER

512.888.9788 | 5213 Tucker Hill Ln., Cedar Creek TX 78612 | www.CNDSigns.com



Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

PAGE	2	OF	5
ART VERSION	190557-16		
DATE	01/13/21		
SALES	Paul		
PM	PM		
DESIGN	Jeg		

09/16/20 CHANGES JEG
11/12/20 SQFT ADJUSTMENT BY
JEG
01/13/21 ADD TOTAL SQFT
01/14/21 DATA ADDED

CONCEPTUAL DESIGN ONLY FINAL
DIMENSIONS DETERMINED AT
PRODUCTION.

ALL DESIGNS ARE PROPERTY OF AND FOR
THE SOLE USE OF CND SIGNS. CND SIGNS
RETAINS RIGHTS TO ALL ARTWORK,
DESIGNS AND LAYOUTS UNTIL FURTHER
ARRANGEMENTS ARE MADE IN A
WRITTEN CONTRACTUAL AGREEMENT.
CND SIGNS DOES NOT HESITATE TO
PROSECUTE FOR UNAUTHORIZED
REPRODUCTION OF ITS DESIGNS UPON
DISCOVERY THAT A DESIGN HAS BEEN
SHARED, RECREATED OR REPRODUCED
WITHOUT APPROPRIATE PERMISSIONS.

A/ DOUBLE SIDED MONUMENT SIGN

FONT: BLAIR MD ITC / PRESICAV REG.
SQ. FOOTAGE: 57.35
SCALE: 1/8"=1'-0"

SCOPE OF WORK: FABRICATE AND INSTALL **ONE (1)** MONUMENT SIGN TO SPECIFICATIONS

- WELDED SQUARE TUBE FRAME
- .090 ALUMINUM CABINET FINISHED MP 02653 MEDICI IVORY STUCCO
- **EAGLE CENTER**
- 1/2" PUSH THRU WHITE MILKY WHITE ACRYLIC LETTERS
- **TENANT PANELS**
- .090 ALUMINUM CABINETS FINISHED FAUX CORTEN STEEL WITH ROUTED
OUT LETTERS BACKED WITH WHITE TRANSLUCENT ACRYLIC
- WHITE LED ILLUMINATION
- **4611**
- 1/4" FLAT CUT OUT NUMBERS FINISHED IN MP DARK BONZE WITH
.063 ALUMINUM BACK PLATE FINISHED IN MP WHITE MOUNTED ON TOP
OF CABINET
- LANDSCAPE BY OTHERS
- POLE AND FOUNDATION PER ENGINEERING

MINIMUM ELECTRICAL REQUIREMENTS:

ONE (1) 120V 20A DEDICATED CIRCUITS WITHIN 6' OF SIGN, INSTALLED BY OTHERS



MP DARK BRONZE 20190



MP02653 MEDICI IVORY



EXISTING



PROPOSED



NIGHT VIEW

Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

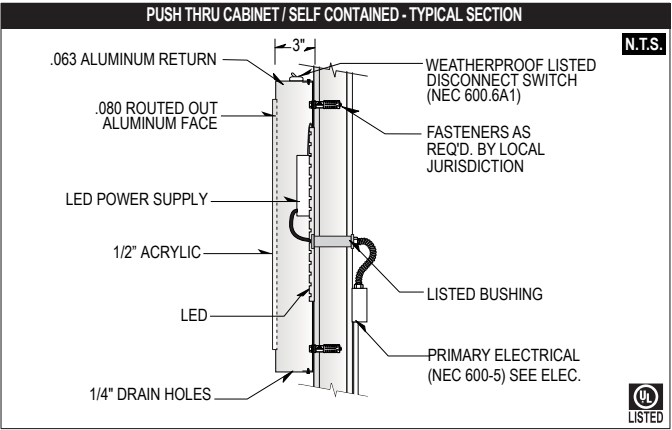
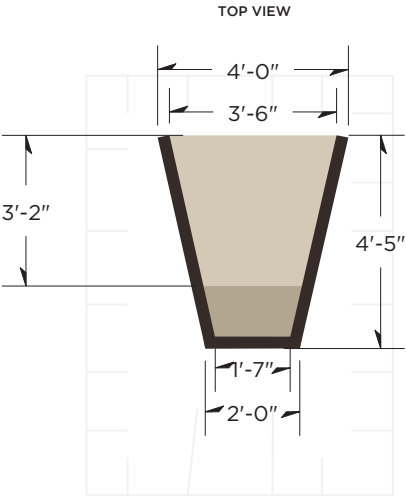
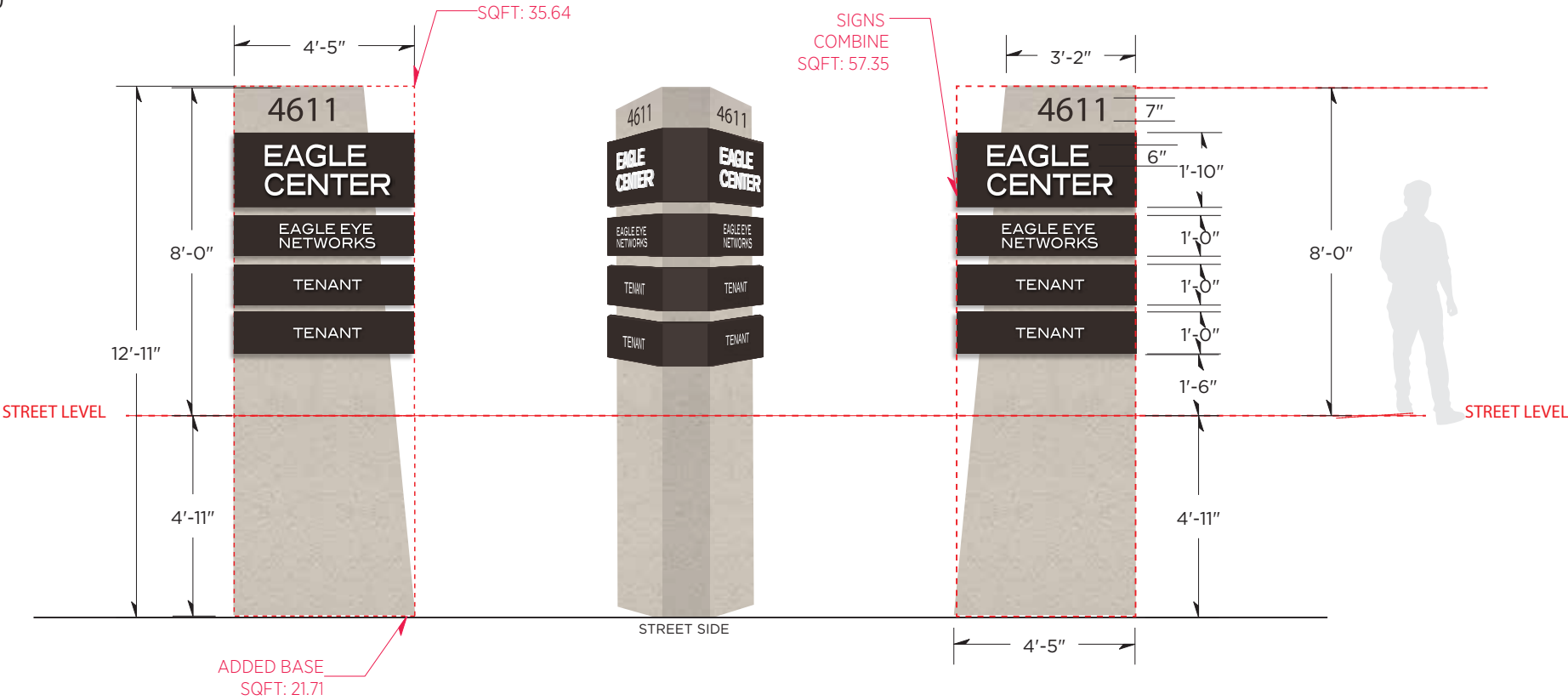
PAGE	3	OF	5
ART VERSION	190557-16		
DATE	01/13/21		
SALES	Paul		
PM	PM		
DESIGN	Jeg		

09/16/20 CHANGES JEG
11/12/20 SQFT ADJUSTMENT BY JEG
01/13/21 ADD TOTAL SQFT
01/14/21 DATA ADDED

CONCEPTUAL DESIGN ONLY FINAL
DIMENSIONS DETERMINED AT
PRODUCTION.

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REPRODUCTION OF ITS DESIGNS UPON
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SHARED, RECREATED OR REPRODUCED
WITHOUT APPROPRIATE PERMISSIONS.

SCALE: 1/4"=1'-0"



Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

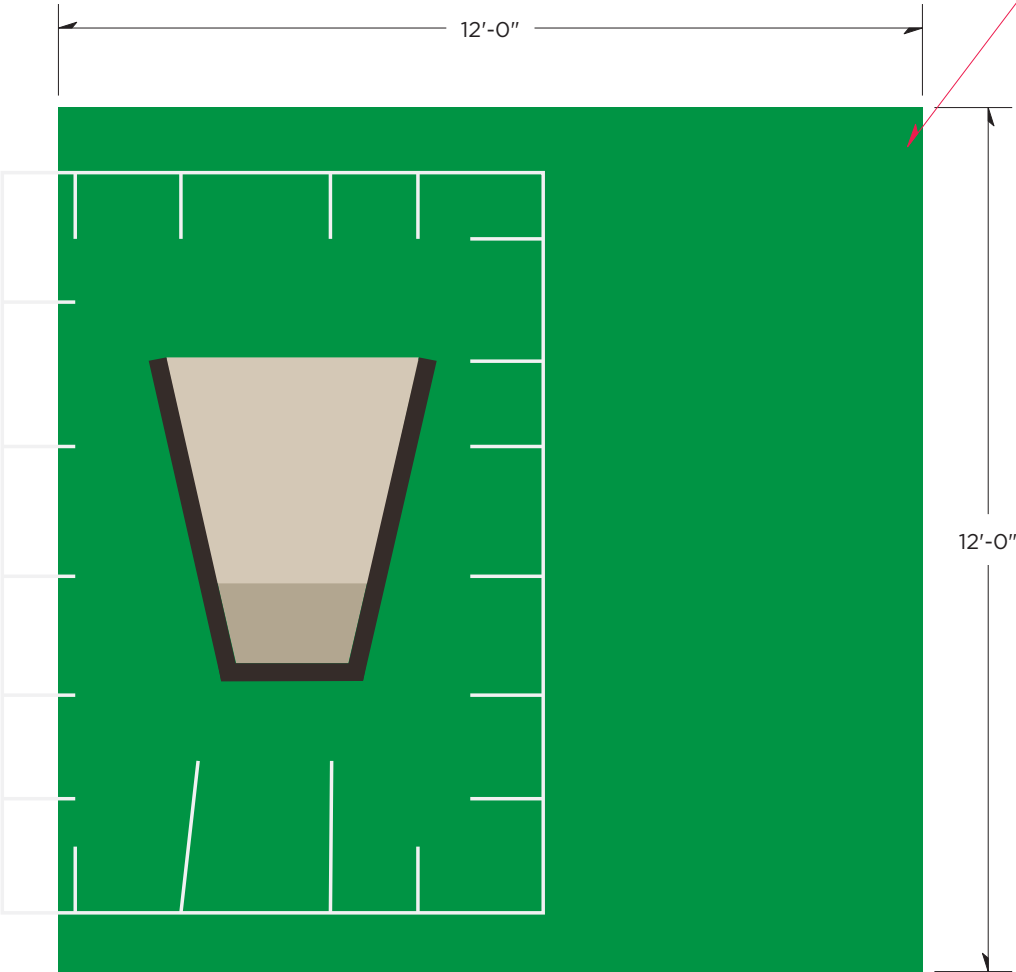
PAGE	4	OF	5
ART VERSION	190557-16		
DATE	01/13/21		
SALES	Paul		
PM	PM		
DESIGN	Jeg		

09/16/20 CHANGES JEG
11/12/20 SQFT ADJUSTMENT BY JEG
01/13/21 ADD TOTAL SQFT
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LANDSCAPE AREA OF 120' SQFT SURROUNDING
BASE OF SIGN AREA



ASIAN JASMINE GROUND COVER

SCALE: 3/8"=1'-0"



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Rd.
West Lake Hill,
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PAGE	5	OF	5
ART VERSION	190557-16		
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GROUND LEVEL REFERENCE



NTS





EAGLE CENTER

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TX 78746

PAGE	2	OF	6
ART VERSION	190557-12		
DATE	09/30/20		
SALES	Paul		
PM	PM		
DESIGN	Capo		

09/16/20 CHANGES JEG

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A / VARIANCE PHOTOS



FROM MIDDLE LANE



FROM LEFT LANE



FROM RIGHT LANE



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PAGE	3	OF	6
ART VERSION	190557-12		
DATE	09/30/20		
SALES	Paul		
PM	PM		
DESIGN	Capo		

09/16/20 CHANGES JEG

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WEST BOUND



EAST BOUND



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512.888.9788
WWW.CNDSIGNS.COM

Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

PAGE	4	OF	6
ART VERSION	190557-12		
DATE	09/30/20		
SALES	Paul		
PM	PM		
DESIGN	Capo		

09/16/20 CHANGES JEG

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DAMAGED SIGN

NEIGHBORS PROPERTY

1A / DOUBLE FACE ILLUMINATED MONUMENT

FONT: PER ART
SQ. FT: 30
SCALE: 1/2" = 1'

SCOPE OF WORK: FABRICATE AND INSTALL ONE (1) SIGN TO UL SPECIFICATIONS

- WELDED SQ. TUBE FRAME WITH ALUMINUM PLATE
- ROUTED ALUMINUM FACE WITH WHITE PLEX COPY (BACKED AND PUSH-THROUGH)
- WHITE LED ILLUMINATION
- SINGLE POLE SUPPORT WITH POLE COVER, STONE VENEER MATCHING EXISTING MONUMENT STONE AND TEXAS LIMESTONE

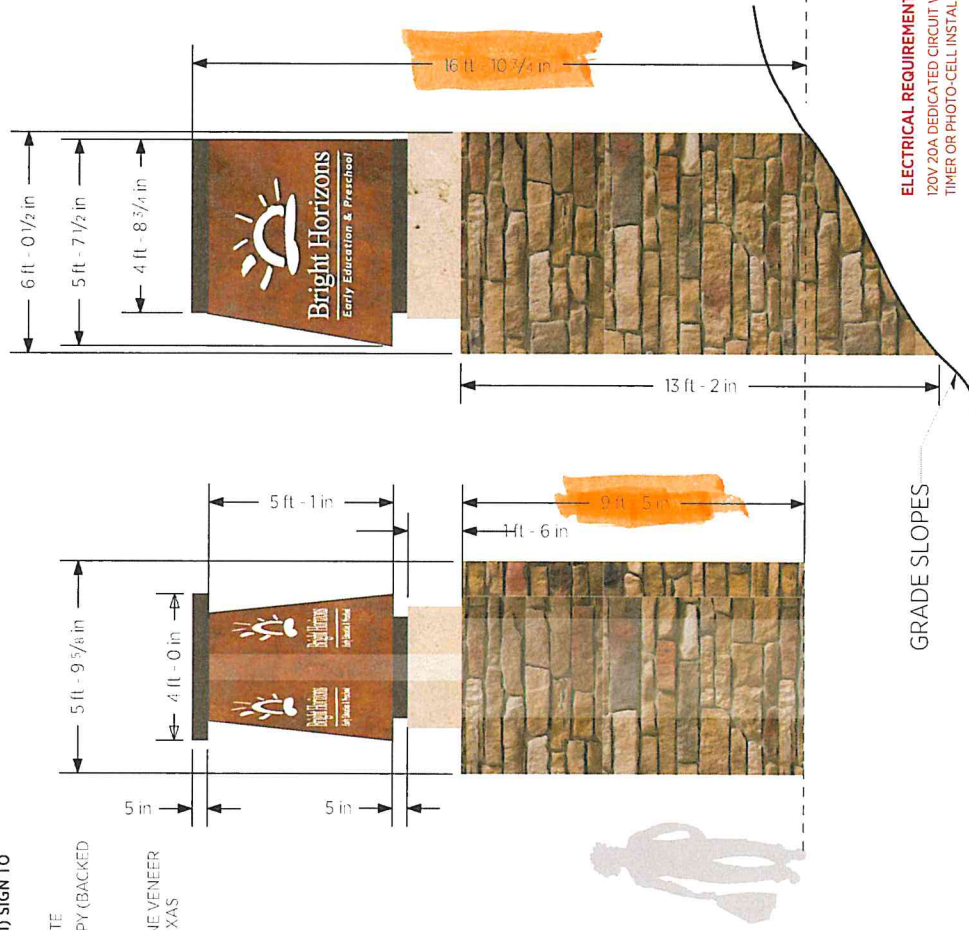
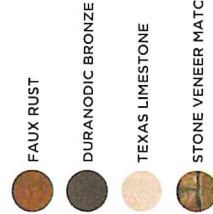
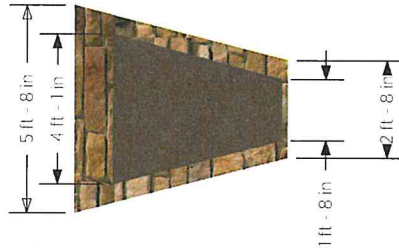
Bright Horizons

4611 Bee Caves
Rd., I Austin, TX
78746

PAGE	2	OF	3
ART VERSION	170412-2		
DATE	9/11/17		
SALES	Paul		
PM	pm		
DESIGN	Ashleigh		

DATE REVISION NOTE
9/14 ADD ILLUMINATION

ALL DESIGNS ARE PROPERTY OF AND FOR THE SOLE USE OF CND SIGNS. CND SIGNS RETAINS RIGHTS TO ALL ARTWORK. CND SIGNS DOES NOT WARRANT THAT THE ARRANGEMENTS ARE MADE IN A WRITTEN CONTRACTUAL AGREEMENT. CND SIGNS DOES NOT WARRANT TO REPRODUCE OR REPRODUCE THE DESIGN UPON DISCOVERY THAT A DESIGN HAS BEEN SHARED, RECREATED OR REPRODUCED WITHOUT APPROPRIATE PERMISSIONS.



GRADE SLOPES

SCALE: 1" = 1/4"

ELECTRICAL REQUIREMENT:
120V 20A DEDICATED CIRCUIT WITHIN 6' OF SIGN. INSTALLED BY OTHERS
TIMER OR PHOTO-CELL INSTALLED BY OTHERS

CND SIGNS DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician. Each sign must have: 1. A minimum of one dedicated 120V 20A circuit 2. Junction box installed within 6 feet of sign 3. Three wires: Line, Ground, Neutral
TECL 18581- REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION P.O. BOX 12157, AUSTIN, TEXAS 78711, 1-800-803-9202, 512-463-6595; WEBSITE: WWW.LICENSE.STATE.TX.US/COMPLAINTS





FENCE VARIANCE STAFF REPORT

JANUARY 20, 2021

Project Address: 618 Rocky Ledge

Project Number: 16338

Agenda Item: Land Use: 618 Rocky Ledge: Discussion/recommendation on a variance request to construct a fence and driveway gates encroaching the front yard setback (West Lake Hills Code Sec. 22.03.173(d)(6)(a)). Owner Chris Birchby/Applicant Austin Nelson.

Applicant Information: Owner Chris Birchby/Applicant Austin Nelson

Hearing Dates:

January 20, 2021 ZAPCO

January 27, 2021 City Council

Location: The subject property is located north of Bee Cave Road, west of Bulian Lane, and south of Oak Ridge Drive.

Zoning & Site Characteristics:

The subject property is zoned R-2 – Two-Family Residential and is approximately 1.0339 acres.

Background & Analysis:

The applicant is seeking a variance to the front yard fence and gate setback of 30ft to provide a secure area for the owner's children and dogs to safely play. Due to a natural limestone outcropping in the front yard and landscaped terraces, installing a fence at the 30ft setback would pose a challenge and significant disruption to the landscape as well as the natural features and septic field. The applicant is therefore requesting to install a fence and driveway gate 15ft back from the street pavement edge.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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

The application states – "The front yard at 618 Rocky Ledge presents multiple hardships in the form of existing topographical features and natural terracing of the land. The lot, as a whole, presents topographical challenges that subsequently led to

the layout of the home and landscape design decisions to protect the natural qualities of the unique landscape...The placement of a fence beyond 15ft from the private street would result in the fence having to traverse a significant limestone boulder terrace that exceeds 10ft in height as well as a significant limestone outcropping.”

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

The application states – “The sole purpose of this variance is to ensure minimal impact to the existing natural terrain and flora. The placement of this fence has been dictated by the natural terracing of the property as well as an effort to minimally impact the larger trees and existing vegetation. At the 30 foot setback, the fence would have conflict with the limestone terracing and make construction impossible due to rapid elevation change, render the fence ineffective by creating gaps, or make it unable to meet the city design standards (height).”

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

The application states – “We have considered routing the fence at the required setback, but in doing so, the fence would be significantly disruptive to the septic field, water mitigation/site flow, surrounding vegetation, and natural terracing that currently existing on the site.”

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

The application states – “The 15 ft setback we are requesting is the maximum setback we can request in order to avoid impacting the natural limestone terracing in the front yard or significant trees located in the setback.”

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

The application states – “With respect to the City’s comprehensive plan, this variance is strongly considering the disruption to natural environment/terrain and the impact the fence may have on the streetscape. We believe that this fence is both respecting the intent of a natural street scape by minimizing its impact to the existing natural environment.”

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

The application states – “When current ownership purchased 618 Rocky Ledge, they also purchased 620 Rocky Ledge (the adjacent property to the east). The property across the street (617 Rocky Ledge) also has a non-conforming fence, set back at 15 feet. The home located across Rocky Ledge and to the west (505 Rocky Ledge) does not have direct views of the house or new fence from their home.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

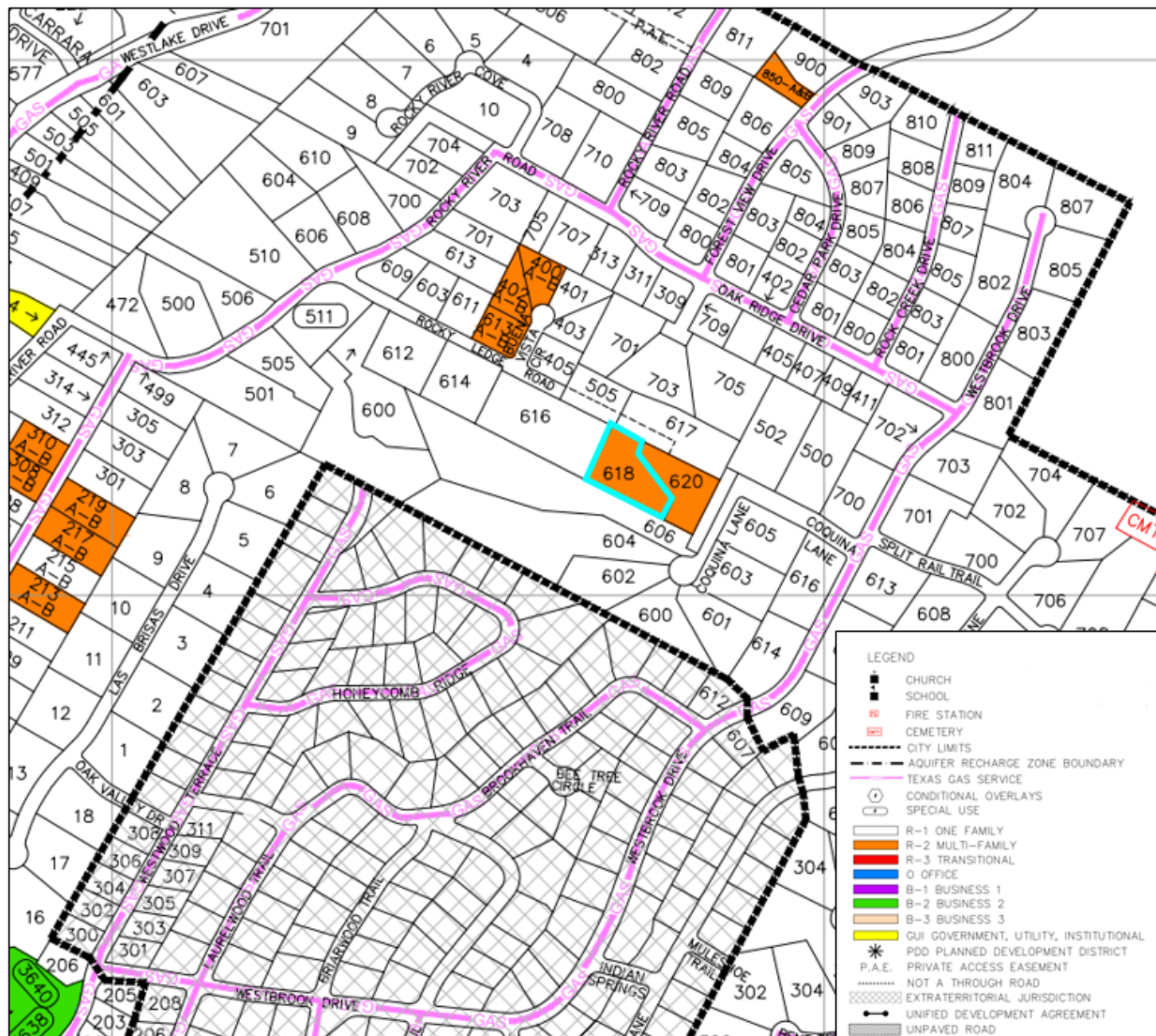
Staff recommends approval of the requested setback variance due to the natural site constraints including limestone outcroppings and vegetation that prevent the fence from complying with the setback.

Links to Relevant Code:

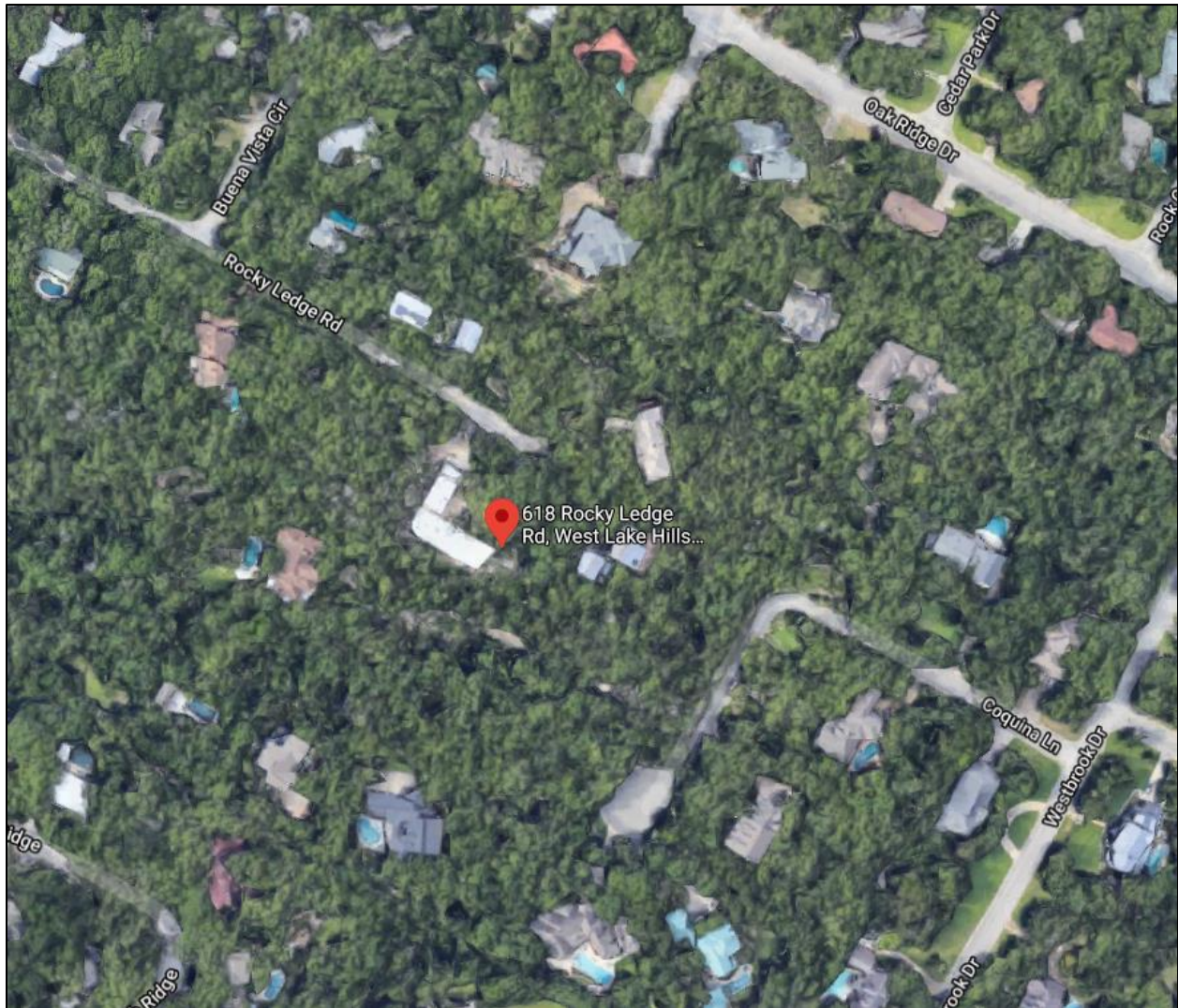
- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.173 Fences](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 618 Rocky Ledge, Westlake Hills, Austin Texas 78746
Applicant Name: Chris Birchby
Designated Agent (if any, Power of Attorney Required): Austin Nelsen
Applicant Phone Number: 512.522.6804 Email Address: [REDACTED]
Date Application was Submitted: December 3, 2020
Variance(s) Requested:

Front yard fence Setback at 15ft from the private street, rather than the required 30 ft setback for lots exceeding .75 acres

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____

Postponement History (if any): _____
Notes: _____

Date: 12/3/2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

Dear Mr. Chairman,

I am seeking a variance to the required front yard fence setback at 618 Rocky Ledge in an effort to provide a secure space for the owner's children and dogs while adhering as closely as possible to existing guidelines and design standards of the City of Westlake. The subject property, due to its size, is required to have a 30 ft fence setback. However, due to the natural limestone outcropping in the front yard that begins at roughly 20 feet setback from the paved road and the landscaped terraces for the purpose of water flow/mitigation, adhering to a 30 foot setback causes significant challenges and hardships in both constructability as well as substantial disruption to the landscape, septic field, and natural rock formations. For this reason, we are requesting a variance to allow us to build a fence at 15 feet setback from the edge of paving of the street. It is worth noting that the subject property is located at the dead end of Rocky Ledge, which is a private drive, and the only other adjacent property located at 617 Rocky Ledge also has a non-conforming fence set back at 15 feet from the edge of the paved surface.

We fully understand the intent of the City's comprehensive plan in regards to front yard fences, and will be adhering to all of the design guidelines with exception of the setback. Due to the location and nature of the property located at 618 Rocky Ledge, we do not believe this variance would impact the intent of the City's comprehensive plan or be uncharacteristic of Rocky Ledge in general, as it is already home to 3 other non-conforming fences and multiple non-conforming structures. Rocky Ledge is a very unique street that is maintained solely by ownership of the surrounding properties. It is nearly a one lane, dead end street and incredibly private. We believe this variance will not cause any uncharacteristic changes to the street scape or nature of the private drive, and will not encumber or disturb the enjoyment of any nearby residences or neighbors. The goal of this variance is to allow the owners to build a fence for the safety and enjoyment of their family while adhering to design standards and minimally disrupt the natural and landscaped environment.

I greatly appreciate your consideration in this matter and look forward to working with you and the city to find a solution that is copesetic with this community.

Sincerely,

Austin Nelsen
Owner's Representative

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

1. 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.

The front yard at 618 Rocky Ledge presents multiple hardships in the form of existing topographical features and natural terracing of the land. The lot, as a whole, presents topographical challenges that subsequently led to the layout of the home and landscape design decisions to protect the natural qualities of the unique landscape and provide avenues for water to flow across the property without impacting or flooding the existing structures. The placement of a fence beyond 15 feet from the private street would result in the fence having to traverse a significant limestone boulder terrace that exceeds 10 feet in height as well as a significant limestone outcropping. Due to the nature of the topography, it would be physically impossible to construct the fence in accordance with the City of Westlake fencing requirements and maintain a consistent design aesthetic for the length of the fence that would face the private street.

2. Why do you think the natural terrain and existing flora will not be unreasonably disrupted destroyed in the variance you are requesting is granted?

The sole purpose of this variance request is to ensure minimal impact to the existing natural terrain and flora. The placement of this fence has been dictated by the natural terracing of the property as well as an effort to minimally impact the larger trees and existing vegetation. At the 30 foot setback, the fence would have conflict with the limestone terracing and make construction impossible due to rapid elevation change, render the fence ineffective by creating gaps, or make it unable to meet city design standards (height). Within the 20-30 foot setback lies most of the large trees and significant vegetation in the front of the lot. Fencing in the 20ft setback would require multiple jogs in the fence line to avoid substantial / protected trees, and would impact critical root zones in any case. At 15 Feet, the landscape already has a natural clearing between the larger trees and the smaller shrubs and flora. Locating this fence at the 15 foot setback would allow construction of the fence while creating minimal impact to the terrain and flora.

3. What other reasonable alternatives have you considered. Why wont these other options alleviate the difficulty or hardship you think exists?

We have considered routing the fence at the required setback, but in doing so, the fence would be significantly disruptive to the septic field, water mitigation/site flow, surrounding vegetation, and natural terracing that currently exists on the site. The goal of this fence and variance request is to minimize the impact to the naturally occurring landscape, adhering to aesthetic design standards, and providing a functional fence for the property.

4. Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

The 15 ft setback we are requesting is the maximum setback we can request in order to avoid impacting the natural limestone terracing in the front yard or significant trees located in the setback. The natural terracing creates a pinch-point between itself and the road, where large trees

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

and smaller shrubs occupy the space. At the 15 ft setback, there is a natural path for a fence line that would be minimally disruptive to the landscape.

5. Why do you believe your variance does not violate the intent of the zoning ordinance or the goals of the city's comprehensive plan?

With respect to the City's comprehensive plan, this variance is strongly considering the disruption to natural environment/terrain and the impact the fence may have on the streetscape. We believe that this fence is both respecting the intent of a natural street scape by minimizing its impact to the existing natural environment. The subject property is located at the dead end of a private street that does not ultimately contribute significantly to the through streets that characterize the City of Westlake as referenced in the Comprehensive Plan.

6. Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.

When current ownership purchased 618 Rocky Ledge, they also purchased 620 Rocky Ledge (The adjacent property to the EAST). The property directly across the street (617 Rocky Ledge) also has a non-conforming fence, set back at 15 feet. The home located across Rocky Ledge and to the west (505 Rocky Ledge), does not have direct views of the house or new fence from their home. It is also worth noting 505 Rocky Ledge has a non-conforming driveway and garage, with a variance granted due to similar site constraints facing 618 Rocky Ledge. 601 Rocky Ledge, 611 Rocky Ledge, and 617 all have non-conforming 15 ft setback fences, creating a precedence for the setback on the Street. 618 (Subject property) and 620 Rocky Ledge are last homes on the dead end / private street and are under same ownership. For these reasons we do not believe our variance will adversely affect the neighboring properties or lead to a significant change in the streetscape, but rather, will compliment similar existing condition on Rocky Ledge.

Property Address: 618 Rocky Ledge, West Lake Hills, Texas 78746



Proposed Fence Design
Final design will meet 80%
visibility design criteria.



30

20'

15

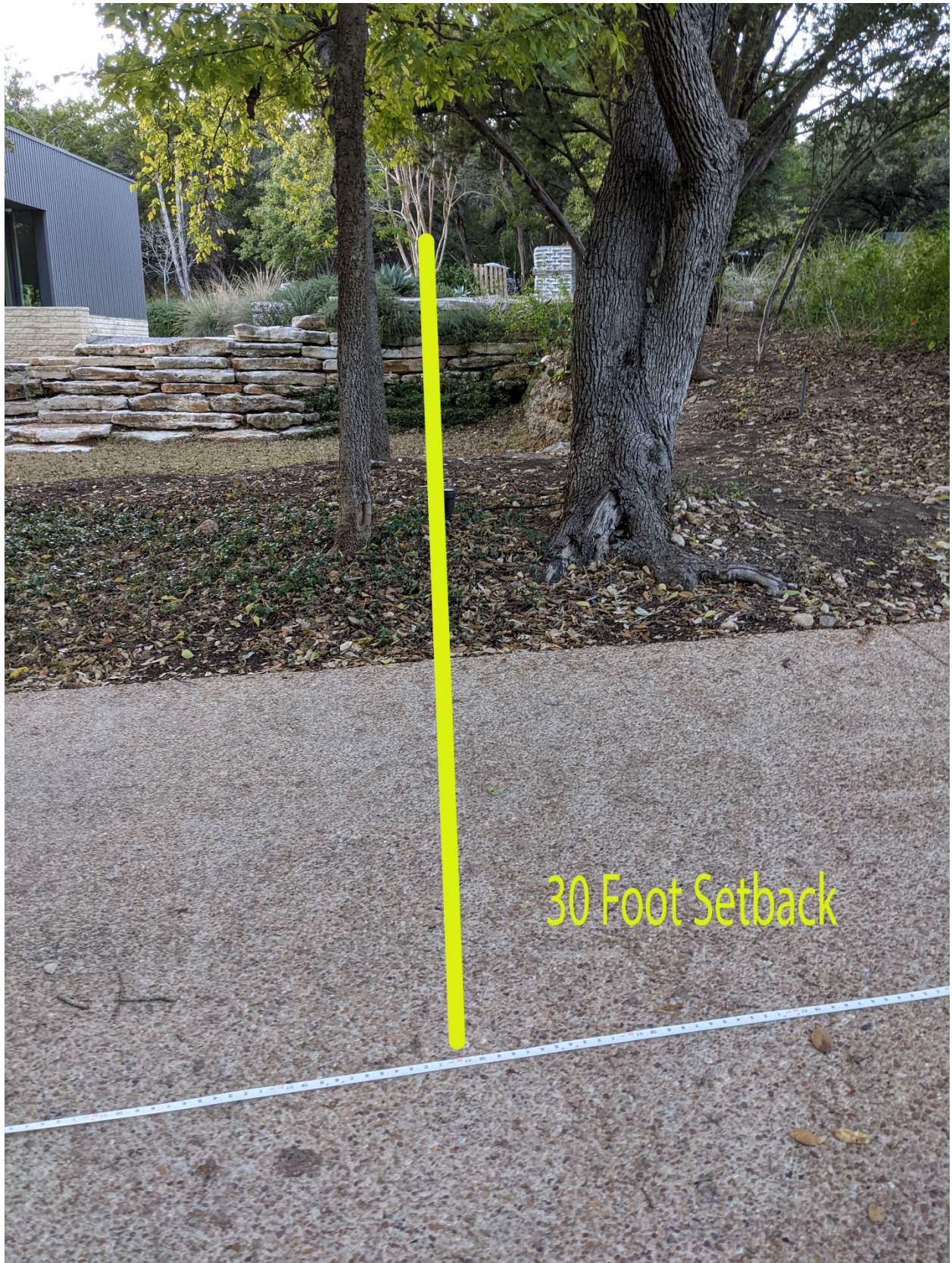
















SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Chris Birchby
have made, constituted and appointed Austin Nelsen
to be my duly authorized representative in connection with an application dated 12/3/2020,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

Chris Birchby

Property Owner/Applicant Name


Property Owner/Applicant Signature

618 Rocky Ledge

Street Address

Westlake Hills

City

Texas

State

78746

Zip Code

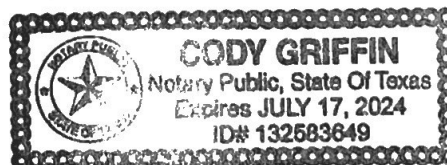
310-346-6868

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this 15 day of December, 2020.



Notary Public in and for the State of Texas





TREE VARIANCES STAFF REPORT

JANUARY 20, 2021

Project Address: 201 Redbud Trail

Project Number: 16327

Agenda Item: Land Use: 201 Redbud Trail: Discussion/recommendation on a variance request to remove four trees 14" or greater in order to construct a new residence: 1) Tree # 5710 - 16" Cedar; 2) Tree # 5620 - 14.5" Cedar; 3) Tree # 5696 - 16.5" Multi-Trunk Spanish Oak; and 4) Tree # 5686 - 17.5" Multi-Trunk Spanish Oak (West Lake Hills Code Sec. 22.03.304). Owner Mark Hutchinson.

Applicant Information: Applicant Mark Hutchinson

Hearing Dates:

January 20, 2021	ZAPCO
January 27, 2020	City Council

Location: The subject property is located north of Laurel Valley Road, west of Westlake Drive, and southwest of Nob Hill Circle.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.0 acre. The property is vacant.

Background & Analysis:

The applicant is requesting variances for the removal of four trees greater than 14" – 1) Tree # 5620 (14.5" Cedar); 2) Tree # 5686 (17.5" Spanish Oak); 3) Tree # 5696 (16.5" Spanish Oak); and 4) Tree # 5710 (16" Cedar).

The property is vacant, and the proposed home takes into consideration the numerous trees in addition to other site constraints including steep slopes and a drainage easement located at the rear of the property. Due to the density of the vegetation, if the home were to be pushed further back, it would result in a large loss of trees (including those under 14"). The property is densely wooded enough to provide a vegetative buffer from neighboring properties.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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

The application states – “While the total area of the this site is 1 acre, only about 38% of the site is buildable due to the setback requirements at the front, sides and rear of the property and a drainage easement at the rear of the property.

Furthermore, the site has a steady, relatively steep downhill slope to it as you progress further from the street, which effectively is forcing us to locate the home as close to the 50’ front yard setback as possible.”

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

The application states – “We believe that the natural terrain and existing flora will not be unreasonably disrupted because the site is heavily wooded and since the propose variance trees are not proximate to the perimeter of the property, so the removal of these trees would not be expected to be visible to any of the neighbors. The remaining trees on the property would be expected to buffer visibility of the trees from the street and from the adjacent properties.”

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

The application states – “We attempted to design the home further recessed from the street and to locate the driveway on the other side of the property, in such a way that we could potentially preserve the proposed variance trees. However, after reviewing the proposed design with the concrete subcontractors, structural engineer and an arborist, we came to the conclusion that building the home deeper on the lot would make the construction of the foundation significantly more difficult and expensive, and it would most likely result in an even larger loss of total tree diameter because the trees become much denser the further back you go on the lot.”

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

The application states – “We have modified the design of the home to create various recesses along the perimeter of the home to provide space for a number of existing trees to be preserved, these trees are all below 14” in diameter though so they are not affected by this variance request. The four proposed variance trees are situated right in the middle of the property...”

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

The application states – “We understand that it is the City’s intent to preserve the natural environment that makes Westlake Hills such a desirable place to live. Since the property is heavily wooded, and since these proposed variance trees are in the

middle of the lot, we do not believe that the proposed removal of these trees will have any visual impact from the street or adjacent properties.”

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

The application states – “We do not believe that the neighboring properties would be negatively impacted by the removal of these trees due to the heavily wooded nature of the lot, and the location of these proposed variance trees in the middle of the lot, while the trees on the perimeter of the lot will remain as visual buffers for all of the neighboring properties.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

Staff recommends approval of the requested variance trees due to site constraints including steep topography, a drainage easement at the back of the property and the unique lot shape.

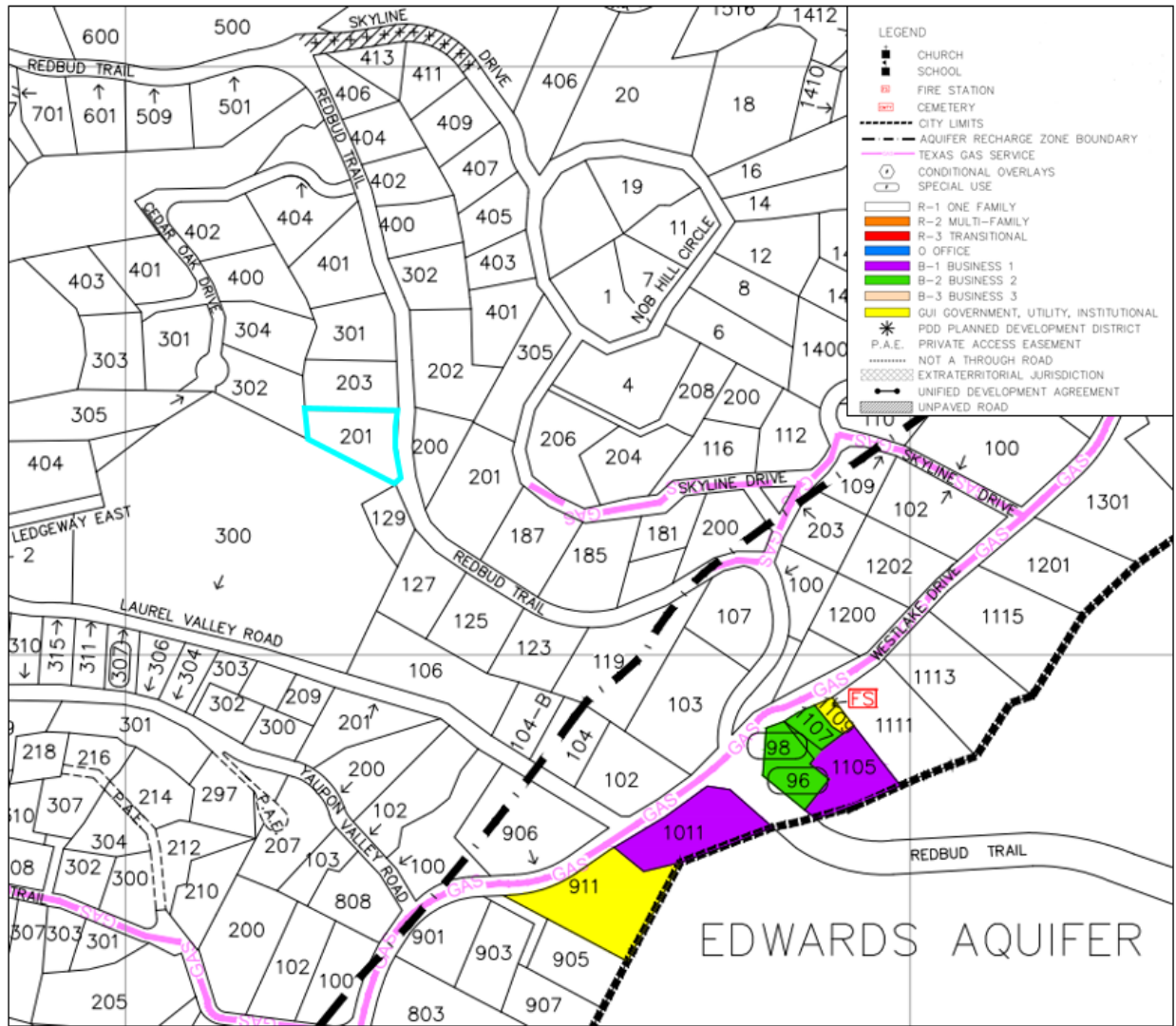
Removal of trees 14” and greater require mitigation at 150%.

Links to Relevant Code:

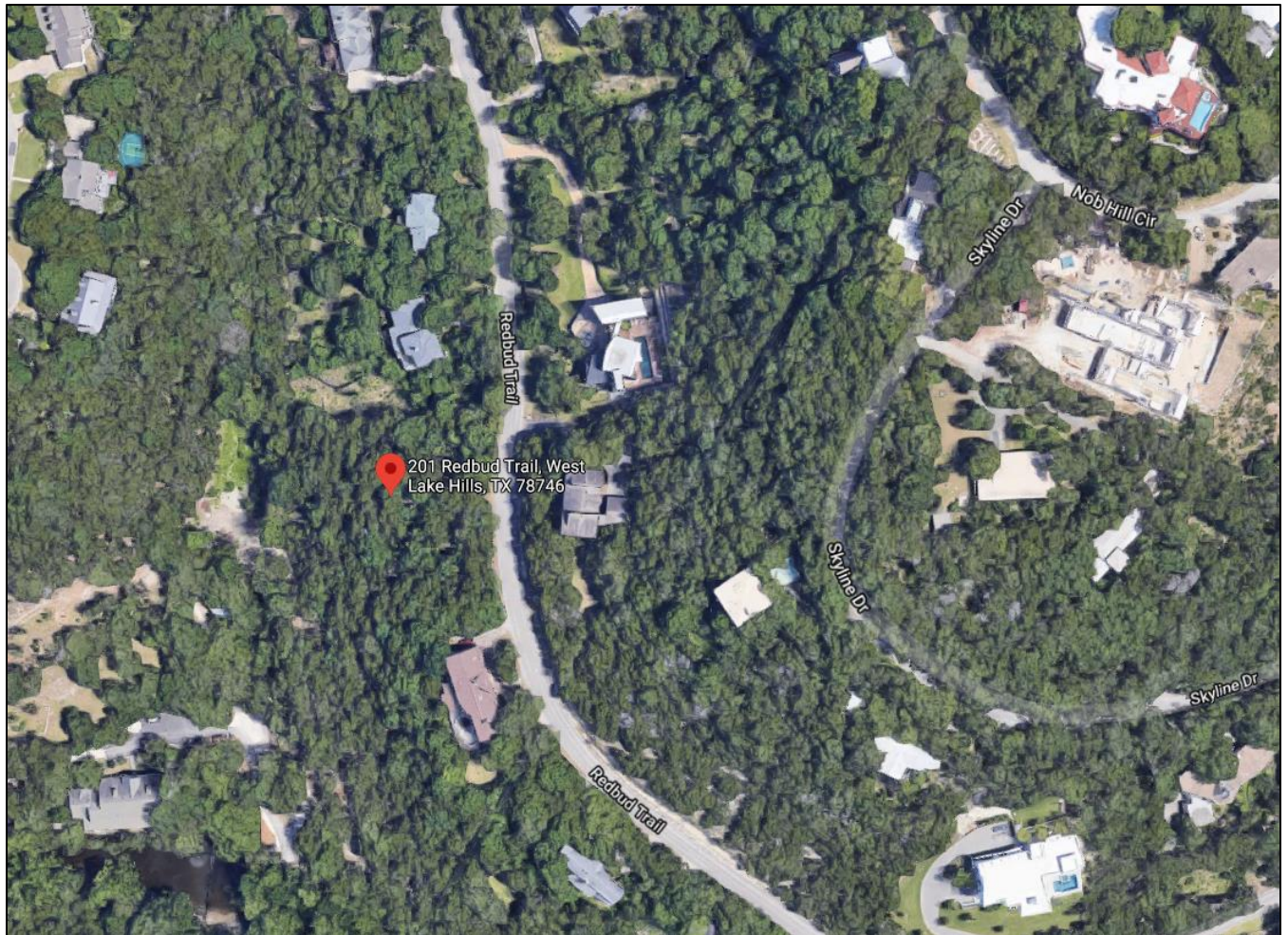
- **Sec. 22.03.304 Tree and vegetation removal and replacement**
- **Sec. 22.03.514 Criteria and process required for granting variance**

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 201 Redbud Trail, West Lake Hills, TX, 78746

Applicant Name: Mark Hutchinson

Designated Agent (if any, Power of Attorney Required): _____

Applicant Phone Number: 214-776-6970

Email Address: _____

Date Application was Submitted: December 4, 2020

Variance(s) Requested: Tree variance to remove four trees.

- ① #5620 (14.5" cedar, 4", 8" and three 3" stems), ② #5686 (17.5" Spanish Oak, 5", 8" and 11" stems)
③ #5696 (16.5" Spanish Oak, 11", 8" and 3" stems), ④ #5710 (16" cedar)

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____

☐ Letter to ZAPCO Chairperson

☐ Variance Approval Criteria Answers

☐ Site Plan Coversheet

☐ Site Plan Drawings

☐ Elevation Views and Floor Plans (new structures only)

☐ Septic Assessment (new structures only)

☐ Additional Support Materials (if any): _____

☐ Power of Attorney (if any) – Designated Representative: _____

Staff Analysis completed on _____ by _____

Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____

Notice to Proceed Letter sent to Applicant on _____ by _____

• Notification Letter must be postmarked by _____

☐ Confirmed by _____

• Sign must be posted by _____

☐ Confirmed by _____

15 Copies of Final Packet received on _____

☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____

ZAPCO Action Letter sent on _____ by _____

ZAPCO Recommendation: _____

Conditions/Comments (if any): _____

Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____

BOA/Council Action: _____

Conditions/Comments (if any): _____

BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____

• Notifications added to Incode on _____ by _____

Postponement History (if any): _____

Notes: _____

December 4, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive,
West Lake Hills, Texas, 78746

Re: Tree Variance Request

Dear Mr. Chairman:

We request your consideration of the attached application for a Tree Variance for 201 Redbud Trail, Westlake Hills, TX, 78746 for the removal of four trees that are 14" diameter or larger. The four trees are a Cedar of 16" diameter (#5710), a Cedar of 14.5" diameter (#5620), a Spanish Oak with three trunks which add up to 16.5" diameter (#5696) and a Spanish Oak that has three trunks which add up to a 17.5" diameter (#5686). We wanted to note upfront that our arborist believes, in his professional opinion, that both of the multi-stem trees (#5686 and #5696) have a damaged stem which reduces their caliper below the 14" threshold required for a variance, however, we would like to proceed with the normal variance process for both trees.

While the 1-acre site appears to be spacious, we are severely limited in where we can locate the home. First, the building setbacks and utility easements reduce the buildable area by roughly 62%. Then, within this remaining buildable area, we were strongly advised by our structural engineer and the concrete contractors to design the building close to the 50' front setback because the steepness of the lot would make the construction of the home increasingly onerous for every foot that it went deeper into the lot. In addition, the density of trees increases significantly as you go further back into the lot, so if we did design the home further back into the lot to avoid these proposed variance trees, then this would probably result in a larger total loss of tree caliper due to the large number of trees below 14" diameter that we would be forced to remove.

None of these trees are proximate to the perimeter of the lot and we hope that you will agree that the removal of these four trees will not have a negative visual impact from the street or adjacent properties. The lot is heavily wooded and the remaining trees will continue to provide a strong buffer for all adjacent properties. In fact, the lot is so heavily wooded that our arborist had a difficult time locating areas where new trees could be planted where they would get enough sunlight to be able to thrive. He provided a plan for the mitigation trees, but we are very open to amending this plan to best suit the desires of all neighbors.

Please review this application and let me know if I can provide any additional information which would be helpful in your evaluation. I have been building homes in Austin for a number of years but I have not yet had the good fortune of building a home in West Lake Hills. I am looking forward to working cooperatively with your team to build a high-quality and City-compliant home on this property, and hope to one day be able to build my own home somewhere nearby and become part of the West Lake Hills community,

Sincerely,



Mark Hutchinson
Construct ATX LLC
1901 East 8th Street,
Austin, TX, 78702
Cell 215-776-6970

CITY OF WESTLAKE HILLS

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

1. Describe in detail any special conditions you believe will result in unnecessary hardship to you if terms of this ordinance are strictly enforced.

While the total area of this site is 1 acre, only about 38% of the site is buildable due to the setback requirements at the front, sides and rear of the property and a drainage easement at the rear of the property. Furthermore, the site has a steady, relatively steep downhill slope to it as you progress further from the street, which effectively is forcing us to locate the home as close to the 50' front yard setback as possible. We started the design process with the intent of minimizing the impact on the existing trees to the largest extent possible and the design that we have settled upon requires a variance to remove four trees which are larger than 14", however, we were able to design around a large number of smaller trees that are on the property to be able to retain those trees for the future.

2. 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?

We believe that the natural terrain and existing flora will not be unreasonably disrupted because the site is heavily wooded and since the proposed variance trees are not proximate to the perimeter of the property, so the removal of these trees would not be expected to be visible to any of the neighbors. The remaining trees on the property would be expected to buffer visibility of the trees from the street and from the adjacent properties.

3. What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exist?

We attempted to design the home further recessed from the street and to locate the driveway on the other side of the property, in such a way that we could potentially preserve the proposed variance trees. However, after reviewing the proposed design with the concrete subcontractors, structural engineer and an arborist, we came to the conclusion that building the home deeper on the lot would make the construction of the foundation significantly more difficult and expensive, and it would most likely result in an even larger loss of total tree diameter because the trees become much denser the further back you go on the lot. In addition, we thought that the extended requirements for a longer driveway (to get further back into the lot if we pushed the house further back from the street), would potentially cause more damage to the existing flora than if we kept the home up against the 50' setback line near the front of the property.

4. Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exist?

We have modified the design of the home to create various recesses along the perimeter of the home to provide space for a number of existing trees to be preserved, these trees are all below 14" in diameter though so they are not affected by this variance request. The four proposed variance trees are situated right in the middle of the property, which is the only reasonable location where we can build the home, so unfortunately, we were not able to devise a design which would allow for these trees to remain.

5. Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

We understand that it is the City's intent to preserve the natural environment that makes Westlake Hill's such a desirable place to live. Since the property is heavily wooded, and since these proposed variance trees are in the middle of the lot, we do not believe that the proposed removal of these trees will have any visual impact from the street or adjacent properties. There are many other trees on the site which obscure the view of the trees which are proposed for removal.

6. Why do you believe your variance will not adversely affect the neighboring properties or interfere with the enjoyment of these properties by their owners?

We do not believe that the neighboring properties would be negatively impacted by the removal of these trees due to the heavily wooded nature of the lot, and the location of these proposed variance trees in the middle of the lot, while the trees on the perimeter of the lot will remain as visual buffers for all of the neighboring properties. We would be pleased to work with the neighbors to locate mitigation trees in such a way as to further increase the privacy that all neighbors seek and to minimize any visual impact that we have on any neighbors.

LEGEND
 ① 1/2" Iron Rod Found
 ipf ② 1/2" Iron Pipe Found
 — Overhead Utility Line
 — Wire Fence
 (Record Bearing and Distance)

SCALE: 1"=20'

LOT 8

**BLOCK A
 RED BUD HILLS
 VOLUME 85 PAGE 175A**

(S85°38'09"E 284.49')
 S88°16'43"E 284.79'

with yellow cap
 N17°54'52"W 7.59'
 marked "McAngus"
 10' P.U.E. per plat and
 10' drainage easement per plat

LOT 1

1" ipf
 N55°08'08"W 32.62'
 (N56°14'51"W 32.19')
 marked "Holt Carson, Inc."

LOT 2

N61°58'19"W 322.85'
 (N59°26'40"W 324.00')

LOT 3

EAST LEDGEWAY SUBDIVISION
 (RESUBDIVISION OF LOT 1 BLOCK A
 A.F. DELONEY SUBDIVISION)
 DOCUMENT NO. 201900132

25' B.L. per plat
 drainage easement per plat
 20' P.U.E. and Drainage Easement per plat

MAP OF TOPOGRAPHIC SURVEY OF
 LOT 9, BLOCK A, RED BUD HILLS,
 A SUBDIVISION IN TRAVIS COUNTY,
 TEXAS, ACCORDING TO THE MAP OR
 PLAT THEREOF RECORDED IN
 VOLUME 85 PAGE 175A OF THE PLAT
 RECORDS OF TRAVIS COUNTY, TEXAS.
 LOCATED AT 201 RED BUD TRAIL.
 PAGE 1 OF 2: SEE PAGE 2 FOR TREE LIST

This survey was completed without the benefit of a current title commitment.
 This lot may be subject to restrictions and easements not shown hereon.

Elevations shown hereon are based on GPS
 observations over a Trimble RTK network NAVD88 datum.

Tree "crowns" shown hereon are drawn as a function of trunk diameter.
 One inch of trunk diameter equals one foot of crown radius. Multi-trunk
 trees are drawn calculated on the full diameter of the largest stem
 plus one half of the diameter of each additional stem. Due to
 natural variations in tree growth, these generalized depictions may not
 correlate to actual tree crowns or root zones.

Not all trees in the drainage easement on the rear of the lot were located.

PREPARED: September 30, 2020

BY:

Anne Thayer
 Registered Professional Land Surveyor No. 5850



ipf

N62°02'01"W 288.19'
 (N59°26'40"W 287.11')

1.9'

S63°49'37"W 117.95'
 0.7'

LOT 1
 JEBEL AL-ASSAD
 CONFIRMING PLAT
 VOLUME 84 PAGE 93B

S64°02'10"W 26.93'
 (S66°20'53"W 27.31')

HOLT CARSON, INC.
 1904 FORTVIEW ROAD
 AUSTIN, TX 78704
 1073070 (512) 442-0990
 Texas Licensed Surveying Firm No. 10050700

Temporary benchmark:
 triangle on concrete
 at 710.22'

Bearing Basis
 (S06°31'36"W)
 (105.53')
 S03°57'04"W
 105.52'

20' drainage easement
 and P.U.E. per plat

RED BUD TRAIL

(S06°46'12"E)
 (94.93')
 S06°57'40"E 94.89'

(S03°34'14"E)
 (710')
 S06°09'21"E
 7.07'

5611 13" Spanish Oak
5612 9" Cedar
5613 7" Cedar
5614 3" Cedar
5615 7" Cedar
5616 4" Spanish Oak
5617 7.5" Spanish Oak (3" and two 4" stems)
5618 4" Spanish Oak
5619 4" Spanish Oak
5620 14.5" Cedar (4", 8" and three 3" stems)
5621 8" Cedar
5622 12" Cedar
5623 10" Cedar
5624 9" Cedar (two 6" stems)
5625 5" Live Oak
5626 4" Cedar
5627 5" Live Oak
5628 4" Live Oak
5629 4" Cedar
5630 5" Cedar
5631 8.5" Cedar (5" and 6" stems)
5632 7" Cedar
5633 8" Cedar
5634 12" Cedar
5635 4" Cedar
5636 7" Cedar
5637 7" Cedar
5638 8" Cedar
5639 3" Cedar
5640 4" Cedar
5641 3" Cedar
5642 9" Cedar (4" and 7" stems)
5643 10" Cedar
5644 4" Cedar
5645 6" Cedar
5646 4" Cedar
5647 3" Cedar
5648 6.5" Live Oak (5" and 3" stems)
5649 4" Cedar
5650 4" Cedar
5651 4" Cedar
5652 8" Live Oak
5653 4" Cedar
5654 4" Spanish Oak
5655 3" Cedar
5656 5" Ash
5657 7" Cedar
5658 5" Cedar
5659 6" Cedar
5660 13.5" Cedar (4", 5" and 9" stems)
5661 5" Cedar
5662 5" Cedar
5663 11" Cedar
5664 6" Cedar
5665 7" Spanish Oak
5666 12.5" Spanish Oak (7" and 9" stems)
5667 5" Cedar
5668 4" Cedar
5669 11" Spanish Oak (4" and 9" stems)
5670 5" Cedar
5671 8.5" Spanish Oak (5" and 6" stems)
5672 6" Cedar
5673 8" Cedar
5674 7" Cedar
5675 5" Cedar
5676 3" Spanish Oak
5677 11" Cedar
5678 6" Cedar
5679 4" Cedar
5680 5" Cedar
5681 5.5" Cedar (3" and 4" stems)
5682 5" Cedar
5683 5.5" Cedar (3" and 4" stems)
5684 5" Cedar
5685 7" Cedar

5686 17.5" Spanish Oak (5", 8" and 11" stems)
5687 5" Cedar
5688 11" Cedar
5689 7" Cedar
5690 8" Cedar
5691 6" Cedar
5692 6" Ash
5693 8" Cedar
5694 6" Cedar
5695 5" Spanish Oak
5696 16.5" Spanish Oak (3", 8" and 11" stems)
5697 5" Cedar
5698 8" Cedar
5699 6" Live Oak
5700 7" Spanish Oak
5701 23.5" Spanish Oak (9", two 4", three 7" stems)
5702 7" Spanish Oak
5703 6" Spanish Oak
5704 8" Cedar
5705 6" Spanish Oak
5706 16" Cedar
5707 8" Cedar
5708 4" Cedar
5709 11" Spanish Oak (4" and 9" stems)
5710 16" Cedar
5711 9" Cedar
5712 9" Cedar
5713 9" Cedar
5714 5.5" Spanish Oak (3" and 4" stems)
5715 7" Cedar
5716 6" Cedar
5717 8" Cedar
5718 11.5" Spanish Oak (7" and 8" stems)
5719 6" Cedar
5720 5" Cedar
5721 8" Spanish Oak
5722 6" Cedar
5723 4" Cedar
5724 7" Cedar
5725 7" Cedar
5726 4" Cedar
5727 5" Spanish Oak
5728 11" Spanish Oak
5729 7" Cherry
5730 11" Cedar
5731 6" Cedar
5732 9" Cedar
5733 9" Cedar
5734 4" Cedar
5735 7" Cedar
5736 5" Cedar
5737 6" Cedar
5738 14" Cedar
5739 9" Cedar (4" and 7" stems)
5740 6" Cedar
5741 4" Cedar
5742 5" Cedar
5743 14" Cedar
5744 12" Cedar
5745 9" Cedar
5746 5" Cedar
5747 8" Cedar
5748 4" Cedar
5749 5" Live Oak
5750 4" Cedar
5751 14" Cedar
5752 12" Cedar
5753 7" Live Oak
5754 10" Live Oak
5755 14" Cedar
5756 4" Cedar
5757 6" Cedar
5758 5" Cedar
5759 10.5" Cedar (5" and 8" stems)
5760 5" Cedar
5761 11" Cedar

5762 9" Cedar
5763 13.5" Live Oak (two 9" stems)
5764 9" Live Oak
5765 7" Cedar
5766 11" Cedar
5767 7" Cedar
5768 8" Cedar
5769 7" Cedar
5770 10" Cedar
5771 8" Cedar
5772 6" Cedar
5773 8" Cedar
5774 4" Cedar
5775 4" Live Oak
5776 5" Cedar
5777 8" Cedar
5778 6" Spanish Oak
5779 5" Cedar
5780 4" Cedar
5781 8" Cedar
5782 7" Cedar
5783 7" Cedar
5784 4" Cedar
5785 11.5" Spanish Oak (7" and 8" stems)
5786 5" Cedar
5787 4" Cedar
5788 4" Cedar
5789 7" Cedar
5790 10" Cedar
5791 8" Cedar
5792 7" Cedar
5793 10" Cedar
5794 4" Spanish Oak
5795 4" Cedar
5796 8" Live Oak
5797 4" Cedar
5798 Not used
5799 8" Cedar
5800 5" Cedar
5801 6" Cedar
5802 9" Cedar
5803 6" Cedar
5804 8.5" Spanish Oak (5" and 6" stems)
5805 4" Spanish Oak
5806 6" Cedar
5807 6" Cedar
5808 7" Cedar
5809 8" Cedar
5810 9" Cedar
5811 6" Spanish Oak
5812 7.5" Spanish Oak (two 5" stems)
5813 5" Spanish Oak
5814 6" Cedar
5815 6.5" Spanish Oak (3" and 5" stems)
5816 4" Cedar
5817 5" Cedar
5818 13" Spanish Oak (8" and 9" stems)
5819 11.5" Spanish Oak (7" and 8" stems)
5820 7" Cedar
5821 9.5" Spanish Oak (5" and 7" stems)
5822 8" Cedar
5823 8" Cedar
5824 7" Cedar
5825 9" Cedar
5826 8" Cedar
5827 13.5" Spanish Oak (6" and two 7" stems)
5828 11" Spanish Oak (6" and 8" stems)
5829 4" Cedar
5830 4" Cedar
5831 6" Cedar
5832 8" Cedar
5833 6" Cedar
5834 5" Cedar
5835 6" Cedar
5836 9" Cedar
5837 8" Cedar

5838 9" Live Oak
5839 5" Cedar
5840 5" Cedar
5841 6" Cedar
5842 6" Cedar
5843 8" Cedar
5844 5" Cedar
5845 6" Cedar (two 4" stems)
5846 7" Cedar (4" and 5" stems)
5847 5.5" Cedar (3" and 4" stems)
5848 3" Cedar
5849 5" Cedar
5850 7" Cedar
5851 7" Cedar
5852 10" Cedar
5853 4" Cedar
5854 8" Cedar
5855 5" Cedar
5856 5" Cedar
5857 5" Cedar
5858 4" Cedar
5859 9" Cedar
5860 6" Cedar
5861 5" Cedar
5862 6" Cedar
5863 6" Cedar
5864 5" Cedar
5865 8" Cedar
5866 6" Cedar
5867 6" Cedar
5868 7" Cedar
5869 4" Cedar
5870 5" Cedar
5871 5" Cedar
5872 8" Cedar
5873 6" Cedar
5874 4" Cedar
5875 5" Cedar
5876 11" Cedar
5877 4" Cedar
5878 8" Live Oak
5879 4" Cedar
5880 14" Spanish Oak (8" and 10" stems)
5881 7" Cedar
5882 9" Cedar
5883 8" Cedar
5884 4" Cedar
5885 6" Cedar
5886 5" Cedar
5887 25.5" Live Oak (11" and 20" stems)
5888 12" Spanish Oak (two 8" stems)
5889 15" Cedar

MAP OF TOPOGRAPHIC SURVEY OF
LOT 9,BLOCK A,RED BUD HILLS,
A SUBDIVISION IN TRAVIS COUNTY,
TEXAS,ACCORDING TO THE MAP OR
PLAT THEREOF RECORDED IN
VOLUME 85 PAGE 175A OF THE PLAT
RECORDS OF TRAVIS COUNTY,TEXAS.
LOCATED AT 201 RED BUD TRAIL.

PAGE 2 OF 2



PREPARED: September 30, 2020

BY:

Anne Thayer

Anne Thayer
Registered Professional Land Surveyor No.5850

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
1073070 (512) 442-0990
Texas Licensed Surveying Firm No.10050700



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

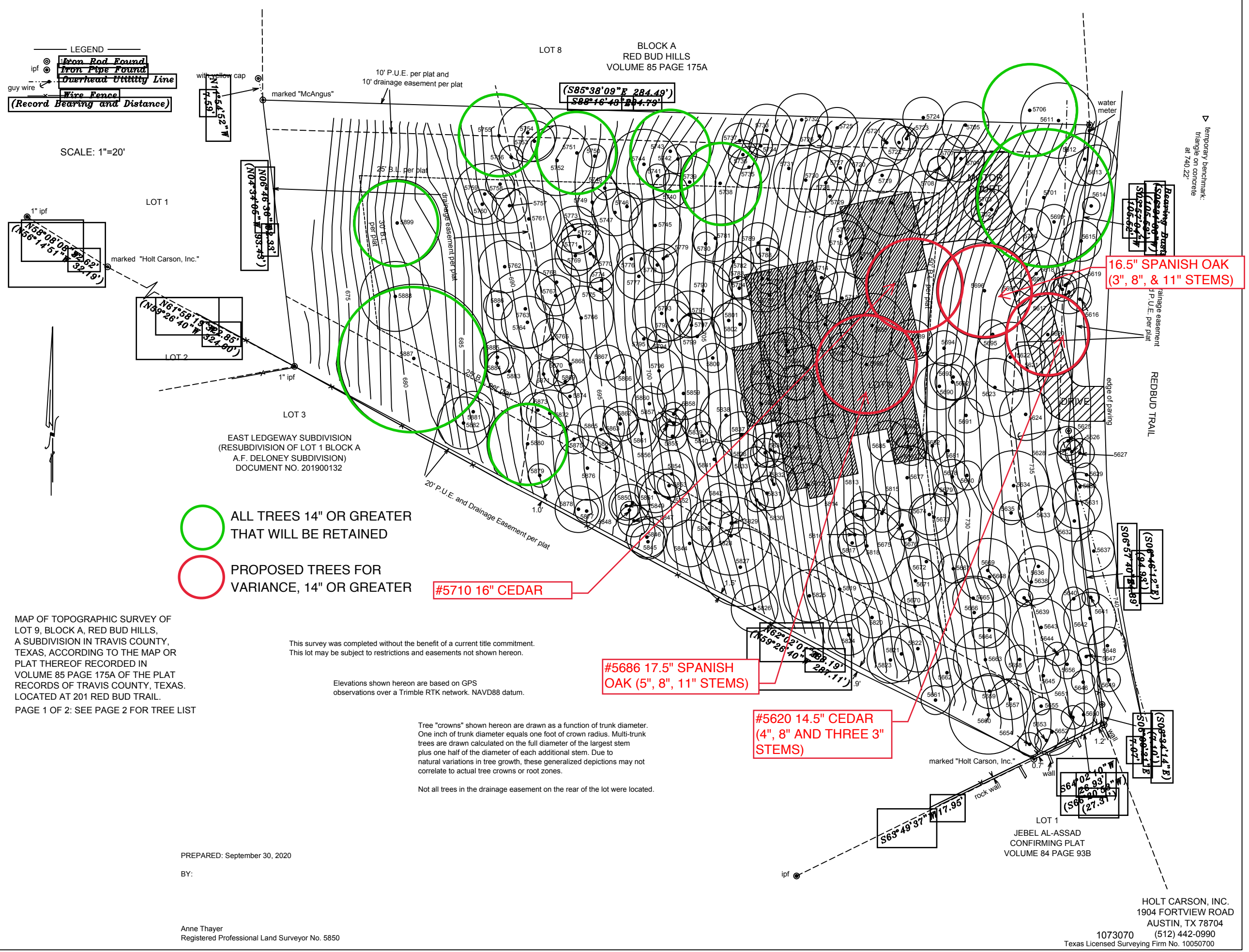
DRAWING TITLE:

CONCEPTUAL
SITE PLAN

SCALE: 1/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



TREE CONDITION ASSESSMENT
FOR
201 REDBUD TR, WEST LAKE HILLS, TX

PREPARED FOR:

Mark Hutchinson
1908 E 2ND St
Austin, TX 78702

PREPARED BY:

Colter Sonnevile, *PLA, ISA Arborist*

ISA Arborist # IL-9225A

December 2020

Tree #5686, 17.5" Spanish Oak

The survey lists this tree as a 17.5" multi-stem Spanish Oak (11", 8", 5" stems). However, a field examination revealed that the 8" stem has sustained catastrophic storm damage and is a dead limb. Because this limb no longer supports the tree's biomass functions, the actual caliper of the tree should be considered 11" + half of the 5" limb, 13.5". This would change the tree's mitigation rate from 150% to 75%.



Tree #5696, 16.5" Spanish Oak

The survey lists this tree as a 16.5" multi-stem Spanish Oak (11", 8", 3" stems). However, a field examination revealed that the 8" stem is actually a severely damaged stem. While there is some foliage on the stem, there is no potential for meaningful regrowth. In addition, the tree is growing out of a complex formation of limestone boulders, and there's a strong probability that excavating boulders outside the ½ CRZ will damage or expose the tree's roots. I recommend that the 8" stem be removed from the multi-stem calculation, resulting in a 12.5" caliper tree that is unprotected (75% mitigation).

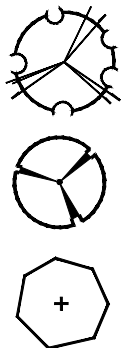


TREES IN SURVEY				TREES REMOVED			
TREE SURVEY DATE: UNK				TREE CATEGORIES FROM CHAPTER 24 (ENVIRONMENTAL PROTECTION)			
Tag #	SPECIES	CAL 1	CALIPER TOTAL	14" + 150%	6-14" 75%	<6" 0%	Cedars <12" within FS&Z 0%
5620	CEDAR	14.5		14.5			8
5621	CEDAR	8					5
5682	CEDAR	5					5.5
5683	CEDAR	5.5					5
5684	CEDAR	5					7
5685	CEDAR	7					
5686*	SPANISH OAK	13.5			13.5		
5687	CEDAR	5					5
5688	CEDAR	11					11
5689	CEDAR	7					7
5696*	RED OAK	12.5			12.5		
5697	CEDAR	5					5
5698	CEDAR	8					8
5700	SPANISH OAK	7			7		
5702	SPANISH OAK	7			7		
5703	SPANISH OAK	6			6		
5704	CEDAR	8					8
5709	SPANISH OAK	11			11		
5710	CEDAR	16		16			
5711	CEDAR	9					9
5713	CEDAR	9					9
5714	SPANISH OAK	5.5				5.5	
5715	CEDAR	7					7
5716	CEDAR	6					6
5717	CEDAR	8					8
5718	SPANISH OAK	11.5			11.5		
5783	CEDAR	7					7
5784	CEDAR	4					4
5785	CEDAR	5					5
5786	CEDAR	5					5
5787	CEDAR	4					4
5802	CEDAR	9			9		
5803	CEDAR	6					6
5804	SPANISH OAK	8.5			8.5		
5805	SPANISH OAK	4				4	
5806	CEDAR	6					6
5809	CEDAR	8					8
5810	CEDAR	9					9
5811	SPANISH OAK	6			6		
5812	SPANISH OAK	7.5			7.5		
Total caliper inches removed per category				30.5	99.5	10	168
Grand Total caliper inches removed				307			

Minimum Replacement			
Replacement %	150%	75%	0%
Subtotal Replacement Inches	46	75	0
Total Replacement (caliper inches)	120		
Grand Total over 10" (22.03.304(f)(3)) from above	79		
Minus trees planted (inches)	22		
Mitigation Required (inches)	57		
Mitigation Fee	57	x	\$150
			\$8,550

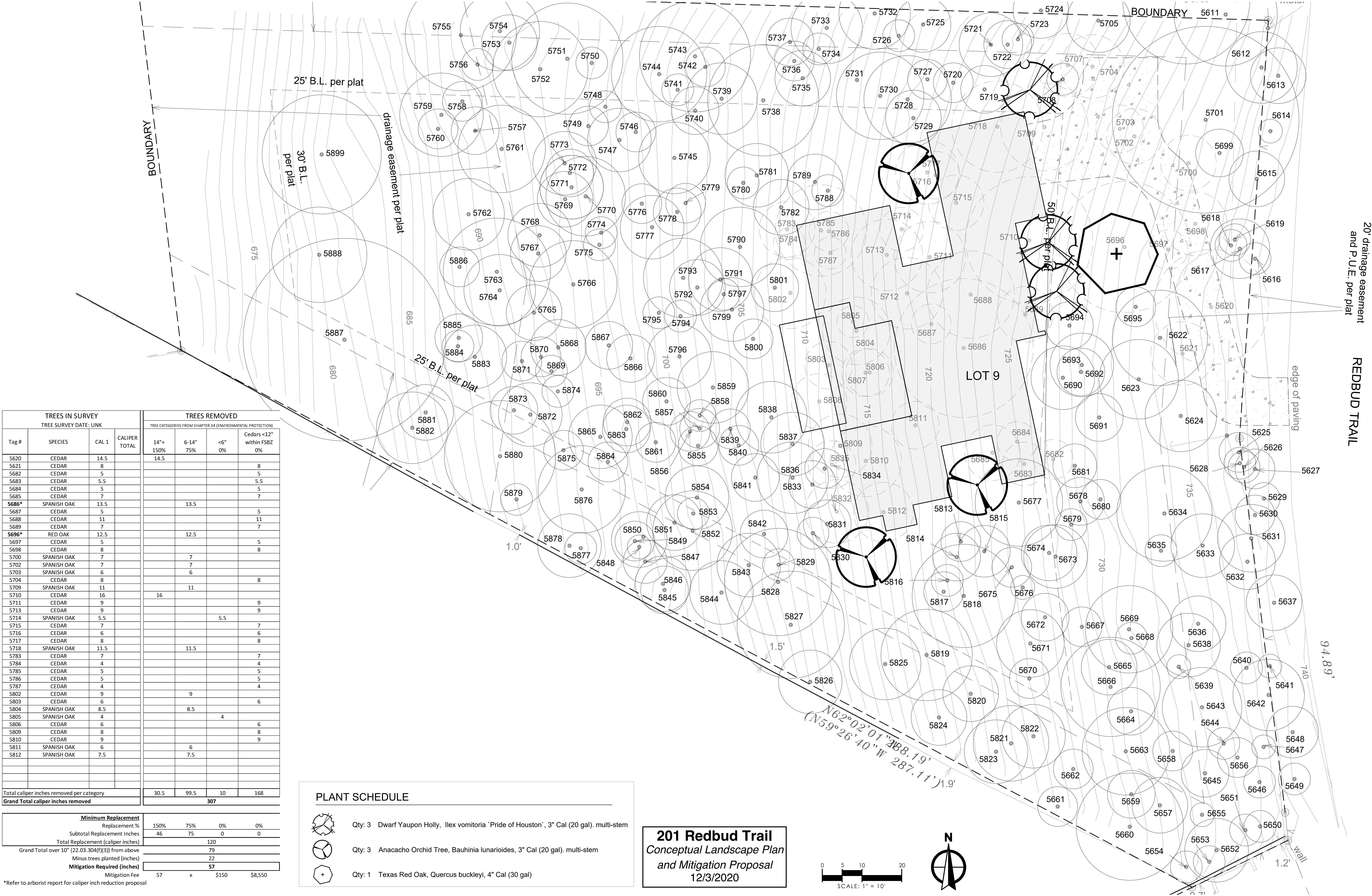
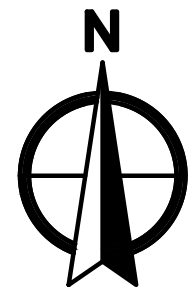
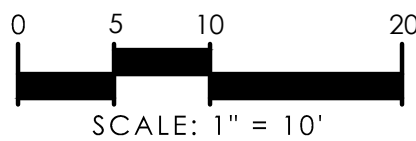
*Refer to arborist report for caliper inch reduction proposal

PLANT SCHEDULE

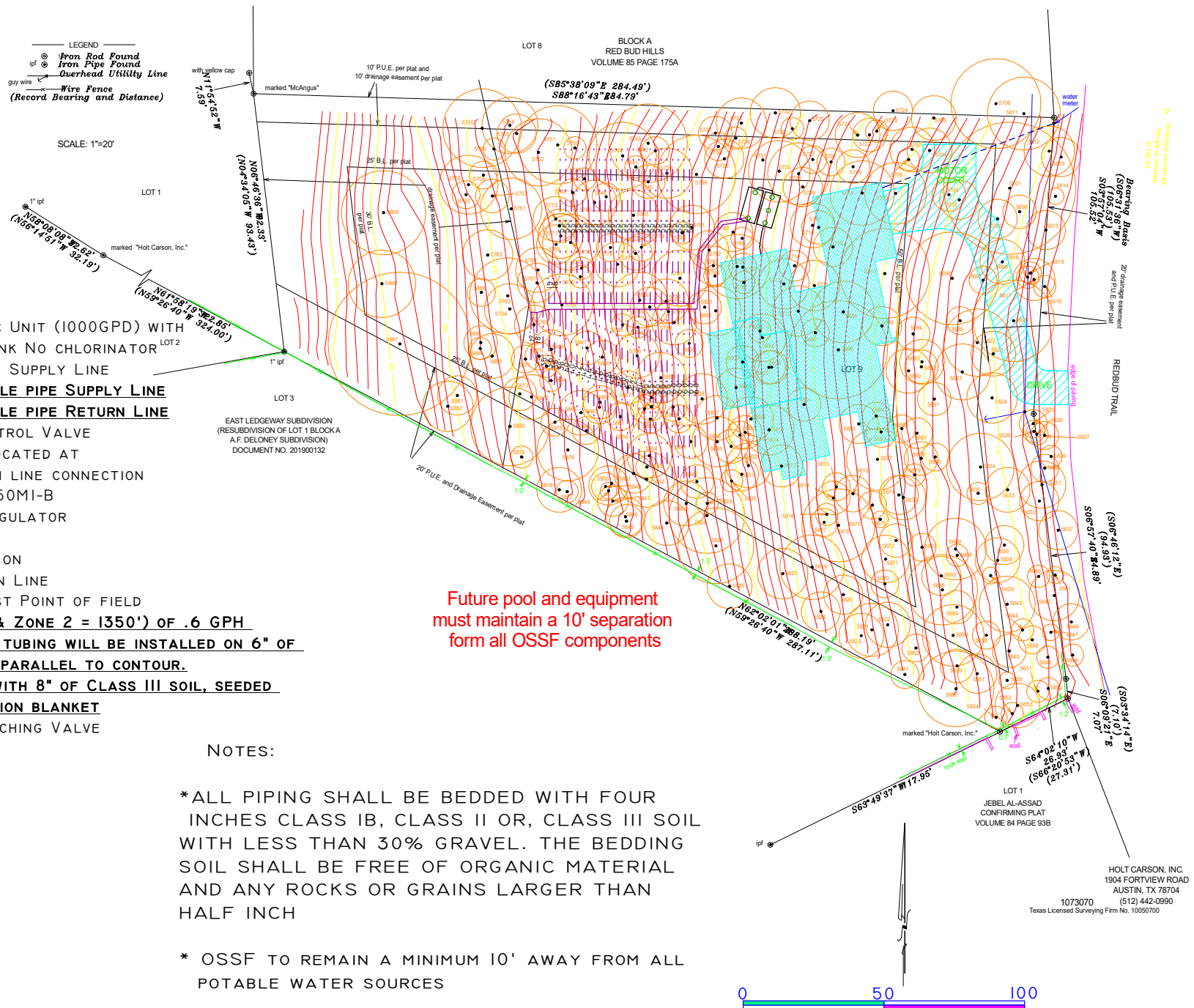


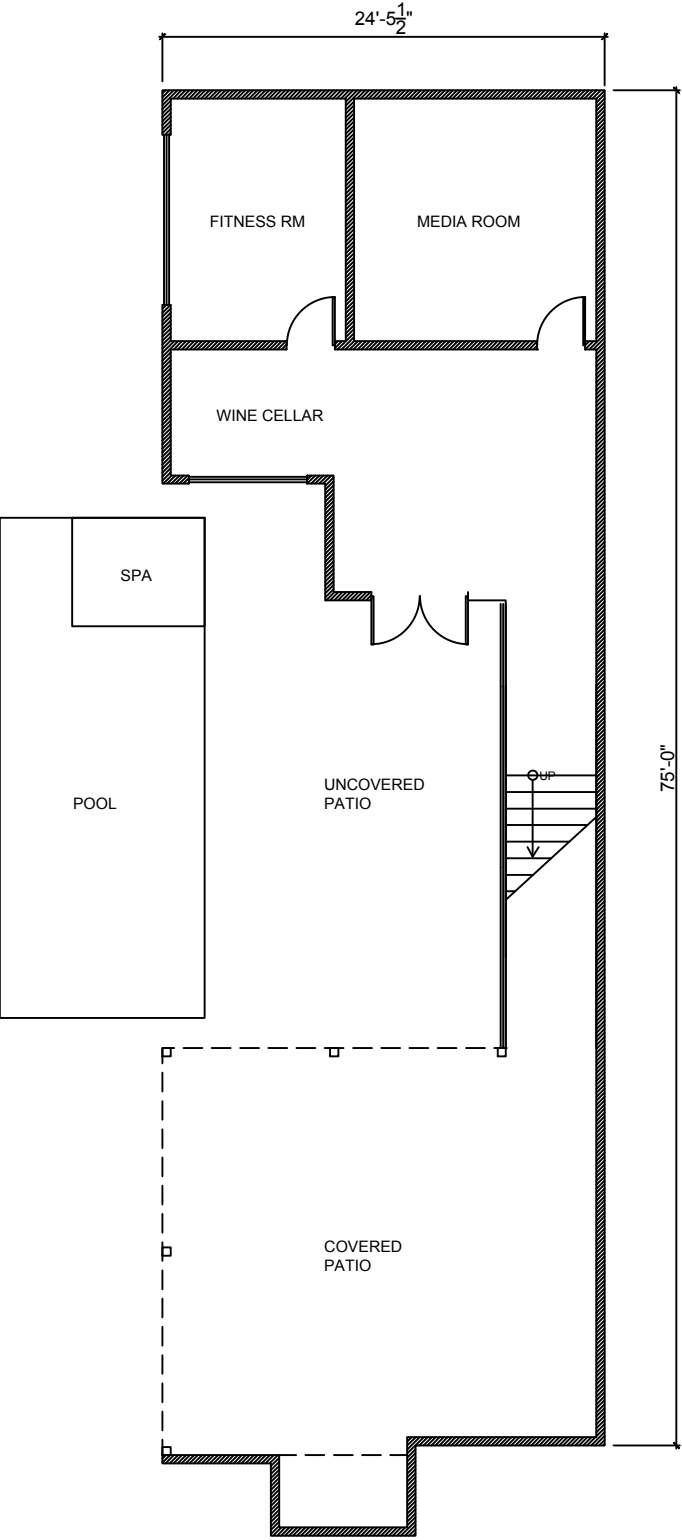
- Qty: 3 Dwarf Yaupon Holly, Ilex vomitoria 'Pride of Houston', 3" Cal (20 gal). multi-stem
- Qty: 3 Anacacho Orchid Tree, Bauhinia lunarioides, 3" Cal (20 gal). multi-stem
- Qty: 1 Texas Red Oak, Quercus buckleyi, 4" Cal (30 gal)

201 Redbud Trail
Conceptual Landscape Plan
and Mitigation Proposal
12/3/2020



PRELIMINARY SEPTIC LAYOUT





1 BASEMENT FLOOR PLAN
SCALE: 3/32" = 1'-0"



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

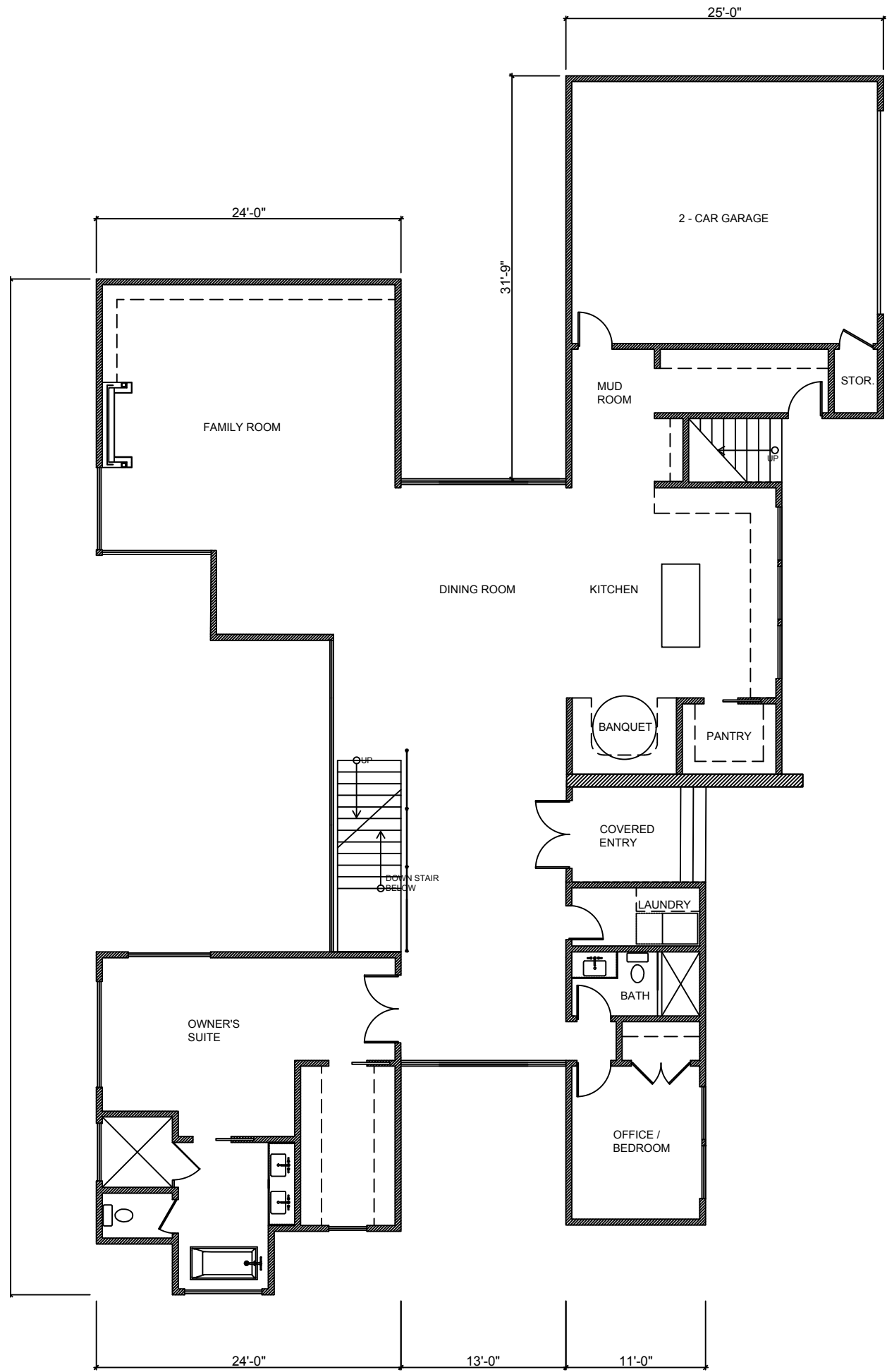
DRAWING TITLE:

CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



1 GROUND FLOOR PLAN
SCALE: 3/32" = 1'-0"



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

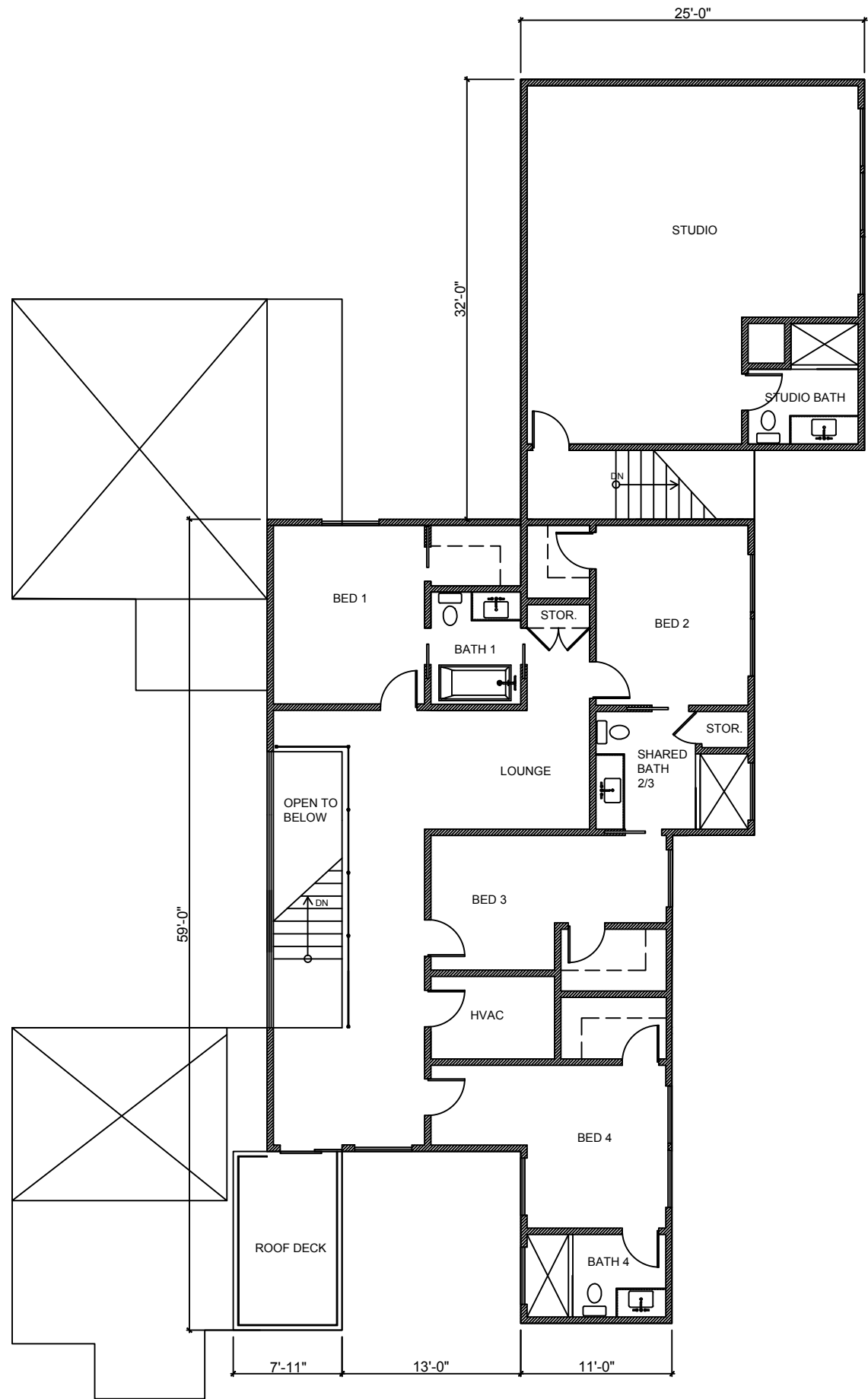
DRAWING TITLE:

CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



1 2ND FLOOR PLAN
SCALE: 3/32" = 1'-0"



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

DRAWING TITLE:

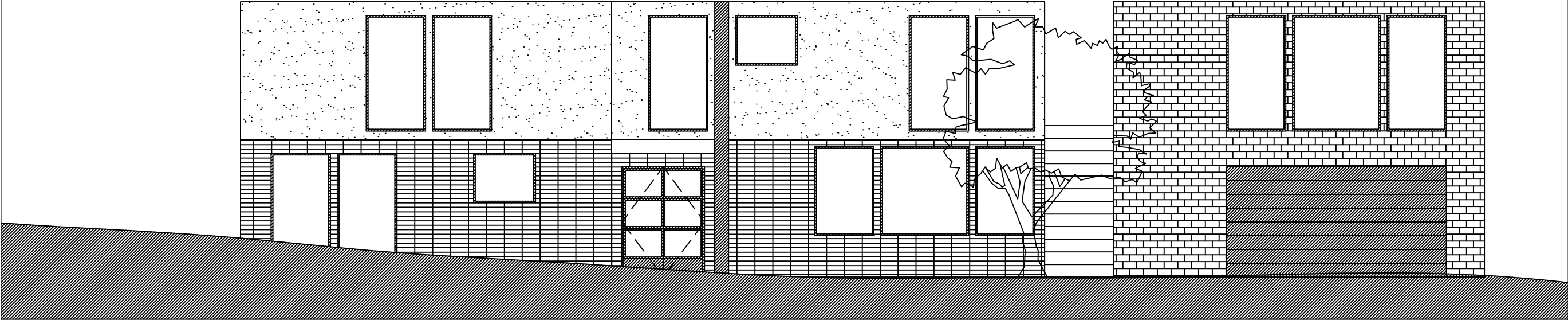
CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION

ISSUE:



1 FRONT ELEVATION

SCALE: 1/8" = 1'-0"

DRAWING TITLE:

CONCEPTUAL
ELEVATION

SCALE: 1/8" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



SETBACK ENCROACHMENT VARIANCE STAFF REPORT

JANUARY 20, 2021

Project Address: 200 Blue Ridge Trail

Project Number: 16305

Agenda Item: Land Use: **200 Blue Ridge Trail:** Discussion/recommendation on a variance request to construct a new garage encroaching the side building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Stephanie & Jonathan Mandle.

Applicant Information: Owners/Applicants Stephanie and Jonathan Mandle

Hearing Dates:

January 20, 2021 ZAPCO

February 10, 2020 Board of Adjustment

Location: The subject property is located north of Bee Cave Road, east of Westbrook Drive, and west of Bulian Lane.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.213 acres.

Background & Analysis:

The homeowners are requesting a side setback encroachment variance to construct a new garage. They are proposing to convert their existing garage into additional living space. The proposed new garage encroaches approximately 8ft 3.5in into the 25ft side setback.

The property is limited in buildable area due to a platted 120ft front setback (City Code front setback for a property this size is 50ft). The applicant originally requested both front and side setback encroachments but changed the request to only affect the side setback. Platted setbacks cannot be altered without replatting.

The purpose of the proposed project is to provide a safer entrance to the home that allows better visibility of the street and driveway. Currently, the homeowners are unable to see their driveway or the street from the current entrance location.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
The application states – “Unsafe front door, no visibility to street, aging parents would have limited access to our home.”
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “We are choosing to work around the live oak in the driveway area.”
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – This is the least disruptive change based on the shape of our home and topography of our lot.”
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states – “It does not require a complete rebuild of the home nor significant disruption to existing flora and natural terrain.”
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – “Our 120ft setback does not match neighboring lots or zoning. The plat and our survey do not match.”
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
The application states – “Owners have given approval.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

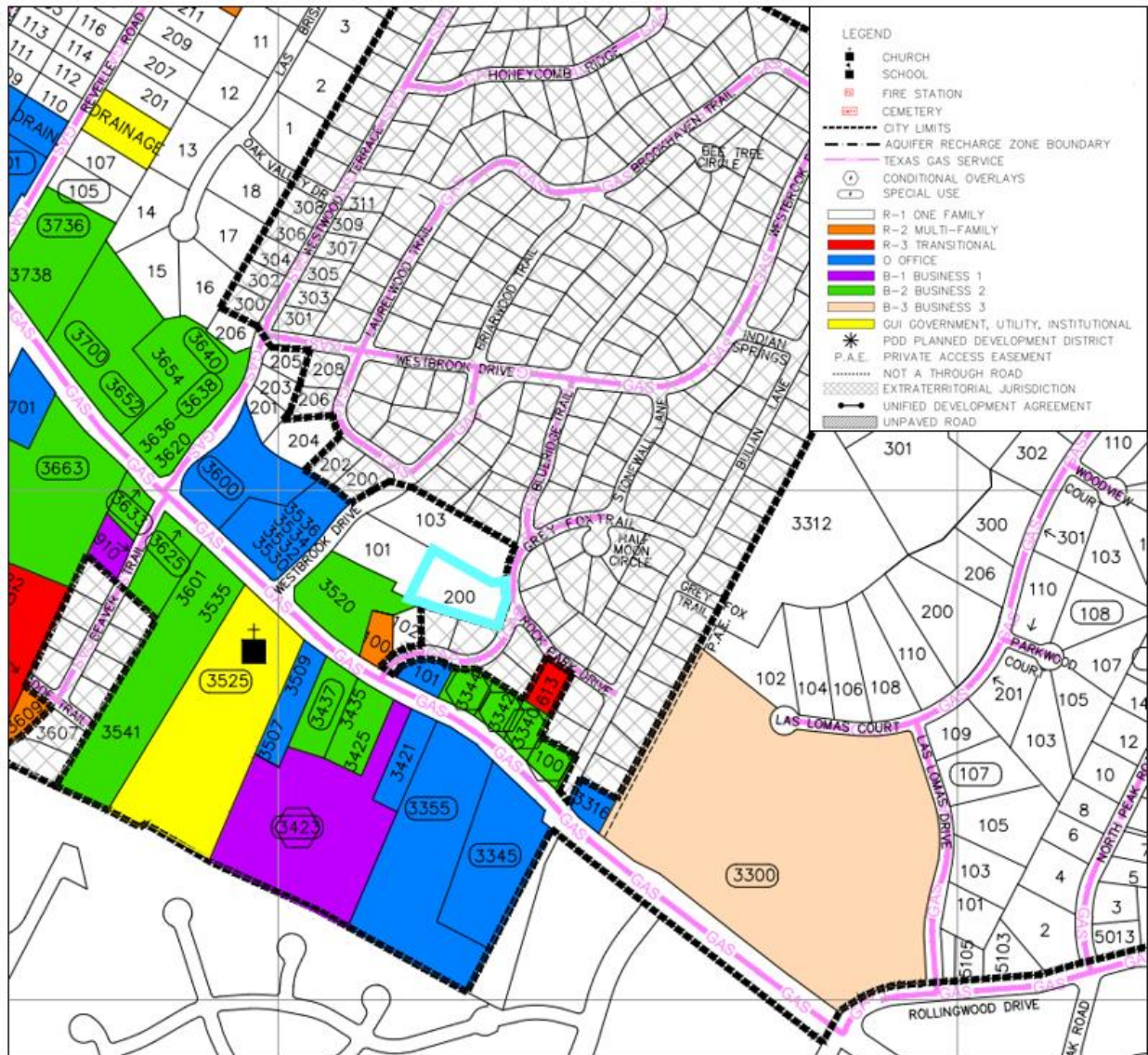
Staff recommends approval of the requested variances due to the site constraints including the 120' front setback that limits the buildable area of the lot.

Links to Relevant Code:

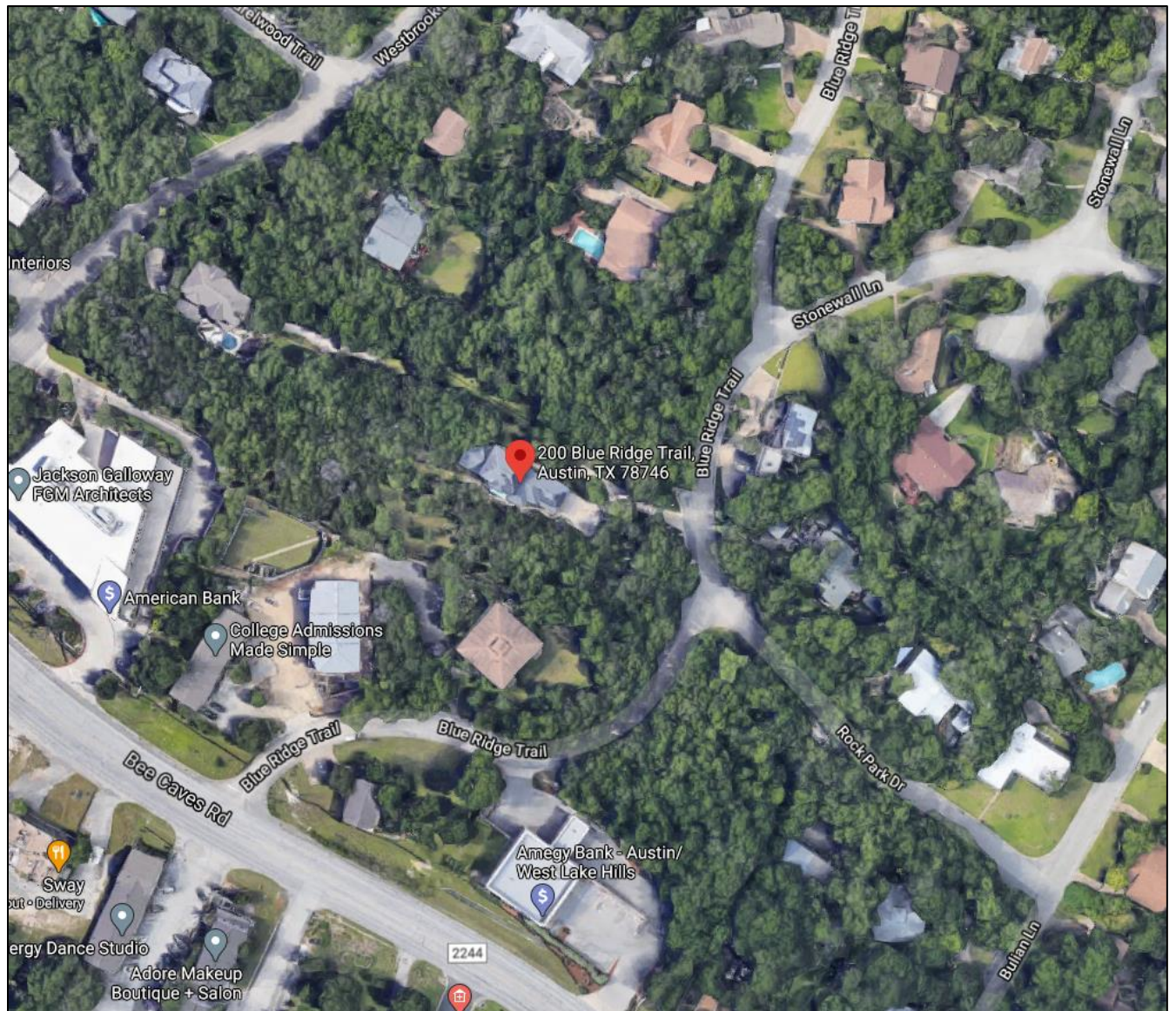
- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 200 Blue Ridge Trl
Applicant Name: Jonathan and Stephanie Mandle
Designated Agent (if any, Power of Attorney Required): N/A
Applicant Phone Number: 781 367 0280 Email Address: [REDACTED]
Date Application was Submitted: 10/1
Variance(s) Requested: _____

Applicant completes above section, City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____

Postponement History (if any): _____
Notes: _____

October 6, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Dr
West Lake Hills, Texas 78746

Dear Mr. Chairman:

We are requesting a variance to convert our current garage to a front entrance and add an additional 2 car garage. We are requesting this because having our front entrance on the side of the house affects our family's safety. We can not see the street or the driveway from our current entrance. We only can see the street and driveway if we open our garage. This is difficult as our kids get picked up and dropped off and we can't see their arrival and departure. Additionally when packages and deliveries occur, deliverers must go far into the back of our property and it feels unsafe. At times, deliverers don't know where to go when coming to the house and roam the property.

We believe it will not impact our neighbors and they have given approval to make these changes. It appears the plat and survey do not match regarding the 120 foot setback from the street. Even with the current 120 ft setback, we would only go 4ft in front of it. The new garage would require 8 ft into the current 25 foot variance allowing a 17 foot setback from the neighboring lot which is currently a wooded area with a wet weather creek.

Thank you for your consideration.
Stephanie and Jonathan Mandle

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application. (Feel free to respond to these questions on a separate page or document.)

- (1) 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.

Unsafe front door, no visibility to street, aging parents would have limited access to our home.

- (2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?

We are choosing to work around the live oak in the driveway area.

- (3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

This is the least disruptive change based on the shape of our home and topography of our lot.

- (4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

It does not require a complete rebuild of the home nor significant disruption to existing flora + natural terrain.

- (5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

Our setback does not match neighboring lots. The plat and our survey do not match. The 30ft building line or the survey not reflected in the plat. Can the building line be vacated? Additionally we have approval from our neighbors or zoning.

- (6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

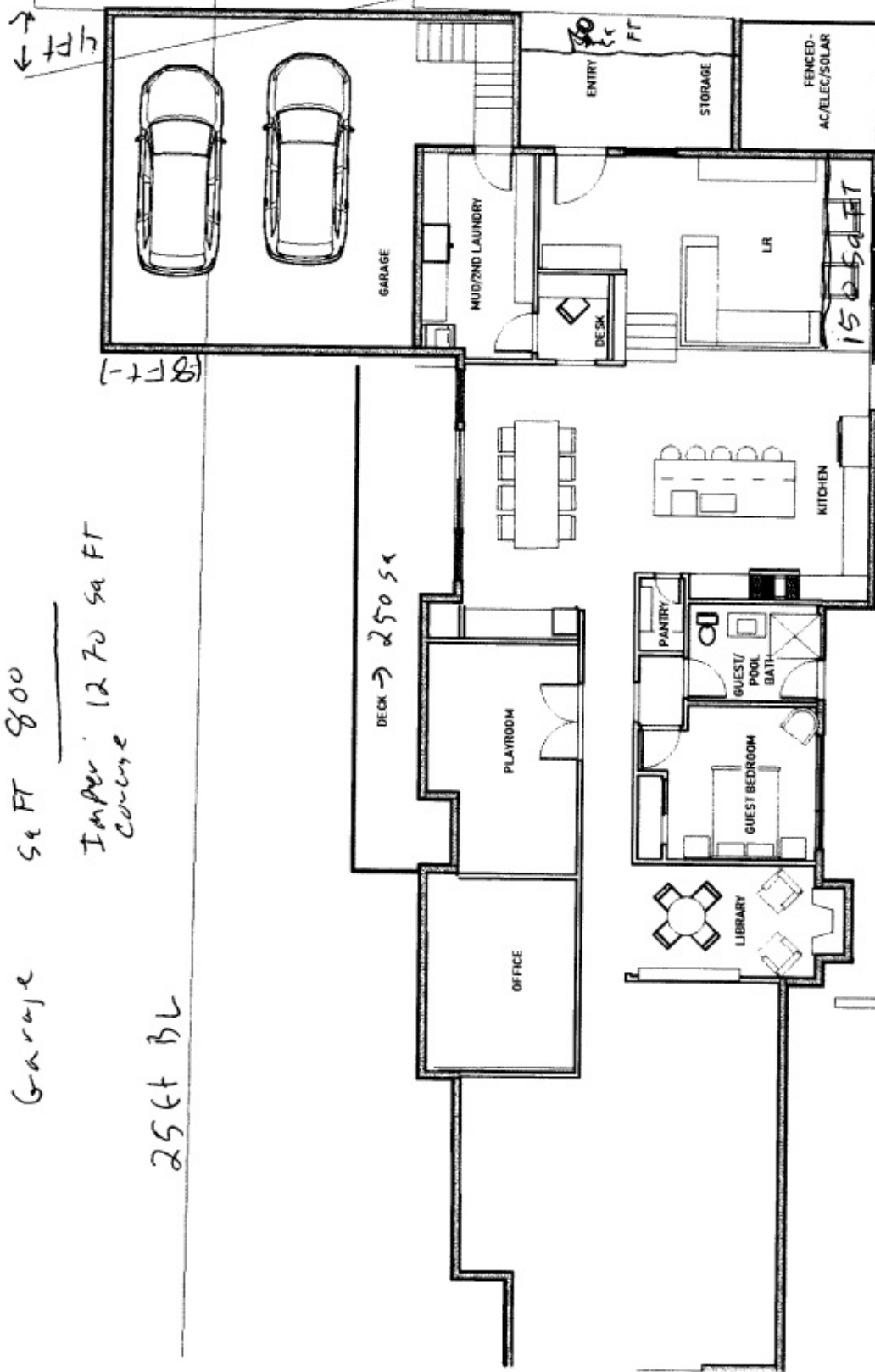
Owners have given approval.

Property Address: 200 Blue Ridge Trail

New house 5a Ft 2206
 Deck 5a Ft 250
 Garage 5a Ft 800

Imper: 1270 5a Ft
 concrete

256t BL



ON SURVEY NOT PLAT

[illegible]

Page 131 of 281



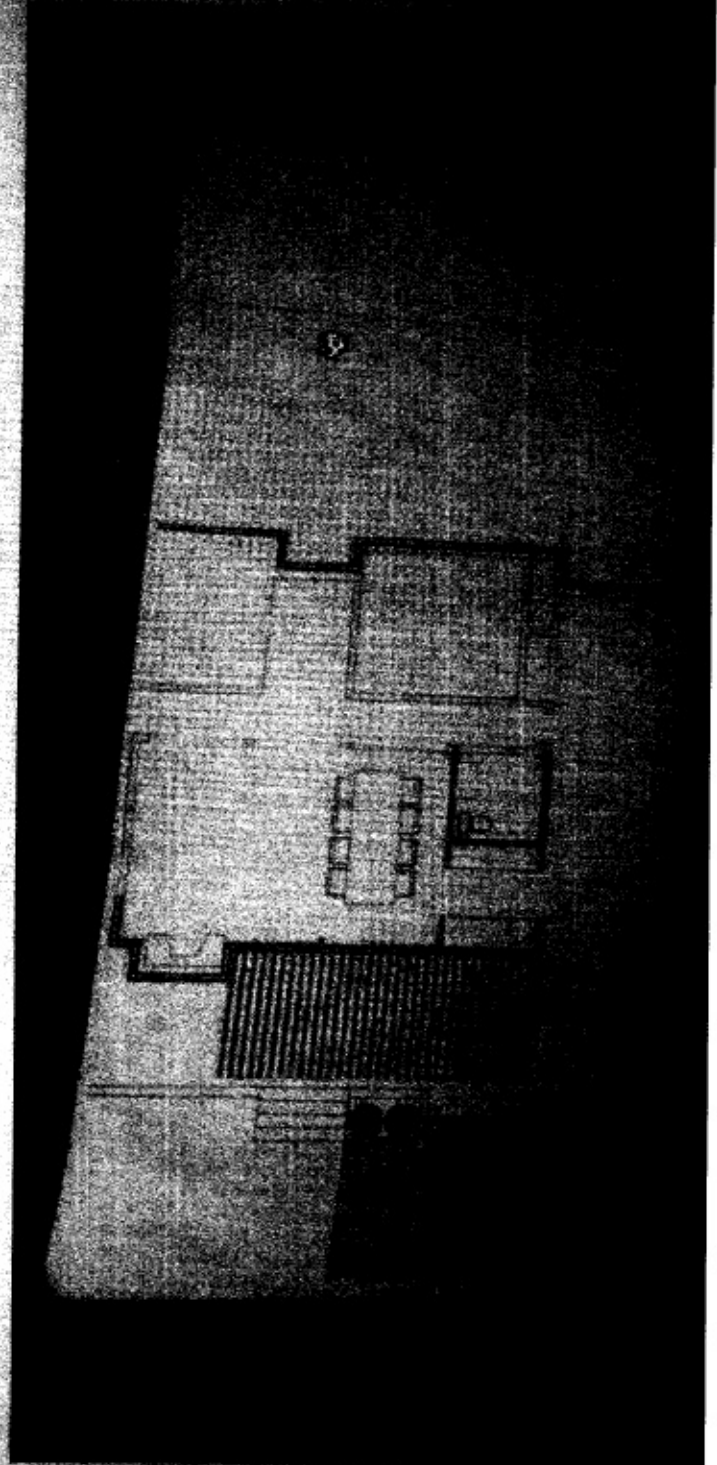
13 of about 94

Hi Stephanie,

Thanks for sharing your plans with me. I am totally fine with relaxing the easements so that you can build a garage on your property. If your plans change from the ones below then please let me know and we and discuss further.

Thanks,

Clark Shuford
512-517-7699



SCALE 1"=40'

WESTWOOD VILLAS SECTION THREE

RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE

STATE OF TEXAS)
COUNTY OF TRAVIS)

THAT, WESTWOOD VILLAS JOINT VENTURE, acting herein by and through its managing partner, Phillip Dunning, owner of 4.076 acres of land out of Lot 2, Westwood Villas Section Three, a subdivision as recorded in Book 79, Page 253 of the Plat Records of Travis County, Texas, said Westwood Villas Section Three being out of the L.F. Raderberg Survey No. 71, City of West Lake Hills, Travis County, Texas, said 4.076 acres being conveyed by deed recorded in Volume 11448, Page 1248 of the Real Property Records of Travis County, Texas, does hereby resubdivide said 4.076 acres in accordance with the attached map or plat, to be known as RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE, and does hereby dedicate to the public use all easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released.

WITNESS MY HAND this 2nd day of September 1991, A.D.

Phillip Dunning
Phillip Dunning
Managing Partner
Westwood Villas Joint Venture (Record Owner)
3009 Bee Cove Road
Austin, TX 78746

STATE OF TEXAS)
COUNTY OF TRAVIS)

THIS INSTRUMENT was acknowledged before me on the 9th day of SEPTEMBER 1991, by Phillip Dunning, Managing Partner of Westwood Villas Joint Venture.

Dana A. Markov-Wolf
Notary Public in and for
the State of Texas

DANA A. MARKOV-WOLF
Printed Name of Notary Public

My Commission expires on 8-02-94

1. The undersigned, City Inspector/Planner 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.

R. Dunning
P. Dan Rader
City Inspector/Planner
City of West Lake Hills, Texas

11-20-91
Date

This plat has been submitted to and considered by the Planning and Planning Commission of the City of West Lake Hills, Texas, and is hereby recommended for approval by the City Council.

DATED this 20th day of NOVEMBER 1991, A.D.

A. J. Holt
Allan Holt, Chairman

Approved and authorized for record by the City Council of the City of West Lake Hills, Texas.

DATED this 16th day of December 1991, A.D.

Tom H. Taylor
Tom H. Taylor, Mayor of the City of West Lake Hills, Texas

Attest:
Linda Winn
Linda Winn, City Secretary

ALL LOTS IN THIS RESUBDIVISION ARE ZONED R-1 AND ARE FULLY SUBMITTABLE TO THE CITY.

FILED FOR RECORD, this the 13th day of January 1992, A.D., at 2:40 o'clock P.M.

Dana Debevoise, Clerk.

STATE OF TEXAS)
COUNTY OF TRAVIS)

1. Dana Debevoise, Clerk of Travis County, Texas, do hereby certify that the foregoing instrument of Writing and its Certification of Authentication was filed for record in my office on the 13th day of January 1992, A.D., at 2:40 o'clock P.M., and duly recorded on the 13th day of January 1992, A.D., at 2:40 o'clock P.M. in the Plat Books of said County and State in Plat Book 90, Page 140, 141.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, the 13th day of January 1992, A.D.

Dana Debevoise, County Clerk, Travis County, Texas

1. Craig C. Greger, a REGISTERED PROFESSIONAL LAND SURVEYOR in the State of Texas, do hereby certify that this plat is true and correct to the best of my knowledge, and was prepared from an actual on-the-ground survey of the property made under my personal supervision.

TEPPA FIRM
3701 Bee Cove Road, Suite 203
Austin, TX 78746

Craig C. Greger
Craig C. Greger
Registered Professional Land Surveyor No. 3936

2/26/92
Date

1110260000
MISC FILE CODE

Vol. 9D Page 140

RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE

NOTES:

1. SEPTIC TANK NOTE:

Every lot in this subdivision is subject to the City of West Lake Hills' Sanitation Ordinance 108, as amended. No septic system or other private sewage facility may be constructed on any lot until the City of West Lake Hills issues a permit for its construction. No private sewage facility 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 the construction and development limitations in Sanitation Ordinance 108, as amended.

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Every lot 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.

FLOOD HAZARD NOTE:

The Federal Insurance Administration maps for the City of West Lake Hills, Texas, indicate that the property shown hereon does not lie within a special flood hazard area as defined by said maps, dated August 1, 1984. The 100-year flood plain is contained within the drainage easements as shown hereon.



PROJECT DESIGN CONSULTANTS
5750 Balcones Drive, Suite 210
Austin, TX 78755-7202

[Signature]
Professional Engineer No. 52027

18-26-91
Date

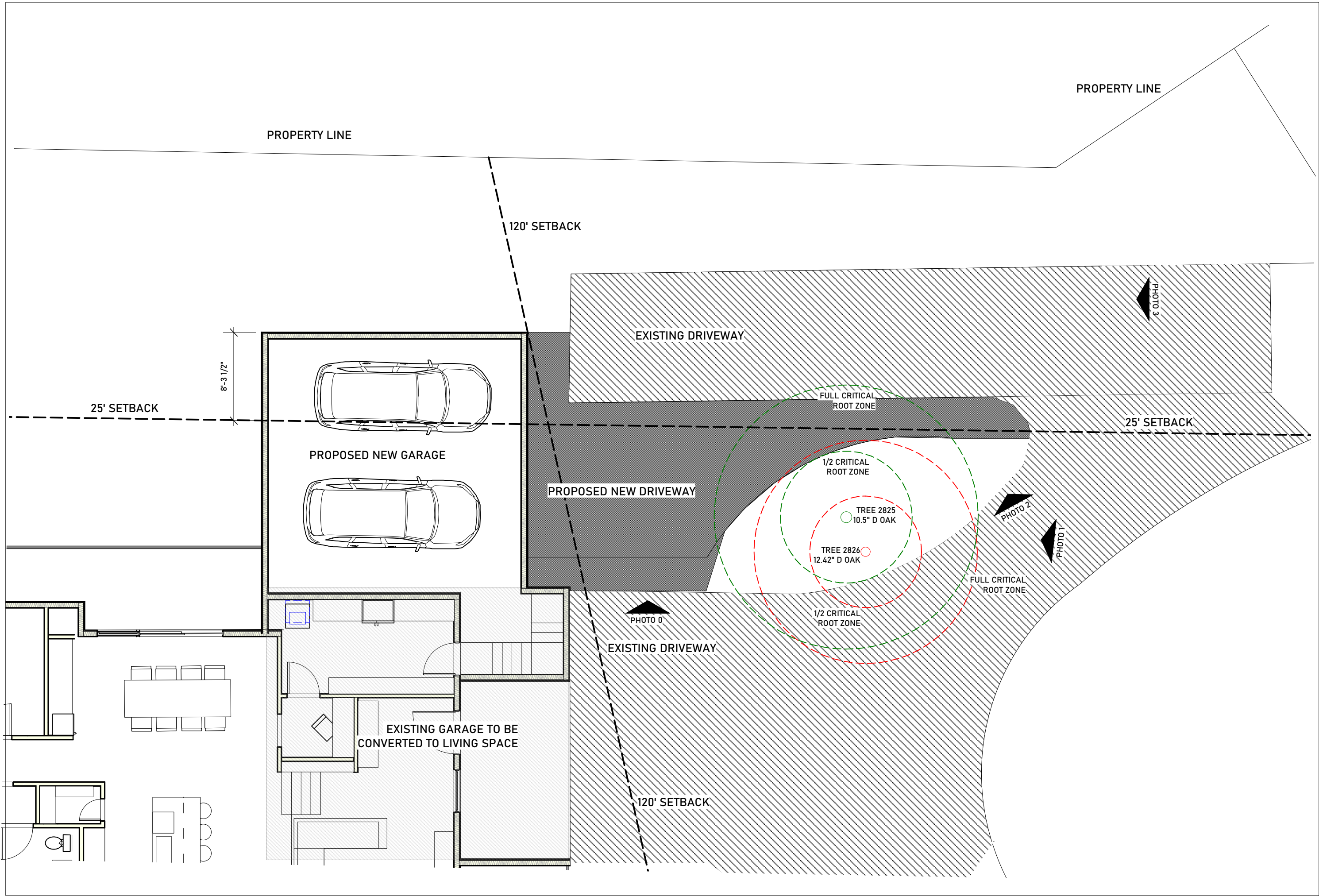
The tract of land described on this plat is within the boundaries of Travis County Water Control and Improvement District (WCID) No. 10 and has water service available.

[Signature]
Cliff Drummond
President of the Board WCID No. 10

17 DEC '91
Date

80009201718
MISC FILM CODE

Vol. 90 Page 141
N. 27 477000 TRAVIS COUNTY, TEXAS



REVISION RECORD

ISSUE

VARIANCE REQUEST
1/8/21
DRAWN BY

PG/AG

SITE PLAN

A0.0

DO NOT SCALE DRAWING CONTACT
DESIGNER IN CASE OF
DISCREPANCY. THESE DOCUMENTS
ARE THE PROPERTY OF 3FOLD
DESIGN AND ALLISON H GASKINS
AND MAY BE USED ONLY IN
CONNECTION WITH THIS PROJECT.

 TREE LEGEND

2712	8.92' LIVE OAK	2774	3.50' CEDAR
2713	10.19' LIVE OAK	2775	3.34' CEDAR
2714	3.15' CEDAR	2776	8.28' CEDAR
2716	12.66' LIVE OAK	2777	11.3' CEDAR CLUSTER
2717	4.94' DOUBLE CEDAR	2778	5.25' CEDAR
2718	5.97' LIVE OAK	2779	14.33' LIVE OAK
2719	5.97' LIVE OAK	2780	9.71' CEDAR
2720	6.61' CEDAR	2781	4.46' CEDAR
2721	5.65' CEDAR	2782	8.28' CEDAR
2722	10.19' CEDAR CLUSTER	2783	11.15' CEDAR CLUSTER
2723	3.25' CEDAR	2784	7.32' LIVE OAK
2724	5.25' CEDAR	2785	7' CEDAR
2725	7.96' CHINA BERRY	2786	5.10' CEDAR
2726	4.61' LIVE OAK	2787	14.65' DOUBLE LIVE OAK
2727	5.41' LIVE OAK	2788	5.41' CEDAR
2728	11.46' CEDAR	2789	4.46' CEDAR
2729	5.10' LIVE OAK	2790	3.82' CEDAR
2730	3.98' LIVE OAK	2791	7' CEDAR
2731	4.94' LIVE OAK	2792	4.78' CEDAR
2732	5.57' CEDAR	2793	6.05' CEDAR
2733	3.18' ELM	2794	7' DOUBLE CEDAR
2734	5.89' CEDAR	2795	4.30' CEDAR
2735	8.76' CEDAR	2796	8.60' CEDAR
2736	9.87' CEDAR	2797	6.80' HACKBERRY
2737	3.03' CEDAR	2798	6.80' HACKBERRY
2738	6.21' LIVE OAK	2799	15.6' HACKBERRY CLUSTER
2739	4.94' CEDAR	2800	11.78' DOUBLE LIVE OAK
2740	3.82' CEDAR	2801	10.99' DOUBLE CEDAR
2741	3.34' CEDAR	2802	6.05' HACKBERRY
2742	5.25' CEDAR	2803	4.46' LIVE OAK
2743	3.98' CEDAR	2804	6.85' DOUBLE HACKBERRY
2744	4.94' LIVE OAK	2805	13.54' HACKBERRY CLUSTER
2745	3.18' LIVE OAK	2806	6.05' HACKBERRY CLUSTER
2746	3.18' LIVE OAK	2807	13.06' LIVE OAK
2747	8.76' CEDAR	2808	20.86' LIVE OAK CLUSTER
2748	5.03' LIVE OAK	2809	10.19' LIVE OAK
2749	5.89' CEDAR	2810	3.18' CEDAR
2750	11.94' DOUBLE LIVE OAK	2811	9.08' HACKBERRY
2751	5.57' CEDAR	2812	9.55' LIVE OAK
2752	3.98' CEDAR	2813	4.46' CEDAR
2753	3.03' CEDAR	2814	4.14' CEDAR
2754	7.64' CEDAR	2815	4.78' HACKBERRY
2755	3.03' CEDAR	2816	12.42' DOUBLE HACKBERRY
2756	4.41' CEDAR	2817	7.64' CEDAR
2757	3.98' CEDAR	2818	7.64' CEDAR
2758	4.46' LIVE OAK	2819	24.04' LIVE OAK CLUSTER
2759	7.48' LIVE OAK	2820	15.6' CEDAR
2760	7.17' CEDAR	2821	7.32' CREPE MYRTLE CLUSTER
2761	4.78' DOUBLE CEDAR	2822	6.05' DOUBLE CREPE MYRTLE
2762	3.62' CEDAR	2823	13.69' LIVE OAK
2763	5.89' CEDAR	2824	10.19' LIVE OAK
2764	3.18' CEDAR	2825	12.42' LIVE OAK
2765	6.69' CEDAR	2826	10.5' LIVE OAK
2766	7.96' CEDAR	2827	5.25' CEDAR
2767	5.41' CEDAR	2828	4.30' ASH
2768	4.14' LIVE OAK	2829	4.80' ASH
2769	7.96' CEDAR	2830	12.1' CEDAR
2770	6.89' LIVE OAK	2831	13.69' DOUBLE CEDAR
2771	6.69' LIVE OAK	2832	8.44' CHINA BERRY
2772	10.9' CEDAR	2833	8.60' HACKBERRY
2773	5.73' DOUBLE CEDAR	2834	5.25' HACKBERRY



THIS SURVEY IS
ACKNOWLEDGED AND
IS ACCEPTED:

DAVID L. ELZY
Registered Professional Land Surveyor
Texas Registration No. 4675

Registered Professional Land Surveyor
Texas Registration No. 4675

Page 136 of 281









RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE

NOTES:

1. SEPTIC TANK NOTE:

Every lot in this subdivision is subject to the City of West Lake Hills' Sanitation Ordinance 108, as amended. No septic system or other private sewage facility may be constructed on any lot until the City of West Lake Hills issues a permit for its construction. No private sewage facility 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 the construction and development limitations in Sanitation Ordinance 108, as amended.

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FLOOD HAZARD NOTE:

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PROJECT DESIGN CONSULTANTS
5750 Balcones Drive, Suite 210
Austin, TX 78755-7202

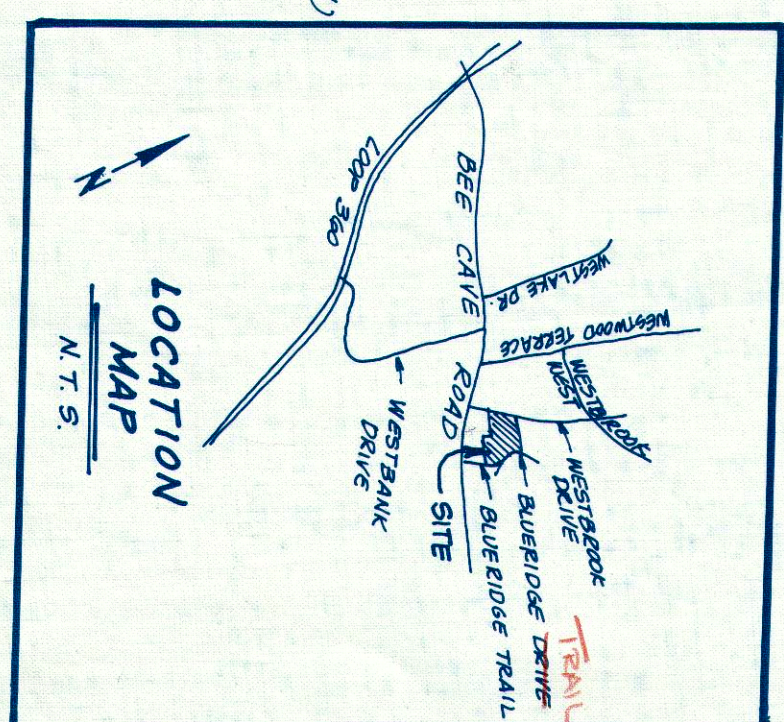
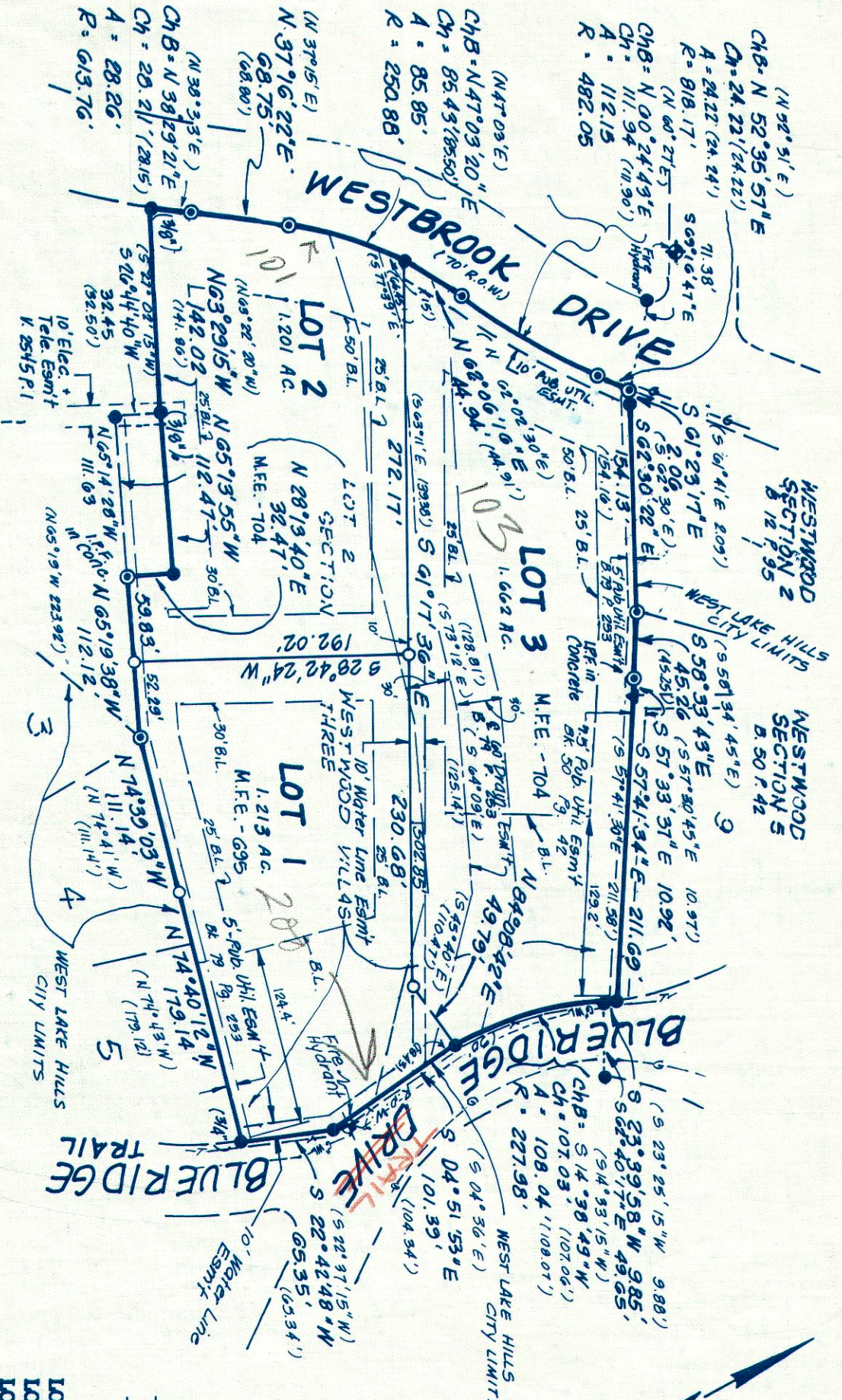


B. Appelle
Bruce S. Appelle
Registered Professional Engineer No. 52027

Date 18-26-91

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.

Cliff Drummond
Cliff Drummond
President of the Board WCID No. 10
Date 17 Dec '91



RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE

STATE OF TEXAS)
COUNTY OF TRAVIS)

That, WESTWOOD VILLAS JOINT VENTURE, acting herein by and through its managing partner, Phillip Deming, owner of 4.076 acres of land out of Lot 2, Westwood Villas Section Three, a subdivision as recorded in Book 79, Page 253 of the Plat Records of Travis County, Texas, said Westwood Villas Section Three County, Texas, said 4.076 acres being conveyed by deed recorded in Volume 11448, Page 1248 of the Real Property Records of Travis County, Texas, does hereby resubdivide said 4.076 acres in accordance with the attached map or plat, to be known as RESUBDIVISION OF A PORTION OF LOT 2, WESTWOOD VILLAS SECTION THREE, and does hereby dedicate to the public use all easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released.

WITNESS MY HAND this the 3rd day of September, 1991, A.D.

Phillip Deming
Managing Partner
Westwood Villas Joint Venture (Record Owner)
3509 Bee Cave Road
Austin, TX 78746

STATE OF TEXAS)
COUNTY OF TRAVIS)

THIS INSTRUMENT was acknowledged before me on the 3rd day of September, 1991, by Phillip Deming, Managing Partner of Westwood Villas Joint Venture.



Dana A. Markus-Wolf
Notary Public in and for
the State of Texas

DANA A. MARKUS-WOLF
Printed Name of Notary Public
My Commission expires on 8-02-94

I, the undersigned, City Inspector/Planner 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.

R. Dan Sims
City Inspector/Planner
City of West Lake Hills, Texas
Date 11-20-91

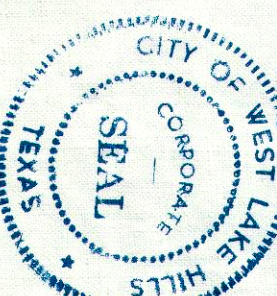
This plat has been submitted to and considered by the Zoning and Planning Commission of the City of West Lake Hills, Texas, and is hereby recommended for approval by the City Council.

DATED this 20th day of November, 1991, A.D.
A. H. Nuff
Allan Nuff, Chairman

Approved and authorized for record by the City Council of the City of West Lake Hills, Texas.

DATED this 26th day of November, 1991, A.D.
Tom H. Taylor, Mayor of the City of West Lake Hills, Texas

Attest:
Linda Winn, City Secretary



ALL LOTS IN THIS SUBDIVISION ARE ZONED R-1 ONE-FAMILY RESIDENTIAL DISTRICT.

FILED FOR RECORD, this the 13th day of January, 1992, A.D., at 2:40 o'clock P.M.

Dana Debeauvoir, Clerk,
Travis County, Texas

K. Terrell
Deputy
Travis County, Texas

STATE OF TEXAS)
COUNTY OF TRAVIS)

I, Dana Debeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing instrument was filed for record in my office on the 13th day of January, 1992, A.D., at 2:40 o'clock P.M., and duly recorded on the 13th day of January, 1992, A.D., at 2:40 o'clock P.M., in the Plat Records of said County and State in Plat Book 90, Page 140, 141.

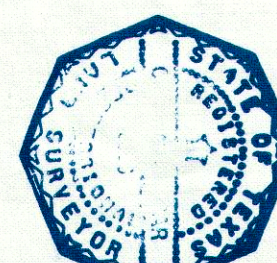
WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, the 13th day of January, 1992, A.D.

Dana Debeauvoir, County Clerk, Travis County, Texas

K. Terrell
Deputy

I, Craig C. Cregar, a REGISTERED PROFESSIONAL LAND SURVEYOR in the State of Texas, do hereby certify that this plat is true and correct to the best of my knowledge, and was prepared from an actual on-the-ground survey of the property made under my personal supervision.

TERRA FIRMA
3701 Bee Cave Road, Suite 203
Austin, TX 78746
Craig C. Cregar
Registered Professional Land Surveyor No. 3936
Date 8/26/91





NONCONFORMING STRUCTURE VARIANCES STAFF REPORT

JANUARY 20, 2021

Project Address: 1407 Wildcat Hollow

Project Number: 16344

Agenda Item: Land Use: 1407 Wildcat Hollow: Discussion/consideration of a variance request to alter the roofline and remodel exterior walls of an existing non-conforming home that encroaches the side building setback (West Lake Hills Code Sec. 22.03.281). Owners Andrew & Kaitlyn Coney/Applicant Kristopher White - Dick Clark & Associates.

Applicant Information: Owners Andrew & Kaitlyn Coney/Applicant Kristopher White, Dick Clark & Associates

Hearing Dates:

January 20, 2021 ZAPCO

February 10, 2020 Board of Adjustment

Location: The subject property is located west of Westlake Drive, south of Harbor View Drive, and northeast of Nob Hill Circle.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 0.3547 acre. There is an existing two-story home on the property, and the property is steeply sloped.

Background & Analysis:

The applicant is requesting variances in order to remodel an existing home that encroaches the side building setback. The applicant considered options of either tearing down the existing home and constructing a new build, or remodeling the existing structure. Due to the small lot size, steep slopes and trees that need to be preserved, including a 28" Live Oak in the existing courtyard, the applicant chose to remodel the existing nonconforming structure.

The proposed remodel will not cause further encroachment into the building setback, but does involve remodeling the interior and exterior of the portion of the home located in the setback. Additionally, due to the existing low ceilings, the applicant is requesting raising the roofline of the nonconforming structure (but will stay at or below the maximum permitted height). The roofline will also be extended in the carport to allow modern standard size vehicles to enter the carport.

The existing home was originally constructed in the 1950s, and the homeowners would like to update it more livable by current standards. No trees are proposed to be removed and the impervious cover will stay the same.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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

The application states – “We plan to work within the existing parameters of the site and...within the existing 2,300 sf footprint but with this .35-acre site having such a significant slope, limited buildable area and considerable tree critical root zones, the existing house is currently sited across the side yard setback. This puts a constraint on about 1/3 of the existing exterior walls and roof by not allowing alterations to be made besides routine maintenance.”

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

The application states – “We do not anticipate the surrounding terrain and existing flora to be disrupted more than a traditional remodel and recladding since we are not proposing to go beyond the existing footprint and current overhang projections.”

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

The application states – “Other alternatives were considered, but due to the limitation of the buildable area by setbacks and tree CRZs, it made the most sense to remodel the existing home within the existing footprint. The main alternative of building new would be incredibly disruptive to the site and large central oak since our only buildable area would be on the back-half of the lot.”

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

The application states – “The main objective of this remodel is to fix up what’s already there and breathe new life into this existing home. We can design something beautiful by just utilizing what’s there but the non-complying portion of the structure requires a variance in order to be remodeled as a cohesive and updated home. We feel that these variances give this property the ability to have the remodel that it deserves in order to best fit these homeowners’ growing family.”

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

The application states – “By reusing the existing home’s footprint, we are placing the utmost emphasis on the protection and preservation of the existing site. This variance will allow the remodel to focus on elevating the unique and special quality of the property by preserving and protecting the site’s natural resources and adding to the pleasant quality of life already engrained in this city.”

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

The application states – “Although the roofline would be slightly taller, this house sits well below Wildcat Hollow. Also, by facing the lower end of the shed roof towards the property line and by not expanding the footprint of the existing house, the remodel will not encroach any further towards the one visible neighboring property that they have to the south and east.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

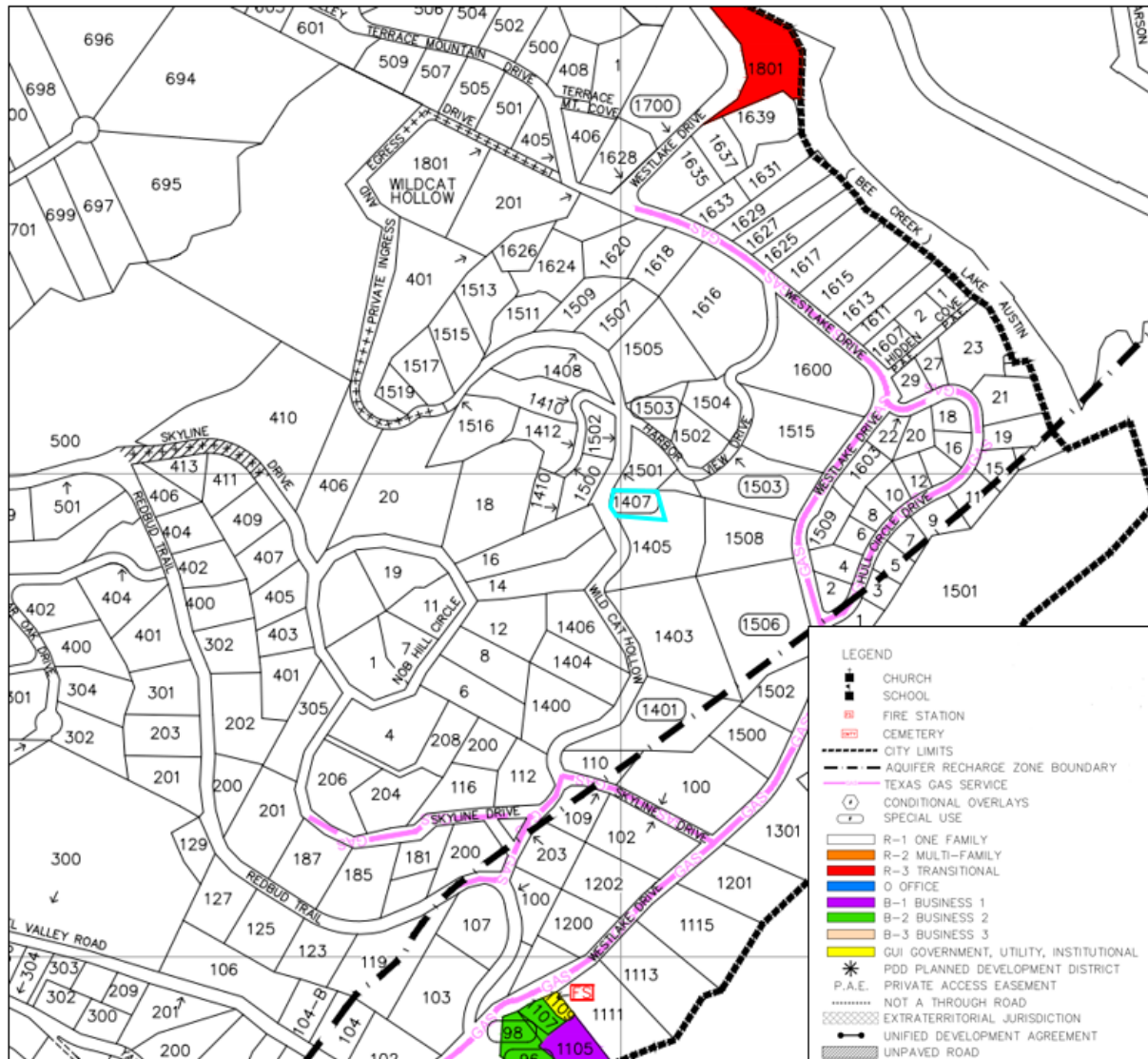
Staff recommends approval of the requested variances due to the site constraints including steep slopes and minimization of the proposed project.

Links to Relevant Code:

- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)
- [Sec. 38.04.061 Nonconforming uses of land and structures](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: **1407 Wildcat Hollow**
Applicant Name: **Andrew & Kaitlyn Coney**
Designated Agent (if any, Power of Attorney Required): _____
Applicant Phone Number: **512.472.4980** Email Address: _____
Date Application was Submitted: **12.11.2020**
Variance(s) Requested: **Alter roofline and remodel exterior walls of the existing structure that sits partially in the building setback**

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____

Postponement History (if any): _____
Notes: _____

LETTER TO ZAPCO CHAIRPERSON

December 11, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

Dear Mr. Chairman:

The property located at 1407 Wildcat Hollow is currently an existing two-story, single-family home built in 1955 on an incredibly sloped lot of .35 acres. Andrew and Kaitlyn Coney plan to keep it that way but would like to remodel this existing home to alleviate the cramped ceiling heights and tight room arrangements.

The lot has a significant downward slope away from the street. Centered right in the middle of the lot, within the existing courtyard, there is a stunning 28" Live Oak tree that commands the site and existing home layout. The main floor of the house sits under and around the tree, pushing the existing house into the side yard & front yard setbacks and thus making some of the south side and the carport, a non-conforming structure.

Our design team evaluated various approaches to the layout of the home on the site, both as a new build and as a remodel. Due to the limited buildable area, significant slope and the beautiful tree taking up most of the buildable area, we determined that the optimal design strategy was to do a responsible remodel, working within the existing parameters of the site and within the existing footprint of the house. Alas, with an 8' top plate restricting the ceiling heights and the existing beams restricting the door heights to 6'-8" tall, it makes it very difficult to just try and fix up what's already there, while making it a little more livable by today's standards. The current home feels cramped and heavy inside.

In order to accommodate this design approach, a variance is required: the ability to alter the roofline and remodel the exterior walls of the existing structure that sits partially in the building setback :

- The portion of the existing house & carport that is in the setback(s) are well below the code's height requirement and we are completely staying within the existing footprint.
- In order to give the spaces and the house more breathability, and fill the spaces with light, it is necessary to increase this top plate and replace the existing gable roofs with shed roofs that face inward, towards the tree – keeping the low side towards the property line and not extending past where the current, existing roof overhangs end.
- This same top plate restricts modern cars to enter the carport – we would extend the new shed roof (consolidating the roofline) which would permit the elevated shed side to receive standard-sized vehicles, while staying within the existing roof outline
- We do not propose to remove any trees or add any impervious cover.

We feel these variances give this property the ability to have the remodel that it deserves. A design that rebuilds and elevates what is existing to be as beautiful and unique as the site itself all while allowing for the home to have another happy 65 years of life.

We very much appreciate your consideration and look forward to your comments.

Sincerely,



Kristopher White, AIA
Partner - Dick Clark + Associates

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application.

(1) 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.

We plan to work within the existing parameters of the site and the within the existing 2,300 sf footprint but with this .35-acre site having such a significant slope, limited buildable area and considerable tree critical root zones, the existing house is currently sited across the side yard setback. This puts a constraint on about 1/3 of the existing exterior walls and roof by not allowing any alterations to be made besides routine maintenance. With the low 8' top plate of the existing roof combined with the structural beams protruding down to 6'8", this remodel is now confined to keep the spaces feeling small and cramped, no matter what we do on the interior.

In order to give the spaces and the house more breathability, and fill the spaces with light, it is necessary to increase this top plate and replace the existing gable roofs with shed roofs that face inward, towards the tree – keeping the low sides towards the property line and not extending past where the current, existing roof overhangs already project.

Secondarily, since this house does not have a garage, the carport is the main covered parking area. Unfortunately, this same top plate restricts a modern, standard-sized vehicle to enter the carport. We propose to extend the new shed roof (consolidating the roofline) which would permit the elevated shed side to receive any type of vehicle, while staying within the existing roof outline of the current carport.

(2) 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?

We do not anticipate the surrounding terrain and existing flora to be disrupted more than a traditional remodel & recladding since we are not proposing to go beyond the existing footprint and current overhang projections.

(3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

Other alternatives were considered, but due to the limitation of the buildable area by setbacks and tree CRZs, it made the most sense to remodel the existing within the existing footprint. The main alternative of building new would be incredibly disruptive to the site and large central oak since our only buildable area would be on the back-half of the lot.

For the proposed remodel approach, any combination of efficient layout, good design and adaptation to a more modern way of living would require the ceiling plane to be modified above the existing, restricting top plate that currently exists, keeping the spaces within still feeling cramped and closed off.

(4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

The main objective of this remodel is to fix up what's already there and breathe new life into this existing home. We can design something beautiful by just utilizing what's there but the non-complying portion of the structure requires a variance in order to be remodeled as a cohesive and updated home. We feel that these variances give this property the ability to have the remodel that it deserves in order to best fit these homeowners' growing family.

(5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

By reusing the existing home's footprint, we are placing the utmost emphasis on the protection and preservation of the existing site. This variance, will allow the remodel to focus on elevating the unique and special quality of the property by preserving and protecting the site's natural resources and adding to the pleasant quality of life already engrained in this city.

(6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

Although the roofline would be slightly taller, this house sits well below Wildcat Hollow. Also, by facing the lower end of the shed roof towards the property line and by not expanding the footprint of the existing house, the remodel will not encroach any further towards the one visible neighboring property that they have to the south and east.

Property Address: 1407 Wildcat Hollow, West Lake Hills, TX 78746



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

Image Name:
Existing Site Plan

Date:
December 2020

Coney Residence - WCH



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

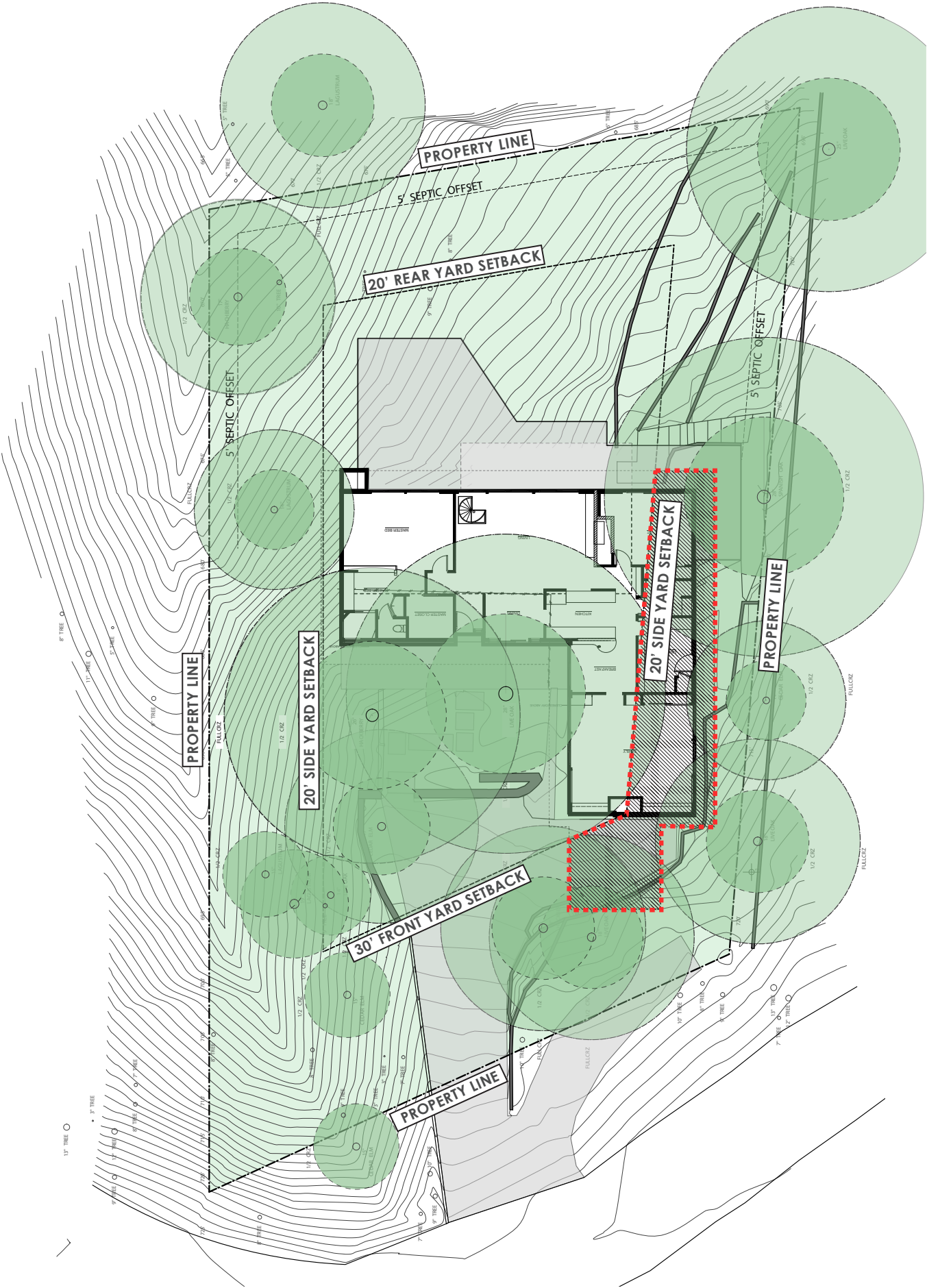
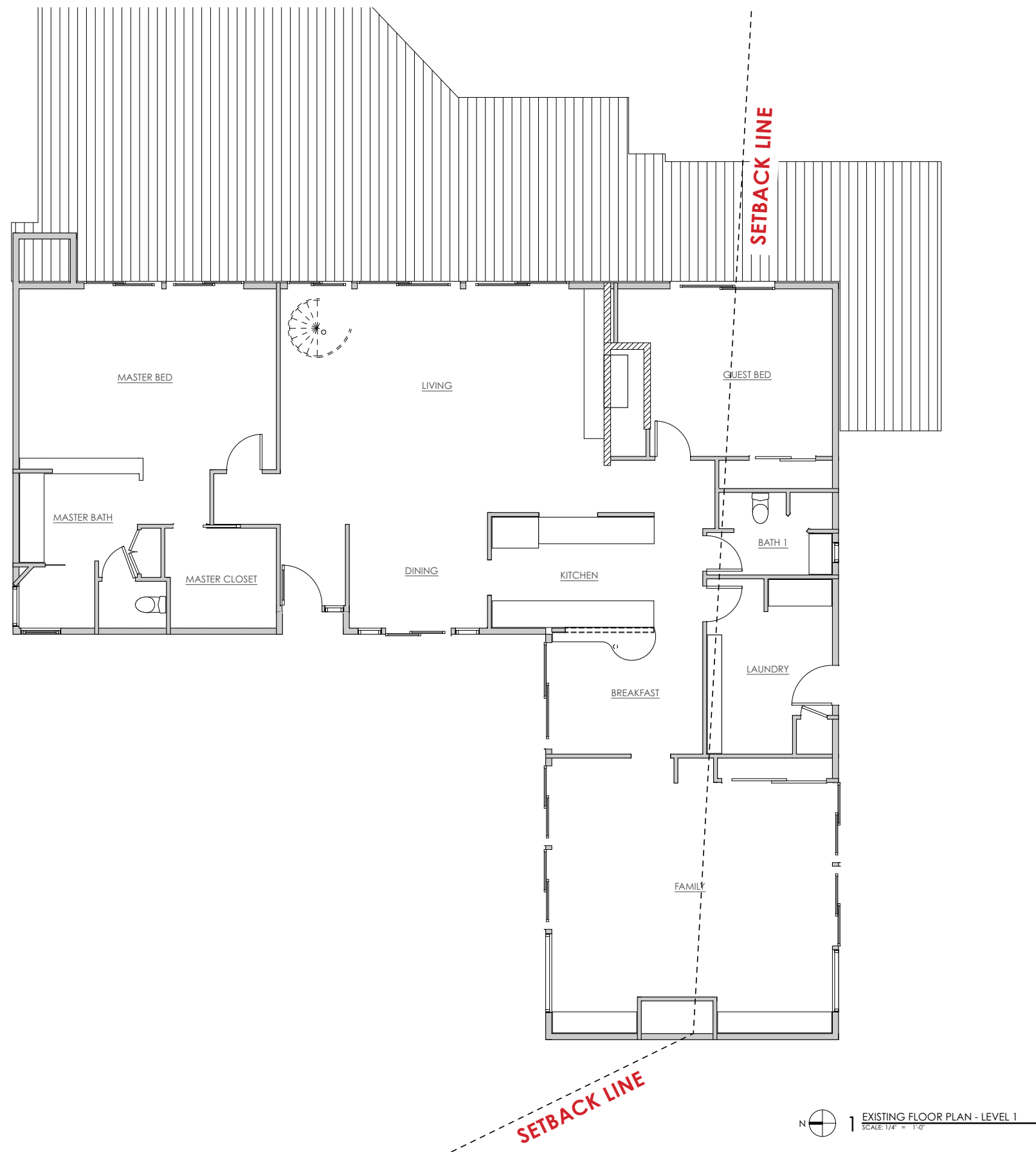


Image Name:
Existing Site Plan

Date:
December 2020

Coney Residence - WCH







DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

Image Name:
Existing Photos

Date:
December 2020

Coney Residence - WCH



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

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December 2020

Coney Residence - WCH



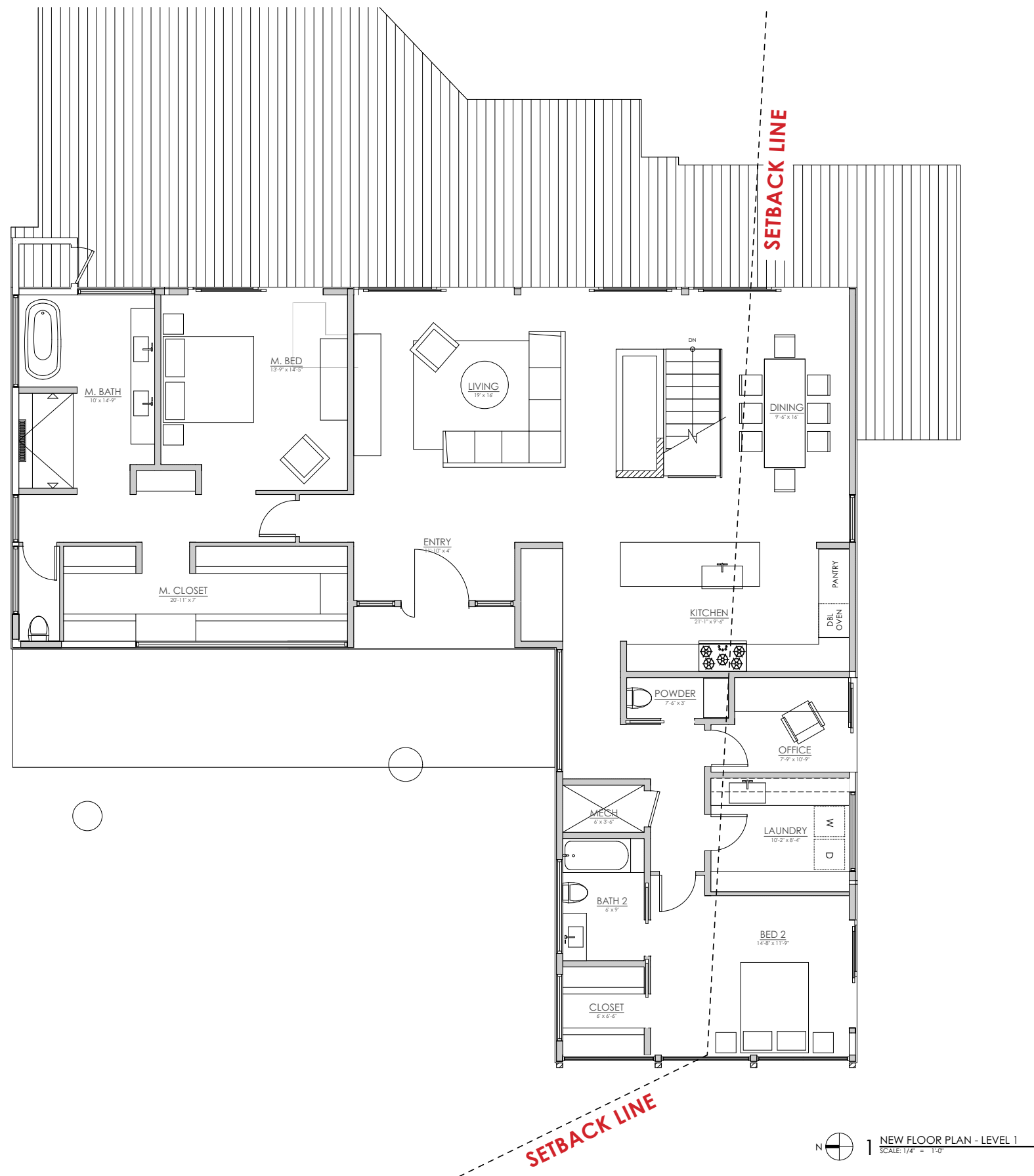
DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

Image Name:
Existing Photos

Date:
December 2020

Coney Residence - WCH





DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

Image Name:
New Floor Plan

Date:
December 2020

Coney Residence - WCH



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

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Date:
December 2020

Coney Residence - WCH



DICK CLARK + ASSOCIATES
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December 2020

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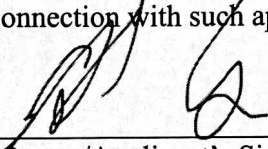
Date:
December 2020

Coney Residence - WCH



SPECIAL POWER OF ATTORNEY

KNOW ALL PERSONS BY THIS DOCUMENT that I Andrew Coney,
being the owner(s) of the property identified below, have made, constituted and appointed
Kristopher White to be my duly authorized representative in connection with
a variance application dated 12/10/20 and relating to my property at
1407 Wild Cat Hollis, to be heard by the Zoning and Planning
Commission and BOA/City Council of the City of West Lake Hills, Texas. All representations,
whether oral or written, made by the representative in support of the request have the full force
and effect of the applicant's approval. I do by this document constitute the above named
representative as my true and lawful attorney-in-fact to act in my name, place and stead, to do
and perform any act in connection with such application which I myself might perform or do if I
was personally present.



Property Owner/Applicant's Signature

100 Stratford reserve pl, West Lake Hills, TX 78746

Street Address

City, State, Zip Code

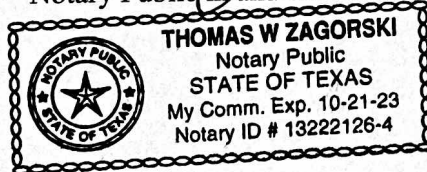
512-913-2005

Phone Number

The instrument was acknowledged before me on this the 10th day of December, 2020.



Notary Public in and for the State of Texas





**TREES, HEIGHT, CUT/FILL, &
IMPERVIOUS COVER VARIANCES
STAFF REPORT**

JANUARY 20, 2021

Project Address: 3423 Bee Cave Road

Project Number: 16337

Agenda Item: Land Use: **3423 Bee Cave Road:** Discussion/recommendation on a request for several variances in order to construct a new medical office building: 1) removal of six trees 14" or greater (#5040 - 16" Cedar; #5046 - 14" Cedar; #5140 - 15" Live Oak; # 5143 - 14" Live Oak; #5324 - 18" Cedar; & # 5373 - 14" Cedar); 2) building height exceeds maximum permitted height; and 3) impervious cover exceeds maximum permitted (West Lake Hills Code Sec. 22.03.304 & Sec. 22.03.281). Owner the Keller Group/Applicant Central Austin Management Group-Peter Narvarte.

Applicant Information: Owner-Keller Group/Applicant Central Austin Management Group-Peter Narvarte

Hearing Dates:

January 20, 2021 ZAPCO

February 10, 2020 City Council & Board of Adjustment

Location: The subject property is located east of Beaver Trail, west of Walsh Tarlton Lane, and is on the south side of Bee Cave Road.

Zoning & Site Characteristics:

The subject property is zoned B-1 – Business 1 District and is approximately 6.2 acres. The subject property is adjacent to properties zoned O-Office; GUI-Governmental, Utility, Institutional; and B-2 – Business 2 District. The rear property line is adjacent to the City of Austin.

Background & Analysis:

The applicant is requesting several variances in order to construct a new office building at this location. The propose building would become the permanent location of several medical and dental offices. The building is 30,000sf is two stories with a building footprint of 15,000sf and includes a ground level parking garage in addition to surface parking.

There are existing buildings and parking areas on the site that will remain, including the Primrose School and Acton Academy.

Variance Request Summary:

Below is a summary of each of the requested variances:

- Tree variances: requesting the removal of six trees that are 14" or greater (#5040 - 16" Cedar; #5046 - 14" Cedar; #5140 - 15" Live Oak; # 5143 - 14" Live Oak; #5324 - 18" Cedar; & # 5373 - 14" Cedar).
- Height of building: requesting height variances for the proposed building – up to 54' at the south elevation and 37' at the northwest corner. Maximum height allowed is 30' but up to 37' if incentives listed in the Code are met.
- Impervious cover: seeking variance/incentives approval to receive up to 39% impervious cover (base impervious cover allowance is 35% with up to 47% if incentives listed in Code are met)

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
The application states – "We are looking to develop approximately 30,000 sf. During the planning for a location, size, and height, we considered the zoning, which is B-1, the current use on site, the impervious cover, drainage, and trees. The B-1 zoning limits us to a singular 15,000 sf footprint per building. If we were to propose building two buildings we would far exceed impervious cover and remove more trees that we would like or would be acceptable."
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – "After consulting the West Lake Hills Drainage and Erosion Control Design Manual, Code of Ordinances Sec. 22.03.210, Sec. 22.03.170, and Article 22.03, we would propose building across a drainage valley and improving the capture and direction of the drainage. This will allow us opportunity to relocate/replant existing and new native landscaping elements with intentional irrigation that allow for the remaining and new flora to flourish."
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – "We have reviewed 4 options including the option we are presenting." (see application for details of the other three options)
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.

The application states – “We have been thoughtful with our approach to this request...as local business owners and residents we are trying to keep the fabric of West Lake Hills intact and want to continue to operate our businesses in Westlake and become property owners.”

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

The application states – “We believe there to be a specific challenge with the topography of the site that works directly opposed to the intent of City criteria and 22.03.281 Schedule of Regulations. As shown in the attached section view and street view from Bee Caves Road we believe there is a specific challenge for development on this site due to the topography.”

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

The application states – “The building we are proposing will sit within the compatibility setbacks for our zoning and the zoning around us as required by the WLH Code of Ordinances. The height we are proposing will place the top of the building approximately 10 feet above the existing tree line.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The goal of the master plan for nonresidential areas is to permit continued growth and development in a manner consistent with the needs of the residents of the City of West Lake Hills and in a manner complementary with the city’s rural character. Land in this area may be used for church, appropriate residential, commercial, office, school or public purposes.

Staff Recommendation

The Zoning and Planning Commissioners may 1) recommend approving the variance requests as submitted by the applicant; 2) recommend approving the requests subject to specified conditions; or 3) recommend disapproving the requests.

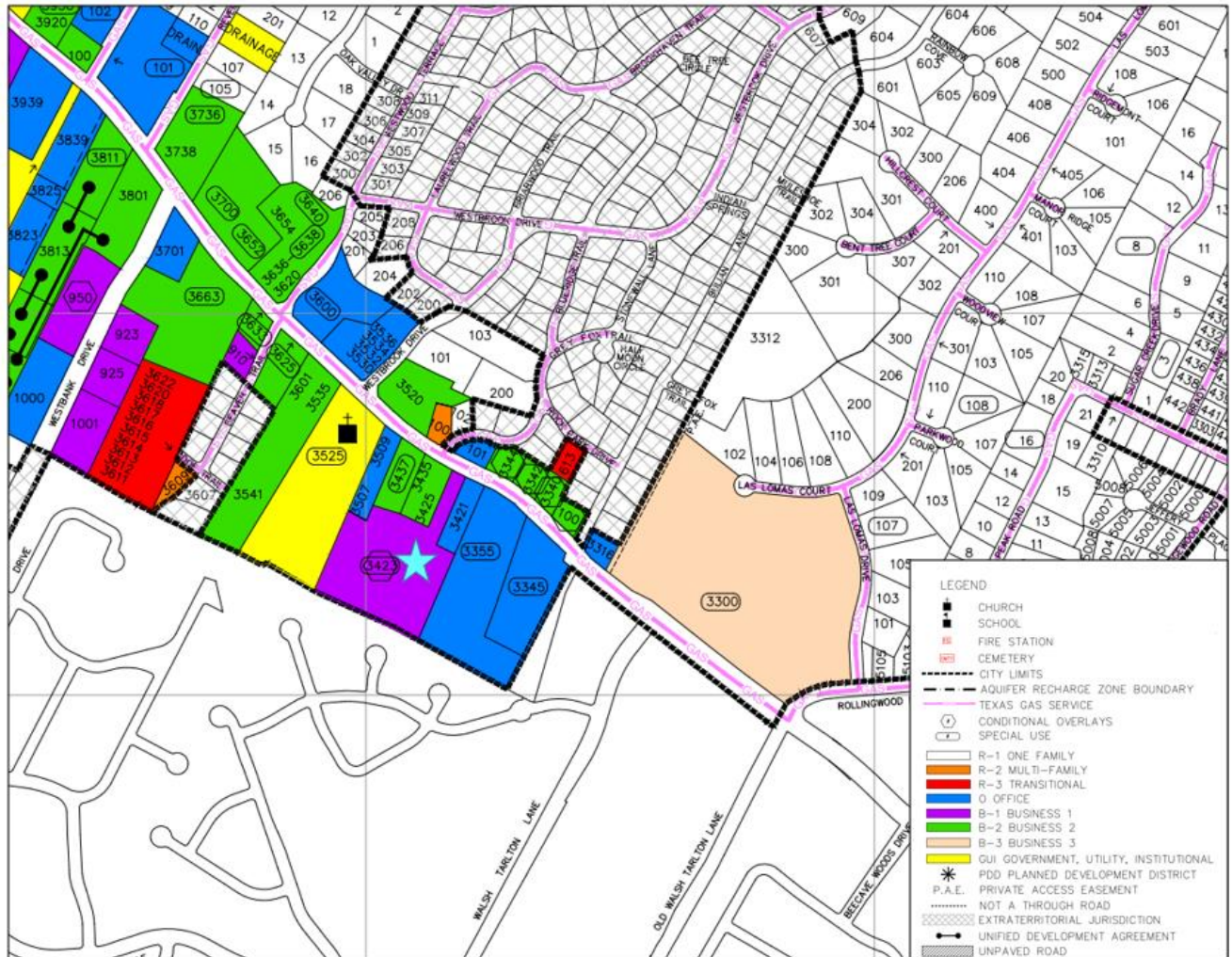
Links to Relevant Code:

- [Sec. 22.03.281 Schedule of Regulations](#)

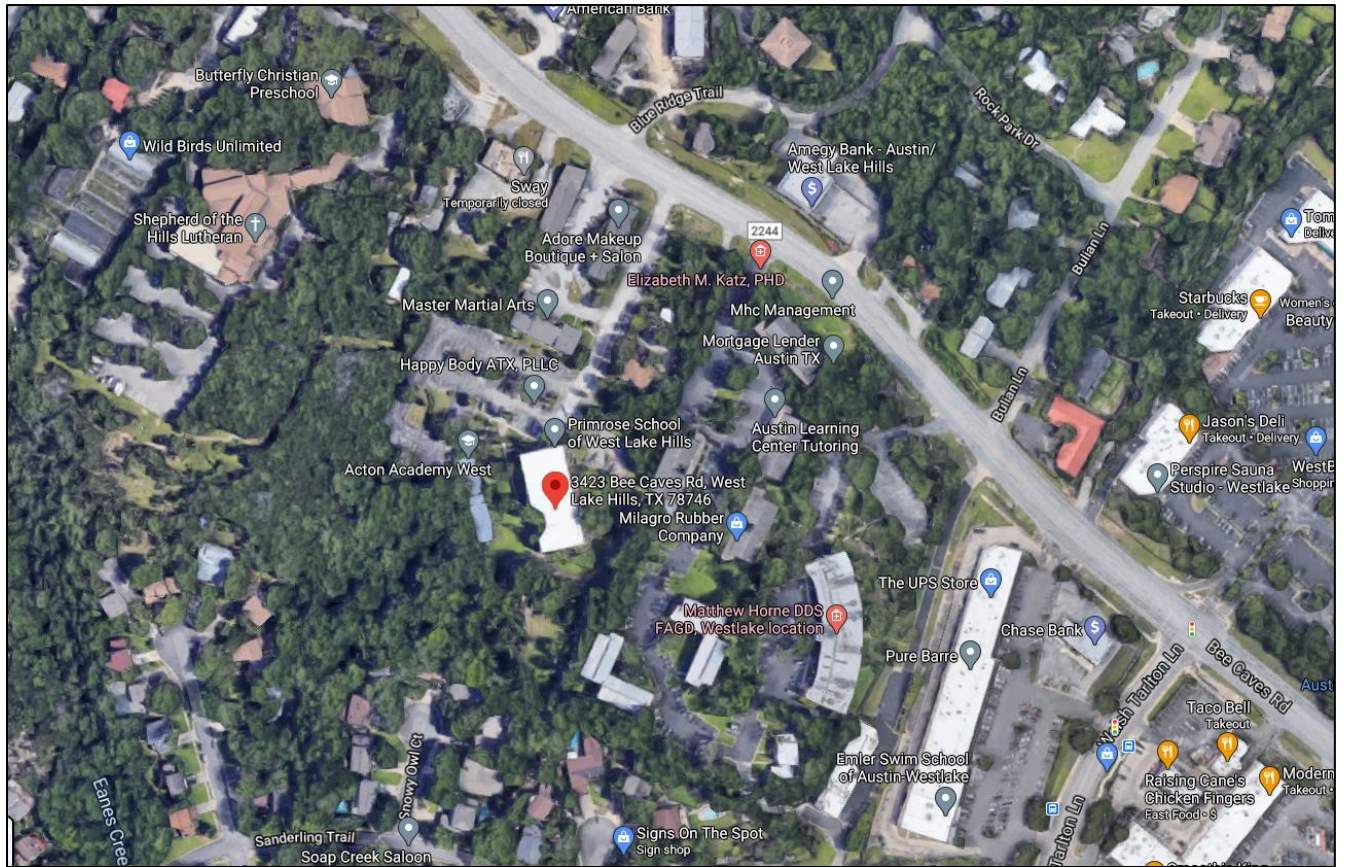
- [Sec. 22.03.170](#) [Site disturbance \(excavation, grading or filling\)](#)
- [Sec. 22.03.304](#) [Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514](#) [Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 3423 Bee Caves Road
Applicant Name: Keller Group
Designated Agent (if any, Power of Attorney Required): Central Austin Management Group - Peter Narvarte
Applicant Phone Number: 512-563-6707 Email Address: [REDACTED]
Date Application was Submitted: _____
Variance(s) Requested: _____

Trees, Height, Impervious Cover, Cut and Fill

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____
Postponement History (if any): _____
Notes: _____

LETTER TO ZAPCO CHAIRPERSON

DATE:

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

Dear Mr. Chairman:

[Please briefly provide an overview of your variance request, the need for variance, your efforts to minimize the requested variance, alternatives you considered and your reasons for deciding on the proposed course of action. Please limit this letter to one page in length.]

Sincerely,

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application. *(Feel free to respond to these questions on a separate page or document.)*

- (1) 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.

- (2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?

- (3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

- (4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

- (5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

- (6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

Property Address: _____

December 4, 2020 (R1 Resubmittal 12/11)

Chairman Robert Meisel
Westlake Zoning and Planning Commission
911 Westlake Drive
Westlake Hills, Texas 78746

Dear Mr. Chairman,

We represent a group of Westlake Hills physicians interested in purchasing and developing a permanent location in Westlake for their longstanding medical/dental practices. Drs. Vincent Cavaretta, Randy Kunik, Juan Vesga and David Yu have decades of experience serving the Westlake Hills community and will be partners in this project. Michael Hsu Office of Architecture is designing the building to take advantage of its tucked-away location and tree-line views. These are established practices that do not require high visibility, but seek visual interest and a soothing environment for their patients. The doctors seek to develop an upscale professional building that provides the facilities and amenities that represent the care they have delivered to Westlake Hills over the last decade.

We are currently under Contract to purchase the property at 3423 Bee Caves Rd from KCBC Ltd and are requesting approval for variances for the construction of the proposed new medical office building that will be additive to the existing improvements on the property. Below are the variances requested.

- **Removal of Trees** [Sec. 22.03.303-305]
- **Height of Building** [Sec. 22.03.278-280]
- **Impervious Cover** [Sec. 22.03.281_III.(a)(i)]

The help provide some additional thought and clarity we have attached an exhibit that expands on each variance request and provides responses to Westlake Hills' 6 (six) Variance Approval Questions.

Thank you for taking the time to consider these requests.

Sincerely,



Peter Narvarte,
Vice President of Development
Central Austin Management Group
www.causmg.com // 512-563-6707

Encl:

- Variance Request Exhibit [*attached 8 pages*]
- Power of Attorney for representation of KCBC Ltd [*attached 1 page*]
- 3423 Bee Caves Feasibility Study Packet [*attached 17 pages*]

3423 Bee Caves Road – Variance Request Exhibit

Below is the list of 4 (four) requested variances:

1. **Removal of Trees** [Sec. 22.03.303-305]

In the attached packet you will see the tree survey with the proposed building overlay. We intend to keep as much existing vegetation and plants as possible. In accordance with the ordinance we have identified approximately 321 trees on site over the 3-inch diameter at 54-inches from natural grade. Below is a list of the 6 trees above 14-inches that would require a variance to remove. The remainder of trees to be removed with a diameter below 10-inches can be found on the Tree Survey. If the variance is granted we would identify all of the trees that require removal and seek input from Westlake Hills to execute an optimal relocation/replacement plan or fee in lieu if that is deemed necessary.

- 5040 16" CEDAR 9-7-6
- 5046 14" CEDAR
- 5140 15" LIVE OAK 10-6-4
- 5143 14" LIVE OAK 12-4
- 5324 18" CEDAR 8-8-7-4
- 5373 14" CEDAR 11-6

2. **Height of Building** [Sec. 22.03.278-280]

We request a variance for the height of the structure as required by 22.03.279 and 22.03.281. We intend to comply with items 1-5 of height adjustments listed in Section 22.03.281 VIII (a). The extreme drop in natural grade on the back side of the building reduces the allowable height more than the code's intent, which allows for two story development. The additional height we are seeking will allow us to place some parking below grade, which reduces impervious cover and increases visual appeal around the site. Table 22.03.281 limits the height of the structure to 30'-0" above natural grade for our zoning and building type. The top of the building would be level while the natural grade on site is rather steep and would vary 17 feet across the width of the building which makes it difficult to request a variance for a specific value. We have included some imagery below, and in the attachment, to help add context for our request. The NW corner of the proposed building would have a height above natural grade of 37 feet, which means we would be asking for a variance of 7 feet at the corner closest to Bee Caves road. The south side at the center of the existing drainage area of the proposed building would have a height above natural grade of approximately 54 feet, which means we would be asking for a variance of 24 feet at this location only. The sections below and attached packet show that the 24 feet variance is because we are proposing the footprint over a drainage swale.

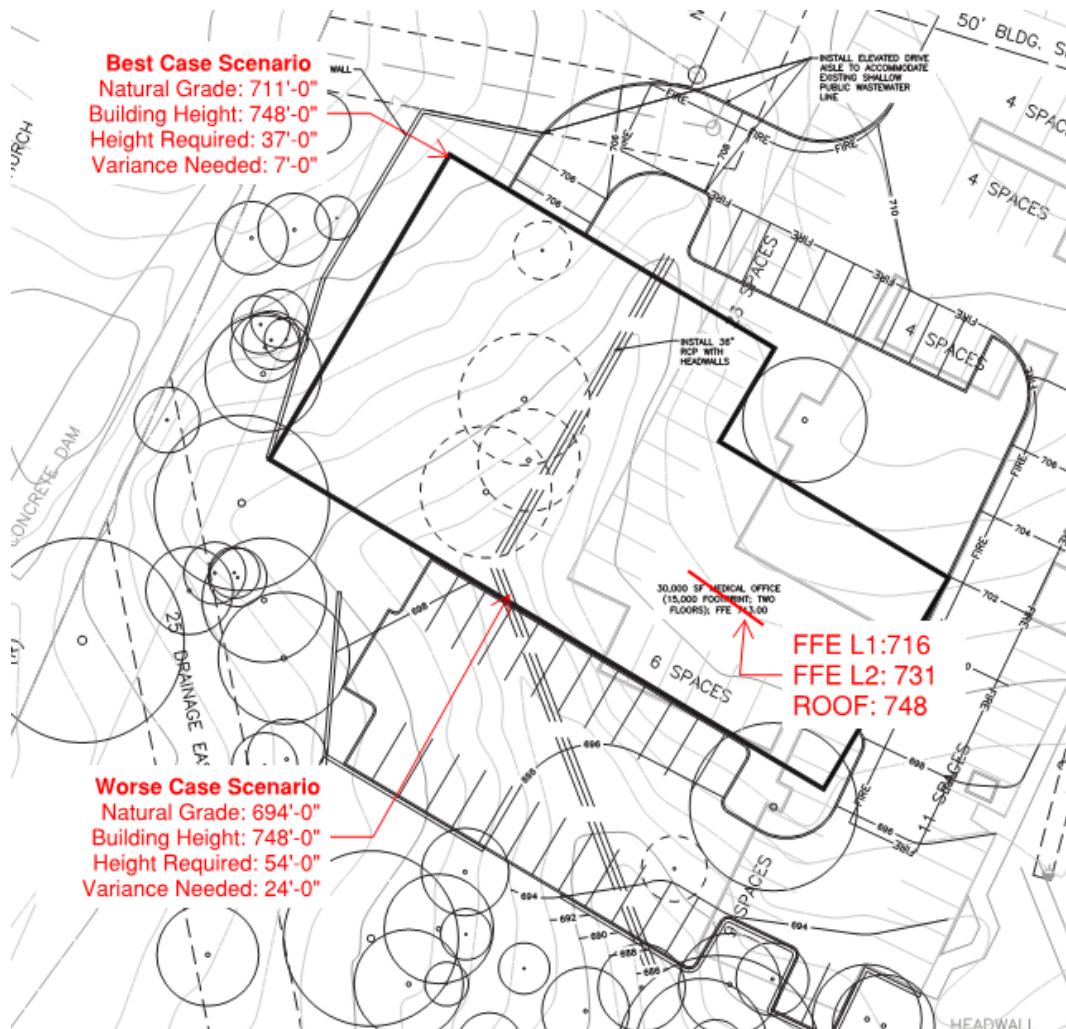
As further clarification and explanation, in a scenario like this where the existing grade is dramatic, we have used in the past what is called an "average grade" calculation to resolve the large differences in grade:

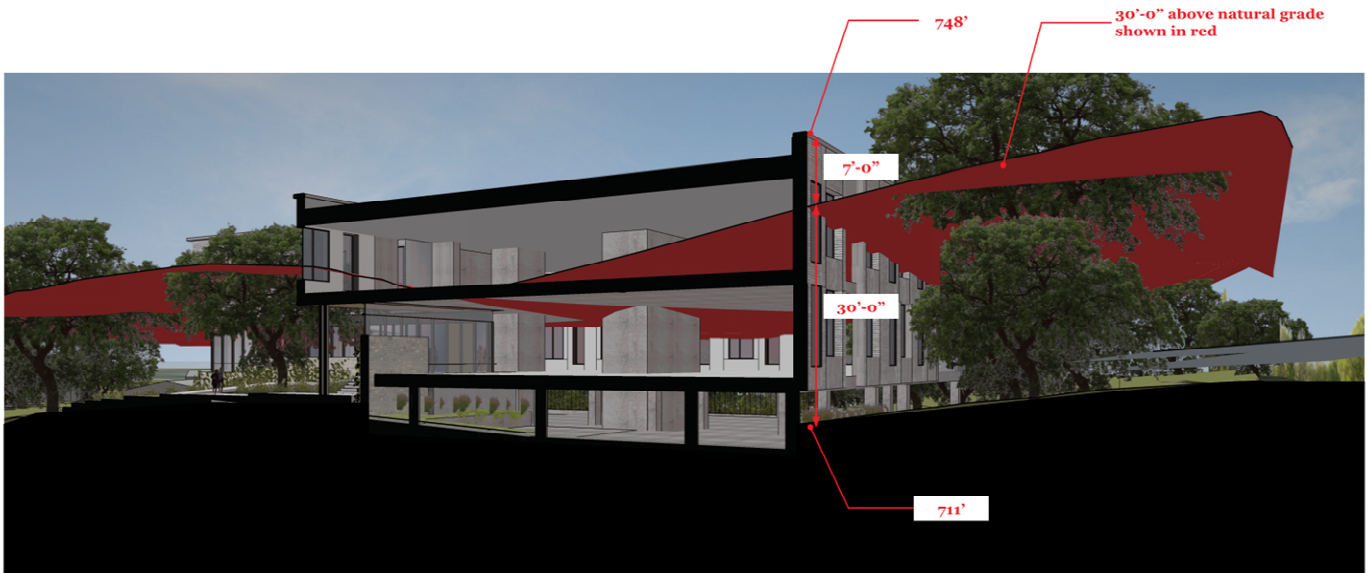
- The City of Austin as an example would take the highest grade and the lowest grade along the building footprint and use the average of those two elevations to create the baseline for a variance. As an example, in this case, if we were to follow this methodology, the average grade elevation would be approximately 703 feet against the top of the building elevation at 748 feet, which would leave a variance request of 15 feet.
- An additional methodology is to use the entire site grades and average the highest point and lowest point. This would render a resultant 704 feet as an average grade which would create the baseline at approximately 704 feet, which would leave a variance request of 14 feet.

We believe granting this variance is compatible with the intent of the City of Westlake's character and zoning ordinances:

- The scale of the building fits the site well due to the height as compared to the surrounding buildings, and it will be obscured from view by existing development along Bee Caves Road
- The proposed building height would be approximately 5'-0" lower than the roof line of Sway, which separates our property from Bee Caves Rd.
- The setback of the proposed location and grade change place the building roofline at 28'-0" above natural grade at Bee Caves Road in front of Sway and neighboring commercial properties along Bee Caves Road.
- The building is surrounded by trees and would be only +/-10'-0" above the natural tree line.
- The neighboring properties to the West, East, and North are B-2 or GO and the proposed layout of the building is within all compatibility setbacks established by Code

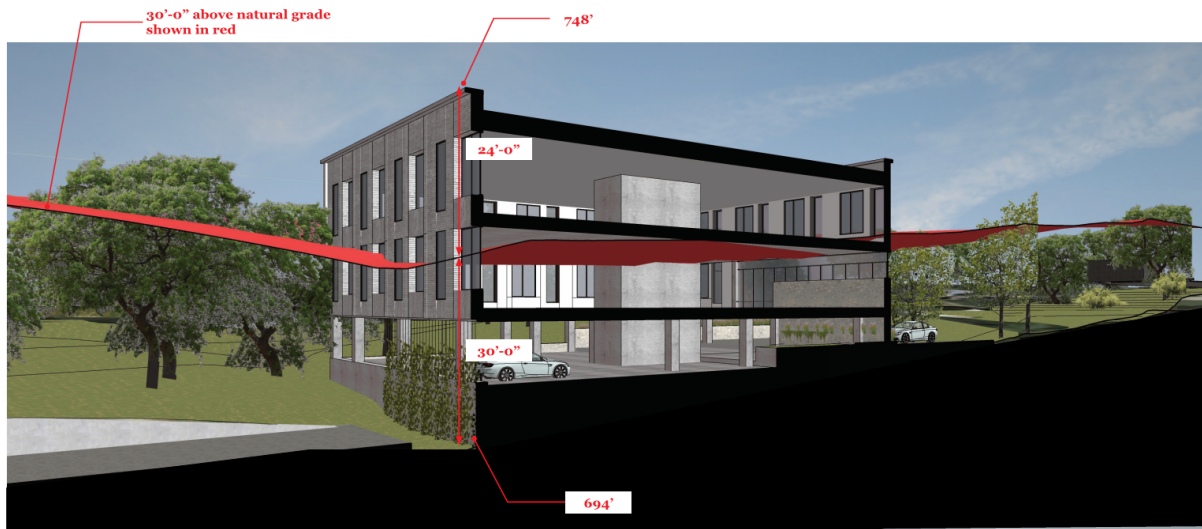
**see images below and in the attached packet*





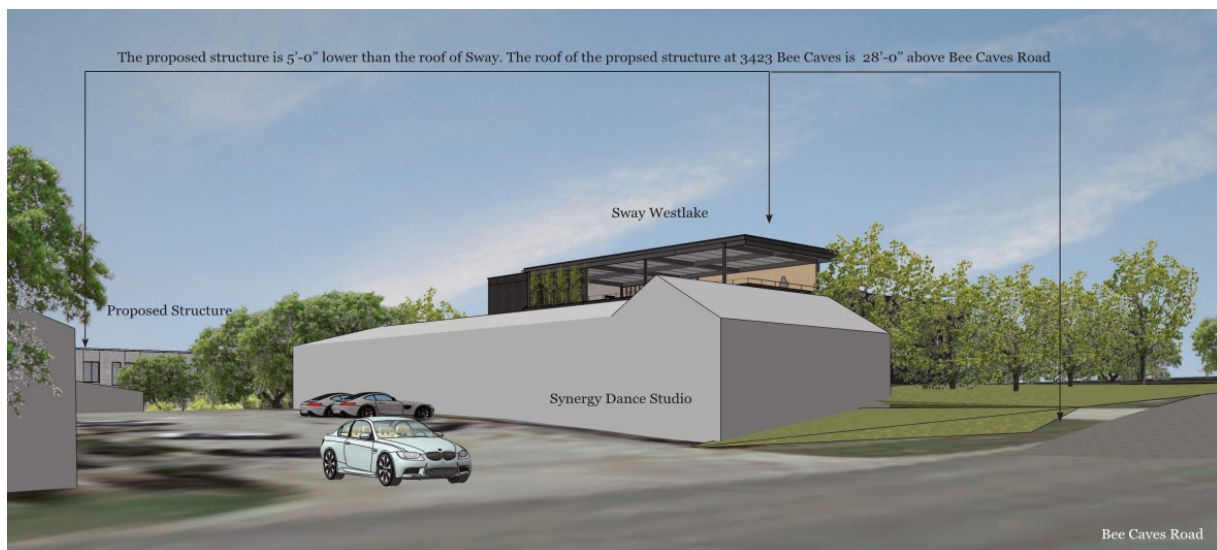
Building Height Variance:
 Natural Grade 711'-0"
 Building Elevation: 748'-0"
 Height Required: 37'-0"
 Variance: 7'-0"

Height Variance Section at North West Corner



Building Height Variance:
 Natural Grade 694'-0"
 Building Elevation: 748'-0"
 Height Required: 54'-0"
 Variance: 24'-0"

Height Variance at South Elevation



Sec. 22.03.278 Lot coverage

The amount of ground covered by the principal and accessory structures and parking areas shall not exceed the maximum percentage of the total lot area shown on the schedule of regulations.

Sec. 22.03.279 Height of structures

- (a) Prohibition. No person shall build, construct or erect a structure at a height greater than that shown on the schedule of regulations contained in [section 22.03.281](#) as being permitted in the zoning district in which the structure is located.
- (b) Measuring height. No part of any principal structure shall rise more than the maximum height shown on the schedule of regulations contained in [section 22.03.281](#), above natural ground grade or original grade directly below. If the average natural slope in the area directly below the foundation of the principal structure is 25% or greater, then no part of any principal structure shall rise more than 32' above natural ground grade directly below.
- (c) Exposed foundations. Foundations with 4 vertical feet or more exposed must be concealed with dense, evergreen vegetative buffers if the exposed must be concealed with dense, evergreen vegetative buffers if the exposed foundation is readily visible from any street or property.
- (d) Roof appurtenances. All functional roof appurtenances and features such as electronic receiving devices, air-conditioning machinery, plumbing vents, and chimneys may exceed the maximum heights established in [section 22.03.281](#)(b) by no more than 6 feet. Chimneys may not have a horizontal component of more than 4 ft. If there is any dispute as to the "functionality" of a proposed roof appurtenance, the city administrator will make that decision subject to appeal to the city's board of adjustment.

Sec. 22.03.280 Minimum floor area for dwellings

- (a) No dwelling unit shall have an enclosed living area smaller than that shown on the schedule of regulations.
- (b) The minimum floor area shall be computed exclusive of breezeways, garages, open porches, carports, or accessory buildings not designed and used directly and specifically for dwelling purposes.

Mirrored glass. Is glass having a reflectivity factor of 20 percent or greater.

Mobile home. A structure designed or used for residential occupancy built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has, at any given time, such wheels attached, or jacked up or skirted.

Natural grade or natural ground grade. The elevation of the natural, existing and undisturbed surface of the ground as indicated on a field topographical survey showing one foot contour lines as determined by a surveyor or engineer registered in this state.

Nonconforming structure. Any structure which does not conform to the provisions of this article but which was lawfully erected prior to December 9, 1992.

Nuisance. The following shall be defined as nuisances:

- (1) Any public nuisance known at common law or in equity.
- (2) Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building or upon an occupied lot. This includes, but is not limited to, any abandoned wells, shafts, cellars, basements or excavations, abandoned refrigerators and motor vehicles, or lumber, trash, fences, debris, or vegetation which may prove a hazard for inquisitive minors.

3. **Impervious Cover** [Sec. 22.03.281.III.(a)(i)]

The maximum allowable Impervious Cover is 35% for B-1 type zoning over 0.5 acres. According to WLH code, a maximum of up to 47% may be approved by City Council by selecting from the weighted incentives. The layout and location of the proposed building and parking requires 39% impervious cover. As we develop our proposed location and design for the property we believe we can ask for the following incentives to be considered to support the 39% impervious cover:

- a. **Item b** - We would consider item b for increased setbacks of the front and one side by more than 50% of the ordinance requirements which would allow 2% increase in impervious cover.
- b. **Item g** - We would incorporate item g, low water consumption plumbing fixtures into the buildings which would allow a 1% increase.
- c. **Item h** - We would consider item h for donation of ROW for a 2% increase to impervious cover
- d. **Item i** - We would like to have a charette with WLH to achieve as many points under item i as the city council would allow.
 - i. **Item 1** – We would be creating a third building on site which breaks up the architecture and balances the massing on site instead of proposing one single building on a much larger footprint.
 - ii. **Item 2** – The site already includes some sidewalks and walkable areas in the existing greenspace that connect to neighboring Properties. We would enhance those connection points and the connectivity on site.
 - iii. **Item 3** – We believe the site already does not impact street visibility due to the natural gradient and existing frontage buildings.
 - iv. **Item 4** – We have a small frontage but would endeavor to create a berm or an indigenous landscape feature that would minimize the view of parking area on the drive
 - v. **Item 5** – We will be within our setbacks on all sides and the parking area submerged below grade. There will be trees on 2 of the 4 sides to help with noise abatement.
 - vi. **Item 6** – The building would only be about 5 to 10 feet above the natural tree line due to design and construction efforts to submerge part of the parking area to lessen impact to surrounding properties. The properties to the East and West are Commercial and to the South is protected by foliage and trees. To the north are commercial buildings and Bee Caves.
 - vii. **Item 7** – We will create and revegetate open areas with indigenous landscaping.
 - viii. **Item 8** – We have a long-standing relationship with Michael Hsu Office of Architecture, and we have confidence in the ability of their office to provide a design that fits within the look and feel of Westlake Hills. We have shared a rough massing with a rendering of the most prominent sides and are happy to have a discussion/charette with council regarding design elements.

**end of variance support, see following WLH Variance Approval Criteria*

-----**WESTLAKE HILLS VARIANCE APPROVAL CRITERIA QUESTIONS**-----

(1) 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.

ANSWER:

- We are looking to develop approximately 30,000 sf. During the planning for a location, size, and height, we considered the Zoning, which is B-1, the current use on site, the impervious cover, drainage, and trees. The B-1 zoning limits us to a singular 15,000 sf footprint per building. If we were to propose building two buildings we would far exceed impervious cover and remove more trees that we would like or would be acceptable. Another option considered was to take over the buildings on site and repurpose them, but the Investor group are residents and business owners in West Lake Hills and would like to keep the existing Acton Academy and Primrose School. As we analyzed the several different parameters/constraints we determined that the nature of the contours on site and location of major trees on site that the height would be the least impactful variance we could request. Please see the proposed site plan with setbacks, easements, impervious cover, existing buildings, and existing trees identified.
- If the requested variances were not allowed, then we would have to decide how/if we repurpose the existing buildings on site or revise the request with potential a couple of different buildings shown. As mentioned, this would change the impervious cover request, the cut/fill request, and the number of trees removed.

(2) 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?

ANSWER:

- After consulting the Westlake Hills Drainage and Erosion Control Design Manual, Code of Ordinances Sec. 22.03.210, Sec. 22.03.170, and Article 22.03, we would propose building across a drainage valley and improving the capture and direction of the drainage. This will allow us opportunity to relocate/replant existing and new native landscaping elements with intentional irrigation that allow for the remaining and new flora to flourish. We understand this would be an administrative waiver during the building permitting process.

(3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

ANSWER:

- We have reviewed 4 options including the option we are presenting. The other 3 options are briefly described below in no particular order:
 - o Option 2 – We explored an option to design the building around the southwest corner of the existing parking lot and excavate down to partially submerge the garage. This would have helped bring the proposed building down slightly but would have pushed us closer to setbacks on all sides, added impervious cover requests and likely required removal of more trees.
 - o Option 3 – We explored an option to design on top of the existing impervious cover over the current parking lot. This would have required a significant height variance and the impact from Bee Caves would have been substantial. We also would be in a situation where we would have to create nearly as much impervious cover for parking. The tree impact would have been slightly less, but we would have to remove some very prominent trees in the parking lot which our current scheme shows saving.
 - o Option 4 – The current property owner had shown a concept that showed a proposed building around the southmost edge of the parking area. This would still have a similar height and impervious cover variance request. The impact on trees would have been more extreme because it would impose on an area that is used as a natural area for current tenants. This scheme also would have suggested the removal of the smaller of the existing

buildings on site. This would have been better from a visual impact from Bee Caves, but might have caused some issues with fire access being nestled so far back on the site.

(4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

ANSWER:

- We have been thoughtful with our approach to this request. We could have approached this purchase with a maximum entitlement development, but as local business owners and residents we are trying to keep the fabric of Westlake Hills intact and want to continue to operate our businesses in Westlake and become property owners. This property gives us that opportunity and allows us to be additive to the existing property and adjacent properties. Through this process we have tried multiple schemes and locations that give us the square footage we require and attempt to provide the best approach to addressing Scale, Materiality, Height, Impervious Cover, Run-off, Trees, and existing property Owners.
- The increased cut/fill limits are the minimum departure from Code possible for topography on this site. Care will be taken to minimize conditions where the design approaches those limits outside the building envelope.

(5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

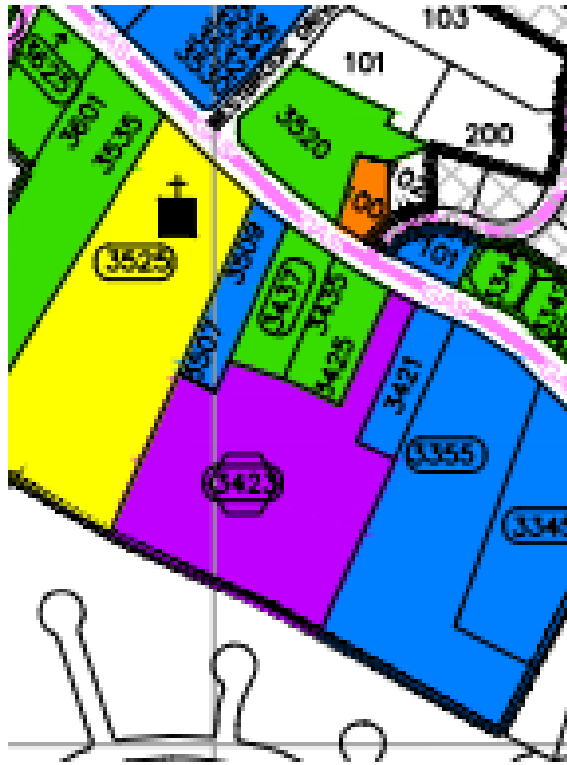
ANSWER:

- Looking at 38.05.033. Interpretive criteria we are building within the zoning identified by the City. We believe there to be a specific challenge with the topography of the site that works directly opposed to the intent of City criteria and 22.03.281 Schedule of Regulations. As shown in the attached section view and street view from Bee Caves Road we believe there is a specific challenge for development on this site due to the topography. We have spent a number of hours on and off site reviewing options and this presentation reflects our concern and response to providing parking underneath or to the side or rear of the building, we are not adding any parking that is visible from an abutting street and all of the new parking is on slopes we would create that are 25 percent or less.
- City of Westlake zoning ordinances encourage obscuring parking lots underneath or behind development (For example: section 22.03.281 VIII). The development uses natural grade to conceal parking underneath the building. From the front side of the building the garage is not visible and the building appears to be two stories only (see attached rendering)
- The increased cut/fill limits are the minimum departure from Code possible for topography on this site. The areas of cut and fill are designed to merge into the exiting topography, not deviate from it. Retaining Walls will be implemented to minimize the areas of increased cuts and fills.

(6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

ANSWER:

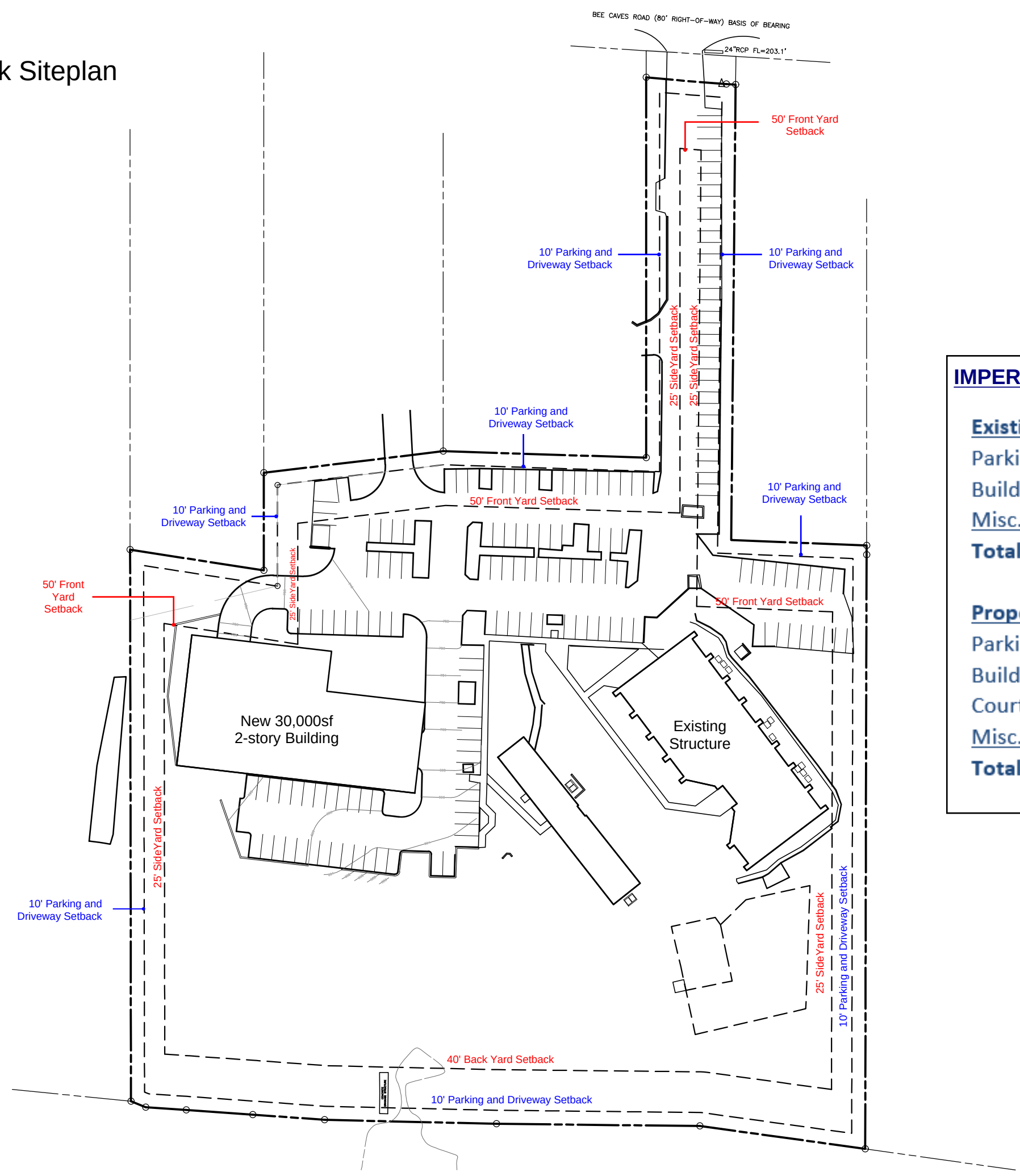
- The building we are proposing will sit within the compatibility setbacks for our Zoning and the zoning around us as required by WLH Code of Ordinances. The height we are proposing will place the top of the building approximately 10 feet above the existing tree line. The drainage variance we are proposing is primarily capturing and directing water on-site with no impact anticipated on the surrounding properties.



- North Property Line – these properties are zoned as B-2 and O. We currently share parking with these property owners and plan to continue that agreement with them. Nothing else that we are proposing will impact these owners in a negative manner and believe that are intended use will be complimentary to the property owners to the north.
- East Property line – these properties are zoned O. There is already substantial vegetation and an established building on this site that would be a buffer between the proposed building and the owners on this property.
- West Property Line – this property is zoned GUI. There is substantial vegetation between our proposed building and the building on this site. There are currently trails that loosely connect this property with that property and we will work to maintain this connection.
- South Property Line – this is not zoned in Westlake but is a residential neighborhood. The properties are separated by dense vegetation and trees. There is also a drainage culvert/easement between our properties along this border. The residents may be able to see this building through the trees but it will not impact them negatively as all traffic will be arriving and departing along Bee Caves Rd. The first floor of office will be within the trees canopy elevation and the second floor will be partially within the canopy and slightly above the canopy.

Thank you for taking the time to consider these requests.

3423 Bee Caves - Setback Siteplan



IMPERVIOUS COVER BREAKDOWN

Existing:	
Parking:	64,050 sf
Buildings:	14,350 sf
Misc.:	5,095sf
Total:	83,495 sf (31%)
Proposed:	
Parking:	66,200sf
Buildings:	29,350 sf
Courtyard:	4,250 sf
Misc.:	5,944 sf
Total:	105,744 sf (39%)





3423 Bee Caves Feasibility Study

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

CAMG

Austin, Texas

Fall 2020

Cover



1/2" IRF (C.M.)

S57°11'00"W 99.97'

S72°49'30"E 133.44'

1/2" IRF S55° 10' 30"E
0.35' FROM PROP. COR.

S64°08'00"E 149.95'

5' ELEC. ESMT.
VOL. 4626, PG. 2261

WASTEWATER ESMT. DOC. NO. 2007225904

BLDG. SETBACK LINE

4 SPACES

4 SPACES

9 SPACES

6 SPACES

SPACES/4 HC SPACES

3 SPACES

8 SPACES/2 HC SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

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3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

3 SPACES

30,000 SF MEDICAL OFFICE
(15,000 FOOTPRINT; TWO
FLOORS); FFE 716.00

6 SPACES

6 SPACES

6 SPACES

6 SPACES

6 SPACES

6 SPACES

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6 SPACES

6 SPACES

6 SPACES

6 SPACES

LOT 2B

6.260 ACRES

SAVING EXCISE

DOC. NO. 2014140850

0.0301 ACRES

0.0301 ACRES

LEGEND

- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- PROPOSED WALL
- 710 PROPOSED MAJOR CONTOURS
- 702 PROPOSED MINOR CONTOURS
- FIRE PROPOSED FIRE LANE
- PROPOSED BUILDING
- PROPOSED FRONT OF CURB
- PROPOSED BACK OF CURB
- ST PROPOSED STORM WATER PIPE
- SAN EXISTING WASTEWATER MAIN
- EXISTING WASTEWATER MANHOLE
- EXISTING TREES TO BE REMOVED
- EXISTING TREES

SITE DATA:
SITE AREA: 271,392 SF
EX. IC 83,495 SF (31%)
PR. IC 105,744 SF (39%)

PARKING SUMMARY:
EXISTING PARKING: 168
SITE NET REMOVED: 3
BLDG. ADDITIONAL: 37
PR. PARKING TOTAL: 202

TREE LIST

NO.	DESCRIPTION
4174	2" LIVE OAK
4175	5" CEDAR 3-3
4176	3" CEDAR 2-2
4177	6" CEDAR
4178	2" CEDAR
4179	5" LIVE OAK
4201	3" CEDAR
4181	4" CEDAR
4203	3" HACKBERRY
5021	4" CEDAR
5022	6" CEDAR
5023	6" CEDAR
5024	2" CEDAR
5025	6" CEDAR
5026	7" CEDAR
5027	3" CEDAR
5028	4" CEDAR
5029	6" CEDAR
5030	9" HACKBERRY
5031	5" CEDAR
5032	3" CEDAR
5033	10" CRATE MYRTLE 4-3-3-2-2-2
5034	4" HACKBERRY
5035	4" HACKBERRY
5036	9" CEDAR
5037	8" CHINA BERRY
5038	7" CEDAR
5039	7" CEDAR
5040	13" CEDAR 9-7-6
5041	10" LIQUIDUM 4-4-4-2-2
5042	2" CEDAR
5043	2" LIVE OAK 11-10
5044	4" HACKBERRY
5045	3" HACKBERRY
5046	14" CEDAR
5047	3" HACKBERRY
5048	3" HACKBERRY
5049	6" CEDAR
5050	4" CEDAR
5051	LIQUIDUM
5052	2" CEDAR
5053	LIQUIDUM
5054	22" LIVE OAK
5055	16" LIVE OAK
5056	6" CEDAR
5057	9" CRATE MYRTLE 4-3-3-3-1
5058	8" CRATE MYRTLE 3-2-2-2-2
5059	33" LIVE OAK 17-17-14
5060	22" LIVE OAK
5113	5" LIVE OAK
5114	5" LIVE OAK
5115	5" LIVE OAK
5116	5" LIVE OAK
5117	5" CEDAR
5118	6" CEDAR
5119	3" HACKBERRY
5120	5" CEDAR
5121	5" CEDAR
5122	5" CEDAR
5123	6" CEDAR
5124	4" CEDAR
5125	5" LIVE OAK
5126	6" CEDAR
5127	7" CEDAR
5128	9" CEDAR
5129	7" CEDAR
5130	9" HACKBERRY
5131	5" CEDAR
5132	5" CEDAR
5133	10" LIVE OAK 7-6
5134	7" LIVE OAK 5-3
5135	3" LIVE OAK
5136	5" LIVE OAK
5137	6" LIVE OAK 4-3
5138	8" CEDAR
5139	13" CEDAR 7-6-6 MULTI
5140	15" LIVE OAK 10-6-4
5141	7" LIVE OAK
5142	2" CEDAR
5143	14" LIVE OAK 12-4
5144	13" LIVE OAK
5145	4" CEDAR
5146	6" CEDAR
5147	6" CEDAR
5148	9" CEDAR
5149	4" CEDAR
5150	9" CEDAR
5151	9" CEDAR
5152	7" CEDAR
5153	5" CEDAR
5154	5" CEDAR
5155	5" CEDAR
5156	5" CEDAR
5157	5" CEDAR
5158	5" CEDAR
5159	5" CEDAR
5160	5" CEDAR
5161	5" CEDAR
5162	5" CEDAR
5163	5" CEDAR
5164	5" CEDAR
5165	5" CEDAR
5166	5" CEDAR
5167	5" CEDAR
5168	5" CEDAR
5169	5" CEDAR
5170	5" CEDAR
5171	5" CEDAR
5172	5" CEDAR
5173	5" CEDAR
5174	5" CEDAR
5175	5" CEDAR
5176	5" CEDAR
5177	5" CEDAR
5178	5" CEDAR
5179	5" CEDAR
5180	5" CEDAR
5181	5" CEDAR
5182	5" CEDAR
5183	5" CEDAR
5184	5" CEDAR
5185	5" CEDAR
5186	5" CEDAR
5187	5" CEDAR
5188	5" CEDAR
5189	5" CEDAR
5190	5" CEDAR
5191	5" CEDAR
5192	5" CEDAR
5193	5" CEDAR
5194	5" CEDAR

TREE LIST

NO.	DESCRIPTION
5195	4" CEDAR
5196	5" CEDAR
5197	7" CEDAR
5198	8" CEDAR
5199	6" CEDAR
5200	5" LIVE OAK
5201	3" CEDAR
5202	10" CEDAR
5203	6" CEDAR
5204	7" CEDAR 5-3 MULTI
5205	12" CEDAR 9-3
5206	4" CEDAR
5207	3" CEDAR
5208	6" CEDAR
5209	6" CEDAR
5210	3" CEDAR
5211	7" CEDAR 5-3
5212	3" LIVE OAK
5213	3" LIVE OAK
5214	3" LIVE OAK
5215	3" CEDAR
5216	4" LIVE OAK
5217	4" CEDAR
5218	3" CEDAR
5219	8" CEDAR
5220	8" CEDAR
5221	13" CEDAR 8-6-4
5222	11" LIVE OAK 8-5-5
5223	4" CEDAR
5224	5" CEDAR
5225	9" LIVE OAK 6-5
5226	5" CEDAR
5227	4" LIVE OAK
5228	5" CEDAR
5229	5" CEDAR
5230	3" CEDAR
5231	3" CEDAR
5232	5" CEDAR
5233	3" CEDAR
5234	5" CEDAR
5235	3" CEDAR
5236	3" CEDAR
5237	5" CEDAR
5238	7" CEDAR 5-3
5239	5" CEDAR
5240	5" CEDAR
5241	5" CEDAR
5242	4" CEDAR
5243	4" CEDAR
5244	4" CEDAR
5245	4" LIQUIDUM
5246	3" CEDAR
5247	6" CEDAR
5248	5" CEDAR
5249	5" CEDAR
5250	5" CEDAR
5251	5" CEDAR
5252	5" CEDAR
5253	5" CEDAR
5254	5" CEDAR
5255	6" CEDAR
5256	3" LIVE OAK
5257	4" LIVE OAK
5258	5" LIVE OAK
5259	5" LIVE OAK
5260	7" CEDAR
5261	11" CEDAR 7-4-3
5262	10" CEDAR 7-6
5263	8" HACKBERRY 5-3-3
5264	9" LIVE OAK 6-5
5265	13" LIVE OAK 7-5-5
5266	6" LIVE OAK
5267	6" LIVE OAK
5268	7" LIVE OAK
5269	7" CEDAR
5270	6" CEDAR
5271	6" CEDAR
5272	9" LIVE OAK
5273	3" LIQUIDUM
5274	4" CEDAR
5275	3" CEDAR
5276	3" CEDAR
5277	3" CEDAR
5278	3" CEDAR
5279	3" CEDAR
5280	3" CEDAR
5281	3" CEDAR
5282	3" CEDAR
5283	3" CEDAR
5284	3" CEDAR
5285	3" CEDAR
5286	3" CEDAR
5287	3" CEDAR
5288	3" CEDAR
5289	3" CEDAR
5290	3" CEDAR
5291	3" CEDAR
5292	3" CEDAR
5293	3" CEDAR
5294	3" CEDAR
5295	3" CEDAR
5296	3" CEDAR
5297	3" CEDAR
5298	3" CEDAR
5299	3" CEDAR
5300	3" CEDAR
5301	3" CEDAR
5302	3" CEDAR
5303	3" CEDAR
5304	3" CEDAR
5305	3" CEDAR
5306	3" CEDAR
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5321	3" CEDAR
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5323	3" CEDAR
5324	3" CEDAR
5325	3" CEDAR
5326	3" CEDAR
5327	3" CEDAR
5328	3" CEDAR
5329	3" CEDAR
5330	3" CEDAR
5331	3" CEDAR
5332	3" CEDAR

THIS DOCUMENT IS
RELEASED FOR
REVIEW ONLY AND IS
NOT INTENDED FOR
PERMITTING,
CONSTRUCTION, OR
ANY OTHER PURPOSE
JAMES C. MASSARO
P.E. 92530 (TEXAS)
December 2, 2020

SCALE IN FEET
0 20 40

REFERENCE
EXISTING TOPOGRAPHIC FEATURES FROM CADD FILE "SITE SURVEY - BeeCAVES update.modified20200817.dwg";
PREPARED BY OTHERS.
EXISTING TREES FROM CAD FILE DATED 12/2/2020 PROVIDED BY 4WARD LAND SURVEYING; PREPARED BY OTHERS.
EXISTING TOPOGRAPHIC CONTOUR LINES FROM 2012 CITY OF AUSTIN GIS; PREPARED BY OTHERS.

REVISION RECORD

NO.	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
3711 South MoPac Expressway - Building 1, Suite 550 - Austin, TX 78746
Ph: 512.439.0400 - Fax: 512.329.0966
www.cecinc.com

MEDICAL OFFICE BUILDING
3423 BEE CAVES ROAD
CITY OF WEST LAKE HILLS
TRAVIS COUNTY, TEXAS 78746

OPTION B-3

DATE:	DWG SCALE:	PROJECT NO.:	APPROVED BY:
12/2/2020	1" = 20'	304831.0001	JCM
DRAWN BY:	CHECKED BY:		
AGT/JCM	JCM		

DRAWING NO. **OP.B-3**
SHEET OP.B-2 OF 1

Sway

Shepherd of the
Hills Lutheran

Existing Parking Lot

Footprint of
proposed structure

Existing
Structure

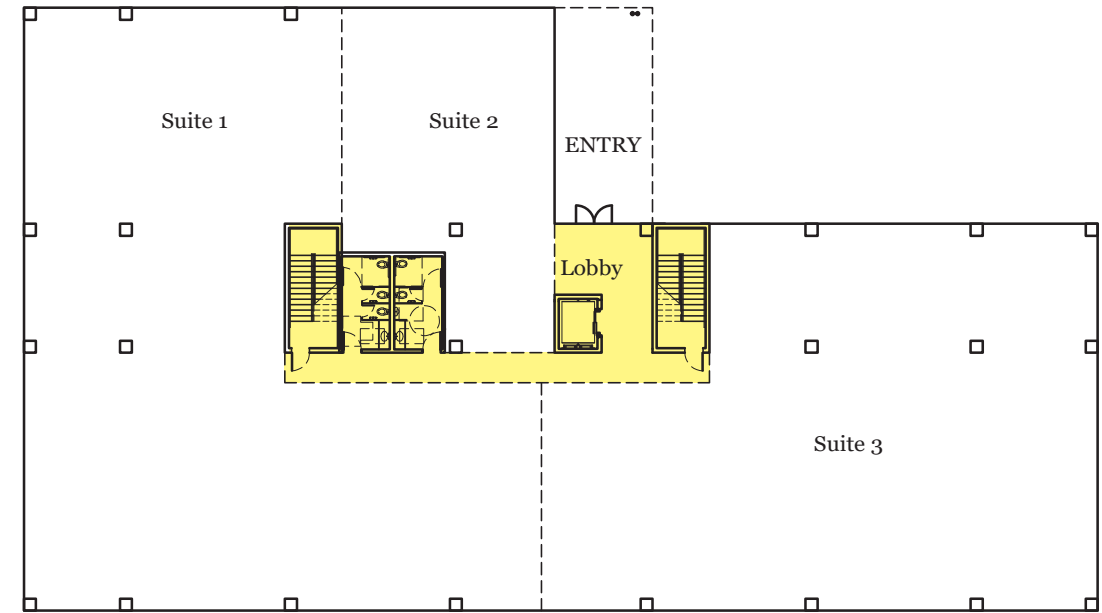
New Surface Parking Lot

Existing
Structure





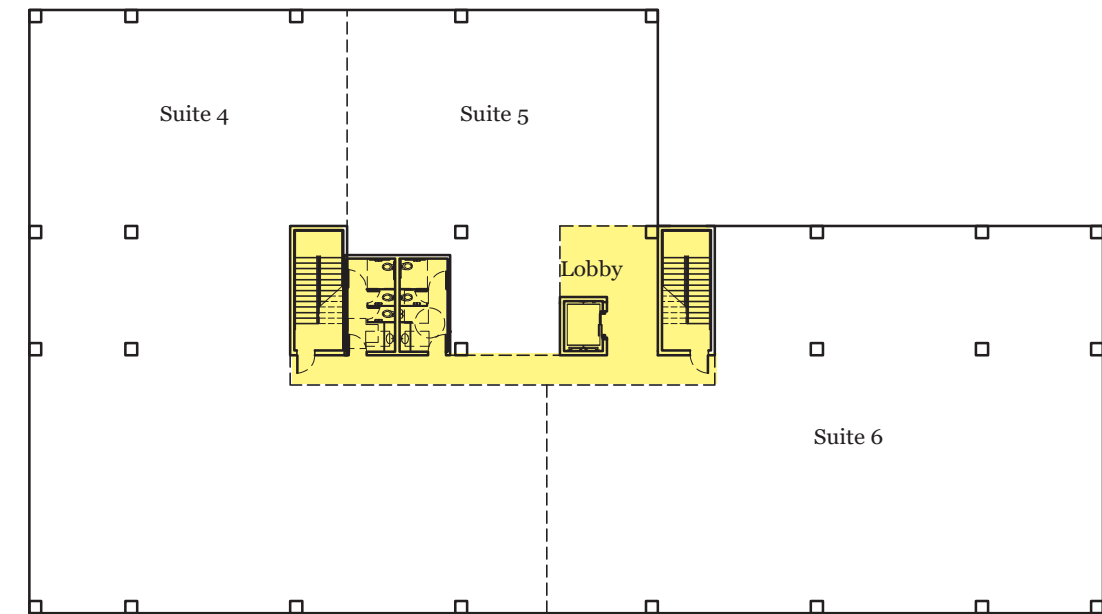
Garage Level 1 Floor Plan
1/32" = 1' 0"



Level 1 Floor Plan
1/32" = 1' 0"

Building Calculations

Existing Site Parking:	168
Site Parking Removed:	40
Site Parking Added:	37
Parking Garage Spaces:	37
Total Parking:	202
Level P1 Common Area:	725 sf
Level 1 Common Area:	1,400 sf
Level 1 Suite Area:	13,600 sf
Level 1 Total Gross Area:	15,000 sf
Level 2 Common Area:	1,400 sf
Level 2 Suite Area:	13,600 sf
Level 2 Total Gross Area:	15,000 sf
Total Gross Area:	30,725 sf



Level 2 Floor Plan
1/32" = 1' 0"







Birdseye View



Birdseye View

753'-0"
 Sway Roof
 748'-0"
 T.O. Roof
 731'-0"
 Level 2
 716'-0"
 Level 1
 706'-0"
 Parking



Section View through Garage and Courtyard



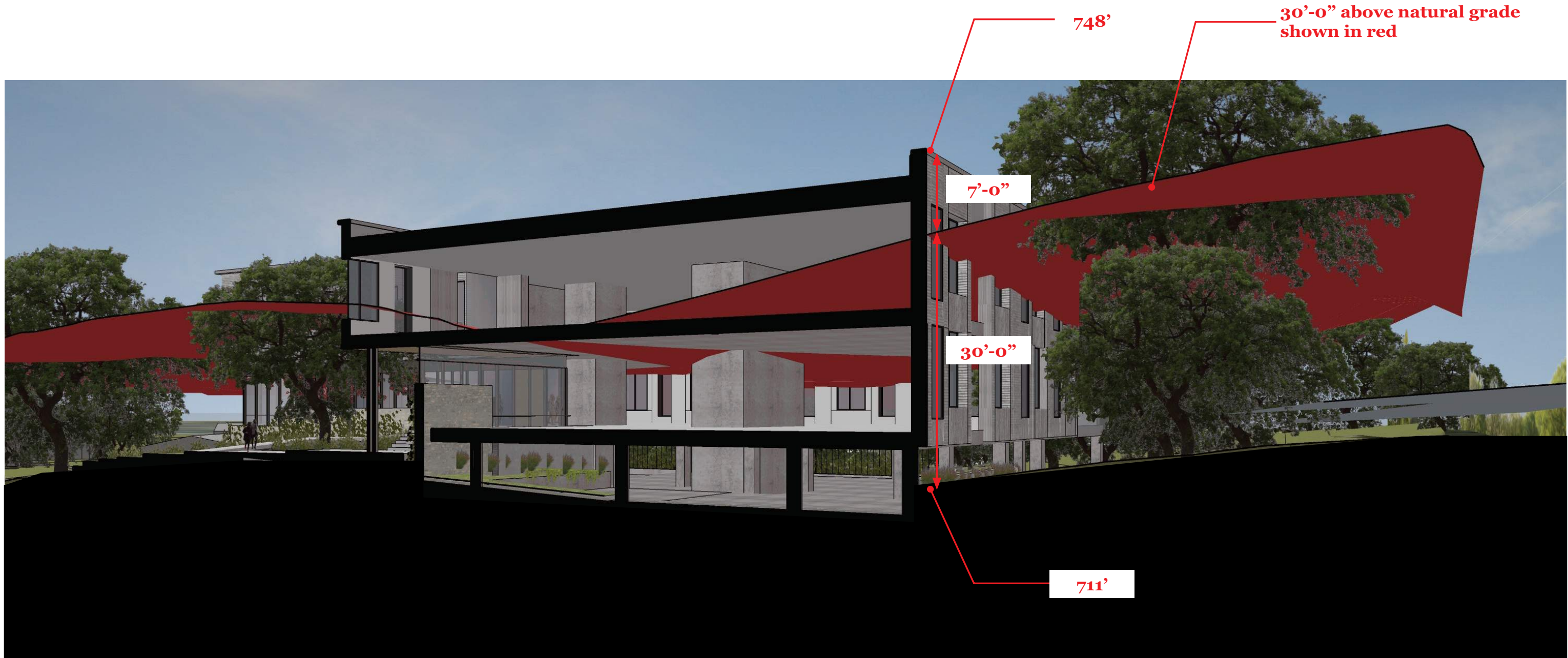
Site Section



Bee Caves Perspective

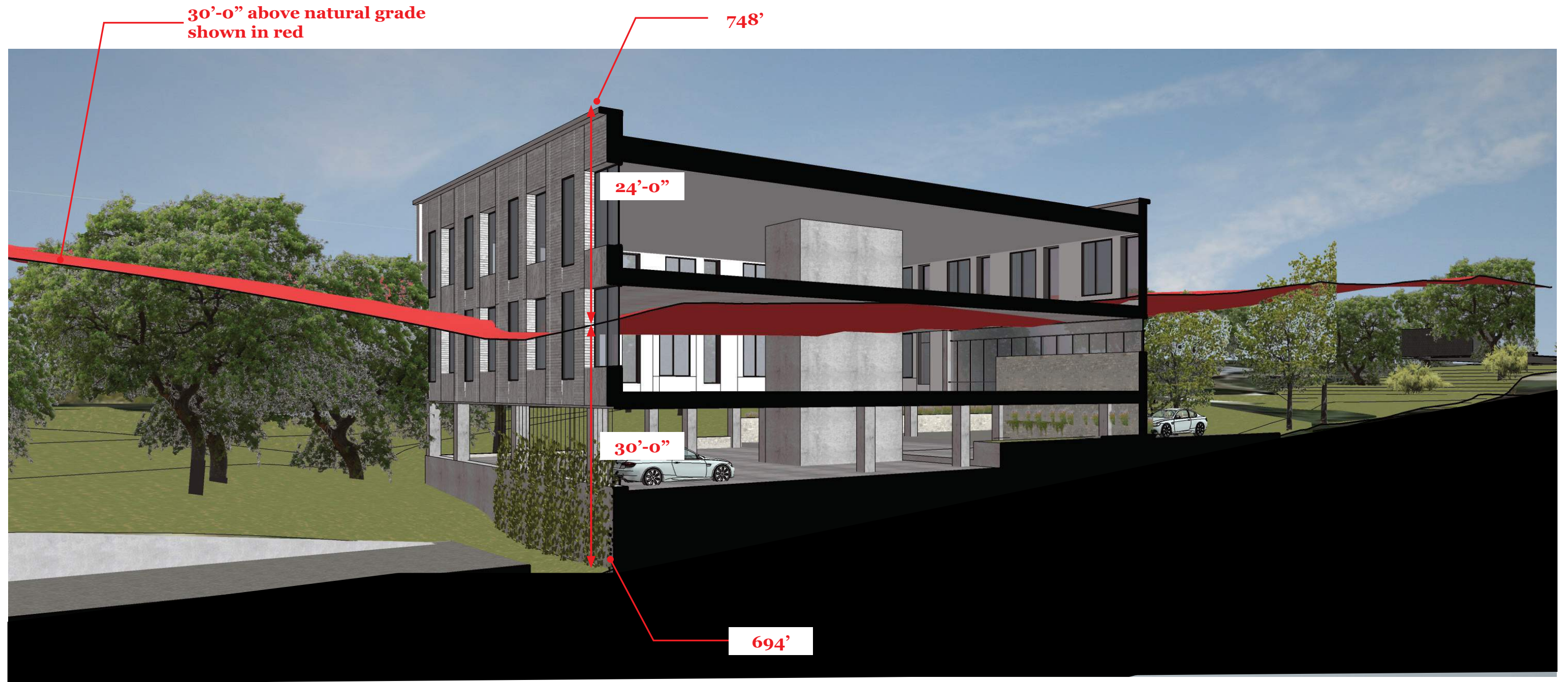


Birdseye View



Building Height Variance:
 Natural Grade 711'-0"
 Building Elevation: 748'-0"
 Height Required: 37'-0"
 Variance: 7'-0"

Height Variance Section at North West Corner



Building Height Variance:
Natural Grade 694'-0"
Building Elevation: 748'-0"
Height Required: 54'-0"
Variance: 24'-0"

Height Variance at South Elevation



North Elevation
1/16" = 1'-0"



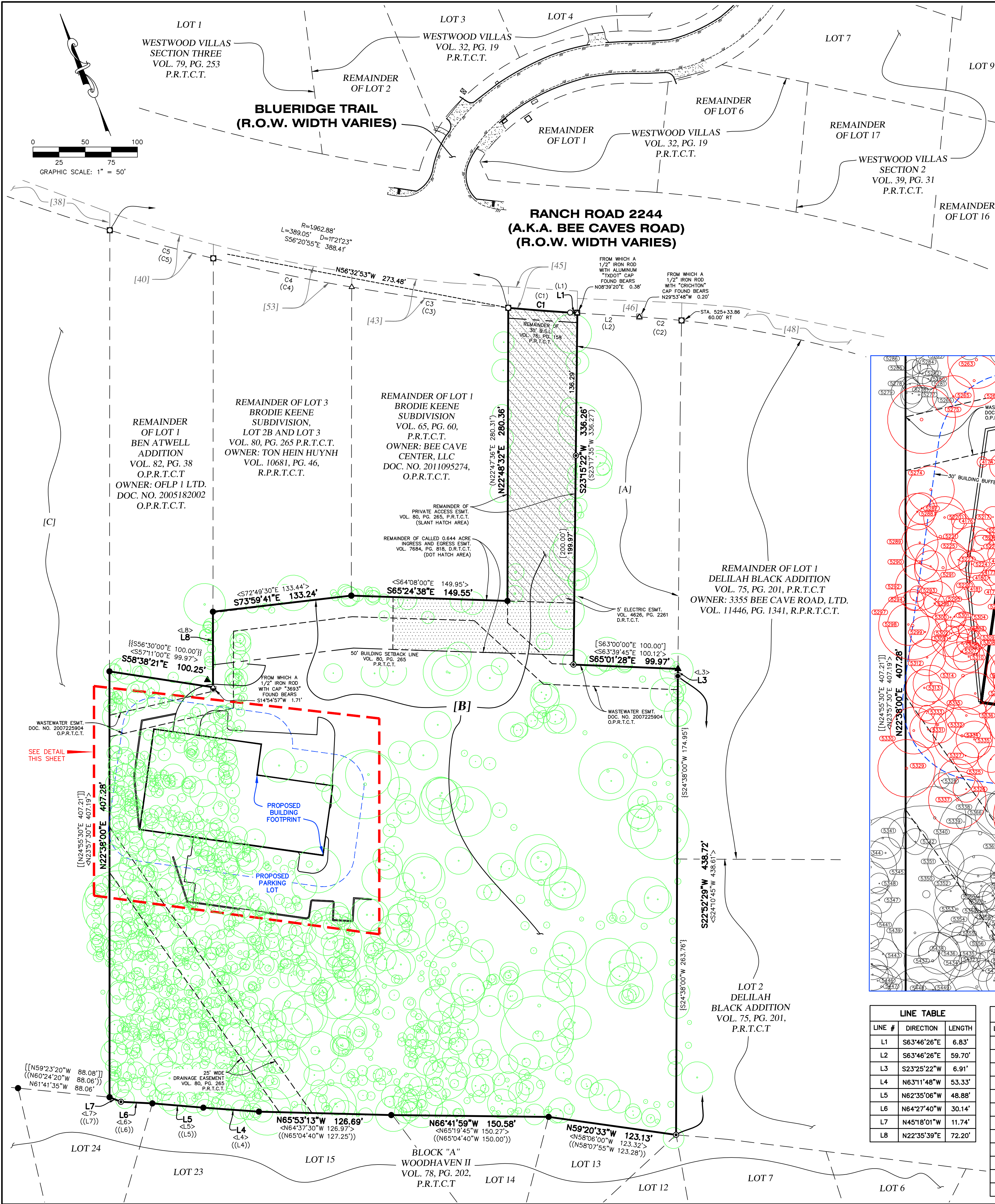
East Elevation
1/16" = 1'-0"



South Elevation
1/16" = 1'-0"



West Elevation
1/16" = 1'-0"



LEGEND	
---	PROPERTY LINE
- - -	EXISTING PROPERTY LINES
- - -	EXISTING EASEMENTS
- - -	CONTOUR LINE
○	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
●	MAG WITH "4WARD BOUNDARY" WASHER SET
○	1/2" IRON ROD FOUND (UNLESS NOTED)
○	1/2" IRON PIPE FOUND (UNLESS NOTED)
●	IRON ROD WITH "SURVEYOR" CAP FOUND (UNLESS NOTED)
▲	NAIL FOUND AS NOTED
□	TODOT TYPE III 5/8" ALUMINUM CAPPED FOUND
△	CALCULATED POINT
△	SURVEY CONTROL POINT
●	BENCHMARK
(.....)	TODOT R.O.W. PROJECT CS#1 NO. 2102-01-048
<----->	RECORD INFORMATION PER PLAT VOL. 80, PG. 265
[.....]	RECORD INFORMATION PER PLAT VOL. 76, PG. 158
[.....]	RECORD INFORMATION PER PLAT VOL. 75, PG. 201
[.....]	RECORD INFORMATION PER PLAT VOL. 78, PG. 202
[.....]	RECORD INFORMATION PER PLAT VOL. 77, PG. 93
[.....]	RECORD INFORMATION PER PLAT VOL. 82, PG. 38

LEGAL DESCRIPTION.
LOT 2B, BRODIE KEENE SUBDIVISION PHASE THREE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 80, PAGE(S) 265 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF WEST LAKE HILLS BY DEED RECORDED UNDER DOCUMENT NO. 2014140850 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000073716885.

SURVEY CONTROL:

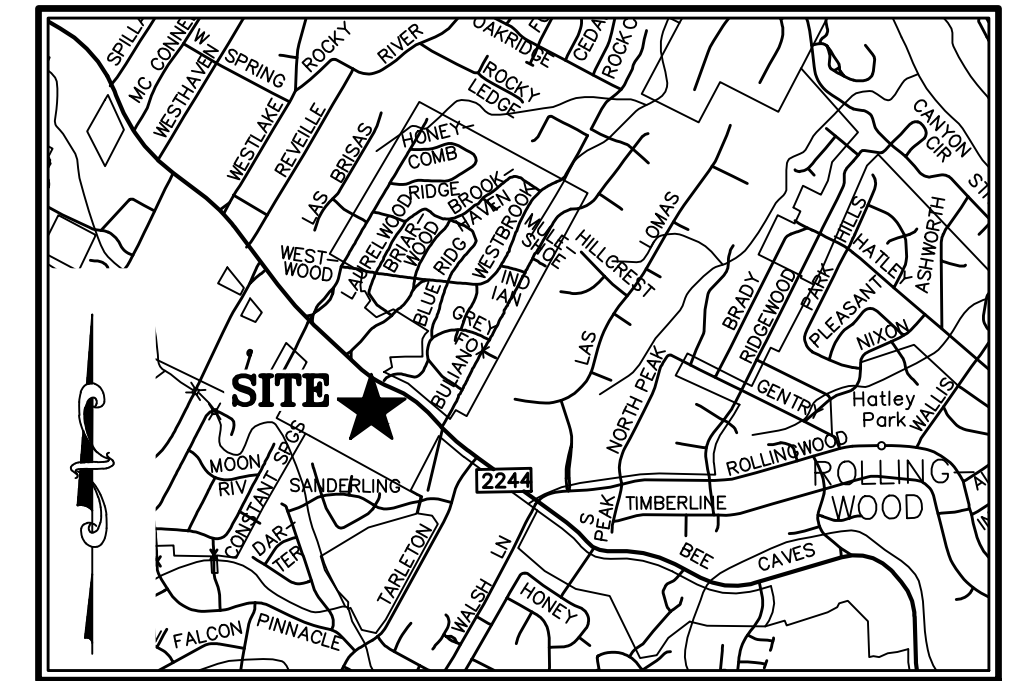
CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, GRID COORDINATES (STATE PLANE TEXAS CENTRAL - 4203) AND ELEVATIONS (NAVD83) SHOWN HEREON WERE COMPUTED FROM NGS O.P.U.S. SOLUTION REPORT DERIVED FROM 4WARD STATIC DATA COLLECTED NOVEMBER 9, 2020.

UTILITY NOTE:

THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED (UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY) ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ONLY THE VISIBLE ABOVE GROUND UTILITY STRUCTURES.

GENERAL NOTES:

- 1) PROPERTY ADDRESS: 3432 BEE CAVE ROAD, WEST LAKE HILLS, TEXAS 78746
- 2) THE LOCATION OF FENCES AND THE SIZE AND LOCATION OF UTILITY STRUCTURES, (IF SHOWN), MAY BE EXAGGERATED FOR GRAPHICAL CLARITY.
- 3) ADDITIONAL NUMBERS (IF SHOWN) IN THE TREE LIST AT THE END OF THE TREE DESCRIPTION, REPRESENT THE SIZES AND NUMBER OF MULTI-TRUNK TREES. ONLY TREES WITH TRUNKS LOCATED WITHIN PROVIDED BUILDING FOOTPRINT WERE INCLUDED IN THE TREE LIST BELOW.
- 4) UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY MAPS PROVIDED BY THE VARIOUS UTILITY COMPANIES. TEXAS811 WAS CONTACTED TO MARK UTILITIES FOR THIS SITE HOWEVER, NO UTILITIES WERE MARKED.
- 5) THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.



VICINITY MAP

SCALE: 1" = 2000'

[A]
REMAINDER OF LOT 2A
FIRST RESUBDIVISION OF LOT 2
BRODIE KEENE SUBDIVISION
VOL. 76, PG. 158, P.R.T.C.T.
OWNER: CLEAR TERRA GROUP, LLC
DOC. NO. 2016098169, O.P.R.T.C.T.

[B]
**REMAINDER OF LOT 2B
BRODIE KEENE
SUBDIVISION,
LOT 2B AND LOT 3
VOL. 80, PG. 265, P.R.T.C.T.
OWNER: KCBC, LTD.
DOC. NO. 2015079030
O.P.R.T.C.T.**

[C]
REMAINDER OF SHEPHERD
OF THE HILLS ADDITION
VOL. 77, PG. 93, P.R.T.C.T.
OWNER: SHEPHERD OF
THE HILLS LUTHERAN
CHURCH OF AUSTIN, TEXAS
VOL. 6558, PG. 615, D.R.T.C.T.

[38]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.141 ACRE R.O.W. PARCEL
DOC. NO. 2014136626, O.P.R.T.C.T.

[40]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.035 ACRE R.O.W. PARCEL
DOC. NO. 2014181912, O.P.R.T.C.T.

[43]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.046 ACRE R.O.W. PARCEL
DOC. NO. 2014167076, O.P.R.T.C.T.

[45]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.031 ACRE R.O.W. PARCEL
DOC. NO. 2014140850, O.P.R.T.C.T.

[46]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.035 ACRE R.O.W. PARCEL
DOC. NO. 2014060599, O.P.R.T.C.T.

[48]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.104 ACRE R.O.W. PARCEL
DOC. NO. 2014046370, O.P.R.T.C.T.

[53]
CITY OF WEST LAKE HILLS, TEXAS
CALLED 0.040 ACRE R.O.W. PARCEL
DOC. NO. 2014172964, O.P.R.T.C.T.

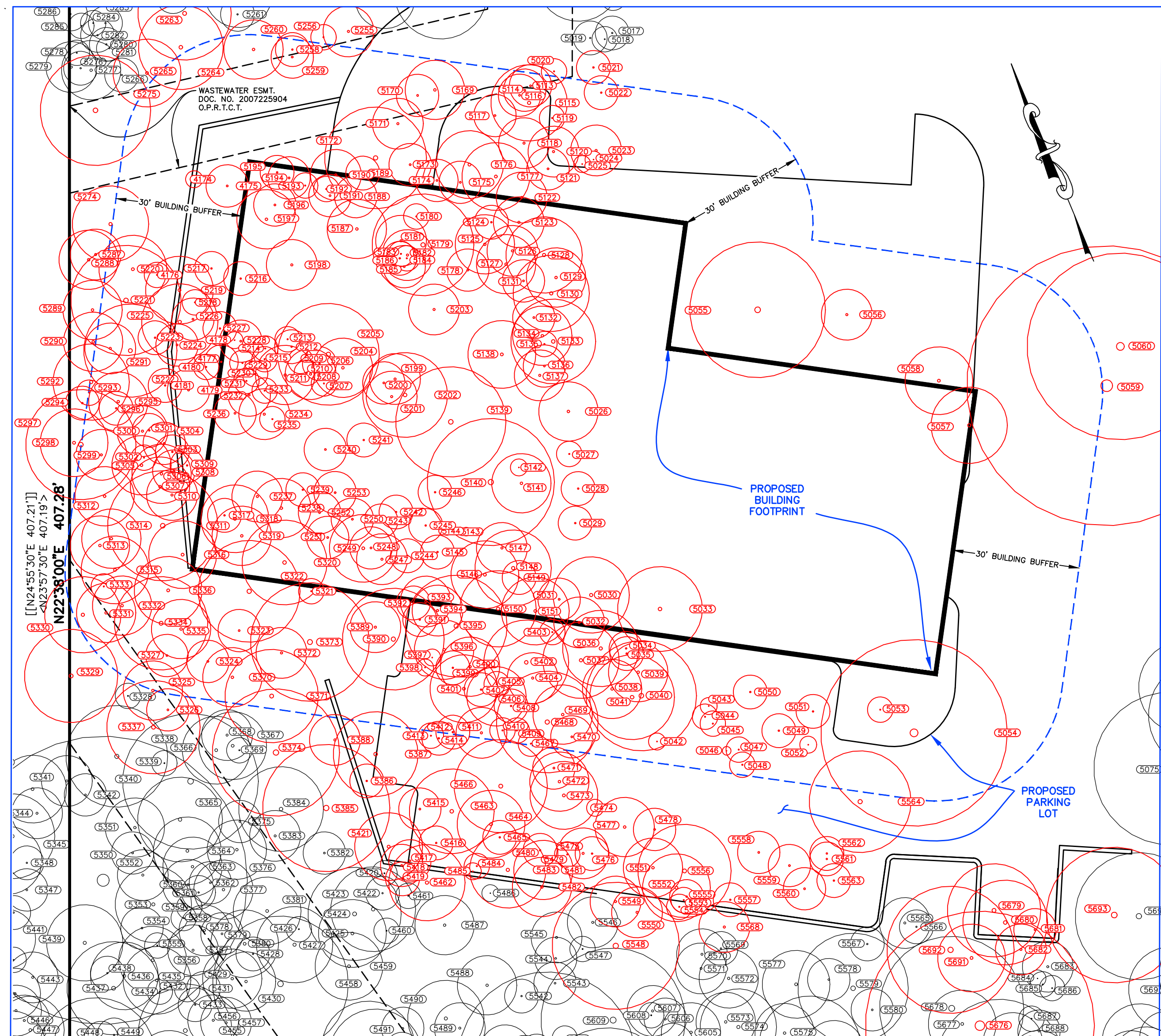
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**BOUNDARY &
PARTIAL TREE EXHIBIT
LOT 2B, BRODIE KEENE
SUBDIVISION PHASE
THREE
Westlake Hills,
Travis County, Texas**



PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TPELS FIRM #01174300

Date: 12/2/2020
Project: 01127
Scale: 1" = 50'
Reviewer: SD
Tech: AK
Field Crew: JO
Survey Date: NOV. 2020
Sheet: 1 OF 2



TREE DETAIL

SCALE: 1" = 20'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S63°46'26"E	6.83'
L2	S63°46'26"E	59.70'
L3	S23°25'22"W	6.91'
L4	N63°11'48"W	53.33'
L5	N62°35'06"W	48.88'
L6	N64°27'40"W	30.14'
L7	N45°18'01"W	11.74'
L8	N22°35'39"E	72.20'

RECORD LINE TABLE		
LINE #	DIRECTION	LENGTH
(L1)	S63°45'42"E	6.84'
(L2)	S63°45'33"E	59.58'
<L3>	S24°52'00"W	6.87'
<L4>	N61°46'45"W	53.13'
((L4))	N61°57'50"W	52.33'
<L5>	N61°54'30"W	49.28'
((L5))	N61°57'50"W	50.00'
<L6>	N62°07'30"W	30.00'
((L6))	N61°57'50"W	30.00'
<L7>	N43°54'00"W	11.73'
((L7))	N43°58'05"W	11.76'
<L8>	N24°03'00"E	72.00'

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
C1	1,962.88'	59.38'	1°44'00"	S62°53'37"E	59.38'
C2	989.87'	40.33'	2°20'04"	S62°35'34"E	40.33'
C3	1,962.88'	151.16'	4°24'44"	N59°49'14"W	151.12'
C4	1,962.88'	135.27'	3°56'55"	N55°38'25"W	135.25'
C5	1,962.88'	102.62'	2°59'43"	N52°10'06"W	102.60'

RECORD CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
(C1)	1,962.88'	59.39'	1°44'00"	S62°53'32"E	59.38'
(C2)	989.87'	40.25'	2°19'47"	S62°35'40"E	40.27'
(C3)	1,962.88'	151.26'	4°24'55"	N59°49'05"W	151.23'
(C4)	1,962.88'	135.27'	3°56'55"	N55°38'10"W	135.25'
(C5)	1,962.88'	102.52'	2°59'33"	N52°09'56"W	102.51'

TREE LIST

NO.	DESCRIPTION
4174	2" LIVE OAK
4175	5" LIVE OAK 3-3
4176	3" CEDAR 2-2
4177	4" CEDAR
4178	2" CEDAR
4179	5" CEDAR 4-4
4180	3" CEDAR
4181	4" CEDAR
5020	3" HACKBERRY
5021	4" CEDAR
5022	4" CEDAR ELM
5023	6" CEDAR
5024	2" CEDAR
5025	6" CEDAR ELM
5026	7" CEDAR
5027	3" CEDAR
5028	4" CEDAR ELM
5029	4" CEDAR ELM
5030	9" HACKBERRY
5031	5" HACKBERRY
5032	6" CEDAR 4-2-2
5033	10" CRATE MYRTLE 4-3-3-2-2-2
5034	4" HACKBERRY
5035	4" HACKBERRY
5036	9" CEDAR
5037	9" CHINABERRY
5038	7" CEDAR
5039	7" CEDAR
5040	13" CEDAR 9-7-6
5041	10" LIGUSTRUM 4-4-4-2-2
5042	2" HACKBERRY
5043	2" LIVE OAK 11-10
5044	3" HACKBERRY
5045	3" HACKBERRY
5046	14" CEDAR
5047	3" HACKBERRY
5048	3" HACKBERRY
5049	4" CEDAR ELM
5050	4" CEDAR ELM
5051	4" LIGUSTRUM
5052	2" CEDAR ELM
5053	3" LIGUSTRUM
5054	22" LIVE OAK
5055	16" LIVE OAK
5056	6" LIVE OAK
5057	9" CRATE MYRTLE 4-3-3-3-1
5058	8" CRATE MYRTLE 3-2-2-2
5059	33" LIVE OAK 17-17-14
5060	22" LIVE OAK
5113	5" LIVE OAK
5114	5" LIVE OAK
5115	9" LIVE OAK 7-4
5116	5" LIVE OAK
5117	5" CEDAR
5118	6" CEDAR
5119	3" HACKBERRY
5120	6" CEDAR
5121	5" CEDAR
5122	6" CEDAR
5123	6" CEDAR
5124	4" CEDAR
5125	7" CEDAR
5126	6" CEDAR
5127	7" CEDAR
5128	9" CEDAR
5129	7" CEDAR
5130	9" HACKBERRY
5131	5" CEDAR
5132	5" CEDAR
5133	10" LIVE OAK 7-6
5134	7" LIVE OAK 5-3
5135	3" LIVE OAK
5136	5" LIVE OAK
5137	6" LIVE OAK 4-3
5138	8" CEDAR
5139	13" CEDAR 7-6-6 MULTI
5140	15" LIVE OAK 10-6-4
5141	7" LIVE OAK
5142	2" CEDAR
5143	14" LIVE OAK 12-4
5144	13" LIVE OAK
5145	4" CEDAR
5146	8" CEDAR
5147	6" CEDAR
5148	9" CEDAR
5149	4" CEDAR
5150	9" CEDAR
5151	8" CEDAR
5159	7" CEDAR
5170	5" CEDAR
5171	6" CEDAR
5172	12" CEDAR 7-5-5
5173	5" CEDAR
5174	5" CEDAR
5175	5" CEDAR
5176	8" CEDAR
5177	8" CEDAR
5178	5" CEDAR
5179	12" CEDAR 5-5-3-3-3
5180	3" LIVE OAK
5181	6" LIVE OAK
5182	6" LIVE OAK
5183	3" LIVE OAK
5184	3" LIVE OAK
5185	5" LIVE OAK
5186	4" LIVE OAK
5187	7" CEDAR
5188	5" CEDAR
5189	4" CEDAR
5190	6" CEDAR
5191	5" CEDAR
5192	3" LIVE OAK
5193	3" LIVE OAK
5194	5" CEDAR

TREE LIST

NO.	DESCRIPTION
5195	4" CEDAR
5196	5" CEDAR
5197	7" CEDAR
5198	6" CEDAR
5199	6" CEDAR
5200	5" LIVE OAK
5201	6" CEDAR
5202	10" CEDAR
5203	6" CEDAR
5204	7" CEDAR 5-3 MULTI
5205	12" CEDAR 9-3
5206	4" CEDAR
5207	3" CEDAR
5208	6" CEDAR
5209	3" CEDAR
5210	3" CEDAR
5211	7" CEDAR 5-3
5212	4" CEDAR
5213	3" LIVE OAK
5214	3" LIVE OAK
5215	3" CEDAR
5216	4" LIVE OAK
5217	4" CEDAR
5218	3" CEDAR
5219	8" CEDAR
5220	8" CEDAR
5221	13" CEDAR 8-6-4
5222	11" LIVE OAK 8-5
5223	4" CEDAR
5224	5" CEDAR
5225	9" LIVE OAK 6-5
5226	5" CEDAR
5227	4" LIVE OAK
5228	5" CEDAR
5229	3" CEDAR
5230	3" CEDAR
5231	3" CEDAR
5232	5" CEDAR
5233	3" CEDAR
5234	6" CEDAR
5235	3" CEDAR
5236	5" CEDAR
5237	6" CEDAR
5238	7" CEDAR 5-3
5239	4" CEDAR
5240	5" CEDAR
5241	4" CEDAR
5242	4" CEDAR
5243	4" CEDAR
5244	4" CEDAR
5245	4" LIGUSTRUM
5246	4" CEDAR
5247	6" CEDAR
5248	5" CEDAR
5249	8" CEDAR
5250	5" CEDAR
5251	5" CEDAR
5252	5" CEDAR
5253	5" CEDAR
5255	6" CEDAR
5256	3" LIVE OAK
5258	4" LIVE OAK
5259	5" LIVE OAK
5260	7" CEDAR
5263	11" CEDAR 7-4-3
5264	10" CEDAR 7-6
5265	8" HACKBERRY 5-3-3
5274	9" LIVE OAK 6-5
5275	13" LIVE OAK 7-5-5
5287	6" LIVE OAK
5288	7" LIVE OAK
5289	7" CEDAR
5290	7" CEDAR
5291	6" CEDAR
5292	9" LIVE OAK
5293	3" LIGUSTRUM
5294	4" CEDAR
5295	7" CEDAR 5-3
5296	4" CEDAR
5297	13" CEDAR 9-4-3
5298	8" LIGUSTRUM 6-3
5299	6" CEDAR
5300	6" CEDAR 4-3
5301	4" CEDAR
5302	3" CEDAR
5303	4" LIVE OAK
5304	5" LIVE OAK
5305	7" LIVE OAK
5306	7" LIVE OAK
5307	7" LIVE OAK 5-3
5308	5" LIVE OAK
5309	4" LIVE OAK
5310	6" CEDAR
5311	13" CEDAR 8-5-4-4
5312	7" CEDAR 4-3-3
5313	7" CEDAR
5314	7" CEDAR 5-4
5315	8" CEDAR
5316	8" CEDAR
5317	4" CEDAR
5318	8" CEDAR
5319	7" CEDAR
5320	10" CEDAR
5321	3" CEDAR
5322	12" CEDAR 10-4
5323	5" CEDAR
5324	5" CEDAR 8-8-7-4
5325	7" CEDAR
5326	5" CEDAR
5327	5" CEDAR
5329	11" LIGUSTRUM 7-4-3
5330	9" CEDAR ELM
5331	3" LIVE OAK
5332	7" CEDAR

TREE LIST

NO.	DESCRIPTION
5333	3" CEDAR
5334	11" CEDAR
5335	7" CEDAR
5336	8" CEDAR
5337	11" CEDAR 9-3
5370	7" CEDAR
5371	11" CEDAR 6-5-4
5372	6" CEDAR
5373	14" CEDAR 11-6
5374	15" LIVE OAK 10-9
5385	15" CEDAR 10-9
5386	4" CEDAR
5387	10" CEDAR 5-5-4
5388	6" CEDAR
5389	6" CEDAR
5390	12" CEDAR
5391	4" CEDAR
5392	4" CEDAR
5393	6" CEDAR
5394	6" CEDAR
5395	12" CEDAR 7-3-2
5396	7" CEDAR
5397	2" CEDAR
5398	2" CEDAR
5399	4" CEDAR
5400	7" CEDAR 5-3
5401	8" CEDAR
5402	10" CEDAR 8-3
5403	3" CEDAR
5404	8" CEDAR
5405	3" CEDAR
5406	7" CEDAR 4-3-2
5407	4" CEDAR
5408	4" CEDAR 5-3
5409	3" CEDAR
5410	3" CEDAR
5411	6" CEDAR
5412	4" CEDAR 3-2
5413	3" CEDAR
5414	4" CEDAR
5415	5" CEDAR
5416	4" CEDAR
5417	5" CEDAR
5418	5" CEDAR
5419	4" CEDAR
5421	8" CEDAR
5462	9" CEDAR
5463	10" CEDAR
5464	8" CEDAR 5-3-2
5465	4" CEDAR
5466	11" CEDAR
5467	3" CEDAR
5468	12" CEDAR ELM
5469	7" CEDAR 4-4-2
5470	5" LIGUSTRUM
5471	5" CEDAR
5472	7" CEDAR
5473	8" CEDAR
5474	2" HACKBERRY
5475	6" CEDAR
5476	4" CEDAR
5477	7" CEDAR
5478	5" HACKBERRY
5479	3" CEDAR
5480	4" CEDAR
5481	7" CEDAR
5482	7" CEDAR
5483	9" CEDAR
5484	3" CEDAR
5485	2" CEDAR
5548	15" CEDAR
5549	6" CEDAR ELM
5550	6" CEDAR
5551	7" CEDAR
5552	8" CEDAR
5553	3" CEDAR
5554	3" CEDAR ELM
5555	4" CEDAR
5556	11" CEDAR ELM
5557	4" CEDAR ELM
5558	5" HACKBERRY
5559	5" CEDAR ELM
5560	5" HACKBERRY
5561	4" CEDAR ELM
5562	4" LIVE OAK
5563	4" CEDAR ELM
5564	12" CHINABERRY
5568	6" CEDAR
5676	27" LIVE OAK
5679	11" CHINABERRY
5680	10" LIGUSTRUM 5-5-5
5681	5" HACKBERRY
5682	6" LIGUSTRUM 3-3-1-1
5691	8" LIGUSTRUM 5-3-1-1
5692	15" CEDAR ELM
5693	16" CEDAR ELM

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THREE
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PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TPELS FIRM #10174300

Date:	12/2/2020
Project:	01127
Scale:	1" = 50'
Reviewer:	SD
Tech:	AK
Field Crew:	JO
Survey Date:	NOV. 2020
Sheet:	2 OF 2

Peter Narvarte

From: Peter Narvarte
Sent: Monday, November 9, 2020 4:49 PM
To: Theresa Sanchez; Massaro, James
Cc: Taylor, Anne; Andrew Bell
Subject: RE: 3423 Bee Cave

Thanks very much!

Theresa, currently it looks like we would have a couple of months of approvals from Westlake Hills, which means we wouldn't be in a position to pay this until we have certainty that Westlake would approve our plans, which looks like mid to end of January. Assuming we are approved, is that when we would finalize this invoice and I would pay for this invoice to secure my place on the system?

Peter Narvarte
Vice President of Development

**Central Austin
Management Group**

512-563-6707 (mobile)
701 S. Lamar Blvd. Suite C, Austin TX 78704
causmg.com

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From: Theresa Sanchez <TSanchez@westlakehills.org>
Sent: Monday, November 9, 2020 4:30 PM
To: Massaro, James <jmassaro@cecinc.com>; Peter Narvarte <pnarvarte@causmg.com>
Cc: Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: RE: 3423 Bee Cave

[External Email]

Use caution before opening links or attachments.

- Helpdesk

Good Afternoon,
Please find Invoice attached for Connection.

Thank you and Best Regards,
Theresa Sanchez
Wastewater/ Accounting Manager
512-610-6837



From: Theresa Sanchez
Sent: Tuesday, October 20, 2020 12:35 PM
To: Massaro, James <jmassaro@cecinc.com>; Peter Narvarte <pnarvarte@causmg.com>
Cc: Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: Re: 3423 Bee Cave

Ok Great!
I will prepare the invoice and send to over within the next day or so.
Attached please find as built.
As of now that is all I needed. Will advise should we need anything further.

Thank you and Best Regards,
Theresa Sanchez
Wastewater/ Accounting Manager
512-327-3628



From: Massaro, James <jmassaro@cecinc.com>
Sent: Tuesday, October 20, 2020 11:14 AM
To: Theresa Sanchez <TSanchez@westlakehills.org>; Peter Narvarte <pnarvarte@causmg.com>
Cc: Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: RE: 3423 Bee Cave

Theresa,

Sorry, yes, we will be connecting tot eh line and would like to request a copy of the approved, as-built, drawings for that line so we can protect it during construction of the connection and to safely design the adjacent improvements.

Is there any additional specific information you need from our team?

James

James C. Massaro / Senior Project Manager
Civil & Environmental Consultants, Inc.
3711 South Mopac Expressway. · Building 1, Suite 550 · Austin, TX 78746
Toll-Free: (855) 365-2324 · Fax: (512) 329-0096
Mobile: (512) 541-0469 · <http://www.cecinc.com>
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From: Theresa Sanchez <TSanchez@westlakehills.org>
Sent: Thursday, October 15, 2020 1:28 PM
To: Peter Narvarte <pnarvarte@causmg.com>; Massaro, James <jmassaro@cecinc.com>
Cc: Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: Re: 3423 Bee Cave

Please advise if you will be tying into the existing gravity line on the property. I am trying to prepare your connection invoice to determine if you will need a grinder pump or not.

Thank you and Best Regards,
Theresa Sanchez
Wastewater/ Accounting Manager
512-327-3628



From: Peter Narvarte <pnarvarte@causmg.com>
Sent: Wednesday, September 23, 2020 5:12 PM
To: Theresa Sanchez <TSanchez@westlakehills.org>; Massaro, James <jmassaro@cecinc.com>
Cc: Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: RE: 3423 Bee Cave

Great news! I guess this is the best we are going to get for now. Thanks James.

From: Theresa Sanchez <TSanchez@westlakehills.org>
Sent: Wednesday, September 23, 2020 5:09 PM
To: Massaro, James <jmassaro@cecinc.com>
Cc: Peter Narvarte <pnarvarte@causmg.com>; Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: Re: 3423 Bee Cave

James,

Please note response from our engineer:

"So, per the requested flows of each of the properties going to this City of Austin entry point, there is sufficient capacity for this office building."

Please advise should you need anything further.

Thank you and Best Regards,
Theresa Sanchez
Wastewater/ Accounting Manager
512-327-3628



From: Massaro, James <jmassaro@cecinc.com>
Sent: Friday, September 18, 2020 3:39 PM
To: Theresa Sanchez <TSanchez@westlakehills.org>
Cc: Peter Narvarte <pnarvarte@causmg.com>; Taylor, Anne <ataylor@cecinc.com>; Andrew Bell <bell@hsuoffice.com>
Subject: FW: 3423 Bee Cave

Theresa,

Do you have an update for the response from the engineer for the wastewater capacity request?

James

From: Anjali Naini <planner@westlakehills.org>
Sent: Friday, September 18, 2020 3:30 PM
To: Massaro, James <jmassaro@cecinc.com>
Cc: Peter Narvarte <pnarvarte@causmg.com>; Taylor, Anne <ataylor@cecinc.com>; Mark pzsec <pzsec@westlakehills.org>; Andrew Bell <bell@hsuoffice.com>; Maija Kreishman <kreishman@hsuoffice.com>
Subject: RE: 3423 Bee Cave

Hello, James,

I'm wondering if you were trying to get in touch with Angie, not me. I have not received any messages. Angie is our former utility coordinator who is temporarily helping us part-time. Our new wastewater/accounting manager Theresa Sanchez has already been contacted by your group and has put in a formal request through the City's wastewater engineer. Theresa let me know she sent in the request on 9/11 and is following-up with the wastewater engineer for a status update. Theresa can be reached at TSanchez@westlakehills.org. Please contact [Water District 10](#) directly for water service inquiries.

City Hall is closed to the public and we are not scheduling any in-person meetings. If you have questions on zoning/land use codes and general permitting process, you can direct those questions to me and set up a call if needed. For questions regarding tree/vegetation requirements, please contact City Arborist/Septic Inspector Russell Cain at russell@westlakehills.org. For fire safety, fire flow, and site access requirements, please contact Chief Michael Lacey with ESD 9 at mlacey@westlakefd.org. Anything else you're not sure about, please contact me.

Sincerely,
Anjali

Anjali Naini, AICP | *Director of Building & Development Services*



City of West Lake Hills | 911 Westlake Dr.
West Lake Hills, TX 78746
Tel: (512) 327-3628 | Fax: (512) 327-1863
www.westlakehills.org | planner@westlakehills.org

From: Massaro, James [<mailto:jmassaro@cecinc.com>]

Sent: Friday, September 18, 2020 1:58 PM

To: Anjali Naini <planner@westlakehills.org>

Cc: Peter Narvarte <pnarvarte@causmg.com>; Taylor, Anne <ataylor@cecinc.com>; Mark pzsec <pzsec@westlakehills.org>; Andrew Bell <bell@hsuoffice.com>; Maija Kreishman <kreishman@hsuoffice.com>

Subject: 3423 Bee Cave

Anjali,

I hope you are doing well. Thank you for your help on this project so far. I have left a few messages for you to contact me in regard to the utility availability on 3423 Bee Cave Road. The fee is paid and my client would like to resolve the service availability issue for both water and wastewater at this site. What are the next steps so we may complete our concept planning and meet with your staff prior to formal submittal?

James

James C. Massaro / Senior Project Manager

Civil & Environmental Consultants, Inc.

3711 South Mopac Expressway. · Building 1, Suite 550 · Austin, TX 78746

Toll-Free: (855) 365-2324 · Fax: (512) 329-0096

Mobile: (512) 541-0469 · <http://www.cecinc.com>

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SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Mitchell Johnson, KCBU
have made, constituted and appointed Peter Narvarte
to be my duly authorized representative in connection with an application dated 12/4/2020
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

Mitchell Johnson
Property Owner/Applicant Name

Mitchell Johnson
Property Owner/Applicant Signature

Mailing:

1221 S. Mopac Expy.
Street Address

Austin
City

TX
State

78746
Zip Code

Property:

3423 Bee Cave Rd.

Austin

TX

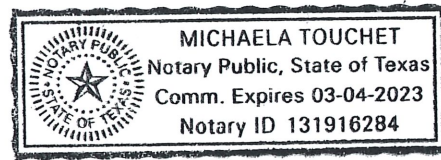
78746

512-439-8628

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 3rd day of Dec, 20 20.

Michaela Touchet
Notary Public in and for the State of Texas



Anjali Naini

From: Kristi Berrier [REDACTED] >
Sent: Friday, January 15, 2021 4:25 PM
To: Anjali Naini; Anjali Naini; Mark pzsec
Cc: Mark Berrier
Subject: January 20th Planning Commission Meeting

My husband and I live at 1102 Snowy Owl Court, directly behind 3423 Bee Cave Road. It is our understanding the owner of that property is requesting multiple variances from the City of Westlake in order to construct another multi-story office building on the existing lot. We are strongly opposed to all of the variances being requested and would appreciate the opportunity to speak to the Planning Commission on the matter. To that end, please put me on the agenda to speak at the upcoming meeting on January 20th.

Regards,

Kristi Berrier
512-431-1542

Anjali Naini

From: [REDACTED]
Sent: Friday, January 15, 2021 4:16 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4; [REDACTED]
Subject: 3423 Bee Caves Rd. (Jan. 20 hearing)

To whom it may concern:

It is our understanding that a plan is being proposed to develop a three story medical office building and parking garage among, or in place of the buildings and businesses at this address. We are very concerned about this because the proposed development is essentially in our backyard (our lot at 1102 Snowy Owl Ct. backs up to the property at 3423 Bee Caves Rd.) We believe the construction and operation of a commercial property (particularly a multi-story medical building with a parking garage) in what is basically a greenbelt adjoining our property would destroy the peace and quiet which we currently enjoy in our yard, and would damage the value of our property.

Further, it is our understanding that the proposed building(s) require a number of variances, including tree, height, impervious cover, and cut and fill. Regarding the tree variance, we assume that this means permission is being requested to cut down the trees in the greenbelt, which would obviously destroy the greenbelt and would make the building(s) a more obvious eyesore from our property. As to the height variance, we assume this is necessary to build a three-story monstrosity among the existing single-story buildings, which to some degree can blend into the landscape rather than towering over it. As to impervious cover, this leads us to believe that the buildings would cause more water runoff that would run directly through our yard and cause erosion and damage to our property. As to the cut and fill variance, the very nature of the variance indicates that the developer plans to destroy the natural terrain (which, again, we suspect would increase runoff and damage our property). For all of these reasons, we object to the construction of such buildings on this property, as well as any variances which would be necessary for such construction.

We also find it very distressing that the hearings on this matter have been scheduled, and will be conducted without providing any notice to the adjoining property owners, including ourselves and our neighbors. If we had not seen a posting by a parent of some of the students at the Acton Academy (which currently exists on the property on which the developer plans to build), we would not have even known of the developer's plan to build, virtually in our backyard. Even now (Friday, January 15 at 3:45), the city has posted no agenda for the January 20 hearing on this development. Honestly, we're disappointed. We always thought of West Lake Hills as a friendly place that was considerate of its neighbors, but it's looking like that was a bit naive.

Regards,

Mark and Kristi Berrier
1102 Snowy Owl Ct.
512-750-2206

Anjali Naini

From: Katie Hastings [REDACTED] >
Sent: Friday, January 15, 2021 4:15 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Opposition to proposed development at 3423 Bee Caves Rd.

Hello West Lake Hills City Council and Mayor,

I am writing to voice my opposition to the proposed development at 3423 Bee Caves Rd.

My understanding is that a 3-story medical office building plus parking garage is proposed. This would be DEVASTATING to the safe, quiet environment that currently exists for many vital **kid-centric** businesses in this immediate area in 1-story buildings, including but not limited to:

- Primrose PreSchool
- Acton Academy (age 3-12)
- a school/therapy center for children with autism
- a center that provides mental health counseling
- Master Martial Arts studio
- Synergy Dance Studio

The amount of disruption of a 1-2 year construction project, and then the subsequent permanent increase in car traffic, pedestrian traffic, deliveries (and inevitable increase in crime) that come with the operation of a medical office building will be incredibly damaging to the peaceful learning environment cultivated by these businesses required to support children in their learning and therapy. In addition, my understanding is that this proposed development will also require the removal of a number of trees/wildlife beyond what is allowed in the planning code, which should not be permitted to happen and will further destroy the current nurturing environment there.

As a resident of the neighborhood directly across Bee Caves Road, and as a family with elementary aged children who have and will benefit from these businesses, I do NOT support this project and I urge you to oppose it as well. We do NOT need another medical office building, especially 3 stories tall, in this area and especially not at this specific location that will directly and negatively impact so many wonderful existing businesses providing critical services to our kids and community.

Respectfully,
Katie Hastings

Katie Hastings AIA
katiehastingsdesign.com
512.653.2214 cell

Anjali Naini

From: CL [REDACTED] >
Sent: Friday, January 15, 2021 2:27 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Re: Variance request for 3423 Bee Caves Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Dear West Lake Hills City Council, Board of Adjustment, and Zoning & Planning Commission,

We would like to add ours to the chorus of voices who are opposed to the variances being requested for 3423 Bee Caves Rd.

We understand that these variances are being sought at this location for the ultimate purpose of constructing a new office building and parking garage. We strongly believe that this location is not suitable for that.

From a practical standpoint, the increase in traffic that would result once the building is complete is extremely troubling. Although it's hard to remember given the 10 months of greatly reduced traffic we have experienced due to the pandemic, the number of cars going in and out of that location is already at the maximum number it can safely be. We encourage you to look closely at the existing density of that area and consider carefully just how dangerous it would be to increase that density as dramatically as is being proposed. The danger posed by this increased density would exist even if there were only adult-oriented businesses already in existence there; the fact that there are currently many children-oriented businesses such as a martial arts academy, dance studios, and THREE different schools (including one specifically for autistic kids) amplifies the danger dramatically. Please don't put our children's safety ahead of the desire for some developers to make a profit.

An additional concern we have involves drainage. Even if a drainage study were to indicate drainage could be managed with the additional impervious cover of a new building, parking garage, and associated roads and walkways, we strongly doubt that. We know people who live in that immediate area who have experienced significant drainage issues in times of heavy rain and that problem can only be made worse with so much new construction.

This area has become what the current owners of the property have said for years that it would be -- an academic complex. As such, it has become a very respected and valuable feather in the city's cap and is now one of West Lake Hills' "crown jewels". It would be a tremendous shame for that to be impacted so negatively by a new office building and parking garage.

We are not "no growth". But we are "smart growth" and we implore you to continue your tradition of being the same by denying these variance requests.

Sincerely,
Steve Marcie - 512-829-1025(c)

Anjali Naini

From: CHARLES PENLAND [REDACTED]
Sent: Friday, January 15, 2021 1:28 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Cc: Christine Stellfox
Subject: 3423 Bee Cave Road Variances

1/15/2021

Charles Penland
Christine Stellfox
1101 Snowy Owl Court
Austin, TX 78746
(512)636-9138

Re: 3423 Bee Cave Road,
Tree, Height, Impervious cover, Cut/Fill Variances

Dear City of West Lake Hills,

We are writing to express our objection to the variance requests on the 3423 Bee Cave Road property project. As owners of adjoining property we have many concerns to allowing the property to be developed in a manner that requires variances in multiple areas. We know as city government you do careful diligence before passing ordinances and regulations for the protection of our community and the environment. We also understand the importance of allowing development. It's when the development is not respectful to the community that the community needs to speak up. We feel by requesting variances of this amount and level, the developers are being disrespectful to you and to the community. We question if allowing these variances is in keeping with the spirit of the ordinances you have worked meticulously to pass.

We are in opposition to allowing the variance for impervious cover. This will negatively affect the rainfall runoff onto the surrounding properties that may cause flooding and harmful erosion. It will forever change the creeks and drainage patterns in the neighboring area. It will also allow for harmful chemicals to run into our ground water that may contaminate water supplies.

We are in opposition to allowing the height variance. This will negatively affect the neighborhood by not allowing natural light to reach the many heritage hardwood trees that we treasure so dearly, causing the trees to become sick and weak. We are concerned that unnatural lighting from an over high building will impact the sleep patterns of our neighborhood children. We are concerned that allowing the height variance will bring development of an over large building that will burden the infrastructure of the neighborhood and the roadway capacity.

We are in opposition to allowing a variance to cut any trees that are considered heritage hardwood or and trees that add character to the community. These trees are a great value to the community and the health of the citizens. These trees cannot ever be replaced and the impact on the community can never fully be recaptured.

Thank you for your service to the community and for considering our objections to these multiple variances. Please consider not allowing these variances to be approved based on community wellbeing and the conscientiousness and thoroughness that you used when putting these regulations into effect.

Sincerely,

Charles Penland
Christine Stellfox

Anjali Naini

From: Sarah Donovan [REDACTED] >
Sent: Friday, January 15, 2021 12:48 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4; Mark pzsec; zapco
Cc: [REDACTED]
Subject: Please Vote NO on requested variances at 3423 Bee Cave Rd.

Dear Mayor, members of the West Lake Hills City Council and members of the Zoning and Planning Commission,

I am a resident of West Lake Hills and my 2 children attend Acton Academy West, located at [3423 Bee Cave Rd.](#) I have just learned of plans to build a 2-story office building with a parking garage in the Acton parking lot, a common area Acton uses for pick-up and drop-off.

This proposed development is highly unsuitable for this property. I ask you to consider the kids who utilize this space for learning and development and NOT allow this development to move forward.

- **Children are playing Inside and out (not just Acton students pre k-12, but primrose as well)**
 - The decision to add an office building in this location at the expense of kids and schools appears incredibly tone deaf in our current climate. As children and schools bend over backwards to provide safe, clean and largely outdoor learning environments, and more and more offices are committing to permanent and semi-permanent work from home allowances, it seems like a huge miss to make such a bold decision at this time.
- **More car traffic directly on bee caves?** Please consider the community response to, after enduring a lengthy road expansion project, to then add an entire parking garage of vehicles at a critical portion of bee caves. Additionally, Eanes elementary has had to continuously reconfigure their pick up and drop off locations to manage around the bee caves traffic.
- **Please do not make the problems our city is already dealing with worse by granting exceptions to our laws.** I hear the proposed development is requesting variances for trees, drainage, and impervious cover. What is the purpose of these ordinances if they can all be waived for the exact type of development they are intended to prevent? As residents of West Lake Hills, the main draw is the abundance of trees and nature-like setting.

Thank you for your time and attention to this serious matter affecting our community and our children.

Sarah Donovan

Resident of West Lake Hills
619.895.0856

Sent from my iPad

Anjali Naini

From: Jennifer Stewart [REDACTED] >
Sent: Friday, January 15, 2021 11:33 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Development of 3423 Bee Cave Road

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City of Westlake Hills Zoning and Planning Commission-

Our names are Gary and Jennifer Stewart and we are 15-year residents of Westlake Hills.

It has come to my attention that there is a proposed three story medical office building at 3423 Bee Cave Road. If you have been to the location you'll notice a thriving community that has been carefully cultivated to support our children and local small businesses. My 12 year old son has been a student at Acton Academy West (located at 3425 Bee Cave Road) for 4 years and has thrived in the natural landscape and safe enclave of the school. Every week my son comes home to tell me about his adventures in the undeveloped natural area adjacent to his school which provides the backdrop for his growth, creativity and exploration. It would be a shame to approve any variance that would destroy the integrity of the natural landscape that our children thrive in. The current community consists of low-slung buildings that blend in the landscape, anything other than similar structures would be objectionable.

If the proposed medical office building were to be approved there would be a huge disruption to the delicate environment sheltering not only Acton Academy West, but Primrose School (a preschool), Sandbox ABA (a school for autistic children), Master Martial Arts (a taekwondo studio for children) and Synergy Dance Studio (dance classes for children). Increased traffic inherently caused by a large medical building would bring unwanted energy to an area that is meant to protect and surround the children in our community.

Our request is that you not approve any variances for this project. Thank you for your time and consideration.

Best Regards,
Gary & Jennifer Stewart
16 Las Brisas
Westlake Hills, TX 78746

Anjali Naini

From: SandboxABA [REDACTED] >
Sent: Friday, January 15, 2021 10:54 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Building Project - 3423 Bee Cave Road
Attachments: PastedGraphic-4.pdf

To the Planning and Zoning Commission Members,

I am the Owner of Sandbox ABA, one of the number of businesses in the complex of businesses located at 3423 Bee Cave Rd., backing up to Snowy Owl Ct. and Rosefinch Tr.

Our Center provides therapeutic treatment to young children with autism. We strive to help our children maximize their potential to live enriched and joy filled lives. We teach language, play, social and adaptive skills, with the aim of helping these children be able to learn in typical school settings. Individuals with autism have a wide variety of symptomology; among them is hyper-sensitivity to sensory events, such as loud noises, crowded spaces, social anxiety. We strive to provide a treatment setting that helps them feel safe and secure.

When looking for a site for a treatment center, we specifically looked for a location that was away from noise, congestion, traffic, as a way to provide a peaceful setting for treatment, safe enough away from the dangers of traffic, and quiet enough to provide a modicum of peace and privacy even while they are able to play outside on a playground.

We are thrilled to be able to share this space with other providers of services for children! These other services include a pre-school (Primrose), Acton Academy (K-12), mental health counseling, and martial arts and dance studios. Being near these other providers brings a sense of normalcy to our children's perspective – that they are among other children, all learning in their own ways. Indeed, when we first were scouting this location, the landlord billed the area as a learning enclave for children.

There is a developer proposing to destroy the critical quiet and safe enclave of these nested businesses in order to impose a three story medical office building and parking garage in the middle of these smaller structures. The amount of disruption created by the 1-2 year construction on top of the change in the 'protected' landscape, would be incredibly damaging to the quiet and peaceful environment cultivated by our businesses required to support children in their learning and therapy.

In addition, the nature of a medical office building necessitates a constant flow of patients, deliveries, employees whose ongoing activity will not only destroy the children's learning environment, but will also require the removal of a number of trees/wildlife beyond what is allowed in the planning code.

Finally, construction of the building would eat up the parking available to our, and other tenants, clients. Per our rental contract, parking is *"provided on a basis of four (4) spaces per one thousand (1000) rentable square feet."* This new building / construction is likely to violate the terms of the rental contracts of the tenants.

Please consider the harmful impact this construction and building would do to our special learning enclave! The children of Westlake deserve to have such an amazing space for such enriching learning opportunities.

Thank you for your consideration.

Rebecca Ryan
Founder/Owner
Sandbox ABA

Rebecca M. Ryan, J.D., M.Ed., B.C.B.A., LBA

Behavioral Consulting

Sandbox ABA

3423 Bee Cave Rd

Suite 200

Austin, TX 78746

ph: (512) 524-1374

fx: (512) 524-1355



www.sandboxaba.com

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Anjali Naini

From: Rachel Coulter [REDACTED] >
Sent: Friday, January 15, 2021 7:37 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: 3423 Bee Cave Road - Public Hearing next week - Jan 20

Good Morning City Council,

I am writing in regards to the proposed changes to 3423 Bee Cave Road by a potential new owner. My husband and I have kids that attend Acton Academy and have since its inception 6.5 years ago. As you may or may not know, Acton has kids from 3 years old all the way through high school. The outdoor space on this property is everything to the kids and the school as a whole. When the owners signed the lease at this property they were told this unique "sanctuary" was always going to be for educational purposes. Between Primrose (young children), Acton and Sandbox it is all space that is utilized by children.

Not only is an office building not appropriate for this location, but it will absolutely destroy the special tranquil nature of this entire property.

The construction process would be awful and then the extra cars and limited open space would be devastating and dangerous for all of the children.

We ask you to consider all of this when reviewing the proposed changes.

Thank you for your time,
Rachel Coulter

Anjali Naini

From: David Linton [REDACTED] >
Sent: Thursday, January 14, 2021 10:13 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Cc: Laura Linton; David Linton
Subject: 3423 Bee Cave Road Public Objection to Proposed Variance. Hearing: 1/20/21

Follow Up Flag: Follow up
Flag Status: Flagged

To the committee discussing tree, height, impervious cover, cut/fill variances for 3423 Bee Cave Road in the city of Westlake Hills,

This letter is being submitted on behalf of David and Laura Linton, residents of 1100 Snowy Owl Court. Our home is located immediately behind the Acton Academy West and Primrose School of West Lake Hills. By way of background, we selected to reside in the WoodHaven II neighborhood, specifically to live in close proximity to our children's school and community. We recently learned of a proposal to construct a three-story medical office building and parking garage adjacent to a pre-school (Primrose), therapy center for children with autism (Sandbox), Acton Academy (K-12), mental health counseling, and martial arts and dance studios. We think it would be a grave mistake to allow for this variance. For the sake of brevity, we will focus on only three reasons why this variance should be denied.

First, the granting of a variance to alter the zoning permissions would be a highly inappropriate use of a variance, as it would not address a documented hardship. The "special conditions" language of Texas state law, Section 211.009(a)(3) of the Code refers to the conditions that are unique to a property and might warrant a variance. This Code clearly states that variances are intended to be given only when the characteristics of a property present a unique hardship to the owner. Additionally, a variance is not authorized merely to accommodate the highest and best use of property. Given the breadth of the variance requests, it is clear that the proposed development is not well-suited for this location. Additionally, the proposal does not satisfy the "special conditions" criteria that would warrant a variance - the existing buildable terrain, privacy screen of existing vegetation, and surrounding single level height structures are not hardships. However, should the variance be granted, the variance *would* present a unique hardship to the surrounding schools and businesses that depend on the existing site organization to successfully operate.

Second, should the variance be granted, the construction of a medical office building would be highly damaging to the surrounding schools, businesses, and their beneficiaries. Specifically, these tenants provide vital services for the health, well-being, and education of our children. The proposed development would destroy the critical quiet and safe enclave of these nested buildings. The amount of disruption created by the 1-2 year construction on top of the change in the 'protected' landscape,

would be incredibly damaging to the quiet and peaceful environment cultivated by these businesses required to support children in their learning and therapy. Additionally, because this construction would ultimately displace schools and harm families who rely on these services, moving forward would be both irrational and immoral.

Lastly, should a variance be granted, this decision would no doubt be challenged in court. Residents who will be affected by this proposal will no doubt fight it (remember the flamingos!). We have no interest in accepting a variance that will increase traffic, displace schools, potentially increase the opportunity for crime, damage community, disrupt our children's learning, and reduce our property values. After speaking with several of our neighbors, we can assure you there is both the willingness and ability among residents to aggressively challenge the allowance of a variance.

Please include this note into the official minutes, and please provide us the opportunity to speak during the council meeting.

Regards,

-David and Laura Linton

[REDACTED]

[REDACTED]

Anjali Naini

From: Kimberly Klein [REDACTED] >
Sent: Thursday, January 14, 2021 9:38 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: urgent concerns for next City Council meeting

Follow Up Flag: Follow up
Flag Status: Flagged

City Council and Zoning Board Members,

It has come to our attention that the property at 3423 Bee Cave Rd. is currently under contract to be purchased and that there is intent to build a multi-story commercial unit in the existing parking lot. This space is directly adjacent to Acton Academy West, where my two children go to school. I'm sure you can already assume the concerns that will be raised by a parent with students there, but please carefully consider the following:

1. A long-term construction project will be highly disruptive to the entire school day. Instruction will be difficult, if not impossible, to hear at times and our students' concentration will be severely impacted all day long. With construction equipment commonly reaching 80-100 decibels and the proximity of the project to the school, it is certain that the noise disruption will be an issue that cannot be mitigated.
2. In addition to the disruption from construction, we are also concerned about safety. We estimate the area proposed for construction is less than 40' from the entrance of our school. This is simply too close to be considered a safe area for children. Even if the proposed project proceeded and was completed, the increased traffic flow would not only impede the area where we pick up and drop off our children, it would not be as safe an entry into school.
3. Children should be able to enjoy their time outdoors at school. It is their reprieve from the hard work they are doing throughout their school day. Research shows this time is critical not only for their mental and physical health, but for retention purposes as well. These benefits will be taken from our children for the entire duration of construction.
I'm also sure most would agree that being a child in the middle of a construction site for this length of time would become stressful very quickly. This has its own set of consequences for our children.
4. It is important that Acton be able to successfully attract and retain students. This type of project would detract from their ability to do so. Due to the unique nature of the Acton model, every family at our school has a vested interest in the school's ability to attract incoming students.
5. All of the above concerns assume that we are not in the middle of a pandemic. The fact that we are exacerbates these issues in several ways. First, in order to try and keep everyone as safe as possible, the students are conducting as much of their day outdoors as possible. Also, students are able to switch to remote learning at any time, which is often necessary. These practices are keeping our community safe and our children at school. This project would most certainly drive them indoors and significantly detract from the school's COVID safety plan. Finally, construction noise could likely cause too much interference with the audio portion of lessons to make real-time remote learning possible.

Our family is deeply invested, both financially and emotionally, in Acton and the community it creates. While we very much respect the freedom of property owners to do what is legally within their rights, we do not think that they should be assisted in going outside of established guidelines to do things that are detrimental to our children.

We would very much like the opportunity to speak at your next City Council meeting to voice our concerns about why this project should not move forward.

Best regards,

Kimberly and Bill Klein

Anjali Naini

From: Jessica Blacklock [REDACTED] >
Sent: Thursday, January 14, 2021 9:08 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4; Mark pzsec; zapco
Subject: VOTE NO to requested variances at 3423 Bee Cave Rd.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor, members of the West Lake Hills City Council and members of the Zoning and Planning Commission,

I am both a resident of West Lake Hills and the owner of a business located in West Lake Hills. My three children attend Acton Academy West, located at 3423 Bee Cave Rd. I have just learned of plans to build a 2-story office building with a parking garage in the Acton parking lot, a common area Acton uses for pick-up and drop-off.

This proposed development is highly unsuitable for this property for the reasons listed below. I ask you to consider these reasons and to NOT allow this development to move forward.

- **It does not make sense and it would be dangerous to the community to allow an office complex right in the middle of any area where children are playing and going back and forth between the school and various after school activities.**
 - The tenants at and around 3423 Bee Cave Rd. are almost exclusively businesses focused on serving children, including three schools, a dance studio, and a karate studio. These businesses have long-term leases and are not going anywhere in the short term.
 - I understand that this property was intended for the purpose of serving schools and child-focused businesses and the current tenants have relied on these promises when deciding to rent.
 - The property backs up to a quiet neighborhood and adjoins the Shepherd of the Hills church, which runs a preschool and many after school activities for children from Acton, Eanes, and other nearby schools.
- **The property and Bee Cave Rd. cannot handle the cars that would be coming in and out during rush hour if the development moves forward.** Have you ever attempted to pull out of 3423 Bee Cave Rd. during Austin rush hour? Perhaps your child was leaving a dance class at Synergy, a karate class, or a tutoring session. If you have ever done this, waiting 20 minutes to pull out with only 5 cars in front of you, then you will understand why it would be absurd to allow an office complex in this same development (with a parking garage!!!) where entire offices of employees would all be leaving during the evening rush hour. It would be impossible, and it would have a material adverse effect on the existing adjoining businesses whose customers would no longer be able to get in and out. Adding a traffic light would be useless. As we West Lake Hills residents well know, the light would turn green and there would still be no way to pull out onto Bee Cave Rd. in front of the Randall's.

- **Please do not make our city's traffic worse on a section of Bee Cave Rd that is already overburdened.** Even if it were possible for drivers to leave the proposed development and pull out onto Bee Cave Rd., as mentioned above there will be nowhere to go. The proposed development will add an additional traffic burden to an already overburdened part of Bee Cave Rd. Residents of West Lake Hills do not want this.
- **Please do not make the problems our city is already dealing with worse by granting exceptions to our laws.** I hear the proposed development is requesting variances for trees, drainage, and impervious cover. What is the purpose of these ordinances if they can all be waived for the exact type of development they are intended to prevent? As residents of West Lake Hills, we love and cherish our beautiful trees and nature-like setting, and are already dealing as a community with flooding and drainage issues – especially on Bee Cave Rd. - caused by developments like the one being proposed.
- **There are legal concerns with the proposed development that could tie up this development if approved to move forward.** The development will essentially make the properties leased by Acton and its neighboring tenants unsuitable for use as a healthy, learning-focused environment and could eliminate essential parking, traffic flow and common areas provided under the tenants' leases.

Thank you for your time and attention to this serious matter affecting our community and our children.

Jessica Blacklock

Resident of West Lake Hills
 Owner of Potts Blacklock Senterfitt, PLLC
 cell: 512-653-5240

Anjali Naini

From: Melissa Munoz [REDACTED] >
Sent: Wednesday, January 6, 2021 1:16 PM
To: Anjali Naini
Subject: affecting the lives of children

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

It was recently called to my attention that there are plans to build a 3 story office building complex with a parking garage where 3 schools for young children are located at 3423 Bee Cave Rd.

We all chose this space because it is safe and tucked away from traffic. Sandbox provides therapy services for young children with autism and we spend a lot of time outdoors.

If you are to allow this building, all traffic to and from will have to pass our schools, playgrounds and go directly through our parking lot. Not to mention all of the noise of the construction when our kids are sensitive to noise, Actons kids are in school trying to learn and Primrose kids have naps that are surely to be interrupted.

There is a public hearing on Jan 20, 2021 at 6:30pm of which we will all attend. I have attached the sign here that indicates this hearing is about trees vs a large office building going up at the back of our parking lot.

We are all trying to stay in business and survive in the midst of a pandemic and we all provide services to children. I'm sure there is a more fitting location for this office building.

Thanks for your consideration and for helping us find a solution that is best for all of the children we serve as this office building will affect the lives of hundreds of children and their families.

I appreciate your time,
Melissa



Melissa D. Munoz
Administrative Director
Sandbox ABA
3423 Bee Cave Rd Suite 200
Austin, Texas 78746
ph: (512) 524-1374
fx: (512) 524-1355

www.sandboxaba.com

Like Us on Facebook: <https://www.facebook.com/sandboxABA>

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information or otherwise protected by law. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message

Anjali Naini

From: Mark D. Blake [REDACTED] >
Sent: Monday, December 28, 2020 9:23 AM
To: Anjali Naini
Subject: 3423 Bee Cave Road Variance Request
Attachments: 102PDD.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Westlake Planning and Zoning,

I wanted to provide my PDD agreement at 100-102 Blue Ridge Trail for consideration when deciding whether to grant the proposed variance requests.

My project is across and down Bee Cave Road from 3423 Bee Cave Road.

First I was wondering why Keller Group isn't doing a PDD? It worked well for my deal and it sounds like they are requesting variances for everything.

My PDD gave a 58% impervious cover and 30' building height above natural grade. My property is multi family but it is zoned office. Mark Littrell says the Keller Group is requesting a 37' roof height. Not sure what the IC the Keller Group is requesting? I would think the zoning is office?

My architect inexplicably designed a 37' building and the building was red tagged during construction. I had to pay \$50000 to lower the height of the upstairs ceiling and roof to cap the building height at 30' as agreed. If any of the ZAPCO members would like to see a unit with a 30' building height, they are welcome to call me at 512-293-1041 and we can set it up.

Finally, the landscaping was kind of designed with a new template in mind. We attended a Council meeting with our landscape architect and he adapted his design to the ideas discussed at the meeting.

Overall I feel the building turned out well and I think the PDD approach taken worked out for everyone involved.

Thanks,

MDB

512-293-1041

Sent from my iPhone

Anjali Naini

From: Charlotte Howard <[REDACTED]>
Sent: Friday, January 15, 2021 4:57 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: 3423 Bee Cave Rd

Hi! I just heard that there is a plan to build a large office complex in the parking lot of my daughter's school. I heard that any objections need to be submitted today so you will have them for the public hearing next week, so I'm quickly writing to say that building something like that next to the school would make the school unusable because that is our drop off/pick up and play area. It would also be disruptive and I object to destroying the natural feeling of the area as well--cutting down trees that should be protected and keep the area beautiful. Thank you for considering my concern as a resident of West Lake (I live off Terrace Mountain) and please choose another location for this development.

Thank you so much!

Charlotte



ZONING AMENDMENT WITH VARIANCES STAFF REPORT

JANUARY 20, 2021

Project Address: 4700 & 4704 Bee Cave Road

Project Number: 16171

Agenda Item: Land Use: 4700 & 4704 Bee Cave Road: Discussion/Consideration of a rezoning request from One-Family Residential District (R-1) to Government, Utility, & Institutional District (GUI) with the following variances: 1) cut/fill; 2) driveway and parking setback encroachments; 3) retaining walls encroaching a setback and exceeding maximum permitted height; 4) minimum lot size; 5) rear and side building setback encroachments; 6) consider incentives to have up to 45.2% impervious cover; and 7) removal of 48 trees 14" or greater (West Lake Hills Code Sec. 38.05.092, Sec. 22.03.210, Sec. 22.03.249, Sec. 22.03.276, Sec. 22.03.281, & Sec. 22.03.304). Owner/Applicant Ramon Aguirre - Young Peoples Workshop.

Applicant Information: Owner/Applicant Ramon Aguirre – Young Peoples Workshop

Hearing Dates:

January 20, 2021 ZAPCO

February 10, 2020 City Council & Board of Adjustment

Location: The subject property is located east of Swiftcurrent Trail, west of Buckeye Trail, and south of Yaupon Valley Road.

Zoning & Site Characteristics:

The subject properties are zoned R-1 – One-Family Residential. The neighboring properties adjacent to the subject properties along the eastern, western, and northern borders are zoned R-1. Properties directly across the street are zoned O – Office and B-2 – Business 2 District. A property to the east that is close to the southeastern corner of 4704 Bee Cave Road (4800 Bee Cave Road) is zoned O – Office.

The subject tracts combined are approximately 2.948 acres. There is an existing home on one of the properties that the owner plans to demolish in order to construct a new school.

Background & Analysis:

The applicant is requesting a zoning change request with several variances in order to construct a YPW Spanish Immersion School, which is relocating from its existing location on Bee Cave Road. The school is currently located at several campuses on Bee Cave Road, and the proposed project intends to consolidate the school into one location.

The property is currently zoned R – 1 – One-Family Residential and the applicant is requesting a zoning classification change to GUI – Governmental, Utility and Institutional District. The project involves two tracts of land located at 4700 and 4704 Bee Cave Road. The applicant also owns 4706 Bee Cave Road, which will retain its R-1 zoning and serve as a buffer to the adjacent residential neighbors.

The school is licensed to have a maximum of 155 students and the hours of operation are Monday – Friday 7am to 6pm, and closed during holidays and winter break.

Zoning Amendment Request

When evaluating zoning amendment requests, the commission may recommend enactment of such zoning change or amendment if it finds that the change or amendment is in the public interest, conforms to the provisions of this chapter and the comprehensive plan, and is designed to:

- (A) Lessen congestion in the streets; | *The proposed project will replace/consolidate the several YPW campuses in West Lake Hills into one.*
- (B) Secure safety from fire, panic, and other dangers; | *The project is designed in a way to be accessible by emergency services and must meet current building codes and safety standards.*
- (C) Promote health and the general welfare; | *The proposed project will not have a negative impact on health and general welfare.*
- (D) Provide adequate light and air; | *The proposed structure will provide adequate light and air at this location and surrounding properties.*
- (E) Prevent the overcrowding of land; | *The proposed school will be relocated from an existing location on Bee Cave Road to a larger tract of land with less crowding.*
- (F) Avoid undue concentration of population; | *The proposed project is a school-no housing component is proposed and will not have an undue concentration of population.*
- (G) Facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements. | *The proposed project will consist of a new YPW Spanish Immersion School, which works closely with Eanes ISD.*

Variance Requests

Below is a summary of each of the requested variances:

- Excavation variance request: requesting up 40 feet of cut and 15 feet of fill including a retaining wall of up to 40 feet tall to adequately develop the site due to the steep slope
- Driveway and parking setback: requesting a setback variance for the parking and driveway setbacks for the properties zoned R-1 to the east and west of the subject tracts in order to minimize excavation and utilize a winding driveway.
- Retaining wall setback encroachment: requesting a variance to construct a retaining wall/cut/fill in excess of 18” in the building setbacks adjacent to R-1 zoned properties.

- Minimum lot size: requesting a variance to the 2-acre minimum lot size for properties zoned GUI. The combined area of development is approximately 1.658 acres.
- Tree variances: requesting variances to remove 48 trees 14" or greater in order to provide adequate area for development.
- Building setback variances: building setbacks for GUI are 40ft for rear and either the sum of 50 feet with neither side less than 25 feet, except a minimum of 40 feet for any side adjoining a residential district for properties .5 acre and larger; or sum of 40 feet with neither side less than ten feet except a minimum of 25 feet for any side adjoining a residential district. The proposed building footprint encroaches the side and rear building setbacks adjacent to properties zoned R-1.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
The application states – "The hardship results from the specific topographic conditions on this site. The base of the lots (at Bee Caves Rd) is at 820 feet of elevation. The steepness of the terrain gradually increases to 890 feet at the rear setback, rising 70 feet over a horizontal distance of 392 feet – equal to an average grade across the site of 17.8%. The challenge is the minimize the excavation of the site, both for preservation of the natural environment and also to minimize project cost."
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – "Any development of this site will require liberal vegetation removal due to the abundance of trees onsite, in order to provide adequate access and placement of proposed facilities. The plan for development is to maintain the natural state of the property to the greatest extent possible while providing improvements to sufficiently meet the economical and physical needs of the proposed development."
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – "This project had several iterations. Each of them had a challenging time providing adequate and safe access within impervious cover limitations and side yard setback requirements. At the early stages we had a large amount of cut and fill and extensive amount of retaining walls. This approach was abandoned in favor of reducing the amount of cut by designing the driveway as a windings one."

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

The application states – “The need for the variances is a result of the unique characteristics of these lots. Unfortunately, the property cannot reasonably be developed in a manner consistent with the existing zoning. We believe the use of retaining walls within the setback area is the most sensitive way to solve the physical challenges this site presents, in order to effectively provide access to the proposed facilities.”

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

The application states – “The City Master Plan has defined the Bee Cave Road corrido as the commercial development corridor for the city. Therefore, we believe the proposed preschool is an appropriate use.”

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

The application states – “We plan on leaving 4706 Bee Cave Rd (1.29 ac lot) zoned R-1 (one-family residence) to serve as a buffer to the nearby properties (101, 103, 105, 107 Swiftcurrent Trail, 466 and 468 Spiller Ln).

Our building will be tucked under the perimeter of retaining walls on three sides, and because of the higher elevation, sight lines to the building will be extremely limited and covered by the surrounding trees.

Our hours of operation are 7am to 6pm. We are closed weekends, holidays and during the Christmas and New Year’s break.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The goal of the master plan for nonresidential areas is to permit continued growth and development in a manner consistent with the needs of the residents of the City of West Lake Hills and in a manner complementary with the city’s rural character. Land in this area may be used for church, appropriate residential, commercial, office, school or public purposes.

Staff Recommendation

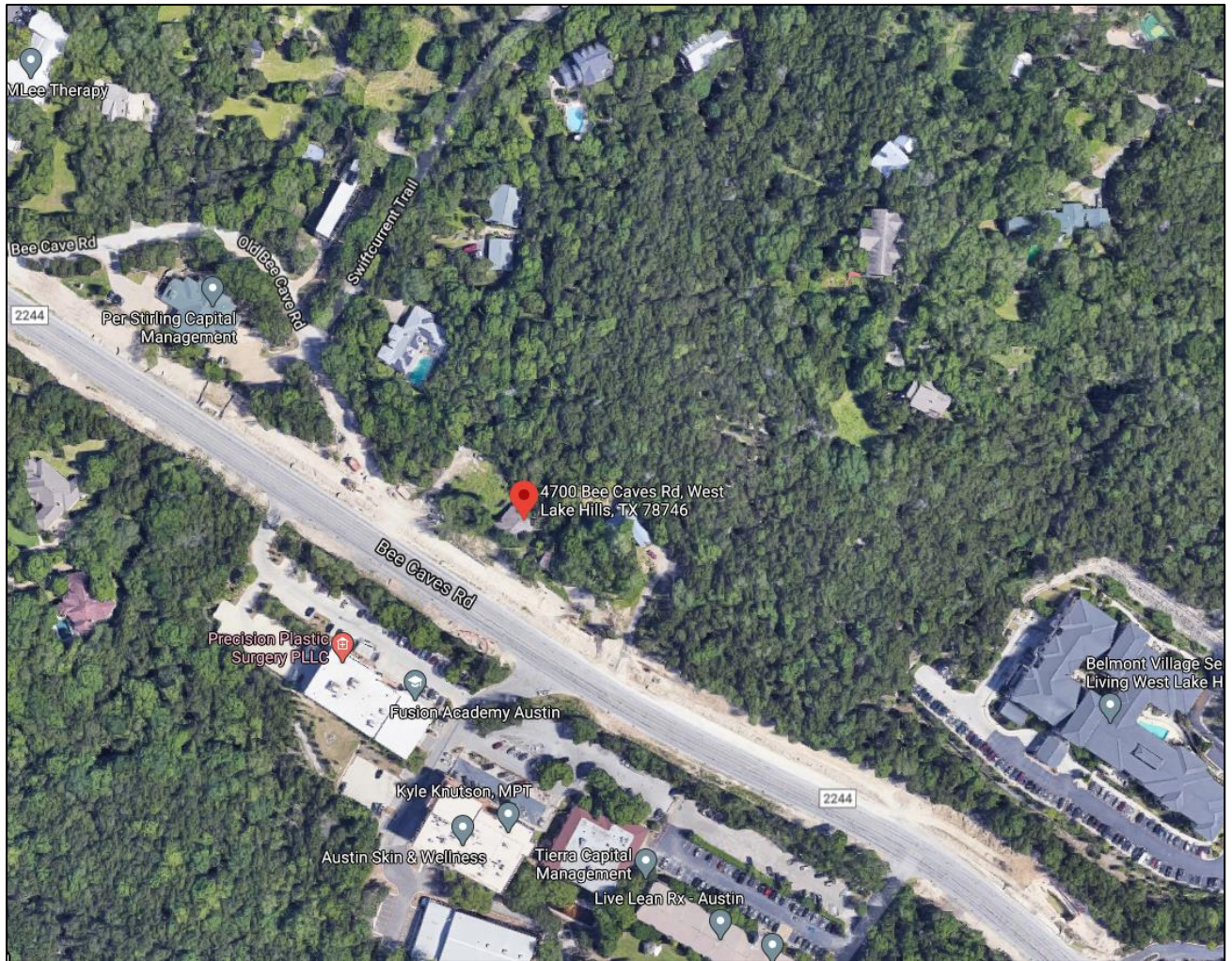
The Zoning and Planning Commissioners may 1) recommend approving the zoning amendment request with variances as submitted by the applicant; 2) recommend approving the request subject to specified conditions; or 3) recommend disapproving the request.

Links to Relevant Code:

- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.170 Site disturbance \(excavation, grading or filling\)](#)
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)
- [Sec. 38.05.092 Procedure for changing zoning classification of particular parcels of land](#)
- [Sec. 38.05.094 Report and recommendation from zoning and planning commission](#)
- [Article 28.02 Comprehensive Plan](#)

(Maps to follow)

Aerial:



CITY OF WEST LAKE HILLS
ZONING CHANGE APPLICATION

DATE: 12/4/2020 SUBMISSION DEADLINE DATE: 12/04/2020

NAME: Ramon Aguirre HOME PHONE: _____ BUS PHONE: (512) 329-5611

ADDRESS: 4700 & 4704 Bee Caves Road CITY: West Lake Hills, TX ZIP: 78746

BUSINESS NAME: Young Peoples Workshops BUSINESS ADDRESS: 3640 Bee Caves Rd, Austin TX 78746

TYPE & LOCATION OF STRUCTURES ON APPLICANT'S PARCEL & ADJOINING LAND: _____
Single Family residence with associated driveways

PRESENT ZONING & USE ON APPLICANT'S PARCEL & ADJOINING LAND: One Family (R-1)

REQUESTED ZONING & PROPOSED USE: Government, Utility and Institutional (GUI)

SITE PLAN ATTACHED: _____ PUBLIC HEARINGS DATES, ZAPCO: _____ COUNCIL: _____

****ATTACH LIST OF NAMES AND ADDRESSES OF ADJACENT PROPERTY LANDOWNERS WITHIN 200 FEET WHO HAVE BEEN NOTIFIED OF THE PUBLIC HEARING, 15 DAYS PRIOR TO DATE OF PUBLIC HEARING. AFFIDAVIT OF PROOF OF NOTIFICATION:** _____

PICKED UP PUBLIC HEARING SIGN: _____ FEES PD: _____ RECVD BY: _____

MASTER PLAN CONFORMITY: _____

STAFF FINDINGS: _____

ZAPCO RECOMMENDATION: _____

COUNCIL ACTION: _____

COMMENTS FOR THE RECORD: _____



October 2, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, TX 78746

**Re: Zoning Change Request
YPW Spanish Immersion School
4700, 4704 Bee Caves Road
West Lake Hills, TX 78746
SWE Project#: 0906-001-20**

Dear Mr. Meisel:

The properties located at 4700 and 4704 Bee Caves Road are currently zoned as One Family (R-1). The property owner plans to demolish the existing residence and corresponding driveway, and build a school known as the YPW Spanish Immersion School. Given the property's current zoning designation, a zoning change to Government, Utility and Institutional (GUI) is requested in order to represent the proposed site improvements.

We trust that you will find this letter and accompanying materials acceptable for the intended purpose of approving the requested zoning change to the specified properties. Please do not hesitate to contact our office should you have any questions or require additional information.

Respectfully submitted,

SOUTHWEST ENGINEERS, INC
TBPE NO. F-1909

Luke Stewart
Project Engineer

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
9111 Westlake Drive
West Lake Hills, TX 78746

10/2/2020

Dear Mr. Meisel:

This letter is to provide information about YPW Spanish Immersion School. We are applying for a re-zoning and a group of variances needed for the development of a preschool at 4700 and 4704 Bee Caves Rd.

We are a preschool currently operating as a fractured campus at several addresses: 3636 Bee Caves Rd #108 and #109, 3640 Bee Caves Rd, 3838 Bee Caves Rd #101 and 3654 Bee Caves Rd #D.

We would like to consolidate and relocate our operations to 4700 and 4704 Bee Caves Rd. For this to happen we need to apply for re-zoning of these lots from R-1 residential to GUI: school zoning designation along with the variances that make the construction project a viability.

The Master Plan of the City of West Lake Hills has defined the Bee Cave Road Corridor as the commercial development corridor for the city. 4700 and 4704 Bee Caves Rd are lots adjacent to Bee Caves Rd.

We plan on leaving 4706 Bee Caves Rd zoned R-1 (residential) to serve as a buffer for the benefit of adjacent residential neighbors.

YPW Spanish Immersion school has been a member of the Westlake community for more than 15 years.

We are partners with the Eanes school district with our Preschool and After-School programs. Our Spanish Immersion preschool feeds the Eanes "Futuro" Spanish Immersion K-5 program as many of our graduates continue to this Spanish immersion education program. (Please see letter of support from Dr. Tom Leonard, Superintendent of the Eanes Independent School District). We pick students up from Eanes Elementary, Cedar Creek Elementary, Valley View Elementary, Forest Trail Elementary and Trinity Episcopal School for our After-School program.

YPW Spanish Immersion school's community involvement includes and has included:

- Eanes school's science and technology fairs workshops with our YPW Camps offerings
- Westlake library – Spanish Workshops
- Partnership with Child Care Aware of America to provide Military families tuition assistance
- Partnership with Texas Workforce commission to provide tuition assistance to families in need
- UNICEF fall festival fund raising – We host 2 fundraisers every year for the benefit of UNICEF
- University of Texas At Austin: Introduce a girl to Engineering day – YPW Camps has been an active participant for the last 10 years with our "Can you handle the pressure" hydraulics science and technology workshops
- Austin Children's museum – Spanish Workshops
- Support for multiple local fundraisers

We believe our preschool relocation to 4700 and 4704 Bee Caves Rd is an appropriate use within the Master Plan and that our school is an asset to the community of West Lake Hills. We thank in advance for considering our application.

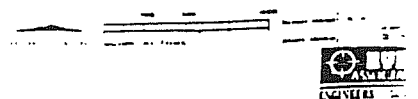
Respectfully submitted,
Ramon Aguirre
Ramon Aguirre, YPW Director of Operations

Tract Map

(Indicate location in general)

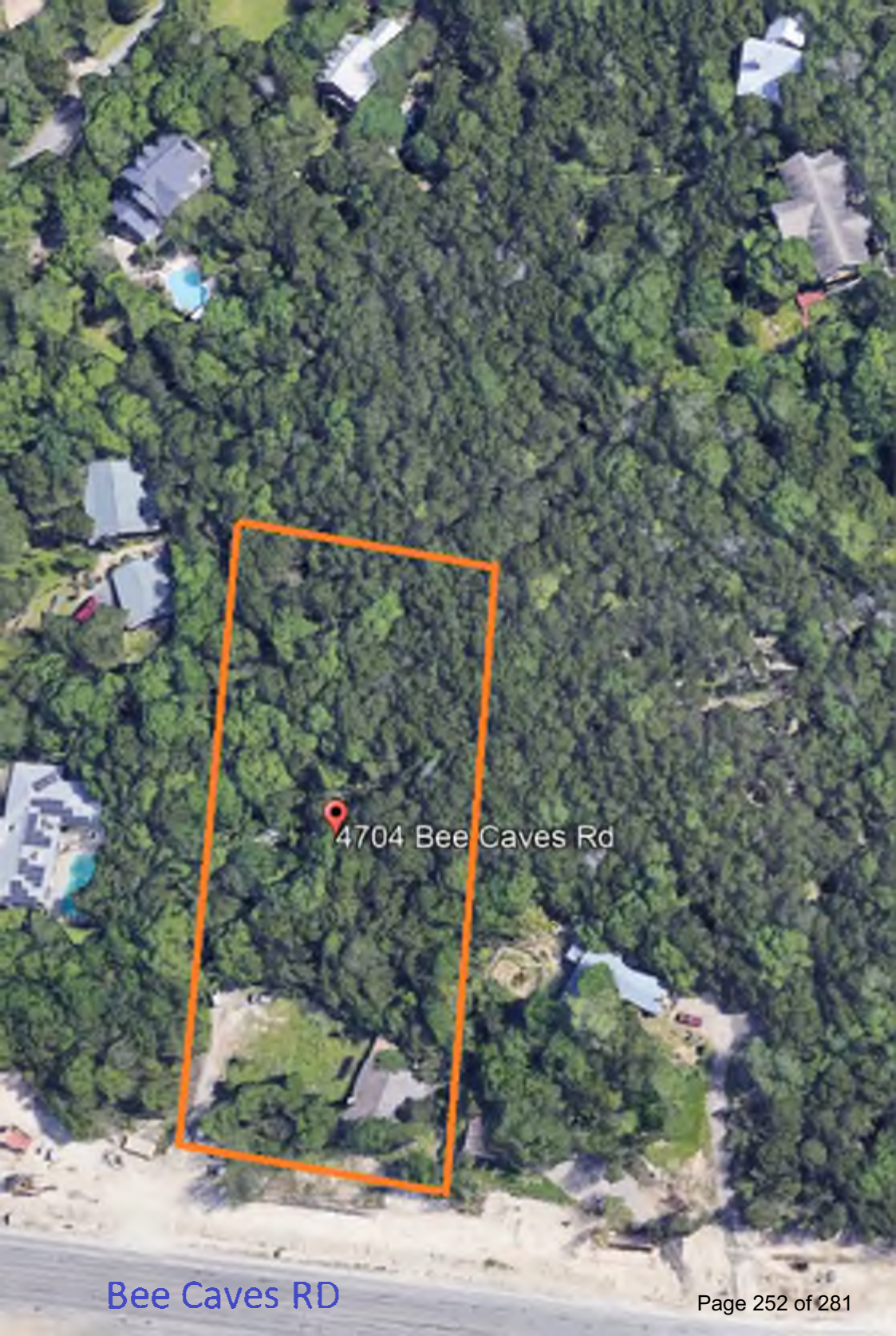


WEST LAKE HILLS





- R-1 ONE FAMILY
- R-2 MULTI-FAMILY
- R-3 TRANSITIONAL
- O OFFICE
- B-1 BUSINESS 1
- B-2 BUSINESS 2
- B-3 BUSINESS 3
- GUI GOVERNMENT, UTILITY, INSTITUTIONAL



4704 Bee Caves Rd



PO BOX 160775
Austin TX 78716-0775

10/2/2020

To Whom It May Concern:

RE: 4700 and 4704 Bee Caves Rd. Authorization for YPW Spanish Immersion School to apply for rezoning / Variances for these lots.

This is to verify that we have authorized our tenant YPW Spanish Immersion School to proceed with applications to develop a preschool at 4700 and 4704 Bee Caves Rd and to represent us for the application of rezoning to GUI:school and respective variances with the city of West Lake Hills, TX.

Do not hesitate to contact me at 512-417-3494 should you require additional information.

State of Texas
County of Travis

This instrument was acknowledged
before me on SEPTEMBER 30, 2020

By RAMON AGUIRRE

NOTARY Jo Angeli Manalang



Sincerely yours,

A handwritten signature in dark ink, appearing to read "Ramon Aguirre", written over a horizontal line.

Ramon Aguirre
President



SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, RAMON AGUIRRE
have made, constituted and appointed DAVID POLKINGHORN
to be my duly authorized representative in connection with an application dated 10-2-2020
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

RAMON AGUIRRE

Property Owner/Applicant Name

Ramon Aguirre

Property Owner/Applicant Signature

3305 HICKORY CREEK W AUSTIN TX

Street Address

City

State

78735

Zip Code

512-417-3494

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 30th day of SEPTEMBER, 20 20.

Jo Angel Manalang

Notary Public in and for the State of Texas





SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, RAMON AGUIRRE
have made, constituted and appointed GABRIEL T. HOVDEY
to be my duly authorized representative in connection with an application dated 10-2-2020
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

RAMON AGUIRRE

Property Owner/Applicant Name

Ramon Aguirre

Property Owner/Applicant Signature

3305 Hickory Creek W Austin TX 78735

Street Address

City

State

Zip Code

512-217-3494

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 30th day of SEPTEMBER 20 20.

Jo Angeli Manalang

Notary Public in and for the State of Texas



October 30, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, TX 78746

**Re: Variance Request
 YPW Spanish Immersion School
 4700, 4704 Bee Cave Road
 West Lake Hills, TX 78746
 SWE Project#: 0906-001-20**

Dear Mr. Meisel:

A variance to sections 22.03.210, 22.03.249(b)(2), 22.03.276, 22.03.281, 22.03.304(a)(4) of the West Lake Hills Code of Ordinances is hereby requested in conjunction with the proposed YPW Spanish Immersion School development located at 4700 and 4704 Bee Caves Road. An overview and efforts to minimize requested variances are as followed:

- **Variance to Section 22.03.210** (subsequent sections **22.03.170(b)**; **22.03.170(f)**; **22.03.170(g)**; ***Drainage and Erosion Criteria Manual Section 7.4.1***):
 - *To allow for the practical excavation activities (up to 40-feet of cut and 15-feet of fill) and retaining wall height (up to 40-feet) required to adequately develop the site, in accordance to its desired use (school).*
 - Any development of this nature on this property is likely to encounter excavation complications due to the naturally steep slope of the site.
 - The proposed development will utilize natural slope patterns and winding driveway in order to minimize the amount of cut present onsite.
 - Finished grades will use 3:1 slopes where practical in order to tie back into natural grade to lessen the presence of onsite retaining walls.
- **Variance to Section 22.03.249(b)(2)**:
 - *To allow for the proposed driveway and parking areas to encroach within the 30-foot driveway/parking setbacks for R-1 zoned properties located to the East and West of the development.*
 - In order to utilize a winding driveway (for minimizing excavation), the driveway needs to extend within this setback area.

- **Variance to Section 22.03.276:**
 - *To allow for the placement of accessory structures (retaining walls) within the 40-foot building setback area adjacent to R-1 properties.*
 - Site constraints (excessive steep slopes) yield the need for retaining walls to be present within this setback area, in order to effectively provide access to the proposed facilities.
- **Variance to Section 22.03.281** (minimum lot acreage for GUI zoned properties):
 - *To allow for the rezoning of the site to GUI, in order for the proposed site use (school) to comply with zoning specifications.*
 - The combined area of the development is ± 1.658 acres, which is less than the 2-acre minimum that is required for GUI zoned properties.
- **Variance to Section 22.03.304(a)(4):**
 - *To allow for the removal of multiple trees greater than or equal to 14 inches located onsite (removal of 48 trees greater than 14").*
 - Any development of this nature will require liberal vegetation removal due to the abundance of trees onsite in order to provide adequate access and placement of proposed facilities. The plan for development is to maintain the natural state of the property to the greatest extent possible while providing improvements to sufficiently meet the economical and physical needs of the proposed development.

We trust that you will find this letter and accompanying materials acceptable for the intended purpose of approving the requested variances for the proposed project. Please do not hesitate to contact our office should you have any questions or require additional information.

Respectfully submitted,

SOUTHWEST ENGINEERS, INC
TBPE NO. F-1909



Luke Stewart
Project Engineer

APPLICATION COVER SHEET

Property Address: 4700 & 4704 Bee Caves Road, West Lake Hills, TX 78746 Ramon Aguirre

Applicant Name: _____

Designated Agent (if any, Power of Attorney Required): N/A

Applicant Phone Number: (512) 329-5611 Email Address: raguirre@ypwkids.com

Date Application was Submitted: 12/04/2020

Variance(s) Requested: _____

Variances to City of West Lake Hills Code Sections 22.03.210, 22.03.249(b)(2), 22.03.276, 22.03.281, 22.03.304(a)(4)

(See attached letter for complete details)

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____

☐ Letter to ZAPCO Chairperson

☐ Variance Approval Criteria Answers

☐ Site Plan Coversheet

☐ Site Plan Drawings

☐ Elevation Views and Floor Plans (new structures only)

☐ Septic Assessment (new structures only)

☐ Additional Support Materials (if any): _____

☐ Power of Attorney (if any) – Designated Representative: _____

Staff Analysis completed on _____ by _____

Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____

Notice to Proceed Letter sent to Applicant on _____ by _____

• Notification Letter must be postmarked by _____ ☐ Confirmed by _____

• Sign must be posted by _____ ☐ Confirmed by _____

15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____

ZAPCO Action Letter sent on _____ by _____

ZAPCO Recommendation: _____

Conditions/Comments (if any): _____

Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____

BOA/Council Action: _____

Conditions/Comments (if any): _____

BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____

• Notifications added to Incode on _____ by _____

Postponement History (if any): _____

Notes: _____

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

1. DESCRIBE IN DETAIL ANY SPECIAL CONDITIONS YOU BELIEVE WILL RESULT IN UNNECESSARY HARDSHIP TO YOU IF THE TERMS OF THIS ORDINANCE ARE STRICTLY OF LITERALLY ENFORCED.

The hardship results from the specific topographic conditions on this site. The base of the lots (at Bee Caves Rd) is at 820 feet of elevation. The steepness of the terrain gradually increases to 890 feet at the rear setback, rising 70 feet over a horizontal distance of 392 feet – equal to an average grade across the site of 17.8%. The challenge is to minimize the excavation of the site, both for preservation of the natural environment and also to minimize project cost. A winding driveway was devised to reduce the steep building approach to a safe grade of approximately 10%. This presents a hardship for maintaining the required side setbacks. We are faced with the option of increasing the excavation or increasing the driveway grade past the amount which is both practically safe for the public and navigable by emergency vehicles.

Having studied numerous site development concepts, if the terms of the ordinance are strictly enforced the level of site manipulation and excavation quickly become disproportionate costs to the total development of the project. Our opinion is that best and most reasonable development relies on the requested variances in order to achieve the features that have been designed – a looping entry driveway with a winding access and a significant amount of undisturbed natural grades.

2. WHY DO YOU THINK THE NATURAL TERRAIN AND EXISTING FLORA WILL NOT BE UNREASONABLE DISRUPTED OR DESTROYED IF THE VARIANCE YOU ARE REQUESTING IS GRANTED?

Any development of this site will require liberal vegetation removal due to the abundance of trees onsite, in order to provide adequate access and placement of proposed facilities. The plan for development is to maintain the natural state of the property to the greatest extent possible while providing improvements to sufficiently meet the economical and physical needs of the proposed development. The proposed development includes a winding driveway nestled into the natural sloping terrain in order to minimize the amount of cut present onsite.

The design team will provide a tree mitigation plan to remedy the removal of these trees.

3. WHAT OTHER REASONABLE ALTERNATIVES HAVE YOU CONSIDERED? WHY WON'T THESE OTHER OPTIONS ALLEVIATE THE DIFFICULTY OR HARSHIP THAT YOU THINK EXISTS?

This project has had several iterations. Each of them had a challenging time providing adequate and safe access within impervious cover limitations and side yard setback requirements. At the early stages we

had a large amount of cut and fill and extensive amount of retaining walls. This approach was abandoned in favor of reducing the amount of cut by designing the driveway as a winding one.

4. WHY DO YOU BELIEVE THE VARIANCE YOU ARE REQUESTING IS THE MINIMUM REQUIRED TO ALLEVIATE THE DIFFICULTY OR HARSHIP YOU THINK EXISTS?

The need for the variances is a result of the unique characteristics of these lots. Unfortunately, the property cannot reasonably be developed in a manner consistent with the existing zoning. We believe the use of retaining walls within the setback area is the most sensitive way to solve the physical challenges this site presents, in order to effectively provide access to the proposed facilities.

5. WHY DO YOU BELIEVE YOUR VARIANCE DOES NOT VIOLATE THE INTENT OF THE ZONING ORDINANCE OR THE GOALS OF THE CITY'S COMPREHENSIVE PLAN?

The City Master Plan has defined the Bee Cave Road Corridor as the commercial development corridor for the city. Therefore, we believe the proposed preschool is an appropriate use. Also, proposed development is on the low side of all retaining walls which fall within the setbacks, meaning new facilities are visually screened from neighboring properties better than if we were able to build at natural grade.

6. WHY DO YOU BELIEVE YOUR VARIANCE WILL NOT ADVERSELY AFFECT NEIGHBORING PROPERTIES OR INTERFERE WITH THE ENJOYMENT OF THESE PROPERTIES BY THEIR OWNERS?

We plan on leaving 4706 Bee Cave Rd (1.29 ac lot) zoned R-1 (one-family residence) to serve as a buffer to the nearby properties (101, 103, 105, 107 Swift current Trail, 466 and 468 Spiller Ln).

Our building will be tucked under the perimeter of retaining walls on three sides, and because of the higher elevation, sight lines to the building will be extremely limited and covered by the surrounding trees.

Our hours of operation are 7 am to 6 PM. We are closed weekends, holidays and during the Christmas and New Year's break.

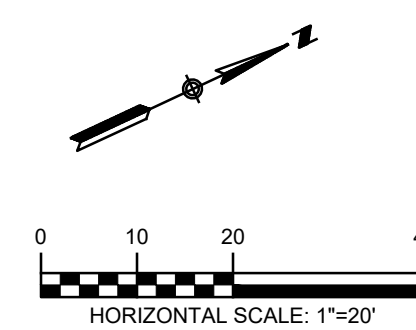
As required, we will comply with the drainage and erosion code ordinances and the Preliminary Drainage Plan is being submitted with this rezoning application (Please see attached Drainage Analysis.)

We intend to comply with the dark-sky guidelines on outdoor lighting, controlling direction and height of the light fixtures to mitigate light pollution. Fixtures will also point downwards.

Along the boundaries of neighbors at 101, 103 Swiftcurrent Trail there is at least a 30 feet buffer of natural vegetation, in addition, we plan on adding new trees where needed for screening

Existing driveway
4704 Bee Caves RD.





LEGEND

PROPERTY BOUNDARY

CURB AND GUTTER

TOTAL ONSITE RETAINING WALLS = ± 861 LF

BEE CAVES ROAD

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Page 262 of 28

C:\CompanyData\Clients\0906 - Young Peoples Workshop\001-20_YPW_Preliminary Engineering\CAD\Sheets\Exhibit\0906-001_Exhibit_drainage_POLKINGHERN.dwg -- Layout: "Layout1" -- Tue, Jan 05, 2021, 11:08am, By: CIO38-JLW

EXISTING DRAINAGE AREA MAP

DRAINAGE SUMMARY TABLE (RATIONAL METHOD)

Drainage Area No.	Area (ac.)	Estimated Impervious Cover (ac.)	Impervious Cover (%)	T _c (min.)	2-Yr.				10-Yr.				25-Yr.				100-Yr.			
					k ₂	C ₂	i ₂ (in/hr)	Q ₂ (cfs)	k ₁₀	C ₁₀	i ₁₀ (in/hr)	Q ₁₀ (cfs)	k ₂₅	C ₂₅	i ₂₅ (in/hr)	Q ₂₅ (cfs)	k ₁₀₀	C ₁₀₀	i ₁₀₀ (in/hr)	Q ₁₀₀ (cfs)
EX-A	2.292 ac	0.08 ac	3%	10.0 min.	1.00	0.42	5.05 in/hr	4.9 cfs	1.00	0.42	7.66 in/hr	7.4 cfs	1.10	0.42	9.40 in/hr	10.0 cfs	1.25	0.42	12.25 in/hr	14.9 cfs
EX-B	0.452 ac	0.04 ac	9%	10.0 min.	1.00	0.45	5.05 in/hr	1.0 cfs	1.00	0.45	7.66 in/hr	1.5 cfs	1.10	0.45	9.40 in/hr	2.1 cfs	1.25	0.45	12.25 in/hr	3.1 cfs
EX-C	0.246 ac	0.09 ac	36%	10.0 min.	1.00	0.55	5.05 in/hr	0.7 cfs	1.00	0.55	7.66 in/hr	1.0 cfs	1.10	0.55	9.40 in/hr	1.4 cfs	1.25	0.55	12.25 in/hr	2.1 cfs
PR-A	1.407 ac	0.00 ac	0%	10.0 min.	1.00	0.35	5.05 in/hr	2.5 cfs	1.00	0.35	7.66 in/hr	3.8 cfs	1.10	0.35	9.40 in/hr	5.1 cfs	1.25	0.35	12.25 in/hr	7.5 cfs
PR-B	0.987 ac	0.69 ac	70%	10.0 min.	1.00	0.69	5.05 in/hr	3.5 cfs	1.00	0.69	7.66 in/hr	5.2 cfs	1.10	0.69	9.40 in/hr	7.1 cfs	1.25	0.69	12.25 in/hr	10.5 cfs
PR-C	0.596 ac	0.11 ac	19%	10.0 min.	1.00	0.48	5.05 in/hr	1.4 cfs	1.00	0.48	7.66 in/hr	2.2 cfs	1.10	0.48	9.40 in/hr	2.9 cfs	1.25	0.48	12.25 in/hr	4.4 cfs
EX OS-A	2.143 ac	0.28 ac	13%	15.4 min.	1.00	0.46	4.21 in/hr	4.2 cfs	1.00	0.46	6.37 in/hr	6.3 cfs	1.10	0.46	7.82 in/hr	8.5 cfs	1.25	0.46	10.22 in/hr	12.7 cfs
PR OS-A	1.996 ac	0.28 ac	14%	15.4 min.	1.00	0.47	4.21 in/hr	3.9 cfs	1.00	0.47	6.37 in/hr	5.9 cfs	1.10	0.47	7.82 in/hr	8.0 cfs	1.25	0.47	10.22 in/hr	11.9 cfs
EX OS-B	0.303 ac	0.00 ac	0%	10.0 min.	1.00	0.41	5.05 in/hr	0.6 cfs	1.00	0.41	7.66 in/hr	1.0 cfs	1.10	0.41	9.40 in/hr	1.3 cfs	1.25	0.41	12.25 in/hr	1.9 cfs
PR OS-B	1.230 ac	0.06 ac	5%	10.0 min.	1.00	0.43	5.05 in/hr	2.7 cfs	1.00	0.43	7.66 in/hr	4.0 cfs	1.10	0.43	9.40 in/hr	5.5 cfs	1.25	0.43	12.25 in/hr	8.1 cfs
EX OS-C	0.781 ac	0.06 ac	7%	10.0 min.	1.00	0.44	5.05 in/hr	1.7 cfs	1.00	0.44	7.66 in/hr	2.6 cfs	1.10	0.44	9.40 in/hr	3.6 cfs	1.25	0.44	12.25 in/hr	5.3 cfs

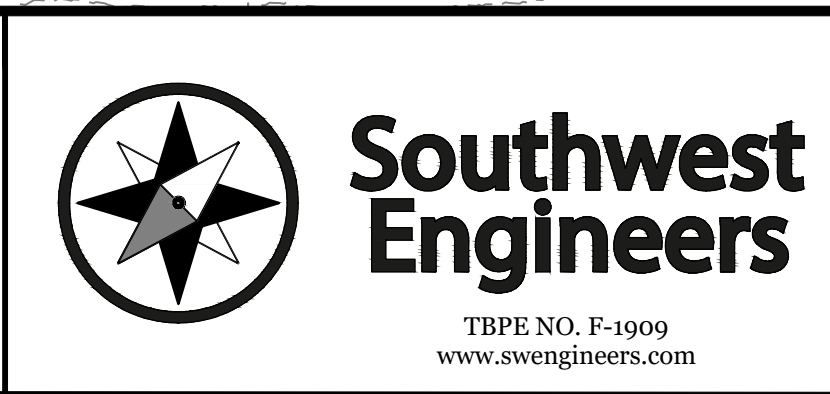
PROPOSED DRAINAGE AREA MAP



NO.	REVISION	DATE



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MIGUEL GONZALEZ, JR., # 95681 ON THE DATE INDICATED. ANY ALTERATIONS OF THIS SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



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P: 830.672.7545 F: 830.672.2034
CENTRAL TEXAS
205 Cimarron Park Loop, Ste. B, Buda TX 78610
P: 512.312.4336

WARNING
IF THIS BAR DOES NOT MEASURE 1", THE DRAWING IS NOT TO SCALE
DRAWN BY: LS
CHECKED BY: GTH

DRAINAGE EXHIBIT
YPW SPANISH IMMERSION SCHOOL
4700 & 4704 BEE CAVE RD, WEST LAKE HILLS, TX 78746

PROJECT NO. 0906-001
DRAWING NO.
SHEET OF



January 6, 2020

**Re: Drainage Analysis Letter
YPW Spanish Immersion School
4700, 4704 Bee Caves Road
West Lake Hills, TX 78746
SWE Project#: 0906-001-20**

This letter demonstrates the necessary drainage analysis being requested for the proposed development for the properties located at 4700 and 4704 Bee Caves Road, in the City of West Lake Hills (COWLH). The property owner plans to build a school known as the YPW Spanish Immersion School. The proposed development will comply with the regulations set in place by the COWLH in regards to storm water management per the proposed drainage plan and design. As required by the COWLH, runoff will be collected, detained, and then released in a manner that is equal to or less than what is currently considered existing conditions. Additionally, any runoff generated by the proposed improvements will first be treated by water quality control measures according to the Texas Commission on Environmental Quality (TCEQ) requirements before being detained.

STORMWATER DETENTION AND WATER QUALITY

Existing conditions associated with the properties consist of a single story single-family building and covered parking area with corresponding utilities and a private driveway that accesses Bee Caves Road (FM2244). The proposed conditions consist of a new two-story school, sidewalks, driveway, and parking lot with associated storm water improvements including an expected underground collection system, water quality treatment facility, and above ground detention pond. Runoff currently drains by overland sheet flow generally from the northeast corner of the properties to southwest corner of the properties closest to Bee Caves Road.

The project onsite pre-development drainage area map consists of three (3) drainage areas, EX-A, EX-B and EX-C. Drainage area EX-A bypasses the two (2) Points of Analysis (POA), which are existing inlets located along the frontage of the properties within the Right of Way (ROW) of Bee Caves Road. Runoff for drainage area EX-B is collected by the more northern inlet (POA 1) while runoff for drainage area EX-C is collected by the more southern inlet (POA 2).

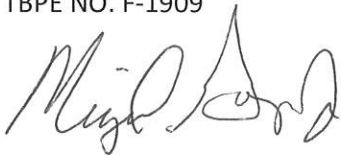
The project onsite post-development drainage area map again consists of three (3) drainage areas, PR-A, PR-B and PR-C. PR-A consists of less area than in existing conditions (EX-A), will remain undeveloped, and will bypass POA 1 and POA 2. Runoff for drainage area PR-B,

consisting of the majority of the site development improvements, will be routed to the required onsite water quality and detention facility by a series of onsite inlets and storm sewer pipes. After treatment and detention, runoff will be released directed into Bee Caves Road at POA 1. Runoff for drainage area PR-C will sheet flow, uncontrolled, directly into Bee Caves Road in the same manner as in existing conditions to POA 2. All runoff for offsite flows will remain unchanged from existing conditions after the site related proposed improvements. The use and design of temporary and possible permanent erosion control measures, in accordance with the COWLH Drainage and Erosion Control Design Manual (DECDM), will achieve sheet flow conditions for any bypassing offsite flows.

Pre and post development runoff calculations, based on peak flow rates equal to the 2-yr, 10-yr, 25-yr, and 100-yr, 24-hour duration storm events (based on NOAA Atlas 14 rainfall data published in 2018), and defined by the COWLH DECDM, are shown on the drainage exhibit. A final detention pond design, using the SCS/NRCS Routing Methodology, will be completed at the time of full site plan application submission. Detention pond designs are required to show all release flow rates for proposed conditions to be less than flows in existing conditions.

Respectfully submitted,

SOUTHWEST ENGINEERS, INC
TBPE NO. F-1909



Miguel Gonzales, Jr., PE
Engineering Manager
gth



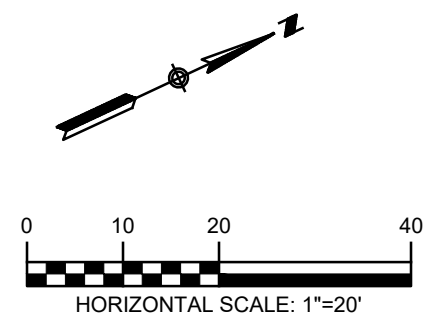
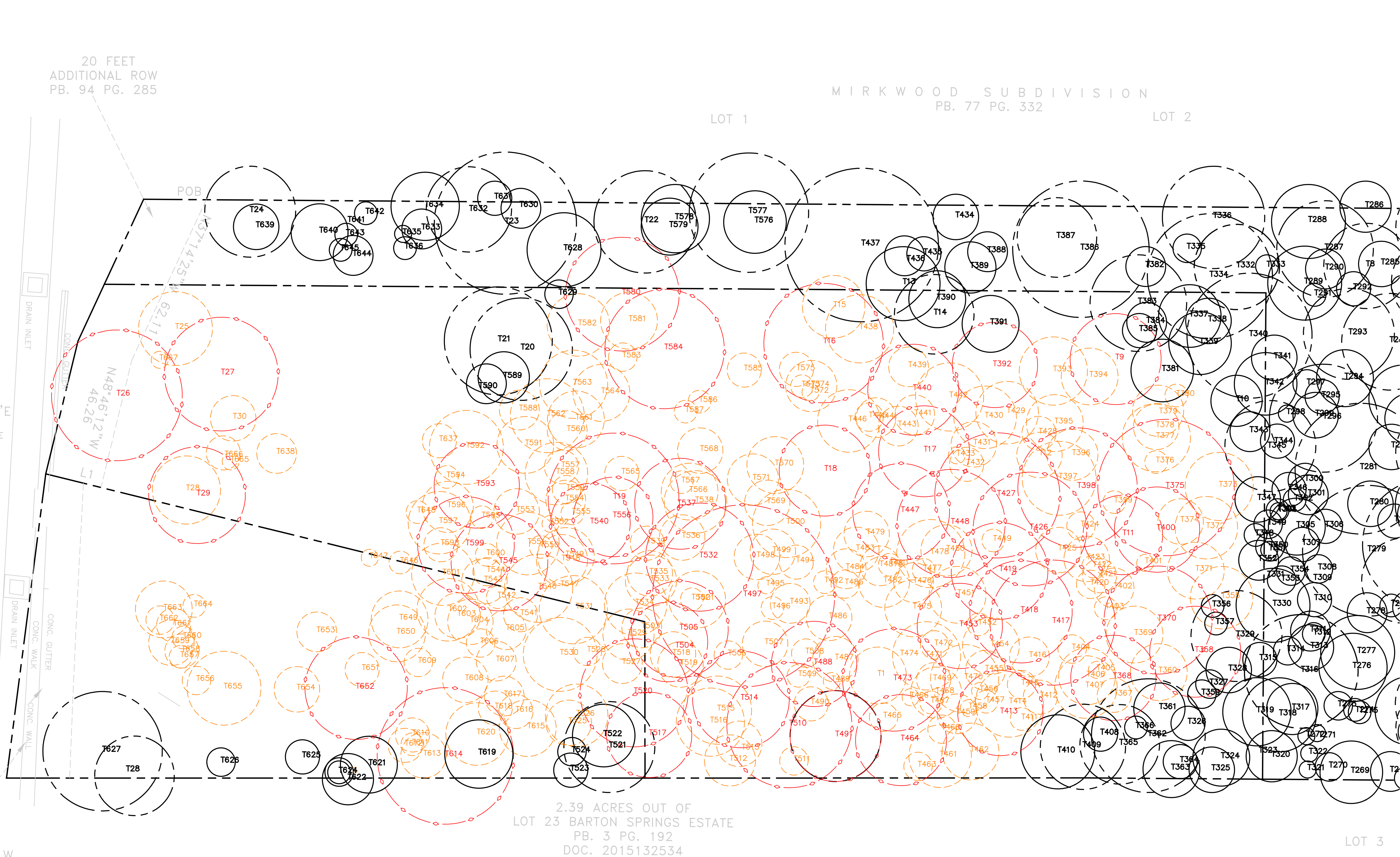
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BEE CAVES ROAD

20 FEET
ADDITIONAL ROW
PB. 94 PG. 285

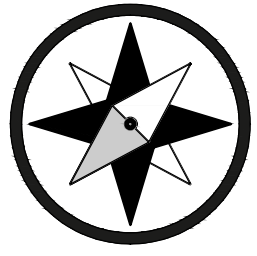
L1
N41°29'01"E
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(N41°30'35"E
6.35')

0.047 AC.
ADDITIONAL R.O.W.
DOC. 201814277



- LEGEND
- PROPERTY BOUNDARY
 - T000 EXISTING TREE < 14" (TO REMAIN)
 - T000 EXISTING TREE ≥ 14" (TO REMAIN)
 - T000 EXISTING TREE < 14" (TO BE REMOVED)
 - T000 EXISTING TREE ≥ 14" (TO BE REMOVED)
- * REFER TO TREE LIST FOR ADDITIONAL INFORMATION *

NO.	REVISION	DATE



**Southwest
Engineers**

TXPE NO. F-1099
www.swengineers.com

HEADQUARTERS

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CENTRAL TEXAS

205 Cimarron Park Loop, Ste. B, Buda TX 78610
P: 512.312.4336

WARNING

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CHECKED BY: GTH

TREE EXHIBIT

YPW SPANISH IMMERSION SCHOOL

4700 & 4704 BEE CAVE RD, WEST LAKE HILLS, TX 78746

PROJECT NO. <u>0906-001</u>
DRAWING NO. <u> </u>
SHEET <u> </u> OF <u> </u>

TREE LIST																			
T1 8" Spanish Oak (R)	T62 6" Cedar	T123 8" Cedar	T184 10" Cedar	T245 8" Cedar	T306 6" Cedar	T367 6" Cedar (R)	T428 6" Cedar (R)	T489 3" Cedar (R)	T550 4" Cedar (R)	T611 4" Cedar (R)	PROTECTED TREE REMOVAL TABLE	TREE TAG		SIZE, TYPE					
T2 10" 9" 9" Live Oak (P)	T63 8" Cedar	T124 4" Cedar	T185 7" Cedar	T246 9" Cedar	T307 6" Cedar	T368 8" 7" 4" 3" Cedar (R) (P)	T429 11" Cedar (R)	T490 6" Cedar (R)	T551 9" 4" Cedar (R)	T612 6" Hackberry (R)		T11	10" 8" Spanish Oak						
T3 12" 11" 8" Spanish Oak (P)	T64 8" 5" 4" 4" Cedar (P)	T125 8" 5" Cedar	T186 6" Cedar	T247 6" Cedar	T308 4" 3" Cedar	T369 8" 4" Cedar (R)	T430 11" Cedar (R)	T491 16" Cedar (R) (P)	T552 3" Cedar (R)	T613 8" Hackberry (R)		T11	10" 8" Spanish Oak						
T4 11" Spanish Oak	T65 6" Cedar	T126 5" Cedar	T187 4" Cedar	T248 10" 9" 5" 5" Cedar (P)	T309 5" 3" Cedar	T370 12" 7" 4" 4" Cedar (R) (P)	T431 8" Cedar (R)	T492 4" Ash (R)	T553 8" Cedar (R)	T614 14" 10" 9" 7" Cedar (R) (P)		T16	8" 8" Spanish Oak						
T5 11" 7" Spanish Oak (P)	T66 9" Cedar	T127 10" Cedar	T188 14" 10" Cedar	T249 3" Cedar	T310 6" Spanish Oak	T371 10" Cedar (R)	T432 6" Cedar (R)	T493 7" Cedar (R)	T554 7" Cedar (R)	T615 10" Cedar (R)		T17	8" 8" Spanish Oak						
T6 8" Spanish Oak	T67 5" Cedar	T128 9" Cedar	T189 4" Cedar	T250 3" Cedar	T311 7" Cedar	T372 9" 6" Cedar (R)	T433 3" Cedar (R)	T494 6" Cedar (R)	T555 4" Hackberry (R)	T616 6" Cedar (R)		T18	16" Spanish Oak						
T7 8" 7" Spanish Oak	T68 7" 4" 3" Cedar	T129 6" Cedar	T190 3" Cedar	T251 8" Cedar	T312 8" Cedar	T373 7" 6" 4" Cedar (R)	T434 8" Cedar (R)	T495 3" Spanish Oak (R)	T556 11" 7" Cedar (R) (P)	T617 7" Cedar (R)		T19	13" 11" 9" Live Oak						
T8 9" 11" Spanish Oak (P)	T69 14" Cedar (P)	T130 6" Cedar	T191 10" 4" 3" Cedar	T252 13" Cedar	T313 8" Cedar	T374 8" Cedar (R)	T435 6" Cedar (R)	T496 4" Ash (R)	T557 6" Cedar (R)	T618 6" Cedar (R)		T26	23" Live Oak						
T9 11" 10" Spanish Oak (R) (P)	T70 11" Cedar	T131 6" Spanish Oak	T192 8" Cedar	T253 10" Cedar	T314 5" Cedar	T375 14" 8" 6" 5" Cedar (R) (P)	T436 7" Cedar (R)	T497 12" 8" 6" 6" Cedar (R) (P)	T558 8" Cedar (R)	T619 12" Hackberry (R)		T27	13" 13" Spanish Oak						
T10 9" Spanish Oak	T71 9" 6" 5" Cedar (P)	T132 9" Cedar	T193 5" Live Oak	T254 6" Cedar	T315 6" Cedar	T376 4" Cedar (R)	T437 12" 11" 10" 8" Cedar (P)	T498 8" Cedar (R)	T559 5" Locust Tree (R)	T620 11" Cedar (R)		T29	9" 9" 7" Spanish Oak						
T11 10" 8" Spanish Oak (R) (P)	T72 4" Spanish Oak	T133 12" Cedar	T194 6" 3" Cedar	T255 13" 10" 7" 4" Cedar (P)	T316 10" 6" 5" Cedar (P)	T377 12" Cedar (R)	T438 12" Cedar (R)	T499 8" Cedar (R)	T560 7" Cedar (R)	T621 10" Hackberry (R)		T358	8" 7" 5" 3" Cedar						
T12 8" Spanish Oak (R)	T73 6" Spanish Oak	T134 5" Cedar	T195 6" Cedar	T256 12" 6" Cedar (P)	T317 6" 3" 3" Cedar	T378 8" Cedar (R)	T439 5" 3" Cedar (R)	T500 8" 8" Cedar (R)	T561 10" Cedar (R)	T622 9" Hackberry (R)		T368	8" 7" 4" 3" Cedar						
T13 13" Spanish Oak	T74 8" Cedar	T135 10" 6" Cedar	T196 6" Cedar	T257 5" 3" 3" Cedar	T318 9" 4" 4" Cedar	T379 9" Cedar (R)	T440 7" 7" 6" 5" Spanish Oak (R) (P)	T501 10" Cedar (R)	T562 13" Cedar (R)	T623 5" Hackberry (R)		T370	12" 7" 4" 4" Cedar						
T14 10" 8" Spanish Oak (P)	T75 5" Cedar	T136 5" 5" Spanish Oak	T197 5" Live Oak	T258 6" 4" Cedar	T319 10" 5" Cedar	T380 4" Cedar (R)	T441 7" Cedar (R)	T502 4" Cedar (R)	T563 12" Cedar (R)	T624 4" Chinaberry (R)		T375	14" 8" 6" 5" Cedar						
T15 11" Spanish Oak (R)	T76 7" Cedar	T137 17" Cedar	T198 4" Live Oak	T259 4" 3" 3" 3" Cedar	T320 7" 5" Cedar	T381 11" Cedar	T442 12" Cedar (R)	T503 7" Cedar (R)	T564 10" Chinaberry (R)	T625 6" Cedar		T392	15" Cedar						
T16 12" 9" 9" Spanish Oak (R) (P)	T77 4" Cedar	T138 3" Cedar	T199 3" Live Oak	T260 3" Cedar	T321 3" Cedar	T382 7" Cedar	T443 7" Spanish Oak (R)	T504 14" Cedar (R) (P)	T565 5" 3" Chinaberry (R)	T626 5" Mulberry (R)		T398	10" 8" 8" 6" Cedar						
T17 8" 8" 8" Spanish Oak (R) (P)	T78 7" Spanish Oak	T139 10" 9" Cedar (P)	T200 4" Cedar	T261 5" Cedar	T322 3" Cedar	T383 17" Cedar (P)	T444 7" Cedar (R)	T505 13" 4" 3" Cedar (R) (P)	T566 8" 5" Chinaberry (R)	T627 21" Hackberry (R) (P)		T400	7" 5" 5" 4" 3" Cedar						
T18 16" Spanish Oak (R) (P)	T79 7" Spanish Oak	T140 16" 9" 5" Cedar (P)	T201 4" Cedar	T262 4" Cedar	T323 11" Cedar	T384 7" Cedar	T445 5" Cedar (R)	T506 5" Cedar (R)	T567 4" Hackberry (R)	T628 9" 9" Locust Tree		T413	10" 7" 4" Cedar						
T19 13" 11" 9" Live Oak (R) (P)	T80 6" Spanish Oak	T141 8" 6" 6" Spanish Oak (P)	T202 3" Cedar	T263 4" 4" Cedar	T324 11" Cedar	T385 6" Cedar	T446 11" Cedar (R)	T507 8" Cedar (R)	T568 8" Cedar (R)	T629 5" 5" Locust Tree		T417	8" 7" 7" 6" 4" 4" Cedar						
T20 10" 10" 7" Spanish Oak (P)	T81 6" Cedar	T142 8" Cedar	T203 5" 5" 4" 3" Cedar	T264 6" 3" Cedar	T325 8" Cedar	T386 11" 9" 9" 8" Cedar (P)	T447 14" 7" 6" Cedar (R) (P)	T508 5" Cedar (R)	T569 8" Cedar (R)	T630 7" Locust Tree		T418	8" 5" 4" 4" 3" 3" Cedar						
T21 13" 12" Spanish Oak (P)	T82 10" Cedar	T143 3" Cedar	T204 10" 5" 4" 4" Cedar (P)	T265 6" 5" 4" 4" 3" 3" Cedar (P)	T326 6" Cedar	T387 14" Cedar (R) (P)	T448 12" 10" 4" Cedar (R) (P)	T509 3" 3" Cedar (R)	T570 10" Cedar (R)	T631 6" Cedar		T419	7" 6" 5" 5" 3" Cedar						
T22 8" 8" 8" 7" Spanish Oak (P)	T83 8" 6" 5" 5" Cedar (P)	T144 5" Cedar	T205 6" Cedar	T266 9" 4" 4" Cedar	T327 5" Cedar	T388 7" Cedar (R)	T449 4" Cedar (R)	T510 10" 7" 7" 6" 4" Cedar (P)	T571 9" Cedar (R)	T632 15" Cedar (P)		T426	12" 10" 6" Cedar						
T23 14" 14" 9" 8" Spanish Oak (P)	T84 8" Cedar	T145 7" Cedar	T206 4" Cedar	T267 4" Cedar	T328 8" Cedar	T389 9" Cedar	T450 9" Cedar (R)	T511 5" Spanish Oak (R)	T572 3" Cedar (R)	T633 7" Chinaberry (R)		T427	10" 10" 8" 6" Cedar						
T24 12" 9" Spanish Oak (P)	T85 4" Cedar	T146 6" Cedar	T207 4" Cedar	T268 7" Cedar	T329 12" 9" Cedar (P)	T390 10" 6" Cedar	T451 8" 4" Cedar (R)	T512 7" 3" Cedar (R)	T573 4" Cedar (R)	T634 8" 8" Cedar		T440	7" 7" 6" 5" Spanish Oak						
T25 13" Spanish Oak (R)	T86 5" 4" Cedar	T147 5" Spanish Oak	T208 4" Cedar	T269 11" Cedar	T330 11" 6" Cedar	T391 10" 4" Cedar	T452 4" Live Oak (R)	T513 7" 3" Cedar (R)	T574 9" Cedar (R)	T635 3" Cedar		T447	14" 7" 6 Cedar						
T26 23" Live Oak (R) (P)	T87 5" Spanish Oak	T148 10" 10" 9" 6" Cedar (P)	T209 4" Cedar	T270 4" 3" Cedar	T331 15" Cedar	T392 15" Cedar (R) (P)	T453 15" Cedar (R) (P)	T514 13" 8 Cedar (R) (P)	T575 6" Cedar (R)	T636 4" Cedar		T448	12" 10" 4" Cedar						
T27 13" 13" Spanish Oak (R) (P)	T88 8" Cedar	T149 5" Cedar	T210 8" 7" 7" 6" Cedar (P)	T271 3" Cedar	T332 15" Cedar (P)	T393 7" 6" 5" 4" Ash (R)	T454 7" 6" Cedar (R)	T515 12" Cedar (R)	T576 11" Chinaberry (R)	T637 6" Cedar (R)		T453	15" Cedar						
T28 12" Spanish Oak (R)	T89 3" Cedar	T150 10" 8" 7" 6" 4" Cedar (P)	T211 7" Cedar	T272 3" Cedar	T333 4" Cedar	T394 10" Spanish Oak (R)	T455 5" 3" Cedar (R)	T516 12" Cedar (R)	T577 21" Cedar (P)	T638 7" Hackberry (R)		T464	8" 7" 5" 4" 3" Cedar						
T29 9" 9" 7" Spanish Oak (R) (P)	T90 3" Cedar	T151 12" 7" 6" Cedar (P)	T212 4" Cedar	T273 4" 3" Cedar	T334 14" 10" 9" 8" Cedar (P)	T395 10" Cedar (R)	T456 3" Cedar (R)	T517 15" Cedar (R) (P)	T578 12" 8" Chinaberry	T639 8" Locust Tree		T473	10" 9" 7" Cedar						
T30 8" Spanish Oak (R)	T91 8" 5" 4" Cedar	T152 7" Cedar	T213 6" 6" 5" 5" 3" Cedar (P)	T274 4" 3" Cedar	T335 5" Cedar	T396 9" Cedar (R)	T457 4" Live Oak (R)	T518 8" Cedar (R)	T579 10" Cedar (R)	T640 5" 5" 4" Locust Tree		T488	12" 6" Cedar						
T31 14" Live Oak	T92 6" 5" Cedar	T153 7" 6" 6" 3" Cedar	T214 5" Cedar	T275 5" Cedar	T336 18" Cedar (P)	T397 6" 5" 5" 4" Spanish Oak (R)	T458 3" Cedar (R)	T519 8" Cedar (R)	T580 13" 12" 8" Cedar (R) (P)	T641 6" 3" 3" Locust Tree		T491	16" Cedar						
T32 4" Cedar	T93 9" Cedar	T154 7" 6" 5" 5" Cedar (P)	T215 9" 4" Cedar	T276 12" Cedar	T337 11" Cedar	T398 10" 8" 8" 6" Cedar (R) (P)	T459 6" 3" Cedar (R)	T520 11" 10" 6" Cedar (R) (P)	T581 10" Locust Tree (R)	T642 4" Chinaberry		T497	22" 8" 6" 6" Cedar						
T33 16" Cedar (P)	T94 6" 4" Cedar	T155 6" 6" 5" 3" Cedar	T216 9" 8" 6" Cedar (P)	T277 13" Cedar	T338 8" Cedar	T399 4" Cedar (R)	T460 5" Cedar (R)	T521 9" 6" 5" 4" 4" Cedar (P)	T582 5" 5" 4" 4" Cedar (R)	T643 4" Locust Tree		T504	14" Cedar						
T34 7" Cedar	T95 11" Cedar	T156 7" 6" 4" Cedar	T217 3" Cedar	T278 5" 4" Cedar	T339 11" Cedar	T400 7" 5" 5" 4" 3" Cedar (R) (P)	T461 8" 3" 3" Cedar (R)	T522 9" 6" Cedar (R)	T583 5" Locust Tree (R)	T644 7" Locust Tree		T505	13" 4" Cedar						
T35 7" Cedar	T96 5" Cedar	T157 6" 5" 4" Cedar	T218 5" 5" 5" 4" 4" Cedar	T279 13" 8" 7" 5" Cedar (P)	T340 11" 9" 9" 4" Cedar (P)	T401 3" 3" Cedar (R)	T462 8" 7" Cedar (R)	T523 6" Cedar (R)	T584 14" 13" Chinaberry (R) (P)	T645 4" Locust Tree		T510	10" 7" 7" 6" 4" Cedar						
T36 5" Spanish Oak	T97 7" Cedar	T158 5" Cedar	T219 6" 5" Cedar	T280 8" Cedar	T341 9" Cedar (R)	T402 7" Cedar (R)	T463 5" Cedar (R)	T524 5" Hackberry (R)	T585 6" Chinaberry (R)	T646 4" Hackberry (R)		T514	13" 8 Cedar						
T37 10" Cedar	T98 6" Cedar	T159 5" Cedar	T220 4" Cedar	T281 14" 11" 7" Cedar (P)	T342 8" 7" Cedar (R)	T403 4" Cedar (R)	T464 8" 7" 5" 4" 3" Cedar (R) (P)	T525 8" Chinaberry (R)	T586 4" Chinaberry (R)	T647 3" Chinaberry (R)		T517	15" Cedar						
T38 4" Live Oak	T99 6" 4" Cedar	T160 4" Cedar	T221 5" 4" 3" 3" Cedar	T282 10" 4" Cedar	T343 7" Cedar (R)	T404 5" Cedar (R)	T465 5" Cedar (R)	T526 6" 4" 4" 3" Cedar (R)	T587 4" Cedar (R)	T648 4" Locust Tree (R)		T520	11" 10" 6" Cedar						
T39 9" Cedar	T100 9" 5" Cedar	T161 6" 4" Cedar	T222 6" 5" 4" Cedar	T283 11" 8" 4" Cedar	T344 6" Cedar (R)	T405 3" Spanish Oak (R)	T466 3" Cedar (R)	T527 7" Cedar (R)	T588 7" Cedar (R)	T649 10" Chinaberry (R)		T532	16" 6" Cedar						
T40 7" Cedar	T101 5" Cedar	T162 9" 6" 5" 4" Cedar	T223 5" 4" 3" Cedar	T284 4" Cedar	T345 10" 7" 6" Cedar (P)	T406 10" Cedar (R)	T467 4" Cedar (R)	T528 5" Chinaberry (R)	T589 9" Cedar (R)	T650 9" 3" Locust Tree (R)		T537	11" 5" 5" Cedar						
T41 5" Cedar	T102 6" Cedar	T163 7" Cedar	T224 7" 5" 5" 4" 4" Cedar (P)	T285 8" Cedar	T346 6" Cedar	T407 7" 4" 3" Cedar (R)	T468 9" Cedar (R)	T529 9" Cedar (R)	T590 7" Chinaberry (R)	T651 6" Cedar (R)		T540	14" Cedar						
T42 7" Cedar	T103 8" 6" 6" 4" Cedar (P)	T164 7" Cedar	T225 5" Cedar	T286 9" Cedar	T347 8" Cedar	T408 6" Cedar	T469 6" Cedar (R)	T530 13" Cedar (R)	T591 10" Cedar (R)	T652 7" 7" 6" 5" 4" Locust Tree (R) (P)		T545	13" 7" 4" Locust Tree						
T43 8" 6" 4" Cedar	T104 5" Cedar	T165 4" Cedar	T226 5" Cedar	T287 17" Cedar (P)	T348 4" Cedar	T409 10" 5" 3" 3" Cedar	T470 8" 7" 3" Cedar (R)	T531 9" 6" Cedar (R)	T592 13" Cedar (R)	T653 7" Type "B" (Unknown Species) (R)		T548	12" 10" 8" 6" Cedar						
T44 9" 8" 7" 5" 5" Cedar (P)	T105 4" 3" Cedar	T166 10" 7" Cedar	T227 9" Cedar	T288 10" 7" Cedar	T349 5" Cedar	T410 7" 6" 6" Cedar	T471 7" 5" 4" Cedar (R)	T532 16" 6" Cedar (R) (P)	T593 11" 9" Cedar (R) (P)	T654 4" 4" 3" Locust Tree (R)		T580	13" 12" 8" Cedar						
T45 8" Cedar	T106 10" 6" Cedar	T167 6" Cedar	T228 7" 6" Cedar	T289 13" Cedar	T350 5" Cedar	T411 4" Cedar (R)	T472 5" 3" Cedar (R)	T533 9" Cedar (R)	T594 4" Hackberry (R)	T655 5" 4" 4" 4" 4" Locust Tree (R)		T584	14" 13" Chinaberry						
T46 6" 6" 5" 5" 4" Cedar	T107 9" Cedar	T168 7" Cedar	T229 5" Cedar	T290 7" Cedar	T351 3" Cedar	T412 6" Cedar (R)	T473 10" 9" 7" Cedar (R) (P)	T534 11" Cedar (R)	T595 4" Hackberry (R)	T656 5" Locust Tree (R)		T593	11" 9" Cedar						
T47 8" Cedar	T108 10" Cedar (P)	T169 7" Cedar	T230 5" Cedar	T291 4" Cedar	T352 7" Cedar	T413 10" 7" 4" Cedar (R) (P)	T474 7" 4" Cedar (R)	T535 8" Cedar (R)	T596 4" Chinaberry (R)	T657 4" Chinaberry (R)		T599	13" 5" 4" Cedar						
T48 6" 6" 6" 5" 5" Cedar (P)	T109 7" Cedar	T170 3" Cedar	T231 4" Cedar	T292 6" Cedar	T353 5" Cedar	T414 8" 4" 3" Cedar (R)	T475 9" 3" Cedar (R)	T536 6" 4" Cedar (R)	T597 9" 5" Locust Tree (R)	T658 4" 4" Chinaberry (R)		T614	14" 10" 9" 7" Cedar						
T49 5" 5" 4" 3" Cedar	T110 7" 6" 5" 5" 4" Cedar	T171 3" Cedar	T232 5" 4" Cedar	T293 14" 5" Cedar (P)	T354 5" Cedar	T415 5" Cedar (R)	T476 7" Cedar (R)	T537 11" 5" 5" Cedar (R) (P)	T598 6" Spanish Oak (R)	T659 6" 5" Chinaberry (R)		T652	7" 7" 6" 5" 4" Locust Tree						
T50 11" 6" 5" 5" 4" Cedar (P)	T111 7" Cedar	T172 6" Cedar	T233 15" Cedar (P)	T294 7" 7" Cedar	T355 5" 5" 4" 4" Cedar (R)	T416 7" Live Oak (R)	T477 4" Cedar (R)	T538 11" Cedar (R)	T599 13" 5" 4" Cedar (R) (P)	T660 4" Chinaberry (R)		T9	11" 10" Spanish Oak						
T51 8" Cedar	T112 7" 7" Cedar	T173 8" Cedar	T234 4" Cedar	T295 6" Cedar	T356 4" Cedar	T417 8" 7" 7" 6" 4" 4" Cedar (R) (P)	T478 7" 5" 5" 4" Cedar (R)	T539 6" Hackberry (R)	T600 4" Cedar (R)	T661 6" Chinaberry (R)									
T52 5" Cedar	T113 6" Cedar	T174 8" 6" 6" 5" Cedar (P)	T235 6" Cedar	T296 14" 10" Cedar (P)	T357 4" Spanish Oak	T418 8" 5" 4" 4" 3" 3" Cedar (R) (P)	T479 8" Spanish Oak (R)	T540 14" Cedar (R) (P)	T601 9" 4" Cedar (R)	T662 5" Chinaberry (R)									
T53 6" Cedar	T114 13" Cedar	T175 7" Cedar	T236 6" Spanish Oak	T297 5" Cedar	T358 8" 7" 5" 5" 3" Cedar (R) (P)	T419 8" 7" 5" 5" 5" Cedar (R) (P)	T480 4" Cedar (R)	T541 6" Chinaberry (R)	T602 8" Cedar (R)	T663 10" Chinaberry (R)									
T54 7" Cedar	T115 4" 3" Cedar	T176 5" Cedar	T237 7" Cedar	T298 3" Cedar	T359 5" Cedar	T420 5" Cedar (R)	T481 5" 5" Cedar (R)	T542 4" Cedar (R)	T603 8" Cedar (R)	T664 4" Chinaberry (R)									
T55 13" 11" 7" 7" 6" 6" Cedar (P)																			

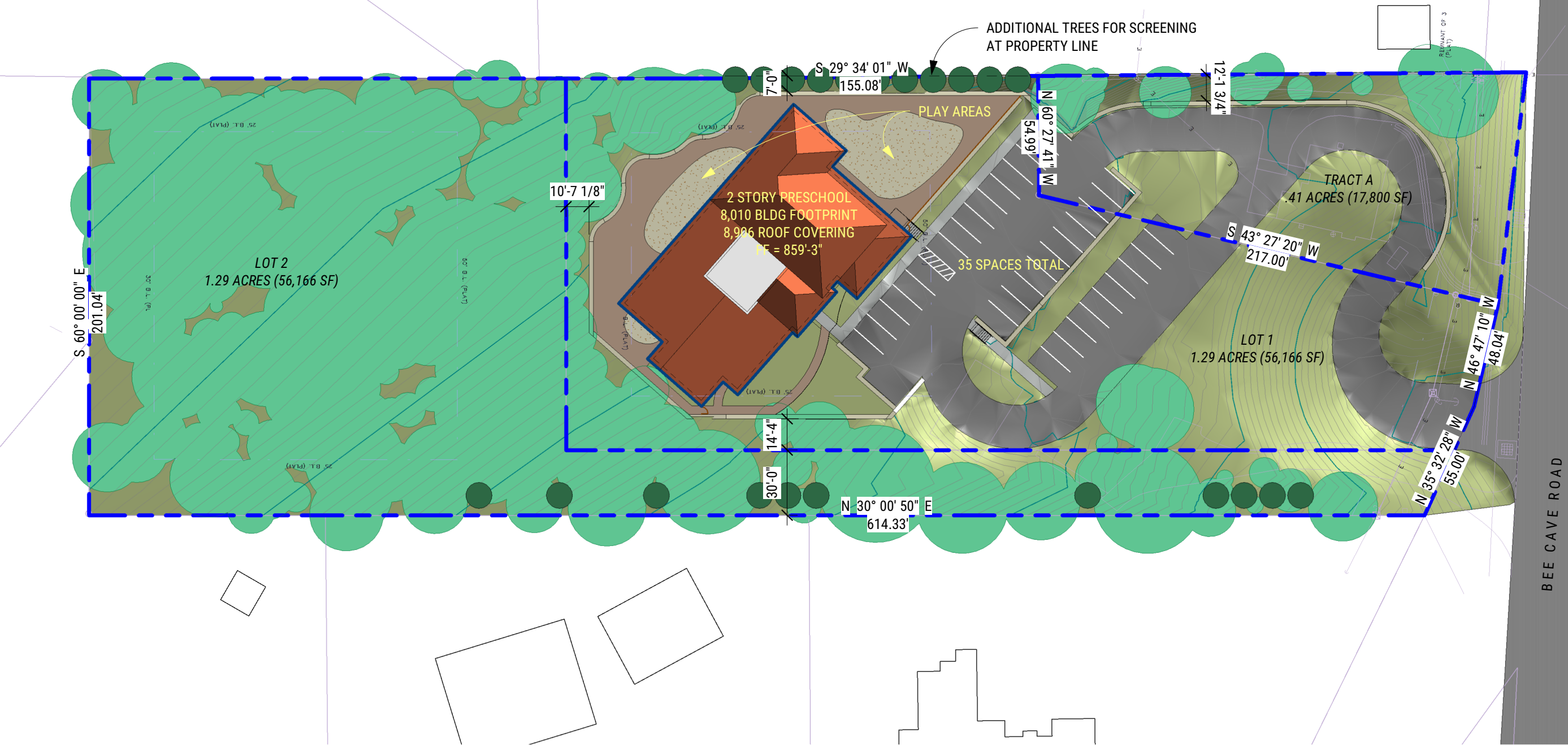
Project 3D simulation Video located at:

<https://www.youtube.com/watch?v=DBoyxt6Q3JI>

(Click the Play button to play back the simulation)

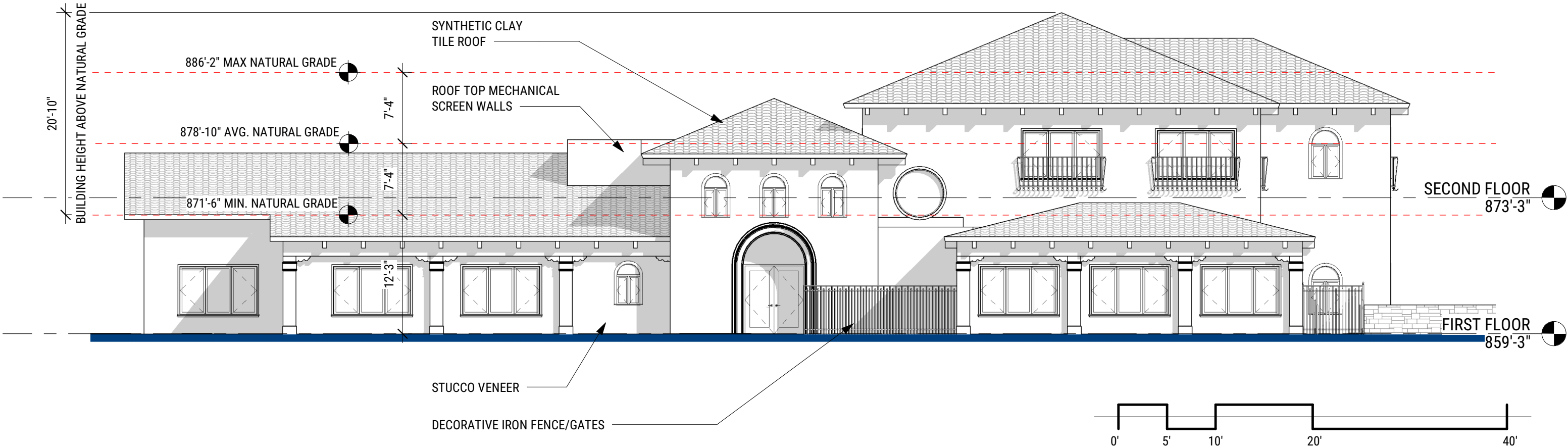
IMPERVIOUS COVER

DRIVEWAY & PARKING	20,460 SF @ 100% =	20,460 SF
RETAINING WALLS	2,070 SF @ 100% =	2,070 SF
SIDEWALKS	1,401 SF @ 100% =	1,401 SF
PRESCHOOL BUILDING	8,010 SF @ 100% =	8,010 SF
PLAYGROUND	1,200 SF @ 50% =	600 SF
LOT 1 + A IMPERVIOUS COVER (OF A TOTAL 73,966 SF) 33,437 SF = 45.2%		



1 PRELIMINARY SITE PLAN
1" = 50'-0"

12/11/2020 3:43:25 PM



1 PRELIMINARY SOUTHWEST ELEVATION

1" = 10'-0"

12/11/2020

For Review Only.

Not for regulatory approval, permit, or construction.

David Polkinghorn, Registered Architect

Texas Registration #23473

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1 PRELIMINARY AERIAL VIEW
3" = 1'-0"



1

PRELIMINARY AERIAL VIEW

3" = 1'-0"

10/27/2020

For Review Only.

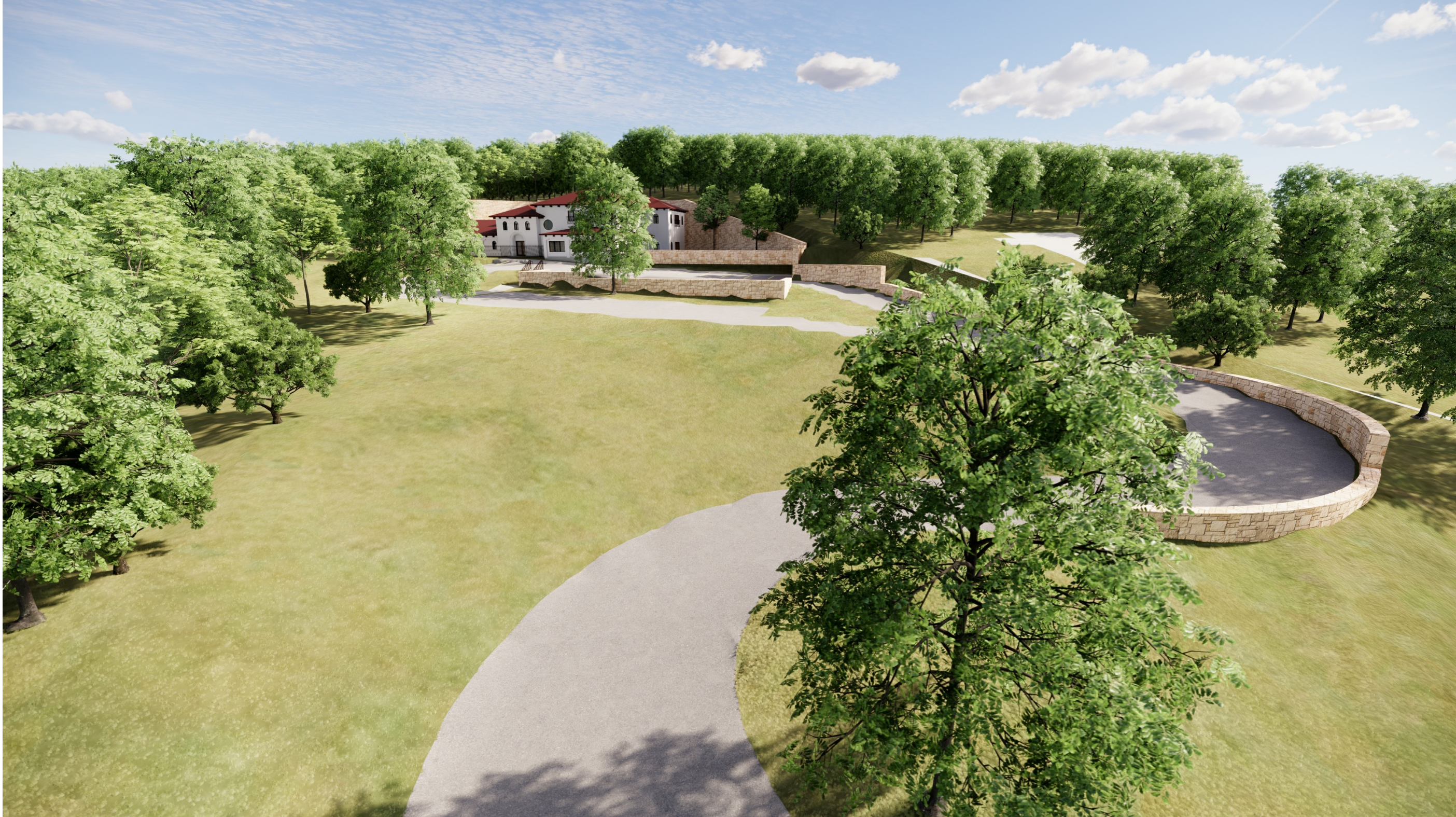
Not for regulatory approval, permit, or construction.

David Polkinghorn, Registered Architect

Texas Registration #23473



1 PRELIMINARY AERIAL VIEW
3" = 1'-0"



1 PRELIMINARY AERIAL VIEW
3" = 1'-0"



1



PRELIMINARY AERIAL VIEW

3" = 1'-0"

10/27/2020

For Review Only.

Not for regulatory approval, permit, or construction.

David Polkinghorn, Registered Architect

Texas Registration #23473



September 24, 2020

City Council of the City of West Lake Hills, TX
911 Westlake Dr.
West Lake Hills, TX 78746

To Whom It May Concern:

We would like to express our support for the approval of a Planned Development District (PDD) for Young Peoples Workshop (YPW) Spanish Immersion School, so they can build and relocate to a new school campus at 4704 Bee Caves Rd. in West Lake Hills, TX. We consider YPW Spanish Immersion School an asset to the Eanes community because of their Spanish Immersion curriculum.

It is a fact that many of YPW's graduating students feed our "Futuro" dual language program; this synergy has the potential to grow once YPW relocates to an expanded campus that can accommodate a larger after school offering.

We are excited for YPW Spanish Immersion School's future plans and the opportunity to partner with their programs for the benefit of the students in our District.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Tom Leonard'.

Tom Leonard, Ed.D.

601 CAMP CRAFT RD.
AUSTIN, TEXAS 78746

PHONE: (512) 732.9000
FAX: (512) 732.9019

WEB: WWW.EANESISD.NET
EMAIL: INFO@EANESISD.NET



City Council of the City of West Lake Hills, TX 911
Westlake Dr.
West Lake Hills, TX 78746

To Whom It May Concern:

We would like to express our support for the approval of the site development plan for Young Peoples Workshops (YPW) Spanish Immersion School, so they can build and relocate to a new school campus at 4704 Bee Caves Rd. in West Lake Hills, TX.

YPW Spanish Immersion School is a member of the Westlake Chamber of Commerce and has been a member of the Westlake Hills community since 2005 providing preschool services to residents and families who work in Westlake.

We are excited for the building of a new preschool campus in our community and hope their development plans meet with your approval.

Sincerely,


Cathy Hoover
Executive Director,
Westlake Chamber of Commerce

Comparables for Cut and Fill / Retaining Wall heights in Westlake Hills Bee Caves Corridor

1. Belmont Village at 4310 Bee Caves Rd
PDD #1 permits up to 50 feet of Cut and 25 ft of Fill
2. Westlake Medical Center at 5656 Bee Caves Rd
Retaining wall up to 37 feet was allowed



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SPOT IMAGE





Westlake Medical Center Phase II (Water Fall)

Project Name: Westlake Medical Center II
Construction Date: 2003

Retaining Wall Type: Rock Anchor Retaining Wall
Maximum Wall Height = 37.0'

