

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, May 11, 2022
Municipal Building – Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the April 27, 2022, meeting.
4. SUP-22-09. Hold a PUBLIC HEARING and consider a request by Layne Tanner, Sara Barr, and Jessica Rutland of Lockhart Arts & Craft, on behalf of Thomas Theodore Pomeroy, Jr., for a **Specific Use Permit** to allow a *Bar with a mixed beverage license, and extended hours to 2:00 a.m.* on Lot 5-A, Block 22, of the Amending Plat of Part of Lots 4 and 5, Block 22, of the Original Town of Lockhart, consisting of approximately 0.063 acre zoned CCB Commercial Central Business District and located at 113 North Main Street, Suite A.
5. ZC-22-15. Hold a PUBLIC HEARING and consider a request by Nanda Mutala on behalf of Suburban Propane for a **Zoning Change** from *AO Agricultural-Open Space District* to *CHB Commercial Heavy Business District* for 3.496 acres in the James George Survey, Abstract No. 9, located at 2001 Blackjack Street (FM 20).
6. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
7. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 3:45 PM on the 5th day of May, 2022.

**City of Lockhart
Planning and Zoning Commission
April 27, 2022**

MINUTES

Members Present: Philip Ruiz, Bradley Lingvai, Ron Peterson, Rick Arnic, Manual Oliva, Chris St. Ledger

Member Absent: Phil McBride

Staff Present: Christine Banda, Dan Gibson, David Fowler

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:01 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the April 13, 2022, meeting.

Commissioner Arnic moved to approve the April 13, 2022, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

4. ZC-22-13. Hold a PUBLIC HEARING and consider a request by Srinivasa Prasad Kunche on behalf of CAM-TX Holdings, LLC, for a Zoning Change from CHB Commercial Heavy Business District to RHD Residential High Density District, on Lot 2, Block 1, MOSO Subdivision, consisting of 0.613 acre located at 1203 Blackjack Street (FM 20).

David Fowler discussed the location and reason for the proposed zoning change, and explained the surrounding land uses, zoning, and land use plan designations. He mentioned that there are existing apartments to the west of the subject property, and that the lot immediately to the west was recently rezoned to RHD, which is the classification requested for the subject property. The proposed RHD zoning classification is not consistent with the Medium Density Residential future land use designation shown on the Land Use Plan map. He said adequate water and wastewater infrastructure is available for development of the property.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Srinivasa Prasad Kunche said he was the applicant, but had someone present to represent him.

Srinivasa Kumar Savitala, of 16701 Marsala Springs Drive in Round Rock, said that the applicant would like to have the same zoning classification as the lot adjacent to the west, which they already own.

Chair Ruiz asked if there were any other speakers and, seeing none, he closed the public hearing and asked for the staff recommendation.

Mr. Fowler said he forgot to mention earlier that the applicant intends to combine both lots for a multi-family development. Staff recommended approval of the zoning change.

Commissioner Oliva asked if there was any opposition to the zoning change request.

Mr. Fowler said he was not aware of any inquiries or objections.

Commissioner Oliva moved to recommend approval of ZC-22-13 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 6-0.

5. ZC-22-14. Hold a PUBLIC HEARING and consider a request by Rosario Rodriguez for a Zoning Change from AO Agricultural-Open Space District to RMD Residential Medium Density District on 5.001 acres in the Esther Berry Survey, Abstract No. 1, located at 2011 FM 1322.

Mr. Fowler discussed the location and reason for the proposed zoning change, and explained the surrounding land uses, zoning, and land use plan designations. He explained that the subject property is to be taken out of an existing parent parcel for a family member, and all parts of the division of ownership are over five acres, so it is exempt from the subdivision platting process. After the subject property is rezoned to RMD, the application plans to then apply for a specific use permit to allow a manufactured home. The proposed RMD zoning classification is consistent with the Medium Density Residential future land use designation shown on the Land Use Plan map. He explained that there is water available along FM 1322, but there is no wastewater service available so a septic tank would have to be used.

Chair Ruiz opened the public hearing and asked if the applicant wished to speak.

Rosario Rodriguez, of 2025 FM 1322, said he would like to give the subject property to his daughter so she could move closer to her family.

Ricardo Rodriguez, of 2001 FM 1322, said that he is Mr. Rodriguez's son, and currently lives next to door to his parents. The parcel where his manufactured home is located was previously rezoned to RMD, and an SUP was approved for the home. He would like for his sister to live near him and his children.

Chair Ruiz closed the public hearing and asked for the staff recommendation.

Mr. Fowler said that staff recommended approval.

Commissioner Lingvai moved to recommend ZC-22-14 to City Council. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

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

Mr. Gibson said there were at least two applications for the next regular meeting on May 11th.

7. Adjourn.

Commissioner Arnic moved to adjourn, and Commissioner St. Ledger seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:25 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



200

N COMMERCE ST

E WALNUT ST

E SAN ANTONIO ST

S COMMERCE ST

E MARKET ST

203

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115-A
main bld

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100

S MAIN ST

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115-B

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Dan Gibson

From: Frank Estrada
Sent: Wednesday, April 27, 2022 6:01 PM
To: Dan Gibson
Subject: use request for Lockhart Arts and Crafts

Dear Dan, sorry for late notice, but I am in favor of Lockhart Arts and Crafts request for longer hours and liquor request.

Frank Estrada

Emeritus Mayor Pro-Tem
Lockhart, Texas
Economic Development Director Greater Caldwell County Hispanic Chamber of Commerce
<http://lockharttexas.blogspot.com/>

CASE SUMMARY

STAFF CONTACT: David Fowler, Senior Planner

CASE NUMBER: SUP-22-09

REPORT DATE: May 5, 2022

PUBLIC HEARING DATE: May 11, 2022

APPLICANT'S REQUEST: Extended hours to 2:00 am for existing bar

STAFF RECOMMENDATION: ***Approval if there is no significant public opposition***

SUGGESTED CONDITIONS: None

BACKGROUND DATA

APPLICANT(S): Sara Barr, Layne Tanner, Jessica Rutland

OWNER(S): Thomas Pomeroy

SITE LOCATION: 113 A North Main Street

LEGAL DESCRIPTION: Lot 5-A of the Amending Plat of Lots 4 and 5, Block 22, Original Town of Lockhart

SIZE OF PROPERTY: 0.063 acre

EXISTING USE OF PROPERTY: Bar

ZONING CLASSIFICATION: CCB Commercial Central Business District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The applicant wishes to extend the hours of Lockhart Arts and Craft, the bar that is currently located at the subject address. Bars are a specific use in the CCB district. An SUP for a bar at this location (SUP-17-03) was originally granted on February 22, 2017. The applicant has an application to upgrade the TABC license from BG (Wine and Malt Beverage) to MB (Mixed Beverage) to allow the sale of liquor in addition to beer and wine. The applicant is also interested in the possibility of extended hours (to 2:00am) to accommodate events that could last past midnight. Lockhart Arts and Craft is currently open Wednesday and Thursday from 5-11 pm, Friday and Saturday from 5-12 pm and Sunday from 4-8 pm, according to the business' website. The bar has very limited food offerings, so it does not qualify as a restaurant. The floorplan, which is the same as for the previous application, is attached.

NEIGHBORHOOD COMPATIBILITY: The subject property is one-half block from the courthouse square. The closest existing bar is The Pearl, located across North Main Street. There is currently one bar permitted to remain open until 2:00 am two days per week, located at 211 East Market Street, on the opposite side of the Courthouse. Additionally, several restaurants downtown serve alcoholic beverages. Besides the courthouse, the central business district consists primarily of offices, retail, and dining establishments, with some upper story-apartments. There is no record of law enforcement problems occurring at this address.

COMPLIANCE WITH STANDARDS: Off-street parking is not required in the CCB district, but on-street parking is available. The kitchen will comply with all applicable health code standards.

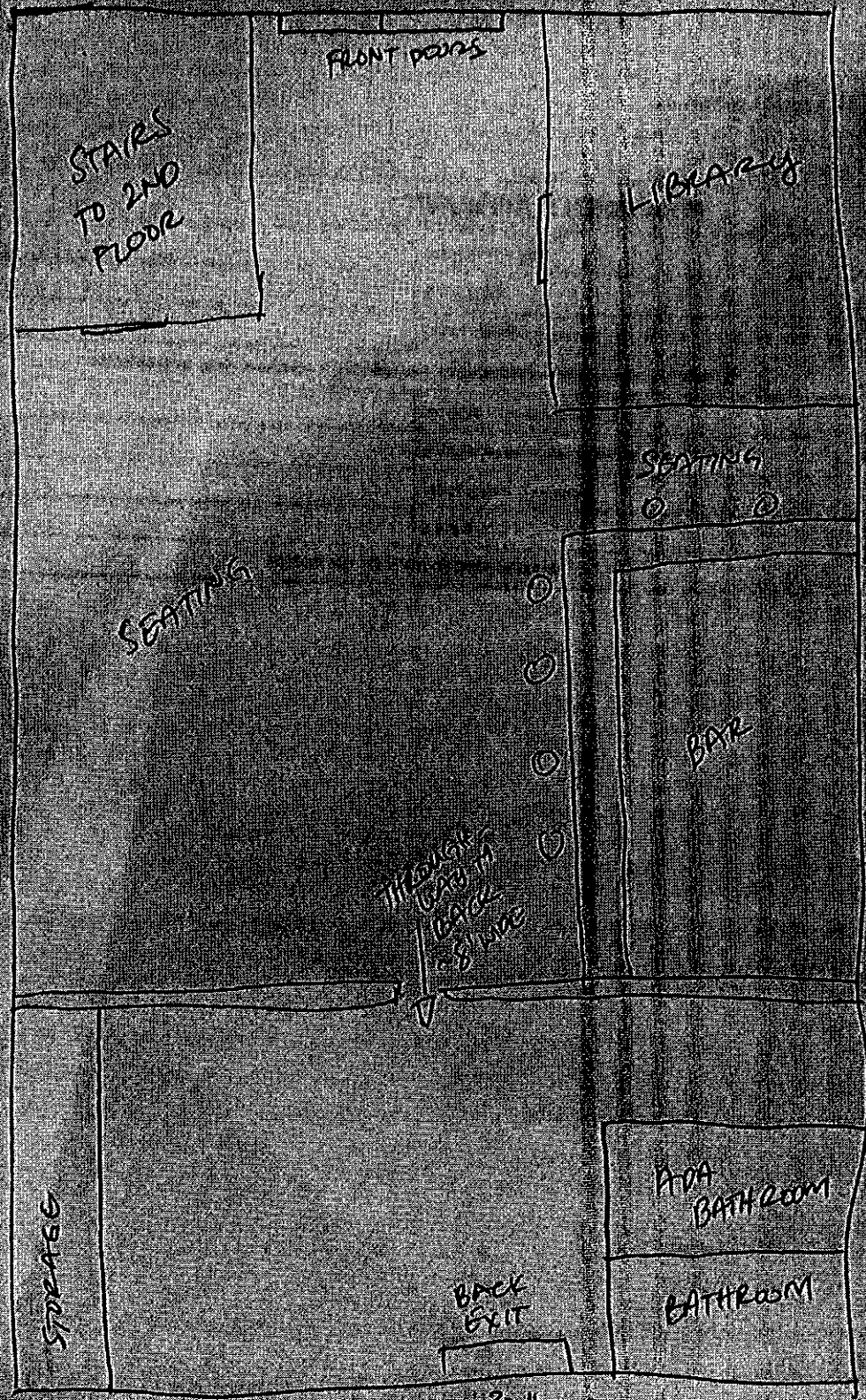
ADEQUACY OF INFRASTRUCTURE: Existing utilities are adequate.

RESPONSE TO NOTIFICATION: Staff has received one e-mail in favor of the SUP application.

STAFF RECOMMENDATION: Approval if there is no significant public opposition. The Commission has the option to approve the SUP without the extended hours. However, because a bar has already been approved as a land use at this location, the primary reason for the new application is to amend the previous approval to allow the possibility of extended hours to 2:00am.

STREET

113. N. MAIN





SPECIFIC USE PERMIT APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Lockhart Arts & Craft (Sara Barr, Layne Tanner, Jessica Rutland)

DAY-TIME TELEPHONE 512-574-9454

E-MAIL info@ltxac.com

ADDRESS 113 N. Main St. A

Lockhart, TX

78644

OWNER NAME Thomas Pomeroy

DAY-TIME TELEPHONE 512-995-5171

E-MAIL tpomaron@gmail.com

ADDRESS 113 N. Main St. A

Lockhart, TX

78644

PROPERTY

ADDRESS OR GENERAL LOCATION 113 N. Main St. A Lockhart, TX 78644

LEGAL DESCRIPTION (IF PLATTED) Lot 5-A of the Amending Plat of Part of Lots 4 & 5 in Block 22 of the Original Town of Lockhart in the City of Lockhart

SIZE .063 ACRE(S) ZONING CLASSIFICATION Commercial Central Business

EXISTING USE OF LAND AND/OR BUILDING(S) Bar

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Upgrading TABC license from BG to MB and occasional late hours

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

We are an existing bar in the downtown Lockhart entertainment district. We have been established as a beer and wine bar, community space,

and music venue since late 2017. Due to the nature of changes in the downtown area, we feel that we need to acquire an additional TABC

license (Mixed Beverage) in order to match the other bars and restaurants on the block that have all applied for and received their MB licenses.

We also wish to have the option of staying open for extended hours (past 12am) for specific events that we host.

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

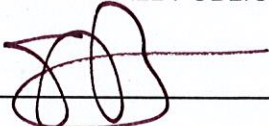
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$ 125 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE 

DATE 4/8/22

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 01148457

DATE SUBMITTED 4/12/22

CASE NUMBER SUP - 22 - 09

DATE NOTICES MAILED 4-25-2022

DATE NOTICE PUBLISHED 4-28-2022

PLANNING AND ZONING COMMISSION MEETING DATE 5/11/22

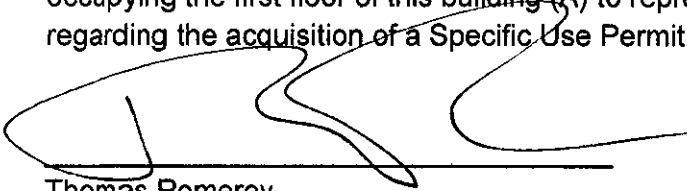
DECISION _____

CONDITIONS _____

April 7th, 2022

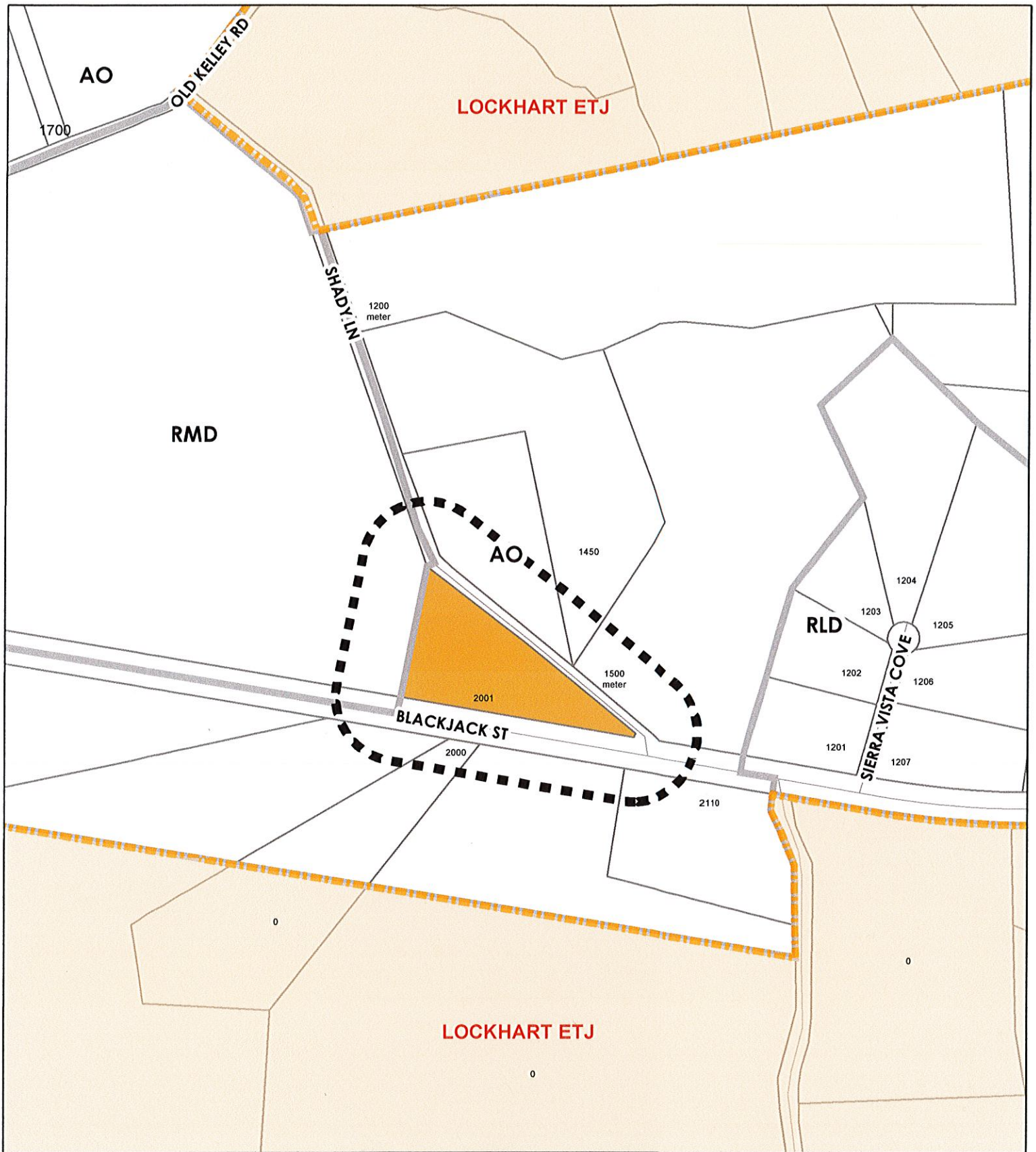
My name is Thomas Pomeroy and I am the owner of the building located at 113 N. Main St. Lockhart, TX.

I hereby authorize Layne Tanner, Sara Barr, and Jessica Rutland, owners of the business occupying the first floor of this building (A) to represent my interests when it comes to matters regarding the acquisition of a Specific Use Permit.

A handwritten signature in black ink, appearing to be 'T. Pomeroy', written over a horizontal line.

Thomas Pomeroy

4.7.22
Date



ZC-22-15

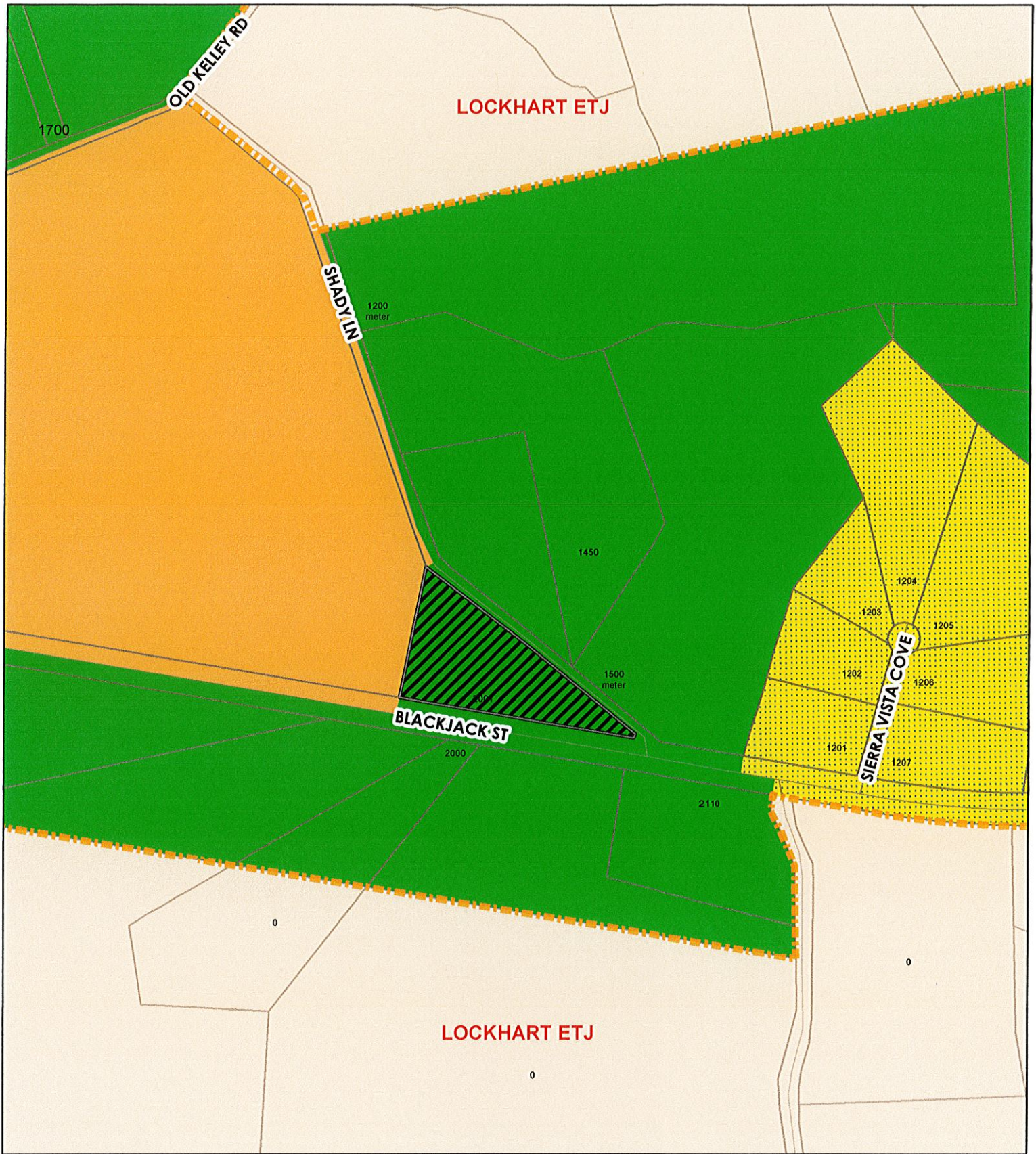
AO TO CHB

2001 BLACKJACK ST (FM 20)



scale 1" = 400'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- CITY LIMITS
- 200 FT BUFFER



ZC-22-15

AO TO CHB

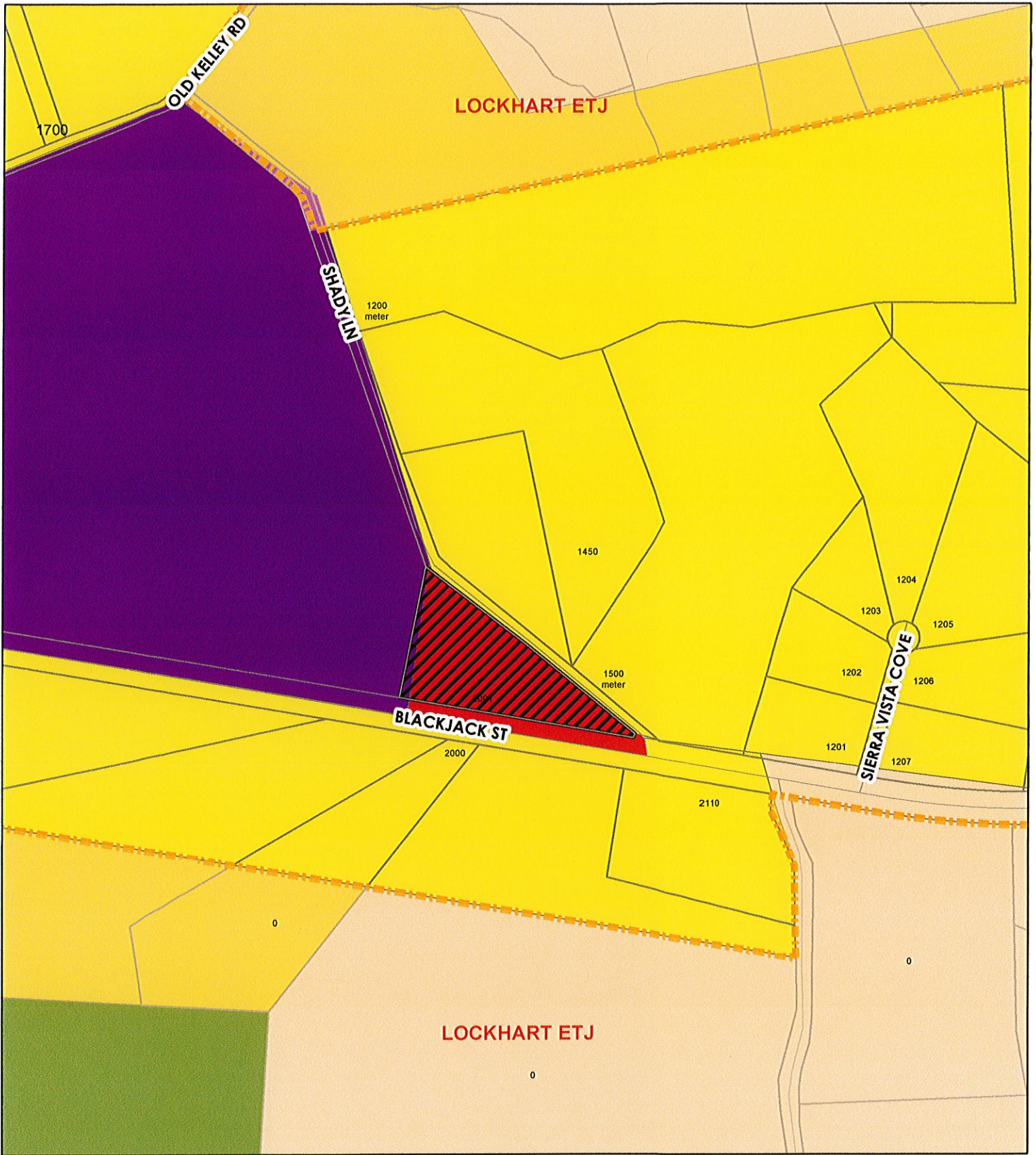
2001 BLACKJACK ST (FM 20)



scale 1" = 400'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO TO CHB

2001 BLACKJACK ST (FM 20)



scale 1" = 400'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- RESIDENTIAL, LOW DENSITY

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-15

REPORT DATE: May 5, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: May 11, 2022

CITY COUNCIL HEARING DATE: May 17, 2022

REQUESTED CHANGE: AO to CHB

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

BACKGROUND DATA

APPLICANT: Nanda Mutala

OWNER: Suburban Propane

SITE LOCATION: 2001 Blackjack Street (FM 20)

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 3.496 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *General-Heavy Commercial*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: Commercial development is desired on this property. The specific type of development desired has not been indicated. Only limited, agriculture-related commercial business types are allowed by the existing AO zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-family dwelling, Vacant land	AO	<i>Low Density Residential</i>
East	Vacant land	AO	<i>Agriculture/Rural Development</i>
South	Vacant Land	AO	<i>Low Density Residential</i>
West	Vacant Land	RMD	<i>Mixed Retail, Office, Residential</i>

TRANSITION OF ZONING DISTRICTS: There is no other CHB zoning nearby, although there could be mixed-use development to the west of the parcel in the future if that area is developed in accordance with the land use plan map. Because the AO district is automatically assigned when a property such as the subject parcel and its neighboring tracts are annexed, it should be expected that these parcels will eventually be rezoned to allow urban development of a higher intensity.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Blackjack Street (FM 20). Water and wastewater are available in the Blackjack Street right-of-way.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development, except for a large-lot residential subdivision approximately 500 feet to the east along Blackjack Street. The proposed commercial development would generate additional traffic on Blackjack Street. The developer will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is consistent with the property's *General-Heavy Commercial* future land use designation.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: None as of the date of this report.

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart TEXAS

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Nanda Mutala

ADDRESS 4502 Kocurek Street

DAY-TIME TELEPHONE 314-566-6521

Austin, Texas 78723

E-MAIL nanda_mutala@yahoo.com

OWNER NAME Suburban Propane

ADDRESS 240 Route 10 West, PO BOX 206

DAY-TIME TELEPHONE 973-503-9120

Whippany, NJ 07981

E-MAIL SDelia@suburbanpropane.com

Attn: Susan Delia

PROPERTY

ADDRESS OR GENERAL LOCATION 2001 Blackjack St, Lockhart, TX 78644

LEGAL DESCRIPTION (IF PLATTED) A009 GEORGE, JAMES, ACRES 3.84

SIZE 3.496 ACRE(S)

LAND USE PLAN DESIGNATION General-Heavy Commercial

EXISTING USE OF LAND AND/OR BUILDING(S) Raw land / formerly Propane Tank site

PROPOSED NEW USE, IF ANY Commercial Retail / Office

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO

TO PROPOSED ZONING CLASSIFICATION CHB

REASON FOR REQUEST To develop the property for commercial use

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDER(S), IF ANY.

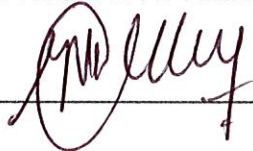
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF \$ 226.80 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE _____



DATE _____

3/31/2022

OFFICE USE ONLY

ACCEPTED BY _____

Dan Gibson

RECEIPT NUMBER _____

R01149510

DATE SUBMITTED _____

4-19-22

CASE NUMBER ZC - _____

22 - 15

DATE NOTICES MAILED _____

4-25-22

DATE NOTICE PUBLISHED _____

4-28-2022

PLANNING AND ZONING COMMISSION MEETING DATE _____

5-11-22

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE _____

5-17-22

DECISION _____

Suburban Propane

240 Route 10 West ▪ Whippany, NJ 07981
(973) 503-9120 ▪ Fax (973) 503-9081 ▪ www.suburbanpropane.com

March 25, 2022

Mr. Dan Gibson
City of Lockhart
308 W. San Antonio Street
Lockhart, TX

RE: Zoning application for the City of Lockhart – 2001 Blackjack Street, Lockhart, TX

Dear Mr. Gibson,

Mr. Nanda Mutala or persons who he may have represent him have my authorization to represent our Company, the owner of the subject property, in the process of applying to re-zone the property.

The property is under contract to Nanda Mutala and or assigns and in the contract, we agreed to allow him to re-zone the property for his intended use.

Sincerely,



Susan G. Delia
Senior Real Estate Manager