

**City of Lockhart
Planning and Zoning Commission
September 27, 2023**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Bradley Lingvai, Rick Arnic, Ron Peterson, Julia Haug

Members Absent: Phil McBride

Staff Present: David Fowler, Evan Olszewski, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: German Alonso, Sam Walker, Matt Jones, Mari Russ-Wolf, Todd Phelan, Doug Phelan, Javier Barajas.

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 13, 2023, meeting.

Commissioner Oliva moved to approve the September 13, 2023, minutes. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.

4. SUP-23-10. Hold a PUBLIC HEARING and consider a request by Edgar Aguirre of 59 South Sign on behalf of Poco Loco Company for a Specific Use Permit to allow a High-Profile Sign in the CHB Commercial Heavy Business District on 4.924 acres in the Lockhart Retail Subdivision, Block 1, Lot 1, located at 1411 South Main Street.

Evan Olszewski presented the staff report. He said the applicant would like to place a 25-foot-high profile sign on the subject property. The sign would meet the setbacks for a high-profile sign. He mentioned that an existing nonconforming sign that would be removed and replaced with the new sign. There was no opposition communicated to staff.

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

German Alonso with 59 South Sign Company stated they are asking for permission to place a 25-foot sign on the property to help with visibility from the South Colorado Street looking North and South. It will be illuminated with LED lighting.

Chair Ruiz asked why they chose 25 feet for the sign and not higher.

Mr. Alonso said they felt better going with the lower measurement because of safety and wind concerns. They believe that 25 feet would be sufficiently tall.

Chair Ruiz asked for any other speakers.

Matt Jones of 5946 Cape Coral Drive, Austin, stated he was not necessary against but had some questions. He said he owns 30 acres directly behind the development. He wanted to clarify the location of the sign, also asking if they wanted the sign to be 30 feet would they have to come back for another SUP, and why they requested 25 feet instead of the 20 feet that is allowed by right.

Vice-Chair Oliva tried to explain the applicant's decision-making process to Mr. Jones.

Mr. Jones said he doesn't believe the proposed sign would be uniform with the other signs nearby and changed his mind and is now against the high-profile sign.

Chair Ruiz closed the public hearing and asked for staff recommendations.

Mr. Olszewski said that staff recommends approval because the proposed sign meets all requirements.

Commissioner Oliva moved to approve SUP-23-10. Commissioner Lingvai seconded, and the motion passed with a vote of 5-1 with Commissioner Haug against.

5. SUP-23-11. Hold a PUBLIC HEARING and consider a request by Sam Walker, P.E. of Eckermann Engineering, Inc., on behalf of Chet Lange with McCoy Corporation for a Specific Use Permit to allow a High-Profile Sign in the CHB Commercial Heavy Business District on 7.359 acres in the McCoy's Lockhart Subdivision, Lot 2, located at 1600 South Colorado Street (US 183).

Mr. Olszewski presented the staff report. He stated that the applicant is requesting a 30-foot- high profile sign with a 200 square feet sign face. The existing sign from the previous business on the site has been removed, and the proposed sign would meet all required setbacks, including the sight triangle. Mr. Olszewski had not received any calls or letters in opposition to the application.

Sam Walker with Eckermann Engineering confirmed that the old existing was removed and believed to be close to 30-feet. They are requesting a new 30-foot sign because it fits the corridor. He mentioned that they are also planting more trees for the subject property and that there are existing trees that could hide McCoy's location, so making the free-standing sign taller would help with visibility. McCoy's usually has a 40-foot free standing sign at their locations.

Chair Ruiz closed the public hearing and asked for staff's recommendation.

Mr. Olszewski said staff recommends approval.

Commissioner Arnic moved to approve SUP-23-11. Commissioner Peterson seconded, and the motion passed with a vote of 5-1 with Commissioner Haug against.

6. SUP-23-12. Hold a PUBLIC HEARING and consider a request by Winn Smith on behalf of Toad Hollow, LLC for a Specific Use Permit to allow the uses of *Welding or Machine Shop and Limited Industrial Manufacturing* on 1.363 acres in the Barclay Addition, Block 1, Lot 1-A, zoned CHB Commercial Heavy Business District, located at 800 North Commerce Street.

David Fowler presented the application. He described the subject property is the future site for Mill Scale Metalworks. The company manufactures barbeque smokers and will have some retail at the site. The property will have an opaque fence along North Colorado Street side and the parking requirement would be met. We are here today to clear the exact use for the property so it will comply. He said no communication of opposition had been received.

Chair Ruiz opened the public hearing and asked for the applicant.

Mari Ross-Wolf of 1111 East 31st Street, Austin, and Matt Johnson of 426 W Prairie Lea stated they could answer any questions. Ms. Ross-Wolf explained that Mill Scale Metalworks is more fine craftsmanship for individuals and would not be manufacturing at a large scale. Mr. Johnson said they specialize in barbeque pits and live fire grills but have no interest in machining or other more heavy industrial processes.

Chair Ruiz closed the public hearing and asked for staff recommendation.

Mr. Fowler said that staff recommends approval of the SUP request, as the project as designed should have minimal adverse impact on neighboring properties.

Commissioner Lingvai recused himself from the vote.

Commissioner Oliva moved to approve SUP-23-12. Commissioner Haug seconded, and the motion passed with a vote of 5-0.

7. SUP-23-13. Hold a PUBLIC HEARING and consider a request by Todd Phelan on behalf of William Dodd Fowler, LLC for a Specific Use Permit to allow a *Bar, Tavern, or Lounge* in the CCB Commercial Central Business District on 0.124 acres in the Original Town Lockhart, Block 17, part of Lot 2, located at 106 and 108 South Commerce Street.

Mr. Olszewski gave the staff report. He said the applicant is requesting a bar or tavern SUP but is also planning to have indoor recreation or amusement in the business as well. . He mentioned that there would be pool tables, video games, and skee-ball machines inside the building. The applicant would be open from 2:00 p.m. – midnight. One letter was received asking if they could soundproof the walls between the neighboring businesses and six other letters of support were received.

Chair Ruiz opened the public hearing and asked for the applicant.

Todd Phelan of 293 Pasture Road, Luling, said that he would like permission for the bar but would have other things to do inside. There would be four pool tables, TVs on the walls for sports, Skee-Ball games, Dart Boards and Video Games for entertainment. He believes the hours would be 3:00 p.m. – midnight Monday – Friday. Saturday hours would be 1:00 p.m. –

midnight and depending on football games on Sunday it could open earlier. Mr. Phelan said he would like outdoor seating in front of the windows with small tables under the new awning. He understands ADA compliance and would ensure there is no blocking of pedestrian traffic on the sidewalk. He doesn't anticipate having much activity outside when there is plenty of seating inside. He stated the project has two phases the first is opening the bar then later he intends to open a kitchen to provide food.

Commissioner Haug asked the applicant how long after he opens does he expect to have his kitchen operational.

Mr. Phelan said he intends to serve food by the first of the year. He would look for someone to partner with on the kitchen side of it. He would also like to hold tournaments for pool and darts.

Chair Ruiz asked for other speakers.

Doug Phelan said he is not related to Todd Phelan. He owns the building where the SUP is being requested for approval. He is in support of the venue.

Chair Ruiz closed the public hearing and asked for staff recommendation.

Mr. Olszewski said that staff recommends approval with a note that the commission can add additional conditions if they so wish.

Commissioner Oliva moved to approve SUP-23-13. Commissioner Arnic seconded, and the motion passed with a vote of 6-0.

8. ZC-23-08. Hold a PUBLIC HEARING and consider request by Caroline Eckert with Wuest Group on behalf of Lockhart 130 North/South LTD for a Zoning Change from RHD Residential High Density District to CHB Commercial Heavy Business District on a total of 0.813 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 2500 West San Antonio Street (SH 142).

Chair Ruiz announced that this item was withdrawn.

9. Consider a request by Javier Barajas of Trine Engineering for approval of a 6-month extension of the Preliminary Plat approved period (PP-22-03) for Ramendu Subdivision, consisting of 44.563 acres in the Francis Berry Survey, Abstract No. 1, zoned RLD Residential Low Density, RMD Residential Medium Density, and CLB Commercial Ligh Business and located at 900 State Park Road.

Kevin Waller presented the staff report. He said that the city ordinance allows up to two six-month extensions for approval of a plat. The applicant needs additional time to prepare the engineering plans for submission and review by the City Engineer. The approval of the extension would allow the plat to remain valid until March 14, 2024. The applicant believes he can produce a final plat during the extension period.

Chair Ruiz asked if the applicant would like to address the Commission.

Javier Barajas said he is the engineer on the plat and could answer any questions. He stated his team needs more time because they are working on designing traffic impact mitigation improvements with TxDOT.

Chair Ruiz asked for staff recommendation.

Mr. Waller said staff recommends approval.

Commissioner Oliva moved to approve the first 6-month extension request for PP-22-03. Commissioner Lingvai seconded, and the motion passed with a vote of 6-0.

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

Mr. Fowler said that the next meeting will be October 11th with one specific use permit and one plat plus a text amendment. He informed the commission that their meeting in November would need to be moved because staff would attend the Texas APA conference the week of their regular meeting date.

11. Adjourn.

Commissioner Peterson moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:13 p.m.

Approved: 10-12-2023
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair