

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, November 13, 2024  
Municipal Building – Glosserman Room  
308 W. San Antonio St.

### AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the October 23, 2024 meeting.
4. **ZC-24-07.** Hold a PUBLIC HEARING and consider a request by Mirza Tahir Baig on behalf of Buckhorn Holdings LLC for a **Zoning Change** from IL Industrial Light District to CHB Commercial Heavy Business District on a total of 2.321 acres known as Lockhart Industrial Park II, Lots 12 and 13, Resubdivision 2, located at 1701 and 1705 South Commerce Street.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 a.m. on the 6<sup>th</sup> day of November, 2024.

**City of Lockhart  
Planning and Zoning Commission  
October 23, 2024**

**MINUTES**

**Members Present:** Philip Ruiz, Ron Peterson, Julia Haug, Phil McBride, Manuel Oliva

**Members Absent:** Rick Arnic, Bradley Lingvai

**Staff Present:** David Fowler, Evan Olszewski, Romy Brossman

**Visitors/Citizens Addressing the Commission:**

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 October 9, 2024, meeting.

*Commissioner Haug moved to approve the October 9, 2024, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 4 - 0.*

Commissioner Oliva entered the meeting post-vote.

4. Hold a PUBLIC HEARING and consider a **Text Amendment** to Chapter 64, Article VIII "Zoning Districts and Standards," Section 64-198 "Performance standards for commercial and industrial districts," Subsection (c) "Nuisances," to raise the allowable noise levels for commercial properties adjacent to residentially zoned properties.

David Fowler introduced the subject at hand and showed several possible revisions. The hearing is in response to a local business owner who has received numerous complaints regarding outdoor live music events held on the property. The owner has requested sound levels of 75 decibels be allowed on similarly situated commercial properties abutting residential zoning districts between 7 AM and 10 PM. This represents a more than 20 decibel increase over the allowed level and is 5 decibels greater than the allowable level for a property abutting an industrial district.

Mr. Fowler presented tables, charts, graphs and studies comparing Lockhart to other peer cities as well as an overview of noise ordinance studies created by professional organizations. The information shows that while Lockhart's noise standards are lower than other cities in the studies, they are not so low as to stand out as an outlier among peer cities. City planning staff does not have a recommendation regarding whether the allowable sound levels should be revised but advises the Planning and Zoning Commission to consider whether the current regulations are an undue constraint on existing businesses or whether the quiet enjoyment of residential neighborhoods outweighs the request for greater levels of sound to be allowed on commercial properties, particularly those abutting residential areas.

Chair Ruiz asked, who enforces the noise ordinance?

Mr. Fowler responded, a combination of Police as well as Planning and Code Enforcement Staff. Any complaints that occur at the time, will be responded to by the Police. City Staff would respond to ongoing use and compatibility concerns.

Chair Ruiz inquired about “wobble room” with decibel levels when a complaint is called in, much like a speed limit ... a police officer may provide a warning when a driver is 2 or 3 miles per hour over a speed limit.

To which Mr. Fowler confirmed and agreed, authorities may allow for a small deviation.

Jesse Hernandez, of 203 E. Pecan St. Lockhart, stated that currently the limit is 55 decibels, and they’ve had 4 noise related police reports. When making this decision he would like noise ordinance levels from neighboring towns, Kyle, New Braunfels, Bastrop to be considered. The city’s noise ordinance is out of date as the city grows. The needs of businesses need to be considered and at the same time we need to be fair across the board.

*Commissioner Haug moved to approve Text Amendment to Chapter 64, Article VIII, Section 64-198 and Subsection (c) “Nuisances” with the recommendation to adoption the Georgetown Code of Ordinances Chapter 8.16 Noise Control levels, the addition of the exempted Downtown Events in section 36-3, a recommendation to look into acquiring portable sound deadening equipment and lastly a recommendation to consider creating new noise limits covering noise created within residential areas. Commissioner Oliva seconded, and the motion passed with a vote of 5 - 0.*

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

David Fowler stated the next P&Z Meeting will occur November 13<sup>th</sup>, when a zoning case will be heard.

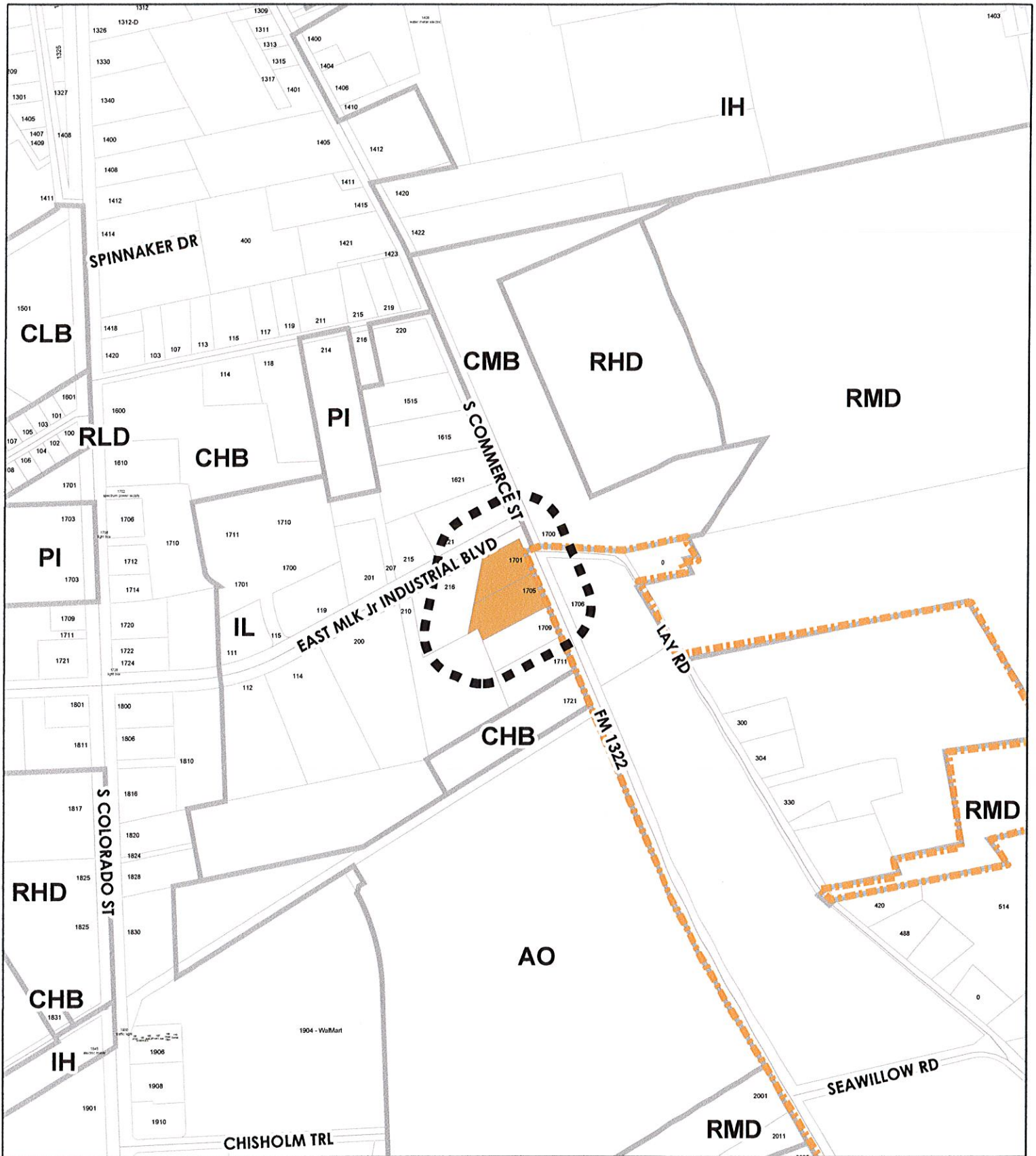
6. Adjournment.

*Commissioner Peterson moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:25 p.m.*

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Romy Brossman, Recording Secretary

\_\_\_\_\_  
Philip Ruiz, Chair







**ZC-24-07**

IL TO CHB

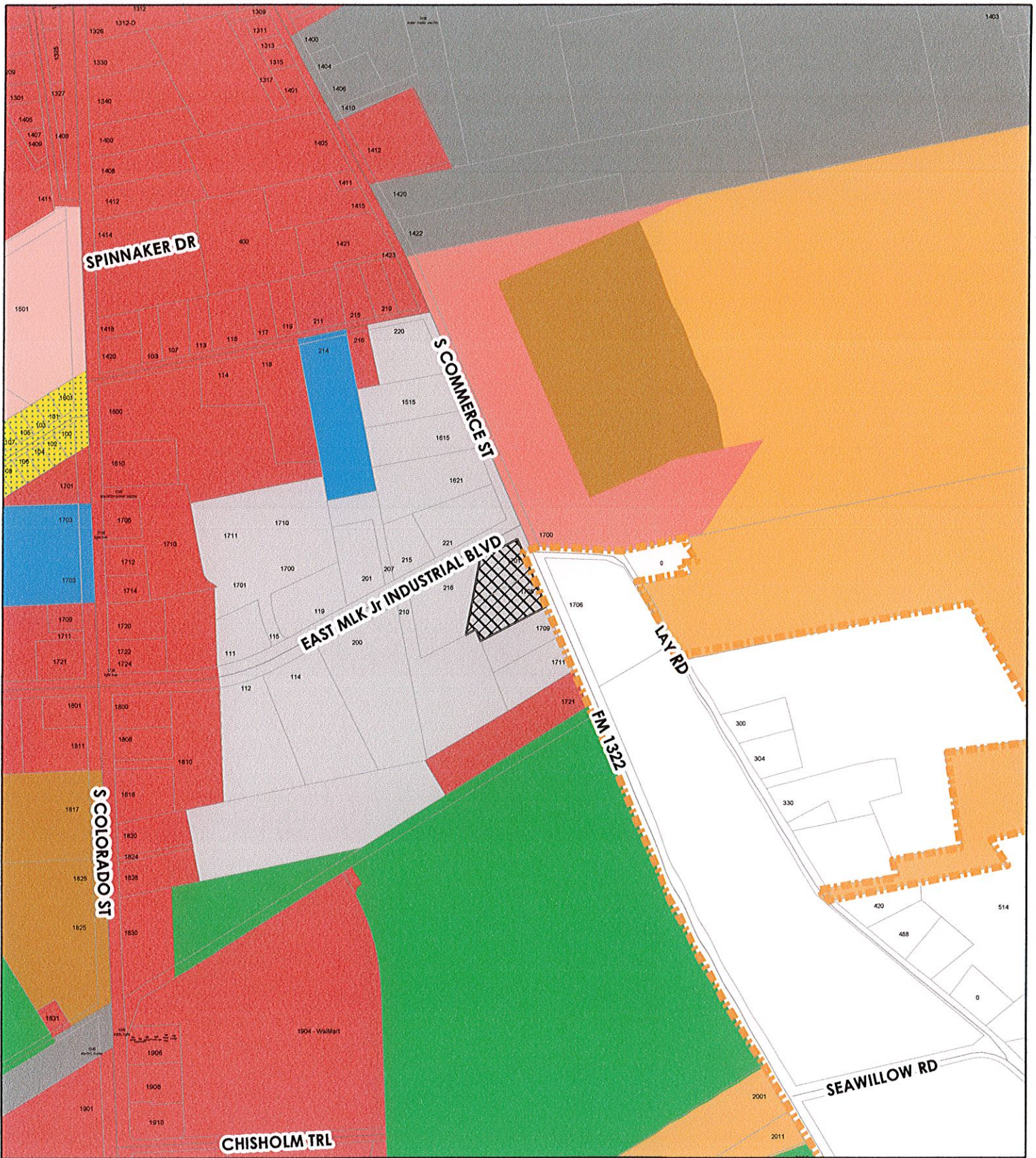
1701 & 1705 S COMMERCE ST



scale 1" = 600'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  CITY LIMITS
-  200 FT BUFFER





**ZC-24-07**

IL TO CHB

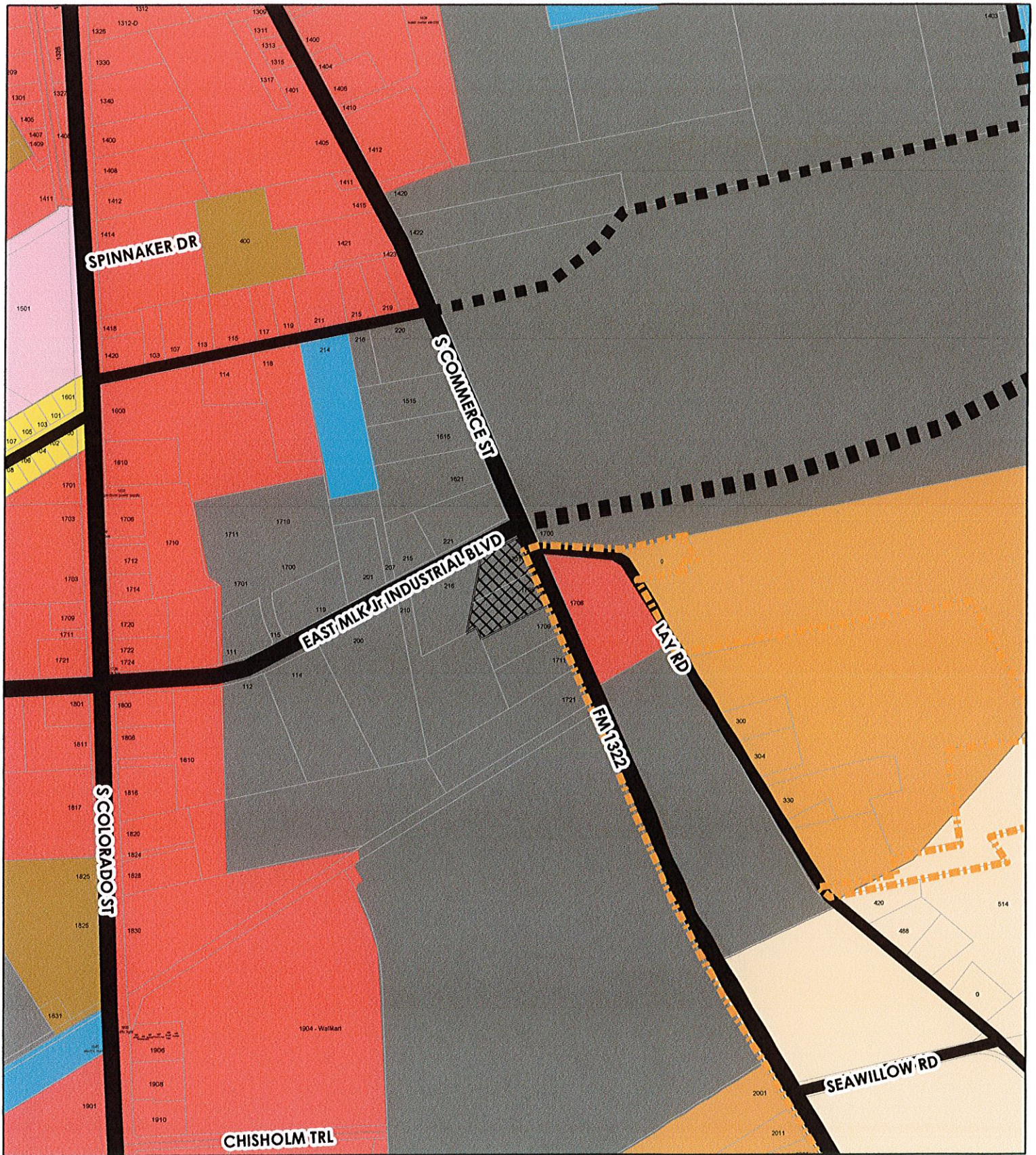
1701 & 1705 S COMMERCE ST



scale 1" = 600'

- ZONING DISTRICTS**
- AGRICULTURAL-OPEN SPACE
  - COMMERCIAL HEAVY BUSINESS
  - COMMERCIAL LIGHT BUSINESS
  - COMMERCIAL MEDIUM BUSINESS
  - INDUSTRIAL HEAVY
  - INDUSTRIAL LIGHT
  - PUBLIC AND INSTITUTIONAL
  - RESIDENTIAL HIGH DENSITY
  - RESIDENTIAL LOW DENSITY
  - RESIDENTIAL MEDIUM DENSITY





# FUTURE LANDUSE & THOROUGHFARES

IL TO CHB

1701 & 1705 S COMMERCE ST



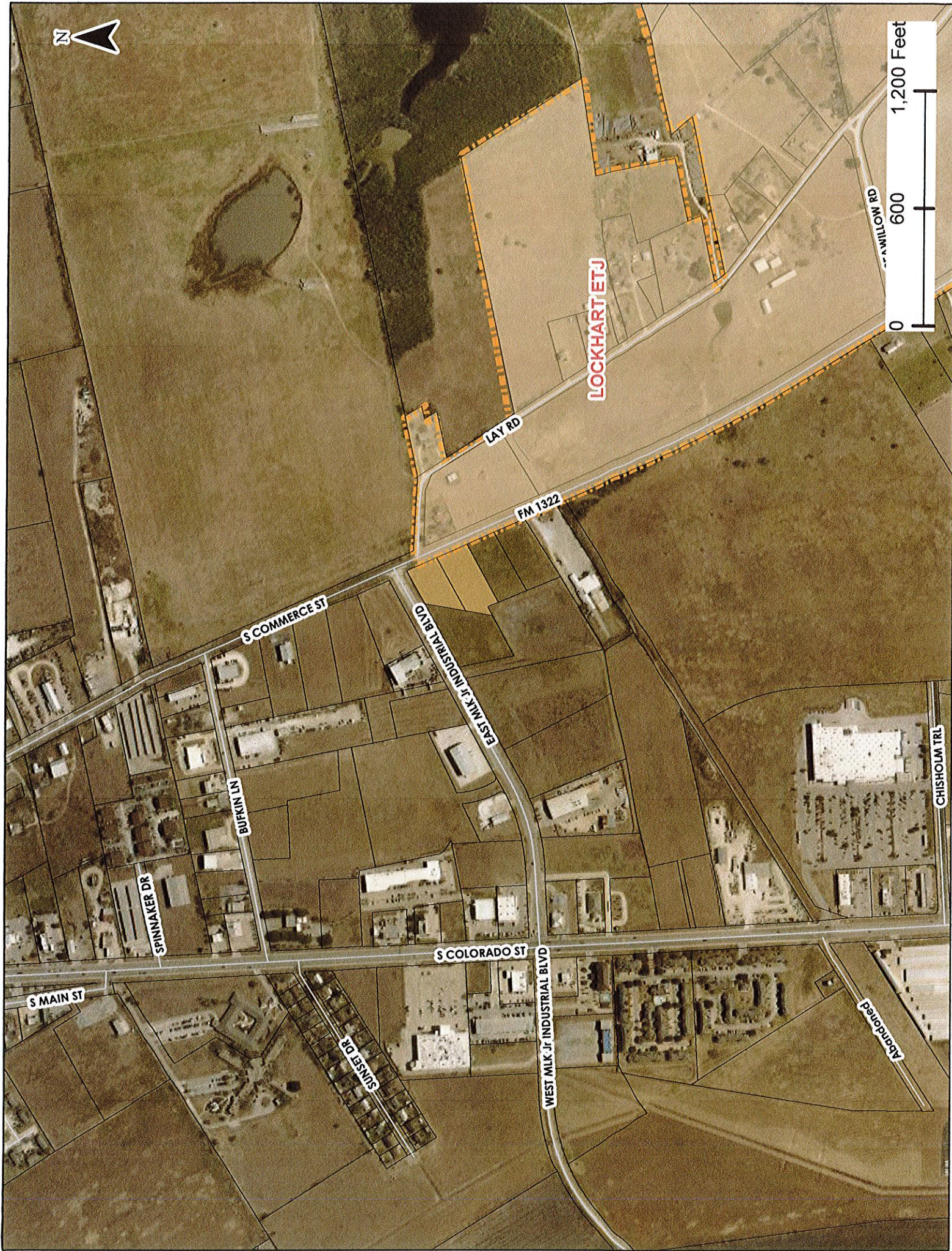
scale 1" = 600'

- EXISTING COLLECTOR
  AGRICULTURE/RURAL DEVELOPMENT
- EXISTING ARTERIAL
  GENERAL-HEAVY COMMERCIAL
- FUTURE COLLECTOR
  INDUSTRY
- FUTURE ARTERIAL
  LIGHT-MEDIUM COMMERCIAL
- PUBLIC AND INSTITUTIONAL
  RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
  RESIDENTIAL, MEDIUM DENSITY





0 600 1,200 Feet



S MAIN ST

SPINNAKER DR

BUTKIN LN

S COMMERCE ST

EAST MLK JR INDUSTRIAL BLVD

S COLORADO ST

WEST MLK JR INDUSTRIAL BLVD

SUNST DR

LAY RD

FM 1322

LOCKHART ETJ

Abandoned

CHISHOLM TRL



# PLANNING DEPARTMENT REPORT

# ZONING CHANGE

## CASE SUMMARY

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STAFF: David Fowler, Planning Director

CASE NUMBER: ZC-24-07

REPORT DATE: November 7, 2024

PLANNING AND ZONING COMMISSION HEARING DATE: November 13, 2024

CITY COUNCIL HEARING DATE: November 19, 2024

REQUESTED CHANGE: IL to CHB

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

## BACKGROUND DATA

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APPLICANT: Mirza Tahir Baig

OWNER: Buckhorn Holdings LLC

SITE LOCATION: 1701 and 1705 South Commerce Street (FM 1322)

LEGAL DESCRIPTION: Lockhart Industrial Park II, Block 2, Lots 12 and 13, Resubdivision 2

SIZE OF PROPERTY: 2.321 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: Industry

## ANALYSIS OF ISSUES

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REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow development on 2.321 acres on the southwest corner of East Martin Luther King Industrial Boulevard and South Commerce Street (FM 1322). The proposed rezoning has been submitted because the applicant sees developing the property with retail uses that are not permitted in the site's current IL zoning. The site is vacant land with few if any trees and no floodplain present.

### AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Industrial	IL	Industry
East	Vacant land, residential in ETJ	CMB, RHD, ETJ	Industry, General Heavy Commercial, Medium Density Residential
South	Commercial, Vacant land	IL, CHB	Industry
West	Vacant Land	IL	Industry

TRANSITION OF ZONING DISTRICTS: The subject property is located along a part of the MLK and South Commerce corridors that that is mostly zoned Industrial west of South Commerce Street with a mix of Commercial, industrial, agricultural and residential zoning nearby. The area to the east of the site has been the site of two recent zoning changes to residential districts, but these sites have yet to develop.



**ADEQUACY OF INFRASTRUCTURE:** Vehicular access will be from both MLK and South Commerce Street. There are traffic intersection improvements planned at the intersection that are related to upcoming residential and mixed-use developments. There is an 8-inch water main along East MLK as well as a 12" line along South Commerce Street. There are 12-inch wastewater lines on both abutting streets that are adequate to serve the property.

**POTENTIAL NEIGHBORHOOD IMPACT:** The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by the development which would be allowed in the proposed zoning district. Future traffic from the site onto nearby streets would present a minor regional impact. TxDOT may require traffic improvements, depending upon the

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The proposed CHB zoning classification is not consistent with the industry classifications shown on the future Land Use map. However, the proposed Lockhart Comprehensive Plan, which could be adopted by the date of the hearing, shows that retail is considered appropriate in the Seawillow district, in which the site is located.

**ALTERNATIVE CLASSIFICATIONS:** None

**RESPONSE TO NOTIFICATION:** None to date

**STAFF RECOMMENDATION:** Approval



CITY OF  
**Lockhart**  
TEXAS

**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 Mirza Tahir Baig, PSCE ADDRESS 2205 W Parmer Lane, Ste. 201  
DAY-TIME TELEPHONE 512-238-6422 Austin Texas 78727  
E-MAIL psce@psceinc.com  
OWNER NAME BUCKHORN HOLDINGS LLC ADDRESS 1701 & 1705 S Commerce Street  
DAY-TIME TELEPHONE 512-507-4108 Lockhart, TX 78664  
E-MAIL adnouna1@aol.com

**PROPERTY**

ADDRESS OR GENERAL LOCATION 1701 & 1705 S. Commerce Street, Lockhart, Texas 78644  
LEGAL DESCRIPTION (IF PLATTED) LOCKHART INDUSTRIAL PARK II, BLOCK 2, LOT 12,13, RESUB #2, ACRES 0.971, 1.35  
SIZE 2.321 ACRE(S) LAND USE PLAN DESIGNATION INDUSTRIAL LIGHT (IL)  
EXISTING USE OF LAND AND/OR BUILDING(S) Undeveloped  
PROPOSED NEW USE, IF ANY Gas Station, General Retail Sales, Convenience Store

**REQUESTED CHANGE**

FROM CURRENT ZONING CLASSIFICATION "IL"  
TO PROPOSED ZONING CLASSIFICATION CHB  
REASON FOR REQUEST \_\_\_\_\_

The proposed development is 8,006.25sf General Retail Building with 4 MPD's (8 fuel pumps) with associated parking lot and on site detention pond. The access to the development shall be provided from FM1322 and E MLK Blvd. The 10'-0" wide sidewalk along the building frontage, and 5'-0" wide sidewalk along the rear and sides of the building. The dumpster is located at the rear side of the building and not visible from the E MLK Blvd.



## **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 \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$10,000, PLUS ADDITIONAL \$1,000 FOR PLANNED DEVELOPMENT DISTRICT.**

APPLICATION FEE OF \$ 598.15 PAYABLE TO THE CITY OF LOCKHART.

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 Mirza Tahir Baig



DATE 10/11/2024

## **OFFICE USE ONLY**

ACCEPTED BY *CBanda*

RECEIPT NUMBER 01328043

DATE SUBMITTED 10-11-2024

CASE NUMBER ZC - 24 - 07

DATE NOTICES MAILED 10-28-2024

DATE NOTICE PUBLISHED 10-31-2024

PLANNING AND ZONING COMMISSION MEETING DATE 11-13-2024

PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE \_\_\_\_\_

DECISION \_\_\_\_\_



**BUCKHORN HOLDINGS LLC**

**Date:** September 12<sup>th</sup>, 2024

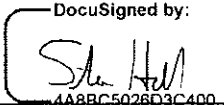
To Whom It May Concern,

We, **Buckhorn Holdings LLC**, the legal owner of the properties located at **1701, 1705, 1709, & 1711 S. Commerce Street, Lockhart, TX 78644**, hereby certify that we own the aforementioned properties.

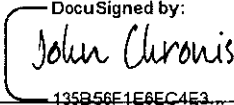
We authorize **Professional StruCIVIL Engineers, Inc. and its assigned representatives** to act on our behalf in submitting applications, documents, and other related materials necessary for **zoning changes, plats, replats, and any other related land use or planning activities** concerning the properties. This authorization grants the applicant the ability to represent us in all relevant discussions and proceedings with municipal, county, or other regulatory authorities.

Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

X  DocuSigned by:  
Steve Hall  
4A8BC5026D3C400...

**Steve Hall**  
**Director / Partner**  
**Buckhorn Holdings LLC**  
**Phone:**  
**Email:**

X  DocuSigned by:  
John Chronis  
135B56E1E6EC4E3...

**John Chronis**  
**Director / Partner**  
**Buckhorn Holdings LLC**  
**Phone:**  
**Email:**



# Lockhart Industrial Park II Revision No. 2 Resubdivision Plat of

50,070 acres out of the F. Berry Survey A-2 and the James George Survey A-9 in the City of Lockhart, Caldwell County, Texas, resubdividing Lot 4, Block 1 of Lockhart Industrial Park II Revised as recorded in Plat Cabinet A Slide 136 and Lots 8-A, 8-B, 8-C and 8-D of Lot 8, Block 1 of Lockhart Industrial Park II Revised, as recorded in Plat Cabinet A Slide 147.

## Amending Plat for Resubdivision Plat of Lockhart Industrial Park II Revision No. 2

as recorded in the records of Caldwell County, Texas in Plat Cabinet B Slide 55.

B-55  
#054570  
B-56  
#054874

LOT 4

7-9-05  
*[Signature]*  
7-9-05

LOTS 8-B, 8-C and 8-D

3-3-05  
1-9-05  
*[Signature]*  
P. P. Baskin

LOT 8-E

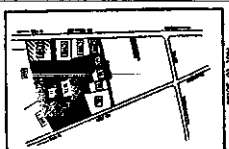
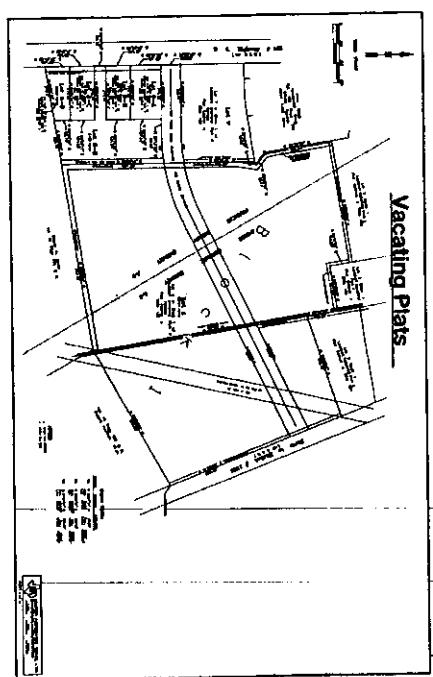
5/18/05  
9/18/05  
*[Signature]*  
Cindy Blum

