

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

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Philip McBride, Paul Rodriguez, Chris St. Leger, Rick Arnic, Bradley Lingvai

Member Absent: None

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Amanda West, Ian Stowe, Ed Theriot, Nina Molina, Merejildo Zuniga, Iva Voigt, Ricardo Rodriguez, Rosario Rodriguez, Paul Barr, Arthur Palacios, Kimberly Perez, Glenn Synnott, Richard Malone

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:09 p.m.

2. Elect Chair and Vice-Chair for 2020.

Commissioner Rodriguez moved to nominate Philip Ruiz for Chair, and Manuel Oliva for Vice-Chair. Commissioner McBride seconded, and the motion passed by a vote of 7-0.

3. Citizen comments not related to an agenda item. None.

4. Consider the Minutes of the January 22, 2020, meeting.

Commissioner Arnic moved to approve the January 22, 2020 minutes. Commissioner Rodriguez seconded, and the motion passed by a vote of 7-0.

5. ZC-20-02. Hold a PUBLIC HEARING and consider a request by Amanda West and Ian Stowe on behalf of Tank Town, LLC, for a Zoning Change from RMD Residential Medium Density District and Industrial Light District to CHB Commercial Heavy Business District, on 4.512 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 804, 805, and 807 Pecos Street.

Mr. Gibson explained that the subject property included parcels on both sides of Pecos Street that are currently zoned IL, with a small portion on the south end of the west side being zoned RMD. The applicant wishes to develop the site and the existing structures for uses allowed in the CHB district. There are grain silos and a metal warehouse building on the east side. The plan is for each silo to be a live-work unit where there is commercial space at the bottom with living space above. The adjacent warehouse would become indoor parking for the residents. On the west side there are two small buildings to be used as offices, and a pole barn to be used as a special events facility, which would require approval of a specific use permit by the Commission. The remaining warehouse building at 807 Pecos Street will retain its current use as a contractor's shop and material storage, and would be the maintenance facility for the complex. Mr. Gibson distributed a letter of support for the project from the previous owner of the property, along with a petition from citizens in support of the rezoning.

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

Amanda West and Ian Stowe, of 428 Trinity Street, introduced themselves as the owners of the property. Mr. Stowe said he moved to Lockhart ten years ago and has been remodeling older homes. Ms. West said she grew up in Lockhart and is a builder and real state agent. Through their interaction with members of the community they realized the importance of the silos, and they wish to preserve them. They wanted to improve the quality of the neighborhood. Since becoming the new owners Ms. West said there are fewer tractor-trailers on the property, and eventually there won't be any. Mr. Stow said the silos are structurally sound and non-combustible, and would ultimately be used as three-story buildings with commercial uses on first floor and residences on the upper floors. The pole barn would be remodeled to hold private events such as weddings. He said they would retain as much green space as possible, and noted that being located next to a railroad spur offered an opportunity for a future train station location. Ms. West said they are 100 percent committed to the proposed project, and would appreciate the Commission's support.

Commissioner Oliva asked if they had any plans for the impact of noise on the inside of the silos.

Mr. Stowe replied that they would use heavy insulation to reduce noise.

Commissioner Rodriguez asked if the silos could be moved somewhere else.

Mr. Stowe said it would not be possible.

Ed Theriot, of 5395 US 183, said he was in favor of the zoning request. He believed it was a creative project, and he was confident that the owners were capable of the succeeding. He said that the silos are a very important part of the community.

Nina Molina, of 619 Wassa, said she was not really opposed to the project but was concerned about the possible commercial uses allowed in the proposed CHB zoning. She stated that she was a lifelong resident with small children, and did not want any heavy commercial use in the neighborhood.

Merejildo Zuniga, of 409 Willow Street, said there is a natural spring near the rear of his property and he didn't want any development next door to destroy it. He mentioned that there was a lot of wildlife in the area, so as much green area as possible should be preserved.

Iva Voigt, of 622 Wassa Street, said that she was not opposed to the project, but she had lived in the neighborhood since 1970 and didn't want new development to result in a tax increase where she couldn't afford it.

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.

Commissioner Oliva moved to recommend approval of ZC-20-02 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 5-2, with Chair Ruiz and Commissioner Rodriguez against.

6. SUP-20-02. Hold a PUBLIC HEARING and consider a request by Ricardo Rodriguez for a Specific Use Permit to allow a Manufactured Home on 5.001 acres in the Esther Berry Survey, Abstract No. 1, zoned RMD Residential Medium Density District and located at 2001 FM 1322.

Mr. Gibson explained that last Fall the Commission had approved a zoning change for the subject property from AO to RMD, with the applicant's stated intent being that they needed the RMD zoning so that they could then apply for the required specific use permit for a manufactured home. He presented maps and photos of the subject property and surrounding area.

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

Ricardo Rodriguez, of 2058 FM 1322, said his parents gave him the parcel, and he would like to place a manufactured home on it to live in with his own family near his parents.

Rosario Rodriguez, of 2058 FM 1322, spoke in favor because he would like for his son and grandchildren to be able to live next door.

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.

Commissioner Rodriguez moved to approve SUP-20-02. Commissioner McBride seconded, and the motion passed by a vote of 6-1, with Chair Ruiz against.

7. SUP-20-03. Hold a PUBLIC HEARING and consider a request by Paul Thomas Barr and Arthur Palacios, on behalf of the Estate of T. C. Holland, to allow a Mixed-Use Building on part of Lot 4, Block 3, Original Town of Lockhart, consisting of 0.154 acre zoned CMB Commercial Medium Business District and located at 400 South Main Street.

Chair Ruiz asked Vice-Chair Oliva to handle the Chair duties for this agenda item.

Mr. Gibson explained that the existing building on the subject property is a vacant former gas station. The applicants would like to remodel the building onto two residential units and two office suites. The combination of office and residential units constitutes a mixed-use building which requires approval of a specific use permit. He mentioned that the applicants already received a variance to reduce the number of required parking spaces, and to allow the two existing spaces that require backing onto the street, because of the limited site area available. Mr. Gibson presented maps and photos of the subject property and surrounding area.

Vice-Chair Oliva opened the public hearing and asked the applicants to come forward.

Paul Barr, of 802 Westbrook, and Arthur Palacios, of Cesar Chavez, in Austin said they are proposing both commercial office and residential uses in the building, which is an appropriate use since the building is located in an area of transition between the central business district and the adjacent residential neighborhood. They have been involved in similar projects with much success. Mr. Palacios mentioned that he enjoys working with Mr. Barr, and knows they are capable of implementing the project.

Mr. Gibson said that there was one letter of opposition received from Rudy Ruiz prior to the meeting.

Commissioner McBride mentioned that it would be nice if, when they remodeled, they could use Mr. Holland's name on the building since he gave so much to the community.

Phillip Davis, of 426 South Main Street, said that he is excited that Lockhart is growing but, but was concerned about parking being an issue.

Rudy Ruiz, of 317 South Main Street, spoke in opposition. He said he was concerned about the lack of parking in the area, and that South Main Street was already a busy street.

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

Mr. Gibson said that staff recommends approval.

Commissioner Lingvai moved to approve SUP-20-03. Commissioner St. Leger seconded, and the motion passed by a vote of 6-0-2, with Chair Ruiz and Commissioner Rodriguez abstaining.

8. SUP-20-04. Hold a PUBLIC HEARING and consider a request by Colin Mack on behalf of Chuan K. Lai, for a Specific Use Permit to allow a Bar on 1.491 acres in the James George League, Abstract No. 9, zoned CHB Commercial Heavy Business District and located at 1408 South Colorado Street (US 183).

Mr. Gibson explained that the existing use is a tobacco shop and vaping lounge, and that the applicant desired to serve alcoholic beverages without enough food to be classified as a restaurant. Therefore, it would be considered a bar. The existing paved parking is inadequate and would need to be enlarged by adding at least seven more spaces. In addition, any increase in impervious cover might trigger the need for storm-water detention, which requires engineering. He continued the presentation by showing maps and photos of the subject property and the surrounding area.

Chair Ruiz asked the applicant to come forward.

Kimberly Perez said she is married to the applicant, Colin Mack, and was there to speak for him. She requested approval of their application to allow a bar at the subject location.

Commissioner Arnic asked if they had any plans to add more paved parking.

Ms. Perez replied that they were already working with a contractor to add more paved parking.

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

Mr. Gibson said that staff recommends approval.

Commissioner McBride moved to approve SUP-20-04 subject to the addition of at least seven more paved parking spaces to meet the minimum City standard. Commissioner Oliva seconded, and motion passed by a vote of 6-0-1, with Commissioner Rodriguez abstaining.

9. FP-17-01. Consider a request by Malone/Wheler, Inc., on behalf of Jesco Construction, for approval of a Final Plat for Jesco Subdivision on 9.186 acres in the James George League, Abstract No. 9, zoned RMD Residential Medium Density District and located on the east side of the 900 block of Trinity Street.

Mr. Waller explained that the subject property is proposed to be subdivided into 35 lots, with 34 of them being duplex lots of the DF-1 development type, and the remaining lot in the northeast corner of the development would be dedicated as a public park in addition to serving as the stormwater detention pond. He said that the plat complies with all applicable standards, including the construction of public sidewalks. Also, the developer is dedicating five feet of right-of-way along Trinity Street to increase the width for compliance with the collector street standard. He stated that staff recommends approval of the final plat.

Commissioner McBride asked if staff discussed having a playscape installed in the park area by the developers.

Mr. Waller replied that it was not discussed.

Chair asked the applicant to come forward.

Glenn Synnott, of Cedar Creek, said he was there to get approval from the Commission to proceed with the development.

Commissioner McBride asked Mr. Synnott if he was willing to provide a playscape in the park for the children in the subdivision.

Mr. Synnott said he would prefer that the engineer address that answer.

Richard Malone said he is the engineer. He mentioned that it is not unusual for detention areas to be used for open field activities such as soccer or baseball. He said picnic table could be installed if it was anchored down.

Mr. Synnott asked if a donation of \$10,000 for park improvements would be sufficient.

The Commission agreed, and stated that a note regarding the \$10,000 donation should be added to the final plat.

Commissioner McBride moved to approve FP-17-01 subject to the addition of a plat note stating that the developer will donate \$10,000 for park improvements. Commissioner Rodriguez seconded, and the motion passed by a vote of 6-1, with Commissioner Oliva against.

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

Mr. Gibson reported that the next Commission meeting date would be March 11th, with at least two cases on the agenda.

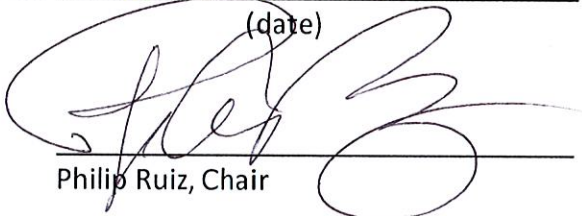
11. Adjourn.

Commissioner Arnic moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:26 p.m.



Christine Banda, Recording Secretary

Approved: 3-11-2020

(date)


Philip Ruiz, Chair