



City of La Vernia  
**PLANNING & ZONING COMMISSION MEETING**  
102 E. Chihuahua St., La Vernia, Texas 78121  
August 08, 2023  
6:30 PM

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## **AGENDA**

- 1. Call to Order**
- 2. Invocation, Pledge of Allegiance and Texas Pledge**
- 3. Citizens to Be Heard**  
*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention on the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*
- 4. Consent Agenda**  
*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
  - A.** Meeting Minutes from the July 18th 2023 Planning and Zoning meeting
- 5. Public Hearing**
  - A.** The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of DODSON, GATOR  
Property: 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275  
Request: proposed to be a commercial use property, moving from the present zoning classification of R-A, Residential Agriculture, to C-1 Retail
    - A.1 Open Public Hearing
    - A.2 Requestor Presentation
    - A.3 Staff Presentation
    - A.4 Receive Public Comments
    - A.5 Close Public Hearing
    - A.6 Discuss and consider a recommendation to the City Council on Ordinance No. 081023-01 for the re-zone of the location specifically known as 221 SAN ANTONIO

RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29),  
ACRES .275

**6. Items Specific to Future Line Items on the Agenda**

**7. Adjourn**

**DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order to the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.*

*The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair accessible parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov).*

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **August 2nd, 2023 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of the said meeting.

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Lindsey Wheeler, City Secretary



**PLANNING & ZONING COMMISSION MEETING**

102 E. Chihuahua St., La Vernia, Texas 78121

July 18, 2023

6:30 PM

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**MINUTES**

**1. Call to Order**

The meeting was called to order at 6:31 pm

Commissioners Tanneberger, Witherell, and Robbins were present, Commissioner Jacobs was absent

**2. Invocation, Pledge of Allegiance and Texas Pledge**

Commissioner Tanneberger led the invocation and pledge

**3. Citizens to Be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention on the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*

No citizens to be heard

**4. Consent Agenda**

*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

A. Meeting minutes from 06-08-23 Joint City Council and Planning and Zoning Meeting

B. Meeting minutes from 04-18-23 Planning and Zoning Meeting

**Commissioner Witherell made a motion to approve the consent agenda as posted, seconded by Commissioner Robbins, all in favor**

**5. Public Hearing**

A. Public hearing regarding the request of the City of La Vernia on the proposed amendments to the City's Land Use Assumptions (LUA's) and Capital Improvement Plans (CIP) relating to impact fees.

A.1 Open Public Hearing

A.2 Requestor Presentation

A.3 Staff Presentation

A.4 Receive Public Comments

A.5 Close Public Hearing

A.6 Discuss and consider a recommendation to City Council on Ordinance No. 072023-02 approving the amendments to the City's Land Use Assumptions (LUA's) and Capital Improvement Plans (CIP) and approving water and wastewater impact fees

The public hearing was opened at 6:34 pm

Clarence Littlefield of Southwest Engineers spoke regarding the proposed Impact Fees

There was no staff presentation

There were no public comments

The public hearing closed at 7:00 Pm

**Commissioner Witherell made a motion to approve a positive recommendation to the City Council regarding the impact fees as proposed, seconded by Commissioner Robbins, all in favor**

- B. The City of La Vernia Planning & Zoning Commission will hold a public hearing at the request of land owners SANDERS, DAVID & MARGARET  
Property: Current Legal Description: 243 WISEMAN LANE LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 303 (PT) & 303A, ACRES 10.84 proposed to be a mixed-use planned development  
Request: to create a Planned Development which would be zoned as PD (Currently Residential Agricultural Zoning, R-A)

A.1 Open Public Hearing

A.2 Requestor Presentation

A.3 Staff Presentation

A.4 Receive Public Comments

A.5 Close Public Hearing

A.6 Discuss and consider a recommendation to the City Council regarding Ordinance No. 072023-01 the re-zone/ PDD of the location specifically known as 243 WISEMAN LANE LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 303 (PT) & 303A, ACRES 10.84

The Public hearing was opened at 7:01 Pm

There was no requestor presentation

The staff spoke and recommended that the commissioners table this motion until a future meeting being that the requestors asked the staff for more time to work on the proposed Planned Development document

There were no public comments

The public hearing closed at 7:02 pm

**Commissioner Witherell made a motion to table the recommendation regarding this planned development to a future meeting, seconded by Commissioner Robbins, all in favor**

**6. Discussion & Action**

**7. Items Specific to Future Line Items on the Agenda**

We have a Re-zone request to be considered on next month's agenda

**8. Adjourn**

**Commissioner Witherell made a motion to adjourn the meeting at 7:04 pm, seconded by Commissioner Robbins, all in favor**

**DECORUM REQUIRED**

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I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general

public at all times, and said Notice was posted on **Month DD, 20YY at H:MM PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of the said meeting.

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Lindsey Wheeler, City Secretary

**ORDINANCE NO. 081023-01**

**AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING ZONING CODE CHAPTER 38 AND THE CITY'S OFFICIAL ZONING MAP PROVIDING FOR THE CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE PRESENT CLASSIFICATION OF R-A RESIDENTIAL AGRICULTURE TO C-1 RETAIL FOR THE PROPERTY DESCRIBED AS 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275 AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 211 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement, and amendment; and

**WHEREAS**, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City in order to promote the public health, safety, morals, and general welfare of the residents of the City, and

**WHEREAS**, Chapter 38 of the City of La Vernia Code of Ordinances which constitutes the City's zoning code requires property to be zoned in accordance with proper designations as defined by this ordinance; and

**WHEREAS**, an application has been filed with the City of La Vernia Planning and Zoning Commission to re-zone properties as more particularly described herein ("Property"); and

**WHEREAS**, the Property has been zoned as Residential Agriculture (R-A); and

**WHEREAS**, the Planning and Zoning Commission of the City of La Vernia provided adequate notice and held a public hearing in accordance with Chapter 38 Zoning and has considered the re-zoning of properties specified herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of La Vernia has recommended approval for the re-zoning of the designated property to Retail (C-1) and has confirmed that the re-zoning is uniform and conforms to the plan and design of the City of La Vernia's Zoning code; and

**WHEREAS**, the City Council of the City of La Vernia has also held a public hearing regarding the re-zoning on affected properties and has issued adequate notice to all the affected parties; and

**WHEREAS**, the City Council of the City of La Vernia believes the re-zoning of affected properties will not adversely affect the character of the area of the neighborhood in which it is proposed to locate; will not substantially depreciate the value of adjacent or nearby properties; will be in keeping with the spirit and intent of the City's Zoning code; will comply with applicable standards of the district in which located; and will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the residents of the City of La Vernia;

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

**SECTION 1.** That Chapter 38 and the City's Zoning Map of the City of La Vernia, Texas are hereby amended as follows:

Change of Zoning District Classification from the present classification of Residential Agriculture (R-A) to Retail (C-1) for the following property:

**221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275**

**SECTION 2.** The caption of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of La Vernia, Texas.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS, ON THIS 10th DAY OF AUGUST, 2023.**

\_\_\_\_\_  
Martin Poore, Mayor  
City of La Vernia

**ATTEST:**

\_\_\_\_\_  
Lindsey Wheeler, City Secretary  
City of La Vernia

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney's Office





## NOTICE OF PUBLIC HEARING

The City of La Vernia Planning & Zoning Commission & City Council will hold a public hearing at the request of DODSON, GATOR

Property: 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275

Request: proposed to be a commercial use property, moving from the present zoning classification of R-A, Residential Agriculture, to C-1 Retail

Because your property is located within 200 feet of the request, State Law requires that we notify you of the public hearing. **However, the zoning of your property will not be affected.** The public hearing process allows an opportunity to provide your written opinion of the request. This will aid the Planning Commission in making a recommendation to City Council.

The La Vernia Planning and Zoning Commission will hold a public hearing on Tuesday, Aug 8<sup>th</sup>, 2023 at 6:30 p.m. and the City Council will hold a public hearing on Thursday, Aug 10<sup>th</sup>, 2023 at 6:30 p.m. in the City Council Chambers located at 102 E. Chihuahua Street, La Vernia Tx 78121 to receive public comment and testimony on the application to rezone the property. To submit written comments please complete the information below, including your signature, and return prior to the meetings to:

Mail: City of La Vernia  
Lindsey Wheeler  
P.O. Box 225  
La Vernia, Texas 78121

Email: [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov)

**If you have questions, please call Lindsey Wheeler at (830) 779-4541 ext. 3.**

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Lindsey Wheeler, City Secretary

### YOUR OPINION MATTERS – DETACH AND RETURN

Circle one

I am **( in favor ) ( opposed to )** the proposed re-zone for the property described as 221 SAN ANTONIO RD LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 430 (LOT 11 BLK 29), ACRES .275.

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

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

**By State Law – Unsigned submission cannot be counted as official comment.**



