



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF CITY COUNCIL REGULAR MEETING
Wednesday, April 14, 2021 at 7:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a Remote Regular Meeting on the 14th day of April 2021 at 7:00 p.m. at which time the following items will be discussed, to-wit:

REMOTE ACCESS ONLY:

In accordance with the Open Meetings Act update from the Office of the Texas Attorney General issued March 19, 2020, the City Council 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 (COVID19).

The public may participate in this meeting by dialing in to the following toll free number: (346) 248-7799, Meeting ID 848 8629 2478, Password: 752511

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to citysec@westlakehills.org by 1:00 P.M. on April 14, 2021

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing citysec@westlakehills.org. Comments must be received by 1:00 P.M. on April 14, 2021

1. Call to Order
2. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each
3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen

- a. Approval of the March 24, 2021 Regular Meeting Minutes
 - b. **3652 Bee Cave Road:** Sign Permit Application for a New Hanging/Projecting Sign at Poke House (West Lake Hills Code Chapter 32). Applicant Texas Custom Signs
4. **Land Use 3423 Bee Cave Road:** Discuss and Consider Action 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
 - 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
(Note this is a dual City Council/Board of Adjustment item; the tree variances should be considered by City Council and the building height and impervious cover variances should be considered by BOA)
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
5. **Land Use 803 Westlake Drive:** Discuss and Consider Action on an Application to Subdivide a Tract of Land into an Eight-lot Single Family Subdivision for a Property Zoned R-1 Owners Doyle & Colleen Moore/Power of Attorney Terry Irion (West Lake Hills Code Chapter 36)
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
6. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the April 14, 2021 City Council Remote Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, April 9, 2021 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Stephanie Mills, City Secretary

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

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, March 24, 2021 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:02 p.m. Members in attendance were Mayor Linda Anthony, Mayor Pro Tem Jim O'Connor, Councilmembers Rhonda McCollough, Brian Plunkett, and Beth South. Councilmember Walker was absent

2. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each

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

3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
- a. Approval of the March 10, 2021 Regular Meeting Minutes

**Motion for Approval of the Consent Agenda with the Addition of #5 made by Mayor Pro Tem O'Connor with a Second by Councilmember McCollough
Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmember Walker Absent**

4. Land Use 808 Westlake Drive: Discuss and Consider Action on three variance requests for the construction of a fence:
- 1) Encroachment into a front yard fence setback (Westlake Drive)
 - 2) Encroachment into a front yard setback (Yaupon Valley)
 - 3) Construct a solid front yard fence
- (West Lake Hills Code Sec. 22.03.173) Owner/Applicant Cynthia Brandimarte
- a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

**Applicant Cynthia Brandimarte spoke on this item
Motion for Approval made by Councilmember McCollough with a Second by Councilmember South**

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmember Walker Absent

5. Land Use 310 Westhaven Drive: Discuss and Consider Action on a variance request to allow a driveway gate to open towards the street Applicants/Owners Andrew Schwartz & Sylvia Arabian
(City of West Lake Hills Code Sec. 22.03.173)
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

This item was moved to the Consent Agenda and approved

6. Land Use 0 Wild Cat Hollow (Wild Cat Estates): Discuss and consider action on a variance request to a Subdivision Ordinance requirement for subdivisions greater than 10 acres to provide a new internal public street to instead allow the construction of a private street approximately 20 feet wide for a new proposed subdivision (West Lake Hills Code Sec. 36.01.009 (a)(3)). Owner David Altounian/Applicant Foursquare builders, LLC.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

This item was postponed by request of the Applicant to the April 28, 2021 meeting

7. Land Use 803 Westlake Drive: Discuss and Consider Action on an application to subdivide a tract of land into an eight-lot single family subdivision for a property zoned R-1 Owners Doyle & Colleen Moore/Power of Attorney Terry Irion
(West Lake Hills Code Chapter 36)
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Applicants Terry Irion and Ric Thomson spoke on this item

Citizens Bobby Levinski, Robert Kleeman, Randy Lee, Doris Robitaille and Jack Downing spoke on this item

Council went into Executive Session at 8:10 p.m. and reconvened in Open Session at 8:50 p.m.

Motion for Postponement to the April 14, 2021 Council Meeting made by Mayor Pro Tem O'Connor with a Second by Councilmember McCollough

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

8. Executive Session An Executive Session may be held in accordance with the authority contained in Texas Government Code, Section 551 for:

- a. Consultation with City Attorney Regarding Pending Litigation, including Submitted Master Grading and Vegetation Plan, in Cause No. 2019032801; City of West Lake Hills, Plaintiff, v. Jaffe Ventures, LLC; Douglas Jaffe III, and 1405 Wild Cat Hollow, West Lake Hills, Texas, Defendants and Cause No. D1GN19007546: City of West Lake Hills, Plaintiff v. Jaffe Ventures, LLC and Douglas Jaffe III (Texas Government Code Section 551.071)

Council went into Executive Session at 8:55 p.m. and reconvened in Open Session at 9:10 p.m.

9. Administration Take any necessary or appropriate action on matters posted for consideration in closed/executive session

**Motion for Approval to Accept and File the Master Grading and Vegetation Plan made by Councilmember South with a Second by Mayor Pro Tem O'Connor
Motion for Approval carried by a vote of 3 ayes to 1 nay, with Councilmember Plunkett voting Nay and Councilmember Walker Absent**

10. Adjournment

**Motion to adjourn the meeting made at 9:14 p.m. by Mayor Pro Tem O'Connor with a Second by Councilmember McCollough.
Motion to Adjourn carried unanimously by a vote of 5 ayes to 0 nays**

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on _____, 2021.



SIGN APPLICATION STAFF REPORT

APRIL 14, 2021

Permit Number: 16458

Agenda Item: 3652 Bee Cave Road: Sign Permit Application for a New Hanging/Projecting Sign at Poke House (West Lake Hills Code Chapter 32). Applicant Texas Custom Signs

Requested Action: The applicant is seeking approval of a sign application for Poke House's new location in West Lake Hills.

Applicant Information: Texas Custom Signs

Location: The property is located at the Westlake Square Market, north of Bee Cave Road; east of Reveille Road; and west of Westwood Terrace.

Zoning & Site Characteristics:

The property is zoned B – 2 – Business 2 District.

Hearing Dates:

April 14, 2021 City Council

Background/Analysis:

Poke House is planning to open a new location at Westlake Square. After a few rounds of comments and revisions, the revised sign meets Code. Commercial signs that are not part of a Uniform Sign Agreement require City Council approval.

Sign Code Analysis (Reviewed under Chapter 32, Sec. 32.03.009 – Projecting, wall and hanging commercial signs)

- 1) Purpose. *To identify a business or organization which has its own separate exterior public entrance within a multitenant building.* | **Complies**
- 2) Size. *Four square feet for each five front linear feet of the individual business for an organization having its own exterior public entrance in a multitenant building, with a maximum length of ten feet and area of 12 square feet. A minimum area of six square feet will be allowed if a business has insufficient frontage.* | **The proposed sign is 8' x 1' 6" – 12sf - Complies**

- 3) Height. *Minimum clearance of eight feet to bottom of sign above pedestrian walkways.* | **Complies**
- 4) Number. *One sign per pedestrian way on which the building abuts, as determined by the administrator with a maximum of two signs, subject to review by the zoning and planning commission.* | **Only one sign proposed; complies.**
- 5) Location. *Perpendicular to, hung from, or attached to a projecting structural element of the exterior wall of the individual business or organization, adjacent to the street, parking lot or major pedestrian walkway which the building abuts.* | **Location complies**
- 6) Design. *The sign shall contain only the name of the business, its address and logo or nature of business, and, if desired, hours of operation.* | **Complies**
- 7) Lighting. *Indirect.* | **No lighting proposed**

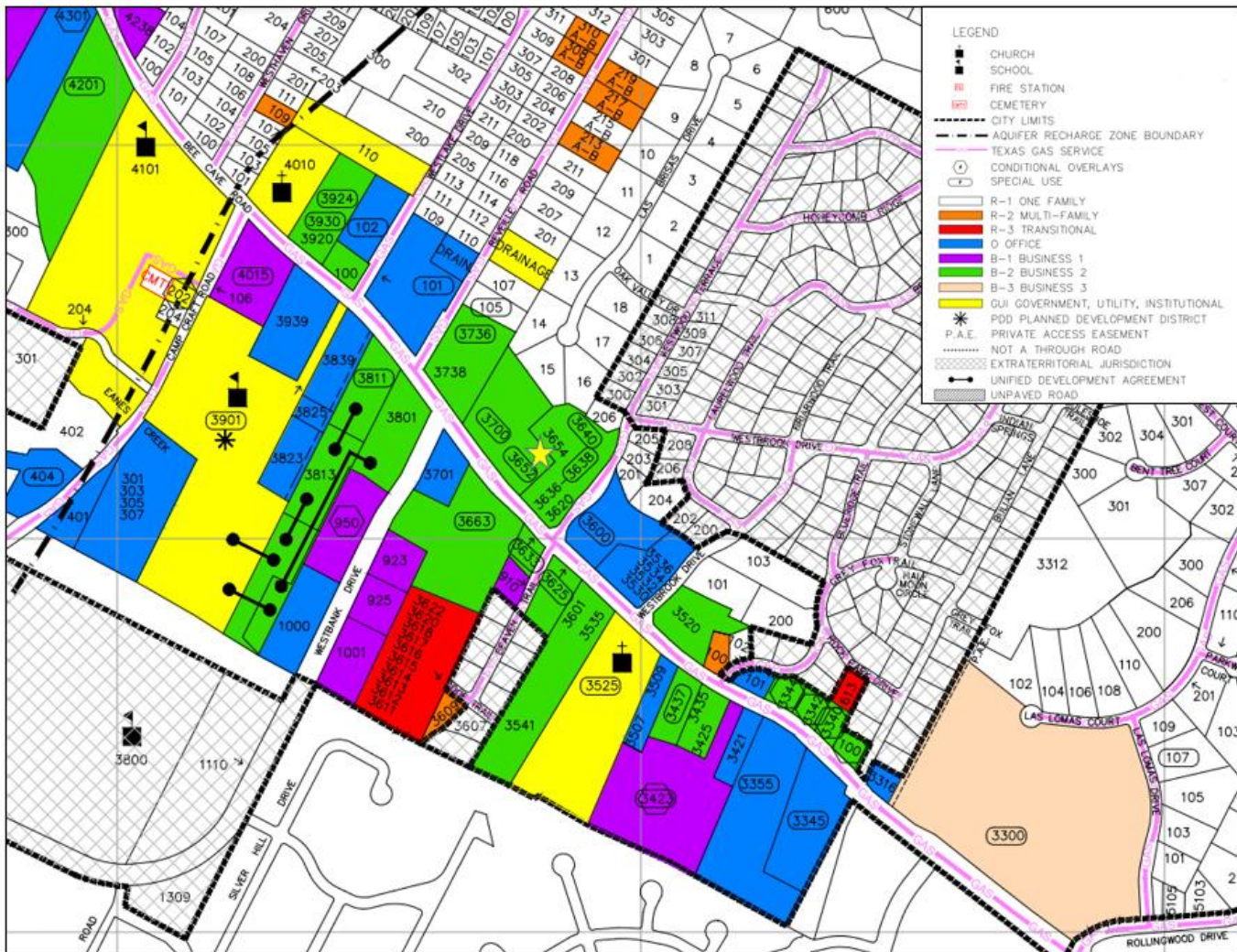
Staff Recommendation

Staff recommends approval of the sign application.

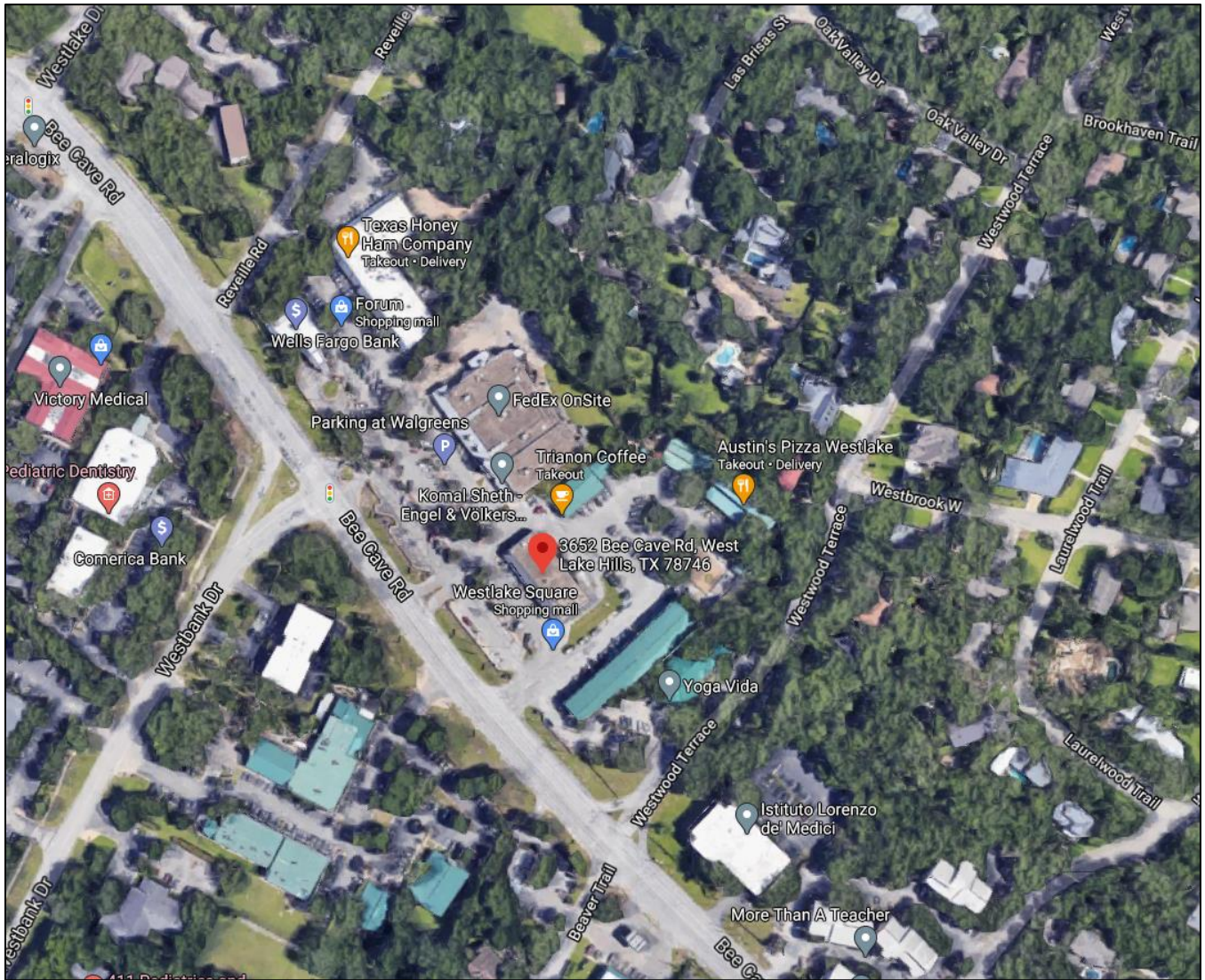
Links to Code:

- [Sec. 32.01.001 Definitions](#)
- [Sec. 32.02.002 Application procedure for signs requiring permits](#)
- [Sec. 32.03.009 Projecting, wall and hanging commercial signs](#)

Zoning:



Aerial:





SIGN PERMIT APPLICATION

Date of Receipt: _____ Permit Fees: _____
Collected By: _____ Date Permit Issued: _____

APPLICANT INFORMATION

Property Address: 3652 Bee Caves Rd. #4 Westlake Hills TX 78746
Street City State Zip

Block: _____ Lot: _____ Tax Parcel ID: _____ Zoning District: _____

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

Property Owner: Maureen Sharpe Phone: 630-570-0737 Email: _____

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

Agent (with written approval from Owner): LL approval letter attached

Name: _____ Phone: _____ Email: _____

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

Signature: _____ Date: _____

Sign Contractor: Texas Custom Signs Phone: 512-401-6500 Email: _____

Address: 2007 Windy Terrace City: Cedar Park State: TX Zip: 78613

SIGN SPECIFICATIONS*

Check one option below:
☒ Permanent Sign ☐ Temporary Sign ☐ Uniform Sign Agreement Amendment

Sign Category (refer to Code, Sec. 32.03): _____

Is the property subject to a Uniform Sign Agreement? ☐ Y ☐ N

Dimensions: _____ Total Square Feet: _____ # of Signs Proposed: 1 PMS 0210

Type of Material: Wood Sign Colors: MP 32071 White Wonder

Method of Attachment: Hook

Type of Sign Lighting (if applicable): non-illuminated

Width of Storefront: 44' Linear Frontage of Business: _____

Sign Message: Poke House

Temporary Signs Only:



SIGN PERMIT APPLICATION

Duration – Start Date: _____ End Date: _____

*Application must include sign renderings showing sign dimensions, letter dimensions, color, material, location, lighting specifications (refer to Chapter 24, Article 24.03 & Chapter 32), landscaping plans if applicable, and any other details required by staff. Commercial sign applications should include an Assumed Name Certificate/DBA for Business. If sign is under a Uniform Sign Agreement, sign must comply with the Agreement or else applicant must request an Amendment to the Uniform Sign Agreement.

VARIANCES & AMENDMENTS TO UNIFORM SIGN AGREEMENT

Variance

Are you applying for a variance to the Sign Ordinance? ☐ Yes ☐ No
(If yes, you will also need to submit a separate variance application and fee)

Amendment to Uniform Sign Agreement

Name/Address of Uniform Sign Agreement: _____

Reason for Amendment: _____

Please attach a separate sheet describing the sign specifications applicant is requesting to change/remove/add to the Uniform Sign Agreement. Please also submit a cover letter addressed to the ZAPCO Chairperson explaining your project.

APPROVAL NOTES – FOR COMPLETION BY STAFF ONLY

Administrative Approval Sign Meets Requirements: ☐ Yes ☐ No

Approved by City Administrator: _____ Date: _____

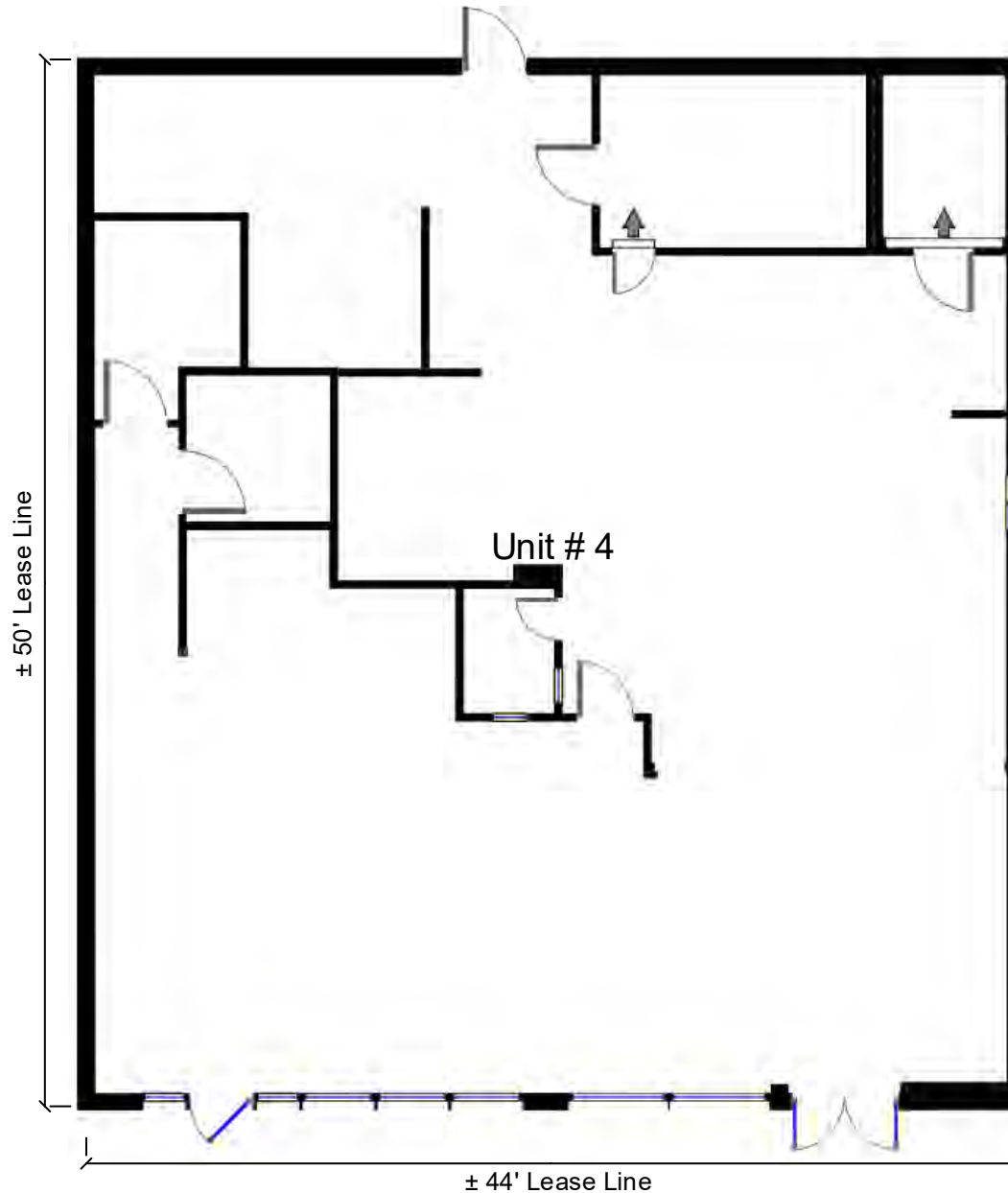
City Council Approval (Non-Administrative Approval)

BDC Date and Comments: _____

ZAPCO Date & Recommendation: _____

City Council Date & Action: _____

Unit # 4
± 2,225 SF
Width
± 44'
Depth
± 50'



Plans produced by:
ID Plans
9/24/2018
(813) 657-2545
ID PLANS
© 2018
Site map is for general use and purposes only. ID Plans does not guarantee the accuracy or validity of provided information. Measurements are not intended to be architecturally valid for construction purposes or accepted as replacement for documents, drawings, or media intending or claiming to be structurally accurate, such as site blueprints. The property owner has and reserves the right and responsibility to verify, change, or alter the provided information at any time for any reason.

Please See Legend on Next Page

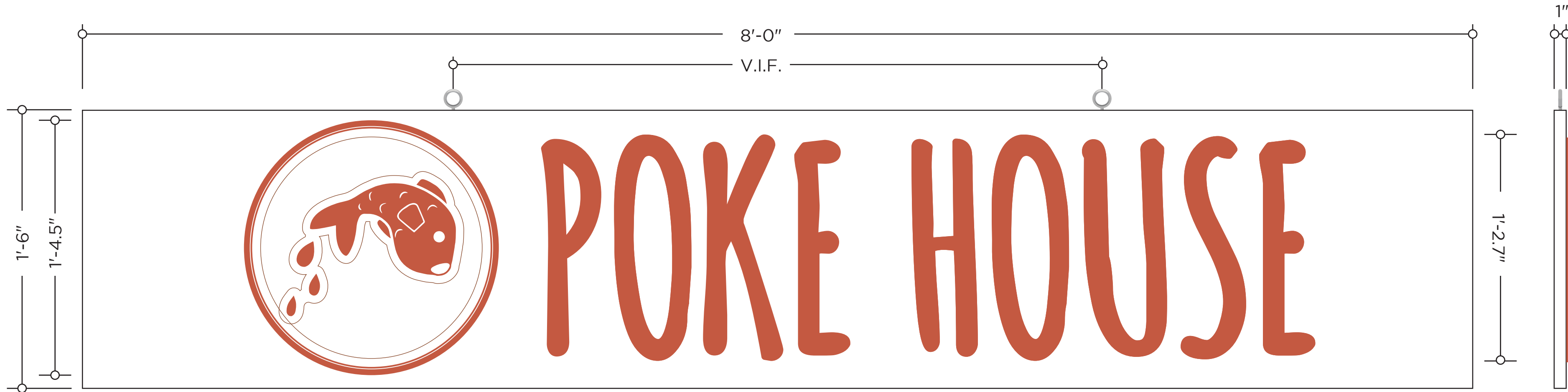
Leasing Agent

Email: _____
Office: _____
Cell: _____

A HANGING WOOD SIGN

FABRICATE AND INSTALL

- 1'-6" TALL x 8'-0" WIDE x 1" DEEP - 12ft²
- 1" Wooden Panel Painted MP 32071 "White Wonder"
- .5" Thick Routed FCO Lettering / Logo
 - Painted MP 32071 "White Wonder" & MP 00192 "Southern Clay"
- Mounted Flush to Wooden Panel
- Sign to be hung from canopy via eye-hooks
 - Spacing of eye-hooks to be determined in field



Texas Custom SIGNS
2007 Windy Terrace, Suite A
Cedar Park, Texas 78613
Ph: 512-401-6500 Fax: 512-401-6502
www.texascustomsigns.com



Signs will be manufactured with 120 Volts A/C. All Primary electrical service to the sign is the responsibility of the buyer. This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. All bonding & grounding must be done by a qualified, licensed electrician and in accordance with UL Article 600 of the NEC. The location of the disconnect switch after installation shall comply with Article 600.6(A) (1) of the National Electrical Code.

This is an original un-published drawing created by Texas Custom Signs, unless otherwise indicated. It is submitted for your personal use in regards to the project being considered. You are not to show these drawings to anyone outside your organization, nor can you use, reproduce, copy, or otherwise exhibit them in any fashion not directly related to the project being planned and produced by TCS.

Client Name: **Poke House**
Address: **3652 Bee Caves Rd Ste. 4 Westlake, TX**
Start Date: **11.12.21**
Filename: **PokeHouseWest.ai**
Page: **1 of 5**
Project Manager: **Brian Leslie**
brian@texascustomsigns.com

☒ Conceptual Drawing(s)*
☐ Shop Drawing(s)

Client Approval _____ Date _____

*If indicated, the above design is preliminary. While every attempt is made to produced the finished product exactly as it appears on this artwork, certain exceptions may be made re: size, color, finish, materials, etc. These modifications are typically made to insure structurability, accessibility, installability, serviceability, or other. If desired, please request a finalized shop drawing from your contact before production begins to address any concerns or differences from this drawing.



January 27, 2021

RE: Poke House
MARKET AT WESTLAKE
3652 Bee Caves Road
Westlake Hills, TX, 78746
Unit 004 / 2225 sf

Dear Tenant:

The signage drawings for the above referenced space prepared by Texas Custom Signs and dated 1/27/2021 have been reviewed and approved as noted.

- All electrical connections shall be below the roof deck. (if applicable)
- Through bolting is only allowed as a last resort method and only with Landlord's express written consent.
- In no event shall the roof or the parapet wall of the building be penetrated. Any damage to the roof or any other component of the building shall be the Tenant's responsibility to correct. (if applicable)
- Any penetrations through exterior façade must have water tight seal (provide detail).
- Method of attachment must be secure to structure to support sign (provide detail).

This approval is subject to Tenant's compliance with the lease. Landlord's approval is in no way a representation that the drawings conform with applicable laws, building codes or standards of design, such being Tenant's responsibility.

Tenant's signage vendors and contractors are allowed on the Premises provided that the Tenants lease is fully executed and the following requirements have been submitted to maureen.sharpe@InvenTrustPM.com

- Certificate of insurance from all vendors and contractors
- Copy of the sign permit

Upon completion of installation, photos must be submitted. Include the storefront and the connection. Landlord has final right to accept the finished work.

Should you have any questions, please contact me using my information below.

Sincerely,

Maureen E. Sharpe

Maureen E. Sharpe
Tenant Coordination Manager
Direct phone: 630.570.0737
Email: maureen.sharpe@InvenTrustPM.com

InvenTrust Property Management, LLC
3025 Highland Parkway
Suite 350
Downers Grove, IL 60515
(630) 570-0700
InvenTrustProperties.com



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

APRIL 14, 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 - <i>postponed</i>
March 17, 2021	ZAPCO
April 14, 2021	Board of Adjustment/City Council

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.”

Other Non-Residential Height Variances Approved by the City

- In 2008, a height variance was approved for 5656 Bee Cave Road – Building L (Westlake Medical Center)
- In 2019, height variances were approved for Eanes ISD – 4300 Westbank Drive – for the new Aquatics Center. The approved heights are 52ft at elevation 860 and 38ft at the higher elevation of the site.

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.

Zoning and Planning Commission Recommendation

During the March 17, 2021 ZAPCO meeting, the Commissioners unanimously recommended denial of the variance requests by a vote of 4 – 0.

Staff Recommendation

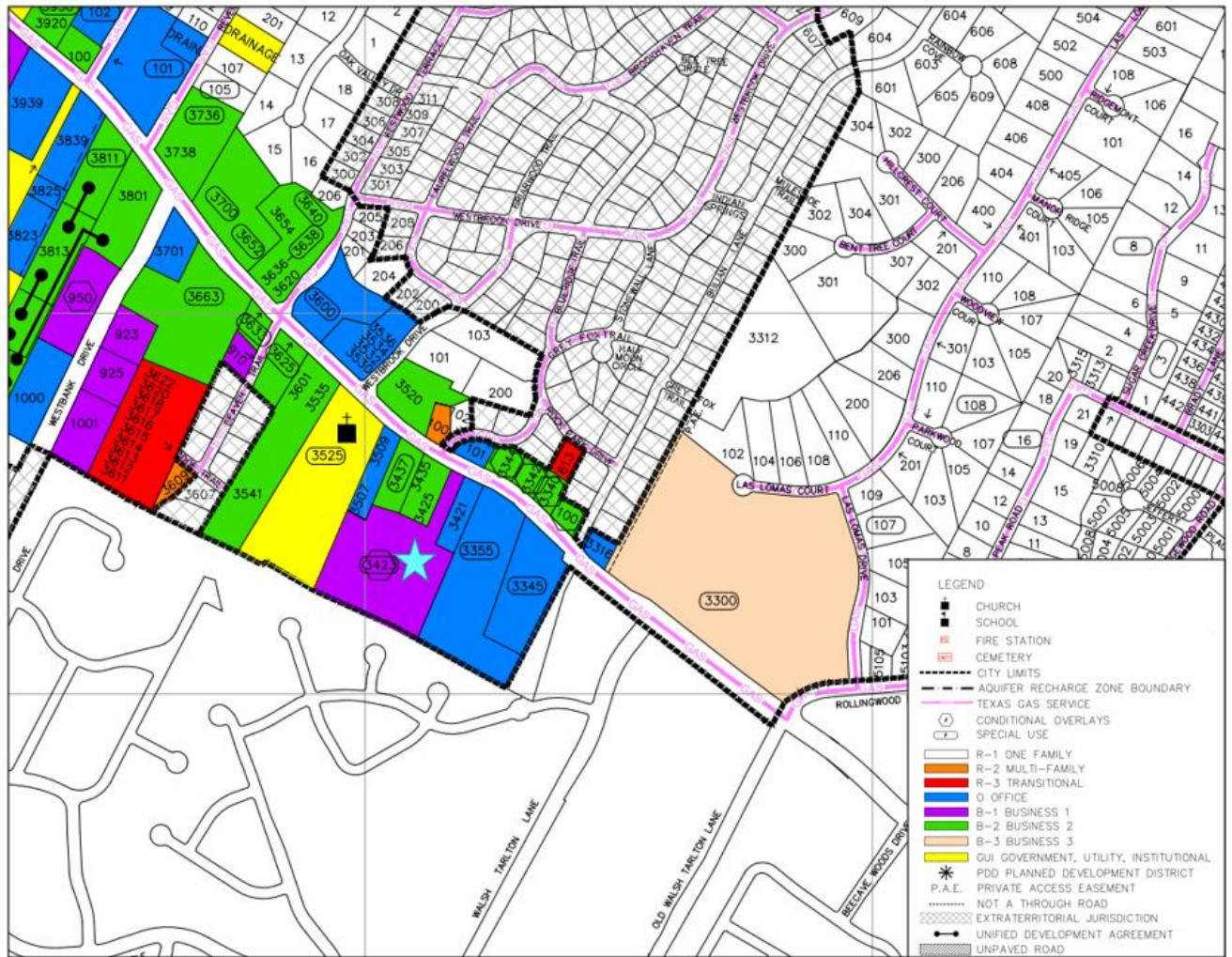
The City Council/Board of Adjustment may 1) recommend approving the variance requests as submitted by the applicant; 2) recommend approving the requests subject to specified conditions; or 3) recommend disapproving the requests.

Links to Relevant Code:

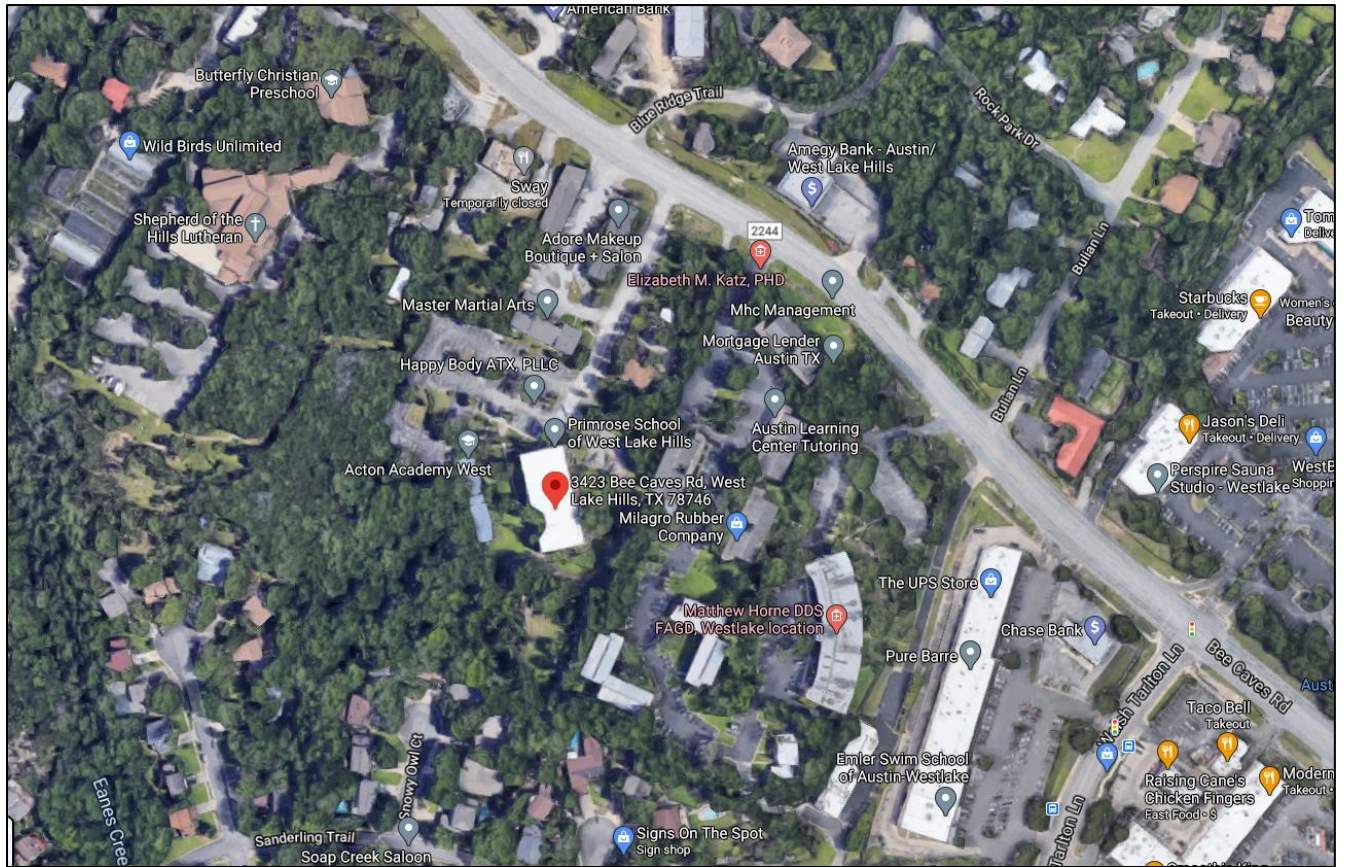
- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.170 Site disturbance \(excavation, grading or filling\)](#)
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, March 17, 2021 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:30 p.m. Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Laurie Maccini, Karen Bartoletti and James Vaughan. Commissioner Bill Harwell is absent.

Chairman Meisel announces that Item 9 is postponing.

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 January 20, 2021 Regular Meeting Minutes.

VICE-CHAIRMAN PLEDGER MOVES TO APPROVE. SECONDED BY COMMISSIONER BARTOLETTI. UNANIMOUS (4-0) APPROVAL.

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

Planner Naini gives the Staff Report. Staff Recommendation: Approval.

- b. Presentation by applicant

Matt and Emily Franke are present and explain why they are requesting the variance.

- 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: My only concern is the pool size and decking in the encroachment.

Emily Franke: We were concerned about the distance from the drain field. The deck is shallow.

Chairman Meisel: The hardship is terrain and trees which would be effected if not an encroachment.

VICE-CHAIRMAN PLEDGERS MOVES TO RECOMMEND APPROVAL BASED ON THE HARDSHIPS MENTIONED. COMMISSIONER VAUGHAN SECONDS. COMMISSIONER BARTOLETTI OPPOSES. (3-1) APPROVAL.

4. **Land Use 808 Westlake Drive:** Discussion/recommendation on three variance requests for the construction of a fence: 1) Encroachment into a front yard fence setback (Westlake Drive); 2) Encroachment into a front yard setback (Yaupon Valley); and 3) Construct a solid front yard fence. (West Lake Hills Code Sec. 22.03.173). Owner/Applicant Cynthia Brandimarte.

- a. Staff Briefing

Planner Naini gives the Staff Briefing. Staff Recommendation: Approval due to being in the same location and no removal of vegetation. Disapproval for solid fence.

Commissioner Maccini: How tall is the fence?

Planner Naini: 6'.

- b. Presentation by applicant

Cynthia Brandimarte is the application. I've waited six months to prepare for this hearing. An attractive wood fence will provide a barrier from noise and pollution.

- 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 Bartoletti: The degree of noise and traffic does present a hardship.

Chairman Meisel: We can all agree that conditions on Westlake Drive are getting worse.

Commissioner Maccini: I live on Reveille and I understand the traffic. She should be able to enjoy her lot.

Vice-Chairman Pledger. The location of the fence is set back and a fair amount of plants already.

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

5. Land Use 310 Westhaven Drive: Discussion/recommendation on a variance request to allow a driveway gate to open towards the street (City of West Lake Hills Code Sec. 22.03.173). Applicants/Owners Andrew Schwartz & Sylvia Arabian.

a. Staff Briefing

Planner Naini gives the Staff Briefing. Staff Recommendation: Approval.

b. Presentation by applicant

Andrew Schwartz is the property owner. Right in the middle of our driveway is a huge tree and the fence will wrap around that.

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. Given the location, I don't think there is a major issue.

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

6. 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

Planner Naini gives the Staff Briefing: Staff Recommendation: Commissioner's approval as submitted or subject to conditions.

- b. Presentation by applicant

Peter Narvarte is representing the group.

Randy Kunik: I've had my practice in the Schoolyard for 25 years and live on Buckeye. West Lake Hills is a part of all our homes. The location is perfect for patients and future patients. Our goal is to be sensitive to our neighbors.

Peter: There are a lot of details in the application. It will be lower than Sway Restaurant and heavy vegetation. There is a parking agreement in place.

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Kristi Berrier lives directly behind the property. There is a drainage structure behind our yard. We have concerns on what effect it will have on our property. We do request we be taken into account.

Olga Kobzar lives on Snowy Owl. The key to me is doing it appropriately. Making sure it is the right size and doesn't create any safety concerns. This application looks incomplete. The proposal is the minimum necessary. There is no traffic study provided.

Kimberly Klein: My two children go to Acton School. We needed to express our concerns about the impact during construction process on the students. The increase in traffic is also a concern.

Jessica Blacklock: I'm opposed to this project. A variance should show a hardship. This development will cause hardship to the neighbors. The entrance to the parking garage is close to the entrance to the school.

David and Laura Linton: We live behind the property. I'm not a lawyer but I know the law. It can only be granted as a hardship.

Mark Barrier: You heard from my wife earlier. We are on the downhill side of the property. Tree removal is a concern. Height of the building is also a concern. This is going to have a huge negative impact on our property. We've been ignored.

Chairman Meisel closes the Public Hearing.

d. Deliberation and Action

Vice-Chairman Pledger: This is not a zoning issue, am I correct?

Planner Naini: No, just variances.

Vice-Chairman Pledger: I'm not sure when a hydrologist report is needed, with the impervious cover involved has that been done?

Peter: We do have an engineer and drainage easement that we are allowed to impact. We will do a Type III drainage. We do have opportunity to improve that runoff.

Vice-Chairman Pledger: Has there been flooding?

Peter: I don't know that. We would go through that in the engineering.

Vice-Chairman Pledger: One concern is, and you're looking at the building during the year, it looks like the building would look into the windows of neighbors.

Peter: We've taken drone photos from every direction. Shepherd of the Hills and others are larger buildings.

Chairman Meisel: The applicant hasn't shown a hardship. Given the building is not buildable by our code.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND DENIAL. VICE-CHAIRMAN PLEDGER SECONDS.

Commissioner Maccini: I am hopeful the council hasn't already made up their minds. I appreciate what Ms. Blacklock said.

Vice-Chairman Pledger: I have to say I think this building has a lot of positive aspects. There may be some reasonable modifications to the building. There is a possible for design issues to improve the privacy question. Some work needs to be done. Solve the issues and the needs and address the neighbor's issues.

Commissioner Maccini: There needs to be mitigation on the design.

UNANIMOUS (4-0) DENIAL.

7. **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) for two properties 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 46% impervious cover; 7) variance to minimum lot size required to consider impervious cover incentives; 8) variance to permit nonresidential

development on slopes exceeding 25%; and 9) 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

Planner Naini gives the Staff Briefing: Staff Recommendation: Approval by the Commission or approval with conditions.

b. Presentation by applicant

Ramon Aguirre is joined with the architect and engineers. A background is given. We want to be a continued asset to the community.

David Polkinghorn is the architect and explains the application and the requests for each variance.

c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Richard South lives at 103 Swiftcurrent and has for 30 years. We've had 3 rain events that have affected our property. He did approach us to discuss the project. Most concerning is the 40' retaining wall. This is a zoning issue. We're entitled to have reports and studies done that haven't been.

Mike Haberman lives at 107 Swiftcurrent and has for 3 1/2 years. We love the natural surroundings. This will negatively impact all of that. Why haven't the studies been done? This is a residential neighborhood.

Ramesh Jandhyala lives at 101 Swiftcurrent: I am a new member of this community for the past 3 to 4 years. My concern was addressed in a letter.

Chairman Meisel closes the Public Hearing.

d. Deliberation and Action

Commissioner Vaughan: The neighbors have a right to have concerns.

Commissioner Maccini: I understand the desire to rezone, what they want to build doesn't match the property. Variances are above and beyond. Square peg round hole.

Vice-Chairman Pledger: 40' cuts I don't understand. I believe the impervious cover is

excessive. I'm going to recommend denial on all requests.

Chairman Meisel: GUI zoning requires a 2-acre lot and this is not. This is a non-starter.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND DENIAL ENTIRELY. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (4-0) DENIAL.

8. **Land Use 0 Wild Cat Hollow (Wild Cat Estates):** Discussion/recommendation on a variance request to allow continuation of a private street in lieu of constructing a public street for a new proposed subdivision (West Lake Hills Code Sec. 36.01.009 (a)(3)). Owner David Altounian/Applicant Foursquare builders, LLC.

- a. Staff Briefing

Planner Naini gives the Staff Briefing: Staff Recommendation: Approval.

Commissioner Bartoletti: The existing private road, how far does it go to the paved part of Wildcat Hollow? Is that dirt portion a private road?

David Altounian: That is a private road.

Commissioner Bartoletti: How will access be accomplished?

David: The plan is an extension off a private road.

Vice-Chairman Pledger: In the future can you number e-mails sent?

Wes Wigginton: 20' private access.

- b. Presentation by applicant

Wes Wigginton is the representative. Five of the lots are developable. It is not a public road. The Fire Department recommends a 20' wide road for emergency access. We want to save more trees on the properties.

- c. **Public Hearing:** All Persons Wishing to Speak for or Against Shall be Heard.

Chris Gunter lives at 410 Skyline which is directly up the hill. We are opposed to the private street. The applicant has not shown a hardship. Our biggest concern is

adequate fire department access. Lots 2 and 3 don't have access by the private street.

Steve Margolin lives next door and have the same concerns with fire department access.

David Altounian: We've owned this property since 1999. We have excellent water pressure now.

Chairman Meisel closes the Public Hearing.

d. Deliberation and Action

Commissioner Maccini: This is considered a development or just a road?

Wes Wigginton: This is only addressing accessing the property.

Commissioner Maccini: Are you considering this as a construction road?

Wes: It will be addressed under the building permits.

Chairman Meisel: You have lot 4 and 7 is a disaster waiting to happen. The whole project seems inappropriate and design driven. No hardship has been shown.

Wes: Many parts of the city are a hazard. It's all handled by the HOA.

Commissioner Maccini: You're lacking a hardship in this case.

Wes: A public road would take more trees.

Commissioner Bartoletti: The proposed private drive, explain how access to lots 2 and 3 is accomplished?

Wes: Ultimately all will be off the private access.

Vice-Chairman Pledger: You're going to need to give us more information here.

Commissioner Vaughan: We have to assume the applicant wants to build a private drive. We don't have a visual. For me that's something I'd like to see.

Vice-Chairman Pledger: I live on a private access road. I don't understand what we're being asked to approve.

Chris Gunter: The original site plan showed the road going much further with a turnaround. The fire department has no access to lot 2 and 3.

COMMISSIONER MACCINI MOVES TO RECOMMEND DISAPPROVAL FOR

**LACK OF HARDSHIP. VICE-CHAIRMAN PLEDGER SECONDS. (3-1)
COMMISSIONER VAUGHAN ABSTAINS.**

9. **Land Use Seven Point Seven Ranch:** Discussion/recommendation on an application for several variance requests for a proposed subdivision located at Caravan Circle between Kennan Road and Terrace Mountain: 1) Encroachment into a side building setback; 2) Proposed lots have slopes exceeding 30% for 50% or more of the lot; 3) No conservation easement on the south property line; 4) Provide only one location for a proposed on-site sewage facilities septic field smaller than 6,000sf on less than 30% slopes. (West Lake Hills Code Sec. 22.03.281, 36.01.009, 36.01.010, & 36.01.011). Owner Ranch Dubois Holdings/Applicant Jeffrey Dochen.

a. Staff Briefing

THIS ITEM WAS POSTPONED.

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 803 Westlake Drive:** Discussion/recommendation on an application to subdivide a tract of land into an eight-lot single family subdivision for a property zoned R-1. (West Lake Hills Code Chapter 36). Owners Doyle & Colleen Moore/Power of Attorney Terry Irion.

a. Staff Briefing

Zoning and Planning Commission went into Executive Session at 9:19 p.m. and reconvened in Open Session at 9:35 p.m.

Planner Naini: No staff recommendation.

b. Presentation by applicant

Terry Irion represents the applicants. Ric Thompson is the engineer. Terry explains the history of the property.

c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Bobby Levinski is with SOS and is opposed to the application. This is a very important environmental property and has caves on this property.

Robert Kleeman: I don't see any variances and referenced his letter submitted

earlier.

Randy Lee lives at 6 Rocky River Cove which is right across the valley and objects to this application and references his letter submitted.

George Peyton lives at 7 Rocky River Cove and also submitted a letter of objection. Any development would be directly in our back yards.

Doris Robitaille lives at 806 Rocky River Road which is across the creek. I'm concerned about the environment and tree removal. It's difficult to be built on. I would love to see it being preserved.

Karen Downing is concern about the lots under an acre and traffic on Westlake Drive.

Chairman Meisel closes the Public Hearing.

d. Deliberation and Action

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL DUE TO NON-COMPLIANCE WITH CITY CODE. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (4-0). DENIAL.

11. Adjournment. Chairman Robert Meisel.

**Motion to adjourn the meeting made at 10:07 p.m. by Chairman Meisel.
Motion to Adjourn carried unanimously by a vote of 4 ayes to 0 nays.**

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Littrell

These minutes were approved on _____, 2021.

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: _____



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

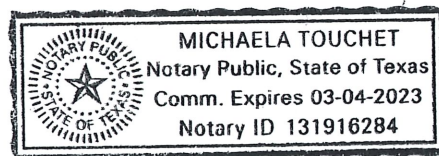
78746

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



March 11, 2021 (Rev-02 Resubmittal)

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

Dear Mr. Chairman,

We represent a group of West Lake 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 West Lake Hills community and will be partners in this project. Michael Hsu Office of Architecture would be 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 West Lake Hills over the last decade.

We are currently under Contract to purchase the property at 3423 Bee Cave 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 West Lake 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 Cave Feasibility Study Packet [*attached 17 pages*]
- 3423 Bee Cave Road Traffic Assessment 02-05-21 [*attached 52 pages*]

3423 Bee Cave 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 West Lake Hills to execute an optimal 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]

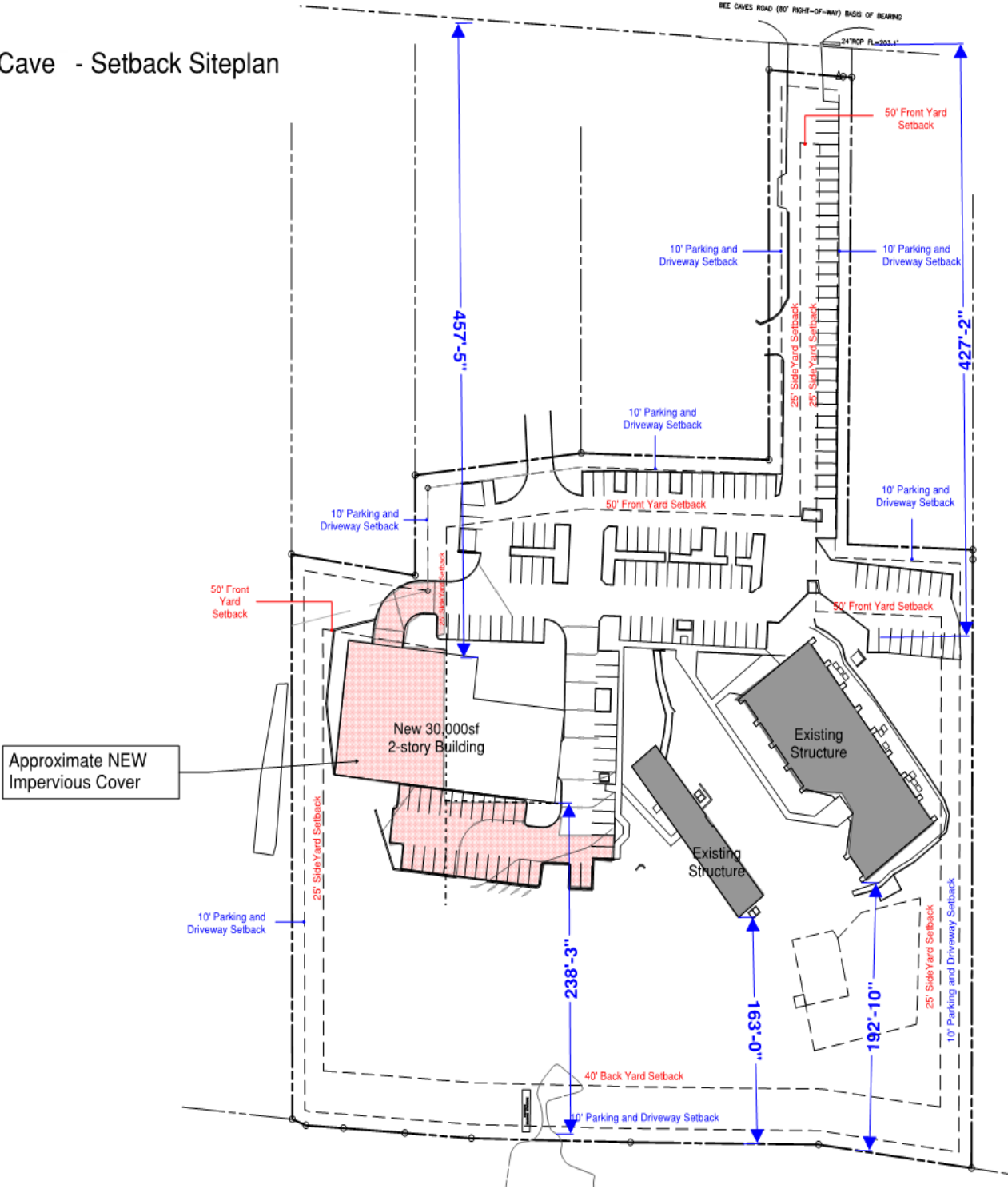
We request a variance for the height of the structure as required by 22.03.279 and 22.03.281. We intend to comply with items 1-5 of height adjustments listed in Section 22.03.281 VIII (a). The additional height we are seeking will allow us place some parking under the building which will in turn allow us to maintain the 4 per 1000 parking on site. Keeping the 4 per 1000 parking count will allow us to maintain the parking agreements with neighboring properties Sway, Synergy Dance Studio, and CDC Carpet. Placing the parking under the building will also allow us to keep a reasonable impervious cover percentage, maintain the visual appeal on site and keep the trail system to the south in place. This trail system is utilized by the community to the South, the schools and acts as an access point to the neighbor to the West, Sheppard of the Hill. Article 22.03.281 limits the height of the structure to 30'-0" above natural grade for our zoning and building type. The existing natural grade varies 17 feet across the width of the building which makes it difficult to request a variance for a specific value above 30'-0". 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 Cave 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.

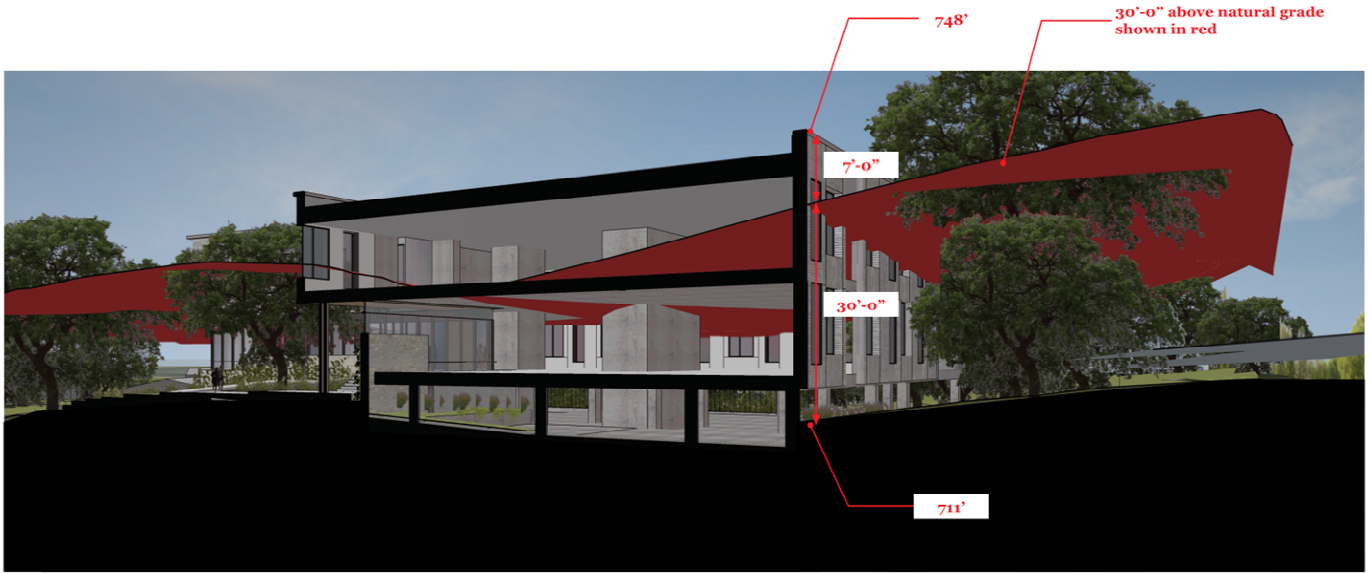
We believe granting this variance is compatible with the intent of the City of Westlake's character and zoning ordinances:

- o 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 Cave Road
- o The proposed building height would be approximately 5'-0" lower than the roof line of Sway, which separates our property from Bee Cave Rd.
- o The proposed location of the building is set back approximately 457-feet from Bee Cave Rd and approximately 250-feet from the residences to the South.
- o The building is surrounded by trees and would be only +/-10'-0" above the natural tree line.
- o 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 the West Lake Hills Code

**see images below and in the attached packet*

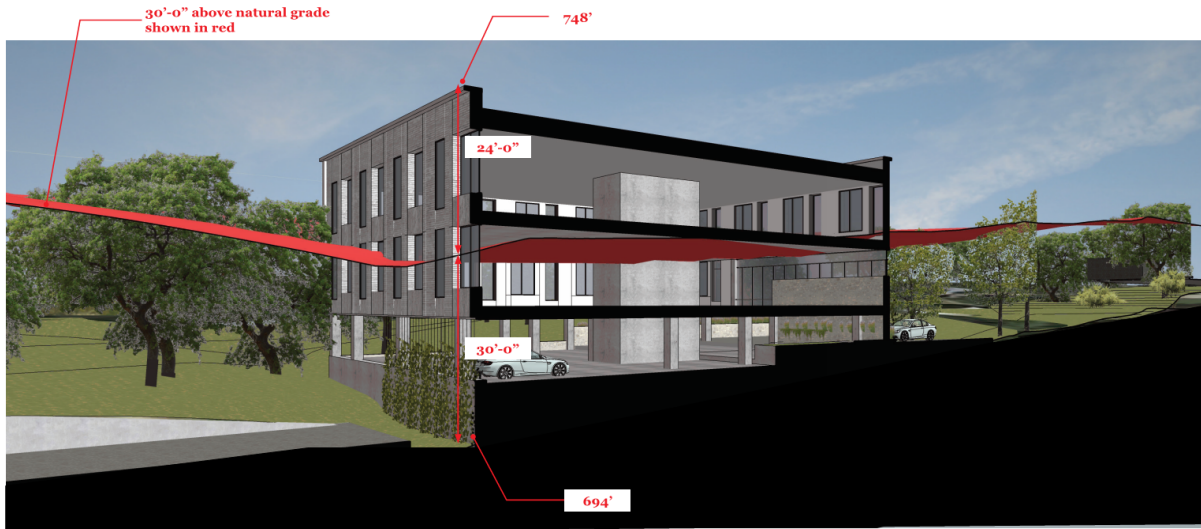
3423 Bee Cave - Setback Siteplan





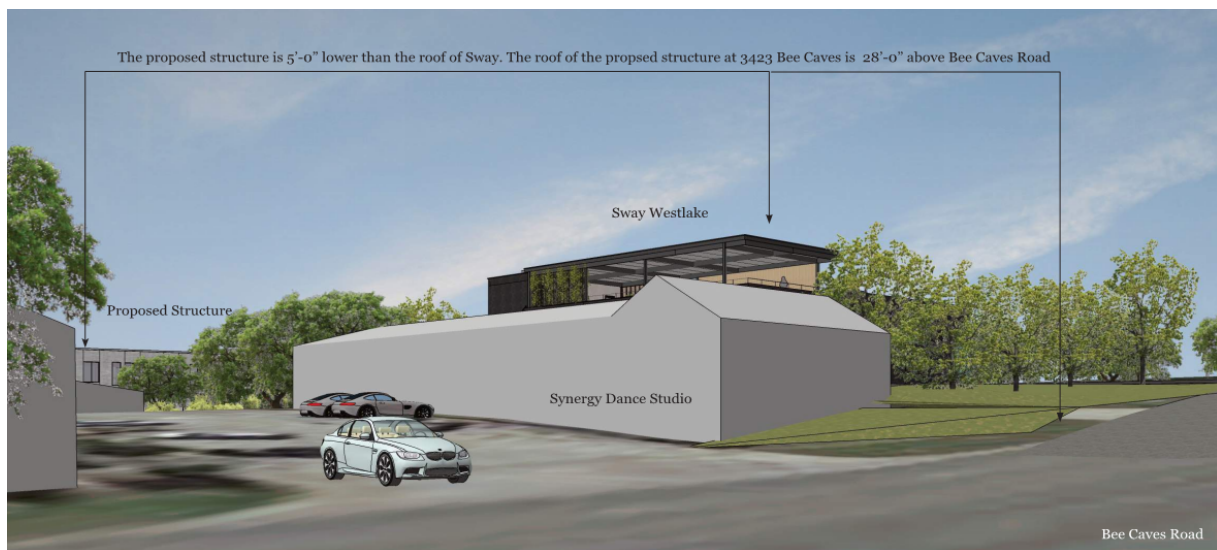
Building Height Variance:
 Natural Grade 711'-0"
 Building Elevation: 748'-0"
 Height Required: 37'-0"
 Variance: 7'-0"

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 Cave.
 - 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 West Lake 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*

-----WEST LAKE 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.

RESPONSE:

- The dramatic **slope** of the natural terrain and **parking** on this property create a special condition.
 - o **Slope:** We are proposing to develop offices for the doctors that would require approximately 22,000sf. During the planning for a location on site we considered the Zoning, the current uses on site, the topography, the impervious cover, drainage, and trees.
 - The zoning is B-1 which limits us to a singular 15,000 sf footprint per building which would not be enough to accommodate the needs of the doctors planning to relocate their businesses. If we were to propose building two buildings, we would not need a height variance, but we would either be asking to remove more impervious cover and remove more trees or reducing the parking count.
 - Another option considered was to take over the buildings on site and repurpose them, but the doctors are business owners (and some residents) in West Lake Hills and would like to keep the existing tenants (Acton Academy, Primrose, and Sandbox) in place if they would like to stay.
 - As we analyzed the several different parameters/constraints we determined that the nature of the topography on site and location of major trees on site that the proposed location had the least impact to impervious cover, trees, height, and parking. Please see the proposed site plan with setbacks, easements, impervious cover, existing buildings, and existing trees identified and note that our proposed elevation would be approximately 5-feet below the roof of Sway.
 - o **Parking:** The current parking count is approximately 4 per 1,000sf. The current property owner also has 3 parking agreements in place with Sway, Synergy Dance Studio, and CDC Carpet. The scenario we have proposed keeps the parking count in place at 4 per 1,000sf by placing approximately 37 spaces underneath the proposed building (recommended by WLH Design Criteria) and approximately 25 spaces behind the building away from Bee Cave Rd (recommended by WLH Design Criteria). Keeping this parking count allows us to continue the parking agreements with the neighboring properties. If we were to remove the parking underneath and behind this would reduce our request for height and impervious cover, but it would not be a good solution and cause congestion for existing tenants, new doctors, and neighbor parking.

(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?

RESPONSE:

- 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 area 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?

RESPONSE:

- 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 required the removal of several more trees.

- Option 3 – We explored an option to design on top of the existing impervious cover over the current parking lot. With an option for parking under the building and an option with parking surrounding the building:
 - If we propose parking under the building, then we would be asking for a much larger height variance which would be seen from Bee Cave Rd.
 - If we park next to the building this would have required restructuring traffic patterns and islands on site and likely end up with approximately the same amount of impervious cover. 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.
- 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 and relocation of this tenant. This would have been better from a visual impact from Bee Cave but more impactful to the residents on the south border. We also believe this would have caused for some access issues for the fire department to get to the back of the building.

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

RESPONSE:

- We have been thoughtful with our approach to this request and believe this to be a modest development. Through this process we have tried multiple schemes and locations that give us the square footage the new business owners require and attempt to provide the best approach to addressing Scale, Materiality, Height, Impervious Cover, Run-off, Trees, neighboring properties, parking and existing Tenants.

(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?

RESPONSE:

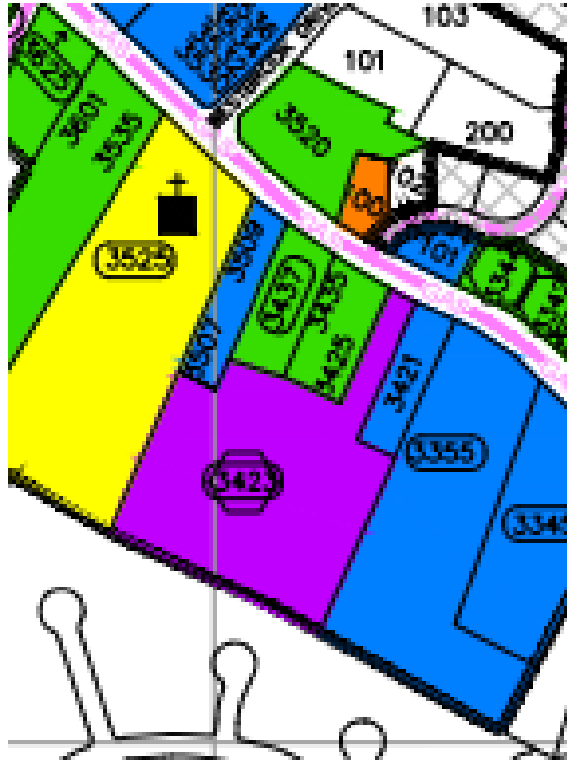
- Looking at 38.05.033. Interpretive criteria we are building within the zoning identified by the City. We believe there to be a specific challenge with the topography of the site that works directly opposed to the intent of City criteria and 22.03.281 Schedule of Regulations. As shown in the attached section view and street view from Bee Cave 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 and 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. The building will not be seen from Bee Cave Rd due to the buildings in between this proposed location and Bee Cave Rd. When on site from the front side of the building the garage is not visible and the building appears to be two stories only (see attached rendering)

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

RESPONSE:

- 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. I've included a Zoning summary below of 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 traffic will be arriving and departing along Bee Cave 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. The proposed location of our building is approximately 250-feet from the nearest resident which is further from the existing buildings on the site.

Thank you for taking the time to consider these requests.

Peter Narvarte 512-563-6707



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.)

INSTALL ELEVATED DRIVE AISLE TO ACCOMMODATE EXISTING SHALLOW PUBLIC WASTEWATER LINE

S72°49'30"E 133.44'
WASTEWATER ESMT. DOC. NO. 2007225904

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

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

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

LOT 2B
CALLED 6.260 ACRES
SAVING EXCISE
DOC. NO. 2014140850
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
4176	5" CEDAR 3-3
4177	3" CEDAR 2-2
4178	2" CEDAR
4179	5" LIVE OAK
4180	3" CEDAR 4-4
4181	4" CEDAR
4200	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	9" CHINABERRY
5038	7" CEDAR
5039	7" CEDAR
5040	13" CEDAR 9-7-6
5041	10" LIQUIDUM 4-4-4-2-2
5042	2" HACKBERRY
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" LIVE OAK
5057	9" CRATE MYRTLE 4-3-3-3-1
5058	9" 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	15" 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	12" CEDAR 7-5-5
5173	6" CEDAR
5174	5" CEDAR
5175	5" CEDAR
5176	5" CEDAR
5177	8" CEDAR
5178	5" CEDAR
5179	12" CEDAR 5-5-3-3-3
5180	4" CEDAR
5181	6" LIVE OAK
5182	6" LIVE OAK
5183	3" LIVE OAK
5184	3" LIVE OAK
5185	3" LIVE OAK
5186	4" LIVE OAK
5187	5" CEDAR
5188	5" CEDAR
5189	4" CEDAR
5190	5" CEDAR
5191	5" CEDAR
5192	5" CEDAR
5193	3" LIVE OAK
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	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	5" CEDAR
5230	3" CEDAR
5231	3" CEDAR
5232	5" CEDAR
5233	3" CEDAR
5234	5" CEDAR
5235	3" CEDAR
5236	3" 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" LIQUIDUM
5246	3" CEDAR
5247	6" CEDAR
5248	5" CEDAR
5249	6" CEDAR
5250	5" CEDAR
5251	5" CEDAR
5252	5" CEDAR
5253	5" CEDAR
5254	6" 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	15" 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	6" CEDAR
5273	6" CEDAR
5274	6" CEDAR
5275	6" CEDAR
5276	6" CEDAR
5277	6" CEDAR
5278	6" CEDAR
5279	6" CEDAR
5280	6" CEDAR
5281	6" CEDAR
5282	6" CEDAR
5283	6" CEDAR
5284	6" CEDAR
5285	6" CEDAR
5286	6" CEDAR
5287	6" CEDAR
5288	6" CEDAR
5289	6" CEDAR
5290	6" CEDAR
5291	6" CEDAR
5292	9" LIVE OAK
5293	3" LIQUIDUM
5294	4" CEDAR
5295	13" CEDAR 5-3
5296	11" CEDAR
5297	13" CEDAR 4-3
5298	8" LIQUIDUM 6-3
5299	6" CEDAR
5300	6" CEDAR
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
5308	5" LIVE OAK
5309	4" LIVE OAK
5310	6" CEDAR
5311	13" CEDAR 8-5-4-4
5312	12" CEDAR 4-3-3
5313	7" CEDAR 5-4
5314	8" CEDAR
5315	8" CEDAR
5316	8" CEDAR
5317	4" CEDAR
5318	8" CEDAR
5319	3" 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	10" CEDAR
5328	11" LIQUIDUM 7-4-3
5329	9" CEDAR
5330	7" CEDAR
5331	7" CEDAR
5332	7" 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

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: 512.329.0986
www.ceninc.com

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

OPTION B-3

DWG SCALE: 1" = 20'
PROJECT NO: 304831.0001
APPROVED BY: 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

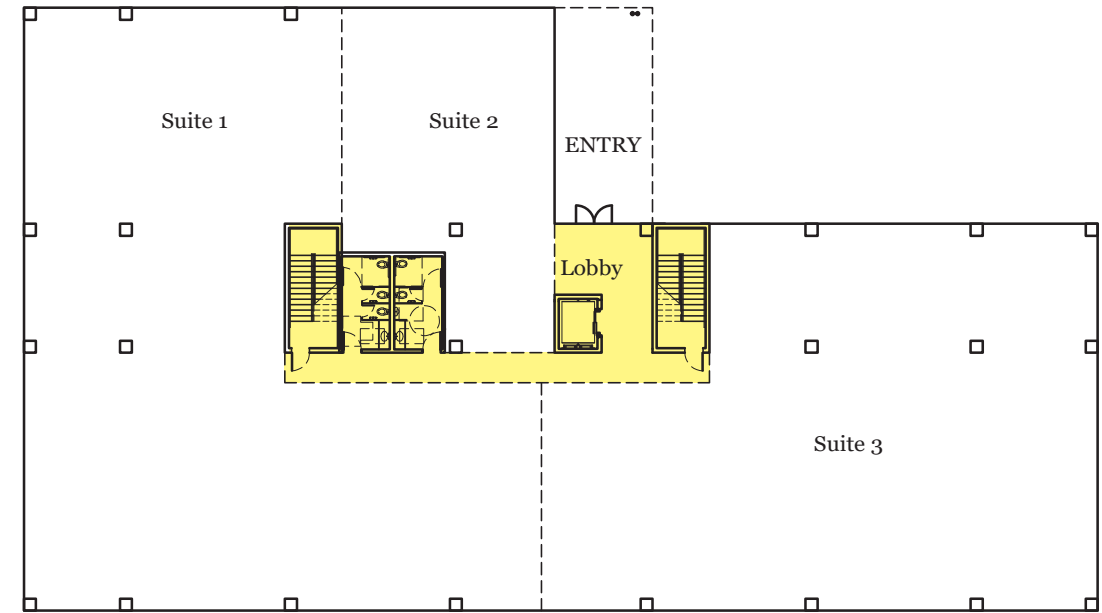
New Surface Parking Lot

Existing
Structure





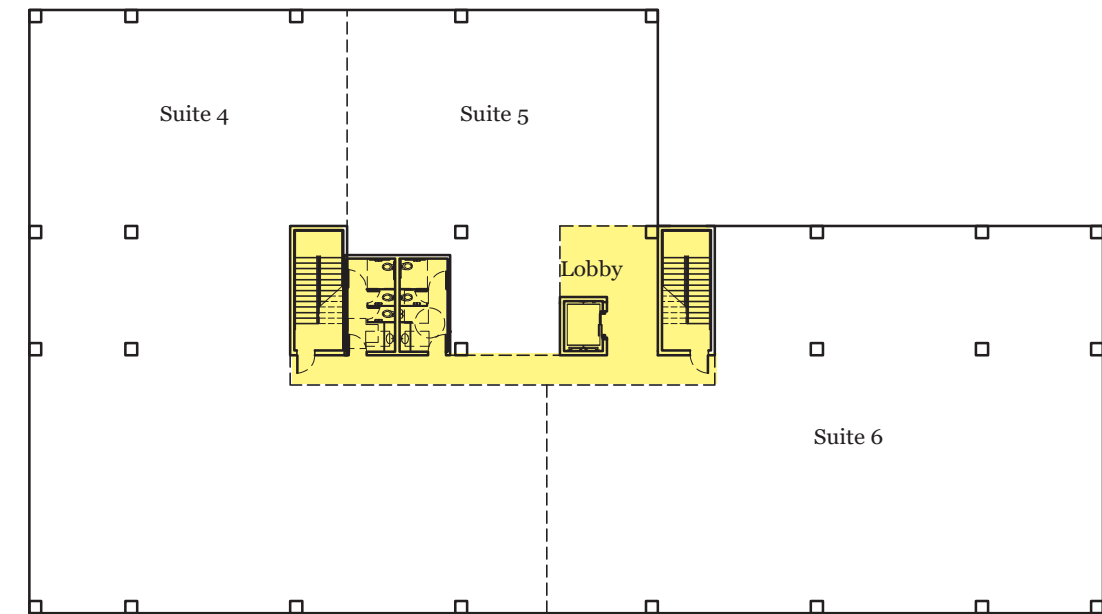
Garage Level 1 Floor Plan
1/32" = 1' 0"



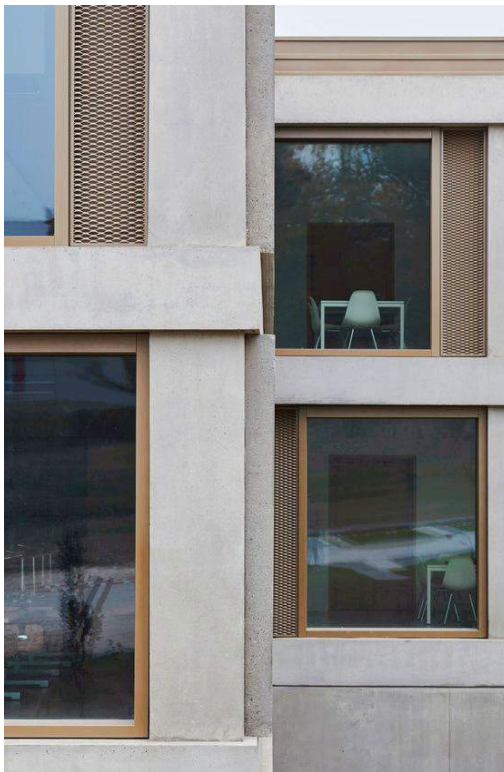
Level 1 Floor Plan
1/32" = 1' 0"

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



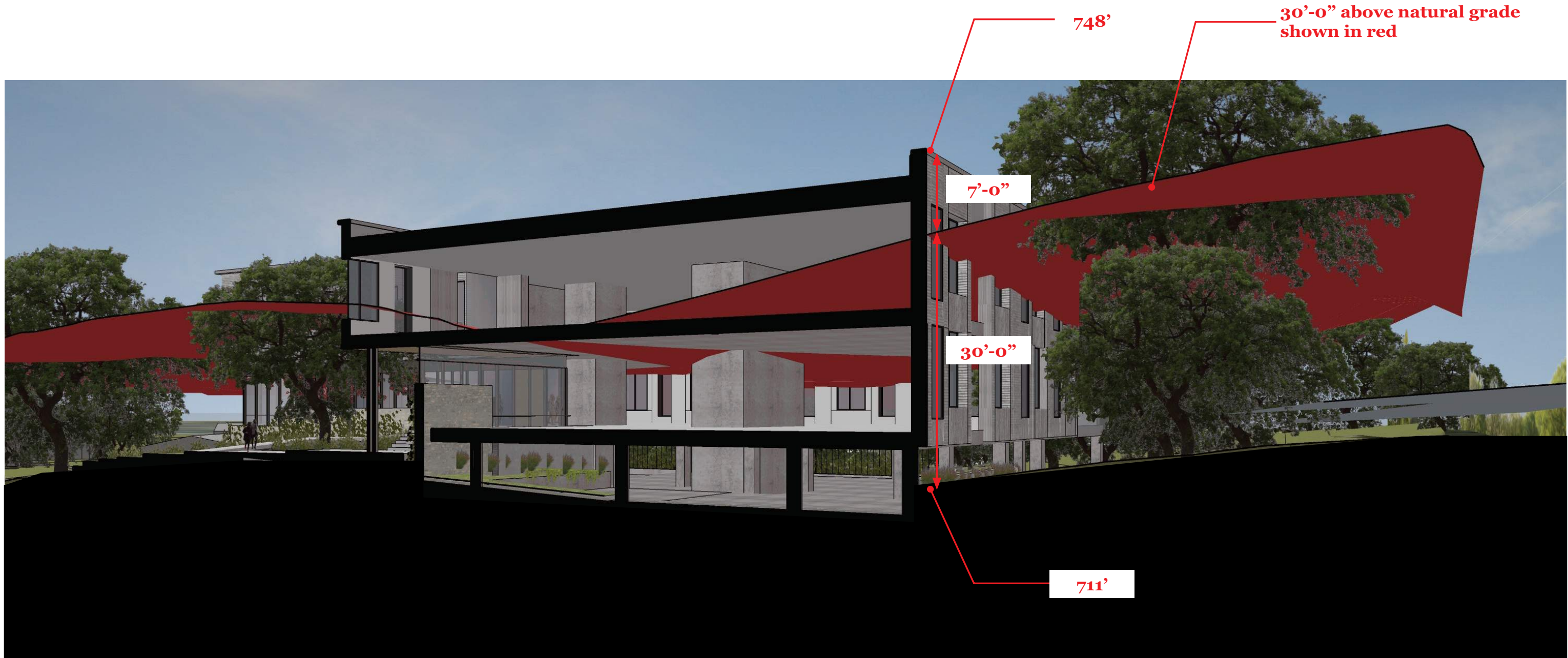
Site Section



Bee Caves Perspective

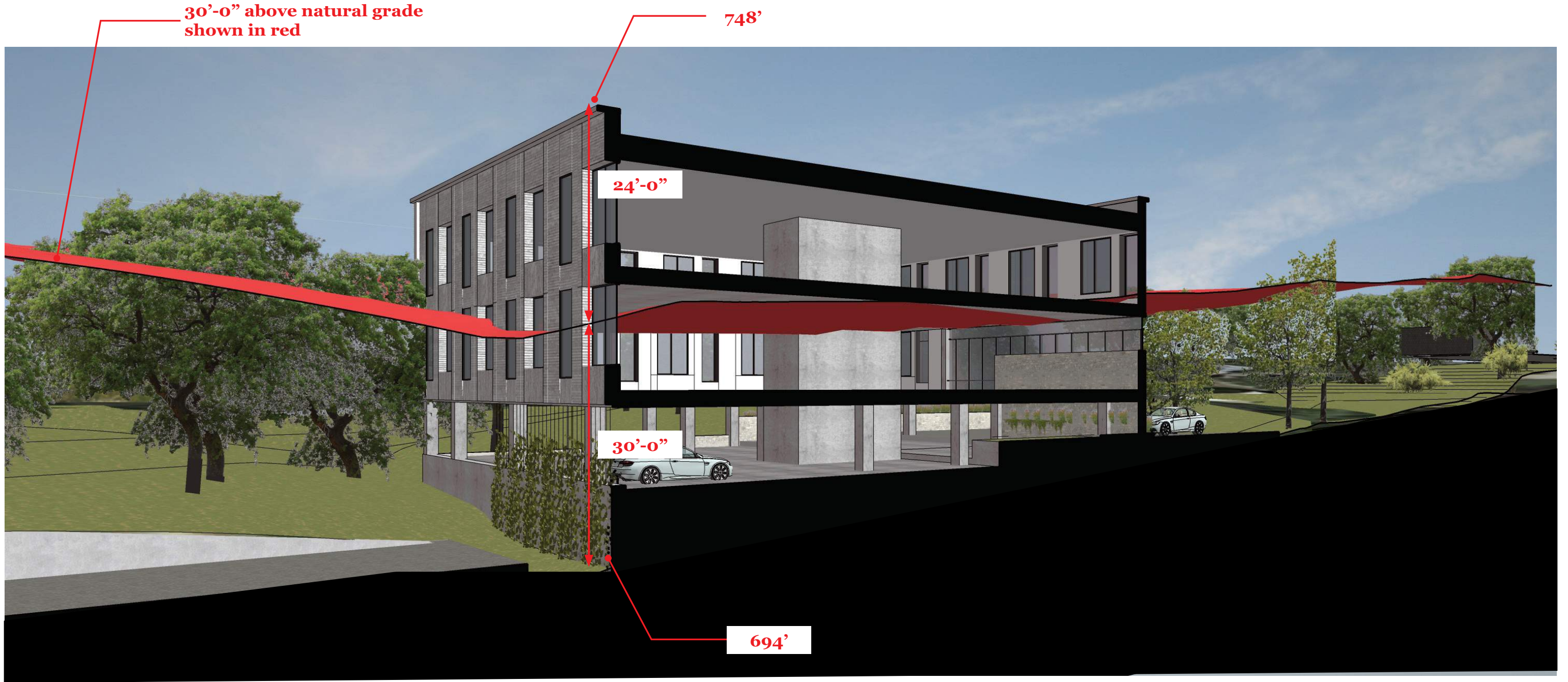


Birdseye View



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"

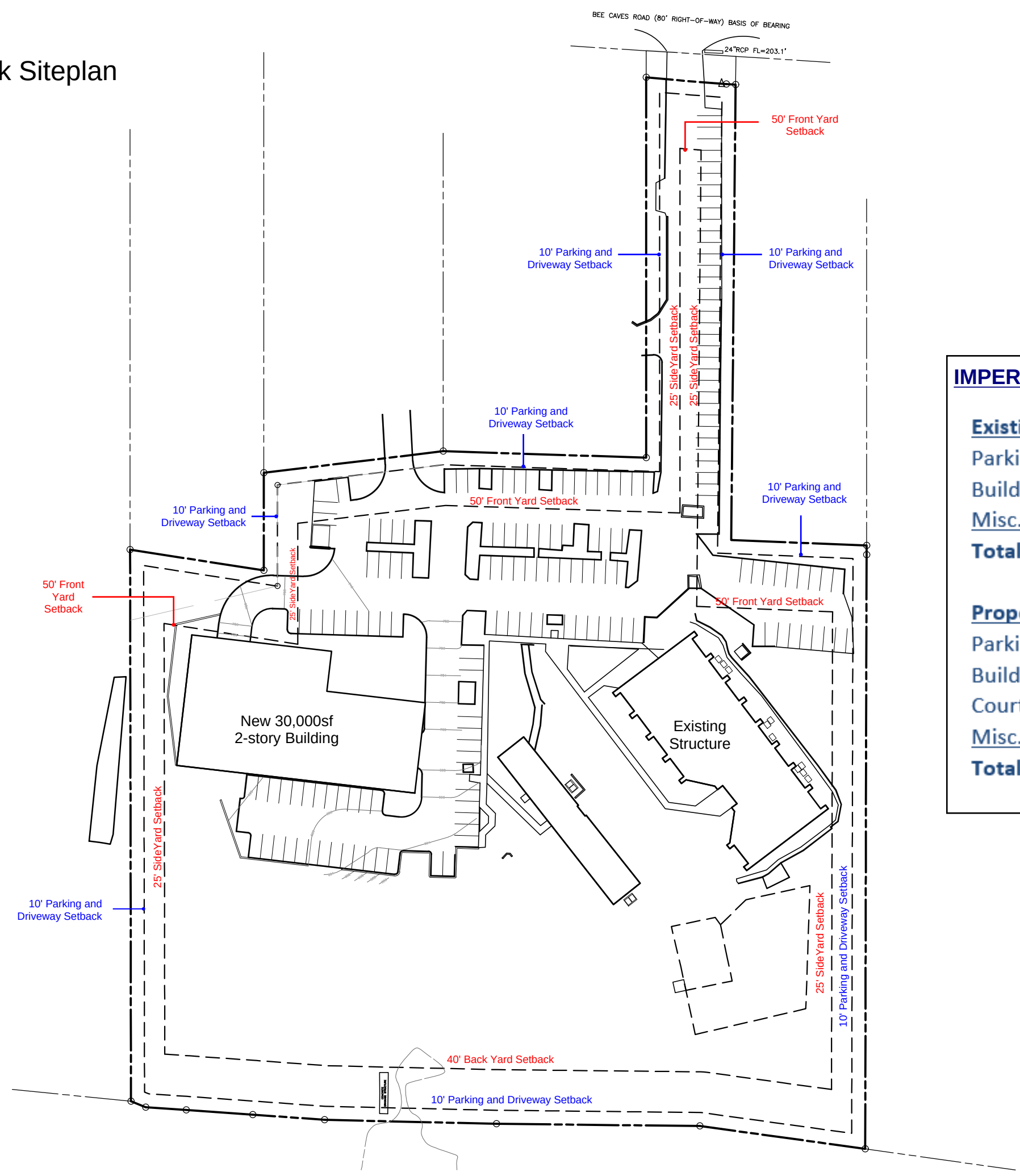


South Elevation
1/16" = 1'-0"



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

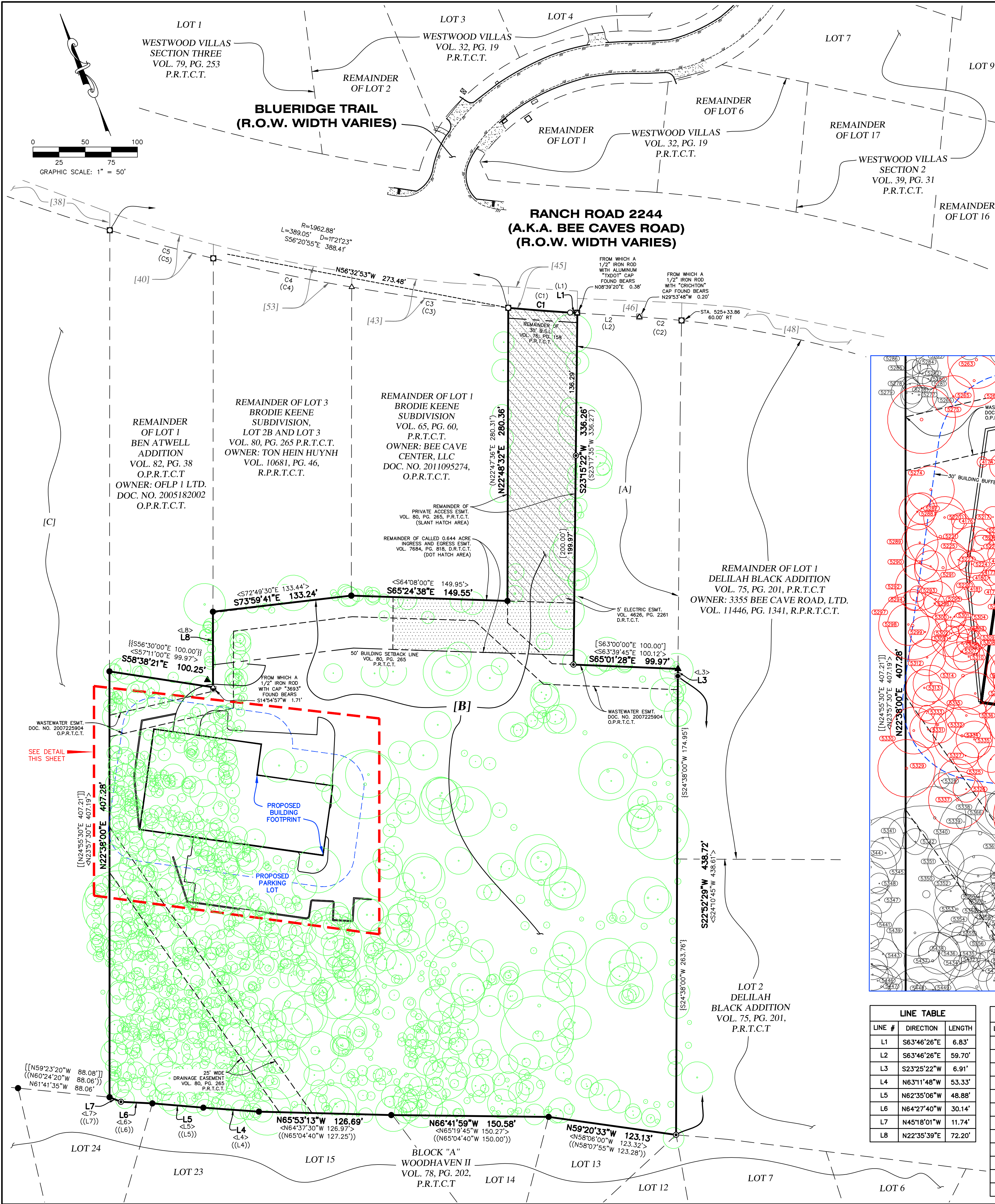
3423 Bee Caves - Setback Siteplan



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%)





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

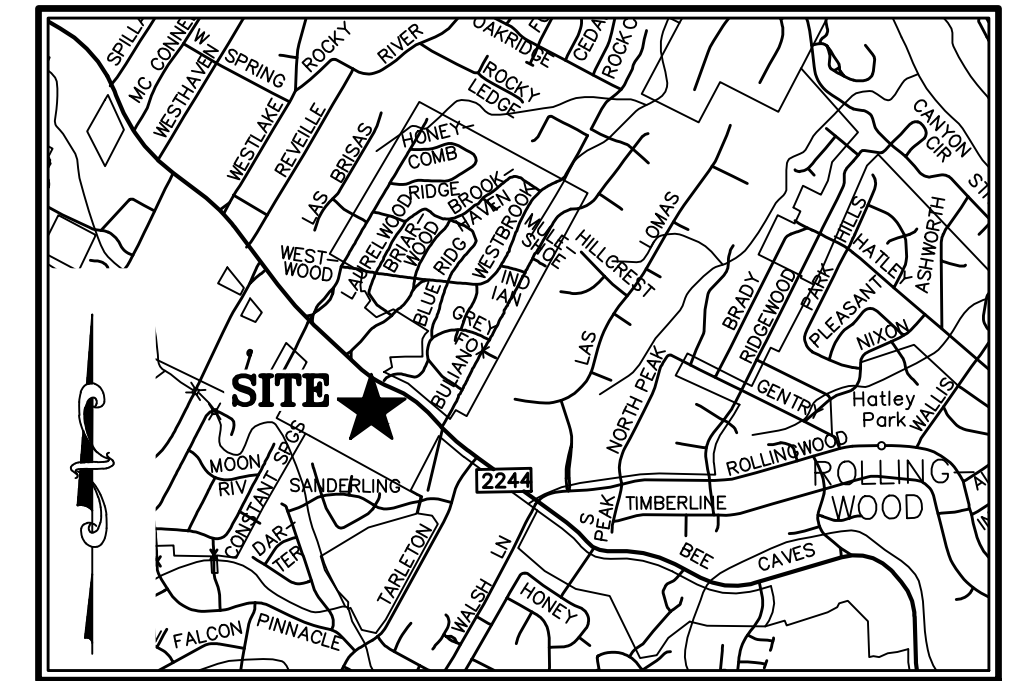
LEGAL DESCRIPTION.
LOT 2B, BRODIE KEENE SUBDIVISION PHASE THREE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 80, PAGE(S) 265 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF WEST LAKE HILLS BY DEED RECORDED 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.

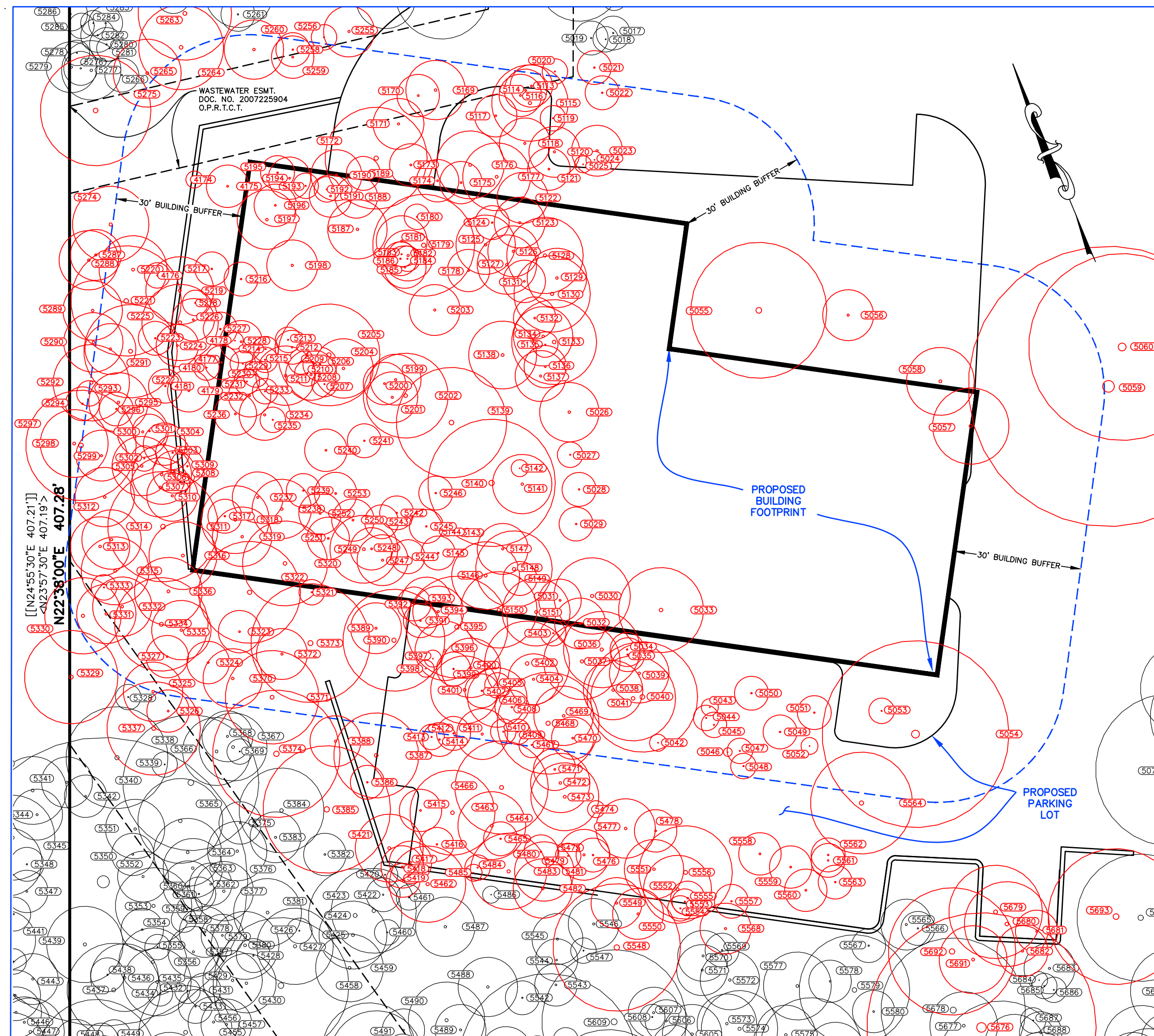
PRELIMINARY.
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FOR REVIEW PURPOSES ONLY.

**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

PRELIMINARY.
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PARTIAL TREE EXHIBIT
LOT 2B, BRODIE KEENE
SUBDIVISION PHASE
THREE
Westlake Hills,
Travis County, Texas**

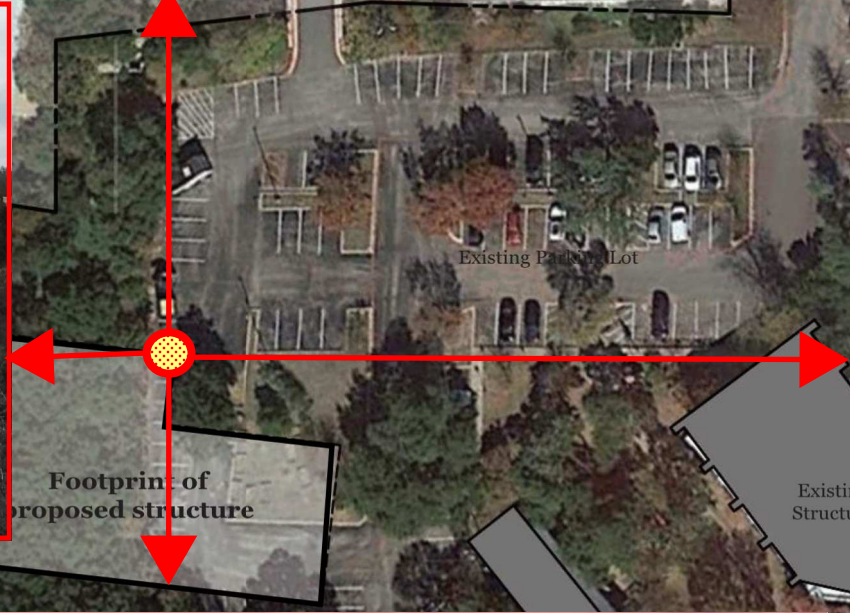


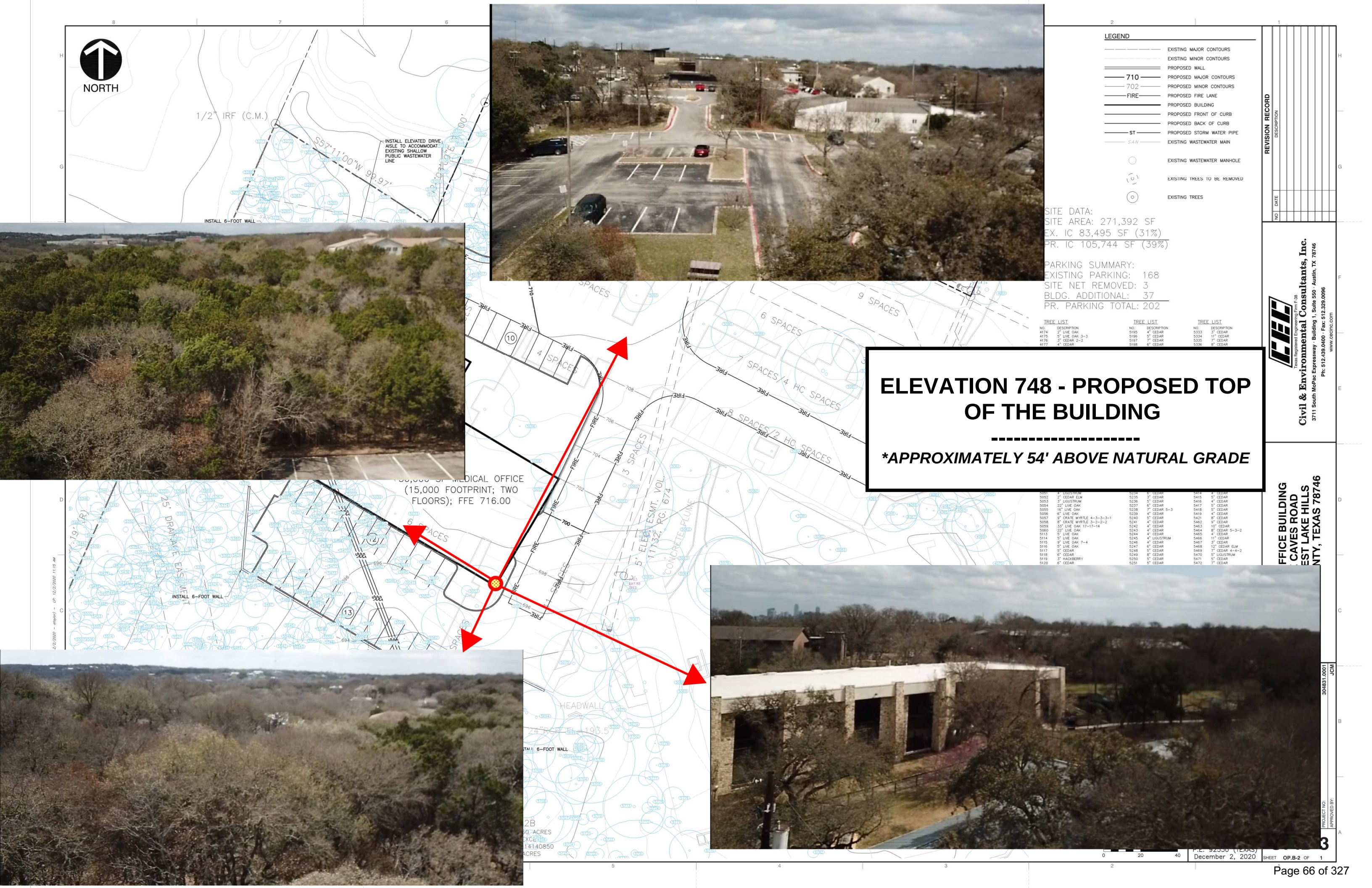
PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TPELS FIRM #10174300

Date:	12/2/2020
Project:	01127
Scale:	1" = 50'
Reviewer:	SD
Tech:	AK
Field Crew:	JO
Survey Date:	NOV. 2020
Sheet:	2 OF 2

ELEVATION 748 - PROPOSED TOP
OF THE BUILDING

*APPROXIMATELY 41' ABOVE NATURAL GRADE





NORTH

1/2" IRF (C.M.)

INSTALL ELEVATED DRIVE AISLE TO ACCOMMODATE EXISTING SHALLOW PUBLIC WASTEWATER LINE

INSTALL 6-FOOT WALL

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" LIVE OAK 3-3
4176 3" CEDAR 2-2
4177 4" CEDAR

TREE LIST

NO. DESCRIPTION
5195 4" CEDAR
5196 5" CEDAR
5197 7" CEDAR
5198 6" CEDAR

TREE LIST

NO. DESCRIPTION
5333 3" CEDAR
5334 11" CEDAR
5335 7" CEDAR
5336 8" CEDAR

ELEVATION 748 - PROPOSED TOP OF THE BUILDING

*APPROXIMATELY 54' ABOVE NATURAL GRADE

15,000 SQ. FT. MEDICAL OFFICE (15,000 FOOTPRINT; TWO FLOORS); FFE 716.00

25' DRAINAGE EASEMENT

INSTALL 6-FOOT WALL

5' ELEV. ESMT. VOL. 11132, PG. 674

CONCRETE PLANE

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: 512.329.0096
www.ccecinc.com

OFFICE BUILDING
CAVES ROAD
WEST LAKE HILLS
NTY, TEXAS 78746

304831.0001

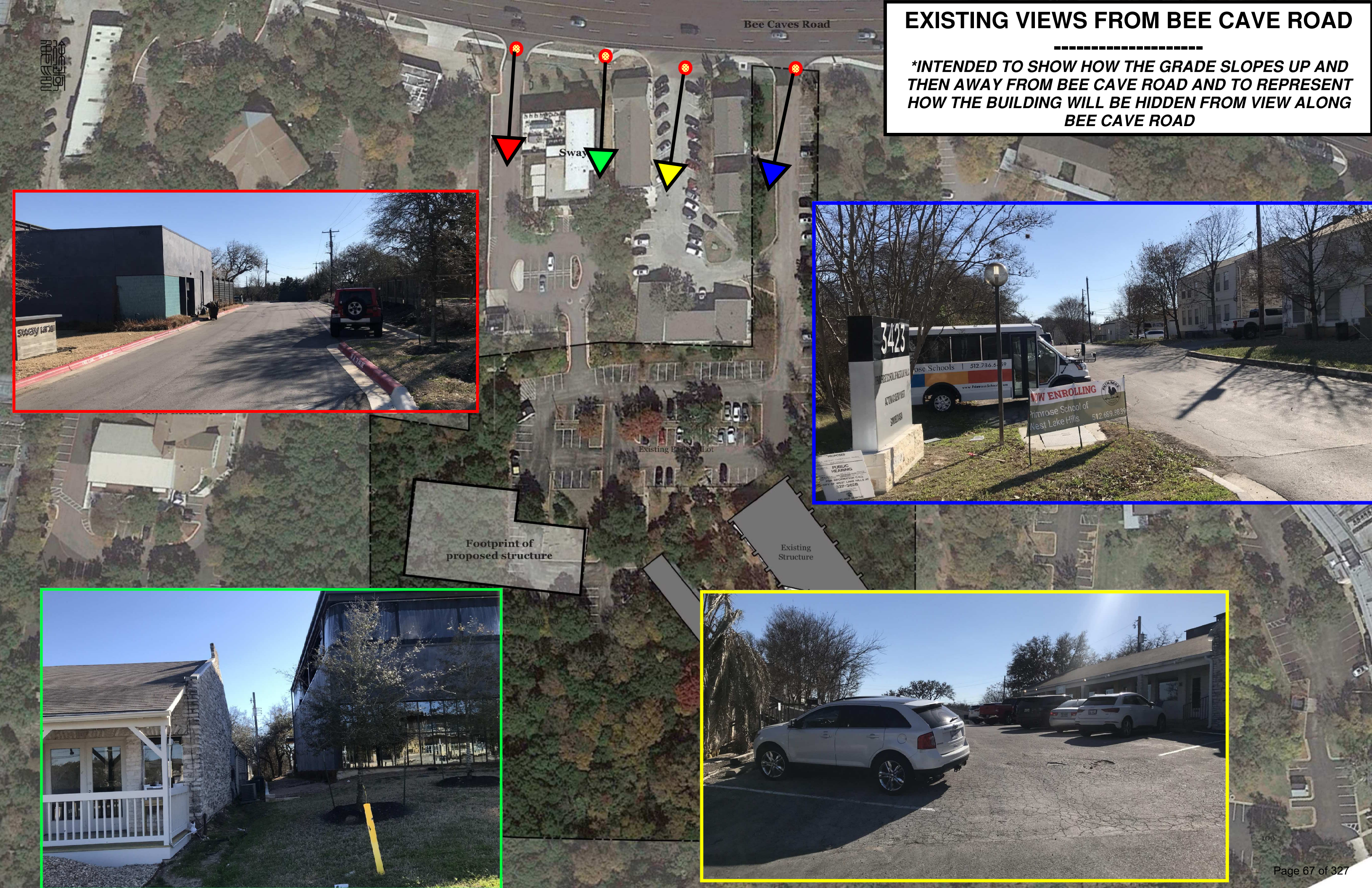
APPROVED BY:

JCM

SHEET OP.B-2 OF 1

EXISTING VIEWS FROM BEE CAVE ROAD

****INTENDED TO SHOW HOW THE GRADE SLOPES UP AND THEN AWAY FROM BEE CAVE ROAD AND TO REPRESENT HOW THE BUILDING WILL BE HIDDEN FROM VIEW ALONG BEE CAVE ROAD***



VIEWS FROM THE SOUTH PROPERTY LINE

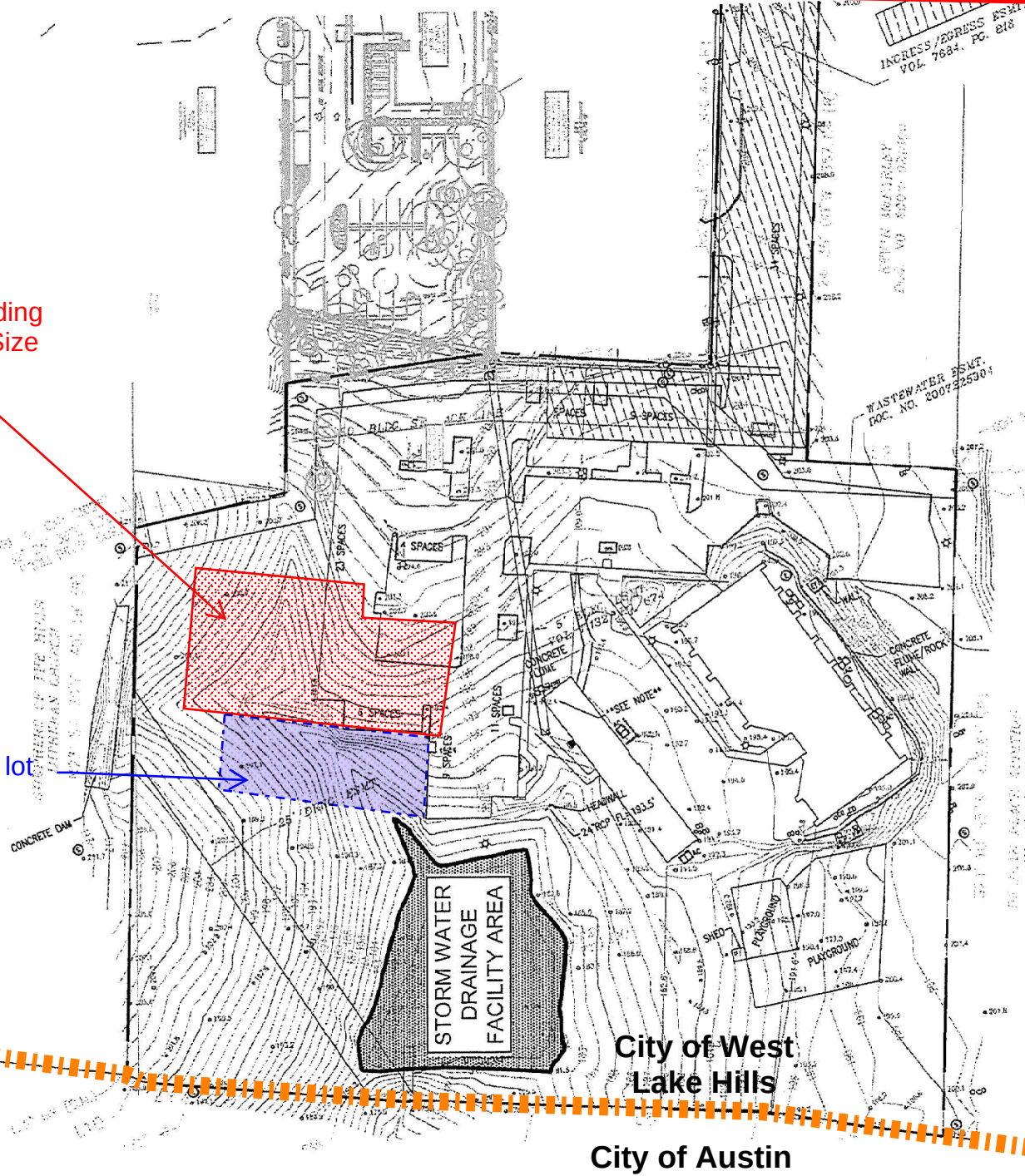
**Intended to show heavy foliage between the proposed building and the homes as well as the drainage easement*



EXHIBIT C

Proposed Building
Location and Size

Proposed Parking lot



**Southwest Engineers
Inc.**



142 Cimarron Park Ln
Buda, Texas 78610
(512) 312-4336

TBPE No.: 1909
www.swengineers.com

EXHIBIT C

STORM WATER DRAINAGE FACILITY

Date: 09/20/2016
File: Exhibit
Scale: 1:100
Tech: DED
Project No.: 0562-002-15

3423 Bee Cave Rd - Structure Map





3423 Bee Cave - Feasibility Study

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

CAUSMG

Austin, Texas

Spring 2021

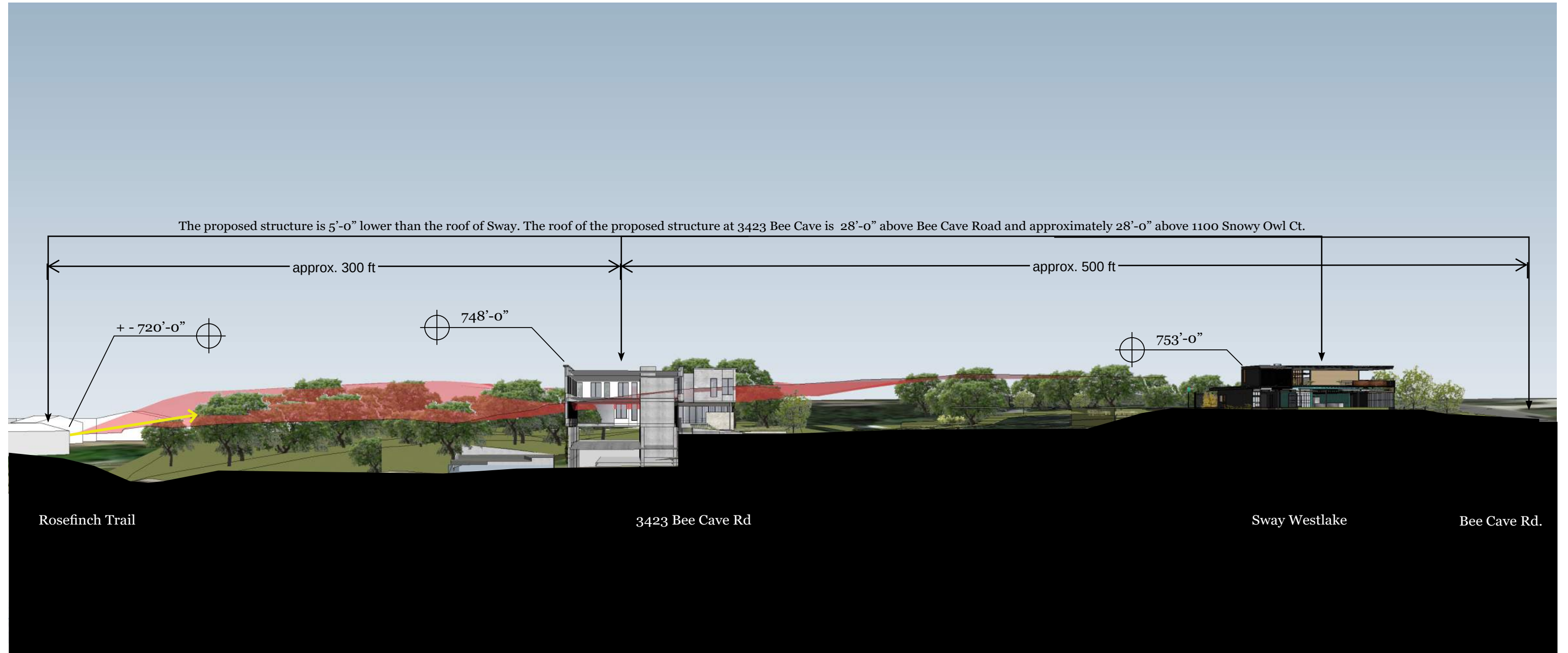
Cover



1100 Snowy Owl Court- B5 (With Parking)



Proposed
Building



Site Section - Opt B5



February 5, 2021

Peter Navarte
Vice President of Development
Central Austin Management Group
701 South Lamar Boulevard, Suite C
Austin, TX 78704
(512) 563-6707
pnavarte@causmg.com

RE: 3423 Bee Caves Road Traffic Assessment

Dear Mr. Navarte,

This report presents an assessment of traffic conditions at and around the 3423 Bee Caves Road site (Project) in the City of West Lake Hills. This analysis considers current conditions and proposed conditions with the site plan modifications currently under consideration and was conducted to identify potentially significant impacts of the proposed Project on the surrounding transportation system and recommend mitigation measures, if necessary.

EXECUTIVE SUMMARY

The proposed addition of 30,000 square feet of medical office space in place of some existing surface parking would not change the access to the property, which is shared with other adjacent uses. This analysis assumed that all uses included on all three properties, which include a preschool, dance studio, and beauty/salon service, are active at the same time during the morning and afternoon peak hours, though that is unlikely to occur.

The applicant has stated that the school hours are from 7:00 AM to 4:00 PM and that the studios are more widely used in the evenings and on weekends. The future medical office space is intended as dental offices that will be appointment only and operating from 9:00 AM to 5:00 PM, typically outside of the peak hours of the surrounding roadways. All told, the analysis in this memorandum is conservative in its depiction of anticipated traffic volumes, including the manner in which 2020 data collected for the project were adjusted to account for the COVID-19 pandemic.

Within this analysis, the surrounding intersections along Bee Caves Road (FM 2244) are not expected to be impacted by the additional traffic to this location. This also assumes that these offices are not relocated from other locations within West Lake Hills, and that all traffic to these offices are new to Bee Caves Road (FM 2244). The eastern access driveway is anticipated to degrade to LOS F with a maximum queue of up to five vehicles during the PM peak hour. There are two potential improvements to this location: a) widen the outbound approach to provide a left-turn lane and right-turn lane to better serve outbound vehicles, or b) provide internal wayfinding signage directing those parking at the new building to use the western driveway to access Bee Caves Road (FM 2244). The wayfinding signage would help better use existing capacity. Because there are no anticipated impacts to the public right-of-way, it could be worthwhile to observe changes when the building is occupied to determine the appropriate course of action.



PROJECT DESCRIPTION

The site currently contains 24,508 square feet of office building per the Travis County Appraisal District. It sits behind two other properties that it shares access with:

- 3437 Bee Cave Road (Sway Thai Restaurant): 3,360 square feet
- 3425 Bee Cave Road (Bee Cave Center Offices): 14,215 square feet

In total, there are three access driveways, which provided shared access across the three properties. The eastern most driveway has signage that it is for the 3423 Bee Cave Road property. The building currently services a private pre-school.

The proposed Project would include construction of a two-story, 30,000-square foot building that would provide space for medical offices in place of some of the existing surface parking. No changes to the property access are proposed.

For the purposes of this assessment, data were collected at the two adjacent signalized intersections (Bee Caves Road (FM 2244) / Walsh Tarlton Lane / WestBank Market Driveway and Bee Caves Road (FM 2244) / Beaver Trail / Westwood Terrace) and the three driveway locations. Each were analyzed under the current conditions and re-assessed with the proposed changes as a result of the Project.

Attachment 1 shows the location of the Project site, the surrounding transportation network, and study intersections/locations. **Attachment 2** shows the Project site plan.



ANALYSIS METHODOLOGY

Operational traffic analyses focus on intersections rather than roadway segments, due to the capacity constraints typically at intersections. The operational performance of a roadway network is commonly described with the term Level of Service (LOS). LOS is a qualitative description of operating conditions, ranging from LOS A (free flow traffic conditions with little or no delay) to LOS F (oversaturated conditions where traffic flows exceed design capacity, resulting in long queues and delays). The LOS analysis methods outlined in the 6th Edition of the *Highway Capacity Manual* (Transportation Research Board, 2016) were used in this study. The *HCM* methods for calculating LOS for signalized and unsignalized intersections are described below.

SIGNALIZED INTERSECTIONS

Traffic operations at signalized intersections were evaluated using the LOS method described in Chapter 18 of the *Highway Capacity Manual*. The Synchro software package was used to model traffic conditions throughout the Project study area. Synchro is a macrosimulation tool that uses deterministic equations to evaluate operations at an intersection. A signalized intersection's LOS is based on the weighted average control delay measured in seconds per vehicle. Control delay includes initial deceleration delay, queue move-up time (if multiple cycles are needed to clear the intersection), stopped delay, and final acceleration.

Table 1 summarizes the relationship between the control delay and LOS for signalized intersections.

TABLE 1: SIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINITIONS

Level of Service	Description	Average Control Delay (seconds)
A	Operations with very low delay occurring with good traffic signal progression and/or short cycle lengths.	< 10
B	Operations with low delay occurring with good progression and/or short cycle lengths.	> 10 to 20
C	Operations with average delays resulting from fair progression. Individual cycle failures begin to appear.	> 20 to 35
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	> 35 to 55
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	> 55 to 80
F	Operations with delays unacceptable to most drivers occurring due to over-saturation.	> 80

Source: *Highway Capacity Manual*, Transportation Research Board, 2016.



UNSIGNALIZED INTERSECTIONS

In Chapters 19 and 20 of the Transportation Research Board's 2016 *Highway Capacity Manual*, the LOS for unsignalized intersections (side-street or all-way stop controlled intersections) are also defined by the average control delay per vehicle (measured in seconds). The control delay incorporates delay associated with deceleration, acceleration, stopping, and moving up in the queue. For side-street stop-controlled intersections, delay is calculated for each stop-controlled movement and for the uncontrolled left turns, if any, from the main street.

The delay and LOS for the intersection as a whole and for the worst approach are reported for side-street stop intersections. **Table 2** summarizes the relationship between delay and LOS for unsignalized intersections. The delay ranges for unsignalized intersections are lower than for signalized intersections as drivers expect less delay at unsignalized intersections.

TABLE 2: UNSIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINITIONS

Level of Service	Description	Average Control Delay Per Vehicle (Seconds)
A	Little or no delay.	≤ 10.0
B	Short traffic delays.	10.1 to 15.0
C	Average traffic delays.	15.1 to 25.0
D	Long traffic delays.	25.1 to 35.0
E	Very long traffic delays.	35.1 to 50.0
F	Extreme traffic delays with intersection capacity exceeded.	> 50.0

Source: *Highway Capacity Manual*, Transportation Research Board, 2016.

SIGNIFICANT IMPACT CRITERIA

The City of Westlake Hills considers LOS A through D to be acceptable and LOS E and F to be unacceptable. TxDOT also follows this standard for their facilities, and Bee Caves Road (FM 2244) is operated by TxDOT. The impacts of the Project were evaluated by comparing the results of the level of service calculations of the Build Conditions to the results of the Existing Conditions. If the Build LOS for an intersection is LOS A, B, C, or D, the threshold is a degradation to LOS E or LOS F. If the Build LOS for an intersection is LOS E or F, then the threshold is a one percent increase in delay or traffic volumes at the intersection.



STUDY AREA

Project impacts on the study area roadway facilities were determined by measuring the effect Project traffic would have on intersection operations during the morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak periods, when traffic volumes on the surrounding roadways are highest.

Two external intersections were selected as the study location, in addition to the three existing driveways. These intersections represent the locations most likely to experience traffic impacts associated with the Project. The study intersections are:

1. Bee Caves Road (FM 2244) / Walsh Tarlton Lane / WestBank Market Driveway
2. Bee Caves Road (FM 2244) / Eastern Driveway (3423 Bee Caves Road access)
3. Bee Caves Road (FM 2244) / Central Driveway (3425 Bee Caves Road access)
4. Bee Caves Road (FM 2244) / Western Driveway (3437 Bee Caves Road access)
5. Bee Caves Road (FM 2244) / Beaver Trail / Westwood Terrace

ANALYSIS SCENARIOS

The operations of the study intersections were evaluated during the weekday morning (AM) and weekday evening (PM) peak hours for the following two scenarios:

Scenario 1: Existing Conditions – Existing volumes obtained from counts collected in December of 2020

Scenario 2: Build Conditions – Scenario 1 volumes plus traffic generated by the proposed Project

EXISTING CONDITIONS

Regional vehicular access to the Project area is likely to be provided by TX-360 and TX-1, while local access is to be provided by Bee Caves Road (FM 2244) and adjacent streets local to the City of West Lake Hills.

Bee Caves Road (FM 2244) is a five-lane arterial connecting TX-1 in the east to TX-71 and the Hill Country Galleria in the west. Adjacent to the Project, Bee Caves Road (FM 2244) has a posted speed limit of 40 miles per hour (mph). The existing roadway provides sidewalks and narrow unmarked shoulders that could operate as Class II bicycle lanes; the shoulders range from three- to five-feet wide in the vicinity of the Project. The roadway has two travel lanes in each direction and a two-way left-turn lane with no median separation. It was recently improved to this condition after serving as a four-lane roadway with no sidewalks or shoulders.



EXISTING INTERSECTION VOLUMES AND LANE CONFIGURATIONS

Weekday morning (7:00 to 9:00 AM) and evening (4:00 to 6:00 PM) peak period intersection turning movement counts were conducted at the study locations. Counts were conducted in December of 2020.

Detailed count data are contained in **Attachment 3**. Overall, the hour with the highest traffic volumes at each intersection was identified as the peak hour for the purposes of a conservative analysis. All heavy vehicle, pedestrian, bicycle and peak hour factor data were updated with the chosen peak hours.

Traffic counts from 2017 at the intersection of (#1) Bee Caves Road (FM 2244) / Walsh Tarlton Lane / WestBank Market Driveway indicate that current counts are 17 percent lower in the AM peak hour and eight percent lower in the PM peak hour, likely as a result of the COVID-19 pandemic. Rather than adjust individual volumes, the results were checked by increasing all volumes in the public right-of-way by 20 percent; the same results and recommendations would be made with these volumes, and for the purposes of clarity the volumes collected in 2020 are shown throughout this document.

Existing lane configurations were obtained through data collection observations. The peak hour volumes are presented in **Attachment 4** with the existing lane configurations and traffic control devices (stops signs or traffic signals). Attachment 4 omits the Central Driveway intersection as the lowest volume driveway at the site.



EXISTING INTERSECTION LEVELS OF SERVICE

The results of the LOS analysis for Existing Conditions are presented in **Table 3. Attachment 5** contains the corresponding Synchro output sheets, which show the delay (and corresponding level of service), volume-to-capacity (v/c) ratio, and 95th percentile queue length for each movement. The results of the LOS calculations indicate that both study intersections operate acceptably during both peak hours.

TABLE 3: EXISTING INTERSECTION LEVELS OF SERVICE

	Intersection	Control	Peak Hour ¹	Existing Conditions	
				Delay ²	LOS ³
1	Bee Caves Road (FM 2244) / Walsh Tarlton Lane / WestBank Market Driveway	Signal	AM PM	21.7 21.8	C C
2	Bee Caves Road (FM 2244) / Eastern Driveway	SSSC	AM PM	0.4 (16.5) 1.0 (29.2)	A (C) A (D)
3	Bee Caves Road (FM 2244) / Central Driveway	SSSC	AM PM	0.0 (0.0) 0.1 (15.1)	A (A) A (C)
4	Bee Caves Road (FM 2244) / Western Driveway	SSSC	AM PM	0.1 (23.7) 0.2 (21.3)	A (C) A (C)
5	Bee Caves Road (FM 2244) / Beaver Trail / Westwood Terrace)	Signal	AM PM	5.6 5.5	A A

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Entire intersection weighted average control delay expressed in second per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst approach is also presented in parentheses for side-street stop-controlled intersections.
3. LOS = Level of Service. LOS calculations conducted using the Synchro level of service analysis software package, which applies the method described in the Highway Capacity Manual.

SSSC = Side-street stop-controlled intersections

Bold text indicates intersection operates at a deficient Level of Service.

Source: WGI, 2020.



TRIP GENERATION, DISTRIBUTION AND ASSIGNMENT

This section presents the method used to estimate the amount of traffic generated by the proposed development and how it will be distributed to the roadway system. The amount of traffic added to the roadway system is estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. The first step estimates the amount of traffic added to the roadway network. The second step estimates the directions of travel to and from the Project site. The new trips are then assigned to specific street segments and intersection turning movements during the third step. The results of the process are described as follows.

Currently-accepted methodologies, such as the rates provided by the 10th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, are primarily based on data collected at suburban, single-use, freestanding sites. Given the characteristics of the project and the surrounding transportation network and land uses, these rates are appropriate for this Project.

Table 4 summarizes the estimated trip generation for the proposed medical office building for a typical weekday. As shown in Table 5, the Project is estimated to generate 1,065 daily external vehicle trips, with 76 of those trips occurring during the AM peak hour and 104 trips during the PM peak hour.

TABLE 4: PROJECT TRIP GENERATION SUMMARY – NEW BUILDING

Description	Units	Daily	Weekday AM Peak			Weekday PM Peak		
		Total	In	Out	Total	In	Out	Total
Medical/Dental Office Building (ITE Code 720)	30,000 square feet	1,065	60	16	76	29	75	104

Notes:

- Medical/Dental Office Building (Category 720) – General Urban/Suburban
Daily: $T = 38.42 * X - 87.62$
AM: $LN(T) = 0.89 * LN(X) + 1.31$; 78% In, 22% Out
PM: $T = 3.39 * X + 2.02$; 28% In, 72% Out
Where T = Number of Vehicle trips, X = Thousands of Square Feet (kSF)
Source: ITE *Trip Generation Manual* (10th Edition). WGI, 2020.



Table 5 summarizes the collected trip generation data for the three driveways. As shown in Table 5, the three driveways currently serve roughly 99 AM peak hour trips and 202 PM peak hour trips. Based on ITE *Trip Generation Manual* for office and restaurant uses, anticipated trip generation for the site would be 712 daily trips, 53 AM peak hour trips, and 77 PM peak hour trips. Some of the office space is currently leased by a preschool, dance studio, and beauty/salon services, which could generate more traffic than typical office space.

TABLE 5: PROJECT TRIP GENERATION SUMMARY – EXISTING

Description	Weekday AM Peak			Weekday PM Peak		
	In	Out	Total	In	Out	Total
<i>Existing Driveways (3423, 3425, 3437 Bee Caves Road)</i>						
<i>Eastern Driveway</i>	43	39	82	45	74	119
<i>Central Driveway</i>	1	0	1	38	1	39
<i>Western Driveway</i>	7	9	16	26	18	44
Total	51	48	99	109	93	202

Source: WGI, 2020.

TRIP DISTRIBUTION AND ASSIGNMENT

Trip distribution is defined as the directions of approach and departure that vehicles would use to arrive at and depart from the site. Existing counts collected at the intersections of Bee Caves Road (FM 2244) were used to help determine trip distribution percentages for the Project. The general directions of approach and departure for the AM and PM peak hours, are summarized below in **Table 6**. Overall, the majority of vehicles are anticipated to travel to/from Bee Caves Road (FM 2244) toward the regional freeways and the residential sections of West Lake Hills.

TABLE 6: TRIP DISTRIBUTION

Location (Gateway)	Trip Distribution
Bee Caves Road (FM 2244) (West)	35%
Bee Caves Road (FM 2244) (East)	60%
Walsh Tarlton Lane (South)	5%

Source: WGI, 2020.

The Project trips were assigned to the roadway system based on the directions of approach and departure discussed above. Attachment 4 shows the number of net new Project trips assigned to each turning movement at each study intersection. To provide a conservative analysis of driveway operations, all trips to/from the Project were assigned to the eastern driveway.



PROJECT IMPACT EVALUATION

This section presents the results of the level of service calculations under Build Conditions. Build Conditions are defined as Existing Conditions plus net new traffic generated by the proposed Project.

Net new site trips from the Project presented previously were added to Existing Conditions volumes to develop the traffic volumes for Build Conditions. The resulting volumes are shown on Attachment 4.

Attachment 6 contains the corresponding Synchro output reports generated for the Build Conditions scenario.

INTERSECTION AND ROADWAY IMPACTS

Intersections operations under Build Conditions for both Scenarios are summarized in **Table 7**. Based on the impact criteria cited earlier, no existing signalized intersection would be anticipated to be impacted by the Project.

The eastern Project driveway is anticipated to degrade to LOS F with a maximum queue of up to five vehicles during the PM peak hour. There are two potential improvements to this location: a) widen the outbound approach to provide a left-turn lane and right-turn lane to better serve outbound vehicles, or b) provide internal wayfinding signage directing those parking at the new building to use the western driveway to access Bee Caves Road (FM 2244).

The additional capacity would help keep queues down, and the wayfinding signage would help better use existing capacity between these uses. Additionally, there are no anticipated impacts to the public right-of-way, and it could be worthwhile to observe changes when the building is occupied to determine the appropriate course of action.



TABLE 7: BUILDOUT INTERSECTION LEVELS OF SERVICE

	Intersection	Control	Peak Hour ¹	Existing Conditions		Buildout Conditions	
				Delay ²	LOS ³	Delay ²	LOS ³
1	Bee Caves Road (FM 2244) / Walsh Tarlton Lane / WestBank Market Driveway	Signal	AM PM	21.7 21.8	C C	22.1 22.1	C C
2	Bee Caves Road (FM 2244) / Eastern Driveway	SSSC	AM PM	0.4 (16.5) 1.0 (29.2)	A (C) A (D)	0.8 (19.4) 1.0 (57.2)	A (C) A (F)
3	Bee Caves Road (FM 2244) / Central Driveway	SSSC	AM PM	0.0 (0.0) 0.1 (15.1)	A (A) A (C)	0.0 (0.0) 0.1 (15.1)	A (A) A (C)
4	Bee Caves Road (FM 2244) / Western Driveway	SSSC	AM PM	0.1 (23.7) 0.2 (21.3)	A (C) A (C)	0.1 (24.1) 0.2 (21.5)	A (C) A (C)
5	Bee Caves Road (FM 2244) / Beaver Trail / Westwood Terrace	Signal	AM PM	5.6 5.5	A A	5.6 5.5	A A

Notes:

1. AM = morning peak hour, PM = evening peak hour
2. Entire intersection weighted average control delay expressed in second per vehicle for signalized intersections and all-way stop-controlled intersections. Total control delay for the worst approach is also presented in parentheses for side-street stop-controlled intersections.
3. LOS = Level of Service. LOS calculations conducted using the Synchro level of service analysis software package, which applies the method described in the Highway Capacity Manual.

SSSC = Side-street stop-controlled intersections

Bold text indicates intersection operates at a deficient Level of Service.

Source: WGI, 2020.

If you have any questions, comments, or concerns regarding the analysis or recommendations, please contact Dan Hennessey at (512) 669-5560 or dan.hennessey@wginc.com.

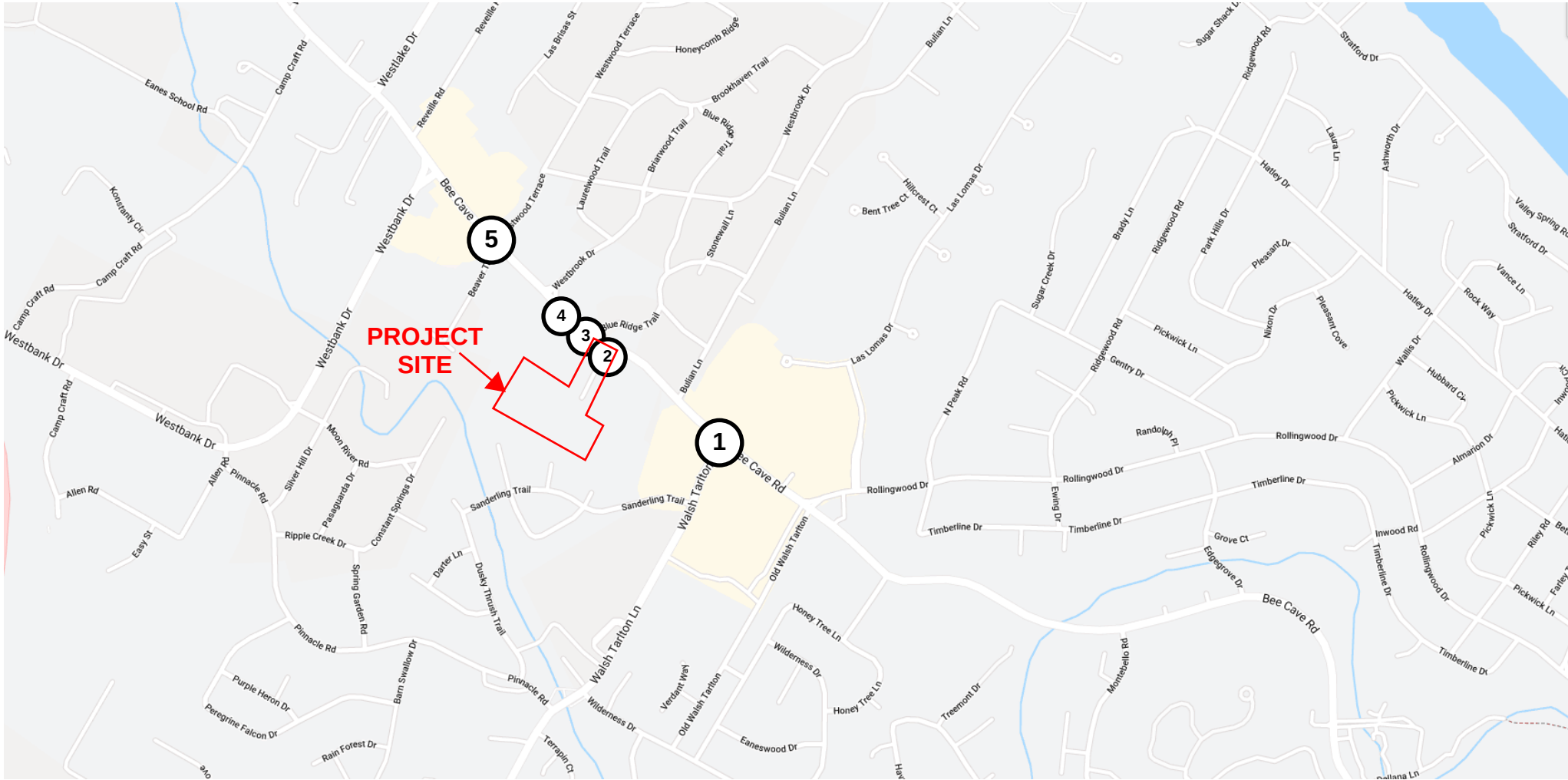
Sincerely,

WGI, Inc.

Dan Hennessey, P.E., PTOE
Director, Mobility

Attachments

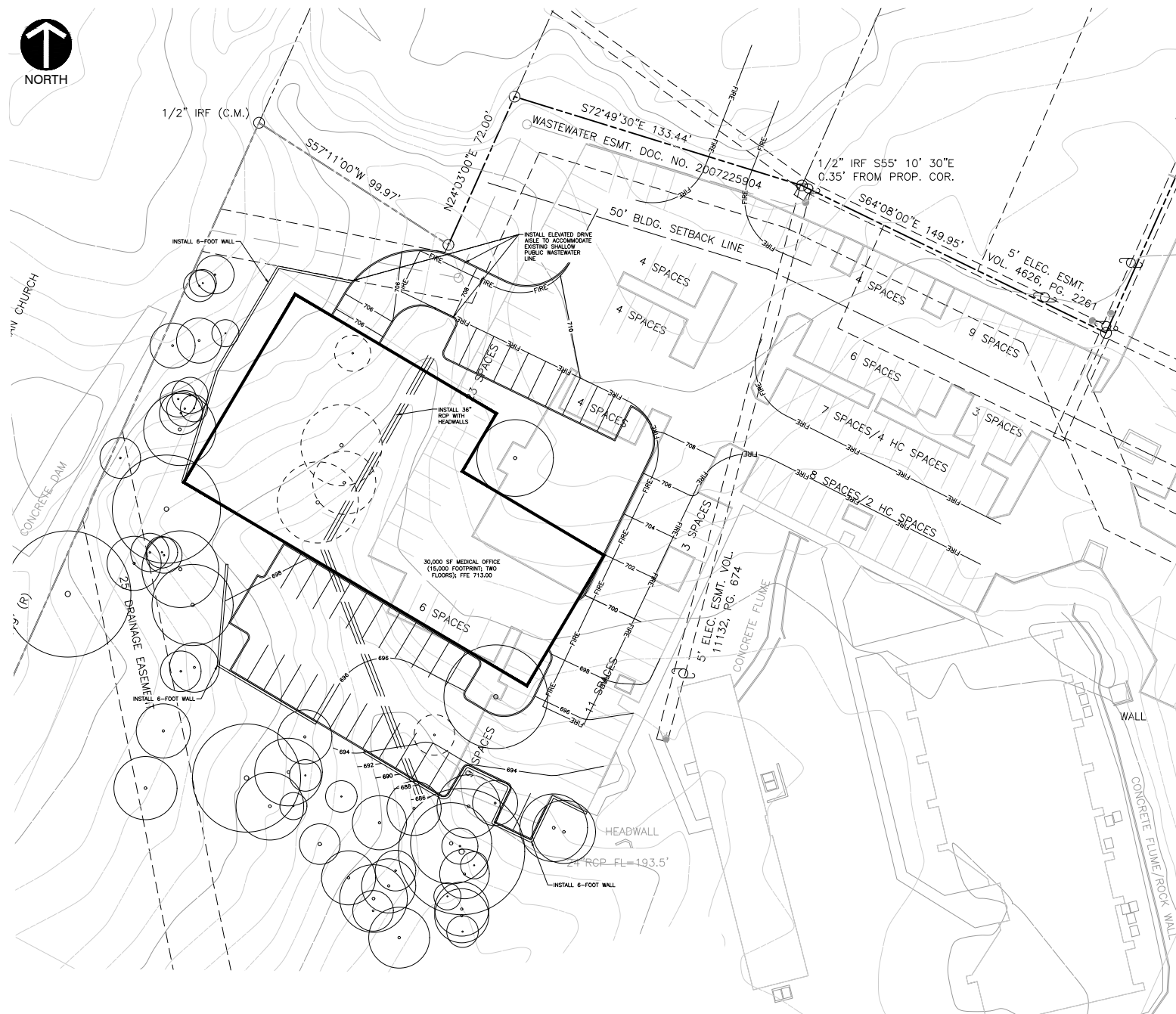
- Attachment 1 – Project Study Area and Intersections
- Attachment 2 – Project Site Plan
- Attachment 3 – Traffic Count Data
- Attachment 4 – Lane Configurations, Traffic Controls, and Peak Hour Traffic Volumes – Existing Conditions
Project Trip Assignment
Lane Configurations, Traffic Controls, and Peak Hour Traffic Volumes – Buildout Conditions
- Attachment 5 – Synchro Worksheets – Existing Conditions
- Attachment 6 – Synchro Worksheets – Buildout Conditions



① = STUDY INTERSECTION



Attachment 1 Project Study Area and Intersections

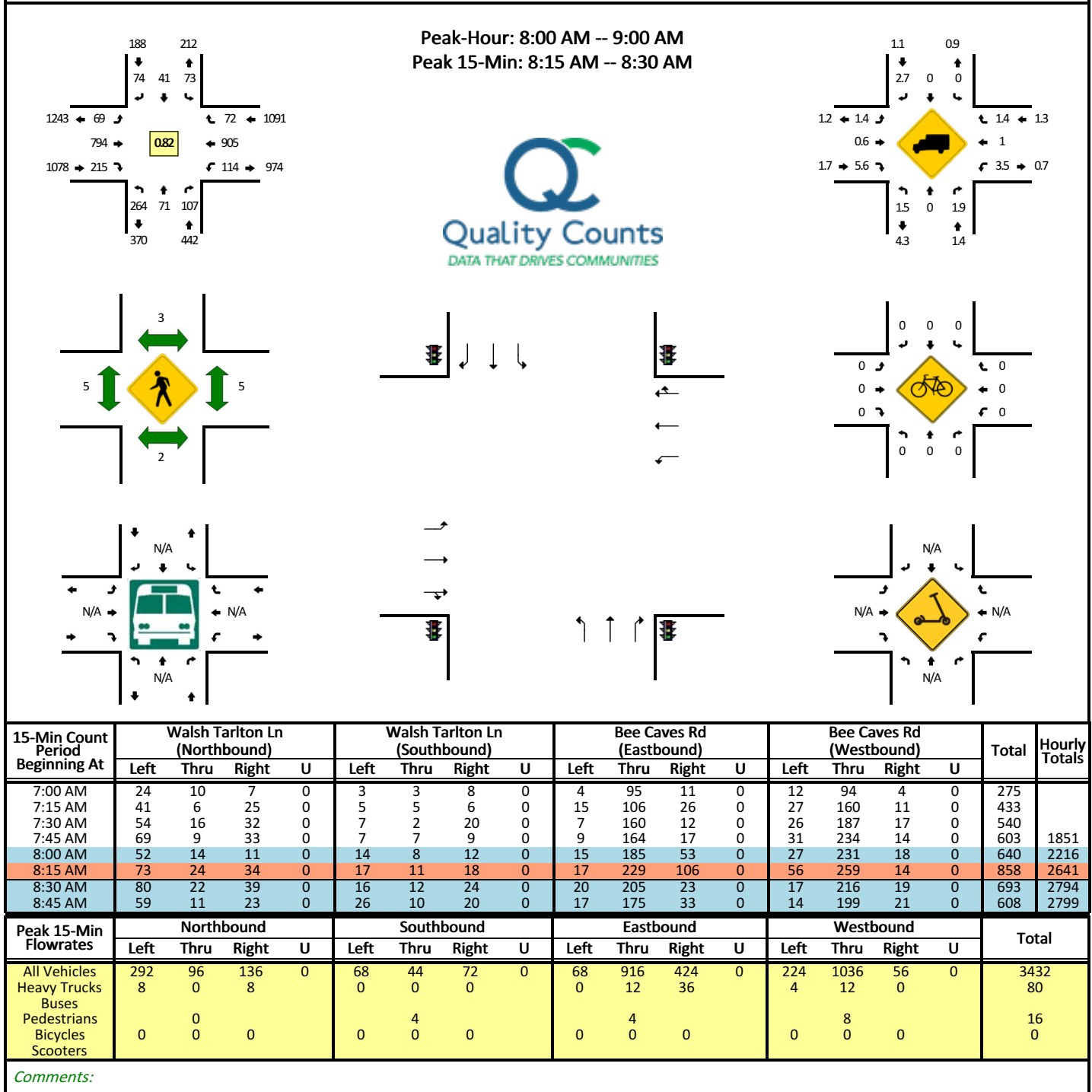


Attachment 2
Project Site Plan



LOCATION: Walsh Tarlton Ln -- Bee Caves Rd
CITY/STATE: Austin, TX

QC JOB #: 15327501
DATE: Wed, Dec 2 2020

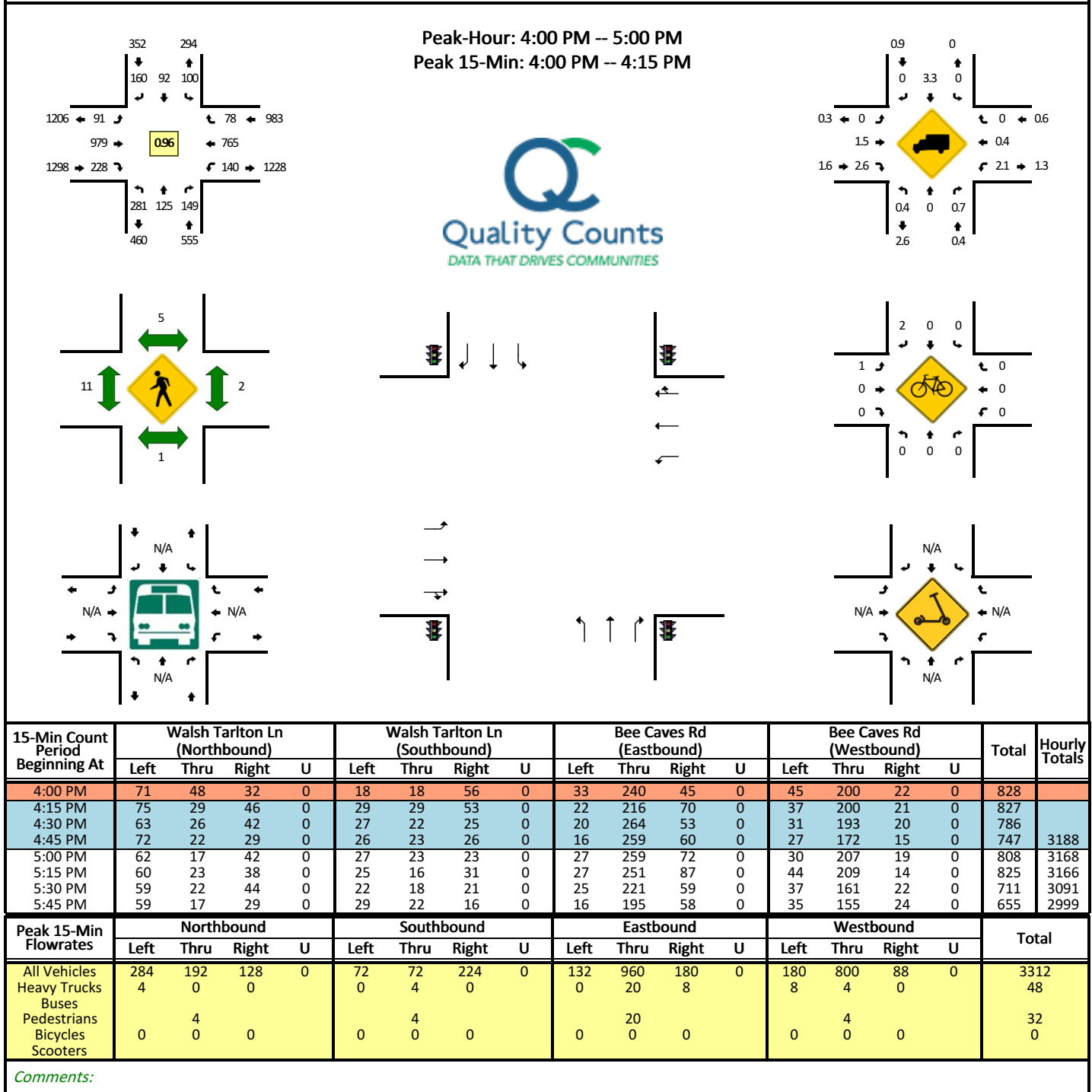


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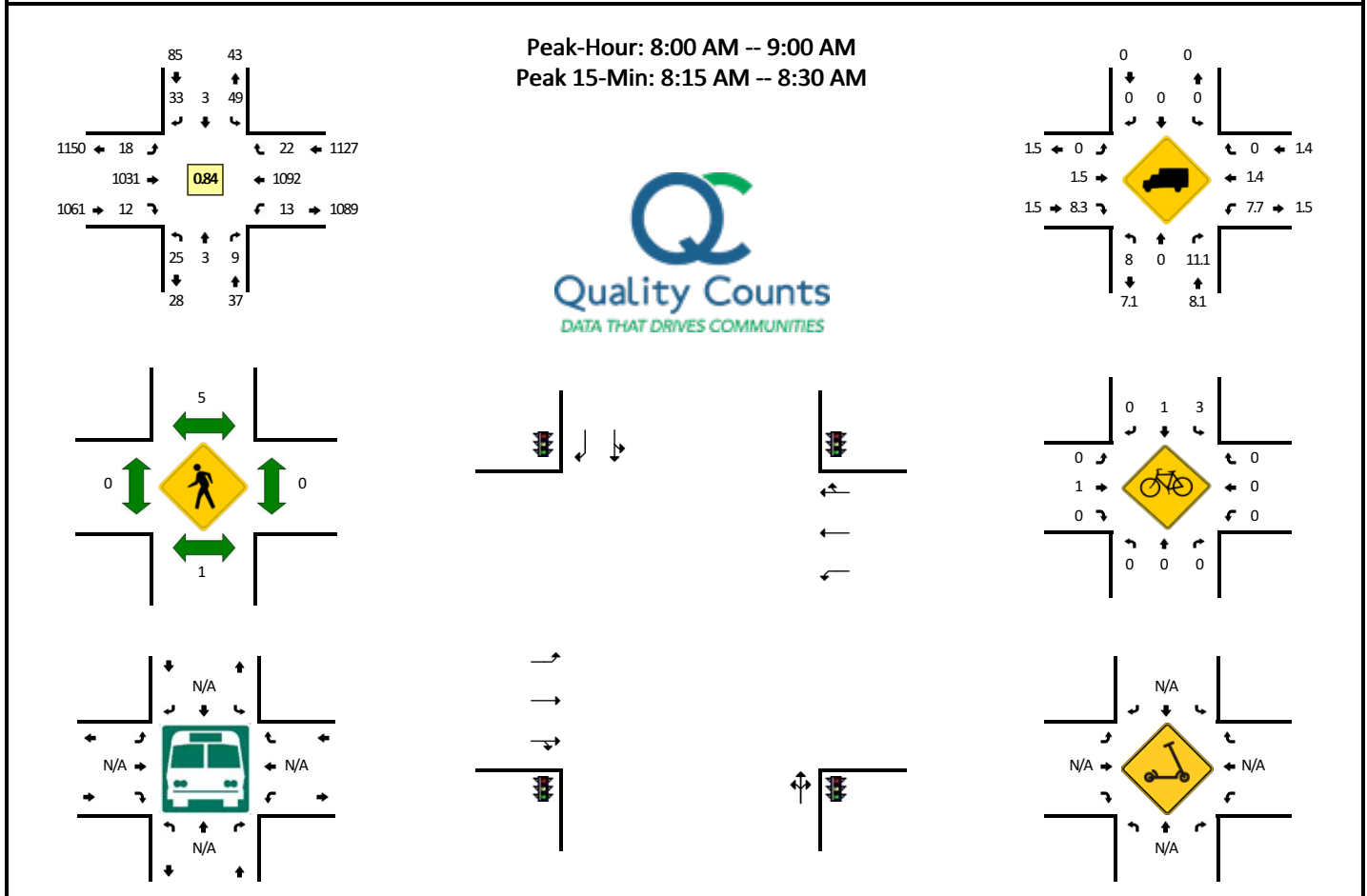
LOCATION: Walsh Tarlton Ln -- Bee Caves Rd
CITY/STATE: Austin, TX

QC JOB #: 15327502
DATE: Wed, Dec 2 2020



LOCATION: Beaver Trl -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327503
DATE: Wed, Dec 2 2020



15-Min Count Period Beginning At	Beaver Trl (Northbound)				Beaver Trl (Southbound)				Bee Caves Rd (Eastbound)				Bee Caves Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	1	1	1	0	4	0	4	0	0	98	0	0	0	101	1	0	211	
7:15 AM	1	0	0	0	5	0	14	0	2	149	0	0	0	173	3	0	347	
7:30 AM	0	0	4	0	6	0	13	0	10	180	2	0	2	222	7	0	446	
7:45 AM	7	0	0	0	4	1	7	0	2	181	2	0	2	274	7	0	487	1491
8:00 AM	6	0	3	0	11	0	5	0	5	241	2	0	1	266	4	0	544	1824
8:15 AM	8	0	4	0	18	0	8	0	4	328	4	0	4	303	5	0	686	2163
8:30 AM	5	0	1	0	9	0	13	0	3	237	3	0	4	275	9	0	559	2276
8:45 AM	6	3	1	0	11	3	7	0	6	225	3	0	4	248	4	0	521	2310
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	32	0	16	0	72	0	32	0	16	1312	16	0	16	1212	20	0	2744	
Heavy Trucks	4	0	4	0	0	0	0	0	0	36	4	0	4	8	0	0	60	
Buses																		
Pedestrians		0				0				0				0			0	
Bicycles	0	0	0		12	4	0		0	4	0		0	0	0		20	
Scoters																		

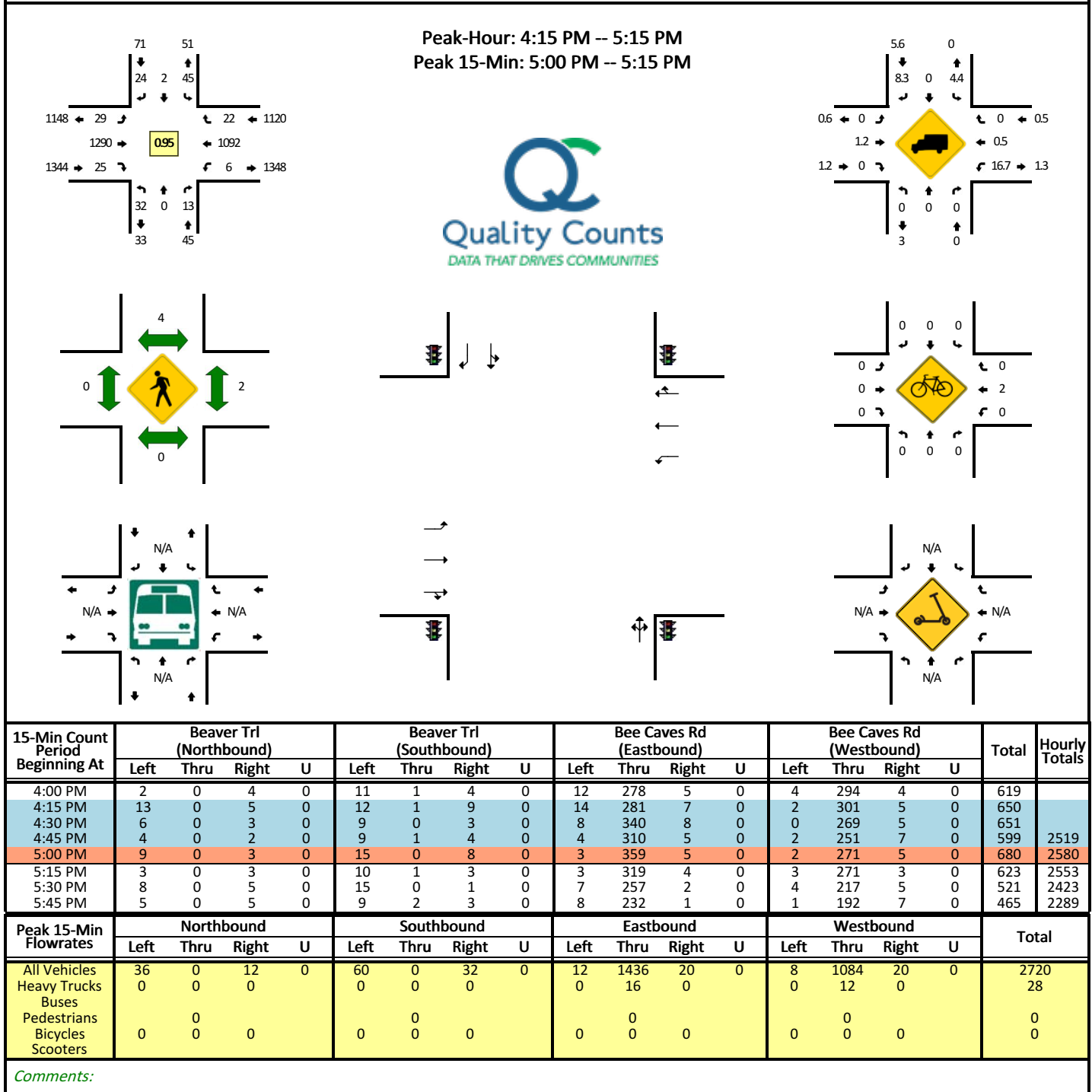
Comments:

Report generated on 12/8/2020 9:09 AM

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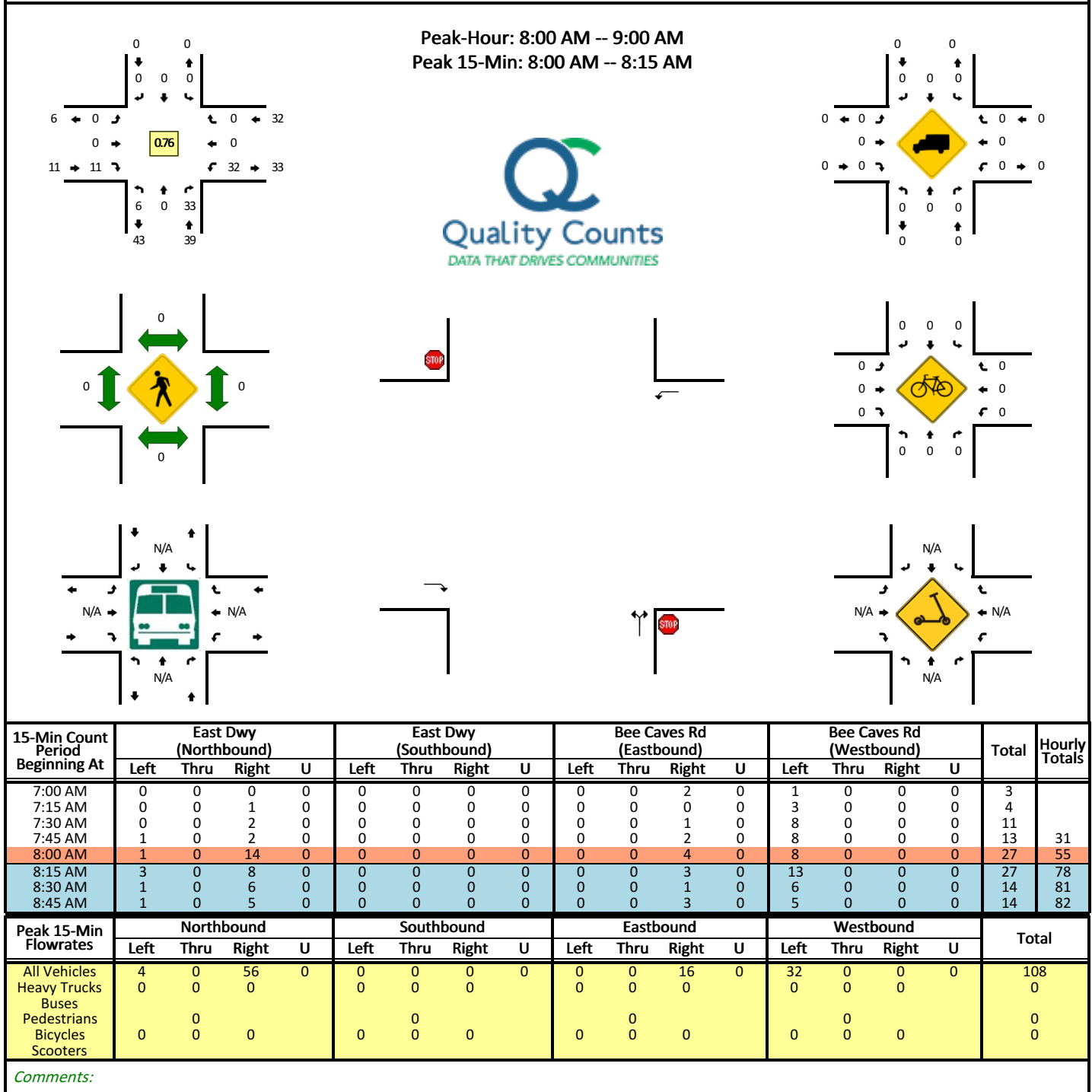
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CITY/STATE: West Lake Hills, TX

QC JOB #: 15327504
DATE: Wed, Dec 2 2020



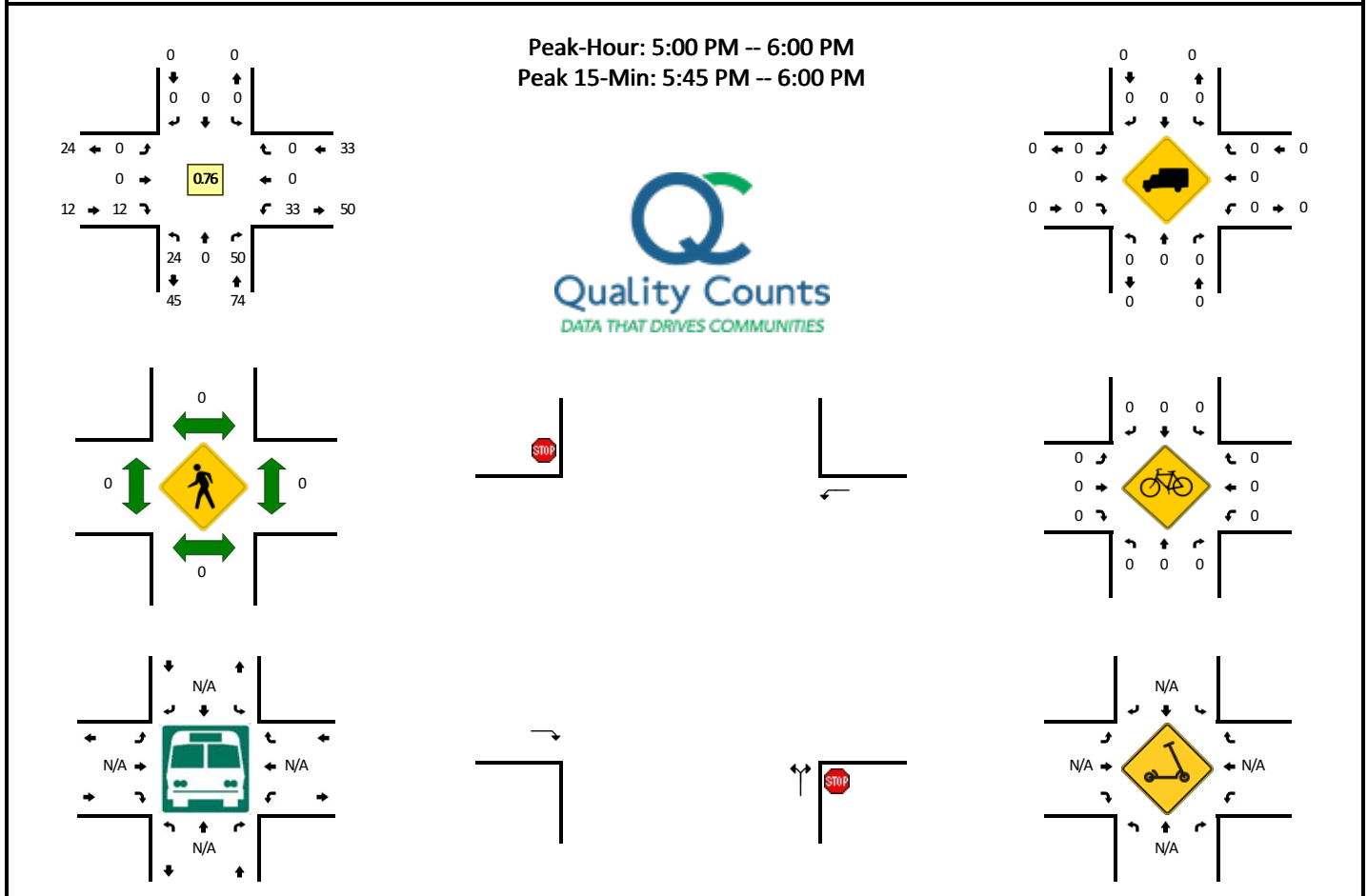
LOCATION: East Dwy -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327505
DATE: Wed, Dec 2 2020



LOCATION: East Dwy -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327506
DATE: Wed, Dec 2 2020



15-Min Count Period Beginning At	East Dwy (Northbound)				East Dwy (Southbound)				Bee Caves Rd (Eastbound)				Bee Caves Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	1	0	8	0	0	0	0	0	0	0	1	0	3	0	0	0	13	
4:15 PM	3	0	3	0	0	0	0	0	0	0	2	0	1	0	0	0	9	
4:30 PM	3	0	5	0	0	0	0	0	0	0	0	0	2	0	0	0	10	
4:45 PM	4	0	20	0	0	0	0	0	0	0	4	0	4	0	0	0	32	64
5:00 PM	5	0	6	0	0	0	0	0	0	0	5	0	7	0	0	0	23	74
5:15 PM	8	0	6	0	0	0	0	0	0	0	4	0	18	0	0	0	36	101
5:30 PM	3	0	9	0	0	0	0	0	0	0	3	0	6	0	0	0	21	112
5:45 PM	8	0	29	0	0	0	0	0	0	0	0	0	2	0	0	0	39	119
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	32	0	116	0	0	0	0	0	0	0	0	0	8	0	0	0	156	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Buses																		
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Scoters																		

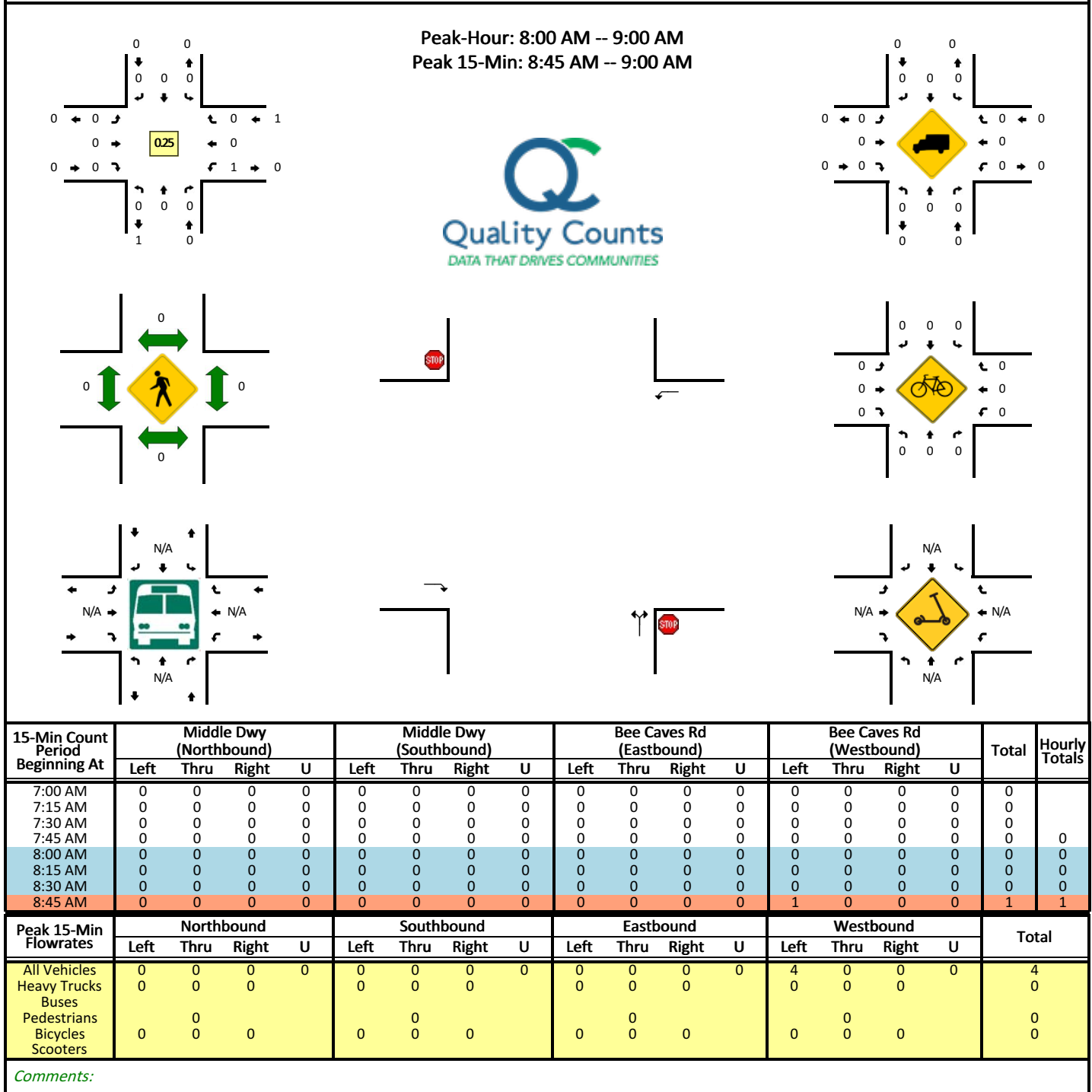
Comments:

Report generated on 12/8/2020 9:09 AM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

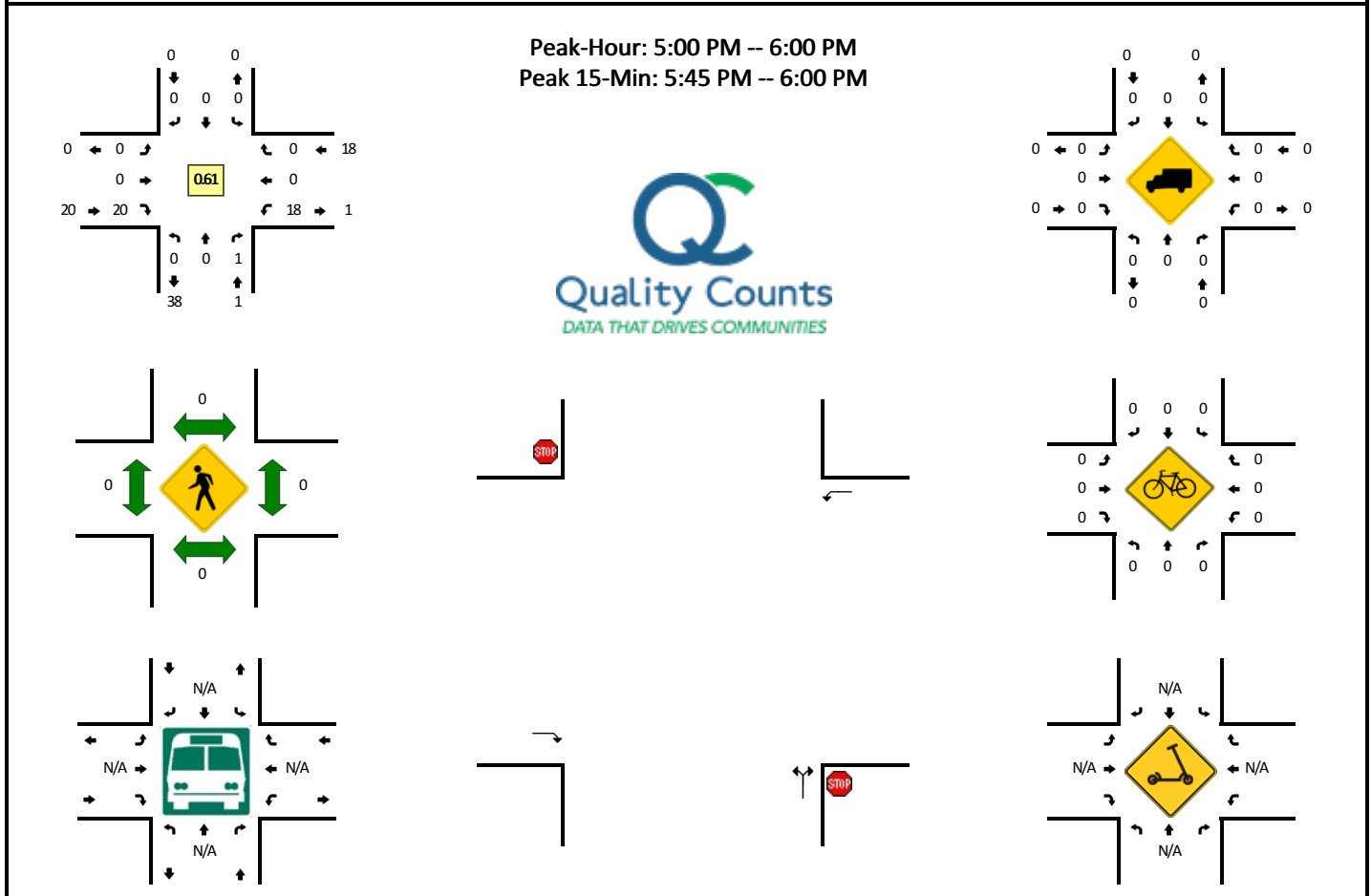
LOCATION: Middle Dwy -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327507
DATE: Wed, Dec 2 2020



LOCATION: Middle Dwy -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327508
DATE: Wed, Dec 2 2020



15-Min Count Period Beginning At	Middle Dwy (Northbound)				Middle Dwy (Southbound)				Bee Caves Rd (Eastbound)				Bee Caves Rd (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	5	
4:15 PM	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	2	
4:30 PM	0	0	0	0	0	0	0	0	0	0	6	0	1	0	0	0	7	
4:45 PM	1	0	0	0	0	0	0	0	0	0	7	0	2	0	0	0	10	24
5:00 PM	0	0	0	0	0	0	0	0	0	0	2	0	2	0	0	0	4	23
5:15 PM	0	0	0	0	0	0	0	0	0	0	8	0	5	0	0	0	13	34
5:30 PM	0	0	1	0	0	0	0	0	0	0	2	0	3	0	0	0	6	33
5:45 PM	0	0	0	0	0	0	0	0	0	0	8	0	8	0	0	0	16	39
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	0	0	0	0	0	0	0	0	32	0	32	0	0	0	64	
Heavy Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Buses																		
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Scoters																		

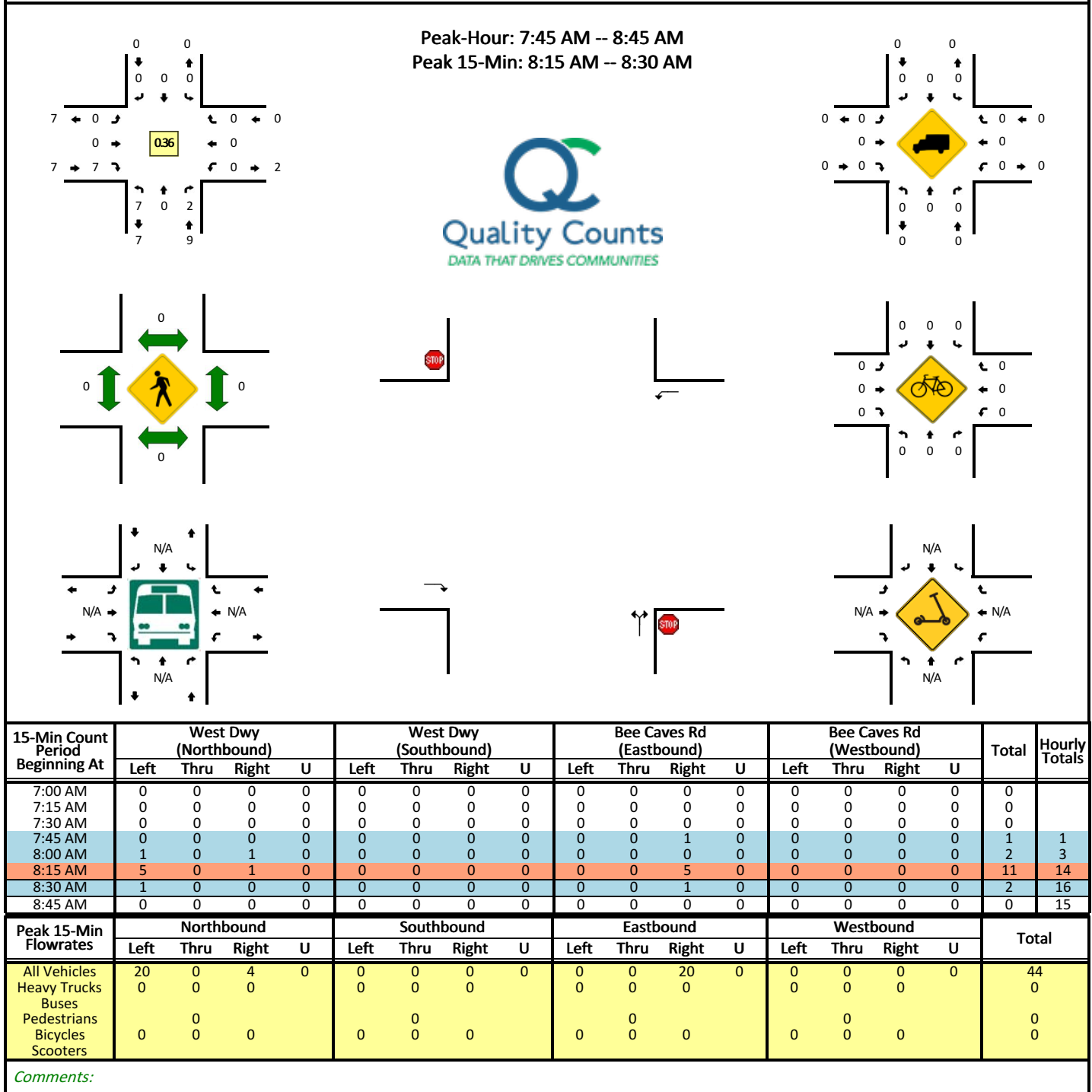
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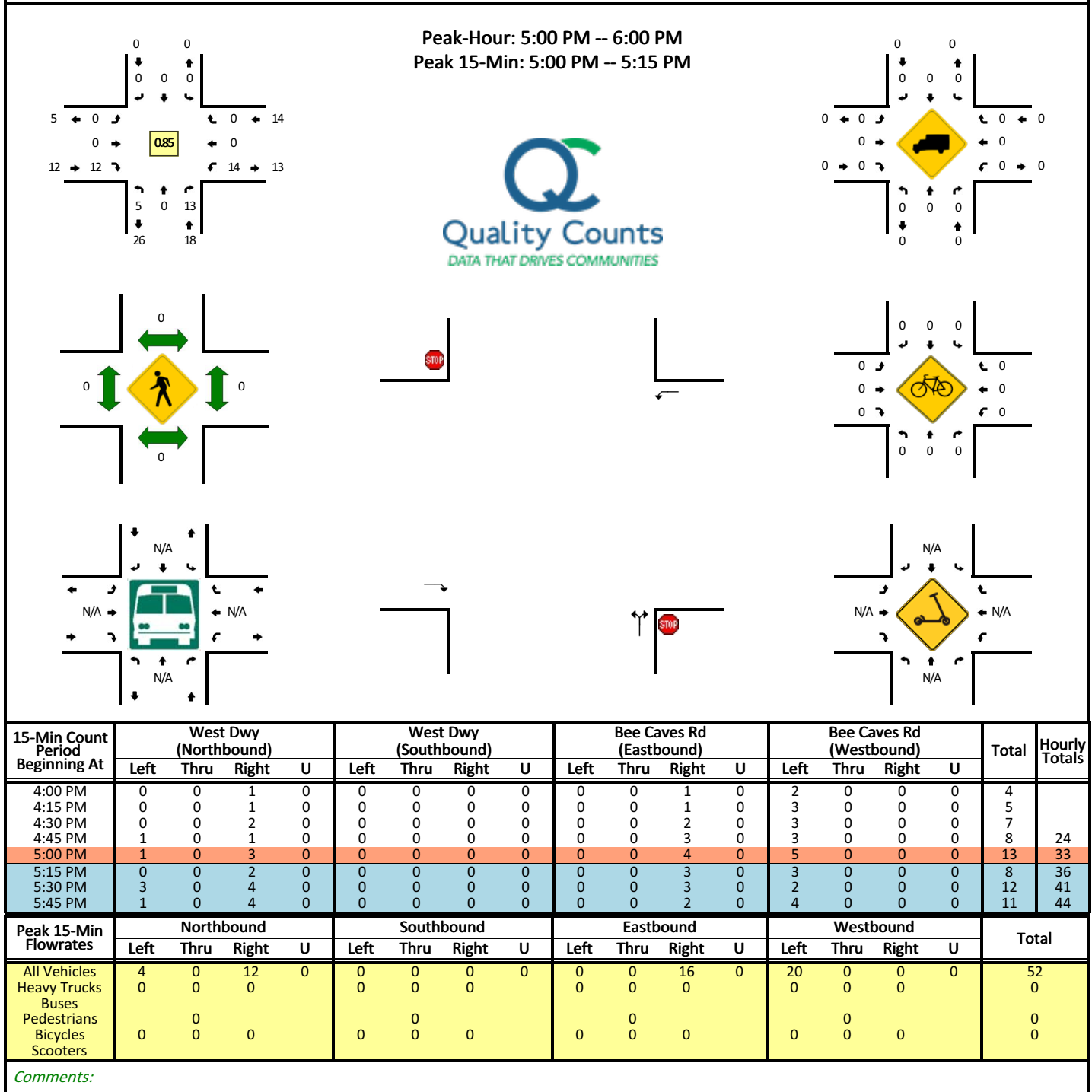
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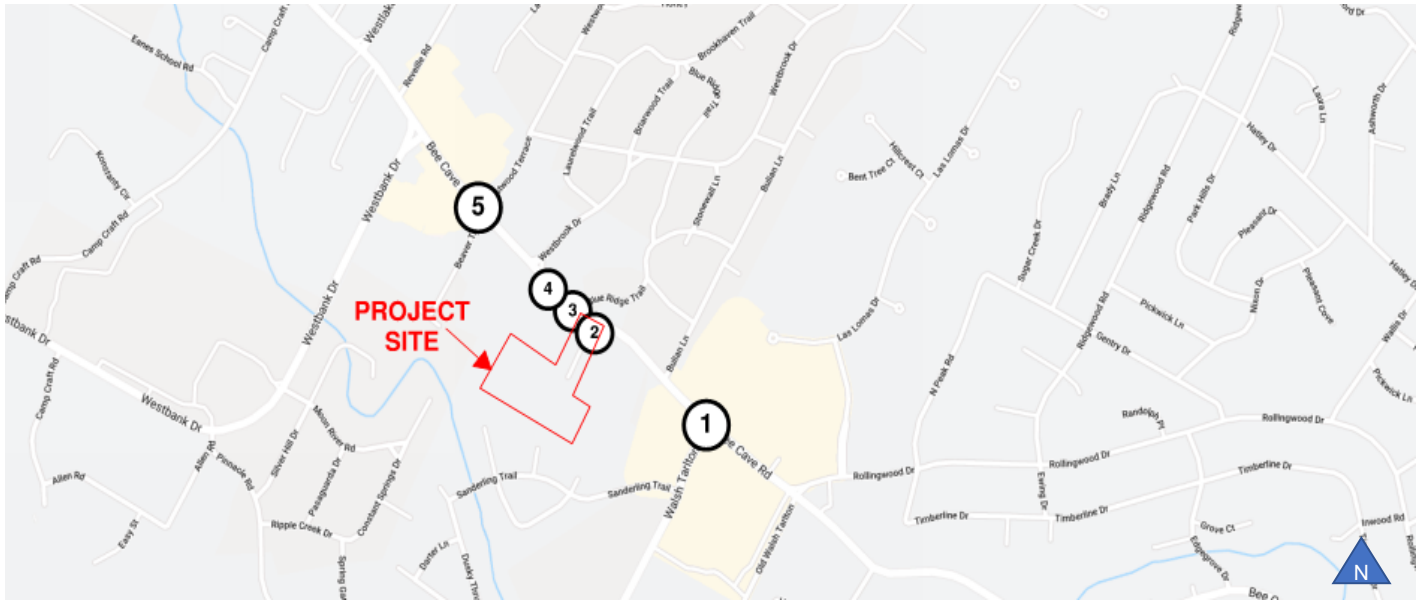
SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

LOCATION: West Dwy -- Bee Caves Rd
CITY/STATE: West Lake Hills, TX

QC JOB #: 15327509
DATE: Wed, Dec 2 2020



LOCATION: West Dwy -- Bee Caves Rd**CITY/STATE:** West Lake Hills, TX**QC JOB #:** 15327510**DATE:** Wed, Dec 2 2020



1. Walsh Tarlton Lane/Bee Caves Road	2. Eastern Driveway/Bee Caves Road	4. Western Driveway/Bee Caves Road	5. Westwood Terrace/Beaver Trail/Bee Caves Road
Bee Caves Road (FM 2244) Walsh Tarlton Lane 74 (160) 41 (92) 73 (100) 72 (78) 905 (765) 114 (140) 69 (91) 794 (979) 215 (228) 264 (281) 71 (125) 107 (149)	Bee Caves Road (FM 2244) 1,243 (1,206) 32 (33) 1,080 (1,330) 11 (12) 6 (24) 33 (50)	Bee Caves Road (FM 2244) 1,248 (1,198) 0 (14) 1,089 (1,348) 7 (12) 7 (5) 2 (13)	Bee Caves Road (FM 2244) Westwood Terrace Beaver Trail 33 (24) 3 (2) 49 (45) 22 (22) 1,092 (1,092) 13 (6) 18 (29) 1,031 (1,290) 12 (25) 25 (32) 3 (0) 9 (13)
1. Walsh Tarlton Lane/Bee Caves Road	2. Eastern Driveway/Bee Caves Road	4. Western Driveway/Bee Caves Road	5. Westwood Terrace/Beaver Trail/Bee Caves Road
Bee Caves Road (FM 2244) Walsh Tarlton Lane 36 (17) 9 (45) 1 (4) 3 (2)	Bee Caves Road (FM 2244) 39 (19) 21 (10) 6 (26) 10 (49)	Bee Caves Road (FM 2244) 6 (26) 21 (10)	Bee Caves Road (FM 2244) Westwood Terrace Beaver Trail 6 (26) 21 (10)
1. Walsh Tarlton Lane/Bee Caves Road	2. Eastern Driveway/Bee Caves Road	4. Western Driveway/Bee Caves Road	5. Westwood Terrace/Beaver Trail/Bee Caves Road
Bee Caves Road (FM 2244) Walsh Tarlton Lane 74 (160) 41 (92) 73 (100) 72 (78) 941 (782) 114 (140) 69 (91) 803 (1,024) 216 (232) 267 (283) 71 (125) 107 (149)	Bee Caves Road (FM 2244) 1,243 (1,206) 71 (52) 1,080 (1,330) 32 (22) 12 (50) 43 (99)	Bee Caves Road (FM 2244) 1,254 (1,224) 0 (14) 1,110 (1,358) 7 (12) 7 (5) 2 (13)	Bee Caves Road (FM 2244) Westwood Terrace Beaver Trail 33 (24) 3 (2) 49 (45) 22 (22) 1,098 (1,118) 13 (6) 18 (29) 1,052 (1,300) 12 (25) 25 (32) 3 (0) 9 (13)



Queues

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Existing Conditions AM Peak



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	84	1230	139	1192	322	87	130	89	50	90
v/c Ratio	0.34	0.76	0.55	0.66	0.88	0.28	0.34	0.44	0.37	0.30
Control Delay	13.2	25.7	21.4	25.0	63.7	45.9	7.1	40.7	60.1	2.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	13.2	25.7	21.4	25.0	63.7	45.9	7.1	40.7	60.1	2.5
Queue Length 50th (ft)	22	401	43	357	220	60	0	52	38	0
Queue Length 95th (ft)	37	356	77	419	#285	96	27	83	70	0
Internal Link Dist (ft)		1069		710		760			153	
Turn Bay Length (ft)	250		200		225					150
Base Capacity (vph)	300	1612	275	1812	367	435	471	206	261	391
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.28	0.76	0.51	0.66	0.88	0.20	0.28	0.43	0.19	0.23

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Existing Conditions AM Peak

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		 			 								
Traffic Volume (veh/h)	69	794	215	114	905	72	264	71	107	73	41	74	
Future Volume (veh/h)	69	794	215	114	905	72	264	71	107	73	41	74	
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0	
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	0.99		0.99	0.98		1.00	
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Work Zone On Approach	No			No			No			No			
Adj Sat Flow, veh/h/ln	1885	1885	1885	1841	1885	1885	1870	1900	1870	1900	1900	1856	
Adj Flow Rate, veh/h	84	968	262	139	1104	88	322	87	130	89	50	0	
Peak Hour Factor	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	
Percent Heavy Veh, %	1	1	1	4	1	1	2	0	2	0	0	3	
Cap, veh/h	274	1442	389	386	1788	142	378	290	240	234	110		
Arrive On Green	0.08	1.00	1.00	0.05	0.53	0.53	0.15	0.15	0.15	0.06	0.06	0.00	
Sat Flow, veh/h	1795	2787	752	1753	3359	268	1781	1900	1569	1810	1900	1572	
Grp Volume(v), veh/h	84	621	609	139	588	604	322	87	130	89	50	0	
Grp Sat Flow(s),veh/h/ln	1795	1791	1748	1753	1791	1836	1781	1900	1569	1810	1900	1572	
Q Serve(g_s), s	2.6	0.0	0.0	4.4	27.5	27.5	18.5	4.9	9.2	5.5	3.1	0.0	
Cycle Q Clear(g_c), s	2.6	0.0	0.0	4.4	27.5	27.5	18.5	4.9	9.2	5.5	3.1	0.0	
Prop In Lane	1.00		0.43	1.00		0.15	1.00		1.00	1.00		1.00	
Lane Grp Cap(c), veh/h	274	926	904	386	953	977	378	290	240	234	110		
V/C Ratio(X)	0.31	0.67	0.67	0.36	0.62	0.62	0.85	0.30	0.54	0.38	0.46		
Avail Cap(c_a), veh/h	376	926	904	459	953	977	378	435	360	240	261		
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	
Uniform Delay (d), s/veh	15.1	0.0	0.0	12.0	19.5	19.6	44.2	45.1	47.0	49.2	54.7	0.0	
Incr Delay (d2), s/veh	0.6	3.9	4.0	0.6	3.0	2.9	16.8	0.6	1.9	1.0	2.9	0.0	
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
%ile BackOfQ(50%),veh/ln	1.0	1.0	1.0	1.7	11.5	11.8	10.7	2.4	3.7	2.5	1.6	0.0	
Unsig. Movement Delay, s/veh													
LnGrp Delay(d),s/veh	15.7	3.9	4.0	12.5	22.5	22.5	61.1	45.7	48.9	50.2	57.6	0.0	
LnGrp LOS	B	A	A	B	C	C	E	D	D	D	E		
Approach Vol, veh/h	1314			1331			539			139			A
Approach Delay, s/veh	4.7			21.5			55.6			52.9			
Approach LOS	A			C			E			D			
Timer - Assigned Phs	1	2	3	4	5	6	7	8					
Phs Duration (G+Y+Rc), s	13.0	68.6	25.0	13.4	11.2	70.4	13.6	24.8					
Change Period (Y+Rc), s	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5					
Max Green Setting (Gmax), s	11.5	47.5	18.5	16.5	11.5	47.5	7.5	27.5					
Max Q Clear Time (g_c+I1), s	6.4	2.0	20.5	5.1	4.6	29.5	7.5	11.2					
Green Ext Time (p_c), s	0.1	10.4	0.0	0.1	0.1	7.3	0.0	0.8					

Intersection Summary

HCM 6th Ctrl Delay	21.7
HCM 6th LOS	C

Notes

User approved pedestrian interval to be less than phase max green.

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

HCM 6th TWSC
2: Eastern Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions AM Peak

Intersection						
Int Delay, s/veh	0.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↵	↑↑	↵	
Traffic Vol, veh/h	1080	11	32	1243	6	33
Future Vol, veh/h	1080	11	32	1243	6	33
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1174	12	35	1351	7	36
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1186	0	1926	593
Stage 1	-	-	-	-	1180	-
Stage 2	-	-	-	-	746	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	585	-	58	449
Stage 1	-	-	-	-	254	-
Stage 2	-	-	-	-	430	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	585	-	55	449
Mov Cap-2 Maneuver	-	-	-	-	166	-
Stage 1	-	-	-	-	254	-
Stage 2	-	-	-	-	404	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.3		16.5	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	356	-	-	585	-	
HCM Lane V/C Ratio	0.119	-	-	0.059	-	
HCM Control Delay (s)	16.5	-	-	11.5	-	
HCM Lane LOS	C	-	-	B	-	
HCM 95th %tile Q(veh)	0.4	-	-	0.2	-	

HCM 6th TWSC
3: Central Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions AM Peak

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↱	↑↑	↲	
Traffic Vol, veh/h	1091	0	1	1248	0	0
Future Vol, veh/h	1091	0	1	1248	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1186	0	1	1357	0	0
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1186	0	1867	593
Stage 1	-	-	-	-	1186	-
Stage 2	-	-	-	-	681	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	585	-	64	449
Stage 1	-	-	-	-	252	-
Stage 2	-	-	-	-	464	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	585	-	64	449
Mov Cap-2 Maneuver	-	-	-	-	175	-
Stage 1	-	-	-	-	252	-
Stage 2	-	-	-	-	463	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		0	
HCM LOS					A	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	-	-	-	585	-	
HCM Lane V/C Ratio	-	-	-	0.002	-	
HCM Control Delay (s)	0	-	-	11.2	-	
HCM Lane LOS	A	-	-	B	-	
HCM 95th %tile Q(veh)	-	-	-	0	-	

HCM 6th TWSC
4: Western Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions AM Peak

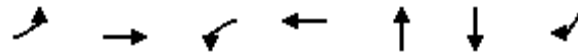
Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↑	↑↑	↑	
Traffic Vol, veh/h	1089	7	0	1248	7	2
Future Vol, veh/h	1089	7	0	1248	7	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1184	8	0	1357	8	2
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	1192	0	1867	596
Stage 1	-	-	-	-	1188	-
Stage 2	-	-	-	-	679	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	581	-	64	447
Stage 1	-	-	-	-	252	-
Stage 2	-	-	-	-	465	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	581	-	64	447
Mov Cap-2 Maneuver	-	-	-	-	175	-
Stage 1	-	-	-	-	252	-
Stage 2	-	-	-	-	465	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		23.7	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	202	-	-	581	-	
HCM Lane V/C Ratio	0.048	-	-	-	-	
HCM Control Delay (s)	23.7	-	-	0	-	
HCM Lane LOS	C	-	-	A	-	
HCM 95th %tile Q(veh)	0.2	-	-	0	-	

Queues

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Existing Conditions AM Peak



Lane Group	EBL	EBT	WBL	WBT	NBT	SBT	SBR
Lane Group Flow (vph)	21	1241	15	1326	45	62	39
v/c Ratio	0.06	0.44	0.04	0.47	0.36	0.51	0.17
Control Delay	3.5	6.9	6.1	11.5	47.7	65.5	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.5	6.9	6.1	11.5	47.7	65.5	1.6
Queue Length 50th (ft)	3	125	3	190	25	47	0
Queue Length 95th (ft)	8	268	m6	430	56	83	0
Internal Link Dist (ft)		655		716	634	772	
Turn Bay Length (ft)	150		150				150
Base Capacity (vph)	413	2791	409	2817	262	263	384
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.05	0.44	0.04	0.47	0.17	0.24	0.10

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Existing Conditions AM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	18	1031	12	13	1092	22	25	3	9	49	3	33
Future Volume (veh/h)	18	1031	12	13	1092	22	25	3	9	49	3	33
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1870	1870	1781	1885	1885	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	21	1227	14	15	1300	26	30	4	11	58	4	0
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84
Percent Heavy Veh, %	0	2	2	8	1	1	0	0	0	0	0	0
Cap, veh/h	419	2764	32	365	2742	55	104	15	22	138	5	
Arrive On Green	0.02	0.77	0.77	0.03	1.00	1.00	0.05	0.05	0.05	0.05	0.05	0.00
Sat Flow, veh/h	1810	3598	41	1697	3591	72	1023	285	423	1507	104	1610
Grp Volume(v), veh/h	21	606	635	15	648	678	45	0	0	62	0	0
Grp Sat Flow(s),veh/h/ln	1810	1777	1862	1697	1791	1872	1732	0	0	1611	0	1610
Q Serve(g_s), s	0.3	14.4	14.4	0.2	0.0	0.0	0.0	0.0	0.0	1.5	0.0	0.0
Cycle Q Clear(g_c), s	0.3	14.4	14.4	0.2	0.0	0.0	2.9	0.0	0.0	4.3	0.0	0.0
Prop In Lane	1.00		0.02	1.00		0.04	0.67		0.24	0.94		1.00
Lane Grp Cap(c), veh/h	419	1365	1430	365	1368	1429	142	0	0	143	0	
V/C Ratio(X)	0.05	0.44	0.44	0.04	0.47	0.47	0.32	0.00	0.00	0.43	0.00	
Avail Cap(c_a), veh/h	554	1365	1430	499	1368	1429	357	0	0	350	0	
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	2.8	4.9	4.9	3.7	0.0	0.0	55.2	0.0	0.0	55.8	0.0	0.0
Incr Delay (d2), s/veh	0.0	1.0	1.0	0.0	1.2	1.1	1.3	0.0	0.0	2.1	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	4.4	4.6	0.1	0.4	0.4	1.4	0.0	0.0	1.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	2.9	5.9	5.9	3.7	1.2	1.1	56.4	0.0	0.0	57.8	0.0	0.0
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	
Approach Vol, veh/h	1262			1341			45			62		
Approach Delay, s/veh	5.9			1.2			56.4			57.8		
Approach LOS	A			A			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	8.5	98.7		12.8	9.0	98.1		12.8				
Change Period (Y+Rc), s	6.5	6.5		6.5	6.5	6.5		6.5				
Max Green Setting (Gmax), s	11.5	65.5		23.5	11.5	65.5		23.5				
Max Q Clear Time (g_c+I1), s	2.2	16.4		6.3	2.3	2.0		4.9				
Green Ext Time (p_c), s	0.0	10.4		0.2	0.0	11.9		0.1				

Intersection Summary

HCM 6th Ctrl Delay	5.6
HCM 6th LOS	A

Notes

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

Queues

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Existing Conditions PM Peak



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	95	1258	146	878	293	130	155	104	96	167
v/c Ratio	0.29	0.80	0.64	0.53	0.74	0.37	0.37	0.44	0.54	0.49
Control Delay	13.1	29.6	31.1	24.6	47.0	45.2	8.7	38.2	62.3	7.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	13.1	29.6	31.1	24.6	47.0	45.2	8.7	38.2	62.3	7.8
Queue Length 50th (ft)	25	438	48	245	188	89	0	59	72	0
Queue Length 95th (ft)	47	#616	123	342	263	143	54	99	124	32
Internal Link Dist (ft)		1069		710		760			153	
Turn Bay Length (ft)	250		200		225					150
Base Capacity (vph)	381	1563	253	1669	399	435	480	236	253	395
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.25	0.80	0.58	0.53	0.73	0.30	0.32	0.44	0.38	0.42

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Existing Conditions PM Peak

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Traffic Volume (veh/h)	91	979	228	140	765	78	281	125	149	100	92	160	
Future Volume (veh/h)	91	979	228	140	765	78	281	125	149	100	92	160	
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0	
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.99	0.98		0.98	0.98		1.00	
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Work Zone On Approach	No			No			No			No			
Adj Sat Flow, veh/h/ln	1900	1870	1870	1870	1900	1900	1900	1900	1885	1900	1856	1900	
Adj Flow Rate, veh/h	95	1020	238	146	797	81	293	130	155	104	96	0	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	
Percent Heavy Veh, %	0	2	2	2	0	0	0	0	1	0	3	0	
Cap, veh/h	353	1372	319	355	1643	167	391	345	285	270	167		
Arrive On Green	0.08	0.96	0.96	0.06	0.50	0.50	0.15	0.18	0.18	0.06	0.09	0.00	
Sat Flow, veh/h	1810	2852	663	1781	3307	336	1810	1900	1569	1810	1856	1610	
Grp Volume(v), veh/h	95	634	624	146	435	443	293	130	155	104	96	0	
Grp Sat Flow(s),veh/h/ln	1810	1777	1739	1781	1805	1838	1810	1900	1569	1810	1856	1610	
Q Serve(g_s), s	3.2	5.7	5.8	4.9	19.2	19.2	17.1	7.2	10.8	6.2	6.0	0.0	
Cycle Q Clear(g_c), s	3.2	5.7	5.8	4.9	19.2	19.2	17.1	7.2	10.8	6.2	6.0	0.0	
Prop In Lane	1.00		0.38	1.00		0.18	1.00		1.00	1.00		1.00	
Lane Grp Cap(c), veh/h	353	854	836	355	897	913	391	345	285	270	167		
V/C Ratio(X)	0.27	0.74	0.75	0.41	0.48	0.49	0.75	0.38	0.54	0.38	0.58		
Avail Cap(c_a), veh/h	450	854	836	421	897	913	391	435	359	270	255		
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	
Uniform Delay (d), s/veh	15.1	1.3	1.3	14.1	20.0	20.0	39.5	43.1	44.6	45.7	52.4	0.0	
Incr Delay (d2), s/veh	0.4	5.8	6.0	0.8	1.9	1.8	7.8	0.7	1.6	0.9	3.1	0.0	
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
%ile BackOfQ(50%),veh/ln	1.2	2.0	2.1	2.0	8.2	8.3	8.4	3.5	4.3	2.9	2.9	0.0	
Unsig. Movement Delay, s/veh													
LnGrp Delay(d),s/veh	15.6	7.1	7.3	14.8	21.9	21.8	47.3	43.8	46.2	46.6	55.5	0.0	
LnGrp LOS	B	A	A	B	C	C	D	D	D	D	E		
Approach Vol, veh/h	1353			1024			578			200			A
Approach Delay, s/veh	7.8			20.9			46.2			50.9			
Approach LOS	A			C			D			D			
Timer - Assigned Phs	1	2	3	4	5	6	7	8					
Phs Duration (G+Y+Rc), s	13.5	64.2	25.0	17.3	11.6	66.1	14.0	28.3					
Change Period (Y+Rc), s	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5					
Max Green Setting (Gmax), s	11.5	47.5	18.5	16.5	11.5	47.5	7.5	27.5					
Max Q Clear Time (g_c+I1), s	6.9	7.8	19.1	8.0	5.2	21.2	8.2	12.8					
Green Ext Time (p_c), s	0.1	10.6	0.0	0.2	0.1	5.6	0.0	1.0					

Intersection Summary

HCM 6th Ctrl Delay 21.8

HCM 6th LOS C

Notes

User approved pedestrian interval to be less than phase max green.

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

12/08/2020

DRH

Synchro 10 Report

Page 2

HCM 6th TWSC
2: Eastern Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions PM Peak

Intersection						
Int Delay, s/veh	1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↖	↑↑	↖	
Traffic Vol, veh/h	1330	12	33	1206	24	50
Future Vol, veh/h	1330	12	33	1206	24	50
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1446	13	36	1311	26	54
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1459	0	2181	730
Stage 1	-	-	-	-	1453	-
Stage 2	-	-	-	-	728	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	459	-	39	365
Stage 1	-	-	-	-	181	-
Stage 2	-	-	-	-	439	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	459	-	36	365
Mov Cap-2 Maneuver	-	-	-	-	128	-
Stage 1	-	-	-	-	181	-
Stage 2	-	-	-	-	405	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.4		29.2	
HCM LOS	D					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	228	-	-	459	-	
HCM Lane V/C Ratio	0.353	-	-	0.078	-	
HCM Control Delay (s)	29.2	-	-	13.5	-	
HCM Lane LOS	D	-	-	B	-	
HCM 95th %tile Q(veh)	1.5	-	-	0.3	-	

HCM 6th TWSC
3: Central Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions PM Peak

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↖	↑↑	↖	
Traffic Vol, veh/h	1341	20	18	1212	0	1
Future Vol, veh/h	1341	20	18	1212	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1458	22	20	1317	0	1
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1480	0	2168	740
Stage 1	-	-	-	-	1469	-
Stage 2	-	-	-	-	699	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	451	-	40	359
Stage 1	-	-	-	-	178	-
Stage 2	-	-	-	-	454	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	451	-	38	359
Mov Cap-2 Maneuver	-	-	-	-	129	-
Stage 1	-	-	-	-	178	-
Stage 2	-	-	-	-	434	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.2		15.1	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1		EBT	EBR	WBL	WBT
Capacity (veh/h)	359		-	-	451	-
HCM Lane V/C Ratio	0.003		-	-	0.043	-
HCM Control Delay (s)	15.1		-	-	13.3	-
HCM Lane LOS	C		-	-	B	-
HCM 95th %tile Q(veh)	0		-	-	0.1	-

HCM 6th TWSC
4: Western Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Existing Conditions PM Peak

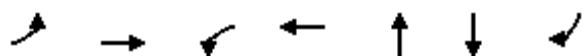
Intersection						
Int Delay, s/veh	0.2					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↑	↑↑	↑↑	
Traffic Vol, veh/h	1348	12	14	1198	5	13
Future Vol, veh/h	1348	12	14	1198	5	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1465	13	15	1302	5	14
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1478	0	2153	739
Stage 1	-	-	-	-	1472	-
Stage 2	-	-	-	-	681	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	452	-	41	360
Stage 1	-	-	-	-	177	-
Stage 2	-	-	-	-	464	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	452	-	40	360
Mov Cap-2 Maneuver	-	-	-	-	130	-
Stage 1	-	-	-	-	177	-
Stage 2	-	-	-	-	449	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.2		21.3	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	241	-	-	452	-	
HCM Lane V/C Ratio	0.081	-	-	0.034	-	
HCM Control Delay (s)	21.3	-	-	13.2	-	
HCM Lane LOS	C	-	-	B	-	
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-	

Queues

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Existing Conditions PM Peak



Lane Group	EBL	EBT	WBL	WBT	NBT	SBT	SBR
Lane Group Flow (vph)	31	1384	6	1172	48	49	25
v/c Ratio	0.08	0.47	0.02	0.42	0.24	0.44	0.12
Control Delay	3.2	5.6	5.8	9.9	4.1	63.6	1.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.2	5.6	5.8	9.9	4.1	63.6	1.2
Queue Length 50th (ft)	4	139	1	156	0	37	0
Queue Length 95th (ft)	11	336	m4	381	6	76	0
Internal Link Dist (ft)		655		716	634	772	
Turn Bay Length (ft)	150		150				150
Base Capacity (vph)	461	2920	350	2766	343	264	365
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.47	0.02	0.42	0.14	0.19	0.07

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Existing Conditions PM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	29	1290	25	6	1092	22	32	0	13	45	2	24
Future Volume (veh/h)	29	1290	25	6	1092	22	32	0	13	45	2	24
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		0.98	0.99		0.99	0.99		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1885	1885	1648	1885	1885	1900	1900	1900	1900	1900	1781
Adj Flow Rate, veh/h	31	1358	26	6	1149	23	34	0	14	47	2	0
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	0	1	1	17	1	1	0	0	0	0	0	8
Cap, veh/h	478	2799	54	294	2726	55	107	4	25	138	3	
Arrive On Green	0.03	0.78	0.78	0.02	1.00	1.00	0.05	0.00	0.05	0.05	0.05	0.00
Sat Flow, veh/h	1810	3595	69	1570	3589	72	1083	88	482	1546	66	1510
Grp Volume(v), veh/h	31	676	708	6	573	599	48	0	0	49	0	0
Grp Sat Flow(s),veh/h/ln	1810	1791	1873	1570	1791	1870	1653	0	0	1612	0	1510
Q Serve(g_s), s	0.4	16.1	16.1	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Cycle Q Clear(g_c), s	0.4	16.1	16.1	0.1	0.0	0.0	3.1	0.0	0.0	3.2	0.0	0.0
Prop In Lane	1.00		0.04	1.00		0.04	0.71		0.29	0.96		1.00
Lane Grp Cap(c), veh/h	478	1395	1458	294	1360	1420	136	0	0	141	0	
V/C Ratio(X)	0.06	0.48	0.49	0.02	0.42	0.42	0.35	0.00	0.00	0.35	0.00	
Avail Cap(c_a), veh/h	603	1395	1458	432	1360	1420	348	0	0	347	0	
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	2.8	4.7	4.7	4.0	0.0	0.0	55.5	0.0	0.0	55.5	0.0	0.0
Incr Delay (d2), s/veh	0.1	1.2	1.2	0.0	1.0	0.9	1.6	0.0	0.0	1.5	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	4.8	5.1	0.0	0.4	0.4	1.5	0.0	0.0	1.5	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	2.8	5.9	5.9	4.1	1.0	0.9	57.0	0.0	0.0	57.0	0.0	0.0
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	
Approach Vol, veh/h	1415			1178			48			49		
Approach Delay, s/veh	5.8			1.0			57.0			57.0		
Approach LOS	A			A			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.4	99.9		12.6	9.7	97.6		12.6				
Change Period (Y+Rc), s	6.5	6.5		6.5	6.5	6.5		6.5				
Max Green Setting (Gmax), s	11.5	65.5		23.5	11.5	65.5		23.5				
Max Q Clear Time (g_c+I1), s	2.1	18.1		5.2	2.4	2.0		5.1				
Green Ext Time (p_c), s	0.0	12.5		0.2	0.0	9.6		0.2				

Intersection Summary

HCM 6th Ctrl Delay	5.5
HCM 6th LOS	A

Notes

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

Queues

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Build Conditions AM Peak



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	84	1242	139	1236	326	87	130	89	50	90
v/c Ratio	0.36	0.77	0.56	0.68	0.89	0.28	0.34	0.44	0.37	0.30
Control Delay	14.9	26.0	22.5	25.7	64.9	45.9	7.1	40.7	60.1	2.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	14.9	26.0	22.5	25.7	64.9	45.9	7.1	40.7	60.1	2.5
Queue Length 50th (ft)	22	407	43	377	224	60	0	52	38	0
Queue Length 95th (ft)	37	361	81	441	#292	96	27	83	70	0
Internal Link Dist (ft)		1069		710		760			153	
Turn Bay Length (ft)	250		200		225					150
Base Capacity (vph)	287	1610	271	1811	368	435	471	206	261	391
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.29	0.77	0.51	0.68	0.89	0.20	0.28	0.43	0.19	0.23

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Build Conditions AM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	69	803	216	114	941	72	267	71	107	73	41	74
Future Volume (veh/h)	69	803	216	114	941	72	267	71	107	73	41	74
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	0.99		0.99	0.98		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1885	1885	1885	1841	1885	1885	1870	1900	1870	1900	1900	1856
Adj Flow Rate, veh/h	84	979	263	139	1148	88	326	87	130	89	50	0
Peak Hour Factor	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82
Percent Heavy Veh, %	1	1	1	4	1	1	2	0	2	0	0	3
Cap, veh/h	262	1444	387	383	1794	137	378	290	240	234	110	
Arrive On Green	0.08	1.00	1.00	0.05	0.53	0.53	0.15	0.15	0.15	0.06	0.06	0.00
Sat Flow, veh/h	1795	2792	748	1753	3371	258	1781	1900	1569	1810	1900	1572
Grp Volume(v), veh/h	84	627	615	139	609	627	326	87	130	89	50	0
Grp Sat Flow(s),veh/h/ln	1795	1791	1749	1753	1791	1838	1781	1900	1569	1810	1900	1572
Q Serve(g_s), s	2.6	0.0	0.0	4.4	29.0	29.0	18.5	4.9	9.2	5.5	3.1	0.0
Cycle Q Clear(g_c), s	2.6	0.0	0.0	4.4	29.0	29.0	18.5	4.9	9.2	5.5	3.1	0.0
Prop In Lane	1.00		0.43	1.00		0.14	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	262	926	905	383	953	978	378	290	240	234	110	
V/C Ratio(X)	0.32	0.68	0.68	0.36	0.64	0.64	0.86	0.30	0.54	0.38	0.46	
Avail Cap(c_a), veh/h	364	926	905	456	953	978	378	435	360	240	261	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	15.5	0.0	0.0	12.0	19.9	19.9	44.4	45.1	47.0	49.2	54.7	0.0
Incr Delay (d2), s/veh	0.7	4.0	4.1	0.6	3.3	3.2	18.2	0.6	1.9	1.0	2.9	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	1.0	1.0	1.7	12.2	12.5	11.0	2.4	3.7	2.5	1.6	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	16.2	4.0	4.1	12.6	23.2	23.1	62.6	45.7	48.9	50.2	57.6	0.0
LnGrp LOS	B	A	A	B	C	C	E	D	D	D	E	
Approach Vol, veh/h		1326			1375			543			139	A
Approach Delay, s/veh		4.8			22.1			56.6			52.9	
Approach LOS		A			C			E			D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.0	68.6	25.0	13.4	11.2	70.4	13.6	24.8				
Change Period (Y+Rc), s	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5				
Max Green Setting (Gmax), s	11.5	47.5	18.5	16.5	11.5	47.5	7.5	27.5				
Max Q Clear Time (g_c+I1), s	6.4	2.0	20.5	5.1	4.6	31.0	7.5	11.2				
Green Ext Time (p_c), s	0.1	10.6	0.0	0.1	0.1	7.3	0.0	0.8				

Intersection Summary

HCM 6th Ctrl Delay 22.1

HCM 6th LOS C

Notes

User approved pedestrian interval to be less than phase max green.

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

12/08/2020

DRH

Synchro 10 Report

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HCM 6th TWSC
2: Eastern Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions AM Peak

Intersection						
Int Delay, s/veh	0.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↖	↑↑	↖	
Traffic Vol, veh/h	1080	32	71	1243	12	43
Future Vol, veh/h	1080	32	71	1243	12	43
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1174	35	77	1351	13	47
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1209	0	2022	605
Stage 1	-	-	-	-	1192	-
Stage 2	-	-	-	-	830	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	573	-	50	441
Stage 1	-	-	-	-	250	-
Stage 2	-	-	-	-	388	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	573	-	43	441
Mov Cap-2 Maneuver	-	-	-	-	150	-
Stage 1	-	-	-	-	250	-
Stage 2	-	-	-	-	336	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.7		19.4	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	310	-	-	573	-	
HCM Lane V/C Ratio	0.193	-	-	0.135	-	
HCM Control Delay (s)	19.4	-	-	12.3	-	
HCM Lane LOS	C	-	-	B	-	
HCM 95th %tile Q(veh)	0.7	-	-	0.5	-	

HCM 6th TWSC
3: Central Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions AM Peak

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↵	↑↑	↵	
Traffic Vol, veh/h	1112	0	1	1254	0	0
Future Vol, veh/h	1112	0	1	1254	0	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1209	0	1	1363	0	0
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1209	0	1893	605
Stage 1	-	-	-	-	1209	-
Stage 2	-	-	-	-	684	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	573	-	62	441
Stage 1	-	-	-	-	245	-
Stage 2	-	-	-	-	462	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	573	-	62	441
Mov Cap-2 Maneuver	-	-	-	-	171	-
Stage 1	-	-	-	-	245	-
Stage 2	-	-	-	-	461	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		0	
HCM LOS					A	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	-	-	-	573	-	
HCM Lane V/C Ratio	-	-	-	0.002	-	
HCM Control Delay (s)	0	-	-	11.3	-	
HCM Lane LOS	A	-	-	B	-	
HCM 95th %tile Q(veh)	-	-	-	0	-	

HCM 6th TWSC
4: Western Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions AM Peak

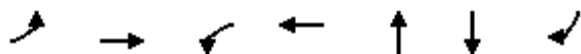
Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↱	↑↑	↲	
Traffic Vol, veh/h	1110	7	0	1254	7	2
Future Vol, veh/h	1110	7	0	1254	7	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1207	8	0	1363	8	2
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1215	0	1893	608
Stage 1	-	-	-	-	1211	-
Stage 2	-	-	-	-	682	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	570	-	62	439
Stage 1	-	-	-	-	245	-
Stage 2	-	-	-	-	464	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	570	-	62	439
Mov Cap-2 Maneuver	-	-	-	-	171	-
Stage 1	-	-	-	-	245	-
Stage 2	-	-	-	-	464	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		24.1	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	198	-	-	570	-	
HCM Lane V/C Ratio	0.049	-	-	-	-	
HCM Control Delay (s)	24.1	-	-	0	-	
HCM Lane LOS	C	-	-	A	-	
HCM 95th %tile Q(veh)	0.2	-	-	0	-	

Queues

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Build Conditions AM Peak



Lane Group	EBL	EBT	WBL	WBT	NBT	SBT	SBR
Lane Group Flow (vph)	21	1266	15	1333	45	62	39
v/c Ratio	0.06	0.45	0.05	0.47	0.36	0.51	0.17
Control Delay	3.5	7.0	6.1	11.8	47.7	65.5	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.5	7.0	6.1	11.8	47.7	65.5	1.6
Queue Length 50th (ft)	3	129	3	204	25	47	0
Queue Length 95th (ft)	8	277	m6	437	56	83	0
Internal Link Dist (ft)		655		716	634	772	
Turn Bay Length (ft)	150		150				150
Base Capacity (vph)	412	2791	401	2817	262	263	384
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.05	0.45	0.04	0.47	0.17	0.24	0.10

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Build Conditions AM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	18	1052	12	13	1098	22	25	3	9	49	3	33
Future Volume (veh/h)	18	1052	12	13	1098	22	25	3	9	49	3	33
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1870	1870	1781	1885	1885	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	21	1252	14	15	1307	26	30	4	11	58	4	0
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84
Percent Heavy Veh, %	0	2	2	8	1	1	0	0	0	0	0	0
Cap, veh/h	416	2764	31	357	2743	55	104	15	22	138	5	
Arrive On Green	0.02	0.77	0.77	0.03	1.00	1.00	0.05	0.05	0.05	0.05	0.05	0.00
Sat Flow, veh/h	1810	3599	40	1697	3592	71	1023	285	423	1507	104	1610
Grp Volume(v), veh/h	21	618	648	15	651	682	45	0	0	62	0	0
Grp Sat Flow(s),veh/h/ln	1810	1777	1862	1697	1791	1872	1732	0	0	1611	0	1610
Q Serve(g_s), s	0.3	14.8	14.8	0.2	0.0	0.0	0.0	0.0	0.0	1.5	0.0	0.0
Cycle Q Clear(g_c), s	0.3	14.8	14.8	0.2	0.0	0.0	2.9	0.0	0.0	4.3	0.0	0.0
Prop In Lane	1.00		0.02	1.00		0.04	0.67		0.24	0.94		1.00
Lane Grp Cap(c), veh/h	416	1365	1430	357	1368	1430	142	0	0	143	0	
V/C Ratio(X)	0.05	0.45	0.45	0.04	0.48	0.48	0.32	0.00	0.00	0.43	0.00	
Avail Cap(c_a), veh/h	552	1365	1430	491	1368	1430	357	0	0	350	0	
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	2.8	4.9	4.9	3.7	0.0	0.0	55.2	0.0	0.0	55.8	0.0	0.0
Incr Delay (d2), s/veh	0.0	1.1	1.0	0.0	1.2	1.1	1.3	0.0	0.0	2.1	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	4.6	4.8	0.1	0.5	0.5	1.4	0.0	0.0	1.9	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	2.9	6.0	6.0	3.8	1.2	1.1	56.4	0.0	0.0	57.8	0.0	0.0
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	
Approach Vol, veh/h	1287			1348			45			62		
Approach Delay, s/veh	6.0			1.2			56.4			57.8		
Approach LOS	A			A			E			E		
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	8.5	98.7		12.8	9.0	98.1		12.8				
Change Period (Y+Rc), s	6.5	6.5		6.5	6.5	6.5		6.5				
Max Green Setting (Gmax), s	11.5	65.5		23.5	11.5	65.5		23.5				
Max Q Clear Time (g_c+I1), s	2.2	16.8		6.3	2.3	2.0		4.9				
Green Ext Time (p_c), s	0.0	10.7		0.2	0.0	12.1		0.1				

Intersection Summary

HCM 6th Ctrl Delay	5.6
HCM 6th LOS	A

Notes

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

Queues

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Build Conditions PM Peak



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	95	1309	146	896	295	130	155	104	96	167
v/c Ratio	0.29	0.84	0.67	0.54	0.75	0.37	0.37	0.44	0.54	0.49
Control Delay	13.2	31.5	37.5	24.8	47.4	45.2	8.7	38.2	62.3	7.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	13.2	31.5	37.5	24.8	47.4	45.2	8.7	38.2	62.3	7.8
Queue Length 50th (ft)	26	467	56	252	189	89	0	59	72	0
Queue Length 95th (ft)	48	#662	133	351	265	143	54	99	124	32
Internal Link Dist (ft)		1069		710		760			153	
Turn Bay Length (ft)	250		200		225					150
Base Capacity (vph)	374	1562	240	1669	399	435	480	236	253	395
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.25	0.84	0.61	0.54	0.74	0.30	0.32	0.44	0.38	0.42

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

1: Walsh Tarlton Lane & Bee Caves Road (FM 2244)

Build Conditions PM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	91	1024	232	140	782	78	283	125	149	100	92	160
Future Volume (veh/h)	91	1024	232	140	782	78	283	125	149	100	92	160
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.98	1.00		0.99	0.98		0.98	0.98		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1870	1870	1870	1900	1900	1900	1900	1885	1900	1856	1900
Adj Flow Rate, veh/h	95	1067	242	146	815	81	295	130	155	104	96	0
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Percent Heavy Veh, %	0	2	2	2	0	0	0	0	1	0	3	0
Cap, veh/h	347	1380	312	342	1647	164	391	345	285	270	167	
Arrive On Green	0.08	0.96	0.96	0.06	0.50	0.50	0.15	0.18	0.18	0.06	0.09	0.00
Sat Flow, veh/h	1810	2871	648	1781	3314	329	1810	1900	1569	1810	1856	1610
Grp Volume(v), veh/h	95	658	651	146	444	452	295	130	155	104	96	0
Grp Sat Flow(s),veh/h/ln	1810	1777	1742	1781	1805	1839	1810	1900	1569	1810	1856	1610
Q Serve(g_s), s	3.2	6.6	6.8	4.9	19.7	19.7	17.3	7.2	10.8	6.2	6.0	0.0
Cycle Q Clear(g_c), s	3.2	6.6	6.8	4.9	19.7	19.7	17.3	7.2	10.8	6.2	6.0	0.0
Prop In Lane	1.00		0.37	1.00		0.18	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	347	854	838	342	897	914	391	345	285	270	167	
V/C Ratio(X)	0.27	0.77	0.78	0.43	0.49	0.49	0.75	0.38	0.54	0.38	0.58	
Avail Cap(c_a), veh/h	444	854	838	409	897	914	391	435	359	270	255	
HCM Platoon Ratio	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	15.2	1.3	1.3	14.2	20.1	20.1	39.5	43.1	44.6	45.7	52.4	0.0
Incr Delay (d2), s/veh	0.4	6.6	7.0	0.8	1.9	1.9	8.1	0.7	1.6	0.9	3.1	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	2.3	2.3	2.0	8.4	8.5	8.5	3.5	4.3	2.9	2.9	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	15.7	8.0	8.3	15.0	22.1	22.0	47.6	43.8	46.2	46.6	55.5	0.0
LnGrp LOS	B	A	A	B	C	C	D	D	D	D	E	
Approach Vol, veh/h	1404				1042		580				200	
Approach Delay, s/veh	8.6				21.1		46.4				50.9	
Approach LOS	A				C		D				D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	13.5	64.2	25.0	17.3	11.6	66.1	14.0	28.3				
Change Period (Y+Rc), s	6.5	6.5	6.5	6.5	6.5	6.5	6.5	6.5				
Max Green Setting (Gmax), s	11.5	47.5	18.5	16.5	11.5	47.5	7.5	27.5				
Max Q Clear Time (g_c+I1), s	6.9	8.8	19.3	8.0	5.2	21.7	8.2	12.8				
Green Ext Time (p_c), s	0.1	11.2	0.0	0.2	0.1	5.8	0.0	1.0				
Intersection Summary												
HCM 6th Ctrl Delay			22.1									
HCM 6th LOS			C									
Notes												
User approved pedestrian interval to be less than phase max green.												
Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.												

HCM 6th TWSC
2: Eastern Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions PM Peak

Intersection						
Int Delay, s/veh	3.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↱	↑↑	↲	
Traffic Vol, veh/h	1330	22	52	1206	50	99
Future Vol, veh/h	1330	22	52	1206	50	99
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1446	24	57	1311	54	108
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1470	0	2228	735
Stage 1	-	-	-	-	1458	-
Stage 2	-	-	-	-	770	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	455	-	~ 36	362
Stage 1	-	-	-	-	180	-
Stage 2	-	-	-	-	417	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	455	-	~ 32	362
Mov Cap-2 Maneuver	-	-	-	-	123	-
Stage 1	-	-	-	-	180	-
Stage 2	-	-	-	-	365	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.6		57.2	
HCM LOS	F					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	219	-	-	455	-	
HCM Lane V/C Ratio	0.74	-	-	0.124	-	
HCM Control Delay (s)	57.2	-	-	14	-	
HCM Lane LOS	F	-	-	B	-	
HCM 95th %tile Q(veh)	5	-	-	0.4	-	
Notes						
~: Volume exceeds capacity		\$: Delay exceeds 300s		+: Computation Not Defined		*: All major volume in platoon

HCM 6th TWSC
3: Central Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions PM Peak

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↘	↑↑	↘	
Traffic Vol, veh/h	1351	20	18	1238	0	1
Future Vol, veh/h	1351	20	18	1238	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1468	22	20	1346	0	1
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1490	0	2192	745
Stage 1	-	-	-	-	1479	-
Stage 2	-	-	-	-	713	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	447	-	39	357
Stage 1	-	-	-	-	176	-
Stage 2	-	-	-	-	447	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	447	-	37	357
Mov Cap-2 Maneuver	-	-	-	-	127	-
Stage 1	-	-	-	-	176	-
Stage 2	-	-	-	-	427	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.2		15.1	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	357	-	-	447	-	
HCM Lane V/C Ratio	0.003	-	-	0.044	-	
HCM Control Delay (s)	15.1	-	-	13.4	-	
HCM Lane LOS	C	-	-	B	-	
HCM 95th %tile Q(veh)	0	-	-	0.1	-	

HCM 6th TWSC
4: Western Driveway & Bee Caves Road (FM 2244)

3423 Bee Caves Road Traffic Assessment
Build Conditions PM Peak

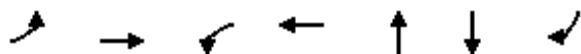
Intersection						
Int Delay, s/veh	0.2					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↖	↑↑	↖	
Traffic Vol, veh/h	1358	12	14	1224	5	13
Future Vol, veh/h	1358	12	14	1224	5	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	50	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1476	13	15	1330	5	14
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	1489	0	2178	745
Stage 1	-	-	-	-	1483	-
Stage 2	-	-	-	-	695	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	447	-	39	357
Stage 1	-	-	-	-	175	-
Stage 2	-	-	-	-	456	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	447	-	38	357
Mov Cap-2 Maneuver	-	-	-	-	128	-
Stage 1	-	-	-	-	175	-
Stage 2	-	-	-	-	440	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0.2		21.5	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	238	-	-	447	-	
HCM Lane V/C Ratio	0.082	-	-	0.034	-	
HCM Control Delay (s)	21.5	-	-	13.3	-	
HCM Lane LOS	C	-	-	B	-	
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-	

Queues

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Build Conditions PM Peak



Lane Group	EBL	EBT	WBL	WBT	NBT	SBT	SBR
Lane Group Flow (vph)	31	1394	6	1200	48	49	25
v/c Ratio	0.08	0.48	0.02	0.43	0.24	0.44	0.12
Control Delay	3.2	5.7	5.7	10.1	4.1	63.6	1.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.2	5.7	5.7	10.1	4.1	63.6	1.2
Queue Length 50th (ft)	4	141	1	165	0	37	0
Queue Length 95th (ft)	11	340	m4	393	6	76	0
Internal Link Dist (ft)		655		716	634	772	
Turn Bay Length (ft)	150		150				150
Base Capacity (vph)	451	2920	346	2766	343	264	365
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.48	0.02	0.43	0.14	0.19	0.07

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM 6th Signalized Intersection Summary

3423 Bee Caves Road Traffic Assessment

5: Beaver Trail/Westwood Terrace & Bee Caves Road (FM 2244)

Build Conditions PM Peak

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	29	1300	25	6	1118	22	32	0	13	45	2	24
Future Volume (veh/h)	29	1300	25	6	1118	22	32	0	13	45	2	24
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		0.98	0.99		0.99	0.99		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1885	1885	1648	1885	1885	1900	1900	1900	1900	1900	1781
Adj Flow Rate, veh/h	31	1368	26	6	1177	23	34	0	14	47	2	0
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Percent Heavy Veh, %	0	1	1	17	1	1	0	0	0	0	0	8
Cap, veh/h	468	2800	53	291	2727	53	107	4	25	138	3	
Arrive On Green	0.03	0.78	0.78	0.02	1.00	1.00	0.05	0.00	0.05	0.05	0.05	0.00
Sat Flow, veh/h	1810	3595	68	1570	3591	70	1083	88	482	1546	66	1510
Grp Volume(v), veh/h	31	681	713	6	587	613	48	0	0	49	0	0
Grp Sat Flow(s),veh/h/ln	1810	1791	1873	1570	1791	1871	1653	0	0	1612	0	1510
Q Serve(g_s), s	0.4	16.3	16.3	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Cycle Q Clear(g_c), s	0.4	16.3	16.3	0.1	0.0	0.0	3.1	0.0	0.0	3.2	0.0	0.0
Prop In Lane	1.00		0.04	1.00		0.04	0.71		0.29	0.96		1.00
Lane Grp Cap(c), veh/h	468	1395	1458	291	1360	1421	136	0	0	141	0	
V/C Ratio(X)	0.07	0.49	0.49	0.02	0.43	0.43	0.35	0.00	0.00	0.35	0.00	
Avail Cap(c_a), veh/h	593	1395	1458	430	1360	1421	348	0	0	347	0	
HCM Platoon Ratio	1.00	1.00	1.00	2.00	2.00	2.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00	1.00	0.00	0.00
Uniform Delay (d), s/veh	2.8	4.7	4.7	4.1	0.0	0.0	55.5	0.0	0.0	55.5	0.0	0.0
Incr Delay (d2), s/veh	0.1	1.2	1.2	0.0	1.0	1.0	1.6	0.0	0.0	1.5	0.0	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	4.9	5.1	0.0	0.4	0.4	1.5	0.0	0.0	1.5	0.0	0.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	2.8	6.0	5.9	4.1	1.0	1.0	57.0	0.0	0.0	57.0	0.0	0.0
LnGrp LOS	A	A	A	A	A	A	E	A	A	E	A	
Approach Vol, veh/h		1425			1206			48			49	A
Approach Delay, s/veh		5.9			1.0			57.0			57.0	
Approach LOS		A			A			E			E	
Timer - Assigned Phs	1	2		4	5	6		8				
Phs Duration (G+Y+Rc), s	7.4	99.9		12.6	9.7	97.6		12.6				
Change Period (Y+Rc), s	6.5	6.5		6.5	6.5	6.5		6.5				
Max Green Setting (Gmax), s	11.5	65.5		23.5	11.5	65.5		23.5				
Max Q Clear Time (g_c+I1), s	2.1	18.3		5.2	2.4	2.0		5.1				
Green Ext Time (p_c), s	0.0	12.6		0.2	0.0	10.0		0.2				

Intersection Summary

HCM 6th Ctrl Delay	5.5
HCM 6th LOS	A

Notes

Unsignalized Delay for [SBR] is excluded from calculations of the approach delay and intersection delay.

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 <[REDACTED]>; Peter Narvarte <[REDACTED]>
Cc: Taylor, Anne <[REDACTED]>; Andrew Bell <[REDACTED]>
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 <[REDACTED]>; Peter Narvarte <[REDACTED]>

Cc: Taylor, Anne <[REDACTED]>; Andrew Bell <[REDACTED]>

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 <[REDACTED]>

Sent: Tuesday, October 20, 2020 11:14 AM

To: Theresa Sanchez <TSanchez@westlakehills.org>; Peter Narvarte <[REDACTED]>

Cc: Taylor, Anne <[REDACTED]>; Andrew Bell <[REDACTED]>

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 [REDACTED]; Massaro, James [REDACTED] >

Cc: Taylor, Anne [REDACTED]; Andrew Bell [REDACTED] >

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 [REDACTED] >

Sent: Wednesday, September 23, 2020 5:12 PM

To: Theresa Sanchez <TSanchez@westlakehills.org>; Massaro, James [REDACTED] >

Cc: Taylor, Anne [REDACTED]; Andrew Bell [REDACTED] >

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 [REDACTED] >

Cc: Peter Narvarte [REDACTED]; Taylor, Anne [REDACTED]; Andrew Bell [REDACTED] >

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 [REDACTED]
Sent: Friday, September 18, 2020 3:39 PM
To: Theresa Sanchez <TSanchez@westlakehills.org>
Cc: Peter Narvarte [REDACTED]; Taylor, Anne [REDACTED]; Andrew Bell [REDACTED]
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 [REDACTED]
Cc: Peter Narvarte [REDACTED]; Taylor, Anne [REDACTED]; Mark pzsec <pzsec@westlakehills.org>; Andrew Bell [REDACTED]; Maija Kreishman [REDACTED]
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 [REDACTED]
Sent: Friday, September 18, 2020 1:58 PM
To: Anjali Naini <planner@westlakehills.org>
Cc: Peter Narvarte [REDACTED]; Taylor, Anne [REDACTED]; Mark pzsec
<pzsec@westlakehills.org>; Andrew Bell [REDACTED]; Maija Kreishman [REDACTED]
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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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: Olga Kobzar <[REDACTED]>
Sent: Wednesday, January 20, 2021 12:00 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City of Westlake Hills officials and Committee members,

My husband and I are owners of the property located at 1100 Snowy Owl Court, Austin, TX 78746, directly behind the property subject to today's meeting. A number of the neighbors (including our tenants David and Laura Linton) submitted letters of opposition to this project and I will not repeat their concerns here. However, I have an additional concern about the violations of due process of adjacent property owners in the way this matter came to be heard at today's meeting without giving us prior notice.

It is my understanding that notice of variance applications should be given to affected parties at least 30 days prior to the matter being discussed, so that they have an opportunity to review and protest. No such notice or description of proposed exceptions and variances, was provided to us, and from speaking to a few of our neighbors, they have not received it either. I did not learn about this until a few short days ago, and still do not have a copy of the proposed plans to determine the scope of the project, to consult with experts, and to formulate my opposition.

Accordingly, I would like to request that today's discussion is postponed until proper notice is given and we (and others similarly affected) have the opportunity to review the application. In the alternative, I ask that you register me to speak at today's meeting.

Respectfully,

Olga Kobzar


www.scottdoug.com

Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

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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

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: 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: 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: mayor@ mayor
Sent: Tuesday, January 19, 2021 4:44 PM
To: Don Sembera
Cc: Beth South; wlhcc2@ wlhcc2; wlhcc1@ wlhcc1; wlhcc4@ wlhcc4; wlhcc5@westlakehills.org; Robert Meisel; Anjali Naini; Travis Askey
Subject: Re: 3423 Bee Cave Road

Follow Up Flag: Follow up
Flag Status: Flagged

Hi don and jeanette,
Thanks for your email - we'll forward it to zapco which will hear the proposal at their meeting tomorrow. Thanks for contacting us...linda

Sent from my iPad

On Jan 19, 2021, at 4:07 PM, Don Sembera [REDACTED] > wrote:

WLH Mayor and Councilmembers,

I am writing to voice our support for the construction of the office building at 3423 Bee Cave Road. This seems to me to be the exact kind of improvement we would want to see on this stretch of road, and the proposed use is something that is needed in a community with our demographics.

It's hard for us to imagine what any objections might be.

Sincerely,

Don Sembera
Jeanette Scott
406 Buckeye Trail

[Texas Real Estate Commission Information About Brokerage Services](#)

<image002.png>

Don Sembera

Broker Associate

c: 512.927.6881 | **o:** 512.480.0848 x 226

e: [REDACTED] | **w:** austinproperties.com

a: 3825 Lake Austin Blvd, Ste 501 | Austin, TX 78703

| <image004.png>

Anjali Naini

From: Andrew Weary <[REDACTED]>
Sent: Wednesday, January 20, 2021 9:38 AM
To: mayor@ mayor; Anjali Naini; Anjali Naini
Subject: 3423 Bee Caves Rd Variances

Dear Sirs/Madam

We are communicating our concerns regarding the Variances requested on the above address. We have lived just a few yards "Downhill": from the Bee Caves Road properties cited in the applications, etc.
Through the years we have seen increased damage from run off & flooding from even modest rainfall.
In addition as more commercial developments were made, their parking lots have been used as bases for repeated home break-ins & robberies in our area, the homes along the Cul de sacs adjacent to this property.

The City Of Westlake has long expressed prided and concern in preserving natural and "green spaces" but this addition of commercial properties would just destroy yet another area of green space that makes Westlake and West Austin more natural & unique, decreasing property values for all residents.

Increased flooding that comes from more and more development would subject "upstream" developers to lawsuits from poor planning or disregard of effects of "downstream" run off damage, decreased property values from line of sight eyesores, loss of privacy, noise, traffic, etc.

Please vote no on the requested variances for tree cutting, building height, impervious cover, and cut and fill, etc.

Yours truly

Andy and Becky Weary
3416 Rosefinch Trail
Austin Tx
78746

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]; Mberrier
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: Green, Amber [REDACTED]
Sent: Wednesday, January 20, 2021 11:51 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: 3423 Bee Caves Rd

To the planning commission for the City of West Lake Hills,

I implore you not to approve variances requested by the developer of at 3423 Bee Caves Road.

The zoning exists for a reason. I live across the street and trust me, the increased traffic would be detrimental to the already dangerous stretch of Bee Cave Road. We need to keep the trees that we have in this area, and not allow taller buildings because of the proximity to the residential neighborhood adjacent to the site.

Thank you for your consideration.

Amber Green
[REDACTED]
512-762-2772

Anjali Naini

From: Daniel Self <[REDACTED]>
Sent: Wednesday, January 20, 2021 10:58 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: 3423 Bee Caves Road request for variance.

To Whom it May Concern,

I'm writing to voice my concern about the variances requested for the property located at 3423 Bee Caves Road. I live on Sanderling Trail (neighborhood just behind said property) and feel that the variance requested should be turned down as it will likely cause detrimental affects to the surrounding neighborhood including possible flood hazard, traffic congestion and negatively affect the neighborhood's site/tree line. Variances should only be granted for truly necessities.

Thank you for your consideration,

Dan Self
3408 Sanderling Trail

Anjali Naini

From: MELISSA FONG [REDACTED]
Sent: Wednesday, January 20, 2021 11:03 AM
To: Anjali Naini
Subject: 3423 Bee Caves Road Variance Request

To: Westlake Planning Commission

I'm writing to express my objection to the variances requested for the construction of a new medical office building at 3423 Bee Cave Road. The entrance to this property on a highly trafficked portion of Bee Cave Road and additional cars turning in and out of this building will make this a dangerous intersection. Medical/dental practices receive a high volume of traffic in and out all day, so the school and day care facility as well as the dance studio and other small businesses in the immediate vicinity will be negatively impacted and the safety of the children who attend the schools will be at risk. Please do not approve the requested variances.

Thank you,
Melissa Fong
3115 Eanes Circle
Austin, TX 78746

Anjali Naini

From: Liz Plachta [REDACTED] >
Sent: Monday, January 18, 2021 9:47 AM
To: Anjali Naini
Subject: 3423 Bee Caves Road

Dear Zoning and Planning Commission and the Westlake Hills City Council-

My name is Liz Plachta. I am the Co-founder and executive director of Ruby's Rainbow. We are a non-profit 501(c)(3) organization that provides scholarships to those with Down syndrome in pursuit of higher education. I can attest to Dr. David Yu's generosity and commitment to the community. Over the last decade, he has supported our organization to provide scholarships to incredible young adults with Down syndrome so that they can pursue their dreams. Dr. Yu is known throughout the community as a benevolent professional by supporting numerous charitable organizations throughout the community. For Dr. Yu to be a part of the community, Westlake is, indeed, blessed. I support Dr. Yu's desire to create a Medical organization that will provide the community with high-quality medical care. He has the most genuine heart and I know will bring value to this community!

Please consider their request!

Sincerely,

Liz Plachta

Co-Founder, Executive Director

Proud mama to Ruby

[REDACTED]

512-879-7801

www.rubysrainbow.org

Follow us on



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>

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Corey and Misty Blahuta
1107 Snowy Owl Court
Austin, TX 78746

(512)426-5129

Re: 3423 Bee Cave Road,
Tree, Height, Impervious cover, Cut/Fill Variances

Dear City of West Lake Hills,

We are writing to object to the variance requests on the 3423 Bee Cave Road property project. As owners of property on 1107 Snowy Owl Court we have concerns as to allowing the property to be developed in a way that requires variances in multiple areas.

We are primarily opposed to the height variance. This will negatively affect our neighborhood by impeding natural light and spoiling the character of our neighborhood. We would be more in favor of a plan that is less concerned with the height variance impact as viewed from Bee Cave Road and more on a plan that is optimized to reduce the potential visual impact on adjacent the residential properties by retaining as much of the natural space between the proposed development and the residences as possible. If existing trees are removed as a result of the variance, we would strongly prefer the required landscape remediation or fees be incorporated into a comprehensive landscape plan focused on mitigating the impact of the development on the adjacent residential properties along the south side of the parcel.

We are also opposed to allowing a variance for impervious cover, especially a plan that not only increases cover but simultaneously eliminates some or all of the existing natural swale that help catches run off from the existing commercial development. Again, we would be more supportive of a development plan that minimizes additional impervious cover and focuses more of the proposed development closer to the existing commercial development on the property and closer to Bee Cave Road.

Thank you for consideration to our objections to these multiple variances.

Sincerely,

A handwritten signature in cursive script that reads "Corey Blahuta". The signature is written in black ink and includes a long horizontal flourish at the end.

Corey and Misty Blahuta

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

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Dear City Council and ZAPCO Members:

This past year has obviously been hard on small businesses and schools—at Acton Academy West Austin, we're both. We depend on tuition alone to keep the school running. As owners, my husband and I work in the school as head of school and teachers, and we are here every day with our four children, including after school, working long hours to keep the school running successfully during this trying time. We've worked so hard to keep our community happy and thriving through this pandemic. We are a year-round school, and this past year, we have been through five months of virtual learning and multiple reopening plans, spending thousands of dollars on expensive COVID-19 policies and safety plans, including adding 6 outdoor sinks and rearranging the entire space to accommodate separate recess spaces. I don't know that we can take another hit and make it through a massive building being built directly in front of our school, which would bring a constant stream of strangers and construction into our front yard, directly on top of our school garden and basketball court. We will certainly lose families in this process, and enrollment will be drastically affected by a mass construction project as we are trying to do tours or open houses.

We are extremely concerned about being in an unsafe setting where our school is exposed continuously to traffic, construction, and strangers. We made our home here in the community of Westlake Hills five years ago, with the promise of an academic and child-centered development leasing community. We have successfully provided excellent services to almost 50 families here in the Westlake community, to whom we have also extended this promise. Our dream for this property has come true, and we currently have a safe, private lot away from the street where the children are free to work in their community garden, do their work outside, play basketball, and walk through the woods to the neighboring gymnasium at Shepherd of the Hills Church. We absolutely love this space for our school and for the other tenants, Sandbox (who works with autistic children) and Primrose (a daycare). In the front of the property (under different ownership) there is Synergy Dance and the Martial Arts dojo that back up to our property. We have children from our school who walk to both of these programs after school through our safe parking lot. We also lease office space for our school in this front location. All of these child-centered programs back up to our space in the back, creating a community of child-centered services. We expanded our campus and lease space in both of the buildings on the property that are proposed for development, as well as in the one space in the front of the lot. We have invested interest in the outcome of any development of this property. We signed our lease with the understanding that the vision for this property was for it to be an academic, child-centered campus and that is how we would like to keep it for the Westlake community. We were also told that no one could build on this property, which gave us and the other tenants the peace of mind to choose this location to create a future for the children and families we serve.

As noted, safety is one of our primary concerns. The road leading into our parking lot is small, and with the current infrastructure, we could not safely handle all of the traffic that would be pouring into the lot throughout the day with a massive construction project. This will also add a considerable amount of traffic flow to the community of Westlake Hills and Bee Caves Rd. The traffic study that was conducted and presented by the property owner may say differently

because it was conducted during the stay-at-home orders when there were not many people on the road. We have two points when neighboring families drop their children off in the morning and pick them up in the afternoon. This proposed new building will draw in traffic throughout the day during peak traffic times. We also have families from nearby Westlake neighborhoods who walk and bike to school—this will no longer be a safe place for them to do that.

As mentioned, our students use the gym at Shepherd of the Hills church and walk the trail through the woods daily. They will not have access to this trail anymore once the construction starts and after the new building blocks the access, not to mention that there would be too many strangers around for the students to safely cross through. The proposed building will tower over our school's back playground, and its glass structure and large number of windows mean that our students would be under constant observation by employees/construction workers/patients/customers.

This development threatens our livelihood as a small business and as a school. We will lose current and future customers, and this building will eliminate the children's school garden—which is also where the children hold their annual children's business fair—the basketball area, our outdoor learning space (put into place to adhere to COVID-19 policies), and our school dropoff and pickup route (which goes around the school garden pulling up at the front of the school). This will affect the lives of all of the children and parents in our school. There is no other place for the parents to queue for dropoff and pickup.

The noise and distraction will also absolutely negatively affect the children's focus and education. Further, there will be strangers in our parking lot doing construction for over a year, and in the long term, the strangers/employees/customers using the building will create an unsafe environment for the children. All adults on this child-centered campus have had background checks and are cleared to be near and work with children. The same cannot be said of those who will be doing construction on the building or occupying/using it, which poses a significant safety concern.

There are multiple vacant properties on the market currently that match the desired proposal of this project. These properties can be found all throughout Westlake Hills, down Bee Cave Rd, Walsh Tarlton and 360. We know there are many other very similar options available in Westlake that would be a more suitable match for what is being proposed versus in the center of our school's parking lot.

Our number one priority is doing the right thing for our community, these kids have already been through a lot. Thank you for taking the time to read this and for understanding the stress and pressure that small businesses and schools are under during this time.

All the best,

Jayme and Joseph Bynum
Acton Academy West Austin

Head of School/Owner

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: Gustavo Gomez <[REDACTED]>
Sent: Tuesday, January 19, 2021 4:15 PM
To: Anjali Naini
Subject: FW: 3423 bee caves support letter

Dear City of Westlake Hills Zoning and Planning Commission

My name is Gustavo Gomez, I have been a resident of Westlake Hills for many years. The purpose of this email is to SUPPORT the proposed development at 3423 Bee Caves Rd. I believe that the Medical office building is going to be a GREAT value for our neighborhood.

I think that is an excellent opportunity to strength the Medical/Dental health of our neighbors . There is an increased demand for specialist doctors in our area, not only for our growing senior population but also for our children. This group of Drs have been offering a very high level of specialty care to our community for many years. This building will help them provide a more high end care by improving their facility.

This building It is going to impact on the community's economic health by providing long-term, high-paying jobs and vital services.

As a resident and as a family who can benefit of these valuable group of great doctors, WE SUPPORT the construction of this medical building, that's why we urged you to vote YES for the proposed development.

Thank you for your time and consideration.

Best Regards,

Anjali Naini

From: Sandy Rogge <[REDACTED]>
Sent: Monday, January 18, 2021 9:31 PM
To: Anjali Naini
Cc: Paul Rogge
Subject: Hill Country Oral Surgery is Great Westlake High and Eanes Schools' supporter.

Follow Up Flag: Follow up
Flag Status: Flagged

City Planners of Westlake Hills:

I understand that the Westlake City Council has a meeting set for Tuesday, January 19th. I know Hill Country Oral Surgery is in the process of building a dental specialty practice for the Westlake area with several other specialists. I wanted to let you know that Hill Country Oral Surgery is a huge supporter of Westlake High and other schools and a great supporter of our community. They even got a shout out at a Westlake Football game last year before Covid019. I, along with many other members of our community, are in favor of Hill Country Oral Surgery and other specialists building their practice locally.

I am a parent volunteer at Westlake High School and had 5 daughters in the district. This is my second year on the Westlake High School Hyline Parent Board, and I have been involved in community outreach and obtaining financial and other support from our local businesses. Hill Country Oral Surgery has been a large financial sponsor at one of the highest financial level we solicit for Westlake Hyline for at least the past 5 years. I was so grateful and impressed with their quick and enthusiastic response to our annual requests for donations of at least \$1,000 each year, and even during Covid 19 era Hill Country Oral Surgery has been willing to offer additional financial support. I have had the opportunity to solicit donations and support from many local businesses, and I was struck with the constant and quick willingness of Hill Country Oral Surgery to support Westlake High School.

On a personal note, I appreciate having high quality dental care close to my home in Westlake and close to my family home and our schools. It is super convenient for my daughters and the other families in Eanes. When I mentioned to my college daughter that Hill Country might build another practice location in Eanes she exclaimed, "Oh my gosh.. I loved them. They did such a great job taking out my wisdom teeth." I found Hill Country through other Eanes families, all of which have been impressed with their dental care, and we love having high quality care close to home.

If you have any questions or comments, please feel free to call or email me 512-917-7844 or [REDACTED]

Sandra Rogge
Westlake Mom and Westlake Hyline Parent Board Member
512-917-7844

3800 Hunterwood Point
Austin TX 78746

Anjali Naini

From: Todd Ohlmeyer [REDACTED]
Sent: Tuesday, January 19, 2021 2:15 PM
To: Anjali Naini; Mark pzsec; mayor@mayor
Subject: Item #10 on the meeting agenda for the ZAPCO Regular Meeting on 1/20/21

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,

This letter concerns item #10 on the meeting agenda for the ZAPCO Regular Meeting tomorrow 1/20/21, which is a request for several variances related to the construction of a 2-story medical office building with a parking garage at located at 3423 Bee Cave Rd, which is the parking lot behind Synergy Dance Studio and which also currently serves as a pickup and dropoff zone for Acton Academy West, a K-12 school.

As a resident of West Lake Hills whose two children attend Acton Academy West and whose daughter takes dance classes at Synergy Dance Studio, and a resident of the neighborhood directly across Bee Cave Rd from this property generally referred to as Westwood, I request you to not allow this development to move forward for the following reasons.

TRAFFIC If you have ever had to pull in or out of the parking lot at 3423 Bee Cave Rd at almost any time of day, but particularly at morning and evening rush hours, you know that it is a traffic nightmare. I have been stuck behind 2 or 3 cars for upwards of 10 minutes just trying to turn right onto Bee Cave Rd. Furthermore, students walking and biking to and from Hill Country Middle School utilize those sidewalks and I have seen multiple close calls with drivers seizing the long-awaited opportunity to pull onto Bee Cave Rd and at the last moment noticing a student on the sidewalk crossing their path. Adding a two story office building will only exacerbate these problems. Installing a traffic light won't help, as Bee Cave Rd is already so congested in that stretch that there would be nowhere for cars leaving that area to go.

SECURITY Current tenants in the area include not only the aforementioned Acton Academy West and Synergy Dance Studio, but also Primrose Day Care Center, a Tae Kwon Do studio, a school for children with developmental challenges, and others. This is an area intended for businesses focused on children. Adding a construction zone, and then a medical office building which will inherently involve large numbers of employees, patients, caregivers, medical sales personnel, maintenance personnel, etc, and all their vehicles, coming and going throughout all hours of the day, is extremely unsafe. It does not align with the nature of business of the other tenants of that property, and it's dangerous for the many children who frequent that area.

WESTWOOD NEIGHBORHOOD My family has lived in the Westwood neighborhood for 11 years. In that time, we have seen the traffic on Bee Cave Rd worsen and worsen. Despite the road widening project completed in recent years, it is nearly impossible to turn left onto Bee Cave Rd from our neighborhood without using the light at Westwood Terrace. Even turning right can take a considerable amount of time. During COVID, it's been slightly easier, but with EISD schools partially back in person, and more businesses opening, it is only going to get worse. This project will negatively affect every resident of that neighborhood.

For these reasons, I request that you do not allow this project to continue. Thank you for your consideration.

Todd Ohlmeyer
313 Oak Ridge Dr, June 2018 - present
503 Bulian Ln November 2009 - June 2018
512-638-0191

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: bijan bonakchi [REDACTED]
Sent: Monday, January 18, 2021 9:05 PM
To: Anjali Naini
Subject: Fwd: Letter of Support 3423 Bee Caves Rd

>
> Westlake Hills City and Mayor,
>
>
> Me and my family are residents of Westlake Hills and are writing this email in FULL SUPPORT to the new Medical/Dental specialists building that is being proposed for 3423 Bee Caves Rd.
> Being a patient of these Drs I know the project first hand, and believe that will be a great addition to the Westlake Hills community.
> The Drs involved in the proposed project have been serving the Westlake Hills community for many years and with this new building will continue to do so in a more modern facility, using the latest technologies for the benefit of patients in need of complex dental treatments.
> The proposed building in it self is a very clean and harmonious structure that will merge with the surrounding nature, residences and businesses. The impact of the construction to the neighboring residences is non-existent, there would be a 250 feet green area in between them. The existing buildings in the area will continue to have priceless green spaces, also circulation and parking will be improved.
> Bee Caves Traffic will not be altered due to that the Drs existing practices is less than one mile away from the proposed project.
> I am asking you to give green light to this project and help this valuable group of Drs improve our health by improving their facility, sincerely,
>
>
> Ali Bonakchi and family.

Anjali Naini

From: kevin irons <[REDACTED]>
Sent: Tuesday, January 19, 2021 5:11 PM
To: Anjali Naini
Subject: Medical Dental complex at 3423 Bee Caves Rd

Dear Westlake Hills City Council and Zoning/Planning Commission,

I am in favor of the requested construction of a Medical/Dental complex in 3423 Bee Caves Road. I have known each of these dental professionals for decades, and they are at the top of their medical profession. To have them as a continued part of the community is a true gift for the culture of excellence that is known within Westlake. As a retired periodontal surgeon and former Presiding Officer of the State Board of Dental Examiners, I can attest to their ethical standards and their love of this community.

As a business entrepreneur, I have numerous medical buildings and properties that I have constructed over the years. I have reviewed the variances cited in the reports. Those variances are reasonable and will have a nominal effect on the natural beauty of the area.

Having a complex such as this and the specialist involved will only serve to strengthen the reputation of Westlake Hills as a progressive, professional community.

Thank you for your service and consideration,

Dr. J. Kevin Irons, DMD
(512) 779-4181

Anjali Naini

From: Nancy Gerard <[REDACTED]>
Sent: Friday, January 15, 2021 5:36 PM
To: Anjali Naini
Cc: Nancy Gerard
Subject: Opposed to development at 3423 Bee Cave Rd

Follow Up Flag: Follow up
Flag Status: Flagged

I have lived at 1104 Snowy Owl Court for 27 years and oppose development at 3423 Bee Cave Rd especially because it could endanger numerous children going to Primrose preschool, a therapy center for children with autism, Action Academy for K-12, mental health counseling, and dance studios. It would also impact the woodsy, quiet and peaceful area with additional noise and exhaust. Not to mention bringing additional traffic to the already busy area.

Please do not approve permits for this new building and medical office building.

Nancy Gerard
1104 Snowy Owl Court
Austin, TX 78746

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: 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: mayor@ mayor
Sent: Wednesday, January 20, 2021 5:28 PM
To: Lou McCreary; Anjali Naini; Travis Askey; Kathy Wirt; Julie Wirt
Subject: Re: Proposed Three Story Commercial Building: 3423 Bee Cave Road

Follow Up Flag: Follow up
Flag Status: Flagged

Lou, thanks for writing - we are pulling the item from tonight's agenda because some people, who live in the city of Austin but in the buffer zone did not get notified...could you please help us get the word out...the earliest it will be heard by Zapco is in march...thanks again for writing to us

Sent from my iPad

On Jan 20, 2021, at 2:25 PM, Lou McCreary [REDACTED] wrote:

Mayor and Council-My wife and I live on Snowy Owl Court which is deed restricted to no more than two stories. I understand an application for variance has been filed to allow a three story commercial building at the address shown above. I am against the variance because it would be detrimental and unsightly. Please deny the application.

Lou McCreary
(512) 589-1496

Anjali Naini

From: PYOTR BELOV [REDACTED]
Sent: Friday, January 15, 2021 9:38 PM
To: Anjali Naini; Anjali Naini; Beth South; wlhcc2@ wlhcc2; wlhcc1@ wlhcc1; Jim O'Connor; wlhcc4@ wlhcc4; mayor@ mayor
Cc: PYOTR BELOV; Oksana Belov
Subject: Public Hearing

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City of Westlake Hills Officials,

We recently learned of plans to build a three-story office complex with a parking garage that will be adjacent to three schools, Acton Academy West, Primrose and Sandbox located at 3423 Bee Cave Rd. Part of our attraction to Acton Academy West was their ideal location, that is nicely located in natural setting allowing young minds to learn and thrive.

If you are to allow variance to build this building, it would dramatically affect the landscape, and the overall experience of students attending the three schools. I understand there is a public hearing on Jan 20, 2021 at 6:30pm of which we will all attend.

Acton Academy have been crucial during these challenging times. And any disruption would have major impact on the community. Do you really want to disrupt the natural landscape and the nurturing schools? Surely there is a better suited use of this space that does not require variance and disruption of the landscape.

Thanks for your consideration.

Sincerely,

Pyotr and Oksana Belov
1728 Ben Crenshaw Way
Austin, TX 78746
(512) 698-3801

Anjali Naini

From: Olga Kobzar <[REDACTED]>
Sent: Wednesday, January 20, 2021 4:03 PM
To: Anjali Naini
Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Dear Anjali, if it's not too much trouble, could you please forward the following photos to the Zoning & Planning Commission and include them in the City Council packet as part of their consideration?

The applicant's map submission, depicting the area as primarily commercial:



A current Google Maps excerpt of the proposed location, focused slightly more to the south, showing that the majority of this area is actually residential, with heavily-wooded, private lots:



Our backyard in current fall/winter conditions, with a mock-up of the new building's impact vs. existing structures (heights measured and approximated by our tenant, who is a trained architect):



I'm frankly surprised that respected area physicians (some of whom we've patronized personally, like Dr. Kunik) would support a process like this, that hides information from the City while planning to build practically in their customers' back yards, so I hope this is just a misunderstanding and the applicant withdraws the application, meets with the stakeholders, and develops a workable plan that does not deprive them of quiet enjoyment of their properties.

Many thanks,

Olga

From: Olga Kobzar
Sent: Wednesday, January 20, 2021 3:36 PM
To: 'Anjali Naini' <planner@westlakehills.org>

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Hi Anjali, thank you very much for following up! Yes, I will be calling in and speaking today. The number I will call from is 512-589-1824.

In connection with that, below is an excerpt from the Variance Letter submitted by the developer that I will reference in my comments. It expressly shows that the applicant identified the residential neighborhood (south property line, as highlighted) where my home is located. The applicant also admitted the top floors of the structure will have a view of the affected properties, but omitted any discussion of the fact that several of the homes have pools, and the top floor of this proposed structure will have direct line of sight to people (including young children) swimming and quietly enjoying their residences. The fact that multiple patients, doctors, and staff, would violate the residents' expectation of privacy in their back yards (while in swimming gear, no less) on a daily basis controverts the applicant's statement that the proposed building height "will not affect them negatively."



- 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 again,

Olga Kobzar



Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

From: Anjali Naini <planner@westlakehills.org>

Sent: Wednesday, January 20, 2021 3:05 PM

To: Olga Kobzar <[REDACTED]>

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

EXTERNAL

Thank you for your comments, we will forward them to the Zoning & Planning Commission and include them in the City Council packet.

If you would like to speak or listen to the ZAPCO meeting tonight, you can find the call information on the first page of the agenda (you'll need to download the PDF) on the City's website here:
<https://www.westlakehills.org/281/Agendas-Minutes>

If you plan on speaking, please reply no later than 4:00pm with the phone number you will be calling from so we can ID you during the meeting.

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: Olga Kobzar <[REDACTED]>
Sent: Wednesday, January 20, 2021 12:00 PM
To: Anjali Naini <planner@westlakehills.org>; Anjali Naini <planner@westlakehills.org>; mayor@ mayor <mayor@westlakehills.org>; Jim O'Connor <wlhcc5@westlakehills.org>; wlhcc1@ wlhcc1 <wlhcc1@westlakehills.org>; wlhcc2@ wlhcc2 <wlhcc2@westlakehills.org>; Beth South <wlhcc3@westlakehills.org>; wlhcc4@ wlhcc4 <wlhcc4@westlakehills.org>
Subject: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak
Importance: High

Dear City of Westlake Hills officials and Committee members,

My husband and I are owners of the property located at 1100 Snowy Owl Court, Austin, TX 78746, directly behind the property subject to today's meeting. A number of the neighbors (including our tenants David and Laura Linton) submitted letters of opposition to this project and I will not repeat their concerns here. However, I have an additional concern about the violations of due process of adjacent property owners in the way this matter came to be heard at today's meeting without giving us prior notice.

It is my understanding that notice of variance applications should be given to affected parties at least 30 days prior to the matter being discussed, so that they have an opportunity to review and protest. No such notice or description of proposed exceptions and variances, was provided to us, and from speaking to a few of our neighbors, they have not received it either. I did not learn about this until a few short days ago, and still do not have a copy of the proposed plans to determine the scope of the project, to consult with experts, and to formulate my opposition.

Accordingly, I would like to request that today's discussion is postponed until proper notice is given and we (and others similarly affected) have the opportunity to review the application. In the alternative, I ask that you register me to speak at today's meeting.

Respectfully,

Olga Kobzar


www.scottdoug.com

Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

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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: Dr. Scott Haydon [REDACTED] >
Sent: Monday, January 18, 2021 11:25 AM
To: Anjali Naini
Subject: Support for proposed building

I'm a proud member of the Westlake community with three children. Each has attended EISD schools from Bridgepoint, to Hill Country and then Westlake High School. Two have graduated and one is a junior at Westlake. I am also an alumnus of Westlake High School (1986). I have been a practicing plastic surgeon in Westlake since I returned in 2002 after my training. My wife and I live in Davenport.

Please find this email in full support of the professional building planned for the dental group of Drs. Kunik, Yu, Cavaretta and Vesga. This talented group will offer our community an extremely experienced multidisciplinary setting. I know several of these professionals and can attest to their character and professional work. Both Drs. Cavaretta and Yu have taken care of my immediate family. I also know that they are consistent supporters of the community, Westlake High School and EEF.

With regard to their proposed structure, it does not appear that they will obstruct the view of Sway. Since they have current Westlake practices, there should not be additional traffic concerns.

Please feel free to reach out to me if I can be of assistance. My cell is 512.913.2601

scott



M. Scott Haydon, MD
Board Certified Plastic Surgeon
Austin Plastic Surgery Institute

Phone: (512) 300-2600 | **Website:** www.drhaydon.com

Email: [REDACTED]

[Austin Plastic Surgery Institute](http://AustinPlasticSurgeryInstitute.com) | 4701 Bee Cave Rd., Ste. 202 Austin, TX 78746



Anjali Naini

From: Judy French <[REDACTED]>
Sent: Wednesday, January 20, 2021 7:34 AM
To: Anjali Naini; Mark pzsec
Cc: Dave French; Randy Kunik; Gina Smith
Subject: Support Letter for 3423 Bee Cave Road Building Project - French
Attachments: 3423 Bee Cave Road Building Project Support Letter.pages

Follow Up Flag: Follow up
Flag Status: Flagged

Ashby and Mark,

Please find attached our support letter for the proposed dental office building located at 3423 Bee Cave Road. Please ensure that it gets to Mayor Anthony, the City Council members and all members of the Planning & Zoning Committee.

Thanks very much,

Judy & Dave French
308 Buckeye Trail

West Lake Hills City Council and Mayor,

Good afternoon. As long-time West Lake Hills residents who plans on remaining in the community as empty-nesters, I am writing in support of the proposed development at **3423 Bee Caves Road**. While this project may have some vocal detractors, I believe that this building will be additive to the West Lake Hills community and harmonious with surrounding businesses, schools and residences.

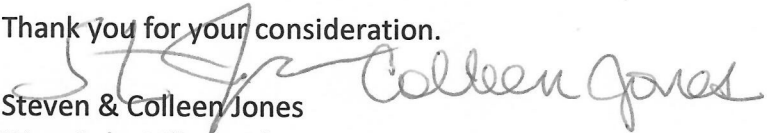
First of all, Drs. Randy Kunik, Vincent Cavaretta, Juan Vesga and David Yu have practiced oral medicine in West Lake for over 75 collective years. They have served our community as doctors, Eanes ISD parents and have supported Westlake organizations and schools through volunteering and charitable giving. They currently practice right down the street and seek to build and invest in a permanent home for their businesses. This project is being designed specifically for them and they will occupy the majority of the new building.

This is a group of established doctors, who do not require visibility, and the building is intentionally tucked away below the street to capture the tree line view from the site. There have been references to a three-story building, but one of those "stories" is covered parking, which allows them to maximize green space on the site and minimize surface parking. The new building will hardly be visible from Bee Caves, as the roof line will be below Sway's. The impact to nearby residence will be non-existent, as this building is set back almost 250 feet (versus an allowable minimum of 40 feet) from the property line and is buffered by dense existing trees.

As a group of dentists with many young clients (including Randy's orthodontic practice), they see the proximity to schools and youth-oriented businesses as beneficial to all. Acton, Primrose and Sandbox will continue to have access to enviable green space and circulation and parking on the site will be improved. Nearby Synergy Dance Studio and Master Martial Arts may benefit from increased awareness from patients. These practices are all appointment-based, which reduces traffic significantly in comparison with other potential occupants. Personally, my own family will continue to **benefit from these practices occupying a centralized location** – as we continue to juggle orthodontic and other oral appointments with our remaining children.

3423 Bee Caves is a rare 6+ acre site in desirable West Lake Hills. The proposed project, to be owned and occupied by this group of doctors, will preserve several acres of green space for decades to come. **They are invested in our community – and will continue to invest in our community. I support these local doctors to have a space to “call their own” in lieu of an outside developer.** Other developers would approach this property very differently: by looking to maximize rentable square footage rather than coexisting with the existing schools. **This project will be additive to its surroundings and has my full support.**

Thank you for your consideration.


Steven & Colleen Jones

West Lake Hills residents, 17+ years

Steven Jones – Owner & Coach of Lost Creek Aquatics

Colleen Jones – Former President/Trustee for Eanes ISD

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: Julie Wirt [REDACTED]
Sent: Wednesday, January 20, 2021 11:29 AM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Variance requests at 3423 Bee Caves Road

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

We are writing to express our strong opposition to the variance requests for the proposed development of 3423 Bees Cave Road.

The building code was developed to ensure the natural landscape and views of West Lake Hills are protected. It is hard to imagine that there is a hardship reason to ignore those codes (building height, cut & fill, trees) for this type of development. Given West Lake Hills already has a disproportionate amount of medical office space for a city our size, there is no reason to approve variances to build even more.

Furthermore, although these types of developments do increase property tax, they do not have the added benefit of increasing our sales tax revenue as other types of businesses would. As our financial resources within the city become more stretched as we respond to the broader area growth this should be an important consideration of the city council in approving future developments and variances.

Thank you,
Julie & Eric Kameda

Anjali Naini

From: Kathy Wirt [REDACTED] >
Sent: Wednesday, January 20, 2021 12:12 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4
Subject: Variance requests at 3423 Bee Caves Road

Good morning,

I am writing to express my strong opposition to the variance requests for the proposed development of 3423 Bees Cave Road.

The building code was developed to ensure the natural landscape and views of West Lake Hills are protected and these variances do not support that.

Additionally we should also be looking for ways as a city to expand our sales tax revenue. We have more than enough medical facilities within West Lake Hills. If we are going to allow variances to our city code then it should be in support of increasing our tax base.

Thank you,
Kathy Wirt

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: Kati Ohlmeyer <[REDACTED]>
Sent: Tuesday, January 19, 2021 12:55 PM
To: Anjali Naini; Mark pzsec; mayor@mayor
Subject: Written comments, re: 1/20/21 ZAPCO Regular Meeting, agenda item #10

Dear Mayor, members of the West Lake Hills City Council and members of the Zoning and Planning Commission,

This letter concerns item #10 on the meeting agenda for the ZAPCO Regular Meeting tomorrow 1/20/21, which is a request for several variances related to the construction of a 2-story medical office building with a parking garage at located at 3423 Bee Cave Rd, which is the parking lot behind Synergy Dance Studio and which also currently serves as a pickup and dropoff zone for Acton Academy West, a K-12 school.

As a resident of West Lake Hills whose two children attend Acton Academy West and whose daughter takes dance classes at Synergy Dance Studio, and a resident of the neighborhood directly across Bee Cave Rd from this property generally referred to as Westwood, I request you to not allow this development to move forward for the following reasons.

TRAFFIC If you have ever had to pull in or out of the parking lot at 3423 Bee Cave Rd at almost any time of day, but particularly at morning and evening rush hours, you know that it is a traffic nightmare. I have been stuck behind 2 or 3 cars for upwards of 10 minutes just trying to turn right onto Bee Cave Rd. Furthermore, students walking and biking to and from Hill Country Middle School utilize those sidewalks and I have seen multiple close calls with drivers seizing the long-awaited opportunity to pull onto Bee Cave Rd and at the last moment noticing a student on the sidewalk crossing their path. Adding a two story office building will only exacerbate these problems. Installing a traffic light won't help, as Bee Cave Rd is already so congested in that stretch that there would be nowhere for cars leaving that area to go.

SECURITY Current tenants in the area include not only the aforementioned Acton Academy West and Synergy Dance Studio, but also Primrose Day Care Center, a Tae Kwon Do studio, a school for children with developmental challenges, and others. This is an area intended for businesses focused on children. Adding a construction zone, and then a medical office building which will inherently involve large numbers of employees, patients, caregivers, medical sales personnel, maintenance personnel, etc, and all their vehicles, coming and going throughout all hours of the day, is extremely unsafe. It does not align with the nature of business of the other tenants of that property, and it's dangerous for the many children who frequent that area.

WESTWOOD NEIGHBORHOOD My family has lived in the Westwood neighborhood for 11 years. In that time, we have seen the traffic on Bee Cave Rd worsen and worsen. Despite the road widening project completed in recent years, it is nearly impossible to turn left onto Bee Cave Rd from our neighborhood without using the light at Westwood Terrace. Even turning right can take a considerable amount of time. During COVID, it's been slightly easier, but with EISD schools partially back in person, and more businesses opening, it is only going to get worse. This project will negatively affect every resident of that neighborhood.

For these reasons, I request that you do not allow this project to continue. Thank you for your consideration.

Kati Ohlmeyer
313 Oak Ridge Dr, June 2018 - present
503 Bulian Ln November 2009 - June 2018
512-568-2624

Anjali Naini

From: Katie Cowan [REDACTED] >
Sent: Tuesday, January 19, 2021 10:51 PM
To: Anjali Naini
Subject: Zoning & Planning Commission Meeting

I unable to attend the meeting, I am opposed to the developmental plan for the medical office. --
Katelynn M. Cowan

Anjali Naini

From: Andrew Weary <[REDACTED]>
Sent: Wednesday, March 10, 2021 9:01 PM
To: Anjali Naini
Subject: 3423 Bee Caves Rd Variances

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir /Madam:

We are again communicating our concerns and opposition to the variances requested and the development project in general that is proposed.

We have lived adjacent to the project area for almost 40 years and have never felt that our property has been this threatened before. The more we have learned about the project, the more we have become opposed.

Our main concerns are as follows.

First,
The size and extent of the project, with its huge increases in impervious cover. The enlarged parking lots and required cutting of huge amounts of trees will definitely increase run off damage. YOU CANNOT ENGINEER YOUR WAY OUT OF THIS ON THE GRADIENT OF THIS PROPERTY. Every development along Bee Cave Rd we have observed since 1981 has resulted in more run off and erosion and property damage. We DID live here during the 1981 "Memorial Day Floods" but it stands out less and less, as we have seen more routine rain systems since have resulted in demonstrably increased damage to our neighborhoods, corresponding to the increased density of construction "uphill from our neighborhoods, over the years. Resultant damage has included erosion of lawns and yards; deposition of trash and the spreading of invasive plant species; contamination with chemicals and pollutants into yards and residential streets. .

Second:
Reduced property values due to the reduced aesthetic of natural environments. The cutting of trees & clearing of vegetation (substituting office building walls & parking lots) violate the city's "Code Of Ordinances":
Chapter 98-VEGETATION; Article II- TREES; DIVISION 2-PRESERVATION; SEC 98-46 PURPOSE AND INTENT. Each of the paragraphs 1 - 5 under Purpose and Intent, ARE VIOLATED IN THE PROCESS OF OR IN THE RESULTING CONSTRUCTS IF THE VARIANCES WERE TO BE GRANTED. THOSE VIOLATIONS ARE OF THE FOLLOWING (ABREVIATED) PARAGRAPHS: (1) PROHIBITION OF INDISCRIMATE CLEARING (2) PROTECTION OF THE VALUE OF RESIDENTIAL & COMMERCIAL PROPERTIES (3) MAINTENANCE AND ENHANCEMENT OF "A POSITIVE IMAGE"... "FOR THE ATTRACTION OF... NEW RESIDENTS" (4) PROTECT HEALTHY TREES AND...PROMOTE..ENVIRONMENTAL AND AESTHETIC QUALITIES (5) PRESERVE THE RURAL FORESTED CHARACTER OF THE TOWN.

No new office building is as pleasing to the eye or beneficial to the "view" as natural trees or growth. The City of Westlake is acknowledging that fact in its Code of Ordinances, Chapter 98. This development project does not honor that perspective. Within the context of the Westlake and Westbank aesthetic, such a development would be patently detrimental to property values. Whether the affected properties are in the Westlake city limits should not matter to an ethical planning commission and city council. The values and codes relate to all residents of the area.

Third:
Detriment to existing businesses.
Several private and public schools and churches and many small businesses are either adjacent to or nearby this project. Increased business traffic would just increase the congestion encountered by students and patrons to these schools, churches, and nearby small businesses. Children walking or playing in the area and patrons to the small businesses, would be subjected to the risks of increased traffic. Several of the businesses and schools have ALREADY expressed interest in LEAVING the area if this project goes through as requested. Some Children in our neighborhood attend these schools and their parents have expressed interest in attending school elsewhere, in a less congested and less dangerous environment. (Our family sometimes shops in Sunset Valley because the parking & store access is less

congested & "tight"; Altho we like Breed and Company, we sometimes go to the ACE on Hiway 71, towards Spicewood, same reason)

Fourth: Crime

As residents of this area for 40 years and as parents of a police officer and graduate of Austin's Citizen Police Academy we know that increased urban type development is associated with increases in certain types of criminal activity. More and larger parking lots--in this case away from the view of major streets-- more commercial buildings not occupied during nights, weekends and holidays, leads to more burglaries & staging areas for various crimes into nearby residential neighborhoods. We have witnessed this criminal activity increase proportionately as the whole Westbank area has become more developed and we are opposed to similar development that would put our homes directly at increased risk.

FIFTH:

Noise pollution:

Both the construction and the traffic caused by this project--once completed-- would increase noise in our neighborhoods. Noisy construction and business traffic noise --and don't forget the 4-5 am banging of commercial-sized trash dumpsters, right next door--are not in alignment with Westlake's Code of Ordinances', "positive image", or "forested character of the town", or that of a peaceful residential neighborhood.

Respectfully,

Andy Weary MD
Becky Weary
Rosefinch Trail
Austin Tx 78746

Anjali Naini

From: Olga Kobzar [REDACTED]
Sent: Thursday, March 11, 2021 12:07 PM
To: Anjali Naini
Subject: RE: 3423 Bee Cave Rd. Development - opposition and request for opportunity to speak

Hi Anjali, hope you've been doing well! As previously discussed, I'm putting all of my prior comments in opposition of the above-referenced variance application into one e-mail, so that it can be used in the packet for the upcoming Committee meeting on 3/17/21:

To summarize, the main problems I see with the application (as the property owner of 1100 Snowy Owl Court) is that the applicant made gross misrepresentations to the Committee about (1) whether nearby residents would be affected; and (2) the impact of the structure's increased impervious cover on the drainage in the area.

Not only will these requested variances greatly prejudice nearby landowners like me and many others, but they affect landowners who reside within City of Austin limits and should be protected under City of Austin ordinances. Accordingly, the variances should be reviewed not only under the City of Westlake regulations, but under those of the City of Austin as well. That's the correct way to fairly review the impact on the property rights of the adjacent City of Austin residents. Applicant failed to do that.

Accordingly, I would request that the Committee require the applicant to re-submit its application with (1) an honest and accurate assessment of the impact on the nearby residences that they've omitted **completely** from the original application packet, and (2) add a discussion of how/whether the requested variances comply with City of Austin zoning and variance regulations. Below is a summary of errors, omissions, and misrepresentations in what the applicant submitted to support the explanations I've made:

The applicant's map submission with the variance packet, depicting the surrounding area as primarily commercial:



An actual Google Maps snapshot of the proposed location, focused slightly more to the south, showing that the majority of this area is actually residential, with heavily-wooded, private family lots:



Our backyard at 1100 Snowy Owl, shown in fall/winter/early spring conditions, with a mock-up of the new building’s impact vs. existing structures (heights measured and approximated by our tenant, who is a trained architect):



As you can clearly see on the panoramic photo above, this proposed multi-tenant medical office building will be large, visible, and have a direct view into our back yard and the windows of our living room and our bedrooms. Anyone from the proposed offices' higher floors would see children in the swimming pool, on the swings, getting ready for bed inside, etc.

Yet the Variance Letter submitted by the developer boldly (and erroneously) states there will be no impact. On the image below, the variance letter shows that the applicant identified our residential neighborhood (south property line, as highlighted). The applicant also admitted the "residents" may see the top floors of the structure, but failed to mention that office workers and customers of their building will likewise have a view directly into the back yards and home windows of the affected properties. The letter also omitted any discussion of the fact that trees are bare in winter (thus, no "canopy" for at least half of the year, as you can clearly see on above photo), or that several of the homes have pools, and the top floor of this proposed structure will have direct line of sight to residents (including young children) swimming, walking in the yards and inside their homes where they should have a complete expectation of privacy and quiet enjoyment. The applicant also did not discuss that without the variance, that would not occur, choosing to focus on offset from the commercial structures.



- o 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.
- o 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.
- o West Property Line – this property is zoned GUL. 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.
- o **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.

It is clear to me – and I hope equally clear to the Committee and the City officials – that this variance proposal is, at best, incomplete. The developer and its architects should be required to **create a to-scale schematic** showing how the proposed building will look adjacent to the residential neighborhood, similar to the mock-up I attached above. They should perform a line-of sight study and provide a copy of the modeling to the residents and the Committee. Without that, it is impossible to truly understand the drastic impact the height variances are going to have on the area properties and our enjoyment of our land and houses.

The proposal should also do the same with a **drainage impact study** – just because our neighborhood is outside of the City of Westlake limits does not mean that the developer can avoid a duty to ensure we won't get affected by this building's increase in impervious cover in the area that already has drainage issues. In fact, because this development is going to affect a number of City of Austin properties, that study should be done by taking into account City of Austin regulations.

And finally, I'd like to re-iterate that I am very surprised and disheartened that a reputable local architectural firm and a group of respected area physicians (some of whom my family has patronized personally and extensively, like Dr. Kunik) would support a process like this, where the applicant has hidden information from the City and the local residents while planning to build in the back yards of area families – the very families who patronize their businesses and contribute to their success.

I'm even more disappointed that despite my January protest letter, the applicant has failed to reach out and meet with me to discuss my concerns or work out a development plan that does not deprive us of quiet enjoyment of our property. Not only that, but I've been informed by other area residents that certain representations have been made by the persons associated with this project recently about "area residents accepting this project as a good idea" – something that is factually incorrect. There is a reason others in the past have not proposed to build an oversized multi-office commercial building in the drainage zone next to family residences. And that is because it's inappropriate and dangerous. More work is needed to know the full impact, and it's clear this project's principals have not done that work. The variance request should be denied.

Please pass on these comments, and register me to speak at the upcoming March 17, 2021 meeting.

Best regards,

Olga Kobzar



www.scottdoug.com

Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

From: Anjali Naini <planner@westlakehills.org>

Sent: Thursday, January 21, 2021 6:08 PM

To: Olga Kobzar [REDACTED]

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

EXTERNAL

That would be much appreciated! Yes, we received comments from 40 people so I've been doing my best to keep track 😊 The meetings would be March 17th – ZAPCO and then April 14th – City Council/BOA.

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: Olga Kobzar <[REDACTED]>
Sent: Wednesday, January 20, 2021 6:09 PM
To: Anjali Naini <planner@westlakehills.org>
Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Yes, absolutely – I will happily consolidate everything, because I'm sure it feels kind of like herding cats right now 😊. I will definitely send it in the Thursday before – what date is the meeting when this will be on the agenda?

Thanks again,

Olga

From: Anjali Naini <planner@westlakehills.org>
Sent: Wednesday, January 20, 2021 6:03 PM
To: Olga Kobzar <[REDACTED]>
Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

EXTERNAL

Yes, that's correct, it should be pulled from the agenda and I discussed it earlier with the ZAPCO Chairman. You are welcome to provide additional comments or consolidate what you have already sent before the next meeting. I'll try to reach out to everyone who contacted us ahead of time. My preference is to receive comments, if possible, the Thursday the week before the meeting so I can include them in the meeting packet.

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
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From: Olga Kobzar <[REDACTED]>
Sent: Wednesday, January 20, 2021 5:52 PM
To: Anjali Naini <planner@westlakehills.org>
Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Thanks Anjali, I just heard from Linda that the item was pulled from tonight's agenda, so hopefully we can have this included for the next meeting? Now that I have more time, I'll do a formal letter of protest, and include everything in one place, too.

Thanks for all your help,

Olga

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DOUGLASS
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www.scottdoug.com

Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

From: Anjali Naini <planner@westlakehills.org>
Sent: Wednesday, January 20, 2021 5:46 PM
To: Olga Kobzar <[REDACTED]>
Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

EXTERNAL

Hi Olga,

I'm sorry but it is too late to forward this information to ZAPCO for the meeting tonight. If the item is postponed, it will be included sent to them before the next meeting and otherwise forwarded to the City Council.

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: Olga Kobzar <[REDACTED]>

Sent: Wednesday, January 20, 2021 4:03 PM

To: Anjali Naini <planner@westlakehills.org>

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Dear Anjali, if it's not too much trouble, could you please forward the following photos to the Zoning & Planning Commission and include them in the City Council packet as part of their consideration?

The applicant's map submission, depicting the area as primarily commercial:



A current Google Maps excerpt of the proposed location, focused slightly more to the south, showing that the majority of this area is actually residential, with heavily-wooded, private lots:



Our backyard in current fall/winter conditions, with a mock-up of the new building's impact vs. existing structures (heights measured and approximated by our tenant, who is a trained architect):



I'm frankly surprised that respected area physicians (some of whom we've patronized personally, like Dr. Kunik) would support a process like this, that hides information from the City while planning to build practically in their customers' back yards, so I hope this is just a misunderstanding and the applicant withdraws the application, meets with the stakeholders, and develops a workable plan that does not deprive them of quiet enjoyment of their properties.

Many thanks,

Olga

From: Olga Kobzar

Sent: Wednesday, January 20, 2021 3:36 PM

To: 'Anjali Naini' <planner@westlakehills.org>

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Hi Anjali, thank you very much for following up! Yes, I will be calling in and speaking today. The number I will call from is 512-589-1824.

In connection with that, below is an excerpt from the Variance Letter submitted by the developer that I will reference in my comments. It expressly shows that the applicant identified the residential neighborhood (south property line, as highlighted) where my home is located. The applicant also admitted the top floors of the structure will have a view of the affected properties, but omitted any discussion of the fact that several of the homes have pools, and the top floor of this proposed structure will have direct line of sight to people (including young children) swimming and quietly enjoying their residences. The fact that multiple patients, doctors, and staff, would violate the residents' expectation of privacy in their back yards (while in swimming gear, no less) on a daily basis controverts the applicant's statement that the proposed building height "will not affect them negatively."



- o 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.
- o 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.
- o West Property Line – this property is zoned GUL. 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.
- o **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 again,

Olga Kobzar

SCOTT
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Olga Kobzar
Partner

303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

From: Anjali Naini <planner@westlakehills.org>

Sent: Wednesday, January 20, 2021 3:05 PM

To: Olga Kobzar <[REDACTED]>

Subject: RE: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

EXTERNAL

Thank you for your comments, we will forward them to the Zoning & Planning Commission and include them in the City Council packet.

If you would like to speak or listen to the ZAPCO meeting tonight, you can find the call information on the first page of the agenda (you'll need to download the PDF) on the City's website here:

<https://www.westlakehills.org/281/Agendas-Minutes>

If you plan on speaking, please reply no later than 4:00pm with the phone number you will be calling from so we can ID you during the meeting.

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: Olga Kobzar <[REDACTED]>

Sent: Wednesday, January 20, 2021 12:00 PM

To: Anjali Naini <planner@westlakehills.org>; Anjali Naini <planner@westlakehills.org>; mayor@ mayor <mayor@westlakehills.org>; Jim O'Connor <wlhcc5@westlakehills.org>; wlhcc1@ wlhcc1 <wlhcc1@westlakehills.org>; wlhcc2@ wlhcc2 <wlhcc2@westlakehills.org>; Beth South <wlhcc3@westlakehills.org>; wlhcc4@ wlhcc4 <wlhcc4@westlakehills.org>

Subject: 3423 Bee Cave Rd. Development - request to postpone discussion due to lack of notice and request for opportunity to speak

Importance: High

Dear City of Westlake Hills officials and Committee members,

My husband and I are owners of the property located at 1100 Snowy Owl Court, Austin, TX 78746, directly behind the property subject to today's meeting. A number of the neighbors (including our tenants David and Laura Linton)

submitted letters of opposition to this project and I will not repeat their concerns here. However, I have an additional concern about the violations of due process of adjacent property owners in the way this matter came to be heard at today's meeting without giving us prior notice.

It is my understanding that notice of variance applications should be given to affected parties at least 30 days prior to the matter being discussed, so that they have an opportunity to review and protest. No such notice or description of proposed exceptions and variances, was provided to us, and from speaking to a few of our neighbors, they have not received it either. I did not learn about this until a few short days ago, and still do not have a copy of the proposed plans to determine the scope of the project, to consult with experts, and to formulate my opposition.

Accordingly, I would like to request that today's discussion is postponed until proper notice is given and we (and others similarly affected) have the opportunity to review the application. In the alternative, I ask that you register me to speak at today's meeting.

Respectfully,

Olga Kobzar



Olga Kobzar
Partner
303 Colorado Street, Suite 2400
Austin, Texas 78701
Phone: (512) 495-6354
Fax: (512) 495-6399
[REDACTED]

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Anjali Naini

From: Nancy Gerard [REDACTED]
Sent: Wednesday, March 17, 2021 8:26 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; Beth South; wlhcc4@ wlhcc4; Jim O'Connor
Cc: Nancy Gerard
Subject: 3423 Bee Cave Rd City of Westlake Variance Hearing

I live at 1104 Snowy Owl Court behind the proposed new building for medical offices at the above address. I have lived here for 27 years. I emailed you January 15, 2021, objecting to the development at that address because it could endanger many children using businesses adjacent to the proposed new building and also cause more noise and car pollution in our neighborhood.

I am writing this email requesting that you delay the variance hearing regarding this project so a drainage study can be conducted to determine the impact the development will have on our properties. There is a large concrete drainage structure on their lot that channels their runoff straight into the arroyo behind my yard and into a City of Austin culvert. In addition, the developer and Dr. Kunik have met with all the Westlake City Council members and we nearby homeowners would also like the opportunity to meet with you too.

In addition to drainage issues, clearing brush and small trees will leave a clear view of the new building, both at the ground level and as it comes up above the tree line. I will lose the visual coverage and lose the sound barrier from Bee Cave Rd. This Woodhaven subdivision is 40 years old and I enjoy the woodsy view from my backyard.

I appreciate your consideration.

Thank you.

Nancy Gerard
1104 Snowy Owl Court
Austin 78746
512-413-6128

Anjali Naini

From: Bill Dawson [REDACTED]
Sent: Wednesday, March 17, 2021 5:12 PM
To: Anjali Naini
Subject: 3/17/2021 ZAPCO Meeting Agenda Item 6 - 3423 Bee Cave Road

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Anjali,

Unfortunately, I cannot participate in the subject meeting tonight and Shepherd of the Hills Lutheran Church has not established a position as it is still under further review but we have identified concerns regarding the variance requests as follows:

1. Tree Variances - The proposed structure is only 30 feet beyond Tree # 5274 and that particular area has the least tree coverage around the proposed structure. We recommend that any tree remediation required and granted as part of any possible tree variance be performed in the area from #5288 up to and including #5264 with sufficient reasonable density and height to obscure the building from our location on the other side of that wastewater easement between our properties;
2. Height of Building – It appears the height of the proposed structure, particularly at the northwest corner would be materially visible from our sacred memorial garden area located across the proposed structure northwest corner. As stated above, we hope this impact can be minimized with the above remediation. Thank you.

Prayerfully yours,

Bill Dawson
Executive Director
Shepherd of the Hills Lutheran Church
3525 Bee Caves Road
Austin TX 78746
Ph – 512-327-3370 ext. 306
Email – [REDACTED]
Web – www.shephills.org

Anjali Naini

From: Cathy Durr [REDACTED] >
Sent: Tuesday, March 16, 2021 11:11 AM
To: Anjali Naini
Subject: 3423 Bee Caves Road

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Cathy Lott Durr, and I live at 3422 Rosefinch Trail. My house is directly behind Shepherd of the Hills Lutheran Church. I have lived in this home for over 40 years. I'm writing to express strong opposition to the project proposed for the property at 3423 Bee Caves Road.

More impervious cover is not a good idea. We have drainage issues out here; it's my understanding that this area is on a limestone shelf. My property slopes downward from north to south, and my breakfast nook actually flooded once. The developers may have a plan to mitigate problems of drainage and erosion, but I seriously doubt that plan would be successful. There would be more oil and grease run-off as well.

The height of the proposed building is a real problem. Residents here don't want a large office building looming over their properties. I don't want to see the building through the trees or above the tree canopy. This would decrease my property value. So I disagree that the structure would not impact us negatively. I have a large, private back yard with a natural area. If I can see the building, then the people inside the building can see me.

Greenbelts between properties don't always stay the same. People clear brush to lessen the fire hazard. Sometimes we have draughts or lose plants for other reasons. The developers say there would be a dense green area between them and the homeowners, but this would vary.

It seems that the Keller Group has total disregard for the homeowners to the south of their proposed site. They want nice views and a tranquil environment for their patients during their short office visits. But these are our homes we are trying to protect. Westlake has guidelines for a reason. Our subdivision is called Woodhaven for a reason. The developers say the topography of the property is a challenge. This office building would be better suited in a different location.

Anjali Naini

From: Ashley de Jong [REDACTED]
Sent: Friday, March 26, 2021 3:03 PM
To: zsec@westlakehills.gov; Stephanie Mills; Stephanie Mills; Stephanie Mills; mayor@ mayor; mayor@ mayor; wlhcc1@ wlhcc1; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; wlhcc2@ wlhcc2; Beth South; Beth South; wlhcc4@ wlhcc4; wlhcc4@ wlhcc4; Jim O'Connor; Jim O'Connor; Anjali Naini
Cc: Frank de Jong
Subject: Proposed development at 3423 Bee Caves Road

We are writing in SUPPORT of the proposed development at 3423 Bee Caves Road. While this project may have some vocal detractors, I believe that this building will be additive to the West Lake Hills community and harmonious with surrounding businesses, schools and residences.

Drs. Randy Kunik, Vincent Cavaretta, Juan Vesga and David Yu have practiced oral medicine in West Lake Hills for over 75 collective years. They have served our community as doctors, Eanes ISD parents and have supported West Lake Hills organizations and schools through volunteering and charitable giving. They currently practice right down the street and seek to build and invest in a permanent home for their businesses. This project is being designed specifically for them and they will occupy the majority of the new building.

Frank and I have known Randy as a friend (and orthodontist) for more than a decade. We trust that anything he is a part of would protect our natural environment, be beautiful and operate efficiently.

This is a group of established doctors, who do not require visibility, and the building is intentionally tucked away below the street to capture the treeline view from the site. There have been references to a three-story building, but one of those "stories" is covered parking, which allows them to maximize green space on the site and minimize surface parking. The new building will hardly be visible from Bee Cave Rd, as the roof line will be below Sway's. The proposed location of the building is set back from the residences in the City of Austin by +250 feet (versus an allowable minimum of 40 feet by WLH code) from the property line and is buffered by dense existing trees that would remain in tact.

As a group of dentists with a range of ages for clients, they see the proximity to restaurants, the schools and youth-oriented businesses as beneficial to all. The current Tenants in Acton, Primrose and Sandbox will continue to have access to enviable green space and circulation and parking on the site will be improved. The adjacent businesses (including Sway, Synergy Dance Studio and Master Martial Arts) may benefit from increased awareness from patients. These practices are all appointment-based, which reduces traffic significantly in comparison with other potential occupants.

3423 Bee Caves is a rare 6+ acre site in desirable Westlake Hills. The proposed project, to be owned and occupied by this group of doctors, will preserve several acres of green space for decades to come. Other developers would approach this property very differently: by looking to maximize rentable square footage rather than coexisting with the existing schools. This project will be additive to its surroundings and has my full support.

Thank you!

Frank & Ashley de Jong

Anjali Naini

From: Cathy Durr [REDACTED] >
Sent: Wednesday, March 17, 2021 3:15 AM
To: Anjali Naini
Cc: Anjali Naini
Subject: Fwd: Austin residents & 3423 Bee Caves Road project - Zoning & Planning hearing set for TODAY, March 17, 2021

Begin forwarded message:

From: Cathy Durr [REDACTED] >
Subject: Austin residents & 3423 Bee Caves Road project - Zoning & Planning hearing set for TODAY, March 17, 2021
Date: March 17, 2021 at 3:09:49 AM CDT
To: mayor@westlakehills.org

I am concerned that the 3423 Bee Caves Road project will negatively impact my property and decrease the value of my home.

I am writing to request a delay in the Zoning & Planning hearing set for today, March 17, 2021, re the project proposed for 3423 Bee Caves Road for one or both of the following reasons:

Drainage Study to determine the impact of this project on our properties.

Opportunity for us, the homeowners, to meet with Westlake Hills City Council members as it is my understanding that the developer and Dr. Kunik have met with all members.

My property is directly behind Shepherd of the Hills Church. I have been in this home since 1980. I wasn't aware of the above-referenced project until I received Notice dated February 12, 2021. I do not know how many feet I am from the lotline. I now know that the original hearing was scheduled for January.

Cathy Lott Durr
3422 Rosefinch Trail
Austin, Texas 78746

Anjali Naini

From: Tracey Fisher [REDACTED]
Sent: Friday, March 12, 2021 3:17 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor
Cc: Mathew Fisher
Subject: 3423 Bee Cave Road

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern:

It is my understanding that a plan is being proposed to develop a three story medical building directly behind our backyard. We live at 3418 Rosefinch Trail. We purchased this home in May of 2019, specifically for the privacy and tranquility the greenbelt provides for this home. We have three young boys, all of whom play in the wooded area behind our home every day. Our boys attend Butterfly Christian Preschool at Shepherd of the Hills church, to which we have the enjoyment of getting to walk through the woods to get to school every day. The peace, fun, and privacy the wooded area offers the value of our home and the overall enjoyment to our family is of high value and importance to us.

The developer of the project met with my husband, Matt Fisher, which we really appreciated. From what I understand, he assured my husband that the development would not impose on our home's view of the greenbelt or privacy or our families enjoyment of exploring in the greenbelt in the future. However, I find this hard to believe. While I understand this is a great business opportunity for many people, this is not an ideal situation for our family or the overall value of the large investment we have made on our home.

Thank you,
Tracey Fisher

Anjali Naini

From: [REDACTED]
Sent: Wednesday, April 7, 2021 3:39 PM
To: Anjali Naini; Mark pzsec; mayor@ mayor; mayor@ mayor; Stephanie Mills; Stephanie Mills; Stephanie Mills; wlhcc1@ wlhcc1; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; wlhcc2@ wlhcc2
Subject: Letter of Support

Dear Westlake Leaders:

As a longtime resident of Westlake, (my husband first moved here in the late 1970's) I am writing to support the proposed development at **3423 Bee Caves Road**. At this time we are so fortunate to have local Texans that want to develop this project rather than the rest of California that seems to be pouring here. I am all for this project and realize that all vacant land will eventually need to be developed (otherwise the taxes are too expensive) and how Texan of us to let some local doctors do this now, rather than eventually some very deep pockets from out of state will come here and fight us on this.

Traffic seems to be never ending and to be able to drive only a mile or two for quality doctors is a plus for Westlake. Yes, they are already in our neighborhood and I would think it beneficial to keep it "local" and Texan rather than eventually letting some out-of-state conglomerate buy it and develop it. They will have Green Space for the many neighbors that walk over there (I do too). One of the doctors in this local group is Dr. Randy Kunik, whom I have known for over 22 years. Our children were in kindergarten together (as well as Boy Scouts) and this doting father would walk over to Eanes Elementary several days a week to have lunch with his children every single week of the school year. So not only is he a good father, but a good businessman as well.

Probably not of importance to you, but my husband first moved out to Westlake before Mopac was even finished and Safeway was where Stein Mart once was. He too has seen changes and we do appreciate when new businesses and stores pop-up nearby because right now if I have to get on Mopac to go North to other businesses and doctors appointments, I try to do it between 10-11 and 1:30-2:30 due to traffic. Years ago when my children were small and I would have multiple errands to do in a day, I remember writing in my old fashioned Day Timer (that I still use today) that I had 10 places to go to and I could do all of those things in less than 2 hrs. Yes, traffic is up, but more traffic means growth. When my father-in-law had to fight the city to build Mopac as Mayor (can you imagine if we just had IH-35) people did not want growth or a highway near them. But Mopac has made it bearable for us to go North at a pace faster than a covered wagon. And having this quorum of excellent doctors and surgeons here on this spot at 3423 Bee Caves Road will be so beneficial to us.

I ask if you can help our local doctors grow and continue to serve our thriving community, I believe that it will benefit Westlake residents for years to come. Having them closer and walking distance for some of the students that will go there, will slow down our carbon footprint of having to drive to other Medical buildings outside of our home area.

Thank you for reading my long email. I appreciate it.

Sincerely,
Renee' Peel Butler
301 Hillcrest Court

Anjali Naini

From: Brian Rodgers [REDACTED]
Sent: Wednesday, April 7, 2021 6:50 AM
To: mayor@ mayor; mayor@ mayor; wlhcc1@ wlhcc1; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; wlhcc2@ wlhcc2; Beth South; Beth South; wlhcc4@ wlhcc4; wlhcc4@ wlhcc4; Jim O'Connor; Jim O'Connor
Cc: Anjali Naini; Mark pzsec; Stephanie Mills; Stephanie Mills
Subject: New Dental Office Project at 3421 Bee Caves Road

Dear Mayor and City Council,

Thirty years ago I purchased the Bee Cave Center at 3425 Bee Caves Road with my business partner, Kevin Reichle. The Bee Cave Center would be the most affected from the proposed dental practice building, and we fully support the project on the six acres behind us.

We believe in supporting local businesses and local owners. Over the years we have had three exemplary and considerate neighbors, from The Westlake Bible Church to Matt Mathias to the Keller group. We hope that this will continue with the addition of the dental and oral surgery building, whose responsible doctors have helped thousands of our friends and neighbors over the years, including Kevin's own two sons, now grown men.

New project opposition usually turns to complaints about traffic. I can tell you that we are very happy and relieved that a substantial amount of additional parking will be included. Our concerns have been that a developer would build an office building and use every existing space to meet parking criteria which would fully congest the drive lanes with both cars and pedestrians. With the proposed project, the layout offers a continuation of the relaxed campus feel, only achieved by allowing the height variance. If this project is voted down, we could fully expect a jammed and crammed operator given the increasing price of land, and the potential loss of the educational facilities from market rent pressure. With the proposed project, the tenant status is maintained and the acres of greenbelt protected.

We met with the principals of the project and know that any traffic safety concerns will be met with an assortment of traffic calming measures. It is not an issue for us. Our tenants will benefit from the additional customer base.

This project has our full support. We hope you vote in its favor and welcome them and their project.

Thank you,

Brian Rodgers
Logan Reichle
Landon Reichle

Owners, Bee Cave Center

Anjali Naini

From: Mike Seestadt [REDACTED]
Sent: Monday, March 15, 2021 10:04 AM
To: Anjali Naini; Stephanie Mills
Subject: Support for 3423 Bee Cave Rd

Dear West Lake Hills City Council and Mayor,

I am writing in support of the dental professional project at 3423 Bee Cave Rd. Drs. David Yu, Vincent Cavaretta, Juan Vesga, and Randy Kunik have been supportive members and provided their services to the West Lake community for decades. They are looking to create a new facility just down the road from their current practices to improve their quality of care.

They have shared with me their variance package and I believe they have done their best to work within the allotted space, and maintaining the West Lake community feel. They obviously care about the community and want to maintain their good standing and reputations, and have reached out to the adjoining neighbors to discuss minimizing the impact of the building.

I hope that the planning commission, city council members, and mayor seriously consider this project as a positive addition to our neighborhood.

Sincerely,

Michael K. Seestadt
1802 Groveton Cove,
Austin, TX 78746

Anjali Naini

From: Jenny Seestadt [REDACTED]
Sent: Monday, March 15, 2021 9:31 AM
To: Anjali Naini
Subject: Support for 3423 Bee Cave Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Westlake Hills City Council and Mayor,

As a West Lake Hills resident, I am writing in support of the proposed development at 3423 Bee Cave Road. This project provides a unique opportunity to create updated medical/dental facilities by doctors who are part of our own community, and not just developers seeking to cash in on West Lake's prosperous community.

My family and I have had personal experience in the practices of both Drs. Randy Kunik and Vincent Cavaretta. They have provided excellent treatment for us over the years, and they are an asset to the West Lake community. They have provided charitable donations to local sports and organizations as well as donating their own time and services.

They have sent me a packet of the proposed project. They have been considerate of height and adjoining neighbors by tucking the building into the corner of the lot, 250 feet from the adjoining neighbors' setback. In order to minimize impervious cover, they have placed the parking under the building, but have remained conscientious of the building height by placing the top of the building lower than Sway's. They are seeking to update the adjoining greenspaces to provide a nicer atmosphere for the adjoining schools as well.

These are a thoughtful group of doctors that are trying to stay in the West Lake community, while developing state-of-the-art facilities that West Lake deserves. It is a win-win for our community, and I support this project fully.

Thank you for your consideration,

Jenny Marie Seestadt

Anjali Naini

From: Ira Lown MD [REDACTED]
Sent: Wednesday, March 31, 2021 9:51 AM
To: mayor@ mayor; wlhcc1@ wlhcc1; wlhcc4@ wlhcc4
Cc: wlhcc2@ wlhcc2; Beth South; Jim O'Connor; Anjali Naini; Mark pzsec; Stephanie Mills
Subject: SUPPORT for 3423 Bee Caves Rd - Proposed Medical Development

I am writing in SUPPORT of the proposed development at 3423 Bee Caves Road. While this project may have some vocal detractors, I believe that this building will be additive to the West Lake Hills community and harmonious with surrounding businesses, schools and residences.

Drs. Randy Kunik, Vincent Cavaretta, Juan Vesga and David Yu have practiced oral medicine in West Lake Hills for over 75 collective years. They have served our community as doctors, Eanes ISD parents and have supported West Lake Hills organizations and schools through volunteering and charitable giving. They currently practice right down the street and seek to build and invest in a permanent home for their businesses. This project is being designed specifically for them and they will occupy the majority of the new building.

This is a group of established doctors, who do not require visibility, and the building is intentionally tucked away below the street to capture the treeline view from the site. There have been references to a three-story building, but one of those "stories" is covered parking, which allows them to maximize green space on the site and minimize surface parking. The new building will hardly be visible from Bee Cave Rd, as the roof line will be below Sway's. The proposed location of the building is set back from the residences in the City of Austin by +250 feet (versus an allowable minimum of 40 feet by WLH code) from the property line and is buffered by dense existing trees that would remain in tact.

As a group of dentists with a range of ages for clients, they see the proximity to restaurants, the schools and youth-oriented businesses as beneficial to all. The current Tenants in Acton, Primrose and Sandbox will continue to have access to enviable green space and circulation and parking on the site will be improved. The adjacent businesses (including Sway, Synergy Dance Studio and Master Martial Arts) may benefit from increased awareness from patients. These practices are all appointment-based, which reduces traffic significantly in comparison with other potential occupants.

*3423 Bee Caves is a rare 6+ acre site in desirable Westlake Hills. The proposed project, to be owned and occupied by this group of doctors, will preserve several acres of green space for decades to come. Other developers would approach this property very differently: by looking to maximize rentable square footage rather than coexisting with the existing schools. This project will be additive to its surroundings and **has my full support.***

Thank you

Ira Lown, MD
Austin Hand Group
3345 Bee Cave Rd. Ste 101
Austin, Texas 78746
P: 512-327-4263
F: 512-327-4265

Anjali Naini

From: Michael Lyssy [REDACTED]
Sent: Wednesday, March 24, 2021 11:47 AM
To: mayor@ mayor; mayor@ mayor; wlhcc1@ wlhcc1; wlhcc1@ wlhcc1; wlhcc2@ wlhcc2; wlhcc2@ wlhcc2; Beth South; Beth South; wlhcc4@ wlhcc4; wlhcc4@ wlhcc4; Jim O'Connor; Jim O'Connor
Cc: Anjali Naini; Mark pzsec; Stephanie Mills; Stephanie Mills
Subject: SUPPORT for 3423 Bee Caves Rd - Proposed Medical Development

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Thank you

Michael Lyssy

Anjali Naini

From: Regan Tran [REDACTED]
Sent: Tuesday, March 16, 2021 6:55 PM
To: Anjali Naini; mayor@ mayor; Anjali Naini
Subject: 3423 Bee Cave Road

To whom it may concern,

Our home on Rosefinch Trail is near the back lot line for [3423 Bee Cave Road](#) and we did not receive any type of notice from the City of Westlake or the developer about the variances being requested. We are worried about the impact these variances will have on our home and request that you delay the hearing so that we can review and comment appropriately.

This is a major concern to us, particularly given that we are new homeowners to this area, we were not aware of this development when we made the purchase.

Thank you,

Regan and Michael Tran
3414 Rosefinch Trl

Anjali Naini

From: Andrew Weary [REDACTED]
Sent: Tuesday, March 16, 2021 9:17 PM
To: Anjali Naini; Anjali Naini; mayor@ mayor; Jim O'Connor; wlhcc4@ wlhcc4
Cc: wlhcc4@ wlhcc4; Beth South; wlhcc2@ wlhcc2; wlhcc1@ wlhcc1
Subject: 3423 Bee Cave Rd project: Requested variances hearings

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs/Madam(s)

We have lived here for 40 years. We have only recently become aware of proposed variances on the above development in Westlake that borders on our property in Austin. We live within 200 feet of the proposed property development and were NOT sent a notice of the requests for variances by the developers.

We think there are several negatives in the proposed development that would have a negative impact on the adjacent properties in both Westlake and in Austin.

We think it only fair and just that the City of Austin be allowed to investigate the impacts of this development upon properties and neighborhoods in Austin.

The impacts upon drainage, traffic, noise pollution, and other detriments to property values need to have formal review by the pertinent agents in the City of Austin.

Therefore, we respectfully request that you postpone the scheduled hearings on these variances by the zoning commission and the city council until the City Of Austin has had a chance to formally consider the impact upon Austin and its neighborhoods.

If there is any other information we may provide you, we would be happy to do so.

Andy Weary MD
Becky Weary
3416 Rosefinch Trail
Austin TX 78746



SUBDIVISION STAFF REPORT

APRIL 14, 2021

Project Address: 803 Westlake Drive

Project Number: 16329

Agenda Item: Land Use: 803 Westlake Drive: Discussion/recommendation on an application to subdivide a tract of land into an eight-lot single family subdivision for a property zoned R-1. (West Lake Hills Code Chapter 36). Owners Doyle & Colleen Moore/Power of Attorney Terry Irion.

Applicant Information: Owners Doyle & Colleen Moore/Power of Attorney Terry Irion

Hearing Dates:

February 17, 2021	ZAPCO – <i>meeting cancelled</i>
March 17, 2021	ZAPCO
March 24, 2021	City Council – <i>item postponed</i>
April 14, 2021	City Council

Location: The subject property is located on Westlake Drive, between Buckeye Trail and Carrara Drive.

Zoning & Site Characteristics:

The subject tract and adjacent properties are zoned R – 1 – One-Family Residential.
The subject is approximately 8.423 acres.

Background & Analysis:

The applicant submitted an application to subdivide a tract of land into an eight-lot residential subdivision. The tract is unique in that an agreement was executed in 1972 (and a variance was approved) allowing the property to be subdivided into eight lots at any point in the future after right-of-way was conveyed to the City. An amendment to the Subdivision regulations was subsequently approved, allowing for the lots to be one acre minus any area conveyed to the City for right-of-way. Several outstanding comments remain for this subdivision, which are included in the packet.

Subdivision Regulations:

This plat is has eight lots as agreed by the City in 1972. The Agreement and 1972 subdivision regulations are included in the packet. Otherwise, the plat follows the current subdivision regulations in Chapter 36 of the Code for informational and procedural requirements.

Lighting

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

The application is proposing an eight-lot residential subdivision.

Comprehensive Planning Analysis

The proposed current and future land use complies with the City's Comprehensive Plan.

Zoning & Planning Commission Recommendation

During the March 17, 2021 ZAPCO meeting, the Commissioners unanimously recommended denial by a vote of 4 – 0 due to non-compliance with City Code.

Staff Recommendation

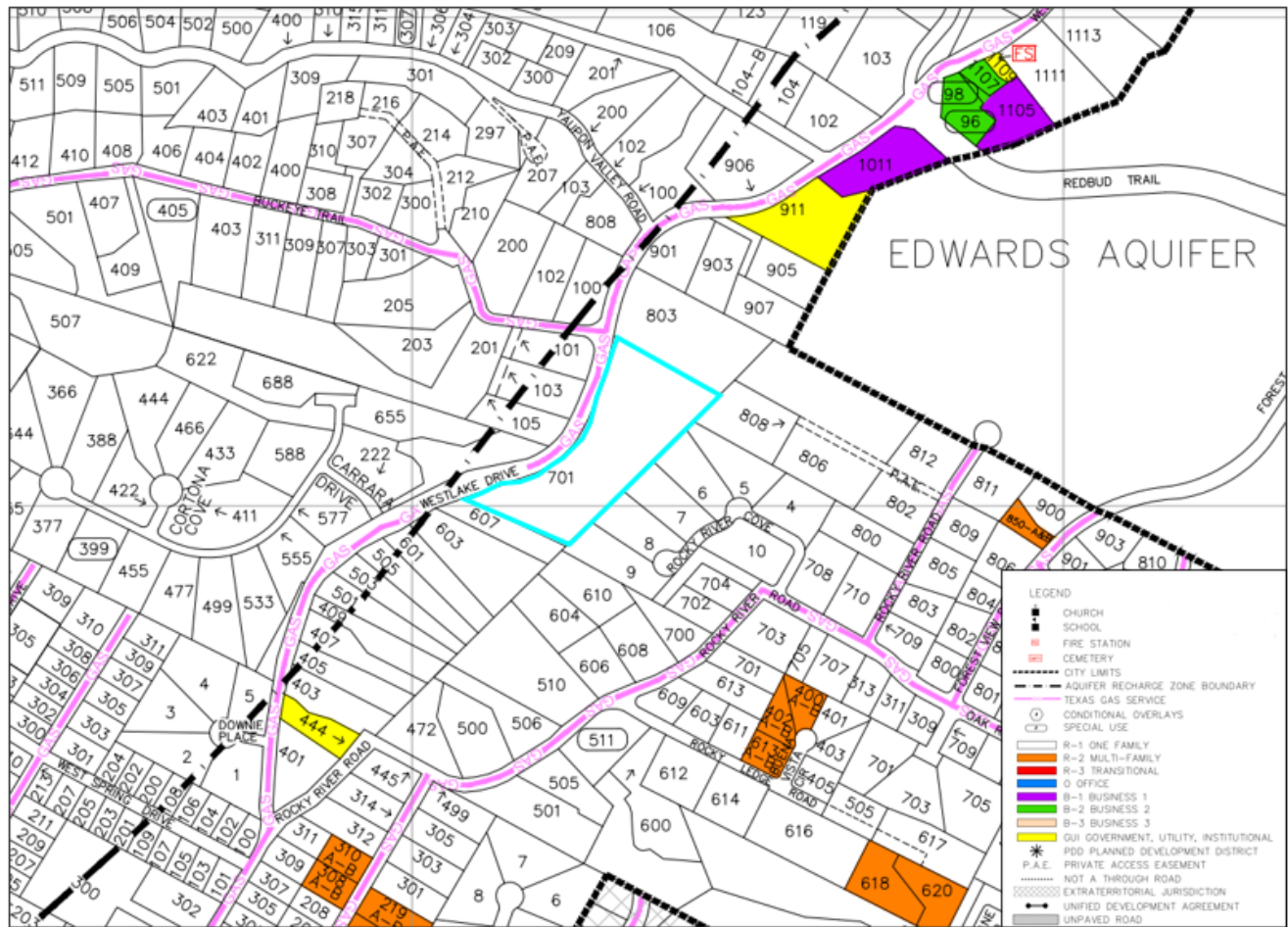
No recommendation.

Links to Relevant Code:

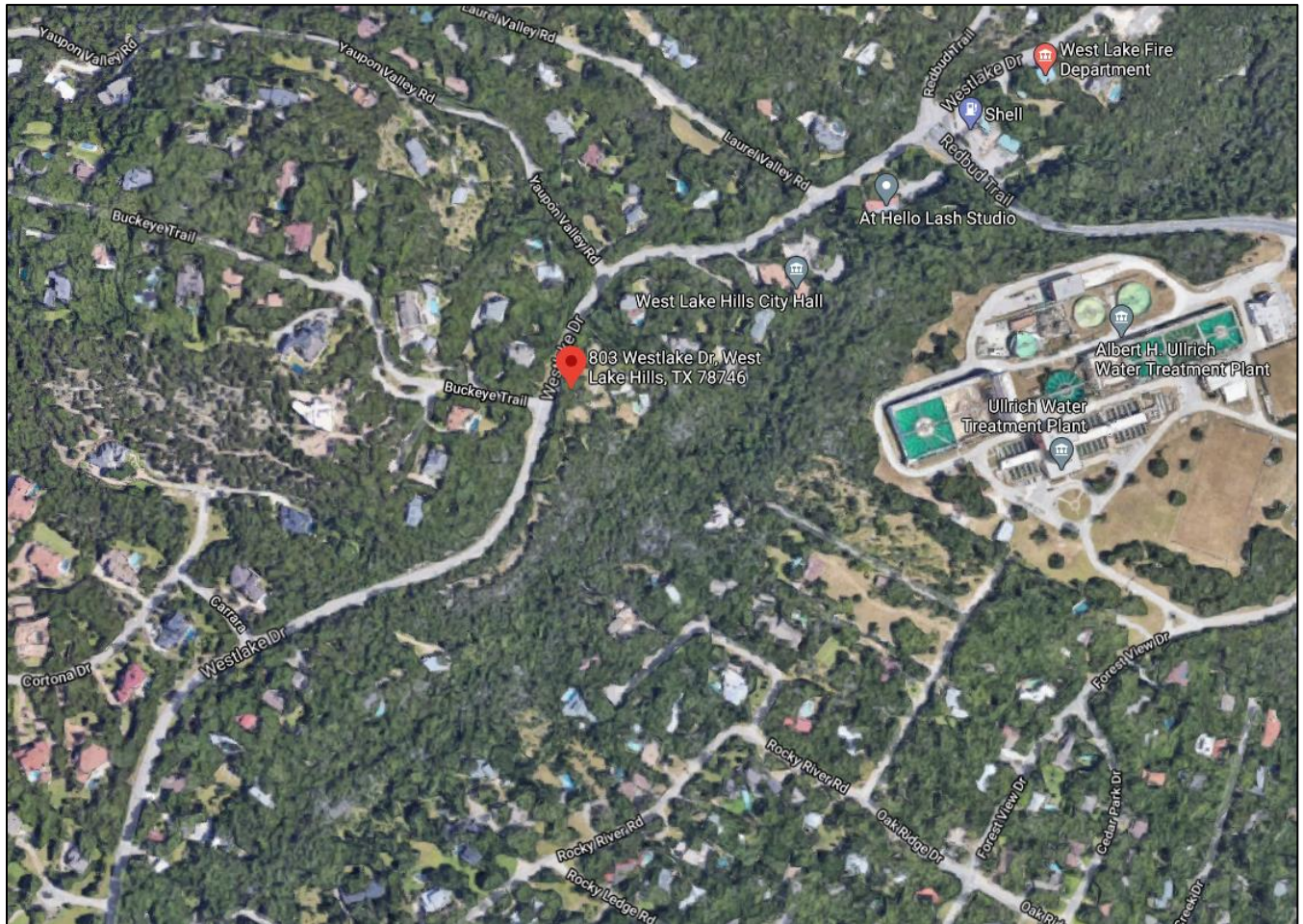
- [Sec. 22.03.281 Schedule of Regulations](#)
- [Chapter 36 Subdivisions](#)
- [Texas Local Government Code Chapter 212 Municipal Regulation of Subdivisions](#)

(Maps to follow)

Zoning:



Aerial:



SUBDIVISION APPLICATION



Date Received: _____ Received By: _____
Amount Due \$ _____ Date Payment Received: _____
Admin Complete Date: _____ Permit
..

****All applications and supporting documents should be submitted electronically to
pzsec@westlakehills.org and planner@westlakehills.org****

APPLICANT INFORMATION

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

Property Owner: Doyle & Colleen Moore Phone: (512)328-0002

Email: [REDACTED]

Address: 8105 Danforth Cv City: Austin State: TX Zip: 78746

Agent*: Terry Irion Phone: _____

Email: _____

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

*Please submit Power of Attorney form designating authorized agent.

SUBDIVISION INFORMATION

Property Address: 803 Westlake Drive

Subdivision Name: Westlake Drive Subdivision

Tax Parcel ID: 114925 Total Acreage: 7.8290

Type of Plat: Replat ☐ Amending Plat ☐ ☒ Minor Plat ☐ Preliminary Plat ☐ Major Plat ☐

Final Plat ☐ Plat Vacation ☐

Proposed number of lots: 8 Will project be connecting to central sewer? ☒ Y ☐ N

Current Zoning Classification: R1 Proposed Land Use: Single Family

Does subdivision require variances? Y ☐ ☒ N

If the subject area is already subdivided, please complete below:



SUBDIVISION APPLICATION

Recorded in: Volume #: _____ Page #: _____ Instrument #: _____

Briefly describe purpose of project:

To divide the property into 8 lots per the agreement with council

AUTHORIZATION & ACKNOWLEDGEMENT

The above information is true to the best of my knowledge. I attest that the real property described herein is owned by me and all others as assigned below. If the below signed applicant is not the owner of said property, the signature of the property owner must be included below or consent must be attached (Power of Attorney Form). If said property is owned by a corporation, please list title and name of corporation.

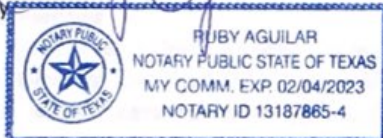
Ruby M. Moore
Signature

11-23-2020
Date

Ruby M. Moore
Printed Name

Ruby Aguilars
Notary

11/23/20
Date



Pre-Application Meeting

Applicants are encouraged to meet with the City staff before filing an application. Please schedule a meeting by contacting the City Planning Department. A meeting may be requested prior to submitting a subdivision application.

Consideration Application

An application must be considered by staff before being placed on the agenda for consideration. The final date a subdivision application may be considered has been set at the City of the City staff meeting or through the City Council.



SUBDIVISION APPLICATION

APPLICATION CHECKLIST

Application Requirements (refer to City Code Chapter 36)

- ☐ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☐ Tax certification
- ☐ Plat Document (must include required approval/signature blocks and other contents as required, depending on type of plat. Refer to Code Chapter 36 for all requirements)
- ☐ Proof of ownership of subject property
- ☐ Letter addressed to the chair of the Zoning & Planning Commission (if plat requires ZAPCO/City Council approval)
- ☐ Plat document prepared by surveyor/engineer, including all required signature blocks and plat notes
- ☐ Variance approval letter, if applicable
- ☐ Approvals from all other applicable entities (Water District 10, ESD 9, TxDOT, TCEQ, Austin Energy, OSSF/Sewer verification, etc.)
- ☐ Existing or proposed covenants and restrictions
- ☐ Construction Plans, if applicable
- ☐ Payment of application fees (including public notification fees) by check or credit card (refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees). Call 512-327-3628 to pay by credit card or mail or drop off a check
- ☐ Traffic Impact Analysis, if applicable
- ☐ Other applicable information as required by staff and City Code

APPROVAL PROCESS & PROCEDURES

Public Hearings

Some types of subdivision applications require action by the Zoning and Planning Commission (ZAPCO), which meets on the third (3rd) Wednesday of the month (does not meet in December) and the City Council, which meets the second (2nd) and fourth (4th) Wednesdays of the month. All meetings are held in the Council Chambers at City Hall, 911 Westlake Drive at 6:30pm (ZAPCO) and 7:00pm (City Council). The agendas and meeting packets are posted on the City website the Friday before the meeting.

Pre-Application Meeting

Subdivision pre-application meetings are required before filing an application. Please schedule a meeting by contacting planner@westlakehills.org. A concept plan needs to be prepared prior to scheduling a pre-application meeting.

Complete Application

An application must be considered complete by staff (official filing date) in order to be routed for technical review or be placed on an agenda for consideration. The filing date is the tenth (10th) business day after a submission has been submitted to the City if the City Administrator or designee has not yet acted on the submission.



SUBDIVISION APPLICATION

STAFF NOTES

For Completion by Staff Only

Official Filing Date (Administratively Complete): _____

Date of ZAPCO Hearing: _____

ZAPCO Recommendation: _____

Date of City Council Hearing: _____

City Council Action: _____

Notes:

SUBDIVISION APPLICATION LETTER

11/09/2020

Date

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

Dear Chairperson,

We hereby submit a Proposed Plat to be known as Fianl Plat Moore Estates Subdivision

Name

for your review on _____ and recommendation to the City Council for
Date

approval. The following is requested: _____

Favorable consideration of our Subdivision is requested.

Sincerely,

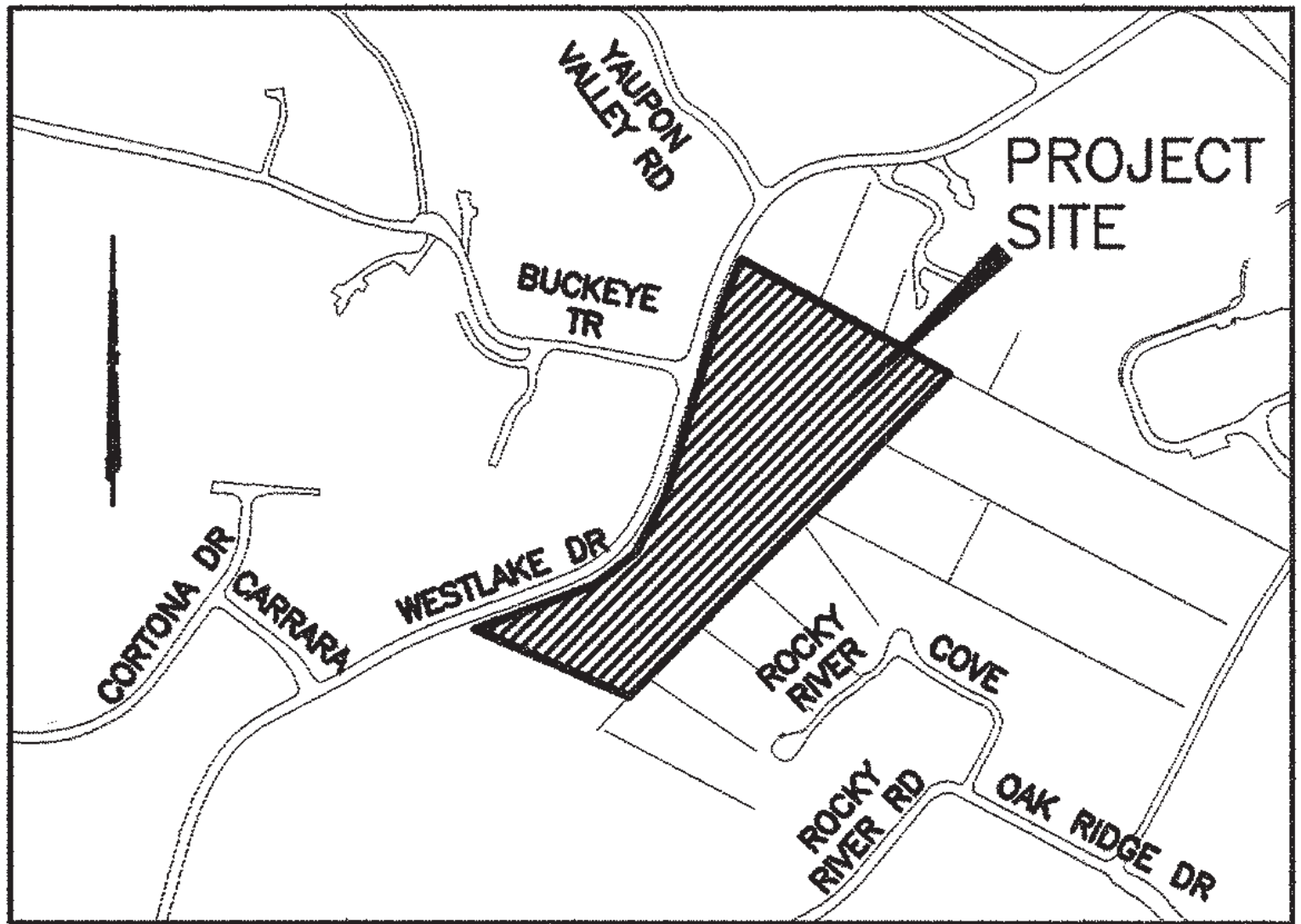
Robin Moore, Doyle More, and Sherry Waldrop, Applicant

Name

Address

City State Zip

Phone Number



VICINITY MAP

N.T.S.



SPROUSE SHRADER SMITH PLLC
ATTORNEYS AT LAW

TERRENCE L. IRION
[REDACTED]
(512) 615-6653

November 17, 2020

Travis Askey, City Administrator
Anjalie Naini, City Planning Director
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746

*Via email: taskey@westlakehills.org
Via email: anaini@westlakehills.org*

Re: 801 West Lake Drive; Moore Estates Subdivision

Dear Travis and Anjalie,

Enclosed please find the Moore Family Trust Subdivision application package which is being submitted by the project engineer through the formal subdivision submittal process.

What makes this application unique is that the City Council, by ordinance, established separate subdivision standards for this particular subdivision in 1972. Those standards are still in effect. The standards are not consistent with current code and, as a result, supersede the current subdivision and zoning code standards where the latter are in conflict. This was discussed with both of you in the Chapter 245 Local Government Code Determination process.

The Moore Family is respectful of the fact that the community development values have evolved in the fifty years since the City Council approved the specific development standards for this property pursuant to a contract for which valuable consideration was paid. As a result, the family is offering development restrictions that go beyond the requirements established in Ordinance 55B in the form of Plat Note Restrictions that accommodate the current community values. For example; the family is willing to offer the following restrictions on its development:

1. There will be a conservation/no disturbance easement of varying width as shown on the Plat at the back of each lot which will leave the canyon as the dense woods that it is today.
2. There will be limit of construction footprint established at the time the Plat construction site plan is approved that will limit site disturbance to the approved limits of construction.
3. A joint-use driveway will be built to reduce the number of access points to Westlake Drive from eight individual private driveways to two.

4. The applicant will mitigate for trees removed during construction of the Joint Use Access Easement and eight building pad sites by planting of trees and shrubs between the JUA E and the Westlake Drive right-of-way, spaced to provide the maximum density for healthy screening at maturity. Invasive species will be removed to make way for such new plantings. Any additional mitigation not satisfied by plantings between the Westlake Drive right-of-way and JUA E may be satisfied by payment of a fee in lieu payable at the time of the engineer's concurrence letter on subdivision infrastructure construction. This fee in lieu will supplement the required mitigation not satisfied by the planting of trees and shrubs along the Westlake Drive street frontage and will be capped at \$40,000.00. No variance will be required to remove a tree within the JUA E or building site limits of construction, but mitigation at the City Ordinance rate will be provided.

Applicant looks forward to a prompt review and processing of this subdivision application which has been in informal review since the spring. Thank you for your attention to this matter.

Very truly yours,



Terrence L. Irion

TLI:kc

Encl.

cc: Ric Thompson
Steve Gardner
Frosty Moore
Robin Moore
Sherry Waldrop

AN ORDINANCE

AN ORDINANCE ESTABLISHING SUBDIVIDING REQUIREMENTS FOR BUILDING SITES AND STREETS IN WEST LAKE HILLS, PROVIDING FOR REVIEW BY THE ZONING AND PLANNING COMMISSION, A FILING FEE, FILING PERIOD, RECORDING OF PLAT, MINIMUM LOT DIMENSIONS, STREET SPECIFICATIONS, WATER AND SEWAGE APPROVALS, DRAINAGE, EXCEPTIONS AND APPEALS, REPEAL OF EARLIER ORDINANCE, AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$100.00 FOR EACH DAY OF VIOLATION AND PROVIDING FOR SEVERABILITY.

WHEREAS the City Council of the City of West Lake Hills has found that it is necessary to revise the present Ordinance concerning subdivision of property within the boundaries of the City of West Lake Hills and within one half mile of its boundaries in order to continue the development of the City area in keeping with its present standards, to protect property from flooding, maintain control of traffic, and to provide for the adequate assimilation of sewage by the soil:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS:

SECTION 1. The City Council requires that subdivision of any lot, tract or parcel of land into two or more lots or sites for the purpose of sale or of building development, whether immediate or future, and the resubdivision of land or lots, shall be subject to the prior approval of the City Council in accordance with the terms of this Ordinance and applicable State Law.

SECTION 2. A preliminary plan of any proposed subdivision shall be submitted to the West Lake Hills Zoning and Planning Commission for approval and subsequent recommendation to the City Council. The preliminary plan shall consist of a drawing on tracing paper drawn to a scale of one inch equals 100 feet or less and shall show the following information:

- (a) The date, scale, north direction, a key plan showing location of the tract, the title under which the plat is to be recorded, and the name of the owner, engineer, or surveyor.
- (b) The existing boundary lines and acreage of the land to be subdivided, and the property lines and names of owners of adjacent properties.
- (c) The location of the center line of existing watercourses and other similar drainage and transportation features, and the location and sizes of existing streets, alleys, easements, lots and public areas on or adjoining any part of the land.
- (d) The location, size, and flow line of all existing drainage structures on the land being subdivided and on adjoining tracts.
- (e) The names, locations, widths and dimensions of proposed streets, alleys, easements, parks and other public spaces, sites for all private uses, lot lines and building lines.
- (f) A copy of all deed restrictions applicable to the land shall accompany each such plat for information of the Commission and City Council.

Subdivision
Ord.
No. 55

SECTION 3. When the subdivision is a portion of a tract later to be subdivided in its entirety, a general development plan of the entire subdivision, showing a schematic layout of the entire tract, shall be submitted with the preliminary plan of the portion first to be subdivided.

SECTION 4. The preliminary plan shall be accompanied by a minimum filing fee of \$10.00 or \$1.00 per lot, whichever is greater.

SECTION 5. Plats shall be delivered to the Chairman of the Zoning and Planning Commission for checking, verifying, and preparing the recommendations of the Commission to the City Council. The Commission shall act on any application that is submitted in proper form on or before the 20th day of any given month so that recommendations can be given to the City Council at its regular meeting on the first Tuesday of the following month. Approval of a preliminary plan shall not constitute final approval of the subdivision. When a preliminary plan has been approved by the Commission, the plat shall be submitted within six months thereafter; otherwise, approval of the preliminary plan shall terminate unless the time for filing of the plat is extended by the City at the request of the subdivider.

If the preliminary plan meets the requirements set forth for a plat, the Commission may, on request of the subdivider, consider such preliminary plan as a plat and approve or disapprove the same as such; provided, that such action is taken within thirty days from the date of its filing. The plat shall be drawn in black ink upon permanent tracing material to a scale of one inch equals 100 feet or less and shall show the following information:

- (a) Date, subdivision title, scale and north direction indicator.
- (b) The names of the adjoining subdivisions or the names of the adjoining property owners, together with the respective plat or deed references.
- (c) The lines and dimensions of all lots, the lines and names of all proposed streets or other ways or easements, including a statement of the purpose for which such easements are dedicated, and also the lines and names of other open spaces to be dedicated for public use or granted for use of the inhabitants of the subdivision.
- (d) Restrictive covenants imposed on the land.
- (e) A statement signed and acknowledged by the owner dedicating all streets, alleys, easements, parks, and other open spaces to public use.
- (f) The signature of the Zoning and Planning Commission Chairman attesting approval of the plat.
- (g) A statement concerning septic system tank and drainage field as approved by the City-County Health Officer.
- (h) A certificate bearing the signature and seal of the engineer or surveyor who made the survey that the requirements of this Ordinance have been complied with.

SECTION 6. After a plat has been approved by the City Council, the owner or subdivider shall cause such plat to be recorded in the plat records of Travis County within sixty days or the City's approval shall be null and void. The owner or subdivider shall furnish an 18" x 24" cloth copy of the plat to the City Building Inspector.

SECTION 7. The minimum dimensions for interior residential lots shall be not less than 100 feet at the building line and not less than 140 feet deep and shall contain a minimum of 18,000 (eighteen thousand) square feet. The minimum width of residential corner lots shall be not less than 120 feet. Sideyard setbacks shall be a total of thirty feet, with a minimum of ten feet from either side line and a minimum setback of 30 feet from the front and from the back of the lot to the structure built thereon or any portion thereof. Each lot shall have access to a dedicated public street. Sideyard setbacks on corner lots facing on public streets shall be a minimum of thirty feet.

The 18,000 square feet minimum lot size shall apply to A-Residential Districts and B-Public Buildings and Small Businesses in the Home Districts. Minimum lot sizes of multiples of 15,000 (fifteen thousand) square feet for each family unit in C-Duplex Only and C-Apartment and Apartment Hotel Only Districts must be provided before a building permit will be issued.

This Ordinance shall not be construed to govern the rights to building permits on subdivisions heretofore approved as to lot sizes, provided that all other provisions of this and related Ordinances are complied with.

SECTION 8. All dedicated streets within a new subdivision shall consist of a base with an asphaltic surface or of an unreinforced concrete pavement. Streets consisting of a base and an asphaltic surface shall have a base of one of the following types or an approved equal:

(a) Flexible Base. The Flexible Base shall be a compacted flexible base with a plasticity index of not more than ten, a linear shrinkage of not more than seven and a Proctor density of not less than ninety-five, with a minimum depth of eight inches. Exceptions may be made to this requirement where the subgrade soil constants are such that the required stability may be met with a lesser depth.

(b) Stabilized Base. The stabilized base shall be a compacted stabilized soil-cement base with a Proctor density of not less than ninety-five and a minimum depth of six inches.

(c) Asphaltic Surface Types. Either of the above-mentioned completed bases shall be surfaced with one of the following types of pavement, or an approved equal, which shall be constructed of:

- (1) One and one-half inch depth of hot-mixed asphaltic concrete surface.
- (2) One and one-half inch depth of hot-mix cold-laid asphaltic concrete surface, such as "Serv-Tex."
- (3) One and one-half inch depth of rock asphalt surface.
- (4) Quadruple asphalt surface treatment.

(d) Unreinforced Portland Cement concrete pavement of six inches depth, containing a minimum of five sacks of cement per cubic yard and shall attain a minimum compressive strength of 3500 pounds per square inch in 28 days.

Street paving widths shall be as follows: a street with a 60 foot right-of-way shall have paving of approximately 40 feet including curb and gutter; a street with a 50 foot right-of-way shall have paving of approximately 30 feet including curb and gutter; a street with a 40 foot right-of-way shall have paving of approximately 20 feet including curb and gutter.

All dedicated streets shall be at least 50 feet wide, including utility easements, and shall be graded in such manner so as to drain properly and for the orderly flow of traffic. Streets of new subdivisions shall be in line with existing streets in adjoining property except where in the opinion of the Commission, the topography, requirements of traffic circulation, or other consideration make it desirable to depart from such alignment. Where topographical conditions, drainage channels, limited proposed development, or other conditions warrant a street of less than fifty feet in width, a lesser width may be approved.

Where the land proposed to be subdivided is partially or totally bounded on one or more sides by an existing street having a width less than the specified minimum, the Commission may require dedication of sufficient land to provide adequate street width.

New streets shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar names in other parts of the City and shall not be named after individuals.

Acute angles between streets at their intersection shall be avoided. Where such angles are necessary, property lines shall be rounded at the intersection in the small angle.

Street signs shall be erected in accordance with applicable City Ordinances.

Curbs and gutters shall be installed on all streets within the subdivision along lines and grades approved by the Commission. Curbs and gutters shall be required on boundary streets only on the side of such boundary street adjacent to the subdivision.

Where dead-end streets are included in a subdivision, the street shall terminate in a cul-de-sac with a minimum right-of-way radius of fifty feet.

On any existing street traversing, bordering or abutting a proposed subdivision, the City may require paving by assessment or by other appropriate procedure. No street shall be surfaced until the underground utilities which are to be installed in the portion of the street intended for vehicular traffic have been so installed. Each property owner shall install enclosed culverts of a permanent design approved by the Building Inspector at the intersection of a driveway with a public street, unless the street is constructed with curb and gutter.

Design for bridges shall bear the seal of a registered structural engineer.

SECTION 9. Plans shall be submitted for water lines to be installed to serve each lot in all subdivisions, or if the lots are not served by a central water district, the subdivider shall be required to furnish satisfactory evidence that water satisfactory for human consumption may be obtained from subsurface sources on the land or lake water.

SECTION 10. Lots in any proposed subdivision subject to flooding by rainfall will not be approved until drainage facilities adequate to carry off such rainfall have been installed or necessary arrangements made for such installation as required and approved by the Building Inspector.

SECTION 11. Waivers may be considered by the Council on the provisions of this Ordinance, with the exception of the minimum square footage lot size specifications. The latter requirements shall be changed only after other owners of all adjacent and contiguous property have been notified of any application for an exception to the minimum lot sizes, and after a public hearing has been held by the Zoning and Planning Commission to consider any objections from such owners. All burdens of notification shall be borne by the Applicant for the waiver. Any appeal from decisions of the Zoning and Planning Commission shall be filed with the City Council within thirty days of such finding or action, and not thereafter.

SECTION 12. Ordinance No. 14, Subdivision Ordinance, covering subdividing requirements for streets and building sites, approved by the City Council on August 7, 1957, is hereby repealed.

SECTION 13. If any Section, Subsection, sentence, clause, phrase, words or word of this Ordinance, or the application thereof, shall for any reason be held to be invalid, such invalidity shall not affect the remainder of the Ordinance, and to this end the City Council declares that the provisions hereto are severable.

SECTION 14. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not to exceed \$100.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED THIS THE 4th DAY OF APRIL, 1967.

APPROVED: Henrietta Jacobsen
MAYOR

ATTEST: Elizabeth McBrayer
CITY SECRETARY

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF
ORDINANCE NO. 55, FOR SETBACKS FROM
FRONT AND SIDELINES; FOR MINIMUM LOT DIMENSIONS
AND FOR MINIMUM LOT SIZES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST
LAKE HILLS, TEXAS, THAT ORDINANCE NO. 55 IS TO BE AMENDED AND
IS TO READ AS FOLLOWS:

Section 7. The minimum dimensions for interior residential lots shall be not less than 100 feet at the building line and not less than 140 feet deep and shall contain a minimum of one acre. The minimum width of residential corner lots shall be not less than 120 feet. Sideyard setbacks shall be a total of 30 feet, with a minimum of 10 feet from sideline and a minimum setback of 30 feet from the front and from the back of the lot to the structure built thereon or any portion thereon. Each lot shall have access to a dedicated public street. Sideyard setbacks on corner lots facing on public streets shall be a minimum of 30 feet.

The one acre minimum lot size shall apply to A-residential districts and B-public buildings and small businesses in the home district. Minimum lot size of multiples of 15,000 square feet for each family unit in C-duplexes only and C-apartment and apartment hotels only. Districts must be provided before a building permit will be issued.

This Ordinance shall not be construed to govern the rights to building permits on subdivision heretofore approved as to lot size, provided that all other provisions and related ordinances are complied with.

PASSED AND APPROVED this the 5th day of May A.D. 1970.

APPROVED:

George Putnam
Mayor

ATTEST:

Alice A. Myers
City Secretary

AN ORDINANCE AMENDING ORDINANCE NO. 55, SECTION ONE, TO DEFINE THE TERMS SUBDIVISION AND RESUBDIVISION, AND AMENDING ORDINANCE NO. 55, SECTION SEVEN, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 55A, DEFINING THE STATUS OF LOTS, TRACTS, OR PARCELS OF LAND REDUCED TO LESS THAN THE ONE ACRE MINIMUM LOT SIZE BY CERTAIN DEDICATIONS OR CONDEMNATIONS OF A PORTION OF SUCH LOTS, TRACTS, OR PARCELS FOR WIDENING EXISTING PUBLIC STREETS OR HIGHWAYS; AND PROVIDING FOR PUBLICATION OF A DESCRIPTIVE CAPTION OF THIS ORDINANCE.

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

Section 1. Section 1 of Ordinance 55 of the City of West Lake Hills is hereby amended and shall read as follows:

"The City Council requires that subdivisions of any lot, tract or parcel of land into two or more lots or sites, for the purpose of sale or of building development, whether immediate or future, and the resubdivision of land or lots, shall be subject to the prior approval of the City Council in accordance with the terms of this Ordinance and applicable State Law. The terms "subdivision" and "resubdivision" shall not include the condemnation by, or the conveyance or dedication to, any governmental entity subsequent to April 4, 1967, of a portion of any lot, tract or parcel of land for additional right of way for any existing public street or highway, provided such condemnation conveyance or dedication does (or did) not divide so much of the lot as was (or is) not so condemned, conveyed or dedicated into two or more lots, tracts, or parcels, and provided in case of conveyance or dedication that same be (or have been) accepted by the grantee governmental entity and be (or have been) by metes and bounds description and not by plat and not be (or have been) pursuant to or in connection with any division or redivision of the whole or any part of so much of said lot as is not so conveyed, dedicated or condemned."

Section 2. Section 7 of Ordinance 55 of the City of West Lake Hills, as previously amended by Ordinance 55A of the City of West Lake Hills, is hereby amended and shall read as follows:

"Section 7. The minimum dimensions for interior residential lots shall be not less than 100 feet at the building line and not less than 140 feet deep. The minimum width of residential corner lots shall be not less than 120 feet. Interior residential lots and corner residential lots shall contain a minimum of one (1) acre; provided, however, that a lot containing at least 35,000 square feet and which would otherwise meet the one acre minimum specified by this Ordinance shall not be deemed in violation of such one acre minimum requirement if said lot would in all things meet said one acre minimum requirement but for a condemnation by, or a conveyance or dedication to, any governmental entity of a part of said lot for additional right of way for any existing public street or highway, provided such condemnation, conveyance or dedication occurred or occurs subsequent to April 4, 1967, and did (or does) not divide so much of the lot as was not so condemned, conveyed or dedicated into two or more lots, tracts, or parcels, and provided in case of conveyance or dedication that the same be (or have been) accepted by the grantee

governmental entity and be (or have been) by metes and bounds description and not by plat and not be (or have been) pursuant to or in connection with any subdivision or resubdivision of said lot or any part thereof. Sideyard setbacks shall be a total of 30 feet, with a minimum of 10 feet from sideline and a minimum setback of 30 feet from the front and from the back of the lot to the structure built thereon or any portion thereof. Each lot shall have access to a dedicated public street. Sideyard setbacks on corner lots facing on public streets shall be a minimum of 30 feet.

The one acre minimum lot size shall apply to A-Residential districts and B-public buildings and small businesses in the home districts. Minimum lot size of multiples of 15,000 square feet for each family unit in C-duplexes only and C-apartment and apartment hotels only districts must be provided before a building permit will be issued.

This Ordinance shall not be construed to govern the rights to building permits on subdivisions heretofore approved as to lot size, provided that all other provisions and related ordinances are complied with."

Section 3. Publication of caption. A descriptive caption of this ordinance stating in summary the purposes of the ordinance shall as soon as reasonably practicable be published, as provided by law, in the newspaper known as THE AUSTIN AMERICAN (said newspaper's holiday, Saturday, and Sunday editions being known as THE AUSTIN AMERICAN-STATESMAN, but this shall not be construed to require, limit or forbid such publication to such editions, except as otherwise may be required by law), said newspaper being the official paper of the City; said publication and said descriptive caption to read as, or substantially as, follows, viz:

Notice

The City of West Lake Hills hereby gives notice that there was passed by the City Council of the City of West Lake Hills, Texas, at its regular session, Nov. 7th 1972, and thereafter on such date approved by the Mayor of said City, an ordinance, descriptive caption of which ordinance, stating in summary the purposes of the ordinance, is as follows:

An Ordinance amending Ordinance No. 55 Section One, to define the terms subdivision and resubdivision, and amending ordinance No. 55, Section Seven, as previously amended by Ordinance No. 55A, defining the status of lots, tracts, or parcels of land reduced to less than the one acre minimum lot size by certain dedications or condemnations of a portion of such lots, tracts, or parcels for widening existing public streets or highways; and providing for publication of a descriptive caption of this Ordinance.

Section 4. Authorization of publication. The Mayor and City Secretary are hereby authorized and directed to cause, or see to the causing of, the publication directed by Section 3 of this ordinance.

PASSED and APPROVED, this 7th day of November, 1972.

ATTEST:

George D. Pittman
MAYOR, City of West Lake Hills

Alice A. Myers
CITY SECRETARY, City of West Lake Hills

THE STATE OF TEXAS X
X
COUNTY OF TRAVIS X

CONTRACT TO CONVEY RIGHT-OF-WAY DEEDS

This Agreement is entered into by and between Doyle H. Moore, hereinafter called Party of the First Part, and the City of Westlake Hills, Texas, hereinafter called Party of the Second Part, and the Parties hereto have hereby entered into this CONTRACT TO CONVEY RIGHT-OF-WAY DEEDS from the Party of the First Part to the Party of the Second Part, subject to the following terms and conditions:

RECITALS

WHEREAS, the Party of the First Part is the owner in fee of Two (2) contiguous tracts consisting of Eight (8) acres of land located in the City of Westlake Hills, Travis County, Texas and more particularly described in Volume 1280, Page 451 of the Travis County Deed Records which said description consists of 5.11 acres, and in Volume 1342, Page 161 of the Travis County Deed Records which said description consists of 2.89 acres thereby making the total of Eight (8) acres; and

WHEREAS, the Party of the First Part has heretofore staked off the aforesaid Eight (8) acre tract in Eight (8) separate One (1) acre tracts of land for the purpose of eventually selling each of the Eight (8) One (1) acre tracts, as homesites; and

WHEREAS, the Party of the Second Part has heretofore requested that the Party of the First Part give them additional land out of the aforesaid Eight (8) acre tract in order that the Party of the Second Part can widen the street on which the aforesaid Eight (8) acre tract fronts. The exact amount of land which the Party of the Second Part wishes to receive from the Party of the First Part is more particularly described in those certain Right-of-Way Deeds which are attached hereto and expressly made a part hereof and marked as Exhibit "A" and Exhibit "B"; and

WHEREAS, the Party of the Second Part has an existing Ordinance requiring a minimum of a One (1) acre tract of land for each homesite built within the City Limits of Westlake Hills, Texas; and

WHEREAS, both Parties to this agreement hereby recognize that in the event the Party of the First Part gives the additional land to the Party of the Second Part for the widening of the road on which the aforesaid Eight (8) acre tract fronts and which said property is more particularly described in Exhibits "A" and "B" attached hereto and expressly made a part hereof, that the Party of the First Part will need a Variance from the City of Westlake Hills, Texas, the Party of the Second Part, in order that the Party of the First Part will still have Eight (8) separate tracts of land with which to be able to sell prospective home builders; and

WHEREAS, the Parties hereto have heretofore orally agreed that upon execution of the Right-of-Way Deeds attached hereto and expressly made a part hereof and marked as Exhibits "A" and "B" by the Party of the First Part, that the Party of the Second Part will grant a Variance to the Party of the First Part in order that the Party of the First Party will be able to still offer for sale, at any time in the future, the above described Eight (8) acre tract of land in Eight (8) separate tracts; and

WHEREAS, the Parties hereto desire to reduce the said oral agreement to writing, the Parties do hereby bind themselves, their heirs and assigns to this agreement.

NOW THEREFORE, for and in consideration of the mutual covenants and conditions as hereinabove and hereinafter expressed, the Parties hereto do hereby agree as follows:

I.

The Party of the First Part will deliver to the Party of the Second Part the aforesaid Right-Of-Way Deeds which are attached hereto and

expressly made a part hereof and marked as Exhibits "A" and "B" if, as and when, the Party of the Second Part delivers to the Party of the First Part a written Variance from the restriction of building a house on less than One (1) acre with the Variance to include authorization to the Party of the First Part to build homes on each of the aforesaid Eight (8) One (1) acre tracts less the amount of land which is being given to the Party of the Second Part by the delivery of the aforesaid Right-of-Way Deeds attached hereto.

~~The Party of the Second Part hereby further agrees that it will not seek to obtain any additional property out of the aforesaid Eight (8) acres from the Party of the First Part for a period of time not less than thirty (30) years from the date of execution of this contract.~~

Upon the delivery to the Party of the First Part, of the aforesaid written variance as provided for above, the Right-of-Way Deeds which are attached hereto and expressly made a part hereof and marked as Exhibits "A" and "B" shall be considered delivered to the Party of the Second Part from the Party of the First Part and shall, at that time, convey ownership of the property which is described in said Exhibits "A" and "B" to the Party of the Second Part. In the event that such written Variance from the Party of the Second Part to the Party of the First Part, as above defined, is not delivered in writing to the Party of the First Part, then and in that event, this contract is hereby declared null and void and the Right-of-Way Deeds attached hereto and marked as Exhibits "A" and "B" are declared null and void and of no force nor effect whatever.

WITNESS OUR HANDS THIS 24th DAY OF October, 1972.

Doyle H. Moore
Doyle H. Moore, Party of the First Part

George W. Putnam (Mayor)
The City of Westlake Hills, Travis County, Texas
Party of the Second Part

THE STATE OF TEXAS X
X
COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared Doyle H. Moore, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 24th
day of October, 1972.

Dorothy O'Brien
Notary Public in and for Travis County, Texas

(SEAL)

My commission expires: June 1973

THE STATE OF TEXAS X
X
COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared, George D. Putnam, Mayor, of the City of Westlake Hills, Travis County, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated as the act and deed of the City of Westlake Hills, Travis County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 24th
day of October, 1972.

Dorothy O'Brien
Notary Public in and for Travis County, Texas

(SEAL)

My commission expires: 12-73



EMERGENCY PREVENTION DIVISION

Travis County Emergency Services District No. 9
1301 S. Capital of Texas Highway
West Lake Hills, TX 78746

Headquarters 512-539-3400
Facsimile 512-327-2780
P. O. Box 162170 Austin, TX 78716-2170

www.WestlakeFD.org

November 6th, 2020

Robert C. (Ric) Thompson, PE
Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, TX 78733

Re: 803 Westlake Drive Subdivision Concept and Final Plat Notes

Authority: Texas Health and Safety Code § 775.036, 2015 International Fire Code, and the National Fire Protection Association Life Safety 101 Code 2015.

Dear Mr. Thompson,

I have reviewed the proposed "Subdivision Concept" plan and Final Plat Notes you submitted to us for the 803 Westlake Drive subdivision project.

As we discussed during previous correspondence, the following items are being proposed to be incorporated into the future plat notes, site development and building plans:

- FINAL PLAT NOTES that state the following:
 - o DUE TO COMPROMISES ON EMERGENCY ACCESS AGREED UPON, LOTS 1 TO 8 SHALL BE PROTECTED THROUGHOUT BY A NATIONAL FIRE PROTECTION ASSOCIATION 13D-COMPLIANT RESIDENTIAL FIRE SPRINKLER SYSTEM. THE SYSTEMS SHALL BE DESIGNED AND INSTALLED BY A LICENSED FIRE PROTECTION COMPANY OR AN ENDORSED PLUMBER. SPRINKLER PLANS SHALL BE SUBMITTED TO THE EMERGENCY SERVICES DISTRICT NO. 9 FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
 - o ALL RESIDENTIAL STRUCTURES OVER 3,600 SQUARE FEET SHALL COMPLY WITH THE REQUIREMENTS OF TABLE B105.1 FROM THE INTERNATIONAL FIRE CODE. RESIDENTIAL STRUCTURES WITH AN APPROVED NATIONAL FIRE PROTECTION ASSOCIATION 13D RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL RECEIVE A 50% REDUCTION IN REQUIRED FIRE FLOW. THE RESULTING FIRE FLOW SHALL NOT BE LESS THAN 1000 GALLONS PER MINUTE. IF ADDITIONAL FIRE FLOW REDUCTIONS ARE NEEDED, THEY MIGHT BE OBTAINED THROUGH CONSULTATION WITH THE EMERGENCY SERVICES DISTRICT NO. 9, TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10, AND THE CITY OF WEST LAKE HILLS.

- o NO PARKING ON THE JUAЕ DRIVEWAY OR SHOULDER IS ALLOWED SO THAT IT MAY REMAIN OPEN FOR EMERGENCY VEHICLES. TO FACILITATE THIS REQUIREMENT THE ENTIRE JUAЕ DRIVEWAY SHALL BE PAINTED WITH RED FIRE LANE/TOW AWAY ZONE STRIPING AND SHALL HAVE NO PARKING SIGNAGE.
- FIRE FLOW - The fire hydrant water supply shall meet the minimum standards of the jurisdiction as referenced in the 2015 International Fire Code, Appendix B.
 - o A 50% reduction in required fire flow is granted when residential (NFPA 13D) residential fire sprinklers are installed throughout the homes.
 - o Additional reductions can be obtained from the City of West Lake Hills when additional fire protection measures are proposed.
- FIRE HYDRANTS – Existing fire hydrants along Westlake Drive AND two new proposed fire hydrants within the subdivision are proposed to be provided for emergency use.
- EMERGENCY TURN AROUND – A fully compliant emergency three point turnaround (dimensions and width) is proposed that will be constructed using concrete or asphalt.

Please Note: This letter does not constitute a formal site development or building plan review and/or approval. Upon completion of such a review, plan review comments will be issued when the project is determined to be in compliance with adopted codes and standards.

Based on the aforementioned review of the subdivision concept plan and final plat notes only and an understanding that the construction plans will address the code compliance items noted above during the site development and building plan review phase, **I recommend the approval of the proposed subdivision concept and final plat notes by the City of West Lake Hills.**

We look forward to working with you and your staff on the proposed project. If you have any questions or require any additional information, please do not hesitate to contact our office.

Sincerely,



District Chief Michael Lacey
Fire Marshal
Emergency Prevention Division
Travis County Emergency Services Districts No. 9

cc: File

October 30, 2020

Ric Thompson
904 N. Cuernavaca
Austin, TX 78733

Dear Mr. Thompson:

The District is in receipt of your request for water service availability verification for the following legal property description:

*ABS 21 SUR 1 SPARKS W ACR 7.829
Travis County Appraisal District, Property ID #: 114925*

Property address: 803 Westlake Drive

The District office at this time can confirm that the above referenced subdivision is within District boundaries and is eligible for water service.

Additional Notes:

This letter only addresses availability verification, prior to receiving water service approval from the Water District, you will be required to:

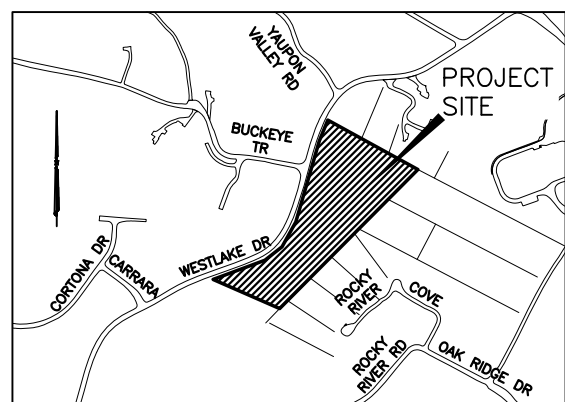
- Grant all necessary easements
- Submit construction plans for review and approval
- Please note that more comments may be generated during the review of construction plans and future updates.

In the case of inadequate water availability, the developer would be responsible for upgrading the District infrastructure based on measures identified by the District's engineer.

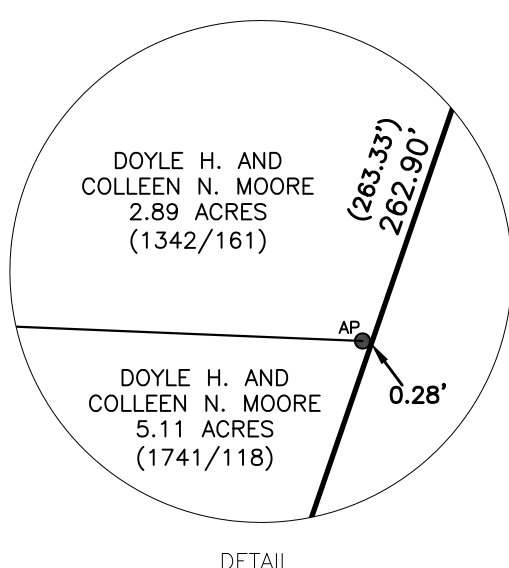
Sincerely,

Carla A. Orts
General Manager
Travis County WC&ID#10

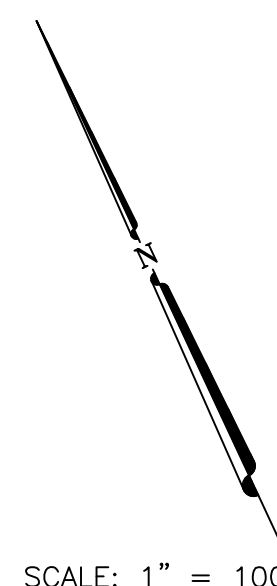
FINAL PLAT
MOORE ESTATES SUBDIVISION
TOTAL SITE ACREAGE 8.423 ACRES
TRAVIS COUNTY, TEXAS



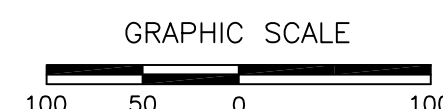
VICINITY MAP
N.T.S.



DETAIL



SCALE: 1" = 100'



LEGEND	
●	1/2" REBAR FOUND (OR AS NOTED)
● ^{AP}	1/2" REBAR WITH "ALL POINTS" CAP FOUND
⊙	1/2" IRON PIPE FOUND
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
⊕	CONTROL POINT/BENCHMARK LOCATION
B.L.	BUILDING SETBACK LINE
P.U.E.	PRIVATE UTILITY EASEMENT
J.U.A.E.	JOINT USE ACCESS EASEMENT
D.E.	DRAINAGE EASEMENT
R.O.W.	RIGHT-OF-WAY
()	RECORD INFORMATION
---	100-YEAR FLOODPLAIN
---	CREEK CENTERLINE

THIS IS A SURFACE DRAWING.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT #2.

60D NAIL SET

SURFACE COORDINATES:
N 10079317.86
E 3095758.07

TEXAS STATE PLANE COORDINATES:
N 10078310.03
E 3095448.53

ELEVATION = 612.32'
VERTICAL DATUM: NAVD 88 (GEOID 12B)

COMBINED SCALE FACTOR = 0.999900010
(FOR SURFACE TO GRID CONVERSION)

INVERSE SCALE FACTOR = 1.000100
(FOR GRID TO SURFACE CONVERSION)

SCALED ABOUT 0.0
THETA ANGLE: 0°00'00"

BENCHMARK INFORMATION:

BM: 60D Nail set on the east side of Westlake Dr. at the end of Buckeye Trail +/- 5' from edge of asphalt. OPUS POINT CHAPARRAL CONTROL POINT #2 (SEE NOTE ABOVE)

ELEVATION = 612.32'
VERTICAL DATUM: NAVD 88 (GEOID 12B)

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
[L8]	N64°53'51"W	95.30'
[L9]	N51°51'51"E	302.41'
[L10]	N38°43'24"E	74.49'
[L11]	N28°39'13"E	52.15'
[L12]	N30°31'09"E	87.01'
[L13]	N26°51'11"E	130.90'
[L14]	N14°08'21"E	114.03'
[L15]	N83°09'45"E	136.55'
[L16]	N63°24'00"E	122.01'
[L17]	N47°58'09"E	134.14'
[L18]	S62°25'50"E	83.03'

LOT PROPERTY LINE TABLE

LINE TABLE			(RECORD LINE TABLE)	
LINE	BEARING	DISTANCE	LINE	(RECORD BEARING)
L1	N67°54'53"E	75.81'	(L1)	(N70°22'59"E 75.8')
L2	N50°02'50"E	105.11'	(L2)	(N52°38'59"E 105.0')
L3	N31°35'25"E	145.82'	(L3)	(N34°13'59"E 145.7')
L4	N19°50'11"E	129.90'	(L4)	(N22°16'59"E 129.8')
L5	N17°24'34"E	172.52'	(L5)	(N19°15'42"E 172.3')
L6	N26°02'52"E	82.79'	(L6)	(N28°31'59"E 83.2')
L7	S73°46'37"E	50.50'		
L19	N22°05'07"W	69.14'		
L20	N58°24'35"W	69.70'		
L21	N70°09'49"W	66.35'		
L22	N61°37'48"W	66.13'		
L23	S21°52'39"E	116.81'		
L24	S01°43'26"E	110.13'		
L25	S37°45'02"E	193.68'		
L26	S73°46'37"E	131.68'		

WILKENS SPARKS
SURVEY NO. 1
ABSTRACT NO. 21

DATE OF PREPARATION: February 9, 2021

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
1573-001
DRAWING NO.:
1573-001-PL
PLOT DATE:
02/09/2021
PLOT SCALE:
1"=100'
DRAWN BY:
RGH/PAQ
SHEET
01 OF 03

FINAL PLAT
MOORE ESTATES SUBDIVISION
TOTAL SITE ACREAGE 8.423 ACRES
TRAVIS COUNTY, TEXAS

STATE OF TEXAS §
COUNTY OF TRAVIS §

WHEREAS, Robin Mallory Moore, Doyle Randall Moore and Sherry Moore Waldrop, beneficiaries under Doyle H. Moore Family Trust, by virtue of a Warranty Deed recorded in Document No. Volume 13112 Page 0289, Deed Records of Travis County, Texas are the owners of that certain 8.423 acre tract of land (called 7.875 acres) in the Wilkerson's Spark Survey No. 1 in Travis County, Texas; and

WHEREAS, in consideration of the conveyance of certain right-of-way deeds to the City of West Lake Hills for the widening and improvement of Westlake Drive, the City of West Lake Hills, City Council passed and adopted Ordinance No. 55B approving the division of said Property containing 8.423 acres of land more or less after the conveyance of said right-of-way deeds into eight single family residential lots with variances to build a single family home on each lot in accordance with the then applicable building and zoning regulations;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That, the undersigned Trust beneficiaries, owners of the land shown on this plat and described herein and named herein as the Moore Estates Subdivision of the City of West Lake Hills, Travis County, Texas hereby subdivide said property in accordance with the requirements of Ordinance 55B of the City of West Lake Hills, Travis County, Texas and do hereby dedicate to the use of the Public, the drainage ways, the utility easements, and access easements for utility and emergency vehicle access as shown thereon for the purposes and consideration expressed.

WITNESS BY HAND this _____ day of _____ 2021.

Robin Mallory Moore

Doyle Randall Moore

Sherry Moore Waldrop
9101 (Lot 11)
Dripping Spring, TX 78620

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Robin Mallory Moore, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2021.

Notary Public in and for Travis County, Texas

Commission Expires

WITNESS BY HAND this _____ day of _____ 2021

Robin Mallory Moore

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Doyle Randall Moore, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2021.

Notary Public in and for Travis County, Texas

Commission Expires

WITNESS BY HAND this _____ day of _____ 2021

Doyle Randall Moore

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Sherry Moore Waldrop, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2021.

Notary Public in and for Travis County, Texas

Commission Expires

WITNESS BY HAND this _____ day of _____ 2021

Sherry Moore Waldrop

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

DATED: _____

President of the Board WCID No. 10

I, the undersigned, City Administrator of the City of West Lake Hills, Texas, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City, for which my approval is required.

DATED: _____

City Administrator, City of West Lake Hills, Texas

I, the undersigned, City Arborist of the City of West Lake Hills, Texas, hereby certify that this subdivision conforms to all the oak wilt requirements of the City of West Lake Hills Code of Ordinances, for which my approval is required.

DATED: _____

City Arborist, City of West Lake Hills, Texas

I, the undersigned, City Sanitarian of the City of West Lake Hills, Texas, hereby certify that this subdivision plat conforms to all the on-site sewage disposal requirements of the subdivision regulations of the City, for which my approval is required.

DATED: _____

City Sanitarian, City of West Lake Hills, Texas

STATE OF TEXAS
COUNTY OF TRAVIS

I, Dana Debeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the _____ day of _____, 2021 A.D., the Commissioners Court of Travis County, Texas, passed an Order authorizing the filing for record of this plat, and that said Order has been entered into the Minutes of Said Court, as Document No. _____.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, this _____ day of _____, A.D. 2021.

Clerk of the County Court, Travis County, Texas

BY: _____
Deputy

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

I, Dana Debeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that the foregoing instrument with its Certification of Authentication was filed in my office at _____ O'clock ____M on the _____ day of _____, 2021, A.D., and duly recorded at _____ O'clock ____M on the day of _____, 2021 A.D. in the Plat Records of Travis County, Texas, as Document No. _____.

WITNESS MY HAND AND SEAL OF THE COURT OF TRAVIS COUNTY, TEXAS, this the _____ day of _____, 2021, A.D.

Clerk of the County Court, Travis County, Texas

BY: _____
Deputy

STATE OF TEXAS

COUNTY OF TRAVIS

Filed for record this _____ day of _____, 2021, A.D., at _____ O'clock ____M.

Clerk of the County Court, Travis County, Texas

BY: _____
Deputy

This plat has been submitted to and considered by the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas.

DATED: _____

ZAPCO Chairperson, City of West Lake Hills, Texas

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

DATED THIS _____ DAY OF _____ 2021.

MAYOR, CITY OF WEST LAKE HILLS, TEXAS

ATTEST:

CITY SECRETARY

STATE OF TEXAS

COUNTY OF TRAVIS

I, Robert C. Thompson, P.E., am authorized under the State of Texas to practice engineering and hereby certify that a portion of this property is within a special flood hazard area as shown on the Federal Emergency Management Agency Map Community Panel No. 48453 C0445K, dated January 22, 2020.

DATED: _____

Robert C. Thompson, P.E. 69524
Thompson Land Engineering, LLC
904 N. Cuernavaca Austin, Texas 78733

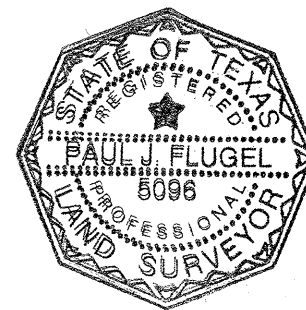
STATE OF TEXAS

COUNTY OF TRAVIS

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from the actual survey of the property made under my supervision on the ground.

DATED: _____

Paul J. Flugel 2-10-2021
Paul J. Flugel, R.P.L.S. 5096
Chaparral Professional Land Surveying, Inc.
Firm No. 10124500
3500 McCall Lane
Austin, Texas 78744
(512) 443-1724



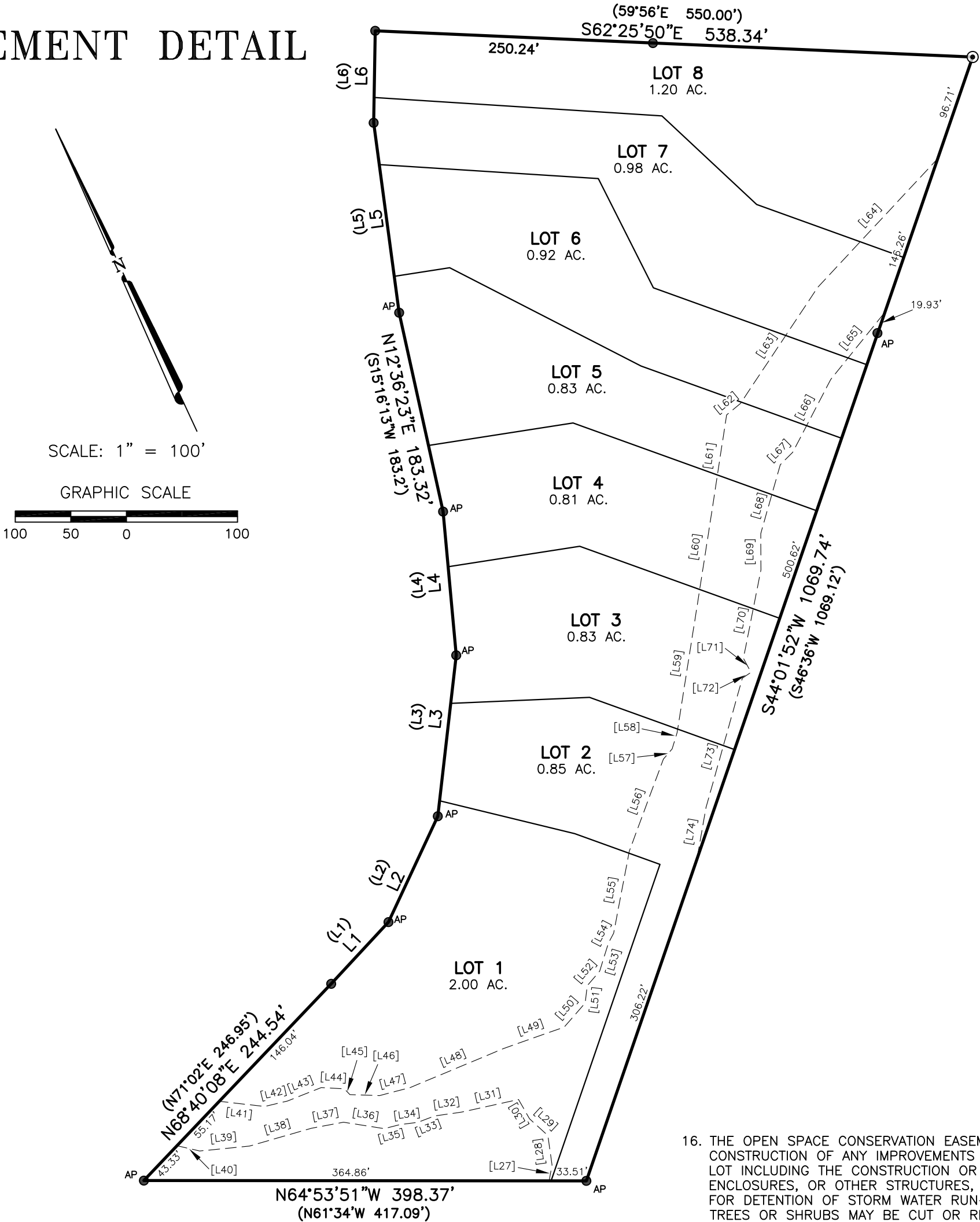
Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
1573-001
DRAWING NO.:
1573-001-PL
PLOT DATE:
02/09/2021
PLOT SCALE:
1"=100'
DRAWN BY:
RGH/PAQ
SHEET
02 OF 03

FINAL PLAT
MOORE ESTATES SUBDIVISION
TOTAL SITE ACREAGE 8.423 ACRES
TRAVIS COUNTY, TEXAS

DRAINAGE EASEMENT DETAIL

DRAINAGE EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
[L27]	N35°16'40"E	14.52'
[L28]	N17°03'02"E	26.72'
[L29]	N22°27'12"W	22.41'
[L30]	N04°34'28"W	19.91'
[L31]	N77°23'43"W	52.62'
[L32]	N73°01'08"W	24.64'
[L33]	N85°51'51"W	15.88'
[L34]	N72°22'43"W	16.51'
[L35]	N79°31'00"W	14.31'
[L36]	N55°58'30"W	37.21'
[L37]	N75°36'46"W	29.52'
[L38]	N80°59'10"W	58.06'
[L39]	N70°34'00"W	44.94'
[L40]	N51°41'54"W	20.92'
[L41]	S58°26'55"E	41.04'
[L42]	S78°19'24"E	21.06'
[L43]	S86°32'37"E	32.88'
[L44]	S61°52'14"E	20.71'
[L45]	S18°58'25"E	7.21'
[L46]	S62°59'47"E	26.67'
[L47]	S79°32'54"E	28.29'
[L48]	S87°36'07"E	91.99'
[L49]	S84°22'33"E	57.27'
[L50]	N66°10'41"E	28.76'
[L51]	N31°59'39"E	15.87'
[L52]	N65°41'42"E	17.17'
[L53]	N42°16'04"E	26.05'
[L54]	N52°35'52"E	10.45'
[L55]	N35°52'53"E	75.20'
[L56]	N45°23'37"E	88.25'
[L57]	N65°45'01"E	12.02'
[L58]	N42°07'52"E	15.43'
[L59]	N34°01'28"E	123.31'
[L60]	N33°55'23"E	88.82'
[L61]	N33°41'48"E	77.26'
[L62]	N75°29'21"E	16.24'
[L63]	N58°42'05"E	125.56'
[L64]	N68°03'05"E	158.42'
[L65]	S63°56'52"W	77.67'
[L66]	S52°38'05"W	73.91'
[L67]	S69°59'01"W	15.92'
[L68]	S40°52'41"W	64.48'
[L69]	S24°44'04"W	32.54'
[L70]	S36°14'14"W	81.18'
[L71]	S03°00'54"E	14.34'
[L72]	S80°47'46"W	9.43'
[L73]	S40°44'12"W	120.99'
[L74]	S35°01'51"W	47.07'



PLAT NOTES:

- ALL LOTS IN THIS SUBDIVISION SHALL BE CONNECTED TO THE CITY OF WESTLAKE HILLS PUBLIC SEWER SYSTEM.
- SITE CLEARANCE, SITE DISTURBANCE, OR IMPERVIOUS COVER: 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.
- FLOOD HAZARD: THE FEDERAL INSURANCE ADMINISTRATION MAP PANEL 48453C0445K, FOR THE CITY OF WEST LAKE HILLS, TEXAS, INDICATE THAT A PORTION OF THE PROPERTY SHOWN HEREON DOES LIE WITHIN THE 100 YEAR FLOOD PLAIN AS DEFINED BY SAID MAPS DATED JANUARY 22, 2020.
- ACCESS TO THESE LOTS IS ONLY TO BE FROM THE JOINT USE ACCESS EASEMENT AND LIMITED TO ONLY TWO LOCATIONS, THOSE LOCATIONS BEING APPROXIMATELY AT THE TWO LOCATIONS SHOWN ON THE FACE OF THE PLAT.

- THE PRIVATE DRIVE JOINT USE ACCESS EASEMENT (J.U.A.E.) AND WASTEWATER EASEMENT (W.W.E.) SHOWN ON THE PLAT SHALL BE A TWO WAY J.U.A.E. AND W.W.E. FOR THE BENEFIT OF EACH LOT OWNER AND SHALL BE MAINTAINED BY THE MOORE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION IN ACCORDANCE WITH THE DECLARATION OF CODES, COVENANTS AND RESTRICTIONS THEREOF RECORDED IN DOCUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. BUILDING OF SUCH PRIVATE DRIVE AND ALL OTHER UTILITY INFRASTRUCTURE SERVING THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TRAVIS COUNTY, TEXAS. THE CITY OF WEST LAKE HILLS, TEXAS, ASSUMES NO RESPONSIBILITY TO BUILD ANY OF THE PRIVATE DRIVES, DRAINAGE OR OTHER UTILITY INFRASTRUCTURE SHOWN ON THIS PLAT. ALL CURB CUTS, ENTRANCES, AND EXITS ONTO PUBLIC STREETS OR HIGHWAYS SHALL FIRST BE APPROVED BY THE CITY OF WEST LAKE HILLS, TEXAS.
- LOTS IN THIS SUBDIVISION ARE LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE AND SUBJECT TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION EDWARDS RULES, TEXAS ADMINISTRATIVE CODE 30 TAC 213. IMPERVIOUS COVER SHALL NOT EXCEED 20% OF THE GROSS SITE AREA OF EACH LOT WITHOUT PROVIDING STRUCTURAL WATER QUALITY CONTROLS PURSUANT TO EDWARDS AQUIFER RULES IN TAC CHAPTER 313.
 - THE DECLARATION OF CODES, COVENANTS, AND RESTRICTIONS APPLICABLE TO DEVELOPMENT IN THIS SUBDIVISION IS FILED OF RECORD AS DOCUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
 - ALL OF THE LAND DEPICTED ON THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE MUNICIPAL BOUNDARIES OF THE CITY OF WEST LAKE HILLS, TEXAS.

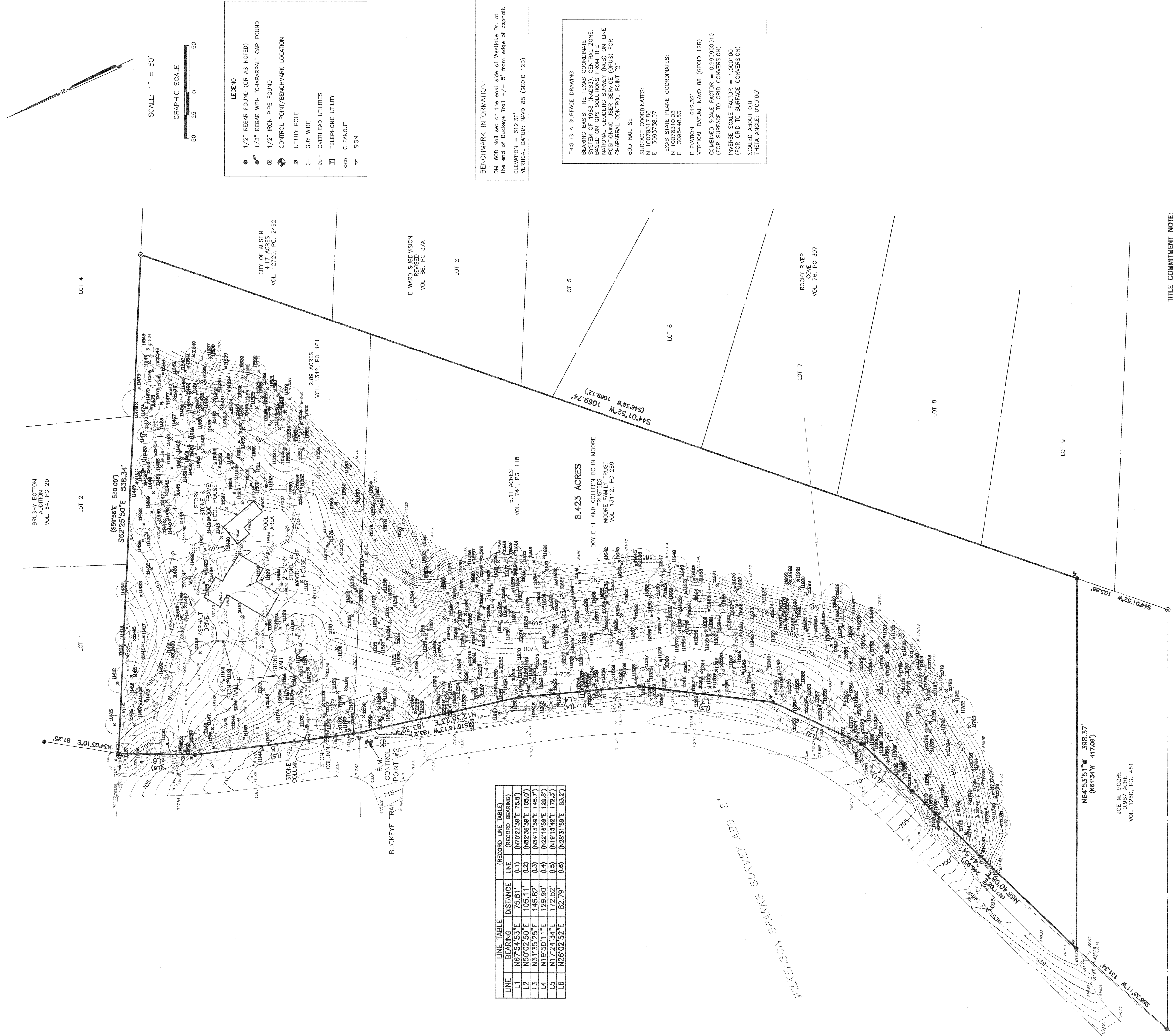
- DUE TO COMPROMISES ON EMERGENCY ACCESS AGREED UPON, LOTS 1 TO 8 SHALL BE PROTECTED THROUGHOUT BY A NATIONAL FIRE PROTECTION ASSOCIATION 13D-COMPLIANT RESIDENTIAL FIRE SPRINKLER SYSTEM. THE SYSTEMS SHALL BE DESIGNED AND INSTALLED BY A LICENSED FIRE PROTECTION COMPANY OR AN ENDORSED PLUMBER. SPRINKLER PLANS SHALL BE SUBMITTED TO THE EMERGENCY SERVICES DISTRICT NO. 9 FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- THE WATER SUPPLY INFRASTRUCTURE FOR THE SUBDIVISION SHALL PROVIDE ADEQUATE FIRE FLOW IN COMPLIANCE WITH THE INTERNATIONAL FIRE CODE APPENDIX B. FOR RESIDENTIAL STRUCTURES UP TO 3,600 SQUARE FEET, 1000 GALLONS PER MINUTE SHALL BE PROVIDED (SEE QUALIFICATIONS BELOW IN ITEM NO. 10).
- ALL RESIDENTIAL STRUCTURES OVER 3,600 SQUARE FEET SHALL COMPLY WITH THE REQUIREMENTS OF TABLE B105.1 FROM THE INTERNATIONAL FIRE CODE. RESIDENTIAL STRUCTURES WITH AN APPROVED NATIONAL FIRE PROTECTION ASSOCIATION 13D RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL RECEIVE A 50% REDUCTION IN REQUIRED FIRE FLOW. THE RESULTING FIRE FLOW SHALL NOT BE LESS THAN 1000 GALLONS PER MINUTE. IF ADDITIONAL FIRE FLOW REDUCTIONS ARE NEEDED, THEY MIGHT BE OBTAINED THROUGH CONSULTATION WITH THE EMERGENCY SERVICE DISTRICT NO. 9, TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 10, AND THE CITY OF WEST LAKE HILLS.
- NO PARKING ON THE J.U.A.E. DRIVEWAY OR SHOULDER IS ALLOWED SO THAT IT MAY REMAIN OPEN FOR EMERGENCY VEHICLES. TO FACILITATE THIS REQUIREMENT THE ENTIRE J.U.A.E. DRIVEWAY SHALL BE PAINTED WITH RED FIRE LANE/TOW AWAY ZONE STRIPING AND SHALL HAVE NO PARKING SIGNAGE.
- PRIOR TO CONSTRUCTION ON THE LOTS IN THIS SUBDIVISION, DRAINAGE PLANS ARE TO BE SUBMITTED TO THE CITY OF WEST LAKE HILLS FOR REVIEW, DEMONSTRATING THAT RAINFALL RUN-OFF AMOUNTS WILL BE HELD TO NO GREATER THAN THE AMOUNT EXISTING AT THE CURRENT CONDITIONS THROUGH THE USE OF PONDS OR OTHER APPROVED METHODS.
- ALL LOTS IN THIS SUBDIVISION HAVE BEEN REZONED FROM "A" RESIDENTIAL TO "R-1" RESIDENTIAL. THE PROJECT INITIATION DATE FOR DEVELOPMENT ON THESE LOTS IS OCTOBER 24, 1972.
- THE RESULTANT PLAT IS FINAL AND MAY NOT BE RE-SUBDIVIDED.
- PURSUANT TO ORDINANCE 55B OF THE CITY OF WEST LAKE HILLS, NO LOT IN THE SUBDIVISION SHALL BE LESS THAN 35,000 SQUARE FEET OF GROSS SITE AREA. THE MINIMUM DIMENSION OF RESIDENTIAL LOTS 1 THROUGH 8 SHALL NOT BE LESS THAN 100 FEET WIDE, MEASURED AT THE BUILDING LINE AND NOT LESS THAN 140 FEET IN TOTAL DEPTH. SIDE YARD SETBACKS SHALL BE A TOTAL OF 30 FEET, WITH A MINIMUM OF 10 FEET ON EACH SIDE LOT LINE. PLEASE NOTE BY ORDINANCE 55B THE MINIMUM SIDE YARD SETBACK MAY BE AS NARROW AS 10 FEET PROVIDED THE COMBINED SETBACK ON EACH SIDE TOTALS 30 FEET.
- THE REAR LOT LINE SETBACK SHALL BE A MINIMUM OF 30 FEET FROM THE BACK OF EACH LOT TO THE STRUCTURE BUILT ON THE LOT.
- NOTWITHSTANDING THE MINIMUM FRONT YARD SETBACK OF 30 FEET PER ORDINANCE 55B ALL LOTS SHALL BE REQUIRED TO HAVE A MINIMUM OF 50 FEET FROM THE STREET SETBACK.

- THE OPEN SPACE CONSERVATION EASEMENT SHALL PROHIBIT THE CONSTRUCTION OF ANY IMPROVEMENTS WITHIN THE EASEMENT ON EACH LOT INCLUDING THE CONSTRUCTION OR PLACEMENT OF FENCES, PET ENCLOSURES, OR OTHER STRUCTURES, EXCEPT THAT A LANDSCAPE WALL FOR DETENTION OF STORM WATER RUN-OFF MAY BE INCLUDED. NO TREES OR SHRUBS MAY BE CUT OR REMOVED WITHIN THE OPEN SPACE CONSERVATION EASEMENT AND MOWING OF SAID EASEMENT SHALL BE STRICTLY PROHIBITED, EXCEPT THAT REQUIRED TO CONSTRUCT A LANDSCAPE WALL FOR STORM WATER RUN-OFF DETENTION. DEAD OR DECAYED MATERIAL MAY BE REMOVED FROM TIME TO TIME BY WRITTEN APPROVAL OF BOTH THE BOARD OF DIRECTORS OF THE MOORE ESTATE HOMEOWNERS ASSOCIATION AND THE CITY OF WEST LAKE HILLS.
- MITIGATION OF TREES REMOVED DURING CONSTRUCTION OF THE J.U.A.E. PRIVATE ROAD AND HOME CONSTRUCTION ON EACH LOT MAY BE SATISFIED BY PLANTING OF REPLACEMENT TREES AND SHRUBS BETWEEN THE WEST LAKE DRIVE RIGHT-OF-WAY AND THE PRIVATE ROAD J.U.A.E. AND BETWEEN THE PRIVATE ROAD J.U.A.E. AND THE BUILDING LINE OF EACH LOT. MITIGATION TREES AND SHRUBS BETWEEN THE RIGHT-OF-WAY AND THE PRIVATE ROAD J.U.A.E. SHALL BE SPACED TO PROVIDE THE MAXIMUM POSSIBLE DENSITY FOR HEALTHY SCREENING AT MATURITY AS APPROVED BY THE CITY ARBORIST AT TIME OF BUILDING CONSTRUCTION ON EACH LOT.
- FIRE FLOW-THE FIRE HYDRANT WATER SUPPLY SHALL MEET THE MINIMUM STANDARDS OF THE JURISDICTION AS REFERENCED IN THE 2015 INTERNATIONAL FIRE CODE, APPENDIX B.
 - A 50% REDUCTION IN REQUIRED FIRE FLOW IS GRANTED WHEN RESIDENTIAL (NFPA 13D) RESIDENTIAL FIRE SPRINKLERS ARE INSTALLED THROUGHOUT THE HOMES.
 - ADDITIONAL REDUCTIONS CAN BE OBTAINED FROM THE CITY OF WEST LAKE HILLS WHEN ADDITIONAL FIRE PROTECTION MEASURES ARE PROPOSED.
- FIRE HYDRANTS-EXISTING FIRE HYDRANTS ALONG WESTLAKE DRIVE AND TWO NEW PROPOSED FIRE HYDRANTS WITHIN THE SUBDIVISION ARE PROPOSED TO BE PROVIDED FOR EMERGENCY USE.
- EMERGENCY TURN AROUND-A FULLY COMPLIANT EMERGENCY THREE POINT TURNAROUND (DIMENSIONS AND WIDTH) IS PROPOSED THAT WILL BE CONSTRUCTED USING CONCRETE OR ASPHALT.
- THE LOT CLEARANCE ON EACH LOT IS PLANNED TO EXTEND FROM THE WESTERN SIDE OF THE JOINT USE ACCESS EASEMENT TO THE REAR BUILDING LINE AND BETWEEN EACH SIDE LOT LINE. GIVEN THE SMALL AREA AVAILABLE FOR DEVELOPMENT, ALL THE TREES ARE EXPECTED TO BE REMOVED FROM THESE AREAS AND THE AREA IS EXPECTED TO BE FULLY DEVELOPED. TREES 14-INCHES AND LARGER WILL BE ATTEMPTED TO BE SAVED, BUT THE FINAL DISPOSITION WILL BE DETERMINED WHEN AN ACTUAL HOME IS DESIGNED. WARNING FENCING IS PLANNED FOR THE CONSERVATION EASEMENT TO PROTECT THAT AREA FROM ENCROACHMENT.

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
1573-001
DRAWING NO.:
1573-001-PL
PLOT DATE:
02/09/2021
PLOT SCALE:
1"=100'
DRAWN BY:
RGH/PAQ
SHEET
03 OF 03

A TOPOGRAPHIC AND TREE SURVEY OF 8.432 ACRES BEING ALL OF A CALLED 2.89 ACRE TRACT OF LAND, AS SET OUT IN DEED TO DOYLE H. MOORE AND WIFE COLLEEN N. MOORE RECORDED IN VOLUME 1342, PAGE 161, TRAVIS COUNTY DEED RECORDS, AND A CALLED 5.11 ACRE TRACT OF LAND, AS SET OUT IN DEED TO DOYLE H. MOORE RECORDED IN VOLUME 1741, PAGE 118, TRAVIS DEED RECORDS, LESS A CALLED 0.058 ACRE TRACT OF LAND CONVEYED TO THE CITY OF WEST LAKE HILLS, TEXAS BY RIGHT-OF-WAY DEED, RECORDED IN VOLUME 4434, PAGE 1113, AND A CALLED 0.021 ACRE TRACT OF LAND CONVEYED TO THE CITY OF WEST LAKE HILLS, TEXAS BY RIGHT-OF-WAY DEED, RECORDED IN VOLUME 4434, PAGE 1111, BOTH OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, GRANTED TO DOYLE H. MOORE AND COLLEEN BOHN MOORE, TRUSTEES OF THE MOORE FAMILY TRUST, RECORDED IN VOLUME 13112, PAGE 289 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS



LINE	BEARING	DISTANCE	LINE	RECORD LINE TABLE
L1	N67°54'53"E	75.81'	(L1)	(N70°22'59"E 75.8')
L2	N50°02'50"E	105.11'	(L2)	(N52°35'59"E 105.0')
L3	N31°35'25"E	145.82'	(L3)	(N34°13'59"E 145.7')
L4	N19°50'11"E	129.90'	(L4)	(N22°16'59"E 129.8')
L5	N17°24'34"E	172.52'	(L5)	(N19°15'42"E 172.3')
L6	N26°02'52"E	82.79'	(L6)	(N28°31'59"E 83.2')

BENCHMARK INFORMATION:
BM: 600 Nail set on the east side of Westlake Dr. at the end of Buckeye Trail +/- 5' from edge of asphalt.
ELEVATION = 612.32'
VERTICAL DATUM: NAD 88 (GEOID 12B)

THIS IS A SURFACE DRAWING.
BEARING BASIS: THE TEXAS COORDINATE SYSTEM (NAD 83) ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT 2.
600 NAIL SET
SURFACE COORDINATES:
N 10079317.86
E 3085758.07
TEXAS STATE PLANE COORDINATES:
N 10078310.03
E 3085448.53
ELEVATION = 612.32'
VERTICAL DATUM: NAD 88 (GEOID 12B)
COMBINED SCALE FACTOR = 0.998900010 (FOR SURFACE TO GRID CONVERSION)
INVERSE SCALE FACTOR = 1.0001000 (FOR GRID TO SURFACE CONVERSION)
SCALED ABOUT 0.0 THEIR ANGLE 0.0000"

- LEGEND
- 1/2" REBAR FOUND (OR AS NOTED)
 - ⊙ 1/2" IRON PIPE FOUND
 - ⊙ CONTROL POINT/BENCHMARK LOCATION
 - ⊘ UTILITY POLE
 - GUY WIRE
 - OVERHEAD UTILITIES
 - ☐ TELEPHONE UTILITY
 - ooo CLEANOUT
 - ▽ SIGN

TITLE COMMITMENT NOTE:
This Survey was prepared without the benefit of a Commitment for Title, and may be subject to additional easements or restrictions not shown hereon. No additional easement research was done for the purpose of this survey.

SURVEYOR'S CERTIFICATE:
DATE OF SURVEY: November 27, 2019
I hereby certify that a survey of the property shown hereon was actually made upon the ground and that the same was made in accordance with the standards and conditions set forth for a Category 6, Condition 1, Topographic Survey, based on the Manual of Practice for Land Surveying in Texas, 2008 Revised Eleventh Edition, prepared by the Texas Society of Professional Surveyors.

Paul H. Floyd 12-4-2019
Paul Floyd
Registered Professional Land Surveyor
State of Texas No. 5096

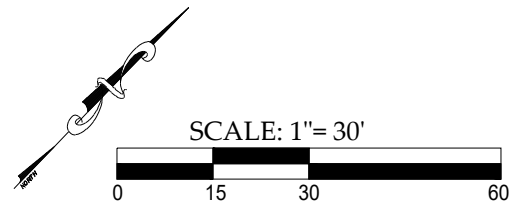
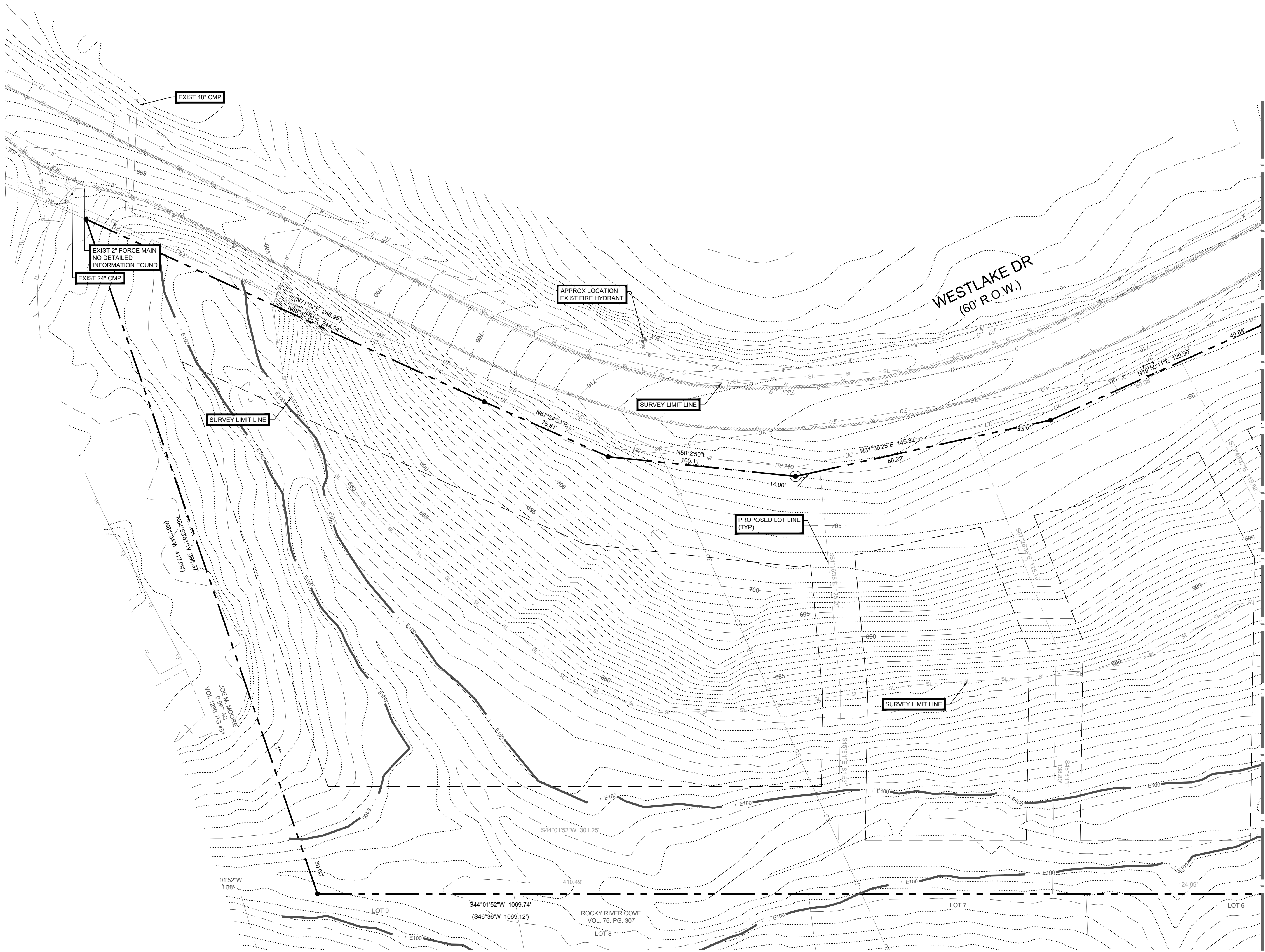
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Austin, Texas 78744
Firm No. 10124500
R.P.L.S. No. 5096

PROJECT NO.: 15733-001
DRAWING NO.: 15733-001-T
PLOT DATE: 12/04/19
PLOT SCALE: 1"=50'
DRAWN BY: RGH
SHEET 01 OF 02

WILKINSON S. PARKS SURVEY ABS. 21

TREE INDEX		INDIVIDUAL TRUNK DIA. (N INCHES)
TAG NO.	TYPE	
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES. 514 LO 17 14 11 INDIVIDUAL TRUNK DIA. (N INCHES)		
HB – HACKBERRY CB – CHINABERRY LO – LIVE OAK SO – SPANISH OAK AE – AMERICAN ELM UKT – UNKNOWN TREE		
THE SPECIES OF TREES SHOWN WERE DETERMINED TO THE BEST OF OUR ABILITIES BY ON THE GROUND SURVEY CREW. NOT A CERTIFIED ARBORIST. OUR FINAL DETERMINATION OF SPECIES. NOTE ABOUT DEAD TREES: IF THE TREE APPEARED TO BE DEAD, THEN IT HAS BEEN NOTED AS DEAD. HOWEVER, SUCH DETERMINATION IS SUBJECT TO VERIFICATION BY A QUALIFIED ARBORIST.		
11143	LO 12	
11144	CDR 16	
11145	LO 15 8 6	
11146	LO 15 8 6	
11147	UKT 8 3 2	
11148	LO 7 6 6	
11149	LO 12	
11150	LO 12	
11151	UKT 9	
11152	LO 12	
11153	HB 16	
11154	LO 14	
11155	LO 11 6	
11156	LO 18	
11157	LO 16	
11158	AE 9	
11159	AE 17	
11160	AE 17	
11161	LO 11	
11162	LO 13	
11163	SO 9	
11164	AE 6	
11165	LO 9	
11166	LO 11	
11167	LO 11	
11168	LO 9	
11169	LO 10	
11170	LO 12	
11171	LO 10	
11172	LO 11	
11173	LO 11	
11174	LO 8 6	
11175	SO 2 6	
11176	CDR 11	
11177	CDR 11	
11178	CDR 11 8 8	
11179	LO 11	
11180	LO 11	
11181	CDR 14	
11182	LO 10	
11183	LO 11	
11184	LO 12	
11185	LO 12	
11186	LO 14 14	
11187	LO 18 6 4	
11188	LO 18 6 4	
11189	UKT 6 6 4	
11190	UKT 6 6 4	
11191	CDR 17	
11192	UKT 12 7	
11193	CDR 11 7	
11194	CDR 11	
11195	CDR 7 4 6	
11196	LO 10 8	
11197	LO 10 8	
11198	CDR 12 12	
11199	CDR 12 12	
11200	CDR 6 6	
11201	LO 12 10 9	
11202	LO 7	
11203	LO 10	
11204	LO 10	
11205	LO 9 9	
11206	CDR 10 8	
11207	CDR 10 8	
11208	CDR 10	
11209	LO 10 10	
11210	LO 10	
11211	CDR 13 8	
11212	UKT 8 6 4	
11213	LO 9	
11214	LO 9	
11215	LO 9 10	
11216	CDR 10	
11217	CDR 10	
11218	CDR 9	
11219	CDR 10	
11220	LO 11	
11221	LO 8	
11222	CDR 12 8 8 6	
11223	CDR 9	
11224	CDR 9 2	
11225	CDR 8 6	
11226	CDR 12	
11227	UKT 12	
11228	CDR 15	
11229	CDR 15	
11230	CDR 10 8 3 3	
11231	CDR 10 8 3	
11232	UKT 6 3 3	
11233	LO 12 11	
11234	LO 12 11	
11235	CDR 8	
11236	CDR 8	
11237	CDR 8	
11238	CDR 12	
11239	LO 8 10	
11240	LO 8 10	
11241	LO 10 8 8	
11242	UKT 8	
11243	LO 10 10	
11244	UKT 10 10	
11245	CDR 23	
11246	CDR 6 6	
11247	CDR 7	
11248	CDR 7	
11249	SO 8 6	
11250	AE 10	
11251	AE 10	
11252	CDR 7	
11253	CDR 12	
11254	CDR 12	
11255	CDR 15	
11256	UKT 7 6	
11257	CDR 12 8	
11258	CDR 10	
11259	CDR 10	
11260	CDR 11 7	
11261	CDR 9	
11262	CDR 9	
11263	CDR 9	
11264	CDR 9	
11265	UKT 9 5	
11266	CDR 9	
11267	CDR 9	
11268	CDR 9	
11269	UKT 7	
11270	CDR 7	
11271	CDR 7	
11272	CDR 13	
11273	LO 6	
11274	CDR 14	
11275	CDR 14	
11276	CDR 8	
11277	CDR 8	
11278	LO 15	
11279	LO 15	
11280	CDR 3	
11281	CDR 8	
11282	CDR 8	
11283	CDR 6	
11284	CDR 10	
11285	CDR 10	
11286	LO 10	
11287	LO 10	
11288	CDR 8	
11289	CDR 8	
11290	CDR 6	
11291	CDR 6 6	
11292	CDR 12	
11293	CDR 12	
11294	CDR 12	
11295	AE 6 4	
11296	AE 7	
11297	AE 6	
11298	AE 6	
11299	CDR 6	
11300	CDR 6	
11301	CDR 6 3	
11302	CDR 8 3	
11303	CDR 8	
11304	CDR 11	
11305	CDR 9	
11306	CDR 13 9	
11307	CDR 9 7 4 4	
11308	CDR 14	
11309	CDR 14	
11310	CDR 9	
11311	CDR 9	
11312	CDR 9	
11313	CDR 10	
11314	CDR 10	
11315	CDR 10	
11316	CDR 17	
11317	LO 8 3 2	
11318	LO 8 3 2	
11319	CDR 7	
11320	CDR 10	
11321	CDR 10	
11322	AE 6 2	
11323	LO 6 6	
11324	HB 7 3	
11325	CDR 13	
11326	CDR 13	
11327	CDR 13	
11328	CDR 7	
11329	CDR 7	
11330	CDR 11 8 9	
11331	LO 7 3	
11332	LO 7 3	
11333	LO 7 3	
11334	UKT 6 5 3	
11335	CDR 6	
11336	CDR 6	
11337	CDR 7 4	
11338	CDR 13	
11339	LO 6 6	
11340	LO 6	
11341	CDR 6	
11342	CDR 6	

TREE INDEX		INDIVIDUAL TRUNK DIA. (N INCHES)
TAG NO.	TYPE	
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES. HB = HACKBERRY CB = CHINABERRY LO = LIVE OAK SO = SPANISH OAK AE = AMERICAN ELM UKT = UNKNOWN TREE		
THE SPECIES OF TREES SHOWN WERE DETERMINED TO THE BEST OF OUR ABILITIES BY ON THE GROUND SURVEY CREW. NOT A CERTIFIED ARBORIST. OUR FINAL DETERMINATION OF SPECIES. NOTE ABOUT DEAD TREES: IF THE TREE APPEARED TO BE DEAD, THEN IT HAS BEEN NOTED AS DEAD. HOWEVER, SUCH DETERMINATION IS SUBJECT TO VERIFICATION BY A QUALIFIED ARBORIST.		
11343	CDR 7	
11344	CDR 7	
11345	CDR 8 4 3	
11346	CDR 8	
11347	CDR 8	
11348	CDR 10	
11349	CDR 7	
11350	CDR 6	
11351	CDR 9	
11352	CDR 12	
11353	CDR 7 6 4 4 4	
11354	LO 12 3 3	
11355	CDR 10 6	
11356	CDR 8	
11357	CDR 8	
11358	CDR 8	
11359	CDR 8 6	
11360	CDR 8 6	
11361	CDR 7	
11362	CDR 11	
11363	LO 9 5	
11364	CDR 7	
11365	CDR 13 8 7	
11366	CDR 7	
11367	CDR 7	
11368	CDR 7 4 3 3	
11369	CDR 7 8 5 4 4	
11370	CDR 10 4	
11371	CDR 7 4	
11372	LO 7 6	
11373	LO 7 6	
11374	LO 7 6	
11375	LO 7 6	
11376	CDR 9	
11377	CDR 8 4 4	
11378	CDR 9	
11379	CDR 9	
11380	UKT 6 6 4	
11381	UKT 11	
11382	CDR 9	
11383	CDR 8 6 6	
11384	CDR 8 6 6	
11385	UKT 8	
11386	CDR 8 6 6	
11387	LO 7	
11388	LO 9 6 4 3	
11389	CDR 6 6	
11390	CDR 14	
11391	CDR 7	
11392	LO 10	
11393	LO 6 4	
11394	CDR 9	
11395	CDR 9	
11396	CDR 12	
11397	CDR 12	
11398	CDR 13	
11399	CDR 13	
11400	CDR 13	
11401	LO 8 4	
11402	CDR 9	
11403	CDR 9	
11404	CDR 12	
11405	CDR 10	
11406	CDR 9	
11407	CDR 14	
11408	HB 10	
11409	CDR 8	
11410	CDR 8	
11411	UKT 16	
11412	CDR 10	
11413	CDR 9	
11414	CDR 9	
11415	AE 11	
11416	CDR 10	
11417	AE 6	
11418	CDR 8	
11419	CDR 11	
11420	CDR 11	
11421	CDR 11	
11422	CDR 13	
11423	LO 11 8 4	
11424	LO 12	
11425	LO 12	
11426	CDR 13	
11427	CDR 13	
11428	CDR 8 7 4	
11429	CDR 10 8 4	
11430	LO 8 4	
11431	CDR 9	
11432	CDR 9	
11433	CDR 10	
11434	CDR 10	
11435	AE 11	
11436	CDR 10	
11437	CDR 13	
11438	CDR 12	
11439	CDR 11	
11440	CDR 11	
11441	CDR 10	
11442	LO 9	
11443	CDR 15	
11444	CDR 15	
11445	CDR 15	
11446	LO 9	
11447	CDR 10	
11448	CDR 7	
11449	CDR 13	
11450	CDR 9	
11451	LO 13	
11452	LO 13	
11453	LO 13	
11454	LO 13	
11455	CDR 6	
11456	LO 8 10	
11457	CDR 11	
11458	CDR 10	
11459	CDR 9	
11460	CDR 8	
11461	CDR 8	
11462	CDR 9	
11463	LO 10	
11464	CDR 6	
11465	CDR 6	
11466	CDR 6	
11467	CDR 8	
11468	CDR 7	
11469	CDR 9	
11470	CDR 9	
11471	UKT 12 7	
11472	CDR 8	
11473	CDR 8	
11474	CDR 9	
11475	CDR 9	
11476	CDR 7	
11477	CDR 7	
11478	CDR 8 6 4 4	
11479	CDR 8 6 4 4	
11480	UKT 6 6 4 4	
11481	CDR 7 3	
11482	HB 7 3	
11483	CDR 9 4	
11484	CDR 10	
11485	CDR 8	
11486	CDR 8	
11487	CDR 8 6 4	
11488	CDR 9	
11489	CDR 10	
11490	CDR 10	
11491	CDR 9 5	
11492	CDR 7	
11493	CDR 7	
11494	CDR 9	
11495	LO 7	
11496	CDR 9 8 8	
11497	LO 6	
11498	CDR 7	
11499	CDR 9 7	
11500	CDR 11	
11501	CDR 11	
11502	CDR 13	
11503	CDR 8	
11504	CDR 12	
11505	CDR 12	
11506	CDR 12	
11507	LO 7 6	
11508	CDR 6	
11509	CDR 6	
11510	CDR 9 8 8	
11511	CDR 11	
11512	LO 6	
11513	CDR 7	
11514	CDR 9 7	
11515	CDR 8	
11516	CDR 8	
11517	CDR 6 4	
11518	CDR 6 4	
11519	CDR 6 4	
11520	CDR 8	
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11526	CDR 8	
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11528	CDR 7	
11529	CDR 9	
11530	CDR 9 7	
11531	CDR 10	
11532	CDR 10	
11533	CDR 8 3	
11534	CDR 8	
11535	CDR 8	
11536	CDR 9 3	
11537	CDR 8	
11538	CDR 7	
11539	CDR 8	
11540	CDR 9	
11541	CDR 10	
11542	CDR 10	
11543	CDR 7 7 4	
11544	LO 11 4	
11545	CDR 10 6 6	
11546	CDR 8	
11547	CDR 8	
11548	CDR 7	
11549	CDR 7	



1 EXISTING CONDITIONS (1 OF 2)
SCALE: 1:50

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DATE

REVISION

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX

EXISTING CONDITIONS (1 OF 2)

DATE ISSUED
February, 2021

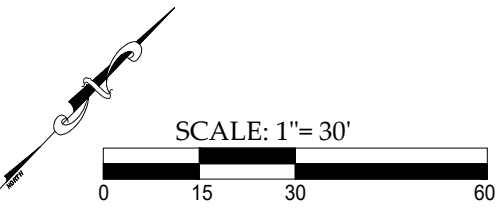
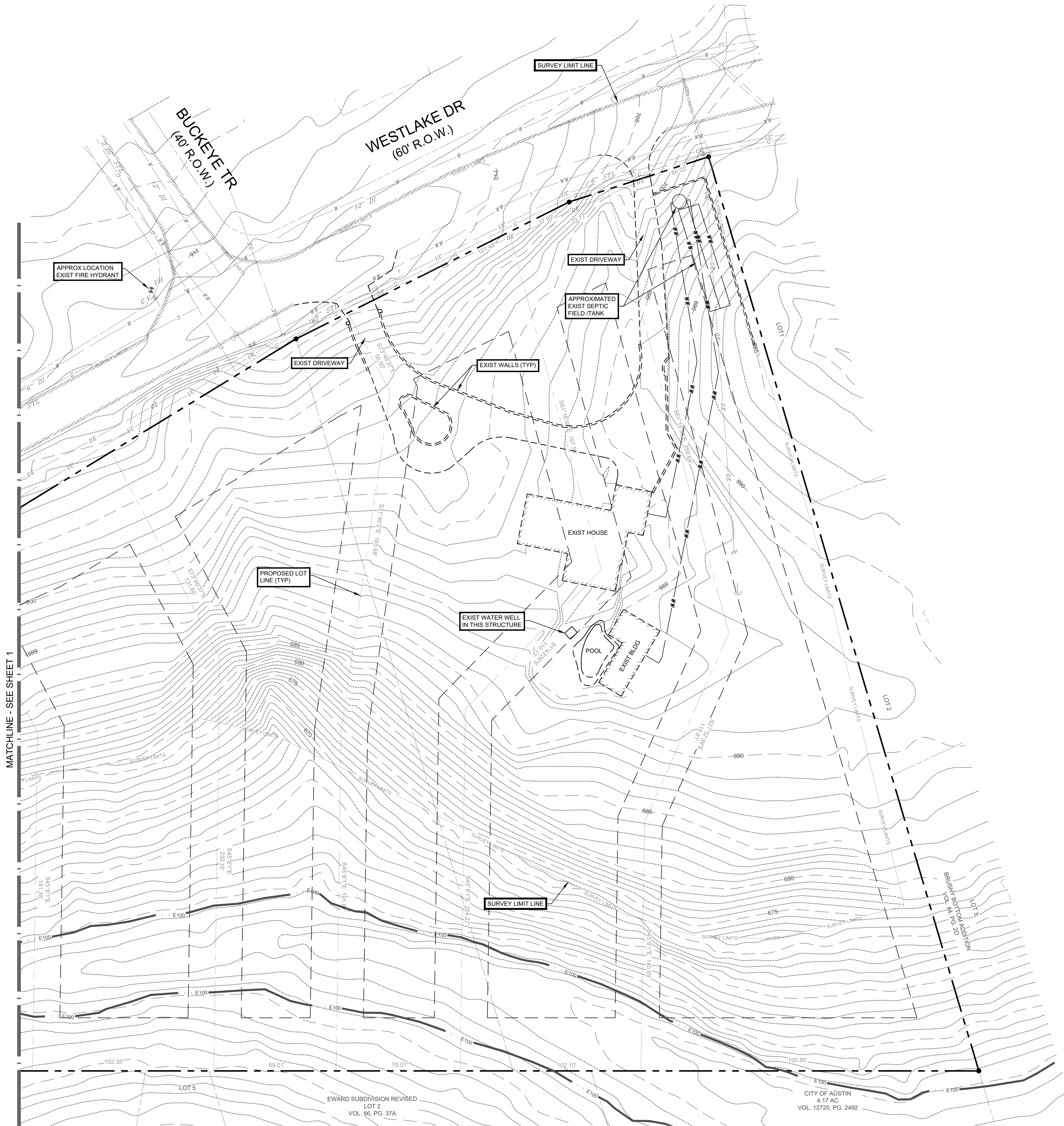
DESIGNED BY
RCT

DRAFTED BY
777

JOB NUMBER
1642

SHEET
1 OF 8

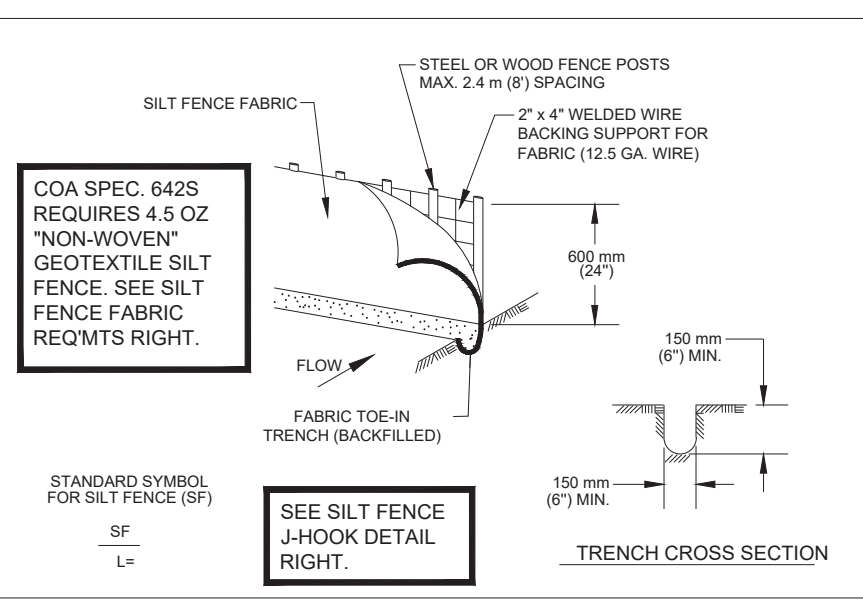
Page 253 of 327



DATE	REVISION

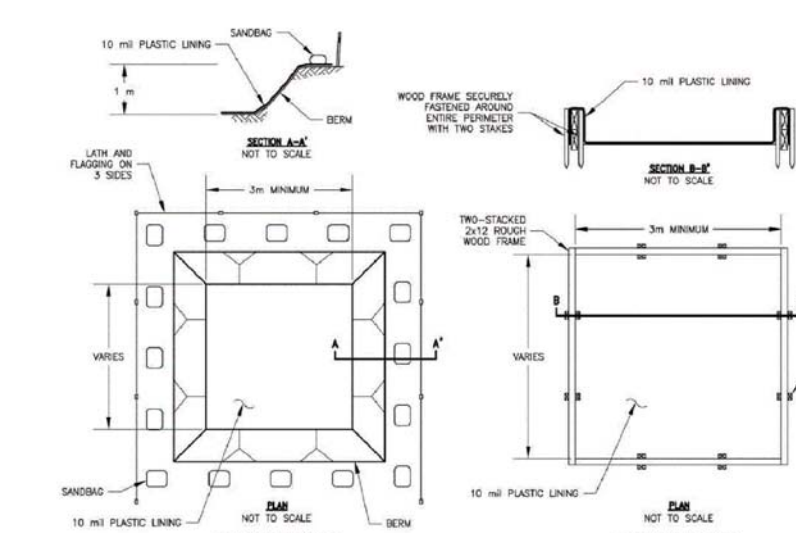
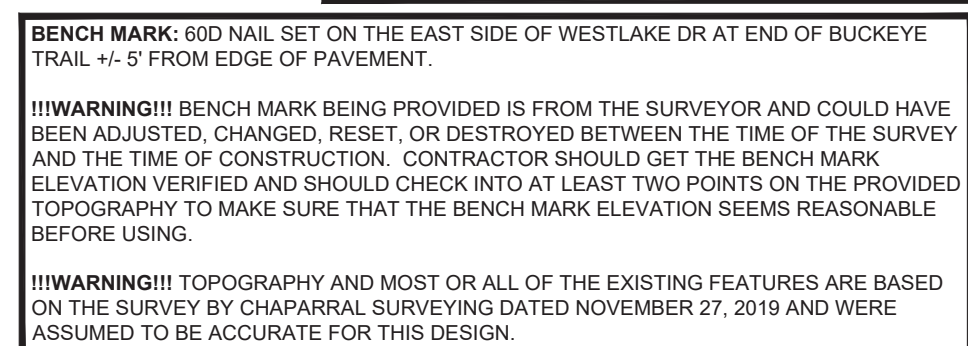
PROJECT	DATE ISSUED
WESTLAKE SUBDIVISION CONCEPT PLAN 803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX	February, 2021
SHEET NAME	DESIGNED BY
EXISTING CONDITIONS (2 OF 2)	RCT

JOB NUMBER	DRAFTED BY
1642	777
SHEET	
2 OF 8	

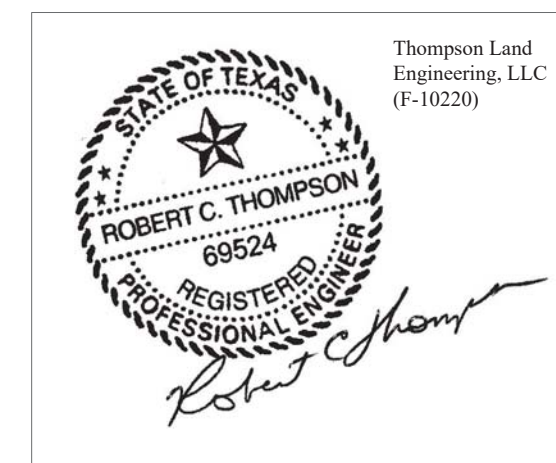


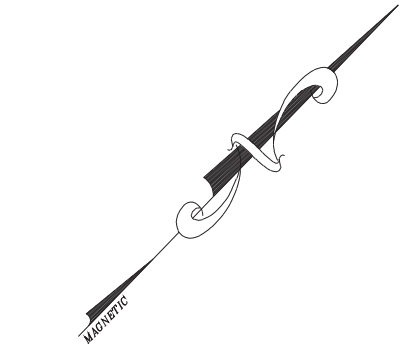
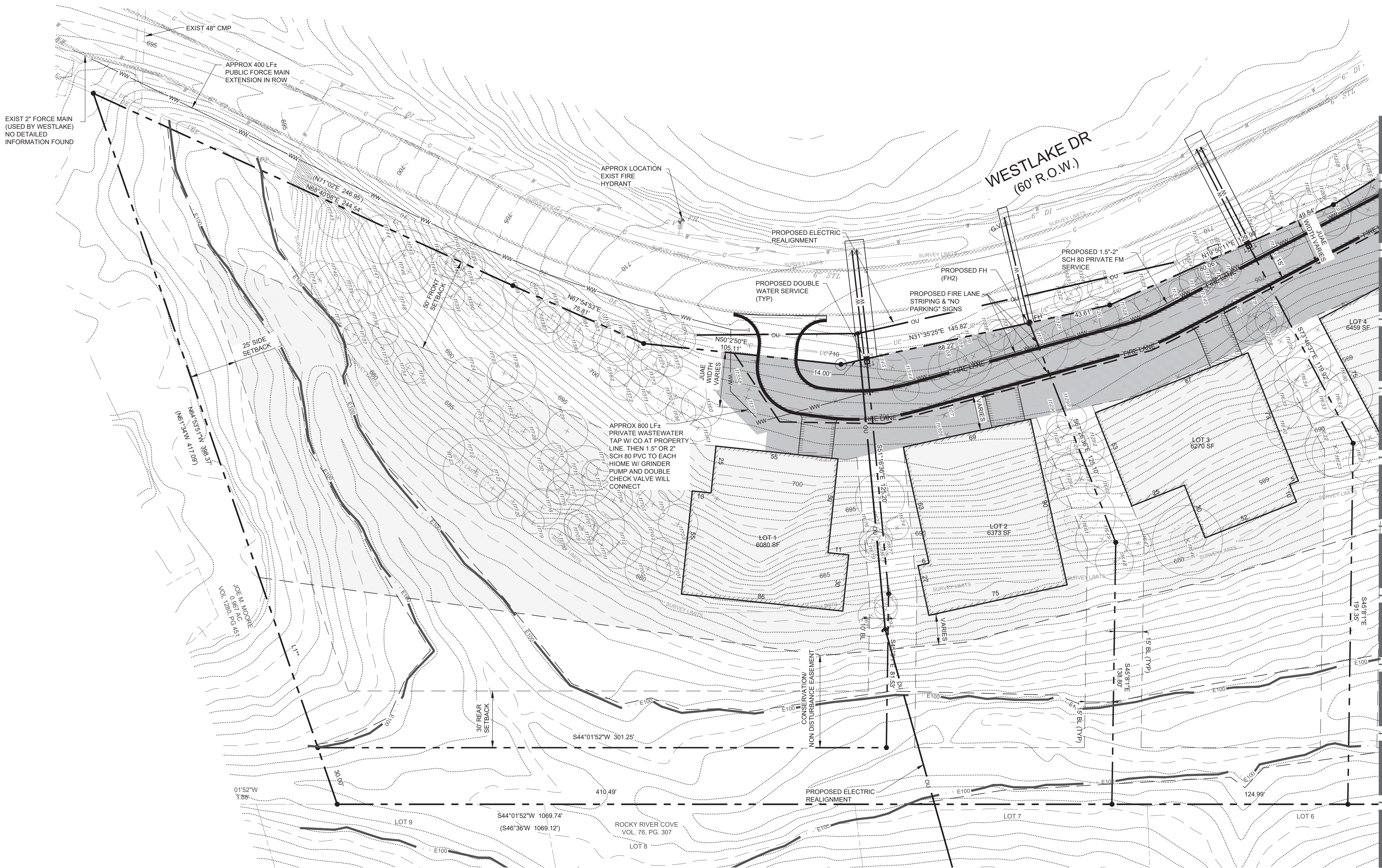
1. STEEL OR WOOD POSTS WHICH SUPPORT THE SILENCE FENCE SHALL BE INSTALLED ON A 300 MM (12 INCH) TIE ROD TO THE ANTICIPATED RUNOFF SOURCE. THE POST SHALL BE EMBEDDED A MINIMUM OF 300 MM (12 INCH) INTO THE GROUND.
2. THE TOP OF THE SILENCE FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FENCE.
3. THE TRENCH SHALL BE A MINIMUM OF 150 mm (6 INCH) DEEP AND 150 mm (6 INCH) WIDE TO ALLOW THE SILENCE FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.
4. SILENCE FABRIC SHOULD BE SECURELY FASTENED TO EACH STEEL OR WOOD SUPPORT POST OR TO MOVEN VINE, WHICH IS MADE OF STEEL OR WOOD, TO THE STEEL OR WOOD FENCE POST.
5. INSPECTION SHALL BE MADE IMMEDIATELY AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NECESSARY.
6. SILENCE FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED AND SO AS NOT TO BLOCK OR IMPED STORM FLOW OR CHANGE.
7. A TRENCH SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 150 mm (6 INCH). THE SILENCE FENCE SHALL BE DISPOSED IN A MANNER THAT IS APPROPRIATE AND IN SUCH A MANNER THAT WILL NOT CONTRIBUTE TO POLLUTION.

CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT		SILT FENCE	
RECORD COPY SIGNED BY MORGAN BYARS	09/01/2011	THE ARCHITECT/ENGINEER ASSUMES RESPONSIBILITY FOR APPROPRIATE USE	STANDARD NO. 6428.1

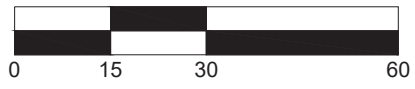


CONCRETE WASHOUT DETAILS





SCALE: 1" = 30'



LEGEND	
	PROPOSED PHASE LINE
	EXISTING OVERHEAD ELECTRIC
	EXISTING POWER POLE
	EXISTING WATER METER
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
	NEW WATER METERS

LOT SUMMARY		CONSTRUCTION AREA	
LOT 1	2.00 AC	87,278 SF	0.89 AC
LOT 2	0.85 AC	37,000 SF	0.21 AC
LOT 3	0.83 AC	36,110 SF	0.25 AC
LOT 4	0.81 AC	35,440 SF	0.22 AC
LOT 5	0.83 AC	36,095 SF	0.22 AC
LOT 6	0.82 AC	40,298 SF	0.38 AC
LOT 7	0.98 AC	42,516 SF	0.39 AC
LOT 8	1.20 AC	52,170 SF	0.46 AC
TOTAL	8.42 AC	366,907 SF	2.67 AC

NOTE: CONSTRUCTION AREA EXCLUDES JUAE

	CONSTRUCTION AREA
	JUAE EASEMENT AREA

PROPOSED IMPERVIOUS COVER (INITIAL CONCEPT)
TRACT AREA 366,906.63 S.F. (8.423 ACRES)
JUAE PAVEMENT 16,391 S.F.

LOT 1 BLDG 6080 S.F.
LOT 1 DRIVE 387 S.F.

LOT 2 BLDG 6373 S.F.
LOT 2 DRIVE 356 S.F.

LOT 3 BLDG 6270 S.F.
LOT 3 DRIVE 458 S.F.

LOT 4 BLDG 6459 S.F.
LOT 4 DRIVE 514 S.F.

LOT 5 BLDG 4516 S.F.
LOT 5 DRIVE 462 S.F.

LOT 6 BLDG 4731 S.F.
LOT 6 DRIVE 812 S.F.

LOT 7 BLDG 5996 S.F.
LOT 7 DRIVE 3340 S.F.

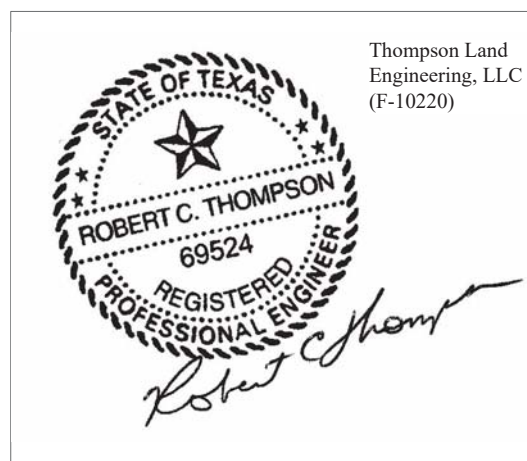
LOT 8 BLDG 5968 S.F.
LOT 8 DRIVE 3504 S.F.

TOTAL IMPERVIOUS COVER 72,487 S.F.
PERCENT IMPERVIOUS COVER 19.8%

- NOTE:
- 1) DRAINAGE PLANS, INCLUDING MITIGATION FOR INCREASES IN PEAK DISCHARGE, WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT FOR WORK ON EACH LOT.
 - 2) WATER SERVICE WILL BE PROVIDED BY EXTENDING SERVICES FROM EXISTING WCID 10 WATER LINES IN WESTLAKE DR.
 - 3) WASTEWATER SERVICE WILL BE PROVIDED BY EXTENDING A JOINT USE, ON-SITE FORCE MAIN FROM THE CITY'S FORCE MAIN IN WESTLAKE DRIVE. EACH HOME WILL HAVE ITS OWN GRINDER PUMP(WITH CHECK VALVES) TO MOVE THE WASTEWATER FROM THAT HOUSE TO THE CITY'S FORCE MAIN.
 - 4) DRY UTILITIES (GAS, ELECTRIC, TELEPHONE) WILL BE EXTENDED FROM THE EXISTING LINES IN WESTLAKE DRIVE.

1 PROPOSED SUBDIVISION CONCEPT PLAN (1 OF 2)

SCALE: 1:30

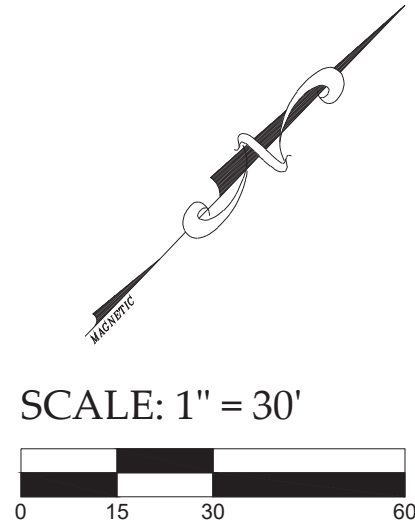


2/5/21

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WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
PROPOSED CONCEPT PLAN (1 OF 2)

PROJECT	DATE ISSUED
DESIGNED BY	February, 2021
RC	DRAFTED BY
777	
JOB NUMBER	
1642	
SHEET	
5 OF 8	



LEGEND	
	PROPOSED PHASE LINE
	EXISTING OVERHEAD ELECTRIC
	EXISTING POWER POLE
	EXISTING WATER METER
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
	NEW WATER METERS

LOT SUMMARY		CONSTRUCTION AREA	
LOT 1	2.00 AC	87,278 SF	0.89 AC
LOT 2	0.85 AC	37,000 SF	0.21 AC
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LOT 7	0.98 AC	42,516 SF	0.39 AC
LOT 8	1.20 AC	52,170 SF	0.46 AC
TOTAL	8.42 AC	366,907 SF	2.67 AC

NOTE: CONSTRUCTION AREA EXCLUDES JUAE		CONSTRUCTION AREA
		JUAE EASEMENT AREA

PROPOSED IMPERVIOUS COVER
(INITIAL CONCEPT)
TRACT AREA 366,906.63 S.F. (8.423 ACRES)
JUAE PAVEMENT 16,391 S.F.

LOT 1 BLDG 6080 S.F.
LOT 1 DRIVE 387 S.F.

LOT 2 BLDG 6373 S.F.
LOT 2 DRIVE 356 S.F.

LOT 3 BLDG 6270 S.F.
LOT 3 DRIVE 458 S.F.

LOT 4 BLDG 6459 S.F.
LOT 4 DRIVE 514 S.F.

LOT 5 BLDG 4516 S.F.
LOT 5 DRIVE 462 S.F.

LOT 6 BLDG 4731 S.F.
LOT 6 DRIVE 612 S.F.

LOT 7 BLDG 5966 S.F.
LOT 7 DRIVE 3340 S.F.

LOT 8 BLDG 5968 S.F.
LOT 8 DRIVE 3504 S.F.

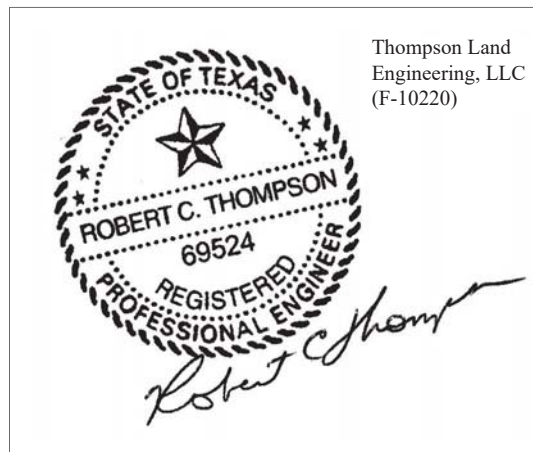
TOTAL IMPERVIOUS COVER 72,487 S.F.
PERCENT IMPERVIOUS COVER 19.8%

NOTE:
1) DRAINAGE PLANS, INCLUDING MITIGATION FOR INCREASES IN PEAK DISCHARGE, WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT FOR WORK ON EACH LOT.

2) WATER SERVICE WILL BE PROVIDED BY EXTENDING SERVICES FROM EXISTING WCID 10 WATER LINES IN WESTLAKE DR.

3) WASTEWATER SERVICE WILL BE PROVIDED BY EXTENDING A JOINT USE, ON-SITE FORCE MAIN FROM THE CITY'S FORCE MAIN IN WESTLAKE DRIVE. EACH HOME WILL HAVE ITS OWN GRINDER PUMP(WITH CHECK VALVES) TO MOVE THE WASTEWATER FROM THAT HOUSE TO THE CITY'S FORCE MAIN.

4) DRY UTILITIES (GAS, ELECTRIC, TELEPHONE) WILL BE EXTENDED FROM THE EXISTING LINES IN WESTLAKE DRIVE.



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DATE	REVISION

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
PROPOSED CONCEPT PLAN (2 OF 2)

PROJECT	SHEET NAME

DATE ISSUED	February, 2021
DESIGNED BY	RC
DRAFTED BY	777
JOB NUMBER	1642
SHEET	6 OF 8

1 EXISTING CONDITIONS (2 OF 2)
SCALE: 1:30



SCALE: 1" = 50'

LEGEND

EXISTING WATER METER

EXISTING FIRE HYDRANT

EXISTING GATE VALVE

EXISTING POWER POLE

LIMITS OF CONSTRUCTION

100 YR FLOOD PLAIN

EXISTING MINOR CONTOURS

EXISTING MAJOR CONTOURS

EXISTING OVERHEAD ELECTRIC

EXISTING UNDERGROUND TELEPHONE

EXISTING UNDERGROUND GAS

EXISTING WATER LINE

EXISTING WASTEWATER LINE

Purpose of Study and Limitations
Purpose of Drainage Plan: to assess the approximate 100-year (Atlas 14) floodplain limits on 803 Westlake Drive.
Limitations of the Drainage Plan: Impervious cover could only be approximated and the floodplain delineation was using lidar topography, not on the ground topography. Both approaches, as applied, are believe to be conservative.
Assumptions: 25 percent impervious cover in the watershed.

Hydrologic Computations
Hydrologic computations method: Soil Conservation Service (SCS) per Technical Release-55
Modeling method: HEC-HMS version 4.7.1 (see model schematic in these plans)
Model components:
a) contributing drainage areas (see maps in these plans)
b) curve number (CN) (assumed to be 80, for D soils with good grass, which should be conservatively high)
c) time of concentration (Tc) (see table in these plans)
Drainage area contour sources: City of Austin lidar topography.
Determination of Lag: 0.6 * Tc as outlined in Technical Release-55
Minimum Tc: 5 minutes per Technical Release 55
Storms modeled: based on newly adopted Atlas 14 rainfall, the 2-yr, 10-yr, 25-yr, and 100-yr.
Precipitation source: City of Austin Drainage Criteria Manual

1

FLOOD PLAIN DELINEATION

SCALE: 1:50

SUMMARY of the Hydrologic Computations (Using the SCS Method)						
Project: 803 Westlake Drive						
Hydrologic Element	Drain Area (MD)	2-yr	10-yr	25-yr	100-yr	Notes
		Peak Disch (CFS)	Peak Disch (CFS)	Peak Disch (CFS)	Peak Disch (CFS)	
<u>Existing Discharges</u>						
E1	0.1115	135.85	262.54	360.31	544.75	
E2	0.1069	141.52	274.9	378.02	572.7	
E3	0.0499	53.98	104.51	143.55	217.24	
E4	0.0021	3.35	6.47	8.88	13.42	
E-POA1	0.2683	322.2	625.28	859.57	1301.89	
E-POA2	0.0021	3.35	6.47	8.88	13.42	
<u>Combined Discharges</u>						
E1+E2	0.2184	273.72	533.47	734.61	1114.57	
E1+2 to E3	0.2184	272.17	529.23	728.11	1103.66	

Profile Output Table - Standard Table 1													
File: Options Std. Tables Locations Help													
HEC-RAS Plan: Exst Flood Plain River: channel Reach: 1													
Reach	River Sta	Profile	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude #	Chl
1	2193	2-YR (Atlas)	136.00	662.00	664.68		664.96	0.015224	4.25	32.99	22.38	0.58	
1	2193	10-YR (Atlas)	263.00	662.00	665.34		665.86	0.018343	5.82	48.89	25.69	0.67	
1	2193	25-YR (Atlas)	360.00	662.00	665.68	665.25	666.40	0.021549	6.91	57.89	27.38	0.74	
1	2193	100-YR (Atlas)	545.00	662.00	666.42	665.95	667.38	0.021136	8.05	79.60	31.50	0.77	
1	1795	2-YR (Atlas)	272.00	649.00	652.44	652.44	653.38	0.044011	7.76	35.98	22.64	0.98	
1	1795	10-YR (Atlas)	525.00	649.00	653.53	653.53	654.82	0.034977	9.30	66.70	34.02	0.94	
1	1795	25-YR (Atlas)	720.00	649.00	654.24	654.24	655.68	0.030145	9.95	93.64	40.10	0.91	
1	1795	100-YR (Atlas)	1100.00	649.00	655.25	655.25	657.04	0.028716	11.38	136.15	44.61	0.92	
1	1408	2-YR (Atlas)	297.00	641.00	644.70		645.00	0.016719	4.41	68.76	33.52	0.51	
1	1408	10-YR (Atlas)	575.00	641.00	645.69	644.68	646.22	0.011881	5.89	105.41	40.00	0.57	
1	1408	25-YR (Atlas)	790.00	641.00	646.23	645.25	646.95	0.013348	6.90	127.73	43.14	0.62	
1	1408	100-YR (Atlas)	1200.00	641.00	646.87	646.18	648.05	0.018024	8.88	156.26	46.33	0.74	
1	1160	2-YR (Atlas)	322.00	637.00	639.27	639.27	639.93	0.047382	6.51	49.46	36.93	0.99	
1	1160	10-YR (Atlas)	625.00	637.00	640.05	640.05	640.96	0.043589	7.65	81.75	45.30	1.00	
1	1160	25-YR (Atlas)	860.00	637.00	640.53	640.49	641.60	0.037534	8.30	104.35	48.20	0.97	
1	1160	100-YR (Atlas)	1302.00	637.00	641.52	641.20	642.70	0.025866	8.74	154.81	54.12	0.85	
1	1000	2-YR (Atlas)	322.00	631.80	635.85	634.81	636.25	0.010001	5.25	77.49	39.25	0.52	
1	1000	10-YR (Atlas)	625.00	631.80	637.20	636.04	637.80	0.010009	6.64	137.47	48.80	0.55	
1	1000	25-YR (Atlas)	860.00	631.80	638.03	636.73	638.75	0.010010	7.42	180.02	54.18	0.56	
1	1000	100-YR (Atlas)	1302.00	631.80	639.31	637.79	640.23	0.010018	8.56	255.45	63.18	0.58	

2

HECHMS & HECRAS RESULTS

SCALE: N/A

DETERMINING THE TIME OF CONCENTRATION CALCULATIONS USING THE SOIL CONSERVATION SERVICE (SCS) METHOD

Project: 803 Westlake Drive

INPUT PARAMETERS

A) Rainfall Volumes - See US Weather Bureau Technical Paper 40 3.44 2-year, 24-hour Rainfall "P2" (inches)

B) Watershed Factors (excluding any upstream area as noted)

A Sheet Flow (flow depth to 0.1 ft per SCS TR-55, p.3-3 (June 1986))

	E1	E2	E3	E4		
Reach 1	0.15	0.15	0.150	0.15	(n1)	Manning's "n"
	100	100	100	100	(L1)	Length, ft
	0.030	0.140	0.020	0.110	(s1)	Slope, ft/ft
Reach 2	0.20	0.20	0.20	0.20	(n1)	Manning's "n"
	0	0	0	0	(L1)	Length, ft
	0.050	0.050	0.050	0.020	(s1)	Slope, ft/ft

B Shallow Concentrated Flow (R of 0.2 to 0.4 per SCS TR-55, Appendix F (June 1986))

	N	N	N	N		
Reach 1	561	603	820	184	(L2)	Paved? (Y or N)
	0.214	0.262	0.093	0.093	(s2)	Length, ft
Reach 2	Y	N	N	N	(L2)	Paved? (Y or N)
	0	0	0	0	(s2)	Length, ft
	0.050	0.050	0.050	0.050		Slope, ft/ft

C Channel Flow

	5.1	4.6	1.7	0.0	(V3)	Velocity (ft/s)
	0.068	0.057	0.008	0.033	(s3)	Slope, ft/ft
	2851	2501	1514	0	(L3)	Length, ft

14.6 min Lag for E1 and E2

RESULTS

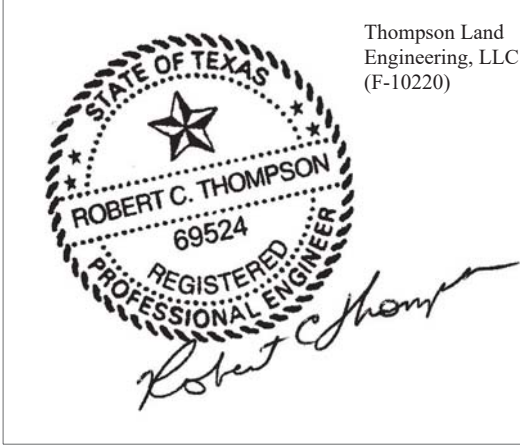
	E1	E2	E3	E4		
	8.0	4.3	9.4	4.8	min (Tc-1a)	
	0.0	0.0	0.0	0.0	min (Tc-1b)	
	7.5	8.3	4.9	4.9	V-2a (ft/s)	
	1.3	1.2	2.8	0.7	min (Tc-2a)	
	4.5	3.6	3.6	3.6	V-2b (ft/s)	
	0.0	0.0	0.0	0.0	min (Tc-2b)	
	9.4	9.0	14.6	0.0	min = Channel Tc (Tc-3)	
	18.7	14.6	26.9	5.4	Total (min)	
	18.7	14.6	26.9	5.4	Total Used (min)	
	11.2	8.8	16.1	3.3	Lag for HEC-HMS	
	3.2	2.5	4.7	0.9	Min Modeling Increment	

Equations:
Tc1 = 0.007 * (L1 * n1)^0.8 / (P2^0.5 * s1^0.4) in hours
Tc2 = L / V where, per Appendix F.V = 16.1345(s/P0.5 (unpaved) or V = 20.3282(s/P0.5 (paved)
Tc3 = L3 / (V3) where, V either assumed or = 1.2*16.1345(s/P0.5 like Tc2 but w/ 20% increase for channel effie

Drainage Area (DA) Table:

DA name	acres	sq mile	Impervious Cover (IC) acres	%
E1	71.39	0.1115	17.85	25.0%
E2	68.42	0.1069	17.10	25.0%
E3	31.94	0.0499	7.98	25.0%
E4	1.35	0.0021	0.34	25.0%
Total Existing =	173.10	0.2705	43.27	25.0%

*** Actual impervious cover appears to be more like 15% or 20%. Use of 25% is believed to be conservative.

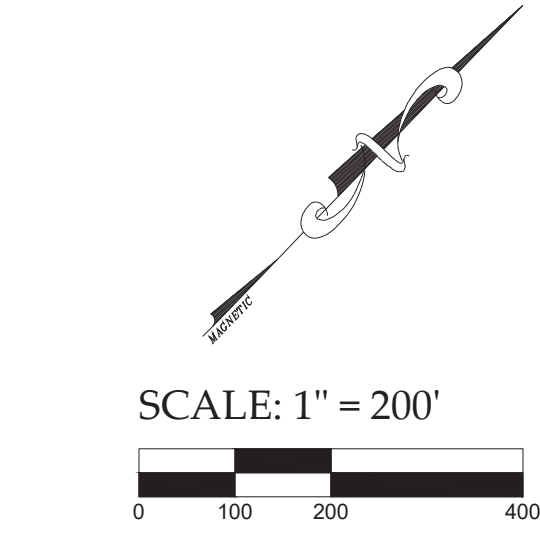
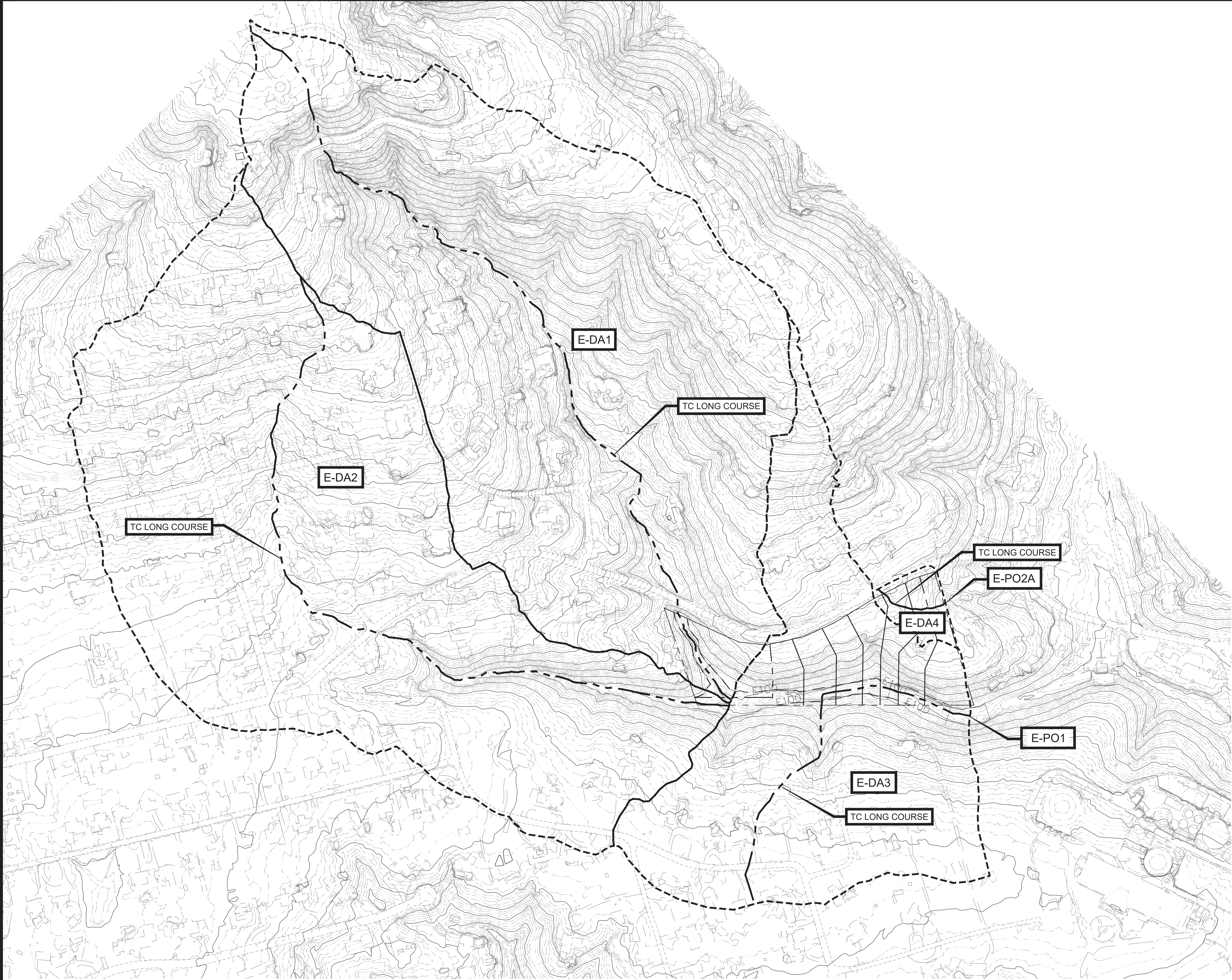


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email: rice@tleng.net

DATE	REVISION

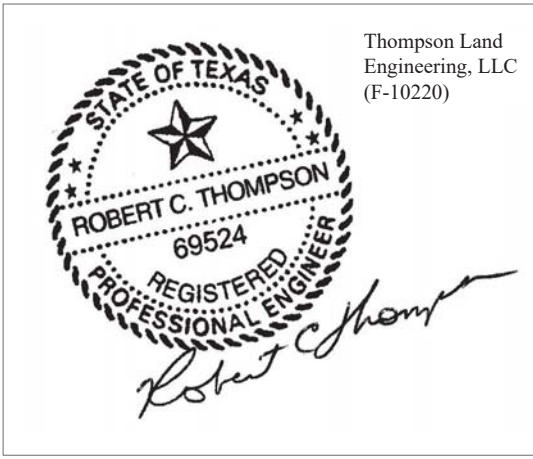
WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
FLOOD PLAN DELINEATION

PROJECT	SHEET NAME
DATE ISSUED	February, 2021
DESIGNED BY	RCCT
DRAWN BY	777
JOB NUMBER	1642
SHEET	7 OF 8



LEGEND	
	EXISTING DRAINAGE AREA
	LONG COURSE
	EXISTING DRAINAGE AREA

1 EXISTING & PROPOSED DRAINAGE AREA MAP
SCALE: 1:200



2/5/21

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DATE	REVISION

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
DRAINAGE AREA MAP

PROJECT	DATE ISSUED
	February, 2021
DESIGNED BY	DRAFTED BY
RCT	777
JOB NUMBER	SHEET
1642	8 OF 8

Property Inspection Report



Dripping Springs, TX 78620
 Phone: (512) 253-8080
 Email: service@oakwiltpros.com

Proposal Date/Time:
 01/19/2021 @ 3:00pm

Conditions Wind/Temp:
 5mph / 50°F

803 Westlake Dr. Lakeway Hills TX, 78746



CONCERNS WITH OAKS ON INSPECTED PROPERTY

No foliar symptoms or mortality patterns indicating the presence of oak wilt were observed on the property at the time of inspection. Red Oaks and Shin Oaks observed on the property exhibited normal seasonal defoliation. Some stressed/drought affected Live Oaks were observed but again, no signs of oak wilt were present.

CONCERNS DUE TO NEIGHBORING PROPERTIES

Not applicable. Inspection was specific to the property being developed.

TREATMENT & PREVENTION SERVICES RECOMMENDED

No treatment or preventative services are required as no oak wilt was found to be on the property at the time of inspection

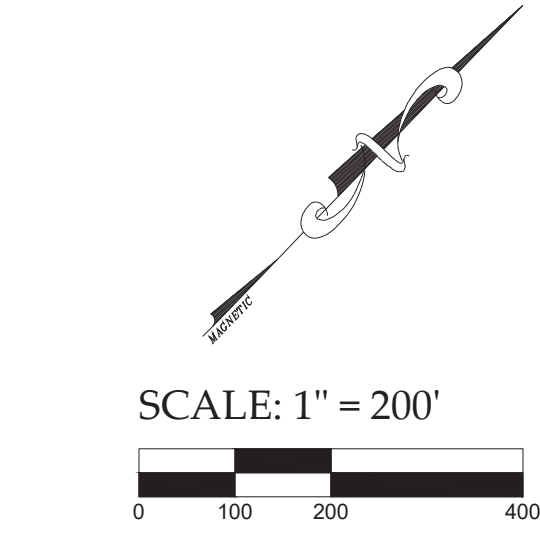
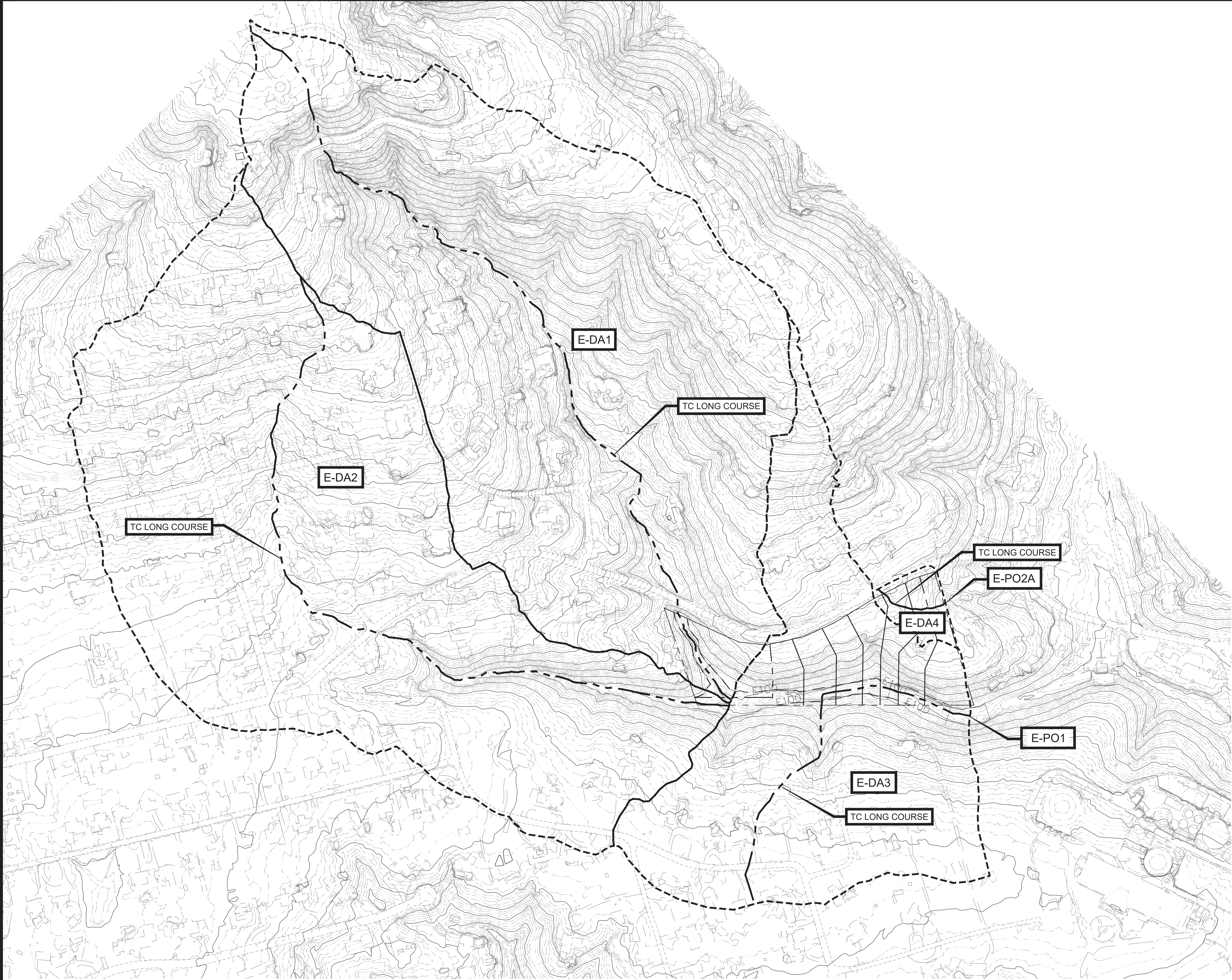
NOTES

Continue to prune and clear accordingly, painting any wounds to help prevent the spread of oak wilt in the future.

Oak Wilt Pros provides a thorough walk-through and report to help identify oak wilt threats to properties under offer or under consideration of purchase. This report is performed to the best of our ability and cannot be fully guaranteed due to the nature of the oak wilt pathogen. This inspection provides information to help detect any direct or indirect oak wilt threats and provides our recommendations in regards to possible treatment and prevention services that may help stop the spread of oak wilt. We diagnose through symptom identification and do not run lab tests as testing can be delayed and often inaccurate. Oak Wilt Pros does not provide any guidance in regards to property acquisitions or negotiations.

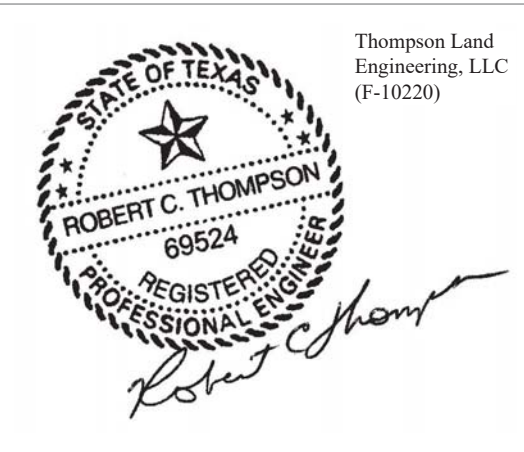
Report Filed By: Mark Ashby (ISA Cert ID TX-4597A)

Subtotal	\$250.00
Discount	
Sales Tax (8.25%)	\$20.63
Total PAID	\$270.63



LEGEND	
	EXISTING DRAINAGE AREA
	LONG COURSE
	EXISTING DRAINAGE AREA

1 EXISTING & PROPOSED DRAINAGE AREA MAP
SCALE: 1:200



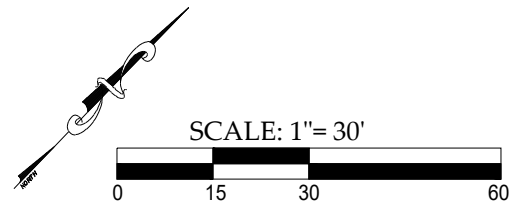
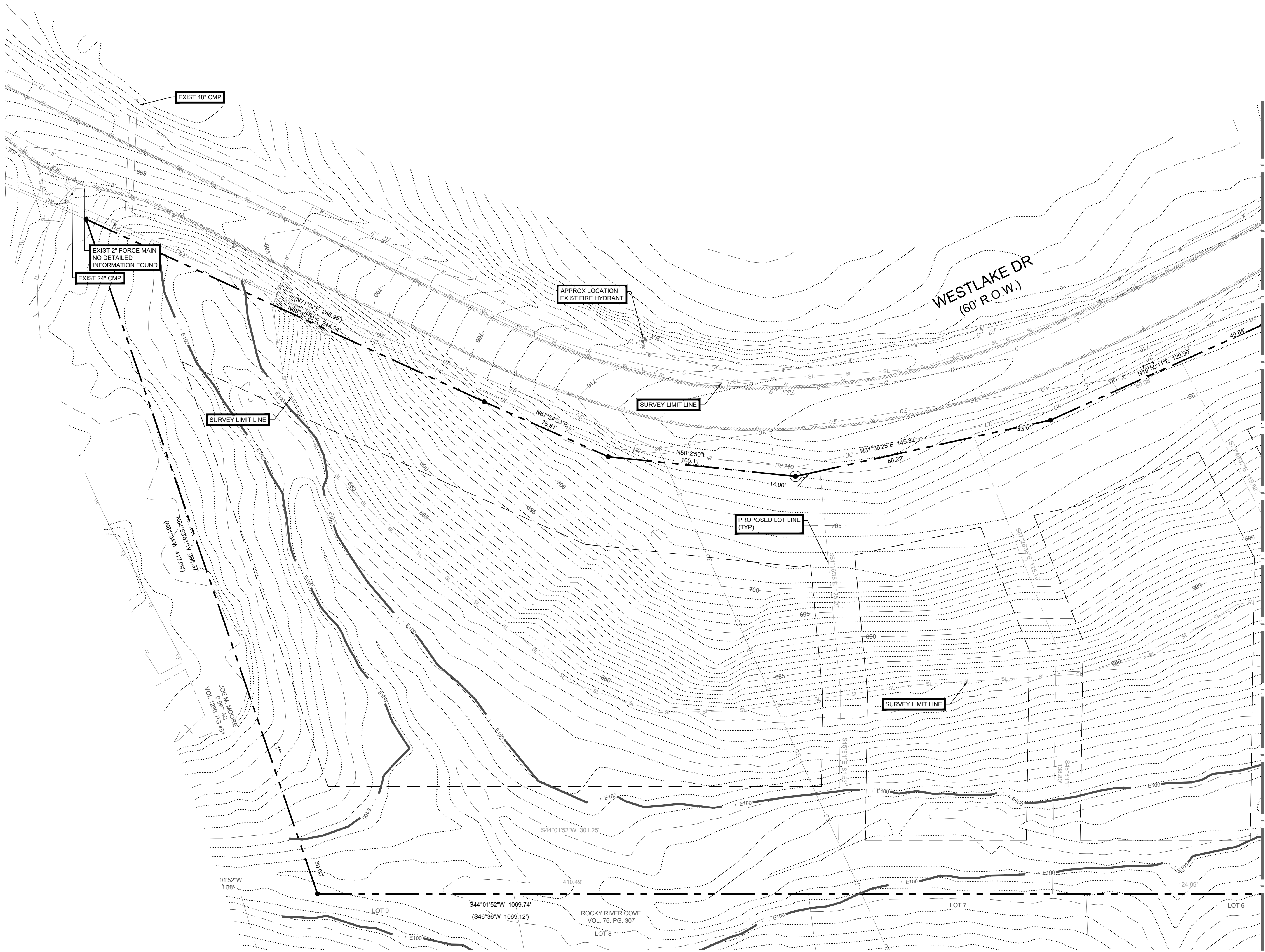
2/5/21

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DATE	REVISION

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
DRAINAGE AREA MAP

PROJECT	DATE ISSUED
	February, 2021
DESIGNED BY	DRAFTED BY
RCT	777
JOB NUMBER	SHEET
1642	8 OF 8



1 EXISTING CONDITIONS (1 OF 2)
SCALE: 1:50

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DATE

REVISION

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX

EXISTING CONDITIONS (1 OF 2)

DATE ISSUED
February, 2021

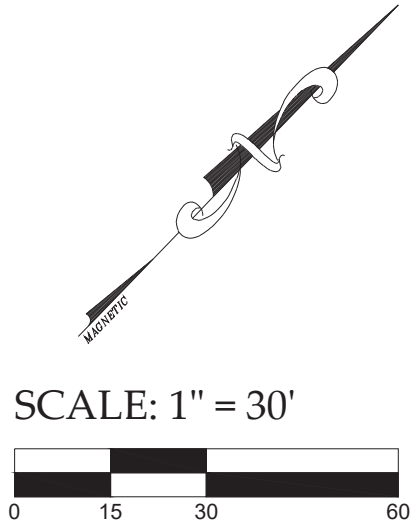
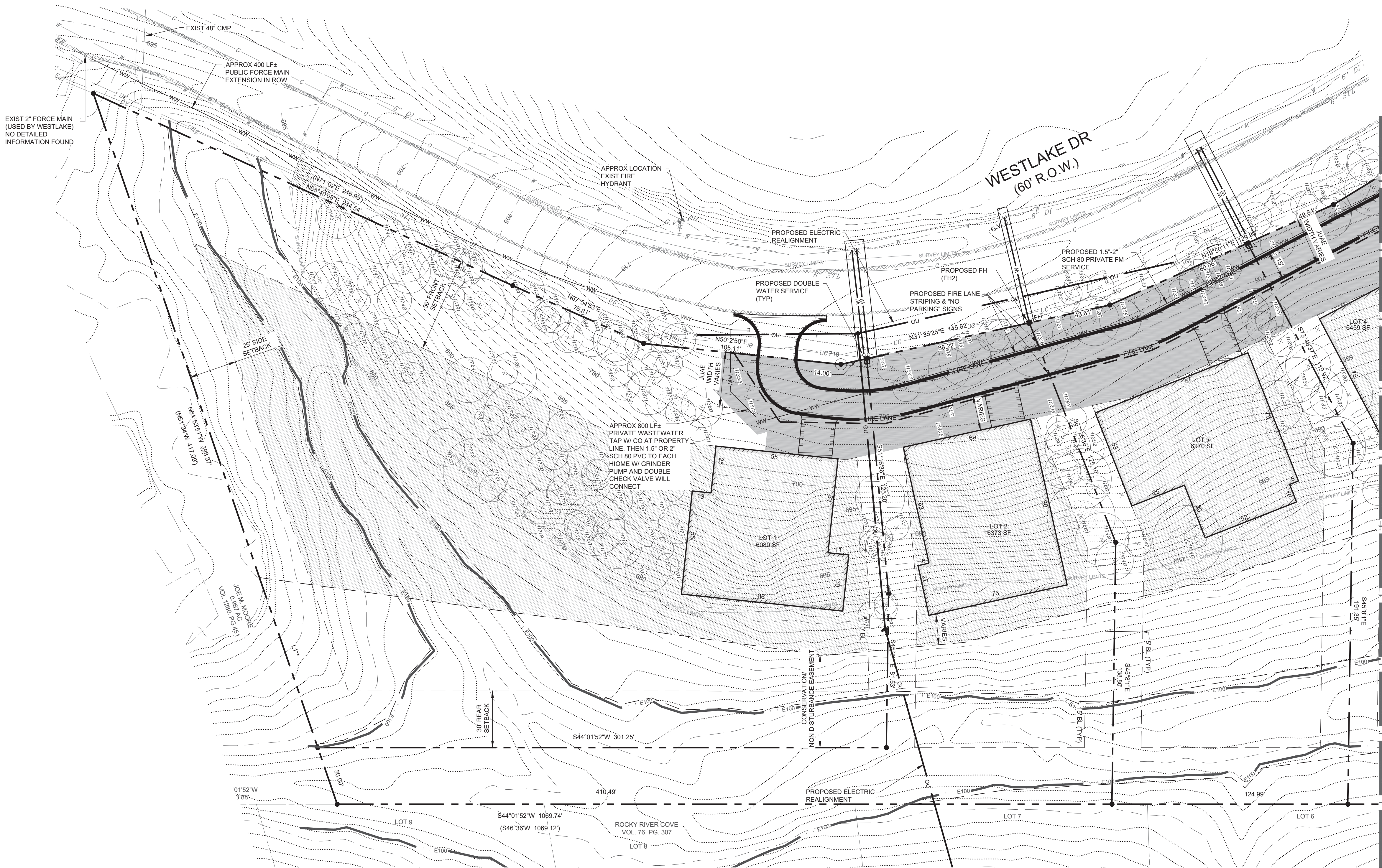
DESIGNED BY
RCT

DRAFTED BY
777

JOB NUMBER
1642

SHEET
1 OF 8

Page 263 of 327



LEGEND	
	PROPOSED PHASE LINE
	EXISTING OVERHEAD ELECTRIC
	EXISTING POWER POLE
	EXISTING WATER METER
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
	NEW WATER METERS

LOT SUMMARY		CONSTRUCTION AREA	
LOT 1	2.00 AC	87,278 SF	0.89 AC
LOT 2	0.85 AC	37,000 SF	0.21 AC
LOT 3	0.83 AC	36,110 SF	0.25 AC
LOT 4	0.81 AC	35,440 SF	0.22 AC
LOT 5	0.83 AC	36,095 SF	0.22 AC
LOT 6	0.82 AC	40,298 SF	0.38 AC
LOT 7	0.98 AC	42,516 SF	0.39 AC
LOT 8	1.20 AC	52,170 SF	0.46 AC
TOTAL	8.42 AC	366,907 SF	2.67 AC

NOTE: CONSTRUCTION AREA EXCLUDES JUAE		CONSTRUCTION AREA
		JUAE EASEMENT AREA

PROPOSED IMPERVIOUS COVER (INITIAL CONCEPT)
TRACT AREA 366,906.63 S.F. (8.423 ACRES)
JUAE PAVEMENT 16,391 S.F.

LOT 1 BLDG 6080 S.F.
LOT 1 DRIVE 387 S.F.

LOT 2 BLDG 6373 S.F.
LOT 2 DRIVE 356 S.F.

LOT 3 BLDG 6270 S.F.
LOT 3 DRIVE 458 S.F.

LOT 4 BLDG 6459 S.F.
LOT 4 DRIVE 514 S.F.

LOT 5 BLDG 4516 S.F.
LOT 5 DRIVE 462 S.F.

LOT 6 BLDG 4731 S.F.
LOT 6 DRIVE 812 S.F.

LOT 7 BLDG 5966 S.F.
LOT 7 DRIVE 3340 S.F.

LOT 8 BLDG 9968 S.F.
LOT 8 DRIVE 3504 S.F.

TOTAL IMPERVIOUS COVER 72,487 S.F.
PERCENT IMPERVIOUS COVER 19.8%

NOTE:
1) DRAINAGE PLANS, INCLUDING MITIGATION FOR INCREASES IN PEAK DISCHARGE, WILL BE PROVIDED AT THE TIME OF BUILDING PERMIT FOR WORK ON EACH LOT.

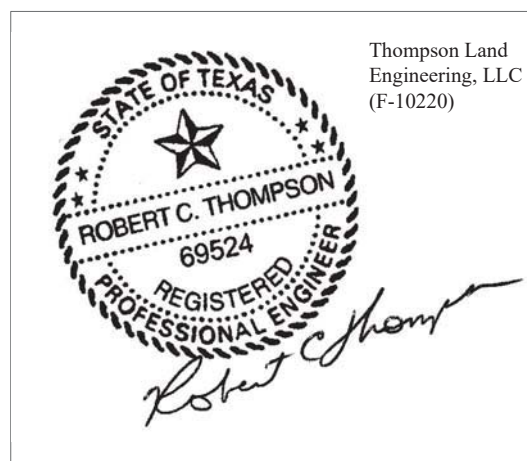
2) WATER SERVICE WILL BE PROVIDED BY EXTENDING SERVICES FROM EXISTING WCID 10 WATER LINES IN WESTLAKE DR.

3) WASTEWATER SERVICE WILL BE PROVIDED BY EXTENDING A JOINT USE, ON-SITE FORCE MAIN FROM THE CITY'S FORCE MAIN IN WESTLAKE DRIVE. EACH HOME WILL HAVE ITS OWN GRINDER PUMP(WITH CHECK VALVES) TO MOVE THE WASTEWATER FROM THAT HOUSE TO THE CITY'S FORCE MAIN.

4) DRY UTILITIES (GAS, ELECTRIC, TELEPHONE) WILL BE EXTENDED FROM THE EXISTING LINES IN WESTLAKE DRIVE.

5) THE INCREASE IN DISCHARGE MENTIONED IN NOTE 1 WILL INCLUDE ANY IMPERVIOUS COVER WITHIN THE JUAE ON THE LOT.

6) BASED ON THE CALCULATIONS ABOVE, NO WATER QUALITY IS PLANNED TO BE REQUIRED SINCE THE TOTAL IMPERVIOUS COVER IN THE ENTIRE DEVELOPMENT WILL BE LESS THAN 20 PERCENT. IF FOR ANY REASON THAT CHANGES, WATER QUALITY WILL BE PROVIDED WITH THE DRAINAGE PLAN AS EACH LOT DEVELOPS.



2/5/21

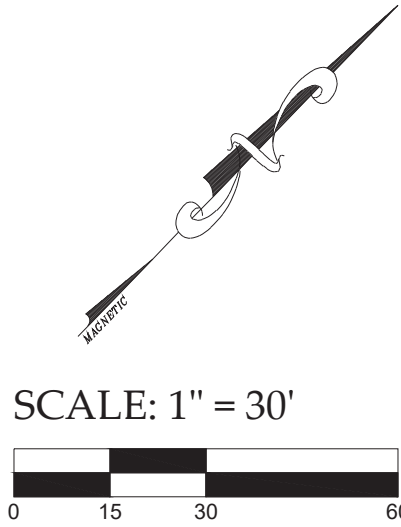
1 PROPOSED SUBDIVISION CONCEPT PLAN (1 OF 2)

SCALE: 1:30

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WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
PROPOSED CONCEPT PLAN (1 OF 2)

PROJECT	DATE ISSUED
February, 2021	
DESIGNED BY	DRAFTED BY
RCT	777
JOB NUMBER	
1642	
SHEET	
5 OF 8	



LEGEND	
	PROPOSED PHASE LINE
	EXISTING OVERHEAD ELECTRIC
	EXISTING POWER POLE
	EXISTING WATER METER
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
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LOT 4 DRIVE 514 S.F.

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LOT 5 DRIVE 462 S.F.

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LOT 6 DRIVE 612 S.F.

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LOT 7 DRIVE 3340 S.F.

LOT 8 BLDG 5968 S.F.
LOT 8 DRIVE 3504 S.F.

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1 EXISTING CONDITIONS (2 OF 2)
SCALE: 1:30

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DATE	
REVISION	

WESTLAKE SUBDIVISION CONCEPT PLAN
803 WESTLAKE HILLS DR, WESTLAKE HILLS, TX
PROPOSED CONCEPT PLAN (2 OF 2)

PROJECT	
DATE ISSUED	February, 2021
DESIGNED BY	RCT
DRAFTED BY	777
JOB NUMBER	1642
SHEET	6 OF 8

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF TRAVIS §

Section I:	Definitions
Section II:	General Restrictions
Section III:	Restrictions for Residential Use
Section IV:	Moore Estates Subdivision Homeowners Association, Inc.
Section V:	Architectural Control Committee
Section VI:	Funds, Assessments, Fees, Remedies and Liens
Section VII:	Grant of Easements and Rights Retained by Declarant
Section VIII:	Casualty Insurance, Casualty Damage & Repairs
Section IX:	General Provisions

This Declaration of Covenants, Conditions and Restrictions of Moore Estates Subdivision is made on February ____, 2021, by Robin Mallory Moore, Doyle Randall Moore, and Sherry Moore Waldrup, collectively the “Declarant”, whose mailing address is 9101 Lot 11, Dripping Springs, Texas 78620.

Declarant is the owner of all of the real property, including the land; all improvements and structures on the property; and all easements, rights, and appurtenances belonging to the property that is located in Travis County, State of Texas, more particularly described in Exhibit "A" (the "Property"), which is attached hereto and incorporated by reference herein.

Declarant declares that the Property is to be held, sold, and conveyed subject to certain easements, restrictions, covenants, conditions, assessments and liens as set forth herein or shown on the Survey for the overall benefit of future owners of the Property.

The Moore Estates Subdivision consists of eight (8) single family residential lots, as described below (the “Project”).

In consideration of the foregoing premises, Declarant declares that the Project is held and shall be held, conveyed, encumbered, leased, rented, used, occupied, and improved subject to the following covenants, conditions, and restrictions, all of which are declared and agreed to be in furtherance of a plan for the improvement of the Property, and the division of the Property into Lots, and all of which are established and agreed on for the purpose of enhancing and perfecting the value, desirability, and attractiveness of the Project and every part of the Project. All of the covenants, conditions, and restrictions shall run with the Property and shall be binding on all parties having or acquiring any right, title, or interest in any part of the Property and shall be for the benefit of each Owner of the Project or any interest in the Project and shall inure to the benefit of and be binding on each successor in interest of the Owners.

SECTION I **DEFINITIONS**

Except as otherwise set forth herein, or unless the context otherwise specifies or requires, the following words and terms when used in this **Declaration** shall have the following meanings:

1.1 Architectural Control Committee or ACC. Subject to Section 5, the “Architectural Control Committee” or “ACC” shall initially mean the Declarant during the Control Period, and thereafter mean either the Board or a separate committee appointed by the Board in accordance with Section 5. The committee may consist of one person if so directed by the Board.

1.2 Assessment. “Assessment” or “Assessments” shall mean such charges, costs, or fees as may be levied by the Association to the Owners under the terms and provisions of this Declaration.

1.3 Association. “Association” shall mean Moore Estates Subdivision Homeowners Association, Inc., a Texas non-profit corporation, its successors and assigns.

1.4 Board. “Board” shall mean the Board of Directors or governing body of the **Association**.

1.5 Bylaws. “Bylaws” shall mean the Bylaws of the Association to be adopted by the **Board**, and as amended from time to time.

1.6 Certificate. “Certificate” shall mean the Certificate of Formation of the Moore Estates Subdivision Homeowners Association, Inc., as amended from time to time, which shall be filed in the office of the Secretary of State of the State of Texas.

1.7 Common Properties. “Common Properties” shall mean any properties now or hereafter acquired by the Association for the purpose and benefit of the Members of the Association.

1.8 Control Period. “Control Period” shall mean the period until Declarant executes a deed conveying title at least seventy-five percent (75%) of the Lots to a third party.

1.9 Declarant. “Declarant” shall mean collectively Robin Mallory Moore, Doyle Randall Moore, and Sherry Moore Waldrup or any successor or assigns.

1.10 Declaration. “Declaration” shall mean this instrument, and any amendments or modifications to this Declaration filed in the Official Public Records of Travis County, Texas.

1.11 Design Guidelines. “Design Guidelines” shall mean any rules or guidelines that are established from time to time by the ACC to provide governance to Owners and builders regarding construction, repair, or replacement of Improvements on the Property as more fully set forth in Section 5.

The ACC may establish determinations on a situation-by-situation or ad hoc basis, but is encouraged, but not required, to reduce its determinations, approvals and disapprovals to writing and to preserve such written records.

1.12 Director. “Director” or “Directors” shall mean each individual serving on the Board.

1.13 Home Occupation. “Home Occupation” shall mean a commercial enterprise conducted within the Residence on a Lot. A Home Occupation is allowed if conducted pursuant to Section 3.

1.14 Improvement. “Improvement” or “Improvements” shall mean all structures, improvements and fixtures located on the Property, plus all equipment traditionally considered a trade fixture located on the Property. Such term shall include but not be limited to Residence, buildings, fences, landscaping, poles, signs, exterior air conditioning, pipes, lines, meters, antennas, and towers.

1.15 Lot. “Lot” or “Lots” means each Lot (each a "Lot" and collectively "Lots) shown on the Subdivision Plat and improvements located on the Lots.

1.16 Manager. “Manager” shall have the meaning ascribed to such term in Section 4 hereof.

1.17 Member. “Member” means any Owner of a Lot. For voting purposes, there shall only be one (1) Member per Lot.

1.18 Mortgage. “Mortgage” shall mean any mortgage, deed of trust or vendor’s lien covering a Lot given to secure the payment of a debt, which debt is purchase money for the Lot. Such term shall also include any deed of trust or vendor’s lien by the Declarant on any Property owned by the Declarant, whether for purchase money or not.

1.19 Mortgagee. “Mortgagee” or “Mortgagees” shall mean the holder or holders of any Mortgage or Mortgages.

1.20 Owner. “Owner” or “Owners” shall mean each Person who is a record owner of a fee simple interest in any Lot, but excluding Declarant and any Mortgagee

1.21 Person. “Person” or “Persons” shall mean any individual, individuals, entity or entities having the legal right to hold title to real property.

1.22 Plans and Specifications. “Plans and Specifications” shall mean any and all documents designed to guide or control the construction or erection of any Improvement.

1.23 Residence. “Residence” means a one single-family house.

1.24 Rules. “Rules” shall mean such rules including but not limited to traffic rules, parking rules, rules governing excessive noise or other offensive conduct, and any scheduled fines and penalties for violations established and promulgated by the Association acting through its Board from time to time. Except to the extent that a rule would be prohibited by law, by this Declaration or by organizational documents of the Association, or except to the extent that a rule requires the approval of the membership, the Board shall have the power to adopt such rules as the Board in its discretion shall deem appropriate from time to time, except that no rule shall take effect until 30 days after the Board gives notice to the Owners of such rule, except in the event that the Board deems that an emergency requires the implementation and enforcement of a rule prior to 30 days after notice to the Owners.

1.25 Subdivision. "Subdivision" shall mean and refer to the Property that has been subdivided and approved by the West Lake Hills City Council as the Moore Estates Subdivision whether now or in the future.

SECTION II

GENERAL RESTRICTIONS

All of the Property shall be owned, held, leased, used, occupied and enjoyed subject to the following limitations and restrictions. No Owner shall allow any of the following prohibited matters to occur or exist on the Owner's Lot, and no Owner shall, nor shall the Owner allow any of his invitees, representatives, agents or contractors to do any of the prohibited matters described in this Declaration. Each Owner is strictly responsible for his own Lot, and invitees, representatives, agents or contractors on any part of the Property affecting any part of the Property. Additionally, this Section 2 contains positive covenants running with the land, and easements that are binding upon the Owners of each Lot.

Part 1: Construction Procedures

2.1 Utilities. All utilities must be installed underground except as approved by the ACC.

2.2 Building Height. No Residence on a lot may be higher than 35 feet from average finish grade of property to mid-line of any gabled roof.

2.3 Building Materials. All structures on a Lot must be constructed on the Building Site except as approved by the ACC. No building material of any kind or character may be placed or stored upon a Lot until the commencement of construction of improvements. During construction, materials must be placed only within the Building Site of, or the area to be landscaped on, the Lot upon which the improvements are to be erected unless otherwise agreed to by Declarant. Construction and use of materials must progress without undue delay.

2.4 Completion of Residence. Construction of a Residence must be completed within twelve (12) months from the date construction is commenced unless extended by the ACC.

2.5 Garage and Parking Requirements. Each Residence must have at least a two (2) car garage. The garage must conform in design and materials with the main structure of the Residence.

2.6 Exterior Walls. Exterior cladding associated with the architectural style of the home must be used. The ACC shall establish Rules regarding the architectural style of each Residence.

2.7 HVAC Systems. All heating, ventilation, and air conditioning systems ("HVAC Systems") on the ground must be screened with the same material used on the exterior walls of the Residence so the HVAC Systems are not visible from other Residences. The screen for the HVAC Systems must be constructed with material and in a size, height, and design approved by the ACC. HVAC Systems may not be installed on the ground in front of a Residence. HVAC Systems may not be installed on the roof of a Residence unless approved by the ACC. No window air-conditioning apparatus or evaporative cooler may be attached to any Residence or Accessory Building or at any other location.

2.8 Fences. All fences must be constructed of either iron, cedar or masonry in a size, height, and design approved by the ACC, except those locations designated by the Declarant or ACC that will have iron fences. A fence enclosing or partially enclosing a Building Site may not be constructed before the construction of the Residence on the Lot.

2.9 Setback Restrictions. All Residences and accessory dwellings must be constructed so they comply with the setback provisions called out on the Subdivision Plat.

2.10 Roof Materials. The roof materials associated with the architectural style of the home must be used. The ACC shall establish Rules regarding the architectural style of each Residence.

2.11 Irrigation System. Before a Residence may be occupied or used, the Owner must install an automatic underground irrigation system with a rain sensor in the Landscaped Area of the Lot so it is adequately irrigated.

2.12 Portable Sanitary Systems. During construction on any Lot, the builder must provide a portable sanitary system for use by contractors, subcontractors, and their employees, located at least 12.5' behind the curb or 20' from any occupied lot, until the construction is completed.

2.13 Construction Debris. During construction on a Lot, the builder must put all construction trash that is susceptible to being blown from the construction site in the Approved Containers furnished by the builder to prevent trash from blowing off the construction site. The Approved Containers must be emptied periodically, at the builder's expense, so there is always room for the trash. Builders must prevent construction trash from blowing out of the Approved Containers and off the construction site. The Association may impose a fine on the builder or Owner for each violation of this provision. The fine for the first violation will be \$100. The fine for each subsequent violation will be \$500. The Association may hire a third party to collect and dispose of the trash and the builder or Owner shall pay the costs for this service. Builder or Owner shall pay all fines and costs upon demand.

2.14 Building Code. The construction of all Residences and Accessory Buildings must comply with all applicable building codes in force from time to time in West Lake Hills, Travis County, Texas.

Part 2: Aesthetics

2.15 Antennas. No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any portion of the Property, including any Lot, which is visible from any Road or other Lot unless it is impossible to receive signals from another location that complies with these requirements. In that event, the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception. The Declarant and/or the Association shall have the right, without obligation, to erect or install an aerial, satellite dish, master antenna, cable system, or other apparatus for the transmission of television, radio, satellite, or other signals for the benefit of all or a portion of the Property. No satellite dishes shall be permitted which are larger than one meter in diameter and cannot be installed on the front elevation or within 5' of any side elevation from the front of the Improvements. No Lot may have more than one (1) satellite dish. No broadcast antenna may exceed the height of the center ridge of the roofline. No MMDS antenna mast may exceed the height of the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus which transmit television, radio, satellite, or other signals of any kind shall be placed, allowed, or maintained upon any portion of the Property.

2.16 Solar Energy Device and Energy Efficiency Roofing. A "Solar Energy Device" means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power. "Energy Efficiency Roofing" means shingles that are designed primarily to: (i) be wind and hail resistant; (ii) provide heating and cooling efficiencies greater than those provided by

customary composite shingles; or (iii) provide solar generation capabilities. Approval by the Architectural Control Committee is required prior to installing a Solar Energy Device or Energy Efficient Roofing once a Unit has been constructed

2.17 Automobiles and Other Vehicles and Equipment. No automobile, van, pickup truck, truck, or similar vehicle or equipment may be parked for storage in the front of any Residence, nor may any such vehicle or equipment be parked for storage in the side or rear yard of any Residence unless said vehicle is out of view from any other Residence. No boat, trailer, marine craft, recreational vehicle, camper, pickup camper, travel trailer, motor home, camper body, tractor, or similar vehicle or equipment may be parked for storage that may be seen from any other Residence. No such vehicle or equipment may be used as a Residence or office temporarily or permanently. This restriction does not apply to any vehicle, machinery, or equipment temporarily parked and in use for the construction, maintenance, or repair of a Residence.

2.18 Clothes Drying/Yard Equipment. The drying of clothes in public view is prohibited. A drying yard or other suitable enclosure must be constructed to screen from public view any clothes drying equipment, yard equipment, and storage areas.

2.19 Dogs and Cats. No pets may be kept that interfere with the health or safety of the Property. No more than a total of four (4) dogs or cats (or a combination of four (4) dogs and cats), will be permitted on a Lot. Dogs and cats must be restrained by a leash or confined in the Building Site or the Landscaped Area inside a fenced area or within the Residence unless accompanied by and under the control of a person in designated dog run areas. Pet owners are required to promptly remove and sanitarily dispose of their pet's waste on the Common Properties. Pet owners that are cited for three (3) pet waste violations may be fined by the Association. It is the pet Owner's responsibility to keep the Lot clean and free of pet debris. All pets must be properly tagged for identification and vaccinated against rabies. Owners of dogs must keep the dogs from barking so as not to be a nuisance.

2.20 Hazardous Materials. No vehicles of any size that transport flammable, explosive, or hazardous cargo may be kept on the Property at any time.

2.21 Insurance Rates. Nothing shall be done or kept on the Property that would increase the rates of insurance or cause the cancellation of insurance on any Lot or any of the improvements located upon any Lot, or the roads within the Property, without the prior written approval of the Association.

2.22 Junk/Trash. No portion of the Property may be used as a dumping ground for junk, dead tree limbs, rubbish, or any other material, or as a site for the accumulation of unsightly materials of any kind, including, without limitation, broken or rusty equipment, disassembled or inoperative vehicles, and discarded appliances and furniture. Trash, garbage, waste, and other debris may not be kept on any Lot except in Approved Containers. All trash, garbage, waste, and other debris must be placed in plastic garbage bags before being placed into Approved Containers. Approved Containers may be located on the Lot during construction of improvements on the Lot but must be removed upon completion of the construction. Declarant will provide Approved Containers at various locations on the Property. If trash, garbage, waste, or debris will not fit into Approved Containers, it must be completely removed from the Property and not stored on any portion of the Property at any time. All junk equipment, inoperative motor vehicles, and other similar junk must be removed from the Property at Owners expense.

2.23 Mailboxes. Names on the outside of mailboxes are not allowed and may be removed by the Board without prior notice because publicly identifying names with a particular Lot increases the risk of crime for Owners of the Lot. As originally built, the Property will be equipped with cluster mailboxes. The Association is not responsible for any mailbox keys and does not keep a copy of the keys to the

mailboxes. The Association will be responsible for the maintenance, repair, and replacement of the mailboxes, as needed.

2.24 No Fires. Except within fireplaces in the Residence, outdoor fireplaces, and outdoor cooking in grills, no burning of anything is permitted on the Property.

2.25 No Firearms. No firearms may be used or discharged on the Property.

2.26 No Hunting. No hunting or trapping is allowed on the Property.

2.27 No Prefabricated Structures. No prefabricated structure or other type of building may be moved onto a Lot unless approved by the ACC.

2.28 Outdoor Lighting and Outdoor Speakers. No bright outdoor lighting or loud outdoor speakers will be permitted on any Lot. All permanent outdoor lighting components must be dark sky compliant and outdoor speakers must be approved, in advance, by the ACC.

2.29 Prohibited Activities. No Lot or improvement may be used for commercial, wholesale, retail, or manufacturing purposes of any kind. No noxious or offensive activity may be undertaken on the Property, and nothing may be done which is or may become an annoyance or nuisance to any other Owner. Nothing in this Paragraph 2.29 prohibits an Owner's use of a Residence for quiet, inoffensive activities, such as home office, tutoring, or giving music or art lessons as long as these activities do not (a) materially increase the number of cars parked on the Lot or Roads or interfere with adjoining Owners' use and enjoyment of Roads, their Residences, or yards, or (b) violate any current Travis County ordinances.

2.30 Prohibited Animals. No animals, livestock, or poultry of any kind may be raised, bred, or kept on the Property, except horses, dogs, cats, and other household pets approved by the ACC. There shall be no commercial breeding of any animal on the Property. No pet may be kept on a Lot that interferes with the quietude, health, or safety of the community. Any and all West Lake Hills ordinances regarding animals must be adhered to.

2.31 Sanitary Waste Treatment System. No individual sanitary waste treatment system shall be permitted on any Lot.

2.32 Signs. The ACC has the right to approve or reject any sign placed on the Property. No sign of any kind may be displayed to the public view on any Lot except (a) one sign of not more than six square feet advertising the Property for rent or sale, (b) signs used by a builder during construction and sales periods, (c) signs used by Declarant to advertise the Property during development, and (d) political signs no more than 30 days before a national, state, or local election day, which must be removed within two days after such election. The ACC has the right to remove any sign, billboard, or other advertising structure that does not comply with this Paragraph 2.32 and in so doing will not be subject to any liability for trespass or any other liability in connection with the removal.

2.33 Windows. Window jambs and mullions shall be fabricated of anodized aluminum, vinyl, or wood. All aluminum or anodized metal windows on any front elevation of a Residence shall have baked-on painted aluminum divided light windows (no mill finish), unless otherwise approved by the ACC.

2.34 Application. For the avoidance of doubt, the provisions of Section 2 shall not apply to the Declarant.

2.35 Holiday Decorations. Decorations for secular or religious holidays must be taken down within 2 weeks after the end of the holiday. Holiday decorations may be put up no more than 20 days prior to the beginning of the holiday.

SECTION III **RESTRICTIONS FOR RESIDENTIAL USE**

3.1 General. Except for other uses of the Property by, through or under Declarant during the Control Period, the Property shall be improved and used only for single-family residential use and for all other expressly permitted uses.

3.2 Residential Uses. Except for other uses of the Property by, through or under Declarant during the Control Period, all Lots shall be used exclusively for residential purposes. No more than one family or entity may own an interest in a Lot and may share their use of the Lot and Residence located thereon. No more than six (6) individuals may occupy one Residence at any one time unless they are all members of one (1) family in which case such limitations shall not apply; however, a single family may consist of as many as three generations. Except as provided below, no business or business activity shall be carried on, in or upon any Lot at any time except with the written approval of the Board. No deliveries of merchandise for sale or distribution, no traffic of customers or clients to or from a Lot, and no storage of inventory or products are permitted on any Lot. Garage sales or yard sales (or any similar vending of merchandise) conducted on any Lot shall be considered a business activity and is therefore prohibited, unless previously sanctioned by the Association acting through its Board of Directors.

Notwithstanding the foregoing, a Lot may be used for a "Home Occupation," meaning a commercial enterprise conducted within the Residence on a Lot which is incidental to the principal residential use of the Lot, provided that:

- (i) no person other than a resident of the Lot shall be engaged or employed in the Home Occupation at the site;
- (ii) there shall be no visible storage or display of inventory, occupational materials or products;
- (iii) there shall be no exterior evidence of the conduct of a Home Occupation such as a sign and no Home Occupation shall be conducted outside of the Residence on the Lot;
- (iv) members of the public, customers, clients, patients and other business invitees shall not be on the premises; thus, this exclusion is limited to situations where the individual performing the occupation is able to conduct the business alone on the premises and any external communication is conducted by telephone and other electronic means; and
- (v) no additional parking shall be provided for the Home Occupation and no material amount of additional vehicular traffic shall be generated to or from the Lot as a result of the Home Occupation.

3.3 Restrictions on Leasing Residences; Leasing Permitted. Nothing in the Declaration shall prevent the rental of any Residence by the Owner thereof; provided, however, any such rentals shall be accomplished only by bona fide written leases with terms of at least six (6) months, and the rental of any Residence for less than six (6) months is prohibited. Residences may be rented or leased only by written leases and subject to the restriction that the tenant shall be subject to the terms and conditions of this Declaration and the rules and regulations promulgated by the Association as though such tenant were an

Owner. Each Owner agrees to cause his lessee or the persons living with such Owner to comply with this Declaration and the rules and regulations promulgated pursuant hereto, and is responsible and liable for all violations and losses caused by such tenants or occupants, to the extent the tenants or occupants do not fully satisfy their liability for any such violation. All provisions of this Declaration and of any rules and regulations promulgated pursuant hereto that govern the conduct of Owners and that provide for sanctions against Owners shall also apply to all occupants of any Residences. Within thirty (30) days after leasing Residence, the Owner of the Residence must give written notice to the Association of the name of the tenant and the present address of the Owner, and deliver a copy of the lease to the Association. A tenant must agree to the provisions of this Declaration and if the tenant is in breach of or in violation of this Declaration the tenant shall be liable to the Association for any fines as a result of such breach or violation.

SECTION IV

MOORE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

4.1 Organization. Declarant shall cause the formation and incorporation of the Association as a non-profit corporation under the laws of the State of Texas. The Association shall be created for the purposes, charged with the duties, governed by the provisions and vested with the powers prescribed by law or set forth in its Certificate and Bylaws or in this Declaration as hereinafter set forth. Neither the Certificate nor Bylaws shall for any reason be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration.

4.2 Membership. The Owners shall constitute the Association. Each Owner, including Declarant, shall automatically be a member of the Association. Association membership shall be appurtenant to ownership of a Lot. Ownership of a Lot is the sole criterion for membership in the Association.

4.3 Membership Voting and Meetings. Each Owner shall have one vote for each Lot owned by that Owner. There shall be at least one meeting of the membership of the Association each year. At that meeting, the Owners shall vote on any matters the Board chooses to place before the membership, and discuss any matter of Association business that the Board or any Owner wishes to bring before the entire membership. The number of members of the Board may be changed by the affirmative vote of at least 75% of the Owners.

4.4 Powers and Authority of the Association. The Association acting through its Board shall have all of the powers of a Texas non-profit corporation allowed by law, subject only to such limitations upon the exercise of such power as are expressly set forth in this Declaration. It shall further have the power to do and perform any and all acts that may be necessary or proper for or incidental to the exercise of any of the express powers granted to it by the laws of the State of Texas or as expressly set forth herein. The principal purposes of the Association are the collection, expenditure, and management of the maintenance funds, enforcement of the restrictions contained herein and providing for the maintenance and preservation of any Common Properties or facilities of the Association. The Association, and the Board acting on behalf of the Association, shall have the power and authority at all times as follows:

A. **Rules and Bylaws.** To make, establish and promulgate, and in its discretion to amend or repeal and re-enact, Rules, including but not limited to traffic rules, parking rules and a schedule of fines for violations, and the Bylaws, not in conflict with this Declaration, as it deems proper covering any and all aspects of its functions.

B. **Insurance.** To obtain and maintain in effect policies of insurance which, in the opinion of the Board, are reasonably necessary or appropriate to carry out the functions of the Association.

C. **Records.** To keep books and records of the Association's business and affairs.

D. **Assessments.** To levy Assessments as provided or allowed by this Declaration. Assessments may be levied for that sum as set forth below in order to raise the total amount for which the levy in question is being made. Such amount may include assessments to establish a reserve for the purposes of major items of improvement or repairs.

E. **Right of Entry and Enforcement.** To enter at any time in an emergency (or in the case of a non-emergency, after ten (10) days' written notice), without being liable to any Owner, upon any Lot for the purpose of enforcing this Declaration or the Rules, or for the purpose of maintaining or repairing any area, Improvement or other facility to conform to this Declaration or the Rules, and the expense incurred by the Association in connection with the entry upon any Lot and the maintenance and repair work conducted thereon shall be a personal liability of the Owner of the Lot entered upon, shall be a lien upon the Lot entered upon and upon the Improvements thereon, and shall be enforced in the same manner and to the same extent as provided in Section 6 hereof for regular and special Assessments. The Association may from time to time, in its own name and on its own behalf, or in the name of and on behalf of any Owner who consents thereto, to commence and maintain actions and suits to enforce, by mandatory injunction or otherwise, or to restrain and enjoin, any breach or threatened breach of this Declaration or the Rules. The Association may also settle claims, enforce liens and take all such action as it may deem necessary or expedient to enforce this Declaration or the Rules; provided, however, that the Board shall never be authorized to expend any Association funds for the purpose of bringing suit against Declarant, its successors or assigns.

F. **Legal and Accounting Services.** To retain and pay for legal and accounting services necessary or proper in the operation of the Association.

G. **Manager.** To retain and pay for the services of a person or firm to manage and operate the Association, including its Property ("Manager"), to the extent determined to be the person or firm who manages or operates the Association and its Property is the appropriate or advisable by the Board. Additional personnel may be employed directly by the Association or may be furnished by the Manager. To the extent permitted by law, the Association and the Board may delegate any other duties, powers and functions to the Manager. The Members of the Association release the Association and the Directors from liability for any omission or improper exercise by the Manager or any party engaged by the Manager of any such duty, power or function so delegated.

H. **Other Services and Properties.** To obtain and pay for any other property and services, and to pay any other taxes or fees that the Association or the Board is required to pay ancillary to its fulfillment of its powers and duties according to this Declaration and according to law, or pursuant to applicable law, the terms of this Declaration, or the Certificate or Bylaws of the Association.

I. **Contracts.** To enter into contracts with Declarant and other persons on such terms and provisions as the Board shall determine to provide any service or perform any function on behalf of Declarant or any other party.

J. **Loans.** To borrow funds from any source to pay any costs of operation that may be secured by such assets of the Association as deemed appropriate by the Board.

4.5 Maintenance Authority. The Association shall be authorized to maintain and repair any areas of the Property, as appropriate, pursuant to the terms of this Declaration.

4.6 Rules of the Board of Directors. All Members, occupants and their families and guests shall abide by any reasonable rules and regulations adopted by the Board. The Board shall have the power to enforce compliance with said rules and regulations by all appropriate legal and equitable remedies and fines as allowed by law. As used herein the term fine is not intended to be a penalty, but to be a fine as permitted under the Texas Property Code and an administrative charge to offset of costs for the Association and its Board having to deal with the violation.

4.7 Indemnification. The Association shall indemnify every officer, director, and committee member against all damages and expenses including counsel fees, reasonably incurred in connection with any action, suit, or other proceeding (including settlement or any suit or proceeding, if approved by the then Board) to which he or she may be a party by reason of being or having been an officer, director, or committee member, except that such obligation to indemnify shall be limited to those actions for which liability is limited under Texas law.

SECTION V

ARCHITECTURAL CONTROL COMMITTEE

5.1 Initial Architectural Control Committee. Initially, the ACC shall be the Declarant until such time as the Declarant resigns or until such time as the Control Period ends, whichever occurs first. Once the Declarant is no longer serving as the ACC then the ACC shall be the Board and each Member of the Board shall serve as a Member of the ACC. By majority vote of the Board, a separate ACC may be formed, in which case each Member of the Board shall have the right to designate one (1) Member of the ACC pursuant to Section 5.2 below, unless the Board votes unanimously to create an ACC with its number of Members being a different number than the number of the Members of the Board, in which case the Members of the ACC will be elected by a vote of the Board.

5.2 Membership of Architectural Control Committee. If the Board decides to appoint a separate ACC then the ACC shall consist of one representative appointed by each Director. A Director may appoint himself to the ACC. Members of the ACC, shall not serve terms, but shall serve at the will of the Board member who appointed them. Therefore, a Director may remove and replace the Member it appointed at any time by written notice to the other Directors, the Association and notice to all representatives of the ACC. To the extent any provision of this document conflicts with this Section 5.2, this Section 5.2 shall control. However, as stated elsewhere, if the Board votes for the ACC to consist of a number of individuals being different in number than the number of Board Members (for example a Board of 3 Directors may vote to appoint an ACC of one individual) then the representatives who shall comprise the ACC shall be elected by the Board. Alternatively, by unanimous vote, the Director may elect instead one person to serve as the sole ACC.

5.3 Approval of Plans and Specifications. No Improvement shall be commenced, erected, or constructed upon any Lot or Residence on the Project, nor shall any exterior addition to or change or alteration therein (including outside painting, roof repair or addition to a Residence) be made until the Plans and Specifications therefor shall have been submitted to and approved by the ACC in accordance herewith. Any Owner may remodel, paint or redecorate the interior of such Owner's Improvements without such approval. However, modifications to Improvements visible from outside the structure shall be subject to such prior approval.

5.4 Actions of the Architectural Control Committee. The ACC may, by resolution, unanimously adopted in writing, designate one or more of its members or an agent acting on its behalf to

take any action or perform any duties for and on behalf of the ACC. In the absence of such designation, the vote or written directive of a majority of all of the members of the ACC taken without a meeting shall constitute an act of the ACC.

5.5 Adoption of Rules and Design Guidelines. The ACC may adopt such procedural and substantive rules, not in conflict with this Declaration, as it may determine to be necessary or proper for the performance of its duties. Specifically, the ACC may prepare Design Guidelines that are intended to provide guidance to Owners and builders regarding matters of particular concern to the ACC in reviewing Plans and Specifications. The Design Guidelines are not the exclusive basis for decisions of the ACC, and compliance with the Design Guidelines does not guarantee approval of any application for approval. The ACC shall have full authority to amend or grant variances to its Design Guidelines, but any amendments to the Design Guidelines shall be prospective only and shall not apply to require modifications to or removal of structures previously approved once the approved construction or modification has commenced. There shall be no limitation on the scope of amendments to the Design Guidelines, and such amendments may remove requirements previously imposed or otherwise make the Design Guidelines less restrictive. The ACC shall make their respective Design Guidelines available to Owners and builders who seek to engage in development or construction within the Property.

5.6 Review of Proposed Construction. Whenever in this Declaration the approval of the ACC is required, it shall consider all of the Plans and Specifications for the Improvement or proposal in question and all other facts and information that, in its sole discretion, it considers relevant, and may require an Owner to provide such other or additional information as it deems relevant. Except as otherwise specifically provided herein, prior to the commencement of any construction of any Improvement on the Property or any portion thereof, the Plans and Specifications therefor shall be submitted to the ACC, and construction thereof may not commence unless and until the ACC has approved such Plans and Specifications in writing. Such application or submission to the ACC shall include Plans and Specifications showing the site layout, structural design, exterior elevations, exterior materials and colors, landscaping, drainage, exterior lighting, irrigation, and other features of proposed construction, as applicable. The ACC may postpone review of the Plans and Specifications until such time as the Architectural Review Committee has received all information requested by it. The ACC shall specify reasons for objections may, but is not required to, offer suggestions for curing any objections. No approval, whether expressly granted or deemed to be granted pursuant to the foregoing, shall be inconsistent with this Declaration or the applicable Design Guidelines unless a variance has been granted pursuant to this Declaration. The ACC shall consider and act upon any and all Plans and Specifications submitted for its approval pursuant to this Declaration and perform such other duties assigned to it by this Declaration or as from time to time shall be assigned to it by the Board, including the inspection of construction in progress to assure its conformance with Plans and Specifications approved by the ACC. The ACC shall not be responsible for reviewing any proposed Improvement, nor shall its approval of any Plans or Specifications be deemed approval thereof from the standpoint of structural safety, engineering soundness, or conformance with building or other codes of governmental regulatory authorities. In reviewing each submission, the ACC may consider any factors it deems relevant, including, without limitation, harmony of external design with surrounding structures, environment, and location within the community. Decisions may be based on purely aesthetic considerations. The determinations as to such matters are purely subjective and opinions may vary as to the desirability and attractiveness of particular Improvements.

5.7 Variances. The ACC may grant variances from compliance with any of the provisions of this Declaration or the Design Guidelines, when, in the opinion of the ACC, in its sole and absolute discretion, such variance will not impair or detract from the high quality development of the Property, and such variance is justified due to unusual or aesthetic considerations, unusual circumstances, undue hardship in a particular instance, or for other reasons as shall be determined in good faith by the ACC. All variances must be evidenced by a written instrument, and must be signed by a majority of the voting members of the

ACC. The granting of such variance shall not operate to waive or amend any of the terms and provisions of this Declaration applicable to the Lots for any purpose except as to the particular Property and in the particular instance covered by the variance, and such variance shall not be considered to establish a precedent for future waiver, modification or amendment of the terms and provisions hereof or to estop the denial of a variance in other circumstances. Notwithstanding the foregoing, such variances shall not vary any local governmental ordinance unless a variance or special exception has been first granted by the respective local governmental authority.

5.8 No Waiver of Future Approvals. The approval or consent of the ACC to any Plans and Specifications for any work done or proposed or in connection with any other matter requiring the approval or consent of the ACC shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any Plans and Specifications, or other matter whatever, subsequently or additionally submitted for approval or consent by the same or a different person.

5.9 Work in Progress. The ACC, at its option, may inspect and is granted the right to inspect all work in progress to ensure compliance with approved Plans and Specifications.

5.10 Address. Plans and Specifications shall be submitted to the ACC at such address as may be designated by the Board or by Declarant, its successors and assigns, from time to time.

5.11 Fees. The ACC shall have the right to require a reasonable submission fee as established by the Board or the Declarant from time to time for each set of Plans and Specifications submitted for its review and may require payment of same in full prior to review of any application or submission.

5.12 Certificate of Compliance. Upon completion of any Improvement approved by the ACC and upon written request by the Owner of any Lot, the ACC may issue a certificate of Compliance certifying that there are no known violations of this Declaration or the Design Guidelines. The certificate shall not be construed to certify the acceptability, sufficiency or approval by the Architectural Review Committee of the actual construction of the Improvements or of the workmanship or material thereof. The Owner is hereby notified that the certificate in no way warrants, except as set forth above, the sufficiency, acceptability or approval by the ACC of the construction workmanship, materials or equipment of the Improvements. Preparation and recordation of such a certificate shall be at the expense of the Owner of the Lot. Issuance of such a certificate shall estop the ACC and the Association from taking enforcement action with respect to any condition as to which the ACC and the Association had notice as of the date of such certificate.

5.13 Commencement Obligation. If construction does not commence on the work for which Plans and Specifications have been approved within six (6) months after the date of approval, such approval shall be deemed withdrawn and it shall be necessary for the Owner to reapply for approval before commencing the proposed work. Once construction is commenced, it shall be diligently pursued to completion. If approved work is not diligently pursued to completion, it shall be considered nonconforming and shall be subject to enforcement action by the Association, the Declarant or any aggrieved Owner.

5.14 Limitation of Liability. The standards and procedures established by this Section are intended as a mechanism for maintaining and enhancing the overall aesthetics of the Property. Review and approval of any application pursuant to this Section is made on the basis of aesthetic considerations only and the ACC or other reviewer shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements, nor for ensuring that all Improvements are of comparable quality, value or size or of similar design. The ACC, the Declarant, the Association, the Board, any other committee, and any member of any of the foregoing may not be held liable for soil conditions, drainage or other general

site work, or for any defects in plans reviewed or approved hereunder, or for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any structure. In all matters, the ACC and all persons comprising the ACC shall be defended and indemnified by the Association as provided in this Declaration.

5.15 Control Period. During the Control Period the Declarant is exempt from compliance with this Section 5.

SECTION VI

FUNDS, ASSESSMENTS, FEES, REMEDIES AND LIENS

6.1 Creation of the Lien and Personal Obligation for Assessments. Each Owner of any Lot by acceptance of a deed therefor, whether or not it shall be expressed in any such deed or other conveyance, covenants and agrees to pay to the Association: (a) annual assessments or charges for maintenance, taxes and insurance, (b) special assessments for capital improvements, and (c) individual special assessments levied against individual Owners to reimburse the Association for (i) amounts owed by the Owner to the Association, or (ii) the extra cost for maintenance and repairs caused by the willful or negligent acts of the individual Owner. Such assessments (collectively, the "Assessments") are to be fixed, established and collected as provided herein. Assessments, together with such interest thereon and costs of collection thereof, as hereinafter provided, shall be a charge on the Lot and shall be secured by a continuing lien which is hereby created and impressed for the benefit of the Association upon the Lot against which each such Assessment is made. Each such Assessment, together with such interest costs and reasonable attorney's fees shall also constitute a personal obligation of the person or entity who was the record Owner of such Lot at the time of such Assessment. The personal obligation for delinquent Assessments shall not pass to successors in title unless expressly assumed by such successors; however, the lien upon the Lot shall continue until paid.

6.2 Purpose of Assessments. The Assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety and welfare of the Owners of the Lots, the improvement and maintenance of the Common Properties, if any, and any other property designated by the Association, and for the performance and exercise of the rights and obligations of the Association arising hereunder. Assessments shall include, but shall not be limited to, funds to cover actual Association costs for all taxes, insurance, repair, replacement, maintenance of common areas and facilities including the joint use access driveway and other activities as may from time to time be authorized by the Board; legal and accounting fees, and any fees for management services; expenses incurred in complying with any laws, ordinances or governmental requirements applicable to the Association or the Property; reasonable replacement reserves and the cost of maintaining other facilities, including, but not limited to, mowing grass, grounds care, sprinkler system, landscaping, and other charges required or contemplated by this Declaration or that which the Board shall determine to be necessary to meet the primary purpose of the Association, including the establishment of a reserve for repair, maintenance, and other charges as specified herein.

6.3 Basis and Maximum of Quarterly Assessments.

(a) The initial regular quarterly Assessment shall be \$400 per Lot. Owners shall have the right to prepay quarterly Assessments for the year.

(b) On an annual basis, the maximum regular annual Assessment may be increased by an amount up to ten percent (10%) over the preceding year's maximum matter annual Assessment solely by the Board. Any increase over and above ten percent (10%) of the previous year's maximum regular annual

Assessment shall be done only by the prior written approval of sixty-six and two-thirds percent (66 2/3%) of the outstanding votes held by the Members at a meeting at which a quorum is present.

6.4 Special Assessments. In addition to the regular annual Assessment authorized above, the Association may levy, in any assessment year, a special Assessment applicable to that year only, for the purpose of defraying, in whole or in part, the costs incurred by the Association pursuant to the provisions of this Declaration, provided that any such special Assessment shall have the prior written approval of sixty-six and two-thirds percent (66 2/3%) of the outstanding votes (determined pursuant to Section 4.3 hereof) held by the Members at a meeting at which a quorum is present. Any special Assessment shall be prorated based on the period of time the Owner owns the Lot during such year.

6.5 Notice and Quorum for any Action Authorized Under Sections 6.3 and 6.4. Written notice of any meeting called for the purpose of taking any action authorized under Sections 6.3 and 6.4 hereunder shall be given to all Members not less than ten (10) days nor more than twenty (20) days in advance of such meeting. At such meeting, the presence of Members or of proxies entitled to cast sixty percent (60%) of all the votes entitled to be cast by the Members of the Association shall constitute a quorum.

6.6 Uniform Rate of Assessment. Both the regular annual and any special assessments shall be assessed at a uniform rate for all Lots, and shall commence and be due in accordance with the provisions of Section 6 hereof. Each Owner shall pay one hundred percent (100%) of the established Assessment for each Lot owned. Declarant and those builders who purchase Lots directly from Declarant for construction of single-family residences shall not pay Assessments for Lots Declarant owns.

6.7 Initial Capital Contributions and Transfer Fees. All purchasers, excluding builders who purchase Lots directly from Declarant for construction of single-family residences, shall pay a transfer fee and an initial capital contribution to establish a reserve fund for repairs and maintenance upon the closing of each Lot. Transfer fees and initial capital contributions shall be set by the Board of Directors as directed by the management company, if any.

6.8 Date of Commencement of Annual Assessments; Due Dates.

(a) The obligation to pay regular annual Assessments provided for herein shall commence on Declarant's conveyance of a Lot to an Owner. The Assessments shall be due on such payment dates as may be established by the Association. Assessments shall be due and payable on a quarterly basis unless otherwise designated by the Association.

(b) Except for the first Assessment year, the Association shall fix the amount of the annual Assessment at least thirty (30) days in advance of each Assessment year, which shall be on a calendar year basis; provided, however, that the Association shall have the right to adjust the regular annual Assessment upon thirty (30) days written notice given to each Owner, as long as any such adjustment does not exceed the maximum permitted pursuant to Section 6.1 hereof. Written notice of the regular annual Assessment shall be given as soon as is practicable to every Owner subject thereto. The Association shall, upon demand at any time, furnish a certificate in writing signed either by the President, Vice President or the Treasurer of the Association setting forth whether the annual and special Assessments on a specified Lot have been paid and the amount of any delinquency. A reasonable charge may be made by the Association for the issuance of these certificates. Such certificates shall be conclusive evidence of payment or delinquency of any Assessment therein stated.

(c) No Owner may exempt himself from liability for Assessments by waiver of the use or enjoyment of any portion of the Fence Easements or by abandonment of such Owner's Residence.

6.9 Effect of Non-Payment of Assessments; Remedies of the Association.

(a) All payments of Assessments shall be made to the Association at its principal place of business in Travis County, Texas, or at such other place as the Association may otherwise direct or permit. Payment shall be made in full regardless of whether any Owner has any dispute with Declarant, the Association, any other Owner or any other person or entity regarding any matter to which this Declaration relates or pertains. Payment of the Assessments shall be both a continuing affirmative covenant personal to the Owner and a continuing covenant running with the Property. All Assessments together with late charges, service charges and interest thereon, shall be a continuing debt secured by and there is hereby impressed a lien against each of the Lots to secure repayment of the Assessments and such other sums.

(b) Any Assessment provided for in this Declaration, which is not paid when due, shall be delinquent. If any such Assessment is not paid within fifteen (15) days after the due date of such Assessment, the Assessment shall bear interest from the date of delinquency, until paid, at the maximum rate per annum allowed by law or eighteen percent (18%) per annum, whichever is less, and in addition thereto, a late charge maybe assessed by the Board against the non-paying Owner for each month that any portion of any Assessment remains unpaid. The initial late charge shall be \$25. Such amount may be adjusted from time to time by the Board. The Board may also assess a service charge in the amount of \$50 for each check that is returned because of insufficient funds, which amount shall also be subject to adjustment from time to time by the Board. The Association may, at its option, bring an action at law against the Owner personally obligated to pay the same; or, upon compliance with the notice provisions hereof, foreclose the lien against the Lot as provided in Paragraph 6.9(d) hereof. There shall be added to the amount of such Assessment the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include accrued interest and reasonable attorney's fee, together with the costs of such action. Each Owner vests in the Association or its assigns, the right and power to bring all actions at law or in equity foreclosing such lien against an Owner, and the expenses incurred in connection therewith, including interest, costs and reasonable attorney's fees shall be chargeable to the Owner in default. Under no circumstances, however, shall Declarant or the Association be liable to any Owner or to any other person or entity for failure or inability to enforce or attempt to enforce the collection of any Assessment.

(c) No action shall be brought to foreclose said Assessment lien or to proceed under the power of sale herein provided in less than thirty (30) days after the date a notice of claim of lien is deposited with the postal authority, certified or registered, Postage Prepaid, to the Owner of said Lot, and a copy thereof is recorded by the Association in the Office of the County Clerk of the county or counties in which such Lots are located. Said notice of claim must recite a good and sufficient legal description of the Lot, the record Owner or reputed Owner thereof, the amount claimed (which may, at the Association's option, include interest on the unpaid Assessment at the maximum legal rate, plus reasonable attorney's fees and expenses of collection in connection with the debt secured by said lien), and the name and address of the Association.

(d) Any such sale provided for above is to be conducted in accordance with the provisions applicable for the exercise of powers of sale in mortgages and deeds of trusts, as set forth in Section 51.002 of the Property Code of the State of Texas, or in any other manner permitted by law. Each Owner, by accepting a deed to a Lot, expressly grants to the Association a power of sale as set forth in said Section 51.002 of the Property Code, in connection with the Assessment lien. The Association, through duly authorized agents, shall have the power to bid on the Lot at foreclosure sale and, upon successful bid at such sale, acquire and hold, lease, mortgage and convey the same.

(e) Upon the timely curing of any default for which a notice of claim of lien was filed by the Association, the officers of the Association are hereby authorized to file or record, as the case may be, an appropriate release of such notice, upon payment by the defaulting Owner of a reasonable fee, to be determined by the Association for the preparation and recording the lien and the release.

(f) The Assessment lien and the right to foreclosure sale hereunder shall be in addition to and not in substitution of all other rights and remedies which the Association and its successors or assigns may have hereunder and by law, including the right of suit to recover a money judgment for unpaid Assessments, as above provided.

6.10 Subordination of the Lien to First Mortgages. The lien securing the Assessments and other charges provided for herein shall be subordinate to the lien of any first lien mortgage. The sale or transfer of any Lot shall not affect the Assessment lien. However, the sale or transfer of any Lot, pursuant to a decree of foreclosure or a non-judicial foreclosure under such first lien mortgage or any proceeding in lieu of foreclosure thereof, shall extinguish the lien of such Assessments as to payments thereof which became due prior to such sale or transfer. No sale or transfer shall relieve such Lot from liability for any Assessment thereafter becoming due, in accordance with the terms herein provided.

SECTION VII

GRANT OF EASEMENTS & RIGHTS RETAINED BY DECLARANT

7.1 Reserved Easements. All grants and dedications of easements, rights-of-way, restrictions and related rights affecting the Property and made by Declarant prior to the Property becoming subject to this Declaration, are incorporated herein by reference and made a part of this Declaration for all purposes, as if fully set forth herein, and they, together with all easements, reservations, and provisions contained in this instrument shall be construed as being adopted and incorporated in each and every contract, deed or conveyance executed or to be executed by or on behalf of Declarant conveying any part of or interest in the Property. Further, the Association shall have the right to grant utility easements and rights-of-way across any portion of the Property for the purpose of more efficiently and economically providing any, existing or future, utility to any portion of the Project so long as any easement granted across any lot does not unreasonably interfere with an Owner's use and enjoyment of their lot or Residence. Additionally, Declarant reserves the right, without the necessity of the joinder of any Owner or other person or entity, to grant, dedicate, reserve or otherwise create, at any time or from time to time, non-exclusive rights-of-way and easements for access, ingress, egress and utility purposes (including, without limitation, gas, water, sanitary sewer, cable television, fiber optic cable, electricity, telephone and drainage). These rights of Declarant may also be exercised by the Association after the Control Period.

7.2 Installation and Maintenance. There is hereby created a non-exclusive easement upon, across, over and under all portions of the Property, as are reasonably necessary in connection with installing, replacing, repairing, maintaining and extending all utilities, including, but not limited to, water, sewer, gas, drainage, cable television, fiber optic cable, telephones, electricity and appurtenances thereto. By virtue of this easement, it shall be expressly permissible for Declarant, the Association or utility companies and other entities supplying service to install and maintain pipes, wires, conduits, service lines or other utility facilities or appurtenances thereto, on, across and under the Property, within the utility easements from time to time existing and from service lines situated within such easements to the point of service on or in any Improvement.

SECTION VIII
CASUALTY INSURANCE, CASUALTY DAMAGE & REPAIRS

8.1 Ordinary Repair and Maintenance. Each Owner of a Lot must:

- (a) maintain the exterior of the Residence, the Accessory Buildings, fences, walls, and other improvements on the Owner's Lot in good condition and repair;
- (b) replace worn and rotten parts;
- (c) regularly repaint or re-stain all painted and stained surfaces; and,
- (d) not permit the roofs, rain gutters, downspouts, exterior walls, windows, doors, sidewalks, driveways, parking areas, or other exterior portions of the improvements to deteriorate.

8.2 Failure to Repair. In the event of a fire, wind damage or other casualty loss, and each Owner agrees to use the proceeds from such insurance for the repair and replacement of the improvements including an entire Residence, and the Owner shall promptly repair the damage and return the Residence to its original condition, in accordance with the requirements of this Declaration. If an Owner fails or refuses to promptly complete the replacement or repair as required by this Declaration, then the Association may, but is not obligated to, make the repairs at the cost of the Owner and all costs and expenses in making that repair, plus a fifteen percent (15%) overhead factor, shall become a debt due to the Association which shall be payable upon demand. If any amounts required by this paragraph are not paid upon demand, then the same shall bear interest at eighteen percent (18%) or the highest rate of interest allowed by law, whichever is less.

SECTION IX
GENERAL PROVISIONS

9.1 Term. This Declaration, as it may be amended in accordance with the provisions hereof, shall run with and bind the Property and shall be and remain in effect for a period of forty (40) years after the date this Declaration is recorded, after which time it shall be automatically extended for successive periods of ten (10) years, unless an instrument in writing, signed by Members with at least sixty seven percent (67%) of the total votes in the Association agreeing to terminate this Declaration has been recorded within the year immediately preceding the beginning of a ten (10) year renewal period, in which case this Declaration shall terminate at the end of its original term or the applicable extension period. Every purchaser or grantee of any interest in any real property subject to this Declaration, by acceptance of a deed or other conveyance therefor, thereby agrees that this Declaration may be extended and renewed as provided in this Section.

9.2 Nonliability of Board and Architectural Control Committee Members. Neither Declarant, the ACC, nor any member thereof, nor the Board nor any member thereof, shall be liable to the Association or to any Owner or to any other person for any loss, damage or injury arising out of their being in any way connected with the performance of Declarant's, the ACC's or the Board's respective duties under this Declaration, unless due to the willful misconduct or bad faith of Declarant, the ACC or its members or the Board or its members, as the case may be.

9.3 Amendment. This Declaration may be amended by the recording in the real property records of Travis County, Texas an instrument executed and acknowledged by the Declarant during the Control Period, which shall have the sole right to amend the Declaration during the Control Period; or after the Control Period, by at least sixty-seven percent (67%) of all Members of the Association and by at least

a majority of all of the Directors then serving on the Board, setting forth the amendment and certifying that such amendment has been approved by the Members entitled to cast at least sixty-seven percent (67%) of the Members. The instrument shall identify all Members of the Association and be executed by those Members agreeing to the Amendment. Any amendment to this Declaration must be recorded in the real property records of Travis County, Texas to be effective.

9.4 Notices. Any notice permitted or required to be given by this Declaration shall be in writing and may be delivered as follows. (a) If the party receiving the notice has provided the party giving the notice with their email address or facsimile number, then one notice shall be given either by facsimile transfer or by email at the number or address previously provided as applicable (nothing in this provision shall require a party giving notice to have a duty to inquire about a facsimile number or an email address); and (b) in any case, the party giving notice shall send written notice to the party receiving notice in one of the following methods:

- a. hand delivery to the Residence;
- b. overnight courier; or
- c. depositing the notice by U.S. Mail in a properly addressed and properly stamped to the recipient's last known address (if notice is given by certified or registered mail, notice must also be given by regular U.S. Mail to avoid delays in delivery).

If notice is actually received, the failure to give notice according to this provision shall be excused. Notice shall be deemed given on the earliest of the following dates:

- i. when written notice is actually received by the recipient;
- ii. the first business day after a notice is transmitted, properly addressed and sent, either by overnight courier or by facsimile transfer;
- iii. five (5) business days after deposit with the U.S. Mail.

9.5 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate the purposes of creating a plan for the development and operation of the Property and of promoting and effectuating the welfare of all of the Owners and the fundamental concepts of the Property set forth in this Declaration. This Declaration shall be construed and governed under the laws of the State of Texas.

9.6 Exemption of Declarant. During the Control Period, and notwithstanding anything herein contained to the contrary, Declarant shall not be subject to the jurisdiction or control of the ACC or the Association, and it shall be expressly permissible for Declarant to use its property and to maintain and carry on, upon such portion of its property as Declarant may deem necessary, such facilities and activities as in the sole opinion of Declarant may be required, convenient, or incidental to Declarant's sales activities related to its property, including, but without limitation: the right of access, ingress and egress for vehicular and pedestrian traffic over, under, on or in the Common Properties; the right to carry on sales and promotional activities on its property which is a part of the Project; the right to operate information and sales offices on its property; and the right to use its property as set forth in Section 2 hereof. During the Control Period, the Declarant shall not be subject to the provisions of Section 2 or 3 of this Declaration.

9.7 Assignment by Declarant. Notwithstanding any provision in this Declaration to the contrary, Declarant may assign in writing, all of its privileges, exemptions, rights and duties under this Declaration together with portions of the Property that it owns to any other person or entity and upon such assignment, said assignee shall become the Declarant which will permit the participation, in whole or in part, by such other person or entity in any of its privileges, exemptions, rights and duties hereunder.

9.8 Enforcement and Nonwaiver.

A. **Right of Enforcement.** Except as otherwise provided herein, (i) any Owner at his own expense, (ii) Declarant, and/or (iii) the Board shall each have the right to enforce all of the provisions of this Declaration and the rules and regulations. The Board may impose fines or other sanctions, which shall be collected as provided herein for the collection of Assessments. Failure to comply with this Declaration or the rules and regulations shall be grounds for an action to recover sums due for damages, injunctive relief, or any other remedy available at law or in equity, maintainable by the Board, on behalf of the Association, or by any Owner of a portion of the Property. The Association shall also have the right to enforce, by any proceeding at law or in equity, any other restrictions, conditions, covenants and liens imposed upon any portion of the Property, which by the terms of the instrument creating same grant the Association the power to enforce same, and failure of the Association to enforce such provisions shall in no event be deemed a waiver of the right to do so thereafter. No fine shall be unreasonable or excessive, but a fine may be sufficient to cover anticipated costs to the Association together with inconvenience to the other Owners. Any fines or damages, and any resulting attorney's fees or court costs, resulting from any violation pertaining to a Lot, shall become a lien, pursuant to the terms of this Declaration against said Lot and enforceable against said Lot pursuant to the terms of this Declaration.

B. **Nonwaiver.** The failure to enforce any provision of this Declaration or the rules and regulations at any time shall not constitute a waiver of the right thereafter to enforce any such provision or any other provision of said restrictions.

9.9 Construction.

A. **Severability.** The provisions of this Declaration or the rules and regulations shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision or portion thereof.

B. **Gender and Grammar.** Unless the context requires a contrary construction, the singular shall include the plural and the plural the singular; and the masculine, feminine or neuter shall each include the masculine, feminine and neuter.

C. **Captions.** All captions and titles used in this Declaration are intended solely for convenience of reference and shall not enlarge, limit or otherwise affect that which is set forth in any of the paragraphs or sections hereof.

9.10 Notice of Sale or Transfer of Title. In the event that an Owner sells or otherwise transfers title to his or her Lot (or any interest in said Lot), such Owner and the New Owner shall provide the Association with a copy of the executed instrument of conveyance and give the Association written notice of the name and address of the purchaser or transferee, the date of such transfer of title, and such other information as the Board may reasonably require. Until such written notice is received by the Association, the transferor shall continue to be jointly and severally responsible for all obligations of the Owner of the Lot hereunder, including payment of Assessments, notwithstanding the transfer of title to the Lot.

9.11 Notices of Delinquency to Mortgagees. Upon written request to the Association by a Mortgagee (such request to state the name and address of the applicable Owner and the description of the applicable property), the Association will provide a written statement as to whether or not such Owner is delinquent in the payment of Assessments or charges to the Association with respect to the property subject to the Mortgage of such Mortgagee.

9.12 No Partition. No party acquiring an interest in the Property or any part thereof shall seek or be entitled to a partition of the Common Properties.

9.13 Disclaimer by Declarant. EXCEPT AS SPECIFICALLY STATED HEREIN, DECLARANT HAS NOT MADE, DOES NOT MAKE AND DISCLAIMS ANY WARRANTY, GUARANTY, OR REPRESENTATION, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS, TO, OR CONCERNING (I) THE NATURE AND CONDITION OF THE PROPERTY, INCLUDING BUT NOT BY WAY OF LIMITATION, THE WATER, SOIL, GEOLOGY AND THE SUITABILITY THEREOF, AND OF THE PROPERTY, FOR ANY AND ALL ACTIVITIES AND USES WHICH OWNER MAY ELECT TO CONDUCT THEREON OR ANY IMPROVEMENTS ANY OWNER MAY ELECT TO CONSTRUCT THEREON, EXPENSES TO BE INCURRED WITH RESPECT THERETO, OR ANY OBLIGATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE SAME; (II) THE MANNER OF CONSTRUCTION AND CONDITION OF ANY OF THE IMPROVEMENTS ON COMMON PROPERTIES CONSTRUCTED BY DECLARANT; (III) THE ABILITY TO DEVELOP A LOT FOR SINGLE FAMILY RESIDENTIAL PURPOSES; AND (IV) THE DESIGNATION OR LOCATION OF COMMON PROPERTIES OR THE TYPE OR NATURE OF ANY AMENITIES OR IMPROVEMENTS THAT COULD BE CONSTRUCTED ON ANY PORTION OF THE PROPERTY OTHER THAN ANY AMENITIES OR IMPROVEMENTS SHOWN ON ANY APPROVED SURVEY OR THE TIMING OF THE CONSTRUCTION OF THE SAME.

9.14 Mediation.

Any controversy or claim arising from or related to this Declaration or the breach thereof and/or any Property subject to this Declaration must first be submitted for mediation by a certified attorney mediator before any lawsuit is filed. The parties covenant that the mediation proceeding shall be conducted in Travis County, Texas. The parties agree to use the most expedited procedures available.

9.15 Invitee's Compliance. shall constitute a person's agreement to abide by these rules. All Owners shall be responsible for each invitee or guest to their Residence to insure compliance by the guest or invitee with this Declaration and any rules and regulations adopted by the Board.

[Signature Page Follows]

IN WITNESS WHEREOF, Declarant has executed this Declaration as of this ____ day of February, 2021.

DECLARANTS

Robin Mallory Moore

Doyle Randall Moore

Sherry Moore Waldrup

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of February, 2021, by Robin Mallory Moore, Declarant.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of February, 2021, by Doyle Randall Moore, Declarant.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of February, 2021, by Sherry Moore Waldrup, Declarant.

Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Sprouse Shrader Smith
Attn: Courtney Mogonye-McWhorter
805 Las Cimas Pkwy, Bldg. Iii, Suite 350
Austin, Texas 78746

EXHIBIT “A”

Legal Description of Property



February 16, 2021

Ms. Anjali Naini
City of Westlake Hills
Building & Development Services
911 Westlake Drive
Westlake Hills, Texas 78746

Mr. Russell Cain, R.S.
City Environmental Inspector
911 Westlake Drive
Westlake Hills, Texas 78746

RE: Response to Comments
01-05-2021 BDS, 01-08-2021 Engr., and 01-13-2021 Sanitarian Comments
803 Westlake Drive Subdivision Application Review 1 (Permit No. 16329)
TLE Job No. 1709

Dear Ms. Naini and Mr. Cain,

Below are responses to your Building and Development Services (BDS), Engineering, and Sanitarian comments issued on the dates noted above.

Engineer's Comments

Engr Comments 1 to 4

Cleared

Engr Comment 5-C1)

Comment remains. Please provide additional information on how the increase flow from the impervious cover proposed in the JUAЕ will be mitigated and treated for water quality in compliance with TCEQ regulations.

Response 5-C1

The JUAЕ impervious cover is intended to be mitigated with the other impervious cover on the lot at the time of lot development. A note has been added to better clarify that intention; see note 5 added to the proposed concept sheets (bottom right). See also note 12 on the plat. No water quality treatment is expected to be required since the impervious cover is planned to be less than 20 percent but, should that not be the case, the treatment will likewise occur with lot development. A note to that affect has also been added to the concept plan; see note 6.

Engr Comments 6 to 9

Cleared.

Engr Comment 10-C1)

Comment remains. Please show how the increased runoff due to the driveway will be mitigated.

Response 10-C1

Please see the response to comment 5-C1 above.

Engr Comment – Review 2

Please remove the language allowing detention structures to be constructed in the conservation easement.

Response to Review 2 Comment

Please note that the conservation easement is a voluntary addition by the applicant to protect the steeper slopes on the property. It is not a requirement of any code. We have not removed the language given that the disturbance will be a one time, temporary event and we believe it will better allow for any detained run-off to maintain separation from any building foundation and will allow the wall to be more hidden, which we understand to be desired in Westlake. It is also not an unusual approach for Westlake; the same approach was taken in the Butler Cove subdivision (except that a single pond for all the lots was constructed in that case). Note that generally, any wall encroachment into the conservation easement is expected to only be on the order of 3 to 5 feet; further encroachment does not appear to be necessary with the single exception of Lot 5 where the topography shows a significant fold which is not aligned with the conservation easement boundary.

Building and Development Services Comments

BDS Comment 1

The building setback lines have been dropped from the rest of the lots. Additionally, only either the front or rear setback lines are shown on the lots in question. Please revise. Please label lot widths at the building lines in question.

Response 1

As noted in our email, the building lines were removed from the plat to prevent conflict with the appropriate application of the code setbacks in effect. Additionally, the 1970s rules on the site setback spoke of an averaging of the setback on each side, where each side could vary lot to lot so long as the total achieved the required total. As a result of these issues, we instead applied the approach now common on all plats in the City of Austin where we instead refer to the fact that building lines will be per the code, the only exception being the front and back lines added given the uncertainty as to where the lot met the required width. See note 15 on the plat.

BDS Comment 2

If subdivision is intended to connect to the City's wastewater system, please provide proof of wastewater availability. Otherwise, please provide proof of septic permit/ability to install septic systems. Refer to Code Sec. 36.01.006 (a). Please note email provided verifying capacity does not reserve the LUEs needed for this project. Connection fees invoiced from Wastewater Accounting Manager Theresa Sanchez will need to be paid prior to City taking action on plat to reserve capacity.

Response 2

We understand that “the comment remains” to just mean that, while the plat can go through hearings and be approved by the Commission and Council, it will just not be formally approved and recorded until the fee is paid. We believe this is also referenced in comment 5. Assuming that is correct, we understand and concur.

BDS Comment 3

Copy (of CCRs) received; however, CCRs cannot grant variances to City Code. For example, Sec. 2.2 is allowing 35ft height measured from average grade.

Response 3

(By Terry Irion) The applicable zoning provisions regulating height are the A residential district provisions, which predate the adoption of the R-1 district regulations. Section 2.2 of the CCR’s is not inconsistent with the applicable A residential district regulation which is applicable to the regulation of building size on this 1972 project initiation date.

BDS Comment 4, 5, and 6

Cleared

BDS Comment 7

Acreage corrected, but response to second part of comment not received.

Response 7-added comment

We apologize for failing to answer the second part. There is no meaningful way (if any way) to revise the acreages to all be over 1 acre. The reason is the steep slopes on the south side of the overall tract. The only building area (even then somewhat marginal) for Lot 1 is quite distant from the southern tract line. As a result, that first tract is over 2 acres, putting the balance under the 7 acres needed for each of the remaining to be over an acre. We already took a part of the lot out for Lot 2, adding a meaningless flag to Lot 2 that is down the creek. Maybe (unlikely but maybe) more flags could be added through the creek to “technically” get the areas to over an acre but it would have no meaning in real life. In summary, it is the fact that the developable areas are limited and weighted to the north side of the tract that drives the smaller lot area totals. We hope that this answers your question.

BDS Comment 8

Cleared

BDS Comment 9

Plat Notes & Certifications Comments:

- a. This is cleared but new comment based on new JUA language – please remove reference to private road (perhaps replace road with driveway) since Chapter 36 of the Code does not permit private streets.
- b. Cleared.
- c. Cleared.
- d. Cleared.
- e. Cleared.
- f. New Comment: Plat Note # 13 – Please revert back to original comment stating all lots are zoned R-1, and strike second sentence regarding project initiation date.

Response 9

- a) (By Terry Irion) The JUAЕ is a private driveway (see Plat Note 11). Plat Note 4 will be corrected to refer to the JUAЕ a private driveway.
- b) Cleared
- c) Cleared
- d) Cleared
- e) Cleared
- f) (By Terry Irion) The property is zoned R-1 today, having been rezoned from A to R-1 so the note is correct. The statement that the project initiation date is October 24th, 1972 factually correct and needs to be on the plat.

BDS Comment 10

After plat goes through technical review, a minimum of 2 mylar copies will need to be submitted to City for signature and recordation, and will need to be signed by property owners and signed/sealed by engineer and notarized (City needs this prior to signature after any comments are addressed – refer to Sec. 36.01.007)

Response 10

Administrative Comment. We understand. Thank you.

Sanitarian Comments

Sanitarian Comment 1

Not clear. Please send revised copy of plat document for review.

Response 1

We apologize that you didn't get the plat. Another copy is attached.

Sanitarian Comment 2

Not clear. House and septic system appear to cross 3 property lines. Either remove house and septic system or redraw lot lines to preserve. Septic system must be abandoned according to TCEQ rules and regulations prior to subdivision approval to meet plat note number 1. Please submit an application for septic system modification with appropriate fee (tank abandonment) to begin this activity. While this house will no longer have an onsite wastewater system, it may not be occupied until connected to the city sewer system (provide evidence of application, plan and fee payment).

Response 2

(By Terry Irion) Any encroachment of the existing house, well, or septic system across a proposed lot line will be removed prior to recording of the approved plat

Sanitarian Comment 3

Please include Tree/topo survey signed, dated and sealed by Registered Professional Surveyor within the last 3 years with all trees 3" or larger with submittal response. Submitted tree/topo survey did not include entire area of subdivision. Submitted survey did not appear to include trees 3-6 inches. *Comment 2: Not Clear*

Response 3

(By Terry Irion) The current tree regulations do not apply to this project which was initiated in 1972. Applicant submitted a tree survey for the area outside of the voluntary conservation

easement that is proposed to be dedicated by the plat. There is no point in surveying trees that by Plat dedicated easement will be in the conservation easement. The proffered survey is sufficient to determine the level of tree mitigation applicant agrees by plat note to make.

Sanitarian Comment 4

Please provide tree/topo survey with existing and proposed site improvements (shared driveway) with proposed lot lines and easements. *Comment 2: Not Clear. See #3.*

Response 4

(By Terry Irion) See response to Comment 3.

Sanitarian Comment 5

Not clear. Please revise tree removal totals to show total tree removal inches of trees 6 inches or more and less than 14 inches along with its 75% mitigation calculation along with total tree removal inches of trees 14 inches or larger along with Its 150 % mitigation total and then the combined total for inches to be replaced. Trees 14 inches or larger may be removed by City Council variance. Please provide copy of City Council approval letter for all trees by tree number.

Response 5

(By Terry Irion) See response to Comment 3.

Sanitarian Comment 6, 7, and 8

Cleared.

Sanitarian Comment 9

Not clear. Please show appropriate well setbacks

Response 9

We trust that you got exhibit we emailed. But just in case it has been re-attached.

Sanitarian Comment 10 and 11

Cleared

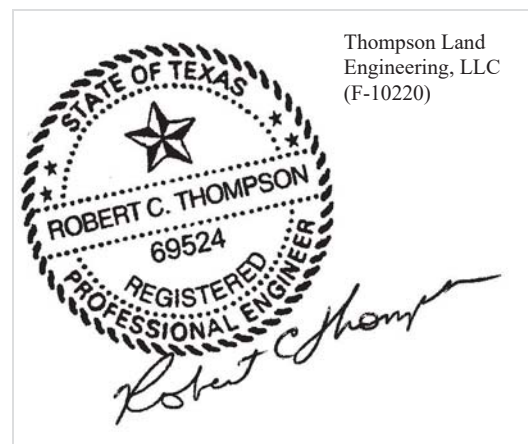
We hope that you find this information complete and sufficient. Please contact me at 512-328-0002, if you have any questions.

Sincerely,

THOMPSON LAND ENGINEERING, LLC



Robert C. (Ric) Thompson, P.E.
M.S., C.F.M., C.P.E.S.C.



February 16, 2021



SPROUSE SHRADER SMITH PLLC
ATTORNEYS AT LAW

TERRENCE L. IRION

(512) 615-6653

January 14, 2021

Russell Cain, R. S.
City Environmental Inspector
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746

Via email: russell@westlakehills.org

***Re: 803 Westlake Drive, Project No. 16102 and 16329, Residential Subdivision
Final Plat***

Dear Mr. Cain,

The following is a detailed response to your Subdivision Review Comment No. 3 of 11 which you issued on January 13, 2021. Ric Thompson, the design engineer for the Subdivision, will be responding to the other 10 comments. I wanted to take this opportunity to explain why the Applicant is only offering the tree survey proposed by Paul Flugel of Chapparral Professional Land Surveying, Inc., dated December 4, 2019 in response to your review comment. You comment that the survey does not include the steep slopes at the rear of the proposed lots, nor does it include trees that are 3–6 inches. The reason that the smaller trees and the trees on the steep slopes in the back were not surveyed is because of the density of the tree cover on this property which identifies over 4,500 trees and because the area of the steep slopes not surveyed in the rear of the proposed lots is being proposed for dedication as a no-disturbance/conservation easement.

This plat project was initiated in 1972 by contract authorization of the City Council dated October 24, 1972 and affirmed by Ordinance 55B adopted on November 7, 1972. The adopted City Zoning Ordinance at that time was Ordinance 54 adopted on May 4, 1954, designating the subject property as being in the “A” Residential Zone District. The “A” Zoning District did not have any adopted tree regulations. In 1972, the City Council approved the creation of an eight residential lot project on the subject property containing less than eight acres in consideration of the dedication and conveyance of a right-of-way deed for the widening of Westlake Drive at no cost to the City. The Contract or authorization to approve eight residential lots on a net site area less than eight acres was approved by the City Council without regard to its impact on trees which would need to be removed because there were no tree regulations at that time.

We understand that since the adoption of Chapter 38 of the City Zoning Code, regulation of trees has become an important value in the City with respect to plat development and residential building permits. For this reason, the Applicant has voluntarily done the tree survey of those portions of the property where subdivision development will impact trees on the site. This is the Applicant’s good faith effort to accommodate the current value placed on trees in the community, while still giving effect to the original intent of the 1972 City Council of approving eight residential lots meeting “A” Zoning District requirements on the site.

Chapter 245 of the Local Government Code provides that all permits to initiate, continue or complete a project will be subject to only those rules, regulations, ordinances and requirements in effect when the project is initiated with the original request or permit application. The original request was for the City to approve eight residential lot development on the eight plus acre Moore Estate that would be reduced to less than eight acres by a Gift Deed to the City for the Westlake Drive widening. At the time the Contract with Doyle Moore was signed on October 24, 1972, the "A" Residential Zone District did not regulate tree protection, removal or mitigation on a residential subdivision or building permit project. The Contract between Mr. Moore and the City does meet the definition of a permit under Section 245.001 of the Local Government Code.

While amendments to zoning regulations are generally exempt from the vested rights protections of Chapter 245, zoning regulations which affect landscaping, tree preservation, open space, park dedication, lot size, lot dimensions, lot coverage or building size are protected from changes in the regulations which were applicable when the project was initiated.

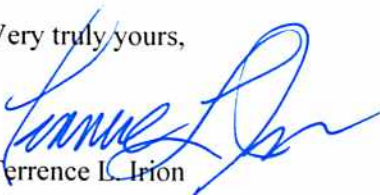
The Moores' are sensitive to the current value the Community as a whole and the City Council, in particular, place on preservation of trees. For this reason they have done the 2019 Tree Survey and will work with your office in identifying particular trees for which every effort should be made to protect.

The Applicants will also remove all invasive species approved by your office along the Westlake Drive right-of-way and replace with as dense a planting of trees and understory shrubs as will allow for healthy growth between or even within the right-of-way (with City permission) and the JUAE, as well as between the JUAE and the front building line of each of the new homes built. See proposed Plat Note 18 describing the Applicants' Tree Mitigation Plan.

Likewise, as described in Plat Note 17, the Applicants' offer to dedicate a no-disturbance/conservation easement along the steep slopes in the rear of each lot where no use or tree removal will be allowed. This is the area that was not surveyed under the Tree Survey tendered with this application.

Should you have additional questions with respect to this Comment Response, please feel free to contact me.

Very truly yours,



Terrence L. Irion

TLI:kc

Enclosures

cc: Anjali Naini
Travis Askey
Ric Thompson

*Via email: planner@westlakehills.org
Via email: taskey@westlakehills.org
Via email: ric@tleng.net*

MEMO

Date: March 4, 2021

Robert C. Thompson, P.E.
Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, TX 78733



RE: Permit No. 16329 – 803 Westlake Drive Subdivision Application Review 3

The above-referenced plat was reviewed by the City. We are providing the following comments based on a cursory review of the submittal, additional comments may be generated upon the re-submittal:

1. Per Ordinance 55, Section 2(c) and Sec. 36.01.007(F)(iv), please show the centerline of existing watercourses and other similar drainage features as well as the 100-year floodplain limits.
1-R1) *The centerline and the 100-year floodplain limits have been added to the plat.*
1-C1) Cleared.
2. Per Ordinance 55, Section 5(b), please provide adjoining subdivisions or the names of owners of adjacent properties with the respective plat or deed reference including additional information for the properties across Westlake Drive.
2-R1) *The adjoining subdivision names and owners names with deed reference have been added for the surrounding properties.*
2-C1) Cleared.
3. Please show the proposed JUAЕ easement/make the line more visible on the concept map showing the JUAЕ driveway contained within the easement.
3-R1) *We've attempted to make the JUAЕ more clearly on the concept plan, including enlarging the scale. We hope that you find it sufficiently clear.*
3-C1) Cleared.
4. Per Code Sect 36.01.007(F)(vi), please provide the date of preparation.
4-R1) *The date of preparation has been added to the plat. Please see the bottom right of the first page.*
4-C1) Cleared.
5. Per Code Sec 36.01.007(F)(x), please provide a general drainage plan and ultimate destination of storm sewer, water, gas, electric and sanitary sewer connections.
5-R1) *We've embellished the concept plan to attempt to show the items request. But also, please see notes on the right side of both sheets of the proposed plan. Hopefully those notes clarify the plan. Note the gas, electric, telephone and cable are designed by the provider so we have no control of the location of those facilities.*
5-C1) Comment remains. Please provide additional information on how the increase flow from the impervious cover proposed in the JUAЕ will be mitigated and treated for water quality in compliance with TCEQ regulations.
5-R2) *The JUAЕ impervious cover is intended to be mitigated with the other impervious cover on the lot at the time of lot development. A note has been added to better clarify that intention;*

see note 5 added to the proposed concept sheets (bottom right). See also note 12 on the plat. No water quality treatment is expected to be required since the impervious cover is planned to be less than 20 percent but, should that not be the case, the treatment will likewise occur with lot development. A note to that affect has also been added to the concept plan; see note 6.

5-C2) Comment remains. Accommodations for the increased runoff need to be provided for the impervious cover proposed in the JUAЕ easement. Please provide location for the mitigation infrastructure and any necessary easement etc. necessary to accommodate such improvements.

6. Per Code Sec 36.01.007(F)(xiv), please include a statement as to the degree of lot or unit clearing planned and methods for maximum preservation of trees and vegetation including percent of impervious cover anticipated.

6-R1) *We believe the requested note has been added. Please see note 22. The percentage of impervious cover is included on the proposed conditions concept plans; please see the far right.*

6-C1) Cleared.

7. Per Code Sec 36.01.007(F)(xvii), please provide a tree survey and topographic survey for the entire tract of land.

7-R1) *Please see the attached letter from Terry Irion as notes 16, 17, and 22 on the plat.*

7-C1) Cleared.

8. Per Code Sec 36.01.007(G), please include all applicable certifications.

8-R1) *We believe all the required certifications are now on the plat.*

8-C1) Cleared.

9. Per Code Sec 36.01.008, please provide all required information on the construction plans including, but not limited to drainage easements and associated detention ponds.

9-R1) *As discussed, we do not understand any construction plans to be required for this subdivision. All of the work will be private onside construction or basic taps and driveway connections, typical of home construction. We've improved the concept plans to better show the proposed improvements (including services) but are understanding that the construction plans will be provided with the building permits (for the first house or subsequent homes, depending on the needs of the home builder).*

9-C1) Cleared.

10. Per Section 2.1.1 of the City of West Lake Hills Drainage and Erosion Control Design Manual, a preliminary drainage plan is required with preliminary and final plats.

10-R1) *A drainage plan reflecting the computations for the floodplain are included. Each lot will provide its own drainage plan to mitigate for whatever imperious cover is added. A note to this affect has been added to the concept plan. Please see the right side of the proposed concept plan sheets.*

10-C1) Comment remains. Please show how the increased runoff due to the driveway will be mitigated.

10-R2) *Please see the response to comment 5-C1 above.*

10-C2) Comment remains. Accommodations for the increased runoff need to be provided for the impervious cover proposed in the JUAЕ easement. Please provide location for the mitigation infrastructure and any necessary easement etc. necessary to accommodate such improvements.

Review 2 Comments

1. Please remove the language allowing detention structures to be constructed in the conservation easement.

10-R3) *Please note that the conservation easement is a voluntary addition by the applicant to protect the steeper slopes on the property. It is not a requirement of any code. We have not removed the language given that the disturbance will be a one time, temporary event and we believe it will better allow for any detained run-off to maintain separation from any building foundation and will allow the wall to be more hidden, which we understand to be desired in Westlake. It is also not an unusual approach for Westlake; the same approach was taken in the Butler Cove subdivision (except that a single pond for all the lots was constructed in that case). Note that generally, any wall encroachment into the conservation easement is expected to only be on the order of 3 to 5 feet; further encroachment does not appear to be necessary with the single exception of Lot 5 where the topography shows a significant fold which is not aligned with the conservation easement boundary.*

1-C1) Comment remains. The conservation easement is required per code requirements, and does not allow disturbance for drainage features.

Should you have any questions, please contact Director of Building & Development Services Anjali Naini at planner@westlakehills.org or by calling 512-327-3628. Please submit response letter and any revisions to planner@westlakehills.org.



803 Westlake Drive – Permit No. 16329
Moore Tract – Subdivision Application
Review Comments 3
3/5/2021

ZAPCO Hearing: March 17, 2021
City Council Hearing: March 24, 2021

Anjali Naini, AICP | Director of Building & Development Services

Please email response letter and any required documentation to pzsec@westlakehills.org and planner@westlakehills.org

- 1) Per Ordinance 55A and 55B, Section 7. *"The minimum dimensions for interior residential lots shall be not less than 100 feet at the building line and not less than 145 feet deep..."* | It appears that Lots 7 and 8 do not meet the minimum width at the front building line and Lots 5 and 6 do not meet the minimum width at the rear building line. | The building setback lines have been dropped from the rest of the lots. Additionally, only either the front or rear setback lines are shown on the lots in question. Please revise. Please label lot widths at the building lines in question. | **The setbacks need to be platted on each lot to avoid issues later on. Otherwise each lot will individually need to go through a setback determination process as they get developed.**
- 2) If subdivision is intended to connect to the City's wastewater system, please provide proof of wastewater availability. Otherwise, please provide proof of septic permit/ability to install septic systems. Refer to Code [Sec. 36.01.006](#) (a). Please note email provided verifying capacity does not reserve the LUEs needed for this project. Connection fees invoiced from Wastewater Accounting Manager Theresa Sanchez will need to be paid prior to City taking action on plat to reserve capacity. | Comment remains. | **Comment remains; fees must be paid prior to Council action.**
- 3) Please provide copy of draft covenants and restrictions. Refer to Code [Sec. 36.01.007](#) and Ord. 55, Section 2 (f). | Copy received; however, CCRs cannot grant variances to City Code. For example, Sec. 2.2 is allowing 35ft height measured from average grade. | **Comment remains.**
- 4) City Code [Sec. 36.01.008](#) requires construction plans to be submitted prior to approval of the final plat. Please provide timeframe of construction plans submittal. | Cleared
- 5) City Code [Sec. 36.01.015](#) requires filing of a surety bond prior to final plat being recorded. | Cleared, provided that all fees are paid for wastewater improvements per Comment 2 above. | **If comment 2 is not cleared, then this comment needs to be addressed.**
- 6) Joint Use Access Easement – please clearly indicate on the plat where the two points of access to Westlake Drive are located. | Cleared
- 7) Total acreage is not adding up – the total calculated acreage of all 8 lots is adding up to 8.42 acres, and the plat total site acreage in the title states it is 7.875 acres. If total area is truly over 8 acres, is it possible to reconfigure the lots to each be a minimum of 1 acre? | Acreage corrected, but response to second part of comment not received. | **Cleared**
- 8) Please include names of owners of adjacent subdivisions/parcels. See Code [Sec. 36.01.007](#) (f)(2)(C) and Ord. 55 Section 2 (b). | **Cleared**

9) Plat Notes & Certifications Comments:

- a. # 4 (JUAЕ) – this note mentions covenants and restrictions including a volume and page number. Please confirm if these restrictions have already been filed or if the volume and page number were copied over mistakenly. | This is cleared but new comment based on new JUAЕ language – please remove reference to private road (perhaps replace road with driveway) since Chapter 36 of the Code does not permit private streets. | **Cleared**
- b. # 19 (height) –Height should be measured per current Code requirements or please provide City regulations applicable in 1972 showing height being measured from average finished grade to midpoint of roof gable. Otherwise, this note should be removed since it does not pertain to subdivision. If variance needed, that would be filed prior to construction of individual homes. | Cleared
- c. Please include note prohibiting additional direct driveways onto Westlake Drive – only the two points of access via the Joint Access Easement are permitted. | Cleared
- d. ZAPCO Certification – remove language stating “of the City Council”. | Cleared
- e. Please update approval year throughout the certifications to 2021. | Cleared
- f. **New Comment:** Plat Note # 13 – Please revert back to original comment stating all lots are zoned R-1, and strike second sentence regarding project initiation date. | **Comment remains.**

10) After plat goes through technical review, a minimum of 2 mylar copies will need to be submitted to City for signature and recordation, and will need to be signed by property owners and signed/sealed by engineer and notarized (City needs this prior to signature after any comments are addressed – refer to [Sec. 36.01.007](#)) | **No action needed at this time**

11) **New Comment:** Please explain the intent of the flag lot for Lot 2 that has the “flagpole” portion behind Lot 1? Apologies for missing this earlier, we had thought it was part of the conservation easement.

City of West Lake Hills

911 Westlake Drive

West Lake Hills, Texas 78746-4509



Linda Anthony, Mayor
City Councilmembers:
Jim O'Connor, Mayor Pro Tem
Rhonda McCollough
Brian Plunkett
Beth South
Darin Walker

Travis Askey, City Administrator
City Hall: (512) 327-3628
Fax: (512) 327-1863
www.westlakehills.org
cityhall@westlakehills.org
Police Department (512) 327-1195
Fax: (512) 329-5517

803 WESTLAKE DR. - PROJECT#16102 AND 16329 RESIDENTIAL SUBDIVISION FINAL PLAT Review Comments v3

Russell Cain, R.S. | City Environmental Inspector

*Please note that responses to staff comments shall be provided within 60 days of receipt to avoid application dormancy/expiration.

**Please provide a comment response letter addressing the comments below with the resubmittal*

***Please provide full set of PDF'S with revisions, not just revised pages.

1. On Page 2 of plat document, Item #5 refers to Texas Natural Resource Conservation Commission (now named as drainage easement detail sheet, Plat sheet #3). This agency has been renamed Texas Commission on Environmental Quality as of September 1, 2002. Please adjust text accordingly. Not clear. Please send revised copy of plat document for review. |Still not clear. Text not changed..
2. Please show location of existing residence at 803 Westlake drive with septic tank and drainfield approximate locations to confirm within proposed building and setback lines. Also, please confirm disposition of existing residence and septic system. Not clear. House and septic system appear to cross 3 property lines. Either remove house and septic system or redraw lot lines to preserve. To retain this house, redraw lot lines to ensure building lines meet code of ordinances and do not encroach or cross proposed lot lines and septic system must meet new lot line setbacks or Septic system must be abandoned according to TCEQ rules and regulations prior to subdivision approval to meet plat note number 1. Please submit an application for septic system modification with appropriate fee (tank abandonment) to begin this activity. While this house will no longer have an on-site wastewater system, it may not be occupied until connected to the city sewer system (provide evidence of application, plan and fee payment).The alternative is to apply for a demolition permit to remove the house and have the demolition complete prior to my approval and clearing this comment. | Still not clear.
3. Please include Tree/topo survey signed, dated and sealed by Registered Professional Surveyor within the last 3 years with all trees 3" or larger with submittal response. Submitted tree/topo survey did not include entire area of subdivision. Submitted survey did not appear to include trees 3-6 inches. Not clear. |Still not clear. Required survey not submitted..
4. Please provide tree/topo survey with existing and proposed site improvements (shared driveway) with proposed lot lines and easements. Not clear. See #3 . |Still not clear.

City of West Lake Hills

911 Westlake Drive

West Lake Hills, Texas 78746-4509



Linda Anthony, Mayor
City Councilmembers:
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Brian Plunkett
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Required survey not submitted.

5. Please provide tree removal list and mitigation plan for planned shared driveway. **Not clear.** Please revise tree removal totals to show total tree removal inches of trees 6 inches or more and less than 14 inches along with it's 75% mitigation calculation along with total tree removal inches of trees 14 inches or larger along with it's 150 % mitigation total and then the combined total for inches to be replaced. Trees 14 inches or larger may be removed by City Council variance. Please provide copy of City Council approval letter for all trees by tree number. . |Still not clear. Required survey not submitted.
6. Please provide tree protection plan for shared driveway. **Clear.**
7. Please provide erosion control plan for shared driveway. **Clear.**
8. Please provide independent Arborist's evaluation and report regarding oak trees on this property as to their condition regarding Oak Wilt. **Clear.**
9. Does property have water well? Please show on site plan and detail any plan for disposition. **Not clear. Please show appropriate well setbacks. .**
10. Add signature block for city Sanitarian as:

Sanitation Certification:

The lots shown on this preliminary subdivision plat are to be connected to the city sewer system in accordance with Note 1 shown hereon.

Registered Sanitarian

Date. **Not Clear...**

11. Please provide signature block for City Arborist. **Clear.**

This is a cursory review of above referenced project. Additional comments may be the result of responses received. Comments in red indicate comment status.



MEMO

Date: March 30, 2021

Robert C. Thompson, P.E.
Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, TX 78733



RE: Permit No. 16329 – 803 Westlake Drive Subdivision Application Review 3

The above-referenced plat was reviewed by the City. We are providing the following comments based on a cursory review of the submittal, additional comments may be generated upon the re-submittal:

1. Per Ordinance 55, Section 2(c) and Sec. 36.01.007(F)(iv), please show the centerline of existing watercourses and other similar drainage features as well as the 100-year floodplain limits.
1-R1) *The centerline and the 100-year floodplain limits have been added to the plat.*
1-C1) Cleared.
2. Per Ordinance 55, Section 5(b), please provide adjoining subdivisions or the names of owners of adjacent properties with the respective plat or deed reference including additional information for the properties across Westlake Drive.
2-R1) *The adjoining subdivision names and owners names with deed reference have been added for the surrounding properties.*
2-C1) Cleared.
3. Please show the proposed JUAЕ easement/make the line more visible on the concept map showing the JUAЕ driveway contained within the easement.
3-R1) *We've attempted to make the JUAЕ more clearly on the concept plan, including enlarging the scale. We hope that you find it sufficiently clear.*
3-C1) Cleared.
4. Per Code Sect 36.01.007(F)(vi), please provide the date of preparation.
4-R1) *The date of preparation has been added to the plat. Please see the bottom right of the first page.*
4-C1) Cleared.
5. Per Code Sec 36.01.007(F)(x), please provide a general drainage plan and ultimate destination of storm sewer, water, gas, electric and sanitary sewer connections.
5-R1) *We've embellished the concept plan to attempt to show the items request. But also, please see notes on the right side of both sheets of the proposed plan. Hopefully those notes clarify the plan. Note the gas, electric, telephone and cable are designed by the provider so we have no control of the location of those facilities.*
5-C1) Comment remains. Please provide additional information on how the increase flow from the impervious cover proposed in the JUAЕ will be mitigated and treated for water quality in compliance with TCEQ regulations.
5-R2) *The JUAЕ impervious cover is intended to be mitigated with the other impervious cover on the lot at the time of lot development. A note has been added to better clarify that intention;*

see note 5 added to the proposed concept sheets (bottom right). See also note 12 on the plat. No water quality treatment is expected to be required since the impervious cover is planned to be less than 20 percent but, should that not be the case, the treatment will likewise occur with lot development. A note to that affect has also been added to the concept plan; see note 6.

5-C2) Comment remains. Accommodations for the increased runoff need to be provided for the impervious cover proposed in the JUAЕ easement. Please provide location for the mitigation infrastructure and any necessary easement etc. necessary to accommodate such improvements or provide analysis showing no impact due to the increased impervious cover.

6. Per Code Sec 36.01.007(F)(xiv), please include a statement as to the degree of lot or unit clearing planned and methods for maximum preservation of trees and vegetation including percent of impervious cover anticipated.

6-R1) *We believe the requested note has been added. Please see note 22. The percentage of impervious cover is included on the proposed conditions concept plans; please see the far right.*

6-C1) Cleared.

7. Per Code Sec 36.01.007(F)(xvii), please provide a tree survey and topographic survey for the entire tract of land.

7-R1) *Please see the attached letter from Terry Irion as notes 16, 17, and 22 on the plat.*

7-C1) Cleared.

8. Per Code Sec 36.01.007(G), please include all applicable certifications.

8-R1) *We believe all the required certifications are now on the plat.*

8-C1) Cleared.

9. Per Code Sec 36.01.008, please provide all required information on the construction plans including, but not limited to drainage easements and associated detention ponds.

9-R1) *As discussed, we do not understand any construction plans to be required for this subdivision. All of the work will be private onside construction or basic taps and driveway connections, typical of home construction. We've improved the concept plans to better show the proposed improvements (including services) but are understanding that the construction plans will be provided with the building permits (for the first house or subsequent homes, depending on the needs of the home builder).*

9-C1) Cleared.

10. Per Section 2.1.1 of the City of West Lake Hills Drainage and Erosion Control Design Manual, a preliminary drainage plan is required with preliminary and final plats.

10-R1) *A drainage plan reflecting the computations for the floodplain are included. Each lot will provide its own drainage plan to mitigate for whatever imperious cover is added. A note to this affect has been added to the concept plan. Please see the right side of the proposed concept plan sheets.*

10-C1) Comment remains. Please show how the increased runoff due to the driveway will be mitigated.

10-R2) *Please see the response to comment 5-C1 above.*

10-C2) Comment remains. Accommodations for the increased runoff need to be provided for the impervious cover proposed in the JUAЕ easement. Please provide location for the mitigation infrastructure and any necessary easement etc. necessary to accommodate such

improvements or provide analysis showing no impact due to the increased impervious cover.

Review 2 Comments

1. Please remove the language allowing detention structures to be constructed in the conservation easement.

10-R3) *Please note that the conservation easement is a voluntary addition by the applicant to protect the steeper slopes on the property. It is not a requirement of any code. We have not removed the language given that the disturbance will be a one time, temporary event and we believe it will better allow for any detained run-off to maintain separation from any building foundation and will allow the wall to be more hidden, which we understand to be desired in Westlake. It is also not an unusual approach for Westlake; the same approach was taken in the Butler Cove subdivision (except that a single pond for all the lots was constructed in that case). Note that generally, any wall encroachment into the conservation easement is expected to only be on the order of 3 to 5 feet; further encroachment does not appear to be necessary with the single exception of Lot 5 where the topography shows a significant fold which is not aligned with the conservation easement boundary.*

1-C1) Comment remains. The conservation easement is required per code requirements.

Should you have any questions, please contact Director of Building & Development Services Anjali Naini at planner@westlakehills.org or by calling 512-327-3628. Please submit response letter and any revisions to planner@westlakehills.org.

To: Mayor and Council, Zoning and Planning Commission, City of West Lake Hills. Texas

From: Randy and Sherry Lee, #6 Rocky River Cove

Re: Consideration and Adoption Subdivision Application for 803 Westlake Drive, aka Moore Estates

Date: February 6, 2021

My wife Sherry and I are 30 year residents of West Lake Hills at 6 Rocky River Cove. We completely, thoughtfully and thoroughly object to the Proposed 7.785 acre subdivision application for an 8-lot single family subdivision under consideration by the City of West Lake Hills.

We and many of our neighbors are first concerned the approving of this subdivision plat will have an immediate and negative effect on the value of my property. The applicants assert they are grandfathered. See Mr. Irion's letter of November 17, 2020 where he states "The standards (established in 1972) are not consistent with current code and, as a result, supersede current subdivision and zoning standards where the latter are in conflict. This was discussed with both of you in the Chapter 245 Local Government Code determination process".

Has the City accepted the applicant's argument that the review and approval of the subdivision plat is grandfathered to the 1972 WLH subdivision regulations? Well this is only one attorney's opinion. I strongly object to his assertion. It needs to be proven in an open meeting and to us.

Is the applicant relying on the Contract, a "variance," or Ordinance Amendment 55B to claim grandfathering rights? Assuming the Contract to Convey Right of Way Deeds ("Contract") between the City and Doyle was legally enforceable in 1972, the City should narrowly construe the Contract to what the City actually agreed to-waiver of the one acre minimum lot size if right of way is dedicated to the City. I do not see any language in the Contract stating the 1972 subdivision regulations will be the only applicable regulations when reviewing a subdivision plat.

Also, I have not seen a "variance" document unique to the subject property. I have seen Ordinance 55B which amended the subdivision regulations for the entire city. It appears the City did not grant a variance but changed the general rule regarding the minimum lot size in the R-1 zoning district. All Mr. Moore bargained for was relieve from the one acre minimum lot size. Otherwise, all current zoning and subdivision regulations should be applied to the subdivision plat application.

In the early 1980's, a neighbor had a personal experience with the city denying and disregarding a "grandfather clause" when he built his house. So there is precedent with the city in denying grandfathers in practice.

Second, there is entirely too much density on lots like these, which are very steep and difficult to build on. Look on the topographic maps, and proof of this is found in answering the question: Why hasn't this property been developed sooner? Its been for sale for a very long period of time.

The second concern should be safety. There would be eight or (even four) new houses with 2 new driveways in less than a quarter mile on the busiest road in Westlake under the city's control and that is a main departure road for many fire trucks trips seems dangerous. I know this as each time a fire truck leaves and drives south at high speed down Westlake Drive, I hear them. Several times a day.

This is a policy decision the City needs to address, despite legal maximums for development for any parcel along that stretch of road.

Yes, there was an agreement and an ordinance adopted 48 years ago to possibly allow this to go forward at any time in the future, but given the facts of today's environment and density, allowing it to stand is wrong. Building and construction codes have changed, and as time goes by, circumstances have changed.

I know, as I sat on ZAPCO for a few years under Mayor Tom Taylor. We heard many applications for variances and one of the most sacred was adhering to the minimum lot size of one acre in the City. We denied many applications on this issue. One of the most ferocious and ardent hearings was the less than one acre building sites proposal at the Village of Westlake. It was denied and the developer resubmitted the site plan we all enjoy today.

In 1972, the initial owner gave several right of way deeds to the city in return for adoption of an indeterminate development lot size variance ordinance. Has the City ever even used these ROW grants? Or was this just a paper ploy to maximize value with smaller lots? And illegally bind future city councils?

Has anyone examined this property for its environment values and sensitivity? Or checked in with the Edwards Aquifer Recharge Authority? The Balcones Conservation (BCP) folks, Save Our Springs etc.?

I have and I've asked David Braun, a well-known and respected conservation attorney and scientist to provide you with his initial analysis. Letter attached February 10, 2021, David Braun to Randy Lee.

So to recap and conclude:

We, as residents of Westlake Hills Texas live here for a reason. We have invested in our community here because of its natural beauty; its quiet, natural & serene environment. (Well except for those of us living near the now expanded and loud Austin water treatment plant). We strongly object to the proposed subdivision approval at 803 Westlake Drive known as Moore Estates. Despite uncertain general agreements made over 48 years ago, allowing creation of 8 lots, 6 of which are less than one acre; this act would be a violation of the general city ordinance requiring lots to be a minimum of one acre. The expected value of our homes & property would be placed diminished. Hundreds of trees and green cover would be permanently removed. Noise and light pollution would be a result. The safety of the busiest street in Westlake would be in jeopardy with the addition of new driveways and many new trips per day entering Westlake drive. We petition and plead with city decision makers to not approve the application and study alternatives to this property's use. For example, If the petitioners donated the property to the city as a conservation wildlife protection area, they would enjoy a sizable tax benefit. And the future quality of life in our small city would be enhanced and preserved forever with this, one of the few, remaining greenbelt areas!

February 11, 2021 Since I originally drafted my comments, several things have occurred of significance to resolve the negative consequences of this project. Since I am always one to try and extract a win-win for everyone affected, I have enlisted Andy Sansom a resident of WLH up and off

Buckeye Trail, and he has agreed to find conservation dollars for purchasing property like this for conservation. Not a park, but property which will remain undeveloped and preserve the sensitive ecology and habitat. Andy has the highest credentials in the conservation world, being the former Executive Director of the Texas Parks and Wildlife and the Texas Nature Conservancy.

We have had a brief meeting with the applicants and without speaking for Dr. Moore, he seemed open to the idea of working together in creating the Doyle and Colleen Moore Memorial Conservation Area. What we need is time to begin the application process for funding through the Texas Parks and Wildlife Department and obtain funding from the Great American Outdoors Act recently passed by Congress and is now current law. We just need some time to make this a real possibility.

A Petition to:

Mayor, City Council and Zoning and Planning Commission
Westlake Hills Texas

Please Do not approve Subdivision Application & Find alternative 803 Westlake Dr!

We are residents of Westlake Hills Texas. We live here and have invested in our community here because of its natural beauty; its quiet, natural & serene environment. We strongly object to the proposed subdivision approval at 803 Westlake Drive known as Moore Estates. Despite uncertain general agreements made over 48 years ago, allowing creation of 8 lots, 6 of which are less than one acre; this act would be a violation of the city ordinance requiring lots to be a minimum of one acre. The expected value of our homes & property would be placed in jeopardy. Hundreds of trees and green cover would be permanently removed. Noise and light pollution would be a result. The safety of the busiest street in Westlake would be in jeopardy with the addition of many driveways. We petition and plead with city decision makers to not approve the application and study alternatives to this property's use. For example, If the petitioners donated the property to the city as a conservation wildlife protection area, they would enjoy a sizable tax benefit. And the future quality of life in our small city would be enhanced and preserved forever with this, one of few, remaining greenbelt areas!

Name	Address	Phone #	Signature
Doris Robitaille	806 Rocky River Rd.	512-413-1903	D Robitaille
Pammy M Lee	6 Rocky River Cv	512 619 3374	Pammy M. Lee
SHERY L Lee	6 Rocky River Cv	512 217 3374	Shermy Lee
Tom McMahon	8 Rocky River Cv.	512-924-9286	Tom McMahon
GEORGE TAYLOR	7 Rocky River Cv	512 691 6011	George Taylor

Name	Address	Phone #	Signature
Oliver Fanning	408 Rocky River	512-970-1537	Oliver Fanning
Tyler Fanning	"	"	Tyler Fanning

February 10, 2021

Mr. Randy Lee
6 Rocky River Cove
Austin, TX 78746

Dear Randy,

As you know my career has largely been built around creating and assessing conservation projects in Texas as an attorney and conservation scientist. I have worked for Texas Parks and Wildlife Department, lead The Nature Conservancy of Texas for seven years, co-founded and still manage Plateau Land & Wildlife after 23 years, and practiced conservation law for private landowners for the last 20 years. My comments below are my quick assessment of the 7.885-acre tract at 803 Westlake Drive, City of Westlake Hills, Texas aka "Moore Estates" as preserved natural area.

The watershed of Little Bee Creek is a critical water quality zone for Lake Austin. The majority of the watershed is known to be karst geologic formations which means that the local aquifers are likely being recharged by the creek. The undeveloped areas of the watershed are also identified as Golden-cheek Warbler (GCWA) habitat by the Balcones Canyonlands Habitat Plan (BCP). A fact that I have tentatively confirmed by inspection of aerial maps. Additional inspection on the ground between March and June could confirm the actual use of the property by the GCWA, and likely identify other sensitive environmental features. The Moore Estates tract is covered with a beautiful example of very old Hill Country woodlands, which is increasingly rare and very scenic.

BCP acquisition land already extends up the watershed from Lake Austin as far as Red Bud Trail. Adding the Moore Estate, and possibly other undeveloped land in the upper watershed to the already preserved BCP land, could prevent dense development on steep slopes of the watershed, and benefit the community with cleaner water, more wildlife and scenic views adding to the quality of life for the citizens of West Lake Hills.

I believe it may be possible to acquire the Moore Estates tract as a habitat preserve using Texas Parks and Wildlife grant money recently made available from the federal Great American Outdoors Act. Securing this grant, while providing the community with additional open space, wildlife habitat, and watershed protection, would have the added benefit of buffering the City of Westlake Hills water treatment plant from future residential uses on the south end of the property.

I encourage you to pursue this worthy project and would be happy to advise the neighborhood, the City of Westlake Hills, Travis County and other potential partners if you decide to move forward.

Sincerely,



David Braun
Attorney & Counselor

George & Johanna Peyton

7 Rocky River Cove
West Lake Hills, TX 78746
817-691-6011

Anjali Naini, City Planner Director
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746

February 11th, 2021

RE: 801 Westlake Drive; Moore Estates Subdivision

Dear Ms. Naini,

We are writing you to express our concern regarding, and arguments against, the proposed subdivision of the property at 801 Westlake Drive, known as the Moore Estates Subdivision. The proposed subdivision is situated directly behind our property and home. Our property will arguably be one of the most negatively impacted should the subdivision move forward.

Below are our arguments against the proposal:

- 1) While we have been residents of Austin since 2009, we moved to West Lake Hills and recently bought our current house in early 2019 precisely because of the beauty, privacy and natural greenspace behind it. West Lake Hills had already undergone tremendous growth, and we were confident that the City would adequately enforce building codes preserving the natural settings. In fact, we paid a premium to surrounding property sales in order to enjoy the privacy and natural beauty of this area, much of which is largely due to lack of development adjacent to our property. The windows from every room in our house look directly onto the proposed subdivision.
- 2) Due to the nature of the subdivision, the loss of natural views from our property, and the additional 4+ neighboring large houses directly viewable from our home, the property value of our house will be negatively impacted. The defining attribute of our home is its natural setting. Such a setting is why our property had multiple purchase offers when it was for sale, and is why we paid a premium to purchase the home. If the proposed subdivision and subsequent construction are allowed to proceed, that setting will change materially, and our property value will certainly decline relative to its worth currently.
- 3) The proposed subdivision and construction on the new lots will lead to years of burdensome noise and unsightly destruction of trees and hillsides. With the addition of 7+ lots behind our house, we and our neighbors will be exposed to incessant building sights and noises potentially for the next decade. I cannot imagine any member of the City Council electing to endure a similar experience on their own property.

- 4) The terrain is so steep and unsuitable for construction that the engineering work would lead to homes on stilts that stick out of the hillside, not homes that blend gently into the rolling landscape of West Lake Hills. Furthermore, there will undoubtedly be water drainage issues and environmental damages that cannot be rectified through the current city codes.
- 5) Traffic on Westlake Drive has increased considerably over the years. The addition of multiple new homes will lead to even more congestion on Westlake Drive, and will inevitably cause accidents as drivers are forced to slow down to allow entrance and egress from the proposed subdivision lots. We have three children, all of whom will be driving on Westlake Drive in a few short years.
- 6) Finally, there are viable alternatives that would conserve and protect the property for future generations. Greenspace is becoming increasingly important as the area becomes more fully developed. To that end, the City and several private foundations have funds in reserve for precisely these types of situations; causes that our family has generously supported over the years. As this property has been for sale in years past, I would suggest the applicant seek to divest it to a group whose interests are more aligned with those of greater West Lake Hills, rather than seek to monetarily exploit the natural environment that has led to the enjoyment and prosperity of so many local property owners.

We greatly appreciate the service performed by the City Planners and Council, and because of you we are thankful to call West Lake Hills home. Thank you for your consideration.

Regards,

George and Johanna Peyton

George and Johanna Peyton


Cell: 817-691-6011

Anjali Naini

From: Doris Robitaille [REDACTED] >
Sent: Saturday, January 9, 2021 7:44 AM
To: Anjali Naini
Subject: Concern Re: 803 Westlake Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Anjali,

I'm Doris Robitaille at [806 Rocky River Road](#). I have lived here since March 1995.

The [803 West Lake Dr.](#) Subdivision will be in my backyard. I wondered if you could share any information you know about the project. It looks like the request is for the one lot to be subdivided into nine lots some less than an acre. Of course if this is approved then those of us with multiple acres could also try subdividing for less than an acre since this would set a precedent.

I do have concerns about the clearance of trees, the increased traffic noise from Westlake Drive due to the removal of trees. Being in a canyon means echoing and amplification of sound.

I'm concerned about the rooftop sites and lights. This is an infringement of my right of peaceful habitation. My privacy will be affected if their rooftops or lights are seen from my home. You know we used to have dark skies before those newer houses were built and light pollution was allowed here in the canyon. You can say that you tell people to have light covers but it is very terraced back in the canyon. So if you are below a home then the light is casting down upon you all night long. Surely it is concerning to have eight or nine more homes creating traffic problems on West Lake Drive being that is a narrow road and pull outs can be tricky with Buckeye and surrounding streets.

You may be aware that I also share a fence with the City Of Austin Ullrich Water Treatment Plant. I have endured many problems neighboring them that the City of Westlake Hills is well aware of for decades. Currently their five year construction projects with seven variances have all been approved. I understand that the City of Westlake Hills would like to help its own residents but over the years has been inept at doing so in regards to COA Ullrich WTP. Since this Westlake Subdivision is within the jurisdiction of the City of Westlake Hills, I feel confident that you will be able to protect me and other residents within our city from this concerning project. Perhaps you could weigh in with your city residents and see if they would rather have that be a green space that the residents can enjoy and not

jeopardize traffic safety and peaceful living that those of us that moved out here almost 30 plus years came to enjoy. I'm sure you know the Balconylands Sanctuary abuts this creek area. I can only imagine the McMansions that will be built with many variance requests to come. There needs to be a decision about whether we are heading to Code Next in WLH.

Thank you for your consideration,
Doris Robitaille
806 Rocky River Rd



February 3, 2021

Via Electronic Communication

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

RE: Proposed Subdivision of 801 West Lake Drive

Dear Commissioners,

The Save Our Springs Alliance was recently contacted with concerns about the proposed subdivision of 801 West Lake Drive. The location of this project raises several environmental concerns. This is a heavily wooded lot with steep slopes, located along the banks of Bee Creek and within the Edwards Aquifer Recharge Zone. And, the area includes known habitat and breeding grounds for threatened and endangered species. What is built on this site and how the lots are configured could have a determinantal impact on some of our region's most sensitive environmental resources.

Based on prior cases that we have reviewed in this area, we are aware of several caves and other karst features in the immediate vicinity, so it is highly likely that this site, too, would have several critical environmental features located thereon that would merit permanent protection and/or enhanced treatment measures.

As you may be aware, the protection of karst features is important for both water quantity and water quality purposes. Providing buffer zones around the karst features helps filter out pollutants that result from urban development, and it also ensures a healthy flow of water to maintain critical water levels for the aquifer. Given the environmental sensitivity of this site, we encourage you to use your authority under West Lake City Code § 24.02.006 to request an environmental resource inventory prior to the approval of this subdivision, which would help determine the location of any critical environmental features and might help further guide where lot lines should be drawn. Under this section of the code, the Zoning and Platting Commission may:

“require the submission of a statement from an independent authority qualified in addressing a specific type of environmental concern indicating that the proposed structure and/or use will not constitute a detriment to the community with respect to that particular environmental concern.”

Austin's water watchdog since 1992

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We also urge you to consider reducing the number of lots that would be approved on this site. As mentioned above, this is a heavily wooded site with extremely steep slopes. Based on the configuration of the lots, aerials of the site, and how the lots relate to the topographic map submitted with this application, these lots are ill-suited for substantial development. Any development of these lots would require substantial amounts of cut & fill and a significant loss of tree canopy.

The maintenance of the tree canopy on this site is not only important for the species that depend on them, but they help discourage streambank erosion and help filter out contaminants in stormwater. By limiting the number of lots on this site, you could help reduce the economic pressures that will be placed on this site to remove these trees.

We also understand that the applicant is asserting vested rights in connection with a 1972 contract related to the dedication of certain city right of way. We strongly question the validity of that contract, as Texas law disfavors contract zoning and unlawful delegations of legislative authority. While we intend to continue to investigate this matter further, we encourage the City of West Lake Hills's legal counsel to advise the commissioners about the exercise of their discretionary legislative authority.

Feel free to give me a call should you have any questions concerning the above.

Many thanks,

Bobby Levinski
Attorney,
Save Our Springs Alliance
512-636-7649 (mobile)
[REDACTED]

Anjali Naini

From: Tim Olson [REDACTED] >
Sent: Tuesday, March 16, 2021 8:17 AM
To: Anjali Naini
Cc: Wm. Kevin Coleman; Ann Morris; Jeff Morris; Jack Downing
Subject: Comments on the subdivision application of 803 Westlake Drive

Hi, Anjali:

We, the residents of 901, 903, 905, and 907 Westlake Drive recently became aware of the extent of the subdivision plans of 803 Westlake Drive, shown in the revised plat entry (Exhibit K) of the proposal. We echo the concerns of our neighbors on Rocky River Cove as detailed in the public comments section (Exhibit Q).

Can we amend or add to the public comments of the application before the ZAPCO meeting on Wednesday, or is it too late to do so?

Thanks,

— Tim Olson
903 Westlake Drive

Anjali Naini

From: Tim Olson [REDACTED] >
Sent: Wednesday, March 17, 2021 10:23 AM
To: Anjali Naini
Cc: Wm. Kevin Coleman; Ann Morris; Jeff Morris; Jack Downing
Subject: Re: Comments on the subdivision application of 803 Westlake Drive

Follow Up Flag: Follow up
Flag Status: Flagged

> On Mar 16, 2021, at 6:01 PM, Anjali Naini <planner@westlakehills.gov> wrote:

>

> Hi Tim,

>

> If you have additional comments, please send them to me no later than 12:30pm tomorrow so I can forward them to the ZAPCO Commissioners. It is too late to add anything to the agenda packet.

Hi, Anjali — thank you for giving us the opportunity to add our comments.

The petition to not approve the subdivision, included in the public comments (exhibit Q), matches the concerns I have about the proposal, so I would like my name to be added to it.

In addition, the proposed revised plat (exhibit K) shows the property divided into 8 lots, most of which are less than 1 acre. Lots 5, 6, 7, and 8 are very narrow, constraining the building sites on the lots, and, in particular with lot 8, will likely force it to be very close to the existing boundary of my lot and the Morris'. This goes against the purpose of the larger lots that West Lake Hills requires, which is to give its residents ample green space to enjoy, without requiring fences for privacy.

— Tim Olson
903 Westlake Drive

Anjali Naini

From: Jack Downing <[REDACTED]>
Sent: Wednesday, March 17, 2021 11:04 AM
To: Anjali Naini
Cc: Ann Morris; Tim Olson; Wm. Kevin Coleman; Karen Downing [REDACTED]
Subject: Subdivision plan for 803 Westlake Drive

Mr. Naini:

We request that our names be added to the petition opposing the subdivision plan for 803 Westlake Drive.

Our home is very close to the property and would be severely impacted by the density and the degradation of the natural habitat that will result. There are regular inhabitants that include foxes, coyotes, skunks, raccoons, and rare ring tail cats, among other critters. We can't imagine the negative effect resulting from this disturbance and loss of wildlife habitat that will certainly result from this development. The subdivision will also have an adverse effect on the value of properties in the neighborhood for the reasons that other concerned citizens have already described.

Lastly, in regard to safety, there are many blind curves on WestLake Drive including one at our Brushy Bottom common entrance. Many times, we have narrowly avoided collisions while trying to exit the entrance. The proposed development to West Lake Drive is even more hazardous since there will be two entrances with two approaching curves, one in either direction.

We urge the Commission not to approve this proposal!

Thank you.

Jack and Karen Downing
905 Westlake Drive

Anjali Naini

From: Jeff Morris <[REDACTED]>
Sent: Wednesday, March 17, 2021 9:50 AM
To: Anjali Naini
Cc: Ann Morris [REDACTED]; Tim Olson; Jack Downing; Wm. Kevin Coleman
Subject: Subdivision application of 803 Westlake Drive

To Whom It May Concern:

My wife and I request that our names be added to the petition opposing the subdivision plan for 803 Westlake Drive. Our home is adjacent to the property and would be severely impacted by the density proposed. Please confirm receipt of this e-mail.

Thanks for your assistance.

Jeff and Ann Morris
907 Westlake Drive

Anjali Naini

From: [REDACTED]
Sent: Wednesday, March 17, 2021 12:47 PM
To: Anjali Naini
Cc: Jack Downing; Ann Morris; Tim Olson
Subject: Petition 803 Westlake Drive

Dear Mr Naomi,

I would like to have my name on the Petition for 803 Westlake Drive. I have lived next-door to this property since 1992. I am proud of Westlake Hills and all it stands for. The protection of trees is a great concern if this property is going to be over developed I would like to let all know that I want to be placed on the petition against it .

sincerely
Wm. Kevin Coleman
901 Westlake Drive
West Lake Hills , Texas. 78746
512 327 5566

Sent from my iPhone

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2705 BEE CAVE ROAD, SUITE 160
AUSTIN, TEXAS 78746

TELEPHONE (512) 476-6955

FACSIMILE (512) 476-1825

Writer's Direct Dial:
(512) 494-3135

Writer's e-mail address:
[REDACTED]

March 17, 2021

Via email only planner@westlakehills.org

Anjali Naini, City Planner Director
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746

Re: 801 Westlake Drive; Moore Estates Subdivision ("Plat Application") of 8.423 Acres
("Property"); Chapter 245, Texas Local Government Code

Dear Ms. Naini;

This firm represents Randy Lee and George Payton with respect to the above referenced pending subdivision plat application. Our clients asked me to review and comment on the Plat Application as well as the applicants' claims that the pending subdivision application as well as all other City permits required for the development of property have vested rights to be reviewed and approved under 1972 City regulations.

City staff denied the applicants' request to grandfather the development of the Property to 1972 City regulations, as stated in your September 23, 2020 letter to Mr. Irion ("Denial Letter"). Nonetheless, the proposed Plat contains multiple statements that would create new grandfathering rights for the Property under the Texas Vested Rights statute, Chapter 245, Texas Local Government Code ("Chapter 245").

Proposed Plat

The subdivision dedication statement on the proposed plat is unusual because it includes two recital statements ("Recitals"). Section 212.004(b), Texas Local Government Code sets out the information that must be included on a plat, including the contents of the dedication statement: the names of the owner, identification of the deeds to the owners, a general description of the land, acreage of the land being subdivided, and a statement dedicating roads and easements shown on the plat to the public. The first Recital states the title history of the Property.

The second Recital merely restates applicants' claim to Vested Rights to 1972 regulations, as stated in Mr. Irion's letters dated August 26, 2020 and September 9, 2020

The second recital states:

“WHEREAS, in consideration of the conveyance of certain right-of-way deeds to the City of West Lake Hills for the widening and improvement of Westlake Drive, the City of West Lake Hills, City Council passed and adopted Ordinance No. 55B (1) approving the division of said Property containing 7.875 acres of land more or less (2) *after the conveyance of said right of way deeds* into eight single family residential lots (3) with variances to build a single family home on each lot (4) in accordance with then applicable building and zoning regulations.” (Numbering added for clarity).

The second recital contains statements that either conflict with the findings of the Denial Letter or are not supported by the documentary evidence the City provided to Mr. Lee pursuant to his Public Information Request for all documents relating to the Plat Application. For the reasons provided below, the second Recital should be deleted.

Ordinance No. 55B makes no reference to the Moore Property, and, therefore, could not possibly approve “the division of said Property containing 7.875 acres” into eight single-family residential lots. The assertion Ordinance No. 55B approved the division of the land is contradicted by Section 1 of Ordinance No. 55B which clearly states that the division of land into two or more parts requires a subdivision plat approved by the City Council. It is my understanding the City has no records of any applications (subdivision or otherwise) relating to the Property except for the Plat Application.

The dates of the pertinent documents do not support the narrative that the City guaranteed eight single- family lots in exchange for the donation of land for Westlake Dr. Mr. Doyle Moore and the City executed a Contract to Convey Right of Way Deed on October 24, 1972 (“Contract”).

Under the Contract, the City had to deliver to Mr. Moore a “written Variance” before Mr. Moore would be obligated to deliver the Right-of Way deeds to the City:

“[Moore] will deliver to the [City] the aforesaid Right-of-Way Deeds which are attached hereto and expressly made a part hereof and marked as Exhibits “A” and “B” if, as and when, the [City] delivers to [Moore] **a written Variance from the restriction of building a house on less than One (1) acre with the Variance to include authorization to [Moore] to build homes on each of the aforesaid Eight (8) One (1) acre tracts** less the amount of land which is being given to the [City] by the delivery of the aforesaid Right-of-Way Deeds attached hereto.” (Emphasis added)

One Right-of-Way deed was executed on October 24, 1972 and the other was executed on October 26, 1972. Both deeds were recorded on November 1, 1972. So far, I have not seen any documentary evidence that the City ever granted or delivered a “written Variance,” as described in the Contract. The City adopted Ordinance No. 55B on November 7, 1972.

The adoption of Ordinance No. 55B is a legislative action applicable to all land within the City’s zoning jurisdiction. Have the applicants provided any citation to Texas statutory law or

case law recognizing or upholding that the adoption of an amendment to a city code can be consideration for a contract? How is the alleged contract for granting a variance different than, prohibition of contract zoning?

Ordinance No. 55B does not grant any variances, authorize the granting of any variances or even contain the word “variance.” The caption to Ordinance No. 55B states the ordinance amends the City’s **subdivision regulations** by “defining the status of lots, tracts, or parcels of land reduced to less than the one acre minimum lot size by certain dedications or condemnations of a portion of such lots, tracts, or parcels for widening existing public streets or highways.”

There is no language in Ordinance No. 55B or the Contract regarding “variances to build a single family home on each lot in accordance with then applicable building and zoning regulations.” If the second Recital is not deleted before approval, then the Property is grandfathered to 1972 zoning, development, and subdivision regulation.

The dedication statement also includes a reference to Ordinance No. 55B. Based on staff review comments, the City is applying current City Code requirements to the Plat Application. The reference to Ordinance No. 55B in the dedication statement should be deleted because it is not an accurate statement of applicable City subdivision regulations.

The second recital is a bootstrap attempt to create Vested Rights pursuant to Chapter 245, Texas Local Government Code (“Chapter 245”). Likewise, the second sentence of Plat Note 13 would also create Vesting Rights under Chapter 245: “The project initiation date for the development of these Lots is October 24, 1972.” The second recital and the second sentence of Plat Note 13 would negate the City’s determination of no Chapter 245 vested rights, as set forth in your September 23, 2020 letter to Mr. Irion.

City staff made the correct decision to deny recognition of the claimed Vested Rights, as explained in your September 23, 2020 letter to Mr. Irion. No project, as defined by Chapter 245, was initiated in 1972. Even if a project had been initiated in 1972, that project would have expired years ago under Section 245.005 (Dormant Projects). Given the City’s decision to not recognize vested rights to 1972 regulations, I do not understand why staff has not required the deletion of the second Recital, the reference to Ordinance No 55B in the dedication statement, the second sentence of Plat Note 13, and the reference to Ordinance No. 55B in Plat Note 15. If the statements and plat notes described in the preceding remain on the recorded plat, then the applicants and future lot owners could make vested rights arguments under Section 245.002(d), Texas Local Government Code (“...a permit holder may take advantage of recorded subdivision plat notes, ...”).

I generally agree with the February 17, 2021 Staff Report, however, I disagree with the following statements:

1. a variance was approved in 1972 (unless documentary evidence of this variance is made public);

2. 1972 lot size regulations apply to the subdivision plat. Since the plat is now subdividing 8.423 acres, the subdivision should be able to comply with the current one acre requirement; and
3. 1972 density regulations apply to the plat. I understand the term “density” to refer to houses rather than lots. Is that correct?

If the City is going to enforce regulations in effect on the date of submitting the present subdivision application, then a plat note stating such should be added. The mish-mash of ordinances and project dates appearing on the proposed plat will confuse consumers and result in a multitude a variance requests to allow construction of houses proportionate to the price of the lots.

Please distribute this letter to members of the Commission.

Also, I intend to speak at tonight’s public hearing

Please let me know if you have any questions.

Very truly yours,

SNEED, VINE & PERRY,
A PROFESSIONAL CORPORATION

By: 
Robert J. Kleeman

RJK/mb

Cc: Randy Lee
George Payton
Terry Irion