

**City of Lockhart  
Planning and Zoning Commission  
August 25, 2021**

**MINUTES**

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

**Member Absent:** None

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

**Visitors/Citizens Addressing the Commission:** Christina Black, Keith Schauer

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 August 11, 2021, meeting.

*Commissioner Oliva moved to approve the August 11, 2021, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.*

4. ZC-21-11. Hold PUBLIC HEARING and consider a request by Berk RE, LLC, on behalf of Terry Black for a Zoning Change from RLD Residential Low Density District to CHB Commercial Heavy Business District on 1.022 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 900 North Colorado Street (US 183).

Dan Gibson explained that the applicant purchased the subject property so that he can utilize it for a new business that is planned for the adjoining property at 900 North Colorado Street. The proposed CHB zoning classification is consistent with the existing CHB zoning of the adjacent property. He reviewed the zoning classifications and existing land uses in the surrounding area. Mr. Gibson reported that one owner of a residential lot within 200 feet called to inquire about what the land being rezoned was going to be used for, and said that she had heard that it was going to be a barbeque restaurant. She objected to that because of the potential for smoke and odors that would not be welcome on her property.

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

Christina Black, of 1516 Paint Brush Drive, said that she was representing Terry Black, who recently bought the subject parcel. He wants both of the parcels to have the same zoning classification. They plan to expand their brand product line that they sell to grocery stores. The building for food processing and preparation must be separate from the restaurant, so they plan for it to be on the subject property, behind the restaurant. CHB is the only commercial zoning district that allows food processing and preparation, and it will require approval of a specific use permit in addition to the CHB zoning.

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 said that staff supports a recommendation for approval to City Council.

*Commissioner Oliva moved to recommend approval of ZC-21-11 to the City Council. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.*

5. FP-21-02. Consider a request by Keith Schauer, P.E., on behalf of Lennar Homes of Texas Land and Construction, LTD, for approval of a Final Plat for Summerside Subdivision, Section 4, consisting of 110 single-family residential lots on a total of 20.844 acres in the Esther Berry Survey, Abstract No. 1, zoned RMD Residential Medium Density District and located in the 2200 Block of South FM 1322.

Kevin Waller explained the location and proposed number of lots and streets in Summerside Subdivision, Section 4. He mentioned that there would be highway turning-lane improvements along South Colorado Street into the subdivision in accordance with the donation agreement with TxDOT, prior to the recording of the Section 4 plat. He said that the plat complies with all applicable standards.

Keith Schauer P.E., the project engineer, said that he was present to answer any questions that the Commission may have.

There were none.

Chair Ruiz asked for any other speakers and, seeing or hearing from none, he asked for the staff recommendation.

Mr. Waller said that staff recommended approval of the final plat.

*Commissioner Lingvai moved to approve FP-21-02. Commissioner St. Ledger seconded, and the motion passed by a vote of 7-0.*

6. PP-21-02. Reconsider a request by David Speicher of Doucet & Associates for approval of a Preliminary Plat and Subdivision Development Plan for Lockhart Industrial Park III consisting of seven industrial lots and one stormwater detention lot on a total of 75.03 acres in the Esther Berry Survey, Abstract No. 1, zoned IL Industrial Light District and located at 500 FM 2720.

Mr. Waller explained that the Commission approved the Preliminary Plat and Subdivision Development Plan for Lockhart Industrial Park III on April 28, 2021, which at the time consisted of six industrial lots and two drainage lots to be served by two internal streets, DeWitt Street and Cahill Street. Since the time of the Commission's approval, staff discovered that the phase boundary between Sections One and Two were incorrectly depicted on the approved plat. Also, the applicant now proposes to change the functional classification of Lot 1, Block C from a drainage lot to an industrial lot, adjusting the phase boundary so that this lot is relocated from Section One to Section Two, and locating the full length of DeWitt Street within Section Two. In addition, Lot 4, Block C, which is the stormwater detention lot, would be enlarged. These revisions require reconsideration of the Preliminary Plat. He said that staff recommended approval.

Keith Schauer, P.E., the project engineer, said the changes were necessary due to drainage considerations.

Mr. Gibson said that he had questioned the removal of the detention lot from the first phase, and he called the city engineer to confirm that he had approved the proposed changes.

*Commissioner McBride moved to approve PP-21-02. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.*

7. FP-21-05. Reconsider a request by David Speicher of Doucet & Associates for approval of a Final Plat for Lockhart Industrial Park III – Section One consisting of four industrial lots on 37.37 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned IL Industrial Light District and located at 500 FM 2720.

Mr. Waller explained that the Commission had approved the Final Plat for Lockhart Industrial Park III, Section One, on June 23, 2021, which consisted of four industrial lots and one drainage lot to be served by two internal streets. Revisions were necessary for consistency with the changes depicted on the revised Preliminary Plat, and they require reconsideration of the Final Plat for Section One. He mentioned that the revised engineering plans are currently being reviewed by the City Engineer, and are expected to be approved soon. Once the engineering plans are approved, the proposed development will comply with all applicable subdivision standards.

Mr. Schauer, P. E., the project engineer, said that he was present to answer any questions that the Commission may have.

There were none.

Chair Ruiz asked for the staff recommendation.

Mr. Waller said staff recommended approval of the final plat subject to receipt of a letter from the city engineer approving the subdivision construction plans.

*Commissioner Oliva moved to approve FP-21-05, subject to staff's receipt of a letter from the city engineer approving the subdivision construction plans. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.*

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 September 8<sup>th</sup>, and that there are cases for that agenda.

9. Adjourn.

*Commissioner Arnic moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:53 p.m.*

Approved: 9/8/2021  
(date)

Christine Banda  
Christine Banda, Recording Secretary

Philip Ruiz  
Philip Ruiz, Chair