

**City of Lockhart
Planning and Zoning Commission
March 27, 2019**

MINUTES

Members Present: Philip Ruiz, Philip McBride, Marcos Villalobos, Paul Rodriguez, Manuel Oliva, Rick Arnic

Members Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission: Robert Mendez, Jr., Michael Cernoch, Ellen Massey, Ronda Reagan

1. Call meeting to order. Chair Ruiz 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 February 27, 2019, meeting.

Commissioner Oliva moved to approve the February 27, 2019 minutes. Commissioner Villalobos seconded, and the motion passed by a vote of 6-0.

4. ZC-19-02. Hold a PUBLIC HEARING and consider a request by Robert Mendez, for a Zoning Change from RHD Residential High Density District to CLB Commercial Light Business District on Lot 1, Block 1, RMSR Subdivision, consisting of 0.142 acre located at 115 South Guadalupe Street.

Mr. Gibson explained that the applicant had been using the building on the subject property as storage for many years, and would like to change the zoning so that it could be used for a light commercial use. He said that the lot depth is non-conforming and required a zoning variance before it could be platted. The small size of the lot automatically limits the intensity of potential uses due to the area available for buildings and off-street parking. He presented maps and photos of the property and surrounding neighborhood. The existing building was not constructed for a residential use, and had previously been occupied for commercial purposes. He said that the requested CLB zoning would provide an opportunity for a small neighborhood-oriented business, and that staff recommended approval.

Commissioner Arnic asked how they could accommodate parking for a business.

Mr. Gibson replied that the parking would have to be reconfigured on the property with paving and striping to allow access without backing into the street.

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

Robert Mendez, Jr., said he was there to represent his father, Robert Mendez, Sr., who is his father and owner of the property. He said that the building was previously an antique store and a church, and then more recently as storage. He mentioned that they have kept the property clean and did some remodeling until the City told them to stop. He complained that, with the building not occupied, there had been littering occurring in the rear of the property and that feral cats had entered the building. He said that they want to sell the property as zoned for commercial use such as a CPA office, barbershop, or other small business that would not generate much traffic.

Commissioner Villalobos asked why they were told to stop the remodeling.

Mr. Mendez replied that he couldn't remember the specifics.

Commissioner Rodriguez asked what the last use of the building was.

Mr. Gibson replied that during the past 22 years that he has worked for the City it has been used as storage.

Chair Ruiz asked for any other speakers.

Michael Cernoch, of 422 West San Antonio Street, said that a portion of his property is within 200 feet of the subject lot, and he opposed the zoning change request.

Ellen Massey, of 402 West San Antonio Street, said that her property is adjacent to the subject lot, and she opposed the zoning change.

Ronda Reagan, of 412 West San Antonio Street, said that her property abuts the rear of the subject lot. She opposed the zoning change and suggested that the building be used as a residence, which would not require a zoning change. She also recalled that the remodeling was stopped because it was discovered that the work was being done without the required permits from the City.

Mr. Mendez came forward again and said he had understood that the building could not be used as a residence, but would need to confirm that with the City. If it can be used as a residence, then they might consider that option. He stated that they would still like to go forward with the zoning change request because it had been used as a church and a store in the past.

Commissioner Oliva moved to recommend denial of ZC-19-02 to City Council. Commissioner McBride seconded, and the motion failed by a vote of 3-3, with Commissioners Ruiz, Rodriguez, and Villalobos against the motion.

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

Mr. Gibson said there were no public hearing items for the April 10th meeting agenda, but a subdivision plat may be ready for approval at that time.

6. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:07 p.m.

Approved: 4-10-2019
(date)



Christine Banda, Recording Secretary



Philip Ruiz-Chairman