



City of La Vernia  
**PLANNING & ZONING COMMISSION MEETING**  
102 E. Chihuahua St., La Vernia, Texas 78121  
February 06, 2024  
6:30 PM

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## MINUTES

### 1. Call to Order

The meeting was called to order at 6:36 pm, Commission members Chris Jacobs, Wayne Robbins, Marlin Tanneberger, and Kyle Real were present

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

Commissioner Jacobs led the invocation

### 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 of 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 commission action may take place and no commission discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the commission may extend this time at their discretion.)*

None

### 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 commission member requests an item be removed and considered separately.)*

#### A. Meeting Minutes from the 1/9/2024 regular meeting

Commissioner Robbins made a motion to accept the consent agenda as listed, seconded by Commissioner Real, all in favor

### 5. Public Hearing

#### A.

Discuss and consider action on a recommendation to the City Council regarding Ordinance No. 020824-03 the SUP request from **Christopher Ott, in conjunction with property owner Chester Eastin** regarding the location specifically known as: 1317 US HWY 87 W LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 265, ACRES .598 concerning the request for an SUP to ***allow for a new and unlisted use of "botanicals and smoke shop"***.

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 action on a recommendation to the City Council regarding Ordinance No. 020824-03 the SUP request from **Christopher Ott, in conjunction with property owner Chester Eastin** regarding the location specifically known as: 1317 US HWY 87 W LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 265, ACRES .598 concerning the request for an SUP to ***allow for a new and unlisted use of “botanicals and smoke shop”***.

A.1 Open Public Hearing

6:38 Pm

A.2 Requestor Presentation

Christopher Ott presented stating that he plans to sell similar things to that of which found in the local "Bucks" gas station chain, he claims his facility will be for those 21 and up only

A.3 Staff Presentation

None

A.4 Receive Public Comments

None

A.5 Close Public Hearing

@6:40 pm

A.6 Discuss and consider action on a recommendation to the City Council regarding Ordinance No. 020824-03 the SUP request from **Christopher Ott, in conjunction with property owner Chester Eastin** regarding the location specifically known as: 1317 US HWY 87 W LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 265, ACRES .598 concerning the request for an SUP

**to allow for a new and unlisted use of “botanicals and smoke shop”.**

Commissioner Jacobs recommends we allow this use type only in the c-1 and 300 ft away from anything that is listed in the same fashion by the TABC

The staff mentioned they will review that suggestion with our legal department

Commissioner Jacobs made a motion to deny this SUP request at the specific location being requested, 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 property owner **DQ ENTERPRISES LLC** regarding the property located at **4092 CR 342 LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 219A, ACRES 5.001** concerning the request to Re-Plat from one lot to two

B.1 Open Public Hearing

B.2 Requestor Presentation

B.3 Staff Presentation

B.4 Receive Public Comments

B.5 Close Public Hearing

B.6 Discuss and consider action on the request from property owner **DQ ENTERPRISES LLC** regarding the property located at **4092 CR 342 LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 219A, ACRES 5.001** concerning the request to Re-Plat from one lot to two

B.1 Open Public Hearing  
@ 6:54 Pm

B.2 Requestor Presentation  
None

B.3 Staff Presentation  
None

B.4 Receive Public Comments

None

B.5 Close Public Hearing  
@6:55 Pm

B.6 Discuss and consider action on the request from property owner **DQ ENTERPRISES LLC** regarding the property located at **4092 CR 342 LA VERNIA, TX 78121 CITY OF LA VERNIA, LOT 219A, ACRES 5.001** concerning the request to Re-Plat from one lot to two

Commissioner Jacobs made a motion to approve the re-plat at this property, seconded by COMisiioner Robbins, all in favor

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

**7. Adjourn**

Commissioner Jacobs made a motion to adjourn the meeting at 6:56 Pm, seconded by Commissioner Robbins, all in favor

**DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by 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 previsions 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 and 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.*

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 **Feb,02 2024 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

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Lindsey Wheeler, City Secretary