

**City of Lockhart
Planning and Zoning Commission
August 9, 2023**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Bradley Lingvai, Phil McBride, Rick Arnic, Ron Peterson, Julia Haug

Members Absent: None

Staff Present: Christine Banda, David Fowler, Kevin Waller

Visitors/Citizens Addressing the Commission: Mac Jones, Robert Lloyd, Clifton Jones, Jonathan McNamara, Mark Walker, Amy Walker, Kevin Mills, Melanie Cuellar, Lonnie West

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 July 26, 2023, meeting.

Commissioner Arnic moved to approve the July 26, 2023, minutes with suggested corrections. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.

4. SUP-23-08. Hold a PUBLIC HEARING and consider a request by Mac Jones on behalf of LCD Multifamily Partners, LLC, for a Specific Use Permit to allow a MF-2 Residential Development Type in the Residential High Density (RHD) zoning district on 19.751 acres in the Francis Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20).

David Fowler presented his staff report, noting that this would be Phase Two of the Calvary Apartments. He showed their conceptual plan, which included the extension of Lion Country Drive and Harper Trail. The complex will have a large detention pond that would serve both phases along with a pool, a club house, and a dog park. He stated no opposition was received.

Chair Ruiz opened the public hearing.

Mac Jones, the applicant came forward to confirm that they are requesting 18.5 units per acre for phase two. They believe it is a great location for their complex and there is a demand for multifamily housing. These apartments will be market rate rentals, not income-restricted like many properties in Lockhart.

Commissioner McBride stated that the Commission would like the playscape/playground centrally located within their complexes and not in a remote location like the dog park. He stated that given the location close to school, he wanted a family friendly community.

Mr. Jones said they would be centrally located among both complexes.

Robert Loyd of 1290 E Pointe Place said his home abuts the property on the southwest side. He is in opposition because he thought it would decrease property values, while increasing traffic and crime in the area. He expressed that Medina Street needs to be rebuilt because of its deterioration.

Chair Ruiz closed the public hearing.

Mr. Fowler stated that staff recommends approval of the SUP.

Commissioner Peterson moved to approve SUP-23-08. Commissioner Lingvai seconded, and the motion passed with a vote of 7-0.

5. ZC-23-04. Hold a PUBLIC HEARING and consider a request by Jonathan McNamara on behalf of Clifton Jones, for a Zoning Change from PDD, Planned Development District, to RMD, Residential Medium Density District, on a total of 8.465 acres in the Francis Berry Survey, Abstract No. 2, located at 1501 Clear Fork Street

Mr. Fowler presented the staff report and showed the original layout of the approved PDD which included condos, townhomes, single-family and duplexes. He said the applicant is requesting the RMD zoning district so they may come back with an SUP for a DF-2 residential development type development. The street location and the amenities proposed in the original PDD would remain the same, but the intended development would increase the project from 40 to 60 housing units. He mentioned that one e-mail was received in opposition to the zoning change wherein the writer said that they planned to gather signatures for a letter of protest for the zoning change.

Chair Ruiz opened the public hearing.

Clifton Jones, the property owner, came forward and said he purchased the property from Bobby Schmidt two years ago. He had been trying to go forward with what was approved for the PDD but had not been successful in finding investors. He stated his intent was to build duplexes on 30 lots with the same amenities shown on the PDD. He said typically people either buy them to live in and rent out the other space or to rent out both units.

Commissioner Peterson asked how important it was to have the higher density for the duplexes.

Mr. Jones said it is important to cover the costs for construction with inflation.

Commissioner McBride commented that he cannot see how duplexes would work in the area, which neighbors single family residences. He believes it would impact the quality of life for the surrounding neighborhood.

Jonathan McNamara of Matkin Hoover, the engineer on the original PDD came up and reiterated that they were keeping the same amenities and layout already approved for the PDD because they have approved construction plans already that work for the DF-2 development type and if they went with the lower DF-1 development type they would have to redesign the development.

Mark and Amy Walker of 1404 Clear Fork Street had flooding, drainage, and traffic concerns. They mentioned that their pond is fed from up north where the proposed subdivision is located.

Mr. McNamara mentioned that with the approved PDD they were required to submit a LOMR to FEMA to make sure the homes were out of the flood zone in the subject property.

Mr. Fowler stated that the flow of stormwater is required to remain the same after the subdivision is developed.

Kevin Mills of 1540 Clear Fork Street said he was in favor of the approved PDD and thought the development would be nice addition to the area. He is not in favor of a duplex community. He mentioned that Clear Fork Street still has major drainage issues, and the road has not had any improvements with the new developments that have been built. He agrees with Commissioner McBride that it would not be a good addition to the neighboring properties.

Mr. McNamara came forward again and said they would be improving Clear Fork Street to the edge of their property. They understand there would be an increase in density and traffic because of the project.

Melanie Cuellar of 1515 Colton Lane said she opposed the zoning change.

Lonnie West of 704 Indian Blanket Street said he opposed the zoning change because the subdivision would be elevated behind his backyard.

Mr. Fowler said that the site would not be elevated but they could build two story duplexes.

Chair Ruiz reminded everyone that the case before the Commission was only a zoning change and closed the public hearing.

Mr. Fowler stated that the staff recommends approval because the original zoning was RMD before it was changed to PDD.

Commissioner Lingvai moved to approve ZC-23-04. Commissioner Haug seconded, and the vote was 3-4 in favor of the motion, with Chair Ruiz, Vice-Chair Oliva, Commissioners McBride and Arnic against. As a result, the motion failed.

Commissioner McBride moved to recommend denial of ZC-23-04. Commissioner Arnic seconded, and the motion passed with a vote of 4-3, with Commissioners Peterson, Haug and Lingvai against.

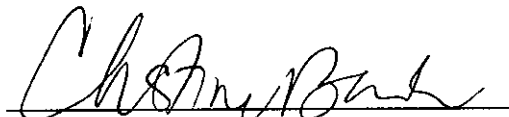
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

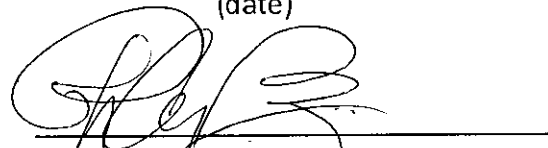
Mr. Fowler said that the next meeting will be August 23rd with two zoning cases and one SUP. Mr. McBride said he will not be available.

7. Adjourn.

Commissioner Haug moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:31 p.m.

Approved: 8/23/2023
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair