

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, May 12, 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 April 28, 2021, meeting.
4. ZC-21-04. Hold a PUBLIC HEARING and consider a request by Cristina Hernandez for a Zoning Change from CLB Commercial Light Business District to RMD Residential Medium Density District, on Lot 13, Block 1, Trinity Addition Revised, consisting of 0.197 acre located at 601 Ruddy 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 3:30 PM on the 4th day of May, 2021.

**City of Lockhart
Planning and Zoning Commission
April 28, 2021**

MINUTES

Members Present: Philip Ruiz, Philip McBride, Rick Arnic, Manuel Oliva, Bradley Lingvai

Member Absent: Chris St. Leger, Ron Peterson

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Naomi Bessette, Chaz Bessette, Erin Ramona Martinez, Charles Bessette, Cindy Gibeaux, Chris Holt, Alexandria Walker, Frank DesRoches, Mike Kamerlander

1. Call meeting to order. Vice-Chair Oliva called the meeting to order at 7:03 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of April 14, 2021.

Commissioner Arnic moved to approve the April 14, 2021 minutes. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

4. SUP-21-02. Hold PUBLIC HEARING and consider a request by Sunflower and Friends, LLC, on behalf of Hal Davis, for a Specific Use Permit to allow *Outdoor Entertainment* and a *Mixed-Use Building* on part of Lot 1 and Lot 2, Block 28, Original Town of Lockhart, consisting of 0.2-acre zoned CMB Commercial Medium Business District and located at 119 West Walnut Street.

Mr. Gibson explained that the main building houses the applicant's residence and music business. The business was originally treated like a home occupation for teaching lessons. However, it now includes retail sales directly to customers, which is not allowed as a home occupation. In addition, home occupations are listed only in the residential zoning districts, while this property has a commercial zoning classification. So, a specific use permit is required to allow a mixed-use building in the CMB Commercial Medium Business District. The applicant also requested approval of the SUP to allow outdoor entertainment on the same premises. They hold concerts mostly on First Fridays, but also have student recitals as well. The music is performed from a temporary small stage in the front yard. Mr. Gibson noted that numerous letters and petitions of support had been distributed to the commissioners. He said staff recommended that one or more portable signs be used to direct customers and guests to the church parking lot at the intersection of Pecan Street and Church Street for off-street parking.

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

Naomi Bessette and Charles Bessette, of 119 West Walnut Street, explained that they own the business, and she distributed a handout explaining the characteristics of the proposed mixed use and outdoor entertainment. They said they had spoken with their neighbors, who are all in support of their business. They have music lessons, provide equipment repair, and sell music items. Naomi mentioned that they only do live performances for their recitals held twice a year, and for First Fridays. They may in the future have other types of events, and will notify the police department if they need to close a street. They have received approval from the Catholic Church to use their closest parking lot for off-street parking that cannot be provided on the subject property.

Commissioner Arnic asked what hours they would have their live performances.

Mrs. Bessette replied that the concerts were generally from 7 p.m. until 10 p.m.

Lydia Serna said she runs Lily's Bar next door, and that she and her landlord were in support of the specific use permit.

Erin Ramona Martinez, of 119 West Walnut Street, Unit B, said she taught music to children and young teens at the Bessette's business. It gives the children a great opportunity to show what they have learned to their friends, family, and community. She said she supported the specific use permit.

Charles Bessette, of 119 West Walnut Street, said he is the father of Chaz Bessette and from his experience with sound production he assured the commission that there would not be more frequent concerts because it takes a lot of planning and effort to set up the audio equipment. They may have one or two events in addition to their recitals and First Friday concerts throughout the year. He said he supported the specific use permit.

Cindy Gibeaux, of 107 North Main Street, said her family includes a student of Sunflower and Friends, and believes that they are a great asset to the community. She said she was in full support of the specific use permit.

Alexandria Walker, of 145 Indian Trail, said she has worked with the Bessette's in their garden and in beautification of the venue. She said was in support of the specific use permit.

Chris Holt, of 834 Clear Fork Street, said he was the owner of Loop n Lil's Pizza on Main Street, and that Sunflower and Friends is vital to the First Fridays event held downtown. The performances are very limited because the stage is very small. He said he was in support of the application.

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 explained that one of their recent outdoor concerts drew a large crowd, and that is what brought it to staff's attention. After determining that the concerts were to be a regular event, it was determined that a specific use permit would be required for the outdoor entertainment, as well as for the mixture of uses in the building. Because the applicant had arranged for the required off-street parking, he recommended approval subject to a condition that one or more portable signs be used to notify customers and guests that off-street parking is available in the closest parking lot owned by the Catholic Church.

Commissioner Oliva moved to recommend approval of SUP-21-02 subject to the condition that one or more signs be displayed stating that off-street parking is available at the Catholic Church parking lot across the street. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

5. PP-21-02. Consider a request by Frank DesRoches of Doucet & Associates for approval of a Preliminary Plat and Subdivision Development Plan for Lockhart Industrial Park III consisting of two public streets and eight lots on a total of 75.03 acres zoned Industrial Light District and located at 500 F.M. 2720.

Kevin Waller explained that all necessary corrections noted in staff's technical review had been completed, and the revised plat had been submitted before the meeting commission. Using maps and photos, he described the subject property location and the surrounding area.

Chair Ruiz asked for any other speakers.

Frank DesRoches, with Doucet and Associates, said he was representing the plat for the Lockhart Economic Development Corporation. He asked if there were any questions.

There were none from the commissioners.

Michael Kamerlander, Director of Economic Development, said that the City Council had approved the purchase of this property some time ago for an industrial park, and spoke in favor of the plat.

Commissioner Arnic moved to approve PP-21-02. Commissioner McBride 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 May 12, 2021, with a zoning change on the agenda.

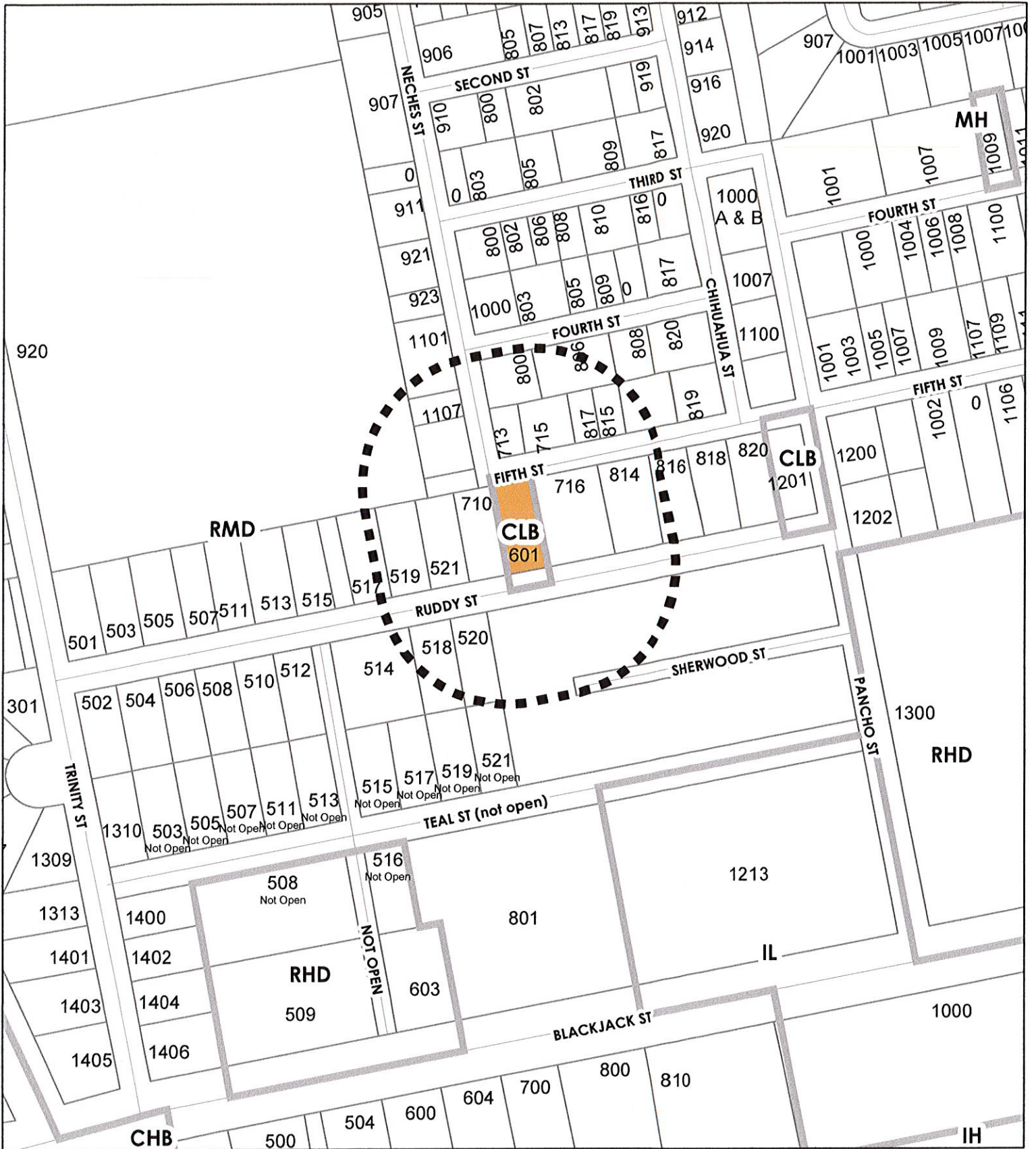
7. Adjourn.

