

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, January 12, 2022
Municipal Building – Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Elect Chair and Vice-chair for 2022.
3. Citizen comments not related to an agenda item.
4. Consider the Minutes of the December 8, 2021, meeting.
5. ZC-22-01. Hold a PUBLIC HEARING and consider a request by Alan Balser for a **Zoning Change** from *AO Agricultural-Open Space District* to *RHD Residential High Density District* on 40 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located 1601 Silent Valley Road (FM 2001).
6. ZC-22-02. Hold a PUBLIC HEARING and consider a request by Alan Balser for a **Zoning Change** from *AO Agricultural-Open Space District* to *RHD Residential High Density District* on 6.52 acres in the W. C. Williams Survey, Abstract No. 300, located at 2100 North Cesar Chavez Parkway NB (North Bound).
7. ZC-22-03. Hold a PUBLIC HEARING and consider a request by Earnest Yanez and Albert Yanez on behalf of Trinity Street Properties, LLC, for a **Zoning Change** from *CHB Commercial Heavy Business District* to *RHD Residential High Density District*, on Lot 3, Block 1, MOSO Subdivision, consisting of 0.614 acre located at 1201 Blackjack Street (FM 20).
8. ZC-22-04. Hold a PUBLIC HEARING and consider a request by Sarah Corona of PSCE, Inc., on behalf of Alan Balser and Pamela Guffey, for a **Zoning Change** from *AO Agricultural-Open Space District* to *CHB Commercial Heavy Business District*, on 5.484 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1507 North Cesar Chavez Parkway - Southbound.
9. PV-22-01. Consider a request by Mark Scammerhorn of IAM Properties, LLC, for **Variiances** to Chapter 52 "Subdivision Regulations", of the Lockhart Code of Ordinances, *Sections 52-31(a) and 52-205(c)*, to allow a building permit to be issued for construction prior to recording the final plat of Lockhart Industrial Park III, Section One, on the future Lot 1, Block A, consisting of 10.101 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned IL Industrial Light District, and currently part of an unplatted tract addressed at 500 FM 2720.
10. DP-22-01. Consider a request by Riley Baldus for approval of a Development Plat for Lockhart Ridge consisting of 23.613 acres in the Compress Hill Supplement Addition, and in the Byrd Lockhart League, Abstract No. 17, zoned RLD Residential Low Density District, and located at 601 Flores Street (FM 672).
11. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
12. Adjourn.

The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, Section 321.3022 (Sales Tax Information).

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 3:50 PM on the 7th day of January, 2022.

City of Lockhart
Planning and Zoning Commission
December 8, 2021

MINUTES

Members Present: Philip Ruiz, Bradley Lingvai, Rick Arnic, Ron Peterson, Chris St. Leger, Phil McBride, Manuel Oliva

Member Absent: None

Staff Present: Dan Gibson, Kevin, Waller, Christine Banda

Visitors/Citizens Addressing the Commission: Andrew White, Amy Antone, Barbara Schiller, Bill Barton, Kerry Gaddis, Jaclyn Zapien

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of November 17, 2021, meeting.

Commissioner Arnic moved to approve the November 17, 2021, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 7-0.

4. ZC-21-19 and PDD-21-02. Hold a PUBLIC HEARING and consider a request by Keith Schauer, P. E., on behalf of Jesco Construction, Inc., for a Zoning Change from RMD Residential Medium Density District to PDD Planned Development District, including a PDD Development Plan for the Jesco Subdivision, on 9.186 acres in the James George Survey, Abstract No. 9, located at 920 Trinity Street.

Mr. Gibson explained that a duplex subdivision was previously proposed for the subject property, and a final plat was approved in February 2020 but hasn't been recorded yet because the necessary public improvements haven't been constructed. A different development is proposed that would use the same street and lot layout that was previously approved, although the need for additional access easements requires revisions to the approved final plat. The PDD classification is needed for the development because the current RMD zoning doesn't allow more than one principal dwelling per lot, whereas the PDD development plan proposed multiple principal structures on the lots. The homes would be two-story detached single family dwellings with garages. Sidewalks would be provided on both sides of the street, whereas the previously proposed duplex subdivision would have had sidewalks on only on side of the street. The PDD development plan also shows an additional park area with a childrens' playscape. Mr. Gibson mentioned that a letter of protest was received which could affect the City Council vote.

Chair Ruiz opened the public hearing and asked for the applicant.

Bill Barton, of Lennar Homes, said they want to build a small community on the subject property. They will have separate rear yards with privacy fencing for all the homes.

Commissioner Oliva asked what the pricing for the homes would be.

Mr. Barton replied that they would be three and four-bedroom homes that range from \$200,00 to \$300,000 in price.

Commissioner St. Ledger asked how this development made it a community instead of just another subdivision.

Mr. Barton replied that they would have picnic tables in the open space areas. And with the sidewalks on both sides, it is a walkable community with an HOA.

Commissioner McBride asked about the proposed floor area of the homes.

Mr. Barton said they would range between 1,200 and 1,500 square feet.

Chair Ruiz asked for any other speakers.

Kerry Gaddis,, of 826 Trinity Street, said he attended the previous meeting two years ago when the duplex project was approved. He said he liked this plan better than the duplexes but is concerned that the homes would be purchased and later rented out. He didn't want rental property in his neighborhood.

Jaclyn Zapien, owner of the house at 909 Trinity Street, said her property is directly across the street from the property. The view from the front yard would be the rear of two-story homes that could be seen above any screening fence. Also, the subdivision would add traffic along Trinity Street. She requested that the proposed development be denied.

Bill Barton said that an HOA would be responsible for taking care of the landscaping, and that the current RMD zoning allows two story dwellings.

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

Mr. Gibson said that staff recommended approval of the zoning change and PDD development plan. He mentioned that the commission could add a note requiring a perimeter screening fence if desired.

Commissioner Oliva moved to recommend denial of ZC-21-19 and PDD-21-02. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-2, with Commissioner's Peterson and Lingvai against.

5. FP-21-11. Consider a request by Glenn Synnott for approval of a revised Final Plat for Jesco Subdivision, consisting of 9.186 acres in the James George Survey, Abstract No. 9, to be zoned PDD Planned Development District, and located at 920 Trinity Street.

Kevin Waller explained that the plat accompanies the PDD development plan and zoning change request for the same property. The subdivision would have 35 lots, 33 of which are for residential use, with the remaining two being one for public parkland and the other one for stormwater detention with a park open space. There are 68 dwelling units that will be individually owned as condominiums with an HOA. He mentioned that the previous final plat was approved in February 2020 for 34 duplex lots, which would be the same total number of dwelling units, but the subdivider is now pursuing a different proposal.

Chair Ruiz asked for the applicant.

Bill Barnett, with Lennar Homes, said the revised plat was consistent with the proposed PDD development plan.

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

Mr. Waller said staff recommended approval because it met all applicable platting requirements.

Commissioner McBride moved to deny FP-21-11. Commissioner Oliva seconded, and the motion passed by a vote of 5-2, with Commissioner's Peterson and Lingvai against.

6. ZC-21-20 and PDD-21-03. Hold a PUBLIC HEARING and consider a request by Jim Meredith, on behalf of Terry Kelley, for a Zoning Change from RMD Residential Medium Density District and AO Agricultural-Open Space District to PDD Planned Development District, including a PDD Development Plan for Kelley Villas, on 16.17 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 1712 West San Antonio Street (SH 142).

Mr. Gibson explained that the applicant would develop 160 dwelling units in the form of 80 duplex condominiums whereby the owner/residents will own their individual structures, while the land area would be owned and maintained in common by a property owners association. The internal street would be private, similar to the internal circulation in a large apartment complex. He said the PDD classification better suits this type of development. The units will be two story, with garages, and that there would be sidewalks along both sides of the street.

Chair Ruiz opened the public hearing and asked for the applicant.

Andrew White, of 4301 West Bank Drive in Austin, said he is the applicant, and that Mr. Gibson gave a good overview of the request.

Commissioner McBride asked Mr. White if he was concerned about the traffic that would be generated by his development, and what the cost and square footage would be per unit.

Mr. White replied there will always be traffic, and that they would install a left turn lane in West San Antonio Street to make it a little safer. The cost of the duplex units would be \$200,000 to \$250,000 for a 1,500 to 1,575 square-foot unit.

Amy Antone was present to represent the seller. She said traffic is bad everywhere in town and that these units would be a steppingstone for those individuals who wish to purchase a home in the future. This development would be a great asset to Lockhart.

Barbara Schiller, 1400 Foxwood Cove in Austin, said she owned the property adjacent to the west of the subject property. She knows there are traffic issues, and asked if there are any plans to improve West San Antonio Street (SH 142). She believed the development would be good, but is concerned about the increase in traffic.

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

Mr. Gibson said that staff recommended approval. He also noted that he was not aware of any planned improvements for West San Antonio Street (SH 142), but that it would have to be a TxDOT project.

Mr. White clarified that the proposed private street would be maintained by the HOA.

Commissioner Peterson moved to recommend approval of ZC-21-20 and PDD-21-03 to City Council. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.

7. PP-21-08. Consider a request by Jim Meredith, on behalf of Terry Kelley, for approval of a Preliminary Plat for Kelley Villas Planned Development District, consisting of 16.17 acres in the Cornelius Crenshaw Survey, Abstract No. 68, to be zoned PDD Planned Development District, and located at 1712 West San Antonio Street (SH 142)..

Kevin Waller explained that the plat accompanies the PDD development plan and zoning change request for the same property. The plat presented is for one lot that will contain 160 duplex-style condominium units to be served by a private street network. There will also be some open space areas with landscaping and some amenities for the residents. Since the park and open space areas will be privately owned and maintained, a fee in lieu of public parkland dedication would be paid prior to recordation of the final plat. Four-foot-wide private sidewalks are proposed along both sides of the internal streets, as well as a five-foot public sidewalk along the West San Antonio Street frontage.

Chair Ruiz asked for the applicant.

Mr. White offered to answer any questions the Commission may have.

There were none.

Chair Ruiz asked for the staff's recommendation.

Mr. Waller said that staff recommended approval.

Commissioner Arnic moved to approve of PP-21-08. Commissioner Lingvai seconded, and the motion passed by a vote of 7-0.

8. PV-21-06. Consider a request by Bob McGee on behalf of the Opal McGee Estate for a Variance to waive the requirement in Section 52-31(a) of the Subdivision Regulations for submittal and approval of a subdivision plat to allow a temporary division of land ownership consisting of two acres out of an 83.873-acre tract in the Francis Berry Survey, Abstract No. 2, zoned RLD Residential Low Density District and AO Agricultural-Open Space District, and located at 612 State Park Road (FM 20).

Mr. Waller reported that staff received a written request to withdraw this request.

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

Mr. Gibson stated that the next regular meeting date would be January 12, 2022.

10. Adjourn.

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

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair

CASE SUMMARY

STAFF: Dan Gibson, City Planner
REPORT DATE: January 6, 2022
PLANNING AND ZONING COMMISSION HEARING DATE: January 12, 2022
CITY COUNCIL HEARING DATE: December 18, 2022
REQUESTED CHANGE: AO to RHD
STAFF RECOMMENDATION: **Approval**
PLANNING AND ZONING COMMISSION RECOMMENDATION:

CASE NUMBER: ZC-22-01

BACKGROUND DATA

APPLICANT: Alan Balsler
OWNER: Same
SITE LOCATION: 1601 Silent Valley Rd. (FM 2001)
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 40 acres
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Medium Density Residential, General-Heavy Commercial*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: Staff is not aware of any specific plans for the subject parcel, but the owner would like to make the property available for high density residential development, which would typically be apartments but could be other forms of housing such as townhouses.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Medium Density Residential, General-Heavy Commercial</i>
East	Vacant land, one single-family dwelling	RMD	<i>Medium Density Residential</i>
South	Vacant land, two single-family dwellings	AO, RHD	<i>Low Density Residential</i>
West	Vacant land, one single-family dwelling	AO	<i>Medium Density Residential, Industry</i>

TRANSITION OF ZONING DISTRICTS: There is an undeveloped area zoned RHD southeast of the subject property on the south side of Silent Valley Road. Otherwise, there is no other RHD zoning nearby. The RMD-zoned area adjacent to the east is just one step lower in terms of residential density.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be available from Silent Valley Road. Water will be available with short off-site extensions to the east or north along Silent Valley Road, but there is currently no sanitary sewer in the area. However, because other large developments are being proposed in the area north and east of Silent Valley Road, a major off-site sewer line extension is planned to be constructed from the railroad track northward along Stueve Lane to serve this part of the city. Further extensions are the responsibility of subdivisions to be developed east of the subject property.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development. The abutting tracts are planned to be developed as a variety of residential densities and housing types, so the development of the subject property will be just one element in the changing character of the entire area. As this part of the city is developed, the greatest impact will be traffic on Cesar Chavez Parkway, Silent Valley Road, and the future extension of Stueve Lane. Each developer proposing access onto a State road will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD zoning classification is not consistent with the *Medium Density Residential* future land use designation, but the subject property is located in a transition area from higher land use intensities to the north and west, and lower land use intensities to the east, if those areas are developed in accordance with the land use plan map. Therefore, the proposed RHD zoning classification represents an acceptable deviation in terms of land use intensity.

ALTERNATIVE CLASSIFICATIONS: The zoning classification that would be most consistent with the land use plan map is RMD, which is the same as the existing zoning of the tract adjacent to the east.

RESPONSE TO NOTIFICATION: The owner and resident of land across Silent Valley Road to the west inquired by phone about the possible implications of the proposed zoning change to RHD, but he did not indicate that he was opposed to it.

STAFF RECOMMENDATION: Approval.

January 12, 2022

Lockhart Planning & Zoning Commission
P.O. Box 239
Lockhart, TX 78644

Re: Zoning Support

To Whom It May Concern:

My name is Doug Spillman and I am the major land owner adjoining both of Mr. Balser's zoning proposals ZC-22-01 and ZC-22-02.

I fully support and recommend both zoning proposals.

Thank you,

Doug Spillman



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 Alan Balser
DAY-TIME TELEPHONE 214-368-8025
E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

OWNER NAME Alan Balser
DAY-TIME TELEPHONE 214-368-8025
E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

PROPERTY

ADDRESS OR GENERAL LOCATION Between 1301 Silent Valley Rd. & Toll Road 130, Lockhart, TX 75644

LEGAL DESCRIPTION (IF PLATTED) See attached metes & bounds description

SIZE 40 ACRE(S) LAND USE PLAN DESIGNATION Med. Density Residential

EXISTING USE OF LAND AND/OR BUILDING(S) Agriculture

PROPOSED NEW USE, IF ANY High Density Housing

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agriculture AO

TO PROPOSED ZONING CLASSIFICATION High Density Residential RHD

REASON FOR REQUEST High density housing such as apartments.

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 \$ 950.⁰⁰ 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 Alan Balsor

DATE 11/24/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 01043061

DATE SUBMITTED 11-24-21

CASE NUMBER ZC - 22 - 01

DATE NOTICES MAILED 12-22-2021

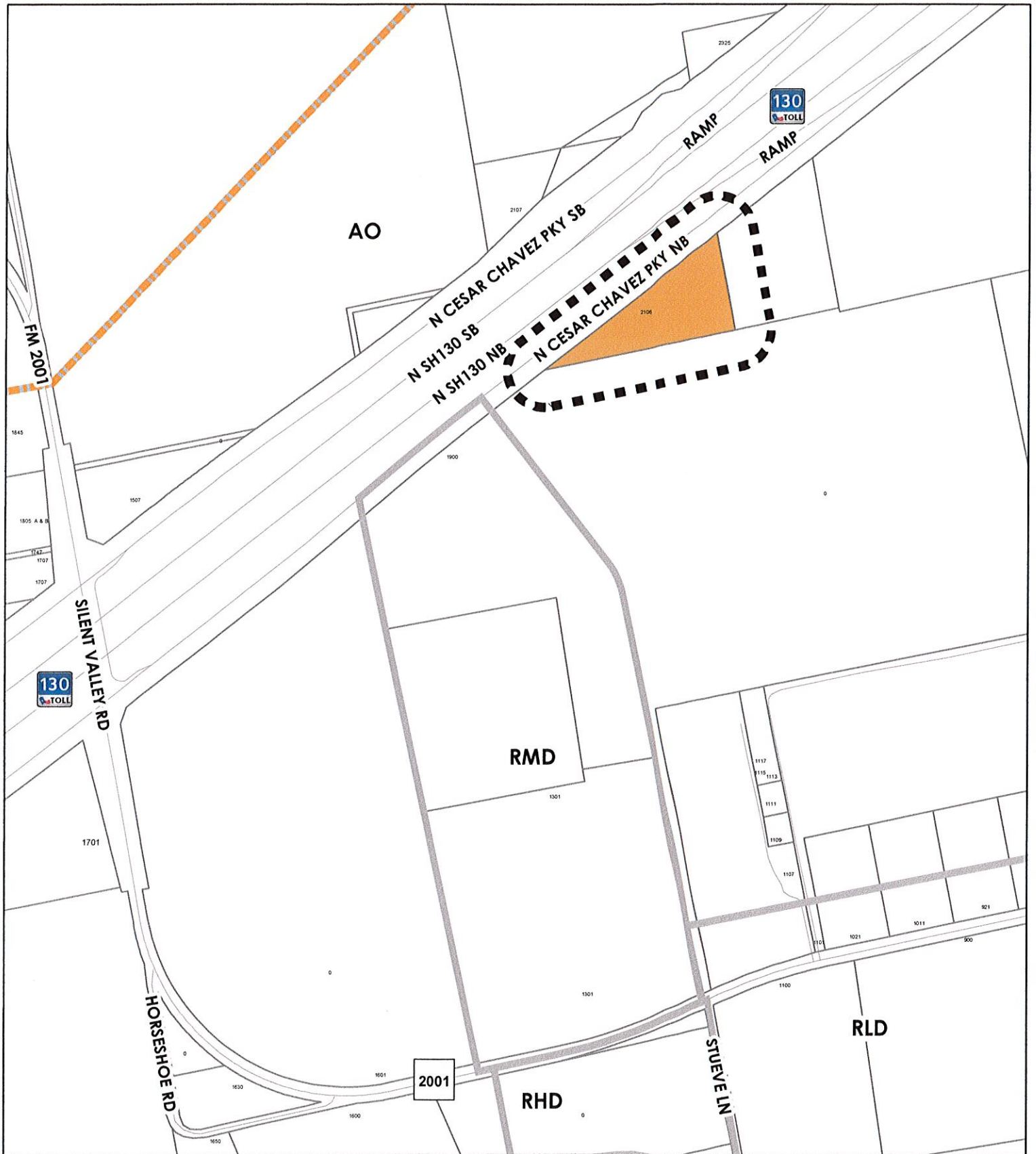
DATE NOTICE PUBLISHED 12-30-2021

PLANNING AND ZONING COMMISSION MEETING DATE 1-12-22

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 1-18-22

DECISION _____



ZC-22-02

AO TO RHD

2106 N CESAR CHAVEZ PKY, NB



scale 1" = 700'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  CITY LIMITS
-  200 FT BUFFER

CASE SUMMARY

STAFF: Dan Gibson, City Planner
REPORT DATE: January 6, 2022
PLANNING AND ZONING COMMISSION HEARING DATE: January 12, 2022
CITY COUNCIL HEARING DATE: December 18, 2022
REQUESTED CHANGE: AO to RHD
STAFF RECOMMENDATION: *Approval*
PLANNING AND ZONING COMMISSION RECOMMENDATION:

CASE NUMBER: ZC-22-02

BACKGROUND DATA

APPLICANT: Alan Balsler
OWNER: Same
SITE LOCATION: 2106 North Cesar Chavez Parkway - Northbound (SH 130)
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 6.52 acres
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: Staff is not aware of any specific plans for the subject parcel, but the owner would like to make the property available for high density residential development, which would typically be apartments but could be other forms of housing such as townhouses.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	SH 130	AO	<i>Agriculture/Rural Development</i>
East	Vacant land	AO	<i>Low Density Residential</i>
South	Vacant land	AO	<i>Low Density Residential</i>
West	Vacant land	AO	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There is no other RHD zoning nearby. An application for rezoning the property abutting to the south from AO to PDD Planned Development District is expected to be submitted soon. The PDD will be a single-family residential subdivision with an average density of up to five acres.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be available from Cesar Chavez Parkway. Water will be available with off-site extensions from the west and/or connection from the proposed subdivision adjacent to the south. There is currently no sanitary sewer in the area. However, because other large developments are being proposed in the areas north and east of Silent Valley Road, a major off-site sewer line extension is planned to be constructed from the railroad track northward along Stueve Lane to serve this part of the city. Further extensions are the responsibility of subdivisions to be developed south and west of the subject property.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development. The abutting tract to the south is proposed to be a single-family residential subdivision with a variety of lot sizes averaging a density of no higher than five units per acre, and other land to the west of the planned Stueve Lane extension is proposed to be developed as medium density residential uses. Therefore, the development of the subject property will be just one element in the changing character of the entire area. As this part of the city is developed, the greatest impact will be traffic on Cesar Chavez Parkway, Silent Valley Road, and the future extension of Stueve Lane. Each developer proposing access onto a State road will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD zoning classification is not consistent with the *Low Density Residential* future land use designation, but the reasoning for requesting the higher density zoning is that the subject property abuts SH 130, and RHD could be an effective transitional residential buffer between the highway and the planned low density development adjacent to the south.

ALTERNATIVE CLASSIFICATIONS: The zoning classification that would be most consistent with the land use plan map is RLD.

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

STAFF RECOMMENDATION: Approval.

January 12, 2022

Lockhart Planning & Zoning Commission
P.O. Box 239
Lockhart, TX 78644

Re: Zoning Support

To Whom It May Concern:

My name is Doug Spillman and I am the major land owner adjoining both of Mr. Baiser's zoning proposals ZC-22-01 and ZC-22-02.

I fully support and recommend both zoning proposals.

Thank you,

Doug Spillman



ZONING CHANGE APPLICATION

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P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Alan Balser
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E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

OWNER NAME Alan Balser
DAY-TIME TELEPHONE 214-368-8025
E-MAIL awb@palaura.com

ADDRESS 11166 Lawnhaven Rd.
Dallas, TX 75230

PROPERTY

ADDRESS OR GENERAL LOCATION 2106 N Cesar Chavez Pky, NB
LEGAL DESCRIPTION (IF PLATTED) See attached metes & bounds description
SIZE 6.52 ACRE(S) LAND USE PLAN DESIGNATION Low Density Residential
EXISTING USE OF LAND AND/OR BUILDING(S) Agriculture
PROPOSED NEW USE, IF ANY High Density Housing

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agriculture
TO PROPOSED ZONING CLASSIFICATION High Density Residential AO
REASON FOR REQUEST High density housing such as apartments. RHD

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 \$ 280.40 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 Alan Balsen

DATE 11/24/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 01043061

DATE SUBMITTED 11-24-21

CASE NUMBER ZC - 22 - 02

DATE NOTICES MAILED 12-22-2021

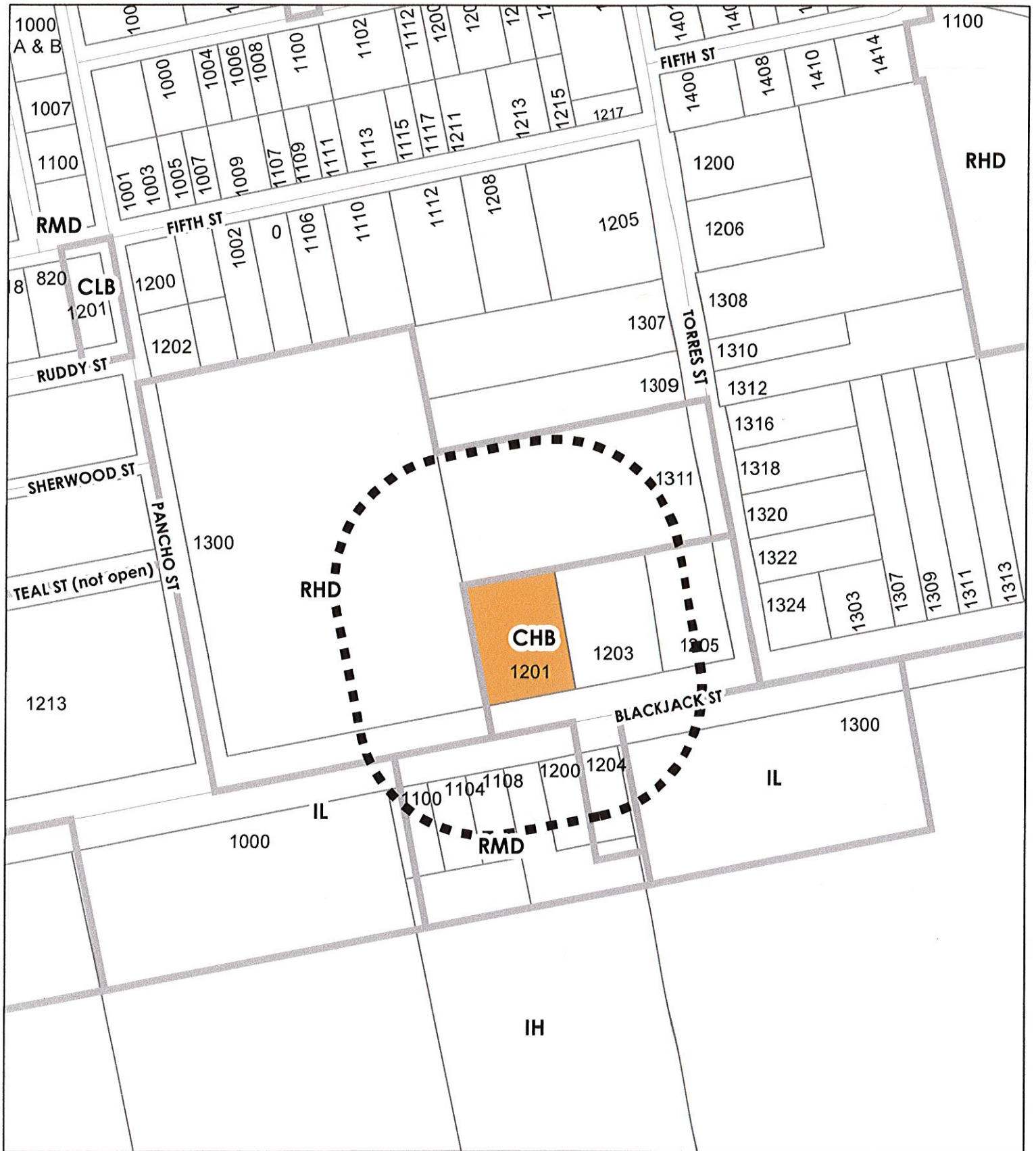
DATE NOTICE PUBLISHED 12-30-2021

PLANNING AND ZONING COMMISSION MEETING DATE 1-12-22

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 1-18-22

DECISION _____



ZC-22-03

CHB TO RHD

1201 BLACKJACK ST



scale 1" = 200'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER

CASE SUMMARY

STAFF: Dan Gibson, City Planner
REPORT DATE: January 6, 2022
PLANNING AND ZONING COMMISSION HEARING DATE: January 12, 2022
CITY COUNCIL HEARING DATE: December 18, 2022
REQUESTED CHANGE: CHB to RHD
STAFF RECOMMENDATION: *Approval*
PLANNING AND ZONING COMMISSION RECOMMENDATION:

CASE NUMBER: ZC-22-03

BACKGROUND DATA

APPLICANT: Trinity Street Properties, LLC
OWNER: Earnest Yanez and Albert Yanez
SITE LOCATION: 1201 Blackjack St. (FM 20)
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 0.61 acre
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant wishes to construct either a duplex or a four-plex on the subject lot. Both uses are allowed by-right in the RHD district, but are not allowed at all by the existing CHB zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	One single-family dwelling on a large tract, one other single-family dwelling, manufactured home	RHD, RMD	<i>Medium Density Residential</i>
East	Vacant lot, commercial building	CHB	<i>Medium Density Residential</i>
South	Single-family dwellings, one multifamily dwelling	RMD, CHB	<i>Industry</i>
West	Multifamily residential	RHD	<i>High Density Residential</i>

TRANSITION OF ZONING DISTRICTS: RHD zoning already exists adjacent to the north and west, so the proposed RHD zoning would simply be small expansion of the current RHD zoning pattern.

ADEQUACY OF INFRASTRUCTURE: Existing utilities and frontage for vehicular access are adequate.

POTENTIAL NEIGHBORHOOD IMPACT: If four dwelling units are constructed on the subject lot, it would be equivalent to about 6.5 units per acre, which is at the low end of the medium density range. Although there are residential parcels north of the subject lot, the dwellings are not close to the subject lot. Because this lot fronts on a highway at the edge of the neighborhood, the impact should be negligible.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD zoning classification is not consistent with the *Medium Density Residential* future land use designation. However, the lot abuts areas currently designated as *High Density Residential* and *Industry*, in addition to *Medium Density Residential*, on the land use plan map. Furthermore, the proposed development will actually be low density with a duplex, or medium density with a four-plex.

ALTERNATIVE CLASSIFICATIONS: The zoning classification that would be most consistent with the land use plan map is RMD, but the closest RMD zoning is on the south side of Blackjack Street. RMD zoning would allow either a duplex or four-plex, which is classified as a "combined-family" dwelling in our Zoning Ordinance. However, the combined family dwelling would also require approval of a specific use permit (SUP) in the RMD district, whereas it is allowed by-right in the requested RHD district.

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

STAFF RECOMMENDATION: Approval.



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 Trinity St Properties LLC ADDRESS 705 Dandelion St.
DAY-TIME TELEPHONE 218-791-8644 Lockhart, TX 78644
E-MAIL egg fat boy @ yahoo.com
OWNER NAME Ernest + Albert Yanez ADDRESS 705 Dandelion St
DAY-TIME TELEPHONE " " Lockhart, TX 78644
E-MAIL " "

PROPERTY

ADDRESS OR GENERAL LOCATION 1201 Blackjack St.
LEGAL DESCRIPTION (IF PLATTED) M650, SUBD, Lot 3, Acres 0.614
SIZE .61 ACRE(S) LAND USE PLAN DESIGNATION Medium Density Residential
EXISTING USE OF LAND AND/OR BUILDING(S) vacant land
PROPOSED NEW USE, IF ANY multi family duplex or 4 plex

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION CHB
TO PROPOSED ZONING CLASSIFICATION RHD
REASON FOR REQUEST Building 4 plex or duplex

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 \$ 150.00 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 *End Yang*

