

**City of Lockhart
Planning and Zoning Commission
July 28, 2021**

MINUTES

Members Present: Philip Ruiz, Rick Arnic, Manuel Oliva, Phil McBride, Chris St. Leger

Member Absent: Bradley Lingvai, Ron Peterson

Staff Present: Dan Gibson, Kevin, Waller, Christine Banda

Visitors/Citizens Addressing the Commission:

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 June 23, 2021, meeting.

Commissioner McBride moved to approve the June 23, 2021, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-0.

4. ZC-21-10. Hold PUBLIC HEARING and consider a request by Andrew Dodson on behalf of Melvin H. Alex and JoNelle Schulze for a Zoning Change from AO Agricultural-Open Space District to CHB Commercial Heavy Business District, on 15.171 acres in the James George Survey, Abstract No. 9, located at 1501 and 1503 Blackjack Street (FM 20).

Dan Gibson explained that the subject property contains an existing tire shop and a water pump business. He discussed the existing zoning and land use patterns around the site, and expressed a concern that the requested heavy commercial zoning extended to the rear of the property, which shared a mutual side property line with a tract that is planned to be developed as a residential subdivision. If approved, the CHB zoning would allow uses that are not compatible with residential uses. The purpose of the zoning change is to allow a large civil construction company with outdoor storage on the property, which requires CHB zoning.

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

Andrew Dodson, of 361 Middle Creek Drive in Buda, said that Peabody General Contractors are moving their business to Lockhart. He pointed out that the water pump company, which is in the rear portion of the property, is an industrial-type use. There is already a six-foot fence installed at the rear of the property. He said the jail is adjacent to the west of the property, and should not be bothered by outdoor equipment storage.

Floyd Wilhelm Jr., of 1512 Meadow Lane, said he represents the owners as their agent. The subject property had been on the market for a while with the current zoning classification, but the proposed CHB zoning classification would help sell the property. He said the new company will create more jobs for Lockhart, and that he is in favor of the zoning change.

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

Mr. Gibson noted that the staff recommendation in the written staff report was for approval if there was no opposition. Since no objections had been expressed in writing or in person, he said that staff recommended approval.

Chair Ruiz state his agreement with staff that CHB zoning is appropriate for the front part of the subject property, but does not provide an appropriate transition for the rear part of the property where it abuts a future residential subdivision.

Commissioner McBride moved to recommend approval of ZC-21-10 to City Council. Commissioner Oliva seconded, and the motion passed by a vote of 4-1, with Chair Ruiz against.

5. PV-21-05. Consider a request by Glenn Synnott for approval of a Plat Variance to allow a one-year extension to August 12, 2022, after a six-month extension to August 12, 2021, as authorized in Section 52-35(e) of the Subdivision Regulations, of the one-year period within which construction must begin following approval by the Planning and Zoning Commission on February 12, 2020, of the final plat of the Jesco Subdivision on 9.232 acres located at 920 Trinity Street.

Kevin Waller explained that approval of the Jesco Subdivision final plat was about to expire, with no extensions available unless the requested variance is granted. The plat was approved by the Commission in February 2020, and the applicant had one year to start construction of improvements. At the end of the year, the applicant requested, and was granted, the one-time six-month extension allowed by the subdivision regulations. Because the applicant still had not been able to begin construction as the end of the six-month period approached, he was requesting a variance to allow a further extension of one year. Mr. Waller said the subdivision would be done as one phase. He discussed the variance criteria with the commissioners, and recommended approval of a six-month extension as opposed to the applicant's request for 12 months. If the variance is denied, the final plat would have to be resubmitted with a new application form.

Chair Ruiz asked the applicant to come forward.

Glenn Synnott, of Jesco Construction Company, said his business had struggled since last year due to the Covid pandemic, and apologized for the financial situation that prompted the variance request for the extension.

Mr. Waller said that staff recommended approval subject to a six-month time limit.

Commissioner St. Ledger moved to approve PV-21-05 subject to a six month time limit. Commissioner Arnic seconded, and the motion passed by a vote of 3-2, with Chair Ruiz and Vice-Chair Oliva against.

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

Mr. Gibson stated that the next regular meeting date would be August 11th.

7. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:42 p.m.

Approved: 8-11-2021
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair