

**City of Lockhart  
Planning and Zoning Commission  
September 25, 2019**

**MINUTES**

**Members Present:** Philip Ruiz, Manuel Oliva, Philip McBride, Rick Arnic, Paul Rodriguez, Christina Black

**Member Absent:** None

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

**Visitors/Citizens Addressing the Commission:** Thomas Licerio, Stephanie Bradley, Sarah Silverman, Doug Phelan

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 September 11, 2019, meeting.

*Commissioner McBride moved to approve the September 11, 2019 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 5-0.*

Manual Oliva arrived at 7:02 pm.

4. SUP-19-09. Hold a PUBLIC HEARING and consider a request by Thomas Licerio on behalf of Yolanda Zapata and Amanda Zapata Licerio for a Specific Use Permit to allow a Manufactured Home on Lot 11, Block 1, Trinity Addition Revised, consisting of 0.195-acre, zoned RMD Residential Medium Density District and located at 521 Ruddy Street.

Mr. Gibson explained that the applicants proposed to place a new manufactured home on their vacant property, which requires a specific use permit in the RMD zoning district. He said that development in the immediate vicinity consisted primarily of single-family homes, with a restaurant at the east end of the block and the nearest existing manufactured home located on Fourth Street. The presentation included showing maps and photos of the subject property and surrounding area.

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

Thomas Licerio, of 146 Tonkawa Trail, said that the manufactured home was their only solution to moving out of the Silent Valley Mobile Home Park.

Commissioner McBride asked Mr. Licerio if he owned the property.

Mr. Licerio replied that it was owned by he and his wife.

Chair Ruiz asked if the property would be rental or owner occupied.

Mr. Licerio replied that they would own the home and live there.

Commissioner Oliva asked how many cars would be parked on the property.

Mr. Licerio replied that there would be two cars, and that he, his wife, and his mother-in-law would reside in the home.

Chair Ruiz asked Mr. Licerio how long he had lived at the mobile home park, and to explain why this manufactured home was his only solution.

Mr. Licerio replied that he has lived at the mobile home park for seven years. He said that crime was increasing at the park, and that the new owners keep raising the rent. He and his wife looked at some other manufactured homes, but they were out of their price range.

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 if there was no opposition, but also pointed out that the proposed home did not have roof eaves, which is sign of cheaper construction and is not consistent with existing houses in the area which all have overhanging roof eaves.

*Commissioner Oliva moved to approve of SUP-19-09, with a recommendation that the applicant consider purchasing a different home of similar size with overhanging roof eaves on the front and back. Commissioner Black seconded, and the motion passed by a vote of 5-1 with Commissioner Ruiz against.*

5. SUP-19-10. Hold a PUBLIC HEARING and consider a request by Stephanie Bradley to allow a Bar on part of Lot 6, Block 17, Original Town of Lockhart, consisting of 0.06-acre zoned CCB Commercial Central Business District and located at 211 East Market Street.

Mr. Gibson explained that the subject building was currently occupied by a bar named Risky Business, but the lease expires soon and the owner of the property wished to have her own bar and other uses in the building. The presentation included showing maps and photos of the subject property and surrounding area. He said that no objections had been received prior to the meeting.

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

Stephanie Bradley, of 2541 Sol Wilson Avenue in Austin, said that she purchased the property four years ago and would like to take it over as a bar with live music and dancing, and serve non-cooked snacks.

There was discussion about the capacity of the building, but ultimately it was decided that the capacity would be determined by the City Fire Marshal.

Chair Ruiz asked for any other speakers in favor of the specific use permit.

Doug Phelan said he is the owner of 100 South Commerce Street, Lockhart and owns other property in town. He is in favor of the specific use permit for the bar.

Chair Ruiz asked for any other speakers in favor of or opposed to the SUP application.

Sarah Silverman, of 8808 Taylor Road in Austin, said that she is co-owner of the former LISD administrative building next door to the subject property. She purchased the property in March of 2018, and it was not disclosed to her at the time about the debris, vomit, urination, or vandalism that occurred from patrons of the bar next door. She said that the bar hours need to be limited to help protect her property and those around hers. She said that it would be hard to get any professional tenants to lease space in her building with the continued behavior that has been going on since she has owned the property. Ms. Silverman reported that she reached out to the current bar owners to be accountable for their patrons if anything should happen to her property, but no one had ever responded to her concerns.

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 the written staff report recommended approval if there was no significant opposition. As an owner of abutting property, Ms. Silverman's concerns warrant consideration. Mr. Gibson reminded the Commission that they can approve a specific use permit with conditions if necessary to respond to issues raised during the hearing.

There was discussion about the hours of operation for the bar, and it was noted that the Commission had previously approved a request by Risky Business to allow them to apply for a late hours permit to remain open until 2:00am.

*Commissioner Arnic moved to approve SUP-19-10, subject to a condition that the bar had to close by midnight. Commissioner Oliva seconded, and the motion passed by a vote of 5-1 with Commissioner Rodriguez against.*

6. Staff update regarding new State laws affecting local development regulations.

Mr. Gibson reviewed several bills that were passed by the State legislature and signed by the Governor that affect local development regulations. He explained in further detail the ones having the greatest effect on the Lockhart zoning and subdivision regulations, and the amendments that should be done as a result.

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

Mr. Gibson reported that the next Commission meeting date would be October 9th, and that at least two public hearing items would be on that agenda.

8. Adjourn.

*Commissioner Oliva moved to adjourn, and Commissioner Rodriguez seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:28 p.m.*

Approved: 10/9/2019  
(date)

  
Christine Banda, Recording Secretary

  
Philip Ruiz, Chair