

## **ORDINANCE NO. 21-08-19-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING THE OFFICIAL ZONING MAP BY CHANGING LOT 1111, LOT 1112, AND LOT 1113 OF LAGO VISTA ESTATES, SECTION 4, AND GENERALLY DESCRIBED AS BEING LOCATED AT 6805, 6901 AND 6903 REDWOOD DRIVE, FROM THE C1-C (“PROFESSIONAL, BUSINESS OFFICE, LOW DENSITY RETAIL”) ZONING DISTRICT TO THE C-2 (“COMMERCIAL, LARGE SCALE”) ZONING DISTRICT, TOGETHER WITH THE REQUIRED DESIGN REVIEW; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the owner of Lot 1111, Lot 1112, and Lot 1113 of Lago Vista Estates, Section 4 and generally described as being located at 6805, 6901 and 6903 Redwood Drive, has filed an application requesting the change in zoning of this property from the C-1C (“Professional, Business Office, Low Density Retail”) zoning district to the C-2 (“Commercial, Large Scale”) zoning district; and

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

**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 July 8, 2021 and the City Council at its public hearing held on August 5, 2021, 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 6.105, Section 10 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 Ordinance and the Official Zoning Map and other applicable ordinances are hereby modified and amended by rezoning Lot 1111, Lot 1112, and Lot 1113 of Lago Vista Estates, Section 4 and generally described as being located at 6805, 6901 and 6903 Redwood Drive, from the C-1C ("Professional, Business Office, Low Density Retail") zoning district to the C-2 ("Commercial, Large Scale") zoning district with the conditions described more fully in **Exhibit "A"** and as shown in the design approval documents in **Exhibit "B."**

**Section 3. Repealer.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

**Section 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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.**

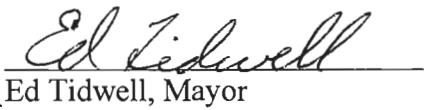
**PASSED AND APPROVED** this 19<sup>th</sup> day of August 2021.

ATTEST:

  
Sandra Barton

Sandra Barton, City Secretary



  
Ed Tidwell, Mayor

On a motion by Councilman Sullivan, seconded by Councilman Williams, the above and foregoing ordinance was passed and approved.

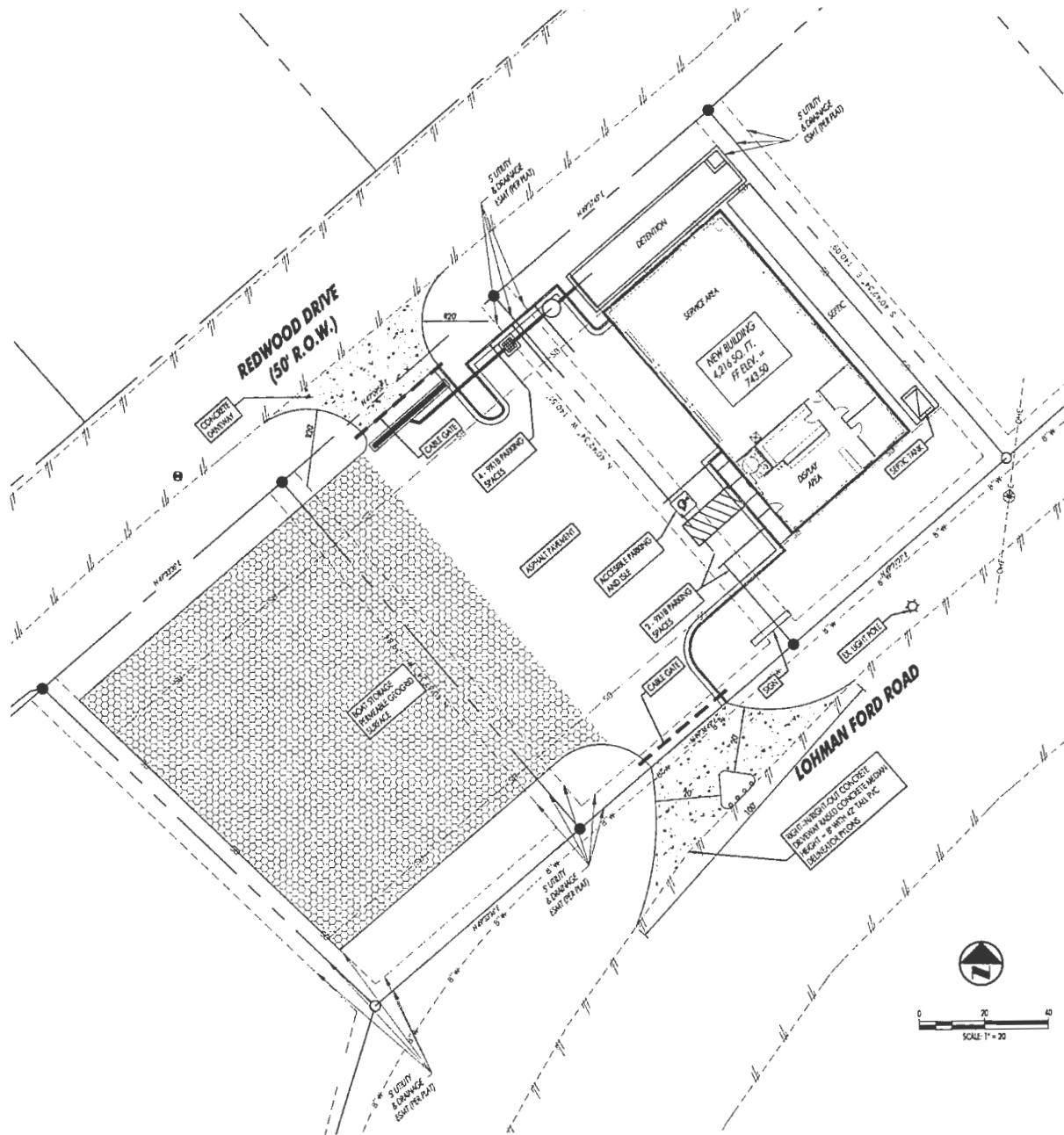
**EXHIBIT "A"**

**Conditions**

The property shall be included in the C-2 (“Commercial, Large Scale”) zoning district, subject to compliance with the following conditions:

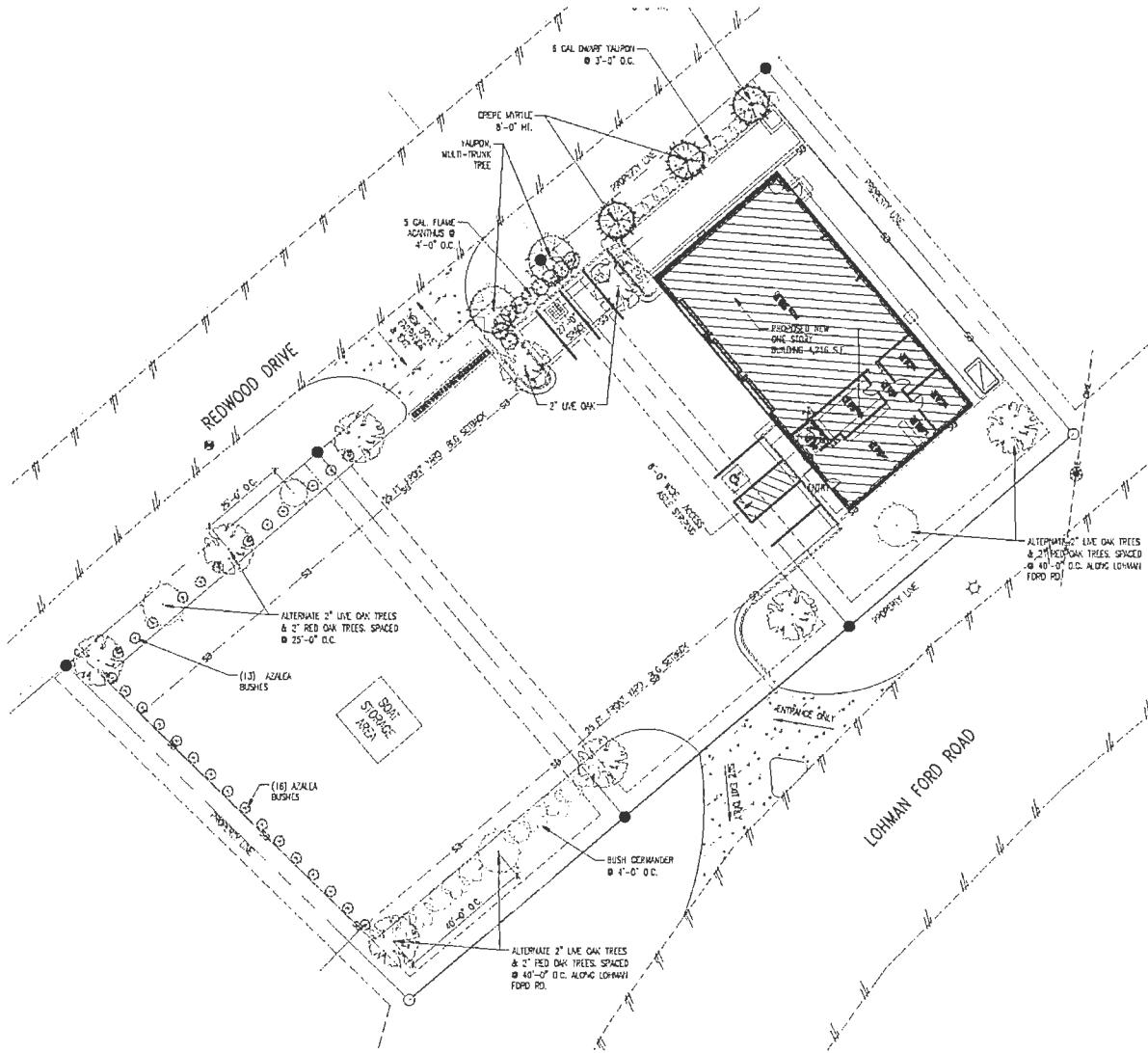
1. The design of the right-turn in and right-turn out only “slip lanes” and the triangular island (“pork chop”) shall comply with all applicable industry standards and best practices that preclude illegal and dangerous left-turn access;
2. Improvements shall accommodate the public utility and/or drainage easements required by the pending required amended plat approval, expected to be a depth of twenty feet at the Lohman Ford Road right-of-way, a depth of ten feet at the Redwood Drive right-of-way and a depth of five feet at the north and south property lines of the new lot configuration;
3. The landscaping plan shall comply with all requirements, including tree preservation, contained within Section 20 of Chapter 14 of the Lago Vista Code of Ordinances;
4. The dumpster enclosure required for this use and zoning district by Section 6.55 of Chapter 14 of the Lago Vista Code of Ordinances can be omitted subject to the approval of a variance by the Board of Adjustment and confirmation that a solid waste contractor will provide service to this facility using portable waste containers that shall be stored within the service bay areas except on the days when collections are scheduled;
5. The boat storage area shall be constructed using porous pavers, permeable pavers or pervious pavers as required to comply with the maximum impervious surface limitations established in Table A of Chapter 14 of the Lago Vista Code of Ordinances;
6. The required screening of the boat storage area shall consist of a combination of fencing and/or landscaping that complies with the provisions of Section 22 of Chapter 14 of the Lago Vista Code of Ordinances applicable at the time of permitting; and
7. The overhead doors used to access the boat repair service area shall not be oriented toward the Redwood Drive right-of-way.

**EXHIBIT "B"**  
**Design Approval**



## SITE PLAN

**EXHIBIT "B"**  
**Design Approval**



**LANDSCAPE PLAN**

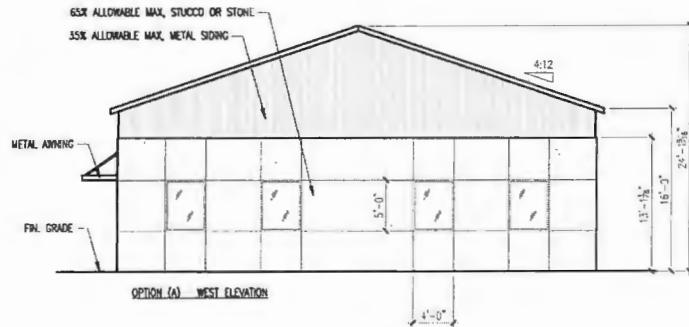
**EXHIBIT "B"**  
**Design Approval**



**BUILDING FLOOR PLAN**

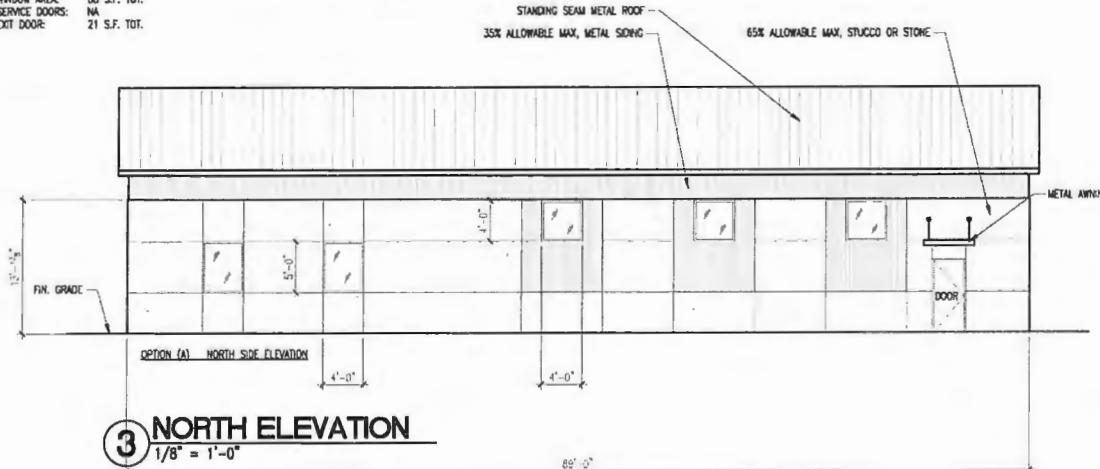
**EXHIBIT "B"**  
**Design Approval**

ELEVATION AREAS:  
 PERCENTAGE ALLOWED:  
 STUCCO/ STONE: 65%  
 METAL SIDING: 35%  
 TOTAL ELEVATION AREA: 932 S.F. AREA  
 STUCCO/ STONE: (932 S.F. X 0.65 = 608 S.F. ALLOWED) 541 S.F. PROVIDED  
 METAL SIDING: (932 S.F. X 0.35 = 328 S.F. ALLOWED) 310 S.F. PROVIDED  
 WINDOW AREA: (4'x5') = 20 S.F./EA X 4 80 S.F. TOT.



① **EAST ELEVATION (LOHMAN FORD RD)**  
 $1/8'' = 1'-0''$

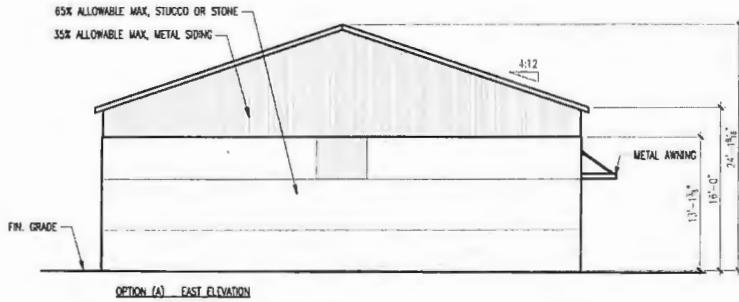
ELEVATION AREAS:  
 PERCENTAGE ALLOWED:  
 STUCCO/ STONE: 65%  
 METAL SIDING: 35%  
 TOTAL ELEVATION AREA: 1,403 S.F. AREA  
 STUCCO/ STONE: (1,403 S.F. X 0.65 = 912 S.F. ALLOWED) 677 S.F. PROVIDED  
 METAL SIDING: (1,403 S.F. X 0.35 = 491 S.F. ALLOWED) 408 S.F. PROVIDED  
 WINDOW AREA: 88 S.F. TOT.  
 SERVICE DOORS: NA  
 EXIT DOOR: 21 S.F. TOT.



**BUILDING ELEVATIONS**

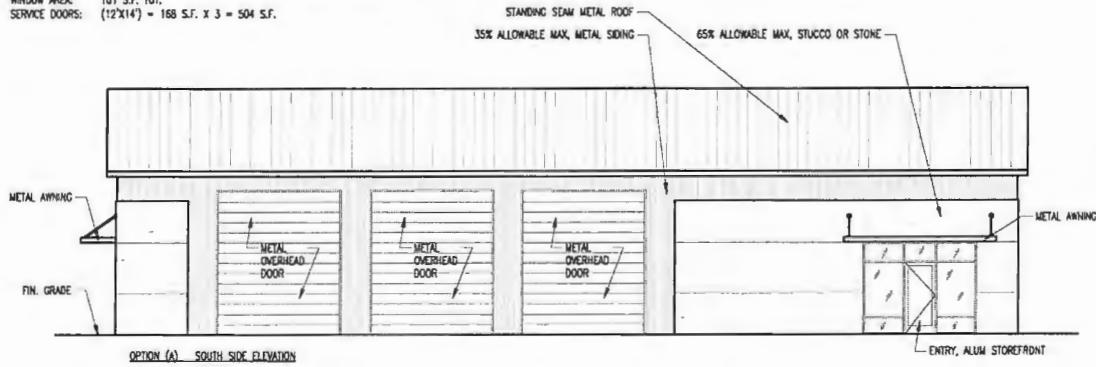
**EXHIBIT "B"**  
**Design Approval**

ELEVATION AREAS:  
PERCENTAGE ALLOWED:  
STUCCO/ STONE: 65%  
METAL SIDING: 35%  
TOTAL ELEVATION AREA: 932 S.F. AREA  
STUCCO/ STONE: (932 S.F. X 0.65 = 606 S.F. ALLOWED) 601 S.F. PROVIDED  
METAL SIDING: (932 S.F. X 0.35 = 326 S.F. ALLOWED) 310 S.F. PROVIDED  
WINDOW AREA: NA  
DOOR AREA: NA



**② WEST ELEVATION (REDWOOD DR)**

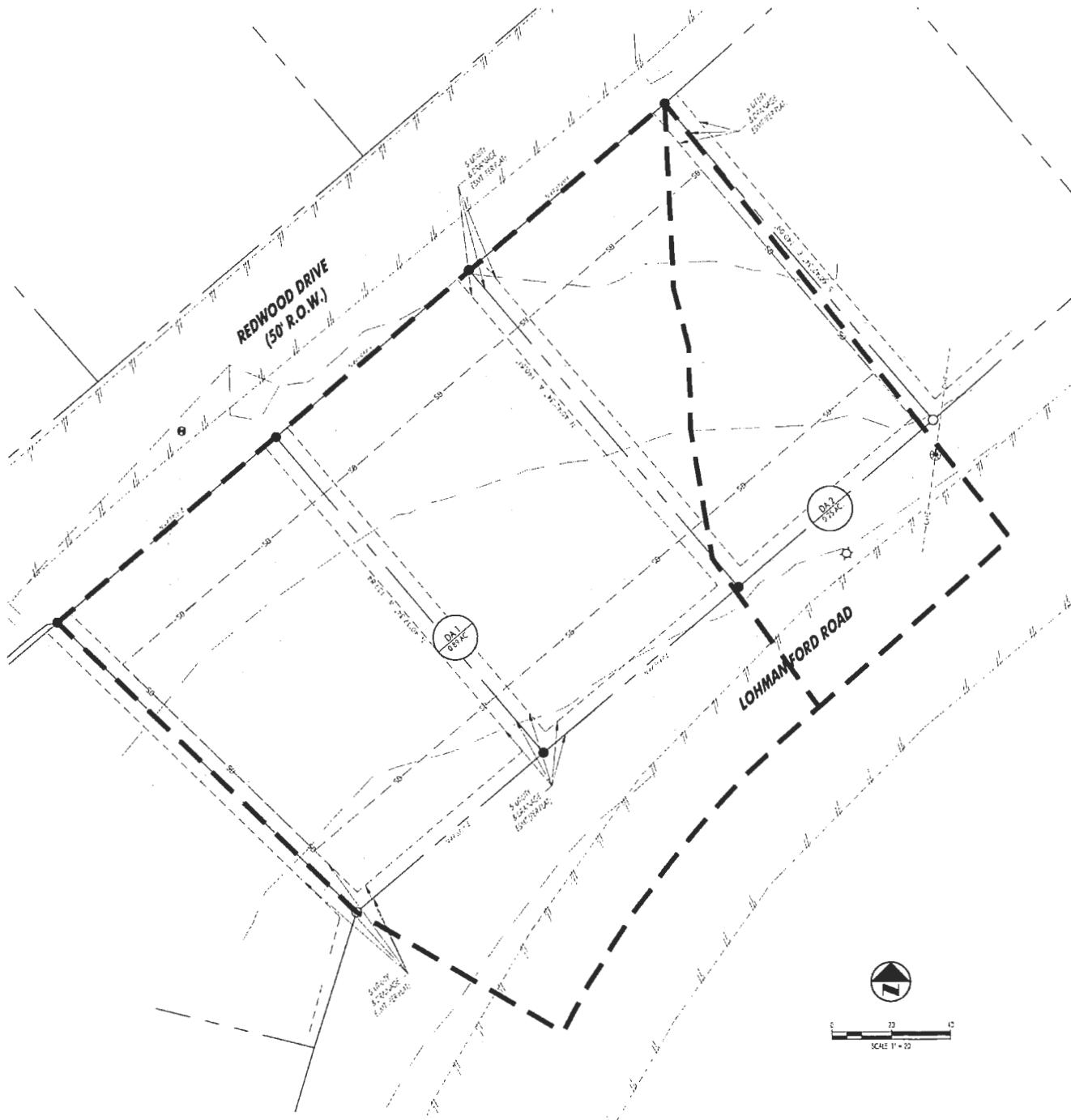
ELEVATION AREAS:  
PERCENTAGE ALLOWED: STUCCO/ STONE: 65%  
METAL SIDING: 35%  
TOTAL ELEVATION AREA: 1,403 S.F. AREA  
STUCCO/ STONE: (1,403 S.F. X 0.65 = 912 S.F. ALLOWED) 638 S.F. PROVIDED  
METAL SIDING: (1,403 S.F. X 0.35 = 491 S.F. ALLOWED) 310 S.F. PROVIDED  
WINDOW AREA: 101 S.F. TOT.  
SERVICE DOORS: (12'X14') = 168 S.F. X 3 = 504 S.F.



**④ SOUTH ELEVATION**

**BUILDING ELEVATIONS (CONTINUED)**

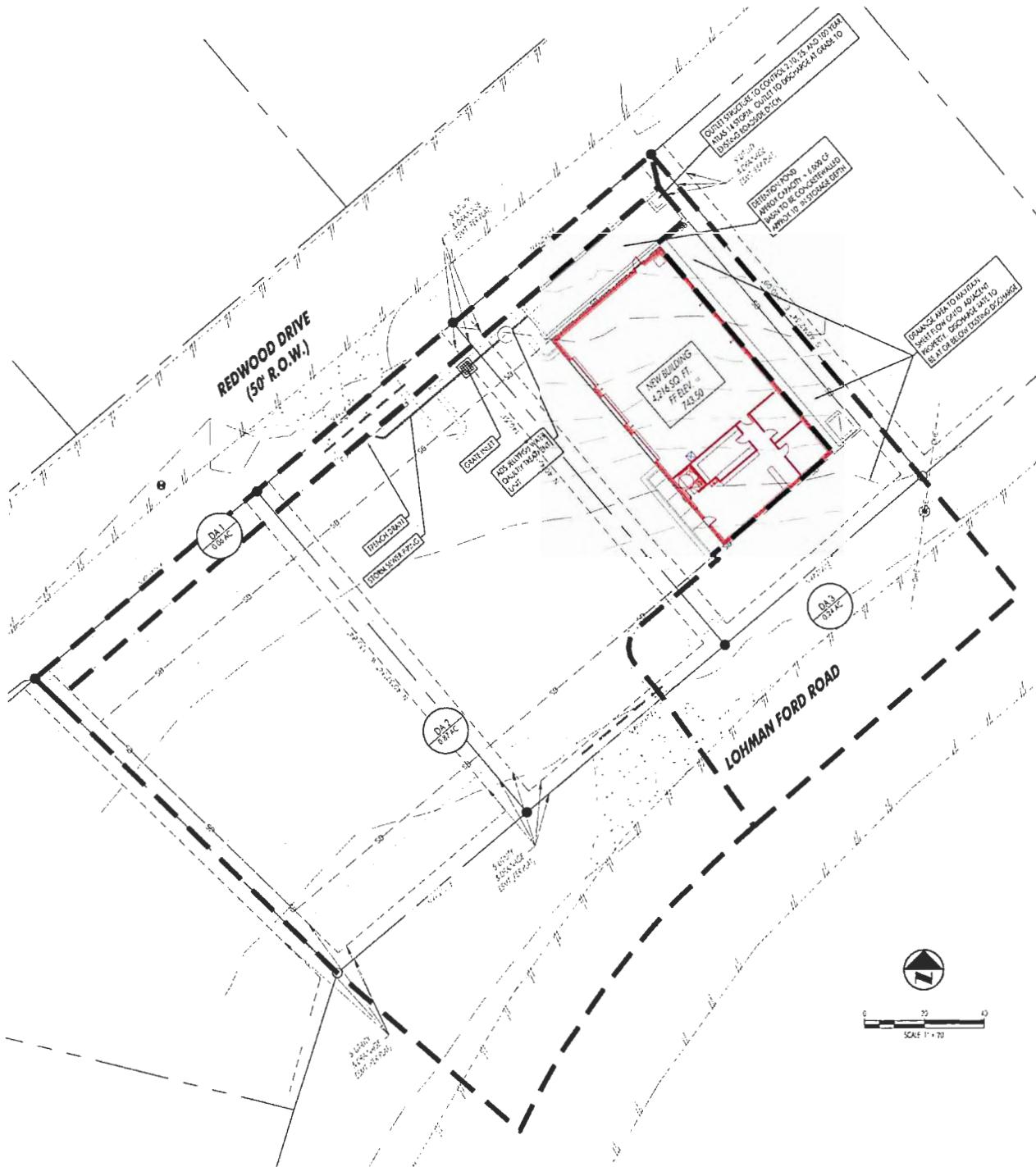
**EXHIBIT "B"**  
**Design Approval**



## EXISTING DRAINAGE AREA MAP

Exhibit "B" (6)

**EXHIBIT "B"**  
Design Approval



## PROPOSED DRAINAGE AREA MAP

Exhibit "B" (7)