

City of Lockhart
Planning and Zoning Commission
April 13, 2016

MINUTES

Members Present: Philip Ruiz, Bill Faust, Phil McBride, Manuel Oliva, Adam Rodriguez, Steve Visage

Members Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda, Laura DeVore

Visitors/Citizens Addressing the Commission: Philip Reed, Tony Miller, Doug Spillman, Dennis Young, Richard Ashton, Edward Moore, Brian Honea

1. Call meeting to order. Chair McBride called the meeting to order at 6:59 p.m.
2. Citizen comments not related to a public hearing item. None.
3. Consider the Minutes of the March 23, 2016 meeting.

Commissioner Faust moved to approve the March 23, 2016, minutes. Commissioner Rodriguez seconded, and the motion passed by a vote of 6-0.

4. SUP-16-04. Hold a PUBLIC HEARING and consider a request by Philip reed and Julia Heard on behalf of W.P. Clark, Jr., for Specific Use Permit to allow Limited Industrial Manufacturing on Part of Lot 3, Block 48, Original Town of Lockhart, consisting of 0.514 acre zoned CMB Commercial Medium Business District and located at 303 West San Antonio Street (SH 142).

Mr. Gibson explained that recently the Commission recommended, and the City Council approved, an amendment to the Zoning Ordinance creating a new use classified as limited industrial manufacturing, and allowing it as a specific use in the CMB and CHB districts. The current application is for an existing company from Austin that meets the new definition of limited industrial manufacturing and proposes to move into the Lockhart Motor Company dealership building, which is zoned CMB and is for sale. The company designs and manufactures small product and part prototypes in small quantities for other companies. He said that their deliveries and shipments would be made by small parcel delivery trucks or vans, and there would be no external noise or other negative environmental impacts.

Addressing the off-street parking situation, Mr. Gibson said the building was built before there was a zoning ordinance and covers almost the entire property, so the fact that there is no parking on the same lot is a grandfathered nonconformity. The Lockhart Motor Company owns off-site lots for storing and displaying their inventory, but the applicant had not intended to buy those other properties. In addition, the current owner leases spaces for employee parking in a paved parking lot across Blanco Street that is owned by First Lockhart National Bank. The current applicant has a received a similar commitment from the bank for 17 parking spaces, although a total of 76 would be required by the zoning ordinance based on the floor area of the building and number of employees.

Mr. Gibson reported that the applicant applied for a variance to reduce the minimum required off-street parking from 76 spaces to 17 spaces, which would be provided in the bank parking lot that is within 300 feet of the building as required for off-site spaces. The Zoning Board of Adjustment approved the variance, so the Commission should consider the off-street parking requirement to be met.

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

Philip Reed, of 5525 Woodview Avenue in Austin, said that he would like to move his business to Lockhart and that the building is ideal for his limited industrial manufacturing operation. He said most of his business is done over the internet, with only one or two clients who actually come in person to the office each week. He agreed with Mr. Gibson that all deliveries would be made by FedEx vans, and that his business would have no noticeable impact on the surrounding area. He said that they are considering the purchase of the property currently being used as a vehicle storage compound that Ford Motor Company owns at the intersection of Walnut Street and Blanco Street. It could be developed in the future as a parking lot so that they would not have to rely on the annual agreement with the bank for leasing their spaces.

Commissioner Ruiz asked if he could elaborate as to what exactly the company manufactures.

Mr. Reed said that they make small prototype products for a wide variety of clients from all over the country such as Oakley sunglasses, Apple Computers, and medical device companies. He said he opened the business 19 years ago and has no room to expand at the current location in Austin. The company has 29 computerized milling machines that are used for the prototypes, which are created from wood, plastic, or metal. He mentioned that his current employees are in support of the move to Lockhart.

Chair McBride asked if there were any chemicals used.

Mr. Reed said everything would be self-contained with no smells, and would be used in a climate controlled setting.

Tony Miller, of 1508 West San Antonio Street, asked what the name of the business is.

Mr. Reed replied that their website is rpmaustin.com.

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

The Commission discussed their concerns about off-street parking, and how would staff would be able to monitor any increase in the number of employees or termination of the lease for off-site parking. It was assumed that if the parking of employee vehicles overflowed into the street, it's likely that the neighbors would complain to the City and that would be evidence that something changed.

Commissioner McBride moved to approve SUP-16-04 subject to the applicant providing the staff with a copy of the lease with FLNB for 17 parking spaces, and a written agreement stating that an additional paved parking space will be provided for each employee hired over a total of 17. Commissioner Faust seconded, and the motion passed by a vote of 6-0.

5. ZC-16-01. Hold a PUBLIC HEARING and consider a request by Dennis Young with High Rustler Ventures, LLC, on behalf of Adolfo Sendejo, for a Zoning Change from AO Agricultural-Open Space District to RHD Residential High Density District for 18.547 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located on the north side of the 2200 block of West San Antonio Street (SH 142).

Ms. DeVore explained that the applicant proposes to rezone a portion of a larger tract to allow a multi-family residential development, which requires RHD Residential High Density District zoning. She showed photos of surrounding property which is zoned mostly AO Agricultural Open-Space District, with CMB Commercial Medium Business District zoning to the south across San Antonio Street. The land use plan map shows the subject property designated for future industry and high density residential land use. She said that only two people inquired about the zoning change, but neither one specifically stated that they were opposed to the rezoning. She said that staff recommends approval to City Council.

Commissioner Ruiz mentioned that noise will be an issue due to the proximity of the railroad track.

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

Dennis Young, of 15505 Berry Drive in Austin, said that the future land use plan map designates the lower portion of property as high density residential, which is consistent with the proposed use. He said that noise abatement was not uncommon, and that those issues would be addressed in the design and construction of the apartments.

Chair McBride asked if the property to the northeast of the subject property would be left land locked by the development.

Ms. DeVore said that staff and the applicant had discussed connectivity to adjacent property with internal streets.

Chair McBride asked the applicant if they knew that they were responsible for the new road construction.

Mr. Young said that they are aware, and had already spoken with Mr. Gibson and the City Manager about it. He said that a new arterial street segment through the property will help implement the City's thoroughfare plan, which shows it as part of a loop connecting City Line Road to FM 2001.

Mr. Gibson said that the subdivision plat of the property will dedicate an 80-foot wide right-of-way, and the developer will construct the street.

Commissioner Ruiz pointed out that, in his opinion, the placement of 250 to 280 apartment units in the middle of a future commercial and industrial area is environmental racism.

Mr. Young said that the apartments will have income restrictions for tenants, and that the future land use plan map already shows residential land use in the area that is consistent with what is proposed for the subject site.

Ms. DeVore reminded the Commission that the future land use plan map does show the area mostly medium residential to the east of the property.

Richard Ashton, of 2351 W. Northwest Highway in Dallas, said that he is the developer and is excited to bring workforce housing to the City of Lockhart. He had done similar tax-credit bond projects throughout Texas and in Kentucky. They offer after school programs free of charge in their apartment communities, and provide clubs and help with homework for the families. They are very familiar with HUD regulations in regards to noise and environmental studies. He emphasized that he would like to build a luxury product where all that is required to qualify to live in the community is to have a job.

Doug Spillman said he is the owner of the property located northeast of the subject property, and is concerned about access to his property. His parcel is approximately ten landlocked acres, and every year he has to fight with the railroad company for access across the railroad track from the main portion of his agricultural property. Mr. Spillman said that he has reservations about apartments being located along a railroad track and the kind of tenants that would live there, and stated that he wouldn't want to live in that situation himself.

Tony Miller, of 1508 West San Antonio Street, asked about the name of the developer and company. He said he has lived at his current residence for 35 years, and that many years ago a zoning change was requested in front of the Windridge subdivision across the street from his house, but the rezoning was denied. He was concerned about the possibility of this property being rezoned and the owner not following through on the promised use of the land.

Mr. Ashton said the company is called Liberty Multi-Family.

Mr. Gibson stated that for every zoning change, the Commission should that the property can potentially be used for anything listed as allowed in the requested zoning classification.

Mr. Young said they could provide the commission samples of their work to resolve some of their concerns in regards to the HUD stigma. He noted that the market rate values in the City of Lockhart are well within what can be afforded under the maximum income ceiling for tax-credit units. He said the income limits are locked in once the State bond is approved for the project.

Chair McBride closed the public hearing and invited discussion by the Commission.

Commissioner Ruiz stated for record that the future land use of the area is designated as industrial and commercial, and not residential.

Commissioner Faust moved to recommend approval of ZC-16-01. Commissioner Visage seconded, and the motion passed by a vote of 5-1, with Commissioner Ruiz voting against.

6. PP-16-02. Consider a request by Edward C. Moore, P.E., on behalf of Larry Honea, for approval of a Preliminary Plat of Centerpoint Meadows Subdivision, consisting of six new internal streets, 123 single-family residential lots, and one lot of dual purpose storm-water detention and public park, on a total of 25.77 acres zoned RHD Residential High Density District and located south of Borchert Drive, between City Line Road and Cesar Chavez Parkway (SH 130).

Laura DeVore explained that the preliminary plat consists of six new city streets, 123 single family lots, and dedicated parkland which will also serve as the stormwater detention pond for the subdivision. She also displayed photos of the property and its location with respect to SH 130 and Fashion Glass & Mirror.

She confirmed that there are no deficiencies on the plat, and that all subdivision standards were met, including the required public sidewalks.

Edward Moore, of 1000 Cuernavaca Drive in Austin, said that there are three public street access points, with one from Cesar Chavez Parkway and two from City Line Road. The City of Lockhart will provide water and wastewater utilities, and electric service will be from Bluebonnet Electric Coop.

Chair McBride asked about the elevation in regards to the drainage.

Mr. Moore said the drainage was a challenge, but there is a large culvert along Cesar Chavez Parkway which is lower than the subject property and, therefore, provides an outlet for the drainage detention.

Commissioner Ruiz asked Mr. Moore if they would consider platting 65-foot wide lots instead of 50-foot wide lots.

Mr. Moore replied that the developer requested the 50-foot wide lots, which are allowed by the current zoning of the property.

Mr. Gibson noted that staff had discussed the issue of snout houses with the developer, and encouraged them to minimize the number of homes with garages protruding in front of the house, even if the lots are only 50 feet wide.

Commissioner Faust said that the trend for most developers is 50-foot wide lots.

Commissioner Oliva mentioned that there are houses being constructed on 40-foot wide lots in some cities.

Brian Honea, of 6707 Meadow in Dallas, said that he is with British American Development and, as the developer, he would offer housing that is nicer than what DR Horton is currently building in Lockhart. He stated that he understood the concerns about cookie-cutter snout houses, and that they would make the builders accountable. He said the homes would be 1,500-2,500 square feet in size, and primarily one story.

Chair McBride asked if they had any plans for the park other than green space.

Mr. Honea replied that it might be a dog park with a jogging path and trees.

Chair McBride asked about the time frame for the project.

Mr. Honea said that it will take another four to five weeks for completion of the construction plans and final plat, with actual construction occurring later in the year.

Commissioner Faust moved to approve of PP-16-02. Commissioner Oliva seconded, and the motion passed by a vote of 5-1, with Commissioner Ruiz voting against.

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

Mr. Gibson reported that there are at least two items for the Commission's next meeting on April 27.

8. Adjourn.

Commissioner Faust moved to adjourn, and Commissioner Ruiz seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:37 p.m.

Approved: 4-27-2016
(date)
Phil McBride
Phil McBride, Chairman

Christine Banda
Christine Banda, Recording Secretary