LOT 8-A

1-31-06  
*[Signature]*  
1-31-06

1-18-2009  
*[Signature]*  
1-18-2009

1-18-2009  
*[Signature]*  
1-18-2009



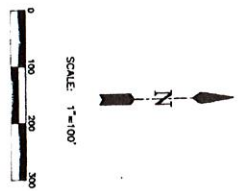
*[Signatures]*  
1-31-06



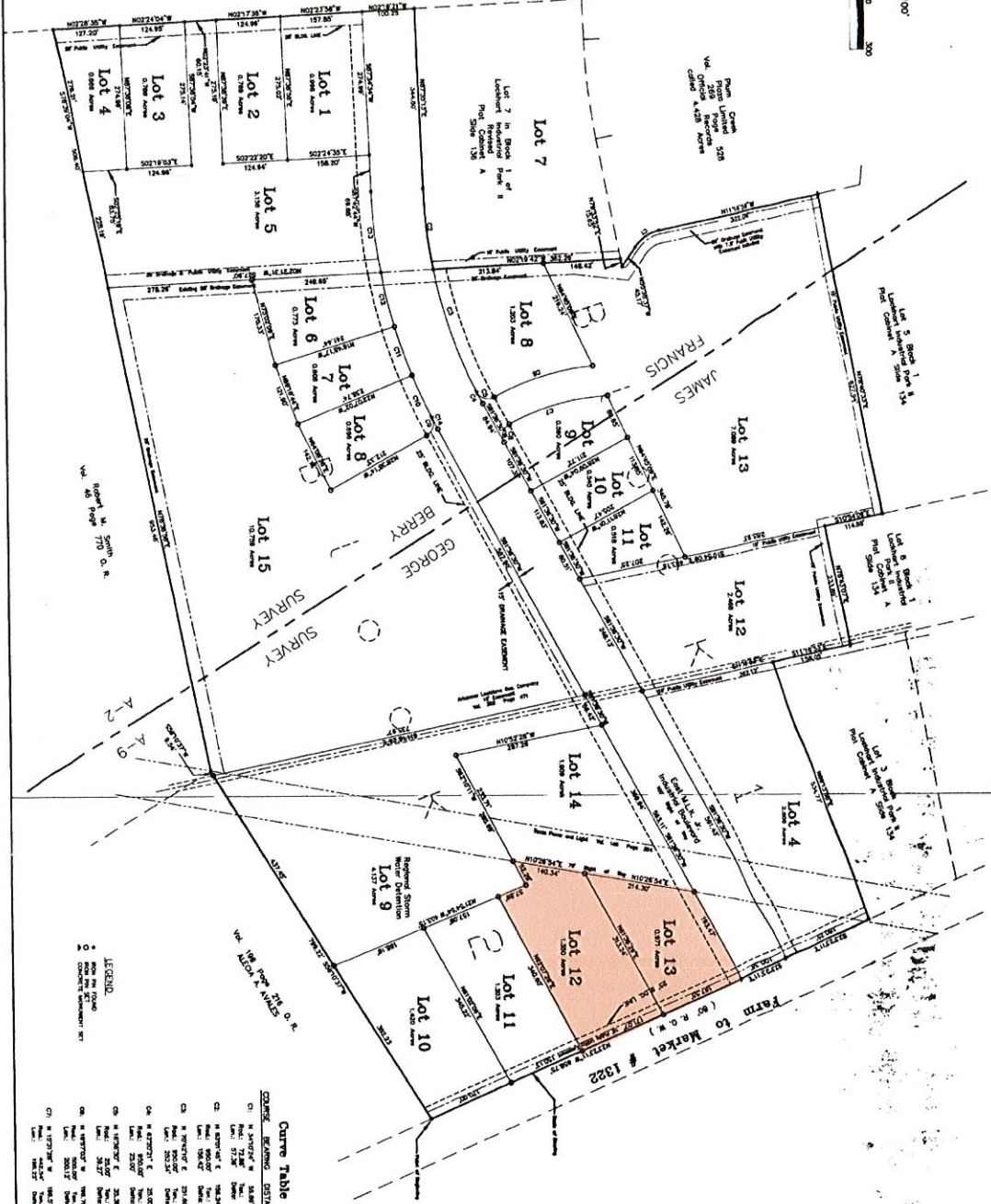
*[Signatures]*  
1-18-2009

11100 South Loop West, Suite 200  
Houston, Texas 77054  
Tel: 281.488.1111  
Fax: 281.488.1112  
www.hunterassociates.com

# Resubdivision Plat



U. S. Highway # 183  
(120' R.O.W.)



LEGEND  
 1. 1/4" = 100' SCALE  
 2. CONCRETE SURVEY ST.

**CURVE TABLE**

Curve	Bearing	Distance
C1	N 34° 57' 30" E	164.87'
C2	N 34° 57' 30" E	164.87'
C3	N 34° 57' 30" E	164.87'
C4	N 34° 57' 30" E	164.87'
C5	N 34° 57' 30" E	164.87'
C6	N 34° 57' 30" E	164.87'
C7	N 34° 57' 30" E	164.87'
C8	N 34° 57' 30" E	164.87'
C9	N 34° 57' 30" E	164.87'
C10	N 34° 57' 30" E	164.87'
C11	N 34° 57' 30" E	164.87'
C12	N 34° 57' 30" E	164.87'
C13	N 34° 57' 30" E	164.87'
C14	N 34° 57' 30" E	164.87'
C15	N 34° 57' 30" E	164.87'
C16	N 34° 57' 30" E	164.87'
C17	N 34° 57' 30" E	164.87'
C18	N 34° 57' 30" E	164.87'
C19	N 34° 57' 30" E	164.87'
C20	N 34° 57' 30" E	164.87'
C21	N 34° 57' 30" E	164.87'
C22	N 34° 57' 30" E	164.87'
C23	N 34° 57' 30" E	164.87'
C24	N 34° 57' 30" E	164.87'
C25	N 34° 57' 30" E	164.87'
C26	N 34° 57' 30" E	164.87'
C27	N 34° 57' 30" E	164.87'
C28	N 34° 57' 30" E	164.87'
C29	N 34° 57' 30" E	164.87'
C30	N 34° 57' 30" E	164.87'
C31	N 34° 57' 30" E	164.87'
C32	N 34° 57' 30" E	164.87'
C33	N 34° 57' 30" E	164.87'
C34	N 34° 57' 30" E	164.87'
C35	N 34° 57' 30" E	164.87'
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C44	N 34° 57' 30" E	164.87'
C45	N 34° 57' 30" E	164.87'
C46	N 34° 57' 30" E	164.87'
C47	N 34° 57' 30" E	164.87'
C48	N 34° 57' 30" E	164.87'
C49	N 34° 57' 30" E	164.87'
C50	N 34° 57' 30" E	164.87'

**NOTES:**

1. This plat is prepared by Hunter Associates Texas, Ltd., a professional engineering firm, under the supervision of a Professional Engineer, License No. 122, State of Texas, and is subject to the jurisdiction of the State Board of Professional Engineers, Architects, and Surveyors.
2. The plat is prepared in accordance with the provisions of the Surveying Act, Chapter 122, Texas Civil Statutes, and the rules and regulations of the State Board of Professional Engineers, Architects, and Surveyors.
3. The plat is prepared in accordance with the provisions of the Surveying Act, Chapter 122, Texas Civil Statutes, and the rules and regulations of the State Board of Professional Engineers, Architects, and Surveyors.
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