DATE 11/25/2021

OFFICE USE ONLY

ACCEPTED BY *Jan Gibson*

RECEIPT NUMBER 01043773

DATE SUBMITTED 11-29-21

CASE NUMBER ZC - 22 - 03

DATE NOTICES MAILED 12-22-2021

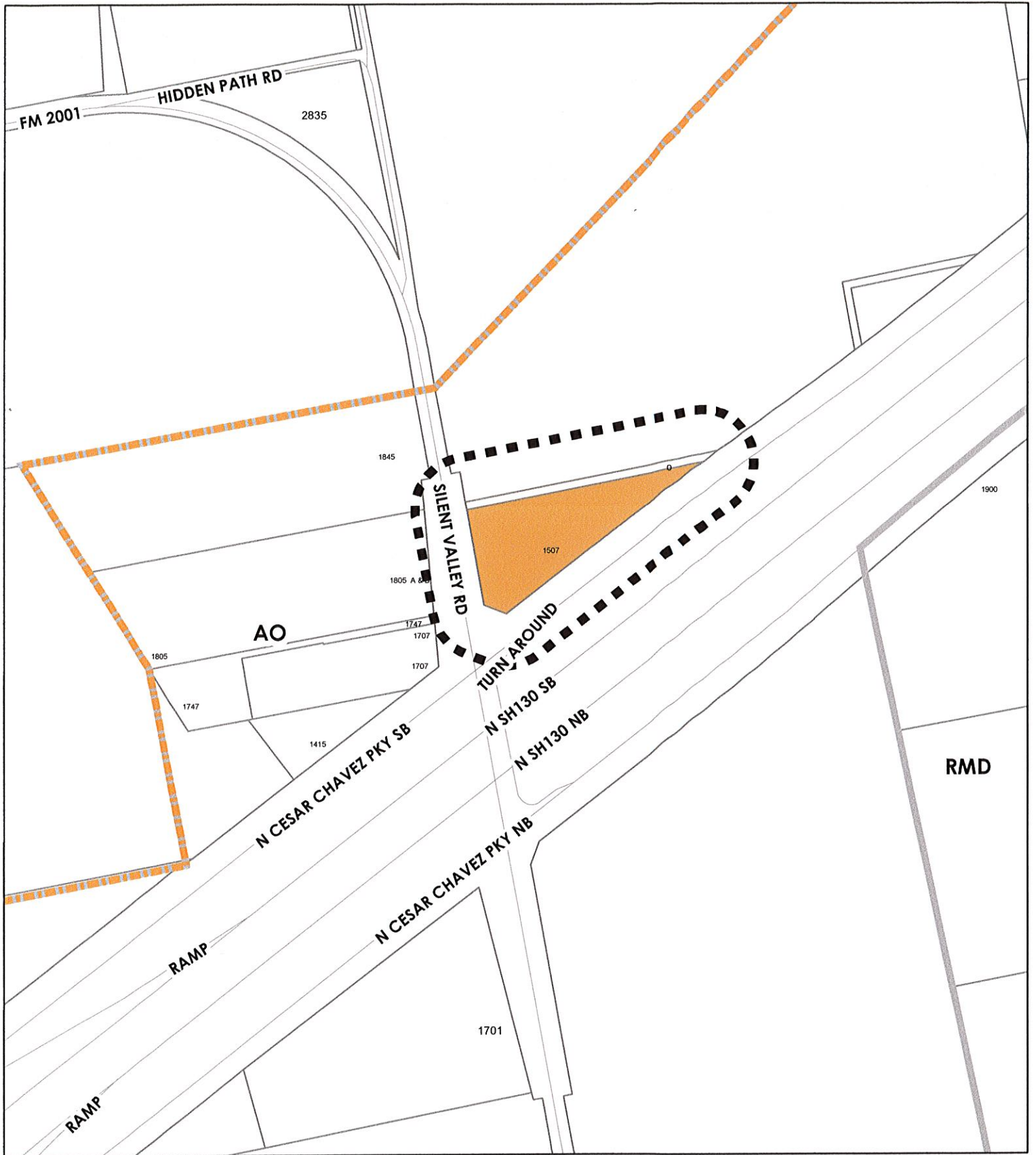
DATE NOTICE PUBLISHED 12-30-2021

PLANNING AND ZONING COMMISSION MEETING DATE 1-12-22

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 1-18-22

DECISION _____






ZC-22-04

AO TO CHB

1507 N CESAR CHAVEZ PKWY SB



scale 1" = 500'

-  SUBJECT PROPERTY
-  CITY LIMITS
-  200 FT BUFFER

CASE SUMMARY

STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-22-04

REPORT DATE: January 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: January 12, 2022

CITY COUNCIL HEARING DATE: December 18, 2022

REQUESTED CHANGE: AO to CHB

STAFF RECOMMENDATION: *Approval*

PLANNING AND ZONING COMMISSION RECOMMENDATION:

BACKGROUND DATA

APPLICANT: Sarah Corona of PSCE, Inc.

OWNER: Alan Balsler and Pamela Guffey

SITE LOCATION: 1507 North Cesar Chavez Parkway - Southbound (SH 130)

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 5.484 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Agricultural/Rural Development*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: A commercial building consisting of a convenience store and Mexican market is proposed to be constructed on the subject property. Such development is not allowed by the existing AO zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Agriculture/Rural Development</i>
East	Vacant land	AO	<i>Agriculture/Rural Development</i>
South	SH 130	AO	<i>General-Heavy Commercial</i>
West	Two single-family dwellings, manufactured home, City water tower	AO	<i>Agriculture/Rural Development, General-Heavy Commercial</i>

TRANSITION OF ZONING DISTRICTS: There is no other CHB zoning nearby, although there will be in the future if the area is developed in accordance with the land use plan map. Because the AO district is automatically assigned when property is annexed, it should be expected that it will eventually be rezoned to allow urban development of a higher intensity.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Silent Valley Road and Cesar Chavez Parkway. Water will be available with an off-site extension from the west, across Silent Valley Road. There is currently no sanitary sewer in the area. Either a lengthy off-site sewer main extension will be needed under SH 130, or a single commercial building in this location can be served by an on-site sewage system (septic tank).

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development. The proposed commercial development will generate additional traffic on Silent Valley Road and Cesar Chavez Parkway. The developer will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections along either road if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is not consistent with the *Agriculture/Rural Development* future land use designation, but is consistent with the *General-Heavy Commercial* designation that is centered around the adjacent intersection of Silent Valley Road and Cesar Chavez Parkway (SH 130).

ALTERNATIVE CLASSIFICATIONS: The zoning classification that is most consistent with the land use plan map is the existing AO zoning. However, proposals for development along Cesar Chavez Parkway should be expected, especially commercial uses at major intersections such as this.

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

STAFF RECOMMENDATION: Approval.

CITY OF
Lockhart
TEXAS

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 Sarah Corona, PSCE Inc. (Authorized Agent)
DAY-TIME TELEPHONE (512) 238-6422
E-MAIL psce@psceinc.com

ADDRESS 2205 W. Parmer LN.
Suite 201
Austin, TX 78727

OWNER NAME Alan Balsler and Pamela Guffey
DAY-TIME TELEPHONE (214) 368-8025
E-MAIL awb@palaura.com

ADDRESS 12740 Hillcrest Rd.
Suite 220
Dallas, TX 75230-7114

PROPERTY

ADDRESS OR GENERAL LOCATION 1507 N. Cesar Chavez PKWY SB, Lockhart, TX78644

LEGAL DESCRIPTION (IF PLATTED) N/A

SIZE 5.484 ACRE(S) LAND USE PLAN DESIGNATION General-HeavyCommercial

EXISTING USE OF LAND AND/OR BUILDING(S) Vacant

PROPOSED NEW USE, IF ANY Commercial (gas station development).

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural-Open Space

TO PROPOSED ZONING CLASSIFICATION Commercial Heavy Business

REASON FOR REQUEST We are requesting this zoning change in order to have the appropriate zoning for a commercial gas station development; this development would include the construction of a gas station with three diesel MPDs, six regular MPDs, and a 9,000sf general retail / mexican market building.

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 \$ 259.60 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 Sarah Corona

DATE 11/29/2021

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 01044456

DATE SUBMITTED 11-30-21

CASE NUMBER ZC - 22 - 04

DATE NOTICES MAILED 12-22-2021

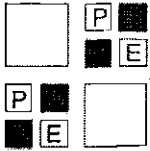
DATE NOTICE PUBLISHED 12-30-2021

PLANNING AND ZONING COMMISSION MEETING DATE 1-12-2021

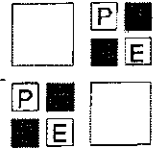
PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 1-18-2021

DECISION _____



PROFESSIONAL STRUCIVIL ENGINEERS, INC.



STRUCTURAL CIVIL TRANSPORTATION
2205 W. PARMER LN., SUITE #201, AUSTIN, TEXAS 78727
512.238.6422 PSCE@PSCEINC.COM REGISTERED FIRM F-4951

Owner's Authorization Letter

I/we hereby certify that I/we am/are the owner(s) of the property located at the northeast corner of the FM 2001 and N. Cesar Chavez Parkway intersection, Lockhart, TX 78644, (associated Deed Instrument #2017-005439 and #2018-002187, to be later addressed as 1507 N. Cesar Chavez PKWY SB). I/we am/are respectfully requesting processing and approval of the associated applications to be submitted by Authorized Agent Sarah Corona, Professional StruCIVIL Engineers, Inc., to include the Zoning Change Application. I/we hereby authorize the Applicant (Sarah Corona, Professional StruCIVIL Engineers, Inc.) to act on my/our behalf during the processing and presentation of this request. The Applicant/Authorized Agent shall be the principal contact with the City in processing this application.

First Owner's Signature Alan Balser
First Owner's Printed Name Alan Balser

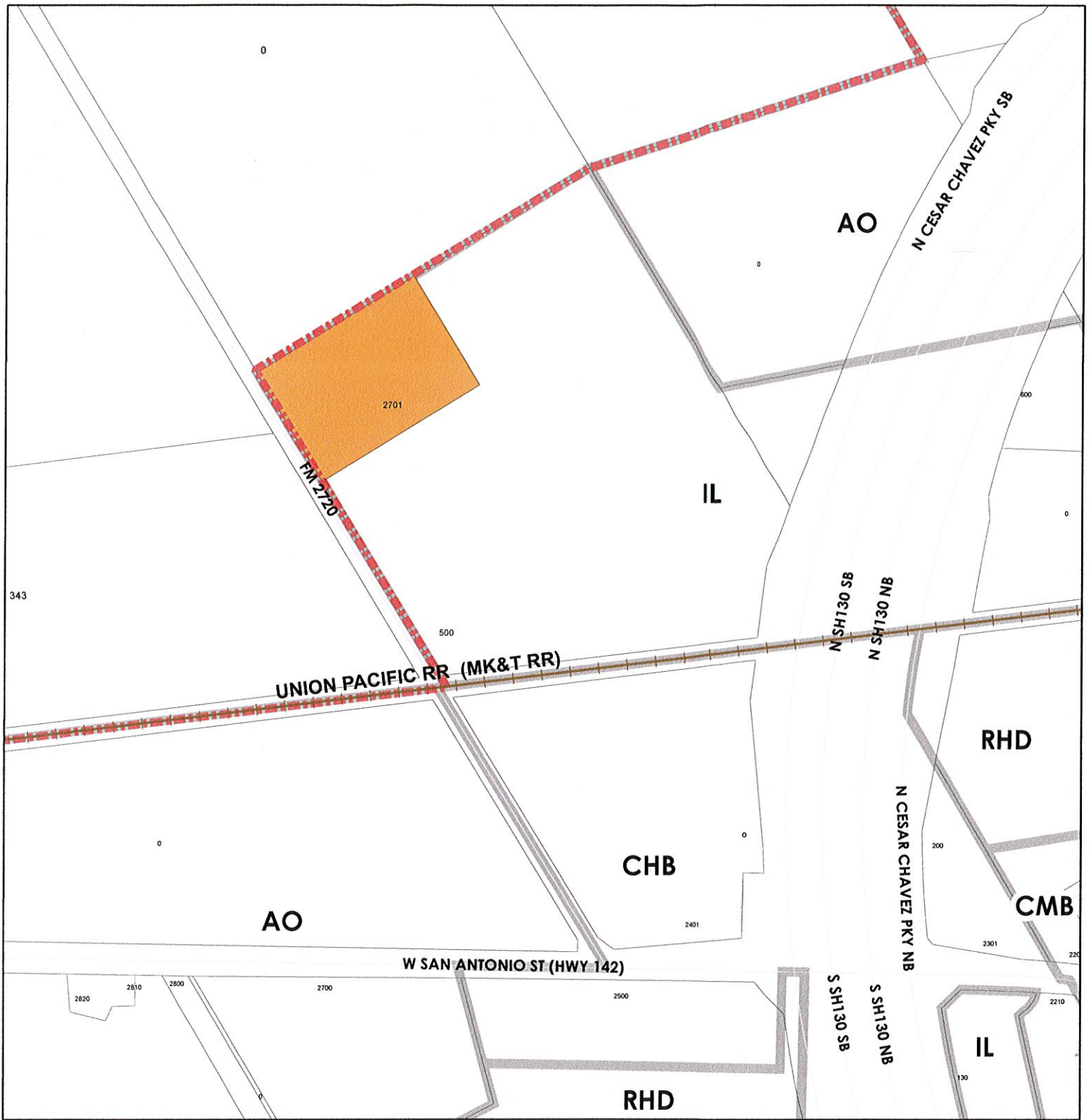
Date 11/21/2021
Date 11/21/2021

Second Owner's Signature Pam Balser
Second Owner's Printed Name Pam Balser

Date 11/21/2021
Date 11/21/2021

AY
PB

This approval is subject to zoning application being for commercial zoning only for the 5.48 acre tract and said approval expires on December 31, 2021.



PV-22-01

2701 CAHILL STREET

ALLOW PERMITS PRIOR TO
PLAT RECORDING



 SUBJECT PROPERTY

 ZONING BOUNDARY

 CITY LIMITS

scale 1" = 600'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner

CASE NUMBER: PV-22-01

REPORT DATE: January 6, 2022

PLANNING & ZONING COMMISSION DATE: January 12, 2022

APPLICANT'S REQUEST: Waive the requirement that a final plat be recorded prior to issuance of a building permit

STAFF RECOMMENDATION: ***Approval, if the Commission finds that all Subdivision Variance Criteria are met.***

RECOMMENDED CONDITIONS: None

BACKGROUND DATA

APPLICANT: Marc Scammerhorn

OWNER: IAM Properties, Lockhart LLC

SURVEYOR: Jerry Hinkle, Hinkle Surveyors

SITE LOCATION: 500 FM 2720

SUBDIVISION NAME: Lockhart Industrial Park III Section One

SIZE OF PROPERTY: 10.101 acres (Lot 1, Block A)

NUMBER OF PROPOSED LOTS: Four

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATION: IL (Industrial Light District)

ANALYSIS OF ISSUES

PROPOSED VARIANCES: The Final Plat for Lockhart Industrial Park III Section One was approved by the Commission on August 25, 2021. The applicant is requesting variances to Subdivision Regulations Sections 52-31(a) and 52-205(c) to allow building permits to be issued for construction on the future Lot 1, Block A, prior to recording the final plat. According to the applicant, building materials and equipment have been ordered for the industrial business that will locate on the property, and that the subdivision improvements will not be completed, nor will the final plat be recorded, in time for the arrival and set-up of the materials and equipment. The applicant also states that the granting of the variance would allow for the beginning of foundation work, pouring footers, piers, and slab, along with the parking area development. A temporary construction entrance is proposed be used at the northwest corner of the property. A Zoning Variance was approved by the Board of Adjustment on December 6, 2021 to allow certain areas of the future parking lot to be developed with crushed concrete for potential future expansion of the proposed building into those areas.

AREA CHARACTERISTICS: The adjacent properties to the north and east of the subject property are in agricultural use, with the property to the north being located outside the City limits. To the south is the proposed Section Two of Lockhart Industrial Park III. Across F.M. 2720 to the west is a property in agricultural and rural residential use, also outside the City limits.

SPECIAL CIRCUMSTANCES: The arrival of the building materials and equipment for the future industrial use on the subject property well ahead of completion of the required subdivision improvements and subsequent recordation of the final plat might be considered a special circumstance to justify approval of the variance.

PRESERVATION OF SUBSTANTIAL PROPERTY RIGHT: The proposed variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant. Nothing prevents the applicant from completing the subdivision improvements and recording the final plat prior to ordering materials for the future industrial building.

EFFECT ON SURROUNDING PROPERTY AND PUBLIC SAFETY: The applicant states, and Staff agrees, that the variance will not interfere with surrounding properties and will not adversely impact public health or safety.

EFFECT ON ORDERLY SUBDIVISION OF OTHER LAND: Since the request is simply to allow the issuance of building permits ahead of the recording of the plat, the variance will not limit the potential for subdivision or development of other land in the area.

COMPLIANCE WITH VARIANCE CRITERIA: In order to approve a variance, the Commission must find that the request meets all three of the criteria outlined in Section 52-3(a) of the Subdivision Regulations. The applicant submitted the attached written explanation as evidence in support of the variance. Staff believes that the variance request warrants approval, if the Commission determines that all three variance criteria are met.

ALTERNATIVES: The only alternative solution would have been for the applicant to complete the subdivision improvements and record the final plat prior to ordering the building materials and beginning site work, which would have avoided the need for a variance.

PRECEDENT: Approval of the variance might set a precedent by encouraging other developers to seek variances to allow the issuance of building permits for subdivisions in which the final plat has not yet been recorded.

IAM Properties – Lockhart, L.L.C.
P O Box 1148
Shreveport, Louisiana 71163-1148

December 8, 2021

Building Official
City of Lockhart, Texas

Re: Variance Request

Dear Sir or Madam:

IAM Properties – Lockhart, LLC is asking for a variance to allow IAM Properties to obtain building permits which would enable the continued development of our property without delays. We will address the four questions for the approval of the variance.

1. IAM Properties – Lockhart, LLC property site work will be finished before LEDC Park infrastructure will be completed.

If granted the variance, we would be able to proceed with starting foundation work, pouring footers, piers, and slab along with outside parking areas provided all inspections are approved.

We would be able to develop our site without hindering the progress of LEDC Industrial Park infrastructure. We will use temporary construction entrance on northwest corner of our property.

The design of our site is based off the approved developmental drawings for Doucet and Associates Engineering who designed the LEDC Industrial Park.

We have delivery of multiple fully loaded trucks with our property's metal building at the end of February. Shortly after that, specialized equipment for this plant's production will be delivered.

2. The variance is necessary to continue the development of our property without delays.
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.

Building Official
Page 2
December 8, 2021

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.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "I. McElroy", written in a cursive style.

Ian A. McElroy
Manager

SUBDIVISION PLAT APPLICATION

CITY OF
Lockhart
TEXAS

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

APPLICANTS

SURVEYOR NAME Jerry L Hinkle
DAY-TIME TELEPHONE 512-398-2000
E-MAIL contact@hinklesurveyors.com

ADDRESS 1109 S Main Street
Lockhart TX 78644

ENGINEER NAME _____
DAY-TIME TELEPHONE _____
E-MAIL _____

ADDRESS _____

OWNER NAME IAM Properties, LLC Lockhart
DAY-TIME TELEPHONE 318-747-8675
E-MAIL mscammerhorn@mcelroymetal.com

ADDRESS 1500 Hamilton Rd
Bossier city, LA 71111

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME LockHart Industrial Park III Section One

ADDRESS OR GENERAL LOCATION 2701 Cahill street (future); 500 FM 2720 (current)

LOCATED IN CITY LIMITS ____ ETJ (COUNTY) ____ PDD

TOTAL LAND AREA 10.101 ACRE(S) Lot 1 Block A

PROPOSED NUMBER OF LOTS 1 (Lot 1 Block A)

ZONING CLASSIFICATION(S) IL

PROPOSED USE OF LAND Industrial

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 – TWO FULL-SIZE PAPER 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). All plat copies shall be full-size paper copies.

One copy for staff's completeness review; six copies after plat is deemed complete.

Ten copies after initial staff reviews above (preliminary plats, final plats, and replats/resubdivisions).

Two copies after initial staff reviews 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 this application is deemed complete 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 12-2-2024

PRINTED NAME

MARC SCHAMMERHORN

TELEPHONE 516 646 6234

PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request received prior to the expiration, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission.

A final plat approval period expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the City Planner.

SUBDIVISION VARIANCE (for variance applications, only)

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

CURRENT ORDINANCE REQUIREMENT(S) Building Permits shall not be issued until a subdivision plat is recorded.

REQUESTED VARIANCE(S) Allow issuance of building permits prior to recordation of the Phase I Final Plat.

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 Weller

RECEIPT NUMBER N/A-Variance

DATE SUBMITTED 12/8/21

CASE NUMBER PV-22-01

DATE APPLICATION IS DEEMED COMPLETE _____

DATE NOTICES MAILED _____

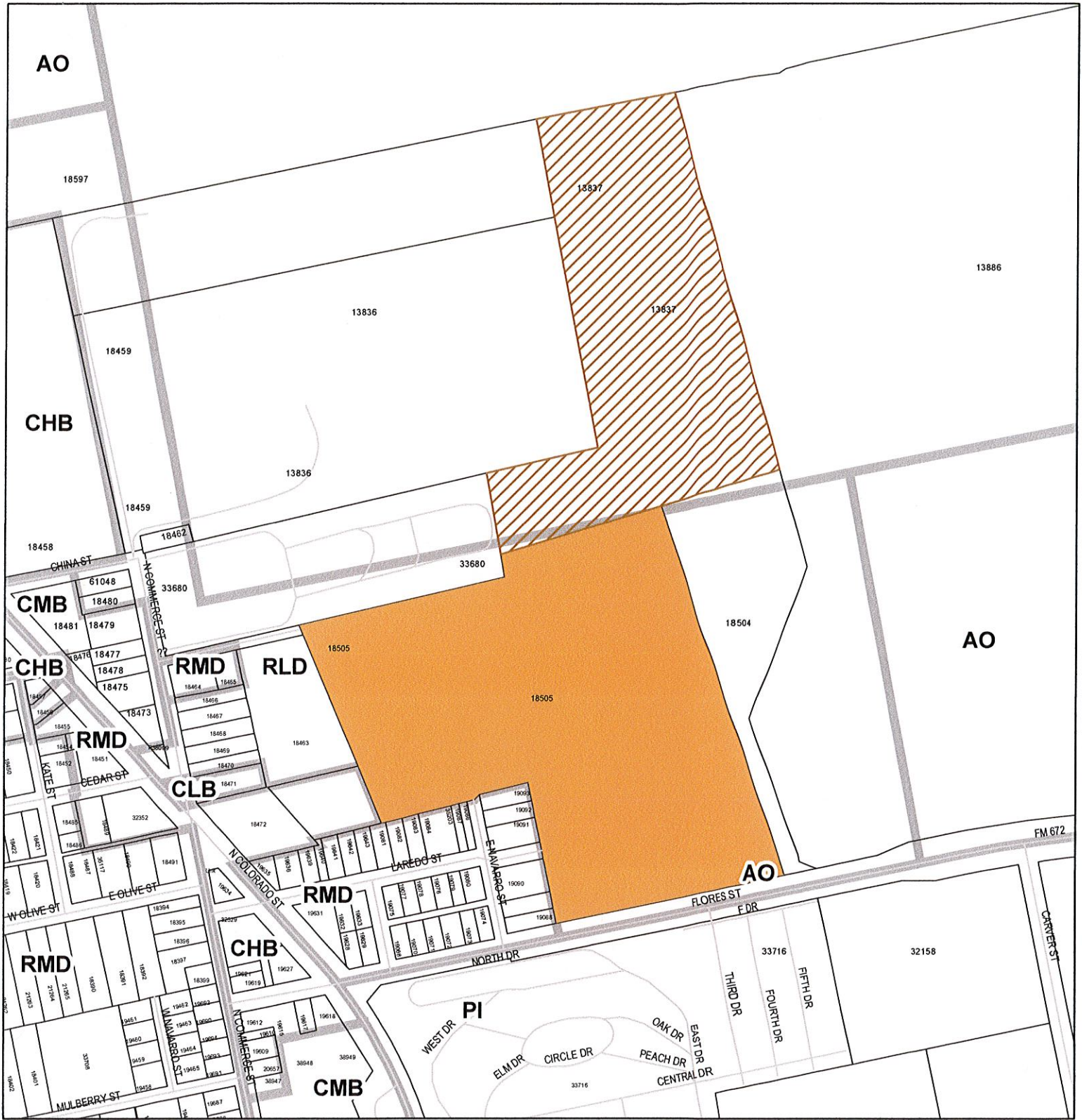
DATE NOTICE PUBLISHED _____

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 1/12/22

DECISION _____

CONDITIONS _____



DP-18-01

601 FLORES ST

LOCKHART RIDGE
DEVELOPMENT PLAT



- Subject Property
- Additional Property Under Same Owner

scale 1" = 400'

CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner
REPORT DATE: January 6, 2022
PLANNING & ZONING COMMISSION DATE: January 12, 2022
STAFF RECOMMENDATION: *Denial*
SUGGESTED CONDITIONS:

CASE NUMBER: DP-22-01

BACKGROUND DATA

OWNER: Lockhart Ridge Land, LP (Riley Baldus)
ENGINEER: Sergio Lozano-Sanchez, PE, LOC Consultants, LLP
SURVEYOR: Holt Carson, Inc. (no longer associated with the project)
SITE LOCATION: 601 Flores Street
LEGAL DESCRIPTION: No survey or metes and bounds description submitted
SIZE OF PROPERTY: 23.613 acres
EXISTING USE OF PROPERTY: Vacant land
ZONING CLASSIFICATION: RLD Residential Low Density

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The owner, Riley Baldus, has submitted an application, letter, various attachments, and a development plat for his proposed development, Lockhart Ridge. The documents are attached in their entirety as submitted, except for full-size copies of the development plat, which he has refused to provide other than the initial one submitted with the application. The development plat box is checked on the application form, but the cover sheet of the plat document is entitled "Site Plan" and the remaining 19 sheets also have titles that do not include the word "Development Plat", and the letter accompanying the submission and addressed to the Planning and Zoning Commission is entitled "Engineering Plans Permit for Site Construction". The application form was altered by the applicant in several ways that are listed in the attached list of *Reasons for Denial*. The date at the top of the letter says "Filed: December 17, 2021, but we received it on December 21, 2021. The proposed development consists of 88 single-family homes on one 23.613-acre tract, but there is additional 14.13 acres abutting to the north (cross-hatched on case map), outside the city limits, that is under the same ownership. All infrastructure is proposed to be private and there will be no dedications of land to the City for any purpose. Because the property is not being subdivided into parts less than five acres (there won't be separate lots for the homes), the applicant claims that a subdivision plat is not required, in accordance with the platting exemption in Section 52-31(a) of the Subdivision Regulations. However, Section 52-31(b) states that a development plat is required where no subdivision plat is required for construction of a new building. Further, Section 52-40(a) states: "*Development plats for which it is determined that no land dedications or construction of public improvements is required, may be approved administratively by the city planner. A building permit shall not be issued for the development prior to endorsement of the city planner's approval on the plat.*" Following a lengthy compilation of deficiencies and inconsistencies with the submission, I sent a certified letter to the applicant on December 29, 2021, informing him that the plat was *denied*. He disagrees that I have that authority because he addressed his letter to the Commission. In order to eliminate any doubt, we have put his submission on this agenda so that the Commission can deny it. He tried to submit a similar application over a year ago, and we refused to accept it because it was incomplete. That didn't matter to the applicant, who then claimed that his development was automatically approved because it wasn't approved, approved with conditions, or denied within 30 calendar days of the "Filed" date he put on the cover letter at that time. It required letters from the City attorney to stop that line of argument. In this case, it appears that the applicant is once again counting on the 30-day clock to run out before action is taken on his development plat (which he refers to as "engineering plans permit"). Thirty days since we received this submission is January 20, 2022.

NEIGHBORHOOD COMPATIBILITY: The southwest corner of the subject property is adjacent to an existing single-family residential subdivision, but the remainder of the surrounding area is sparsely populated or undeveloped. There are cemeteries to the north and south. The remainder of the applicant's property to the north is vacant, while the abutting property to the east contains a single-family dwelling. Plum Creek Elementary School is located southeast of the subject property, on the opposite side of Flores Street. The SF-1 residential development type (single-family detached dwelling) is the only land use allowed by the existing RLD zoning classification of the subject property is very compatible with the neighborhood. However, as explained in the attached list of *Reasons for Denial*, the proposed form of development is not allowed in the RLD district, which allows only one principal dwelling per lot.

FORM AND CONTENT: The development plat and application form are incomplete, and have numerous errors and deficiencies. Normally, a submission this inadequate would not have been accepted, but staff decided to go ahead and process it so that action can be taken to deny it before January 20th. Please refer to the attached list of *Reasons for Denial*.

COMPLIANCE WITH STANDARDS: This proposal fails in many ways to comply with our subdivision standards. Please refer to the attached list of *Reasons for Denial*. It should be noted that development plats are subject to the same standards as subdivision plats. The reason that the State authorized the use of development plats was because developments were occurring on property where there was no division of ownership, thereby avoiding any kind of plat altogether, and therefore also avoiding the standards that apply to subdivisions. For example, if a lot was able to be developed without submitting a development plat, then a City could not enforce the requirement for public sidewalks along the property's street frontage, even though abutting and nearby platted properties were subject to the sidewalk standard. So, this case is a good example of a proposed development that would not be subject to City standards if we didn't require a development plat.

CONCURRENT VARIANCES REQUESTED: None, although there are many elements of the submitted development plat that would require zoning and/or subdivision variances.

STAFF RECOMMENDATION: The Commission may approve, approve with conditions, or deny the development plat. The application is incomplete for the reasons stated above and, therefore, should be denied. It is clearly not eligible for approval, and there is no reason to attempt to approve it conditionally because there are so many issues identified in the attached list of *Reasons for Denial* to the extent that there is more fundamentally wrong with the application and development plat than there is right. Therefore, staff recommends **DENIAL**. The applicant can resubmit a development plat application if it meets all applicable zoning and subdivision requirements.

REASONS FOR DENIAL

Lockhart Ridge Development Plat

1. Although the letter submitted by the Mr. Baldus (copy attached after this document) indicates in #4 that the submission includes “2 Sets of Offsite Construction Engineering Plans and Right of Way Construction Permit”, we received only one set and, although there are engineering plan type sheets included in the set, there were no plan sheets for a major off-site wastewater extension that will be necessary to serve the number of dwelling units proposed. The development plat cannot be approved unless adequate public utility service is either existing or is proposed, with plans for any needed upgrades or extensions approved by the city engineer. Also, #8 in the letter refers to attached “Water Service Availability Letters”. The document provided by the City on “April 10, 2019, entitled “Utility Service Capacity and Information” does not state anything about the adequacy of any utility for a particular development. It simply verifies what is currently available. Mr. Baldus claims that an easement dedication document dated October 1987 for a 12-inch City water line through what is now his property gives him the right to tap into water line. The city attorney’s office has reviewed that document and it is simply an easement dedication, and is not an agreement that guarantees an automatic right to access water from the water line without approval by the City of the development to be served.
2. Engineering plans are reviewed by the city engineer, and must be submitted directly to him. Our city engineer is Jeff Dahm, P.E. at TRC in Austin. He requires one paper copy and a PDF of the engineering plan set. He will not begin his review until the engineering plan review fee is paid (Resolution No. 2019-16, adopted July 16, 2019). The fee is based on the land area of the development, and is \$500 for the first acre and \$250 for each acre after the first acre, with any fractions of an acre prorated. For 23.613 acres, the fee is \$6,153.25. The application is not considered complete until the fee is paid.
3. The application form was modified. It is missing the “Subdivision Plat Application” title that is on our official forms. The “Development Plat” option is selected as the Type of Application on the first page of the application form, but the words “Engineering Plans – Acreage Tract, Not a Subdivision” were added. An additional section entitled “Plat Approval Periods” was added by the applicant, and basically states that City cannot require an applicant to waive a deadline, which is referring to the 30- shot clock for approval, approval with conditions, or denial of a plat. It’s true that the City cannot require an applicant to waive a deadline, but the first 30-day period can be extended an additional 30-days upon mutual written agreement. This would apply without altering the application form.
4. The Surveyor Name on the untitled application form is listed as Holt Carson, Inc. Mr. Carson informed Mr. Baldus in a letter dated August 23, 2020, that his firm was terminating their business relationship. During the staff review of the development plat and application form, I called Mr. Carson and he not only confirmed that he had sent the letter, but he also told me that his name should not be on this application form. The form is not complete without a valid surveyor being listed who has surveyed the property for preparation of the development plat.

5. For the Proposed Number of Lots on the untitled application form, it states: "N/A, 0 lots, 1 tract". Then, for the "Proposed Use of Land" it states: "Residential homes per Zoning, SITE PLAN – NO SUBDIVISION". The subject property is zoned RLD Residential Low Density District, which in Section 64-196(d) states: "This district provides low population density areas within the city which are **limited to tracts with single dwelling units, having a single principal structure with necessary accessory buildings for residential purposes and associated specific uses.**" The "Site Plan" (Development Plat) shows more than one principal dwelling on the tract, which is not allowed under the current RLD zoning classification of the property. A development plat cannot be approved for a use that is a **zoning violation**. Multiple principal structures (dwellings) on a single lot or tract are allowed only in the RHD Residential High Density District or PDD Planned Development District.
6. If Mr. Baldus wishes to have 88 dwellings on the subject property under the current zoning classification, it must be platted such that each dwelling unit is on an individual lot, with each lot having frontage on an improved public street right-of-way (Section 52-76(b)). The layout of the submitted development plat is not physically identical to how it would look if platted as a subdivision. A subdivision platted according to the lot standards of the SF-1 development type, which is the only residential land use allowed by-right in the RLD district, would require each residential lot to be at least 65 feet wide and 120 feet deep, with a minimum lot area of 8,500 square feet. Also, the streets would be in public rights-of-way at least 50 feet wide, with the street pavement (with curbs) being at least 31 feet wide. The minimum building setbacks would have to be 25 feet from the front property line, 7½ feet to interior side property lines (15 feet on the street side of corner lots), and ten feet to the rear property lines. Staff has checked to see if the proposed location of dwellings on the development plat would meet the minimum standards if the dwellings were to be on separate lots meeting the SF-1 development type and, in most cases, they don't. Therefore, the proposed layout would not work as a subdivision allowed in the RLD district.
7. The "Information for Permits" form included in the submission is for building permits, only, and does not apply to "engineering plans, off-site utilities, right-of-way construction, and driveway construction" that are listed in the "Permit Type" section. The Public Works Department has a "Right-of-way Excavation Application" form that is used for driveway approaches and other work in the public street right-of-way. Access to Flores Street (FM 672) must be approved by the Bastrop Area Office of TxDOT. They have already been informed that no development of any type has been approved for this property and, therefore, there is no approved driveway or street intersection until such time that a proposed development complies with all applicable City ordinances and standards. They will notify us any time a request for an access permit is submitted. In addition, TxDOT now requires a Traffic Impact Analysis for every new driveway and street intersection for developments along State rights-of-way which must be completed before any development plans are approved.
8. The "Development Plat" box was checked on the first page of the untitled application form. Therefore, the plans that were submitted must be labeled "Development Plat", instead of "Site Plan".

