

**City of Lockhart
Planning and Zoning Commission
August 23, 2017**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Mary Beth Nickel, Manuel Oliva, Marcos Villalobos, Paul Rodriguez, Christina Black

Members Absent: None

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Dwayne Thomason, Lora Hardway, Doug Spillman

1. Call meeting to order. Chair McBride 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 26, 2017 meeting.

Commissioner Villalobos moved to approve the July 26, 2017, minutes. Commissioner Rodriguez seconded, and the motion passed by a vote of 7-0.

4. SUP-17-10. Hold a PUBLIC HEARING and consider a request by Dwayne Thomason of Thomason Funeral Home, Inc., on behalf of Ministries of Calvary Temple, Fentress, Texas, Inc., for a Specific Use Permit to allow a Funeral Home as a public/institutional use in the CHB Commercial Heavy Business District on 3.031 acres in the Ester Berry Survey, Abstract No. 1, and located at 2220 South Colorado Street (US 183).

Mr. Gibson explained that the applicant plans to purchase the subject property with the intent to revert the building to its original use as a funeral home. Mr. Thomason, currently owns funeral homes in Wimberley and San Marcos. A specific use permit is required because funeral homes are listed in the PI district, which then requires a specific use permit in all other districts. He reviewed the site plan and presented photos of the subject property and surrounding area. Mr. Gibson also noted that a portion of the proposed parking layout is different than a standard parking lot because funeral homes need to have long parking lanes instead of individual parking spaces.

Commissioner Ruiz asked if the applicant proposed to install sidewalks along the South Colorado Street frontage of the property.

Mr. Gibson replied that they did not. He explained that the sidewalk standard is in the subdivision regulations, but since this application is not for a plat, it's not a mandatory requirement. However, the Commission can add it as a condition of approval if they wish.

Chair McBride asked for staff's recommendation.

Mr. Gibson said that staff recommended approval subject to the parking lot being restriped in accordance with the layout shown on the site plan.

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

Dwayne Thomason, of 2429 Summit Ridge in San Marcos, said that he had been in the funeral business for many years. He said he would maintain the property in excellent condition and would provide a high-quality service.

There being no other speakers, Chair McBride closed the public hearing.

Vice-Chair Ruiz said that it would not be too much to ask the applicant to install sidewalks along the South Colorado Street frontage of the property.

Both Commissioner's Black and Nickel spoke in opposition to such a condition of approval since the property was already developed and there was no new construction or subdivision of the land proposed that would trigger the requirement for construction of a public sidewalk.

Commissioner Oliva agreed with Commissioner's Black and Nickel. He pointed out that there is a big drainage issue on the property, and that the Commission did not require a sidewalk for the abutting property to the north when recommending approval of a zoning change application for it last year. *[Staff Note – Conditions cannot be attached to approval of zoning changes.]*

Commissioner Nickel moved to approve SUP-17-10 subject to restriping the parking lot. Commissioner Oliva seconded, and the motion passed by a vote of 6-1, with Commissioner Ruiz against because no public sidewalk was being proposed along the Colorado Street frontage of the property.

5. SUP-17-11. Hold a PUBLIC HEARING and consider a request by Lora Hardway on behalf of Nadir Ali for a Specific Use Permit to allow a Church as a public/institutional use on 1.377 acres in the Francis Berry Survey, Abstract No. 2, zoned CHB Commercial Heavy Business District, and located in a commercial lease space at 1102 State Park Road (FM 20).

Mr. Gibson explained that the applicant would like to have church services in the subject commercial lease space. A specific use permit is required because churches are listed in the PI district, which then requires a specific use permit in all other districts. He reviewed the site plan and presented photos of the subject property and surrounding area. Mr. Gibson noted that the parking lot striping is faded and needed to be repainted. A Mormon congregation meets in other leased space in the same center across the parking lot from the subject location, but not on the same days as the current applicant's church. Therefore, using the formula of one parking space per four seats capacity in the sanctuary that the Commission typically uses for churches, the 66-space parking lot should be plenty large for the 13 spaces required by that formula for this church. He said that staff recommends approval, subject to restriping of the parking lot, which is usually the owner's responsibility for multi-tenant buildings such as this.

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

Lora Hardway, of 604 St. John's Road in Dale, said that this was the first time she had heard about restriping the parking lot, but does not have a problem with trying to get it done by the owner. She stated that she had just recently retired, and would like to return to Lockhart. The church is called Resurrection Life. She went to school here and worked for Lockhart ISD, and would like to continue serving the community through the church.

There being no other speakers, Chair McBride closed the public hearing.

Commissioner Oliva moved to approve SUP-17-11 subject to the property owner restriping the parking lot within 90 days. Commissioner Ruiz seconded, and the motion passed by a vote of 7-0.

6. Discuss a proposed amendment to the Thoroughfare Plan map (Figure 4.9) of the Lockhart 2020 Comprehensive Plan with regard to the extension of City Line Road (to be renamed to Windsor Boulevard), North Mockingbird Lane, and Silent Valley Road (FM 2001), and consider a recommendation to City Council.

Mr. Gibson presented illustrations of the proposed amendment, as well as photos of the area where an extension of Mockingbird Lane would intersect Silent Valley Road.

Commissioners Ruiz and Oliva did not agree with the recommended route because they thought the proposed intersection on the curve would be too dangerous.

After further discussion of possible alternatives, Mr. Gibson suggested that staff could seek TxDOT's opinion, since the question involves their right-of-way.

Charles Doug Spillman of 1701 Silent Valley Road, who came forward from the audience to speak, said that several thoroughfare segments either passed adjacent to or passed through land that he owned. He said he supported the thoroughfare alignment proposed by staff.

Commissioner Ruiz said he supported obtaining input from TxDOT on the Silent Valley Road intersection options.

Mr. Spillman continued by saying that he is in favor of the proposed Windsor Boulevard collector street route. He also noted that access along State Highway 130 is not readily available because of the distance between on and off ramps.

Commissioner Ruiz moved to table the proposed amendment to the Thoroughfare Plan map until staff had received input from TxDOT regarding the Mockingbird Lane / Silent Valley Road intersection. Commissioner McBride seconded, and the motion passed by a vote of 7-0.

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

Mr. Gibson announced that the next regular meeting date is September 13th, and that there are at least two applications to be considered on the agenda.

8. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Villalobos seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:45 p.m.

Approved: 9/13/2017
(date)

Christine Banda
Christine Banda, Recording Secretary

Phil McBride
Phil McBride, Chairman