

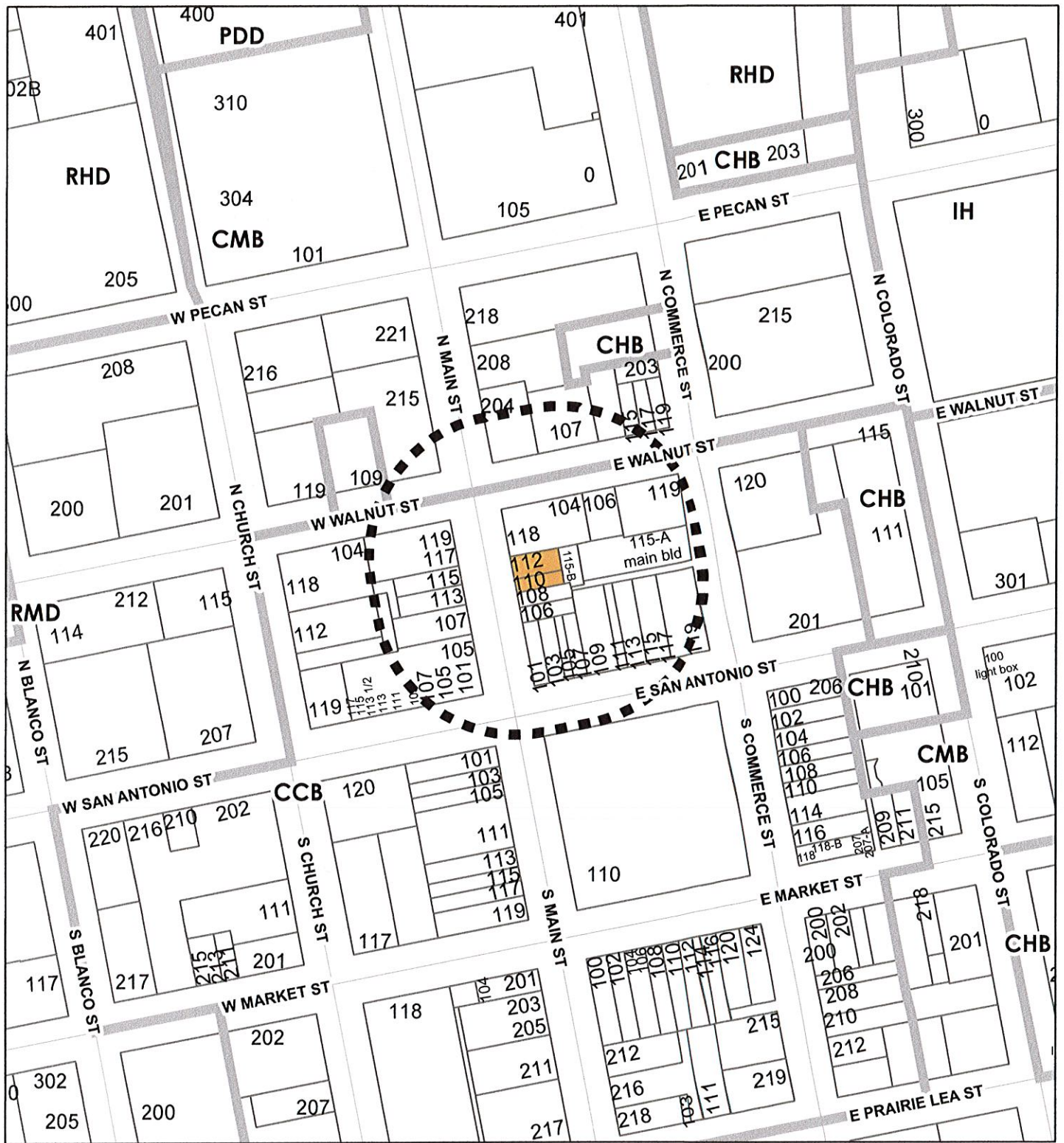
PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, March 23, 2022
Municipal Building – Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the March 9, 2022, meeting.
4. SUP-22-05. Hold a PUBLIC HEARING and consider a request by Ronda Reagan for a **Specific Use Permit** to allow a *Bar and Special Events Facility* on part of Lot 6, Block 23, Original Town of Lockhart, consisting of 0.0894-acre zoned CCB Commercial Central Business District and located at 110 and 112 North Main Street.
5. SUP-22-06. Hold a PUBLIC HEARING and consider a request by Austin Pacific One, LLC, for a **Specific Use Permit** to allow the *MF-2 Residential Development Type* on 9.902 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned RHD Residential High Density District and located at 1824 Borchert Drive.
6. ZC-22-09. Hold a PUBLIC HEARING and consider a request by Chris Bancroft on behalf of Alma Ewald for a **Zoning Change** from 23.064 acres *AO Agricultural-Open Space District* to 18.535 acres *RHD Residential High Density District* and 4.529 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1650 North Colorado Street (US 183).
7. ZC-22-10. Hold a PUBLIC HEARING and consider a request by Chris Bancroft on behalf of Ernest Ewald, Jr. for a **Zoning Change** from 15.906 acres *AO Agricultural-Open Space District* to 12.262 acres *RHD Residential High Density District* and 3.644 acres *CMB Commercial Medium Business District* in the Byrd Lockhart League, Abstract No. 17, located at 1724 North Colorado Street (US 183).
8. As provided in Chapter 64 “Zoning”, Section 64-93(c)(7), of the Lockhart Code of Ordinances, consider a **Determination of Appropriate Zoning** for an unlisted use with regard to allowing *Community Gardens* by-right or as a specific use.
9. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
10. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 12:00 PM on the 16th day of March, 2022.






SUP-22-05

110 & 112 N MAIN ST

EXPANSION OF A BAR, &
SPECIAL EVENTS FACILITY



-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER

scale 1" = 200'

CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner
REPORT DATE: March 17, 2022
PUBLIC HEARING DATE: March 23, 2022
APPLICANT'S REQUEST: Bar and Special Events Facility
STAFF RECOMMENDATION: **Approve**
SUGGESTED CONDITIONS: None.

CASE NUMBER: SUP-22-05

BACKGROUND DATA

APPLICANT(S): Ronda Reagan
OWNER(S): Same
SITE LOCATION: 110 & 112 North Main Street
LEGAL DESCRIPTION: Part of Lot 6, Block 23, Original Town of Lockhart
SIZE OF PROPERTY: 0.0894 acre
EXISTING USE OF PROPERTY: Bar and retail shop
ZONING CLASSIFICATION: CCB

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property consists of two buildings on the east side of North Main Street. 110 North Main Street is The Pearl bar, and the adjacent 112 North Main Street is The Quirky Bird retail shop. The applicant owns both buildings and plans to expand The Pearl into the retail shop space, which will be remodeled to include seating, stage, dance floor, bar, restrooms, and a prep kitchen for caterers. A new door would be opened between the two buildings. The Pearl was previously Lilly's bar. When the name and ownership changed, the bar use was grandfathered, so the new (current) owner was not required to obtain a specific use permit, which is otherwise required in the CCB district for bars. However, the proposed expansion triggers the need to apply for an SUP for both buildings, since they will both be part of The Pearl. In addition to the bar classification, the SUP application includes a request for a special events facility, whereby the remodeled space at the 112 address would be available for rent for private parties and receptions, etc.

NEIGHBORHOOD COMPATIBILITY: The Pearl location has been a bar for many years, and is located in the central business district surrounded by other commercial establishments, including bars and restaurants that serve alcoholic beverages. The proposed special events activity would not be first use of that type downtown. We are not aware of any complaints, so it is assumed that the mix of uses is compatible and appropriate in this area.

COMPLIANCE WITH STANDARDS: Off-street parking is not required in the CCB zoning district and, because the subject buildings occupy 100 percent of the site area, there is no space on the site available for parking.

ADEQUACY OF INFRASTRUCTURE: On-street parking is available along North Main Street. The buildings are already adequately served by the necessary utilities.

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

STAFF RECOMMENDATION: Staff recommends **Approval**.

SPECIFIC USE PERMIT APPLICATION

CITY OF
Lockhart
TEXAS

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

APPLICANT/OWNER

APPLICANT NAME Ronda Reagan ADDRESS 412 W. San Antonio St
 DAY-TIME TELEPHONE 512-757-1121 Lockhart, TX 78644
 E-MAIL reagan2@gmail.com

OWNER NAME Same ADDRESS Same
 DAY-TIME TELEPHONE ''
 E-MAIL ''

PROPERTY

ADDRESS OR GENERAL LOCATION 110- 112 N. Main Street
 LEGAL DESCRIPTION (IF PLATTED) O.T. Lockhart, Block 23, Lot Pt 6, office
 SIZE .0894 ACRE(S) ZONING CLASSIFICATION CCB (Commercial Central Bus.)
 EXISTING USE OF LAND AND/OR BUILDING(S) antique shop & real estate office

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT expansion of The PEARL next door; bar/indoor entertainment facility + special events
 CHARACTERISTICS OF PROPOSED USE, INCLUDING INDOOR AND OUTDOOR FACILITIES, ANTICIPATED OCCUPANCY (NUMBER OF DWELLING UNITS, RESIDENTS, EMPLOYEES, SEATS, OR OTHER MEASURE OF CAPACITY, AS APPLICABLE), GROSS FLOOR AREA, HOURS OF OPERATION, AND ANY OTHER RELEVANT INFORMATION. ATTACH ADDITIONAL SHEETS, IF NECESSARY.

Gross Area Sq Ft = 2,044. Proposed use is expansion of The PEARL bar next door. Will have bigger stage, dance floor and some seating. Also another bar; restrooms (men & women); and walk-in cooler. Prep kitchen possible for caterers.

Ep

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

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

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

APPLICATION FEE OF \$ 125 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE *Anders Heaag*

DATE 2-28-22

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER RO1139559

DATE SUBMITTED 2/28/22

CASE NUMBER SUP - 22 - 05

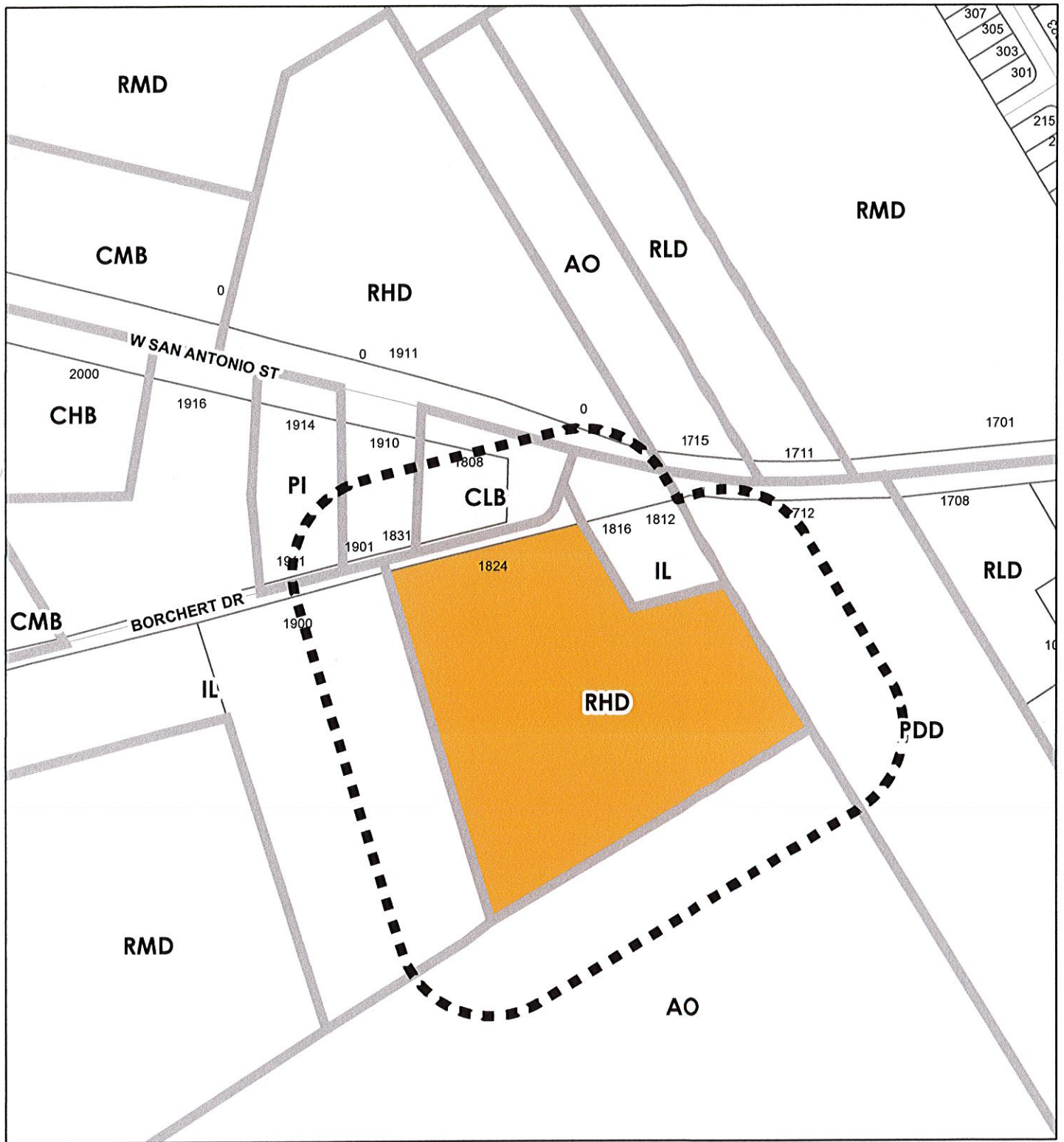
DATE NOTICES MAILED 3-7-22

DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3/23/22

DECISION _____

CONDITIONS _____



SUP-22-06

1824 BORCHERT DRIVE

MF-2 RESIDENTIAL DEVELOPMENT TYPE



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 300'

CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner
REPORT DATE: March 17, 2022
PUBLIC HEARING DATE: March 23, 2022
APPLICANT'S REQUEST: MF-2 Residential Development Type
STAFF RECOMMENDATION: **Approve**
SUGGESTED CONDITIONS: Maximum of 237 dwelling units

CASE NUMBER: SUP-22-06

BACKGROUND DATA

APPLICANT(S): Austin Pacific One, LLC
OWNER(S): Same
SITE LOCATION: 1824 Borchert Drive
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 9.902 acres
EXISTING USE OF PROPERTY: Vacant land
ZONING CLASSIFICATION: RHD

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property was rezoned to RHD Residential High Density District in October 2021, and the applicant now proposes to construct a 238-unit multifamily development on the property. The MF-1 development type allows up to 12 units per acre by-right in the RHD district. The requested MF-2 development type allows over 12 units per acre up to 24 units per acre in the RHD district subject to approval of a Specific Use Permit. The proposed 238 units on the 9.902-acre site would result in a density of 24.036 units per acre, which is slightly over 24-unit per acre maximum allowed. Reducing the number of units by one to 237 would lower the density to 23.93 units per acre, which is below the limit (if the property were at least 9.917 acres in size, the proposed 238 units would have been allowed).

NEIGHBORHOOD COMPATIBILITY: Considering the mixture of existing land uses, zoning classifications, and future land use designations on the Land Use Plan map in the area around the property, the characteristics of high density multi-family residential would not have unusual adverse impacts. Currently, the closest existing uses are a self-storage facility adjacent to the west, and a day care center across Borchert Drive to the north. A proposed duplex-condominium development has been zoned PDD (Planned Development District) on the property abutting to the east. An area of RHD zoning of similar size as the subject property is located nearby on the north side of West San Antonio Street, and it has a multifamily development currently under construction. In September 2021, the Commission approved an SUP for the MF-2 development type on that site, so the two projects will be of similar density.

COMPLIANCE WITH STANDARDS: The site plan shows slightly more than the minimum number of regular and handicapped spaces required. A privacy fence is not required around the site because there is no abutting residential zoning.

ADEQUACY OF INFRASTRUCTURE: The site plan shows one main two-way entrance from Borchert Drive, and one additional gated driveway that is exit-only on Borchert Drive. There is a stub-out for an additional exit-only driveway at the south property line for possible future connection to the abutting property when it is developed. Staff had wanted a public street through the subject property so that it could be extended into the vacant abutting property to the south since that property is so large and any development at the east end of it would be far from the nearest existing street, which is City Line Road. However, because such street is not on the City's thoroughfare plan map, it cannot be required. Instead, this applicant is simply proposing that the parking lot along the west side of the site be provided with private exit-only driveway connections to both Borchert Drive and the abutting property to the south. There is a ten-inch wastewater line and an eight-inch water line in the Borchert Drive right-of-way that will serve the subject property.

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

STAFF RECOMMENDATION: Staff recommends ***Approval*** subject to limiting the total number of dwelling units to 237 so that the development doesn't exceed the maximum allowed density of 24 units per acre.

LINDSAY SHELTON
#2508

THIS DOCUMENT IS NOT INTENDED
FOR RECORDING REGULATORY
APPROVAL OR CONSTRUCTION

ARCHITECT

SHELTON ARCHITECTURE
111 COMPTON BLVD. #4123 FORT WORTH,
TEXAS 76102-7124 | 817.332.1234

BORCHERT LOOP MULTIFAMILY
LOCKHART, TEXAS

FILE NUMBER: SITE PLAN (1: 25.75)



SITE PLAN

1 SITE PLAN
SCALE: 1" = 25'

UNIT TOTAL: 238
UNIT ACRE: 24
PARKING REQ'D (STANDARD SPACES): 538
PARKING PROVIDED (STANDARD SPACES): 538
PARKING REQ'D (HC SPACES): 11
PARKING PROVIDED (HC SPACES): 12

1. MONUMENT SIGN
2. AMENITY CENTER/APARTMENT BUILDING
3. THREE STORY APARTMENT BUILDING (24 UNITS)
4. POOL
5. COMMUNITY PANTRY
6. COMMUNITY GREEN SPACE
7. OUTDOOR FIRE PLACE
8. COMMUNITY GATHERING SPACE
9. OFFSITE DRAINAGE RETENTION
10. DOG PARK
11. PLAYGROUND
12. SAND VOLLEYBALL COURT



SPECIFIC USE PERMIT APPLICATION

CITY OF
Lockhart
TEXAS

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

APPLICANT/OWNER

APPLICANT NAME Austin Pacific One, LLC

ADDRESS 5900 Balcones Dr, St 100

DAY-TIME TELEPHONE 720-295-7368

Austin, TX 78731

E-MAIL AustinPacificInvest@Gmail.com | Vee@VeeKhuu.com

OWNER NAME Same

ADDRESS _____

DAY-TIME TELEPHONE _____

E-MAIL _____

PROPERTY

ADDRESS OR GENERAL LOCATION 1824 Borchert Dr

LEGAL DESCRIPTION (IF PLATTED) A068 Crenshaw, Cornelius, 91.05 acres Res-Southwest Subd.

SIZE 9.902 ACRE(S) ZONING CLASSIFICATION RHD

EXISTING USE OF LAND AND/OR BUILDING(S) Raw Land

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT to increase number of units allowed to ~~built~~ ^{24 units} per acre (MF-2)

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

Propose to build 238 units

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

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

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

APPLICATION FEE OF \$ 348.04 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE

Vi Khuu
Austin Pacific One, LLC
Vi Khuu

DATE Feb 23, 2022

OFFICE USE ONLY

ACCEPTED BY

Kevin Waller

RECEIPT NUMBER

ROE1139811

DATE SUBMITTED

3/1/22

CASE NUMBER SUP

22 - 06

DATE NOTICES MAILED

3-7-22

DATE NOTICE PUBLISHED

3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE

3/23/22

DECISION _____

CONDITIONS _____

Austin Pacific One, LLC
5900 Balcones Dr Ste 100,
Austin TX 78731

Feb 23rd, 2022

City of Lockhart
Planning and Zoning Commission
308 W San Antonio St.
Lockhart, TX

SUBJECT: SPECIFIC USE PERMIT APPLICATION – 1824 BORCHERT DR

Planning and Zoning Commission Members,

William Schock from Terra Associates, Inc., Robert Shelton from Shelton Architecture, and Lindsay Shelton from Shelton Architecture are my agents for the Specific Use Permit Application process on 1824 Borchert Loop Drive, Lockhart, TX, a 9.902-acre parcel (A068 Crenshaw, Cornelius, 91.05 acres Res-Southwest Subd.)

Please contact me if you have any questions.

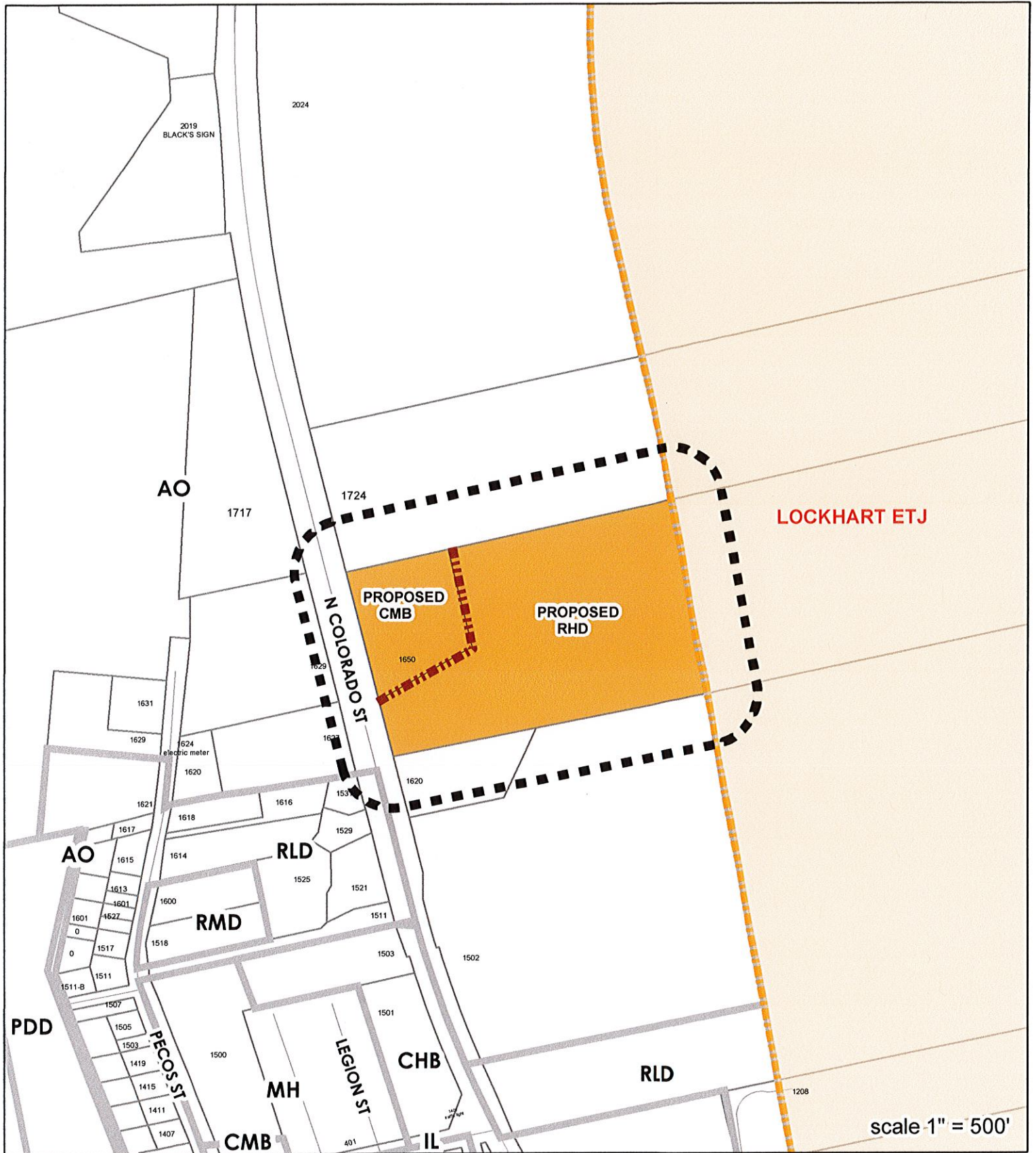
Sincerely,



Austin Pacific One, LLC by Kung Fu Capital LLC

its manager by Vi Khuu, its manager

P: 720-295-7368 | Email: Vee@VeeKhuu.com



ZC-22-09

AO TO RHD & CMB

1650 N COLORADO ST (HWY 183)



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

scale 1" = 500'

PLANNING DEPARTMENT REPORT

ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-22-09

REPORT DATE: March 18, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022

CITY COUNCIL HEARING DATE: April 5, 2022

REQUESTED CHANGE: AO to RHD and CMB

STAFF RECOMMENDATION: **Table** to a specific date.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

BACKGROUND DATA

APPLICANT: Chris Bancroft

OWNER: Alma Ewald

SITE LOCATION: 1650 North Colorado Street (US 183)

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 23.064 acres inside the city limits

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 4.529 acres of general commercial land uses along the Colorado Street frontage, and 18.535 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 27 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Low Density Residential</i>
East	Vacant land	Not zoned	<i>Agriculture/Rural Development</i>
South	Small cemetery, Vacant land	AO	<i>Public and Institutional, Light-Medium Commercial</i>
West	Sparce single-family residential, Vacant land	AO	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the north would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn lane and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are *not* consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

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

STAFF RECOMMENDATION: Once again, the City is faced with interest in development at a much higher intensity than anticipated by the Land Use Plan map, and in a location that is far from the nearest wastewater main of sufficient size. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. So, the main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Commission may take the same action by tabling this application, or can go ahead and recommend approval of the zoning change knowing that no actual development can occur without adequate wastewater service. We currently don't have an estimate of the time needed for a wastewater system study for this area, however, but by the day of the Commission meeting we may have a better idea of when the study can be completed. This is necessary to establish a date to table further consideration of this application to if the Commission prefers that option. Staff recommends that this application be **Tabled** to a specific date when more information is available regarding extension of wastewater infrastructure to the North Colorado Street area.



SCALE: 1" = 400'

0 200 400 800

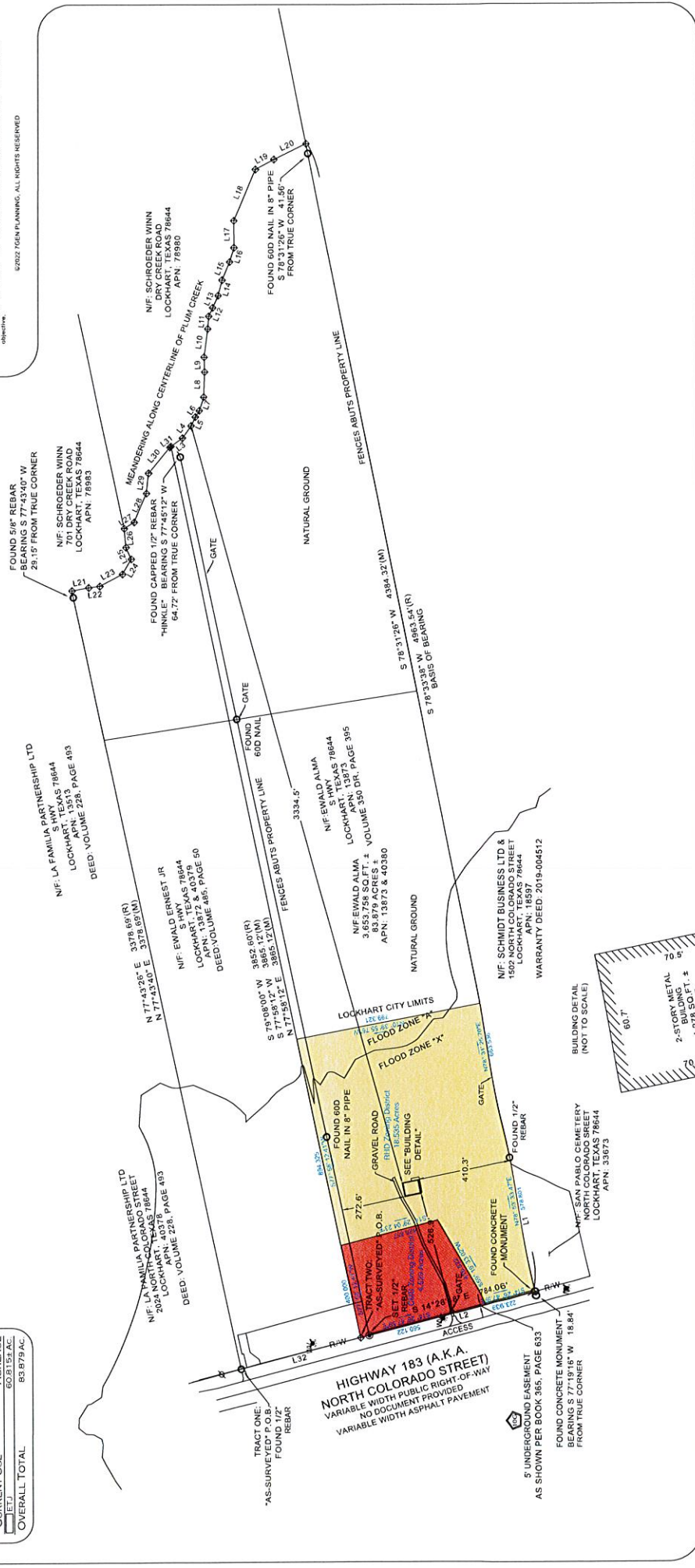
DATE: 03-02-2022

All information furnished regarding this property is from sources deemed reliable and no warranty or representation is made by 7gen Planning, LLC as to the accuracy or completeness of the information. This land plan is conceptual in nature and does not represent any other conditions. The land plan is subject to change without notice and other aspects of the plan, without notice, may be changed to conform to the map and other aspects of the plan. The land plan is subject to change without notice and other aspects of the plan, without notice, may be changed to conform to the map and other aspects of the plan.

©2022 7GEN PLANNING. ALL RIGHTS RESERVED

LAND USE SCHEDULE

PROPOSED USE	ACREAGE
LOCKHART CITY LIMITS	4.529 AC.
IRHD	18.535 AC.
SUBTOTAL	23.064 AC.
ETJ	60.815 AC.
OVERALL TOTAL	83.879 AC.



**TEXAS
MULT-FAMILY
CAPITAL**

REQUESTED REZONING BOUNDARY
1650 NORTH COLORADO STREET
LOCKHART, TEXAS 78644





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 Chris Bancroft
DAY-TIME TELEPHONE 512-705-0212
E-MAIL chris.b@texasmfc.com

ADDRESS 1515 S. Capital of Texas Hwy
Suite 405
Austin, TX 78746

OWNER NAME Alma Ewald
DAY-TIME TELEPHONE _____
E-MAIL _____

ADDRESS 1609 MEADOW LN
LOCKHART, TX 78644-3801

PROPERTY

ADDRESS OR GENERAL LOCATION 1650 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 23.06 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development
of general commercial and apartment housing

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.

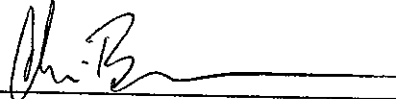
IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.

APPLICATION FEE OF \$ 611.20 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

	$\$170 + (\$20 \times 22.06) = \$611.20$
1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE



DATE

3/2/22

OFFICE USE ONLY

ACCEPTED BY



RECEIPT NUMBER

1140273

DATE SUBMITTED

3-2-22

CASE NUMBER ZC -

22 - 09

DATE NOTICES MAILED

3-8-22

DATE NOTICE PUBLISHED

3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE

3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION

CITY COUNCIL MEETING DATE

4-5-22

DECISION

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1650 N. Colorado Lockhart, TX 78644
Alma Ewald

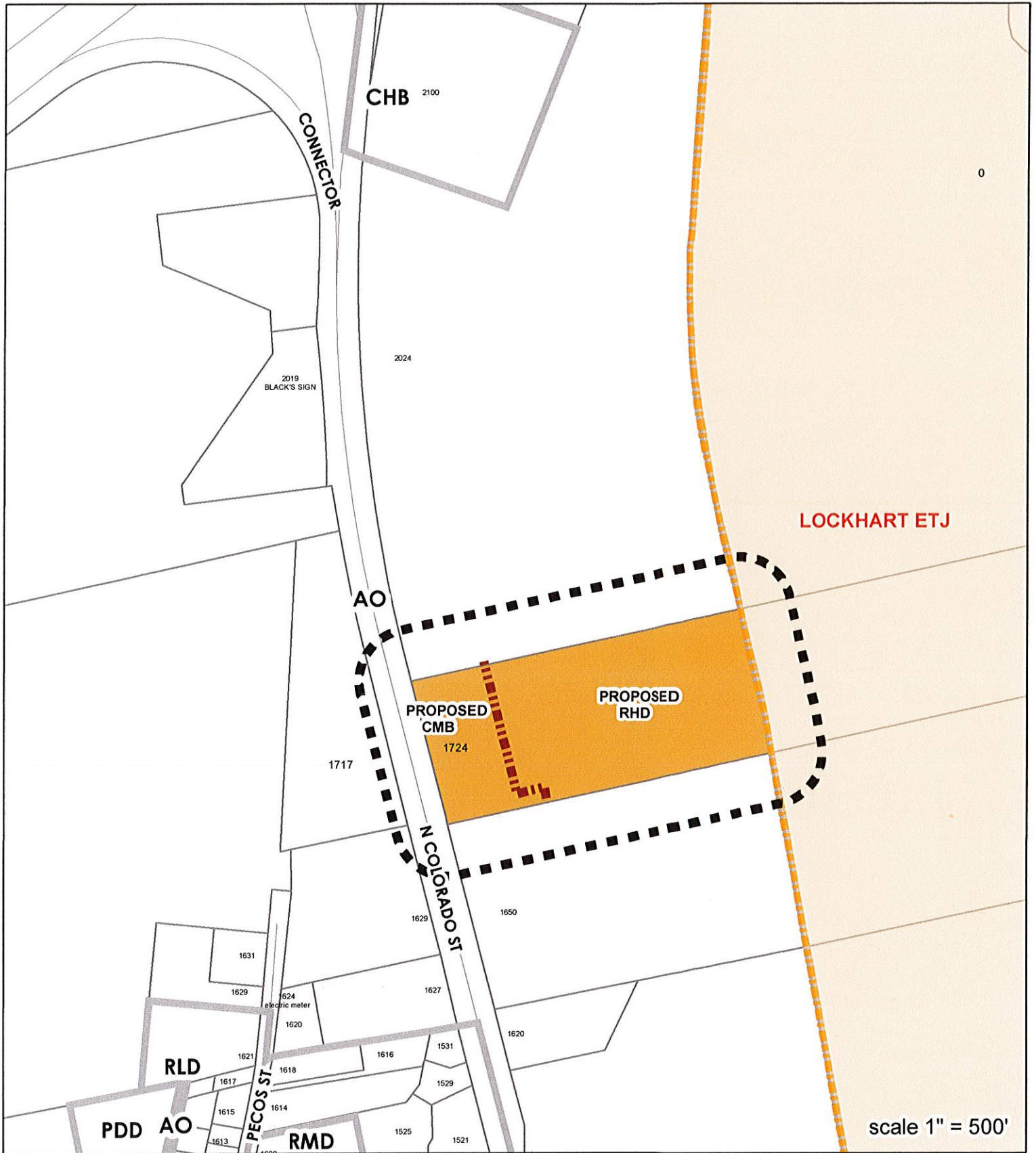
Dear Texas Multifamily Capital, LLC:

I, Alma Ewald, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my Agent to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,



Printed Name: Alma Ewald



ZC-22-10

AO TO RHD & CMB

1724 N COLORADO ST (HWY 183)



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

PLANNING DEPARTMENT REPORT

ZONING CHANGE

CASE SUMMARY

STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-22-10

REPORT DATE: March 18, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: March 23, 2022

CITY COUNCIL HEARING DATE: April 5, 2022

REQUESTED CHANGE: AO to RHD and CMB

STAFF RECOMMENDATION: **Table** to a specific date.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

BACKGROUND DATA

APPLICANT: Chris Bancroft

OWNER: Ernest Ewald, Jr.

SITE LOCATION: 1724 North Colorado Street (US 183)

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 15.906 acres inside the city limits

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 3.644 acres of general commercial land uses along the Colorado Street frontage, and 12.262 acres of apartment housing behind the commercial area. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is in the city limits, which is roughly 36 percent of the original tract. The Plum Creek floodplain slightly encroaches into the rear of the area proposed to be zoned RHD.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Low Density Residential, Medium Density Residential</i>
East	Vacant land	Not zoned	<i>Agriculture/Rural Development</i>
South	Vacant land	AO	<i>Low Density Residential</i>
West	Single-family dwelling and accessory buildings, Vacant land	AO	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The subject property currently does not abut any other residential or commercial zoning, although a concurrent zoning change request for the adjacent property to the south would result in the same RMD and CMB zoning pattern as proposed for the subject tract.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and because of the high speed limit TxDOT will likely require that the developer widen the highway to provide a center left-turn land and right turn deceleration or transition lane for any street or driveway intersections into the development. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no time-line or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development allowed by the proposed zoning district classifications. A regional impact will be additional traffic on North Colorado Street, but that is bound to occur where there is potential for additional development, and can be mitigated by a center turn lane and right-turn deceleration or transition lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CMB zoning classifications are *not* consistent with the *Low Density Residential* future land use designation shown on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: The only zoning classification that would be consistent with the Land Use Plan map is the RLD Residential Low Density District.

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

STAFF RECOMMENDATION: Once again, the City is faced with interest in development at a much higher intensity than anticipated by the Land Use Plan map, and in a location that is far from the nearest wastewater main of sufficient size. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is low density residential for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. So, the main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. A recent request for a zoning change from RMD to RHD to allow high density apartments on a site between Silent Valley Road (FM 2001) and Cesar Chavez Parkway (SH 130) was in an area designated on the Land Use Plan map as future *Medium Density Residential*. A precedent was set when the zoning change was tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Commission may take the same action by tabling this application, or can go ahead and recommend approval of the zoning change knowing that no actual development can occur without adequate wastewater service. We currently don't have an estimate of the time needed for a wastewater system study for this area, however, but by the day of the Commission meeting we may have a better idea of when the study can be completed. This is necessary to establish a date to table further consideration of this application to if the Commission prefers that option. Staff recommends that this application be **Tabled** to a specific date when more information is available regarding extension of wastewater infrastructure to the North Colorado Street area.



SCALE: 1" = 400'
 0 200 400 800
 DATE: 03/02/2022

All information furnished regarding this property is from sources deemed reliable and no warranty or representation is made by 7gen Planning as to the accuracy or completeness of the information. This land plan is prepared in accordance with the provisions of the Texas Land Surveying Act, Chapter 131, Texas Government Code, and other applicable laws, and is subject to the provisions of the Texas Land Surveying Act, Chapter 131, Texas Government Code, and other applicable laws. 7gen Planning reserves the right to make changes to this plan without notice and without liability. The client agrees to hold 7gen Planning harmless from and against all claims, damages, and other liabilities, including reasonable attorneys' fees, arising out of or from the use of this plan, whether or not such claims, damages, and other liabilities are caused in whole or in part by the negligence of 7gen Planning. This plan is prepared for the purpose of providing information and does not constitute a contract. The client agrees to hold 7gen Planning harmless from and against all claims, damages, and other liabilities, including reasonable attorneys' fees, arising out of or from the use of this plan, whether or not such claims, damages, and other liabilities are caused in whole or in part by the negligence of 7gen Planning.

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LAND USE SCHEDULE

LOCKHART CITY LIMITS	ACREAGE
PROPOSED USE	
CMB	3.644 AC.
IRHD	12.262 AC.
SUBTOTAL	15.906 AC.
ETJ	
CURRENT USE	
ETJ	27.8133 AC.
OVERALL TOTAL	43.7193 AC.



**TEXAS
 MULT-FAMILY
 CAPITAL**

REQUESTED REZONING BOUNDARY
 1724 NORTH COLORADO STREET
 LOCKHART, TEXAS 78644





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 Chris Bancroft ADDRESS 1515 S. Capital of Texas Hwy
DAY-TIME TELEPHONE 512-705-0212 Suite 405
E-MAIL chris.b@texasmfc.com Austin, TX 78746

OWNER NAME Ernest Ewald, Jr. ADDRESS PO Box 1016
DAY-TIME TELEPHONE _____ Lockhart, Tx 78644-1016
E-MAIL _____

PROPERTY

ADDRESS OR GENERAL LOCATION 1724 N. Colorado St. Lockhart, Tx 78644
LEGAL DESCRIPTION (IF PLATTED) Metes and Bounds
SIZE 15.90 ACRE(S) LAND USE PLAN DESIGNATION Residential, Low Density
EXISTING USE OF LAND AND/OR BUILDING(S) Agricultural - Open Space
PROPOSED NEW USE, IF ANY Commercial, Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO
TO PROPOSED ZONING CLASSIFICATION RHD, CMB
REASON FOR REQUEST To allow for future development
of general commercial and apartment housing

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 \$ \$468 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

	$\$170 + (\$20 \times 14.90) = \$468$
1/4 acre or less	\$125
Between 1/4 and one acre	\$150
One acre or greater	\$170 plus \$20.00 per each acre over one acre

TO THE BEST OF MY KNOWLEDGE, THIS APPLICATION AND ASSOCIATED DOCUMENTS ARE COMPLETE AND CORRECT, AND IT IS UNDERSTOOD THAT I OR ANOTHER REPRESENTATIVE SHOULD BE PRESENT AT ALL PUBLIC MEETINGS CONCERNING THIS APPLICATION.

SIGNATURE 

DATE 3/2/22

OFFICE USE ONLY

ACCEPTED BY Don Gibson

RECEIPT NUMBER 140273

DATE SUBMITTED 3-2-22

CASE NUMBER ZC- 22 - 10

DATE NOTICES MAILED 3-8-22

DATE NOTICE PUBLISHED 3-10-22

PLANNING AND ZONING COMMISSION MEETING DATE 3-23-22

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 4-5-22

DECISION _____

February 2, 2022

Texas Multifamily Capital, LLC
5900 Balcones Drive, Suite 100
Austin, Texas 78731

Subject: Entitlement of the following property ("Property")
1724 N. Colorado Lockhart, TX 78644
Ernest Ewald


Dear Texas Multifamily Capital, LLC:

I, Ernest Ewald, Jr, owner of the above referenced Property, authorize you, and more specifically **Christopher Bancroft** and **Matthew Chase**, as well as any agents and consultants appointed by you, to act as my **Agent** to submit applications, drawings, zoning changes, and other applicable documents for the purpose of obtaining approval from the City of Lockhart for a zoning change and associated permits related to the proposed purchase of the Property by you, and subsequent development by you.

Sincerely,

<i>Ernest Ewald Jr</i>	dotloop verified 02/14/22 10:50 AM CST OLQQ-RUHE-HEVN-F8UB
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Printed Name: Ernest Ewald, Jr

TO: Planning and Zoning Commission
FROM: Dan Gibson, City Planner 
SUBJECT: Community Garden use determination
DATE: March 18, 2022

City of Lockhart
MEMO

Section 64-93(c)(7) allows the Commission to make a determination of appropriate zoning or use where the use is not listed as permitted by-right or as a specific use in any zoning district. Staff has recently been contacted by an owner of vacant property that wishes to use it for a community garden. The residentially-zoned property is heavily impacted by a wide electrical easement for an overhead powerline and, therefore, is not suitable for construction of a house. The zoning ordinance currently does not list Community Garden as a use, and there doesn't appear to be another similar use listed that could be used as a guide for an administrative determination as to where community gardens should be allowed either by-right or as a specific use.

Community gardens are areas of land managed and maintained by a group of individuals to grow and harvest food crops and non-food ornamental crops for personal or group use, consumption, or donation. As such, they are a low intensity use having very little adverse impact on adjacent land uses in terms of traffic, noise, and light. They are commonly allowed in all zoning districts, either by-right or as a conditional use approved by the Planning and Zoning Commission. Requiring approval of a specific use permit provides a means to address a variety of considerations unique to each location. Storage buildings for garden tools, the use of mechanical equipment, fencing, lighting, parking, and on-site sales are example of issues that might be sensitive in some locations, but not others.

Based on staff's research of other city's regulation of community gardens, we recommend that the Commission determine that the use Community Garden be listed as permitted by-right in the AO and PI districts. Because uses listed by-right in the PI district are allowed as specific uses in all other districts (unless already listed separately as permitted by-right), this would allow community gardens anywhere in the City subject to approval of an SUP, except in the AO and PI districts where they would be allowed by-right. It should be noted that only government or school district property is zoned PI, so community gardens on properties in that district would already be heavily restricted and supervised by the jurisdiction that owns the property.

Once the Commission makes a determination, it will be enforced the same as if it were listed in the zoning ordinance. Ultimately, such determinations can be codified by amending the zoning ordinance but our practice has been to wait until there are several that can be done at once.