

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, March 24, 2021
Municipal Building – Glosserman Room
308 W. San Antonio St.

COMMISSION MEMBER AUDIO CONFERENCE PARTICIPATION

One or more members of the Lockhart Planning and Zoning Commission may participate in a meeting remotely. The member of the Commission presiding over the meeting will be physically present at the above public location. Audio conference equipment providing two-way audio communication with each member participating remotely will be made available, and each portion of the meeting held by audio conference that is required to be open to the public can be heard by the public at the location specified.

CITIZEN AUDIO CONFERENCE PARTICIPATION

- *Call-in number: 1-408-418-9388. Attendee Access Code: 626-304-323#.*
- *Citizens wishing to listen or participate must call in prior to the start of the meeting, and should identify themselves. Attendees may call in to listen only, if desired.*
- *Those wishing to speak will be called upon to address the Commission.*
- *Planning and Zoning Commission agenda packets can also be viewed on-line at www.lockhart-tx.org starting two days before the meeting. Navigate from the Departments tab at the top to Development Services – Meeting Minutes/Schedules (on left side) – Agendas & Minutes – Planning & Zoning Commission Agendas & Minutes – Agenda Packets.*

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the March 10, 2021, meeting.
4. SUP-21-01. Hold a PUBLIC HEARING and consider a request by Ricardo Rodriguez on behalf of Stephanie Bradley for a **Specific Use Permit** to allow a *Bar with extended hours to 2:00 a.m.* 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.
5. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
6. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:30 AM on the 18th day of March, 2021.

**City of Lockhart
Planning and Zoning Commission
March 10, 2021**

MINUTES

Members Present: Philip McBride, Rick Arnic, Manuel Oliva, Ron Peterson, Bradley Lingvai (via phone)

Member Absent: Chris St. Leger, Philip Ruiz

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Hamish Macfarlane, Greg Zanghi, Luci Kempton, Winn Smith, Sean Kelley

1. Call meeting to order. Vice-Chair Oliva 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 February 10,2021.

Commissioner Arnic moved to approve the February 10, 2021, minutes. Commissioner McBride seconded, and the motion passed by a vote of 5-0.

4. ZC-21-02. Hold a PUBLIC HEARING and consider a request by Hamish Macfarlane, on behalf of Blackjack Block I, LLC, for a Zoning Change from AO Agricultural-Open Space District to IL Industrial Light District on Lot 1, Block 1, Iron Ox Addition, consisting of 24.575 acres located at 1205 Reed Drive.

Mr. Gibson explained that the applicant proposes to construct a commercial greenhouse on the subject property. The reason for the requested zoning change is that the current zoning only allows a maximum 30 percent building coverage on the lot, and the development may exceed that amount. The requested IL Industrial Light District allows 50 percent in building coverage, which would be sufficient. He presented maps and photos to describe the surrounding zoning and land uses.

Vice-Chair Oliva opened the public hearing and asked the applicant to come forward.

Hamish Macfarlane, of Palo Alto, California, said the project would be developed in phases, and they were almost ready to begin site work for Phase I. The greenhouse facility would start with leafy greens, and later diversify into sustainable vegetables.

Luci Kempton, of 955 Terminal Way in San Carlos, California, stated that they would start with leafy greens, and expand into strawberries, and tomatoes. They want to serve the Lockhart community, and could offer internships for high school students.

Greg Zanghi, of 955 Terminal Way in San Carlos, California, said that Iron Ox is committed to Lockhart, and intend to stay on target with their growth plans. Their mission is to provide produce closer to vendors.

Commissioner McBride asked what had brought Iron Ox to Lockhart.

Ms. Kempton replied that they were looking at the Texas triangle, and the Austin area was selected. They found Lockhart to have a strong agricultural culture, with the opportunity for development, and it was a great location for product distribution.

Vice-Chair Oliva 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-21-02 to City Council. Commissioner Peterson seconded, and the motion passed by a vote of 5-0.

5. FP-21-01. Consider a request by James W. Smith III for approval of a Final Plat for the Commerce Springs subdivision, consisting of 2.42 acres in the Byrd Lockhart Survey, Abstract No. 17, zoned CMB Commercial Medium Business District and located at 401 North Commerce Street, including a Variance to waive the requirement in Section 52-77(b) of the Subdivision Regulations for four-foot-wide public sidewalks along the North Main Street and North Commerce Street frontages.

