

**City of Lockhart
Planning and Zoning Commission
June 22, 2022**

MINUTES

Members Present: Philip Ruiz, Rick Arnic, Ron Peterson, Phil McBride, Manuel Oliva

Member Absent: Bradley Lingvai, Chris St. Ledger

Staff Present: Christine Banda, Dan Gibson, David Fowler, Kevin Waller

Visitors/Citizens Addressing the Commission: Travis Krause, Kevin Ware, Mary Ellen Becklin, Michael Jeffrey, Kara McGregor

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 June 8, 2022, meeting.

Commissioner Arnic moved to approve the June 8, 2022, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 5-0.

4. ZC-22-08 and PDD-22-01. Hold a PUBLIC HEARING and consider a request by James Travis Krause on behalf of Patton 3, LLC, for a Zoning Change from RLD Residential Low Density District to PDD Planned Development District, including a PDD Development Plan for Lockhart Place Townhomes Planned Development, on 19.798 acres in the Frances Berry Survey, Abstract No. 2, located at 903 State Park Road (FM 20).

David Fowler explained that the applicant proposes to build a townhouse community with 247 units on separate lots with a park in the middle of the development. There would be two-bedroom and three-bedroom units available with one or two-car garages. The applicant agreed to limit the height of homes on lots abutting the existing residences along the eastern boundary to two stories. The PDD development plan shows amenities including a large central open space area, dog park, playscape, and several internal courtyards and pedestrian paths. Also, shown is six-foot fencing and a row of trees to screen the new townhomes from the existing homes along the west side of San Jacinto Street. He said that the PDD development plan showed single driveways for the narrower dwelling units with one-car garages spaced such that they were too close together to allow for on-street parking between them, and that staff recommended that the driveways be grouped in pairs in order to lengthen the curbs between the driveway pairs.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Travis Krause, of 1950 County Road 146 in Georgetown, said that he would like to develop a townhouse community. The proximity of schools and the need for this type of development made the subject property a good location for townhomes. The developer will rebuild Patton Road, and construct perimeter public sidewalks with the new development. He said that they held a meeting with residents of the neighboring subdivision to hear their concerns, and will address those by adding screening along the eastern boundary of the property. Primary access to the development will be from Patton Road, rather than from San Jacinto Street, to address concerns about traffic. Mr. Krause said the development is primarily for first time home buyers, couples without children, older adults, or those looking for a low-maintenance home without a lot of yard area. The homes would start in the mid-\$300,000's. The Homeowner's Association would maintain the common areas. The parkland would be open to the public so that neighboring subdivisions can have access to it. He said they will comply with staff's recommendation regarding the driveway spacing.

Commissioner McBride asked why they wanted to have so much density and urban-type development when clearly that portion of city is rural, and the parcel of land is not large. He stated that the developer should contact the school district to see if they could supply the district with anything since they would be adding more students to the district with their development.

Mr. Krause replied they had done a market analysis that revealed that the proposed townhouse type of development did not currently exist in Lockhart, and with more people moving to the city it would be a viable product for those looking for this type of housing.

Kevin Ware, the civil engineer for the project, said that adding students to a school district would help with state funding for the school district.

Chair Ruiz said he was also concerned about the density of the development. He asked if they would consider a reduction in the total number of units, and asked how many people attended the neighborhood meeting.

Mr. Krause replied that there are other options available that would reduce the number of units and increase the green space. He said that approximately 20 residents of the neighboring subdivision attended the meeting.

Mary Ellen Becklin, of 903 San Jacinto Street, expressed her concerns about the density, and about increased traffic the development would create. She preferred single-family homes rather than townhomes, said that this type of development does not fit the neighborhood.

Michael Jeffrey, of 1001 San Jacinto Street, was concerned about where the additional stormwater runoff would go once the development starts. He added that nothing should be built in the LCRA easement where most of the park amenities appear to be located. In addition, Mr. Jeffrey was concerned that opening Westward Drive to traffic would make it difficult to back out of his driveway.

In answer to the question about stormwater runoff, Mr. Gibson explained that The City's drainage ordinance requires that the rate of stormwater flow exiting the property after development cannot exceed the rate of stormwater flow exiting the property before development.

Mr. Krause agreed with Mr. Gibson's statement about the runoff. Mr. Krause also added that public sidewalks will be added along the existing street frontages that do not have sidewalks.

Mr. Ware said that a predevelopment flow rate was completed and that all improvements would meet the required detention requirements.

Commissioner Peterson asked the applicant how much of a reduction in the number of dwelling units they could consider since there was concern about the density of the development.

Mr. Krause said he is willing to consider any recommendation that the Commission may make.

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

Mr. Fowler recommended approval because it introduced a new type of housing type that expands the choices available in Lockhart. He said that the PDD Development Plan should be modified by grouping the single-wide driveways so that there would be enough space between them for on-street parking, and that the Commission could add a condition regarding a limit on the density of the development.

Commissioner McBride moved to recommend approval of ZC-22-08 and PDD-22-01 to City Council subject to grouping the single-wide driveways so that there would be enough space between them for on-street parking, and to reduce the number of dwelling units to result in a density of no more than ten units per acre. Commissioner Oliva seconded, and the motion passed by a vote of 4-1 with Chair Ruiz against.

5. PP-22-02. Consider a request by James Travis Krause on behalf of Patton 3, LLC, for approval of a Preliminary Plat and Subdivision Development Plan for Lockhart Place Townhomes Planned Development District, consisting of 19.798 acres in the Frances Berry Survey, Abstract No. 2, proposed to be rezoned from RLD Residential Low Density District to PDD Planned Development District, and located at 903 State Park Road (FM 20).

Kevin Waller explained that the preliminary plat and subdivision development plan show two phases, with open park space in the middle of the development. All parkland requirements were met. He said that there are numerous corrections that still need to be made on the plat before it is ready for recording, but it was put on this agenda, anyway, due to the expiring State-mandated period for review and approval of the plat. He noted that the list of corrections had already been e-mailed to the commissioners, and that they are being addressed by the engineer.

Mr. Krause said that they will meet all the conditions listed by city staff. The overall layout should stay roughly the same once the changes are made for consistency with the PDD development plan that is to be revised.

Mr. Waller said that staff recommends approval subject to addressing all of the deficiencies noted by staff, plus whatever changes are necessary to comply with the limit of not more than ten units per acre.

Commissioner Oliva moved to approve PP-22-02 subject to the conditions and corrections recommended by staff. Commissioner Peterson seconded, and the motion passed by a vote of 4-1 with Chair Ruiz against.

6. Hold a PUBLIC HEARING and consider a recommendation to the City Council regarding a Text Amendment to Chapter 64 "Zoning", Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common to All or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts", Paragraph (a), modifying the covered parking requirements for detached single-family dwellings.

Dan Gibson reminded the Commission that the new requirement for covered parking came about in response to Lennar Homes submitting permits for houses without garages or carports in the Summerside Subdivision. He said that the City Council had revisited the ordinance at the request of Councilmember McGregor for the purpose of considering an exemption for new houses on existing nonconforming platted lots that were narrower than 50 feet. He reviewed options that could be considered for changes to the current ordinance text, and demonstrated with an illustration that it was possible to construct a house with a single-car garage and functional floorplan, and still meet the minimum required building setbacks on a lot as narrow as 40 feet. He also reviewed some additional changes that staff proposed in terms of eliminating the requirement for two-car garages for the SF-1 development type, and extending the requirement for covered parking to include residential buildings containing two dwelling units.

Chair Ruiz opened the public hearing and asked if anyone wished to speak.

Councilmember Kara McGregor, of 604 West San Antonio Street, said the ordinance was rushed through because of the Lennar development, and that City Council did not have time to consider existing nonconforming lots. She would like to see a provision for nonconforming lots platted prior to 1990 that would exempt them from the covered parking requirement.

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

Mr. Gibson said another reason for requiring a garage or carport for new construction is that most homes are built at the minimum front-yard building setback line, which causes enforcement problems when owners of houses that do not have a garage or carport install, without a required building permit, carports over the driveway where the carport encroaches into the setback area. He said that adding a provision exempting nonconforming platted lots less than 50 feet wide is fine, and that staff also recommends approval of the additional proposed changes.

Commissioner Oliva moved to recommend approval of the text amendment to City Council with the wording proposed by staff and the modification suggested by Councilmember McGregor. Commissioner Arnic seconded, and the motion passed by a vote of 5-0.

7. Discuss possible updated of one or more elements of the Lockhart 2020 Comprehensive Plan.

Mr. Gibson said that he and the city manager had discussed the idea of doing an immediate update of the thoroughfare plan, but that they both agreed that it would be best to wait and do it within the context of the planned update of the entire comprehensive plan that is to begin in the next fiscal year. A consulting firm will be hired to prepare the new comprehensive plan in coordination with City staff and residents of the community.

Chair Ruiz reaffirmed his opinion that there are certain thoroughfare situations in the city that need to be addressed immediately in the plan.

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

Mr. Gibson stated that the next regular meeting date is July 13th, and that the four previously postponed zoning changes would be on the agenda along with other items.

9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:27 p.m.

Approved: July 13, 2022
(date)

Christine Banda
Christine Banda, Recording Secretary

Philip Ruiz
Philip Ruiz, Chair