

**City of Lockhart
Planning and Zoning Commission
October 12, 2022**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Bradley Lingvai, Rick Arnic, Ron Peterson, Chris St. Ledger

Member Absent: Phil McBride

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

Visitors/Citizens Addressing the Commission: Barret Kruggel, Tamara Carlisle, Chris Elizondo, Donna Blair, Chris Van Heerde, Hugo Elizondo, Matt Johnson,

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 September 28, 2022, meeting.

Commissioner Peterson moved to approve the September 28, 2022, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

4. SUP-22-13. Hold a PUBLIC HEARING and consider a request by Barret Kruggel for a Specific Use Permit to allow an Accessory Dwelling Unit (General Type) on the east half of Lot 7, Block 2, Hudson's Addition, consisting of 0.249-acre zoned RMD Residential Medium Density District and located at 703 South Church Street.

David Fowler explained that the applicant would like to construct an Accessory Dwelling Unit – General Type. This type of ADU in the RMD district requires approval of a specific use permit by the Commission. The proposed ADU would meet all parking and building setback requirements.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Barret Kruggel, of 703 South Church Street, said that it would be a rental unit to provide additional income.

Chair Ruiz asked Mr. Kruggel if he had spoken with his neighbors about his plans for the property.

Mr. Kruggel replied that he had not.

Chair Ruiz stated that he was opposed to increasing the density of neighborhoods with the addition of rental accessory dwelling units.

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

Mr. Fowler said that staff recommended approval.

Commissioner St. Ledger moved to approve SUP-22-13. Commissioner Oliva seconded, and the motion passed by a vote of 5-1 with Chair Ruiz voting against.

5. ZC-22-24. Hold a PUBLIC HEARING and consider a request by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, for a Zoning Change from CMB Commercial Medium Business District to RMD Residential Medium Density District on a total of 0.562 acre consisting of all Lot 24 and part of Lot 22, A. R. Chews Addition, located in the 500 Block of West Market Street.

Mr. Fowler explained that the owner would like to split the subject property into four lots so that new single-family homes could be built. The property abuts existing residential zoning, and the future land use plan shows the area as medium residential. He said that one letter in favor of the requested zoning change was received.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Tamara Carlisle, of 1700 Rabb Road in Austin, and Donna Blair of 617 West San Antonio Street, distributed packets of information about their planned residential project to the commissioners. The off-street parking for the homes would be located behind the structures so that the front yards would be more pedestrian oriented and promote a better sense of community.

Matt Johnson, of 426 West Prairie Lea Street, said he was in support of the zoning change.

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

Mr. Fowler said that staff recommended approval.

Commissioner Oliva moved to recommend approval of ZC-22-24 to City Council. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

6. ZC-22-25. Hold a PUBLIC HEARING and consider a request by Tamara K. Carlisle on behalf of The Lumberyard, LLC, for a Zoning Change from CMB Commercial Medium Business District to RMD Residential Medium Density District on a total of 0.135 acre consisting of parts of Lot 20, A. R. Chews Addition, located at 500 West Market Street.

Mr. Fowler said that the subject property is located directly east of the previous case, across Ciibilo Street. The applicant would like to build a single-family home on the property, which will also require receiving approval of a special exception from the Zoning Board of Adjustment because of the shallow lot depth.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Tamara Carlisle, of 1700 Rabb Road in Austin, and Donna Blair of 617 West San Antonio Street, said they planned to construct a one-story home on the property.

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

Mr. Fowler said that staff recommended approval.

Commissioner Oliva moved to recommend approval of ZC-22-25 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.

7. ZC-22-26. Hold a PUBLIC HEARING and consider a request by Chris Elizondo of Cuatro Consultants, Ltd., on behalf of Jimbo Cotton of 2401 CR 119, LLC, for a Zoning Change from AO Agricultural-Open Space District to RMD Residential Medium Density District on a total of 19.367 acres in the Byrd Lockhart League, Abstract No. 17, located at 1400 Lovers Lane.

Mr. Fowler explained that the subject property would be combined with adjacent property to the south to create Blackjack Grove Subdivision. This part of the subdivision requires a zoning change for the proposed type of development. He said one letter of concern about additional traffic that would be generated by further development was received from Mark George, of 1401 Lovers Lane.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Hugo Elizondo, an engineer with Cuatro Consultants, said he was present to represent the applicant. He stated that they are still working to resolve blanket easements for the pipelines that go through the property. They are working with TxDOT for the street entrance off Blackjack Street, and are in contact with the City's Public Works Department to see what should be done about Lovers Lane. The subdivision was proposed to have 126 single family residences.

Chair Ruiz asked for any other speakers.

James Bagwell, of 1535 Lovers Lane, said that he was concerned about traffic, and that the new development would change the migration of the deer and wild turkey in the area.

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

Mr. Fowler said that staff recommended approval.

Commissioner Arnic moved to recommend approval of ZC-22-26 to City Council. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

8. ZC-22-27. Hold a PUBLIC HEARING and consider a request by Dan Ross on behalf of Thomas Staub of Roed Prop Company, LLC, for a Zoning Change from AO Agricultural-Open Space District to RMD Residential Medium Density District on a total of 89.775 acres in the John A. Neill League, Abstract No. 20, located at 2400 FM 1322.

Mr. Fowler explained that the subject property was recently annexed into the city limits. New annexations are automatically assigned AO Agricultural-Open Space District zoning. The applicant proposed to rezone the tract for a residential subdivision that allows the SF-2 development type. He mentioned that water is accessible, but that wastewater is not. A lift station with a new force main extending to Blackjack Street will be required to provide wastewater service

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Luke Caraway, of Viewpoint Engineering in Austin, and Dan Ross of 2121 E 6th Street in Austin, stated that a subdivision of 424 single family homes is planned, with the cost of the homes estimated to be approximately \$350,000. They plan to start construction in 2024. They said they understood what needs to be done for the wastewater situation.

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

Mr. Fowler said that staff recommended approval.

Commissioner Oliva moved to recommend approval of ZC-22-27 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.

9. Hold a PUBLIC HEARING and consider a Zoning Text Amendment for Article VII "Zoning District and Standards", Section 64-197 "Regulations Common To All Or Several District", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts", to allow front-facing garage doors for any size garage to occupy up to 50 percent of the width of detached single-family dwellings.

Mr. Gibson explained that the current limit on the maximum width of garage doors not exceeding 40 percent of the width of single-family dwellings would prohibit double-car garages in houses having roof overhangs on lots that are at the minimum 50-foot width for the SF-2 development type. He said that increasing the maximum width of garage doors to 50 percent of the width of the dwelling would solve that problem, and also allow narrower houses where wider side yards are desired.

Chair Ruiz opened the public hearing and asked if anyone wished to speak. Seeing none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that staff recommended approval.

Commissioner Lingvai moved to recommend approval of the zoning text amendment to city Council increasing the maximum width of front-facing garage doors from 40% to 50% of the width of detached single-family dwellings. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

10. FP-22-07. Consider a request by Brian Parker, P.E., on behalf of LCD Multifamily Partners, LLC, for approval of a Final Plat for Cavalry Subdivision, consisting of 34.512 acres in the Francis Berry Survey, Abstract No. 2, zoned RHD Residential High Density District, and located at 400 State Park Road (FM 20).

Kevin Waller explained that a specific use permit was approved in September 2021 for the MF-2 development type in Block A, Lot 1, of Cavalry Subdivision. The final plat would extend Lion Country Drive and Harper Trail, and would accommodate a future realignment of State Park Road. The proper right-of-way dedications are shown, as well as confirmation from LCRA that the easement for their transmission lines that cross the property should be 80 feet wide.

Chair Ruiz asked if the applicant wished to speak.

Michealann Durden, of 1200 Elm Street, said she was present on behalf of Brian Parker of Kimley-Horn. She indicated that they have not yet formally submitted their plans to TxDOT about widening State Park Road to allow both right- and left-hand turn lanes at the Lion Country Drive intersection.

There was much discussion about providing a playscape for the residents of the apartment complex.

Chris Van Heerde, a civil engineer came forward to recommend that the Commission approve the plat. He said the developer did show open space parkland on the plat, and that most developers provide quality amenities for their residents.

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

Mr. Waller recommended approval subject to the following conditions: (1) Revise the engineer's certification section to replace Jacob Kondo's name with Brian Parker; and, (2) Add a new plat note requiring left-turn and right-turn lanes into the development from State Park Road at the Lion Country Drive extension, as required by TxDOT, to be constructed by the subdivider as a subdivision improvement prior to recordation of the Final Plat.

Commissioner Arnic moved to approve FP-22-27 subject to the conditions recommended by staff. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

Commissioner Lingvai left at 8:40 p.m.

11. RP-22-01. Consider a request by Chris Van Heerde, P.E., on behalf of Continental Homes of Texas, LP, d/b/a DR Horton, for approval of Eeds-Lancaster Subdivision, a Resubdivision Plat of a portion of Lot 1, Block 2, Texas Heritage Subdivision, and 2.17 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD Planned Development District and RLD Residential Low Density District, and located at 300 Mockingbird Lane and 307, 313, and 317 San Jacinto Street, including Variances to Chapter 52, "Subdivision Regulations" waiving the requirement in Section 52-72(e) for dedicating one half of the abutting San Jacinto Street right-of-way sufficient to make the ultimate full right-of-way conform to the Thoroughfare Plan, and waving the requirement of Section 52-77(b) for construction of a public sidewalk along the abutting San Jacinto Street designated as a future collector street.

Mr. Waller explained that the replat corrected some awkward property lines between the Vintage Springs Subdivision and three residential parcels fronting on San Jacinto Street. The plat transfers land that Vintage Springs doesn't need to the owners of the residential parcels. He said that variances are requested to waive the right-of-way dedication and public sidewalk requirements along San Jacinto Street.

Chris Van Heerde said he was present representing DR Horton (Continental Homes). He reviewed the differences between the current and proposed property layouts. The variance to waive the right-of-way dedication was requested so that the existing homes would not be closer to the street, and the sidewalk variance was requested because there are no existing sidewalks to connect to. The current property owners will not sign the plat if the variances are not approved. He said the replat basically cleans up the boundaries of property ownership.

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

Mr. Waller said that staff recommended approval subject to the following conditions: (1) Label Mockingbird Lane on the plat drawing, including the right-of-way width; (2) label San Jacinto Street; (3) revise the Francis Berry Survey reference to "Francis Berry Survey, Abstract No. 2"; and, (4) correct the acreage of the 0.327-acre parcel (proposed Lot 1) to 0.497 acre.

Commissioner St. Ledger moved to approve RP-22-01, including the requested variances, subject to the conditions recommended by staff. Commissioner Peterson seconded, and the motion passed by a vote of 4-1 with Chair Ruiz voting against.

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

It was announced that applications had been submitted the Commission's October 26th meeting.

13. Adjourn.

Commissioner Arnic moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:10 p.m.

Approved: Oct. 26, 2022
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair