

**City of Lockhart
Planning and Zoning Commission
August 11, 2021**

MINUTES

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

Member Absent: Rick Arnic

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

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of June 28, 2021, meeting.

Commissioner St. Ledger moved to approve the June 28, 2021, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

4. SUP-21-05. Hold PUBLIC HEARING and consider a request by Skylar Reeves, on behalf of Edward P. Perez, for a Specific Use Permit to allow a Bar and Commercial Outdoor Entertainment on 0.89 acre in the Lockhart Byrd Survey, Abstract No. 17, located at 734 and 738 South Commerce Street, and 735 South Colorado Street (US 183).

Mr. Gibson explained that the subject property had recently been rezoned to CHB Commercial Heavy Business District so that it would be eligible for this SUP to allow a bar and commercial outdoor entertainment on the site. He presented a map of the location and the applicant's site plan, and explained the proposed uses of the existing buildings, the addition of food trucks or trailers, off-street parking, and outdoor seating and music venue. The stage would face southeast to direct sound away from the adjacent and nearby homes along South Commerce Street. He noted that staff had not received any phone calls or letters in opposition.

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

Skylar Reeves, of 458 Hobby Horse Road, and Josh Hazzard of 10000 Gail Road in Austin, presented a slideshow illustrating the concept they had in mind for the proposed food trailers, coffee house, bar, general store, and outdoor music venue. Customers would walk through the general store to get to the large backyard where there would be tables and small music stage for live entertainment. They said they were open to suggestions from the Commission regarding hours of operation for the outdoor entertainment and the bar.

Commissioner McBride said he was concerned about the outdoor entertainment disrupting the lives of his friends who live across the street from of the proposed venue.

Ms. Reeves said the type of music planned would be relaxing for patrons, and would not overpower conversations.

Mr. Hazzard said they would not have large bands, and would comply with the City's noise standards.

Commissioner Peterson asked what their ideal hours of operation would be.

Mr. Hazard replied that they didn't plan to be open past midnight.

There was discussion about the City's noise regulations.

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 recommended approval because no objections had been expressed by potentially affected property owners in the area. He recommended that a screening fence at least six feet tall be provided along the south property line of 732 South Commerce Street, and said that the Commission could attach conditions limiting the hours of operation and serving of alcoholic beverages, if desired.

A motion was initially made by Commissioner McBride, but Commissioners Peterson and Lingvai asked for some clarification and additions to the motion.

Commissioner McBride moved to approve SUP-21-05 subject to the following conditions: 1) the stage must be sound-insulated on the two sides facing existing homes; 2) activities must stop by 11:00pm on Sunday through Thursday nights, and by midnight on Friday and Saturday nights; and, 3) if there are any complaints received by the City regarding the outdoor activities within the first six months of operation, the specific use permit shall be placed on the Commission agenda for reconsideration. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

5. PP-21-03. Consider a request by Keith Schauer, P.E., on behalf of Robert A. Schmidt, for approval of a Preliminary Plat for Summerside Subdivision, Sections 5, 6, 7, and 8, consisting of 91.09 acres zoned RMD Residential Medium Density District and 10.62 acres zoned CHB Commercial Heavy Business District, on a total of 101.71 acres in the Esther Berry Survey, Abstract No. 1, and located at 2300 South Colorado Street (US 183).

Kevin Waller presented a revised plat submitted after the agenda packet had been mailed to the Commission. It corrected three items on the plat. A new street name, Monsoon Road, was added. There was a lot labeled as parkland that was too small for use as parkland, so it was changed to a landscape lot. The hike and bike trail was expanded to include a spur extending to the existing Summerside Subdivision.

Commissioner McBride stated his desire that a playscape with at least five features be provided for the parkland.

Keith Schauer, P.E., of Doucet & Associates, representing the home builder, said the trail would be concrete, and they agreed to add a playscape in the parkland.

There was discussion about when the main park area would be developed, and in what section, because the commissioners wanted the parkland to be developed with the first two sections.

Mr. Gibson said that the parkland note on the plat could state that the playscape would be provided in Lot 9 when Section 7 is built.

Mr. Waller recommended adding information about the trail spur in plat note #4.

Commissioner Lingvai moved to approve PP-21-03. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

6. As provided in Chapter 12 "Buildings and Building Regulations", Section 12-491(3), of the Lockhart Code of Ordinances, consider a request by Winn Smith for approval of a six-foot tall chain-link fence in the minimum required front setback on property zoned IL Industrial Light District and located at 204 and 206 Cemetery Street.

Mr. Gibson explained that the applicant wishes to install a six-foot tall chain-link fence in the front building setback area to provide a secure material storage area while the existing building is being remodeled.

Winn Smith, of 8406 Avocet Drive in Austin, said the fence will encompass the existing parking lot and be attached to the building. They plan to level the existing building, temporarily remove the flooring, and do interior remodeling work. It would be convenient to store the flooring and other materials next to the building. The fence, which may be needed for about 18 months, would be firmly installed the same as a permanent fence, which is why the Commission's approval is required. The fence will be needed for about 18 months.

Commissioner St. Ledger moved to approve the fence. Commissioner Oliva seconded, and the motion passed by a vote of 6-0.

7. Report from staff on the status of the amendments to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances.

Mr. Gibson said that new sections recommended by the city attorney's office were pretty dense, and he was still reviewing them for clarity and consistency to make them easier to understand. As usual, the department's daily workload has limited the time available to devote to the amendments.

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

Mr. Gibson stated that the next regular meeting date is August 25th, and items had been submitted for that agenda.

9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:39 p.m.

Approved: 8/25/2021
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair