

**MINUTES OF MEETING OF THE
PLANNING & ZONING COMMISSION OF THE CITY OF LAMPASAS
CALVERT MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
302 E THIRD STREET
THURSDAY, SEPTEMBER 7, 2023
6:00 P.M.**

The Planning and Zoning Commission of the City of Lampasas met in regular session on the above date with Acting Chair Shepard presiding:

P&Z Members Present:
Michael Sibberson
Bob McCauley
James Skinner

City Staff Present:
Becky Sims, City Secretary/Zoning Administration
Lupe Charping, Admin Secretary/Permit Tech

P&Z Members Absent
Marisa Canales
Zachary Taylor

REGULAR SESSION

I. Call to order

Acting Chair Shepard called the meeting to order @6:02 p.m.

II. Discussion and possible action regarding approval of the minutes August 3, 2023.

Commission member Skinner moved to approve the minutes as presented, the motion was seconded by Commission member Sibberson and with a unanimous vote, the motion carried. (Canales and Taylor absent)

III. Discussion and Consideration of Application to fill board vacancy.

Commission member Skinner moved to approve Zack Carnley to the Planning and Zoning Commission Board, the motion was seconded by Commission member Sibberson and with a unanimous vote, the motion carried. (Canales and Taylor absent)

PUBLIC HEARING

IV. Public hearing to receive citizen comments to consider a request for a Specific Use Permit to allow the sale of portable Buildings in an area zoned Commercial, described as 1 acre, Abstract 0042, John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas, Texas Lampasas County

Acting Chair Shepard opened the Public Hearing

Becky Sims, Zoning Administrator presented the following

- *The property is described as ±1 acre, Abstract 0042, John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas, Texas Lampasas County.*
- *The business owner is applying for a Specific Use Permit (SUP) to allow for the sale of portable buildings in an area zoned Commercial.*
- *The property is zoned Commercial "C", the area surrounding the property is Commercial "C", Single Family Residential-6 "SF-6" and Single Family Residential-10 "SF-10"*

- *All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed twenty-five (25) notices to property owners within 200 feet of the applicant's property, to date no letters have been received in favor or in protest of the request.*
- *The future land use model in the Comprehensive Plan shows this area identified as Corridor Commercial.*

Citizen Meridith Lanning, 18 Hollywood, took the opportunity to address the committee with questions and concerns:

- *Ms. Lanning voiced her concern regarding her property value.*
 - *Acting Chair Shepard advised that Central Texas Expressway is zoned Commercial, the zoning is not changing.*
- *Inquired about time limit.*
 - *Mrs. Sims advised there is no time limit specified on Specific Use Permits, nor has a time limit been provided from the property or business owner regarding the request to sell portable buildings. The owners do still plan on building a clinic at this location in the future.*
- *The reason/need for Specific Use Permit.*
 - *Mrs. Sims advised that some uses are simply allowed and others require consideration by the Planning Commission and City Council. Commission member McCauley agreed with Mrs. Sims explanation.*

With no additional comments or discussion, Acting Chair Shepard closed the public hearing

REGULAR SESSION

- V. Discussion and possible action to consider approval, denial or approval with modifications to consider a request for a Specific Use Permit to allow the sale of portable buildings in an area zoned Commercial, described as 1 acre, Abstract 0042 John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas Texas, Lampasas County.

Commission member Skinner moved to recommend approval of the Specific Use Permit to allow the sale of portable buildings in an area zoned Commercial, described as 1 acre, Abstract 0042 John Burleson Survey, commonly known as 615 Central Texas Expressway Lampasas Texas, Lampasas County, the motion was seconded by Commission member McCauley and with a unanimous vote, the motion carried. (Canales and Taylor absent)

PUBLIC HEARING

- VI. Public hearing to receive citizen comments to consider a request for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately ±3 acres, Lots 1&2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas, Lampasas County.

Acting Chair Shepard opened the public hearing

Becky Sims, Zoning Administrator presented the following:

- *The property is described as ±3 acres, Lots 1 & 2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas Lampasas County.*
- *The business owner is applying for a Specific Use Permit (SUP) to allow for a daycare facility in an area zoned Retail.*
- *The property is zoned Retail "R", the area surrounding the property is Retail "R".*
- *All notifications and publications, as required by Ordinance and Statute, have been made.*

Staff mailed twenty-five (25) notices to property owners within 200 feet of the applicant's property, to date Staff has received one letter in favor of the request and none in protest.

- The future land use model in the Comprehensive Plan shows this area identified as Corridor Commercial and Downtown Transitional.

With no additional comments or discussion, Acting Chair Shepard closed the public hearing

REGULAR SESSION

- VII. Discussion and possible action to consider approval, denial or approval with modifications to consider a request for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately \pm 3 acres, Lots 1 & 2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas Texas, Lampasas County.

Commission member McCauley moved to recommend approval for a Specific Use Permit to allow for a daycare in an area zoned Retail, described as approximately \pm 3 acres, Lots 1&2, Block 58, AH Barnes Addition, commonly known as 808 S Western Ave. Lampasas, Texas Lampasas County, the motion was seconded by Commission Sibberson and with a unanimous vote, the motion carried. (Canales and Taylor absent)

PUBLIC HEARING

- VIII. Public hearing to receive citizen comments to consider a request to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-20 "SF-20 Zoning Classifications for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County

Acting Chair Shepard opened the public hearing.

Becky Sims, Zoning Administrator presented the following:

Staff is asking the Commission to consider a request to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-20 "SF-20" Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County.

- The subdivision is 36.76 and is platted into 26 lots.
- Staff is recommending the zoning distinction as SF-20 for Hillside Acres as it is the closest fit to the subdivision layout.
- The approved plat does show a 25 ft build line, which is the subdivision standard and meets most zoning classifications.

City of Lampasas Zoning Regulations Sec. 70-209. - Building lines.

- Front street. The front building line shall not be less than **25 feet** from the front property line.
- Side street. The building line on the side of corner lots shall comply/conform with the underlying zoning requirements.
- Side and rear. Side and rear building lines shall comply with the underlying zoning requirements and shall also be at least seven feet from all power lines.
- Zoning ordinances to control. Zoning ordinances, if any, shall be controlling as to all building lines. If there should ever be a conflict between this chapter and any zoning ordinance, the zoning ordinance shall control.
 - The recommended SF-20 zoning does call for a 40 ft front yard setback.
 - This can be reviewed on a case-by-case basis.
 - A variance may be an option to conform to the zoning regulations.

- *The lot sizes are one acre or more and there is no curb and gutter since the lot frontage is 150 ft; which is defined in the subdivision regulations.*

Subdivisions meeting all of the following criteria may be exempt from the curb and gutter and street width requirements:

- *Each lot, tract or parcel of land within the subdivision must contain a minimum of one acre.*
- *Each lot, tract or parcel of land within the subdivision must contain a minimum frontage of 150 feet, excluding tracts located in a cul-de-sac.*
- *Each lot, tract or parcel must be subject to the mandatory prohibition against further subdivision of any lot, tract or parcel into a lot, tract or parcel containing less than one acre.*
- *Staff reviewed the thirteen (13) sets of house plans that have already been completed or in progress and there were only two (2) that were under the 1800 sq ft minimum.*
- *The next zoning option is Single Family Residential-10 “SF-10”; which does have the 25 ft front yard setback; however, it has a minimum floor area of 1200 sq ft and only requires one covered parking spot.*
- *The future land use model in the Comprehensive Plan shows this area identified as Rural Estate.*

Matt McDonald, Developer addressed the Commission concerning zoning to Single Family Residential-20 “SF-20”. He is asking the Commission to recommend the Single Family Residential-10 “SF-10”, based on the intent of the development, the build line defined on the plat as 25 ft. and the subdivision covenants allow for a minimum floor area of 1600 sq ft. He also commented on the time to have variances approved for front yard setback, if needed.

With no additional comments, the public hearing was closed.

REGULAR SESSION

- IX. Discussion and possible action to consider approval, denial or approval with modifications to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-20 “SF20” Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County.

Commission member Sibberson moved to recommend approval to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hillside Acres Subdivision, 36.76 acres located in Lampasas, Texas Lampasas County, the motion was seconded by Commission member McCauley and with a unanimous vote, the motion carried. (Canales and Taylor absent)

PUBLIC HEARING

- X. Public hearing to receive citizen comments to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential- 10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County

Acting Chair Shepard opened the public hearing.

Becky Sims, Zoning Administrator presented the following:

Asking the Commission to consider a request to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County.

- *The subdivision is 4.00 acres and is platted into 12 lots.*
- *Staff is recommending the zoning distinction as SF-10 for Hidden Oaks as it is the closest fit to the subdivision layout.*

- Staff reviewed the four (4) sets of house plans that have already been completed or in progress and they are above the minimum floor area of 1200 sq ft.
- The future land use model in the Comprehensive Plan shows this area identified as Suburban Residential.

With no additional comments or discussion, Acting Chair Shepard closed the public meeting

REGULAR SESSION

- XI. Discussion and possible action to consider approval, denial or approval with modifications to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential- 10 “SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County.

Commission member Sibberson moved to recommend approval to amend the Lampasas Code of Ordinances, Zoning Regulations to consider Single Family Residential-10” SF-10” Zoning Classification for Hidden Oaks Subdivision, 4.00 acres located in Lampasas, Texas Lampasas County, the motion was seconded by Commission member McCauley and with a unanimous vote, the motion carried. (Canales and Taylor absent)

PUBLIC HEARING

- XII. Public Hearing to receive citizens comments regarding a request to rezone 12.74 acres of land out of the James Easley Survey, ABST No.0185, Lampasas, Texas Lampasas County owed by Ronald and Debra Kuker from Agriculture to Multi Family-2 Apartments.

Acting Chair Shepard opened the public hearing.

Becky Sims, Zoning Administrator presented the following:

- *The property is described as 12.74 acres of land out of the James Easley Survey, ABST No. 185, Lampasas County, Texas and being a part of that tract described in a Special Warranty Deed to the David and Karen Love Living Trust dated November 12, 2018 and recorded in Volume 550, page 125 of the Deed Records of Lampasas County. The property is owned by Ron & Debra Kuker and is located on County 4006, approximately 350 ft south of intersection at County Road 4004.*
- *The property was voluntarily annexed into the City Limits at the August 28, 2023 City Council Meeting at the request of Ron Kuker, property owner.*
- *The property owner is asking for consideration in rezoning property from Agriculture “AG” to Multi-Family-2 (Apartments)*
- *The area is characterized as mixed use. The property is surrounded by the Lampasas EDC Business Park, undeveloped land and residential homes.*
- *All notifications and publications, as required by Ordinance and Statute, have been made. Staff mailed six (6) notices to property owners within 200 feet of the applicant’s property, to date no letters in favor or in protest have been received.*

The following has been identified through the City of Lampasas Comprehensive Plan

- *Smaller housing unit with fewer responsibilities for maintenance and landscape upkeep, rental alternatives such as duplexes and apartments are in short supply.*
- *Future land use model shows this area to be a mixed use:*
 - *Rural Estate- farm or ranch houses and individual homesteads; industrialized housing; and single-family detached dwellings on large lots (i.e., estate lots) or in*

- conservation subdivisions.
 - *Planned Development*
 - *Employment Mixed Use- Recreational, Entertainment, Services, Educational, Office, Professional and Commercial uses.*
 - *Planned Development*
 - *Suburban Residential- Single Family Dwellings, Industrialized Homes, Duplexes, etc.*
 - *Planned Development*

Mr. Paul Cramer addressed the Commission regarding his concerns relating to property values, potential high buildings obstructing view, and the character of neighborhood. He doesn't want to stop progress but he would like to see single family residential homes as opposed to apartments.

REGULAR SESSION

- XIII. Discussion and possible action to consider approval, denial or approval with modifications to rezone 12.74 acres of land out of the James Easley Survey, ABST NO. 0185, Lampasas, Texas, Lampasas County owned by Ronald and Debra Kuker from Agriculture to Multi Family-2 Apartments.

Commission member Skinner moved to approve the rezone 12.74 acres of land out of the James Easley Survey, ABST NO.0185, Lampasas Texas, Lampasas County owned by Roland and Debra Kuker from Agriculture to Multi Family-2 Apartments, the motion was seconded by Commission member McCauley and with a unanimous vote, the motion carried (Canales, Taylor absent)

- XIV. Discussion regarding General Planning and Zoning inquiries, projects, possible Zoning Amendments to be considered at future meetings and any updates to Residential and Commercial Developments.

Becky Sims presented a small update on City Projects and Developments:

- *Wayfinding Project*
- *Substandard Buildings*

XV. Adjourn- Commission member Skinner moved to adjourn the meeting at 6:57 pm, the motion was seconded Commission member McCauley and with a unanimous vote, the motion carried. (Canales and Taylor absent)

Passed and approved this _____ day of _____2023

Danielle Shepard, Commission Member

ATTEST:

Becky Sims, City Secretary/Zoning Administrator