

## **PUBLIC NOTICE**

**City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, February 12, 2025  
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 January 22, 2025 meeting.
4. **SUP-25-01.** Hold a PUBLIC HEARING and consider a request by Anna Bermudez and Kenneth Price for a **Specific Use Permit** to allow an *Accessory Dwelling Unit (General Type)* on Lot 1, Block 1, Bermudez-Price Subdivision, consisting of 0.712 acres zoned RMD Residential Medium Density District and located at 820 North Blanco Street.
5. **SUP-25-02.** Hold a PUBLIC HEARING and consider a request by Alysia Grissom with Texas Freelance Paralegals, LLC, for a **Specific Use Permit** to allow a *Veterinary Hospital and Kennel* on 0.724 acres in the Original Town Lockhart, Block 43, part of Lot 4, zoned CHB Commercial Heavy Business District, located at 605 East Market 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 11:30 a.m. on the 6<sup>th</sup> day of February, 2025.**

**City of Lockhart**  
**Planning and Zoning Commission**  
**January 22, 2025**

**MINUTES**

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

**Members Absent:** Julia Haug

**Staff Present:** David Fowler, Kevin Waller, Romy Brossman

**Visitors/Citizens Addressing the Commission:**

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:01 p.m.

2. Election of Officers for 2025.

*Commissioner Peterson moved to nominate Chair Ruiz and Vice-Chair Oliva to continue as Chair and Vice-Chair. Member Arnic seconded, and the motion passed with a vote of 6 - 0.*

3. Citizen comments not related to an agenda item. None

4. Consider the Minutes of the December 11, 2024 meeting.

*Commissioner Arnic moved to approve the December 11, 2024, minutes. Commissioner Lingvai seconded, and the motion passed by a vote of 6 - 0.*

4. **FP-24-09.** Consider a request by Blayne Stansberry for approval of a revised **Final Plat** for GAH Subdivision, consisting of 21.4366 acres on property in the Francis Berry Survey, Abstract No. 2, zoned CLB (Commercial Light Business) and RHD (Residential High Density), and located at 1505 S. Main St. and 221 W. MLK Jr. Industrial Blvd., including a Variance to Chapter 52, "Subdivision Regulations," Section 52-76(d), to allow two flag lots in place of the one flag lot limitation.

Kevin Waller presented the proposed plat. The proposed layout had two lots, one of which includes the existing Golden Age Home building and the other being undeveloped land. A new Golden Age Home facility is proposed to be constructed on the vacant lot with the existing facility to be repurposed or redeveloped in the future. According to Plat Note 9, four-foot-wide public sidewalks will be constructed along the subdivision frontages with the future South Medina Street and Sunset Drive extensions. In addition, a variance has been requested by the applicant to allow both proposed lots to be flag lots with less than the minimum required lot frontage along South Main Street. The current plat and variance request revises the plat and variance that was approved by the Commission in April 2022, the approval period of which expired in April 2023. The revised plat increases the depth of Lot 1 westward to the eastern boundary of the planned right-of-way extension of South Medina Street. A City Council hearing

will take place on Tuesday, January 21 for the abandonment of undeveloped rights-of-way, one of which currently exists on the western portion of proposed Lot 1 and was originally part of the development plans of a previous owner.

Upon review of the variance request, Staff believes it warrants approval since the only way to allow for access and development of the vacant area proposed as Lot 1 is to allow both lots as flag lots. The South Medina Street extension to the immediate west of the subdivision will occur at some point in the future, thereby providing additional access to the new Golden Age Home facility, which might not happen until after the new facility is constructed and in operation.

Blayne Stansberry of Stansberry Engineering Co., 605 Arroyo Vista Dr. Manchaca, TX, showed her own presentation of the existing plat and proposed plat. If the revised plat and variance are denied, it would prohibit Golden Age Home the option of selling the existing building for which they have no future plans. Maintenance of the 1950's era building would be expensive and would force Golden Age Home to be a landlord diverting their focus from elder care.

Chair Ruiz asked if another lot configuration is possible, why the flag lot configuration?

Ms. Stansberry responded this could not be done according to code because each lot must have frontage on a right-of-way. That may be available at a later date, but it can't be done currently. The only way to submit a site plan for this building is to have a legal lot which would be subdivided and a flag lot. In the future, with the extension of South Medina, there will be additional right-of-way access.

Mr. Waller reported that staff recommends approval of the plat and variance with two conditions including 1) abandonment of the right-of-way intersecting the west portion of Lot 1 and 2) revise Plat Note 9 to read - four foot wide public sidewalks shall be constructed along the Lot 1 frontage of the future South Medina Street extension and along the Lot 1 frontage of the future Sunset Drive extension by the owner of Lot 1 at the time the street extensions are constructed.

Commissioner Lingvai expressed concern of a property owner's desire to build a sidewalk adjacent to another contractor building a street. He asked if it would be possible to set aside the money in a fund so that whoever builds the street also builds the sidewalk?

David Fowler reported that most likely the street will be built by the same applicant as the plat. It will just be later and if not, whoever builds the street will build the sidewalk. A "fee in lieu of" for the sidewalk could be done though costs may inflate at a later date. Another option is to pre-build the sidewalk at the time a new building is constructed.

The Commission discussed other possibilities regarding who will fund and construct the sidewalk and the South Medina Street extension.

*Commissioner Peterson moved to approve FP-24-09 with the two recommended conditions including (1) abandonment of the right-of-way traversing the west portion of proposed Lot 1 at today's (January 23, 2025) City Council meeting; and (2) the revision of Plat Note 9 to require that sidewalks along the future South Medina Street and Sunset Drive extensions be constructed*

only at the time of the street extension construction. *Commissioner Lingvai seconded, and the motion passed with a vote of 6 - 0.*

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

David Fowler came forward to state the next Planning and Zoning Meeting is scheduled for February 12<sup>th</sup>. There were no items yet scheduled for that meeting, but there is a zoning case scheduled for February 26<sup>th</sup>.

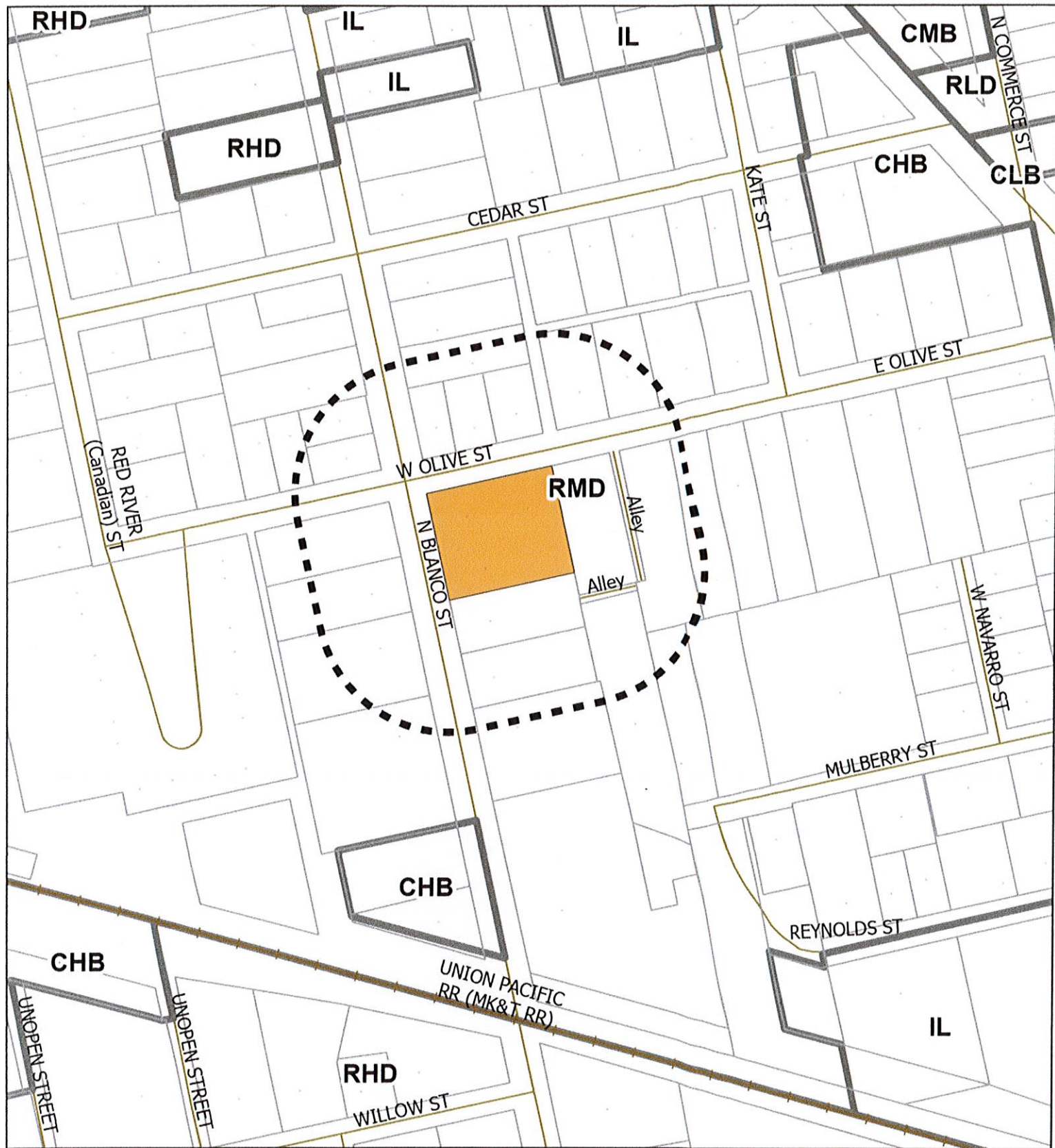
7. Adjournment.

*Commissioner Peterson moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:32 p.m.*

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

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

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



**SUP-25-01**

820 N BLANCO ST

ADU - GENERAL TYPE



Scale 1" = 200'



**SUBJECT PROPERTY**



**ZONING BOUNDARY**



**200 FT BUFFER**



PECOS ST

E BIRCH ST

UNOPEN STREET

UNOPEN STREET

RED RIVER (Canadian) ST

APPLE ST

N BLANCO ST

W MULBERRY ST

CEDAR ST

WILLOW ST

Alley

Alley

KATE ST

BOLIVAR ST

REYNOLDS ST

MULBERRY ST

W NAVARRO ST

N COLORADO ST

N COMMERCE ST  
FLORES ST

LAREDO ST



## CASE SUMMARY

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STAFF CONTACT: Evan Olszewski, Senior Planner

CASE NUMBER: SUP-25-01

REPORT DATE: February 5, 2025

PUBLIC HEARING DATE: February 12, 2025

APPLICANT'S REQUEST: Accessory Dwelling unit – General Type

STAFF RECOMMENDATION: **Approval**, with conditions

SUGGESTED CONDITIONS: No construction or use of the ADU shall occur prior to the recordation of the plat combining the subject property and the lot to the south.

## BACKGROUND DATA

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APPLICANT(S): Kenneth Price and Anna Bermudez

OWNER(S): Kenneth Price and Anna Bermudez

SITE LOCATION: 820 North Blanco Street

LEGAL DESCRIPTION: Lot 1, Block 1, Bermudez-Price Subdivision

SIZE OF PROPERTY: 0.712 acres

EXISTING USE OF PROPERTY: Residential

ZONING CLASSIFICATION: RMD Residential Medium Density

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** The subject property is currently zoned Residential Medium Density. The lot's dimensions are approximately 165 feet by 185 feet, for an area of approximately 30,500 square feet. The lot covers 0.712 acres and is in an area characterized by the same zoning and smaller lot sizes. The Applicants request a Specific Use Permit for an Accessory Dwelling Unit – General type use. The ADU-General type has a maximum size of 1,000 square feet or ½ of the main dwelling unit's square footage and requires two off-street parking spaces. This SUP is before the Commission because the proposed ADU is 700 square feet, which is larger than the ADU - Limited type maximum of 600 square feet or ½ of the main dwelling's square footage.

The Applicants submitted a site plan showing the proposed ADU located at the south-eastern corner of the property. The Applicants' property has several other outbuildings used as accessories to the main dwelling, but no existing ADU. The ADU will be adapted from an existing workshop which is already located at the proposed spot. It will be twenty feet by thirty-five feet, with the long edge facing the Applicants' second lot to the south.

**NEIGHBORHOOD COMPATIBILITY:** The surrounding zoning classifications are Residential Medium Density in all directions. The neighboring property to the east at 202 West Olive Street has an SUP for the Lodging and Boarding House use which was granted in 2023 (SUP-23-09). The Future Land Use Map notes that the property is within the new Plum Creek District and recommends single-family dwellings with ADUs as suitable for the area.

The property abuts an empty lot to the south which is also owned by the Applicants and used as an accessory yard to the primary dwelling. The Applicants are currently in the process of combining the subject property and this southern lot. The Applicants recently constructed an eight-foot fence on the eastern property line of the subject property and the lot to the south which screens their property from the abutting residences to the east.

COMPLIANCE WITH STANDARDS: The proposed ADU – General must meet the requirements for the use in Section 64-2 of the Lockhart Code of Ordinances, entitled “Definitions” and in Appendix I of the same chapter. The proposed size of the ADU satisfies these requirements. The two parking spaces will be provided on the property’s two driveways.

The setback standards in Appendix I of the zoning code are not met in the Applicants’ site plan. Recent measurements provided by the Applicants show that the distance from the ADU to the southern lot line is approximately 4.5 feet, six inches too close to the lot line to meet the five-foot setback required. The scope of the renovation to the workshop is too large for the ADU to be exempt from the setbacks as a pre-existing building under the Section 64-62 “Nonconforming buildings” standards. Typically, a variance to the setbacks or a modification of the Applicants’ proposal would be required in similar situations. However, in this case there is a combining plat underway to combine the subject property and the lot to the south which would nullify the concern over the southern setback. Initially, the Applicants had anticipated completing the plat process prior to applying for the SUP, but there have been delays in the process. Since the existing part of the structure is partially demolished and exposed to the elements, the Planning Department and Building Department agree that a decision on this SUP request with the condition that no construction or use of the ADU shall occur prior to the plat’s recordation is acceptable. Excepting the southern setback, the proposed ADU meets all code requirements.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be available from the driveways on North Blanco Street. An eight-inch water line serves the property from North Blanco Street. The wastewater infrastructure map shows a six-inch line also located on North Blanco Street.

RESPONSE TO NOTIFICATION: None as of the date of this report.

STAFF RECOMMENDATION: **Approval, with the condition that the Applicant complete and record the plat combining the subject property and the lot to the south prior to any construction or use of the ADU taking place.**

2016-004839  
C-17

STATE OF TEXAS  
COUNTY OF CALDWELL

We, the undersigned owners of the land shown on this plat recorded in Instrument #2015-003476 and Instrument #2015-003894 of the Official Records of Caldwell County, Texas and to be designated as LOT 1 in BLOCK 1 of BERMUDEZ-PRICE SUBDIVISION in the City of Lockhart, Caldwell County, Texas do hereby dedicate to the use of the public forever, the streets and alleys shown herein, and further reserves to the public all easements for the mutual use of all public utilities desiring to use the same; that any public utility shall have the right to remove and keep removed all or any part of any growth or construction for maintenance or efficient use of its respective system in such easements, and further shall have full and uninterrupted access along such easements.

9-12-16  
DATE

KENNETH PRICE  
401 James Street  
Houston Texas 78155

9-8-16  
DATE

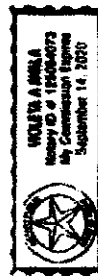
ANNA BERMUDEZ  
401 James Street  
Houston Texas 78155

9-12-16  
DATE

STEVEN BERMUDEZ  
2301 Harford  
Houston, Texas 78278

STATE OF TEXAS  
COUNTY OF CALDWELL

This instrument was acknowledged before me on September 12, 2016 by Kenneth Price.



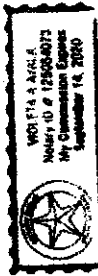
STATE OF TEXAS  
COUNTY OF CALDWELL

This instrument was acknowledged before me on September 9, 2016 by Anna Bermudez.

*Anna Bermudez*  
Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

This instrument was acknowledged before me on September 12, 2016 by Steven Bermudez.



*Steven Bermudez*  
Notary Public in and for the State of Texas

## Plat of

# Bermudez-Price Subdivision

A Subdivision of 0.712 acres out of the Byrd Lockhart Survey A-17 in the City of Lockhart, Caldwell County, Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Jerry L. Hinkle, registered public surveyor, State of Texas, hereby certify that this plat is a true and correct representation of a survey made on the ground under my direct supervision and is true and correct to the best of my knowledge.

IN WITNESS THEREOF, my hand and seal, this 8<sup>th</sup> day of September 2016.

JERRY L. HINKLE  
Registered Professional  
Land Surveyor # 8459

STATE OF TEXAS  
COUNTY OF CALDWELL

I, Carol Holcomb, County Clerk in and for Caldwell County, Texas do hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office the 21<sup>st</sup> day of September, 2016, at 10:15 o'clock A. M. and duly recorded on the 21<sup>st</sup> day of September, 2016, in the Plat Records of Caldwell County, Texas in Plat Cabinet Slide A7.

Carol Holcomb  
County Clerk

### LEGAL DESCRIPTION

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of the Byrd Lockhart Survey A-17 and being also all of a tract of land conveyed to Kenneth Price et al by deed recorded in Instrument #2015-003476 of the Official Records of Caldwell County, Texas and also all of a tract of land conveyed to Kenneth Price et al by deed recorded in Instrument #2015-003894 of the said Official Records and being more particularly described as follows:

BEGINNING at a capped iron pin found (stamped "Hinkle Surveyors") in the NW corner of the above mentioned Instrument #2015-003476 tract and the intersection of the East line of North Blanco Street and the South line of West Olive Street for the NW corner this tract.

THENCE N 80 degrees 00 minutes 00 seconds E with the North line of the said Instrument #2015-003476 tract and the South line of West Olive Street 186.00 feet to a capped iron pin found (stamped "Hinkle Surveyors") in the NE corner of the said Instrument #2015-003476 and the West line of a 10' Alley for the NE corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the East lines of the said Instrument #2015-003476 and the above mentioned Instrument #2015-003894 and the West line of the 10' Alley 185.00 feet to a capped iron pin found (stamped "Hinkle Surveyors") in the SE corner of the said Instrument #2015-003894 and the apparent NE corner of a tract of land conveyed to Leslie Wayne Jacobs by deed recorded in Volume 59 Page 834 of the said Official Records for the SE corner this tract.

ACTING  
Chairman of the Planning and Zoning Commission of the City  
of Lockhart, Texas, do hereby certify that this plat was approved by the City of Lockhart, Texas, on this  
the 17th day of SEPTEMBER, 2013

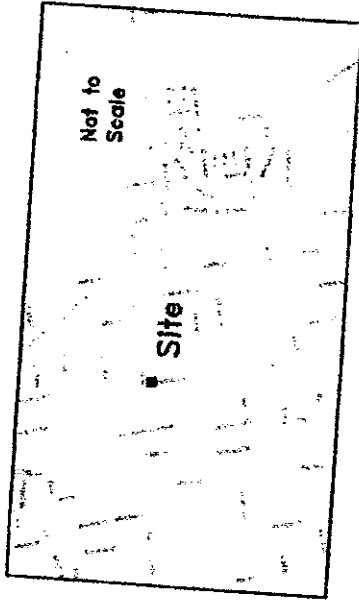
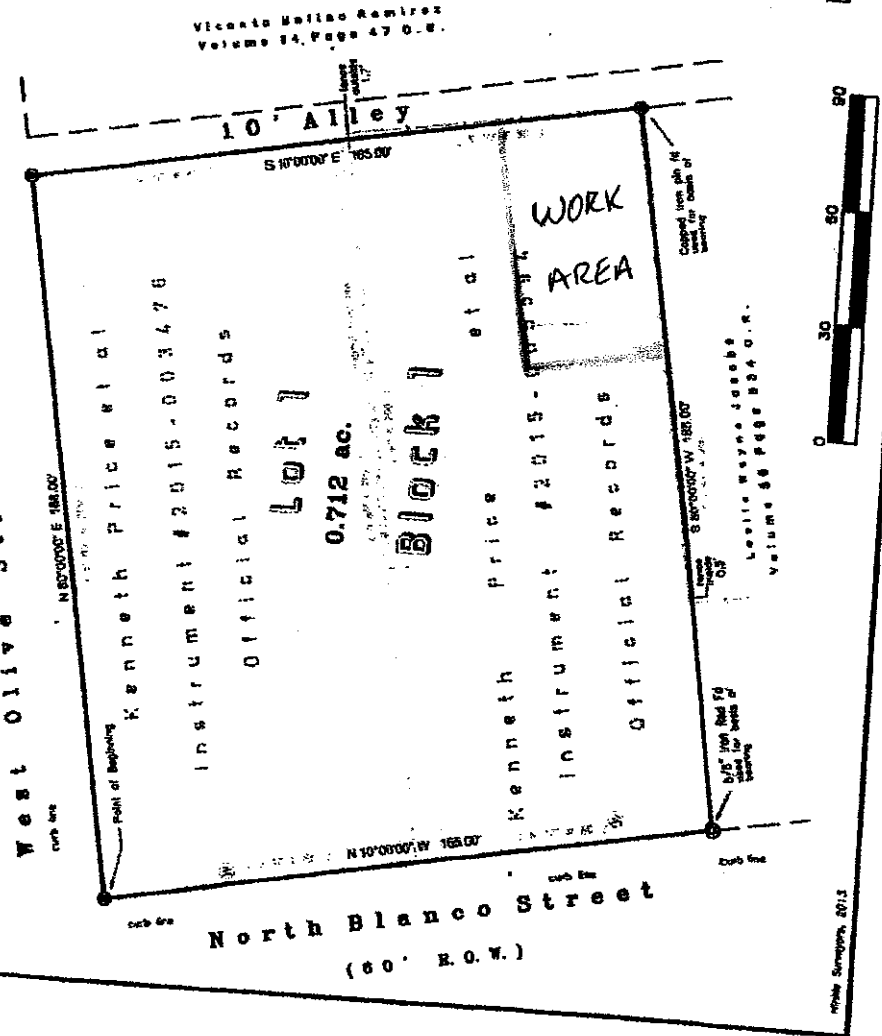
*[Signature]*  
Chairman

... and one apparent North line of the above mentioned Jacobs tract 186.00 feet to a 3/4" iron rod found used for basis of bearing in the SW corner of the said Instrument #2015-005594 and the East line of North Blanco Street for the SW corner this tract.

THENCE N 10 degrees 00 minutes 00 seconds W with the West lines of the said Instrument #2015-005594 and Instrument #2015-003476 and the East line of North Blanco Street 185.00 feet to the place of beginning containing 0.712 acres of land more or less.

**SURVEYOR'S NOTES:**

- 1) The Lot shown lies in Flood Zone "X" The City of Lockhart has adopted Zone "X" to be no special flood hazard, according to FEMA Panel #48055C0120E dated June 19, 2012.
  - 2) Lot 1 Block 1 is zoned RMD1 (Residential Medium Density)
  - 3) RECORD OWNER OF LAND: Kenneth Price, Anna Bermudez and Steven Bermudez
- DESIGNER OF PLAT: Hinkle Surveyors, PO Box 1027 Lockhart TX 78644  
(512) 398-2000  
DATE OF PREPARATION: April 2015  
SURVEYOR OF PLAT: Jerry L. Hinkle, R.P.L.S. #5459 PO Box 1027 Lockhart TX 78644 (512) 398-2000



**HINKLE SURVEYORS**

P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644  
PH: (512) 398-2000 Fax: (512) 398-7853 Email: contact@hinklesurveyors.com Firm Registration No. 100288-00

Surveyor: Jerry L. Hinkle  
Surveyor: Anna Bermudez  
Surveyor: Steven Bermudez  
Surveyor: David L. Hinkle  
Surveyor: David L. Hinkle  
Surveyor: David L. Hinkle

[illegible]

PROPOSED  
WORK AREA  
SEE DETAIL -  
S1.a

820 N. BANC  
0712 AC

Lot 1 Block 1

BERMUDEZ-PRICE

SCALE: 1" = 20'

# SITE PLAN

24'  
x  
14'  
NORTH

32' x 80'

# WOODFRAMED HOUSE

DRIVEWAY

DRIVEWAY

IPF

N. BLANCO ST.

PROPOSED NEW CONSTRUCTION

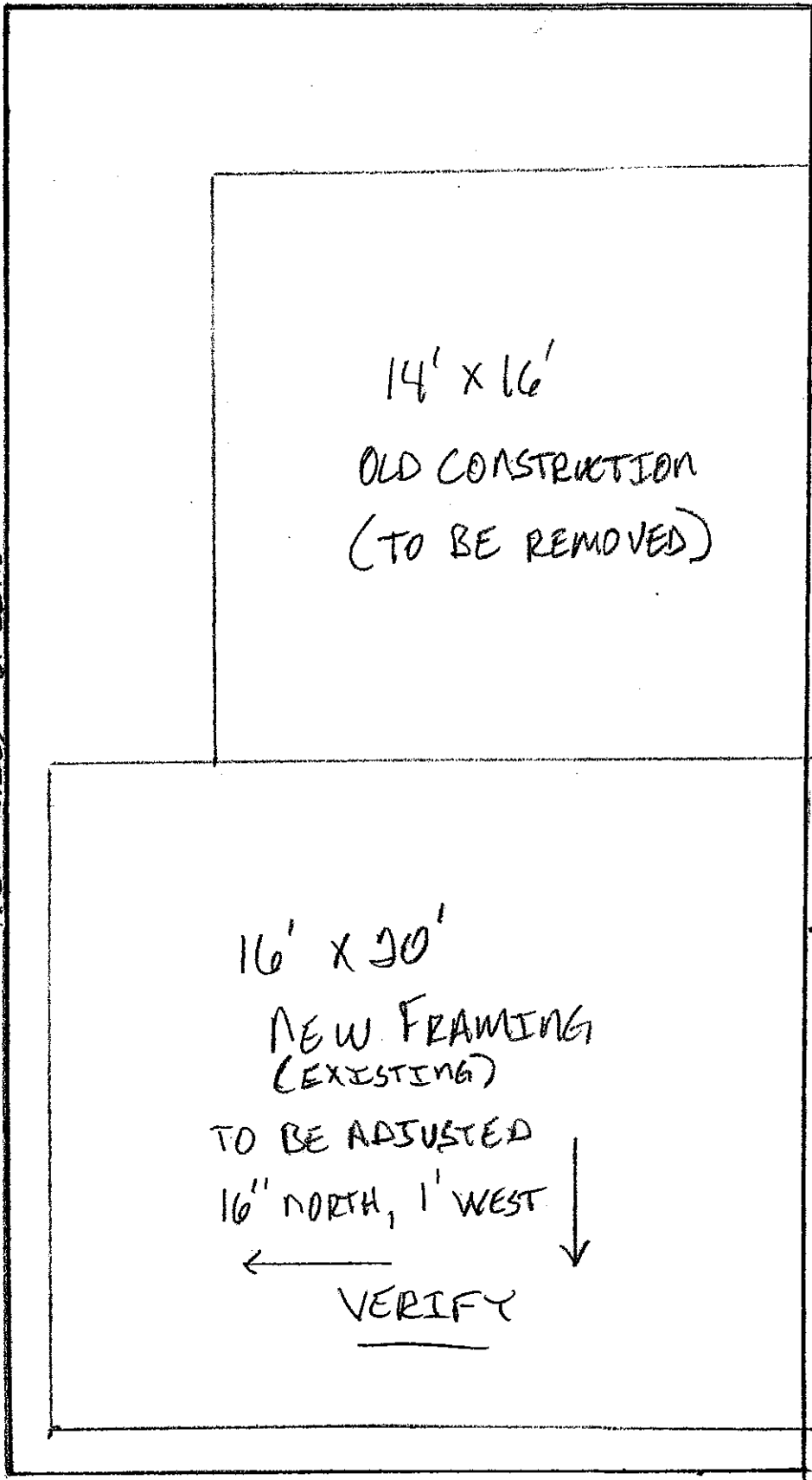
REAR  
SETBACK

35'

10'

ROOF LINE ABOVE

NEW BUILDING LINE



14' x 16'

OLD CONSTRUCTION  
(TO BE REMOVED)

16' x 20'

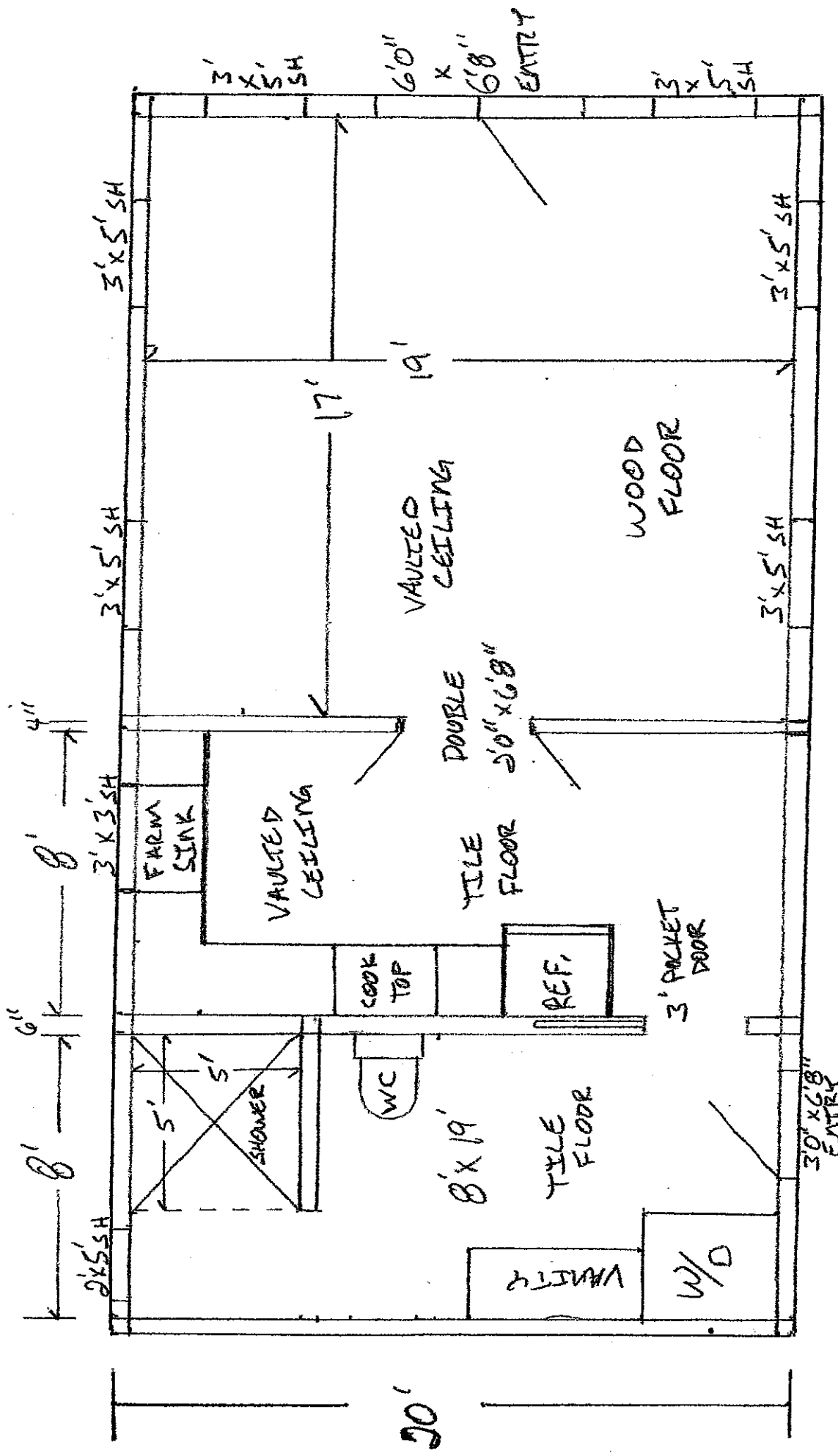
NEW FRAMING  
(EXISTING)  
TO BE ADJUSTED  
16" NORTH, 1' WEST  
←  
↓  
VERIFY

5'  
SIDE  
SETBACK  
FROM  
OH

ROOF LINE ABOVE

1/4" = 1'

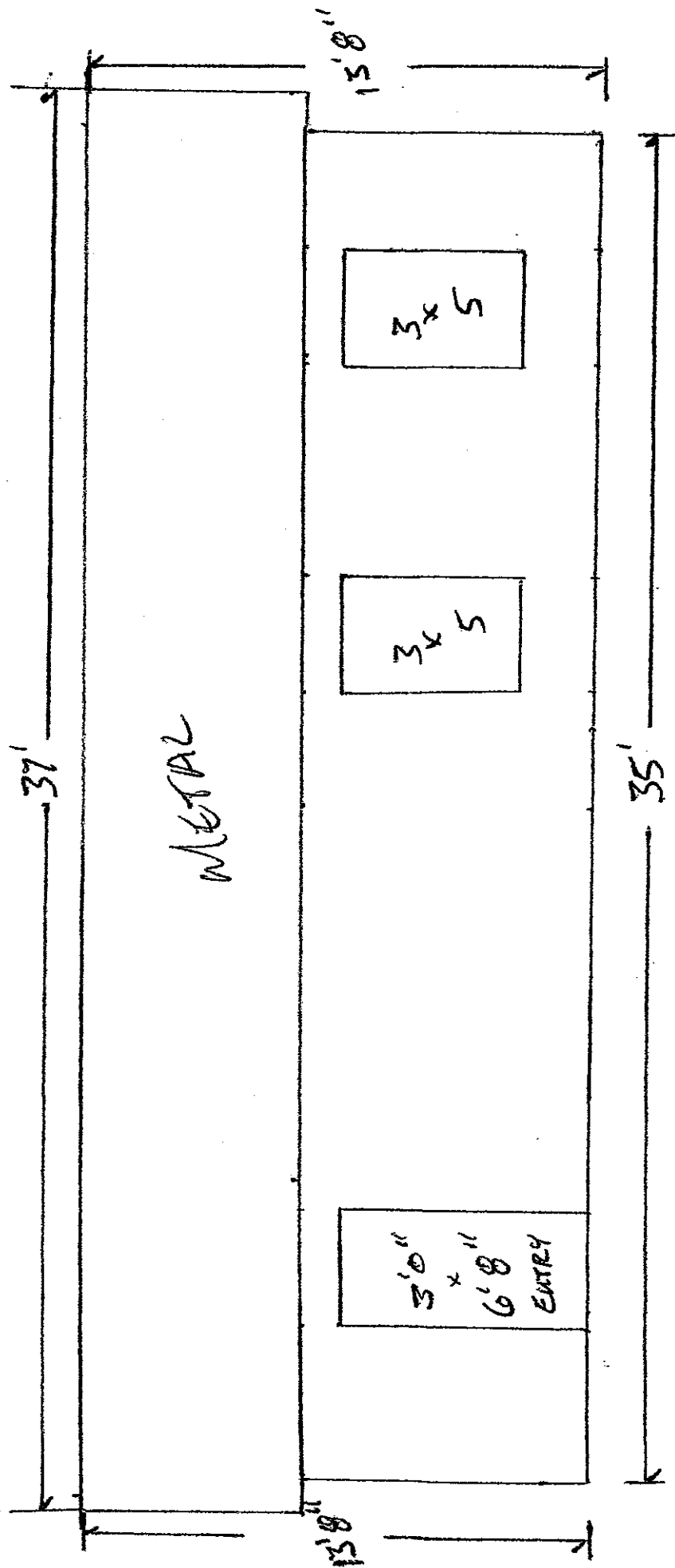
Sl.a



820 N. BLANCO

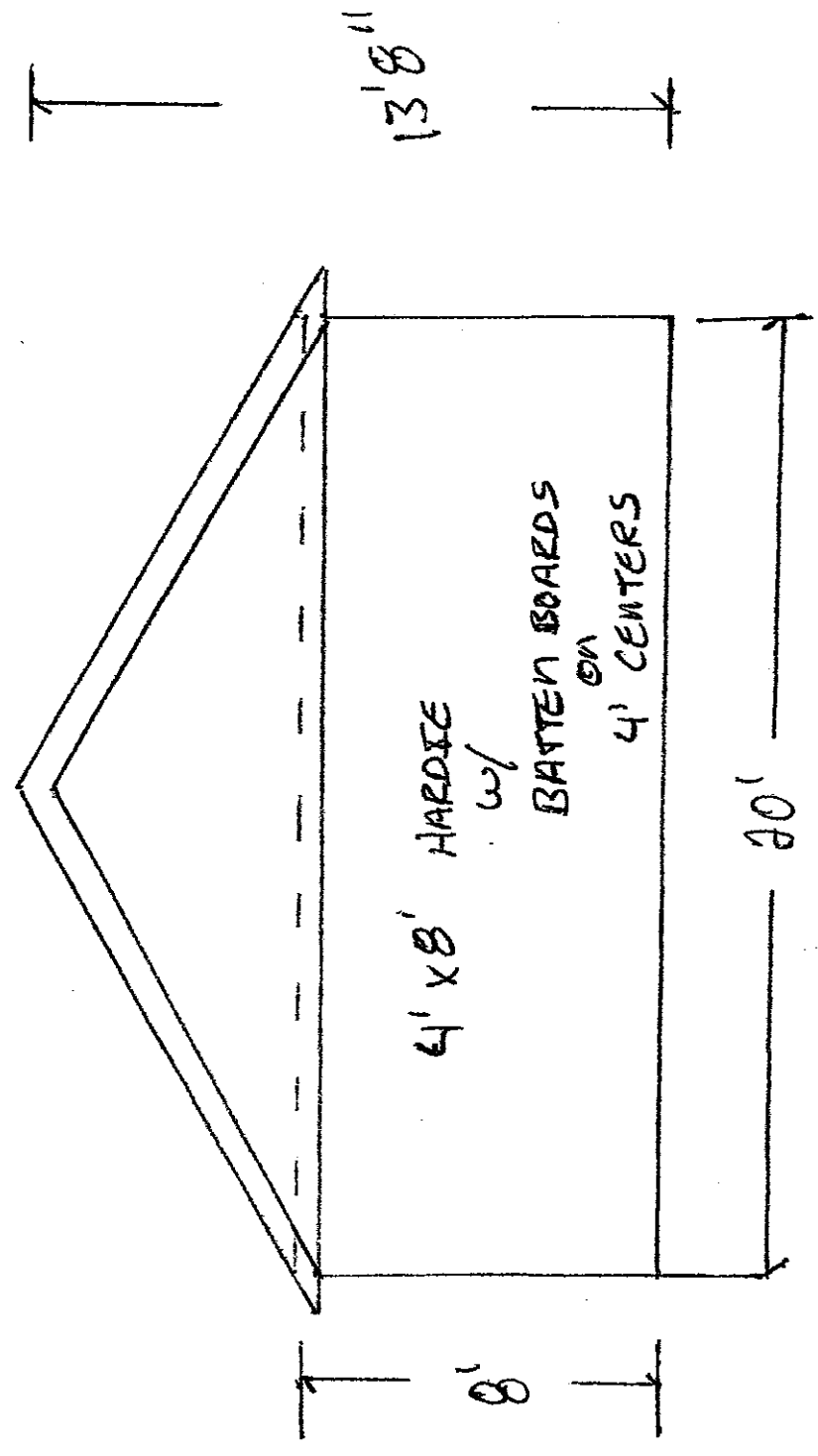
$$\frac{1}{4}'' = 1'$$

# NORTH ELEVATION



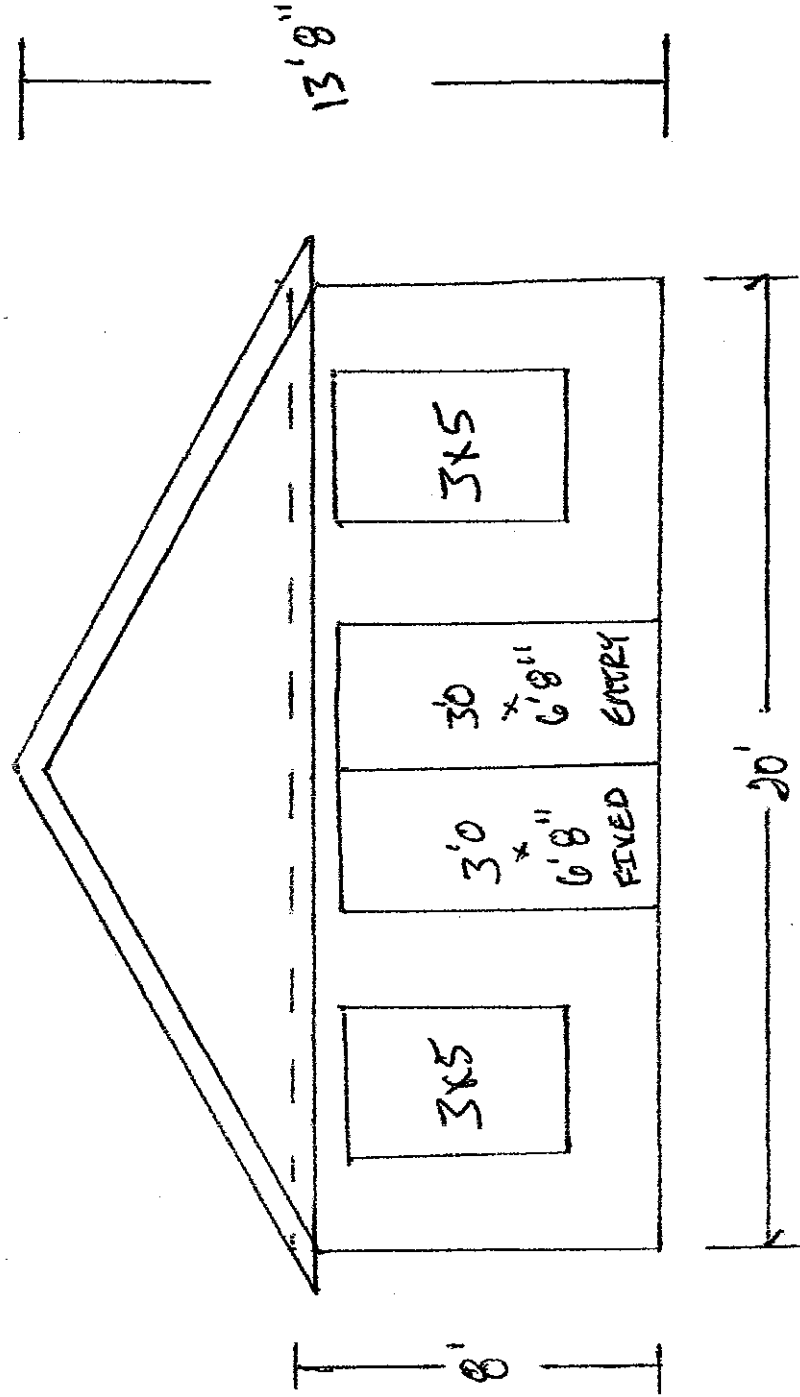
$$1\frac{1}{4} = 1'$$

EAST ELEVATION



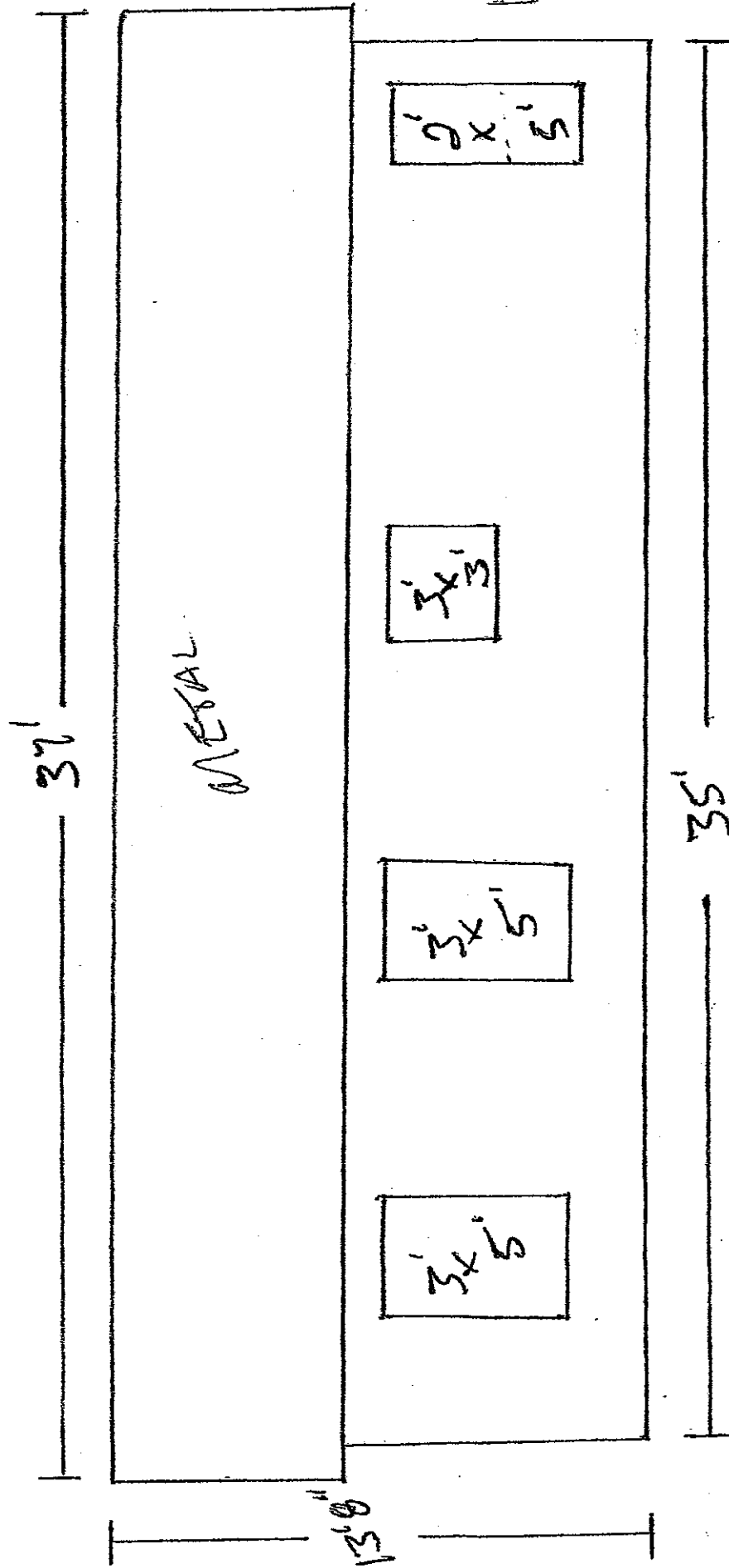
$\frac{1}{4}'' = 1'$

# WEST ELEVATION FRONT



$$1/4" = 1'$$

SOUTH ELEVATION





# SPECIFIC USE PERMIT APPLICATION

CITY OF  
**Lockhart**  
TEXAS

(512) 398-3461 • FAX (512) 398-3833  
P.O. Box 239 • Lockhart, Texas 78644  
308 West San Antonio Street

## APPLICANT/OWNER

APPLICANT NAME ANNA BERMUDEZ  
KENNETH PRICE ADDRESS 820 N BLANCO  
DAY-TIME TELEPHONE 832-2832480 LOCKHART, TX 78644  
E-MAIL KPRICE@GLOBALDETECTIONSYSTEMS.COM  
OWNER NAME SAME ADDRESS SAME  
DAY-TIME TELEPHONE 713-417-1692  
E-MAIL ANNA.BERMUDEZ401@GMAIL.COM

## PROPERTY

ADDRESS OR GENERAL LOCATION 820 N. BLANCO  
LEGAL DESCRIPTION (IF PLATTED) survey attached  
SIZE 2/3 ACRE(S) ZONING CLASSIFICATION RM-D  
EXISTING USE OF LAND AND/OR BUILDING(S) BACK YARD

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT ADU - General type

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

IT WILL BE A SMALL GUEST HOUSE FOR  
RELATIVES FOR PERSONAL USE.  
ADU - 700 sq. ft

## 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.

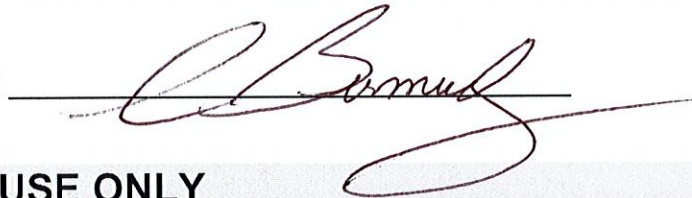
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$2,500,  
APPLICATION FEE OF \$ 356.80 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



DATE

Jan 8. 2025

## OFFICE USE ONLY

ACCEPTED BY



RECEIPT NUMBER

DATE SUBMITTED

1-8-2024

CASE NUMBER SUP -

25 - 01

DATE NOTICES MAILED

1-27-25

DATE NOTICE PUBLISHED

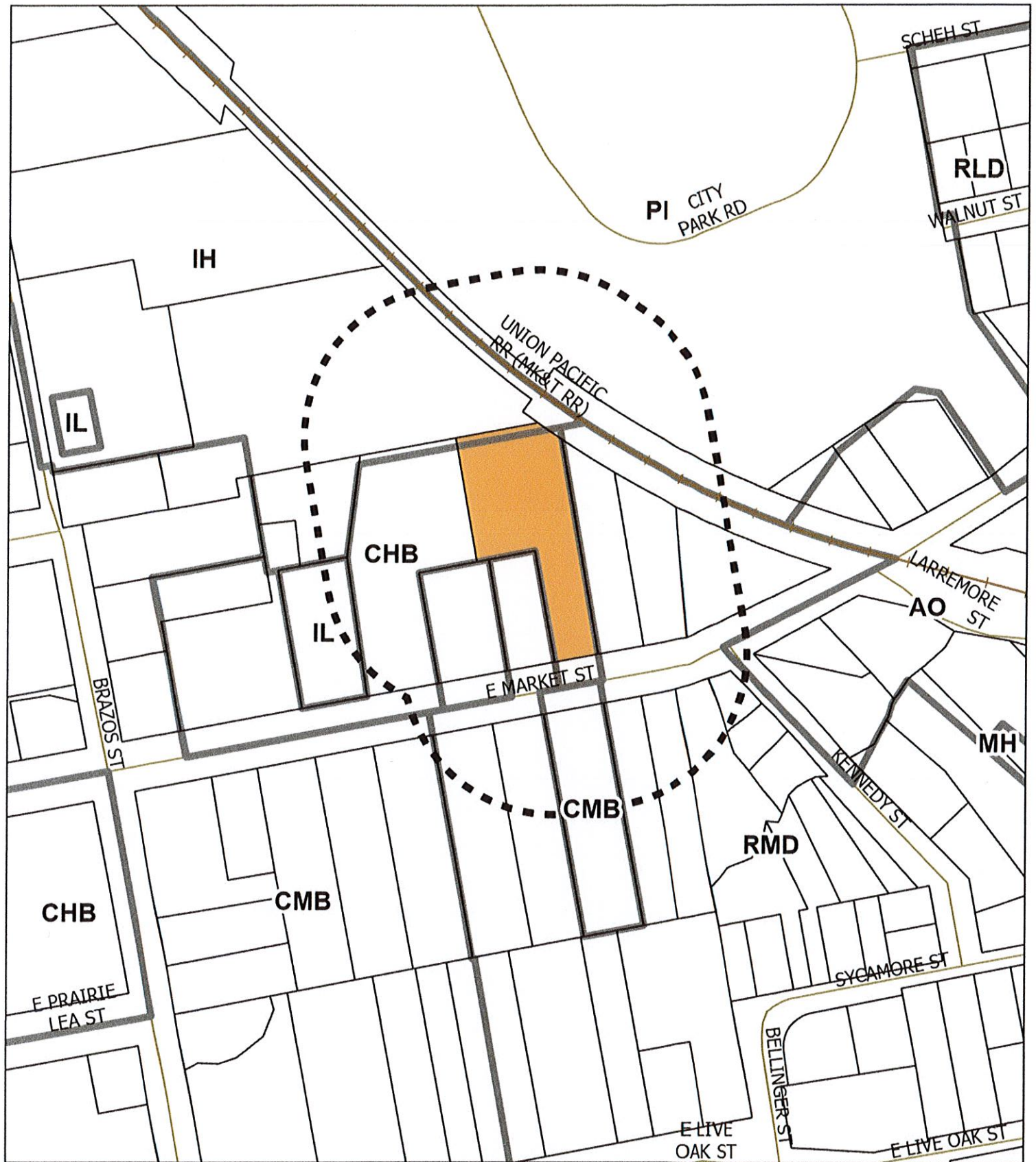
1-30-25

PLANNING AND ZONING COMMISSION MEETING DATE

Feb 12<sup>th</sup>, 2025

DECISION

CONDITIONS



**SUP-25-02**

605 E MARKET ST

VETERINARY HOSPITAL AND KENNEL



**SUBJECT PROPERTY**

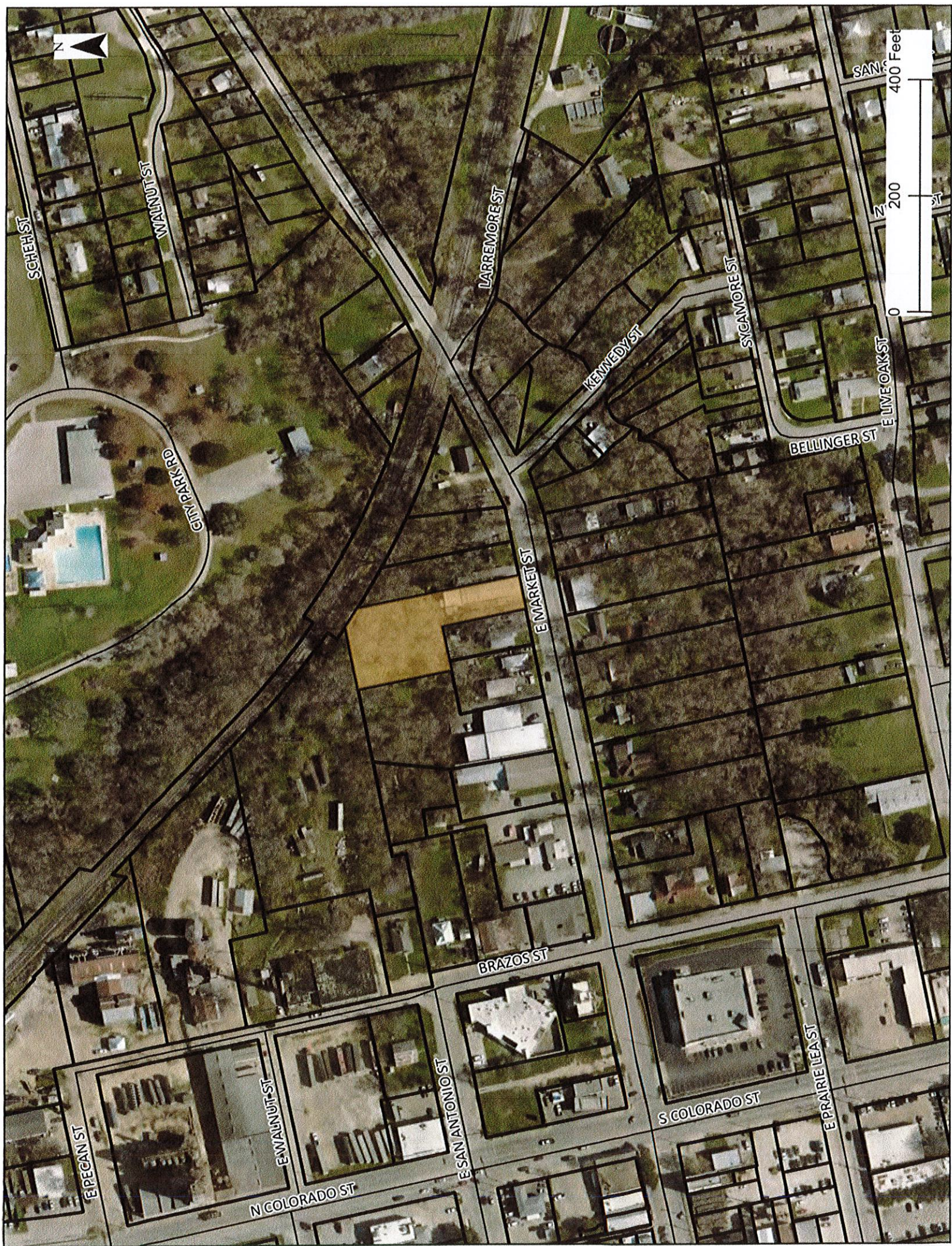


**ZONING BOUNDARY**



**200 FT BUFFER**

Scale 1" = 200'



## CASE SUMMARY

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STAFF CONTACT: Evan Olszewski, Senior Planner

CASE NUMBER: SUP-25-02

REPORT DATE: February 5, 2025

PUBLIC HEARING DATE: February 12, 2025

APPLICANT'S REQUEST: Veterinary Hospitals and Kennels use

STAFF RECOMMENDATION: **Approval, with conditions**

SUGGESTED CONDITIONS: Add two horizontal parking spaces to the west driveway and paint the six on-site parking spaces (one ADA-accessible with signage).

## BACKGROUND DATA

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APPLICANT(S): Alyssa Grissom

OWNER(S): Texas Freelance Paralegals, LLC, Alyssa Grissom

SITE LOCATION: 605 East Market Street

LEGAL DESCRIPTION: Part of Lot 4, Block 43, Original Town of Lockhart

SIZE OF PROPERTY: 0.724 acres

EXISTING USE OF PROPERTY: Offices and warehouse

ZONING CLASSIFICATION: CHB Commercial Heavy Business

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** The subject property is zoned Commercial Heavy Business. The lot's dimensions are irregular, with a large flag to the rear of the property and an approximately seventy-foot frontage on East Market Street, which is maintained for about 150 feet to the rear of the building. It is approximately 31,500 square feet, or 0.724 acres. The subject property is located in a transition from commercial to residential uses to the east of downtown. The immediate area has residences and businesses zoned RMD, RHD, and CHB. Historically, the area had small businesses and homes side-by-side. Today, East Market Street divides the principally-residential area to its south from the commercial area to the north.

The Applicant requests a Specific Use Permit for the Veterinary Hospitals and Kennels use to allow a dog daycare and grooming establishment named "Chisholm Tails" in the warehouse comprising the rear half of the existing office. Staff contacted the Applicant and notified them about the need for an SUP for this use in the CHB district after seeing advertisements for the business online. Currently, the Applicant is in the Certificate of Occupancy process to open for grooming appointments only, which is allowed in the district by-right. The boarding business will begin if the SUP is granted. The Applicant submitted a site plan showing the proposed business' location on the site and identifying the part of the building to be used. The existing office will remain in the front half of the building and Chisholm Tails will have an entrance on the eastern side. Parking is located at the front of the building and on the eastern side, and up to two additional spaces could be included between the building and the western property line.

**NEIGHBORHOOD COMPATIBILITY:** The surrounding zoning classifications are RMD to the east, RMD and CHB to the west, RHD and RMD to the south, and IH to the north. Lot sizes in this area are small by current standards; the East Market Street corridor features many similar properties with structures built close to the road and minimal parking. Many structures in the area were built more than fifty years ago and have been repurposed over time. The subject property shares these characteristics and is perhaps more suitable for uses without all-day traffic like the proposed use.

**COMPLIANCE WITH STANDARDS:** The proposed use is focused in the building. All kennels and grooming facilities are indoors. The larger part of the lot which borders the IH property to the north, RMD property to the east, and CHB property to the west is fenced for a dog run. The existing building meets the setback and other requirements for the CHB district, excepting the parking requirements.

Four striped parking spaces are provided facing the building's East Market Street frontage. Two are provided on the eastern side of the building. Based on the 3,600 square-foot size of the building, 16 parking spaces (including one handicapped-accessible space) are required under the district's standards. The site as currently configured has six parking spaces.

Changing parking standards and building additions over the years have caused several parking variances to be presented to the Zoning Board of Adjustment. The most recent case, ZV-13-04, granted a variance from sixteen to five spaces at the time the building was expanded to its current size. The staff report accounted for the challenging topography of the site, which declines to the rear of the building, and the pre-existing placement of the building on the lot which makes additional parking in front impossible. This decision granted the variance to the entirety of the 605 East Market Street property, which means it applies to the rear portion of the building. However, since the Applicant's proposed use may generate more traffic than the existing office, proposes to employ seven to twelve people (though the Applicant state only two will be present at each shift), and must share parking with the existing office, Staff strongly recommended finding additional parking options for the business.

Based on this recommendation, the Applicant negotiated a lease with the property owner at the retail store directly south across East Market Street for an additional five parking spaces. The Applicant has also stated that adding parking along the building's west driveway is possible. There are currently eleven leased and striped spaces. Staff estimates that a total of 13 spaces are feasible on-site including the area to the west of the building. This arrangement technically satisfies the parking requirement and would maximize on-site parking, providing seven spaces for pick-ups and drop-offs (assuming the four spaces in front are used by the office and two are used by Chisholm Tails employees).

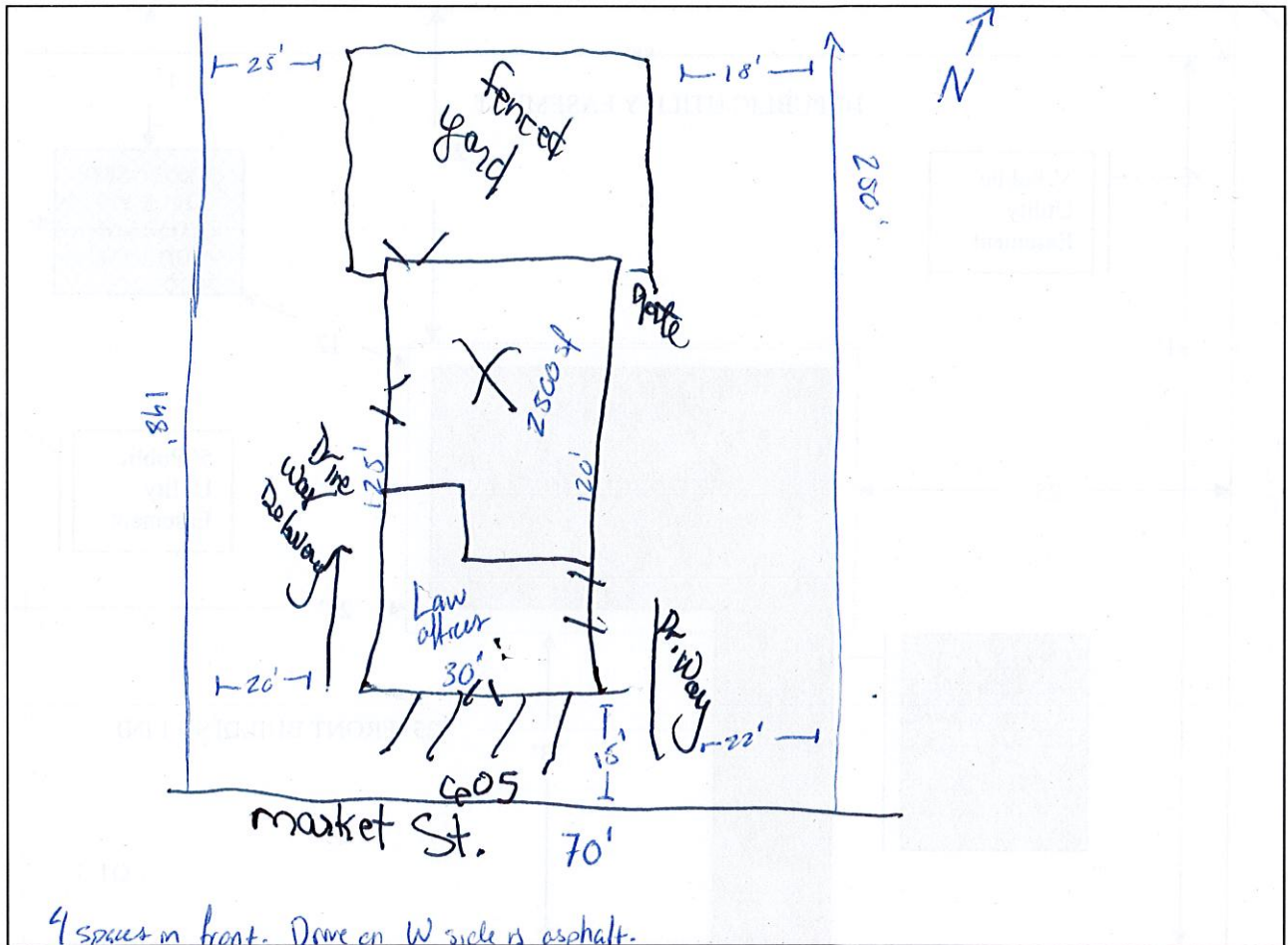
**ADEQUACY OF INFRASTRUCTURE:** An eight-inch water line and a twelve-inch wastewater line serve the subject property from East Market Street. Access to the site is provided by the driveway and parking along the East Market Street frontage.

**RESPONSE TO NOTIFICATION:** None as of the date of this report.

**STAFF RECOMMENDATION:** **Approval, with the requirement that the Applicant adds two horizontal parking spaces to the west driveway and paints the six on-site parking spaces (one ADA-accessible with signage).**

