

**City of Lockhart
Planning and Zoning Commission
January 24, 2024**

MINUTES

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

Members Absent: None

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

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the January 10, 2024, meeting.

Commissioner Arnic moved to approve the January 10, 2024. Commissioner Haug seconded, and the motion passed by a vote of 7-0.

4. ZC-23-09 and PDD-23-01. Hold a PUBLIC HEARING and consider a request by Pam McClain Madere of Jackson Walker, LLP, for a Zoning Change from AO Agriculture-Open Space District to PDD Planned Development District including a PDD Development Plan, for McCormick Ranch Planned Development District on 53 acres in the Cornelius Crenshaw Survey, Abstract No 68, and located at 2835 F.M. 2001.

Planning Director David Fowler presented the case. He said that the subject property was annexed on Thursday, January 18, 2024, and the city had issued a hold harmless so that they could grade the property. Upon annexation the property was zoned AO Agricultural-Open Space District. The applicant is requesting a PDD Planned Development District for the subject property. The site is served by water, which requires upsizing to adequately serve the proposed development, Wastewater would need to be extended to the site. Both utility improvements are the subject of a recent economic development incentive agreement. The PDD plan shows two phases for the subject property. Phase One is for the proposed RealCold frozen food storage and distribution facility. Phase Two will have additional buildings with light industrial development. The site would have two entrances from FM 2001, one on the north side of the property and one on the east side of the property. There would be a center turning lane into the RealCold storage project. Due to the location of the property and the extent of the road improvements, the applicant requests not to build sidewalks along FM 2001. The RealCold

building would have a smaller office space, but it would mostly be storage for frozen food. The PDD also had a sign schematic. The proposed building would be 75 feet in height, with no mechanical equipment required screening on the rooftop. The applicant also requests that outdoor storage with trailer parking is allowed on the site. The City's standard parking ratio for the IL Industrial Light district is 1 parking space per 1000 square feet, but the PDD has a reduced ratio, particularly for the Real Cold site. While the site would require seven bonus features under LI zoning, a reduction to three is suggested in the PDD.

Chair Ruiz asked what advantage the City has to allow the reduction in parking required and no sidewalks along FM 2001.

Mr. Fowler said that with TxDOT's proposed improvements including sidewalks in the future it seems reasonable to allow the variance, if there is internal pedestrian circulation provided on the site.

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

Ivan Karpov of 30 Hudson Yards, New York, NY came forward representing F3 Lockhart Owner, LLC and said they do not require as much parking as a typical light industrial use because the trucks do not stay there but come in briefly throughout the day for pick ups and drop offs of frozen food. RealCold business will have two shifts and mostly would be warehouse employees. Because of the roof elevations it would be impossible to screen the mechanical equipment on the roofs and the refrigeration system located outside. They are proposing to plant trees along FM 2001 to provide screening, a green walking trail for employees would be located on the west side of the PDD. Outside their small office space there would be a break area.

Commissioner Oliva asked why they would build something so tall in Lockhart.

Jericho Jones said he was with the ARCO construction group in charge of the building. He said it was important to have that height to help with the combination of internal building height and the height of the roof-mounted .

Mr. Karpov said that Lockhart was the best fit for the location between Austin and San Antonio and with quick access to SH 130.

Mike Llewellyn the CEO of RealCold said it is ideal to be able to stack the product higher and be able to keep temperatures low.

Mr. Karpov would like to address the sidewalks with the commissioners and that they are only looking for relief here where the construction could be difficult.

Mr. Jones said there are great constraints with making the sidewalks feasible. The drainage pond had been constructed wider and deeper because of the runoff from FM 2001. There are grade changes on the curve of the road, and they had to tie into the existing stormwater flow.

Chair Ruiz commented that he is not comfortable with not having sidewalks.

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

Mr. Fowler said that staff recommends the following:

1. An internal trail system to connect the site's two entrances along FM 2001 to provide access along FM 2001 in lieu of a sidewalk.
2. Require one parking space per 2,000 square feet of building area for phase two of the development.
3. Provide landscaping or other screening to conceal any ground mounted mechanical equipment or outdoor storage areas visible from FM 2001.
4. Provide details of the lighting fixtures to be placed at the sites labeled "1" in the keynote legend on the Architectural Site Plan.
5. Provide at least five bonus features to include at least two features that would be incorporated into the building design.

Commissioner Lingvai suggested the applicant add landscaping islands to the parking areas to be more aesthetically pleasing and to have the parking ratio to one parking space per 3,000 square feet of building area for phase two.

Vice-Chair Oliva moved to approve staff's list of recommendations except the internal trail system instead of sidewalks. He would like sidewalks along FM 2001. Chair Ruiz seconded the motion and was denied with a vote of 3-4 with Commissioners Peterson, Haug, Lingvai and McBride against.

Commissioner Peterson asked the applicant if adding the sidewalks would be detrimental to the project.

Mr. Karpov said it would have a severe impact on the development because of the design and timeline.

Commissioner Lingvai asked staff if a fee in lieu of sidewalks could be added.

Mr. Fowler stated that a fee lieu of sidewalk could be added as a condition.

Mr. Karpov said they are open to paying a fee in lieu.

Commissioner Lingvai moved to recommend staff's recommendations except for the following changes to condition two, replace with add one parking space per 3,000 square feet of building area for phase two and to amending condition one to add fee in lieu of sidewalks as conditions of approval of ZC-23-09 and PDD-23-01 to City Council. Commissioner Haug seconded, and the motion passed with a vote of 7-0.

5. PP-23-04. Consider a request by Pam McClain Madere of Jackson Walker, LLP, for approval of a Preliminary Plat for McCormick Ranch Planned Development District, consisting of 53 acres in the Cornelius Crenshaw Survey, Abstract No. 68 proposed to be rezoned from AO Agricultural-Open Space District following annexation of the property to PDD Planned Development District and located at 2835 F.M. 2001.

Kevin Waller said that the applicant submitted the McCormick Ranch plat which would contain light industrial uses. A four-foot-wide compacted gravel employee walking trail would be located along the full length of the west boundary of the lot to be constructed with Phase 2 of the development. He mentioned the applicant is requesting a sidewalk variance along the property's FM 2001 frontage. There is a planned drainage channel along the majority of the property's roadway frontage as part of a roadway improvement project required by TxDOT which will include turning lanes and sidewalks. After hearing from the applicant earlier this evening, fees can be paid in lieu of sidewalks. He said that staff originally were against the variance but after hearing about TxDOT's plans for FM 2001 staff is open to the variance request.

Commissioner Haug moved to approve PP-23-04 without the variance and add fee in lieu of sidewalks. Commissioner Peterson seconded, and the motion passed with a vote of 7-0.

6. Hold a PUBLIC HEARING and consider a Text Amendment to Chapter 18 "Environment", Chapter 46 "Signs", Chapter 52 "Subdivision Regulations", and Chapter 64 "Zoning" of the Lockhart Code of Ordinances, as follows:

Amend Chapter 18 "Environment", Article III "Nuisances", Division 2 "Offensive Conditions", Section 18-82 "Prohibited";

Amend Chapter 46 "Signs", Section 46-6 "Prohibited signs and locations";

Amend Chapter 52 "Subdivision Regulations", Article V "Design Standards", Section 52-78 "Streetlights";

Amend Chapter 64 "Zoning", Article I "In General", Section 64-2 "Definitions"; Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common to all or several districts.", Subsection (g) "Minimum parking and loading requirements";

Amend Chapter 64 "Zoning", Article VII "Zoning Districts and Standards", Section 64-198 "Performance standards for commercial and industrial districts.", Subsection (c) "Nuisances" to establish revised requirements and standards for residential and commercial lighting, include references to lighting standards in relevant sections, and include updated street lighting policy.

Mr. Fowler presented a slideshow explaining the motivation for the revised lighting ordinance, the details of the changes proposed, and how the text amendments would create more tightly controlled lighting plans on commercial sites than the current ordinance. Mr. Fowler expressed that these changes and additions came as a response from the community wanting a better lighting ordinance.

There was discussion amongst the commissioners and staff.

Commissioner McBride moved to approve the text amendments. Commissioner Arnic seconded, and the motion passed with a vote of 6-1 with Commissioner Peterson against.

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

David Fowler said that the next meeting would be held on Wednesday, February 14th and that there was a zoning case filed to be heard at the meeting.

8. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 9:28 p.m.

Approved: 2-14-2024
(date)

Christine Banda
Christine Banda, Recording Secretary


Philip Ruiz, Chair