

# MINUTES

§ STATE OF TEXAS  
§ COUNTY OF CALDWELL  
§ CITY OF LULING

The PLANNING AND ZONING COMMISSION of the City of Luling, Texas, in called meeting, met in the City Council Chamber, City Hall, 509 E. Crockett Street, Luling, Texas, on Thursday, November 2, 2017, at 9:00 a.m. to consider the following items: Members present include: Melaine Doyle, CJ Watts, Eddie Moses, Rita Moore, and Jay Maddox. Ray McGlothlin was absent. Staff included Ryan DeCamp and Martha Velasquez.

1. Call to order: Welcome all present.

Chairperson CJ Watts called the meeting to order and welcomed everyone.

2. Approve the minutes of August 3, 2017.

Eddie Moses made a motion seconded by Rita Moore to approve the minutes of August 3, 2017 meeting. The motion carried with all members present voting unanimously in favor of the motion.

3. Public Comment:

Statement of Rules for Proceedings:

*"The rules for conduct of today's meeting are to ensure fairness to all persons interested in speaking either about general planning matters or a specific application. Please limit your comments to new and relevant factual information. Persons wishing to make general comments not addressing a particular agenda item are invited to do so at this time."* (Time limit of 3 to 5 minutes, please.)

There were no public comments at this time. We will move down to item number 6.

4. A. Public Hearing regarding a Conditional Use Permit (CUP) Application by Iglesia del dios vivo columnn and Apoyo de la verdad lia luz del mundo to request a conditional use permit for a (C-2) GENERAL COMMERCIAL ZONED DISTRICT to use as a worship service, church activities, plays, reunions for youth and children bible school, conferences and workshops located at 719 E. Davis St., on a tract of land with the legal description of O.T. Luling, Block 39, Lot 21-24, Stanley Theater (PIO 25261) Luling, Caldwell County, Texas.

Ryan DeCamp reported that he sent out 19 mail outs. We received 1 email from Henry and Scott Patterson opposing the Conditional Use Permit.

CJ Watts stated that we were in the Public Hearing stage, so this is the time to address the Board.

James Montgomery stated that he is one of the property owners and he opposes the Conditional Use Permit application. He stated that he believes this would be detrimental to the downtown area. We need to promote it in the right way. He does not believe that this is an improvement to our downtown area. He does not believe that they meet the criteria's needed for the CUP application. James stated that he wants the Board to know that he is adamantly opposed to this request and that it would not enhance our downtown area.

Derek Hall, Main Street District Coordinator, stated that he doesn't know what the plan for this building is but to have a vibrant district we need to keep as much history of the building. While

he does understand that the property owner has the right to build what they choose he just hopes that they take into consideration the history of the building. He stated that he has to be careful advocating one way or another because of his position with the City.

Trey Bailey with Luling Economic Development stated that he echoes the same thing feelings as James Montgomery and Derek Hall.

Georgian Matthews with Luling Animal House stated that her main concern would be the parking. She wants to be sure that there will be enough parking for them.

Ryan DeCamp stated that they are allowed to park in street and that they do have an empty lot next to them to use for parking.

Ken Belvin with Luling Bar-B-Que asked how many spaces were available on the empty lot next to the Stanley Theatre? He stated that he knows we want to move businesses into these buildings and we don't want empty buildings. He stated that he would like to see it as a theatre. He asked what if at a later time they decide to sell alcoholic beverages how would that work, with the church being close to them. He stated that he knows there has to be so much distance between churches before they are allowed to sell alcohol.

Ryan DeCamp stated that the Board could set restrictions and then the Council could add or take away some of the conditions.

CJ Watts stated that she understands all about the historic value of a property because she lives in a historical house, but that we cannot tell a property owner who they can sell a property to or not. She stated that anyone present here today could have put a bid on that property.

Ryan DeCamp stated that this section of town is not considered a historical district.

Daniel Flores, a member of The Light of the World, he stated that they would be bringing business to this community. They would be holding services and activities and inviting members from around the world. He stated that he sees it as an opportunity for growth in our community.

CJ Watts told them that she thanks them for the work that they put into this packet and work that has been put in this presentation.

Maria Martinez, minister's wife, stated that they do meet the criteria. She has made copies of federal, state and local law. She stated that churches, synagogues, temples, and mosques are all subject to reasonable local zoning regulations. She stated that houses of worship are allowed in all zoning districts that allow other places of assembly, unless there are very unusual and well-documented circumstances justifying a particular distinction. She stated that religious institutions are allowed in many districts by right and do not require special use permits or other discretionary reviews. Maria stated that in C-2 theatres are allowed and that in C-1 lodge halls are allowed, both are place of assembly. She stated that she feels that this Does met the criteria.

Maria Martinez read part of the state law and how a government agency may not substantially burden a person free exercise of religion.

Maria Martinez stated that they want to assure the community that the church's use of this property will not harm the enjoyment of any of the other property owners. She feels that it will benefit the business and the community as a whole. Mrs. Martinez stated that anywhere a City permits a community gathering that it should also permit a church.

Maria Martinez stated that at the present time they are holding bilingual services, and with the purchase of property located at 719 E Davis they could hold English speaking services and at the 125 W. Austin property they could hold Spanish speaking services.

Maria Martinez stated that religious institutions must apply for the same permits and follow the same requirements as other business. She stated that the municipality must treat all businesses and churches the same, they must not impose substantial burden on religion exercise.

Mrs. Martinez stated that they have performed at the Fine Arts building and have helped with Blue Santa, and National Night Out; their choir has performed at the Night in Old Luling festivities.

Maria stated that those who have grown up here in Luling can see how they have beautified the property at 125 W. Austin. She stated that they want to bring life to the old Stanley Theatre.

They will be meeting in the mornings and evenings so they won't be taking up the parking spaces being that most of the businesses aren't open at the time they hold worship services.

James Montgomery stated that he would like that the Board take into consideration the owner's opposition of this request.

CJ stated that she sees where parking can be an issue but they can park on the street.

B. Close Public Hearing.

The Public Hearing was closed.

5. Consider and recommendation to City Council regarding a Conditional Use Permit (CUP) Application by Iglesia del dios vivo column and Apoyo de la verdad lia luz del mundo to request a conditional use permit for a (C-2) GENERAL COMMERCIAL ZONED DISTRICT to use as a worship service, church activities, plays, reunions for youth and children bible school, conferences and workshops located at 719 E. Davis St., on a tract of land with the legal description of Q.T. Luling, Block 39, Lot 21-24, Stanley Theater (PIO 25261) Luling, Caldwell County, Texas.

C.J. Watts made a motion seconded by Eddie Moses to approve a recommendation to City Council regarding a Conditional Use Permit (CUP) Application by Iglesia Del Dios Vivo Column and Apoyo de la Verdad Liz Luz del Mundo but with the reservation that the City Council set the conditions. The motion carried with all members present voting unanimously in favor of the motion.

6. A. Public Hearing regarding a Zone Change Application by Frances Reyna to request a zone change from A (R-1) SINGLE-FAMILY RESIDENTIAL ZONED DISTRICT TO A (P&I) PUBLIC AND INSTITUTIONAL ZONED DISTRICT to use for worship services, and church activities, located at 315 Blanco Ave., on a tract of land with the legal description of Taylor, J.E., Block 3, LOT 5, 6, (PIO 24749) Luling, Caldwell County, Texas.

Ryan DeCamp stated that he had sent out 17 mail outs and he has not received 4 green receipts back. He has not received anything for or against this request for Zone Change Application. Ryan stated that the church has purchased a house that is next to their church and that is zoned P & I. They will be leaving it as is for now and maybe at a later date

remodel it, but for now they will use for worship services. They want to change this zone changed.

Paul Stahl stated that the only concern that he has is that they don't have any additional parking. The parking lot next to the church is already full, and they don't have any additional parking for the house.

Ryan DeCamp asked if they are parking in the street, and Paul stated that maybe one car parks in the street but that's it.

Ryan stated that as of right now, they are not obstructing traffic.

B. Close Public Hearing.

Public Hearing was closed.

7. Consider and recommendation to City Council regarding a Zone Change Application by Frances Reyna to request a zone change from A (R-1) SINGLE-FAMILY RESIDENTIAL ZONED DISTRICT TO A (P&I) PUBLIC AND INSTITUTIONAL ZONED DISTRICT to use for worship services, and church activities, located at 315 Blanco Ave., on a tract of land with the legal description of Taylor, J.E., Block 3, LOT 5, 6, (PIO 24749) Luling, Caldwell County, Texas.

Eddie Moses made a motion seconded by Jay Maddox to approve the recommendation to City Council regarding a Zone Change Application by Frances Reyna to request a zone change from a (R-1) Single-Family Residential Zoned District to a (P&I) Public and Institutional Zoned District to use for worship services, and church activities, located at 315 Blanco Ave., on a tract of land with the legal description of Taylor, J.E., Block 3, Lot 5, 6, (PIO 24749) Luling, Caldwell County, Texas. The motion carried with all members present voting unanimously in favor of the motion.

## 8. Adjournment

I hereby certify that the above notice of meeting was posted on the front window of the City Hall of the City of Luling, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ .m.

\_\_\_\_\_  
Ryan Decamp  
PlanningCoordinator AgendaP&Z110217