

City of Lockhart
Planning and Zoning Commission
April 22, 2020

MINUTES

Members Present: Philip Ruiz, Philip McBride, Manuel Oliva (Present in Building)
Chris St. Leger, Rick Arnic, Bradley Lingvai, Paul Rodriguez (On the Phone)

Member Absent: None

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Linda Hinkle, David Tamayo, Ken Price, Megan Jones,
Brad Jones, Emily Pratt

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 March 25, 2020, meeting.

Commissioner Olivia moved to approve the March 25, 2020 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.

4. SUP-20-05. Hold a PUBLIC HEARING and consider a request by Ajmal Anar for a Specific Use Permit to allow a DF-2 Duplex-Family Development Type on Lots 1, 2, 3, and 4, Block 1, Olive Grove Subdivision, zoned RMD Residential Medium Density District, and located at 315 and 321 West Olive Street, and at 901 and 905 North Blanco Street.

Mr. Gibson explained that the owner recently platted the subject property into four lots to accommodate duplexes of the DF-2 development type, which requires approval of a specific use permit in the RMD district. He said that each unit will have its own double-car garage. The neighborhood consists primarily of single-family dwellings of a variety of sizes and conditions. There are other duplexes scattered throughout the neighborhood, so they are well integrated into the residential character of the area. He said that after the public hearing notices and agenda were posted, it was discovered that the proposed eight units would exceed the allowable density of 14 units per acre for the DF-2 development type. An easy solution was to change one of the duplexes to a single-family home, since a total of seven units would reduce the density enough. The applicant subsequently agreed to that solution, resulting in the application being for three duplexes instead of four. The single-family dwelling will be located on the lot at the street corner. Mr. Gibson continued with his presentation by showing maps and photos of the subject property and surrounding area. He mentioned that the letters of opposition distributed before the meeting were received after the agenda packet was mailed.

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

Linda Hinkle, of 1109 South Main Street, said that the applicant, Mr. Anar, could not be present because of his job in Houston. She was there to answer any questions the Commission might have, but was not in a position to argue the case.

There were no questions for Mrs. Hinkle from the commissioners

Chair Ruiz asked if there were any other speakers in support and, there being none, he asked for any in opposition.

David Tamayo, of 917 North Blanco Street, wanted clarification on what, exactly, was proposed to be built on the property.

Mr. Gibson replied that originally four duplexes were proposed, but now there are only three being proposed, plus one single-family dwelling.

Ken Price, of 820 North Blanco Street, said he and his wife Anna opposed the specific use permit, and would prefer only single-family dwellings in the neighborhood.

David Tamayo spoke again and said that he could be in favor of two duplexes built on the lots at 315 and 320 West Olive Street.

Megan Jones, of 327 West Olive Street, said she was concerned about duplexes being built next to her residence. She mentioned that she has young children and that there are a lot of other children in the neighborhood. They are concerned about the type of occupants the owner would allow to lease the units. She said the neighborhood is single-family homes and she would like to keep it that way.

Brad Jones, of 327 West Olive Street, said he opposed duplexes. He reported that the applicant had not taken care of the property, and that there was previously an old house that he let become dilapidated on the subject property.

David Tamayo spoke again to recant his last statement, and said he would not be in favor of the specific use permit at all.

Emily Pratte, of 900 North Blanco Street, said she opposed the specific use permit.

Chair Ruiz asked for any other speakers and, hearing none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson noted that a map created by staff showed that the property owned by residents opposing the application represented more than 30 percent of the area within 200 feet of the subject property. That met the threshold for one of the reasons in Section 64-127(c)(6)(c) to deny a specific use permit. Therefore, he said that the Commission had valid grounds for denying the application despite staff's original recommendation for approval.

Commissioner Oliva moved to recommend denial of SUP-20-05. Commissioner Rodriguez seconded, and the motion passed by a vote of 6-0.

Commissioner Arnic was apparently dropped from the conference call.

5. PV-20-01. Consider a request by Hinkle Surveyors on behalf of Luis and Alicia G. Gutierrez 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 five acres out of a 10.01-acre tract in the James George Survey, Abstract No. 9, and located at 1960 Old Kelley Road in the Lockhart Extraterritorial Jurisdiction.

Kevin Waller explained that the subject property is located within the Lockhart one-mile Extraterritorial Jurisdiction, where the City regulates the subdivisions. The applicant wishes to subdivide the property into two parcels through the County's family land grant process so that to create a five-acre parcel for his daughter, who would construct a new home on it. Because compliance with the City's subdivision standards would require multiple variances, and the proposed division of ownership would result in only two parcels, he said that staff recommended approval of the variance to waive the requirement to submit a subdivision plat to the City.

The applicant, Luis Gutierrez, of 1960 Old Kelley Road, said the purpose of creating the new lot was so that his daughter could live near him.

Linda Hinkle, the surveyor, said she believes it is a good idea to have family nearby and she supported the variance.

Commissioner Lingvai moved to recommend approval of PV-20-01. Commissioner McBride seconded, and the motion passed by a vote of 5-0.

At this point, both commissioners Arnic and Rodriguez had been dropped by the conferencing software, so they were unable to participate in the discussion or vote.

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

Mr. Gibson stated that the next Commission meeting date would be May 13th.

7. Adjourn.

Commissioner McBride moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:55 p.m.

Approved: May 13, 2020
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair