

**City of Lockhart
Planning and Zoning Commission
July 8, 2020**

MINUTES

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

Member Absent: Paul Rodriguez

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Julio Olvera, Rick Ainsworth, Lee Raspberry, Terry
Kelley

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of the June 24, 2020, meeting.

Commissioner Arnic moved to approve the June 24, 2020 minutes. Commissioner McBride seconded, and the motion passed by a vote of 4-0.

4. ZC-20-08. Hold a PUBLIC HEARING and consider a request by Olga L. Carmona for a Zoning Change from AO Agricultural-Open Space District and RMD Residential Medium Density District to RLD Residential Low Density District, on 9.265 acres in the James George Survey, Abstract No. 9, located at 1700 Old McMahan Road.

Manuel Oliva and Brad Lingvai joined the meeting before the vote on this item.

Dan Gibson explained that the applicant would like to subdivide the subject property for single-family homes. Rezoning to RLD would allow a smaller lot size of only 8,500 square feet, which is 0.195 acre, compared to the AO district which requires a minimum lot size of one acre. He continued with a presentation of maps and photos of the subject property and the surrounding neighborhood.

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

Julio Olvera, of 1860 Ficuzza Way in Leander, said he was the applicant's real estate broker and was there to represent her. He said the first step is rezoning the property, and then it would be platted to subdivide into three lots. The owner plans to sell 4.265 acres of the property and keep the remaining five acres for herself.

Chair Ruiz asked for any other speakers.

Rick Ainsworth, of 1704 Old McMahan Trail, wanted to know which part of the property was the four acres the owner would be selling.

Mr. Gibson said a subdivision plat has not been submitted yet, but that all lots must have frontage along a public street and that there would not be any land locked lots.

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 McBride moved to recommend approval of ZC-20-08 to City Council. Commissioner St. Leger seconded, and the motion passed by a vote of 6-0.

5. SUP-20-08. Hold a PUBLIC HEARING and consider a request by Lee Raspberry, on behalf of Lockhart ISD, for a Specific Use Permit to allow two portable classrooms as a public/institutional use on 32.14 acres in the Francis Berry Survey, Abstract No. 2, zoned PI Public and Institutional District and located at Lockhart High School, 906 Center Street.

Kevin Waller explained that the applicant proposed to place two portable buildings, with each containing two classrooms that would hold 50 students each, on the Lockhart High School campus. They would be placed on the southwest side of the campus and visible from Medina Street. He continued with a presentation of maps and photos of the subject property and the surrounding neighborhood. He said that one letter of opposition was received from a neighbor at 1101 South Medina Street who stated that the classroom buildings would be an eyesore.

Chair Ruiz asked Mr. Waller to explain the Attorney General ruling that was referenced in the written staff report.

Mr. Waller explained that the Texas Attorney General had determined that school districts in Texas are technically immune from zoning regulation by cities. However, in Lockhart they are still asked to go through the process of approval for an SUP because it's a useful tool to ensure compliance with other codes and standards that can be enforced by the City on the school district as a condition of approval.

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

Lee Raspberry said he was the Director of Maintenance for LISD, and his office is located at 1503 North Colorado Street. He stated that the portable buildings are needed to help relieve overcrowding that is affecting all school campuses. The bond issue proposed by the LISD was not approved by the voters, so LISD was finding other ways to accommodate students. He mentioned that the portable buildings would house students in the CTE program, which had grown in the last couple years.

Chair Ruiz asked Mr. Raspberry if one reason for the portable buildings was to accommodate greater spacing between students to comply with TEA guidelines during the pandemic.

Mr. Raspberry said that he did not believe so, and that a survey had been done to get input from parents to see how many preferred virtual teaching versus in-house teaching for their children. He said the result was that approximately 50 percent of the student body would be back in the classrooms under TEA guidelines.

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

Mr. Waller said that staff recommended approval.

Commissioner Oliva moved to approve SUP-20-08. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.

6. SUP-20-09. Hold a PUBLIC HEARING and consider a request by Lee Raspberry, on behalf of Lockhart ISD, for a Specific Use Permit to allow on portable classroom as a public/institutional use on 14.23 acres in the Francis Berry Survey, Abstract No. 2, zoned PI Public Institutional District and located at Clear Fork Elementary School, 1102 Clear Fork Street.

Kevin Waller explained that the same applicant requested one portable building with two classrooms to be placed at Clear Fork Elementary School. He said it would be placed just south of the main building and between two smaller buildings. He continued with a presentation of maps and photos of the subject property and the surrounding neighborhood.

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

Lee Raspberry said he was the Director of Maintenance for LISD, and his office is located at 1503 North Colorado Street. He stated that the portable building is needed to help relieve overcrowding that is affecting all campuses.

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

Mr. Waller said the staff recommended approval.

Commissioner Arnic moved to approve SUP-20-09. Commissioner McBride seconded, and the motion passed by a vote of 6-0.

7. SUP-20-10. Hold a PUBLIC HEARING and consider a request by Lee Raspberry, on behalf of Lockhart ISD, for a Specific Use Permit to allow two portable classrooms and one portable cafeteria as a public/institutional use on 73.476 acres in the Francis Berry Survey, Abstract No. 2, zoned PI Public and Institutional District and located at Lockhart Junior High School, 500 City Line Road.

Kevin Waller explained that LISD also wishes to install two portable classrooms and one portable cafeteria on the Lockhart Junior High School grounds. The buildings would be located on the west side of the school. He continued with a presentation of maps and photos of the subject property and the surrounding neighborhood.

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

Lee Raspberry said he was the Director of Maintenance for LISD, and his office is located at 1503 North Colorado Street. He stated that the portable buildings are needed to help relieve overcrowding on the campus. Again, he reiterated that the bond issue proposed by the LISD was not approved by the voters, so LISD was finding other ways to accommodate students. He said that there is not enough space in the main cafeteria to serve the students, and that in the past many students have been served outside. Therefore, the portable heat-and-serve cafeteria being proposed would allow all students to be served inside during lunch periods.

Chair Ruiz asked for any other speakers.

Terry Kelley, of Hubbard Texas, said his mother Quincy Kelley owns property next to the Junior High School. He came to make sure the buildings were for the use of the students and the school. After hearing what Mr. Raspberry had to say about the overcrowding, he said he had no objections.

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

Commissioner Oliva moved to approve SUP-20-10. Commissioner McBride seconded, and the motion passed by a vote of 6-0.

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

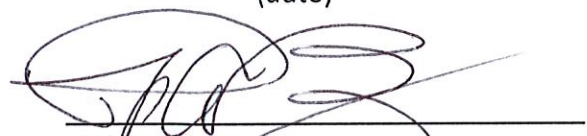
Mr. Gibson stated that the next regular meeting would on July 22nd if any applications are received. Otherwise, the Commission would be notified if the meeting is cancelled.

9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:57 p.m.

Approved: 8/12/2020
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair