

**City of Lockhart
Planning and Zoning Commission
April 28, 2021**

MINUTES

Members Present: Philip Ruiz, Philip McBride, Rick Arnic, Manuel Oliva, Bradley Lingvai

Member Absent: Chris St. Leger, Ron Peterson

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Naomi Bessette, Chaz Bessette, Erin Ramona Martinez, Charles Bessette, Cindy Gibeaux, Chris Holt, Alexandria Walker, Frank DesRoches, Mike Kamerlander

1. Call meeting to order. Vice-Chair Oliva called the meeting to order at 7:03 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of April 14, 2021.

Commissioner Arnic moved to approve the April 14, 2021 minutes. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

4. SUP-21-02. Hold PUBLIC HEARING and consider a request by Sunflower and Friends, LLC, on behalf of Hal Davis, for a Specific Use Permit to allow *Outdoor Entertainment* and a *Mixed-Use Building* on part of Lot 1 and Lot 2, Block 28, Original Town of Lockhart, consisting of 0.2-acre zoned CMB Commercial Medium Business District and located at 119 West Walnut Street.

Mr. Gibson explained that the main building houses the applicant's residence and music business. The business was originally treated like a home occupation for teaching lessons. However, it now includes retail sales directly to customers, which is not allowed as a home occupation. In addition, home occupations are listed only in the residential zoning districts, while this property has a commercial zoning classification. So, a specific use permit is required to allow a mixed-use building in the CMB Commercial Medium Business District. The applicant also requested approval of the SUP to allow outdoor entertainment on the same premises. They hold concerts mostly on First Fridays, but also have student recitals as well. The music is performed from a temporary small stage in the front yard. Mr. Gibson noted that numerous letters and petitions of support had been distributed to the commissioners. He said staff recommended that one or more portable signs be used to direct customers and guests to the church parking lot at the intersection of Pecan Street and Church Street for off-street parking.

Chair Ruiz opened the public hearing and asked the applicant to come forward.

Naomi Bessette and Charles Bessette, of 119 West Walnut Street, explained that they own the business, and she distributed a handout explaining the characteristics of the proposed mixed use and outdoor entertainment. They said they had spoken with their neighbors, who are all in support of their business. They have music lessons, provide equipment repair, and sell music items. Naomi mentioned that they only do live performances for their recitals held twice a year, and for First Fridays. They may in the future have other types of events, and will notify the police department if they need to close a street. They have received approval from the Catholic Church to use their closest parking lot for off-street parking that cannot be provided on the subject property.

Commissioner Arnic asked what hours they would have their live performances.

Mrs. Bessette replied that the concerts were generally from 7 p.m. until 10 p.m.

Lydia Serna said she runs Lily's Bar next door, and that she and her landlord were in support of the specific use permit.

Erin Ramona Martinez, of 119 West Walnut Street, Unit B, said she taught music to children and young teens at the Bessette's business. It gives the children a great opportunity to show what they have learned to their friends, family, and community. She said she supported the specific use permit.

Charles Bessette, of 119 West Walnut Street, said he is the father of Chaz Bessette and from his experience with sound production he assured the commission that there would not be more frequent concerts because it takes a lot of planning and effort to set up the audio equipment. They may have one or two events in addition to their recitals and First Friday concerts throughout the year. He said he supported the specific use permit.

Cindy Gibeaux, of 107 North Main Street, said her family includes a student of Sunflower and Friends, and believes that they are a great asset to the community. She said she was in full support of the specific use permit.

Alexandria Walker, of 145 Indian Trail, said she has worked with the Bessette's in their garden and in beautification of the venue. She said was in support of the specific use permit.

Chris Holt, of 834 Clear Fork Street, said he was the owner of Loop n Lil's Pizza on Main Street, and that Sunflower and Friends is vital to the First Fridays event held downtown. The performances are very limited because the stage is very small. He said he was in support of the application.

Chair Ruiz asked for any other speakers and, seeing, or hearing from none, he closed the public hearing and asked for the staff recommendation.

Mr. Gibson explained that one of their recent outdoor concerts drew a large crowd, and that is what brought it to staff's attention. After determining that the concerts were to be a regular event, it was determined that a specific use permit would be required for the outdoor entertainment, as well as for the mixture of uses in the building. Because the applicant had arranged for the required off-street parking, he recommended approval subject to a condition that one or more portable signs be used to notify customers and guests that off-street parking is available in the closest parking lot owned by the Catholic Church.

Commissioner Oliva moved to recommend approval of SUP-21-02 subject to the condition that one or more signs be displayed stating that off-street parking is available at the Catholic Church parking lot across the street. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

5. PP-21-02. Consider a request by Frank DesRoches of Doucet & Associates for approval of a Preliminary Plat and Subdivision Development Plan for Lockhart Industrial Park III consisting of two public streets and eight lots on a total of 75.03 acres zoned Industrial Light District and located at 500 F.M. 2720.

Kevin Waller explained that all necessary corrections noted in staff's technical review had been completed, and the revised plat had been submitted before the meeting commission. Using maps and photos, he described the subject property location and the surrounding area.

Chair Ruiz asked for any other speakers.

Frank DesRoches, with Doucet and Associates, said he was representing the plat for the Lockhart Economic Development Corporation. He asked if there were any questions.

There were none from the commissioners.

Michael Kamerlander, Director of Economic Development, said that the City Council had approved the purchase of this property some time ago for an industrial park, and spoke in favor of the plat.

Commissioner Arnic moved to approve PP-21-02. Commissioner McBride seconded, and the motion passed by a vote of 5-0.

6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.

Mr. Gibson stated that the next regular meeting would be held on May 12, 2021, with a zoning change on the agenda.

7. Adjourn.

Commissioner Lingvai moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:52 p.m.

Approved: 5/12/2021
(date)

Christine Banda
Christine Banda, Recording Secretary


Philip Ruiz, Chair