

**City of Lockhart
Planning and Zoning Commission
October 13, 2021**

MINUTES

Members Present: Philip Ruiz, Bradley Lingvai, Ron Peterson, Chris St. Leger, Phil McBride

Member Absent: Manuel Oliva, Rick Arnic

Staff Present: Dan Gibson, Kevin, Waller, Christine Banda

Visitors/Citizens Addressing the Commission: Travis Tober, Melissa Askins, Cody Barnett, Clint Mohle, William Schock, Barbara Schiller, Andrew Dodson, Barbara Torres, Charles Torres, Chris Van Heerde, Devin Kleinfelder

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of September 22, 2021, meeting.

Commissioner McBride moved to approve the September 22, 2021, minutes. Commissioner Ron Peterson seconded, and the motion passed by a vote of 4-0.

Commissioner Lingvai arrived at 7:03 p.m.

4. SUP-21-08. Hold a PUBLIC HEARING and consider a request by Travis Tober and Melissa Kaye Askins on behalf of Virginia Baker for a Specific Use Permit to allow a Bar on Part of Lots 2, 3, 4, and 5, Block 20, Original Town of Lockhart, consisting of 0.05-acre zoned CCB Commercial Central Business District and located at 210 West San Antonio Street (SH 142).

Mr. Gibson explained that the applicant is planning to open bookstore that would also sell wine for on-premise consumption. It would not be a bar in the usual sense, but that's the only term available in the zoning ordinance for a business where the sale of alcoholic beverages is more than revenue from food. He noted that the First Christian Church, whose property abuts the subject property, submitted a letter in opposition.

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

Travis Tober and Melissa Askins of 1009 Fannin Street explained their business idea, and both said they wanted it to be a wine shop, and not a bar. Ms. Askins is a beverage educator with a specialization in winery. Mr. Tober said they might have small cheese and crackers plates or other snacks that would go good with wine.

Chair Ruiz asked for any other speakers.

Cody Barnett, of 1619 Monte Vista Drive, said he is a member of First Christian Church, and that they are very concerned about a bar selling alcohol next door to their church.

Clint Mohle, of 3192 Seawillow Road, said he is confused and wanted clarification about what alcoholic beverages would be sold, and he also wanted to know where customers would park since there is no parking lot on the subject property.

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

Mr. Gibson said that off-street parking is not required in the CLB district, and staff recommended approval. He said that although the applicant's intent is to serve wine, only, the TABC license only has an option for beer and wine. He reminded the Commission that they could approve the specific use permit subject to conditions such as wine, only, and the hours of operation.

Commissioner Lingvai moved to approve SUP-21-08 limited to on-premise consumption of beer/wine only, and limited to the hours of operation proposed on the application of 11 a.m. to 8 p.m., five to six days per week. Commissioner St. Ledger seconded, and the motion passed by a vote of 4-1 with Commissioner Peterson abstaining.

5. ZC-21-12. Hold a PUBLIC HEARING and consider a request by William Schock of Terra Associates, Inc., on behalf of Austin Pacific One, LLC, for a Zoning Change from RMD Residential Medium Density District and IL Industrial Light District to RHD Residential High Density District on 9.902 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1824 Borchert Drive.

Mr. Gibson explained that the applicant intended to construct apartments on just the small area shown for rezoning, and described the surrounding area using maps.

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

William Schock, of 21614 Chaucer Hill in San Antonio, said that if the zoning change is approved, they would apply for a specific use permit for the MF-2 residential development type, which would allow a higher density.

Barbara Schiller said she formerly owned the subject property, and still owns the remaining property abutting to the south. She said she did not object to the proposed zoning change.

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 said that staff recommended approval.

Commissioner McBride moved to recommend approval of ZC-21-12 to City Council. Commissioner Peterson seconded, and the motion passed by a vote of 5-0.

6. ZC-21-13. Hold a PUBLIC HEARING and consider a request by Andrew Dodson, P.E., on behalf of Lockhart Boulevard Project, LLC, for a Zoning Change from AO Agricultural-Open Space District to 16.549 acres RHD Residential High Density District and 4.0 acres CMB Commercial Medium Business District on 20.549 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 2207 West San Antonio Street (SH 142).

Mr. Gibson explained that the zoning change consisted of two parts. It included an expansion of an existing area already zoned CMB on the southern portion of the two-lot subdivision, and rezoned the north part to RHD, which would allow multifamily residential development. He discussed access issues and described the surrounding area.

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

Andrew Dodson, P.E., of 361 Middle Creek Drive in Buda, stated that he was represented the applicant, and said that there is no specific plan for the site yet.

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

Mr. Gibson said that staff recommended approval.

Commissioner St. Ledger moved to recommend approval of ZC-21-13 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

7. ZC-21-14. Hold a PUBLIC HEARING and consider a request by Javier Barajas, P.E., on behalf of 900 Lockhart, LLC and Anil Chaudhary, for a Zoning Change from CLB Commercial Light Business District, RLD Residential Low Density District, and AO Agricultural-Open Space District to 5.598 acres RMD Residential Medium Density District, and 35.672 acres RLD Residential Low Density District, on 41.27 acres in the Francis Berry Survey, Abstract No. 2, located at 900 State Park Road (FM 20).

Mr. Gibson explained that there was an error in the public hearing notice where two versions were mailed with one listing October 13th as the meeting date and the other listing October 27th. He said the Commission can hold the public hearing, but that it should be continued to October 27th for those citizens who may come to that meeting instead. He said that the applicant was not present, but would attend the October 27th meeting. Mr. Gibson explained that it is a three-part zoning change. The existing area zoned CLB will be reduced in size, with most of the remaining CLB-zoned area being rezoned to RMD. The large south portion of the property which is already zoned mostly RLD would be rezoned to entirely RLD. The RLD zoning is adjacent to the rear yards of lots along Sunrise Terrace Drive. He referred to a letter from the owners of the house at 1306 Sunrise Terrace complaining about poor drainage in the area, and explained that a new development would not be allowed to make an existing drainage issue worse, but also didn't have an obligation to correct existing problems that were not caused by the subject property.

Chair Ruiz opened the public hearing.

Barbara Torres, of 1600 Sunrise Terrace Drive, said she did receive two notices and was concerned about which meeting to attend, so she decided to come to both to find out what is being proposed next to her home. After hearing and seeing what zoning boundaries are proposed she has a better understanding.

Charles Torres, of 1600 Sunrise Terrace Drive, said he was concerned about congestion along State Park Road and asked where any new street connections would be. He was not opposed to the zoning change but wanted more clarity of what is being proposed.

Mr. Gibson replied that any new development would be required to make street connections where there are existing street stub-outs from abutting properties so that there would be multiple routes for traffic into and out of the proposed development.

Chair Ruiz asked for a motion to table ZC-21-14 to the October 27th, 2021, meeting.

Commissioner McBride moved to recommend tabling ZC-21-14 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

8. FP-21-03. Consider a request by Devin L. Kleinfelder on behalf of D.R. Horton for approval of a Final Plat for Vintage Springs Subdivision, Section Two, consisting of 25.51 acres in the Francis Berry Survey, being a portion of Lot 1, Block 2, Texas Heritage Subdivision, zoned PDD Planned Development District and located generally northeast of the intersection of Mockingbird Lane and Maple Street.

Kevin Waller presented the staff report and explained that some last-minute corrections had been made on the plat after the agenda packet had been mailed, so revised hardcopies were distributed at the meeting.

Chris Van Heerde, P.E., the project engineer, said he prepared the plat and was present to answer any questions the Commission might have.

Commissioner McBride asked if there were amenities in the parkland lots.

Mr. Van Heerde said that such amenities are located in Section One-B of the subdivision.

Devin Kleinfelder, of D.R. Horton, said the parkland includes a playscape, dog park, a trail, and BBQ pits.

Chair Ruiz asked for the staff recommendation.

Mr. Waller said that staff recommended approval with no conditions.

Commissioner McBride asked when the remainder of Maple Street would be extended to San Jacinto Street.

Mr. Kleinfelder replied that it should be completed during 2022.

Commissioner St. Ledger moved to approve FP-21-03. Commissioner Peterson seconded, and the motion passed by a vote of 4-1 with Chair Ruiz against due to the corrected plat not being available before the meeting.

9. FP-21-04. Consider a request by Devin L. Kleinfelder on behalf of D.R. Horton for an approval of a Final Plat for Vintage Springs Subdivision, Section Three, consisting of 13.82 acres in the Francis Berry Survey, being a portion of Lot 1, Block 2, Texas Heritage Subdivision, zoned PDD Planned Development District and located generally northeast of the intersection of Mockingbird Lane and Maple Street.

Mr. Waller presented the staff report and explained proposed layout of the subdivision. This plat had also been revised after the agenda packet was mailed, so hardcopies were distributed at the meeting.

Chris Van Heerde said he was there to answer any questions the Commission may have.

Commissioner McBride asked if a perimeter fence would be built around the subdivision.

Devin Kleinfelder replied that all residential lots would have a privacy fence in their rear yards.

Chair Ruiz asked for the staff recommendation.

Mr. Waller said that staff recommended approval.

Commissioner McBride moved to approve FP-21-04. Commissioner St. Ledger seconded, and the motion passed by a vote of 4-1 with Chair Ruiz against due to the corrected plat not being available before the meeting.

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

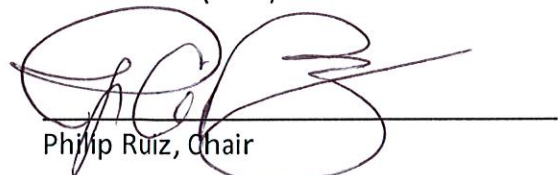
Mr. Gibson stated that there would be a full agenda for the October 27th meeting.

11. Adjourn.

Commissioner Peterson moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:31 p.m.

Approved: 10/27/2021
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair