

**City of Lockhart
Planning and Zoning Commission
January 10, 2024**

MINUTES

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

Members Absent: None

Staff Present: David Fowler, Evan Olszewski, Christine Banda

Visitors/Citizens Addressing the Commission: Sandra Gomez, Paul Ginsberg, Ben Siegel, Lauren Siegel, Rebecca Hawener, Donna Daniels, Len Gabbay, Robert Steinbomer, Jana Sensat, Levi Garrett, Roy Watson

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 December 13, 2023, meeting.

Commissioner Lingvai moved to approve the December 13, 2023, minutes with the suggested corrections by Vice-Chair Oliva. Commissioner McBride seconded, and the motion passed by a vote of 7-0.

4. SUP-23-18. Hold a PUBLIC HEARING and consider a request by Sandra Gomez of CTX Lone Star Enterprises, LLC for a Specific Use Permit to allow a Bar as a use on 0.37 acres in the James George League, Abstract No. 9, zoned CHB Commercial Heavy Business District located at 1201 South Commerce Street.

Evan presented the case. He said that the applicant would like to open a bar at their proposed food court which requires a specific use permit in the CHB Commercial Heavy Business District. He showed the site plan submitted by the applicant so the members could see the location of the bar on the subject property. The property abuts a single-family residence to the north. Screening is required between commercial uses and residential zoning district. He mentioned that no opposition was received.

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

Sandra Gomez with CTX Lone Star Enterprises, LLC of 395 Cullen Blvd, Buda, came forward and stated that the company is owned by her, her husband and son. She said they plan to use the

existing fence on the north side of the property and add screening to the south of the property with a sliding gate so that the court can be locked after hours. The court will provide rental spaces for food trucks with outdoor dining area with the availability of selling alcohol on the premises. There will not be any outdoor entertainment. The only building that would be built on the property would be the bar and restrooms. The times of operation are Thursday through Sunday from 4 p.m. – midnight.

Commissioner Haug had some suggestions for the site plan, including moving the trash bins to the south of the property to help deter odors from reaching the neighboring property owner, screening the trash dumpster area and adding parking stops to the parking spaces.

Ms. Gomez said the trash bin area would be screened, and it may be possible to relocate it to the south side of the lot. Sha also stated the parking spaces would have wheel stops.

Commissioner Lingvai asked what the parking requirements for the food trailers were.

Ms. Gomez said that two parking spaces were required per food trailer.

Commissioner Arnic expressed concern about lighting being an issue for the neighboring property owners and suggested that Ms. Gomez be sure and look into it, so they do not disrupt the neighbors.

Chair Ruiz informed Ms. Gomez that previous SUPs for bars in town were given a one-year trial period. After one year the commissioners would receive a police report and the application would have to come back before the commission to consider their bar use again, with renewal depending upon the police report.

Francisco Rangel of 1204 S Commerce St. said he had safety concerns along the street because of the increased traffic.

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

Mr. Olszewski said that staff recommends approval with the conditions of additional landscaping being planted to add screening along the north and south property lines at least 8 feet in height, reducing the width of the parking lot, extended the parking lot to allow a turn-around for vehicles and trailers pulling out of the parking spaces closest to the start of the food court area.

There was additional discussion amongst the commissioners about the dumpster and screening.

Ms. Gomez came forward again to express that they would be taking a big risk if they were not approved for the bar SUP permanently and had to come back in one year for final approval.

Commissioner Oliva moved to approve SUP-23-18 with conditions of adding 8-foot-high fencing along the south and north property lines, moving the trash bins to the south of the property, and requiring the parking area to be made less wide to accommodate landscaping on the

property lines. The one-year review was not included. Commissioner Haug seconded, and the motion passed with a vote of 7-0.

5. SUP-23-19. Hold a PUBLIC HEARING and consider a request by Lauren Siegel of The Judge's House, LLC for a Specific Use Permit to allow a Lodging House or Boarding House and Special Events Center as a use on 0.925 acres in the Arnette McDaniels Subdivision, Block 1, Lot 1, zoned RMD Residential Medium Density District located at 703 West San Antonio Street (SH 142).

Mr. Olszewski presented the case. He said that the applicant first intended to have an Airbnb but instead would like to have a lodging or boarding house with an indoor and outdoor special event center. The property is under remodel currently. The proposed venue includes four overnight rooms and can accommodate approximately 200 event guests. The applicant claimed to have secured offsite parking agreements with Lockhart Ace Hardware and First Lockhart Baptist Church to provide additional parking spaces.

Chair Ruiz asked if the subject property was a historical site.

Mr. Olszewski said that the property had been designated a landmark, but the landmark status was never recorded onto the property deed, and that the City Council removed it from the historical listing because of a request from the present applicant.

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

Ben Siegel, of 84 Chalmers Ave., Austin said the goal is to have a venue for weddings with bride and groom suites upstairs and that the house is already set up with a boarding house feel inside.

Commissioner McBride asked about their proposed off-site parking.

Mr. Siegel said they spoke with city staff and have met the parking requirements and would also inform all those using the space where they should park.

Chair Ruiz asked if it would be possible to get a contract instead of email from Ace Hardware and First Lockhart Baptist Church for the additional parking.

Mr. Siegel said that those establishments are used to providing parking for other businesses and is not sure a contract is necessary.

Lauren Siegel, the wife of Ben Siegel and co-applicant, stated that she is in talks with other property owners to provide more parking. She confirmed the e-mails and stated she believed that they have good backups for parking.

Mr. Siegel said that he had spoken to Rebecca Hawener who had hosted A Night with the Authors for 17 years and that there had never been any issues with parking along West San Antonio Street (SH 142).

Mrs. Siegel said she has spoken with many wedding planners for their input and most bus in their clients to wedding venues.

Rebecca Hawener of 625 W. San Antonio St. said she has no problem with the lodging or boarding house but does not agree with the special events center which would negatively impact the neighborhood. She also has concerns with the proposed off-site parking proposed.

Donna Daniels of 420 W. Prairie Lea St. said she owns the property next to the Judge's House and believes that the Siegel's would have a nice, maintained venue and be good neighbors. She is in favor of the project.

Len Gabbay of 420 W. Prairie Lea St. said he is in favor of the project. He said the applicant owns the Bangers restaurant in Austin and it is a wonderful establishment.

Robert Steinbomer of 321 San Jacinto St. said he is doing the remodeling work on the Judge's House. He stated that the Siegels are very considerate of the city and the neighborhood.

Ms. Hawener came forward again to say that the venue would disturb her and the folks across the street. There would still be noise complaints and she does not want a wedding venue next door to her property.

Jana Sensat of 716 W. San Antonio St. said she is in favor of the SUP.

Levi Garrett of 400 W. Prairie Lea St. said there have been no issues with the frequent community events or film crews in his area regarding parking, so he is in favor of the SUP.

Roy Watson of 700 W. San Antonio St. said he lives directly across the venue location. He said he found it alarming that the off-site parking requirements were considered to be sufficient. He also said that an Evening with the Authors is held only one night out of the year. He would like to know the frequency of the proposed facility's events, which could very much impact the neighborhood. He believes more clarification is needed from the applicants regarding the events.

Ms. Hawener said she had indeed held the Evening for the Authors event, but it is a collaboration with the city and held from 6 p.m. – 9 p.m. for one night out of the year. She stated the venue being proposed is a completely different level of activity.

Ronda Reagan of 412 W. San Antonio St. said she has lived in Lockhart for 18 years. Two local residents who own The Carlisle House turned it into an Airbnb. There have been reports made regarding noise complaints and parking issues on that property. The owners of the Carlisle House are good neighbors and agreed they will no longer hold weddings at their property. Ms. Reagan mentioned that golf carts could be an issue transporting guests to the venue because they are not allowed on State Highways such as W. San Antonio St. She reached out to the manager at ACE Hardware and said they were confused and thought it was a local resident requesting additional parking and would have to retract the email sent to the Siegels. She said normally bartenders at such venues have the bar open for 5-6 hours, which raises concerns regarding who would control the events if things get out of hand.

Christine Ohlendorf of 815 W. San Antonio St. said at their Historical Preservation Commission meeting the applicants originally proposed a Bed and breakfast. She is concerned with parking for this venue, concerned for pedestrians, and noise levels.

Mr. Siegel stated that he appreciates all the neighbors' concerns and comments. He reassured the commissioners that they have every intention of being a good neighbor. Their wedding venue in Austin is also located in a residential neighborhood with no noise complaints and they do over 100 events a year. Their first intention was to make an Airbnb but have pivoted to the proposed use.

Mrs. Siegel thanked Ms. Reagan for contacting ACE Hardware and stated they are confident they can handle the events' parking requirements. He said they have been open to the City's requests and want to create something beautiful.

Ronda Reagan said she is a licensed real estate broker for both residential and commercial properties. There is the possibility of conditioning the any real estate sale upon SUP or other needed zoning approval. This could have been an option for the Siegels when buying the property.

Ms. Daniels said being the previous owner of 703 W. San Antonio St., she understands the unique structure of the home and it better suits for a boarding house rather than a residential home for a family.

Ms. Ohlendorf mentioned that the offsite parking would require insurance and wondered who would be responsible if a guest or citizen is injured.

Chair Ruiz asked for any other speakers, seeing none he closed the public hearing and asked for staff recommendations.

Mr. Olszewski said that the Commission can approve SUP for a special events center, conditional upon specifying parking requirements for the site. He said since the proposed uses meet the requirements staff recommends approval.

Commissioner Lingvai moved to approve SUP-23-18. Commissioner Haug seconded, and the motion passed with a vote of 5-2 with Chair Ruiz and Vice-Chair Oliva against.

6. SUP-24-01. Hold a PUBLIC HEARING and consider a request by Ivan Tristan for a Specific Use Permit to allow an Accessory Dwelling Unit (General Type) on Lot 6, Block 4, Lipscomb's Subdivision, consisting of 0.183 acres zoned RMD Residential Medium Density District and located at 817 Fir Lane.

WITHDRAWN

7. ZC-23-10. Hold a PUBLIC HEARING and consider a request by Paul Ginsberg for a Zoning Change from RLD Residential Low Density District to RMD Residential Medium Density District on a total of 0.371 acres in the Byrd Lockhart League, Abstract No. 17, located at 1107 and 1109 North Commerce Street.

David Fowler presented the case. He said the applicant would like to change the residential zoning district to RMD so they could subdivide the property with the lots running north and south instead of east to west as the property looks now. The revised zoning allows would allow for two conforming lots to be created on the site, whereas the current parcels are of nonconforming dimensions. The proposed RMD zoning district is consistent with the future land use plan.

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

Paul Ginsberg of 851 Peach St said he is requesting the zoning change for his property for the reasons outlined in the staff presentation.

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

Mr. Fowler said that staff recommends approval.

Commissioner Oliva moved to approve ZC-23-10. Commissioner Arnic seconded, and the motion passed with a vote of 7-0.

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


David Fowler said that their next meeting will be on Wednesday, January 24th. There will be lighting ordinance code amendments and an industrial PDD on the agenda.

9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:56 p.m.

Approved: 1-24-2024
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair