

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, May 8, 2024  
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 24, 2024 meeting.
4. **SUP-24-03.** Hold a PUBLIC HEARING and consider a request by Ben and Jen Hodges on behalf of Fiddler's Green Music Shop, LLC, for a **Specific Use Permit** to allow a Bar use on 0.44 acres in the O. T. Lockhart, Block 23, Lot Pt 6, zoned CCB (Commercial Central Business) and located at 108 North Main Street.
5. **SUP-24-04.** Hold a PUBLIC HEARING and consider a request by Tamara Carlise and Donna Blair on behalf of 2120 Enterprises, LLC, for a **Specific Use Permit** to allow a Special Events Center use on 0.63 acres in the A. R. Chews Addition, Lots 1 and 2, zoned RHD (Residential High Density) and located at 502 West San Antonio Street.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 1:30 p.m. on the 1<sup>st</sup> day of May, 2024.

**City of Lockhart**  
**Planning and Zoning Commission**  
**April 24, 2024**

**MINUTES**

**Members Present:** Philip Ruiz, Phil McBride, Bradley Lingvai, Julia Haug, Manuel Oliva, Ron Peterson, Rick Arnic

**Members Absent:** None

**Staff Present:** David Fowler, Evan Olszewski, Christine Banda

**Visitors/Citizens Addressing the Commission:** Jesse Hernandez, Julia Dye, Ronda Reagan

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 the March 13, 2024, meeting.

*Commissioner Haug moved to approve the March 13, 2024. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.*

4. SUP-24-02. Hold a PUBLIC HEARING and consider a request by Jesse Hernandez for a Specific Use Permit to allow commercial outdoor recreation, entertainment, and amusement events on 0.33 acre in the O.T. Lockhart, Block 33, Part of Lot 6, zoned CHB Commercial Heavy Business and located at 203 East Pecan Street.

David Fowler presented the staff report. He gave an overview of the location of the subject property and recent changes to the rear and side yard of the property. A concrete pad was poured without permits or inspections on the property. There are cable spools set up to serve as tables for patrons when events are hosted outside. A small stage was also installed for the bands that would perform on the site. According to the application materials, the stage is 16 feet from the property line with the home to the north. Mr. Fowler noted that permit applications had never been received for the 4H Hat Company signs shown in photos of the site. The applicant has requested approval to have outdoor entertainment with approval of an SUP. The applicant is requesting to host events on First Fridays and the third Sundays of each month. Mr. Fowler explained that First Fridays are an event designed for residents and visitors to patronize local shops after 5 p.m. to help promote downtown business. First Friday is an event created by the Downtown Business Association and is not a city-wide event that provides any permits for live music or any other activities. There is a residential home to the rear (north) of the property where the stage and dance floor are located. Staff has received complaints about

noise from the events as well as questions about alcohol sales on the premises for these events. Mr. Fowler showed a video of one of the events that had been posted on the applicant's website. It showed a First Friday event where dancing and live music were occurring, and alcohol was being sold from a mobile trailer.

Commissioners had questions about the applicant selling alcohol without SUP approval for bar use and the nature of the decibel-based noise restrictions affecting the subject property.

Chair Ruiz asked for the applicant to come forward.

Jesse Hernandez, of 603 Guadalimar Street, said that a correction needs to be made on the notice about the concrete pad. He stated the permit was issued 2-29-2024 and filed on 2-26-2024 but only showed up April 23rd at the customer service window at City Hall for payment. He mentioned that his business is not a bar but rather a family-owned Hispanic business in operation since April 2021. He stated they have a license from TABC to sell beer and wine from their mobile trailer. He stated he believes the stage is 25 feet from the neighbor's fence line. Mr. Hernandez stated they only hold events on First Friday from 6-10 PM and third Sundays from 2 p.m. – 6 p.m. He said that he does not agree with the 50-decibel sound limit and that it is not sufficient for his events. He does not understand how the noise limit could be so low when trains and traffic can be louder than his events. He believes the city needs to revisit the decibels allowed per district. He asked the police department if there have been noise complaints about his business and they said no. He encourages everyone who comes to visit all the other businesses in town. He said parking for events would not be an issue because he has access to the funeral home parking lot as well as from his uncle's church nearby. He claimed most folks walk to his establishment from downtown. He believes he is being singled out in a witch hunt from the Planning department since November 2023. He claimed his business' signs were not applied for because he believed they would be removed later from the revitalization project so why get them if they would have to be removed later. He apologized for his demeanor he had to drive down from San Antonio because he owns three other businesses and just feels frustrated to be here to defend himself.

Chair Ruiz asked for any other speakers in favor to come forward. Seeing none he asked those in opposition to come forward.

Julia Dye of 310 N Commerce St. said she has lived at that address with her husband for almost 20 years. Her property abuts the subject property to the north. She has kept a log of the decibel levels from within her home which were over 75 decibels with peaks of 90 decibels, measured inside the home. So, they have been way over the 50 decibels allowed. She stated that they have a right to enjoy a quiet time in their own home and backyard. She said that the applicant had informed her that their music events would be held only on First Fridays but now they are also doing them on Saturday and Sunday. She said that she and her husband had called the police so there should be some kind of record on file. Her main concern is the excessive noise.

Ronda Reagan of 412 West San Antonio Street came forward in opposition to the SUP request, and in support of the Dye Family's complaints. She stated she herself has experienced similar noise problems with a neighbor who runs an Airbnb next to her home. She stated that she is a founding member of the downtown organization that started First Fridays. The event was

created for those businesses located downtown to stay open late one Friday a month to make visits by those who are busy during regular hours to visit downtown businesses. She stated that the businesses offering entertainment on First Fridays generally do so inside their businesses and not outside. She stated he applicant used to have his store downtown on Main Street but moved out of the district and is now tagging along on those Fridays, despite no longer being downtown. She stated staff should check the distance from 4H Hat Company to the church on North Commerce Street, to determine if 4H Hat should be allowed to sell alcohol. Her main concerns are parking and noise levels.

Chair Ruiz asked for any other speakers seeing none he asked the applicant to come back for any additional remarks.

Mr. Hernandez said that before having he events, he and his wife went over and introduced themselves to the neighbors He stated he wanted to let them know what they planned to have at their establishment and the neighbor's response was "I hate you for that." He expressed that all events are on First Friday's and one Sunday per month only. He thinks the downtown district should be expanded to include nearby businesses so that all can participate in First Fridays. There should be sufficient parking available. He stated here are other businesses participating in First Fridays and mentioned one on State Park Road. He had already spoken to several City Council members, and most have attended his events since he started holding them.

Chair Ruiz closed the public hearing portion and moved to staff recommendation.

Mr. Fowler stated both Chapter 18 and 64 address noise levels, police do enforce the ordinance, and discussed the establishment's alcohol license, He recommended approval if no significant opposition, with the following conditions: obtain permit for all signage on property, limit events to occasions specified in the application and requiring adherence to the permitted noise levels allowed, which cannot be raised through an SUP.

*Commissioner McBride moved to deny SUP-24-02. Commissioner Peterson seconded, and the motion passed with a vote of 4-3 with Commissioners Haug, Lingvai, and Oliva against.*

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

Mr. Fowler stated that the next meeting would be held on Wednesday, May 8<sup>th</sup> with two Specific Use Permit applications and one plat. At the second meeting in May, he expects to present the impact fee report.

6. Adjourn.

*Commissioner Arnic moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:58 p.m.*

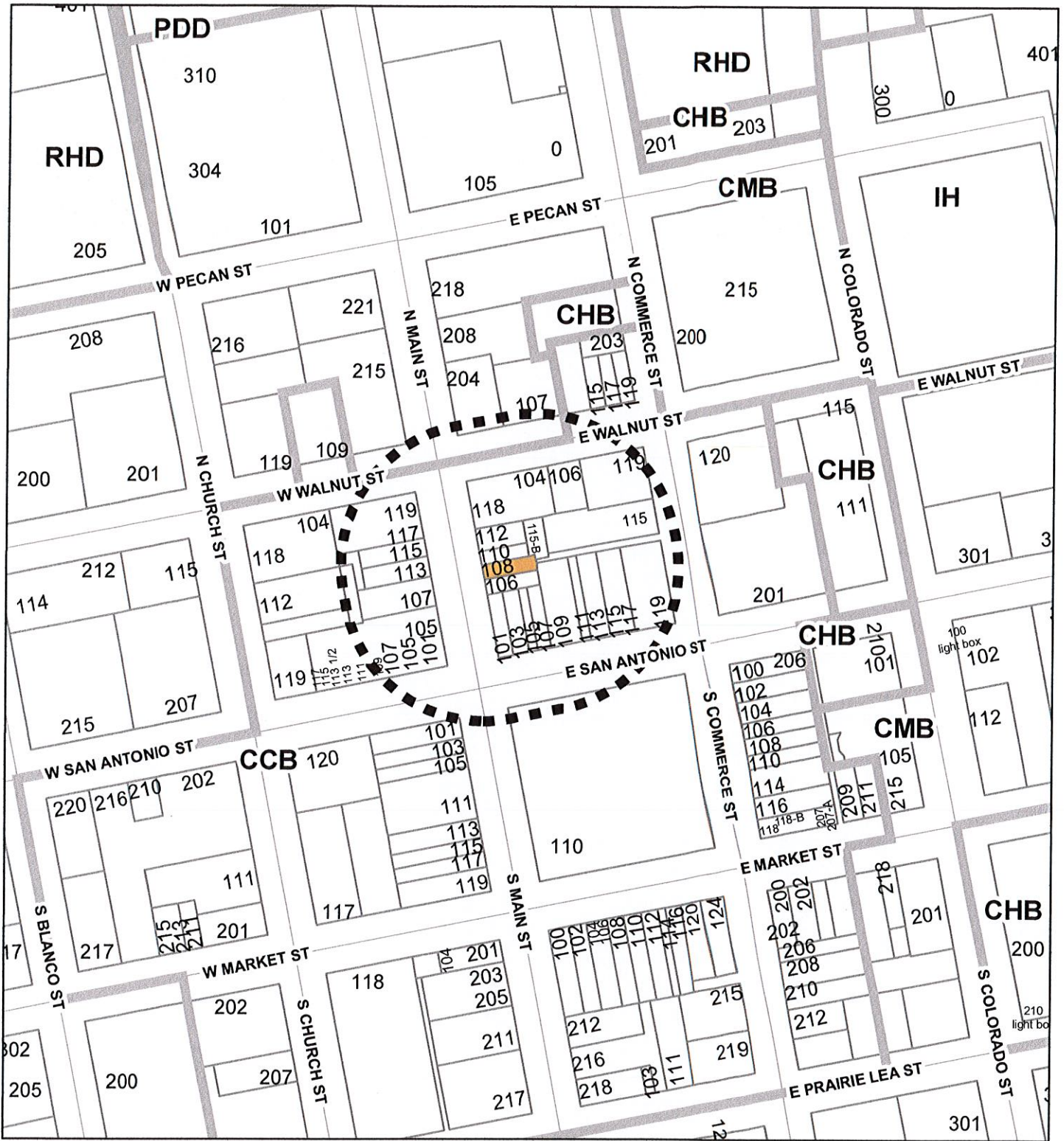
Approved: \_\_\_\_\_  
(date)

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Christine Banda, Recording Secretary

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Philip Ruiz, Chair






**SUP-24-03**

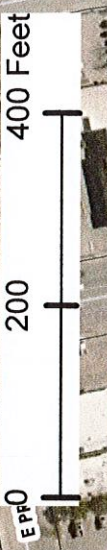
108 N MAIN ST

BAR



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER



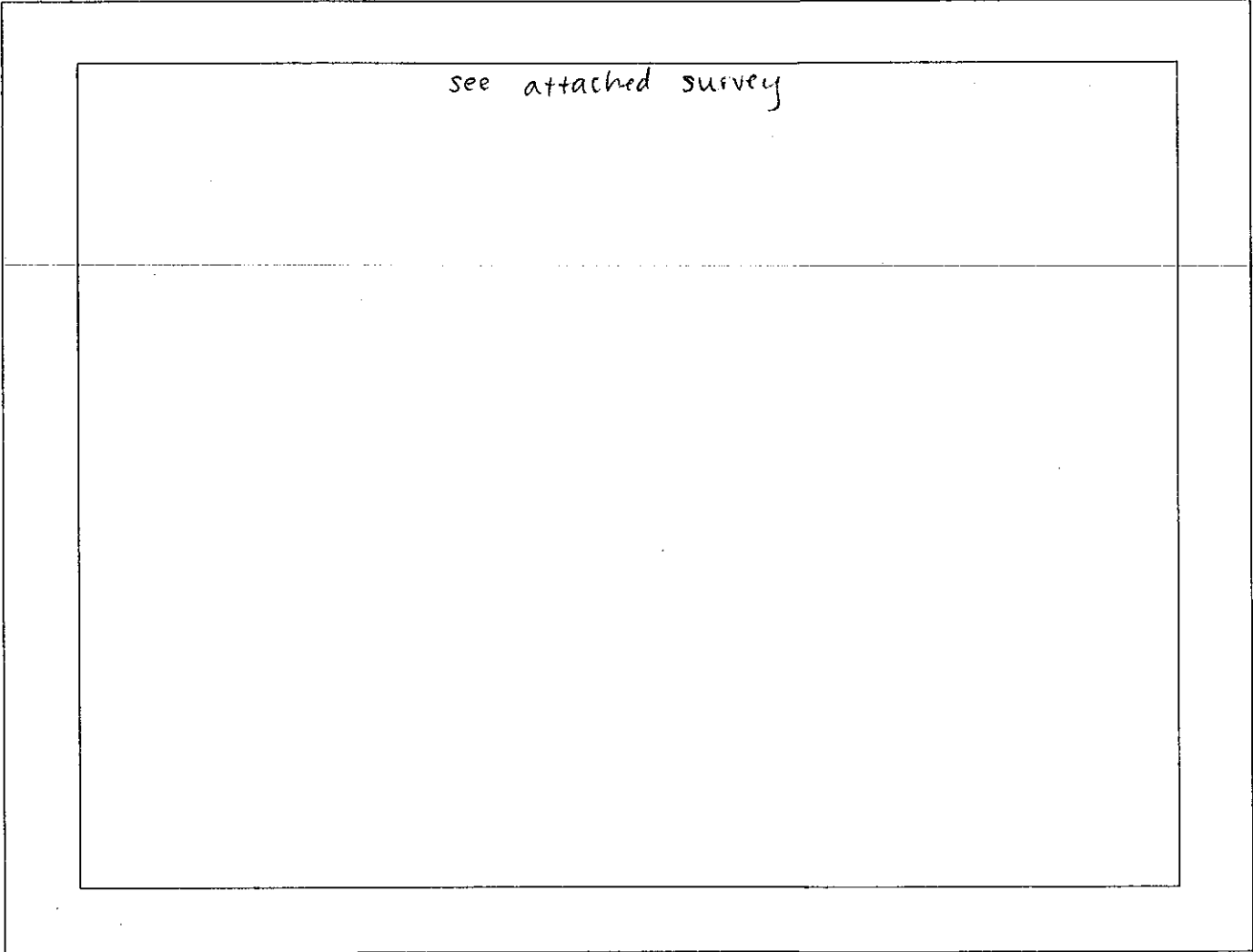
# CITY OF LOCKHART - SITE PLAN

APPLICANT NAME: Jenn Hodges PHONE: (281) 682-8174

SITE ADDRESS: 108 N. Main Street

PERMIT NUMBER: \_\_\_\_\_

PROPOSED WORK: Convert the rear ~800 sq ft of 108 Main Street  
to be a cocktail bar. Street parking on Main and Commerce streets.



Please indicate the following:

1. North arrow, scale of the drawing (e.g., 1" = 50 feet), property lines with dimensions, and abutting streets and alleys;
2. Outline the location, size, and type of all structures with labels indicating whether existing or proposed; show roof overhangs as dotted lines;
3. Distances between all existing and/or proposed structures (measuring from roof overhang, if any) as well as from all existing and/or proposed structures to all property lines;
4. Location, type, and width of all known easements; and
5. Location, dimensions, and surface material of existing or proposed driveways and off-street parking areas; specify the number of provided and required parking spaces. Planning staff can assist with this requirement.



CELCO SURVEYING

REG. # 10193975

TEL: 830-214-5109

# SURVEY PLAT

18018 OVERLOOK LOOP, SUITE 105

UNIT 239

SAN ANTONIO, TEXAS 78259

eddie@celcosurveying.com

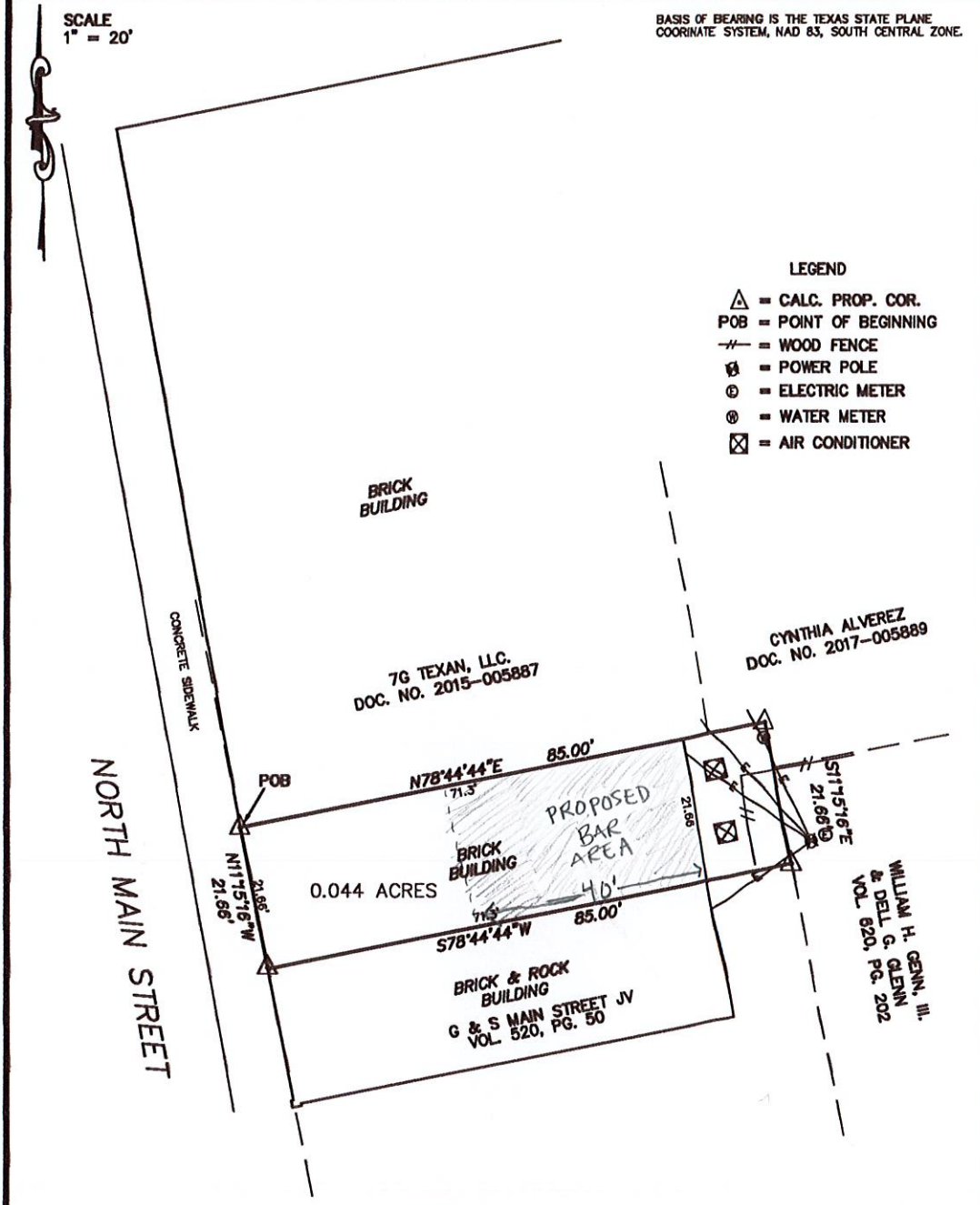
www.celcosurveying.com

SCALE  
1" = 20'

BASIS OF BEARING IS THE TEXAS STATE PLANE  
COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.

### LEGEND

- △ = CALC. PROP. COR.
- POB = POINT OF BEGINNING
- /— = WOOD FENCE
- ⊕ = POWER POLE
- ⊙ = ELECTRIC METER
- ⊗ = WATER METER
- ⊠ = AIR CONDITIONER



ADDRESS: 108 NORTH MAIN STREET, LOCKHART, TEXAS

LEGAL DESCRIPTION: BEING A 0.044 TRACT OR PARCEL OF LAND SITUATED IN CALDWELL COUNTY, TEXAS AND BEING OUT OF AND A PART OF THE BYRD LOCKHART LEAGUE, CALDWELL COUNTY, TEXAS, AND BEING OUT AND A PART OF THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO G & S MAIN STREET JV IN A DEED RECORDED IN VOLUME 520, PAGE 50, DEED RECORDS, CALDWELL COUNTY, TEXAS

### CATEGORY 1A CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, TSPS LAND TITLE SURVEY.

BUYER: FIDDLER'S GREEN MUSIC SHOP, LLC

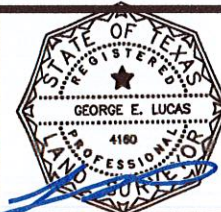
TITLE CO: INDEPENDENCE TITLE

G.F.#: 2254002-LKH

LENDER: COMERICA BANK

PLAN No.: 2023-4045

SURVEY DATE: JANUARY 31, 2023



GEORGE E. LUCAS R.P.L.S. 4180

## CASE SUMMARY

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STAFF CONTACT: Evan Olszewski, Planner  
REPORT DATE: May 1, 2024  
PUBLIC HEARING DATE: May 8, 2024  
APPLICANT'S REQUEST: Bar, Tavern, or Lounge  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: None

CASE NUMBER: SUP-24-03

## BACKGROUND DATA

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APPLICANT(S): Jenn Hodges  
OWNER(S): Ben and Jenn Hodges  
SITE LOCATION: 108 North Main Street  
LEGAL DESCRIPTION: Old Town Lockhart Block 23, Part of Lot 6  
SIZE OF PROPERTY: 0.041 acres  
EXISTING USE OF PROPERTY: Music Store (Retail)  
ZONING CLASSIFICATION: CCB Commercial Central Business District

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** The Applicant requests a Specific Use Permit for a Bar, Tavern, or Lounge use with the intent to convert the back room of the existing Fiddler's Green music store to a bar of about 740 square feet. A Specific Use Permit is required for the Bar, Tavern or Lounge use in the CCB district. The bar is proposed to be accessed through the music store during business hours and through the alleyway from North Commerce Street after the music store closes. The Applicant proposes a maximum occupancy of 25, a picnic bench placed in the outdoor area to the rear of the property, and hours from 5:00 p.m. to 12:00 a.m. Thursday through Sunday.

**NEIGHBORHOOD COMPATIBILITY:** The surrounding zoning classifications are CCB in all directions. There is an alleyway running West from North Commerce Street which ends at the back of the Applicant's property and would provide public access to the proposed bar during the hours in which the music store is closed. Nearby land uses are primarily commercial. The Pearl bar is located directly to the north of the Property, Lockhart Arts and Craft is to the West, and the Little Trouble restaurant/bar is located to the south of the "pocket park" constituted by the undeveloped rear yards of the businesses fronting on East San Antonio Street. The Property does not have direct access to this area. Loop and Lil's Pizza is across North Main Street. The Future Land Use Map recommendation matches the Property's CCB designation. The proposed hours of operation are generally the same as the other nearby bars: The proposed Thursday and Sunday hours go later than those of the Pearl, Lockhart Arts and Craft's posted hours, and Little Trouble but not later than Loop and Lil's. Note that Lockhart Arts and Craft's authorized hours extend to 2:00 a.m., but the extended hours are to provide a buffer for late events and not for regular operations.

**COMPLIANCE WITH STANDARDS:** The Code of Ordinances provisions prohibiting the sale of alcohol within 300 feet of a church or school do not apply to property within the CCB district. The subject site has no parking lot of its own, and no off-street parking is required in the CCB district, which shares the downtown area's street parking. Some parking may be available in the alley from North Commerce Street but is not required. Regarding access, the "pocket park" to the South is sometimes used as a venue for live music

during events and as a pass-through for foot traffic to adjacent properties but does not provide legal access for the proposed bar. Additionally, the proposed bar may not use the area as outdoor seating as it is a separate property. The property complies with all setback requirements: The 10-foot rear setback required in the CCB district does not apply within the Downtown Historic District overlay. The hours proposed by the Applicant fit within the regular hours which the Code of Ordinances Chapter 6-4 provides may be extended in a separate request.

ADEQUACY OF INFRASTRUCTURE: Existing utilities are existing and adequate for the proposed use.

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

STAFF RECOMMENDATION: **Approval**. The Commission may also add other appropriate conditions if desired.



## 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 Jenn Hodges

ADDRESS 501 Ash Street

DAY-TIME TELEPHONE (281) 682-8174

Lockhart, TX 78644

E-MAIL \_\_\_\_\_

OWNER NAME Ben and Jenn Hodges

ADDRESS 501 Ash Street

DAY-TIME TELEPHONE (512) 452-3900

Lockhart, TX 78644

E-MAIL fgmusicshop@gmail.com

### PROPERTY

ADDRESS OR GENERAL LOCATION 108 N Main Street

LEGAL DESCRIPTION (IF PLATTED) O.T. Lockhart, Block 23, Lot Pt 6

SIZE .041 ACRE(S) ZONING CLASSIFICATION Commercial Central Business

EXISTING USE OF LAND AND/OR BUILDING(S) Fiddler's Green Music Shop (will remain)

### REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Converting the back room to a cocktail bar.

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 seeking permission to convert the back half of the first floor into an intimate cocktail bar, accessible through the music shop during shop hours and during shop events, and via the rear entrance at night.

Hours: Thurs - Sun 5 pm - 12 am, Estimated max occupancy 25. 740 sq ft.

One picnic table is proposed to be placed near the back entrance, similar to what is already in place at the Pearl, next door.

