

**City of Lockhart
Planning and Zoning Commission
October 25, 2017**

MINUTES

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

Members Absent: None

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Roy Stephens, Jr., Blayne Stansberry, Mark Janicki, Jim Smith, Narjisse Medhous

1. Call meeting to order. Chair McBride called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the October 11, 2017 meeting.

Commissioner Black moved to approve the October 11, 2017, minutes. Commissioner Oliva seconded, and the motion passed by a vote of 7-0.

4. ZC-17-15. Hold a PUBLIC HEARING and consider a request by Roy Stephens, on behalf of Flores MH JV LLC, for a Zoning Change from RLD Residential Low Density District to MH Manufactured Home District for 23.613 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 601 Flores Street (FM 672).

Mr. Gibson explained that the applicant would like to develop a manufactured home subdivision on the subject property. Manufactured home subdivisions are only allowed in the requested MH Manufactured Home District. It also allows site-built single-family dwellings by-right, or a manufactured home park upon approval of a specific use permit. He said that the Lockhart 2020 Future Land Use Plan designates the subject property as Low Density Residential, which is consistent with the current zoning of RLD Residential Low Density District. The MH zoning classification allows manufactured home subdivisions with slightly higher density, but not as high as the RMD Residential Medium Density District. He added that the subdivision would connect to the existing nearby streets, and would provide parkland, public sidewalks, and drainage detention. He mentioned that one letter of opposition was received for the packet, and that two additional letters of opposition were received before the meeting.

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

Roy Stephens, Jr., of 1515 Blackjack Street, said he would like to address concerns from the three letters of opposition received. He said that traffic should not be a problem when they will be adding streets to help with vehicular circulation. The large area north of the city limits will not be developed at this time, and when the future arterial street shown on the Lockhart 2020 Thoroughfare Plan is constructed it will provide additional access for the property. He said that a meeting is set up with TxDOT on October 30th for a possible pedestrian bridge to be put in place to go over FM 672. He checked with the appraisal district to see if manufactured homes negatively affected the value of nearby properties, and did not find any decreases in value. He continued to explain that manufactured homes brought into the subdivision would not be older than five years. They would either rent or sell the lots in the subdivision. He added that site built homes could also be built in the subdivision.

Commissioner Rodriguez expressed concerns about manufactured homes not being maintained well, and asked how maintenance would be monitored.

Mr. Stephens said that a Home Owner's Association would enforce such standards, and noted that site built homes eventually deteriorate just like manufactured homes.

Commissioner Rodriguez asked if the lots would be rented.

Mr. Stephens replied that they would rent lots with manufactured homes, but plan to eventually build homes on lots for rent or sale.

Commissioner Villalobos asked if empty lots would be rented.

Mr. Stephens said yes, if someone had a home but no land they could rent the lot for their home.

Chair McBride asked for more information on lot size, street width, and landscaping for the subdivision.

Mr. Stephens explained that the City requires eight percent of the property to be dedicated as parkland. The main street would have a 60-foot wide right-of-way and meet City standards. All the landscaping would be maintained by the Home Owner's Association. The lot sizes would be a minimum of 7,000 square feet, with minimum width of 65 feet and a minimum depth of 100 feet, with variations to meet the minimum square footage standard.

Commissioner Rodriguez asked what kind of manufactured homes would be in the subdivision.

Mr. Stephens replied they would be no smaller in width than the site built home at 512 Laredo Street which was about 16-feet wide.

Chair McBride asked if there were any other speakers either in favor or in opposition and, seeing none, he closed the public hearing and asked for Commission discussion.

Commissioner Oliva said that the property overlooks plum creek and is beautiful. He stated that he would rather see site-built homes than a manufactured home subdivision.

Vice-Chair Ruiz did not agree with staff's statement that the proposed subdivision was a modest departure from the City's Future Land Use Plan map.

Mr. Gibson clarified that he was talking only in terms of density, and added that the quality of construction is not as much of a concern with manufactured homes these days as it used to be.

Chair McBride said he would not like to see a manufactured home subdivision across from a school.

Commissioner Oliva recommended denial of ZC-17-15 to City Council. Commissioner Ruiz seconded, and the motion passed with a vote of 7-0.

5. ZC-17-16. Hold a PUBLIC HEARING and consider a request by Narjisse Medhous, for a Zoning Change from RLD Residential Low Density District to RMD Residential Medium Density District on Lot 18, Block 6, Parkway Subdivision, Section IV, located at 1012 Fannin Street.

Mr. Gibson explained that the applicant also owns the vacant lot at 1013 Crockett Street, which is zoned RMD Residential Medium Density and is adjacent to the rear of the subject property. There is an 80-foot wide LCRA power-line easement that extends through both lots such that the Crockett Street lot does not have sufficient area for development outside the easement, but the subject lot on Fannin Street does have enough buildable lot area. He said the applicant plans to replat the two lots into one, and construct a duplex, which is not allowed by the current RLD Residential Low Density District zoning of the subject property. The proposed RMD district classification will allow a duplex. Because the two lots will be combined into one larger lot, a duplex on it would still result in a density in the low range.

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

Narjisse Medhous, of 628 Indian Blanket, said that Mr. Gibson gave a great explanation and confirmed that the 80-foot wide easement crossed through the lots. She would like to build a duplex on the Fannin Street lot, which requires the requested RMD zoning.

Mark Janicki, of 608 La Feliciana Drive, said he owned 1022 Alamo Street which was his original home but is now rental property. He explained that there are mostly single-family homes in the neighboring area, and that many of the duplexes along Crockett Street are not well maintained. He was concerned about further degradation of the neighborhood, and preferred that a single-family home be built on the vacant property.

Ms. Medhous said that there are other duplexes next to her property and that the zoning across the street from the subject property is RMD. She added that her a new duplex would generate more property taxes for the city.

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

Commissioner Oliva moved to recommend approval of ZC-17-16 to City Council. Commissioner Villalobos seconded, and the motion passed by a vote of 6-1, with Commissioner McBride voting against.

6. PP-17-03. Consider a request by Blayne Stansberry of Stansberry Engineering Company on behalf of WM Medical Consultants and Amajon Health Care, for approval of a Preliminary Plat of Post Oak Center, consisting of three lots on two blocks separated by a realignment of City Line Road on a total of 16.841 acres zoned CMB Commercial Medium Business District and located at 2100 West San Antonio Street (SH 142); and including a request for Variances to Chapter 52 "Subdivision Regulations", Section 52-35(a) to allow acceptance of the final plat prior to approval of construction documents by the city engineer, and Sections 52-31(a) and 52-205 (b & c) to allow the issuance of building permits and provision of utility service prior to recordation of the final plat with the County Clerk.

Kevin Waller explained that the subject property would be subdivided into three commercial lots. A future realignment of City Line Road will separate the proposed Lot 1, Block B, from Lots 1 and 2, Block A, with an 80-foot wide right-of-way through the western portion of the property. The subdivision would provide sidewalks along City Line Road, West San Antonio Street, and Borchert Drive. He said that the applicant was requesting two variances to expedite the permitting timeline, and to allow the construction process to be more efficient.

Mr. Gibson added that normally nothing can be constructed until after the final plat is recorded. The applicant would like to start construction of one building before the public improvements are complete and the plat is recorded. The realignment of City Line Road is a major project being done jointly by the City and the subdivider and it could delay this desirable project unless the variances are granted.

Mr. Waller continued with summarizing the three criteria for approval of a subdivision variance, and stated that staff recommended approval of the preliminary plat.

Commissioner Ruiz wondered why nothing was submitted in writing by the applicant to justify the variances.

Chair McBride asked if the applicant or other representative was present.

Blayne Stansberry said she is an engineer on the project, and she apologized for not submitting further justification addressing each of the three criteria, although they did submit their reasons for the variances. She explained that the developer would like to move quickly in obtaining a building permit. The new portion of City Line Road will be constructed, but the realignment would delay their project if the variances are not granted.

Vice-Chair Ruiz said it would be a very bad precedent to approve these variances because it they are the result of bad planning by the engineer.

Commissioner Rodriguez asked staff if the commissioners had enough information to approve the variances.

Mr. Gibson replied that, yes, the applicant did submit the information explaining the variance requests.

Jim Smith, of 1480 Clear Fork, said that they would like to begin construction work on the project while the City Line Road alignment is still being engineered. He stated that the project is for a new emergency care facility. They are using local architects and Countywide Builders for the new building. He asked the commissioners to welcome the developer, who was also instrumental in bringing Fashion Glass & Mirror to Lockhart. He said the emergency care facility will be a beautiful 10,000 square foot building, and a great asset for the community of Lockhart. He reiterated that the realignment of City Line Road will be accomplished as part of the development.

Commissioner Nickel moved to approve PP-17-03 with Variances to Chapter 52 "Subdivision Regulation", Section 52-35(a) to allow acceptance of the final plat prior to approval of construction documents by the engineer, and Section s 52-31(a) and 52-205(b&c) to allow the issuance of building permits and provision of utility service prior to recordation of the final plat with the County Clerk. Commissioner Villalobos seconded, and the motion passed by a vote of 5-2 with Commissioners Oliva and Ruiz against.

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

Mr. Gibson announced that the next regular meeting date is November 8th.

8. Adjourn.

Commissioner Rodriguez moved to adjourn, and Commissioner Black seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:25 p.m.

Approved: 11/15/2017
(date)


Christine Banda, Recording Secretary


Phil McBride, Chairman