Kevin Waller explained that the applicant proposes to split an unplatted tract into two lots, with the proposed Lot 1 to be donated to the City for open space and trail use. Lot 2 would remain a church facility under its current ownership. Because the applicant requested a variance to waive the sidewalk requirement along both street frontages the plat can be approved only by the Commission. Otherwise, it would have been a minor plat eligible for administrative approval. He presented maps and photos to describe the subject property and surrounding area. There are topographical constraints associated with a tributary of Plum Creek that would present challenges to constructing sidewalks along the North Main Street and North Commerce Street frontages.

Vice-Chair Oliva asked the applicant to come forward.

Winn Smith, of 8406 Avocet Drive in Austin, stated that there is an opportunity to use the property and incorporate a walking trail with the natural features. He said they would like to eventually donate the land to the City and have it properly maintained because it had been neglected for many years. He discussed compliance with the criteria for the requested variance.

Vice-Chair Oliva expressed his desire for a sidewalk along the west side of North Commerce Street so that the trail would be able to connect to it.

Mr. Smith said that their idea is for the trail to go under the North Commerce Street bridge and continue to City Park so that crossing the street at-grade would not be required. He noted that there is already a sidewalk along the east side of North Commerce Street.

Sean Kelley, Director of Public Works, said that City possession of the property would enable applying for grants to construct the trail or other improvements. The property is beautiful and has natural springs, so it could be something special for the community.

Vice-Chair Oliva asked for the staff recommendation.

Mr. Waller said that staff recommended approval of the plat and the variance.

Commissioner Arnic moved approve FP-21-01 with the sidewalk variance. Commissioner Peterson 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 March 24, 2021, and that there would be a specific use permit on the agenda.

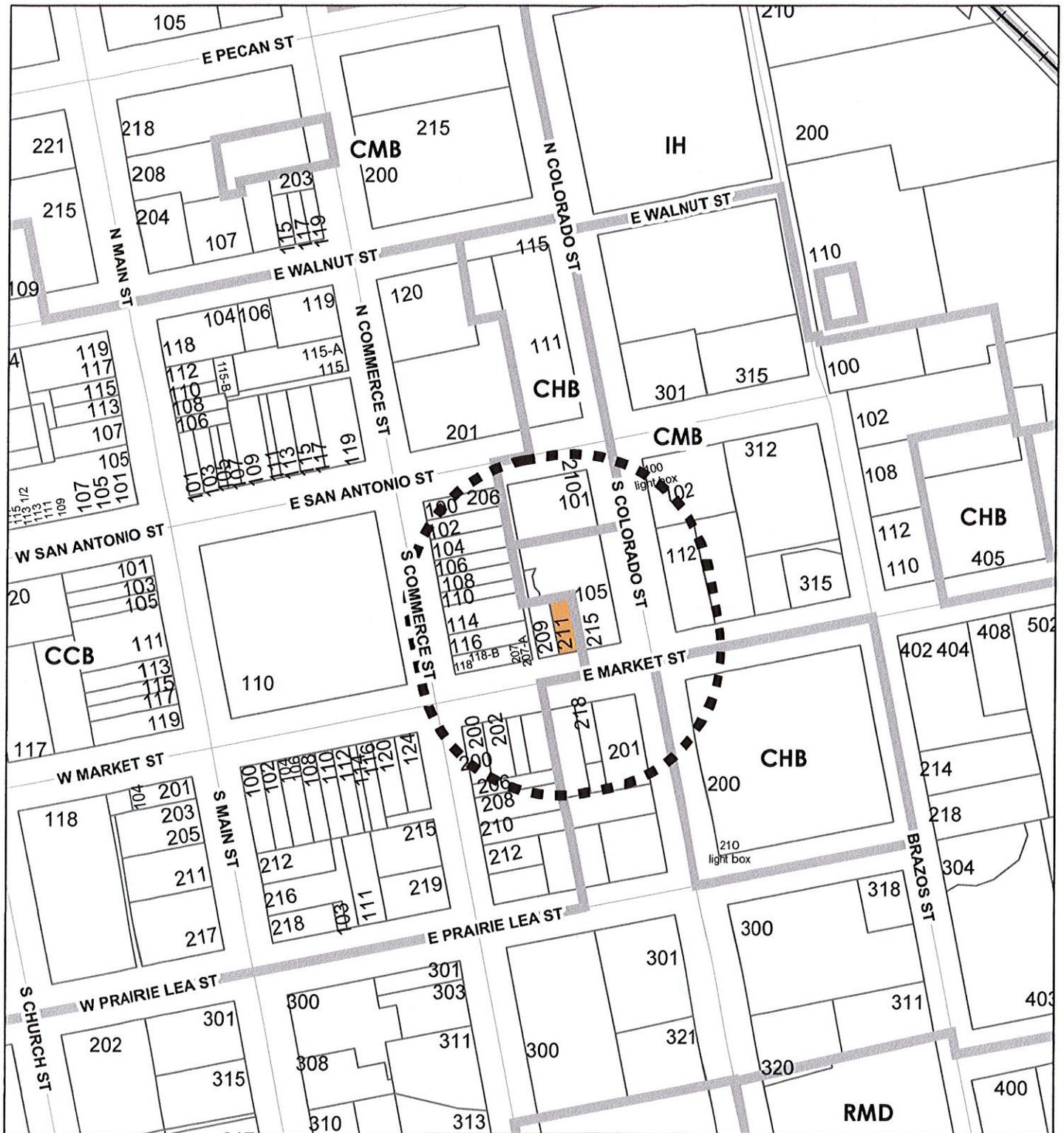
7. Adjourn.

Commissioner McBride moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:07 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Manuel Oliva, Vice-Chair



SUP-21-01

211 E MARKET ST

BAR WITH EXTENDED HOURS
ON FRIDAY-SATURDAY UNTIL 2 AM



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 200'



W MARKET ST

S MAIN ST

FIFTH ST

S COMMERCE ST

E SAN ANTONIO ST

E MARKET ST

S COLORADO ST

N COLORADO ST

BRAZOS ST

E PAIRO

Lightbox

100 200 Feet



211

205

201

203

19

13

11

103

97

60

113

117

119

115

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212

216

100

102

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CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-21-01

REPORT DATE: March 18, 2021

PUBLIC HEARING DATE: December 9, 2020

APPLICANT'S REQUEST: Bar with extended hours to 2:00am

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

SUGGESTED CONDITIONS: None

BACKGROUND DATA

APPLICANT(S): Ricardo Rodriguez

OWNER(S): Stephanie Bradley

SITE LOCATION: 211 East Market Street

LEGAL DESCRIPTION: Part of Lot 6, Block 17, Original Town of Lockhart

SIZE OF PROPERTY: 0.06 acre

EXISTING USE OF PROPERTY: Vacant lease space (previously a bar)

ZONING CLASSIFICATION: CCB Commercial Central Business District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The applicant wishes to open a sports bar in the same building for which there have been three previous SUP applications for a bar in the past ten years. Bars are a specific use in the CCB district. An SUP was most recently approved for a bar at this location on September 26, 2019, subject to a condition that the bar's daily hours of operations could not extend past midnight. The current application is by a new lessee, and includes a request to allow extended hours on Fridays (to 2:00am Saturday morning) and Saturdays (to 2:00am Sunday morning). The bar will close at midnight Monday through Thursday. Food will be available, but not enough to qualify as a restaurant at this time. The floorplan, which is the same as for the previous application, is attached.

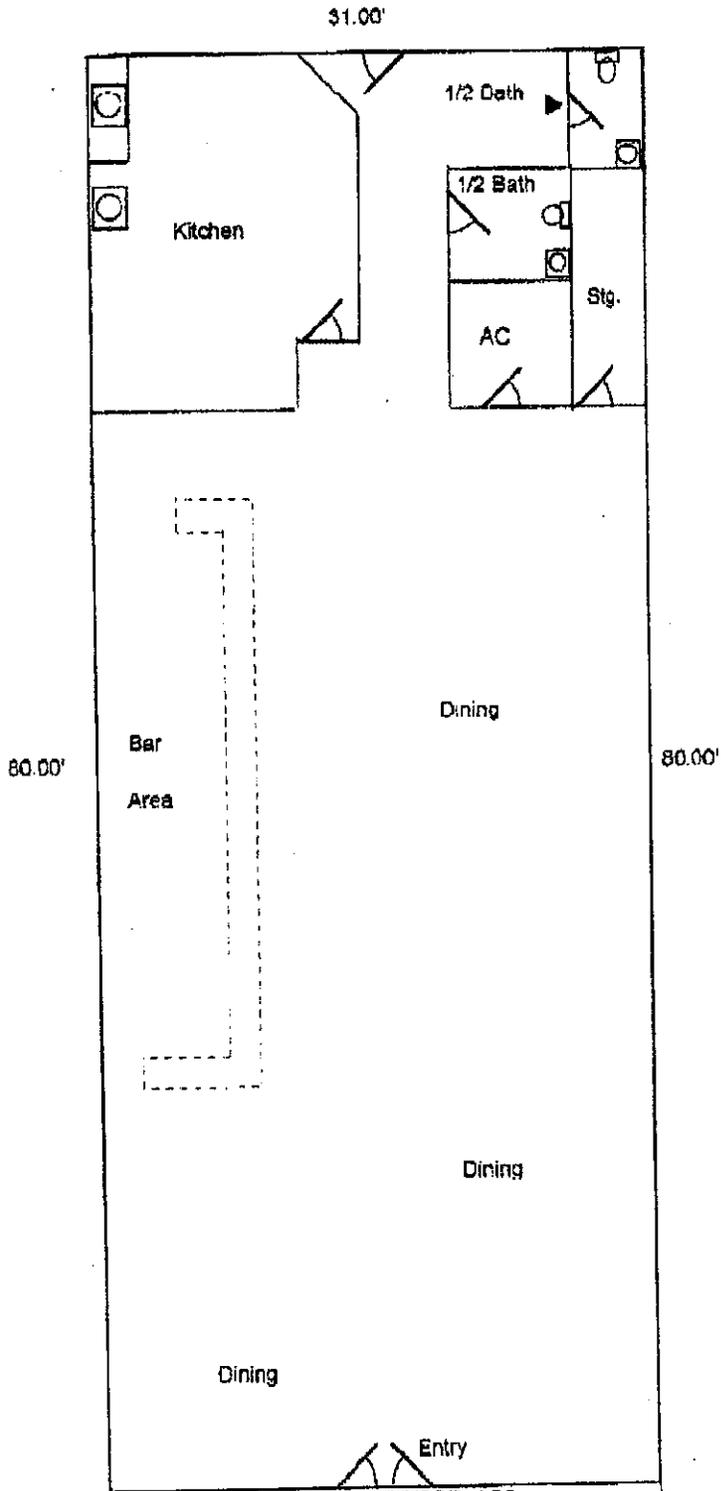
NEIGHBORHOOD COMPATIBILITY: The subject property is one-half block from the courthouse square. As noted before, bars have previously operated at this address. The closest existing bar is The Pearl on North Main Street, near the opposite corner of the square. In addition, several restaurants downtown serve alcoholic beverages. Otherwise, in addition to the courthouse, the central business district consists primarily of offices and retail establishments, with some upper story-apartments. Staff is not aware of any serious law enforcement problems with bars downtown in recent years, although the owner of the building adjacent to the east objected to the previous SUP application for a bar 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: None as of the date of this report.

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 extended hours to 2:00am on Saturdays and Sundays.





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 Ricardo Rodriguez

ADDRESS 2001 Fm 1322

DAY-TIME TELEPHONE 512-431-7450

Lockhart, Tx 78644

E-MAIL ricardo.rodriguez4@yahoo.com

OWNER NAME Stephanie Bradley

ADDRESS 2541 Sol Wilson Ave

DAY-TIME TELEPHONE 512-415-2109

Austin, Tx 78702

E-MAIL Stephanie.guitar@att.net

PROPERTY

ADDRESS OR GENERAL LOCATION 211 E Market St. Lockhart, Tx 78644

LEGAL DESCRIPTION (IF PLATTED) Original Town of Lockhart, BK17, Part of Lot 6

SIZE 0.06 ACRE(S)

ZONING CLASSIFICATION CCPs

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

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT 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.

Open an indoor Sports bar to serve mixed drinks and food with TVs to watch sports. The occupancy limit is 92 per fire chief.

Alcohol Sales may be over 51% of revenue. Hours of operation will be Sunday - Thursday 10 AM - 12 AM. Friday - Saturday 10 AM - 2 AM.

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 \$ 125⁰⁰ 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 3/3/21

OFFICE USE ONLY

ACCEPTED BY 

RECEIPT NUMBER 991765

DATE SUBMITTED 3/3/2021

CASE NUMBER SUP - 21 - 01

DATE NOTICES MAILED 3-8-2021

DATE NOTICE PUBLISHED 3-11-2021

PLANNING AND ZONING COMMISSION MEETING DATE 3/24/2021

DECISION _____

CONDITIONS _____

3/2/2021

I, Stephanie Bradley, owner of the building on 211 E Market St. Lockhart, Tx 78644, hereby allow Ricardo Rodriguez to act on my behalf for all needs pertaining to their business at my property.

Sincerely,

Stephanie Bradley

A handwritten signature in blue ink that reads "Stephanie Bradley". The signature is written in a cursive style with a large, sweeping initial 'S'.