

Application Date: March 19, 2024



P.O. Box 369 (Mail)  
303 E. Pecan Dr. (Physical)  
Johnson City, TX 78636  
830.868.7111 (Phone)  
830.868.7718 (Fax)

# ZONING AMENDMENT APPLICATION

## CHAPTER 14

NAME OF APPLICANT: Lyndon's Landing LLC dba West Main Stretery

MAILING ADDRESS: PO Box 821, Johnson City TX 78636

PHONE NUMBER: 512-517-4994

STATUS OF APPLICANT:

OWNER: X

AGENT:        (IF AGENT, ATTACH LETTER OF AUTHORIZATION.)

### PROPERTY DESCRIPTION

PHYSICAL ADDRESS: 108 West Main Street, Johnson City TX 78636

LEGAL DESCRIPTION: Blk 12, Lot Pts 2, 3, 4, 5 & 6

CURRENT ZONING: Commercial District - CUP (Food Truck Park)  
PROPOSED ZONING: Commercial District - CUP (Food Truck Park)

DEED RESTRICTIONS PROHIBITING PROPOSED ZONING: none

EXISTING USE: Food Truck Park PROPOSED USE: Food Truck Park

LAND AREA: .7 acres DOES OWNER OWN ADJACENT PROPERTIES? Yes        No X

PURPOSE OF REQUEST: Increase maximum allowed trucks from 4 to 6

I hereby certify that I have read and examined this application and know the information I have provided to be true and correct. All provision of laws and ordinances governing this application will be complied with, whether specified herein or not. The granting of this zoning amendment or change does not presume to give authority to violate or cancel the provisions of any other local law regulating the use of the property.

Nancy Woodward  
Applicant's Signature

March 19, 2024  
Date

Nancy Woodward  
Co-Owner, Lyndon's Landing LLC

Office Use Only:



City of Johnson City  
PO Box 369  
Johnson City, TX 78636

Receipt #: 16429  
User: Patricia Mikla  
Payment Date: 3/20/2024  
Batch: 72593 - Computer 2 - 3.15.24

01-4604 Subdivision Fees  
Permits

Conditional Use Permit Expansion - Johnson City  
Coffee Co.

Amount Due: \$434.01  
Applied: \$434.01  
Balance: \$0.00

3/20/2024

Check #: 4066

Check: \$434.01

Applied: \$434.01  
Change: \$0.00

**MINUTES**  
**CITY OF JOHNSON CITY, TEXAS**  
**CITY COUNCIL**

The City of Johnson City City Council met for a Regular Meeting on Tuesday, July 6, 2021 at 5:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: Rhonda Stell, Mayor  
Gayla Guthrie  
Teresa Babb  
Shelton Coleman  
Stephanie Fisher  
Clayton Young

Staff Present: Rick Schroder, CAO/City Secretary  
Whitney Walston, Deputy City Secretary  
BJ Sultemeier, Public Works Director  
Ross Allen, Chief of Police  
Elizabeth Elleson, City Attorney  
Anne Burger Entekin, Hilltop Securities  
Richard Sirius, Greenberg Traurig  
Noel Valdez, McCall, Parkhurst & Horton

Citizens Present: David O'Bannon  
Andree Barnes  
Bart Burkhard  
Carlette Lewis  
Patty Chimene  
Diane Gonzales  
Don Casey  
Ron Fieseler  
Sean McDonald  
Fred Ballard  
Beckie Morris  
Laurie Canfield  
Megan Soltesz  
Rayette Bible  
Loral Mofit  
Bryan Heard

**1. Call to order.**

Mayor Stell called the meeting to order at 5:00 p.m. Carlette Lewis led the invocation followed by the Pledge.

	<i>Building Permits</i>		
Revenue	01-007-4104 <i>Solid Waste Collection</i>	\$256,900	\$277,287
Expenditure	01-020-6327 <i>Audit</i>	\$35,500	\$67,620
Expenditure	01-020-6328 <i>Legal Services</i>	\$52,500	\$87,058
Expenditure	01-020-6330 <i>Insurances</i>	\$25,500	\$39,910
Expenditure	01-030-6205 <i>Service Contracts</i>	\$15,000	\$27,863
Expenditure	01-050-6712 <i>COVID-19</i>	\$0.00	\$76,361
Expenditure	01-060-6205 <i>Service Contracts</i>	\$18,700	\$29,200
Expenditure	01-060-6331 <i>Electricity</i>	\$70,000	\$105,052

Item 8 above was pulled for individual consideration. Councilmember Coleman had a question about what department 030 was. CAO answered that it was municipal court and that the Judge and Prosecutor salaries are being paid out of the service contract line item. Councilmember Coleman made a motion to ratify the General Fund Budget amendment. Councilmember Babb seconded the motion. All were in favor and the motion passed.

9. **Ratification of the Chief Administrative Officer's execution of the Engagement Letter dated June 3, 2021 from Atchley & Associates, LLP for the audit of City financial statements for fiscal years ending September 30, 2020 through 2024. (Staff)**
10. **Approval of the FYE 2022 Budget Calendar for the City of Johnson City, Texas. (Staff)**

Councilmember Coleman made a motion to approve the Consent Agenda. Councilmember Guthrie seconded the motion. All were in favor and the Consent Agenda was approved.

ITEMS FOR INDIVIDUAL CONSIDERATION:

11. **Discussion of and action on a Zoning Amendment Application from Johnson City Coffee Company for a Conditional Use Permit for a Permanent Mobile Food Court located at 108 W. Main St., Johnson City, TX 78636. (Applicant)**

The council asked if the Pecan Street entrance/exit would continue to be used. The Coffee Shop said yes. They also spoke about how there would be no permanent structures in the flood plain. Councilmember Guthrie made the motion to approve the zoning amendment application. Councilmember Young seconded the motion. All were in favor and the application was approved.

12. **Presentation by Sean McDonald and Fred Ballard of, respectively, Vanguard National Builder Group and Blue Horse Building + Design and discussion of and action on a request**

**AGENDA**  
**CITY OF JOHNSON CITY, TEXAS**  
**PLANNING AND ZONING COMMISSION**

The City of Johnson City Planning and Zoning Commission met for a Regular Meeting on Tuesday, April 23, 2024 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This was an open meeting, subject to the open meeting laws of the State of Texas.

Present: James Whitfill  
Tricia Keith  
Bart Burkhard  
Paul Babb

Staff Present: Whitney Walston, City Secretary  
Megan Santee, City Attorney

**1. Call to order.**

The commissioners agreed by consensus for Commissioner Whitfill to lead the meeting. Commissioner Whitfill called the meeting to order at 6:02 pm.

**PUBLIC HEARING:**

- 2. Public Hearing to give all interested persons the right to appear and be heard on a Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Stretery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636.**

The public hearing opened at 6:02 pm and closed at 6:03 pm. There were no comments.

**OPEN SESSION:**

- 3. Public Comments.**

There were no public comments.

**ITEMS FOR INDIVIDUAL CONSIDERATION:**

- 4. Discussion of and action on a Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Stretery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food**

**Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636. (Applicant)**

Commissioner Keith motioned to recommend to City Council the approval Zoning Amendment Application from Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Streatery for the amendment of an existing Conditional Use Permit for a Permanent Mobile Food Court increasing the maximum allowable food trucks from four (4) to six (6) located at 108 W. Main St. / 205 W. Pecan Dr., Johnson City, TX 78636. Commissioner Burkhard seconded the motion. All were in favor and the motion passed.

5. **Pursuant to Municipal Code of Ordinances Chapter 14 Zoning, Article III Zoning Districts, Division 2 Historic Preservation, discussion of and action on a request by Huckleberry's Closet for approval of signage located at 204 E. Pecan Dr., Johnson City, TX 78636. (Applicant)**

Commissioner Babb motioned to recommend to City Council the approval of the signage located at 204 E. Pecan Dr., Johnson City, TX 78636, Huckleberry's Closet. Commissioner Burkhard seconded the motion. All were in favor and the motion passed.

6. **Discussion of and direction on Municipal Code of Ordinances Chapter 14 Zoning. (Staff)**

City Attorney Santee presented an overview of the changes and edits in the Zoning Code of Ordinances.

With no further business before the commission, the meeting was adjourned at 6:52 pm.

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Commissioner

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Whitney Walston, City Secretary

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS AMENDING AN EXISTING CONDITIONAL USE PERMIT FOR JOHNSON CITY COFFEE COMPANY / LYNDON'S LANDING LLC DBA WEST MAIN STREATERY, 108 W. MAIN ST. / 205 W. PECAN DR., JOHNSON CITY, TEXAS 78636 INCREASING THE MAXIMUM ALLOWABLE FOOD TRUCKS FROM FOUR (4) TO SIX (6); DECLARING A PUBLIC PURPOSE; AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE PROVISIONS OF THIS ORDINANCE; INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY; AND ADOPTING AN EFFECTIVE DATE.**

**WHEREAS**, Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Streatery, 108 W. Main St. / 205 W. Pecan Dr., Johnson City, Texas 78636, has petitioned the City Council of the City of Johnson City to amend an existing Conditional Use Permit increasing the maximum allowable food trucks from four (4) to six (6); and

**WHEREAS**, notice of requisite Public Hearings was mailed U.S. Postal Service, first class, to property owners within two hundred feet (200') of the subject parcels on March 20, 2024; and

**WHEREAS**, the Planning and Zoning Commission held a Public Hearing on the matter on April 23, 2024, and the Commission unanimously recommended approval of the zoning amendment on the same date; and

**WHEREAS**, the City Council published notice of the requisite Public Hearing in the Johnson City Record Courier on May 1, 2024 and held a Public Hearing on the matter on May 21, 2024.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOHNSON CITY, TEXAS THAT:**

**SECTION ONE. Rezoning and Approval.** A Conditional Use Permit increasing the maximum allowable food trucks from four (4) to six (6) is amended and approved from the Johnson City Coffee Company / Lyndon's Landing LLC dba West Main Streatery, 108 W. Main St. / 205 W. Pecan Dr., Johnson City, Texas 78636.

**SECTION TWO. Authorization.** The Chief Administrative Officer is authorized to take all necessary steps to implement the provisions of this Ordinance.

**SECTION THREE. Declaration of Compliance and Incorporation of Recitals.** The City Council declares that the Public Hearing held prior to the approval of the rezoning request was properly noticed in the manner prescribed by law, and the Ordinance was adopted at an open meeting in compliance with Tex. Gov. Code Ann Chapter 551. Additionally, the City Council



finds that the recitals contained in the preamble to the Ordinance are true and correct and incorporates them as findings of fact.

**SECTION FOUR. Repealer.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION FIVE. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

**SECTION SIX. Effective Date.** This Ordinance shall become effective immediately upon the approval of the City Council.

**PASSED, ORDERED, AND APPROVED this 21<sup>st</sup> day of May 2024.**

By: \_\_\_\_\_  
Hon. Stephanie Fisher  
MAYOR

**ATTEST:**

\_\_\_\_\_  
Whitney Walston  
CITY SECRETARY