

**CITY OF LOCKHART
ZONING BOARD OF ADJUSTMENT
JUNE 7, 2021**

MINUTES

Members Present: Wayne Reeder, Mike Annas, Anne Clark, Kirk Smith, Severo Castillo (By Phone), Sean Martinez (By Phone), Lori Rangel (By Phone)

Member Absent: Laura Cline

Staff Present: Christine Banda, Kevin Waller

Others Present: Jim Smith (applicant, Agenda Item 4), Ian Stowe (applicant, Agenda Item 5), Amanda West, Lance Elrod (applicant, Agenda Item 6), Greg Zanghi, and Luci Kempton

1. Call meeting to order. Vice-Chair Clark called the meeting to order at 6:30 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the May 3, 2021, meeting.

Member Annas moved to approve the May 3, 2021, minutes. Member Reeder seconded, and the motion passed by a vote of 6-0.

4. ZV-21-04. Hold a PUBLIC HEARING and consider a request by Jim Smith on behalf of Jack Pearce, LLC, for a Variance to Appendix II, Chapter 64 "Zoning", Lockhart Code of Ordinances, to allow a reduction in the minimum 10-foot rear-yard building setback to zero feet for a new building on Lots 1 and 2, Jack Pearce Subdivision, consisting of 0.17 acre zoned CCB (Commercial Central Business District) and located at 120 and 124 East Market Street.

Planning Staff Kevin Waller gave Staff's report to the Board. Mr. Waller explained that the property consists of the last two undeveloped lots downtown, next to the new tattoo parlor on East Market Street. There is a 15-foot wide alley between the rear of the property and the Henry's Restaurant property. The applicant plans to build a three-story, mixed-used building that would abut the rear property line. Waller stated that a comment letter was received from a nearby property owner who had concerns that allowing a building to abut the rear property line might result in the alley becoming blocked by delivery vehicles parking at the rear of the property. Mr. Waller stated that the alley would allow adequate vehicular circulation if a building were to be constructed up to the rear property line. He recommended approval of the zoning variance.

Vice-Chair Clark opened the public hearing and asked the applicant to come forward.

Applicant Jim Smith of 1480 Clear Fork Street explained that it is his dream to build a nice, modernized, three-story building on the property. The building will include both commercial and residential uses, along with a rooftop garden. Mr. Smith mentioned that there should be no traffic disruptions from his development. Smith also stated that although there will be off-street parking for the residential component, there is no off-street parking requirement in the CCB zoning district.

Vice-Chair Clark asked for any other speakers; seeing none, she closed the public hearing and asked the Board for a motion.

Member Smith moved to approve ZV-21-04. Member Reeder seconded, and the motion passed by a vote of 7-0.

5. ZV-21-05. Hold a PUBLIC HEARING and consider a request by Ian Stowe for a Variance to Appendix II, Chapter 64 "Zoning", Lockhart Code of Ordinances, to waive the requirement for off-street parking for a commercial building on Part of Lot 1, Block 42, Original Town of Lockhart, consisting of 0.239 acre zoned CMB (Commercial Medium Business District) and located at 214 Brazos Street.

Mr. Waller gave Staff's presentation to the Board. He explained that the proposal is for a variance to waive all five required parking spaces for the subject property. Waller mentioned that the applicant is willing to work with the City to improve the road in front of his property to provide two on-street parallel parking spaces, in lieu of the required off-street spaces. Staff believes that a parking lot could feasibly be constructed at the rear of the property that could accommodate the five required spaces. Waller stated that the variance request does not meet all six of the variance review criteria, and consequently, Staff recommends denial of the variance.

Vice-Chair Clark opened the public hearing and asked for the applicant to come forward.

Applicant Ian Stowe of 428 Trinity Street stated that he has lived in Lockhart for 10 years. He sees that this block has been neglected, and is not sure why it is zoned commercial. Mr. Stowe mentioned that the clients of one of the nearby business' back into the street. He is willing to upgrade a portion of Brazos Street with two new parallel parking spaces to help mitigate the parking issue. In addition, Stowe requested that Mr. Annas abstain from voting, because he feels that Annas has a conflict of interest.

Amanda West stated that she lives with Mr. Stowe. She agrees that the proposed upgrade of Brazos Street would enhance the road in front of the subject property.

Jim Smith of 1408 Clear Fork Street explained that he is really not against the variance, but when he was asked to improve the parking situation for a property he owns on Brazos Street, he purchased a nearby property to construct a parking lot. Smith stated that there are ways to properly address parking issues.

Vice-Chair Clark asked for any other speakers; seeing none, she closed the public hearing and asked the Board for a motion.

Member Clark moved to deny ZV-21-05. Member Reeder seconded, and the motion passed by a vote of 6-0-1, with Member Annas abstaining.

6. ZV-21-06. Hold a PUBLIC HEARING and consider a request by Lance Elrod on behalf of Blackjack Block I, LLC, for a Variance to Appendix II, Chapter 64 "Zoning", Lockhart Code of Ordinances, to increase the maximum lot coverage standard from 50 percent to 51.19 percent for new structures on Lot 1, Block 1, Iron Ox Addition, consisting of 24.575 acres zoned IL (Industrial Light District) and located at 1205 Reed Drive.

Mr. Waller reported that the applicant plans to develop the property with a commercial greenhouse facility, in two phases. The development will surpass the maximum allowed lot coverage of 50 percent in the IL zoning district. The applicant is therefore requesting a variance to increase the allowed lot coverage to 51.19 percent, which the applicant states will increase product yield. Waller stated that the variance request does not meet all six of the variance review criteria, and consequently, Staff recommends denial of the variance.

Vice-Chair Clark opened the public hearing and asked for the applicant to come forward.

Applicant Lance Elrod explained that Phase One of the development will include construction of the support structure and first half of the greenhouse facility. Phase two would then expand the support structure and add the second half of the facility. There would be an onsite drainage basin that is not expected to impact adjacent properties.

Greg Zanghi stated that he is Vice-President of Iron Ox. The company's mission is to bring fresh produce to local communities. The facility would be mostly automated, to be constructed to a size that is slightly over the maximum allowed lot coverage.

Luci Kempton, another Iron Ox representative, stated that the new facility will offer a variety of produce options, and that the slight increase in lot coverage will help overall production.

Vice-Chair Clark asked for any other speakers; seeing none, she closed the public hearing and asked the Board for a motion.

Member Annas moved to approve ZV-21-06. Member Reeder seconded, and the motion passed by a vote of 6-0.

7. Discuss the date and agenda of the next meeting.

Mr. Waller stated that the next regularly scheduled meeting would be held Monday, July 12, 2021, if applications are received by the June 21st deadline.

8. Adjourn.

Member Reeder moved to adjourn the meeting, and Member Smith seconded. The motion passed by a vote of 7-0, and the meeting adjourned at 7:26 p.m.

Approved: 7/12/21
(Date)


Christine Banda, Recording Secretary


Anne Clark, Vice-Chair