City of Lockhart Planning and Zoning Commission August 28, 2019

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Philip McBride, Rick Arnic,

Paul Rodriguez

Member Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Thomas Blauvelt, Richard Blauvelt, Rose Martinez,
Hector Rangel, Florinda Munoz, Henry Gomez, Isabel Balboa, Dustin Torres,
Steve Salazar, Virginia Martinez, Ana Gamboa, Amelia Gamboa, Lezlie Balboa,
Tommy Balboa, Edwin Fortman, Keitha Hernandez, Linda Hinkle

- 1. Call meeting to order. Chair Ruiz 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 August 14, 2019, meeting.

Commissioner Oliva moved to approve the August 14, 2019 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 5-0.

4. <u>ZC-19-06</u>. Hold a PUBLIC HEARING and consider a request by Thomas Blauvelt on behalf of Richard Blauvelt for a Zoning Change from AO Agricultural-Open Space District to RMD Residential Medium Density District for 2.749 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 1621 North Pecos Street.

Mr. Gibson explained that this is the same zoning change request that was previously considered by the Commission in July. He provided background information and presented maps and photos of the property and surrounding area. He said that three letters of support and eleven letters of opposition were received since the packet was mailed out and had been distributed to the Commission.

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

Thomas Blauvelt, of 1602 Magpie Cove in Austin, distributed illustrations to the commissioners with regard to his plans for the property. He said he didn't feel that the requested RMD zoning classification is out of character with the surrounding neighborhood. Again, he explained that he would like to build a duplex so that he could live in one unit and rent the other unit. The duplex would be a model of good building practice. He mentioned that he did speak to some neighbors close to his property who were in support of the zoning change request but were

hesitant to provide a letter for fear of retaliation from neighbors who oppose the rezoning. He said that he would still like to eventually develop the remainder of the 68-acre tract, which would provide access to North Colorado Street.

Chair Ruiz asked why the applicant brought back the same zoning change request.

Mr. Blauvelt replied that he thought the Commission wanted more information about his design for the duplex and the proposed development, which he provided.

Chair Ruiz said that the Commission did not request more information, and that they did not believe that a duplex would be compatible with the surrounding neighborhood.

Richard Blauvelt, of 1602 Magpie Cove in Austin, said he was in favor of the zoning change request. He mentioned that he and his son only approached those property owners within the 200-foot buffer and that maybe they should have gone further down Pecos Street. He said that the duplex would be an attractive building that would enhance the neighborhood. He reiterated that many of the nearby existing houses along Pecos Street would not be allowed if they had to be rebuilt under the RLD zoning classification because the lots are too narrow. A rezoning to RMD, the same classification as being requested in this application, would be necessary to allow the narrower lots. He asked that the Commission please recommend approval to the City Council.

Rose Martinez, of 1613 North Pecos Street, said she was not in favor of the spot zoning. She said that the applicant was choosing to live near the neighbors, and not the other way around. There have been many generations living along North Pecos Street, and they feel like the property owner wants entitlement to build whatever they want on their property. She said she prefers single-family homes in the neighborhood.

Hector Rangel, of 1407 North Pecos Street, said that he owned the long skinny strip of land located within the 200-foot buffer, and had not been contacted by the applicant about their plans. He expressed concerns about North Pecos Street being too narrow and flood prone. He was against the zoning change.

Florinda Munoz, of 1615 North Pecos Street, said she opposed the zoning change and believed only single-family dwellings should be located along North Pecos Street. She was concerned that with more homes there would be more traffic along North Pecos Street, which needs to be widened with curbing and sidewalks.

Chair Ruiz asked the applicant to come forward again if he wished to make additional comments.

Mr. Blauvelt apologized to Mr. Rangel for not contacting him. He said that traffic would be the same if he built two single family homes on the property, and the density would be the same as with one duplex. He wondered if the neighbors just don't want anything built on his property.

Chair Ruiz closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that in his report he recommended approval. He agreed that two single-family dwellings would have a similar impact on the neighborhood as a duplex. Therefore, staff did not oppose the zoning change request.

Commissioner McBride moved to approve ZC-19-06. Commissioner Arnic seconded, and the motion failed by a vote of 2-3 with Commissioner's Ruiz, Oliva, and Rodriguez against.

5. <u>SUP-19-07</u>. Hold a <u>PUBLIC HEARING</u> and consider a request by Manuel Oliva on behalf of <u>Templo Centro De Fe for a Specific Use Permit to allow a Church as a public/institutional use on 0.319 acre in the Byrd Lockhart Berry Survey, Abstract No. 17, zoned RHD Residential High Density District, and located at 207 China Street.</u>

Chair Ruiz stated for the record that Commissioner Oliva excused himself from the Commission on this item as he was the applicant for the specific use permit.

Mr. Gibson explained that the church proposes to build a new building to replace their existing church, which requires approval of a specific use permit. There is sufficient parking shown on the site plan for the church based on the stated sanctuary capacity of 40. He provided background information and presented maps and photos of the property and surrounding area. He said that staff was not aware of any opposition.

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

Manuel Oliva, of 202 Cedar Street, said that he would be helping the church construct their new building. The existing building is very old and will be demolished. He mentioned that he has done other work for churches, and is in favor of the specific use permit.

Henry Gomez, of 1207 North Blanco Street, said he was in favor of the specific use permit, and believed that the new church would enhance the neighborhood.

Isabel Balboa, of 618 Indian Blanket Street, said she was in favor of the specific use permit. She hoped that the new church building could be a refuge when there is severe weather.

Dustin Torres, of 1003 Mimosa Drive, said he was in favor of the specific use permit.

Steve Salazar, of 910 Petra's Way in Kyle, said he was favor of the specific use permit.

Virginia Martinez, of 903 Reyes Street, said she was in favor of the specific use permit.

Ana Gamboa, of 1515 Century Oaks Drive, said she grew up in the church and would appreciate a new church building.

Amelia Gamboa, of 816 Red River Street, said she was in favor of the specific use permit.

Lezlie Balboa, of 618 Indian Blanket Street, said she was 14 years old and grew up in the church, and was in favor of the specific use permit.

Tommy Balboa, of 1515 Century Oaks Drive, said she was the daughter of Pete Rodriguez, a City of Lockhart employee. They have been attending the church for a long time and are in favor of the specific use permit.

Chair Ruiz closed the public hearing and asked for the staff recommendation.

Mr. Gibson said that staff recommended approval.

Commissioner Rodriguez moved to approve SUP-19-07. Commissioner Arnic seconded, and the motion passed by a vote of 4-0, with commissioner Oliva not participating.

6. <u>PV-19-01</u>. Consider approval of a request by Hinkle Surveyors on behalf of Edwin Fortman for a Variance to Chapter 52 "Subdivision Regulations", Section 52-31(a) "Plat Required" to waive the subdivision plat requirement for a two-lot family land grant conveying one acre out of a ten-acre tract in the Ester Berry Survey, Abstract No. 1, and located at 181 Old Luling Road in the Lockhart Extraterritorial Jurisdiction.

Mr. Gibson explained that the subject property was outside the city limits but in the Lockhart Extraterritorial Jurisdiction (ETJ), and that the owner wanted to gift an acre of the land to his daughter for a future home. The applicant was requesting that the platting requirement be waived so that they could qualify for the County's option of a family land partition, which is a procedure that is currently not authorized by the City's subdivision regulations. Mr. Gibson presented maps and photos of the subject property and surrounding area, and recommended approval of the plat variance.

Chair Ruiz asked the applicant to come forward.

Edwin Fortman, of 181 Old Luling Road, said that the property had been in his family since 1948. He wished to leave the land to his children, and the proposed one-acre parcel is for his daughter to have a home there. He requested the Commission's approval of the variance to waive the City's subdivision platting requirement.

Keitha Hernandez, of 1301 Dove Lane, said that she and her husband wanted to build a new home and live close to her parents, and were in favor of the variance.

Linda Hinkle, of 1109 South Main Street, said she was the surveyor of the subject property. She supported the variance so that the owner could utilize the County's family land grant process. She referred to the letter accompanying the variance application from Kasi Miles of Caldwell County stating that her department would review the family land grant if the variance was approved.

Commissioner Arnic moved to approve PV-19-01. Commissioner Oliva seconded, and the motion passed by a vote of 5-0.

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

Mr. Gibson said that the next Commission meeting date would be September 11^{th} , and that applications had been received for that agenda.

8. Adjourn.

Commissioner Rodriguez moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:35 p.m.

Approved: _

Christine Banda, Recording Secretary

(date)

9-11-2019