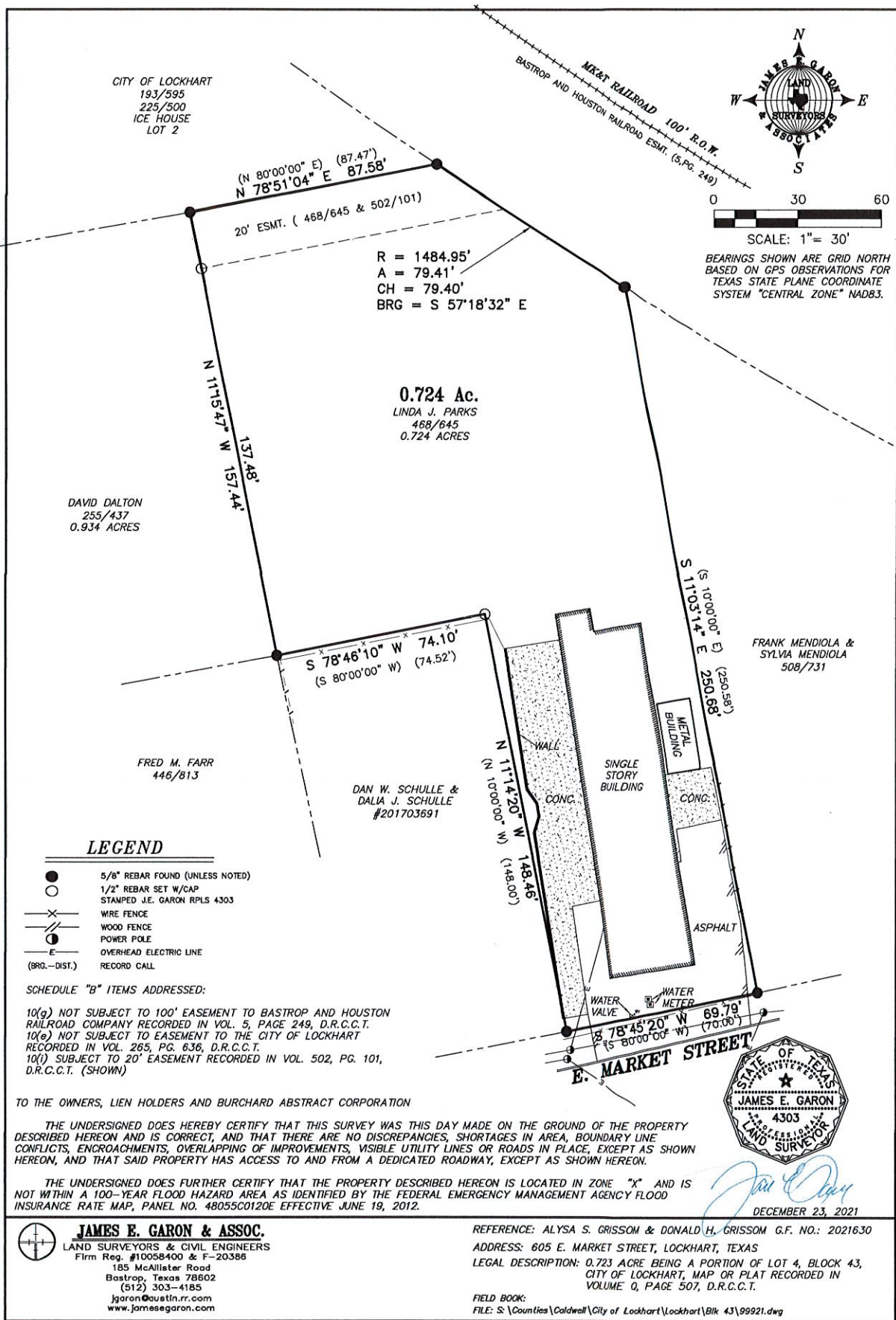
# CITY OF LOCKHART - SITE PLAN

APPLICANT NAME: Alysa Grissom PHONE: 512-577-0535  
SITE ADDRESS: 605 E Market St  
PERMIT NUMBER: \_\_\_\_\_ DATE: 1/23/2025  
PROPOSED WORK: SUP for Kennel use



Please indicate the following:

1. North arrow, scale of the drawing (e.g., 1" = 50 feet), property lines with dimensions, and abutting streets and alleys;
2. Outline the location, size, and type of all structures with labels indicating whether existing or proposed; show roof overhangs as dotted lines;
3. Distances between all existing and/or proposed structures (measuring from roof overhang, if any) as well as from all existing and/or proposed structures to all property lines;
4. Location, type, and width of all known easements; and
5. Location, dimensions, and surface material of existing or proposed driveways and off-street parking areas; specify the number of provided and required parking spaces. Planning staff can assist with this requirement.



# SPECIFIC USE PERMIT APPLICATION

CITY OF

# Lockhart

TEXAS

(512) 398-3461 • FAX (512) 398-3833

P.O. Box 239 • Lockhart, Texas 78644

308 West San Antonio Street

## APPLICANT/OWNER

APPLICANT NAME Alysa Grissom

ADDRESS 605 E Market Street

DAY-TIME TELEPHONE 512-577-0535

Lockhart, TX 78644

E-MAIL alysa.s.grissom@gmail.com

OWNER NAME Texas Freelance Paralegals, LLC

ADDRESS 605 E. Market Street

DAY-TIME TELEPHONE 512-577-0535

Lockhart, TX 78644

E-MAIL alysa@txparalegal.com

## PROPERTY

ADDRESS OR GENERAL LOCATION 605 E. Market St, Lockhart, TX 78644

LEGAL DESCRIPTION (IF PLATTED) O.T. Lockhart, Block 43, Lot PT4

SIZE 0.724 ACRE(S)

ZONING CLASSIFICATION C H B

EXISTING USE OF LAND AND/OR BUILDING(S) offices / warehouse

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Dog daycare / Boarding / Grooming

CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

7-12 employees

2500 sq ft indoors

7 am - 7 pm (M-F); 10-4 Sat; closed Sunday

30 indoor dog kennels, play area, wash room. Outdoor yard

2 employees / shift.

Building is 4296 sq ft total = 15 spaces + 1/employee. More avail. w/ letter from H. Rangel across St.

## 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.

IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; 7) Location, dimensions, and surface type of walks and patios; 8) Location, type, and height of free-standing signs; fences, landscaping, and outdoor lighting; 9) utility line types and locations; and, 10) any other proposed features of the site which are applicable to the requested specific use.

APPLICATION FEE OF \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$2,500,  
APPLICATION FEE OF \$ 358.60 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 Amy Aguiar

DATE 1/23/2025

## OFFICE USE ONLY

ACCEPTED BY G. C. SZEWSKI

RECEIPT NUMBER RC1349052

DATE SUBMITTED 1/23/2025

CASE NUMBER SUP - 25 - 02

DATE NOTICES MAILED 1-27-2025

DATE NOTICE PUBLISHED 1-30-2025

PLANNING AND ZONING COMMISSION MEETING DATE 2/12/2025

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

## LEASE AGREEMENT

THE STATE OF TEXAS                   §  
   §  
COUNTY OF CALDWELL               §

This LEASE AGREEMENT ("Lease") is made and entered into as of the Commencement Date (hereinafter defined), by and between HECTOR GARZA RANGEL ("Landlord") and CHISHOLM TAILS DOG DAYCARE, LLC, a Texas limited liability company, ("Tenant"), as follows:

Lease Grant. Subject to these terms, provisions and conditions hereinafter set forth, and in consideration of the covenants of payment and performance stipulated herein, Landlord has leased unto Tenant the following described real property in Caldwell County, Texas, (the "Leased Premises"):

4 <sup>ASG</sup> ~~Five (5)~~ parking spots in the parking lot located at 604 E. MARKET STREET, LOCKHART, TEXAS 78644, more particularly described as O.T. LOCKHART, BLOCK 42, LOT PT 4, STORE AND STORAGE.

Term. The Lease shall be on a month-to-month basis and shall commence on February 1, 2025 (the "Commencement Date") and continue month-to-month until terminated by either party.

Use. Tenant has the right to use the Leased Premises only for parking for its employees and/or customers. Tenant shall not block the driveway for the residence located at 602 E. Market Street, Lockhart, Texas 78644 nor shall it block the dumpster located on the Leased Premises. Tenant is limited to five parking spots or a total of five vehicles on the Leased Premises.

Rental Payments. Commencing on the Commencement Date and continuing thereafter throughout the Term, Tenant shall pay to the Landlord \$100.00. Rent shall be due and payable on the first day of each calendar month during the Term, and Tenant hereby agrees to so pay all rent to Landlord in the manner described hereafter: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Indemnity. Landlord shall not be liable to Tenant, in agents, servants, employees, contractors, customers, or invitees, by any act, omission or neglect of Tenant, its agents, servants, employees, contractors, customers, or invitees, and Tenant agrees to indemnify

and hold Landlord harmless from all liability and claims for any such damage. Tenant shall not be liable to Landlord, or to Landlord's agents, servants, employee's, contractors, customers, or invitees for any damage to person or property caused by any act, omission or neglect of Landlord, its agents, servants, employees, contractors, customers, or invitees, and Landlord agrees to indemnify and hold Tenant harmless from all claims for such damage. The preceding sentences shall apply only when the cause is the concurrent result of action or negligence of the indemnitor, its agents, servants, employees, contractors, customers, or invitees other third party and not of any concurrent action of the indemnitee or its agents, servants, employees, contractors, customers, or invitees. In any situation involving injury, death or damage resulting from the concurrent action Or negligence of the indemnitor and the indemnitee, or any of their agents, servants, employees, contractors, customers or invitees, each party as indemnitor shall indemnify the other party as the indemnitee to the extent, but only to the extent, of the liability attributable to its actions or negligence or the action or negligence of its agents, servants, attributable to its actions or negligence or the actor negligence of its agents, servants, employees, contractors, customers or invitees. The foregoing indemnity obligations shall include reasonable attorney's fees, investigation costs, court costs and expenses incurred in connection with any claim or demand which is covered by the indemnities hereunder. Tenant agrees that all personal property upon the Leased Premises shall be at the risk of Tenant only, and that Landlord shall not be liable for. Any damage thereto or loss, thereof or disappearance thereof. The provisions hereunder shall survive the termination of this Lease with respect to any damage, injury or death occurring prior to such termination, or after termination during any period during which Tenant is engaged in removing any property it is permitted to remove under this Lease.

Right to Enter. Landlord shall have the right to enter the Leased Premises and any building or other improvements thereon at any time and will use reasonable efforts to minimize disruption of Tenant's business operations on the Leased Premises.

Notices Any notice or request required by this Lease must be in writing, and may, unless otherwise in this Lease expressly provided, be given or served by depositing the same in the United States Postal Service, postage prepaid, and certified and addressed to the party to be notified, with return receipt requested, or by delivering the same in person to such party (or to an officer of such party), or by telecopy, when appropriate, addressed to the party to be notified. Notice deposited in the mail in the manner hereinabove described shall be effective from and after such deposit. Notice given in any other manner shall be effective only if and when received by the party to be notified. For purposes of notice the addresses of the parties shall, until changed as herein provided, be as follows:

For Landlord:

Hector Rangel  
1407 N Pecos Street  
Lockhart, Texas 78644

For Tenant:

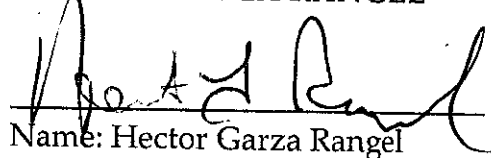
Chisholm Tails Dog Daycare, LLC  
605 E. Market Street  
Lockhart, Texas 78644  
668-5001

Governing Law. This Lease and all the rights and obligations of the parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of Texas. Venue for any action hereunder shall be Caldwell County, Texas.

EXECUTED IN MULTIPLE ORIGINAL COUNTERPARTS, which constitutes but one and the same instrument, effective as of February 1, 2025.

LANDLORD:

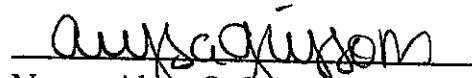
HECTOR GARZA RANGEL

  
Name: Hector Garza Rangel

1/27/2025  
Date

TENANT:

CHISHOLM TAILS DOG DAYCARE, LLC

  
Name: Alysa S. Grissom  
Title: Managing Member

1/27/2025  
Date