

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, September 9, 2020  
Municipal Building – Glosserman Room  
308 W. San Antonio St.

### **COMMISSION MEMBER AUDIO CONFERENCE PARTICIPATION**

*One or more members of the Lockhart Planning and Zoning Commission may participate in a meeting remotely. The member of the Commission presiding over the meeting will be physically present at the above public location. Audio conference equipment providing two-way audio communication with each member participating remotely will be made available, and each portion of the meeting held by audio conference that is required to be open to the public can be heard by the public at the location specified.*

### **CITIZEN AUDIO CONFERENCE PARTICIPATION**

- *Call-in number: 1-408-418-9388. Attendee Access Code: 626-304-323#.*
- *Citizens wishing to listen or participate must call in prior to the start of the meeting, and should identify themselves. Attendees may call in to listen only, if desired.*
- *Those wishing to speak will be called upon to address the Commission.*
- *Planning and Zoning Commission agenda packets can also be viewed on-line at [www.lockhart-tx.org](http://www.lockhart-tx.org) starting two days before the meeting. Navigate from the Departments tab at the top to Development Services – Meeting Minutes/Schedules (on left side) – Agendas & Minutes – Planning & Zoning Commission Agendas & Minutes – Agenda Packets.*

## AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the August 12, 2020, meeting.
4. ZC-20-10. Hold a PUBLIC HEARING and consider a request by Joe Roland for a Zoning Change from RLD Residential Low Density District to CMB Commercial Medium Business District, on 0.371 acre in the Byrd Lockhart Survey, Abstract No. 17, located at 1101 North Commerce Street.
5. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
6. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 AM on the 2<sup>nd</sup> day of September, 2020.

**City of Lockhart  
Planning and Zoning Commission  
August 12, 2020**

**MINUTES**

**Members Present:** Philip Ruiz, Philip McBride, Rick Arnic, Manuel Oliva (Present in Building), Chris St. Leger, Paul Rodriguez, Bradley Lingvai (On the Phone)

**Member Absent:** None

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

**Visitors/Citizens Addressing the Commission:** Fermin Islas, Blayne Stansberry, Ray Pfefferkorn, Keith Schauer, Nicole Burnett, Steffen Waltz, Keith Schauer, James Garner, Frank Sanchez, Elsa Bosque, Lozano Ramirez, Robert Doane

1. Call meeting to order. 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 July 8, 2020, meeting.

*Commissioner Oliva moved to approve the July 8, 2020 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.*

4. ZC-20-09. Hold a PUBLIC HEARING and consider a request by Blayne Stansberry on behalf of Fermin and Mary Islas for a Zoning Change from RLD Residential Low Density District and CMB Commercial Medium Business District to RHD Residential High Density District on 17.66 acres in the Francis Berry Survey, Abstract No. 2, located at 211 West MLK Jr Industrial Boulevard.

Mr. Gibson explained that the proposed development of the subject property is in conjunction with a new building to be constructed by the Golden Age Home. The development may contain senior living apartments, garden apartments, patio homes, town homes, duplexes, and /or single-family homes. The only zoning district that allows all of these options is the requested RHD Residential High Density District. He pointed out that there is RHD zoning adjacent to portions of the north and east boundary of the subject property, so the requested change would expand the current area zoned RHD. It also reduces the area of CMB zoning at the south end along M.L.K. Jr. Industrial Boulevard. Extension of South Medina Street and Sunset Drive consistent with the future thoroughfare plan will be required as the property is developed. A traffic impact study may need to be done as part of the subdivision platting process to determine the extent of upgrades needed for M.L.K. Jr. Industrial Boulevard. The cost of improvements is the responsibility of the subdivider, but the city can contribute because that portion of the street is a Road Impact Fee C.I.P project. The current zoning pattern was established to be consistent with the Future Land Use plan map, and to prevent inappropriate residential zoning in the flight pattern of the airport runway. Building heights will be limited, and extra soundproofing required, especially toward the south end of the subject property. Mr. Gibson said that five letters of opposition were received after the packet was mailed out to the commissioners.

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

Steffen Waltz, of 1301 West 25<sup>th</sup> Street, Suite, 510, in Austin, said that he and Golden Age Home are partners in the redevelopment of the existing Golden Age Home building and the new development on the subject property. They plan to build a new facility and pursue other residential development on the remaining vacant property for the use of current and future residents of Golden Age Home, in addition to providing other housing options for the community. They wish to make it affordable, and understand the constraints imposed by the nearby airport. He distributed illustrations showing the extensions of South Medina Street and Sunset Drive in addition to alternatives for access to the new Golden Age Home facility.

Blayne Stansberry, attending by phone, said she was the engineer for project. She explained the illustrations Mr. Waltz submitted, and said they will do everything they can to help with the desired connections while also trying to mitigate the potentially greater traffic along Sunset Drive.

Commissioner McBride asked how strong the partnership between Mr. Waltz and Golden Age Home was.

Mr. Waltz replied that it is pretty much a done deal. They have some unsettled business to resolve with the existing Golden Age Home property.

Nicole Burnett, of 1205 Rio Vista Court, said she is the Director of Golden Age Home. She had developed a professional relationship with Mr. Waltz and can support the proposed development plans for the subject property. She confirmed that they have some minor legal details to sort out, but most of it is done. The developer is ready to move forward to help the community and the seniors. They are aware of the traffic and drainage issues surrounding the subject property that will be taken into consideration at the time of development. She mentioned that Golden Age Home has been planning this project since 2016, and they are finally ready to move forward.

Mr. Waltz confirmed that they are more than willing to comply with all City standards, and even go beyond that if it will help the surrounding area.

Robert Doane, of 3903 Fairlakes Drive in Dallas, said he is the architect for the Golden Age Home project.

Ray Pfefferkorn, of 1461 Borchert Loop, said he is Vice-President of Golden Age Home, and supports the zoning change.

Chair Ruiz asked for any other speakers in support and, hearing none, he asked if anyone wished to speak in opposition.

Frank Sanchez, of 124 Sunset Drive, said there are a lot of airplanes flying overhead throughout the day every day. He mentioned that storm drainage is poor at the Colorado Street end of Sunset Drive, and he was concerned that additional development would increase drainage problems along Sunset Drive. He said since no improvements have been made to Sunset Drive, he opposes the zoning change.

Elsa Bosque, of 123 Sunset Drive, said she agreed with everything Mr. Sanchez said. Her concerns were drainage problems, noise issues, and that the street itself is in bad shape. She fears the problems would become worse with any new development. She opposed the zoning change.

James Garner, of 1302 West Point Place, said that the existing streets are in poor shape. He was not opposed to Golden Age Home constructing a new building, but was concerned about drainage as well as the proposed extensions of South Medina Street and Sunset Drive. He opposed the zoning change.

Fermin Islas, of 1702 Meadow Lane, said that when he purchased the property he was asked by the then City Manager Vance Rodgers to grant the city an easement through the property to help with the future extension of South Medina Street and Sunset Drive, along with a new drainage channel extension to M.L.K. Jr. Industrial Boulevard. There is a traffic light at M.L.K. Jr. Industrial Boulevard and South Colorado Street that provides for safe traffic movement at that intersection. He said the proposed development would be a great opportunity for better senior citizen housing. The developer has agreed to comply with the city's regulations, and will work with City staff to ensure all requirements are met. He was in favor of the zoning change.

Lozano Ramirez, of 1300 West Point Place, had the same concerns with flooding. He said the streets are narrow with no sidewalks for the children in the neighborhood. He opposed the zoning change.

Mr. Waltz said if the development didn't meet City standards, they would be liable for any negative impacts on the surrounding area, so it's in their best interest to adhere to all applicable requirements.

Chair Ruiz asked for any other speakers and, seeing none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that staff recommended approval. He acknowledged that there are off-site drainage issues, and that new development is not allowed to make them worse. However, the new development is not required to correct existing problems over which they have no control.

There was additional discussion between commissioners and staff.

