

**NOTICE OF REGULAR MEETING OF THE  
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS  
CALVERT MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
THURSDAY, NOVEMBER 5, 2020  
6:00 P.M.**

Notice is hereby given that a regular meeting of the Planning and Zoning Commission of the City of Lampasas, Texas will be held at 6:00 p.m. on Thursday, November 5, 2020 in the Calvert Municipal Building City Council Chambers, 302 E Third Street, Lampasas, Texas.

**REGULAR SESSION**

- I. Call to order
- II. Discussion and possible action regarding approval of the minutes dated October 1, 2020

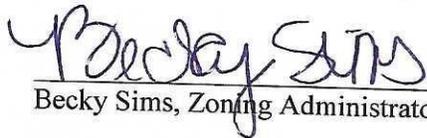
**PUBLIC HEARING**

- III. Public hearing to receive citizen comments regarding the request to rezone +/-10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441, Lampasas, Texas Lampasas County from Commercial "C" to Agriculture District "AG" generally located at 100 Sunrise Hills.

**REGULAR SESSION**

- IV. Discussion and possible action regarding approval, denial, or approval with modification(s) the request to rezone +/-10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441, Lampasas, Texas Lampasas County from Commercial "C" to Agriculture District "AG" generally located at 100 Sunrise Hills.
- V. Adjourn

I, Becky Sims, Assistant City Secretary of the City of Lampasas, Texas, do hereby certify that this Notice of Meeting was posted on the bulletin board/front window of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 20<sup>th</sup> day of October, 2020 at 3:15pm



Becky Sims, Zoning Administrator/Assistant City Secretary

**MINUTES OF MEETING OF THE  
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS  
CITY COUNCIL CHAMBERS  
302 E THIRD STREET  
THURSDAY OCTOBER 1, 2020  
6:00 P.M.**

The Planning and Zoning Commission of the City of Lampasas met in regular session on the above date with Commission Chairman Jackson presiding:

P&Z Members Present:  
Reese Vann  
Bob McCauley  
Dorothy Person  
Marissa Canales  
James Skinner

City Staff Present:  
Becky Sims, Assistant City Secretary/Zoning Administrator  
Frank Ellett, Building Official  
Rickie Roy-Assistant City Manager

P & Z Members Absent  
Jackie Baltrum

**REGULAR SESSION**

- I. Call to order- *Chairman Jackson called the meeting to order at 6:02 p.m.*
- II. Discussion and possible action regarding approval of the minutes dated September 3, 2020. *Commission member Skinner moved to approve the minutes, Commission member McCauley seconded the motion and with a unanimous vote the motion carried. (Baltrum Absent)*

**PUBLIC HEARING  
GOFORTH ADDITION REZONE**

- III. Public hearing to receive citizen comments regarding approval, denial, or approval with modification(s) to rezone 3.75 acres, described as Block 1, Lot 4 of the Goforth Addition from Single Family Residential-20 "SF-20" to Commercial, generally located at 500 N Willis, Lampasas Texas, Lampasas County.

*This item was pulled from the agenda at the request of the petitioner*

**REGULAR SESSION**

- IV. Discussion and possible action regarding approval, denial, or approval with modification(s) to rezone 3.75 acres, described as Block 1, Lot 4 of the Goforth Addition from Single Family Residential-20 "SF-20" to Commercial generally located at 500 N Willis, Lampasas Texas, Lampasas County.

*This item was pulled from the agenda, no action was taken, at the request of the petitioner*

**PUBLIC HEARING  
GOFORTH ADDITION SPECIFIC USE PERMIT**

- V. Public hearing to receive citizen comments regarding approval, denial, or approval with modification(s) for a Specific Use Permit to allow for Major Automotive Repair (Diesel Mechanic) to an area zoned Commercial "C", described as 3.75 acres, Block 1, Lot 4 of the Goforth Addition, generally located at 500 N. Willis Lampasas, Texas, Lampasas County.

*This item was pulled from the agenda at the request of the petitioner*

**REGULAR SESSION**

- VI.** Discussion and possible action regarding approval, denial, or approval with modification(s) for a Specific Use Permit to allow for Major Automotive Repair (Diesel Mechanic) to an area zoned Commercial "C", described as 3.75 acres, Block 1, Lot 4 of the Goforth Addition, generally located at 500 N Willis Lampasas, Texas, Lampasas County.

*This item was pulled from the agenda, no action was taken, at the request of the petitioner*

**PUBLIC HEARING  
A.H. BARNES ADDITION ALLEY**

- VII.** Public hearing to receive citizen comments to consider granting the request to vacate, abandon or close and convey a street, alley and/or a public right-of-way, or a portion thereof, for property being described as 0.085 of an acre portion of an alley located in Block 54 of the A.H Barnes Addition between East 9<sup>th</sup> Street and Spring Ho Avenue.

*Chairman Jackson opened the Public Hearing*

*Becky Sims, Zoning Administrator advised of the following:*

- *All notifications and publications, as required by Ordinance and Statute, have been made.*
- *Staff mailed seven (7) notices to property owners within 200 feet of the applicant's property, and to date have not received any written testimony.*
- *Notices were also mailed to utility providers as required.*
- *Staff spoke with an adjacent property owner with regards to any potential impact the closing of the alley will have on their business and was assured it would not have a negative impact.*

*With no additional comments the Public hearing was closed*

**REGULAR SESSION**

- VIII.** Discussion and possible action to consider granting the request to vacate, abandon or close and convey a street, alley and/or a public right-of-way, or a portion thereof, for property being described as 0.085 of an acre portion of an alley located in Block 54 of the A.H. Barnes Addition between East 9<sup>th</sup> Street and Spring Ho Avenue.

*Commission member McCauley moved to approve the request, Canales seconded the motion and with a unanimous vote the motion carried (Baltrun Absent)*

**PUBLIC HEARING  
A.H. BARNES ADDITION PLAT**

- IX.** Public hearing to receive citizen comments to consider approval, denial or approval with modifications of the Spring Ho Subdivision Final Plat of 1.11 acres, being lots 1-7 and .085 of an acre portion of the alley of Block 54 of the A. H. Barnes Addition of the City of Lampasas; commonly known as 1003 S Key Avenue.

*Chairman Jackson opened the Public Hearing*

*Becky Sims, Zoning Administrator advised of the following:*

- *All notifications and publications, as required by Ordinance and Statute, have been made.*

- *Staff mailed seven (7) notices to property owners within 200 feet of the applicant's property, and to date have not received any written testimony.*
- *Mr. Sam Walker was in attendance on behalf of the developer should the Commission have any questions*
- *Commission member Canales questioned why setbacks were not on the plat; advised zoning requirement.*

*With no further discussions the Public hearing was closed.*

**REGULAR SESSION**

- X.** Discussion and possible action to consider approval, denial or approval with modifications of the Spring Ho Subdivision Final Plat of 1.11 acres, being lots 1-7 and .085 of an acre portion of the alley of Block 54 of the A. H. Barnes Addition of the City of Lampasas; commonly known as 1003 S Key Avenue.

*Commission member Canales moved to approved the request, Person seconded the motion and with a unanimous vote the motion carried. (Baltrum Absent)*

**XI.** Adjourn

PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Jeff Jackson, Chairman

ATTEST:

\_\_\_\_\_  
Becky Sims, Assistant City Secretary/Zoning Administrator

## NOTICE OF PUBLIC HEARINGS

### HEARING DATES/TIMES:

**PLANNING AND ZONING COMMISSION: November 5, 2020- 6:00 p.m.**

**CITY COUNCIL: November 9, 2020 - 6:00 p.m.**

**HEARING(S) LOCATION: CITY COUNCIL CHAMBERS  
302 E THIRD STREET, LAMPASAS, TEXAS**

The Planning and Zoning Commission of the City of Lampasas, Texas will hold a public hearing on the following item:

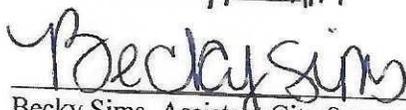
*Regarding a request to consider approval, denial, or approval with modification(s) to rezone +/-10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441, Lampasas, Texas Lampasas County from Commercial "C" to Agriculture District "AG" generally located at 100 Sunrise Hills.*

The purpose of the public hearings noted herein is to allow members of the public who may be affected by these items to voice their views to the Planning and Zoning Commission. The first public hearing will be held on November 5, 2020 at 6:00 P.M. in the City Council Chambers located at 302 E Third Street, Lampasas, Texas, before a recommendation is made to the City Council on the item listed above.

The City Council will hold a public hearing on the above-referenced items on November 9, 2020 at 6:00 P.M. in the City Council Chambers located at 302 E Third Street, Lampasas, Texas.

All persons interested in the above referenced items and potential actions are invited to attend the public hearings and to provide their comments at the times and places referenced above. Comments may also be submitted *in writing* to the Assistant City Secretary's office, no later than 12 Noon on the date of either public hearing referenced in this public notice, at the following address: 312 East Third Street, Lampasas, Texas 76550. For additional information, please contact Becky Sims, Assistant City Secretary/Zoning Administrator at (512) 556-6831 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

I, Becky Sims, Assistant City Secretary/Zoning Administrator of the City of Lampasas, Texas, do hereby certify this Notice of Public Hearings/Meetings was posted on the bulletin board of City Hall, 312 East Third Street, Lampasas, Texas, at a place readily accessible to the general public at all times, on the 21 day of October 2020 at 11:00AM

  
Becky Sims, Assistant City Secretary/Zoning Administrator



CITY OF LAMPASAS  
\*\*\*\*\* REPRINT RECEIPT \*\*\*\*\*

REC#: 01231074 10/02/2020 3:24 PM  
OPER: PT1 TERM: 060  
REF#: 1700

TRAN: 210.0000 PERMITS & LICENSES  
BARBEE NOV 5 2020  
PLANNING & ZONING F 250.00CR

TENDERED: 250.00 CHECK  
APPLIED: 250.00-  
CHANGE: 0.00

ANTICIPATED MEETING DATES: P&Z: \_\_\_\_\_ City  
DATE OF PRE-APPLICATION CONFERENCE WITH CITY REPS & PLANNER

**Application Type:**

- Initial Zoning (newly annexed property)
- Rezoning (property currently zoned)
- Planned Development (PD) - see Zoning Ordinance for special requirements
- Specific Use Permit (SLIP) - see Zoning Ordinance for special requirements

Name of Subdivision or Project: Barbee 96 acres

Physical Location of Property:  Hwy 190 and Sunset Hills  
[General Location -- approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description): Tract 2 Parcel 98.856 acres  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block] Vol 472 page 3 37

Acreage: 10 Existing Zoning: Commercial Proposed Zoning: AG

Applicant / Owner's Name: Double B Development Inc

Contact Person: Max Kayla Barbee Title: PRES/owner

Company Name: \_\_\_\_\_

Street/Mailing Address: Box 129 City: Kempner State: Tx Zip: 76539

Phone: 254 547 2301 Fax: 254 547 8324 Email Address: maxk959@hotmail.com

Engineer / Representative's Name: N/A

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Street/Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

Nature of Request/Proposed Use of the Property: NOT FOR SALE OR DEVELOPMENT - Return to it's original use, "Ag" Livestock

**SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z PUBLIC HEARING DATE.** (All zoning applications must be advised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff in advance for submittal deadlines.)

**All applications must be COMPLETE before they will be scheduled for P&Z agenda.** It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

**All application materials (one copy) must be delivered to the City's Planner.** The name, address, phone number, etc. of the City's Planner can be obtained from City staff. Failure to submit all materials to the City's Planner may result in delays scheduling the development application for a P&Z agenda. The City will invoice the applicant for all consulting fees (by City's Planner, Engineer, Attorney, etc.) incurred for City review of this project.

**Notice of Public Records.** The submission of plans/drawings with this application makes such items public record, and the applicant understands that they may be viewed by the general public. Unless the applicant expressly states otherwise in writing, submission of this application (with associated plans/drawings) will be considered consent by the applicant that the general public may view and/or reproduce (i.e., copy) such documents.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: Max Kayla Barbee Title: PRES/owner Date: Oct 18, 2020

Office Use Only: Date Rec'd \_\_\_\_\_ Fees Paid: \$ \_\_\_\_\_ Check #: \_\_\_\_\_ Accepted By: \_\_\_\_\_

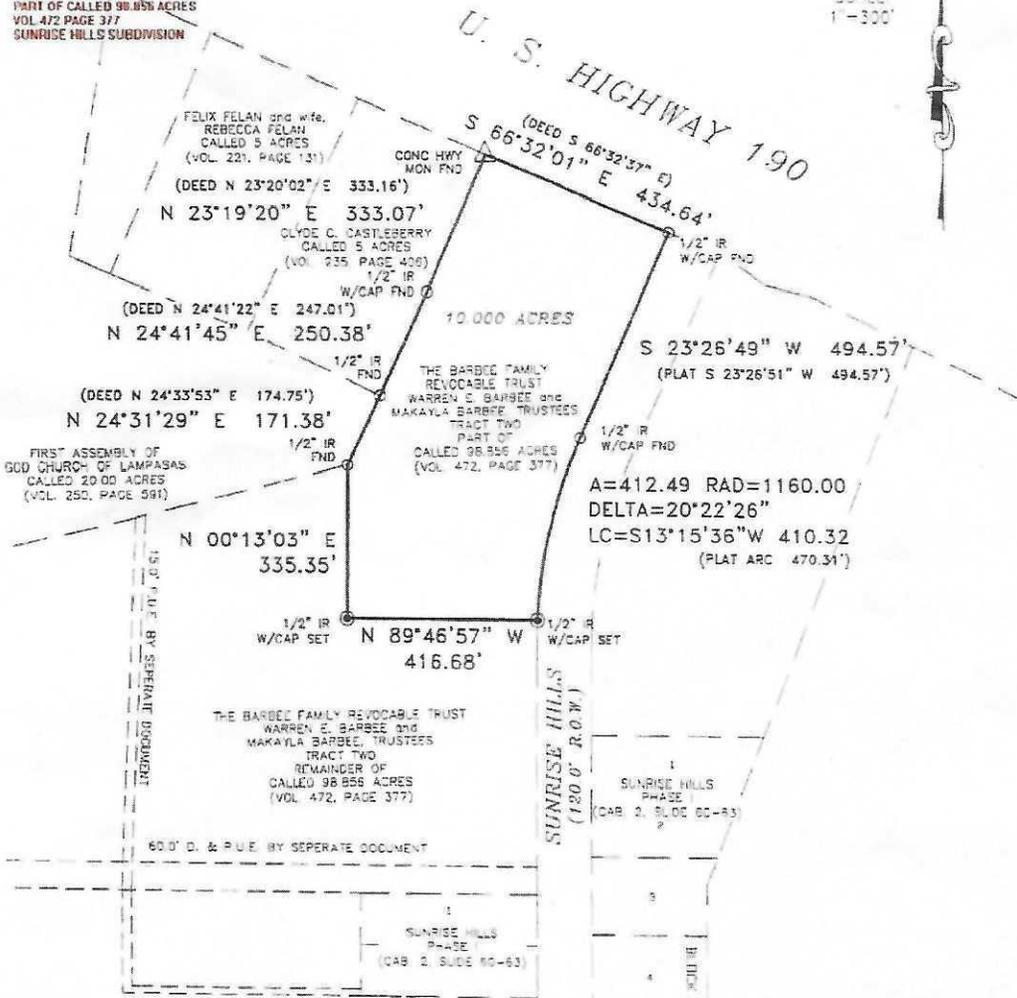




**MITCHELL & ASSOCIATES, INC.**  
**ENGINEERING & SURVEYING**  
 102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541  
 T. B. P. L. S. FIRM REGISTRATION NO. 100204-00

EDWARD AND MAKAYLA BARBEE  
 10 ACRES OF TRACT 2  
 PART OF CALLED 98.856 ACRES  
 VOL. 472 PAGE 377  
 SUNRISE HILLS SUBDIVISION

SCALE  
 1"=300'



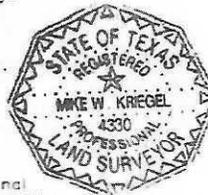
\*\*\* SEE FIELD NOTES \*\*\*

10.000 ACRES, PART OF THE  
 BENJAMIN F. KLEIN SURVEY,  
 ABSTRACT NO. 441,  
 LAMPASAS COUNTY, TEXAS

STATE OF TEXAS      KNOW ALL MEN BY THESE PRESENTS, That I, Mike W. Kriegel,  
 COUNTY OF BELL      Registered Professional Land Surveyor, do hereby certify  
                                  that I did cause to be surveyed on the ground the above  
                                  described tract of land and to the best of my knowledge  
                                  and belief, the said description is true and correct.  
                                  Survey completed on the ground on November 3, 2011.

IN WITNESS THEREOF, My hand and seal this the 4th day of November, 2011.

Mike W. Kriegel  
 Registered Professional  
 Land Surveyor, No. 4330



C:\Users\barbee\Sunrise Hills.dwg    For use: 12ac.dwg    Date: 11/11/2011 9:11:16 AM    Data:

City of Lampasas  
Planning and Zoning Board  
Barbee Request (± 10 acres)  
Staff Report

Subject Property	The property is described as ±10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441, Lampasas, Texas Lampasas County generally located at 100 Sunrise Hills.
Request	The applicant is requesting to rezone ±10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441 from Commercial “C” to Agriculture District “AG”; generally located at 100 Sunrise Hills, Lampasas, Texas, Lampasas County.
Current Zoning	The property is currently zoned Commercial “C”, and the area surrounding the property is zoned Single Family Residential-8 “SF-8” and Agriculture District “AG”
Notification	All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed fourteen (14) notices to property owners within 200 feet of the applicant’s property, and to date have not received any written testimony.
Consideration	<p>In making a determination for a change of Zoning the Planning and Zoning Board, and the City Council shall consider the factors as outlined in Section 10.1</p> <ul style="list-style-type: none"><li>• Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.</li><li>• Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.</li><li>• The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.</li><li>• The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.</li><li>• How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.</li><li>• Any other factors which will substantially affect the public health, safety, morals, or general welfare.</li></ul>

Recommendation

If the Planning and Zoning Board and the City Council find the request in compliance with Section 10.1 City of Lampasas Zoning Regulations, then a motion to approve the change of zoning may be made.

If the Planning and Zoning Board and the City Council find that the request is not in compliance with Section 10.1 City of Lampasas Zoning Regulations, then a motion to deny the request may be made.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING A REQUEST TO REZONE PROPERTY, AND ORDERING A CHANGE TO ORDINANCE NO. 878 AND THE ACCOMPANYING CITY OF LAMPASAS OFFICIAL ZONING MAP, AS AMENDED, TO CHANGE THE ZONING CLASSIFICATION OF ± 10 ACRES DESCRIBED AS THE BARBEE FAMILY REVOCABLE TRUST TRACT TWO PART OF CALLED 98.856 ACRES OUT OF THE BENJAMIN F KLEIN SURVEY, ABSTRACT NO 441, LAMPASAS, TEXAS LAMPASAS COUNTY FROM COMMERCIAL “C” TO AGRICULTURE DISTRICT “AG” GENERALLY LOCATED AT 100 SUNRISE HILLS, LAMPASAS, TEXAS, LAMPASAS COUNTY DETAILING RESTRICTIONS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, Double D Development, Inc., Makayla Barbee (property owner) is asking the City of Lampasas Planning and Zoning Commission and City Council to the rezone ±10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, Abstract No 441, Lampasas, Texas Lampasas County from Commercial “C” to Agriculture District “AG” generally located at 100 Sunrise Hills.

WHEREAS, pursuant to Section 10 of the City’s Zoning Ordinance, notice of the request to rezone property was given to all property owners located within two hundred feet (200’) of the property; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on November 5, 2020 by the Planning & Zoning Commission regarding the request for a rezone by the Applicant; and

WHEREAS, pursuant to Section 10 of the Zoning Ordinance of the City of Lampasas, Texas, public notice has been given, and a public hearing was held on November 9, 2020 by the City Council regarding the request for a rezone by the Applicant; and

WHEREAS, the City Council finds that it is in the public interest to approve the request to rezone the property from Commercial “C” to Agriculture District “AG”.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMPASAS, TEXAS:**

Part 1: That the rezone requested by Double D Development, Inc. MaKayla Barbee (property owner) for property described as ±10.00 acres, described as The Barbee Family Revocable Trust Tract Two Part of Called 98.856 acres out of the Benjamin F Klein Survey, generally located at 100 Sunrise Hills. Lampasas, Texas. Lampasas County from Commercial “C” to Agriculture District “AG is hereby approved.

Part 2: The City's staff shall take actions necessary to reflect this revision in City documentation, including a change to the City's Zoning map.

Part 3: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

PASSED AND APPROVED THE FIRST READING ON THIS 9<sup>th</sup> DAY OF NOVEMBER 2020.

PASSED AND ADOPTED ON THE SECOND READING ON THE 23<sup>RD</sup> DAY OF NOVEMBER 2020.

APPROVED:

ATTEST:

\_\_\_\_\_  
Misti Talbert, Mayor

\_\_\_\_\_  
Christina Marez, City Secretary

APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney

[Signature of Attorney Provided on Separate Page, to be Attached]