

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

MINUTES

Members Present: Philip Ruiz, Phil McBride, Christina Black, Manuel Oliva, Mark Villalobos, Mary Beth Nickel

Members Absent: Bill Faust

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Lydia Serna

1. Call meeting to order. Chair McBride called the meeting to order at 6:00 p.m.
2. Citizen comments not related to a public hearing item. None.
3. Consider the Minutes of the November 30, 2016 meeting.

Commissioner Oliva moved to approve the November 30, 2016, minutes. Commissioner Ruiz seconded, and the motion passed by a vote of 6-0.

4. Hold a PUBLIC HEARING and consider a recommendation to amend Chapter 64 "Zoning" of the Lockhart Code of Ordinances, Section 64-196 "Establishment of Zoning Districts", to add "Warehousing for local sales and distribution" in the list of specific uses in Subsection (i) Commercial Medium Business District (CMB), and to delete "Warehousing for local sales and distribution" in the list of uses allowed by-right in Subsection (j) Commercial Heavy Business District (CHB).

Mr. Gibson explained that the proposed text amendment was requested by the City Council as an alternative to approving a zoning change to CHB for a CMB-zoned property where "Warehousing for local sales and distribution" was proposed at 319 South Church Street. That use is currently allowed in the CHB district by-right, but not at all in the CMB district. The text amendment would add "Warehousing for local sales and distribution" as a specific use in the CMB district.

Chair McBride opened the public hearing and asked if anyone wished to speak for or against the proposed zoning text change.

Lydia Serna, of 251 Wildbuffalo Drive in Kyle, stated that she is neither for nor against the proposed text amendment, but that she is against the property located at 319 South Church Street becoming a warehouse. She believes it would be hazardous to the children living in the neighborhood. She said she witnessed many children getting off buses nearby and walking to their homes. The trucks coming and going from the warehouse could be a danger to those children. She also expressed her disappointment that her past attempts for approval of a zoning change for her business on Walnut Street were denied.

There being no one else wishing to speak, Chair McBride closed the public hearing.

Commissioner Ruiz said he believed that the City Council may have acted unethically when they directed staff to amend the zoning ordinance to allow the use in the CMB district as a means of satisfying a particular applicant in lieu of approving their requested zoning map change. He stated that the property at 319 South Church Street is too close to a residential neighborhood, and that a warehouse would not be an appropriate use for the property.

Commissioner Nickel moved to recommend approval of the text amendment to add "Warehousing for local sales and distribution" as a specific use in the CMB district, and to delete it from the list of uses allowed by-right in the CHB district. Commissioner Black seconded, and the motion passed by a vote of 3-2-1 with Commissioners Villalobos and Ruiz against and Commissioner Oliva abstaining.

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

Mr. Gibson state that the next regular meeting date is January 11, 2017, with three zoning change cases on the agenda so far.

Commissioner Oliva requested an item on the agenda to discuss changing the start time of Commission meetings, and the consensus of the Commission was in agreement.

6. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Villalobos seconded. The motion passed by a unanimous vote, and the meeting adjourned at 6:23 p.m.

Approved: 1/11/2017
(date)
Phil McBride
Phil McBride, Chairman

Christine Banda
Christine Banda, Recording Secretary