*Commissioner McBride moved to recommend approval of ZC-20-09 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 6-1 with Commissioner Rodriguez against.*

5. FP-20-01. Consider a request by Doucet & Associates on behalf of Lockhart I Partners, Ltd., for approval of the Final Plat of Summerside Section 3B, consisting of 77 single-family residential lots on 16.036 acres zoned RMD Residential Medium Density District and located along an eastward extension of Thunderstorm Avenue.

Kevin Waller explained that the Summerside Subdivision, Section 3B, final plat, follows the Commission's previous approval of Section 3A in April 2019. He noted that the parkland requirement for Section 3B was met in Section 3A, as well as Section 2. There are still two additional sections of Summerside Subdivision remaining to be platted after Section 3B.

Keith Schauer, of 487 Creek Side in Gonzales, said he represents Doucet and Associates and was present to answer any questions the commissioners may have.

Commissioner Oliva asked about a note on the plat pertaining to who would build the sidewalks.

Mr. Schauer replied that the sidewalks would be built by the homebuilder at the time each home is constructed.

Commissioner McBride asked Mr. Schauer if he knew what company would be constructing the homes.

Mr. Schauer replied that a developer has not been selected yet.

Chair Ruiz asked for the staff recommendation.

Mr. Waller said that staff recommended approval subject to a condition that written approval of the electrical design be obtained from Bluebonnet Electrical Coop prior to the starting construction of the subdivision improvements.

*Commissioner Arnic moved to approve FP-20-01. Commissioner Oliva seconded, and the motion passed by a vote of 7-0.*

6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.

Mr. Gibson stated that there were no applications submitted by the deadline for public hearing items, but if any plats were ready for consideration the next regular meeting would be on August 26<sup>th</sup>.

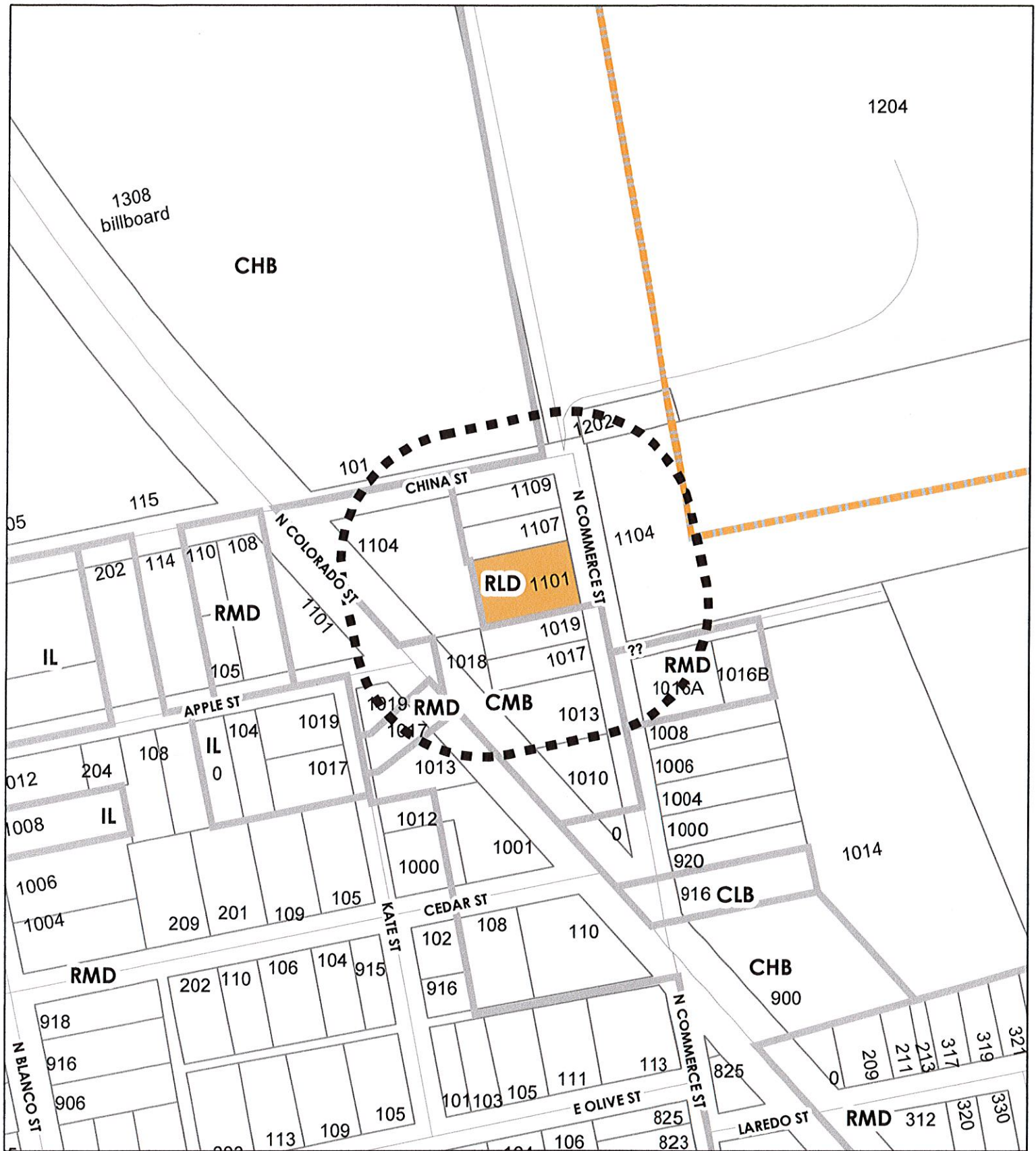
7. Adjourn.

*Commissioner Oliva moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:05 p.m.*

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Christine Banda, Recording Secretary

\_\_\_\_\_  
Philip Ruiz, Chair



**ZC-20-10**

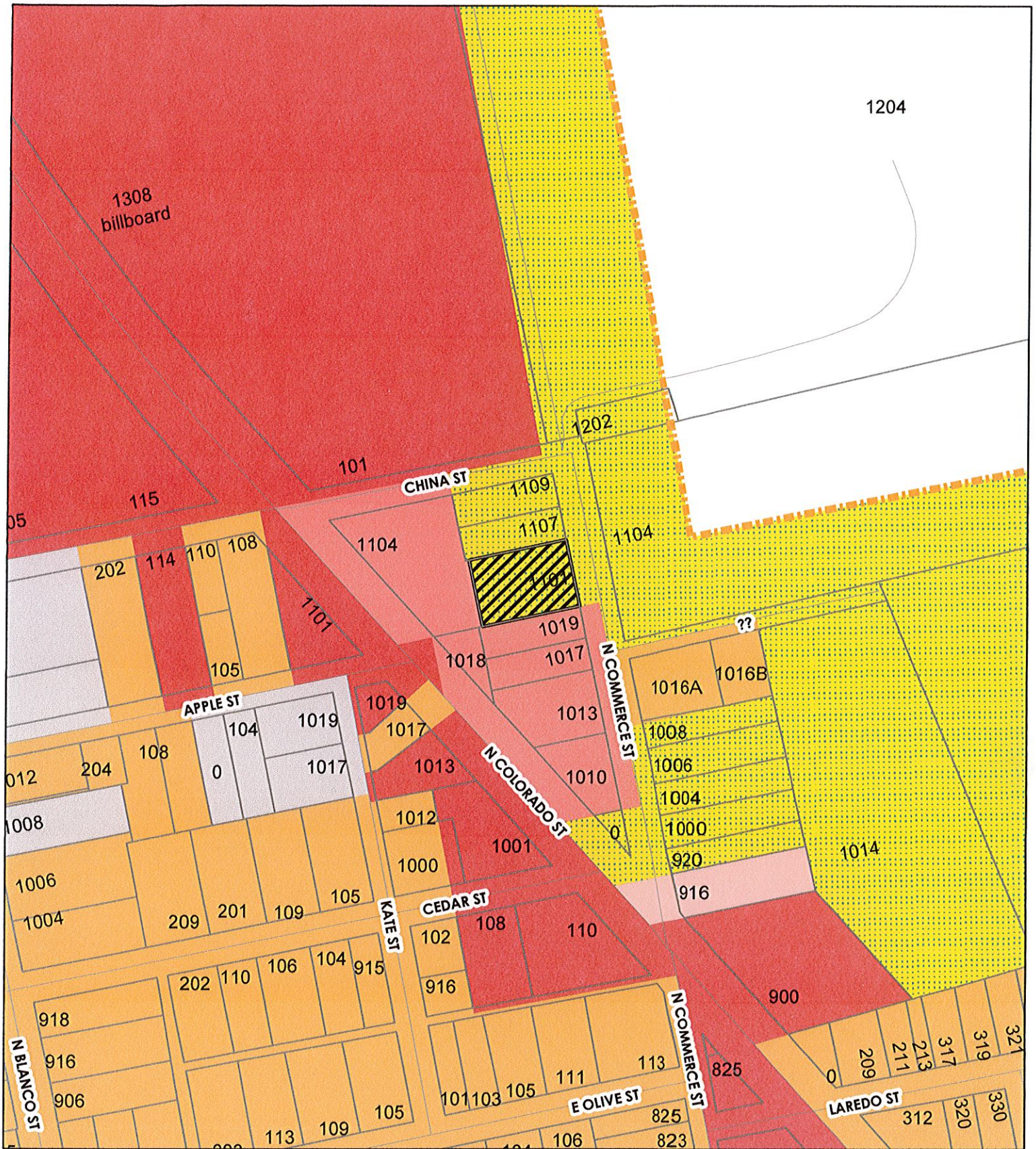
RLD TO CMB

1101 N COMMERCE ST



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



**ZC-20-10**

RLD TO CMB

1101 N COMMERCE ST



scale 1" = 200'

**ZONING DISTRICTS**

- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY







1308  
billboard

CHINA ST

APPLE ST

N BLANCO ST

CEDAR ST

KATE ST

W OLIVE ST

E OLIVE ST

N COMMERCE ST

N COLORADO ST

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**CASE SUMMARY**

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STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-20-10

REPORT DATE: August 5, 2020

PLANNING AND ZONING COMMISSION HEARING DATE: September 9, 2020

CITY COUNCIL HEARING DATE: September 15, 2020

REQUESTED CHANGE: RLD to CMB

STAFF RECOMMENDATION: *Approval*

PLANNING AND ZONING COMMISSION RECOMMENDATION:

**BACKGROUND DATA**

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APPLICANT: Joe Roland

OWNER: Same

SITE LOCATION: 1102 North Commerce Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.371 acre

EXISTING USE OF PROPERTY: Vacant

LAND USE PLAN DESIGNATION: Medium Density Residential

**ANALYSIS OF ISSUES**

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REASON FOR REQUESTED ZONING CHANGE: The applicant/owner has been parking vehicles on the subject property in violation of the current RLD zoning, which does not allow vehicle parking as the principal use of a lot. Rezoning to CMB would eliminate that restriction, although continued parking of vehicles on the property will still be a violation until the parking area is paved with an all-weather surface as required by the zoning ordinance, unless it is classified as a commercial vehicle storage lot, which can have an alternative surface. The addition of any surface more impervious surface than the natural ground that is there now will trigger compliance with the City’s drainage ordinance, which may involve the engineering and construction of a storm-water detention facility. The applicant also owns the two lots south of the subject property at 1019 and 1017 North Commerce Street that contain a nonconforming house and old mobile home, and the triangular parcel adjacent to the west of those lots at 1018 North Colorado Street that contains a food trailer and another nonconforming old mobile home (used for storage).

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	single-family dwelling, vacant	RLD, CHB	Medium Density Residential, Mixed use
East	Cemetery, single-family dwellings	RLD, RMD	Public and Institutional, Medium Density Residential, Low Density Residential
South	mobile home, single-family dwelling, commercial business	CMB	Medium Density Residential
West	commercial business	CMB	Medium Density Residential

**TRANSITION OF ZONING DISTRICTS:** There is existing CMB zoning adjacent to portions the south and west boundaries of the subject property, so this zoning change would expand those areas currently zoned CMB.

**ADEQUACY OF INFRASTRUCTURE:** Water and wastewater mains in front of the subject property have adequate capacity for additional development, and North Commerce Street between Colorado Street and China Street meets the standards for a minor street except for the lack of a sidewalk on at least one side.

**POTENTIAL NEIGHBORHOOD IMPACT:** The proposed change from RLD to CMB would allow a wide variety of commercial businesses in addition to the current vehicle storage use. The potential impacts could include additional traffic, noise, and night lighting that would be incompatible with the adjacent residences. However, commercial use of the property, including parking, will trigger the requirement for screening at least six feet high along the northern property line because the adjacent property has a residential zoning classification. Screening will not be required along the south and west property lines because the adjacent areas are zoned commercial.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** Neither the current RLD zoning of the subject property and the residential property adjacent to the north, nor the CMB zoning of the remainder of the block, are consistent with the Medium Density Residential future land use designation shown on the Lockhart 2020 Land Use Plan map. The most consistent zoning would be RMD, although most of the block is already zoned CMB, including two lots containing a single-family dwelling and an old mobile home. This triangle-shaped block bordered by North Colorado Street, North Commerce Street, and China Street may be a candidate for a change in future land use designation from Medium Density Residential to General-Heavy Commercial when the land use plan is next updated.

**ALTERNATIVE CLASSIFICATIONS:** RMD would be the most consistent with the comprehensive plan, and CLB would be a less intense commercial zoning classification, but neither would allow a vehicle parking lot or commercial vehicle storage facility.

**RESPONSE TO NOTIFICATION:** None as of the date of this report.

**STAFF RECOMMENDATION:** The predominant zoning of the block is already CMB, and a large portion of the block is developed with commercial uses, so it's unlikely to ever be redeveloped with new residential uses unless they are in mixed use buildings with commercial on the ground floor and dwelling units on upper floors. Therefore, because the subject property already borders CMB zoning on two sides, it would not be inappropriate to rezone it to the same classification.

CITY OF

# Lockhart TEXAS

## ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833  
P.O. Box 239 • Lockhart, Texas 78644  
308 West San Antonio Street

### APPLICANT/OWNER

APPLICANT NAME Joe Roland ADDRESS 1101 N. ~~Commerce~~ Colorado ST  
 DAY-TIME TELEPHONE (512) 738-2172 Lockhart, TX  
 E-MAIL J.roland60@yahoo.com

OWNER NAME Joe I. Roland ADDRESS 1101 N. Colorado ST  
 DAY-TIME TELEPHONE (512) 738-2172  
 E-MAIL J.roland60@yahoo.com

### PROPERTY

ADDRESS OR GENERAL LOCATION 1101 N Commerce ST  
 LEGAL DESCRIPTION (IF PLATTED) A-017 Lockhart Byrd, Acres .371  
 SIZE .371 ACRE(S) LAND USE PLAN DESIGNATION Commercial  
 EXISTING USE OF LAND AND/OR BUILDING(S) Residential  
 PROPOSED NEW USE, IF ANY Storage + Parking

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Residential RLD  
 TO PROPOSED ZONING CLASSIFICATION Commercial CMB  
 REASON FOR REQUEST Need more space for parking + storage  
for parking lot for his work vehicles that have  
current tags (no junk vehicles)

## SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF \$ \_\_\_\_\_ PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE Joe L. Roland

DATE 8/05/2020

## OFFICE USE ONLY

ACCEPTED BY Christina Barden

RECEIPT NUMBER 954431

DATE SUBMITTED 8-12-2020

CASE NUMBER ZC - 20 - 10

DATE NOTICES MAILED 8-24-2020

DATE NOTICE PUBLISHED 8-27-20

PLANNING AND ZONING COMMISSION MEETING DATE 9-9-2020

PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE 9-15-2020

DECISION \_\_\_\_\_