9. Under "General Construction Notes" on the first page of the "Site Plan" (Development Plat), Notes #1 and #3 refer to Caldwell County. Because the subject property is in the Lockhart city limits, the County has no authority for the items listed. Note #4 gives an incorrect address for OSHA in Austin. Their physical address is now on La Posada Drive. Details are available at <https://www.osha.gov/contactus/bystate/TX/areaoffice>. Note #6 ends in an incomplete sentence.
10. The fourth unnumbered note in the center of the first page of the "Site Plan" states that the site lies inside Caldwell County, which is true, but the remainder of the statement refers to items that are regulated by the City. The statement that the site is not subject to those items is incorrect.
11. There is a signature block in the lower right-hand corner of the first page of the "Site Plan" for the Caldwell County Engineers Office. Caldwell County's consulting engineer (not on the County staff) will have no authority over this development, including any portion in the City's extraterritorial jurisdiction (ETJ). The city engineer will be the approval authority for any engineering plans associated with is development. If the Planning and Zoning Commission approves the development plat, there should be a certificate of approval for the Chair of the Commission to sign.
12. Sheets 2 and 3 of the "Site Plan" (Development Plat) show the existing public Laredo and Navarro streets being extended as private streets. If they are not to be extended as public streets, public cul-de-sacs must be constructed to terminate the existing stub-outs, and then one or more private driveways can extend from the cul-de-sacs. Stub-outs such as those are required for continuation of the street network where a subdivision abuts undeveloped property. When the abutting property develops, the street can be extended as a public street, or terminated as a cul-de-sac. The reason for this is that the City will not have any way of preventing the private street or driveway from being blockaded on the private side, thereby leaving a dead-end public street with no turn-around. Extension of Laredo Street, in any form, however, is also affected by the issue mentioned in #13, below.
13. The area at the southwest corner of the subject property is actually part of the Compress Hill Supplement Addition. That subdivision, which was recorded in 1958, includes street rights-of-way and lots that have not been developed, but are still in effect. The plat includes the extension of the Laredo Street right-of-way eastward to a "T" intersection with a new north/south street right-of-way that extends south to Flores Street to, and north to the boundary of the subdivision. The Laredo Street right-of-way does not extend to the east boundary of that subdivision. Therefore, unless the Compress Hill Supplement Addition is vacated, Laredo street cannot be extended as proposed on the development plat.
14. Because a portion of the subject property is already platted, the applicant's development must comply with the lots and public street rights-of-way recorded as the Compress Hill Supplement Addition. Mr. Baldus may not be aware that a portion of the property he owns has been previously platted.

15. The City's subdivision standards, which apply to development plats as well a subdivision plats, do not allow dead-end streets. Some streets shown on the submitted development plat have dead-ends. Also, the City standards require a public sidewalk on at least one side of each residential street. None are indicated on the development plat. In addition, all residential development must either dedicate public parkland or, at the City's discretion, pay a fee in lieu of dedication. The submitted development plat does show a couple of tennis courts in the northeast corner, but doesn't indicate the dedication of any public parkland.
16. On Sheet 2, there is a parking lot that appears to disappear off the edge of the property, and two private streets that also terminate abruptly along that line. We seriously doubt that the intent is to construct a parking lot with a corner sliced off as shown on this "Site Plan". When we originally dealt with Mr. Baldus, he had stated that the remainder of the property under his ownership, which is outside the city limits, would also be developed and include a community or amenity center building just north of the subject property of this application in the approximate location of the parking lot. The requirement for a development plat in lieu of a subdivision plat is in subsection (b) of Section 52-31 "Plat Required" of the Subdivision Regulations. Development plats require the same compliance with City standards as do subdivision plats. In accordance with the City's Interlocal Agreement with Caldwell County (latest version approved in May 2021), the City's Subdivision Regulations (which include development plats) apply in the one-mile statutory ETJ of the City. Accordingly, if the remainder of the property north of the area shown on this "Site Plan" is to be developed, it must also be included as part of this development plat. That will affect most of the sheets of the plan, the acreage of the development will need to be revised accordingly on the untitled application form, and the engineering plan review fee will increase.
17. On Sheet 3, the city street name *Flores Street* should be added as a label in addition to FM 672.
18. Nowhere on the development plat, the application form, or attachments is there a survey or metes and bounds legal description of the subject property. There are distances and bearings shown along some of the boundary lines on the development plat, but the north line of the subject property does not have that required notation. The metes and bounds must close, and be certified by a licensed surveyor.

These comments do not represent an exhaustive list of possible deficiencies, but are the major issues that make the application incomplete and, therefore, ineligible for approval. Also, the comments are limited to the first three pages of the development plan (labeled "Site Plan" on the first sheet). The remaining pages are engineering-related, and must be reviewed and approved by the city engineer. Any approval of the engineering plans by the city engineer, however, does not constitute approval of the development plat, which is still subject to the other considerations listed above that are in addition to the engineering review.

LOCKHART RIDGE SITE PLAN

CITY OF LOCKHART, TEXAS 78644

601 FLORES ST.

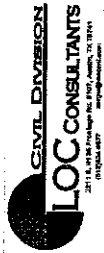
601 FLORES ST
LOCKHART, TEXAS 78644

OWNER:

LOCKHART RIDGE LAND, LP
RILEY BALDUS
(512) 522-3756
riley@lincaco.us

ENGINEER

LOC CONSULTANTS
FIRM NO. 4756
SERGIO LOZANO-SANCHEZ P.E.
2211 S-IH10 FRONTAGE RD #107, AUSTIN, TX 78741
PHONE (512) 524-0877



VICINITY MAP
IN PLAN



LEGAL DESCRIPTION:
A017 LOCKHART, BYRD, ACRES 23.673

WATERSHED STATUS - THIS PROJECT IS LOCATED IN THE PLUM CREEK WATERSHED.
NO PORTION OF THE SITE LIES WITHIN THE 100 YEAR ZONE A FLOOD PLAIN, ACCORDING TO THE
FLOOD INSURANCE RATE MAP 1 PANEL NO. 48655A01 DATED JUNE 19, 2012 FOR CALDWELL COUNTY,
TEXAS.

THIS SITE IS NOT OVER THE EDWARDS AQUIFER RECHARGE ZONE ACCORDING TO TCEQ MAPS. THERE
ARE NO CRITICAL ENVIRONMENTAL COVER USES ON THIS SITE.

THE SITE LIES INSIDE CALDWELL COUNTY AND IS NOT SUBJECT TO TRANSPORTATION OR LANDSCAPE
REQUIREMENTS REGARDING PARKING, DRIVEWAYS, AND INTERNAL CIRCULATION.

*RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION
AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY
RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL.
WHETHER OR APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY COUNTY ENGINEERS.

GENERAL CONSTRUCTION NOTES

1. THE SITE SHALL BE PER THE REQUIREMENTS OF THE PLUM CREEK WATERSHED. THE APPLICANT SHALL OBTAIN ALL NECESSARY PERMITS FROM THE PLUM CREEK WATERSHED AUTHORITY AND THE CITY OF LOCKHART.
2. THE APPLICANT SHALL OBTAIN ALL NECESSARY PERMITS FROM THE PLUM CREEK WATERSHED AUTHORITY AND THE CITY OF LOCKHART.
3. THE APPLICANT SHALL OBTAIN ALL NECESSARY PERMITS FROM THE PLUM CREEK WATERSHED AUTHORITY AND THE CITY OF LOCKHART.
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INDEX OF DRAWINGS

1. COVERSHEET
2. SITE PLAN I
3. GRADING PLAN I
4. GRADING PLAN II
5. GRADING PLAN III
6. EXISTING DRAINAGE
7. EXISTING OFFSITE DRAINAGE
8. POST DEVELOPMENT OFFSITE DRAINAGE
9. RETENTION POND CROSS SECTIONS
10. UTILITY PLAN I
11. UTILITY PLAN II
12. WASTEWATER DETAILS
13. WATER DETAILS
14. EROSION AND SEDIMENTATION CONTROL AND TREE PROTECTION
15. RESTRIPING PLAN
16. FENCE UPGRADE PLAN
17. GENERAL NOTES

VERIFY THAT THESE ENGINEERING DOCUMENTS ARE COMPLETE, ACCURATE AND ADEQUATE FOR THE INTENDED PURPOSES.
THE ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.



SUBMITTED BY:

SERGIO LOZANO - TEXAS P.E.

12/16/2021
DATE

REVIEWED FOR COMPLIANCE WITH COUNTY REQUIREMENTS:

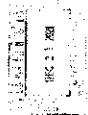
CALDWELL COUNTY ENGINEERS OFFICE

DATE

REVIEWED FOR COMPLIANCE WITH WATER UTILITY PROVIDER REQUIREMENTS:

WATER UTILITY

DATE



SHEET 1 OF 20

ENGINEERING PLANS PERMIT FOR SITE CONSTRUCTION

VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

FILED: December 17, 2021

Municipal Planning Commission (the Authority):
City of Lockhart, Texas Planning Commission
% Honorable Chairman Philip Ruiz or current Chairman

308 West San Antonio Street
Lockhart, Texas 78644

Applicant: Lockhart Ridge Land, LP

Property Address: 601 Flores Street
Lockhart, Texas 78644

Mailing Address: % Riley Baldus
401 Woodward St, #201
Austin, Texas 78704

**RE: ENGINEERING PLANS SITE CONSTRUCTION PERMIT FOR RESIDENTIAL HOMES;
COMMERCIAL DRIVEWAY CONSTRUCTION PERMIT; OFFSITE PLANS SERVICE UPGRADE
PERMIT; RIGHT OF WAY CONSTRUCTION AND REPAIR PERMIT - LOCKHART RIDGE
PROJECT**

Dear City of Lockhart Planning Commission and Honorable Chairman,

Enclosed please find our complete permit application, including applicable construction documents and engineering plans for all required permits to begin site construction of the Lockhart Ridge Project. The Project is a private single family homes residential community per City of Lockhart Zoning, with a maximum density of up to 118 residential homes at 5 per acre, however only 3.8 homes per acre will be constructed by this permit.

We have carefully reviewed all City of Lockhart code and utility information and look forward to constructing all work to the highest applicable standards, including occasionally volunteering to make additional contributions to the improvement of the overall City of Lockhart.

We are not subdividing the 23.613 acre property, therefore no subdivision application request is being made; the acreage tract of land is greater than 5 acres, and it has a single Owner, Lockhart Ridge Land, LP and accordingly, is and remains private property with all private driveway and property maintenance by the Owner, rather than at the City's expense.

The City of Lockhart exempted the property from platting by enacting the ordinance, stating that no Plat is required for the Project, because "A subdivision plat is not required for the division or assembly of tracts of land into parts greater than five acres within the city limits", so we are following the City of Lockhart ordinance and will not replat, rather we have had professionally engineering plans drawn by a Licensed Texas Civil Engineer.

This permit application for plans is a continuation of the series of Permits by this Project, that began in 1987 with the provision of water service contract agreement consent permit on October 23, 1987 between the City of Lockhart and our Property, under which this permit application is made.

Enclosed please find:

1. Lockhart Engineering Plans Application Filled Out and Signed;

ENGINEERING PLANS PERMIT FOR SITE CONSTRUCTION

VIA CERTIFIED MAIL; RETURN RECEIPT REQUESTED

2. City of Lockhart Information For Permits Application Filled Out;
3. 2 Sets of Engineering Plans (20 Sheets of Plans Total) Printed to Scale on 36" X 24" as requested, and the complete documents and other information requested including but not limited to: Title and Certification page, Existing Detail, topographic base map, drainage area map, private driveway profiles, and the utilities design information with City of Lockhart standard engineering details;
4. 2 Sets of Offsite Construction Engineering Plans and Right of Way Repairs Construction Permit;
5. Commercial Driveway Permit Engineering onto Flores St;
6. Tax Certificate showing all taxes are paid through 2022;
7. No building intended for public occupancy within a federally established flood plain proposed; and
8. Water Service Availability Letters:
 - a. City of Lockhart Water and Sewer Service is Available (see letter from Lockhart Utility);
 - b. Water Service Provision Easement Contract Agreement Consent Permit Vol 523 Pg 37 Deed Records;
 - c. Lockhart City Code hereby establishing the Lockhart ETJ as a Water and Sewer Service Area of the City of Lockhart Utility.

No Engineering Plans Fee has been included because the City Application form states that there is "NO FEE" because we are not subdividing and we could not find any language in City of Lockhart Ordinances or under the authorities given to the City by the State of Texas Legislature that allow for such fees, however if it is later determined that fees are actually due, then they will be paid, if requested, at the time of permit approval or if as the condition of permit approval, then just prior to approval and construction of the plans.

No building permit for the construction of homes is included in this application, this will be the subject of a separate homes construction building permit application, whenever applicable.

We look forward to your response and approval. Please contact me with any questions during your review by phone at (512) 522 3756 or at my mailing address provided.

Kind Regards,

LOCKHART RIDGE LAND, LP,
a Texas Limited Partnership

By: The Alexander Companies, LLC,
a Texas Limited Liability Company, Its General Partner

By: 
Name: Riley Baldus, Managing Member



CITY OF

Lockhart

TEXAS



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

APPLICANTS

SURVEYOR NAME HOLT CARSON INC
DAY-TIME TELEPHONE (512) 442-0990
E-MAIL survey@hciaustin.com

ADDRESS 1904 Fortview Road
Austin, TX 78704

ENGINEER NAME LOC CONSULTANTS, LLP
DAY-TIME TELEPHONE (512) 524-0677
E-MAIL sergioloccivil@gmail.com

ADDRESS PO BOX 90485
AUSTIN, TX 78709

OWNER NAME LOCKHART RIDGE LAND LP
DAY-TIME TELEPHONE (512) 522-3756
E-MAIL riley@alexaco.us

ADDRESS 601 Flores Street
Lockhart, Texas 78644

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE
 PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT
 DEVELOPMENT PLAT ENGINEERING PLANS - ACREAGE TRACT, NOT A SUBDIVISION

PROPERTY

SUBDIVISION NAME LOCKHART RIDGE
ADDRESS OR GENERAL LOCATION 601 FLORES STREET, LOCKHART, TEXAS 78644
LOCATED IN CITY LIMITS ETJ (COUNTY) PDD *N/A*
TOTAL LAND AREA 23.613 ACRE(S) **PROPOSED NUMBER OF LOTS** ~~2~~ 3 *LOTS*
ZONING CLASSIFICATION(S) RLD Single family sitework construction, private roads/driveways *TRACT 13*
PROPOSED USE OF LAND Residential homes per Zoning, SITE PLAN - NO SUBDIVISION

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.

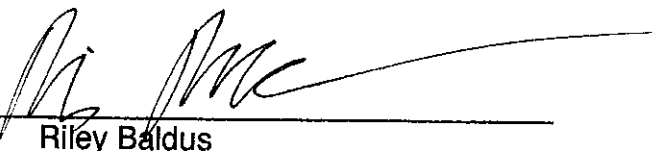
FEE, AS FOLLOWS (NO FEE FOR VARIANCES, APPEALS, SUBDIVISION DEVELOPMENT PLANS, OR DEVELOPMENT PLATS):

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.

Texas Local Government Code Title 7 Sec. 212.0097. "APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline..."

SIGNATURE



Riley Baldus

DATE

DEC 17 2021

5125223756

PRINTED NAME

TELEPHONE

PLAT APPROVAL PERIODS

Texas Local Government Code Title 7 Sec. 212.0097. "APPROVAL PROCEDURE: WAIVER PROHIBITED. A municipal authority responsible for approving plats or the governing body of a municipality may not request or require an applicant to waive a deadline..."

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) _____ OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) _____

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 Incomplete application

RECEIPT NUMBER N.A.

DATE SUBMITTED 12-21-21

CASE NUMBER DP - 22 - 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 1-12-22

DECISION _____

CONDITIONS _____

UTILITY SERVICE FORM

THIS FORM SHOULD BE COMPLETED BY THE APPLICANT, AFTER CONSULTING WITH THE UTILITY SERVICE PROVIDERS LISTED BELOW, FOR ALL PLATS, EXCEPT AMENDING PLATS, AND FINAL PLATS THAT ARE CONSISTENT WITH APPROVED PRELIMINARY PLATS. THE FOLLOWING UTILITY SERVICE CODES ARE TO BE INDICATED, AS APPLICABLE, IN THE SPACE PROVIDED BELOW.

- A Adequate service is currently available to the proposed subdivision.
- B Adequate service is not currently available, but arrangements *have* been made to provide it.
- C Adequate service is not available, and arrangements have *not* been made to provide it from the utility.
- D Additional easements are needed for the utility within the subject property.

NAME OF WATER SERVICE PROVIDER Lockhart Public Water Utility

APPLICABLE UTILITY SERVICE CODE(S) A

WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) A

TEXAS GAS SERVICE GAS COMPANY

APPLICABLE UTILITY SERVICE CODE(S) A

NAME OF ELECTRIC SERVICE PROVIDER Lockhart Public Utility

APPLICABLE UTILITY SERVICE CODE(S) A, D

UNDERGROUND Yes X No

INFORMATION FOR PERMITS

CITY OF
Lockhart
TEXAS

Today's Date: DECEMBER 17,2021

Permit type: ENGINEERING PLANS SITE CONSTRUCTION, OFFSITE
UTILITIES CONSTRUCTION,RIGHT OF WAY
CONSTRUCTION, AND DRIVEWAY CONSTRUCTION

Property Address: 601 Flores St. Lockhart

Contractor Name: All Work By Owner

Property Owner Name: Lockhart Ridge Land, LP

Phone Number & Email: 5125223756, riley@alexaco.us

MAILING ADDRESS:
Riley Baldus
401 Woodward St
#201
Austin, TX 78704

Job Description:
Per engineered plans permit DEC1722021

Commercial Project Valuation: \$384,000

Residential Sq. Ft.: Sitework

Signature: _____ **Date:** DECEMBER 17,2021



**NOTE: RECEIPTS WILL BE EMAILED WITHIN 5 BUSINESS DAYS OR AS SCHEDULE
ALLOWS IT. WE THANK YOU FOR YOUR TIME AND CONSIDERATION.**

ARTICLE II. - WATER FACILITIES IMPACT FEES

Sec. 31-23. - Water service area.

- (a) There is hereby established a water service area, constituting land within the city limits and within the city's extraterritorial jurisdiction, as depicted on Figure 2 in Exhibit 1 attached to the ordinance from which this chapter derives and incorporated by reference herein.
- (b) The boundaries of the water service area may be amended from time to time, or new water benefit areas may be delineated, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07; Ord. No. 2017-08, § I, 4-4-17)

Sec. 31-24. - Water improvements plan.

- (a) The water improvements plan for the city is hereby adopted as Exhibit 2 attached to the ordinance from which this chapter derives and incorporated by reference herein.
- (b) The water improvements plan may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02; Ord. No. 07-11, § I, 3-20-07; Ord. No. 2017-08, § I, 4-4-17)

Sec. 31-25. - Water facilities impact fees.

- (a) The maximum impact fees per service unit for water facilities are hereby adopted and incorporated in schedule 1, located at the end of this chapter.
- (b) The impact fees per service unit for water facilities, which are to be paid by each new development, are hereby adopted and incorporated in schedule 2, located at the end of this chapter.
- (c) The impact fees per service unit for water facilities may be amended from time to time, pursuant to the procedures in section 31-16.

(Ord. No. 02-02, § 1, 1-15-02)



REQUEST
UTILITY SERVICE CAPACITY AND INFORMATION

Date Request Received: **April 9, 2019**

Requestor: Riley Baldus Telephone #: _____

Subject Street/Address: Property ID # 13837 (Flores Street, Lockhart, Texas)
STREET NAME ADDRESS

City Utility Related Information:

Water Service Size: None

Sewer Service Size: None

Electric Service Size: N/A

Water Main Size: 12" Location: Flores St. to Navarro St. to South of St Mary's Cem.

Sewer Main Size: 6" Location: Navarro St. and Laredo St.

Electric Primary Size: _____ Location: _____

Details by Utility:

Water: There is a 12" water main that is located in Property ID # 18505 and follows the south border of the St. Mary's Cemetery property to N.

Commerce St.

By: Sean Kelley *SK*

Sewer: There is a 6" sewer main that terminates at the end of Navarro St. near Laredo St.

By: Sean Kelley *SK*

Electric: This Property is within our electric service area.

By:

Date Provided to Requestor: **April 10, 2019**

Requests may take up to 10 working days. No engineering study will be provided to determine customer needs. This information is provided as a courtesy and in no manner creates a liability for the City of Lockhart.

Note: Natural Gas by Texas Gas Services

Through Tax Year
2021

TAX CERTIFICATE

Certificate #
6899

Issued By:

Caldwell County Appraisal District
211 Bufkin Ln.
P.O. Box 900
Lockhart, TX 78644

Property Information

Property ID: 18505 Geo ID: 0300017-067-293-00
Legal Acres: 23.6130
Legal Desc: A017 LOCKHART, BYRD, ACRES 23.613
Situs: 601 FLORES ST, LOCKHART, TX 78644
DBA:
Exemptions:

Owner ID: 228143 100.00%
LOCKHART RIDGE LAND LP
2819 FOSTER LN, APT F208
AUSTIN, TX 78757-1156

For Entities

Caldwell County
City of Lockhart
Farm to Market Road
Lockhart ISD
Plum Creek Conservation District
Plum Creek Underground Water

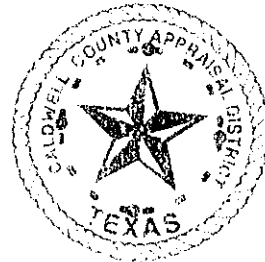
Value Information

Improvement HS: 0
Improvement NHS: 0
Land HS: 0
Land NHS: 147,350
Productivity Market: 0
Productivity Use: 0
Assessed Value: 147,350

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year Entity	Taxable	Tax Due	Disc/P&I	Attorney Fee	Total Due
Totals:		0.00	0.00	0.00	0.00
Effective Date: 11/12/2021			Total Due if paid by: 11/30/2021		0.00



Tax Certificate Issued for:	Taxes Paid in 2021	POSSIBLE ROLLBACK
Lockhart ISD	1,664.61	
Plum Creek Underground Water	30.65	
Plum Creek Conservation District	30.21	
Farm to Market Road	0.15	
City of Lockhart	936.26	
Caldwell County	969.90	

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate (Tax Code Section 31.08(b)).

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 11/12/2021
Requested By: LOCKHART RIDGE LAND LP
Fee Amount: 30.00
Reference #:

Whitlan Medina

Signature of Authorized Officer of Collecting Office