**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 Jean M. Hodges

DATE 4/4/24

**OFFICE USE ONLY**

ACCEPTED BY Evan Olszewski

RECEIPT NUMBER RB1284048

DATE SUBMITTED 4/19/2024

CASE NUMBER SUP - 24 - 03

DATE NOTICES MAILED 4-22-2024

DATE NOTICE PUBLISHED 4-25-2024

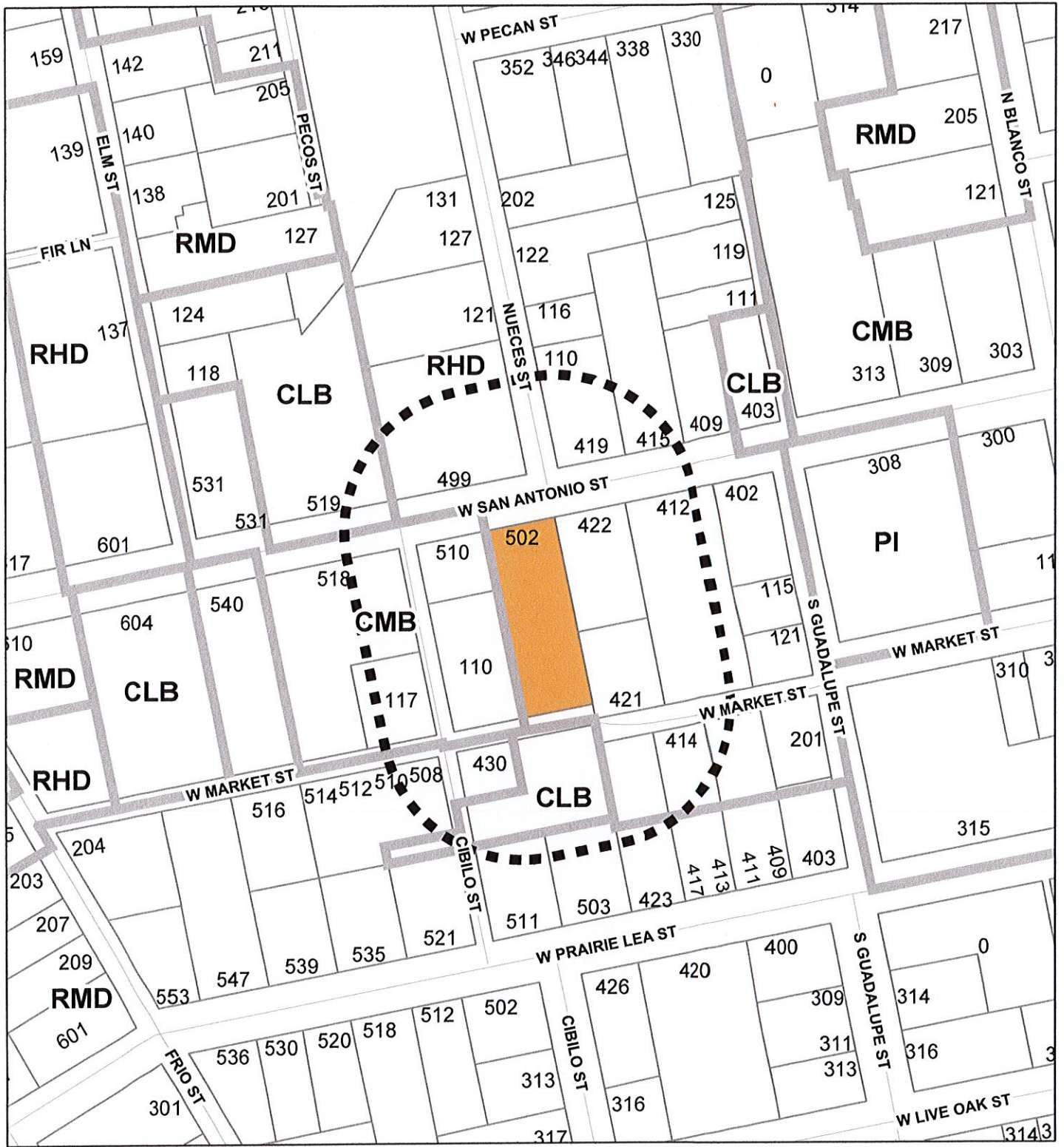
PLANNING AND ZONING COMMISSION MEETING DATE 5-8-2024

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_






**SUP-24-04**

502 W SAN ANTONIO ST

SPECIAL EVENT CENTER



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER



N CHURCH ST

W WALNUT ST

N BLANCO ST

S BLANCO ST

W MARKET ST

W LIVE OAK ST

S GUADALUPE ST

S GUADALUPE ST

W MARKET ST

W PRAIRIE LEA ST

N GUADALUPE ST

W SAN ANTONIO ST

CIBILO ST

NUECES ST

CIBILO ST

PECOS ST

W MARKET ST

ELM ST

FRIO ST

FIR LN

CONCHOST

CONCHOST

0 200 400 Feet

PREPARED BY:

# EXACTA

www.exacta365.com | Office: 512.782.9398 | Firm# 10194485



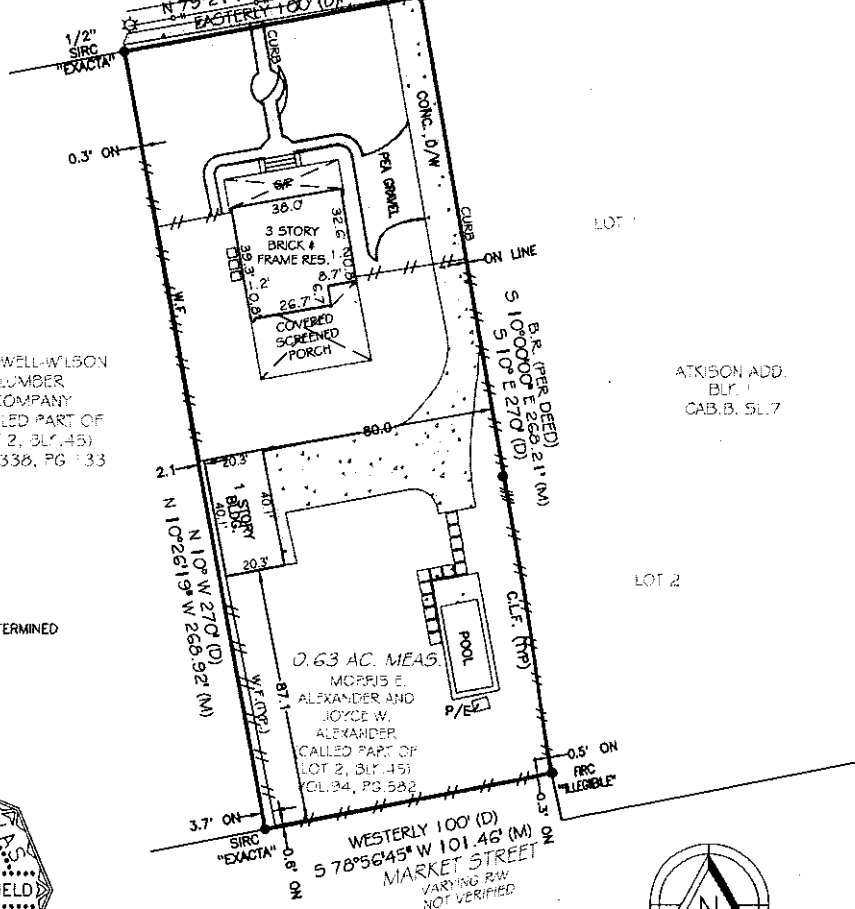
PROPERTY ADDRESS: 502 W SAN ANTONIO, LOCKHART, TEXAS 78644

SURVEY NUMBER: 1211.2058-01

12112058-01  
BOUNDARY SURVEY  
CALDWELL COUNTY

(REV. 1 10/17/2019)

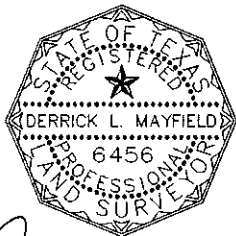
W. SAN ANTONIO STREET  
(RAW NOT VERIFIED)  
N 79°21'17" E 108.81' (M)  
EASTERLY 100' (D)  
N 79°46'51" E 101.26' (M)  
N 80°00'00" E 101.13' (ADJ. PLAT)  
1/2" FIR



CARDWELL-WILSON  
LUMBER  
COMPANY  
(CALLED PART OF  
LOT 2, BLY. 45)  
VOL. 336, PG. 133

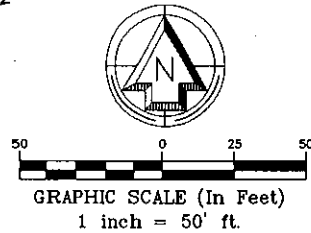
ATKISON ADD.  
BLY. 1  
CAB. B. 5L. 7

NOTES:  
FENCE OWNERSHIP NOT DETERMINED



*Derrick L. Mayfield*

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON THE 11TH DAY OF DECEMBER 2012, AND IS SUBJECT TO ALL APPLICABLE RESTRICTIVE COVENANTS LISTED IN ITEM NO. 1, SCHEDULE 'B' OF THE TITLE COMMITMENT ISSUED BY TITLE COMPANY UNDER G.F. NO. AUT-31-F-AUT120087955N AND THAT ALL EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN PER PLAT AND THE TITLE COMMITMENT, EXCEPT THOSE NOTED AS NOT PLOTTABLE. THERE ARE NO VISIBLE ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN HEREON AND THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER PLAT.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing hereon shall be Constructed to Give ANY Rights or Benefits to Anyone Other than those Certified.

**FLOOD INFORMATION:**

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF LOCKHART, COMMUNITY NUMBER 480095, DATED 06/19/12.

**POINTS OF INTEREST**

NONE VISIBLE

CLIENT NUMBER:

DATE: 10/16/19

BUYER: JEROME A. RYAN

SELLER:

CERTIFIED TO: JEROME A. RYAN

FLOWING BY:



www.surveystars.com

**EXACTA TEXAS SURVEYORS, L.L.C.**

Firm# 10194485  
512 E. 11th St | Austin, TX 78701  
P: 512.782.9398



**Evan Olszewski**

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**From:** Tamara Carlisle <tamarakarlisle@gmail.com>  
**Sent:** Monday, April 15, 2024 1:50 PM  
**To:** Evan Olszewski  
**Subject:** Fwd: 502 West San Antonio st

Sent from my iPhone

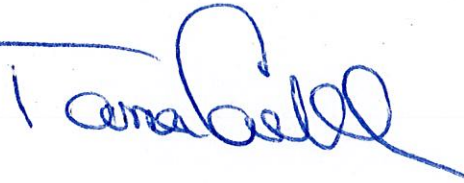
Begin forwarded message:

**From:** Tamara Carlisle <tamarakarlisle@gmail.com>  
**Date:** March 5, 2024 at 5:34:32 PM CST  
**To:** Evan Olszewski <eolszewski@lockhart-tx.org>  
**Subject:** 502 West San Antonio st

To whom it may concern,

Lumberyard Lockhart LLC releases all parking  
to 2120 Enterprises LLC (The Caroline) for future gatherings /small events.

Thank you  
Tamara Carlisle  
Donna Blair



Sent from my iPhone

## CASE SUMMARY

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STAFF CONTACT: Evan Olszewski, Planner  
REPORT DATE: May 1, 2024  
PUBLIC HEARING DATE: May 8, 2024  
APPLICANT'S REQUEST: Special Events Center  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: **None**

CASE NUMBER: SUP-24-04

## BACKGROUND DATA

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APPLICANT(S): Tamara Carlisle and Donna Blair  
OWNER(S): 2120 Enterprises LLC (Tamara Carlisle and Donna Blair)  
SITE LOCATION: 502 West San Antonio Street  
LEGAL DESCRIPTION: A.R. Chews Addition, Lots 1 and 2  
SIZE OF PROPERTY: 0.63 acres  
EXISTING USE OF PROPERTY: Lodging or Boarding House (AirBnB)  
ZONING CLASSIFICATION: RHD Residential High Density

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** The Applicants request a Specific Use Permit for a Special Events Center to use the Property for a bed-and-breakfast wedding and events venue. The Property's existing lodging or boarding house use was established as a by-right use through a rezoning from CLB Commercial Light Business to RHD Residential High Density in March of 2020 (ZC-20-04). At that time, the staff report noted that a Specific Use Permit is required to use the Property as Special Events Center. The Specific Use Permit request is before the Commission now because Staff reviewed past Lodging or Boarding House and Special Event Center decisions for the recent Judge's House case. Staff found that the Specific Use Permit requirement for this Property was not clarified to the Applicants and requested that they not continue hosting events before receiving approval.

The Applicants propose to use the Property for special events like weddings and rehearsal dinners with a maximum attendance of 75 people and a frequency of eight to ten times per year. The special event center use is defined in Section 64-2, Definitions, of the zoning ordinance as follows:

*Special events center:* A private indoor and/or outdoor facility that is available for rental by the public for weddings, receptions, reunions, seminars, parties, and other similar occasions of limited duration.

The subject property is zoned RHD and is located in an area that has both residential and commercial uses nearby. The Property is adjacent to the Wilson-Riggin building to the West, which is under the same ownership. The Property extends through the block to border West Market Street to the South and is adjacent to two single family homes to the East. The Westwood Apartments are across West San Antonio Street to the North. The Special Events Center use requires an SUP in the RHD district because uses identified as allowed or permitted in the PI Public and Institutional zoning district can be approved in a specified set of other zoning districts including RHD with an approved SUP.

The Applicants submitted a site plan showing the proposed layout of the property. The Property's indoor space, totaling more than 4,500 square feet, and large, fenced backyard would be used for events. The Property has eight off-street parking spaces and the Applicants have provided a letter from their Wilson-Riggin ownership entity stating that that property's 27 parking spaces will also be used for off-street parking for future events, for a total of 35 parking spaces. This number of spaces exceeds Staff's recommended off-street parking requirement of 19 spaces (one space per four event attendees).

**NEIGHBORHOOD COMPATIBILITY:** The surrounding zoning classification is RHD Residential High Density to the East, CMB Commercial Medium Business to the West, RHD Residential High Density to the North, and CLB Commercial Light Business to the South across West Market Street. Additionally, there are several other properties either currently used or planned to be used as similar event spaces with lodging in the City. Some of the City's current Special Event Centers will also require SUP approval, and the Commission has heard another case recently, which is discussed below. On West San Antonio Street, this Property is one of two currently advertised as available for events. The Future Land Use Map recommends that the subject property and the abutting properties be designated RMD Residential Medium Density.

Special Event Centers' compatibility with neighboring residential properties is a common concern, especially regarding noise and evening hours. Because the property is not within a commercial district, the commercial zoning noise standards established in the Lockhart Code of Ordinances Section 64-198(c)(3) do not apply. However, because the Property is adjacent to a residential district, Staff notes that the noise standards established in the Lockhart Code of Ordinances Section 18-27(2) apply. These standards are excerpted below:

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this article; provided, however, that such enumeration shall not be construed to be exclusive of other noises: [...] (2) The playing of any radio, phonograph or any musical instrument in such manner, or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m., as to create a noise such as reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances residing in a dwelling or other type of residence in the vicinity. No stationary loudspeaker or amplifier shall be operated on any weekday between the hours of 11:00 p.m. and 7:00 a.m., and no such stationary loudspeaker or amplifier shall be operated at any time on Sunday between the hours of 7:00 a.m. and 1:00 p.m.

Should the Commission choose, adherence to the noise standards in Section 64-198 could be adopted as a condition to the approval of the Specific Use Permit.

**COMPLIANCE WITH STANDARDS:** The site plan for the subject property includes a driveway with eight parking spaces (plus additional off-street parking at Wilson-Riggin), meeting Staff's recommended parking requirements. The Property is screened from the surrounding residential uses by vegetation and a fence. The setbacks illustrated on the Applicant's site plan meet the code requirements for the SF-1 residential development type, which matches the form of the Property's structure. There is a detached storage shed which does not meet the western side setback but appears to have been in place for some time.

**ADEQUACY OF INFRASTRUCTURE:** Adequate water and wastewater are available from West San Antonio Street.

**RESPONSE TO NOTIFICATION:** As of the date of this report, Staff has been contacted by three people, each asking about parking requirements and the Property's maximum occupancy and requesting information about the applicable rules governing amplified sound during events on the Property. The callers did not state they were in either support or opposition to the case, but reached out to learn what is proposed.

**STAFF RECOMMENDATION: Approval**

Staff's review of this Specific Use Permit request found that the Applicants' proposal complies with Lockhart's Code of Ordinances.

In considering the recommendation for this case, Staff also weighed the recently-denied Specific Use Permit for the Judge's House at 703 West San Antonio Street (SUP-23-19). Though the Commission voted to approve SUP-23-19, the case was denied by City Council upon appeal. Council's denial was influenced by extensive opposition and public comment regarding the scale of the proposed events and the potential impacts of the venue on traffic and noise to surrounding neighbors. Staff finds that the current proposal differs from the previous case in several key areas:

- The maximum proposed attendance at the event is 75 instead of the 360 proposed in SUP-23-19;
- Adequate off-street parking is provided immediately adjacent to the Property, which will not require event attendees to cross West San Antonio Street or be bussed from another location; and
- The Applicants have proposed a maximum of 10 events per year, where no limit was proposed in SUP-23-19.

Based on the technical merits of the proposal and these factors distinguishing the request from the precedent case, Staff recommends approval of this Specific Use Permit request and provides the below conditions for the Commission's consideration.

The following conditions are based on public comment heard during the precedent case:

- 1) The maximum number of event attendees shall be limited to 75 people.
- 2) A curfew time of 12:00 a.m., by which time activities must have ceased, with the exception of post-event cleanup and related activities not allowing non-overnight guests.
- 3) No parking will be allowed along West San Antonio Street, except for pick-up and drop-off or for set-up and cleanup that cannot take place in the Wilson-Riggin parking lot.

# SPECIFIC USE PERMIT APPLICATION

CITY OF

# Lockhart

TEXAS

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

## APPLICANT/OWNER

APPLICANT NAME TAMARA CRUELDE DONNA BLANK ADDRESS 102 S Commerce St  
DAY-TIME TELEPHONE 512 657 1850 Lockhart  
E-MAIL TAMARA.K.CRUDELDE@gmail.com  
OWNER NAME TAMARA CRUELDE DONNA BLANK ADDRESS \_\_\_\_\_  
DAY-TIME TELEPHONE 512 657 1850  
E-MAIL TAMARA.K.CRUDELDE@gmail.com

## PROPERTY

ADDRESS OR GENERAL LOCATION 502 West San Antonio St  
LEGAL DESCRIPTION (IF PLATTED) lots 1 + 2 A & Chew Addition  
SIZE 0.63 ACRE(S) ZONING CLASSIFICATION Residential RHO  
EXISTING USE OF LAND AND/OR BUILDING(S) Air BNB

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT To have special events - SPECIAL EVENT CENTER

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 would like to have rehearsal dinner, wedding anniversary parties at our home 25 people or less. We own Wilson Riggins which has 27 parking spaces and we have 4 at our property. 8 to 10 times a year. Music is off by 9:45 pm.

# 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 \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$2,500 PAYABLE TO THE CITY OF LOCKHART.**

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 Tommy Galbreath

DATE 1/10/24

## OFFICE USE ONLY

ACCEPTED BY GRUNOWSKI

RECEIPT NUMBER 01290505

DATE SUBMITTED 4/15/24

CASE NUMBER SUP - 24 - 04

DATE NOTICES MAILED 4-22-24

DATE NOTICE PUBLISHED 4-25-24

PLANNING AND ZONING COMMISSION MEETING DATE 5-8-2024

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_