

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, June 24, 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 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.*

AMENDED AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the May 13, 2020, meeting.
4. SUP-20-06. Hold a PUBLIC HEARING and consider a request by Jason Jones, Pastor of The Well, on behalf of the City of Lockhart, for a Specific Use Permit to allow a Church as a public/institutional use on 0.644 acre in the Byrd Lockhart Survey, Abstract No. 17, zoned RMD Residential Medium Density District and located at 728 South Main Street.
5. SUP-20-07. Hold a PUBLIC HEARING and consider a request by Lora Hardway, on behalf of Brian Rodgers, 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 CLB Commercial Light Business District and CHB Commercial Heavy Business District, and located in a commercial lease space in Park Plaza at 1100 State Park Road (FM 20), Suite 108.
6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
7. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 11:00 AM on the 17th day of June, 2020.

**City of Lockhart
Planning and Zoning Commission
May 13, 2020**

MINUTES

Members Present: Philip Ruiz, Philip McBride - (*In person*)
Rick Arnic, Bradley Lingvai - (*On the phone*)

Member Absent: Chris St. Leger, Manuel Oliva, Paul Rodriguez

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Manuel Oliva, Kevin Smith, Peggy Wilkerson

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:03 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of the April 22, 2020, meeting.

Commissioner McBride moved to approve the April 22, 2020 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 4-0.

4. ZC-20-07. Hold a PUBLIC HEARING and consider a request by Manuel and Rosemary Oliva for a Zoning Change from RLD Residential Low Density District to RMD Residential Medium Density District, on Lots 1 and 2, Islas II Subdivision, consisting of 3.024 acres located at 1518 and 1600 North Pecos Street.

Mr. Gibson explained that this is the same area where a similar zoning change request to RMD for a duplex was recently denied by the City Council. A second attempt resulted in rezoning from AO to RLD instead of RMD. The current applicant is proposing the RMD classification for a replat of the existing two lots into four single-family lots, with three of the lots being narrower than allowed in the RLD district. Mr. Gibson stated that the applicant could still have four lots without rezoning the property if the lot widths were more evenly distributed. There is a large Live Oak tree that the applicant wants to keep on the proposed southern lot. That may require the lot to be wider and, therefore, result in the other lots being narrower.

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

Manuel Oliva, of 202 West Cedar Street, corrected Mr. Gibson's statement about the number of lots being created. He is proposing five lots, and not four lots, which is why he is requesting the RMD zoning classification. He said the largest proposed lot, which contains the large Live Oak tree, is for his daughter, and it will be L-shaped to encompass an existing pond behind the other lots. He said he spoke to the neighbors along North Pecos Street and they are not against single-family residences being built on his property. The homes will be nice, with large backyards, and will be sold rather than rented.

Chair Ruiz asked why there was confusion about the number of lots being proposed.

Mr. Gibson replied that he had understood from previous conversations with the applicant that there would only be four lots, which why he mentioned that four lots could have enough width to be allowed under the current RLD zoning. But now, Mr. Oliva says that he wishes to have five lots, which is not possible unless rezoned to RMD.

Mr. Oliva confirmed that he would like to have five platted lots re-subdivided from the two original lots.

Kevin Smith, of 1525 North Colorado Street, said he was not opposed to two single family homes being built on the existing lots, but did oppose the two lots becoming five lots. He expressed concerns about drainage onto his property. The large pond seems to be a holding area for runoff from North Pecos Street, which then runs onto Mr. Smith's property causing flooding issues. He also mentioned that there are natural springs on the property. He preferred the natural landscape that exists and would hate to lose it with more homes. He would like for someone to investigate the drainage problems.

Chair Ruiz noted that it is a zoning change request, and the drainage issues would be dealt with by City staff when plans are submitted for development.

Mr. Smith said he opposed the proposed zoning change because less construction is better for the environment.

Peggy Wilkerson, of 1531 North Colorado Street, said she opposes the zoning change because she believes that additional construction will lead to more flooding on her property.

Chair Ruiz asked for any other speakers.

Mr. Oliva said that the proposed lots along North Pecos Street have no springs located on them except for the largest proposed lot that contains the large Live Oak tree and pond, which was intended for his daughter to own. He argued that there was no drainage from his property that adversely affects Mr. Smith's property, and that any flooding problem on Mr. Smith's property is due to drainage from the LISD maintenance facility adjacent on the south side of the driveway. The largest of the proposed lots, which will extend across the entire width at the rear of the re-subdivision, would have no construction in the rear that would disturb the natural vegetation located where Mr. Smith's property abuts.

Chair Ruiz mentioned that there was no way the Commission could hold Mr. Oliva to building single-family homes, which is a major concern for the zoning change since RMD zoning allows duplexes on lots that are wide enough. The current lots are wide enough for duplexes, which are not permitted by the current RLD zoning classification.

Mr. Oliva said that his wife does not want to have rental homes or duplexes, and that he comes from a background where someone's word means something.

Commissioner Lingvai asked if there was a variance process for Mr. Oliva to keep the current zoning, but have the requested smaller lot sizes.

Mr. Gibson said yes but it would not be easy. There would be a high burden of proof for the variance to be met. The Board of Adjustment would have to find that the evidence meets all six of the criteria for granting a variance, and approval requires a super-majority of six affirmative votes.

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 the written staff recommendation was for approval if there were no objections, but that two owners of property in the area had spoken in opposition, primarily due to concerns about drainage.

Commissioner McBride moved to recommend approval of ZC-20-07 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 3-1, with Commissioner Lingvai against.

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

Mr. Gibson said no applications had been submitted for the May 27th meeting, so the next Commission meeting date would be June 10th.

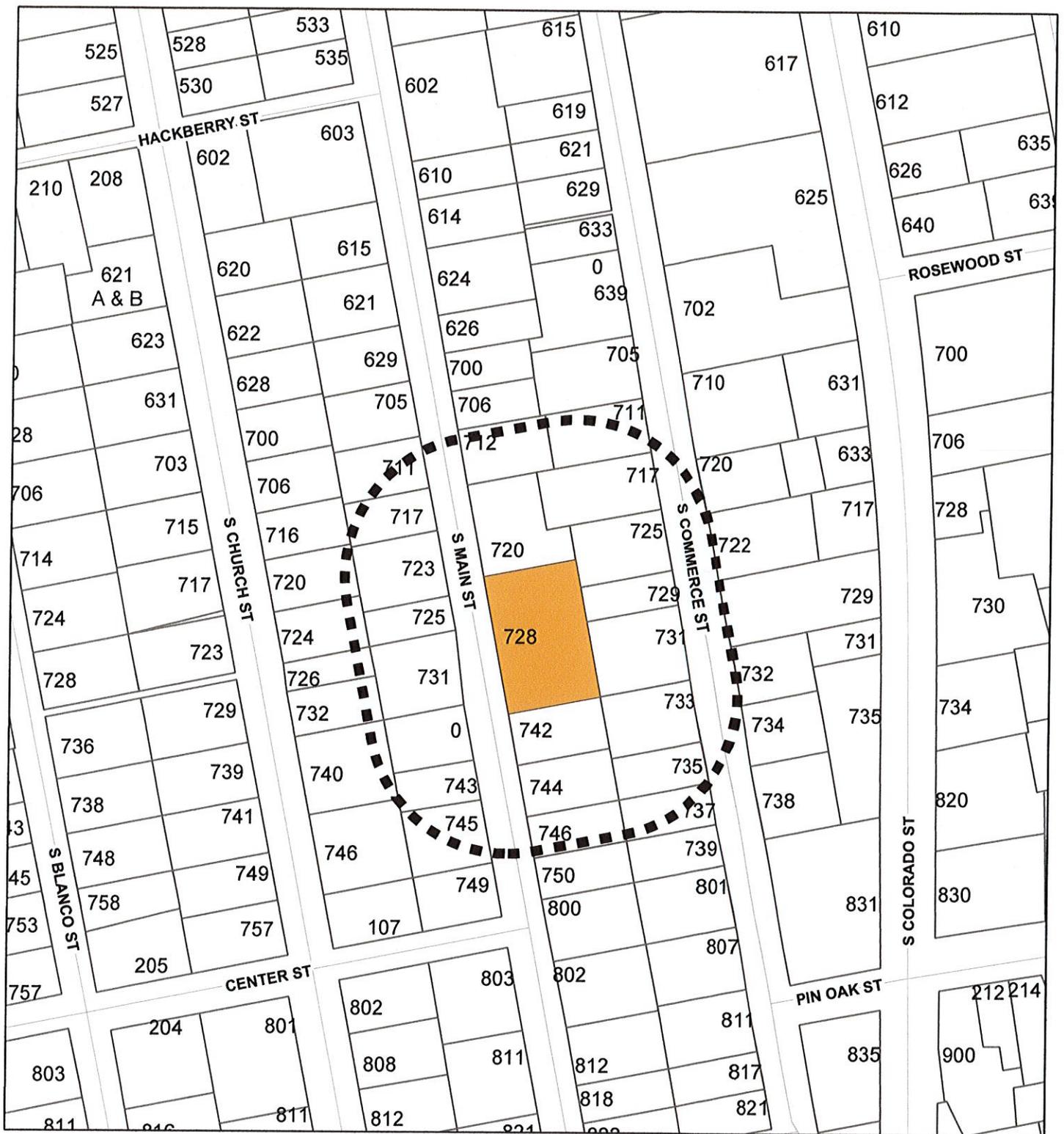
6. Adjourn.

Commissioner McBride moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:13 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



SUP-20-06

728 S MAIN ST

CHURCH



scale 1" = 200'

 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-20-06

REPORT DATE: June 17, 2020

PUBLIC HEARING DATE: June 24, 2020

APPLICANT'S REQUEST: Church, as a public/institutional use

STAFF RECOMMENDATION: *Approval.*

SUGGESTED CONDITIONS: Expansion and reconfiguration of parking lot.

BACKGROUND DATA

APPLICANT(S): Jason Jones of The Well church

OWNER(S): City of Lockhart

SITE LOCATION: 728 South Main Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.644 acre

EXISTING USE OF PROPERTY: Former church buildings

ZONING CLASSIFICATION: RMD Residential Medium Density District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property was donated to the City by the former church congregation that owned it. Unable to find a suitable municipal use for the property and buildings, the City is selling it to The Well, another religious group that will resume the use of the property as a church. Because churches are a public/institutional use that require a specific use permit in the RMD district, and the former church use ceased more than six months ago, it is no longer grandfathered. Therefore, the buyer is applying for approval of an SUP for in their name. The property contains two buildings – a dodecagon-shaped (12-sided) sanctuary, a building labeled on the site plan as the parish hall, and an asphalt parking lot.

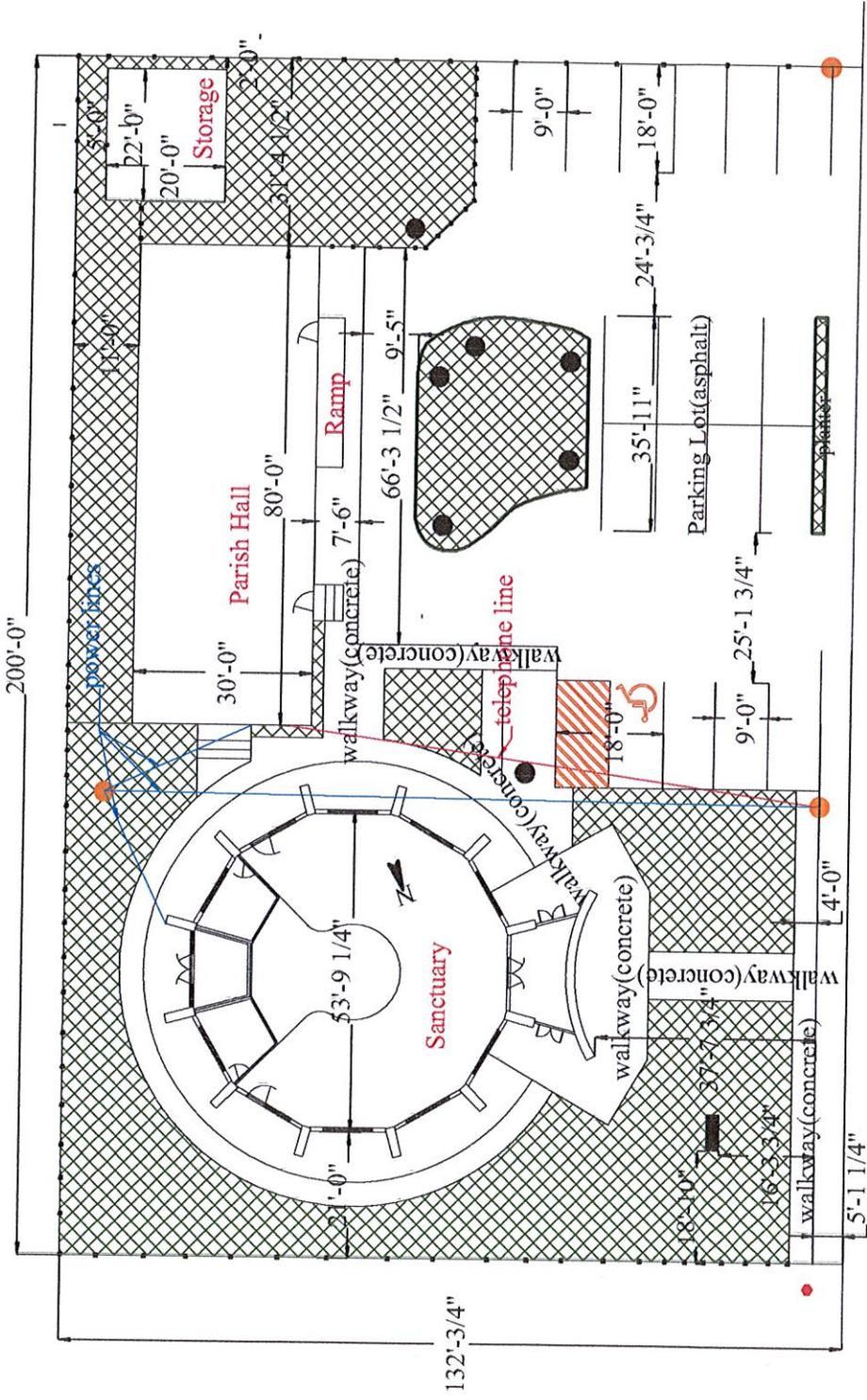
NEIGHBORHOOD COMPATIBILITY: The subject property is surrounded entirely by single-family dwellings, which is the predominant use in the neighborhood. Because the subject property has previously been used for church purposes for many years with no known adverse impact, it can be considered a compatible use.

COMPLIANCE WITH STANDARDS: The primary consideration in this case is off-street parking. The majority of the property's frontage along Main Street is one long, continuous curb cut connected to an asphalt parking area. There are a few faded parking space stripes for angled spaces along the north side of the parking lot, and for 90-degree spaces along the south side, with no provision for handicapped parking. The single-lane aisle around the clump of trees in front of the parish hall is narrow and not of sufficient radius to be used by any but very small vehicles. For churches, the Commission typically uses a minimum standard of one parking space per four seats capacity in the sanctuary. Based on the number and length of the pews, the capacity is estimated to be 120 persons, although the applicant doesn't anticipate a congregation exceeding 80. One fourth of 120 is 30, and one fourth of 80 is 20. It has been determined that the most efficient parking space layout would be two bays of 90-degree parking spaces, as shown on the attached side plan. That will require widening the parking area by extending the existing pavement both to the north and south, resulting in a total of 18 regular parking spaces plus one handicapped space adjacent to the main sidewalk leading to the sanctuary entrance. In any case, that number of parking spaces is less than the minimum standard, but it's the greatest number possible considering the constraints of the site. A street curb or some other type of barrier should be placed at the street end of the center rows of parking spaces to create distinct driveways for each of the two parking aisles.

ADEQUACY OF INFRASTRUCTURE: All required utilities are currently available.

ALTERNATIVES: None more appropriate.

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



Legend:

- trees
- hydrant
- ▨ grass
- ▨ signage
- power poles
- boundary

Scale 1" = 30'

S. Main Street

SPECIFIC USE PERMIT APPLICATION

CITY OF
Lockhart
TEXAS

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

APPLICANT/OWNER

APPLICANT NAME The Well

ADDRESS Box 867

DAY-TIME TELEPHONE 512-563-6975

Lockhart, TX 78644

E-MAIL info@wellstories.org

OWNER NAME Jason Jones (pastor, contact)

ADDRESS 608 Bois D'arc

DAY-TIME TELEPHONE 512.563.6975

Lockhart, Texas 78644

E-MAIL jason@wellstories.org, jasnjonz@gmail.com

City of Lockhart until property sale closes.

PROPERTY

ADDRESS OR GENERAL LOCATION 728 S. Main Street

LEGAL DESCRIPTION (IF PLATTED) See Attachment

SIZE .644 ACRE(S) ZONING CLASSIFICATION Residential Medium

EXISTING USE OF LAND AND/OR BUILDING(S) Was a church until 2018, currently unoccupied.

