

**City of Lockhart
Planning and Zoning Commission
September 28, 2016**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Christina Black, Manuel Oliva, Adam Rodriguez

Members Absent: Steve Visage, Bill Faust

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Janey Mae Evans

1. Call meeting to order. Chair McBride called the meeting to order at 7:03 p.m.
2. Citizen comments not related to a public hearing item. None.
3. Consider the Minutes of the September 14, 2016 meeting.

Commissioner Rodriguez moved to approve the September 14, 2016, minutes. Commissioner Black seconded, and the motion passed by a vote of 5-0.

4. ZC-16-06. Hold a PUBLIC HEAIRNG and consider a request by Janey Mae Evans for a Zoning Change from AO Agriculture-Open Space District to CHB Commercial Heavy Business District for 11.133 acres in the Esther Berry Survey, Abstract No. 1, located at 2112 South Colorado Street (US 183).

Laura DeVore presented the staff report and explained that the applicant applied for the zoning change so that retail, office, and preschool uses would be allowed. The requested CHB classification is consistent with the Lockhart 2020 Land Use Plan. She showed pictures of the subject property and surrounding area to demonstrate that the proposed uses would be compatible. Ms. DeVore stated that no letters of opposition had been received, and that staff recommended approval.

Vice-Chair Ruiz asked if a development plat would be reviewed by the Commission for the future uses proposed.

Mr. Gibson replied that either a development plat or subdivision plat would be required if new buildings were to be constructed on the property. Otherwise, simple reuse of the existing buildings would not trigger the platting requirement. If a development plat is needed, it would typically be reviewed by the Commission only if it involves the dedication of public easements or rights-of-way that require recording the document at the County Clerk's Office.

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

Janey Mae Evans, of 7052 SH-142, said the property had been a salvage yard since 1959, and that in 1992 her family purchased the property. In the Spring of 2015 they closed the salvage yard and started cleaning up the property. They have also been in the process of bringing the property up to code with regard to electric wiring, bathrooms, and connection to the City sewer system. She mentioned that there are businesses interested in using the current buildings for retail space. In the future her daughter-in-law would like to open a preschool on the subject property.

Chair McBride closed the public hearing and asked for discussion by Commission members.

Commissioner Oliva said that he is glad to see that the family is moving in a positive direction for development of their property.

Commissioner Oliva moved to recommend approval of ZC-16-06 to the City Council. Commissioner Black seconded, and the motion passed by a vote of 5-0.

5. Discuss establishing a time limit for speakers during public hearings.

Vice-Chair Ruiz said he suggested that this item be added to the commission's agenda so that they could set a time limit for people speaking during public hearings.

Referring to the memo in the Commission packet, Mr. Gibson said that the Chair of the Commission has the authority to decide prior opening the public hearing whether or not a time limit is necessary due to the number of people in the audience. Typically, the Commission would know ahead of time whether or not an agenda item is controversial.

Commissioner Oliva said he did not feel comfortable setting a blanket time limit for all meetings.

Vice-Chair Ruiz asked Mr. Gibson how the City Council handled speakers at their meetings.

Mr. Gibson replied that the Mayor simply announces the time limit at the beginning of the hearing if an item is controversial or there is a large audience.

Chair McBride said he was in favor of being able to impose a time limit when needed, but didn't think a policy was necessary to do that.

Vice-Chair Ruiz suggested that staff should always get a copy for City files of all documentation submitted by applicants during meetings.

Chair McBride concluded that the consensus of the Commission was to set an appropriate time limit if a case is controversial or appears to have attracted a large number of people wishing to speak, and that staff obtain copies of all documentation presented at a meeting that we didn't already have.

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

Mr. Gibson said the next regular meeting date is October 12, 2016, but that no applications have been received for that meeting so it may be cancelled.

7. Adjourn.

Commissioner Ruiz moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:33 p.m.

Approved:

10/26/2016

(date)

Christine Banda

Christine Banda, Recording Secretary

Phil McBride for Phil McBride

Phil McBride, Chairman