

ORDINANCE NO. 22-06-16-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP FOR APPROXIMATELY 295.9 ACRES OF THE EXISTING PLANNED DEVELOPMENT DISTRICT (PDD) KNOWN AS THE “FALLS AT LAKE TRAVIS” AND TO ADD APPROXIMATELY 190.9 ACRES CURRENTLY IN THE TR-1 (“TEMPORARY RESTRICTED”) ZONING TO THAT APPROVAL THAT INCLUDES A NEW CONCEPT AND DETAIL PLAN MODIFYING THE USES AND DEVELOPMENT STANDARDS FOR THAT PROPERTY, A TOTAL OF APPROXIMATELY 486.882 ACRES OF THE B.F. COX SURVEY 740, ABSTRACT NUMBER 207; AND PROVIDING FOR RELATED MANNERS.

WHEREAS, Lake Travis Group II, Ltd., acting by and through their authorized representative David Winn, the owner of approximately 486.882 acres of land in the B.F. Cox Survey 740, Abstract Number 207, Travis County, Texas, as more particularly described on the attached Exhibit “A” (described hereinafter as the “Property”), have requested that the Property be zoned as a an amended and expanded Planned Development District (PDD) that will continue to be knowns the “Falls at Lake Travis Planned Development District” (PDD); and

WHEREAS, the Property currently resides within the corporate limits of the City of Lago Vista;

WHEREAS, the conceptual plan for the Property is set forth in this “Falls at Lake Travis Planned Development District” (PDD) zoning ordinance (the “Ordinance”) and in Exhibit “B” attached hereto (the “Concept and Detail Plans”), which designates the land use for the Property as further described in Section 5 below;

WHEREAS, after giving ten (10) days written notice to the owners of land in and within 200-feet of the area being rezoned, as well as having published notice to the public at least fifteen (15) days prior to the date of such hearings, the Planning and Zoning Commission and City Council each held separate public hearings on the proposed rezoning of the Property included in this Ordinance; and

WHEREAS, the Planning and Zoning Commission at its public hearing held on June 9, 2022 and the City Council at its public hearings held on June 16, 2022, have both reviewed the request and the circumstances of the Property, and find that a substantial change in the circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired; and

WHEREAS, the City, by and through its legislative discretion, has adopted a comprehensive plan for the City of Lago Vista, and having considered and reviewed such comprehensive plan, the City Council finds the rezoning approved herein is consistent with the comprehensive plan which shall not be interpreted as inconsistent with this rezoning; and

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the Property, protect third party property owners in the City, and to ensure the benefits of planned development and an enhanced tax base that are achieved through rezoning the Property; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Lago Vista to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Planning and Zoning Commission and City Council find that this Ordinance satisfies the requirements of Section 10 except as specifically noted herein, and Section 13 of the City of Lago Vista Zoning Ordinance, codified under Ordinance No. 98-04-27-03, as amended (the "Zoning Code").

Section 2. Enactment. The Zoning Code and other applicable ordinances are hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Code is hereby amended by zoning the Property being the 486.882-acre tract of land described on Exhibit "A" attached to this Ordinance, as a Planned Development (PDD) zoning district. The Property is hereby zoned as the "Falls at Lake Travis Planned Development District" (PDD) with the uses of individual land areas as set forth in this Ordinance.

Section 4. Amendment of Applicable Zoning Ordinances. The zoning requirements established in this Ordinance shall apply to the Property. The comprehensive zoning requirements of the Zoning Code and all other applicable ordinances, as they may be amended by this Ordinance, shall apply to the Property. Should any conflict appear between the requirements of the zoning and development ordinances of the City of Lago Vista as compared with the requirements for the Property set forth in this Ordinance, the requirements set forth in this Ordinance shall control.

Section 5. Zoning Requirements. The Property shown on Exhibit "B" (the "PDD Map") shall be developed for uses permitted in this PDD Development Plan, pursuant to approved Site Development Plans, Construction Plans and Final Plats. A phase or section may

have a mix of uses as provided in this PDD Development Plan, provided the areas in which each such use is permitted in a phase or section and the relationship of each separate use or occupancy to a different use or occupancy includes appropriate setbacks or buffers between commercial resort structures and multifamily uses and areas to be developed for single family, attached single family and townhouse occupancies.

1. Zoning. This Planned Development District includes the PDD Concept and Detail Plans attached hereto and made a part hereof for all purposes.
 - A. The Park Area shown on the PDD Concept and Detail Plan shall be dedicated to the City of Lago Vista at the time that it is platted. The Park Area may be developed as P1-B base zoning with the development standards set forth on the PDD Map, and with up to 1 acre designated for utilities and utility infrastructure, including water tower use, subject to City-approved design and safety barrier.
 - B. The Residential Area shown on the PDD Concept and Detail Plan may be developed as residential in accordance with the R1-T base zoning district except as otherwise specified herein, including the PDD Concept and Detail Plan. The following additional use shall be permitted in the Residential Area: townhome residential units; however, (i) no more than 200 townhome residential dwelling units may be built within the Residential Area and (ii) no single family lots may share a property line with a lot that includes townhome residential units.
 - C. The Commercial Resort/Mixed Use Area shown on the PDD Concept and Detail Plan may be developed in accordance with the requirements for the Commercial Resort zoning district except as otherwise specified herein, including the PDD Concept and Detail Plan. The following additional uses shall be permitted in the Commercial Resort/Mixed Use Area: dwelling-single family residential units, dwelling-two-family residential units, townhome residential units, condominiums, hotel, helistop, apartments, multifamily units, assisted living, community home, convalescent home/nursing home, family home facility, structured parking, private marinas and recreational vehicle and boat storage or service facilities, and resort structures and support facilities. The following-uses will also be permitted; however, the total square footage of the space for these uses shall be limited to a total of no more than 30,000 square feet: bakery; barber/beauty shop; book/stationery shop; clothing store-men's and/or women's; drug store, soda fountain, tobacco, candy shops; florist; jewelry; optical goods; photo studio; retail store-general; studio-artist; studio-dance; studio-health; and studio-music.
 - D. Within the Residential Area and the Commercial Resort/Mixed Use Area, the following uses are allowed: amenity centers with swimming pools, tennis courts, basketball courts, baseball and soccer play fields, decks, parking trailhead facilities and other similar support facilities. Buildings and other

improvements (swimming pools, tennis courts, basketball courts, baseball and soccer play fields, decks, parking, public parks, and trailhead facilities) within an amenity center(s), shall comply with the development standards of the “P-1B” zoning district unless specifically otherwise modified herein. Drainage areas, open space and other environmentally sensitive areas shall comply with the development standards of the “P-2” zoning district unless specifically otherwise modified herein.

2. The City of Lago Vista shall have a public safety easement over all private streets and roadways which easements shall be described in subdivision plat or separate easement recorded in the Official Public Records of Travis County, Texas.
3. Each developed lot within this PDD shall be served by the City of Lago Vista water and wastewater utility services. Wastewater utilities located within the Property, after acceptance of the wastewater system within the phase, are public utilities up to the point of connection to each lot’s lot line. Water utilities, after acceptance of the water system within the phase, are part of the public system up to the point of connection to a private service meter.
4. All construction plans and site development plans must comply with the Lago Vista drainage and erosion control requirements including, but limited to the Highland Lakes Watershed Ordinance and City water quality regulations in effect on the date of each application unless specifically otherwise provided for herein.
5. A maximum of 50 percent impervious coverage may exist on any detached single-family residential lot, except as otherwise specified on the approved final plat. However, in no case shall an approved final plat include cumulative impervious coverage within all detached single-family residential lots that exceeds 50 percent.
6. No single-family detached residence shall be constructed with less than 1,600 square feet of conditioned living area. No townhome or condominium unit shall be less than 900 square feet of conditioned living area. No apartment unit shall be less than 650 square feet of conditioned living area.
7. The maximum building height on any single family residential lot or for a single-family dwelling or townhouse shall be thirty-five feet (35') above the highest point on the lot and shall not include more than three full floor levels.
8. Townhome development shall be restricted to a maximum of 60 percent impervious cover limit within any specific fee-simple lot. However, the total area for townhomes, including open space shall be limited to a maximum of 25 percent impervious cover limit, as indicated on the PDD Concept and Detail Plan.
9. The maximum building height for amenity center buildings shall not exceed two full floor levels or a maximum of forty feet (40') above the highest point on the lot.
10. The maximum building height for all other uses, including but not limited to, hotel, condominium, or apartment uses is seventy-five feet (75') above the highest point

on the lot and in accordance with International Building Code and Fire Code provisions.

11. The open space requirement can be met based on the Property as a whole, along with any additional adjacent property within the same subdivision that is zoned appropriately for open space.
12. Areas designated as open space may include, but are not limited to:
 - A. Natural and undeveloped areas, landscaped areas, swimming pools, pool decks, plazas, patios, open air gathering places, multi-use trails, and detention or water quality facilities designed and maintained as an amenity; and
 - B. All yards, including courtyards and back/front yards, and other areas located within or surrounding any building or dwelling unit that are open and unobstructed from the surface to the sky (See Page 4 of **Exhibit “B”**).
13. The required minimum setbacks specified in the Lago Vista zoning ordinance shall remain applicable except that the required minimum rear yard setback shall be reduced to 10 feet when the rear property line of a lot is immediately adjacent to:
 - A. a greenbelt owned and operated by the Home Owners Association that does not serve as a buffer for the benefit of property at the perimeter of this development with an elevation of 681 feet above mean sea level (MSL) or higher, and
 - B. open space or required setback from Lake Travis.
14. In accordance with the Highland Lakes Watershed Ordinance and local ordinance, no storm water detention will be required when conveyance to Lake Travis is demonstrated. The Developer will comply with LCRA rules and regulations concerning water quality facilities.
15. **Traffic Analysis.**
 - A. The Developer has provided the City with a Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc. and dated November 4, 2021 that identifies certain on-site and adjacent off-site improvements, including the location of the primary access to the Property (from Lohman Ford Road), with secondary access provided on Sylvester Ford Road. This TIA indicates that the primary access on Lohman Ford Road should be developed with separate exiting, or westbound, left and right-turn lanes. The Developer shall fund one hundred percent of the costs of designing, engineering and constructing the recommended improvements outlined in this TIA.
 - B. However, the Developer is also responsible for completing an additional TIA subject to the joint approval of the City and Travis County. This study will include off-site improvements as determined by the City and Travis County

to ensure that the existing level of service is maintained. The Developer shall fund the costs of designing, engineering and constructing the recommended improvements determined to be their proportionate responsibility as determined in this subsequent TIA to be approved by the City and Travis County.

- C. If the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in either TIA, then a site development plan, subdivision construction plan or building permit for the property shall not be approved, released, or issued. In this case, the Developer shall amend the TIA to reflect the updated increase in traffic and shall be responsible for all proportionate costs of improvements. The amended TIA requires the approval of both the City and Travis County.
- 16. Pursuant to approval by the City during review of subdivision construction plans, site development plans or building permit applications, partially porous pavement systems may be utilized for required parking and paving. They will not be considered an impervious surface beyond the documented specifications of the manufacturer. Subject to this prior-approval by the City, the types of partially porous pavement systems acceptable for pedestrian and vehicular traffic may include:
 - A. Open-jointed block pavement, permeable interlocking concrete pavement (PICP) or concrete grid pavement (CGP): These systems consist of high strength concrete units that are separated by open or stone-filled joints that allow stormwater to infiltrate. The concrete units are laid on an open graded, single -sized granular base.
 - B. Porous asphalt (PA): This system consists of regular bituminous asphalt in which the fines have been screened and reduced, creating void spaces and making it permeable. Permeable friction course (PFC) is a porous asphalt overlay placed over an impervious cover surface.
- 17. Phasing. The Property is subject to a Development Agreement, Document No. 2022090370 recorded in the Official Public Records of Travis County, Texas (“Development Agreement”). The Development Agreement includes the phasing of development based upon a certain number of LUEs that can be utilized in any given year. See Paragraph 5.01 of the Development Agreement. This phasing is hereby incorporated into the zoning ordinance by reference as if attached hereto.
- 18. The appropriate departments of the City, the Planning & Zoning Commission and the City Council hereby find and agree that this Ordinance and the development described herein complies with and satisfies the requirements of Section 10.20 and 13.20 of the Zoning Ordinance and the Comprehensive Plan of the City of Lago Vista, except as follows:

- A. The City Council specifically waives the requirement to provide design drawings of the proposed buildings within the Commercial Resort / Mixed Use Area that includes building elevations for review for compliance with Section 6.105(d)(5) of the zoning ordinance and instead delegates this responsibility to the Planning and Zoning Commission using the procedures outlined in Section 6.105(b)(2).
- B. A change to the Commercial Resort / Mixed Use Area that substitutes approved uses for any of the currently indicated uses shall nonetheless be required to seek an amended concept and detail plan approval in accordance with Section 10.60 of the zoning ordinance.

Section 6. Repealer. The Zoning Ordinance and all other applicable portions of the Lago Vista Code of Ordinances are amended as required to incorporate the “Falls at Lake Travis Planned Development District” (PDD) as described herein. Any portion of the Zoning Ordinance, Comprehensive Plan or any applicable ordinance in conflict with this Ordinance is hereby repealed or amended to the extent of such conflict only.

Section 7. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

Section 8. Penalty. Any person, firm or corporation violating any of the provisions or terms of this Ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances, Section 1.109 General Penalty for Violations of Code; Continuing Violations of the City of Lago Vista, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

Section 9. Publication Clause. The City Secretary of the City of Lago Vista is hereby directed to publish in the Official Newspaper of the City of Lago Vista the Caption, and Effective Date Clause of this Ordinance as required by Section 52.013 of the *Texas Local Government Code*.

Section 10. Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below in accordance with the provisions of the *Texas Local Government Code* and the City’s Charter.

Section 12. Change of Zoning Map. The City Manager is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Lago Vista, Texas.

Section 13. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Local Government Code*.

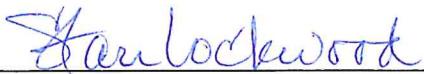
AND, IT IS SO ORDERED.

PASSED AND APPROVED this 16th day of June, 2022.



Kevin Sullivan, Mayor Pro Tem

ATTEST:



Starr Lockwood, Assistant City Secretary



On a motion by Councilman Gage Hunt, seconded by Councilman Paul Prince, the above and foregoing ordinance was passed and approved.

EXHIBIT "A"

Legal Description

**486.882 ACRES
METES AND BOUNDS DESCRIPTION**

Being 486.882 acres of land situated approximately 16.4 miles west-northwest of the City of Austin in the Consolidated El Paso Irrigation and Manufacturing Company Survey No. 173 (Abstract No. 2191), R. G. Wallace Survey No. 66 (Abstract No. 2138), Benjamin Cox Survey No. 740 (Abstract No. 207), John S. Watson Survey (Abstract No. 2262), and the Samuel Pierson Survey No. 523 (Abstract No. 620) in Travis County, Texas, and being a part or all of three separate parent tracts (315.428 acres, 194.920 acres, and 3.786 acres) described in the following deeds:

- 1) a part of that called 315.428 acre tract described as Tract 3 in a Warranty Deed with Vendor's Lien from DSDBL, Ltd. to Lake Travis Group, II, Ltd., dated April 20, 2001, recorded in Document No. 2001060967 of the Travis County Official Public Records
- 2) a part of that called 194.920 acre tract and all of that called 3.786 acre tract described as Tract Two in a Cash Warranty Deed from David L. Winn and Leslie A. Winn to Lake Travis Group, II, Ltd., dated October 27, 2008, recorded in Document No. 2008181760 of the Travis County Official Public Records

All deed references herein are to said Travis County Official Public Records unless otherwise noted. Metes and bounds description of said 486.882 acres is as follows:

COMMENCING at a $\frac{1}{2}$ " iron rod found for the West corner of said 315.428 acre tract, same being in the easterly margin of a public road (Lohman Ford Road) and the northwest corner of the Plainsman Enterprises, Inc. 63.797 acre tract (Document No. 2005066229), thence as follows:

North 04° 53' 39" East (called North 06° 09' 05" East) with said easterly margin of Lohman Ford Road and with a westerly line of said 315.428 acre tract, a distance of 64.68 feet (called 64.69 feet) to a $\frac{1}{2}$ " iron rod found for angle corner

and North 01° 50' 37" East (called North 03° 04' 31" East) with said easterly margin of Lohman Ford Road and with another westerly line of said 315.428 acre tract, a distance of 688.05 feet to the West corner of said 486.882 acres, same being the westerly northwest corner of the Existing PDD Open Space 19.420 acre tract and the **POINT OF BEGINNING**;

THENCE continuing with said easterly margin of Lohman Ford Road and with the westerly lines of said 315.428 acre tract the following eleven (11) courses:

- 1) North 01° 50' 37" East (called North 03° 04' 31" East), a distance of 3.75 feet to a $\frac{1}{2}$ " iron rod found for angle corner

- 2) North $01^{\circ} 42' 54''$ East (called North $02^{\circ} 56' 25''$ East), a distance of 411.30 feet (called 411.20 feet) to a $\frac{1}{2}$ " iron rod found for angle corner
- 3) North $00^{\circ} 44' 53''$ West (called North $00^{\circ} 28' 41''$ East), a distance of 303.58 feet (called 303.56 feet) to a $\frac{1}{2}$ " iron rod with plastic cap stamped "ACCUTEX SS RPLS-3991" found for angle corner
- 4) North $24^{\circ} 12' 18''$ East (called North $25^{\circ} 25' 02''$ East), a distance of 203.36 feet (called 203.4 feet) to a stump of an old fence post for angle corner
- 5) North $45^{\circ} 51' 05''$ East (called North $47^{\circ} 05' 45''$ East), a distance of 251.57 feet (called 251.6 feet) to a 60d nail in washer found for angle corner
- 6) North $39^{\circ} 32' 30''$ East (called North $40^{\circ} 51' 03''$ East), a distance of 295.44 feet (called 295.7 feet) to a 24" diameter cedar tree found for angle corner
- 7) North $31^{\circ} 11' 56''$ East (called North $32^{\circ} 19' 16''$ East), a distance of 227.33 feet (called 227.1 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 8) North $35^{\circ} 02' 22''$ East (called North $36^{\circ} 15' 57''$ East), a distance of 133.43 feet (called 133.5 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 9) North $35^{\circ} 23' 23''$ East (called North $36^{\circ} 36' 29''$ East), a distance of 240.40 feet (called 240.3 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 10) North $30^{\circ} 23' 47''$ East (called North $31^{\circ} 38' 12''$ East), a distance of 286.85 feet (called 286.9 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 11) North $33^{\circ} 24' 24''$ East (called North $34^{\circ} 36' 24''$ East), a distance of 91.50 feet to a $\frac{1}{2}$ " iron rod found for the northwest corner of said 315.428 acre tract, same being at the intersection of said easterly margin of Lohman Ford Road and the southerly margin of a second public road (Sylvester Ford Road) and the northwest corner of said 486.882 acres;

THENCE with said southerly margin of Sylvester Ford Road and with the northerly lines of said 315.428 acre tract the following courses:

- 1) South $67^{\circ} 21' 30''$ East (called South $66^{\circ} 07' 00''$ East), a distance of 451.60 feet (called 451.69 feet) to a $\frac{1}{2}$ " iron rod found for angle corner
- 2) with a circular curve to the right, whose radius is 686.78 feet, whose central angle is $20^{\circ} 42' 59''$, whose long chord bears South $57^{\circ} 01' 05''$ East 246.97 feet (called South $55^{\circ} 47' 02''$ East 246.81 feet), an arc distance of 248.32 feet to a $\frac{1}{2}$ " iron rod found for angle corner
- 3) with a circular curve to the left, whose radius is 984.88 feet, whose central angle is $18^{\circ} 58' 01''$, whose long chord bears South $56^{\circ} 08' 36''$ East 324.54 feet (called

South 54° 55' 05" East 324.51 feet), an arc distance of 326.03 feet to a 1/2" iron rod found for angle corner

- 4) South 65° 38' 26" East (called South 64° 24' 28" East), a distance of 77.40 feet (called 77.46 feet) to a 1/2" iron rod found for angle corner
- 5) with a circular curve to the left, whose radius is 508.34 feet, whose central angle is 37° 09' 36", whose long chord bears South 84° 12' 09" East 323.94 feet (called South 82° 58' 43" East 323.89 feet), an arc distance of 329.69 feet to a 1/2" iron rod found for angle corner
- 6) North 77° 13' 58" East (called North 78° 26' 40" East), a distance of 100.06 feet (called 100.10 feet) to a 1/2" iron rod found for angle corner
- 7) with a circular curve to the right, whose radius is 686.78 feet, whose central angle is 07° 00' 36", whose long chord bears North 80° 45' 43" East 83.97 feet (called North 82° 00' 30" East 83.95 feet), an arc distance of 84.03 feet to the northwest corner of the Luther W. Simpson, et al, as Trustees of the Simpson Family Cemetery 0.8418 of an acre tract (Volume 9649, Page 869 of the Travis County Deed Records), same being a northerly corner of said 315.428 acre tract and a northerly corner of said 486.882 acres, from which a 5/8" iron rod found for reference bears South 19° 44' 38" East 0.28 of a foot;

THENCE South 19° 44' 38" East (called South 18° 30' 40" East) with a line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract and leaving said Sylvester Ford Road, a distance of 194.86 feet (called 194.85 feet) to a 1/2" iron rod found for the southwest corner of said Simpson 0.8418 of an acre tract, same being an interior northerly corner of said 315.428 acre tract and said 486.882 acres;

THENCE North 74° 40' 12" East (called North 75° 55' 07" East) with a second line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract, a distance of 222.45 feet (called 222.57 feet) to a 5/8" iron rod found for the southeast corner of said Simpson 0.8418 of an acre tract, same being another interior northerly corner of said 315.428 acre tract and said 486.882 acres;

THENCE North 13° 40' 10" West (called North 12° 27' 28" West) with a third line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract, a distance of 114.33 feet (called 114.65 feet) to a 1/2" iron rod found for the northeast corner of said Simpson 0.8418 of an acre tract, same being another northerly corner of said 315.428 acre tract and said 486.882 acres and in said southerly margin of Sylvester Ford Road;

THENCE with said southerly margin and southwesterly margin of Sylvester Ford Road and with the northerly and northeasterly lines of said 315.428 acre tract the following courses:

- 1) with a circular curve to the left, whose radius is 1,031.75 feet, whose central angle is 06° 01' 09", whose long chord bears South 88° 57' 08" East 108.34 feet

(called South 87° 36' 01" East 108.28 feet), an arc distance of 108.39 feet to a 1/2" iron rod found for angle corner

- 2) North 88° 19' 29" East (called North 89° 33' 26" East), a distance of 388.19 feet (called 388.40 feet) to a 3" diameter steel fence corner found for angle corner
- 3) with a circular curve to the right, whose radius is 925.37 feet, whose central angle is 20° 08' 43", whose long chord bears South 81° 56' 25" East 323.69 feet (called South 82° 42' 42" East 323.69 feet), an arc distance of 325.36 feet to a 3" diameter steel fence corner found for angle corner
- 4) South 71° 52' 03" East (called South 70° 38' 20" East), a distance of 112.00 feet (called 112.00 feet) to a 3" diameter steel fence corner found for angle corner
- 5) with a circular curve to the right, whose radius is 411.68 feet, whose central angle is 21° 50' 01", whose long chord bears South 60° 57' 03" East 155.93 feet (called South 59° 43' 20" East 155.93 feet), an arc distance of 156.88 feet to a 3" diameter steel fence corner found for angle corner
- 6) with a circular curve to the right, whose radius is 252.06 feet, whose central angle is 29° 48' 04", whose long chord bears South 35° 08' 03" East 129.63 feet (called South 33° 54' 20" East 129.63 feet), an arc distance of 131.10 feet to a 3" diameter steel fence corner found for angle corner
- 7) South 20° 14' 03" East (called South 19° 00' 20" East), a distance of 245.12 feet to a 3" diameter steel fence corner found for angle corner
- 8) with a circular curve to the left, whose radius is 603.69 feet, whose central angle is 32° 35' 35", whose long chord bears South 36° 00' 16" East 338.80 feet (called South 34° 46' 33" East 338.80 feet), an arc distance of 343.41 feet to a 3" diameter steel fence corner found for angle corner
- 9) South 52° 20' 42" East (called South 51° 05' 21" East), a distance of 53.88 feet (called 53.66 feet) to an "X" chiseled in the concrete footing of a fence corner for the northerly northeast corner of said 3.786 acre tract, same being the northeast corner of said 315.428 acre tract and another angle corner in a northeasterly line of said 486.882 acres;

THENCE South 52° 18' 14" East (called South 51° 05' 21" East) with said southwesterly margin of Sylvester Ford Road and with the North line of said 3.786 acre tract, a distance of 101.25 feet to the easterly northeast corner of said 3.786 acre tract, same being the North corner of the Gary T. Anderson and Lois Anderson 37.753 acre tract (Volume 12189, Page 2063 of the Travis County Real Property Records) and the northeast corner of said 486.882 acres, from which a 3/4" iron pipe found for reference bears South 28° 41' 29" West 2.19 feet;

THENCE South 28° 41' 29" West (called South 29° 54' 20" West) with a line common to said Anderson 37.753 acre tract and said 3.786 acre tract, at 2.19 feet pass said

reference pipe, for a total distance of 1,541.51 feet (called 1,541.46 feet) to a $\frac{1}{2}$ " iron rod found for the northwest corner of said 194.920 acre tract, same being the southwest corner of said Anderson 37.753 acre tract and an interior northeasterly corner of said 486.882 acres;

THENCE with an existing fence and with lines common to said Anderson 37.753 acre tract and said 194.920 acre tract the following three courses:

- 1) South $61^{\circ} 20' 23''$ East (called South $60^{\circ} 06' 44''$ East), a distance of 813.41 feet (called 813.00 feet) to a $\frac{3}{4}$ " iron pipe found for angle corner;
- 2) South $62^{\circ} 26' 02''$ East (called South $61^{\circ} 12' 44''$ East), a distance of 514.23 feet (called 514.31 feet) to a $\frac{3}{4}$ " iron pipe found for angle corner;
- 3) and South $61^{\circ} 31' 41''$ East (called South $60^{\circ} 15' 49''$ East), a distance of 407.73 feet (called 407.54 feet) to a $\frac{3}{4}$ " iron pipe found for the southeast corner of said Anderson 37.753 acre tract, same being the southwest corner of the Shelby Dies 0.91 of an acre tract (Volume 11149, Page 263 of said Travis County Real Property Records) and an angle corner in the North line of said 194.920 acre tract, same also being an angle corner in the lower northerly line of said 486.882 acres;

THENCE South $61^{\circ} 03' 26''$ East (called South $59^{\circ} 57' 57''$ East) with the line common to said 194.920 acre tract and said Dies 0.91 of an acre tract, a distance of 149.94 feet (called 150.02 feet) to a $\frac{3}{4}$ " iron pipe found for the southeast corner of said Dies 0.91 of an acre tract, same being the southwest corner of the Jack V. Anderson 2.5 acre tract (Volume 11777, Page 988 of said Travis County Real Property Records), same also being another angle corner in said North line of 194.920 acre tract and another angle corner in said lower northerly line of 486.882 acres;

THENCE South $62^{\circ} 48' 16''$ East (called South $61^{\circ} 07' 33''$ East) with the line common to said 194.920 acre tract and said Anderson 2.5 acre tract, a distance of 41.82 feet (called 42.25 feet) to an "X" chiseled in the concrete footing of a fence corner for the northeast corner of said 194.920 acre tract, same being the northwest corner of the Lake Travis Group, II, Ltd. 67.086 acre tract (Tract One, Document No. 2008181760), and the East corner of said 486.882 acres;

THENCE with lines common to said Lake Travis Group 67.086 acre tract and said 194.920 acre tract the following twelve (12) courses:

- 1) South $09^{\circ} 10' 18''$ West (called South $10^{\circ} 28' 41''$ West), a distance of 288.07 feet (called 287.63 feet) to a $\frac{1}{2}$ " iron rod found for angle corner;
- 2) South $09^{\circ} 04' 25''$ West (called South $10^{\circ} 14' 27''$ West), a distance of 198.71 feet (called 199.15 feet) to a 2" diameter steel fence corner found for angle corner;
- 3) South $06^{\circ} 47' 23''$ West (called South $07^{\circ} 59' 47''$ West), a distance of 312.27 feet (called 312.28 feet) to another angle corner;

- 4) South 09° 11' 33" West (called South 10° 29' 00" West), a distance of 100.61 feet (called 100.04 feet) to a 4" diameter cedar fence corner found for angle corner;
- 5) South 09° 22' 21" West (called South 10° 34' 58" West), a distance of 266.09 feet (called 266.66 feet) to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 6) South 07° 23' 27" East (called South 06° 09' 29" East), a distance of 148.76 feet to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 7) South 03° 55' 10" West (called South 05° 09' 08" West), a distance of 70.34 feet to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 8) South 28° 48' 05" West (called South 30° 04' 18" West), a distance of 238.05 feet (called 237.74 feet) to a 1/2" iron rod found for another angle corner;
- 9) South 07° 14' 00" West (called South 08° 33' 33" West), a distance of 304.58 feet (called 304.17 feet) to a 60d nail in fence post found for another angle corner;
- 10) South 02° 32' 08" East (called South 01° 32' 28" East), a distance of 105.52 feet (called 105.78 feet) to a 3/4" iron rod found for another angle corner;
- 11) South 03° 55' 31" West (called South 06° 50' 32" West), a distance of 5.45 feet (called 5.67 feet) to a 60d nail in boulder (called to be at 715 foot contour line) found for another angle corner;
- 12) South 05° 39' 24" West (called South 06° 50' 32" West), a distance of 231.58 feet (called 231.94 feet) to the northwest bank of the Colorado River (inundated) for the southeast corner of said 194.920 acre tract, same being the southwest corner of said Lake Travis Group 67.086 acre tract and the southeast corner of said 486.882 acres;

THENCE with said northwest bank of Colorado River (inundated) the following three (3) courses:

- 1) South 83° 40' 07" West (called South 84° 54' 05" West), a distance of 472.19 feet to an angle corner;
- 2) South 71° 53' 07" West (called South 73° 07' 05" West), a distance of 789.50 feet to another angle corner;
- 3) South 54° 27' 07" West (called South 55° 41' 05" West), a distance of 1,054.90 feet to the South corner of said 486.882 acres, same being the easterly southeast corner of the Existing TR-1 (to be added to Existing PDD) Open Space 7.819 acres;

THENCE leaving said northwest bank of Colorado River and crossing said 194.920 acre tract and 200 feet from and parallel to the southwest lines of said 194.920 acre tract the following five (5) courses:

- 1) North 43° 46' 23" West, a distance of 202.10 feet to an angle corner
- 2) North 66° 40' 00" West, a distance of 60.11 feet to an angle corner
- 3) North 59° 25' 04" West, a distance of 426.74 feet to an angle corner
- 4) North 77° 29' 04" West, a distance of 132.64 feet to an angle corner
- 5) and North 29° 04' 31" West, a distance of 719.32 feet to an angle corner

THENCE North 26° 12' 11" West continuing across said 194.920 acre tract, at 132.28 feet pass a line common to said 315.428 acre tract and said 194.920 acre tract, same being the northerly northwest corner of said Existing TR-1 Open Space 7.819 acre tract and the easterly southeast corner of said Existing PDD Open Space 19.420 acre tract, and then crossing said 315.428 acre tract, for a total distance of 335.50 feet to an angle corner in the southwesterly line of said 486.882 acres;

THENCE continuing across said 315.428 acre tract and 200 feet from and parallel to the West and southwest lines of said 315.428 acre tract the following sixteen (16) courses:

- 1) North 49° 08' 11" West, a distance of 304.41 feet to an angle corner
- 2) North 34° 52' 11" West, a distance of 15.00 feet to an angle corner
- 3) North 03° 56' 49" East, a distance of 261.01 feet to an angle corner
- 4) North 15° 26' 11" West, a distance of 291.55 feet to an angle corner
- 5) North 39° 56' 40" West, a distance of 214.12 feet to an angle corner
- 6) North 06° 22' 49" East, a distance of 397.63 feet to an angle corner
- 7) North 23° 14' 11" West, a distance of 215.04 feet to an angle corner
- 8) North 20° 16' 11" West, a distance of 218.91 feet to an angle corner
- 9) North 17° 39' 53" West, a distance of 143.94 feet to an angle corner
- 10) North 10° 16' 49" East, a distance of 190.76 feet to an angle corner
- 11) North 43° 19' 42" West, a distance of 469.69 feet to an angle corner
- 12) North 84° 34' 21" West, a distance of 215.32 feet to an angle corner
- 13) North 68° 38' 08" West, a distance of 51.25 feet to an angle corner

- 14) North $51^{\circ} 29' 26''$ West, a distance of 362.01 feet to an angle corner
- 15) North $20^{\circ} 35' 09''$ West, a distance of 91.75 feet to an angle corner
- 16) and North $01^{\circ} 50' 26''$ East, a distance of 586.24 feet to the interior westerly corner of said 486.882 acres, same being the northerly northwest corner of said Existing PDD Open Space 19.420 acre tract;

THENCE South $86^{\circ} 11' 38''$ West and continuing across said 315.428 acre tract, a distance of 165.78 feet to the **POINT OF BEGINNING**, containing 486.882 acres of land.

All bearings are based on Grid North, Texas State Plane Coordinate System, NAD83 (2011) Texas Central Zone No. 4203. The unit measure for all distances is US Survey Feet and distances are represented as surface values and may be converted to grid by dividing by the surface adjustment factor of 1.00010.

I hereby certify the foregoing metes and bounds description and attached exhibit were prepared from a survey performed on the ground under my supervision, and represent the facts found at the time of the survey.



Patrick Matusek
Registered Professional Land Surveyor
Maverick Engineering, Inc., Firm # 100491-02
License No. 4518, State of Texas
Surveyed March 28, 2022



EXHIBIT "B"
Concept and Detail Plans

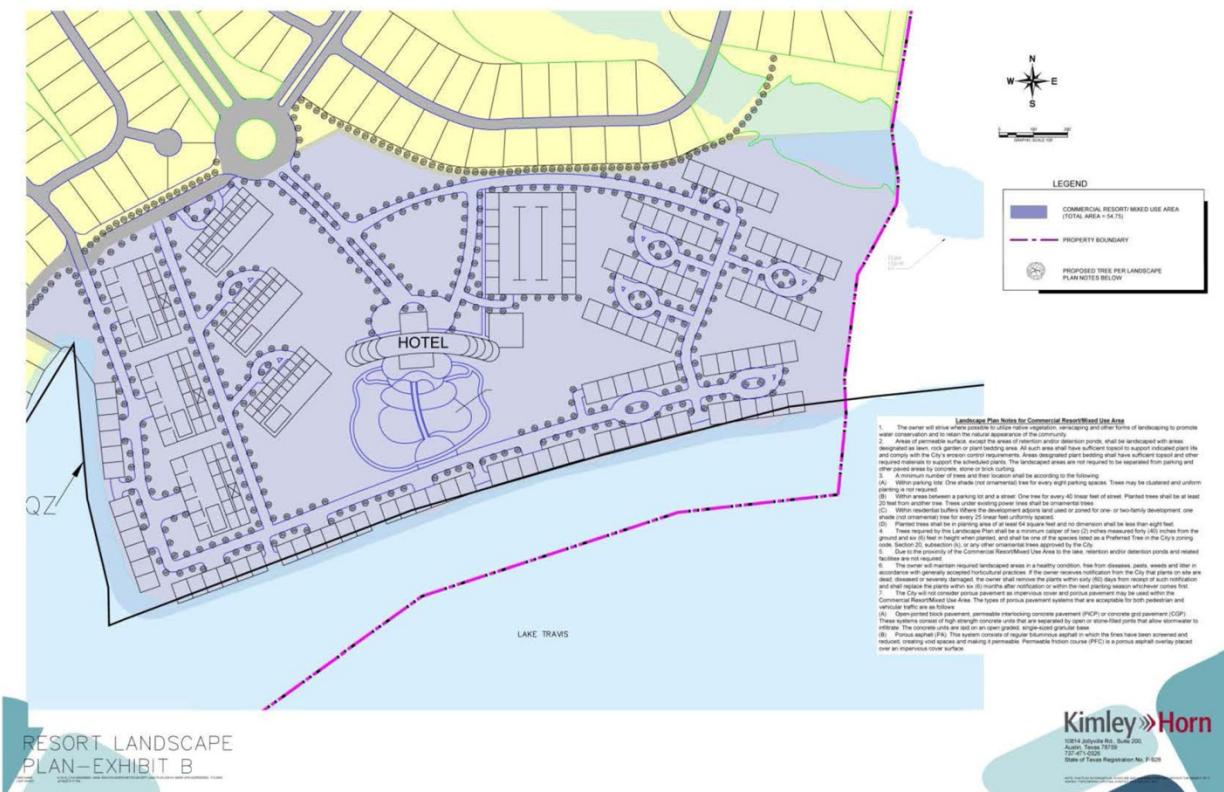


Exhibit “B” (1)

EXHIBIT “B”

Concept and Detail Plans

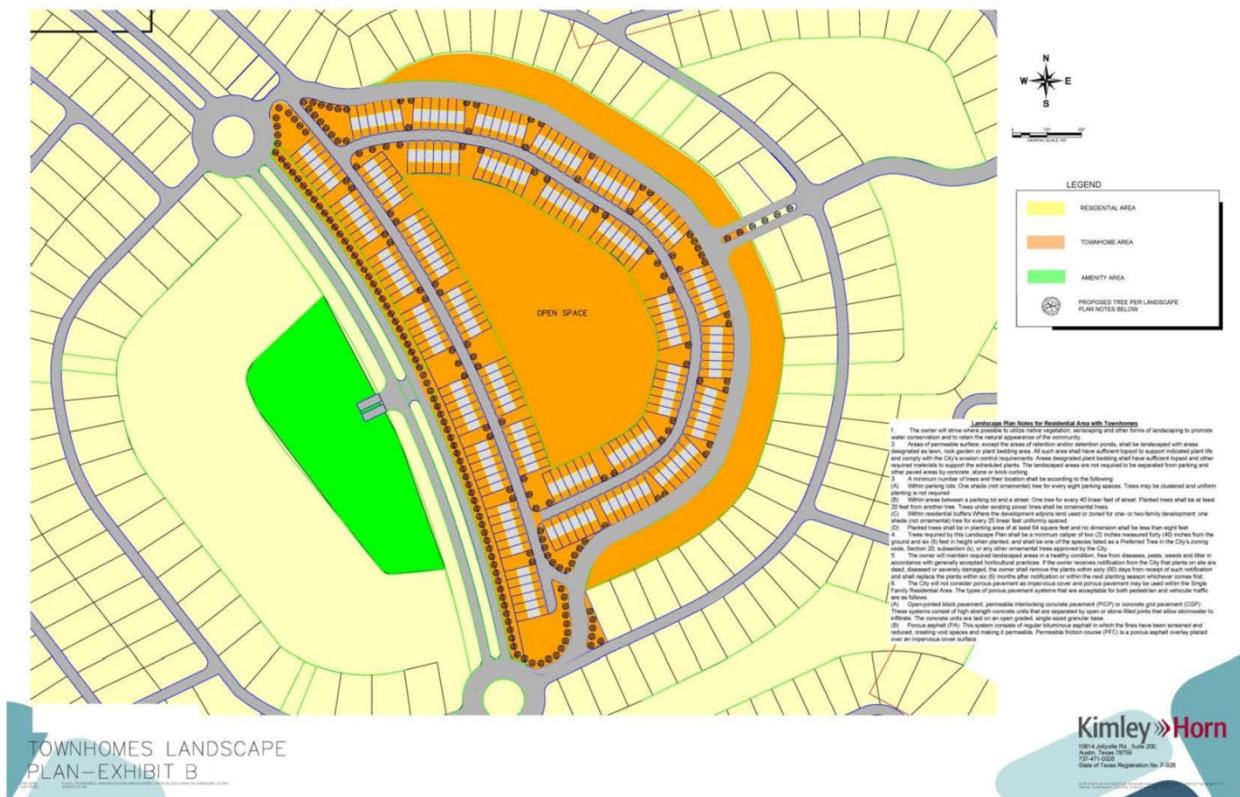
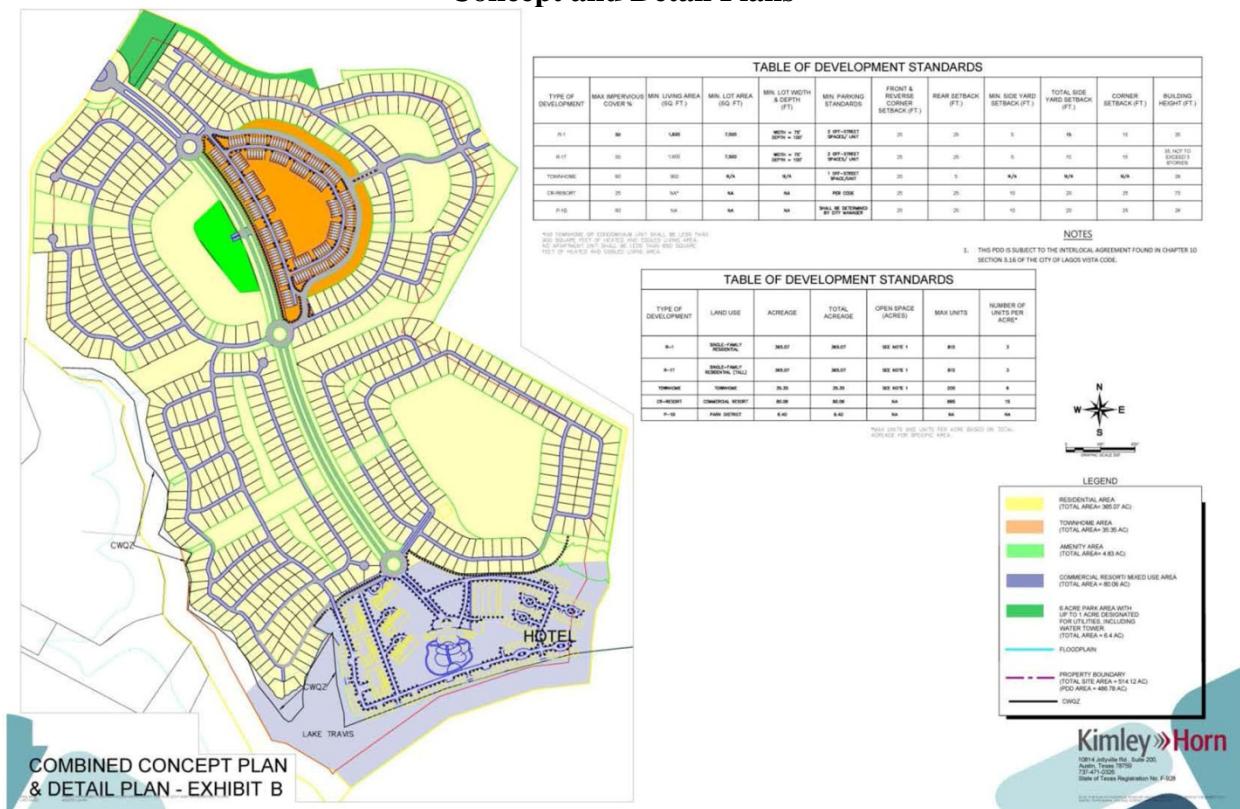


Exhibit “B” (2)

EXHIBIT “B”

Concept and Detail Plans

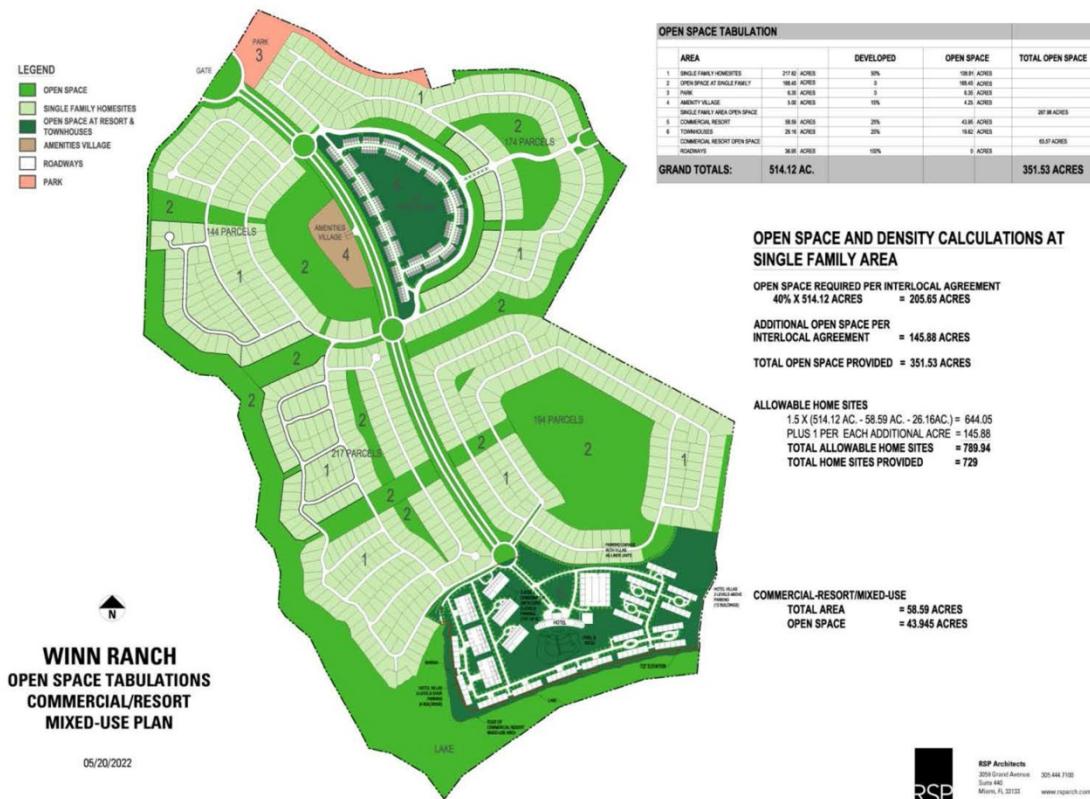
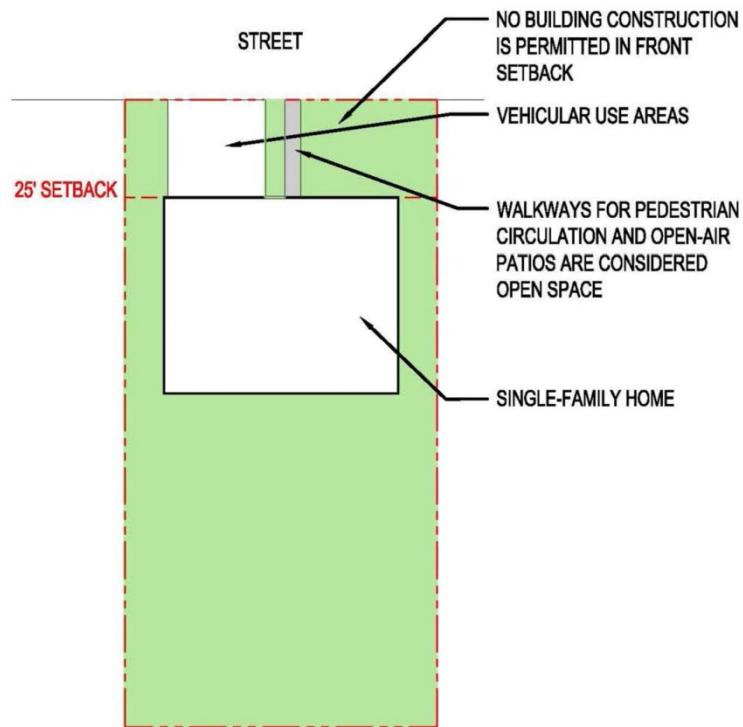


EXHIBIT "B"
Concept and Detail Plans



NOTES:

1. OPEN AREAS MAY BE PROVIDED WITH LANDSCAPING AND LANDSCAPE TREATMENTS, INCLUDING, BUT NOT LIMITED TO, TREES, SHRUBS, FLOWERS, GRASS, GROUND COVER, LANDSCAPE EDGING ELEMENTS, WALKWAYS AND IRRIGATION SYSTEMS.
2. VEHICULAR USE AREA SHALL NOT EXCEED 35% OF AREA WITHIN FRONT SETBACK.
3. THE AREA OF ALL BUILDINGS PLUS THE VEHICULAR USE AREAS CONSTRUCTED WITH IMPERVIOUS PAVING SHALL NOT EXCEED 50% OF THE TOTAL LOT AREA. VEHICULAR USE AREAS CONSTRUCTED WITH PERMEABLE PAVING SHALL NOT COUNT IN THE AREA.
4. SWIMMING POOLS AND UNCOVERED PATIO AREAS SHALL BE OPEN SPACE.
5. AT LEAST 50% OF A HOMESITE AREA MUST BE OPEN SPACE.

WINN RANCH
PRIVATE (HOMESITE) OPEN SPACE GUIDELINES
05/20/2022

RSP **RSP Architects**
3059 Grand Avenue
Suite 440
Miami, FL 33133 305.444.7100
www.rsparch.com

LAGO VISTA CITY COUNCIL
STAFF LAND USE REPORT – JUNE 16, 2022



P&Z CASE NO:	22-2070-PDD-MOD: See attached legal description
APPLICANT:	David Winn
LANDOWNER:	Lake Travis Group II, Ltd.
LOCATION:	East side of Lohman Ford Road south of Thurman Road
ZONING:	"Falls at Lake Travis PDD" (Ord. No. 09-02-19-02) / TR-1
PROPOSED USE:	Amended PDD to include desired buffer / open space

GENERAL INFORMATION / LOCATION:

- This subject property includes approximately 200 feet of a portion along the western boundary of the existing "Falls at Lake Travis PDD" approved in 2009, continuing to the south across the adjacent property recently annexed into the Lago Vista municipal limits by Ordinance No. 22-03-03-02 until terminating at the Colorado River (Lake Travis). The northern boundary of the property is approximately aligned with the intersection of Thurman Road and Lohman Ford Road.
- Following the recent annexation, the applicant continues working on the balance of their amendment to the existing PDD which will also include the remaining balance of the annexed property (approximately 190.886 acres). Pending completion of that application, they have expressed their intent to preserve a 200-foot buffer along this portion of the future western boundary.
- The developers had previously expressed their intent to simply omit this portion of the property from any future application, thinking that omission was sufficient to accomplish the intent to leave this property as an undeveloped buffer consisting of open space. However, the staff pointed out the property within the existing PDD was part of an existing concept plan with designated uses that would be left with no rational approval if arbitrarily omitted.
- We also pointed out the purpose of designating recently annexed property as within the TR-1 (Temporary Restricted) zoning district is provide an opportunity for a thoughtful application. Omitting it from an application to create an undeveloped buffer is contrary to the provisions of the local zoning ordinance which includes a variety of park district designations to serve that purpose. As a result, the current application was submitted in order to avoid these unintended consequences of an attempt to merely omit this property from a future pending application.

SITE PLAN / CONTEXT CONSIDERATIONS:

- As can be seen from the superimposition of the boundary of this property onto the concept plan of the existing PDD approval, the existing impacted property is within the Area 2, Area 5 and Area 6. Area 5 is designated as an area for "Lakefront Villas." The proposed buffer has very little impact on this portion of the existing PDD which does not include depiction of any building sites regardless. Notwithstanding the developer's expressed intent to submit a future PDD amendment, it previously required a detail plan approval under the current ordinance and that status is not changed by this application.
- Similarly, Area 6 is designated as including a marina and amenity center, again without sufficient detailed depiction of any improvements to warrant a determination that it meets the requirements of a detail plan approval. Therefore the proposed amendment has little impact other than to reduce the area designated for that use in the existing PDD approval.
- However, Area 2 includes a depiction of single-family residential lots that is sufficient to meet the requirements of a detail plan for that type of development. Absent the promised future PDD amendment application, this change would necessitate an amended detail plan approval for Area 2. Nonetheless, there appears to be plenty of land remaining in Area 2 to accommodate an amended detail plan that is rational and largely consistent and equivalent to the existing approval.

RELEVANT ORDINANCE PROVISIONS / COMPREHENSIVE PLAN CONSIDERATIONS:

- The designation of the subject property as having the base use and development restrictions applicable to the P-2 (Park and Greenbelt, Passive) zoning district is seemingly the preferred designation for a buffer to protect adjacent property by allowing only limited improvements. Section 4.70(b)(2)(D) of Chapter 14 provides that no shall be permitted “except for benches, water fountains, and children’s playground equipment.”
- Whether intended or not, the potential result of omitting this property from a future application involving the balance of the existing PDD and recent annexation would be to limit the private property owned by others within 200 feet of that future application. Without any assumed specific intent, the inclusion of the approximately 820 linear feet of property in the current application that fronts on the Lohman Ford Road right-of-way is curious. There is seemingly no apparent or useful purpose for a buffer at this specific location.
- Regardless, there is no legitimate ability to preclude or refuse to faithfully consider the application in light of the considerations prescribed by the applicable statutes and local ordinances. In this case, it is important to remember that all of this property is subject to the interlocal agreement between the City of Lago Vista and the City of Austin as memorialized in Section 3.16 of Chapter 10, the local subdivision regulations. The basis of that agreement is that this property was released by the City of Austin from within what was previously within their ETJ.
- In short, the balance of this property presumably included in a future application is already subject to far more density restrictions and open space requirements than what is included in the Comprehensive Plan or its Future Land Use Map. What should be important to the owner of property excluded from a future notification boundary is that the development of the property adjacent to the buffer in the current application be limited to single-family residential development consistent with the limitations applicable to the area released from the former Austin ETJ.
- That should be viewed as an improvement compared to the existing PDD approval. As noted above, the existing PDD ordinance allows townhouses in Area 5 (designated as “Lakeside Villas”) and a commercial marina and related amenities in Area 6. With or without their inclusion within a notification boundary, both the Planning and Zoning Commission and City Council should endeavor to preserve compatibility with adjacent property owners by ensuring that attached or higher density residential units are not included in those locations.

RELEVANT ORDINANCE PROVISIONS / COMPREHENSIVE PLAN CONSIDERATIONS:

- Much of the public comment seemed to make assumptions about the pending application for the balance of the property that will presumably soon be considered by both the Planning and Zoning Commission and the City Council. However, slightly more prevalent was the objection by nearby and adjacent property owners that the separation of the property in the current application, asserted to be incapable of accommodating improvements because of the severe topography, was a ploy to exclude them from the 200-foot notification boundary of the pending application that will include the actual proposed improvements.
- Shortly following the beginning of deliberations by the Planning and Zoning Commission, they convened into an executive session with the City Attorney. The Development Services Department staff was not in attendance, but we are assuming that the City Council Liaison was present.
- After reconvening, six of the seven members present voted in favor of a recommendation for approval. As there was no assertion by anyone, including the owners of nearby and adjacent property, that the application was inconsistent with the comprehensive plan or its Future Land Use Map, there was no discussion of Section 13.20(d) of the Lago Vista zoning ordinance.

- Nonetheless, we received written opposition from the owners of 29.84 percent of the property within the 200-foot notification boundary, none of which is within the Lago Vista municipal limits and subject to any of our zoning regulations. As a result, approval of this application requires the vote of a “super-majority” (75 percent) of the City Council, notwithstanding the recommendation for approval from the Planning and Zoning Commission.
- A very large majority of the written opposition (71.84 percent) was received from a single property owner, identified in the comments and boundary map within the packet as notification ID number 28. Written opposition from that one source was sufficient to require approval from a “super-majority” of the Council.

POTENTIAL ALTERNATIVE DECISIONS:

- A. Approve the proposed amendment designating the approximately 27.239 acres within the current application as being subject to the use restrictions and development requirements of the P-2 (Park and Greenbelt, Passive) zoning district.
- B. Defer consideration of the application to afford the applicant an opportunity to include the balance of the property within this application or to consider them at the same Council meeting.
- C. Deny the application for this specific amended detail plan, which would preclude an application that includes this same designation for this property within twelve months of a denial by the City Council. While it would not preclude approval of the subsequent application, doing so would result in the various uses and development standards of the existing PDD for this area remaining intact, a seemingly irrational outcome.

LAGO VISTA PLANNING AND ZONING COMMISSION
STAFF LAND USE REPORT – JUNE 9, 2022



P&Z CASE NO:	22-2097-PDD-MOD: See attached legal description
APPLICANT:	Lake Travis Group II, Ltd.
LANDOWNER:	Same
LOCATION:	Southeast corner of Lohman Ford Rd. at Sylvester Ford Rd.
ZONING:	“Falls at Lake Travis PDD” (Ord. No. 09-02-19-02) / TR-1
PROPOSED USE:	PDD Concept and Detail Plan Amendment

UPDATE:

- The staff has worked with the applicant and a number of members of the City of Austin staff to ensure that the proposed development is consistent with the interlocal agreement between the cities as referenced in Section 3.16 of the Lago Vista subdivision regulations (Chapter 10). An email confirming the consensus of their Watershed Protection Department (WSP), Development Services Department (DSD) and Housing and Planning Department is included in the packet immediately following this staff report update.
- In addition, the applicant has provided the additional documentation required to incorporate compliance into the PDD approval, rather than to rely on the less comprehensive subdivision plat approval process. From the staff perspective, it is equally important to maintain something we can enforce going forward which seemingly requires the protections of the interlocal agreement and that specific section of the subdivision regulations to be integrated with the zoning approval. An amended version of the applicant’s narrative that will serve as part of the basis of a draft zoning ordinance has been added to the packet. Exhibits that include both the tabulations and locations of the required open space have also been added.
- Another added exhibit is very important and warrants some additional explanation. It is labeled in the applicant’s submittal as the “Private (Homesite) Open Space Guidelines.” It ostensibly preserves a minimum of half of each detached single-family residential lot as “private open space” (a term employed by the City of Austin staff in similar regulations). It excludes the maximum amount of impervious surface permitted on that same lot. In addition, the Lago Vista Development Services staff effectively convinced the applicant to exclude vehicle access and parking areas from that total, regardless of the paving material employed. These restrictions must be included on all plat applications that include a detached single-family residential lot.
- Given the acceptability of that very specific restriction, the need to exclude other swimming pools from the required open space seems less important. In addition to the confirmation of acceptability by the City of Austin staff, the total area in question is a very minor percentage of the total open space requirement. While the possibility of chlorinated runoff remains during a severe storm event, that problem will remain unless you were to prohibit swimming pools entirely. Absent the ability to effectively enforce a restriction against filling a public swimming pool within a foot of the top, it appears as if those with primary responsibility for protecting the watershed are satisfied with the proposed open space and impervious surface components of this proposed development.
- Finally, it seems important to include something that the previous staff summary did not adequately address. The development includes two significant integrated options. The first is fairly straightforward and involves a developer option to replace a specific number of detached single-family residential lots in a given area with townhomes. The desired flexibility was accommodated by the applicant providing documents adequate to support approval of both a “concept plan” and “detail plan” for each option.
- The second desired option by the developer is slightly more complex. Absent zoning approval, the developer is unable to complete negotiations with a resort hotel brand. As the hotel design varies significantly between brands, there was no real value to including the depiction of the vertical improvements (building elevations) required by the integral “design review” (Section 6.105 of

Chapter 14. However, Section 6.105(b)(2) includes the following: “The only exemption results from a specific and explicit request approved in the provisions of the existing ordinance adopting the zoning district change.” As such, the recommendation and the ordinance can defer and delegate the required design review to the Planning and Zoning Commission in accordance with the procedures for a property with the necessary existing zoning approval.

- Should the negotiations with a resort hotel brand ultimately fail, the applicant has reserved the right for alternative residential and commercial uses. To at least some extent, exercising the option to replace the resort hotel with other acceptable uses will require a modified “concept and detail plan.” However, without the uncertainty of a hotel brand there would no basis for excluding any of the required design review elements, including building elevations. In the interest of clarity, it might be best to include both of these contingencies as recommended conditions.

POTENTIAL ALTERNATIVE RECOMMENDATIONS:

- A. Recommend approval of the application as meeting the requirements of a “concept and detail plan” subject to the following conditions:
 1. the design review required by Section 6.105 of Chapter 14 for the “commercial resort / mixed use area” is explicitly delegated to a future application to the Planning and Zoning Commission under the procedures outlined in Section 6.105(b)(2); and
 2. any amendment to the “detail plan” for the “commercial resort / mixed use area” beyond the limits of Section 10.60 of Chapter 14 or that substitutes uses or improvements not depicted on the approved detail plan shall be required to seek an amended “concept and detail plan” in a subsequent zoning change application.
- B. Recommend approval of the application as meeting the requirements of a “concept and detail plan” except for the “commercial resort / mixed use area,” which is recommended for “concept plan” approval only.
- C. Recommend denial of the application.

Roy Jambor

From: Johnston, Liz <Liz.Johnston@austintexas.gov>
Sent: Friday, May 27, 2022 12:34 PM
To: Roy Jambor <Roy.Jambor@lagovistatexas.gov>
Cc: Yanez, Chris <Chris.Yanez@austintexas.gov>; Lilly, Leslie <Leslie.Lilly@austintexas.gov>; Lubomudrov, Andrei <Andrei.Lubomudrov@austintexas.gov>
Subject: RE: Open Space and Austin - Lago Vista Interlocal Agreement

Good afternoon Roy,

Representatives from COA's WPD, DSD, and Housing & Planning Dept met to discuss the issue of how to define open space in terms of the City of Austin/Lago Vista ILA this morning. While our regulations have differing definitions of "open space" there is clear precedent for considering privately accessible area, including yards, as "open space" within our regulations. Given the lack of definition of "open space" within the approved ILA, and Lago Vista's continued enforcement of the overall impervious cover limits set forth in the ILA, I am comfortable with the interpretation offered by the developer that would include private yards in the calculation of open space in order to meet the terms of the agreement.

I very much appreciate your reaching out to the CoA to ensure consistency in interpretation of the agreement between our agencies. Please don't hesitate to reach out to my team in the future if you have similar questions.

Thank you,

Liz Johnston

Deputy Environmental Officer | Policy Division Manager
Watershed Protection Department | City of Austin
(c) 512.350.6024
She | Her | Hers

LAGO VISTA PLANNING AND ZONING COMMISSION
STAFF LAND USE REPORT – MAY 12, 2022



P&Z CASE NO:	22-2097-PDD-MOD: See attached legal description
APPLICANT:	Lake Travis Group II, Ltd.
LANDOWNER:	Same
LOCATION:	Southeast corner of Lohman Ford Rd. at Sylvester Ford Rd.
ZONING:	“Falls at Lake Travis PDD” (Ord. No. 09-02-19-02) / TR-1
PROPOSED USE:	PDD Concept and Detail Plan Amendment

GENERAL INFORMATION / LOCATION:

- This is the “companion application” to 22-2070-PDD-MOD for which the Planning and Zoning Commission forwarded a recommendation to the City Council for approval following consideration at the special call meeting on April 28, 2022. That application seeks to create a 200-foot buffer (with a P-2 “Park and Greenbelt, Passive” designation) on the west boundary of the subject property that replaces a portion of the existing approvals associated with the “Falls at Lake Travis PDD” and extends it onto property that was recently annexed and therefore remains in the TR-1 (“Temporary Restricted”) zoning district.
- Absent the approximately 27.239 acres excluded by the previous “companion application,” the current application addresses the remaining 296.008 acres of the existing “Falls at Lake Travis PDD” approved in 2009 (Ordinance Number 09-02-19-02) and the remaining 190.874 acres recently annexed by Ordinance Number 22-03-03-02. This approximately 486.882-acre tract is located at the southeast corner of the intersection of Lohman Ford Road and Sylvester Ford Road.
- Except for a very small portion of Lot 18 of the Poole Place Subdivision, Section 1, the surrounding property is located in the Lago Vista ETJ and is not subject to the requirements of the City of Lago Vista zoning ordinance. It is unclear whether the annexation of the 315.428-acre tract subsequently approved as the “Falls at Lake Travis PDD” would be allowed under current state statutes, but it was apparently permissible in 2009 when the associated ordinance was approved.

SITE PLAN / CONTEXT CONSIDERATIONS:

- Although expanding to incorporate a larger area, the proposed amendment consists of uses that are somewhat similar to the existing PDD approval. However, the current proposed “commercial resort” at approximately 80.06 acres has grown disproportionate to the previously proposed “marina and amenity center” even when including the “boat and RV storage.” These uses were located on approximately 15.67 acres or five percent of the previous PDD approval. The “commercial resort” occupies more than 15 percent of the current proposal.
- The exhibits include an option to include up to 200 attached townhome units on approximately 35.35 acres at a specific location. The existing approval provides for up to 100 units on 16.23 acres, so the density for this particular use has been slightly decreased. However, for some reason the number of single-family residential lots remains unchanged at a maximum of 810 units despite the elimination of 35.35 acres from the area available for that use.
- Because that maximum number of 810 single-family was not reduced in accordance with the elimination of the land available for that use, it would seem more accurate to assume that the option to include townhouse units will be rejected in order to accurately compare the current request for single-family lots with the existing approval. Eliminating the 100 townhouse units from the existing approval leaves a maximum of 420 single-family units on approximately 278.628 acres, a maximum of 1.51 units per acre. The current application seeks approval for a maximum of 810 units on approximately 514.121 acres, a maximum of 1.58 units per acre.
- In short, the single-family and open space provision of the current application is remarkably similar to the existing PDD approval. Even the proposed park district is similar in size (a modest increase to 6.4 acres from 5.0 acres) and location.

RELEVANT ORDINANCE PROVISIONS / COMPREHENSIVE PLAN CONSIDERATIONS:

- There are a number of concerns relating to the application submittal ranging from minor to reasonably significant, but correctable. Perhaps the most coherent way to identify them is to maintain the order in which they appear in the various exhibits. For example, the staff is unwilling to include the area required for a water storage tank as part of the required parkland dedication in the absence of an approved design that is acceptable for inclusion within a park without a barrier for safety.
- The narrative in Exhibit B makes reference to prior-approval of a cut and fill limit of eight feet. However, this property is within the “former Austin ETJ release area” and is the subject of an interlocal agreement memorialized in Section 3.16 of Chapter 10, the Lago Vista subdivision regulations. It is not subject to modification by the provisions of a PDD without violating that agreement. Moreover, for reasons explained in greater detail below, the staff would prefer the essential elements of those provisions as they might relate to this development be specifically included in any approved ordinance amendment.
- In accordance with Section 3.16(a)(4) of Chapter 10, townhomes, condominiums, or any development that is not a single-family residential lot is subject to a maximum impervious surface limitation of 25 percent, reduced to 20 percent if not connected to the municipal wastewater system. The ability to include impervious surfaces up to a limit of 60 percent is simply not permitted.
- The narrative in Exhibit B refers to a maximum building height of 75 from the highest point of the lot for the uses within the “commercial resort” area, specifically including a hotel, apartments or a structure containing condominiums. As this standard has the ability to exceed the limits of equipment currently available to Travis County ESD-1, the staff prefers a provision that references a height from the adjacent required fire lane and includes a requirement for prior approval and inclusions of alternate accommodations (balconies, etc.) for any floor level beyond the reach of their existing ladder truck.
- Item 12 in Exhibit B is presumably referring to the property included in 22-2070-PDD-MOD, the application considered by the Planning and Zoning Commission at the recent meeting on April 28, 2022. Regardless, it needs to be far more specific as the open space required by Section 3.16 of Chapter 10 cannot include other adjacent area not included in a subsequent subdivision plat, within the municipal limits of the City or without an appropriate zoning designation.
- Item 13 in Exhibit B includes provisions that the staff finds unacceptable if it is intended to meet the requirement of Section 3.16(5)(D) or Section 3.16(5)(E)(ii). The language includes swimming pools, the area around them and other similar types of paved area regardless of whether they are associated with the “commercial resort” or a single-family residential lot. However, the undeniable purpose of the interlocal agreement is the protection of the Lake Travis watershed. Impervious paved areas and chlorinated swimming pools are both seemingly inconsistent with the intent of the interlocal agreement and that specific section of our subdivision regulations.
- Moreover, the interlocal agreement memorialized in Section 3.16 of the subdivision regulations requires a minimum of 40 percent dedicated open space to allow the average density increases included in both the original approval and the current proposed amendment. Enforcement might theoretically be deferred until the various subdivision approvals. However, many of the improvements will not be permitted or reviewed until much later. In the case where some of this “dedicated open space” might be included within the boundaries of a “fee simple” single-family residential lot, we have no practical means of enforcing a subdivision violation against an individual property owner after the issuance of the original building permit. As a result, the staff would urge the relevant portions of Section 3.16 (the interlocal agreement) be included in the PDD ordinance so that we can pursue any subsequent lack of compliance as a zoning violation. As a result, we requested supplemental materials graphically demonstrating clear and unequivocal compliance with the open space requirement that have not yet been submitted.

- Item 16 references a TIA to be approved by the City of Lago Vista, while the new access connections occur on roads controlled and maintained by Travis County. Moreover, Travis County will be responsible for issuing permits for the portion of any new public or private drive within their right-of-way. While the staff has already contacted the appropriate staff members representing the County, the language included in the ordinance needs to reference the approval required from both the City of Lago Vista and Travis County.
- Item 17 references an exception to allow temporary sales facilities to be permitted in advance of an approved or recorded final plat. The staff is hesitant to encourage a use that would invite the public into a potentially dangerous environment where subdivision construction plan improvements remain incomplete. If an on-site sales location is critical, a small initial phase should instead be planned.
- The staff does not object to the limited use of pavers, pervious asphalt, or pervious concrete to reduce the amount of impervious paving otherwise required. However, as written we do not find item 18 acceptable. Both proposed alternative materials and methods are to some degree impervious surfaces, a percentage which varies according to the specific material and manufacturer. In addition, there are locations where pavers would prove unacceptable including emergency services access routes or routes required to be compliant with ADA accessibility guidelines. As such, the staff would recommend that the use of either material or method be predicated upon prior administrative approval in either the subdivision construction plans or site development plan review as applicable.
- The Future Land Use Map in the comprehensive plan has the appearance of an attempt to mimic the existing PDD with the exception of the designated park location. As mentioned above, those same approximate uses are shown in the current application in different locations that arguably have less impact on the surrounding property than the existing approval. The recently annexed property is designated on the Future Land Use Map as "low density residential." As mentioned regarding previous applications, this tool is intended to guide future land use decisions and is not intended to have the accuracy of a survey or even a PDD concept plan. As a result, the application appears to be reasonably consistent with the comprehensive plan as required by Section 13.20(d) of Chapter 14.

POTENTIAL ALTERNATIVE RECOMMENDATIONS:

- A. Recommend deferral of the application to accommodate the inclusion of amended exhibits as required to incorporate a concept and detail plan that is consistent in all respects to Section 3.16 of Chapter 10, the Lago Vista subdivision regulations (and the interlocal agreement), so that all subsequent non-compliance would be enforceable as a zoning violation.
- B. Recommend approval of the application as meeting the requirements of a concept plan only, conditioned upon a subsequent detail plan application that corrects the apparent inconsistencies with 3.16 of Chapter 10.
- C. Recommend denial of the application for either a concept plan only approval or a concept and detail plan approval.

22-2097-PDD-MOD

± 486.8 Acres of the B.F. Cox Survey 740, Abstract 207

Attachment 1

Application



**CITY OF LAGO VISTA • DEVELOPMENT SERVICES
5803 THUNDERBIRD STREET • P.O. BOX 4727 • LAGO VISTA, TX 78645**

Tel. (512) 267-5259

Fax (512) 267-5265

NOTE: Applicants should seek legal advice concerning the applicability of any existing private covenants or deed restrictions and their ability to be enforced or waived by other specific property owners.

APPLICATION FOR ZONING DISTRICT CHANGE

Contact Person: David Winn **Fee:** See Ordinance Appendix A (non-refundable)
Contact Phone: 512-267-3968 **Contact Email:** emrexpert@hotmail.com
Property Owner(s):* Lake Travis Group II, Ltd., a Texas Limited Partnership
Owner's mailing address: 5803 Thunderbird Street, Lago Vista 78645

COMPLETE LEGAL DESCRIPTION OF SUBJECT PROPERTY

Subdivision, Section and Lot Number(s) if platted. Attach metes & bounds or equal description otherwise*

Please see attached metes & bounds.

Municipal Address(es)* if applicable: _____

NATURE OF REQUEST

Current Zoning District(s): PPD and TR-1 **Requested District:** PPD

Purpose or Basis of Request* (if PDD, include whether concept and/or detail plan approval is sought):

approx 295.9-acre portion of the property zoned PDD as part of the Falls at Lake Travis and approx 190.9 acres zoned TR-1; to modify the base zoning of the 486.882 acres to R-1, R-1T, CR, and P-1B

Additional individual(s) authorized to act on behalf of the property owner(s)* regarding this application:

Name of Agent: Mchael Whellan **Email:** mwhellan@abaustin.com

Mailing Address: 100 Congress Ave., Suite 1300, Austin, Texas 78701 **Phone:** 512-435-2300

NOTE: Applications must be complete including all applicable portions of this form, payment of fees and all required drawings or documentation. All applications are accepted provisionally pending a completion review. **PLEASE TAKE SPECIFIC NOTICE AND INCORPORATE OR ADDRESS ALL LOCAL ORDINANCE REQUIREMENTS IN YOUR APPLICATION.**

David Winn

4/13/2022

Property Owner's signature(s)*

Date

***Attach additional sheets as required**

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300
FACSIMILE 512-435-2360

MICHAEL J. WHELLAN
(512) 435-2320
mwhellan@abaustin.com

May 24, 2022

Roy Jambor, AICP/PA
Director of Development Services
City of Lago Vista
P.O. Box 4727
Lago Vista, Texas 78645

Subject: 22-2097-PDD-MOD. Winn Ranch. Rezoning request to amend approximately 295.9 acres of the existing Planned Development District (“PDD”) known as the “Falls at Lake Travis” as set forth in Ordinance No. 09-02-19-02 and to add approximately 190.9 acres currently in the TR-1 zoning district to a new concept and detail plan modifying the uses and development standards for approximately 486.8 acres.

Dear Mr. Jambor:

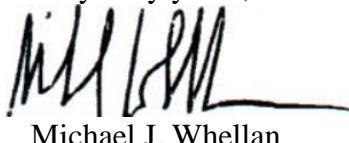
Please accept this letter and the attached exhibits as an update to the above-referenced zoning application. Specifically, we have updated the site development regulations and the concept and detail plans, which are attached, to respond to your initial comments that were included in the posted staff back-up. We also added a reference to the Phasing Agreement that is reflected in Paragraph 5.01 of the Development Agreement for Winn Ranch which is recorded in the Travis County Public Records as Document No. 2022090370.

We are also submitting open space demonstrative exhibits for the corresponding concept and detail plans, and for the homesites. These open space exhibits reflect compliance with both the Development Agreement and the Interlocal Agreement between the City of Lago Vista and the City of Austin (Chapter 10, Section 3.16 of the City of Lago Vista Code), and show that over 300 acres will remain open space.

Furthermore, the updated concept and detail plans for the above-referenced case are consistent with the comprehensive plan.

We look forward to continuing to work with the City and are available to answer any questions.

Very truly yours,



Michael J. Whellan

**EXISTING PDD BOUNDARY
486.882 ACRES
METES AND BOUNDS DESCRIPTION**

Being 486.882 acres of land situated approximately 16.4 miles west-northwest of the City of Austin in the Consolidated El Paso Irrigation and Manufacturing Company Survey No. 173 (Abstract No. 2191), R. G. Wallace Survey No. 66 (Abstract No. 2138), Benjamin Cox Survey No. 740 (Abstract No. 207), John S. Watson Survey (Abstract No. 2262), and the Samuel Pierson Survey No. 523 (Abstract No. 620) in Travis County, Texas, and being a part or all of three separate parent tracts (315.428 acres, 194.920 acres, and 3.786 acres) described in the following deeds:

- 1) a part of that called 315.428 acre tract described as Tract 3 in a Warranty Deed with Vendor's Lien from DSDBL, Ltd. to Lake Travis Group, II, Ltd., dated April 20, 2001, recorded in Document No. 2001060967 of the Travis County Official Public Records
- 2) a part of that called 194.920 acre tract and all of that called 3.786 acre tract described as Tract Two in a Cash Warranty Deed from David L. Winn and Leslie A. Winn to Lake Travis Group, II, Ltd., dated October 27, 2008, recorded in Document No. 2008181760 of the Travis County Official Public Records

All deed references herein are to said Travis County Official Public Records unless otherwise noted. Metes and bounds description of said 486.882 acres is as follows:

COMMENCING at a $\frac{1}{2}$ " iron rod found for the West corner of said 315.428 acre tract, same being in the easterly margin of a public road (Lohman Ford Road) and the northwest corner of the Plainsman Enterprises, Inc. 63.797 acre tract (Document No. 2005066229), thence as follows:

North $04^{\circ} 53' 39''$ East (called North $06^{\circ} 09' 05''$ East) with said easterly margin of Lohman Ford Road and with a westerly line of said 315.428 acre tract, a distance of 64.68 feet (called 64.69 feet) to a $\frac{1}{2}$ " iron rod found for angle corner

and North $01^{\circ} 50' 37''$ East (called North $03^{\circ} 04' 31''$ East) with said easterly margin of Lohman Ford Road and with another westerly line of said 315.428 acre tract, a distance of 688.05 feet to the West corner of said 486.882 acres, same being the westerly northwest corner of the Existing PDD Open Space 19.420 acre tract and the **POINT OF BEGINNING**;

THENCE continuing with said easterly margin of Lohman Ford Road and with the westerly lines of said 315.428 acre tract the following eleven (11) courses:

- 1) North $01^{\circ} 50' 37''$ East (called North $03^{\circ} 04' 31''$ East), a distance of 3.75 feet to a $\frac{1}{2}$ " iron rod found for angle corner
- 2) North $01^{\circ} 42' 54''$ East (called North $02^{\circ} 56' 25''$ East), a distance of 411.30 feet (called 411.20 feet) to a $\frac{1}{2}$ " iron rod found for angle corner

- 3) North $00^{\circ} 44' 53''$ West (called North $00^{\circ} 28' 41''$ East), a distance of 303.58 feet (called 303.56 feet) to a $\frac{1}{2}$ " iron rod with plastic cap stamped "ACCUTEX SS RPLS-3991" found for angle corner
- 4) North $24^{\circ} 12' 18''$ East (called North $25^{\circ} 25' 02''$ East), a distance of 203.36 feet (called 203.4 feet) to a stump of an old fence post for angle corner
- 5) North $45^{\circ} 51' 05''$ East (called North $47^{\circ} 05' 45''$ East), a distance of 251.57 feet (called 251.6 feet) to a 60d nail in washer found for angle corner
- 6) North $39^{\circ} 32' 30''$ East (called North $40^{\circ} 51' 03''$ East), a distance of 295.44 feet (called 295.7 feet) to a 24" diameter cedar tree found for angle corner
- 7) North $31^{\circ} 11' 56''$ East (called North $32^{\circ} 19' 16''$ East), a distance of 227.33 feet (called 227.1 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 8) North $35^{\circ} 02' 22''$ East (called North $36^{\circ} 15' 57''$ East), a distance of 133.43 feet (called 133.5 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 9) North $35^{\circ} 23' 23''$ East (called North $36^{\circ} 36' 29''$ East), a distance of 240.40 feet (called 240.3 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 10) North $30^{\circ} 23' 47''$ East (called North $31^{\circ} 38' 12''$ East), a distance of 286.85 feet (called 286.9 feet) to a $\frac{1}{2}$ " iron rod with faded plastic cap found for angle corner
- 11) North $33^{\circ} 24' 24''$ East (called North $34^{\circ} 36' 24''$ East), a distance of 91.50 feet to a $\frac{1}{2}$ " iron rod found for the northwest corner of said 315.428 acre tract, same being at the intersection of said easterly margin of Lohman Ford Road and the southerly margin of a second public road (Sylvester Ford Road) and the northwest corner of said 486.882 acres;

THENCE with said southerly margin of Sylvester Ford Road and with the northerly lines of said 315.428 acre tract the following courses:

- 1) South $67^{\circ} 21' 30''$ East (called South $66^{\circ} 07' 00''$ East), a distance of 451.60 feet (called 451.69 feet) to a $\frac{1}{2}$ " iron rod found for angle corner
- 2) with a circular curve to the right, whose radius is 686.78 feet, whose central angle is $20^{\circ} 42' 59''$, whose long chord bears South $57^{\circ} 01' 05''$ East 246.97 feet (called South $55^{\circ} 47' 02''$ East 246.81 feet), an arc distance of 248.32 feet to a $\frac{1}{2}$ " iron rod found for angle corner
- 3) with a circular curve to the left, whose radius is 984.88 feet, whose central angle is $18^{\circ} 58' 01''$, whose long chord bears South $56^{\circ} 08' 36''$ East 324.54 feet (called South $54^{\circ} 55' 05''$ East 324.51 feet), an arc distance of 326.03 feet to a $\frac{1}{2}$ " iron rod found for angle corner

- 4) South $65^{\circ} 38' 26''$ East (called South $64^{\circ} 24' 28''$ East), a distance of 77.40 feet (called 77.46 feet) to a $\frac{1}{2}$ " iron rod found for angle corner
- 5) with a circular curve to the left, whose radius is 508.34 feet, whose central angle is $37^{\circ} 09' 36''$, whose long chord bears South $84^{\circ} 12' 09''$ East 323.94 feet (called South $82^{\circ} 58' 43''$ East 323.89 feet), an arc distance of 329.69 feet to a $\frac{1}{2}$ " iron rod found for angle corner
- 6) North $77^{\circ} 13' 58''$ East (called North $78^{\circ} 26' 40''$ East), a distance of 100.06 feet (called 100.10 feet) to a $\frac{1}{2}$ " iron rod found for angle corner
- 7) with a circular curve to the right, whose radius is 686.78 feet, whose central angle is $07^{\circ} 00' 36''$, whose long chord bears North $80^{\circ} 45' 43''$ East 83.97 feet (called North $82^{\circ} 00' 30''$ East 83.95 feet), an arc distance of 84.03 feet to the northwest corner of the Luther W. Simpson, et al, as Trustees of the Simpson Family Cemetery 0.8418 of an acre tract (Volume 9649, Page 869 of the Travis County Deed Records), same being a northerly corner of said 315.428 acre tract and a northerly corner of said 486.882 acres, from which a $5/8$ " iron rod found for reference bears South $19^{\circ} 44' 38''$ East 0.28 of a foot;

THENCE South $19^{\circ} 44' 38''$ East (called South $18^{\circ} 30' 40''$ East) with a line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract and leaving said Sylvester Ford Road, a distance of 194.86 feet (called 194.85 feet) to a $\frac{1}{2}$ " iron rod found for the southwest corner of said Simpson 0.8418 of an acre tract, same being an interior northerly corner of said 315.428 acre tract and said 486.882 acres;

THENCE North $74^{\circ} 40' 12''$ East (called North $75^{\circ} 55' 07''$ East) with a second line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract, a distance of 222.45 feet (called 222.57 feet) to a $5/8$ " iron rod found for the southeast corner of said Simpson 0.8418 of an acre tract, same being another interior northerly corner of said 315.428 acre tract and said 486.882 acres;

THENCE North $13^{\circ} 40' 10''$ West (called North $12^{\circ} 27' 28''$ West) with a third line common to said Simpson 0.8418 of an acre tract and said 315.428 acre tract, a distance of 114.33 feet (called 114.65 feet) to a $\frac{1}{2}$ " iron rod found for the northeast corner of said Simpson 0.8418 of an acre tract, same being another northerly corner of said 315.428 acre tract and said 486.882 acres and in said southerly margin of Sylvester Ford Road;

THENCE with said southerly margin and southwesterly margin of Sylvester Ford Road and with the northerly and northeasterly lines of said 315.428 acre tract the following courses:

- 1) with a circular curve to the left, whose radius is 1,031.75 feet, whose central angle is $06^{\circ} 01' 09''$, whose long chord bears South $88^{\circ} 57' 08''$ East 108.34 feet

(called South 87° 36' 01" East 108.28 feet), an arc distance of 108.39 feet to a ½" iron rod found for angle corner

- 2) North 88° 19' 29" East (called North 89° 33' 26" East), a distance of 388.19 feet (called 388.40 feet) to a 3" diameter steel fence corner found for angle corner
- 3) with a circular curve to the right, whose radius is 925.37 feet, whose central angle is 20° 08' 43", whose long chord bears South 81° 56' 25" East 323.69 feet (called South 82° 42' 42" East 323.69 feet), an arc distance of 325.36 feet to a 3" diameter steel fence corner found for angle corner
- 4) South 71° 52' 03" East (called South 70° 38' 20" East), a distance of 112.00 feet (called 112.00 feet) to a 3" diameter steel fence corner found for angle corner
- 5) with a circular curve to the right, whose radius is 411.68 feet, whose central angle is 21° 50' 01", whose long chord bears South 60° 57' 03" East 155.93 feet (called South 59° 43' 20" East 155.93 feet), an arc distance of 156.88 feet to a 3" diameter steel fence corner found for angle corner
- 6) with a circular curve to the right, whose radius is 252.06 feet, whose central angle is 29° 48' 04", whose long chord bears South 35° 08' 03" East 129.63 feet (called South 33° 54' 20" East 129.63 feet), an arc distance of 131.10 feet to a 3" diameter steel fence corner found for angle corner
- 7) South 20° 14' 03" East (called South 19° 00' 20" East), a distance of 245.12 feet to a 3" diameter steel fence corner found for angle corner
- 8) with a circular curve to the left, whose radius is 603.69 feet, whose central angle is 32° 35' 35", whose long chord bears South 36° 00' 16" East 338.80 feet (called South 34° 46' 33" East 338.80 feet), an arc distance of 343.41 feet to a 3" diameter steel fence corner found for angle corner
- 9) South 52° 20' 42" East (called South 51° 05' 21" East), a distance of 53.88 feet (called 53.66 feet) to an "X" chiseled in the concrete footing of a fence corner for the northerly northeast corner of said 3.786 acre tract, same being the northeast corner of said 315.428 acre tract and another angle corner in a northeasterly line of said 486.882 acres;

THENCE South 52° 18' 14" East (called South 51° 05' 21" East) with said southwesterly margin of Sylvester Ford Road and with the North line of said 3.786 acre tract, a distance of 101.25 feet to the easterly northeast corner of said 3.786 acre tract, same being the North corner of the Gary T. Anderson and Lois Anderson 37.753 acre tract (Volume 12189, Page 2063 of the Travis County Real Property Records) and the northeast corner of said 486.882 acres, from which a ¾" iron pipe found for reference bears South 28° 41' 29" West 2.19 feet;

THENCE South 28° 41' 29" West (called South 29° 54' 20" West) with a line common to said Anderson 37.753 acre tract and said 3.786 acre tract, at 2.19 feet pass said

reference pipe, for a total distance of 1,541.51 feet (called 1,541.46 feet) to a $\frac{1}{2}$ " iron rod found for the northwest corner of said 194.920 acre tract, same being the southwest corner of said Anderson 37.753 acre tract and an interior northeasterly corner of said 486.882 acres;

THENCE with an existing fence and with lines common to said Anderson 37.753 acre tract and said 194.920 acre tract the following three courses:

- 1) South $61^{\circ} 20' 23''$ East (called South $60^{\circ} 06' 44''$ East), a distance of 813.41 feet (called 813.00 feet) to a $\frac{3}{4}$ " iron pipe found for angle corner;
- 2) South $62^{\circ} 26' 02''$ East (called South $61^{\circ} 12' 44''$ East), a distance of 514.23 feet (called 514.31 feet) to a $\frac{3}{4}$ " iron pipe found for angle corner;
- 3) and South $61^{\circ} 31' 41''$ East (called South $60^{\circ} 15' 49''$ East), a distance of 407.73 feet (called 407.54 feet) to a $\frac{3}{4}$ " iron pipe found for the southeast corner of said Anderson 37.753 acre tract, same being the southwest corner of the Shelby Dies 0.91 of an acre tract (Volume 11149, Page 263 of said Travis County Real Property Records) and an angle corner in the North line of said 194.920 acre tract, same also being an angle corner in the lower northerly line of said 486.882 acres;

THENCE South $61^{\circ} 03' 26''$ East (called South $59^{\circ} 57' 57''$ East) with the line common to said 194.920 acre tract and said Dies 0.91 of an acre tract, a distance of 149.94 feet (called 150.02 feet) to a $\frac{3}{4}$ " iron pipe found for the southeast corner of said Dies 0.91 of an acre tract, same being the southwest corner of the Jack V. Anderson 2.5 acre tract (Volume 11777, Page 988 of said Travis County Real Property Records), same also being another angle corner in said North line of 194.920 acre tract and another angle corner in said lower northerly line of 486.882 acres;

THENCE South $62^{\circ} 48' 16''$ East (called South $61^{\circ} 07' 33''$ East) with the line common to said 194.920 acre tract and said Anderson 2.5 acre tract, a distance of 41.82 feet (called 42.25 feet) to an "X" chiseled in the concrete footing of a fence corner for the northeast corner of said 194.920 acre tract, same being the northwest corner of the Lake Travis Group, II, Ltd. 67.086 acre tract (Tract One, Document No. 2008181760), and the East corner of said 486.882 acres;

THENCE with lines common to said Lake Travis Group 67.086 acre tract and said 194.920 acre tract the following twelve (12) courses:

- 1) South $09^{\circ} 10' 18''$ West (called South $10^{\circ} 28' 41''$ West), a distance of 288.07 feet (called 287.63 feet) to a $\frac{1}{2}$ " iron rod found for angle corner;
- 2) South $09^{\circ} 04' 25''$ West (called South $10^{\circ} 14' 27''$ West), a distance of 198.71 feet (called 199.15 feet) to a 2" diameter steel fence corner found for angle corner;
- 3) South $06^{\circ} 47' 23''$ West (called South $07^{\circ} 59' 47''$ West), a distance of 312.27 feet (called 312.28 feet) to another angle corner;

- 4) South 09° 11' 33" West (called South 10° 29' 00" West), a distance of 100.61 feet (called 100.04 feet) to a 4" diameter cedar fence corner found for angle corner;
- 5) South 09° 22' 21" West (called South 10° 34' 58" West), a distance of 266.09 feet (called 266.66 feet) to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 6) South 07° 23' 27" East (called South 06° 09' 29" East), a distance of 148.76 feet to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 7) South 03° 55' 10" West (called South 05° 09' 08" West), a distance of 70.34 feet to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for another angle corner;
- 8) South 28° 48' 05" West (called South 30° 04' 18" West), a distance of 238.05 feet (called 237.74 feet) to a 1/2" iron rod found for another angle corner;
- 9) South 07° 14' 00" West (called South 08° 33' 33" West), a distance of 304.58 feet (called 304.17 feet) to a 60d nail in fence post found for another angle corner;
- 10) South 02° 32' 08" East (called South 01° 32' 28" East), a distance of 105.52 feet (called 105.78 feet) to a 3/4" iron rod found for another angle corner;
- 11) South 03° 55' 31" West (called South 06° 50' 32" West), a distance of 5.45 feet (called 5.67 feet) to a 60d nail in boulder (called to be at 715 foot contour line) found for another angle corner;
- 12) South 05° 39' 24" West (called South 06° 50' 32" West), a distance of 231.58 feet (called 231.94 feet) to the northwest bank of the Colorado River (inundated) for the southeast corner of said 194.920 acre tract, same being the southwest corner of said Lake Travis Group 67.086 acre tract and the southeast corner of said 486.882 acres;

THENCE with said northwest bank of Colorado River (inundated) the following three (3) courses:

- 1) South 83° 40' 07" West (called South 84° 54' 05" West), a distance of 472.19 feet to an angle corner;
- 2) South 71° 53' 07" West (called South 73° 07' 05" West), a distance of 789.50 feet to another angle corner;
- 3) South 54° 27' 07" West (called South 55° 41' 05" West), a distance of 1,054.90 feet to the South corner of said 486.882 acres, same being the easterly southeast corner of the Existing TR-1 (to be added to Existing PDD) Open Space 7.819 acres;

THENCE leaving said northwest bank of Colorado River and crossing said 194.920 acre tract and 200 feet from and parallel to the southwest lines of said 194.920 acre tract the following five (5) courses:

- 1) North 43° 46' 23" West, a distance of 202.10 feet to an angle corner
- 2) North 66° 40' 00" West, a distance of 60.11 feet to an angle corner
- 3) North 59° 25' 04" West, a distance of 426.74 feet to an angle corner
- 4) North 77° 29' 04" West, a distance of 132.64 feet to an angle corner
- 5) and North 29° 04' 31" West, a distance of 719.32 feet to an angle corner

THENCE North 26° 12' 11" West continuing across said 194.920 acre tract, at 132.28 feet pass a line common to said 315.428 acre tract and said 194.920 acre tract, same being the northerly northwest corner of said Existing TR-1 Open Space 7.819 acre tract and the easterly southeast corner of said Existing PDD Open Space 19.420 acre tract, and then crossing said 315.428 acre tract, for a total distance of 335.50 feet to an angle corner in the southwesterly line of said 486.882 acres;

THENCE continuing across said 315.428 acre tract and 200 feet from and parallel to the West and southwest lines of said 315.428 acre tract the following sixteen (16) courses:

- 1) North 49° 08' 11" West, a distance of 304.41 feet to an angle corner
- 2) North 34° 52' 11" West, a distance of 15.00 feet to an angle corner
- 3) North 03° 56' 49" East, a distance of 261.01 feet to an angle corner
- 4) North 15° 26' 11" West, a distance of 291.55 feet to an angle corner
- 5) North 39° 56' 40" West, a distance of 214.12 feet to an angle corner
- 6) North 06° 22' 49" East, a distance of 397.63 feet to an angle corner
- 7) North 23° 14' 11" West, a distance of 215.04 feet to an angle corner
- 8) North 20° 16' 11" West, a distance of 218.91 feet to an angle corner
- 9) North 17° 39' 53" West, a distance of 143.94 feet to an angle corner
- 10) North 10° 16' 49" East, a distance of 190.76 feet to an angle corner
- 11) North 43° 19' 42" West, a distance of 469.69 feet to an angle corner

12) North $84^\circ 34' 21''$ West, a distance of 215.32 feet to an angle corner
 13) North $68^\circ 38' 08''$ West, a distance of 51.25 feet to an angle corner
 14) North $51^\circ 29' 26''$ West, a distance of 362.01 feet to an angle corner
 15) North $20^\circ 35' 09''$ West, a distance of 91.75 feet to an angle corner
 16) and North $01^\circ 50' 26''$ East, a distance of 586.24 feet to the interior westerly corner of said 486.882 acres, same being the northerly northwest corner of said Existing PDD Open Space 19.420 acre tract;

THENCE South $86^\circ 11' 38''$ West and continuing across said 315.428 acre tract, a distance of 165.78 feet to the **POINT OF BEGINNING**, containing 486.882 acres of land.

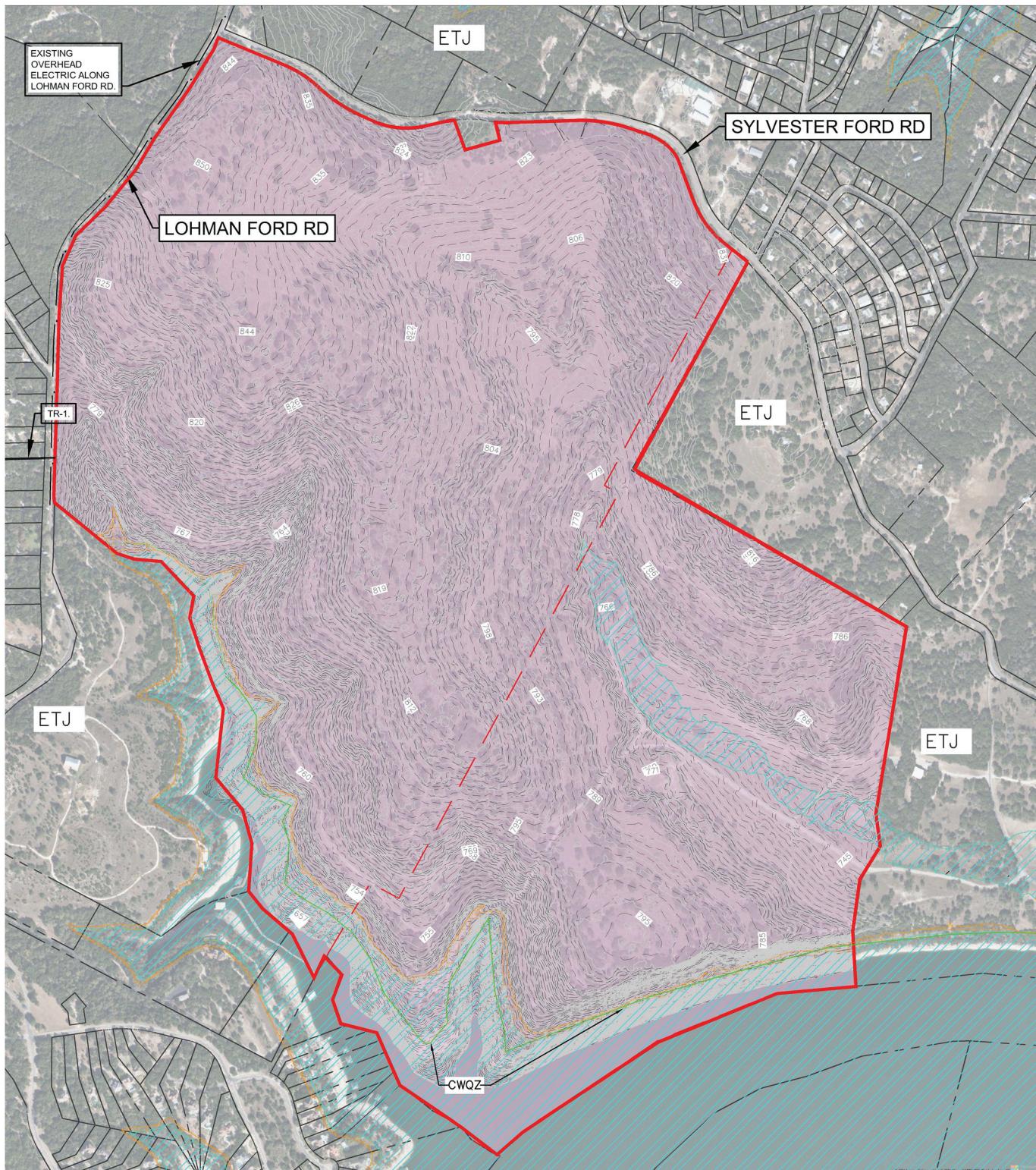
All bearings are based on Grid North, Texas State Plane Coordinate System, NAD83 (2011) Texas Central Zone No. 4203. The unit measure for all distances is US Survey Feet and distances are represented as surface values and may be converted to grid by dividing by the surface adjustment factor of 1.00010.

I hereby certify the foregoing metes and bounds description and attached exhibit were prepared from a survey performed on the ground under my supervision, and represent the facts found at the time of the survey.



Patrick Matusek
 Registered Professional Land Surveyor
 Maverick Engineering, Inc., Firm # 100491-02
 License No. 4518, State of Texas
 Surveyed March 28, 2022





PROJECT SITE

TCAD PARCEL BOUNDARIES

CONTOUR LINES

100-YEAR FLOOD ZONE

500-YEAR FLOOD ZONE

LAGO VISTA ETJ (ZONE: NONE)

LAGO VISTA FULL-PURPOSE (ZONE: AG)

CWQZ

NOTE: CREATED USING PUBLICLY AVAILABLE CITY OF LAGO VISTA AND TRAVIS COUNTY GIS DATA



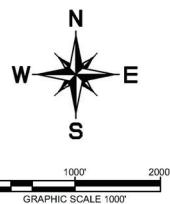
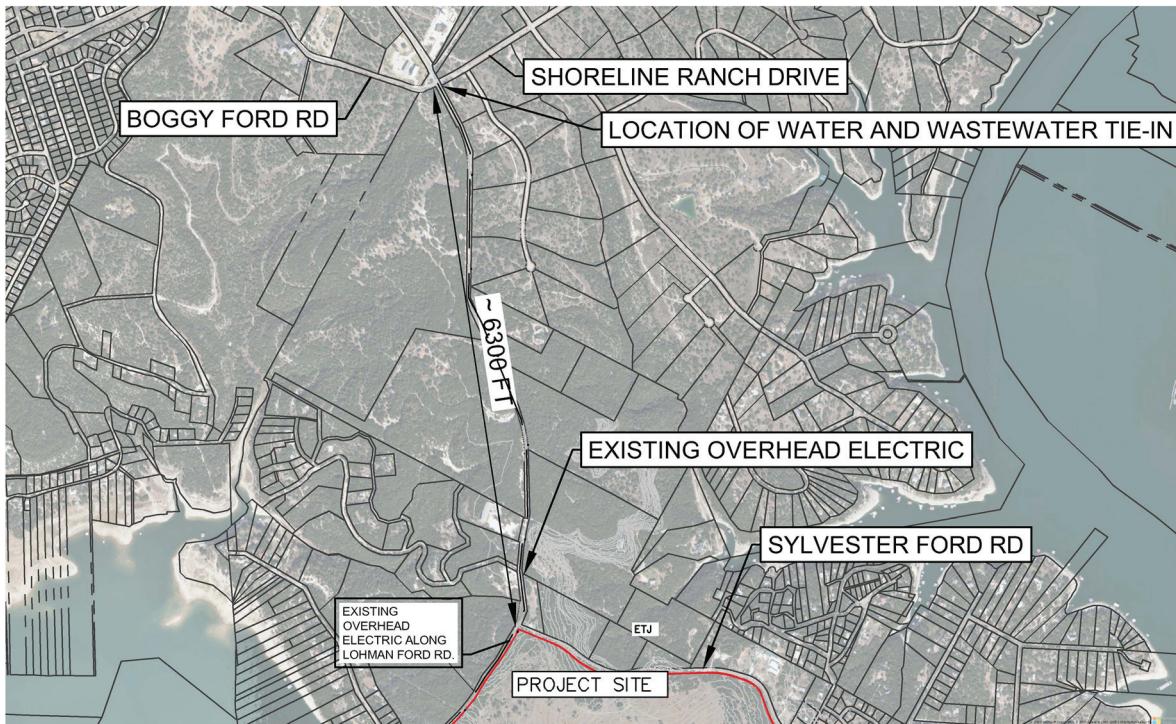
GRAPHIC SCALE 400'

Kimley » Horn

10814 Jollyville Rd., Suite 200,
Austin, Texas 78759
737-471-0326
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.

Existing Conditions



Existing Utility Service Location

Kimley»Horn

10814 Jollyville Rd., Suite 200,
Austin, Texas 78759
737-471-0326
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.

22-2097-PDD-MOD

± 486.8 Acres of the B.F. Cox Survey 740, Abstract 207

Attachment 2

Proposed Concept and Detail Plan Amendment

Exhibit B

PDD Development Plan

The Property shown on the attached Exhibit “C” (the “PDD Map”) shall be developed for uses permitted in this PDD Development Plan, pursuant to approved Preliminary Plans, Site Development Plans and Final Plats. A phase or section of Winn Ranch may have a mix of uses as provided in this PDD Development Plan, provided the areas in which each such use is permitted in a phase or section and the relationship of each separate use or occupancy to a different use or occupancy includes appropriate setbacks or buffers between commercial resort structures and multifamily uses and areas to be developed for single family, attached single family and townhouse occupancies.

1. Land Use. This Development Plan includes the PDD Map attached hereto and made a part hereof for all purposes.

- A. The Park Area shown on the PDD Map shall be dedicated to the City of Lago Vista at the time that it is platted. The Park Area may be developed as P1-B base zoning with the development standards set forth on the PDD Map, and with up to 1 acre designated for utilities and utility infrastructure, including water tower use, subject to City-approved design and safety barrier.
- B. The Residential Area shown on the PDD Map may be developed as residential under the R1 and R1-T base zoning districts with the development standards set forth on the PDD Map. The following additional use shall be permitted in the Residential Area: townhome residential units; however, (i) no more than 200 townhome residential dwelling units may be built within the Residential Area and (ii) no single family lots may share a property line with a lot that includes townhome residential units. Within the Residential Area, no less than 25% of the dwelling units will be R-1.
- C. The Commercial Resort/Mixed Use Area shown on the PDD Map may be developed under Commercial Resort zoning district with the development standards set forth on the PDD Map. The following additional uses shall be permitted in the Commercial Resort/Mixed Use Area: dwelling-single family residential units, dwelling-two-family residential units, townhome residential units, condominiums, hotel, helistop, apartments, multifamily units, assisted living, community home, convalescent home/nursing home, family home facility, structured parking, private marinas and recreational vehicle and boat storage or service facilities, and resort structures and support facilities. The following-uses will also be permitted; however, the total square footage of the space for these uses shall be limited to no more than 30,000 square feet total: bakery; barber/beauty shop; book/stationary shop; clothing store-men’s and/or women’s; drug store, soda fountain, tobacco, candy shops; florist; jewelry; optical goods; photo studio; retail store-general; studio – artist; studio-dance; studio-health; and studio-music.

D. Within the Residential Area and the Commercial Resort/Mixed Use Area, the following uses are allowed: amenity centers with swimming pools, tennis courts, basketball courts, baseball and soccer play fields, decks, parking trailhead facilities and other similar support facilities. Buildings comprising amenity center(s), and other support facilities shall comply with parks zoning classification "P-1B" standards. Swimming pools, tennis courts, basketball courts, baseball and soccer play fields, decks, parking, public parks, and trailhead facilities shall comply with parks zoning classification "P-1B" standards. Drainage areas, open space and other environmentally sensitive areas shall comply with parks zoning classification "P-2" standards. Each of these uses shall comply with the stated zoning requirements and development standards except as herein specifically modified.

2. The City of Lago Vista shall have a public safety easement over all private streets and roadways which easements shall be described in subdivision plat or separate easement recorded in the Official Public Records of Travis County, Texas.

3. Each developed lot within this PDD shall be served by the City of Lago Vista water and wastewater utility services. Wastewater utilities located within the Property, after acceptance of the wastewater system within the phase, are public utilities up to the point of connection to each lot's lot line. Water utilities, after acceptance of the water system within the phase, are part of the public system up to the point of connection to a private service meter.

4. All site development must comply with the Highland Lakes Watershed Ordinance and City water quality regulations in effect on March 3, 2022.

~~5. Cut and fill shall be limited to a maximum of 8 feet above grade provided a cut or fill in excess of 8 feet shall be permitted if (i) the cut or fill is sloped or is terraced to control erosion and sedimentation or retaining wall as provided and (ii) an engineered design.~~

56. A maximum of 50% impervious coverage may exist on any detached single-family residential lot; this limit may be met on a lot basis or on a final plat basis. If computed on a final plat basis, the final plat shall contain no more than 50% impervious cover for the single-family detached residential lots collectively.

67. No single-family detached residence shall be constructed with less than 1,600 square feet of heated and cooled living area. No townhome or condominium unit shall be less than 900 square feet of heated and cooled living area. No apartment unit shall be less than 650 square feet of heated and cooled living area.

78. Maximum building height for any single family residential lot or dwelling-single family use, dwelling-two-family use, or townhouse use is thirty-five feet (35') above the highest point on the lot, not to exceed three levels.

| **89.** Townhome development shall be restricted to a maximum of 60% impervious cover limit. This limit may be met on a lot basis or a final plat basis.

| **940.** The maximum building height for amenity center buildings shall not exceed two stories plus a daylight basement or a maximum of forty feet (40') above the highest point on the lot.

| **1044.** The maximum building height for all other uses, including but not limited to, hotel, condominium, or apartment uses is seventy-five feet (75') above the highest point on the lot and in accordance with International Building Code and Fire Code provisions.

| **112.** The open space requirement can be met based on the Property as a whole, along with any additional adjacent property within the same subdivision that is zoned appropriately for open space.

| **123.** Areas designated as open space may include, but are not limited to:

- a. Natural and undeveloped areas, landscaped areas, swimming pools, pool decks, plazas, patios, open air gathering places, multi-use trails, and detention or water quality facilities designed and maintained as an amenity; and
- b. All yards, including courtyards and back/front yards, and other areas located within or surrounding any building or dwelling unit that are open and unobstructed from the surface to the sky and that are covered by grass, ground cover, or other landscaping.

| **134.** The following general provisions shall apply to each property, which provision shall control over the requirements of the comprehensive zoning ordinance:

A. Building Setbacks are as follows:

- (i) front yard setback is twenty (25'); and
- (ii) rear yard setback is twenty-five feet (25'), except where the rear lot line is adjacent to a HOA owned or operated green belt, open space or a setback area from Lake Travis, the rear yard setback is ten (10').

| **145.** In accordance with the Highland Lakes Watershed Ordinance and local ordinance, no storm water detention will be required when conveyance to Lake Travis is demonstrated. The Developer will comply with LCRA rules and regulations concerning water quality facilities.

| **156.** Traffic Analysis. The Developer has provided the City with a Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc. and dated November 4, 2021 (the "TIA"). As reflected on the PDD Map, the primary access to the Property will occur off Lohman Ford Road, with a secondary access provided on Sylvester Ford road. The TIA indicates that the main drive on accessing Lohman Ford Road should be developed with separate exiting, or westbound, left and right-turn lanes. The Developer shall fund one hundred percent of the costs of designing, engineering and constructing the recommended improvements outlined in the TIA. If the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in the TIA, then a site plan or building permit for the property may not be approved, released, or issued; in such a case, the Developer shall amend the

TIA to reflect the updated increase in traffic and shall be responsible for proportionate cost of improvements. The TIA is subject to City and Travis County approval.

~~17. No building permits shall be issued on land for which a final plat has not been recorded, with the exception of construction and sales trailers or temporary facilities designed to prepare for, oversee, or manage the land planning, construction, or sales processes, which shall be removed upon or before the completion of the phase of development noted on an approved and recorded final plat.~~

~~168.~~ Porous pavement systems may be utilized for required parking and paving, and will not count as impervious cover. Subject to City approval, t~~he~~ types of porous pavement systems that are acceptable for both pedestrian and vehicular traffic are as follows:

- (A) Open-jointed block pavement, permeable interlocking concrete pavement (PICP) or concrete grid pavement (CGP): These systems consist of high strength concrete units that are separated by open or stone-filled joints that allow stormwater to infiltrate. The concrete units are laid on an open graded, single – sized granular base.
- (B) Porous asphalt (PA): This system consists of regular bituminous asphalt in which the fines have been screened and reduced, creating void spaces and making it permeable. Permeable friction course (PFC) is a porous asphalt overlay placed over an impervious cover surface.

~~17. Phasing Agreement. The Property is subject to a Development Agreement, Document No. 2022090370 recorded in the Official Public Records of Travis County, Texas (“Development Agreement”). The Development Agreement includes the phasing of development based upon a certain number of LUEs that can be utilized in any given year. See Paragraph 5.01 of the Development Agreement. This phasing is hereby incorporated into the site development regulations by reference.~~



TABLE OF DEVELOPMENT STANDARDS											
TYPE OF DEVELOPMENT	MAX IMPERVIOUS COVER %	MIN. LIVING AREA (SQ. FT.)	MIN. LOT AREA (SQ. FT.)	MIN. LOT WIDTH & DEPTH (FT.)	MIN. PARKING STANDARDS	FRONT & REAR YARD CORNER SETBACK (FT.)	REAR SETBACK (FT.)	MIN. SIDE YARD SETBACK (FT.)	TOTAL SIDE YARD SETBACK (FT.)	CORNER SETBACK (FT.)	BUILDING HEIGHT (FT.)
R-1	50	1,800	7,500	MIN. = 10' DEPTH = 10'	2 OFF-STREET SPACED UNIT	25	25	5	15	15	20
R-1T	50	1,600	7,500	MIN. = 10' DEPTH = 10'	2 OFF-STREET SPACED UNIT	25	25	5	15	15	30. NOT TO EXCEED 3 STOREY
TOWNHOME	50	900	N/A	N/A	1 OFF-STREET SPACED UNIT	20	5	N/A	N/A	N/A	28
CR-RESORT	25	NA*	NA	NA	PER CODE	25	25	10	20	25	75
P-10	50	NA	NA	NA	SHALL BE DETERMINED BY CITY PLANNER	25	25	10	20	25	28

*NO TOWNSHOE OR CONDOMINIUM UNIT SHALL BE LESS THAN 1000 SQ. FEET OF HEATED AND COOLED LIVING AREA. NO APARTMENT UNIT SHALL BE LESS THAN 750 SQ. FEET OF HEATED AND COOLED LIVING AREA.

1. THIS POD IS SUBJECT TO THE INTERLOK AGREEMENT FOUND IN CHAPTER 10 SECTION 3.1.6 OF THE CITY OF LAGO VISTA CODE.

TABLE OF DEVELOPMENT STANDARDS						
TYPE OF DEVELOPMENT	LAND USE	ACREAGE	TOTAL ACREAGE	OPEN SPACE	MAX UNITS	NUMBER OF UNITS PER ACRE*
R-1	SINGLE-FAMILY RESIDENTIAL	365.07	365.07	SEE NOTE 1	810	3
R-1T	SINGLE-FAMILY RESIDENTIAL (TALL)	365.07	365.07	SEE NOTE 1	810	3
TOWNHOME	TOWNHOME	35.35	35.35	SEE NOTE 1	200	8
CR-RESORT	COMMERCIAL RESORT	80.08	80.08	NA	800	15
P-10	PARK DISTRICT	6.40	6.40	NA	NA	NA

*MAX UNITS AND UNITS PER ACRE BASED ON TOTAL ACREAGE FOR SPECIFIC AREA.



LEGEND

- RESIDENTIAL AREA (TOTAL AREA = 365.07 AC)
- TOWNHOME AREA (TOTAL AREA = 35.35 AC)
- AMENITY AREA (TOTAL AREA = 4.83 AC)
- COMMERCIAL/RESORT MIXED USE AREA
- 6 ACRE PARK AREA WITH UP TO 1 ACRE DESIGNATED FOR PARKS, SWIMMING POOL, WATER TOWER (TOTAL AREA = 80.08 AC)
- FLOODPLAIN
- PROPERTY BOUNDARY (TOTAL SITE AREA = 814.12 AC) (POD AREA = 486.78 AC)
- CWQZ

Kimley Horn

10144 Jolleyville Rd., Suite 200
Austin, Texas 78759
737-471-0200
State of Texas Registration No. F-528



LEGEND

- RESIDENTIAL AREA
- TOWNHOME AREA
- AMENITY AREA
- PROPOSED TREE PER LANDSCAPE PLAN NOTES BELOW

Landscape Plan Notes for Residential Area with Townhomes

- The owner will strive where possible to utilize native vegetation, xeriscaping and other forms of landscaping to promote water conservation.
- Areas of permeable surface, except the areas of interest and detention ponds, shall be landscaped with trees and shrubs. The trees shall be a minimum of 18 inches in diameter at breast height (DBH) and shall be planted in a manner that will not interfere with the City's erosion control requirements. Areas designated plant bedding shall have sufficient topsoil and other requirements to support the substrate. The landscaped areas are to be separated from parking and paved areas by a minimum of 12 inches. Trees may be clustered and uniform planting is not required.
- A minimum number of trees and their location shall be according to the following:
 - Residential areas shall have one tree per 1000 square feet of residential area.
 - Residential areas shall have one tree per 2000 square feet of a parking lot and a street. One tree for every 40 linear feet of street. Planted trees shall be at least 20 feet from another tree. Trees under existing power lines shall be ornamental trees.
 - Residential areas shall have one tree per 1000 square feet of a paved area.
- Planted trees shall be in planting areas of at least 54 square feet and no dimension shall be less than eight feet.
- Planted trees shall be in planting areas of at least 54 square feet and no dimension shall be less than eight feet.
- Planted trees shall be in planting areas of at least 54 square feet and no dimension shall be less than eight feet.
- Planted trees shall be in planting areas of at least 54 square feet and no dimension shall be less than eight feet.
- The owner will maintain required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices. If the owner receives notification that trees and shrubs are not in a healthy condition, the owner shall correct the problem within 60 days from receipt of notice and shall replace the plants within six (6) months after notification or within the next planting season whichever comes first.
- The owner will maintain required landscaped areas in a healthy condition, free from diseases, pests, weeds and litter in accordance with generally accepted horticultural practices. If the owner receives notification that trees and shrubs are not in a healthy condition, the owner shall correct the problem within 60 days from receipt of notice and shall replace the plants within six (6) months after notification or within the next planting season whichever comes first.

(A) Open-pored block pavement: permeable interlocking concrete pavement (PICP) or concrete grid pavement (CGP). These systems consist of high strength concrete units that are separated by open or plane-filled joints that allow stormwater to infiltrate the soil beneath the surface.

(B) Porous asphalt: This system consists of regular bituminous asphalt in which the fines have been screened and removed, creating void spaces and making it permeable. Permeable friction course (PFC) is a porous asphalt surface placed over an impervious cover surface.

Kimley Horn

10144 Jolleyville Rd., Suite 200
Austin, Texas 78759
737-471-0200
State of Texas Registration No. F-528

TOWNHOMES LANDSCAPE PLAN - EXHIBIT C1



OPEN SPACE TABULATION			
AREA	DEVELOPED	OPEN SPACE	TOTAL OPEN SPACE
1 SINGLE FAMILY HOMESITES	239.31 ACRES	0%	119.85 ACRES
2 OPEN SPACE AT SINGLE FAMILY	167.82 ACRES	0	167.82 ACRES
3 PARK	6.38 ACRES	0	6.38 ACRES
4 AMENITY VILLAGE	5.00 ACRES	15%	4.25 ACRES
5 COMMERCIAL/RESORT OPEN SPACE	58.59 ACRES	25%	43.85 ACRES
6 COMMERCIAL/RESORT OPEN SPACE	36.95 ACRES	100%	0 ACRES
GRAND TOTALS:	514.12 AC.		342.12 ACRES

OPEN SPACE AND DENSITY CALCULATIONS AT SINGLE FAMILY AREA

OPEN SPACE REQUIRED PER INTERLOCAL AGREEMENT
40% X 514.12 ACRES = 205.65 ACRES

ADDITIONAL OPEN SPACE PER INTERLOCAL AGREEMENT = 136.47 ACRES

TOTAL OPEN SPACE PROVIDED = 342.12 ACRES

ALLOWABLE HOME SITES

1.5 X (514.12 AC. - 58.59 AC.) = 683.29
PLUS 1 PER EACH ADDITIONAL ACRE = 136.47
TOTAL ALLOWABLE HOME SITES = 819.80
TOTAL HOME SITES PROVIDED = 798

COMMERCIAL-RESORT/MIXED-USE

TOTAL AREA = 58.59 ACRES
OPEN SPACE = 43.945 ACRES

RSP Architects
305 Grand Avenue
Suite 440
Miami, FL 33133
www.rsparch.com



OPEN SPACE TABULATION			
AREA	DEVELOPED	OPEN SPACE	TOTAL OPEN SPACE
1 SINGLE FAMILY HOMESITES	217.82 ACRES	0%	108.91 ACRES
2 OPEN SPACE AT SINGLE FAMILY	168.45 ACRES	0	168.45 ACRES
3 PARK	6.38 ACRES	0	6.38 ACRES
4 AMENITY VILLAGE	5.00 ACRES	15%	4.25 ACRES
5 COMMERCIAL/RESORT OPEN SPACE	58.59 ACRES	25%	43.85 ACRES
6 ROADWAYS	26.16 ACRES	25%	19.82 ACRES
COMMERCIAL/RESORT OPEN SPACE	36.95 ACRES	100%	0 ACRES
GRAND TOTALS:	514.12 AC.		351.53 ACRES

OPEN SPACE AND DENSITY CALCULATIONS AT SINGLE FAMILY AREA

OPEN SPACE REQUIRED PER INTERLOCAL AGREEMENT
40% X 514.12 ACRES = 205.65 ACRES

ADDITIONAL OPEN SPACE PER INTERLOCAL AGREEMENT = 145.88 ACRES

TOTAL OPEN SPACE PROVIDED = 351.53 ACRES

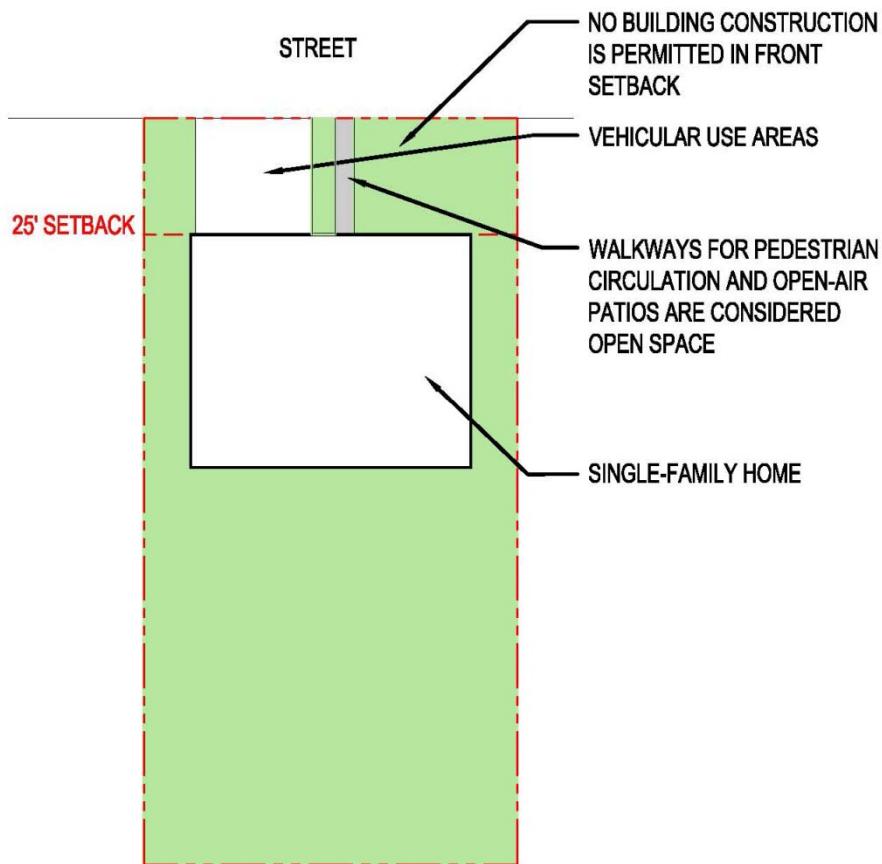
ALLOWABLE HOME SITES

1.5 X (514.12 AC. - 58.59 AC. - 26.16AC.) = 644.05
PLUS 1 PER EACH ADDITIONAL ACRE = 145.88
TOTAL ALLOWABLE HOME SITES = 789.94
TOTAL HOME SITES PROVIDED = 729

COMMERCIAL-RESORT/MIXED-USE

TOTAL AREA = 58.59 ACRES
OPEN SPACE = 43.945 ACRES

RSP Architects
305 Grand Avenue
Suite 440
Miami, FL 33133
www.rsparch.com



NOTES:

1. OPEN AREAS MAY BE PROVIDED WITH LANDSCAPING AND LANDSCAPE TREATMENTS, INCLUDING, BUT NOT LIMITED TO, TREES, SHRUBS, FLOWERS, GRASS, GROUND COVER, LANDSCAPE EDGING ELEMENTS, WALKWAYS AND IRRIGATION SYSTEMS.
2. VEHICULAR USE AREA SHALL NOT EXCEED 35% OF AREA WITHIN FRONT SETBACK.
3. THE AREA OF ALL BUILDINGS PLUS THE VEHICULAR USE AREAS CONSTRUCTED WITH IMPERVIOUS PAVING SHALL NOT EXCEED 50% OF THE TOTAL LOT AREA. VEHICULAR USE AREAS CONSTRUCTED WITH PERMEABLE PAVING SHALL NOT COUNT IN THE AREA.
4. SWIMMING POOLS AND UNCOVERED PATIO AREAS SHALL BE OPEN SPACE.
5. AT LEAST 50% OF A HOMESITE AREA MUST BE OPEN SPACE.

WINN RANCH

PRIVATE (HOMESITE) OPEN SPACE GUIDELINES

05/20/2022



RSP Architects

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Suite 440
Miami, FL 33133

305.444.7100
www.rsparch.com

22-2097-PDD-MOD

± 486.8 Acres of the B.F. Cox Survey 740, Abstract 207

Attachment 3

Previously Approved PDD Plans / Ordinances

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 09-02-19-02

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY REZONING A 315.363 ACRE TRACT OF LAND LOCATED ON LOHMAN FORD ROAD AND SYLVESTER FORD ROAD FROM THE TR-1 ZONING DISTRICT TO THE PLANNED DEVELOPMENT DISTRICT; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, WYA The Falls at Lake Travis, LTD. the owner of the property, more particularly described on the attached Exhibit "A", has requested that the property be rezoned from its current TR-1 to PDD;

WHEREAS, after giving ten (10) days written notice to the owners of land within 200-feet of the property, the Planning and Zoning Commission and City Council held a public hearing on the proposed re-zoning on the Property;

WHEREAS, after publishing notice to the public at least fifteen (15) days prior to the date of such hearing, the Planning and Zoning Commission and the City Council at a public hearing have reviewed the request and the circumstances of the Property and finds that the application is consistent with a development agreement approved on March 15, 2007, and that that is sufficient to warrant a change in the zoning of the property;

WHEREAS, the City desires that development within its corporate limits occur in an orderly manner in order to protect the health, safety, and welfare of its present and future citizens, protect property values and provide for the growth of the City's tax base; and

WHEREAS, the City desires to control the development standards for the Property,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The Commission, City Manager and City Council find that this Ordinance satisfies the requirements of Section 13 of the City of Lago Vista Zoning Ordinance.

Section 2. Amendment of Zoning Ordinance. The Zoning Ordinance and the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning the Property as set forth in Section 3.

Section 3. Rezoned Property. The Zoning Map is hereby amended by changing the zoning district for the property, being a 315.363 acre tract of land described on Exhibit "A" attached to this ordinance, from the TR-1 zoning district to the PDD zoning district.

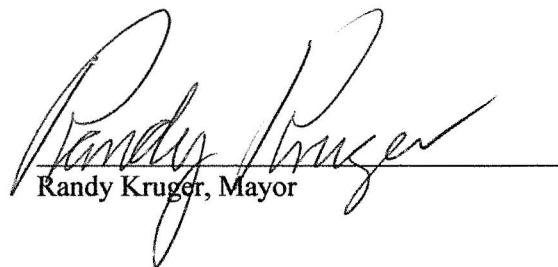
Section 4. Zoning Requirements for PDD. The zoning requirements for the property described in Exhibit "A" and shown on the attached PDD Plan, (Exhibit "B") shall be according to Exhibit "B" and Exhibit "C", attached and made a part of this ordinance.

Section 5. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

Section 7. Open Meetings. It hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this 19th day of February, 2009.



Randy Kruger
Randy Kruger, Mayor

ATTEST:



Christina Buckner, City Secretary

On a motion by Pat Dixon, seconded by D'Anne Gloris, the above and foregoing instrument was passed and approved.

EXHIBIT B

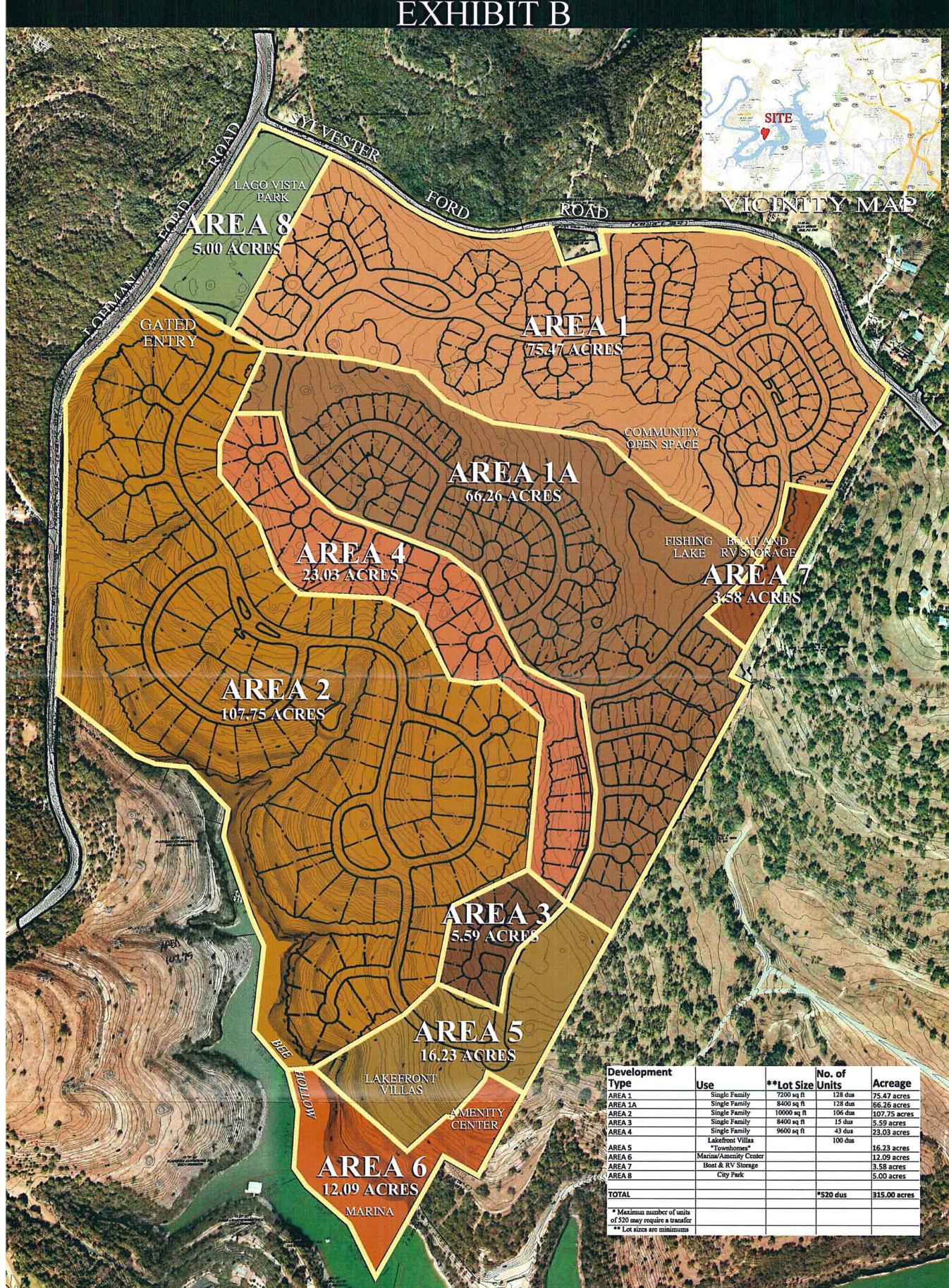


Exhibit "C"

PDD Development Standards

1. Land Use and Applicable Base Zoning District Standards.
 - A. Areas 1, 2, and 3 shown on Exhibit B shall comply with the land use and development standards of the R-1G zoning district, except as modified in the following.
 - B. Area 4 shown on Exhibit "B" shall comply with the land use and development standards for the "R-1F zoning district, except as modified in the following.
 - C. Area 5 shown on Exhibit "B" shall comply with the land use and development standards for the R-4 zoning district, except as modified in the following.
 - D. Area 6 shown on Exhibit "B" shall comply with the development standards of the C-1A zoning district for non-residential development, except as modified in these PDD Development Standards. Uses in this area shall be limited to an amenity center, swimming pool, tennis courts, decks, parking, marina (must have LCRA permit before construction), boat launch, boat dock, and associated accessory facilities. Additionally, detached single family houses subject to "R-1G" development standards and associated accessory facilities are allowed.
 - E. Area 7 shown on Exhibit "B" shall be limited to recreational vehicle and boat storage and comply with the development standards of the C-2 zoning district, except as modified in the following.
2. The total number of dwelling units shall not exceed 520. Development of the Project shall be in accordance with the LCRA Highland Lakes Water Quality Ordinance in effect on March 15, 2007 and the Interlocal Agreement between the City of Lago Vista and the City of Austin dated March 15, 2007.
3. The City of Lago Vista shall have a public safety easement over all private streets and roadways and all easements and green belts used for general use. Such easements shall be shown on all preliminary and final plats submitted for consideration by the city.
4. All lots in the development shall be served by the City of Lago Vista water and wastewater utility services.
5. No sidewalks shall be required for any lots.
6. No street lights shall be required.
7. No oil drilling, extraction or removal of stone, gravel, caliche, minerals, earth, or other natural materiel for commercial purposes shall be permitted.
8. No boats, empty boat trailers or recreational vehicles may be parked on any residential lot.
9. No building or structure, except a marina facility structure, boat launch ramp and necessary access and appurtenances thereto may be constructed below the 681 foot mean sea level contour or the Critical Water Quality Zone.
10. The maximum impervious cover for any single family lot shall be 50%.

11. No single family residence shall be constructed with less than 1800 sq. ft. of heated and cooled living area. No condominium/townhouse shall be constructed with less than 1200 sq. ft. of heated and cooled living area.
12. Off street parking for each single-family dwelling shall be provided by an enclosed garage capable of parking two automobiles.
13. Maximum building height for buildings on single family residential and condominium/town home lots shall be 35 feet above the highest point of the ground on which there would be a building foundation; provided, however, that on lots adjacent to Lake Travis, any additional story shall be at or below street grade.
14. The maximum building height for the buildings in Area 6 shown on Exhibit "B" shall not exceed 2 stories plus a daylight basement or 42 feet from the highest point of the ground on which there would be a building foundation.
15. Residential structures shall have exterior facades (excluding doors, windows and openings) constructed of a minimum of 75% masonry.
16. Commercial and non-residential structures shall have exterior facades (excluding doors, windows and openings) of a minimum of 75% masonry.
17. Development in Amenity Center Area 6 shown on Exhibit "B" shall be restricted to an impervious cover limit of 50% for any lot.
18. Town house lots shall be restricted to an impervious cover limit of 60%.
19. Areas 1, 2, 3, and 4 building setbacks shall be as follows:
 - a. front yard setback is 20 feet;
 - b. rear yard setback is 20 feet, except where the rear lot line is adjacent to a HOA owned and operated green belt, open space or setback area from Lake Travis, the rear yard setback is 10 feet; and,
 - c. side yard setback is five feet, except for lots wider than 75 feet at the front lot line, the distance between houses shall be at least 15 feet.
20. Area 5 building setbacks shall be as follows:
 - a. front yard setback is 10 feet;
 - b. rear yard setback is 10 feet;
 - c. setback from any street ROW shall be 20 feet.
 - d. No building shall be constructed below the 750 contour elevation.
21. For Areas 6 and 7, the lot requirements of the City's development standards shall apply.
22. Street right-of-way classified as "minor" shall be allowed to be 50 feet wide and have pavement not less than 24 feet wide and one-way streets may have a pavement width not less than 18 feet. Street classifications shall be shown on preliminary and final plats.
22. Any fence, wall, hedge, or other similar structure shall not exceed six feet in height and may be composed of material indigenous to the property including stone, iron, wood, or a combination thereof. Chain link or barbed wire fences shall be prohibited.
23. Except for standards specifically set forth in the ordinance, the provisions of the City Code of ordinances shall apply.

24. There shall be at least 115 acres of open space within the development. Prior to approval of the first preliminary plat, the developer shall submit a conceptual plan in accordance with the city subdivision ordinance showing the 115 acres of open space.
25. Site development plans, as required under Chapter 10 of the Lago Vista City Code, are required for buildings and parking within Areas 5, 6, and 7.
26. Area 7 Buffer. Prior to placing any storage in Area 7, a solid vegetative screen shall be planted along the eastern property boundary of Area 7. Planting or preservation of existing trees shall provide a solid screen at least six feet in height at the time of planting/preservation. The planting area shall be at least six feet wide. An eight foot security fence may be installed in Area 7.
27. Prior to the approval of the first preliminary plat within this development, a traffic impact analysis (TIA) shall be completed and approved by the city. If improvements are warranted by the approved TIA, such improvements shall be constructed in conjunction with the construction of the appropriate final plat.
28. In the event of a conflict between the standards set forth in these PDD standards, the more restrictive PDD standard will control.

C:\Documents and Settings\frobbins\My Documents\P&Z CC rpts\falls dev stds #7 042508.DOC

MHDocs 1608944_4 8693.3

22-2097-PDD-MOD

\pm 486.8 Acres of the B.F. Cox Survey 740, Abstract 207

Attachment 4

Maps



N



0 230 460 920 1,380

1 in = 1,000 ft

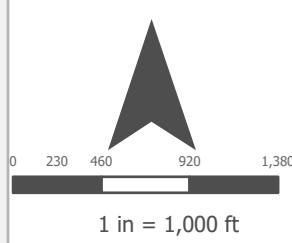
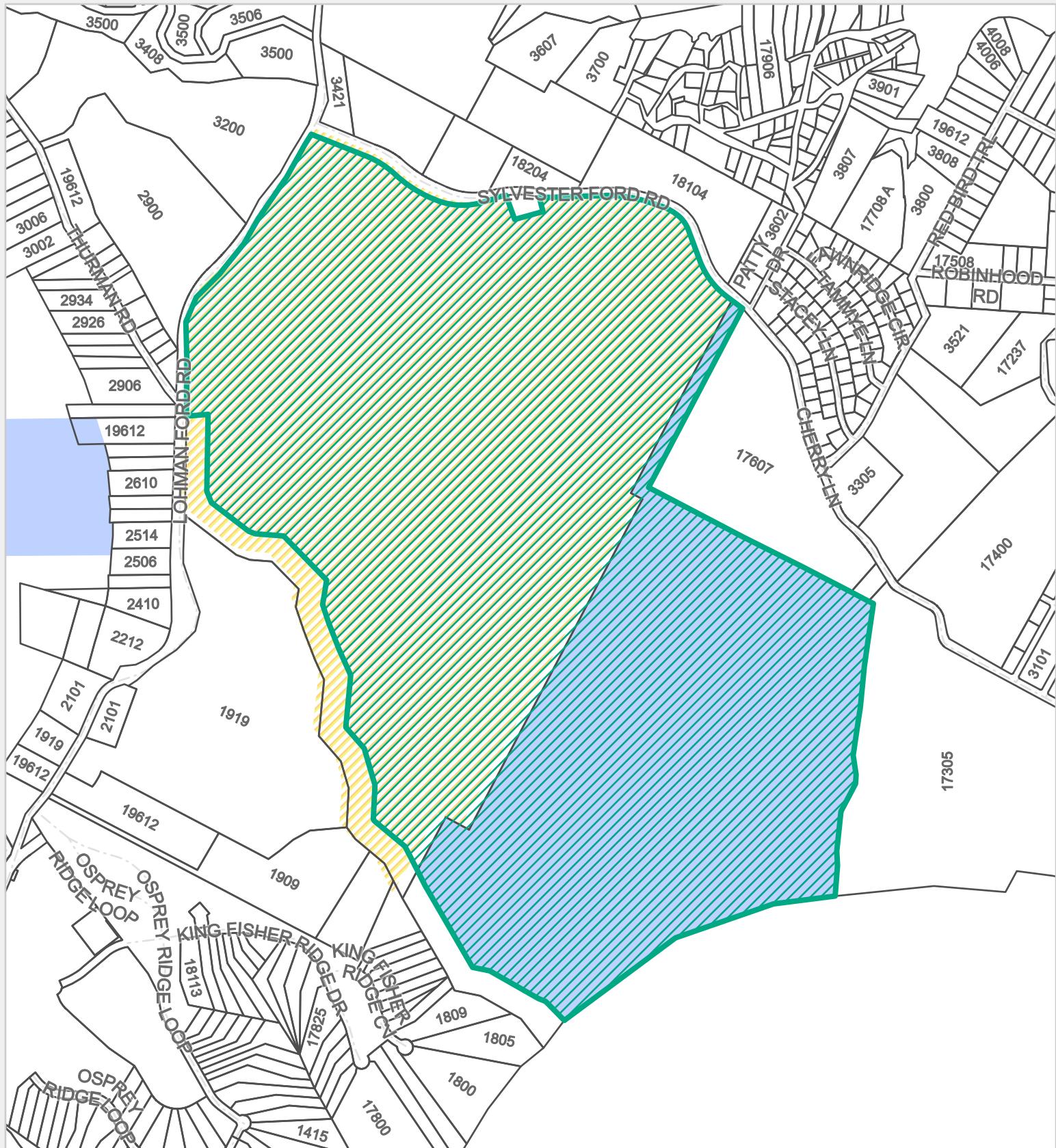
The Falls at Lake Travis

Request Type	Zoning Change	Project	22-2097-PDD-MOD
Change Requested	Amend PDD	Date	4/25/2022
Map Purpose	Aerial & Topo Map	Drawn By	chris.martinez

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Contours

- 10 ft
- 50 ft
- Street
- Project Area
- TaxParcel



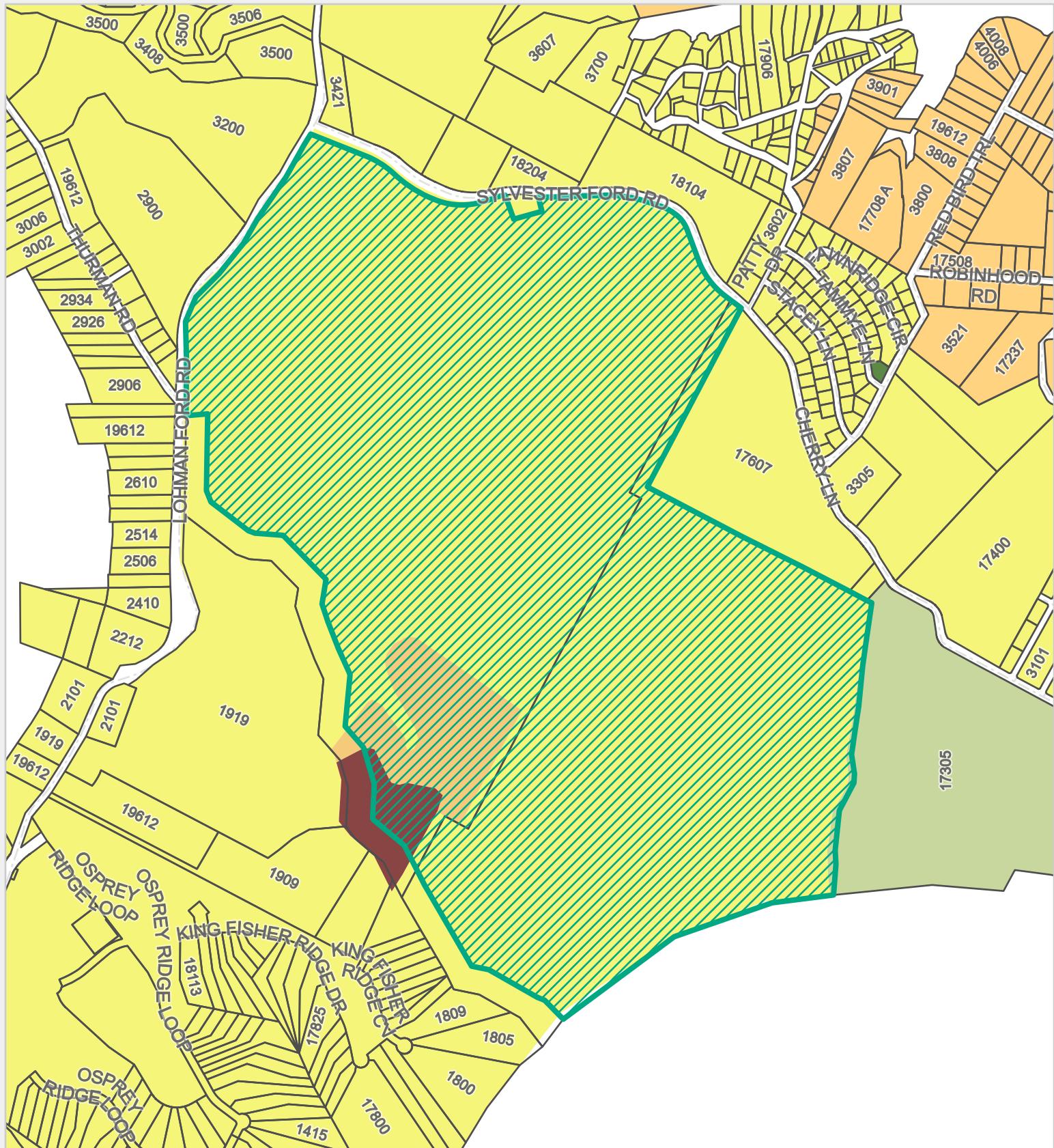
The Falls at Lake Travis

Request Type	Zoning Change	Project	22-2097-PDD-MOD
Change Requested	Amend PDD	Date	4/25/2022
Map Purpose	Zoning Map	Drawn By	chris.martinez

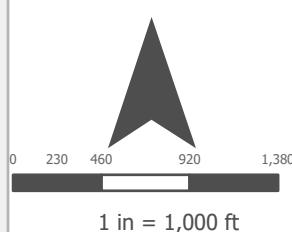
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

- Street
-  Project Area
-  TaxParcel
- ## Zoning Districts

 -  PDD
 -  TR-1



N



The Falls at Lake Travis

Request Type	Zoning Change	Project	22-2097-PDD-MOD
Change Requested	Amend PDD	Date	4/25/2022
Map Purpose	Future Land Use Map	Drawn By	chris.martinez

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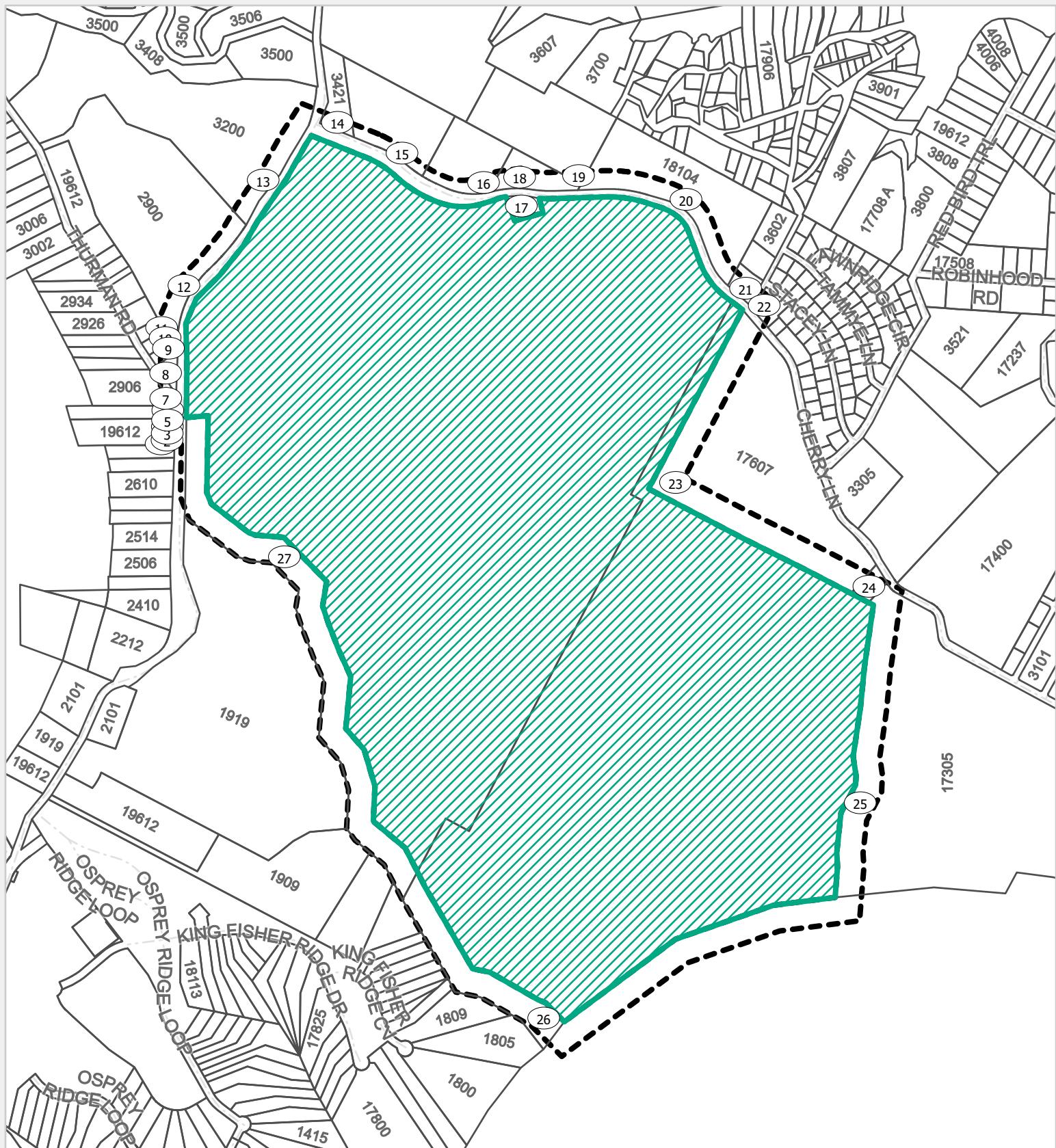
Street
Project Area
TaxParcel
City Park
Estate Residential
Low Density Residential
Medium Density Residential
POA Park
Regional Retail/Office/Commercial

22-2097-PDD-MOD

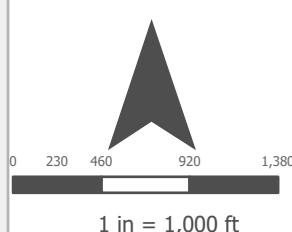
± 486.8 Acres of the B.F. Cox Survey 740, Abstract 207

Attachment 5

Notice Comments



N



The Falls at Lake Travis

Request Type	Zoning Change	Project	22-2097-PDD-MOD
Change Requested	Amend PDD	Date	4/25/2022
Map Purpose	Notification Boundary Map	Drawn By	chris.martinez

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Notice of Public Hearing

Project #: 22-2097-PDD-MOD

Hearing Date and Time: Thursday, May 12, 2022, at 7:00 P.M. in the Council Chambers at City Hall, 5803 Thunderbird St., Lago Vista, Texas and/or using an online videoconferencing tool to receive citizen input. Additional information, details, and instructions on how to participate will be included on the agenda posted at City Hall and on the City website (lagovistatexas.gov) prior to the scheduled meeting date in accordance with the Open Meetings Act.

Project Property Location: A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

200' Notification Mailing ID: 1

April 25, 2022

FOSHAT MOE A & DOROTHY N
2708 LOHMAN'S FORD RD
LAGO VISTA, TX 78645

The Planning and Zoning Commission will make a consideration of a recommendation regarding a zoning change request to amend approximately 295.9 acres of the existing Planned Development District (PDD) known as the "Falls at Lake Travis" and to add approximately 190.9 acres currently in the TR-1 ("Temporary Restricted") zoning district to that approval that includes a new concept and detail plan modifying the uses and development standards for that property. A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

For additional information, please contact us and include the above highlighted project number with all inquiries:

E-mail: development@lagovistatexas.gov
Phone Number: 512-267-5259

Please return your comments as soon as possible. Individuals who do not own property within the notification boundary or those unable to deliver written comments must attend the public hearing to provide input. **Please note that unexplained support or opposition is less useful to the voting members than comments with context and a specific basis.**

In Favor Opposed

Comments:

Signed: moe foshat

This whole page may be returned as follows:

E-mail: development@lagovistatexas.gov
Postal Address: City of Lago Vista, Development Services,
P.O. Box 4727, Lago Vista, TX, (U.S.A.) 78645
In Person at Front Counter: Development Services, Lago Vista City Hall,
Located at 5803 Thunderbird St.



Notice of Public Hearing

MAY 02 2022

CITY OF
LAGO VISTA
TEXAS

Project #: 22-2097-PDD-MOD

Hearing Date and Time: Thursday, May 12, 2022, at 7:00 P.M. in the Council Chambers at City Hall, 5803 Thunderbird St., Lago Vista, Texas and/or using an online videoconferencing tool to receive citizen input. Additional information, details, and instructions on how to participate will be included on the agenda posted at City Hall and on the City website (lagovistatexas.gov) prior to the scheduled meeting date in accordance with the Open Meetings Act.

Project Property Location: A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

200' Notification Mailing ID:

7

April 25, 2022

FOERSTER REVOCABLE TRUST
2906 THURMAN RD
LAGO VISTA, TX 78645

The Planning and Zoning Commission will make a consideration of a recommendation regarding a zoning change request to amend approximately 295.9 acres of the existing Planned Development District (PDD) known as the "Falls at Lake Travis" and to add approximately 190.9 acres currently in the TR-1 ("Temporary Restricted") zoning district to that approval that includes a new concept and detail plan modifying the uses and development standards for that property. A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

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In Favor Opposed

Comments:

Too much traffic on Johnson
George & Linda Foerster Final Rd.

Signed:

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Notice of Public Hearing

CITY OF
LAGO VISTA
TEXAS

Project #: 22-2097-PDD-MOD

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Project Property Location: A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

200' Notification Mailing ID: 8, 9, 12

April 25, 2022

DPLV LLC
2926 THURMAN RD
LAGO VISTA, TX 78645

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Phone Number: 512-267-5259

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In Favor Opposed Far too much density along Lohman's Ford side of development especially compared to original plan.

Comments: traffic patterns and road configuration ultimately have to be addressed to service PT venture on Lohmans - much less this development just because current development environment presents opportunity to high price and high density does not make it right to take advantage.

Signed: *Patricia Hanley 5/11/2022* Patricia J. Hanley 5/11/2022
Patricia Hanley 5/11/2022

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Notice of Public Hearing

CITY OF
LAGO VISTA
TEXAS

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Project Property Location: A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

200' Notification Mailing ID:

18

April 25, 2022

TIDWELL EDWARD R
3706 ARLINGTON CV
LAGO VISTA, TX 78645

The Planning and Zoning Commission will make a consideration of a recommendation regarding a zoning change request to amend approximately 295.9 acres of the existing Planned Development District (PDD) known as the “Falls at Lake Travis” and to add approximately 190.9 acres currently in the TR-1 (“Temporary Restricted”) zoning district to that approval that includes a new concept and detail plan modifying the uses and development standards for that property. A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

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In Favor Opposed

Comments:

Signed:

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Super Majority Petition for Zoning Change

Property owners within 200 feet of the proposed 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch** protest any change in zoning designation and/or PDD, Planned Development District, for subject property.

If you are an adjoining property owner and you want to slow down or stop the zoning change for whatever reason, sign this form.

Section 211.006(d) of the Municipal Law Code states:

"If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

- 1) The area of the lots or land covered by the proposed change; or
- 2) The area of the lots or land immediately adjoining the area covered by the Proposed change and extending 200 feet from the area."

In simple terms, by signing this petition, you support a 'supermajority' which increases the City Council voting threshold for changing a zoning designation to 75% from 51%; thus, impeding the effort for City Council to make any change. If the vote is less than 75% the developer cannot attempt to re-zone the property for one year.

The undersigned protests the change in zoning of the 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch**.


Name: RYAN Jones Signature: Jan Date: 04/25/2022

Property Address:

17812 Sylvester Rd
Lago Vista TX 78645



Notice of Public Hearing

CITY OF
LAGO VISTA
TEXAS

Project #: 22-2097-PDD-MOD

Hearing Date and Time: Thursday, May 12, 2022, at 7:00 P.M. in the Council Chambers at City Hall, 5803 Thunderbird St., Lago Vista, Texas and/or using an online videoconferencing tool to receive citizen input. Additional information, details, and instructions on how to participate will be included on the agenda posted at City Hall and on the City website (lagovistatexas.gov) prior to the scheduled meeting date in accordance with the Open Meetings Act.

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200' Notification Mailing ID: 22

April 25, 2022

MCNARY DONALD P & JULIE K DOSTAL
17724 CHERRY LN
LAGO VISTA, TX 78645

The Planning and Zoning Commission will make a consideration of a recommendation regarding a zoning change request to amend approximately 295.9 acres of the existing Planned Development District (PDD) known as the "Falls at Lake Travis" and to add approximately 190.9 acres currently in the TR-1 ("Temporary Restricted") zoning district to that approval that includes a new concept and detail plan modifying the uses and development standards for that property. A legal description of the entire tract under consideration is available upon request from the City of Lago Vista.

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E-mail: development@lagovistatexas.gov
Phone Number: 512-267-5259

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In Favor Opposed

Comments:

Sylvester Ford Rd cannot handle the additional traffic that will be produced from this development

Signed: *Julie Dostal*

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Super Majority Petition for Zoning Change

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If you are an adjoining property owner and you want to slow down or stop the zoning change for whatever reason, sign this form.

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"If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

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The undersigned protests the change in zoning of the 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch**.

Donald P. McNay
Name


Signature

06 03 22
Date

Property Address: 17724 Cherry Ln
Lago Vista TX 78645

Notification ID 22

Super Majority Petition for Zoning Change

Property owners within 200 feet of the proposed 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch** protest any change in zoning designation and/or POD, Planned Development District, for subject property.

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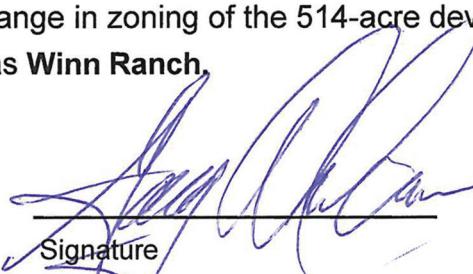
"If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

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The undersigned protests the change in zoning of the 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch**,

GARY T ANDERSON
Name


Signature

6-3-2022
Date

Property Address:

1609 Cherry Lane
Lago Vista, TX 78645

Notification ID 23

Super Majority Petition for Zoning Change

Property owners within 200 feet Qf the proposed 514-acre development **Lake Travis Group LTD** to be known as **Winn Ranch** protest any change in zoning designation and/or POD, Planned Development District, for subject property.

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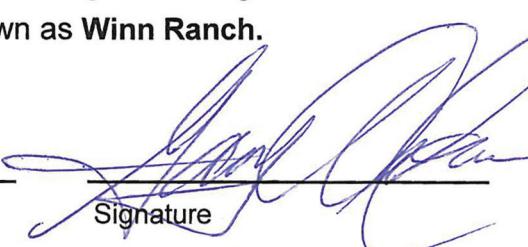
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GARY T ANDERSON
Name


Signature

6-3-2022
Date

Property Address:

17401 Cherry Ln.
Lago Vista, Tx 78645

Notification ID 24