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Worship Services, other church activities

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

Church activities including worship and education, weddings, small concerts and artistic offerings.

Current attendance is around 30. We have plans to make changes if the number grows significantly.

The Parish Hall/Barracks will be repaired over time and will be used primarily for education and meeting space.

Pastoral Guidance will be available immediately. A counseling office with a LPC should be available within 3 years.

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.

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

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$ 150 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre 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 A. Jason Jones, Pastor DATE 6/02/2020

OFFICE USE ONLY

ACCEPTED BY Dan Gib RECEIPT NUMBER 00940889

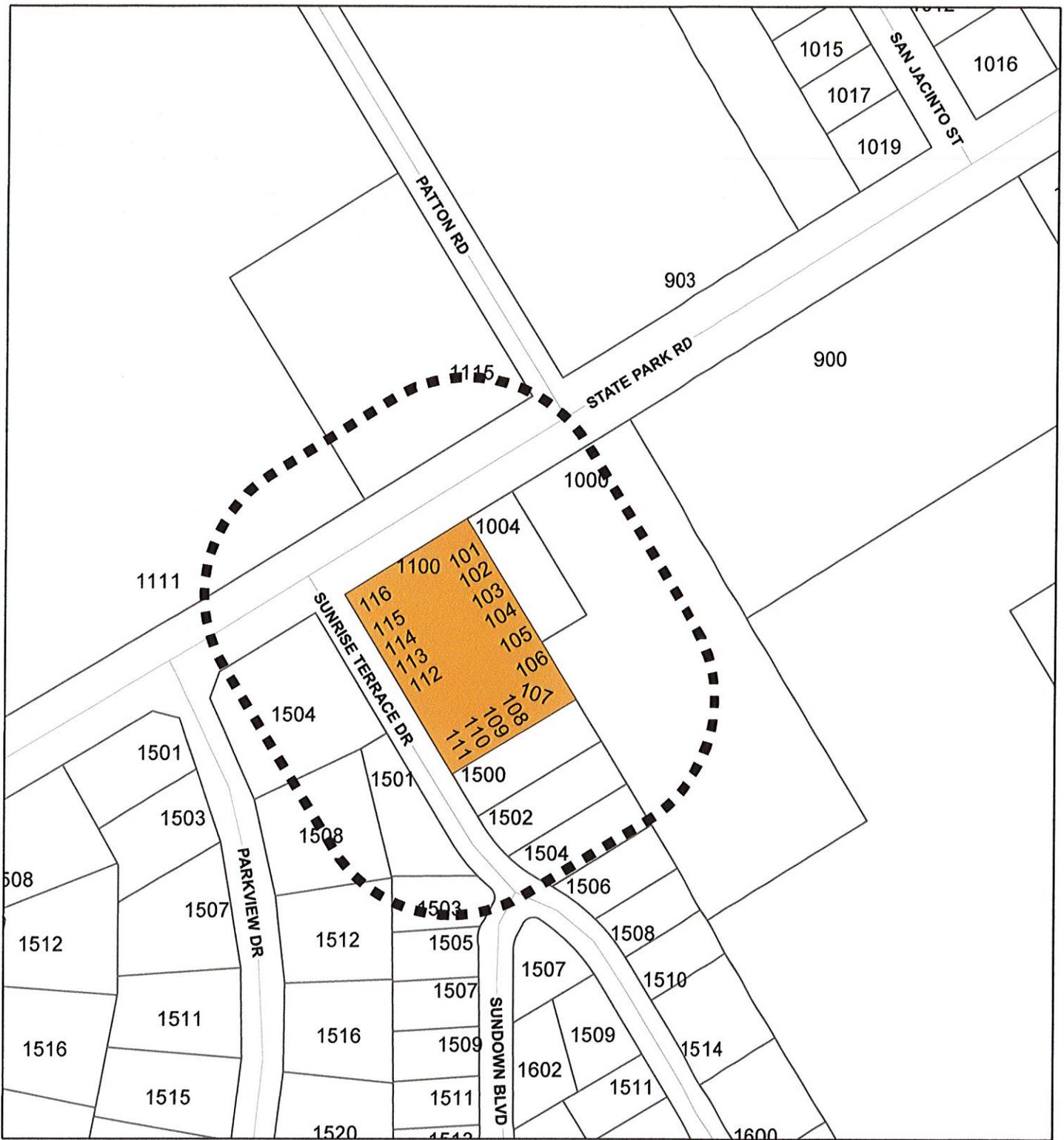
DATE SUBMITTED 6-2-20 CASE NUMBER SUP - 20 - 06

DATE NOTICES MAILED 6-8-2020 DATE NOTICE PUBLISHED 6-11-2020

PLANNING AND ZONING COMMISSION MEETING DATE 6-24-20

DECISION _____

CONDITIONS _____



SUP-20-07

1100 STATE PARK RD (FM 20)
SUITE 108

CHURCH



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER

CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner
REPORT DATE: June 17, 2020
PUBLIC HEARING DATE: June 24, 2020
APPLICANT'S REQUEST: Church, as a public/institutional use
STAFF RECOMMENDATION: **Approval.**
SUGGESTED CONDITIONS: None.

CASE NUMBER: SUP-20-07

BACKGROUND DATA

APPLICANT(S): Lora Hardway
OWNER(S): Brian Rodgers (Park Plaza)
SITE LOCATION: 1100 State Park Road, Suite 108
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 1.377 acres
EXISTING USE OF PROPERTY: Commercial
ZONING CLASSIFICATION: CLB and CHB

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property contains two commercial buildings. The south part of the L-shaped building is zoned CLB, while the remainder of that building and all of the smaller building are zoned CHB. The applicant's church has been located in a lease space in the smaller building (zoned CHB), but is moving to a different lease space of similar size in the south part (zoned CLB) of the larger building. The attached site plan shows both the existing and proposed locations.

NEIGHBORHOOD COMPATIBILITY: Several religious groups have met in various locations in this commercial center in the past, and at least two are still there in addition to the applicant's congregation. The fronts of all of the lease spaces face a common parking lot, so very little of the activity in the commercial center is visible from the single-family homes in the neighborhood south and west of the subject property. The property adjacent to the east contains commercial uses and is zoned accordingly. Because the subject property has previously been used for church purposes for many years with no known adverse impact, it can be considered a compatible use.

COMPLIANCE WITH STANDARDS: The primary consideration for churches is typically off-street parking. For churches, the Commission uses a minimum standard of one parking space per four seats capacity in the sanctuary. Although the church currently has only ten members, the seating capacity is 40, which would require ten parking spaces. That is easily accommodated on Sunday mornings and Wednesday evenings by the existing parking lot, which contains a total of 67 regular spaces and three handicapped spaces.

ADEQUACY OF INFRASTRUCTURE: All required utilities are currently available.

ALTERNATIVES: None more appropriate.

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



SPECIFIC USE PERMIT APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Lora Haraway ADDRESS 604 St. John's Road
DAY-TIME TELEPHONE 512-304-0801 Drue, TX 78646
E-MAIL Lora Haraway 887@gmail.com
OWNER NAME Brian Rodgers' Park Plaza ADDRESS 1100 State Park Road
Retail Lockhart, Texas 78644
DAY-TIME TELEPHONE _____
E-MAIL _____

PROPERTY

ADDRESS OR GENERAL LOCATION 1100 State Park Road, Lockhart, Texas 78644 *Suite 108*
LEGAL DESCRIPTION (IF PLATTED) Francis Berry Survey Abstract # 2, 1.377 Acres
SIZE 1.377 ACRE(S) ZONING CLASSIFICATION CLB
EXISTING USE OF LAND AND/OR BUILDING(S) Park Plaza Retail Center

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Church as a Public & Institutional Use

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

Resurrection Life Church: 1000 Square Feet: Unit 108
Service: Sundays at 10 and Wednesdays at 10:00
Seating Capacity 40
Membership 10

SUBMITTAL REQUIREMENTS

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APPLICATION FEE OF \$ 177.⁵⁴ PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre 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 *[Signature]*

DATE 6-4-2020

OFFICE USE ONLY

ACCEPTED BY *[Signature]*

RECEIPT NUMBER 941171

DATE SUBMITTED 6-4-2020

CASE NUMBER SUP - 20 - 07

DATE NOTICES MAILED 6-8-2020

DATE NOTICE PUBLISHED 6-11-2020

PLANNING AND ZONING COMMISSION MEETING DATE 6-24-2020

DECISION _____

CONDITIONS _____
