

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, January 22, 2020
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 8, 2020, meeting.
4. SUP-20-01. Hold a PUBLIC HEARING and consider a request by request by Lydia Serna on behalf of James Quezada for a *Specific Use Permit* to allow a Church as a Public/Institutional use on Part of Lots 1 and 6, Block 28, Original Town of Lockhart, consisting of 0.185-acre zoned CCB Commercial Central Business District and located at 109 West Walnut Street.
5. ZC-20-01 and PDD-20-01. Hold a PUBLIC HEARING and consider a request by Matkin Hoover Engineering & Surveying, on behalf of Dane Braun, for a *Zoning Change* from RMD Residential Medium Density District to PDD Planned Development District, including a *Planned Development District Development Plan* for Heritage Place Subdivision, a proposed mixed residential subdivision on 8.465 acres in the Francis Berry Survey, Abstract No. 2, and located at 1501 Clear Fork Street.
6. PP-20-01. Consider a request by Matkin Hoover Engineering & Surveying for approval of a *Preliminary Plat* of Heritage Place Subdivision consisting of 8.465 acres in the Francis Berry Survey, Abstract No. 2, proposed to be zoned PDD Planned Development District and located at 1501 Clear Fork Street.
7. PDD-19-01. Consider a request by Manumit Investment Group, LLC, for approval of a Revised *Planned Development District Development Plan* for Maple Park, a proposed mixed-use development on 56.239 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD Planned Development District and located along the west side of the 700-1000 blocks of City Line Road.
8. PP-19-01. Consider a request by Manumit Investment Group, LLC, for approval of a Revised *Preliminary Plat* of Maple Park, consisting of 56.239 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD Planned Development district and located along the west side of the 700-1000 blocks of City Line Road.
9. FP-19-02. Consider a request by Manumit Investment Group, LLC, for approval of a *Final Plat* of Section Three-A, Maple Park Planned Development District, consisting of 10.792 acres in the Francis Berry Survey, Abstract 2, zoned PDD Planned Development District and located at 1925 Clear Fork Street, including *Variances* to Chapter 52 Subdivision Regulations, Section 52-31(a) to allow the division of ownership by metes and bounds to occur prior to the final plat being recorded, and Section 52-205(b & c) to allow utility service connections and issuance of building permits prior to the final plat being recorded.
10. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
11. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 3:00 p.m. on the 16th day of January, 2020.

**City of Lockhart
Planning and Zoning Commission
January 8, 2020**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Philip McBride, Paul Rodriguez, Chris St. Leger, Rick Arnic

Member Absent: Christina Black

Staff Present: Dan Gibson, Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission: Linda Hinkle

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:03 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of the December 11, 2019, meeting.

Commissioner Oliva moved to approve the December 11, 2019 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.

4. FP-19-03. Consider a request by Ajmal Anar for approval of a Final Plat of Olive Grove Subdivision consisting of 0561 acre zoned RMD Residential Medium Density District and located at 905 North Blanco Street, including a Variance to waive the requirement of Section 52-77(b) of the Subdivision Regulations for construction of a four-foot wide public sidewalk along North Blanco Street and West Olive Street.

Mr. Waller presented the staff report. He said that the owner is subdividing the property to provide for future duplexes, which will also require Commission consideration of a specific use permit application for the DF-2 Residential Development Type because the dimensions of the lots shown on the plat did not meet the minimum standard for the DF-1 Residential Development Type. He also explained that the applicant requested a variance to waive the requirement for construction of four-foot wide public sidewalks along both abutting streets because there are no other sidewalks in the neighborhood. The plat includes the required right of way dedication along North Blanco Street to partially meet the collector street width standard. He displayed maps and photos of the subject property and surrounding area, and said that staff recommended approval of both the plat and variance.

Linda Hinkle, of 1109 South Main Street, said that she was the surveyor and was present to represent the owner, who was in Houston. She said that the sidewalk variance was justified because there are no others located in the area and, if they were constructed, they probably wouldn't be used. She mentioned that the existing structures on the property would be removed before the plat is recorded.

Commissioner Oliva moved to approve FP-19-03 including the variance waiving the sidewalk requirement. The motion died for a lack of a second.

Chair Ruiz moved to approve FP-19-03. Commissioner McBride seconded, and the motion passed by a vote of 6-0.

Chair Ruiz moved to deny the sidewalk variance for FP-19-03. Commissioner Rodriguez seconded, and the motion passed by a vote of 4-2 with Commissioners Oliva and St. Leger against.

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

Mr. Gibson said that the next Commission meeting date would be January 22, 2020, and there would be several cases on the agenda.

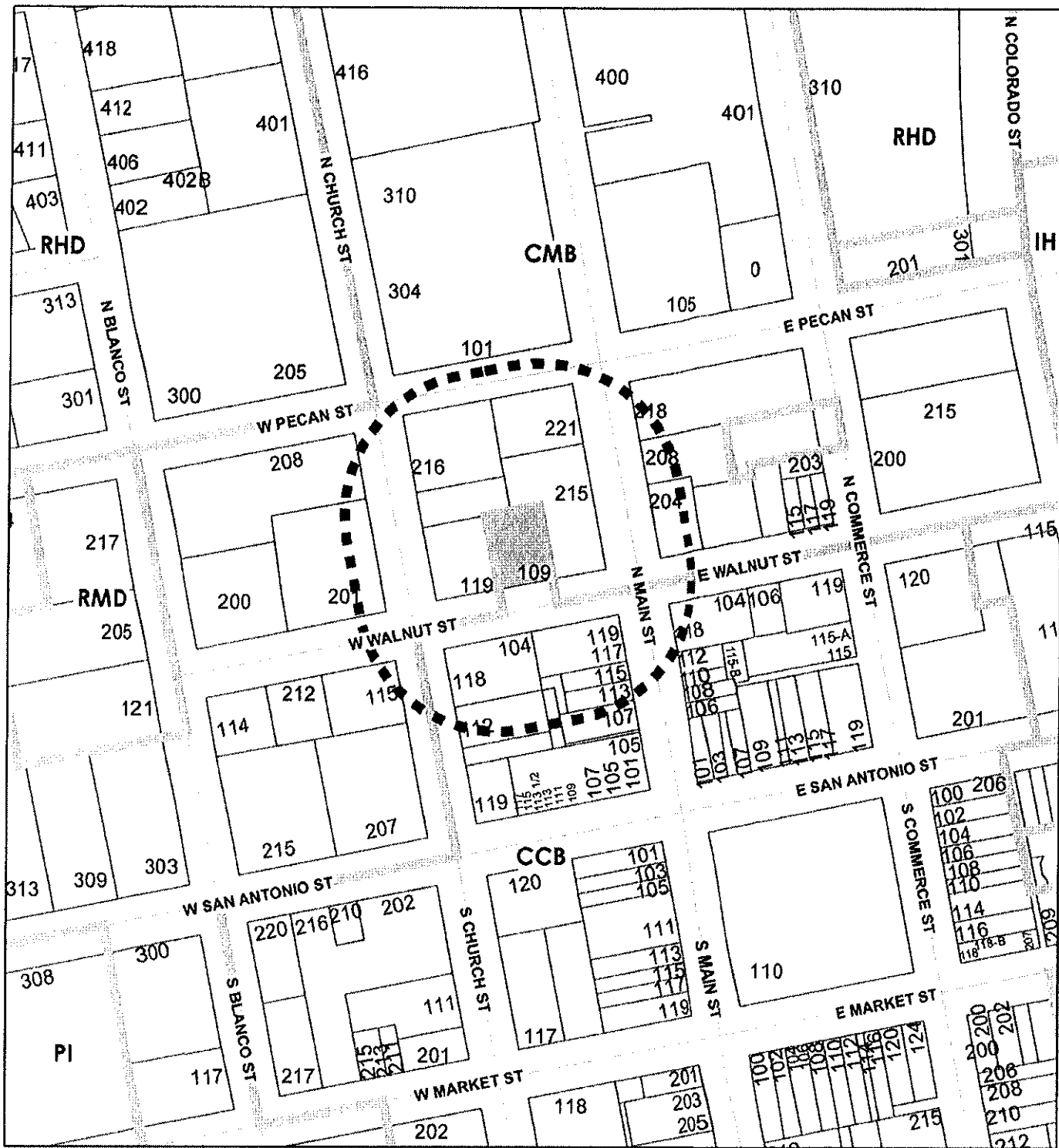
6. Adjourn.

Commissioner McBride moved to adjourn, and Commissioner St. Leger seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:38 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



SUP-20-01

109 W WALNUT ST

CHURCH



scale 1" = 200'

 Subject Property

 Zoning Boundary

 200 Ft Buffer

PLANNING DEPARTMENT REPORT

SPECIFIC USE PERMIT

CASE SUMMARY

STAFF CONTACT: Dan Gibson
REPORT DATE: January 14, 2020
PUBLIC HEARING DATE: January 22, 2020
APPLICANT'S REQUEST: Church in an existing restaurant/bar
STAFF RECOMMENDATION: *Approval*
SUGGESTED CONDITIONS: None

CASE NUMBER: SUP-20-01

BACKGROUND DATA

APPLICANT(S): Lydia C. Serna
OWNER(S): James Quezada
SITE LOCATION: 109 West Walnut St.
LEGAL DESCRIPTION: Part of Lots 1 & 6, Block 28, Original Town of Lockhart
SIZE OF PROPERTY: 0.185 acre
EXISTING USE OF PROPERTY: Restaurant/bar
ZONING CLASSIFICATION: CCB

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property contains a restaurant. On March 6, 2018, it was rezoned from CMB to CCB, and on November 13, 2019, the Commission approved an SUP to allow a bar. The purpose of the request for a bar was to prevent a violation in case the amount of alcoholic beverages served in the restaurant exceeded the TABC threshold for percentage of the total revenue. The application for a TABC beer and wine permit for a bar is currently pending. The restaurant/bar is open 8:00am to no later than 10:00pm Monday – Thursday, and 8:00am – Midnight (or earlier) on Fridays and Saturdays. The restaurant is currently not open on Sundays, but may open on Sunday afternoons in the future. This SUP is for a “biker” church group that has already been meeting at the restaurant on Sunday mornings and wishes to continue. As a public/institutional use, churches are allowed by-right in the PI district and are a specific use in all other districts, including the CCB district.

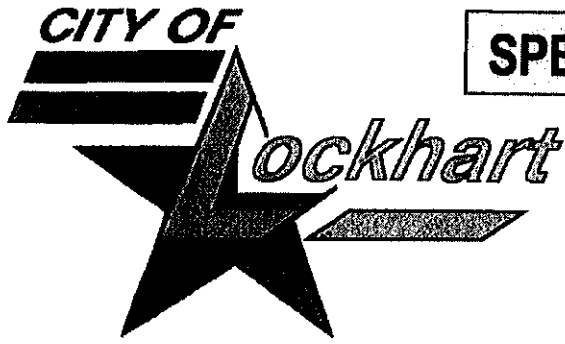
NEIGHBORHOOD COMPATIBILITY: The property is in the north part of the central business district, with mostly commercial businesses in the surrounding area. There is a single-family dwelling adjacent to the west, although it is zoned CMB. There are several churches in the area, with the closest one being Emmanuel Episcopal Church across the street at 118 North Church Street. There are two other churches on properties within a 200-foot radius of the subject property. Staff is not aware of any problems being reported by neighbors regarding the current restaurant operation or church activities.

COMPLIANCE WITH STANDARDS: Although there is a small parking lot in the rear of the building, off-street parking is not required in the CCB district. On-street parking is available, and it is assumed that many of the church members use motorcycles, which take up less parking space than a car.

ADEQUACY OF INFRASTRUCTURE: Already available and adequate.

ALTERNATIVES: If the requested specific use permit is denied, the church functions on Sunday morning would have to cease at this location, and find a different place to meet upon approve of an SUP.

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



SPECIFIC USE PERMIT APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Lockhart Biker's Church ADDRESS (Lydia) Serwa Lydia Serwa
 DAY-TIME TELEPHONE 512-665-5669 251 Wild Buffalo Dr.
 E-MAIL lockhartbikerchurch@gmail.com Kyle, TX 78640

OWNER NAME James Quezada ADDRESS 903 Quail Rd.
 DAY-TIME TELEPHONE 512-845-3782 Marbacha TX.
 E-MAIL N/A 78657

PROPERTY

ADDRESS OR GENERAL LOCATION 109 w walnut
 LEGAL DESCRIPTION (IF PLATTED) O.T. Lockhart Block 28 lot PT 1, 4
 SIZE 0.185 ACRE(S) ZONING CLASSIFICATION CCB
 EXISTING USE OF LAND AND/OR BUILDING(S) Restaurant & Bar

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT church

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.

Floor area 3,500 sq ft, and Hours of operation is
from 10:30 till 12:00, ^{on Sundays} 37 chairs and 12 tables and
the occupancy is 96 Persons.

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.

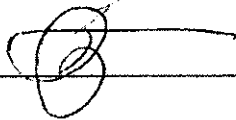
SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback distances from property lines; 6) Location, dimensions, 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 \$ 125.00 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 acre and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

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 _____

12/20/19

OFFICE USE ONLY

ACCEPTED BY _____

Pam Gibson

RECEIPT NUMBER _____

911523

DATE SUBMITTED _____

12-26-19

CASE NUMBER SUP - _____

20 - 01

DATE NOTICES MAILED _____

1-6-2020

DATE NOTICE PUBLISHED _____

1-9-2020

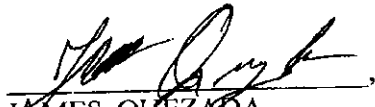
PLANNING AND ZONING COMMISSION MEETING DATE _____

1-22-20

DECISION _____

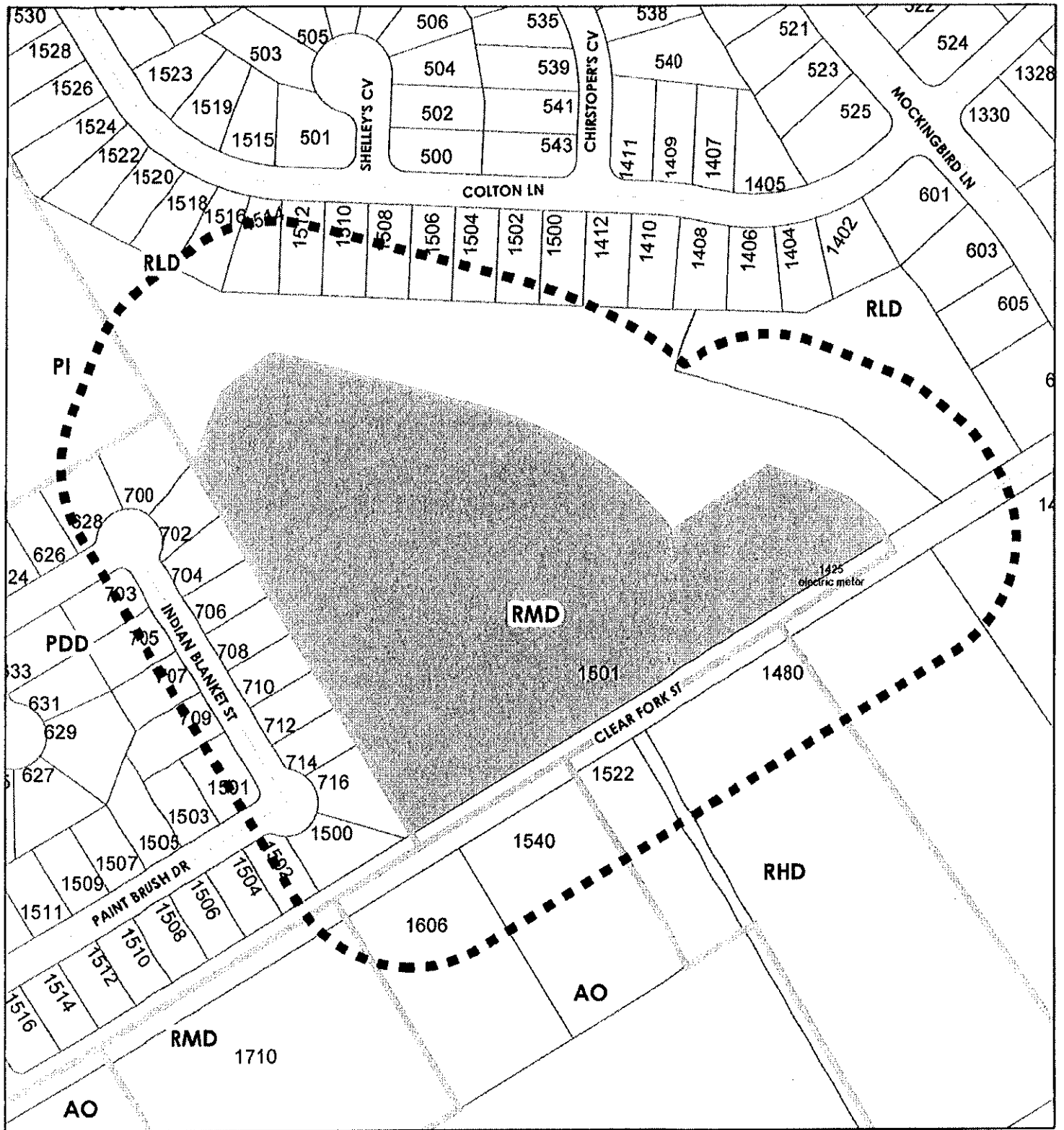
CONDITIONS _____

I JAMES QUEZADA ,AM OWNER OF PART 1 & 66,BLOCK 28, ORIGINALTOWN OF LOCKHART,CONSISTING OF 0.185 ACRE LOCATED AT 109 W WALNUT STREET. I AUTHORIZE LYDIA C SERNA TO APPLY FOR SPECIAL USE PERMIT APPLICATION FOR LILLY'S AND ALSO FOR SIGNAGE PERMIT .



JAMES QUEZADA

Dec. 11, 2019
DATE



ZC-20-01 & PDD-20-01




HERITAGE PLACE PDD

RMD TO PDD

1501 CLEAR FORK ST



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER

PLANNING DEPARTMENT REPORT

ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-20-01

REPORT DATE: January 15, 2020

PLANNING & ZONING COMMISSION HEARING DATE: January 22, 2020

CITY COUNCIL HEARING DATE: February 4, 2020

REQUESTED CHANGE: RMD to PDD

STAFF RECOMMENDATION: *Approval, with concurrent approval of the PDD development plan*

PLANNING & ZONING COMMISSION RECOMMENDATION:

BACKGROUND DATA

APPLICANT(S): Matkin Hoover Engineering & Surveying

OWNER(S): Dane Braun

SITE LOCATION: 1501 Clear Fork Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 8.465 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: Low Density Residential

ANALYSIS OF ISSUES

REASON FOR REQUESTED CHANGE: The subject property was rezoned from RLD to RMD in December 1999, and in January 2000 the Commission approved a specific use permit to allow the PH-2 (patio home) residential development type. The Commission approved a final plat for the patio home subdivision in September 2000, but the subdivision was never developed. The owner is now proposing a mixed residential subdivision including 18 detached single-family dwellings, one building containing six condominium units, and eight duplex condominiums (the interior of each unit is separately owned, while the exterior and land are owned and maintained jointly by the owners or by the homeowner's association). The proposal also includes a private outdoor common area containing a small dog park, a pavilion, and the community mailboxes. In addition, along the east side there is a public hike/bike trail that conforms with the City's Sidewalk/Trail Plan, and a dual-purpose stormwater detention area and public parkland. A sidewalk will connect the public trail and parkland to a centrally-located parking area adjacent to the common area. The requested PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. For example, some of the proposed residential lots have dimensions or areas that are less than required in the conventional zoning districts for the specified development type, but do not require a variance because such deviations can be approved as a feature of the planned development. In return for such flexibility, the PDD requires more of an up-front commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-20-01) and preliminary plat (PP-20-01) have been submitted with this zoning change application. The zoning change and PDD development plan must be considered concurrently, since the zoning is conditional upon the project being developed as depicted on the plan.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Land Use Plan
North	Single-family residential	RLD	Low Density Residential
East	Single-family residential	RLD	Low Density Residential
South	Vacant land, scattered homes	AO, RHD, RLD	Low Density Residential
West	Single-family residential, Park (northwest)	PDD, PI	Low Density Residential

TRANSITION OF ZONING DISTRICTS: Because PDD is not a conventional zoning classification, the basis for comparison to other zoning districts would be the development plan, which in this case shows a combination of three residential development types. The adjacent Meadows at Clearfork Subdivision is also zoned PDD due to substandard lot depths, but is otherwise a standard residential subdivision containing detached single-family dwellings.

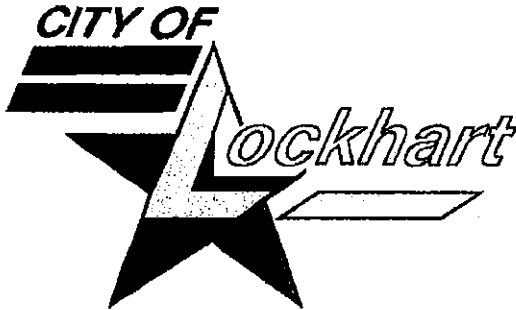
ADEQUACY OF INFRASTRUCTURE: Vehicular access is available only from Clear Fork Street, which is adequate for a small subdivision (less than 100 dwelling units). This subdivision contains 40 dwelling units. The entrance street will be extra wide, with a median in the center. Utility lines, sidewalks, park, and drainage facilities will be constructed as required to comply with applicable subdivision standards.

POTENTIAL NEIGHBORHOOD IMPACT: Because the proposed planned development is entirely residential, with a density of only 4.7 units per gross acre, it should be relatively compatible with the abutting subdivisions. The major difference is that some of the lot sizes and dwelling units will be smaller than in the abutting subdivisions. If the property were zoned RLD, which is the most restrictive conventional residential zoning district, the maximum density allowed would be five units per gross acre. Forty dwelling units have the potential of adding a total of approximately 334 vehicle trips daily (spread over a 24-hour period) to traffic on Clear Fork Street, with each detached single-family dwelling generating approximately ten trips and each condominium (including the duplex-condominiums) generating approximately seven trips.

CONSISTENCY WITH COMPREHENSIVE PLAN: The PDD development plan indicates a combination of residential uses, with a density of 4.7 units per gross acre. This is within the range considered low density and, therefore, would be consistent with the Low Density Residential designation of the Land Use Plan map for this site.

ALTERNATIVE CLASSIFICATIONS: The current RMD zoning would allow single-family, duplex, and condominium uses, either by-right or as a specific use, but would require larger lots in some cases. So, one alternative is to redesign the layout to accommodate the lot sizes required for the desired residential development types, including those that are specific uses. However, the proposed development compensates for the smaller lots by containing generous open-space amenities, including the outdoor common area and the public park area, including a greenbelt for the hike/bike trail. This sort of trade-off is a good example of where PDD zoning is an appropriate solution.

RESPONSE TO NOTIFICATION: There have been a few inquiries by e-mail, by-phone, and in person, but none of them specifically expressed support or opposition, and no written comments have been received.



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 Jonathan McNamara ADDRESS 8 Spencer Road Ste 100
DAY-TIME TELEPHONE 830-249-0600 Boerne, TX 78006
E-MAIL jmcnamara@matkinhoover.com
OWNER NAME Dane Braun ADDRESS 3595 Schuelke Road
DAY-TIME TELEPHONE _____ Niederwald, Tx 78640
E-MAIL _____

PROPERTY

ADDRESS OR GENERAL LOCATION Property between Lentana Ave and Mockingbird Lane on the north side of Clearfork Street.
LEGAL DESCRIPTION (IF PLATTED) N/A
SIZE 8.465 ACRE(S) LAND USE PLAN DESIGNATION Residential Medium Density
EXISTING USE OF LAND AND/OR BUILDING(S) Undeveloped
PROPOSED NEW USE, IF ANY Combination Single Family and Condos

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION RMD
TO PROPOSED ZONING CLASSIFICATION PDD
REASON FOR REQUEST _____
Rezoning from Residential Medium Density to PDD prior to development.

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 \$319.30 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

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 2, 2020

OFFICE USE ONLY

ACCEPTED BY 

RECEIPT NUMBER 913042

DATE SUBMITTED 1-6-20

CASE NUMBER ZC -20-01

DATE NOTICES MAILED 1-7-2020

DATE NOTICE PUBLISHED 1-9-2020

PLANNING AND ZONING COMMISSION MEETING DATE 1-22-2020

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 2-4-20

DECISION _____



Letter of Agency

October 08, 2019

City of Lockhart
Planning and Zoning

Re: Plat, Zoning, PDD – Heritage Place

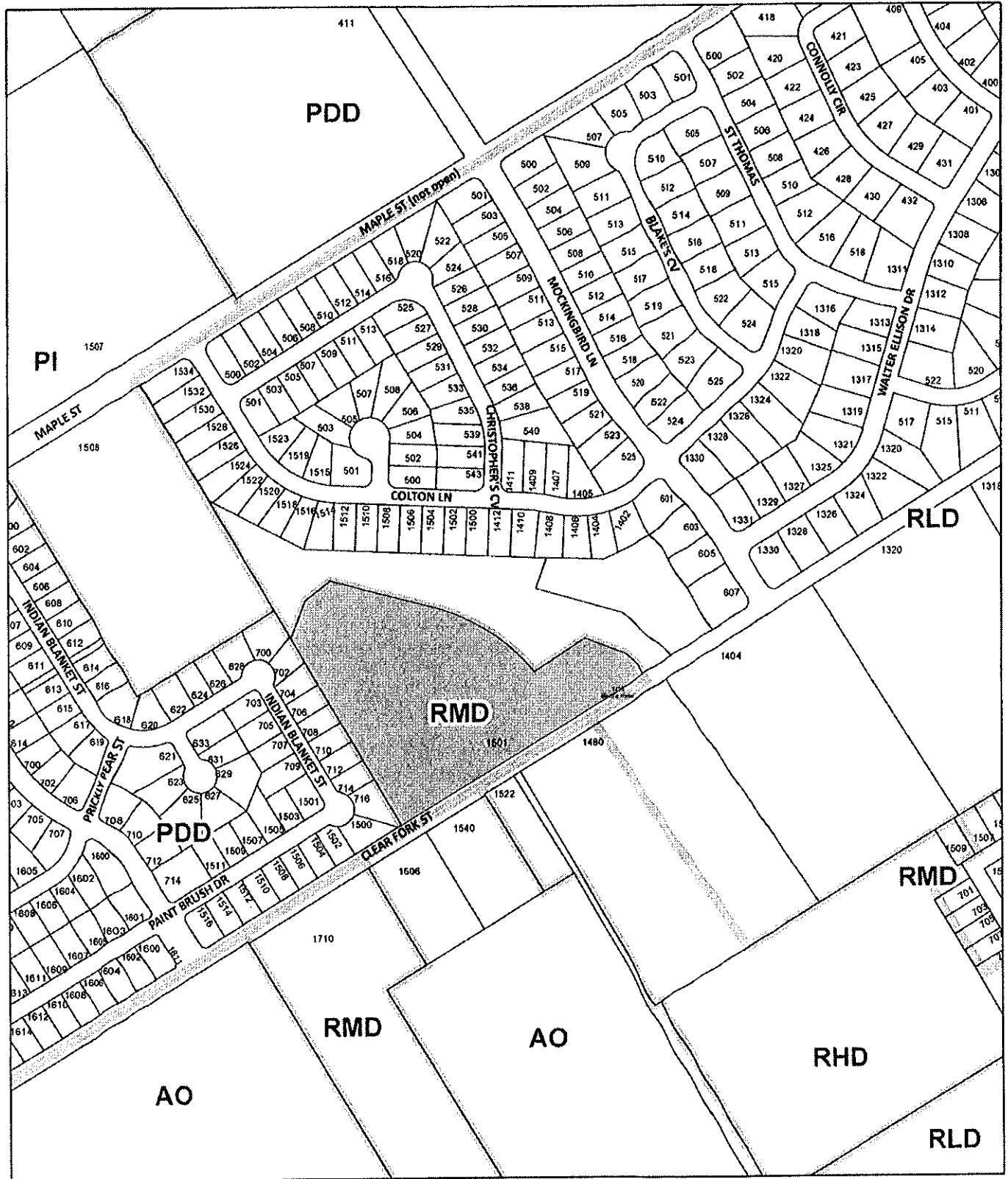
To Whom It May Concern,

Please be advised that Joshua Valenta, Registered Professional and Jonathan McNamara, Assistant Project Manager with Matkin-Hoover Engineering and Surveying, are hereby authorized to represent me as my agent at and with all matters of subdivision platting and planning.

Thank you for your consideration of this matter. If you have any questions, please feel free to call.

Sincerely,


DANE BRAUN (Authorizer)
Dane Braun (Address)
3595 SCHWELKE ROAD
NIEDERWADT TX. 78640
Phone #: 512-844-6781



PDD-20-01

HERITAGE PLACE PDD



 **Subject Property**

scale 1" = 400'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner

CASE NUMBER: PDD-20-01

REPORT DATE: January 17, 2020

PLANNING & ZONING COMMISSION DATE: January 22, 2020

CITY COUNCIL DATE: February 4, 2020

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: None

BACKGROUND DATA

ENGINEER: Jonathan McNamara, E.I.T., Matkin-Hoover Engineering & Surveying

SURVEYOR: Kyle Pressler, Matkin-Hoover Engineering & Surveying

OWNER: Dane Braun, Lockhart II Partners, Ltd.

SITE LOCATION: 1501 Clear Fork St.

SUBDIVISION NAME: **Heritage Place Planned Development District**

SIZE OF PROPERTY: 8.465 acres

NUMBER OF LOTS: 18 single-family residential lots, 8 duplex lots, one condominium lot, one common area lot, one parkland and stormwater detention lot, and one new street right-of-way

EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use

ZONING CLASSIFICATION: RMD (Residential Medium Density District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: This plan accompanies Zoning Change request ZC-20-01 from RMD to PDD for the same property, as well as the proposed preliminary plat (PP-20-01). Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of an up-front commitment on the part of the developer in terms of the site layout, land uses, and amenities. The zoning change and PDD development plan must be considered concurrently, since the zoning is conditional upon the project being developed as depicted on the plan.

The proposal is for a mixed-residential development, consisting of 18 single-family residential lots, 8 duplex lots with 16 total units, and one condominium lot with 6 total units, for a grand total of 40 residential units. A common area lot is proposed in the center of the development that will contain a pavilion, dog park, and mailbox area, which is limited to the use of the subdivision residents. A parkland and stormwater detention lot, which the City has agreed to maintain, is proposed in the subdivision's eastern portion, which will also contain a hike and bike trail that is generally consistent with the City's Sidewalk and Trail Plan in terms of location and alignment. A trail connection between Lots 10 and 11 of Block A will allow access to the trail from the internal roadway, Heritage Circle. This trail will be open to the public, in addition to subdivision residents, with parking across the street from the trail access in spaces designated for both residents and the public. A private driveway located between the common area lot and the condominium lot will provide access to the condominium units. Monument signage is proposed at the subdivision's entry point where the proposed Heritage Circle intersects Clear Fork Street. A "No Parking" stripe is proposed along the Heritage Circle frontage with Block B, which the applicant states is currently being negotiated with Public Works and the City Manager. The development will be screened with wooden fencing, including masonry columns, around its perimeter. The subdivision will be

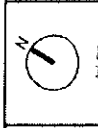
governed by a Homeowner's Association, for which a Master Covenant document will be submitted at the time of final plat consideration.

NEIGHBORHOOD COMPATIBILITY: The subject property is surrounded to the west, north, and east by single-family residential developments with lots of similar size, including the Meadows at Clear Fork Section One to the west, and Clearfork Estates to the north and east. Across Clear Fork Street to the south is a mixture of larger-lot residential and agricultural uses. The proposed development, therefore, will be consistent with surrounding land uses, and close an existing gap between residential subdivisions. A Trip Generation Report was submitted with the application, which shows weekday vehicular trips ranging from 23.2 to 28.8 between morning and afternoon/evening peak hours, 22.4 trips on the Saturday peak hour, and 17.6 trips on the Sunday peak hour.

FORM AND CONTENT: The PDD Development Plan conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable standards, including construction of new streets, sidewalks/trails, utilities, stormwater drainage, and parkland.

ADDITIONAL REQUIREMENTS: None.

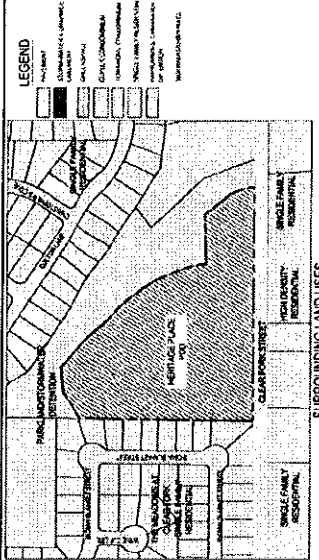


DATE: 11/15/2011
 PROJECT: PDD DEVELOPMENT PLAN
 SHEET NO. 1 OF 1

MATTHEW HOOPER
 SURVEYING & ENGINEERING
 11111 W. HIGHTWAY 175, SUITE 100
 DALLAS, TEXAS 75244
 TEL: 972.382.1111
 FAX: 972.382.1112
 WWW.MATTHEWHOOVER.COM

PDD DEVELOPMENT PLAN
 FOR
 HERITAGE PLACE SUBDIVISION
 LOCKWART, CALDWELL COUNTY, TEXAS

DATE	11/15/2011
PROJECT	PDD DEVELOPMENT PLAN
SHEET NO.	1 OF 1

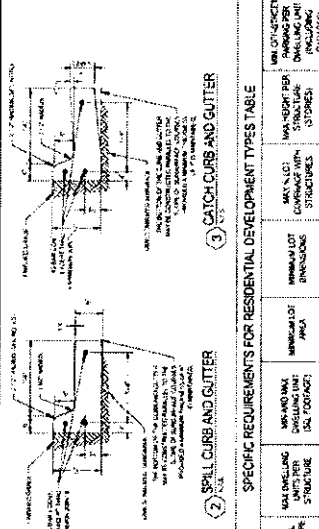


LEGEND

Heritage Place Subdivision
 Single Family Residential
 High Density Residential
 Commercial
 Industrial

