

**City of Lockhart
Planning and Zoning Commission
June 13, 2018**

MINUTES

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

Members Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair McBride called the meeting to order at 7:06 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of May 23, 2018 meeting.

Commissioner Oliva moved to approve the May 23, 2018 minutes. Commissioner Villalobos seconded, and the motion passed by a vote of 6-0.

4. SUP-18-04. Hold a PUBLIC HEARING and consider a request by Frank Gomillion on behalf of Ramona Capello for a Specific Use Permit to allow a Church on part of Lots 1 and 2, Block 41, Original Town of Lockhart, consisting of 0.546 acre zoned RMD Residential Medium Density District and located at 408 East Live Oak Street.

Vice-Chair Ruiz announced that he would be abstaining from participation in this item.

Mr. Gibson explained that a specific use permit is required for a Church in the RMD Residential Medium Density District, and gave the staff report, including a presentation showing photos and maps of the subject site and surrounding area. He mentioned that ten letters of opposition were received. He suggested that if the Commission thought the church needed more than the minimum required parking they could add a condition to the specific use permit requiring the church to construct phase two of the parking lot at the same time as phase one. He summarized the potential reasons listed in the zoning ordinance why the Commission could deny a specific use permit. One of the reasons was if a written protest is received from the owners of at least 30 percent of the land area within 200 feet of the subject property.

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

Frank Gomillion, of 432 Trinity Street, said he is the architect for the project, and was surprised to hear of the opposition to the church from his neighbors. The property had been vacant for many years. He thought he designed a building that is pleasing to the eye, and had allowed for plenty of additional parking at a later time.

Chair McBride asked if curbing would be constructed along with a sidewalk.

Mr. Gomillion replied that a sidewalk would be installed along Live Oak Street.

Mr. Gibson said that the property owner is not responsible for constructing curbing on an existing street.

Commissioner Nickel asked what the church attendance is currently.

Mr. Gomillion replied that they are a small congregation with 20 people meeting in a home. They would like to add 20 more members. There is room to expand the building to the south to accommodate growth in the future.

Chair McBride asked for any other speakers in favor.

Ian Stowe, of 428 Trinity Street, spoke in favor.

Ramona Capello, of 1301 Trinity Street, who is the Pastor of the church, spoke in favor.

Chair McBride asked for any other speakers.

Barbara Sanchez, of 419 Trinity Street, spoke in opposition.

Gilbert Garza, of 402 Trinity Street, spoke in opposition.

Mr. Gomillion responded that he lives in the neighborhood and it's full of churches, but he never considered them a bad thing. He sees the church as a good utilization for the vacant lot.

Chair McBride closed the public hearing, and asked for the staff recommendation.

Mr. Gibson said that staff supported a church on the subject property, but that ultimately it's the Commission's decision.

There was discussion among the commission members.

Commissioner Oliva moved to approve SUP-18-04 and Commissioner McBride seconded. The motion passed by a vote of 3-2, with Commissioner Nickel and Commissioner Rodriguez against.

5. SUP-18-05. Hold a PUBLIC HEARING and consider a request by Alice Fox with Fox Fox Studio on behalf of Two Horses, LLC, owned by Doug Zell, for a Specific Use Permit to allow a Bar and a Special Events Center on Lots 4-A, Block 22, Original Town of Lockhart, consisting of 0.059 acre zoned CCB Commercial Central Business District and located at 115 North Main Street.

Mr. Gibson explained that a specific use permit is required for both a Bar and a Special Events Center in the CCB Commercial Central Business District, and gave the staff report, including a presentation showing photos and maps of the subject site and surrounding area.

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

Ian Stowe, of 428 Trinity Street, said he was representing the applicant, Alice Fox. He explained the proposed use of the first and second floors of the building.

Vice-Chair Ruiz asked what his relationship with the applicant was.

Mr. Stowe replied that he is the designer for the project, and Ms. Fox asked him to attend the meeting to represent her.

Commissioner Rodriguez commented that the parking is already tight downtown.

Mr. Stowe said the downtown area supports pedestrians, and that off-street parking is not required in the CCB District.

Chair McBride asked for any other speakers.

Rhonda Reagan, of 412 W San Antonio Street, spoke in favor.

Amanda West, of 428 Trinity Street, spoke in favor.

Chair McBride closed the public hearing, and asked for the staff recommendation.

Mr. Gibson said that staff recommended approval.

Commissioner Nickel moved to approve SUP-18-05. Commissioner Oliva seconded, and the motion passed by a vote of 5-1 with Vice-Chair Ruiz against.

6. SUP-18-06. Hold a PUBLIC HEARING and consider a request by Johnny Granado, Jr. on behalf of Theresa Granado, for a Specific Use Permit to allow a Manufactured Home on Lots 12 and 13, Block 3, Oakview Annex Addition, consisting of 0.15 acre zoned RMD Residential Medium Density District and located at 803 Fourth Street.

Mr. Gibson explained that a specific use permit is required for a Manufactured Home in the RMD Residential Medium Density District, and gave the staff report, including a presentation showing photos and maps of the subject site and surrounding area. He mentioned that one letter in favor was received, as well as one letter in opposition. He said that staff recommends approval.

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

Johnny Granado, of 115 Meadowlark Lane in Kyle, said a manufactured home is more affordable and efficient for him than a site-built home. The plans include extra driveway parking for his large family gatherings. He said he wants to remove the palm tree in the front yard and plant new trees, and would install a small storage building at a later time.

Vice-Chair Ruiz asked Mr. Granado if he had considered a site-built home instead of a manufactured home.

Mr. Granado replied "no".

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

There was discussion among the commissioners.

Commissioner Villalobos moved to approve SUP-18-05. Commissioner Rodriguez seconded, and the motion failed by a vote of 3-3 with Vice-Chair Ruiz, Commissioner Oliva and Commissioner Nickel against.

7. ZC-18-09. Hold a PUBLIC HEARING and consider a request by Green Acres Housing on behalf of Hal Davis for a Zoning Change from MH Manufactured Home District to RMD Residential Medium Density District on Lots 1 and 2, Block 1, Cottage Addition, located at 1105 Red River Street.

Mr. Gibson explained that the property had been platted into two lots, and the owner planned to remove the existing manufactured home and site-built addition, followed by construction of a duplex on each of the lots. The existing MH zoning and manufactured home are nonconforming, while the proposed RMD zoning is not only consistent with the Lockhart 2020 Land Use Plan map, but is also the same as the zoning classification abutting three sides of the property. The staff report included a presentation showing photos and maps of the subject site and surrounding area. He mentioned that one letter of opposition was received prior to the Commission meeting. He said that staff recommended approval.

Chair McBride opened the public hearing, and asked the applicant to come forward. The applicant was not present, so he asked for any other speakers.

Florentina Juarez, of 510 China Street, spoke in opposition and submitted two protest forms.

Ramona Castillo, of 1106 Red River Street, spoke in opposition, and submitted a protest form.

John Castillo, of 1106 Red River Street, spoke in opposition.

A protest form was also submitted by Guadalupe Lopez of 1103 Red River Street.

Irene Yanez, of 1531 Parkview Drive, spoke in opposition. She also asked Mr. Gibson about the non-conforming use, and to confirm that this zoning request is pretty much a moot point.

Mr. Gibson replied that there is a provision that automatically reverts the MH zoning of a lot when a manufactured home is not occupied or is disconnected from utilities for a consecutive period exceeding 30 days.

Chair McBride closed the public hearing.

Commissioner Nickel moved to recommend approval of ZC-18-09. Commissioner Rodriguez seconded, and the motion passed by a vote of 5-1 with Commissioner Oliva abstaining.

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

Mr. Gibson stated there were agenda items for their next meeting on June 27, 2018.

9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Villalobos seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:13 p.m.

Approved: 6/27/18
(date)

Christine Banda
Christine Banda, Recording Secretary

Philip McBride
Philip McBride-Chairman