

**City of Lockhart  
Planning and Zoning Commission  
January 10, 2018**

**MINUTES**

**Members Present:** Philip Ruiz, Paul Rodriguez, Manuel Oliva, Mary Beth Nickel

**Members Absent:** Christina Black, Marcos Villalobos, Phil McBride

**Staff Present:** Dan Gibson, Christine Banda, Kevin Waller

**Visitors/Citizens Addressing the Commission:** Patrick Davis, Dennis Young

1. Call meeting to order. Vice-Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the December 13, 2017 meeting.

*Commissioner Nickel moved to approve the December 13, 2017, minutes. Commissioner Oliva seconded, and the motion passed by a vote of 4-0.*

4. SUP-17-16. Hold a PUBLIC HEARING and consider a request by Patrick Davis for Specific Use Permit to allow a DF-2 Duplex-Family Development Type in the RMD Residential Medium Density District on Lots 5 and 6, Block 6, East Side Addition, located at 408 San Saba Street.

Mr. Gibson explained that the two lots are under the same ownership, although the existing duplex is on only one of them. The owner would like to expand a bedroom at the rear that was damaged by a vehicle crashing into it. The depth of the lot does not meet the minimum required for a DF-1 residential development type, so the existing use is nonconforming. However, the lot is large enough for the DF-2 development type, which requires approval of a specific use permit. Because a specific use permit has not previously been approved for a duplex on the subject property, the owner was required to apply and receive approval of an SUP prior to the City issuing a building permit for the proposed addition.

Vice-Chair Ruiz opened the public hearing and asked the applicant to come forward.

Patrick Davis, of 120 Black Ankle Road, said that he had owned the property for ten years. It was a duplex when he bought it, and he said he has had the same tenants for ten years. The tenants now have four children and they need more bedrooms, so the proposed addition would contain two bedrooms to replace the original single bedroom.

Commissioner Oliva asked if he would be making any other improvements to the outside of the structure.

Mr. Davis replied that the interior had been remodeled previously, and that improvements to the outside would be minimal since any major changes might increase the property tax appraisal.

Vice-Chair Ruiz asked if anyone else wished to speak about this item and, seeing none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson recommended approval.

*Commissioner Oliva moved to approve SUP-17-16. Commissioner Nickel seconded, and the motion passed by a vote of 4-0.*

5. DP-17-02. Consider approval of a request by Dailey Electric for a Development Plat to allow an electrical contractor facility on 6.677 acres in the Francis Berry Survey, Abstract No. 2, zoned IL Industrial Light District and located at 2201 Maple Street..

Kevin Waller explained that the applicant proposed a new facility for Dailey Electric, Inc. on the subject property. The development plat provides a means of dedicating a needed public access easement for a hike/bike trail segment identified in the comprehensive plan. He mentioned that the plat conforms to all requirements of the subdivision regulations. However, he suggested that the dots designating the sidewalk crossing the driveway on Maple Street be removed since the sidewalk would not actually cross the driveway.

Vice-Chair Ruiz suggested that "LCRA" be added to the existing electrical easement label on the plat.

Vice-Chair Ruiz asked for any other speakers and, seeing none, he asked for discussion or a motion.

*Commissioner Nickel moved to approve DP-17-02, subject to removal of the dots for the sidewalk crossing the driveway on Maple Street, and the addition of "LCRA" to the electrical easement label on the plat. Commissioner Oliva seconded, the motion passed by a vote of 4-0.*

6. PV-18-01. Consider approval of a request by Dennis Young on behalf of Stanton XT VRH Holdings, LLC, for approval of a Subdivision Variance to Chapter 52 "Subdivision Regulations", Section 52-204 to allow recordation of the final plat prior to completion and acceptance of the required infrastructure, and for The Stanton Development, consisting of two lots and a new public street on 18.626 acres zoned RHD Residential High Density District and CMB Commercial Medium Business District, and located at 2111 West San Antonio Street (SH 142).

Mr. Gibson explained that the final plat had been approved by the Commission on November 15, 2017. The applicant is now requesting a variance to Section 52-204 to allow the plat to be recorded before all public infrastructure is completed and accepted. The reason for the variance request is that the U.S. Department of Housing and Development (H.U.D.) requires that the plat be recorded and a building permit be issued prior to closing on the loan that will finance construction of the apartment complex, and they will close on the loan only if no construction has occurred on the property. He said that staff recommended approval subject to the building permit containing a condition that there would be no construction requiring City inspections until all public infrastructure is completed and accepted by the City.

Vice-Chair Ruiz asked the applicant to come forward.

Dennis Young, of 709 Clayton Lane in Taylor, said that H.U.D. made it clear that they would not finance this project unless the plat was recorded and a building permit was approved with no construction being done on the subject property before the loan closing. It was a non-negotiable requirement of H.U.D. He stated that the street and all other associated infrastructure not requiring disturbing Lot 1, Block B, would be built prior to recording the plat. The owner had too much invested in this project to not continue.

Vice-Chair Ruiz asked if some written documentation from H.U.D. documenting their requirements was provided to City staff.

Mr. Young replied no, but that he could obtain such a letter.

Mr. Gibson apologized for not asking for documentation, but said the City Manager was also involved in conversations about this and apparently didn't believe it was necessary.

Vice-Chair Ruiz insisted it would be good to have some back-up documentation.

*Commissioner Oliva moved to approve PV-18-01 subject to conditions that: 1) the building permit state that no construction can occur on Lot 1, Block B, which requires a City inspection until all public infrastructure is completed and accepted; and, 2) the applicant submit to staff written documentation from H.U.D. that the loan for financing construction must occur before any construction can be done on the property, and that the final plat must be recorded and a building permit issued prior to loan closing. Commissioner Rodriguez seconded, the motion passed by a vote of 4-0.*

7. Discuss the date and agenda of next meeting, including Commission request for agenda items.

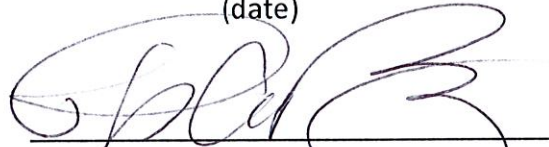
Mr. Gibson announced that the next regular meeting date is January 24<sup>th</sup>.

8. Adjourn.

*Commissioner Oliva moved to adjourn, and Commissioner Nickel seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:53 p.m.*

Approved: 1-24-2019  
(date)

  
Christine Banda, Recording Secretary

  
Philip Ruiz, Vice-Chairman