



City of La Vernia  
102 E. Chihuahua St.  
La Vernia, Texas 78121  
Joint City Council & Planning and Zoning Meeting

**IN PERSON & VIDEO CONFERENCE**

November 18, 2021  
5:45 PM

**Minutes**

1. Call to Order – Mayor Gregory called the City Council meeting to order at 5:46 PM and declared a quorum. Members absent: Mayor Pro-Tem Poore.

(PZ) Chairman Gordon Bake called the Planning and Zoning meeting to order at 5:47 PM and declared a quorum. Members absent: Commissioner Tanneberger.

2. Citizens to be Heard – there were no citizens to be heard.

3. Public Hearing

- A. Public hearing to receive public comments regarding the re-zone of the four (4) properties listed below from present classification to C-2 General Commercial - all properties below are contiguous and requested by the same property owner:
- a. .507 acres more or less, out of the Francisco Herrera Survey No.6, Abstract No. 15, City of La Vernia, La Vernia, Texas 78121; (RA)
  - b. 1.51 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14138 US Hwy 87 W, Lot 102A, City of La Vernia, La Vernia, Texas 78121; (C-1)
  - c. 1.26 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14114 US Hwy 87 W, Lot 102B, City of La Vernia, La Vernia, Texas 78121; (C-1)
  - d. .66 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14086 US Hwy 87 W, Lot 103, City of La Vernia, La Vernia, Texas 78121 (C-1)

Public hearing was opened at 5:47 PM. Melissa Schulze, Texan representative and their Engineers were present for any questions. Mr. and Mrs. Hughes stated no question they were against this request. He expressed concerned over the pollution that The Texan fuel station would put off to include the run off. Additional concerns were the Livestock on the property that drinks from a single pond and the potential of the run off from the fueling station going on to their property and potentially the pond. He stated they dealt with trash from HEB but they were good about picking it up. Concerns over the lights and noise as they sit higher than HEB was another concern. He stated the picture on the television was nice but if you drive around, they aren't that nice after a few years. Noise pollution, traffic pollution and house of operation to include the mobile home park next door. He stated they are happy people. With four gas stations within a couple miles and one being ran out already, there will be bad properties. He stated other gas stations have had leaks within the city, and once they leak there is nothing you can do about it – livestock gets sick. He stated it doesn't fit and it is not good for the city. Mrs. Vega, owner of the mobile home park, expressed her concerns for

her tenants that would be within a few distance of the gas station that would include, the environment, potential health hazard, lights and noise, traffic and not knowing the hours of operation of the store upon completion but as well as the construction. Mr. Hughes said they are right on top of this, and will be dealing with this every day of the week. Mrs. Vega expressed her concerns for the church across the street, its not a safe business with a church across the street. She stated the Mini-Mart went out of business, why not revamp that store. Mrs. Hughes stated that she had a bad experience with fuel in her car from a tank crashing. When the surface is washed, where does that run off go? Mr. Hughes stated they already get run-off. If oil and gas are a part of the run-off, where is it going to go with livestock and horses on their property. Mrs. Hughes asked is there not some legal or state distance that they are bound to for putting a gas station next to neighbors? Mrs. Hughes stated it was the city's job to protect the community and citizens of the town.

- B. Public hearing to receive public comments regarding the re-zone of 15010 US Hwy 87 W, City of La Vernia, Lot 101B, 48.563 acres more or less from present classification C-2 General Commercial, to C-1 Commercial Retail.**

Public hearing was opened up at 5:58 PM.

Mr. Ramzinski spoke in regards to the concerns of flooding with the potential of the housing development. Mayor Gregory advised the plans would go through City Engineer. He advised that when property owners change, they have to do a full hydrology study, detention ponds within the landscape and such. He stated to keep in mind that when property changes ownership it is the responsibility of the new owner for anything detrimental to neighboring properties – that's the plight of development. He was advised that he received notification because of the rezone however he would need to keep an eye out for agendas posted on portals. He was advised citizens have the opportunity to speak for 3 minutes and he can join in on workshops and meetings as they are open to the public.

Public hearing was closed at 6:02 PM.

- C. Public hearing to receive public comments regarding the re-zone of 100 Micah Pt. Rd., Lot 2L, Sec 2, 0.276 acres, from present classification R-2 General Residence to C-1 Commercial Retail.**

Public hearing was opened at 6:04 PM and with no comments it was closed at 6:05 PM.

**MOTION:** Commissioner Hennette made a motion to approve the present classification from R-2 to C-2, seconded by Commissioner Robles. **Motion passed: 3-0.**

- D. Discuss and consider action on updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances.**

**(PZ) Motion:** Commissioner Jacobs made a motion to approve updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances, seconded by Commissioner Hennette. **Motion passed: 4-0.**

(CC) MOTION: Councilwoman Recker made a motion to approve updating Section 38-406 (d) temporary classroom of the La Vernia Code of Ordinances, seconded by Councilwoman Hutchinson. Motion passed: 4-0.

4. Adjourn (City Council Only) – Councilwoman Recker made a motion to adjourn the meeting, seconded by Councilwoman Hutchinson. Meeting was adjourned at 6:15 PM and all Councilmembers were in favor.

#### 5. Discussion/Action

A. Discuss and consider recommendation to City Council on the rezone of :

- a. .507 acres more or less, out of the Francisco Herrera Survey No.6, Abstract No. 15, City of La Vernia, La Vernia, Texas 78121; (RA)
- b. 1.51 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14138 US Hwy 87 W, Lot 102A, City of La Vernia, La Vernia, Texas 78121; (C-1)
- c. 1.26 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14114 US Hwy 87 W, Lot 102B, City of La Vernia, La Vernia, Texas 78121; (C-1)
- d. .66 acres more or less, out of the Francisco Herrera Survey No. 6, Abstract No. 15, 14086 US Hwy 87 W, Lot 103, City of La Vernia, La Vernia, Texas 78121 (C-1)

MOTION: Commissioner Jacobs made a motion to table the recommendation to City Council, seconded by Commissioner Hennette. Motion passed: 4-0.

B. Discuss and consider recommendation to City on the rezone of 15010 US Hwy 87

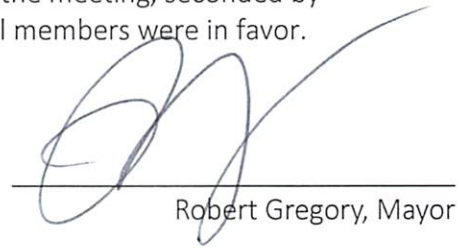
Dustin Skogman, representative with Lennar, stated the reason for request for the re-zone was because the current zoning, C-2, restricts the lot size and would like to rezone to C-1 at 5,000 sq. ft to add more homes. He stated they would like to be in the low \$200k to gear more towards teachers, LEO and fireman. Looking at approximately 50 extra lots with the rezone to C-1 which would total approx. 194 homes with the request. Commissioner Jacobs stated that he did not believe it was a good idea for the community, price point would affect neighboring properties and communities and subdivisions. Commissioner Hennette stated she understands that the price point would hit the teacher, fire, LEO community however it's a double edge sword. Commissioner Jacobs stated that keeping it C-2 to keep it relatively similar to what we currently have within the city. City Administrator stated you can not build residential in C-2. Councilman Gilbert mentioned that they could rezone to R-1. Mr. Skogman stated they did a 5-mile radius study of La Vernia to see the price point and it was a \$400k however the price point for teachers, fireman and City employees is not \$400k. He stated they are just trying to keep it a good price point for the city and help the city grow; San Antonio is coming this way.

MOTION: Commissioner Jacobs made a recommendation to deny the request, seconded by Commissioner Robles.

MOTION AMENDED: Commissioner Jacobs made a recommendation to deny the request and recommend to re-zone to R-1, seconded by Commissioner Hennette. Motion passed: 4-0.

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

7. **Adjourn** – Commissioner Hennette made a motion to adjourn the meeting, seconded by Commissioner Jacobs. Meeting was adjourned at 6:50 PM and all members were in favor.



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Robert Gregory, Mayor



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Brittani Porter, City Secretary

