

**City of Lockhart  
Planning and Zoning Commission  
January 11, 2017**

**MINUTES**

**Members Present:** Philip Ruiz, Phil McBride, Bill Faust, Manuel Oliva, Mark Villalobos

**Members Absent:** Christina Black, Mary Beth Nickel

**Staff Present:** Dan Gibson, Christine Banda

**Visitors/Citizens Addressing the Commission:** James Knight, Jimmy Reed, Susan Reed, Scott Dillion, Anthony Miller, Lonna Fleming, Karli Rodriguez, Sarah Venglar, Connie Tello, Frank Vania, Paul Rodriguez, Elizabeth Gray, James Fleming, Meredith Knight

1. Call meeting to order. Chair McBride called the meeting to order at 7:03 p.m.

2. Elect Chair and Vice-Chair for 2017.

*Commissioner Faust moved to nominate Phil McBride for the Chair position. Commissioner Oliva seconded, and the motion passed by a vote of 5-0.*

*Commissioner Oliva moved to nominate Philip Ruiz for the Vice-Chair position. Commissioner Faust seconded, and the motion passed by a vote of 5-0.*

3. Citizen comments not related to an agenda item. None

4. Consider the Minutes of the December 28, 2016 meeting.

*Commissioner Villalobos moved to approve the December 28, 2016, minutes. Commissioner Oliva seconded, and the motion passed by a vote of 6-0.*

5. ZC-17-01. Hold a PUBLIC HEARING and consider a request by James Knight, on behalf of 2HK, LLC, for a Zoning Change from RLD Residential Low Density District and RMD Residential Medium Density District to CMB Commercial Medium Business District for 2.24 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1511 West San Antonio Street (SH 142).

Mr. Gibson explained that the applicant is proposing commercial uses for the subject property which would require rezoning. The proposed CMB classification is consistent with the Lockhart 2020 Future Land Use Plan map. He mentioned that, due to neighborhood opposition, since the year 2000 there have been three failed attempts at rezoning the vacant tracts on either side of Mockingbird Lane. Mr. Gibson reviewed the surrounding land uses and zoning classifications through the use of maps and photos. He stated that the Commission has the option to approve a more restrictive commercial classification such as CLB in lieu of the requested CMB. He also mentioned that ten letters of opposition had been submitted just prior to the start of the meeting.

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

James Knight, of 3101 Toro Canyon Road in Austin, said he was representing his wife's mother and uncle whom purchased the property from Randy Morine. They have owned the property for six years and would like to proceed with developing it now.

Commissioner Faust asked what plans they have for the property.

Mr. Knight replied that they have received interest from a convenience store and an eye doctor, as well as small retail businesses.

Commissioner Villalobos asked if they would develop the property.

Mr. Knight replied that it is their intention to retain ownership of the property.

Chair McBride asked if there was anyone else wishing to speak in favor of the application. There being none, he asked if anyone wished to speak in opposition.

Susan Reed, of 1512 Windridge Drive, said she preferred to have peace and quiet in her rear yard, and with a commercial property behind her house there would be more noise and lights.

Jimmy Reed, of 1512 Windridge Drive, said he was opposed to the zoning change.

Scott Dillion, of 1606 Windridge Drive, spoke in opposition and said that commercial and residential uses should not be mixed.

Anthony Miller, of 1508 West San Antonio Street, said that when the subdivision was proposed in 2000 there was an article in the paper stating that it would be single family housing. The article mentioned that a park would be built, and that Mockingbird Lane would be extended through to Silent Valley Road which has not happened. He said that Bluebonnet Elementary School was built after the Lockhart 2020 Comprehensive Plan was adopted, and the site was not designated as public use on the original land use plan map, so he thought that the future land use designation of the subject property could be changed as well. Commercial uses would add more traffic in the neighborhood, and would not be ideal for the children walking to and from the school.

Lonna Fleming, of 1602 Windridge Drive, said that she walks her grandchildren to school every morning, and there is a lot of traffic at the intersection of Mockingbird Lane and West San Antonio Street (SH 142). She said that if commercial uses are added it would increase the congestion problem.

Chair McBride suggested that Mrs. Fleming contact the school district about getting a crossing guard for the intersection.

Mrs. Fleming said that she is working on it, and was thankful for the new sidewalks that made it safer for children to walk along Mockingbird Lane.

Karli Rodriguez, of 1616 Windridge Drive, said that she has five children who like to walk to school. She noted that she is the physical education teacher at Bluebonnet Elementary School, where children are encouraged to walk or bike to school. If more commercial uses are added to the area it would be more hazardous for the children.

Connie Tello, of 1512 West San Antonio Street, complained that there is already so much traffic congestion that she has a hard time getting in and out of her driveway.

Sarah Venglar, of 1614 Windridge Drive, opposed the zoning change due to concerns about more traffic and safety of children.

Paul Rodriguez, of 1504 West San Antonio Street, said he opposes the zoning change.

Frank Vania, of 1515 Windridge Drive, said that he moved to Lockhart from in Dallas so he could see the stars at night.

Chair McBride offered Mr. Knight the opportunity to speak in response to the concerns expressed by those opposed to the zoning change.

Mr. Knight said that he thought the concerns of the neighbors were legitimate, and that issues such as screening, pedestrian safety, and lighting could be addressed during the design and permitting process. He appealed to the Commission for favorable consideration of the requested zoning.

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

Mr. Gibson clarified staff's recommendation to include CLB zoning as an acceptable alternative to the requested CMB classification because it would prohibit drive-up windows or sale of vehicle fuel, which could help minimize negative impacts. He also noted that both San Antonio Street and North Mockingbird Lane are designated as arterial streets on the Lockhart 2020 Thoroughfare Plan map, and that the comprehensive plan policies encourage commercial nodes at the intersection of arterial streets

*Commissioner Ruiz moved to recommend approval of CMB Commercial Medium Business District as requested. The motion failed for lack of a second.*

*Commissioner Faust moved to recommend approval of CLB Commercial Light Business District. Commissioner Oliva seconded, and the motion passed by a vote of 4-1, with Commissioner Ruiz voting against.*

6. ZC-17-02. Hold a PUBLIC HEARING and consider a request by James Knight, on behalf of 2HK, LLC, for a Zoning Change from RLD Residential Low Density District and RMD Residential Medium Density District to CMB Commercial Medium Business District for 2.63 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1601 West San Antonio Street (SH 142).

Mr. Gibson explained that the subject property is across Mockingbird Lane from the previous zoning case. The requested CMB zoning classification is consistent with the Lockhart 2020 Future Land Use Plan map, and was being requested by the applicant for the same reasons as the previous agenda item. Mr. Gibson reviewed the surrounding land uses and zoning classifications through the use of maps and photos. He reiterated that the Commission has the option to approve a more restrictive commercial classification such as CLB in lieu of the requested CMB. He also mentioned that eight letters of opposition to this application had been submitted just prior to the start of the meeting. Again Mockingbird Lane is a designated arterial street which would be extended to Silent Valley Road in the future.

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

James Knight, of 3101 Toro Canyon Road in Austin, spoke in favor of his application to change the zoning to a commercial classification.

Chair McBride asked if there was anyone else wishing to speak in support of the application. There being none, he asked if anyone wished to speak in opposition.

Elizabeth Gray, of 1605 Windridge Drive, asked if the Commission would consider the light commercial classification for this case.

Chair McBride replied that the applicant was requesting the commercial medium business classification for this property, but the Commission considers each application on a case by case basis.

Ms. Gray said that she is concerned about an increase in traffic and vandalism.

James Fleming, of 1602 Windridge Drive, spoke in opposition and said that he has the same concerns as everyone else in regards to traffic and congestion.

Connie Tello, of 1515 San Antonio Street, reiterated that the traffic is horrendous both in the morning and afternoon.

Paul Rodriguez, of 1504 West San Antonio, requested that the zoning change be denied.

Anthony Miller, of 1508 West San Antonio Street, said that the future land use plan is just a guide, and that there should be some flexibility to accommodate varying neighborhood conditions and concerns. Also, he didn't trust assurances that Mockingbird Lane would eventually be extended to Silent Valley Road.

Sarah Venglar, of 1614 Windridge Drive, spoke in opposition and said traffic and noise generated by commercial development would make it more difficult to enjoy being in her back yard.

Karli Rodriguez, of 1616 Windridge Drive, was concerned about the impacts that commercial development would have on the area. She stated that Bluebonnet Elementary School was not originally planned at the current location, which set a precedent that future plans could be changed.

Meredith Knight, of 3101 Toro Canyon Road in Austin, thanked those present for attending the meeting to voice their concerns. She said that she and her husband plan to work closely with the citizens and developers to ensure a compatible development.

Chair McBride closed the public hearing, and asked for the staff recommendation.

Mr. Gibson stated that staff would support either the requested CMB zoning classification, or the CLB classification as an alternative.

*Commissioner Ruiz moved to recommend approval of CMB Commercial Medium Business District, as requested. The motion failed for lack of a second.*

*Commissioner Faust moved to recommend approval of CLB Commercial Light Business District. Commissioner Oliva seconded, and the motion passed by a vote of 3-2, with Commissioner Ruiz and Commissioner Villalobos voting against.*

7. ZC-17-03. Hold a PUBLIC HEARING and consider a request by 8330 Jones Road, LLC, and Chris Dailey, on behalf of Larry Taylor, for a Zoning Change from AO Agriculture-Open Space District to IL Industrial Light District for 6.677 acres in the Francis Berry Survey, Abstract No. 2, located at 2201 Maple Street.

Mr. Gibson explained that the applicant is an electrical contracting business based in College Station that desires to construct a branch facility on the subject property. The characteristics of the proposed use are most consistent with the IL Industrial Light District classification. However, industrial zoning is not consistent with the Lockhart 2020 Future Land Use Plan map, which designates the area as Parks and Open Space, Agricultural/Rural Development, and Floodplain. He reviewed the surrounding land uses and zoning classifications through the use of maps and photos, and noted that a tract zoned PDD Planned Development District nearby on the east side of SH 130 includes some proposed light industrial uses. He said that staff recommended approval.

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

Chris Dailey, of 4374 Raymond Stotzer Parkway in College Station, said he is the President of Dailey Electric Company. He stated that their business is doing well and the SH 130 access at this location is idea for a facility to support their work in the Austin – San Antonio corridor. He added that his wife is from the Lockhart area, and they visit here quite often. He said there would be approximately 100 people employed at the Lockhart location.

Commissioner Oliva asked if they did both residential and commercial jobs.

Mr. Dailey replied that they probably won't do new residential construction, but will focus on service work and smaller commercial jobs.

Commissioner Ruiz asked the applicant why they didn't look at other property that is already zoned IL along SH 130.

Mr. Dailey replied that the subject tract of land was available for a fair price and it has very convenient access to SH 130 on and off ramps.

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

Commissioner Oliva asked if staff could inform the owner of the home close to the property about the zoning change request since their property is beyond the 200-foot notification area and they didn't receive the usual public hearing notice.

Mr. Gibson replied that staff will attempt to inform them in case they wish to express support or opposition to the City Council.

*Commissioner Faust moved to recommend approval. Commissioner Villalobos seconded, and the motion passed by a vote of 4-1, with Commissioner Ruiz voting against.*

8. Consider changing the starting time of Planning and Zoning Commission meetings.

The consensus of the Commission was to not change the meeting starting time.

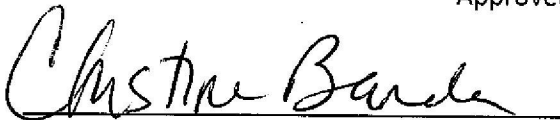
9. Discuss the date and agenda of next meeting, including Commission requests for agenda items.


Mr. Gibson announced that the next regular meeting will be on January 25<sup>th</sup>, with one specific use permit application on the agenda so far.

10. Adjourn.

*Commissioner Faust moved to adjourn, and Commissioner Villalobos seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:52 p.m.*

Approved:

  
Christine Banda, Recording Secretary

1/25/2017  
(date)  
  
Phil McBride, Chairman