SURROUNDING LAND USES

1. Single Family Residential
 2. High Density Residential
 3. Commercial
 4. Industrial

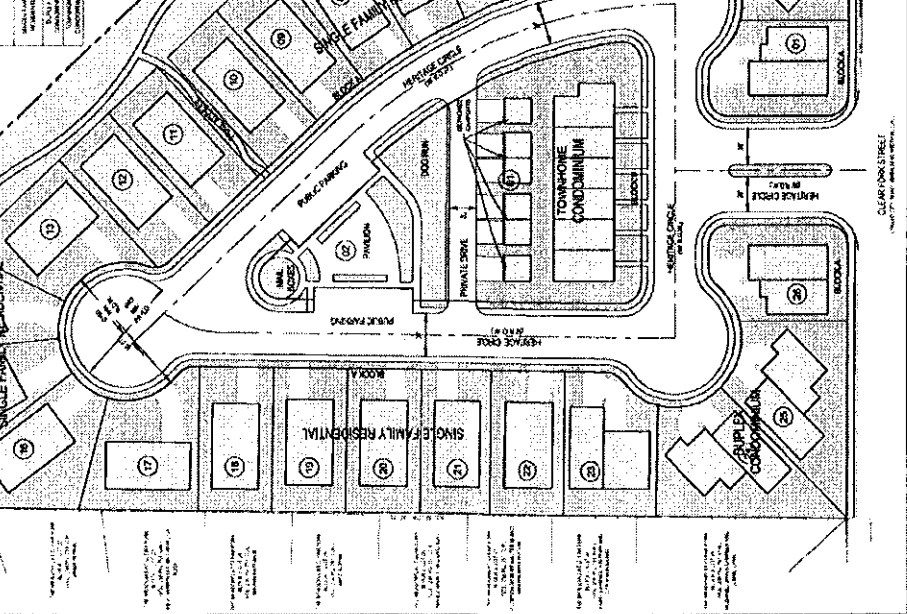
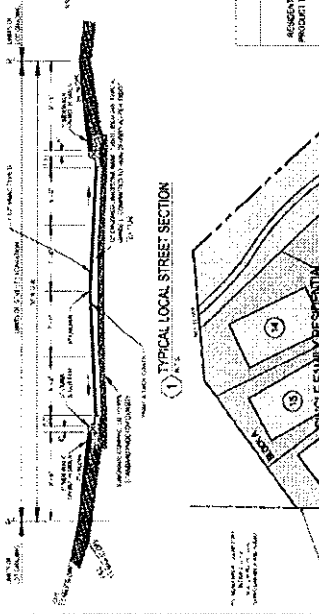


SPECIFIC REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT TYPES TABLE

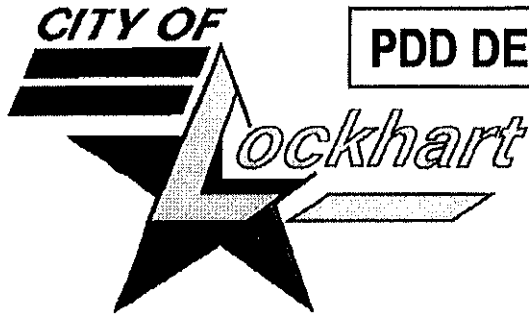
RESIDENTIAL PRODUCT TYPE	MIN. NO. MAX. DWELLING UNITS PER STRUCTURE	MIN. NO. MAX. DWELLING UNIT DIMENSIONS (MIN. DIMENSIONS)	MIN. NO. MAX. DWELLING UNIT DIMENSIONS (MAX. DIMENSIONS)	MIN. LOT AREA PER DWELLING UNIT (SQUARE FEET)	MIN. LOT AREA PER DWELLING UNIT (SQUARE FEET)	MIN. LOT AREA PER DWELLING UNIT (SQUARE FEET)	MIN. LOT AREA PER DWELLING UNIT (SQUARE FEET)
Single Family Residential	1	30' x 40'	30' x 40'	5,000	5,000	5,000	5,000
High Density Residential	2-4	30' x 40'	30' x 40'	5,000	5,000	5,000	5,000
Commercial	1	30' x 40'	30' x 40'	5,000	5,000	5,000	5,000
Industrial	1	30' x 40'	30' x 40'	5,000	5,000	5,000	5,000

LAND USE TABLE - HERITAGE PLACE (PDD)

USE	NUMBER OF LOTS	COMMENTS	NOTES
Single Family Residential	10	10 Single Family Residential Lots	
High Density Residential	10	10 High Density Residential Lots	
Commercial	1	1 Commercial Lot	
Industrial	1	1 Industrial Lot	



Heritage Circle
 Heritage Drive
 Heritage Lane
 Clear Creek Street



PDD DEVELOPMENT PLAN APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME Jonathan McNamara ADDRESS 8 Spencer Road Ste 100
DAY-TIME TELEPHONE 830-249-0600 Boerne, TX. 78006
E-MAIL jmcnamara@matkinhoover.com
OWNER NAME Dane Braun ADDRESS 3595 Schuelke Road
DAY-TIME TELEPHONE 512-844-6781 Niederwalk, TX. 78640
E-MAIL dbraun21363@yahoo.com

PROPERTY

ADDRESS OR GENERAL LOCATION - 1501 Clear Fork St. -
Property between Lantana Ave and Mockingbird Lane on the north side of Clearfork Street
LEGAL DESCRIPTION (IF PLATTED) N/A
PROPOSED SUBDIVISION NAME, IF NOT PLATTED Heritage Place
SIZE 8.465 ACRE(S) ZONING CLASSIFICATION Residential Medium Density
EXISTING USE OF LAND AND BUILDINGS Undeveloped

PROPOSED DEVELOPMENT

PROPOSED USE OF LAND AND BUILDINGS Single Family Homes, Duplex Condominiums, and Town home Condominiums.
NUMBER OF LOTS 29 TOTAL NUMBER OF DWELLING UNITS, IF ANY 40
RESIDENTIAL DENSITY 8.86 UNITS/ACRE
TOTAL LAND AREA ALLOCATED TO RESIDENTIAL USE, IF ANY 4.514 ACRE(S)
TOTAL LAND AREA ALLOCATED TO NON-RESIDENTIAL USE, IF ANY 3.951 ACRE(S)

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.

PROPOSED DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING AND GOVERNING ANY LEGAL ENTITY THAT MAY BE REQUIRED TO OWN, OPERATE, AND/OR MAINTAIN PRIVATE STREETS, UTILITIES, OR OTHER FACILITIES PROVIDED FOR THE COMMON USE OF ALL PROPERTY OWNERS.

PROPOSED WRITTEN AGREEMENT BETWEEN THE CITY AND THE LEGAL ENTITY TO BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF PRIVATE STREETS AND ALLEYS, PERMITTING ACCESS AND USE WITHOUT LIABILITY BY CITY VEHICLES AND PERSONNEL ON OFFICIAL BUSINESS.

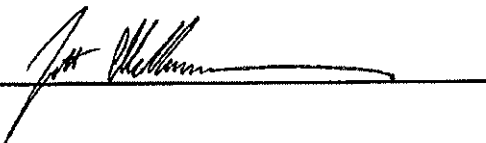
PDD DEVELOPMENT PLAN, AS FOLLOWS, INDICATING THE SCALE AND NORTH ARROW, PROPOSED USE(S) OF ALL PARTS OF THE DEVELOPMENT, BOUNDARIES OF PROPOSED PHASES, IF ANY, AND CONTAINING THE INFORMATION REQUIRED IN SECTION 64-166(b).

Four copies for initial staff review.

Ten copies after initial staff review.

One mylar reproducible (two if applicant wants to keep one), plus two copies, of approved PDD Development Plan.

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 Jun 2, 2020

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

DATE SUBMITTED 1/6/20

ZONING CASE NUMBER ZC - 20 - 01

PLAN CASE NUMBER PDD - 20 - 01

PLANNING AND ZONING COMMISSION MEETING DATE 1/22/20

DECISION _____

CONDITIONS _____



Letter of Agency

October 08, 2019

City of Lockhart
Planning and Zoning

Re: Plat, Zoning, PDD – Heritage Place

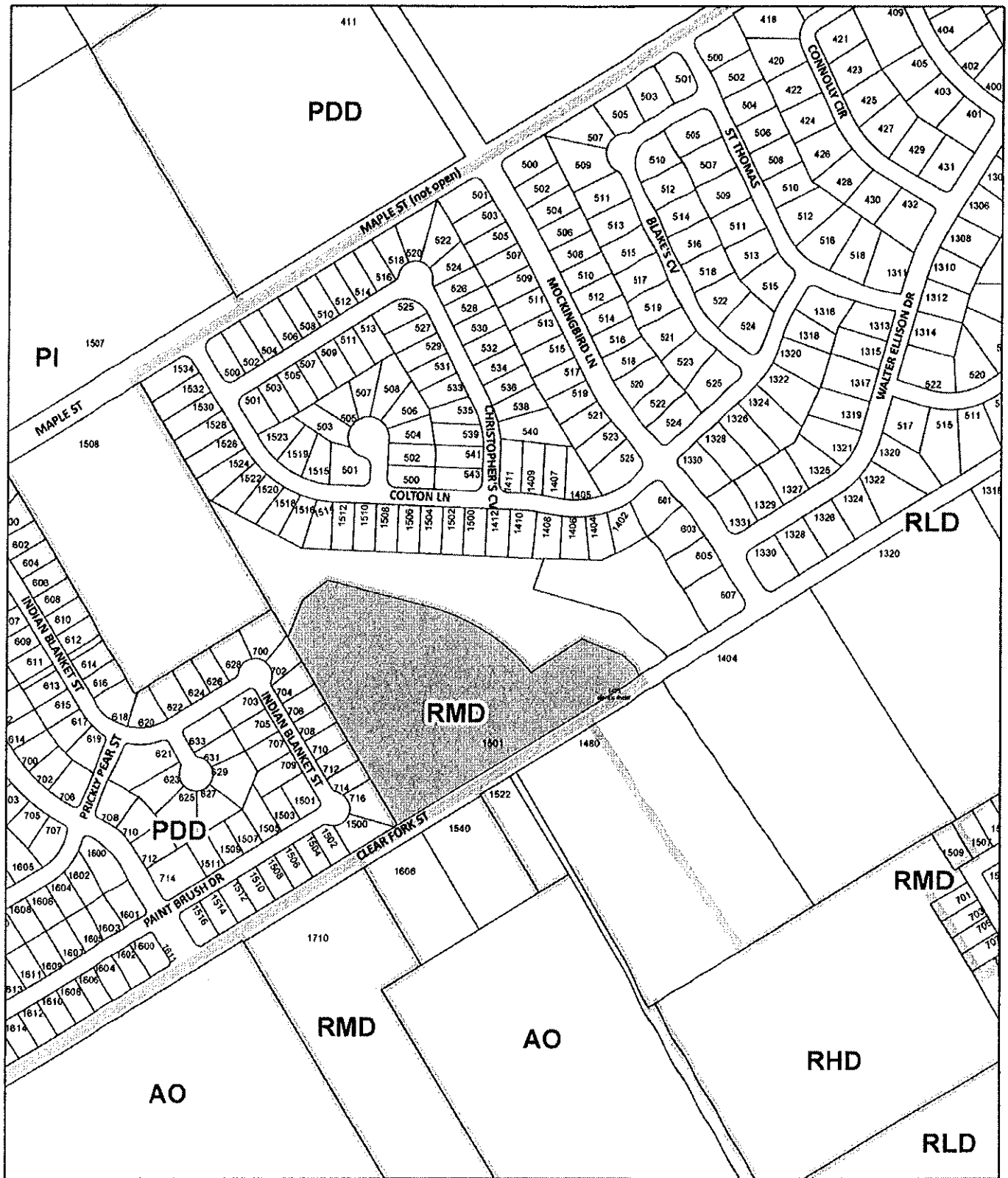
To Whom It May Concern,

Please be advised that Joshua Valenta, Registered Professional and Jonathan McNamara, Assistant Project Manager with Matkin-Hoover Engineering and Surveying, are hereby authorized to represent me as my agent at and with all matters of subdivision platting and planning.

Thank you for your consideration of this matter. If you have any questions, please feel free to call.

Sincerely,

DANE BRAUN (Authorizer)
Dan Braun (Address)
3595 SCHUELKE ROAD
NIEDERWATER, TX. 78140
Phone #: 512-844-6781



PP-20-01

HERITAGE PLACE

1501 CLEAR FORK ST



 Subject Property

scale 1" = 400'

PLANNING DEPARTMENT REPORT

PRELIMINARY PLAT

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner
REPORT DATE: January 17, 2020
PLANNING & ZONING COMMISSION DATE: January 22, 2020
STAFF RECOMMENDATION: *Approval*
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-20-01

BACKGROUND DATA

ENGINEER: Jonathan McNamara, E.I.T., Matkin-Hoover Engineering & Surveying
SURVEYOR: Kyle Pressler, Matkin-Hoover Engineering & Surveying
OWNER: Dane Braun, Lockhart II Partners, Ltd.
SITE LOCATION: 1501 Clear Fork St.
SUBDIVISION NAME: **Heritage Place Planned Development District**
SIZE OF PROPERTY: 8.465 acres
NUMBER OF LOTS: 18 single-family residential lots, 8 duplex lots, one condominium lot, one common area lot, one parkland and stormwater detention lot, and one new street right-of-way
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: RMD (Residential Medium Density District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: This plat accompanies the PDD Development Plan and concurrent Zoning Change request (PDD-20-01 and ZC-20-01, respectively) from RMD to PDD for the same property. The proposal is for a mixed-residential development, consisting of 18 single-family residential lots, 8 duplex lots, one condominium lot, one common area lot, and a parkland/stormwater detention lot. The subdivision will be served by one proposed internal street, Heritage Circle. A private driveway located between the common area lot and the condominium lot will provide access to the condominium units. A 15-foot wide drainage easement will be located on the north end of Lot 4, Block A, to help facilitate drainage from Heritage Circle to the parkland and stormwater detention lot on the east side of the development. The 100-year floodplain traverses the subdivision primarily in the parkland and stormwater detention lot, with very small portions also traversing the back sides of Lots 6 and 14, Block A. A Letter of Map Revision (LOMR) approved by FEMA will need to be submitted with the final plat application, in order to verify the exact floodplain boundary.

NEIGHBORHOOD COMPATIBILITY: The subject property is surrounded to the west, north, and east by single-family residential developments with lots of similar size, including the Meadows at Clear Fork Section One to the west, and Clearfork Estates to the north and east. Across Clear Fork Street to the south is a mixture of larger-lot residential and agricultural uses. The proposed development, therefore, will be consistent with surrounding land uses, and close an existing gap between residential subdivisions. A Trip Generation Report was submitted with the application, which shows weekday vehicular trips ranging from 23.2 to 28.8 between morning and afternoon/evening peak hours, 22.4 trips on the Saturday peak hour, and 17.6 trips on the Sunday peak hour.

FORM AND CONTENT: The Preliminary Plat conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable subdivision standards, including construction of new streets where required, sidewalks/trails, utilities, stormwater drainage, and parkland. The final engineering design must be completed prior to the Commission's consideration of the final plat, which is the next stage after the preliminary plat process.

CONCURRENT VARIANCES REQUESTED: None.

SUBDIVISION PLAT APPLICATION

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

APPLICANTS

SURVEYOR NAME Kyle Pressler **ADDRESS** 8 Spencer Road Ste 300
DAY-TIME TELEPHONE 830-249-0600 Boerne, TX. 78006
E-MAIL kyle.pressler@matkinhoover.com

ENGINEER NAME Joshua Valenta **ADDRESS** 8 Spencer Road Ste 100
DAY-TIME TELEPHONE 830-249-0600 Boerne, TX. 78006
E-MAIL jvalenta@matkinhoover.com

OWNER NAME Dane Braun **ADDRESS** 3595 Schuelke Road
DAY-TIME TELEPHONE 512-844-6781 Niederwald, TX. 78640
E-MAIL dbraun21363@yahoo.com

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE
 PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT
 DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME Heritage Place ↓ 1501 Clear Fork St. ↓
ADDRESS OR GENERAL LOCATION Between Lantana Avenue and Mockingbird Lane on Clearfork Street

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 8.465 ACRE(S) **PROPOSED NUMBER OF LOTS** 29

ZONING CLASSIFICATION(S) Residential Medium Density

PROPOSED USE OF LAND Single Family, Duplex Condos, Townhome Condos

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION - A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS - THREE COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE - COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format).

Seven copies for initial staff review.

Twelve copies after initial staff review for preliminary plats, final plats, and replats/resubdivisions

Two copies after initial staff review for amending and minor plats.

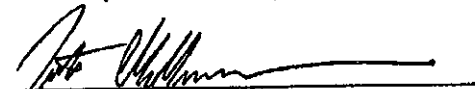
Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart
Amending plat, Minor plat, or Minor replat not requiring a public hearing	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

To the best of my knowledge, this application and associated documents conform to all requirements of the City of Lockhart Subdivision Regulations. By signing below I agree that if any part of this plat and/or associated construction plans is found to be incorrect, incomplete, or otherwise deficient with regard to applicable City standards, the deadline imposed by the Texas Local Government Code, Section 212.009 for approval or denial of the plat and/or associated construction plans by the City within 30 days of the date of this application is automatically extended for an additional 30 days. I further agree that if any part of this plat and/or associated construction plans remains deficient at such time that the plat and/or associated construction plans cannot be approved prior to the expiration of the second 30 days, the plat or construction plans will be subject to denial by the approval authority. It is understood that I or another representative should be present at all public meetings concerning this application.

SIGNATURE



DATE Jan 2, 2020

PRINTED NAME

Jonathan McNamara

TELEPHONE 830-249-0600

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) _____ OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) _____

- N/A -

REQUESTED VARIANCE(S) _____

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPLIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE.

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 913042

DATE SUBMITTED 1/6/20

CASE NUMBER PP -20 -01

DATE NOTICES MAILED _____

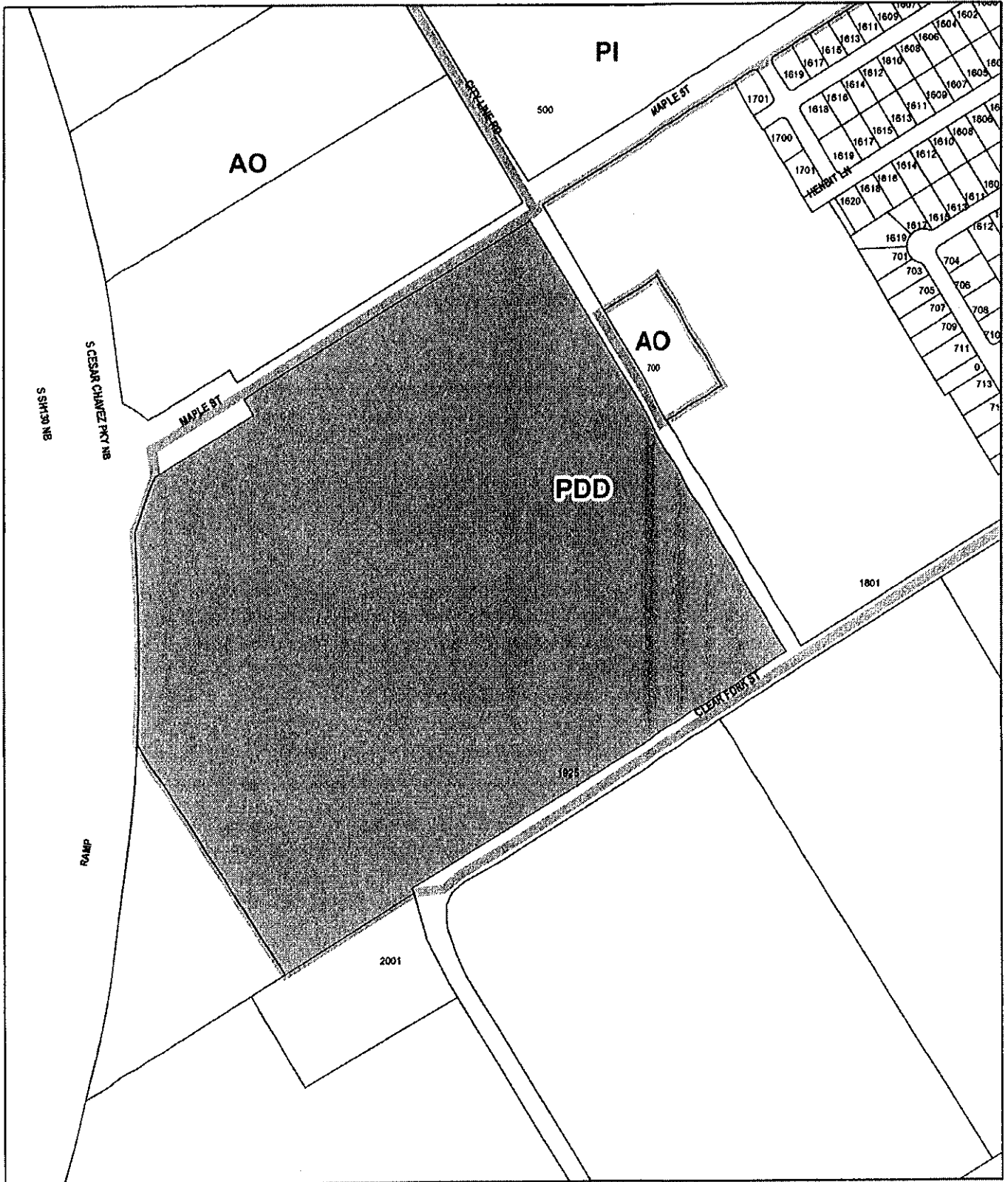
DATE NOTICE PUBLISHED _____

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 1/22/20

DECISION _____

CONDITIONS _____



PDD-19-01

MAPLE PARK
PDD DEVELOPMENT PLAN



 Subject Property

scale 1" = 400'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner

CASE NUMBER: PDD-19-01

REPORT DATE: July 30, 2019 [Updated January 15, 2020]

PLANNING & ZONING COMMISSION DATE: January 22, 2020

CITY COUNCIL DATE: February 4, 2020

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: *Review Comments Emailed to Applicant dated 1-14-20 (attached)*

BACKGROUND DATA

ENGINEER: R. Anne Gallup, Gallup Engineering

SURVEYOR: Jerry Hinkle, Hinkle Surveyors

OWNER: Manumit Investment Group, LLC

SITE LOCATION: West side of 700-1000 blocks City Line Road

SUBDIVISION NAME: **Maple Park Planned Development District**

SIZE OF PROPERTY: 56.239 acres

NUMBER OF LOTS: 100 single-family residential lots, two multi-family residential lots, 11 general commercial lots, four light-medium commercial lots, one stormwater detention lot, one parkland and storm-water detention lot, and seven new street rights-of-way

EXISTING USE OF PROPERTY: Agricultural

ZONING CLASSIFICATION: PDD (Planned Development District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of an up-front commitment on the part of the developer in terms of the site layout, land uses, and amenities. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The subject property was rezoned from AO to PDD in 2012 concurrently with adoption of the associated PDD development plan for a mixed-use project. In addition, a preliminary plat was approved, and a final plat for Section One consisting of 19.748 acres between Cesar Chavez Parkway (SH 130) and the proposed new Lincoln Lane was approved in February 2013. Since construction of public improvements for that section have not been completed, the final plat is not yet recorded.

In 2017, the owner subsequently proposed to change some land uses, the most significant of which was replacing the previous area designated as apartments to 103 small single-family homes on very small lots that were well below the minimum size allowed in any conventional residential zoning district. That change was approved by the City Council in July 2017 as a zoning change from PDD to PDD along with the concurrent revisions to the associated PDD development plan. The uses on the 2017 plan, in addition to the small lot single-family residential area, included offices, office-warehouses, retail specialty stores, a gas station, five restaurants, a hotel, and self-storage warehousing. In February 2018, the owner proposed another change to the approved PDD development plan that would designate the area originally proposed to contain office/warehouse buildings to multifamily residential for senior housing and non-age restricted multifamily development, and to reduce the number of single-family lots to 100.

In May 2019, the owner proposed another change to the approved PDD development plan that would increase the total number of multifamily housing units from 72 to 86, which would include an increase in proposed senior housing units on Lot 1, Block 1, Section Three-A from 48 to 56. That proposal also included dividing Section One into two sections, One-A and One-B, as well as the expansion of Section Three-A to include the parkland and stormwater detention area. At the July 24, 2019 Planning and Zoning Commission meeting to consider the proposal, the Commission requested that the PDD Development Plan and Preliminary Plat include a note to require the construction of parkland improvements worth at least \$20,000.00, or provide cash-in-lieu of the improvements.

The current proposal is for the addition of two four-foot wide concrete pedestrian paths, to be located within six-foot wide pedestrian access easements within Sections Two-B and Three-A, pursuant to recent discussions with Planning Staff. One of the paths will provide a connection between the 10-foot wide public hike and bike trail and Clear Fork Street along the eastern edge of Lot 1, Block 1, Section Three-A, and the other will provide a connection between the hike and bike trail and the single-family residential lots in Section Two-B between Lots 12 and 13 in Block 2 of that section. The connection to the single-family lots will require crossing an existing LCRA easement, which will require approval from LCRA, which is a proposed condition of approval. After additional discussions with Staff, the applicant has identified a 53-foot by 53-foot area for parkland improvements on Lot 2, Block 1, Section Three-A, which must be identified on the PDD Development Plan as a condition of approval. A revised preliminary plat incorporating these features will also be required, to be considered at the Commission meeting through Case File # PP-19-01. Staff has determined that a zoning change will not be required for the latest proposal.

NEIGHBORHOOD COMPATIBILITY: The subject property is almost entirely surrounded by streets, except at the south corner, so the streets act as a buffer between the higher intensity mixed uses proposed on this plan and the low and medium density residential land use designated for the surrounding area on the Lockhart 2020 Future Land Use Plan map. All nonresidential development in this PDD will adhere to City standards that address screening, landscaping, and other visual elements that can soften the impact of different types of uses being in close proximity. Other impacts such as noise and night lighting would be expected to occur primarily on the west side of the development, where it would not affect other properties except possibly at the south corner of the site where the abutting property contains a single-family dwelling.

FORM AND CONTENT: The development plan conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable standards, including the dedication of additional right-of-way for perimeter streets, construction of new streets, sidewalks/trails, utilities, stormwater drainage, and parkland.

ADDITIONAL REQUIREMENTS: None.

Gallip Engineering/R. Anne Gallip, P.E.
 1000 E. Highway 101
 Lockhart, TX 78753
 Phone: 512-328-1111
 Fax: 512-328-1112
 Email: r.gallip@gallip.com

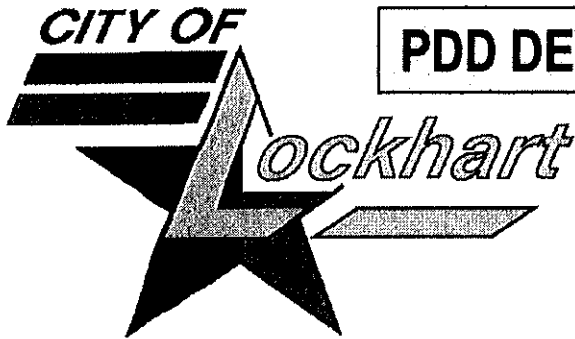
LAND USE MAP AND DEVELOPMENT PHASE PLAN
 SCALE: 1" = 200'
 SECTION BOUNDARY

NOTES:
 1. THIS PLAN IS A DEVELOPMENT PHASE PLAN AND IS NOT A FINAL DEVELOPMENT PLAN. IT IS INTENDED TO BE USED AS A GUIDE FOR THE DEVELOPMENT OF THE PROJECT.
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND STATE AGENCIES.
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY UTILITY SERVICES AND INFRASTRUCTURE.
 4. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY PARKING AND TRAIL SERVICES.
 5. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY LANDSCAPING AND GREENSPACE SERVICES.
 6. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY SAFETY AND SECURITY SERVICES.
 7. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY COMMUNITY AND SOCIAL SERVICES.
 8. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY ENVIRONMENTAL AND CONSERVATION SERVICES.
 9. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY HISTORIC AND CULTURAL SERVICES.
 10. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY EDUCATIONAL AND RECREATIONAL SERVICES.
 11. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY HEALTH AND WELLNESS SERVICES.
 12. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY ARTS AND CULTURE SERVICES.
 13. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY ECONOMIC AND BUSINESS SERVICES.
 14. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY SOCIAL AND COMMUNITY SERVICES.
 15. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY POLICE AND FIRE SERVICES.
 16. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY PUBLIC SAFETY SERVICES.
 17. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY PUBLIC WORKS SERVICES.
 18. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY TRANSPORTATION SERVICES.
 19. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY UTILITIES SERVICES.
 20. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY INFRASTRUCTURE SERVICES.

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
1	PAVEMENT	1000	1.00	1000.00
2	STORM-WATER CONDUIT & DRAINAGE FACILITIES	500	2.00	1000.00
3	GREENSPACE	2000	0.50	1000.00
4	SCREENING FENCE	1000	1.00	1000.00
5	BIKE AND BIKE TRAIL	500	2.00	1000.00
6	SIDEWALKS	1000	1.00	1000.00
7	MULTI-FAMILY RESIDENTIAL BUILDING	100	10.00	1000.00
8	SINGLE-FAMILY RESIDENTIAL BUILDING	200	5.00	1000.00
9	GENERAL COMMERCIAL	100	10.00	1000.00
10	LIGHT-MEDIUM COMMERCIAL	100	10.00	1000.00
11	PARKLANDS STORAGE-WATER INFILTRATION	100	10.00	1000.00

PLANNED DEVELOPMENT DISTRICT (PDD) DEVELOPMENT PLAN
 SCALE: 1" = 100'
 SECTION BOUNDARY

LEGEND:
 PAVEMENT
 STORM-WATER CONDUIT & DRAINAGE FACILITIES
 GREENSPACE
 SCREENING FENCE
 BIKE AND BIKE TRAIL
 SIDEWALKS
 MULTI-FAMILY RESIDENTIAL BUILDING
 SINGLE-FAMILY RESIDENTIAL BUILDING
 GENERAL COMMERCIAL
 LIGHT-MEDIUM COMMERCIAL
 PARKLANDS STORAGE-WATER INFILTRATION



PDD DEVELOPMENT PLAN APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME JES Dev Co, Inc.
DAY-TIME TELEPHONE 737.802.7894
E-MAIL jguttman@jesholdings.com
OWNER NAME Manumit Investment Group, LLC.
DAY-TIME TELEPHONE 313.610.0547
E-MAIL jremley@manumitig.com/pence@manumitig.com

ADDRESS 206 Peach Way (65203)
P.O. Box 7688
Columbia, MO 65205
ADDRESS P.O. BOX 746
Lockhart, TX 78644

PROPERTY

ADDRESS OR GENERAL LOCATION 700-1000 Block City Line Road, Lockhart Texas Tax ID# 134-92
LEGAL DESCRIPTION (IF PLATTED) 56.239 acres within the FrancisBerry Survey A-2
PROPOSED SUBDIVISION NAME, IF NOT PLATTED Maple Park
SIZE 56.239 ACRE(S) ZONING CLASSIFICATION PDD
EXISTING USE OF LAND AND BUILDINGS Vacant, Farm Land

PROPOSED DEVELOPMENT

PROPOSED USE OF LAND AND BUILDINGS Mixed commercial, office/warehouse, and multi-family & single family residential.
NUMBER OF LOTS 119 TOTAL NUMBER OF DWELLING UNITS, IF ANY 210
RESIDENTIAL DENSITY 10.4(average)* UNITS/ACRE
TOTAL LAND AREA ALLOCATED TO RESIDENTIAL USE, IF ANY 17.88 ACRE(S)
TOTAL LAND AREA ALLOCATED TO NON-RESIDENTIAL USE, IF ANY 38.8 ACRE(S)

* 9.1 units per acre for single family residential and 12 units per acre for multi-family residential

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.

PROPOSED DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING AND GOVERNING ANY LEGAL ENTITY THAT MAY BE REQUIRED TO OWN, OPERATE, AND/OR MAINTAIN PRIVATE STREETS, UTILITIES, OR OTHER FACILITIES PROVIDED FOR THE COMMON USE OF ALL PROPERTY OWNERS.

PROPOSED WRITTEN AGREEMENT BETWEEN THE CITY AND THE LEGAL ENTITY TO BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF PRIVATE STREETS AND ALLEYS, PERMITTING ACCESS AND USE WITHOUT LIABILITY BY CITY VEHICLES AND PERSONNEL ON OFFICIAL BUSINESS.

PDD DEVELOPMENT PLAN, AS FOLLOWS, INDICATING THE SCALE AND NORTH ARROW, PROPOSED USE(S) OF ALL PARTS OF THE DEVELOPMENT, BOUNDARIES OF PROPOSED PHASES, IF ANY, AND CONTAINING THE INFORMATION REQUIRED IN SECTION 64-166(b).

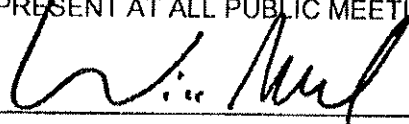
Four copies for initial staff review.

Ten copies after initial staff review.

One mylar reproducible (two if applicant wants to keep one), plus two copies, of approved PDD Development Plan.

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

5/2/19

OFFICE USE ONLY

ACCEPTED BY

Kevin Waller

DATE SUBMITTED

5/20/19

ZONING CASE NUMBER ZC - 19 - 04

PLAN CASE NUMBER PDD - 19 - 01

PLANNING AND ZONING COMMISSION MEETING DATE

6/26/19

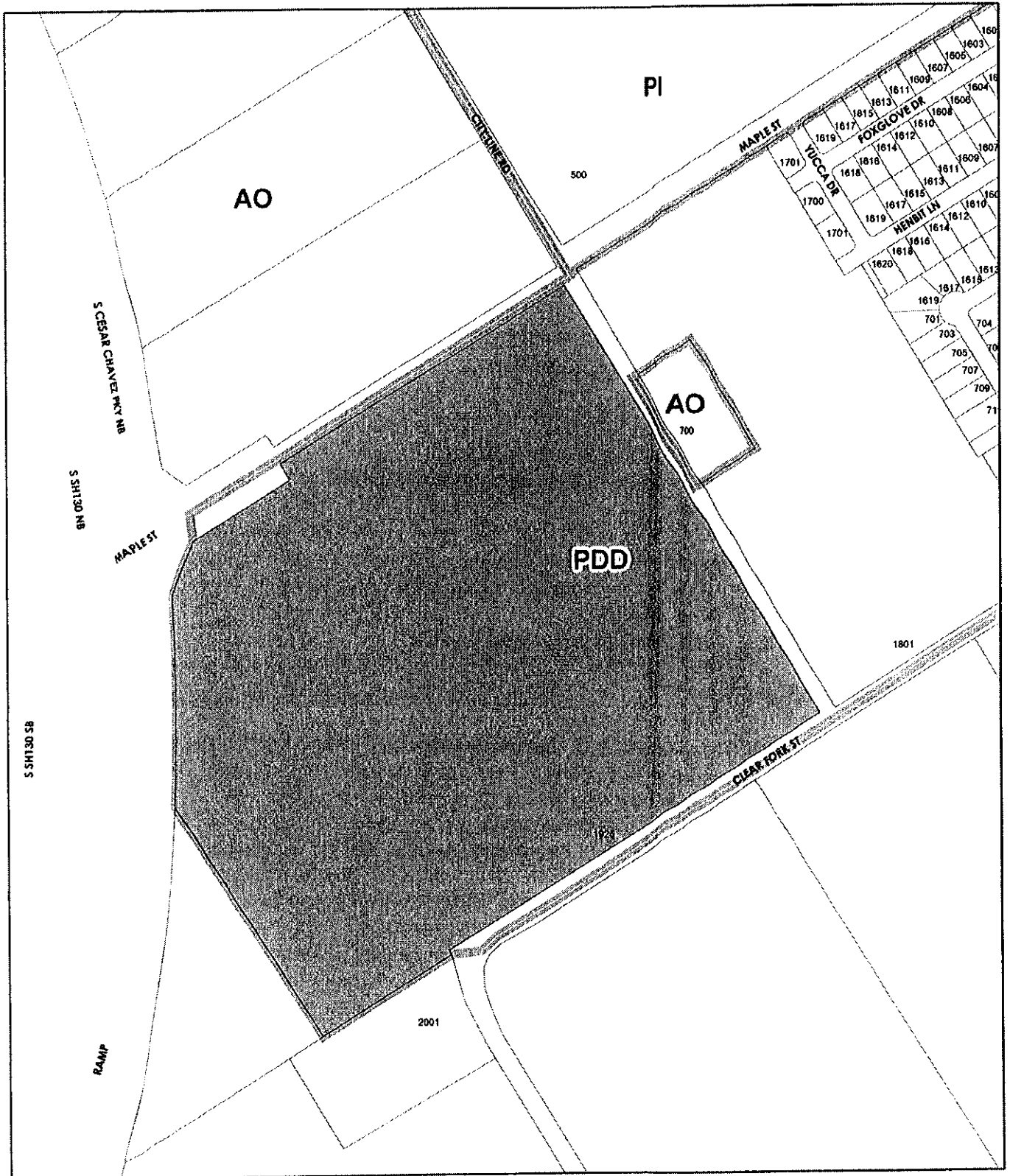
DECISION

Tabled to July 24. Recommended Approval.

CONDITIONS

Add note defining "General Commercial" and "Light-Medium Commercial", and add a note that the developer will provide park improvements worth at least \$20,000, or pay \$20,000 cash in lieu of constructing or installing such improvements.

Approved by City Council 8-6-19.



PP-19-01

MAPLE PARK

700-1000 BLK CITY LINE RD



Subject Property

scale 1" = 400'

PLANNING DEPARTMENT REPORT

PRELIMINARY PLAT

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner
REPORT DATE: July 17, 2019 *[Updated January 16, 2020]*
PLANNING & ZONING COMMISSION DATE: January 22, 2020
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: *Review Comments Emailed to Applicant dated 1-14-20 (enclosed)*

CASE NUMBER: PP-19-01

BACKGROUND DATA

ENGINEER: R. Anne Gallup, Gallup Engineering
SURVEYOR: Jerry Hinkle, Hinkle Surveyors
OWNER: Manumit Investment Group, LLC
SITE LOCATION: West side of 700-1000 blocks City Line Road
PROPOSED SUBDIVISION NAME: **Maple Park Planned Development District**
SIZE OF PROPERTY: 56.239 acres
NUMBER OF LOTS: 100 single-family residential lots, two multi-family residential lots, 11 general commercial lots, four light-medium commercial lots, one stormwater detention lot, one parkland and stormwater detention lot, and seven new street rights-of-way
EXISTING USE OF PROPERTY: Agricultural
ZONING CLASSIFICATION: PDD (Planned Development District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: In May 2012 the Commission approved PP-12-01, which was combined with a preliminary PDD development plan and different in layout from the currently proposed preliminary plat and PDD development plan. Subsequently, in June the Commission recommended approval of ZC-12-03 and PDD-12-01, which were the rezoning of the property from AO to PDD and the final PDD development plan. Those were then adopted by the City Council in July 2012. Following these approvals, the Commission approved FP-13-01 on February 13, 2013, which was the final plat of Section One of the proposed planned development district at that time. Since approval of both preliminary and final plats is valid for 12 months, those approvals expired before the construction of the subdivision improvements could be started. Subsequently, the owner reapplied for the same proposal in July 2014. The Commission approved both the preliminary plat (PP-14-01) for the entire development and the final plat (FP-14-04) for Section One on August 13, 2014. The zoning change and PDD development plan remained in effect from the previous proposal and did not have to be reconsidered with the plats. Subsequently, the owner later reapplied with a revised development configuration in May 2017 (PDD-17-01 and ZC-17-11), followed by yet another revised configuration in November 2017 (PP-17-04, PDD-18-01, and ZC-18-03). In June 2018, the owner applied to revise the configuration further, which divided Section Three into two subsections, Three-A and Three-B, requiring a new preliminary plat (PP-18-03). In May 2019, the owner proposed to divide Section One into two subsections, One-A and One-B, as well as the expansion of Section Three-A to include the parkland and stormwater detention area, requiring yet another new preliminary plat (PP-19-01).

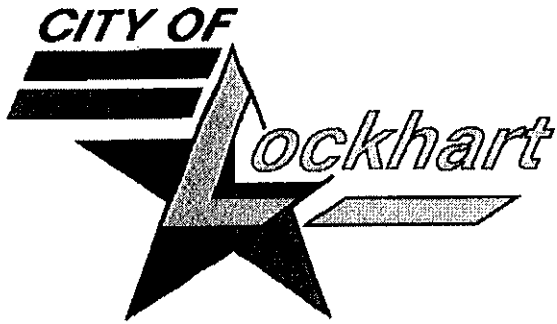
The current proposal is simply the addition of two four-foot wide pedestrian paths within six-foot wide pedestrian access easements within Sections Two-B and Three-A, as well as the demarcation of a 53-foot by 53-foot area for parkland improvements on Lot 2, Block 1, Section Three-A. In addition, the hike/bike trail is relocated from the north side of the LCRA easement to the south side. These revisions necessitate revising the preliminary plat as well as the PDD development plan and the final plat for Section Three-A.

NEIGHBORHOOD COMPATIBILITY: A single-family residence and Sections Two and Three of The Meadows at Clear Fork subdivision, currently under development, are located across City Line Road to the east. The final plat of The Meadows at Clear Fork Section Two was approved by the Planning and Zoning Commission on February 28, 2018, and the final plat of Section Three was approved on April 12, 2017. The subject property is bordered on the southwest by a single-family residence, and to the west by vacant land and Cesar Chavez Parkway (SH 130). The property across Maple Street to the north is in agricultural use, and that to the south is vacant. Lockhart Junior High School is located to the northeast of the subject property. The greatest impact of the proposed development would be increased traffic on the abutting streets.

FORM AND CONTENT: The preliminary plat conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, stormwater drainage, and parkland. The final engineering design must be completed prior to the Commission's consideration of the final plat for each phase, which is the next stage after the preliminary plat process.

CONCURRENT VARIANCES REQUESTED: None, although variances are requested with the final plat application for Section Three-A (FP-19-02), which will be considered at the same Commission meeting as this preliminary plat and the PDD development plan.



SUBDIVISION PLAT APPLICATION

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

APPLICANTS

SURVEYOR NAME <u>Hinkle Surveyors</u>	ADDRESS <u>1109 S. Main St</u>
DAY-TIME TELEPHONE <u>(512) 398-2000</u>	<u>Lockhart, TX 78644</u>
E-MAIL <u>contact@hinklesurveyors.com</u>	
ENGINEER NAME <u>R. Anne Gallup, P.E.</u>	ADDRESS <u>174 S. Guadalupe Street</u>
DAY-TIME TELEPHONE <u>(512) 392-3816</u>	<u>STE 204</u>
E-MAIL <u>contact@gallupengineering.com</u>	<u>San Marcos, TX 78666</u>
OWNER NAME <u>Manumit Investment Group, LLC</u>	ADDRESS <u>P.O. BOX 746</u>
DAY-TIME TELEPHONE <u>(313) 610- 0547</u>	<u>Lockhart, TX 78644</u>
E-MAIL <u>jremley@manumitig.com</u>	
<u>jpence@manumitig.com</u>	

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE
 PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT
 DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME Maple Park, Preliminary Plat Tax ID# 13492

ADDRESS OR GENERAL LOCATION Located along the west side of the 700-1000 blocks of City Line Rd.

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 56.239 ACRE(S) **PROPOSED NUMBER OF LOTS** 119

ZONING CLASSIFICATION(S) PDD

PROPOSED USE OF LAND Mixed Use, Commercial, Single family, Multi-family residential

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION -- A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS -- THREE COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE -- COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format).

Seven copies for initial staff review.

Twelve copies after initial staff review for preliminary plats, final plats, and replats/resubdivisions

Two copies after initial staff review for amending and minor plats.

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart
Amending plat or Minor plat	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS CONFORM TO ALL REQUIREMENTS OF THE CITY OF LOCKHART SUBDIVISION CODE. IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE 

DATE 05/14/2019

PRINTED NAME R. Anne Gallup, P.E.

TELEPHONE (512) 392-3816

NOTE: A preliminary plat expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission. A final plat expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request, one six-month extension may be considered by the City Manager.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) N/A OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) N/A

REQUESTED VARIANCE(S) N/A

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE.

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

OFFICE USE ONLY

ACCEPTED BY Kevin Walker

RECEIPT NUMBER 870438

DATE SUBMITTED 5/20/19

CASE NUMBER PP-19-01

DATE NOTICES MAILED N/A

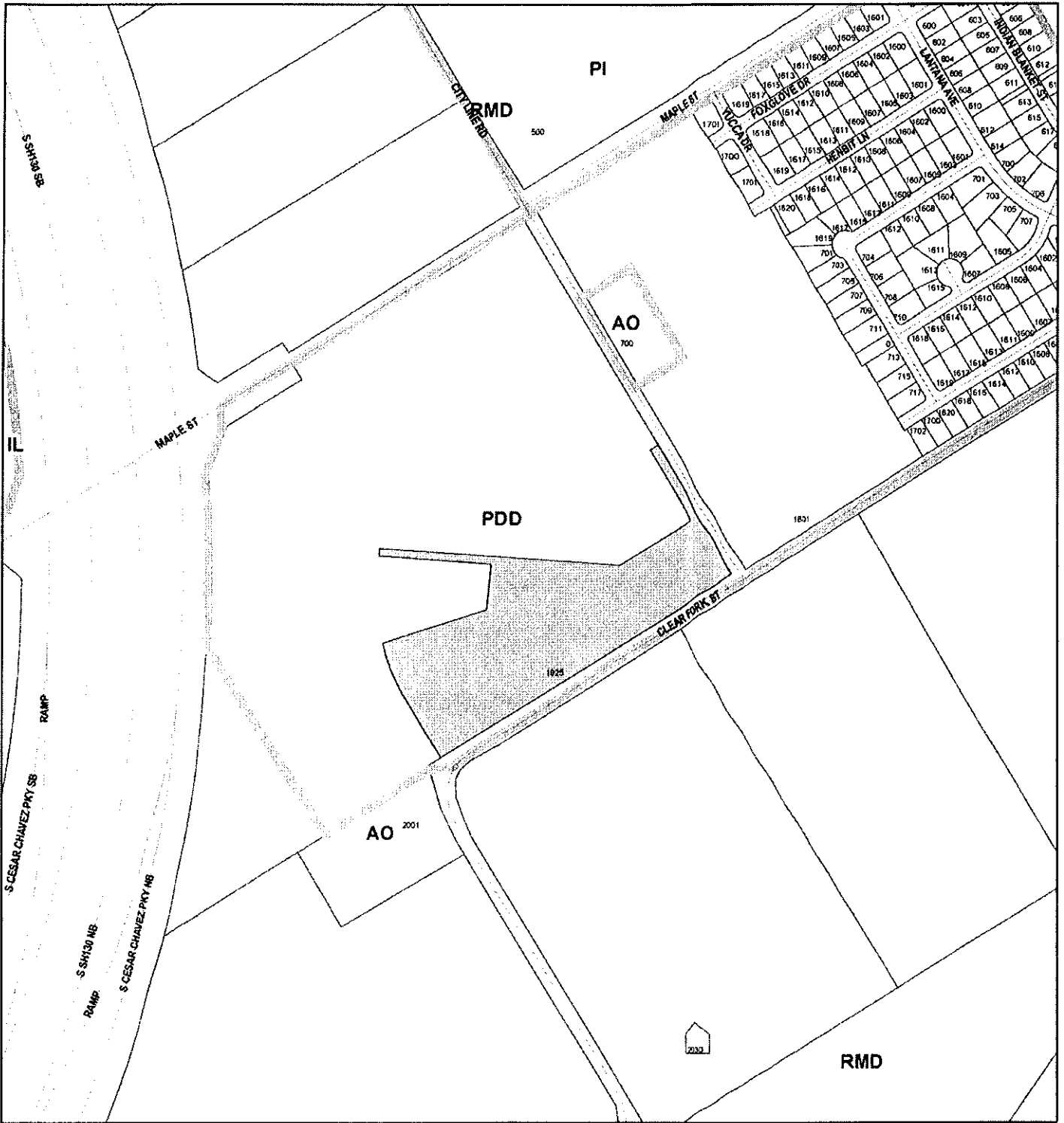
DATE NOTICE PUBLISHED N/A

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 7/24/19

DECISION _____

CONDITIONS _____





FP-19-02

MAPLE PARK SECTION THREE-A

FINAL PLAT



-  Subject Property
-  Zoning

scale 1" = 500'

PLANNING DEPARTMENT REPORT

FINAL PLAT

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner

CASE NUMBER: FP-19-02

REPORT DATE: January 16, 2020

PLANNING & ZONING COMMISSION DATE: January 22, 2020

STAFF RECOMMENDATION: *Approval of both the Plat and requested Variances*

SUGGESTED CONDITIONS: None

BACKGROUND DATA

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors

OWNER: Manumit Investment Group, LLC

SITE LOCATION: 1925 Clear Fork Street

SUBDIVISION NAME: Maple Park, Section Three-A

SIZE OF PROPERTY: 10.856 acres

NUMBER OF PROPOSED LOTS: One multi-family residential, One public park/stormwater-detention

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATION: PDD Planned Development District

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: This is Section Three-A of the Maple Park PDD as depicted on the PDD development plan (PDD-19-01) and the preliminary plat (PP-19-01), which were previously approved but which are also on this agenda for approval of minor revisions that mostly affect this section. The primary change is the delineation of a 53-foot by 53-foot area for parkland improvements that will not be impacted by the stormwater detention pond, and a sidewalk easement that will connect to the sidewalk along Clear Fork Street. The entire area will still be available as public park open-space, but it is important to have a safe place for structures at times when the pond may contain water. Also, the hike/bike trail that was previously shown on the north side of the LCRA easement has been moved to the south side of the easement, which a sidewalk easement approved by LCRA extending across the easement to connect to a future sidewalk easement into Section Two-B, as depicted on the preliminary plat.

NEIGHBORHOOD COMPATIBILITY: A single-family dwelling and Sections 2 and 3 of the Meadows at Clear Fork Subdivision (zoned PDD) are located across City Line Road to the East. The area to the south across Clear Fork Street is in agricultural use, and there is one single-family dwelling to the southwest at the bend in Clear Fork Street. This section is bordered on the north by the future Section Two consisting of single-family residential development, and by the future Section Three-B which is planned to be multifamily residential. This land use pattern has been previously been approved by adoption of the PDD development plan, and is not proposed to be changed.

FORM AND CONTENT: The proposed plat conforms to all minimum requirements for form and content except for a minor correction involving the public utility easement along the west boundary of this section, abutting the future Lincoln Lane, which will be addressed prior to your meeting.

COMPLIANCE WITH STANDARDS: The plat complies with all applicable subdivision standards, and the construction plans have been approved by the city engineer, as stated in the attached letter. However, as noted in that letter, approval from LCRA is still needed for proposed subdivision improvements within that easement. Such approval is expected to be forthcoming.

CONCURRENT VARIANCE REQUESTED: Section 52-31(a) of the Subdivision Regulations requires that a final plat must be recorded before proposed lots can be sold. A variance is requested to this section due to time restrictions on the developer's funding, as explained in the explanation attached to the application form. The final plat normally is not recorded until all subdivision infrastructure is completed and accepted by the City. However, the funding requires that they own the lot and finish construction within 18 months. This would not be possible unless they can start now. Therefore, a variance is requested to Section 52-31(a) to allow a division of ownership by metes and bounds to occur prior to the final plat being recorded. For the same reason, a variance to Section 52-205(b & c) is requested to allow utility service connections and issuance of building permits prior to the final plat being recorded. Normally, building permits are not issued until after the final plat is recorded. As stated in the applicant's letter, it is understood and agreed that no Certificates of Occupancy will be issued for any buildings until all infrastructure is completed and the final plat is recorded. The Commission has granted such variances in the past for other projects with similar funding constraints.

The criteria for granting variances is set forth in Subdivision Regulations Section 52-3(a), as follows:

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area;
4. The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

January 16, 2020

Mr. Dan Gibson, City Planner
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644

RE: Maple Park, Section Three-A Review

Dear Dan:

TRC is in receipt of the following items for the above reference subdivision.

1. Civil construction drawings dated December 31, 2019.
2. Revised drawings PND-1, PRF-2, and PRF-3 dated January 14, 2020.
3. Other supporting documents submitted with the civil construction drawings: Comment Response Letter, and drainage report calculations.

Our review finds that these documents have been prepared in general conformance with the Lockhart Subdivision Code and Chapter 22 Article 3 of the City of Lockhart Drainage and Flood Control Ordinance.

As TRC did not provide the detailed design of the submitted documents, TRC and the City of Lockhart must rely on the adequacy of the Design Engineer that prepared the documents and all responsibility for the plans and submitted documents shall remain with the Design Engineer.

Note that an agreement and approval of the drainage design from LCRA for the portion of the project located within the LCRA easement has not yet been submitted but is required prior to the beginning of construction.

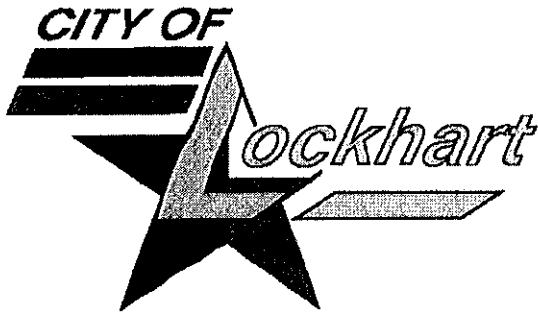
If you have any questions regarding this information, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD' followed by a flourish.

Jeff Dahm, P.E.
Project Manager

CC: R. Anne Gallup, P.E., Gallup Engineering
Sean Kelley, Director of Public Works, City of Lockhart



SUBDIVISION PLAT APPLICATION

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

APPLICANTS

SURVEYOR NAME Hinkle Surveyors

DAY-TIME TELEPHONE (512) 398-2000

E-MAIL contact@hinklesurveyors.com

ENGINEER NAME R. Anne Gallup, P.E.

DAY-TIME TELEPHONE (512) 392-3816

E-MAIL contact@gallupengineering.com

OWNER NAME Manumit Investment Group LLC

DAY-TIME TELEPHONE (239) 272-8997

E-MAIL jpence@manumitig.com(Jeff Pence)

ADDRESS 1109 S Main St
Lockhart, TX 78644

ADDRESS 174 S. Guadalupe St.
Suite 204
San Marcos, TX 78666

ADDRESS P.O. BOX 746
Lockhart, TX 78644

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE
 PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT
 DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME Maple Park, Section Three-A

ADDRESS OR GENERAL LOCATION 1925 Clear Fork Street

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 10.792 ACRE(S) PROPOSED NUMBER OF LOTS 2

ZONING CLASSIFICATION(S) PDD

PROPOSED USE OF LAND Multi-family apartments for seniors, regional storm-water detention/parkland.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-31(a), ⁵²⁻²⁰⁵(h) & (c) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) - Public Utility Service connections allowed only after final plat is recorded (52-31(a) & 52-205(b)).

- Building, repair, plumbing, & electrical permits shall be issued for a structure only after final plat is recorded (52-31(a) & 52-205(c)).
REQUESTED VARIANCE(S) _____

To allow for the issuance of permits and provision of public utility service prior to final plat recordation for Maple Park Section 3A.

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE.

See Attached

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

OFFICE USE ONLY

ACCEPTED BY Kevin Walker

RECEIPT NUMBER 870455 ⁸⁸⁰⁷⁵³

DATE SUBMITTED 5/22/19

CASE NUMBER FP-19-02

DATE NOTICES MAILED N/A

DATE NOTICE PUBLISHED N/A

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE _____

DECISION _____

CONDITIONS _____

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION – A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – THREE COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE – COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format).

Seven copies for initial staff review.

Twelve copies after initial staff review for preliminary plats, final plats, and replats/resubdivisions

Two copies after initial staff review for amending and minor plats.

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart
Amending plat or Minor plat	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS CONFORM TO ALL REQUIREMENTS OF THE CITY OF LOCKHART SUBDIVISION CODE. IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE R. Anne Gallup
PRINTED NAME R. Anne Gallup, P.E.

DATE 5/21/2019
TELEPHONE (572) 392 3816

NOTE: A preliminary plat expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission. A final plat expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request, one six-month extension may be considered by the City Manager.

- 1) **Special circumstances or conditions affect the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.**

Lot 1 of Section 3A is part of the greater Maple Park PDD. Lot 1, which is to be developed as senior apartments, is the first to be developed in the Maple Park PDD. The development of Lot 1 has triggered the subdivision approval process for Section 3A, a process that would not be taking place if the tract were a traditionally zoned parcel that was already platted with the city.

A variance to Section 52-31(a) to allow the actual division of ownership (sale of the future Lot 1 by metes and bounds) to occur prior to the final plat being recorded is required because our construction timeline to complete the project within 18 months has begun and we are seeking to begin site development on Lot 1 simultaneously with subdivision improvement work. Currently, we have a closing deadline of Feb. 28, 2020 for Lot 1.

In addition we are seeking a variance to Section 52-205(b & c) to allow utility service connections and issuance of building permits prior to the final plat being recorded.

Ideally, given our compressed time line we are able to make utility service connections to the individual buildings at the same time we are installing the main utility lines. If granted this variance we would agree that no Certificates of Occupancy would be issued for any buildings until all infrastructure is completed and final plat is recorded.

To summarize, as part of our funding we are expected to deliver our senior apartment community within 18 months of signing a contract with Texas General Land Office (GLO). The GLO is the entity providing the majority of funding for this development. This construction timeline includes the subdivision improvements, final plat recording, and approval tied to Lot 1 and these variances if granted will allow us to streamline our process by working parallel paths with the subdivision improvements and site development and allow for the timing of the infrastructure improvements and tie ins to not be a time constraint to the completion process. In return for these variances requested we agree that no Certificates of Occupancy will be issued for any buildings until all infrastructure is completed and the final plat is recorded.

- 2) **The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.**

With the variances we will be able to stay on schedule and deliver our apartment community within the required 18 month timeline. Without this variance there is a very real possibility that we would not finish construction in time to meet the 18 month requirement. This could put our funding from the GLO in jeopardy.

- 3) **The variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.**

The variance will allow us to conduct our site improvements alongside the subdivision improvement. All health, safety and welfare measures required for the subdivision improvements will be in place for the site improvements. Environmentally, the SWPP measures in place for the subdivision improvements will encompass the site improvements. Lastly, the surrounding property is undeveloped land and part of the greater Maple Park PDD. The improvements allowed by this variance will not injure surrounding property but rather improve and enhance its value.

- 4) **The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.**

The variance will pertain only to Lot 1 and will not prevent the orderly subdivision of surrounding land. Rather, the subdivision improvements made in association with this variance should allow future subdivision approvals of Section 3B and Section 1 to move more smoothly through the approval process, as the storm water infrastructure will already be in place.

