

**City of Lockhart
Planning and Zoning Commission
September 13, 2017**

MINUTES

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

Members Absent: None

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Elizabeth Mondragon-Jaimes, Gloria Saldana, William Schroeder, Eric Ross, Joan Anchondo, Stephen Youngman, Zachary Yanez, Rosa Hernandez, Nichole Burnett, Chrystalyn Youngman

1. Call meeting to order. Chair McBride called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the August 23, 2017 meeting.

Commissioner Villalobos moved to approve the August 23, 2017, minutes. Commissioner Black seconded, and the motion passed by a vote of 6-0.

Commissioner Oliva arrived at 7:03 p.m.

4. SUP-17-12. Hold a PUBLIC HEARING and consider a request by Elizabeth Mondragon-Jaimes for a Specific Use Permit to allow Manufactured Home on 0.183 acre in the Byrd Lockhart Survey, Abstract No. 17, zoned RMD Residential Medium Density District and located at 1102 Braden Street.

Mr. Gibson explained that the applicant proposes to install a 30-foot by 42-foot new double-wide manufactured home on Braden Street, which is a dead-end street. He reviewed the surrounding land uses, and pointed out the existing manufactured home on an adjacent lot for which a specific use permit was approved in 2003. He said that if the specific use permit for the manufactured home is denied a site built single-family home would be allowed by-right, or a DF-2 Residential Development Type duplex could be allowed upon approval of a specific use permit. Mr. Gibson stated that no opposition had been expressed from the neighborhood, but that Mr. Frank Estrada who owns abutting property submitted an e-mail with questions about the proposed home. Copies of the e-mail were distributed to the Commission. Mr. Gibson indicated that he would respond to Mr. Estrada's e-mail after the meeting since most of the questions would be answered during the meeting.

Vice-Chair Ruiz asked if the manufactured home park along Silent Valley Road was full.

Mr. Gibson said he didn't know, but that he had never seen an empty lot during the few times he had driven through it.

Mr. Gibson said that staff recommended approval of the specific use permit.

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

Elizabeth Mondragon-Jaimes, of 1800 Bill Baker Drive in Austin, stated that she owns the property and would like to move here with her husband and children.

Chair McBride asked Mrs. Mondragon-Jaimes if the home would be a rental property.

Mrs. Mondragon-Jaimes replied that she owns the property and will live there with her family.

Chair McBride asked if there were any other speakers who wished to speak either for or against the proposed specific use permit.

Gloria Saldana, of 19520 WT Gallaway Street in Manor, said she owned the property at 1108 North Pecos Street, and that she was in favor of the application.

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

Commissioner Villalobos moved to approve SUP-17-12. Commissioner Rodriguez seconded, and the motion passed by a vote of 5-2, with Commissioner's Oliva and Ruiz against.

5. ZC-17-14. Hold a PUBLIC HEARING and consider a request by E and T Real Estate LLC, on behalf of W. H. Schroeder, for a Zoning Change from RMD Residential Medium Density District to RHD Residential High Density District for 34.52 acres in the Francis Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20).

Mr. Gibson explained that an apartment complex is proposed for the subject site, and that multifamily land uses are allowed only in the RHD district. He reviewed the existing uses, zoning, and future land use plan for the subject property and surrounding area. He said that the proposed zoning change is somewhat consistent with the mixed-use designation of the future land use plan because a mixed use development could very well contain multifamily dwellings. He noted that written protests had been received from the owners of property consisting of 22 percent of the land area within 200 feet of the subject property. He stated his belief that the market-rate apartment complex proposed would be a good fit for the subject property due to its location along a major arterial street, and near schools and shopping areas. He said that concerns about traffic were valid, and that a traffic impact study would likely need to be done when plans are prepared for the actual development. He further noted that the apartments would have to be screened from abutting residential property, and that a 30-foot wide power line easement along the west side would provide a buffer where no structures would be allowed.

Mr. Gibson said that staff recommended approval of the zoning change.

There was discussion about installing a left-turn lane on State Park Road or adding a light at the Lion Country Drive intersection.

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

William Schroeder, of 1308 Clear Fork Street, said he represents the seller of the property, and that it is his belief that the proposed multifamily project is needed in Lockhart.

Eric Ross, of 1186 Oyster Creek Drive in Buda, said he is the buyer and developer of the property. He said the development would consist of market-rate, Class A apartments with an amenity center. The buildings would be placed in the center of the lot so that they would not be too close to neighboring residences. He asked for the Commission's support in recommending approval to the City Council.

Commissioner Rodriguez asked Mr. Ross if there was anything he could say to address the neighbors' complaints.

Mr. Ross replied that they could do a traffic analysis and work with the Planning department to come up with the best solution with regard to pedestrian and vehicular safety improvements. He reiterated that the property is in an ideal location close to the high school, as well as being close to commercial shopping and employment opportunities. He also said that glare from parking lot lighting would be controlled, and that background checks would be done for all tenants.

Commissioner Oliva asked Mr. Ross if the project was a sole proprietorship.

Mr. Ross replied that they are limited liability corporation.

Vice-Chair Ruiz said he had not heard any justification as to why the rezoning to RHD was requested, and asked for more explanation from Mr. Ross.

Mr. Ross said that duplexes constructed at ten units per acre would be allowed by-right in the current zoning, but could create more impervious cover and be a costlier project due to the need for each duplex lot to front on a public street, as compared with up to 12 units per acre that could be consolidated into three-story buildings and served by efficient parking lot layouts. He said the increase in impervious cover would create more runoff, and noted that the current RMD zoning does not allow three-story buildings.

Chair McBride asked if there were any other speakers either in favor of or against the application.

Joan Anchondo, of 508 State Park Road, said she is concerned about increased noise, traffic, and lighting. She didn't want more impervious cover added because it would cause more flooding in the area, which already has serious drainage issues. She was also concerned about the safety of additional children having to cross State Park Road to go to school.

Steven Youngman, of 1516 South Medina Street, said he is concerned about property values, flooding, and more traffic along the street in front of his home. He lives at the corner of Medina Street and Harper Trail, which would be extended or connected to the subject property for the project. He also felt that an apartment complex could bring more crime into the neighborhood.

Zachary Yanez, of 510 State Park Road, said he is neither for or against the zoning change, but just wanted to get more information. He said that the Hunters Pointe subdivision was developed at a time when drainage was not taken into consideration. He asked that the Commission consider how the water and sewer utility service in the area would be affected by the development, and wanted to make sure that drainage impacts of the project be addressed. He asked that the Planning department exercise due diligence, and make sure that all standards are met regarding parks and easements, etc.

Rosa Hernandez said she is a member of the Baptist Church located at 210 State Park Road. Also, her daughter lives at 1304 West Pointe Place located at the end of South Medina Street. She noted that large dump trucks had been hauling dirt from the area this past week and she was concerned about safety for her grandchildren with whom she walks in the neighborhood. She stated her belief that some construction has already started. She suggested that it would be nice to have a park for the children in the area. She was also concerned about high school students driving in the area.

Nicole Burnett, of 1205 Rio Vista Street, said she represents the Golden Age Home located at 1505 South Main Street. She said she is a neutral party, but came to ask about drainage issues. The subject property holds water and drains towards their private street. She also asked if the project would connect to their private driveway. She stated that traffic at the intersection of South Main Street and Colorado Street is quite heavy during the day.

Crystalyn Youngman, of 1516 South Medina Street, expressed a concern about emergency response times, and asked if the developer would have to install sidewalks along State Park Road. Also, she said she had heard that State Park Road might be rerouted to connect to Blackjack Street at Colorado Street.

Chair McBride replied that the last question was not relevant to this hearing, but that staff could answer it. He said the applicant would be required to install sidewalks for the project.

Mr. Ross said that this project could actually be a solution to the drainage problems in the area because they will be required to construct a storm-water detention pond which would control runoff much better.

Chair McBride closed the public hearing.

Mr. Gibson confirmed that the apartment developer would be required to install sidewalks along State Park Road. He said that the realignment of State Park Road and Blackjack Street is in the thoroughfare plan, and would involve eminent domain to acquire right-of-way for it. There is no set timeline for the realignment to occur, but it is considered a safety improvement project.

Mr. Gibson also addressed the comment by Ms. Hernandez about trucks hauling dirt through their neighborhood. He said that the City is doing some drainage work south of Hunters Point Subdivision in order to help address some of the existing problems in the area. Hunters Point Subdivision was created at a time before the current drainage ordinance, but any new development must meet the current standards. He confirmed that there was some talk about connecting to Golden Age's private driveway to a different adjacent property to relieve congestion at the intersection of Main Street and Colorado Street. Finally, Mr. Gibson noted that he had been told that real estate analyses indicated that there is great demand for market-rate apartments and for self-storage warehouses in Lockhart. He reiterated that staff recommends approval because the location is ideal for higher density residential development.

Commissioner Nickel moved to recommend approval of ZC-17-14 to City Council. Commissioner Oliva seconded, and the motion passed with a vote of 7-0.

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

Mr. Gibson stated that the next regular meeting date is September 27th, and that applications have been submitted for that agenda.

7. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Black seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:42 p.m.

Approved: 9/27/17
(date)


Christine Banda, Recording Secretary


Phil McBride, Chairman