

**City of Lockhart
Planning and Zoning Commission
May 11, 2016**

MINUTES

Members Present: Philip Ruiz, Bill Faust, Phil McBride, Christina Black, Adam Rodriguez, Steve Visage

Members Absent: Manuel Oliva

Staff Present: Dan Gibson, Christine Banda, Laura DeVore

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair McBride called the meeting to order at 7:00 p.m.
2. Citizen comments not related to a public hearing item. None.
3. Consider the Minutes of the April 27, 2016 meeting.

Commissioner Faust moved to approve the April 27, 2016, minutes. Commissioner Rodriguez seconded, and the motion passed by a vote of 6-0.

4. SUP-16-06. Hold a PUBLIC HEARING and consider a request by Charles Philpott on behalf of Fred Hoskins, for Specific Use Permit to allow a DF-2 Duplex-Family Development Type in the RMD Residential Medium Density District on Lots 3 and 4, Block 6, Parkway Subdivision Section III, located at 905 and 907 Crockett Street.

Laura DeVore explained that the specific use permit is required because the lot widths do not meet the criteria for a DF-1 residential type, and a specific use permit is required for the DF-2 residential development type in the RMD district. The applicant proposes to move two duplexes currently located in Austin to the subject lots. The duplexes are each 800 square feet with one bedroom. She showed pictures of the surrounding area to the Commission. There were two single-family homes at the north end of Crockett Street, but all the other properties that were not vacant along that street were duplexes. Ms. DeVore stated that the applicant would provide a more detailed site plan, including an appropriate driveway design, when an application is submitted for the building permits. She noted that no letters of support or opposition had been received.

Ms. DeVore stated that staff recommended approval.

Commissioner Faust asked staff about how thorough the building permit review process is for buildings that are moved into the city.

Mr. Gibson replied that all moved buildings must be installed on a permanent foundation and meet all standard code requirements before they can be occupied.

Commissioner McBride asked if there were any deed restrictions for the neighborhood that require covered parking.

Mr. Gibson replied that the city does not enforce or keep any record of deed restrictions.

Commissioner Ruiz voiced his concern that the buildings proposed to be moved looked old enough that they could have lead-based paint and, therefore, be deemed unsafe.

Ms. DeVore said that question would be best answered by the applicant.

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

Charles Philpott, of 411 Landa Street in New Braunfels, said that he is working on a project that involves removing homes in Austin and relocating them to more affordable areas. He said that the subject duplexes, which were originally built in 1950, are not unsafe and, until recently, were occupied. He mentioned that the façade of the home would be removed and replaced with HardiePlank. The roofs are to be redone, and the interiors will be remodeled.

Chair McBride asked the applicant if there were any deed restrictions requiring covered parking.

Mr. Philpott replied that there were no deed restrictions, but he believed the owner intended to have carports.

Commissioner Faust suggested that if the duplexes were built in 1950 they could contain asbestos.

Mr. Philpott reassured the Commission that all remodeling would be done according to all applicable code requirements and permits approved by the City. He mentioned that the duplexes are being relocated because the property values and taxes were getting to be too high where the duplexes are currently located in Austin.

Commissioner Ruiz asked the applicant if it would be acceptable for the Commission to place conditions on the specific use permit in regards to the exterior siding and covered parking.

Mr. Philpott replied that such conditions would not be unreasonable.

Daniel Vera, of 907 Crockett Street, expressed his opposition to the duplexes. He said that there is already a lot of congestion along Crockett Street, and that there are multiple families living in some of the duplex units. He mentioned that emergency personnel have had difficulty driving down the street because there are too many cars parked in the right-of-way. He said that most of the homes do have stucco on their facades. He reiterated that his main concern is that additional residents would add more vehicles to the congestion, and that renters don't always maintain their homes and yards as well as homeowners do.

Chair McBride closed the public hearing and asked for discussion.

Chair McBride asked what would be allowed on the property if the specific use permit were denied.

Ms. DeVore replied that a single-family home would be permitted by-right.

Mr. Gibson said that the existing duplexes in the neighborhood were on lots of a similar size, but were built prior to adoption of the City's current zoning ordinance.

Commissioner Faust asked Chair McBride if he could address a question to the applicant, and Chair McBride agreed.

Commissioner Faust asked who would be managing the duplexes.

Mr. Philpott said that he would be the manager, and that he has a very strict application process that includes a criminal background check and credit report.

Commissioner Faust moved to approve SUP-16-06 subject to the duplexes having masonry exteriors on at least three sides, and at least one covered parking space per each dwelling unit. Commissioner Ruiz seconded, and the motion passed by a vote of 6-0.

5. ZC-16-03. Hold a PUBLIC HEARING and consider a request by Cruz Reyna for a Zoning Change from AO Agriculture-Open Space District to RLD Residential Low Density District for 5.01 acres in the James George Survey, Abstract No. 9, located at 1545 Lover's Lane.

Chair McBride informed everyone that the item was placed on the agenda in error, and will be on the agenda of their next meeting on May 25, 2016.

6. Discuss possible amendments to the Zoning Ordinance regarding new definitions and land use classifications.

Mr. Gibson gave an overview of the text amendments that are being drafted, including new definitions and new land use classifications. He said that in the process of writing the amendments in the typical annotated form, he realized it would be difficult to understand without also seeing the context of the remainder of the existing text due to the flow-through of uses between districts. Therefore, in order to make the system easier to read and understand for everyone, including the public, Mr. Gibson said he decided to go ahead and convert the listing of uses allowed by-right or as a specific use in the districts to a matrix format, as was already planned for the comprehensive rewrite of the zoning ordinance.


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

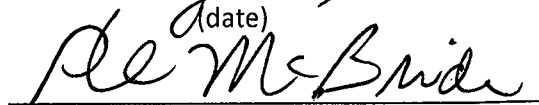
Commissioner Faust requested that staff provide information to the Commission on what distance from the subject property was used by other cities for public hearing notifications.

Mr. Gibson reported that there will be items for the Commission's May 25th meeting.

8. Adjourn.

Commissioner Faust moved to adjourn, and Commissioner Visage seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:23 p.m.

Approved: 
Christine Banda, Recording Secretary

Approved: May 25, 2016
(date)

Phil McBride, Chairman