

MINUTES OF A BUILDING DESIGN COMMITTEE SPECIAL MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, September 5, 2018
5:30 P.M.

PRESENT: BDC Chairman Brian Plunkett, BDC Member Bob Belanger

ABSENT: BDC Member Laurie Maccini

1. Call to Order. Chairman Brian Plunkett.

BDC Chairman Plunkett calls the meeting to Order at 5:30 p.m.

2. Land Use: Proposed Vacation of a Plat of Lots 1 and 2 of the Estates of Blackacre Phase One, known as 1110 Blackacre Trail. (Chapter 36 of the West Lake Hills Code.)
 - a. Staff Briefing.

City Administrator Robert Wood: This is pretty straight forward. Originally what is referred on the original plat, there was a lot 1 and 2 of this subdivision. Eventually someone on the next plat combined 1 and 2 and made one lot. There is a house with a pool and guesthouse as you can see, they are across what was the property line. They want to vacate the current plat and go from one lot to two. That would immediately put them in non-conforming. They didn't want to tear the house down until they got the vacation. We suggested that the best way forward to proceed with the plat vacation. Council could say you have 30 days to tear the house down. It's pretty straight forward. They would meet the minimum lot size. They plan to build one house on one lot and build a second on the second lot.

- b. Presentation by applicant.

Luis is the architect and homebuilder. We have not designed in West Lake Hills for several years. We bought this property and it is pretty much along the line. We will then move on to build a house of lot 1 and then lot 2. We met with the arborist and the house will fit perfect on the original house on lot 1. There is hardly any trees that will need to be removed. We are working on plans. Going to demo, submit the plans. I have a question. What is the time frame?

City Administrator Wood: If there are comments it might take longer but around three to four weeks.

Luis: We will be able to go back and adjust a few things. On the height situation, there is a terrain of 30', we have a 5' drop overall. It is a little bit of a challenge. You're not trying to encourage flat roofs?

BDC Chairman Plunkett: We are not. It's the 30' height we care about.

Luis: We are dropping the garage about 3'. It's a squeeze to get a regular two story. I think we have it figured out.

BDC Chairman Plunkett: If it doesn't have variances it will go quickly.

Luis: If we want to request a 2' variance on a small portion of the 2nd floor, would you say we should try to get a variance if we get into a tight spot.

BDC Chairman Plunkett: It delays the process. Council and ZAPCO will look at how it impacts neighbors. The point of the 30' limit is so we don't have a big imposing thing hanging over them. Some get approved and some don't.

Luis: I think it's reasonable. We want to make sure we feel part of the neighborhood.

City Administrator Wood: I think often times that kind of request, you have to have a hardship why you need that variance. The regular application doesn't make sense.

BDC Chairman Plunkett: You won't get a lot of sympathy for a 5' drop.

City Administrator Wood: Why can't you just lower the house 2'? That happens all the time when they are on the side of a hill.

BDC Chairman Plunkett: Robert's exactly right, there must be a hardship by law. You are asking for a variance of an ordinance. Any justification is if there is a hardship.

Luis: It is a house that has been there 20 years, very mature trees. Let me evaluate if that could be a hardship to save some trees.

BDC Chairman Plunkett: Not cutting down trees could be a reason for a footprint. Wanting to have the roof higher; that would be a tough one to sell. Robert has a lot of experience in helping you think through what a hardship might be.

BDC Member Belanger: Right on.

BDC Chairman Plunkett: You have all the information. I'm looking on the current plat, it doesn't show where the new line would go.

Luis: The pins are there and we can draw them. I'll just draw it right here on this one.

BDC Chairman Plunkett: The fact that you're not going under an acre of each lot. The other was the letter from the HOA for support, that's going to go a long way.

Luis: I'll mark this up and pass it on.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and action.
3. Land Use: Proposed Preliminary and Final Plat of Nob Hill Harbor View known as 18 Nob Hill Circle and 1412 Harbor View. (Chapter 36 of the West Lake Hills Code.)

- a. Staff Briefing.

City Administrator Wood: Slightly different situation. The intent is to move the property line between the two properties. Each property is in a different subdivision. The nob hill is to move the rear line which is also the rear line of the other property. It adjusts that property line to make one smaller and one larger. They both end up complying.

BDC Member Belanger: Are they both vacant currently?

City Administrator Wood: Yes.

- b. Presentation by applicant.

Russ Tomer is the engineer. Our client owns both properties and are undeveloped. It is currently two subdivisions so we're looking to vacate and adjust the lot line to make it developable to the clients.

BDC Chairman Plunkett: Does it become a new subdivision?

City Administrator Wood: You have to vacate or pull them out of the subdivisions they are in and make a new one with the new property lines.

BDC Member Belanger: A new subdivision?

City Administrator Wood: Plat vacation and new subdivision.

BDC Chairman Plunkett: What is the city actually doing? You have to do all the right things?

City Administrator Wood: We'll be working out the paperwork to make sure it's all in order. You're just moving a property line.

BDC Chairman Plunkett: Why are you doing it?

Russ: The primary residence is the upper Nob Hill lot.

BDC Chairman Plunkett: The Nob Hill lot gets smaller?

Russ: Page 22 is the existing. The first one is what we are proposing to shift to.

BDC Member Belanger: Pretty straight up.

BDC Chairman Plunkett: What is the address?

Russ: 18 Nob Hill.

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

- d. Deliberation and action.

BDC Chairman Plunkett: This looks straight forward to me.

BDC Member Belanger: I don't see any.

4. Land Use: Proposed Monument Sign for Per Stirling Capital Management, LLC at 4800 Bee Cave Road. (Section 32.03.007 of the West Lake Hills Code.) Applicant Ann Lewis.

- a. Staff Briefing.

City Administrator Wood: Property is at 4800 Bee Cave Road. You are both familiar with the property. We included some extra information on the packet. They got a variance in 2010 and 2017. The question with this one for one they brought a new set today so I haven't had chance. There are a couple of things that don't conform. The main one is the content of the sign. There is a portion of the code that says the name of the office building or complex cannot be the same as the business. They are running into that issue. Otherwise, they've shown the landscaped area. The comments were on the older version of the sign. That's the main thing is the complex name.

BDC Chairman Plunkett: What is the reason behind that?

City Administrator Wood: So that it wouldn't give someone an opportunity to have a center to have two names on a sign.

BDC Chairman Plunkett: Minimization.

- b. Presentation by applicant.

Ann Lewis is the sign company.

Alan Jacobs if the land representative. We have an approved sign with the right-of-way settlement.

City Administrator Wood: That's not the same sign.

Alan: This is what we've been going from the right-of-way settlement. 36 sq. We are confused why there is an issue.

Ann: The new art is what they are looking at.

Alan: We have to relocate the 4800 from the front. The mesh is not accepted. This is what we're more interested in. We couldn't do the address on the side.

Ann: The one we sent you today doesn't have the purple or logos. I didn't realize they approved the logo in 2017.

City Administrator Wood: I didn't remember that. It was adopted with the right-of-way.

Alan: We understand where there are issues.

Ann: If we take the colors and design of the one you got today, these are the colors because they want their logos on there. Somewhere on the face of the

sign the address will be on there. Would it matter if it is a registered trade mark?

City Administrator Wood: No. We have that discussion all the time.

BDC Chairman Plunkett: The fact you've got that approved, once you stray from that there will be more conversation. If the intention not to have clutter to allowing the complex name and business name, if I'm just looking at it, it is kind of confusing. It's a little redundant.

BDC Member Belanger: Yes.

BDC Chairman Plunkett: You might get some push back.

Ann: This line right here is because it says it twice?

City Administrator Wood: Name of the center can't be the same as the business name?

BDC Chairman Plunkett: I'd have to take a look at it.

Ann: He liked the idea of having the address like this. You may have to go back and say this is approved.

Alan: Because it is taller and easier to see from the road. The shorter is harder to see.

BDC Chairman Plunkett: Keep the same look, it opens it up to a new discussion. There would be less challenger.

City Administrator Wood: The language in the agreement, the sign shall be modified with the design, dimensions as depicted in Exhibit C.

Ann: Are you saying we modify this at all by making it taller, how do you explain that? It's got to be within the square feet? 5 x 7.

BDC Chairman Plunkett: If you keep the same look, then you're going to get a lot less push back.

Alan: If we make it narrower can it be two tenants?

City Administrator Wood: That's a judgement call. It is in accordance with the agreement?

BDC Chairman Plunkett: There will be 11 opinions. I'm just saying, you can make a run at that. There could be some push back. You can say this was approved. We really need it to be a little higher. We're still within the sq. ft.

Ann: Option one has larger letters.

BDC Chairman Plunkett: Robert was saying, this has been approved.

Alan: let's go back and reshape and put them side by side and see how that goes.

City Administrator Wood: When you measure make sure that last brick is not added.

Ann: Now we know what to do.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and action.
5. Land Use: After-the-fact Wall Hanging Sign for College Nannies and Tutors at 3736 Bee Cave Road. (Section 32.03.008 of the West Lake Hills Code.) Applicant Kevin Hull.
- a. Staff Briefing.

City Administrator Wood: The sign has been up for a while. The main requirement is the sign be no greater than 12 sq. ft. It appears the sign meets the requirement. There isn't a requirement in the USA of what the size can be. The one question I had and there is not a measurement in here. Typically the way the sign agreement goes back to the code. Any wall hanging sign must have 8' feet of clearance under it. The sign hanging up is bigger than this one. They put the sign up without a permit. When Ashby gave them the comments they adjusted it.

BDC Chairman Plunkett: What are we approving?

City Administrator Wood: I guess if what they're saying is they are going to do this sign, we can call it a regular sign permit.

- b. Presentation by applicant.

Doug Balsler is present and the business owner. We were located at 3300 Bee Cave and had individually mounted letters. When we moved we requested we take the letters and put them on a panel to minimize the cost. The management company approved it. We didn't have the sign permit. We were told it did not comply. We wanted to get a variance and not do anything. Then we would build the second sign which complies.

BDC Chairman Plunkett: That makes sense.

Doug: If we could get a variance, it not available, we don't have a choice.

BDC Member Belanger: I think the other individuals would think the complying sign would be the route to go.

BDC Chairman Plunkett: In order get a variance by state law, you must show hardship. It would be a pretty big hurdle. You're welcome to try.

Doug: You don't approve the variance?

BDC Chairman Plunkett: We give you advice. ZAPCO is next and ask them for a recommendation to approve the variance or deny to Council who take final action.

Doug: If we go with option?

City Administrator Wood: If proposing this sign it can be approved at the city level.

Doug: That is what we anticipated what would be required.

BDC Chairman Plunkett: We appreciate you being here in West Lake Hills.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and action.
6. Land Use: Proposed Monument Sign for Sway Restaurant at 3437 Bee Cave Road. (Section 32.03.007 of the West Lake Hills Code.) Applicant Patrick Jeffers.
- a. Staff Briefing.

City Administrator Wood: Code says they go through ZAPCO. I reviewed a different version. The only question I have is the brown color, it would be the blue is what I thought you might be curious about.

BDC Chairman Plunkett: Is there a logo ordinance?

City Administrator Wood: They originally wanted a decorative element with a neon flower on it. Alan's office said no. That's what I'm trying to look at.

BDC Chairman Plunkett: When the Lutheran Church and they have landscape elements that are sculptural and a sign, it seems like there are distinctions.

City Administrator Wood: When the new sign ordinance was adopted then the art exception was taken out. Part of the reason was the main idea was it was trying to get away from regulating content. I think the thing that the exception of art, I don't know if that would effected the church.

- b. Presentation by applicant.
- c. Public Hearing: All persons wishing to speak for or against shall be heard.
- d. Deliberation and action.

City Administrator Wood: Any comment at all or feedback?

BDC Member Belanger: You made a comment about the blue? I wouldn't be swayed by the blue. That's a fine line.

City Administrator Wood: Still top cap for hiding LED's. It's what we like. One thing that I forget it stated in the sign ordinance that the earth tones and

muted colors, using other colors for accents. It doesn't say you can't have other things on the sign.

BDC Member Belanger: It could be interpreted that way, too.

BDC Chairman Plunkett: If I were them, I wouldn't change it. It's a cooler color. If they were here, I would not suggest they change it until they get more feedback.

BDC Member Belanger: It's worth a presentation.

7. Adjournment. Chairman Brian Plunkett.

Meeting is adjourned at 6:22 p.m.