Commissioner Lingvai moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:52 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



ZC-21-04

CLB TO RMD

601 RUDDY ST



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER

CASE SUMMARY

STAFF: Dan Gibson, City Planner
REPORT DATE: May 5, 2021
PLANNING AND ZONING COMMISSION HEARING DATE: May 12, 2021
CITY COUNCIL HEARING DATE: May 18, 2021
REQUESTED CHANGE: CLB to RMD
STAFF RECOMMENDATION: *Approval*
PLANNING AND ZONING COMMISSION RECOMMENDATION:

CASE NUMBER: ZC-21-04

BACKGROUND DATA

APPLICANT: Christina Hernandez
OWNER: Same
SITE LOCATION: 601 Ruddy Street
LEGAL DESCRIPTION: Lot 13, Block 1, Trinity Addition, Revised
SIZE OF PROPERTY: 0.197 acres
EXISTING USE OF PROPERTY: Vacant
LAND USE PLAN DESIGNATION: Medium Density Residential

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant proposes to construct a single-family dwelling on the subject property. That cannot be done without the zoning change because the current CLB zoning does not allow dwellings as the principal use of the property.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-family residential	RMD	Medium Density Residential
East	Single-family residential	RMD	Medium Density Residential
South	Public housing duplexes, Single-family residential	RMD	Medium Density Residential
West	Single-family residential, Manufactured home	RMD	Medium Density Residential

TRANSITION OF ZONING DISTRICTS: The surrounding area is already zoned RMD, so the proposed rezoning will simply expand that predominant zoning classification to include the subject property.

ADEQUACY OF INFRASTRUCTURE: Water and wastewater utilities are available and adequate. Vehicular access can be from either Ruddy Street or Fifth Street.

POTENTIAL NEIGHBORHOOD IMPACT: The proposed use is the same as the predominant use in the neighborhood, so no adverse impact is anticipated.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the Land Use Plan map designation of Medium Density Residential.

ALTERNATIVE CLASSIFICATIONS: There are none more appropriate for this location.

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

STAFF RECOMMENDATION: Staff recommends approval because the proposed zoning change actually corrects an existing nonconformity in the neighborhood zoning pattern, and makes it consistent with the future land use plan map.



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 Cristina Hernandez ADDRESS 605 Persimmon Street
DAY-TIME TELEPHONE 512-216-3215 Lockhart
E-MAIL Rodrigomanrique23@gmail.com Tx 78644

OWNER NAME Cristina Hernandez ADDRESS 605 Persimmon Street
DAY-TIME TELEPHONE 512-216-3215 Lockhart
E-MAIL Rodrigomanrique23@gmail.com Tx 78644

PROPERTY

ADDRESS OR GENERAL LOCATION 601 Ruddy Street
Fifth Street, Lockhart, TX 78644
LEGAL DESCRIPTION (IF PLATTED) Trinity Addin Revised, Block 1, Lot 13
SIZE 0.197 ACRE(S) LAND USE PLAN DESIGNATION residential medium
EXISTING USE OF LAND AND/OR BUILDING(S) None - vacant lot
PROPOSED NEW USE, IF ANY Single Family Residence

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION CLB
TO PROPOSED ZONING CLASSIFICATION RMD
REASON FOR REQUEST To construct a Single Family
House

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 \$ 125.00 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	<u>\$125</u>
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 4-8-2021

OFFICE USE ONLY

ACCEPTED BY Christina Bende

RECEIPT NUMBER 998878

DATE SUBMITTED 4-9-2021

CASE NUMBER ZC - 21 - 04

DATE NOTICES MAILED 4-26-2021

DATE NOTICE PUBLISHED 4-29-2021

PLANNING AND ZONING COMMISSION MEETING DATE 5-12-2021

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 5-18-2021

DECISION _____