

**City of Lockhart  
Planning and Zoning Commission  
October 26, 2022**

**MINUTES**

**Members Present:** Philip Ruiz, Phil McBride, Manuel Oliva, Bradley Lingvai, Rick Arnic, Ron Peterson, Chris St. Ledger

**Member Absent:** None

**Staff Present:** Dan Gibson, David Fowler

**Visitors/Citizens Addressing the Commission:** Nancy Shapiro, Joseph Theriot, Clifton Jones, Bryon Brown, Angie Balandran

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 October 12, 2022, meeting.

*Commissioner Arnic moved to approve the October 12, 2022, minutes. Commissioner Lingvai seconded, and the motion passed by a vote of 7-0.*

4. SUP-22-15. Hold a PUBLIC HEARING and consider a request by Nancy Shapiro for a Specific Use Permit to allow an Accessory Dwelling Unit (General Type) on Lot 1 and Part of Lot 2, Block 5, Mathis Addition, consisting of 0.542-acre zoned RMD Residential Medium Density District and located at 205 South Rio Grande Street.

David Fowler explained that the applicant would like to turn an existing garage into an Accessory Dwelling Unit – General Type. This type of ADU requires approval of a specific use permit in the RMD Residential Medium Density District. The applicant planned to add additional parking for both the proposed ADU and the existing dwelling on separate driveways, as the property is a corner lot.

Commissioner St. Leger asked why no covered parking was required for the ADU. He also asked if a garage constructed since the covered parking ordinance was passed could be converted to an ADU.

Mr. Gibson said that because the City's new covered parking requirement applies only to new single-family construction, in this case an existing garage could be remodeled into an ADU. He further stated a garage created to meet the current ordinance could not later be converted to an ADU without providing the required covered parking.

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

Nancy Shapiro, of 1806 Barton Parkway in Austin, said that Mr. Fowler covered her plans for the garage. She said that she and her daughter are excited about moving to Lockhart and living on Red River Street. Both the existing dwelling and the ADU will be rented out.

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

Mr. Fowler said that staff recommended approval with the conditions that both driveways would have to meet City standards for paving and correct curb return radii.

Discussion occurred about possibly requiring covered parking for the ADU under consideration and possible future ADU applications.

*Commissioner McBride moved to approve SUP-22-15 subject to revising the site plan to reflect the correct curb return radius and appropriate driveway surfaces, along with providing one covered parking space for the ADU. Commissioner St. Leger seconded, and the motion passed by a vote of 6-1 with Chair Ruiz against.*

5. SUP-22-16. Hold a PUBLIC HEARING and consider a request by Lendi Capital Group, LLC, on behalf of Sharon Truett for a Specific Use Permit to allow the MF-2 Residential Development Type on 8.798 acre in the Cornelius Crenshaw Survey, Abstract No. 68, zoned RHD Residential High Density District and located at 1711 and 1715 West San Antonio Street (SH 142).

Mr. Fowler explained that the applicant was proposing to build an apartment complex of up to 24 dwelling units per acre. The subject property is located between Hansford Subdivision and the Lockhart Farms Apartments currently under construction along the north side of West San Antonio Street. Indoor amenities would be contained within the front building of the complex.

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

Joseph Theriot, with Republic Engineering, 6305 Pat Cole Drive in Temple, said they have seen a schematic showing a turn lane in front of the subject property and will work with TxDOT to correctly locate the access to West San Antonio Street. As far as the secondary access point, he said that they are open to the City's opinion regarding the entrance. He stated a preference for using the street connection for emergency access only, as residential neighborhoods usually do not like apartment traffic coming through their subdivision. A tree survey has not been done for the property, but the applicant stated they will preserve the trees as required and work around them if necessary.

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

Mr. Fowler said that staff recommended approval with two conditions. The applicant must verify the location of the West San Antonio Street entrance with TxDOT, and should provide a public cul-de-sac or other turn-around on the east side if a gate were to be installed where Thornfall Drive in the Hansford Subdivision would meet the property line.

*Commissioner Peterson moved to recommend approval of SUP-22-16 subject to the conditions recommended by staff. Commissioner Oliva seconded, and the motion passed by a vote of 7-0.*

6. ZC-22-28. Hold a PUBLIC HEARING and consider a request by Ben Tolson of Aquila Commercial on behalf of Clifton Jones of 142 Partners, LLC, for a Zoning Change from AO Agricultural-Open Space District to 8.06 acres CMB Commercial Medium Business District and 54.56 acres RHD Residential High Density District on a total of 62.62 acres in the Cornelius Crenshaw Survey, Abstract No. 68, Francis Castillo Survey, Abstract No .85, Martin McFerrin Survey, Abstract No. 204, and William House Survey, Abstract No. 15, located at 132 Clark Loop.

Mr. Fowler explained that the subject property is located directly west of the FM 2720 and West San Antonio Street Intersection. The applicant would like to develop the subject property into a mix of commercial and multi-family residential land uses, with the subject parcel split between two new zoning districts. He reviewed maps showing the location of the subject property along with surrounding land uses, zoning classifications, and future land used designations.

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

Clifton Jones said he is the manager of 142 Partners, LLC. He purchased the property from Bill and Anne Clark. He said he was asking for zoning classifications that were as close as possible to the Future Land Use Plan. The property would have eight acres for commercial uses, and the remaining 54 acres would be for residential development.

Bryon Brown of Aquila Commercial, 1717 West 6<sup>th</sup> Street in Austin, stated that they are trying to meet a market need for residential development. He said that single family development is not doing well right now, and they see that in the next few years single-family development could decline due to inflation and interest rates. In his opinion, this development will stimulate the commercial growth needed along the SH 130 corridor.

Angie Balandran, of 186 Clark Loop, asked if the zoning change would the move the city limits to include her property, and if it would affect her taxes.

Chair Ruiz replied that no change to the city limits would occur from any zoning change, and that the Planning and Zoning Commission has no authority over taxes.

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

Mr. Fowler said that staff recommended approval.

*Commissioner Lingvai moved to recommend approval of ZC-22-28 to City Council. Commissioner St. Leger seconded, and the motion passed by a vote of 7-0.*

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

Mr. Gibson announced that the Commission's next regular meeting date would be November 9<sup>th</sup>, and that applications had been submitted for items to be on that agenda.

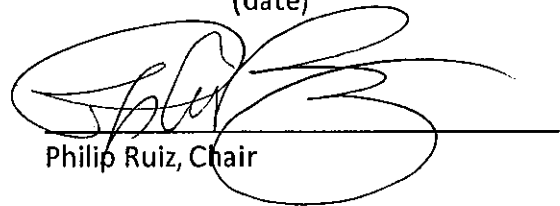
8. Adjourn

*Commissioner Arnic moved to adjourn, and Commissioner St. Leger seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:20 p.m.*

Approved: 11-9-2022  
(date)



Christine Banda, Recording Secretary



Philip Ruiz, Chair