

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, December 14, 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 November 9, 2022, meeting.
4. ZC-22-30. Hold a PUBLIC HEARING and consider a request by Alan Balsler for a **Zoning Change** from *AO Agricultural-Open Space District* and *RLD Residential Low Density District* to *RLD Residential Low Density District* on a total of 17.228 acres in the Lockhart Byrd League, Abstract No. 17, located at 1107 Silent Valley Road (FM 2001).
5. ZC-22-31. Hold a PUBLIC HEARING and consider a request by Diane Bernal on behalf of Michael Wes Masur and Mandy Masur Holcomb, for a **Zoning Change** from *RLD Residential Low Density District* to *CMB Commercial Medium Business District*, on Lot 1, Masur Subdivision, consisting of 2.256 acres located at 1708 West San Antonio Street (SH 142).
6. As provided in Chapter 12, "Buildings and Building Regulations", Section 12-491(3), of the Lockhart Code of Ordinances for fences within the front building setback area in nonresidential zoning districts, consider a request by Robert Mendez, Sr., for approval of a four-foot high wrought-iron fence along the front property line and six-foot high wrought-iron fences along the side property lines of property zoned CLB Commercial Light Business District and located at 908 South Main Street.
7. FP-22-08. Continue consideration of a request by Bobby Ross of Doucet & Associates, on behalf of Lockhart Economic Development Corporation, for approval of a **Final Plat** for *Lockhart Industrial Park III, Section 2*, consisting of 37.82 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned IL Industrial Light District, and located in the 500 block of FM 2720. [Tabled 11-9-22]
8. PV-22-04. Consider a request by Casey Stevenson of VMP Lockhart Properties, LLC, for **Variances** 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*, and *Sections 52-31(a) and 52-205(b, d, e) to allow for the provision of utility services prior to recording the final plat*, and *Section 52-204 to allow for the recording of the final plat prior to inspection and acceptance of the public improvements by the City*, for *Lockhart Farms Addition, Phase Two*, consisting of 36.18 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned RMD Residential Medium Density District and CMB Commercial Medium Business District, located in the 2000 block of West San Antonio Street (SH 142).
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 8th day of December, 2022.

**City of Lockhart
Planning and Zoning Commission
November 9, 2022**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Manuel Oliva, Ron Peterson, Chris St. Ledger

Member Absent: Bradley Lingvai, Rick Arnic

Staff Present: Dan Gibson, David Fowler, Christine Banda

Visitors/Citizens Addressing the Commission: Crystal Nuding, Dionne Robertson, Robert Parker, Rick Vargas, Leonard Gabbay, Bobby Ross

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the October 26, 2022, meeting.

Commissioner Oliva moved to approve the October 26, 2022, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-0.

4. SUP-22-17. Hold a PUBLIC HEARING and consider a request by HMT Engineering & Surveying on behalf of Marshall Sanders for a Specific Use Permit to allow a CM-2 Residential Development Type on 1.75 acres in the James George Survey, Abstract No. 9, zoned RHD Residential High Density District and located at 202 and 204 State Park Road (FM 20).

David Fowler presented the staff report. He described the location of the subject property and how the development would relate to the surrounding neighborhood. The applicant proposed a five-building condominium complex with five two-story buildings, each having four units. Each residence would be approximately 1,200 square feet. The site plan also included a club house with a playground area. Mr. Fowler stated that he had alerted the applicant that the site plan was short of required parking and included an unnecessary right of way reserve area for FM 20. He mentioned that he had received one phone call from a nearby property owner with questions regarding the development.

Chair Ruiz opened the public hearing and asked the applicant to speak.

Chris Van Heerde of HMT Engineering and Surveying, located at 290 S. Castell Ave, New Braunfels, said he is representing Marshall Sanders who is out of the state at the moment. He stated that the project had the merit of having condo units available at a reasonable cost rather

than rental apartments. The design for the buildings were still very preliminary and no building designs were available to be shown at the meeting. He stated the complex would have high-quality amenities available to those interested living at the complex thanks to the inclusion of a clubhouse. He stated the turnaround proposed in the middle of the driveway would be sufficient for fire trucks.

Chair Ruiz asked if the applicant agreed with staff's recommended changes. Mr. Van Heerde replied yes.

Chair Ruiz asked if there was anyone else interested in speaking. With no one else wishing to speak, he closed the public hearing and asked for the staff recommendation.

Mr. Fowler recommended approval of the specific use permit with the conditions that the site plan is revised to remove the 20 foot right of way reserve to TxDOT and that the site layout is revised to provide 2.25 parking spaces per unit, resulting in a total of 45 regular parking spaces plus two accessible spaces to meet State of Texas standards.

Commissioner Oliva moved to approve SUP-22-17. Commissioner Peterson seconded, and the motion passed by a vote of 5-0.

5. ZC-22-29. Hold a PUBLIC HEARING and consider a request by Robert D. Parker for a Zoning Change from AO Agricultural-Open Space District and RLD Residential Low Density District to RMD Residential Medium Density District on a total of 17.478 acres in the Cornelius Crenshaw League & Labor, Abstract No. 68, located at 1503 West San Antonio Street (SH 142).

Mr. Fowler stated the applicant requested to rezone the subject property for residential use so that he could sell it to a developer. He described the neighboring properties and detailed how a residential development could be located on the site, including showing the two points of access that would be created through accessing existing rights-of-way. Mr. Fowler stated he had received one letter of opposition from a nearby resident.

Robert Parker of 11655 Old Lockhart Road, Creedmoor, the property owner, said his broker suggested the zoning change so the property would have a better chance of being purchased by a developer. New development on the site would increase tax revenue for the city.

Commissioner McBride asked how many homes could be built on the 17 acres.

Mr. Gibson said that the ordinance allows seven residential units per acre if developed with the SF-2 development type.

Mr. Fowler said that there could around 85 homes built on the subject property with the SF-2 development type, depending on site layout, parkland, and drainage considerations.

Chair Ruiz asked if other speakers in favor of or in opposition to the project would like to speak.

Crystal Nuding of 1314 Woodlawn said she sent the letter of opposition. She states she is against the zoning change and has concerns with drainage and the increased traffic that would result from new development. She suggested a lower zoning classification for the subject property.

Rick Vargas of 1405 W. San Antonio Street expressed his concerns with increased traffic in the area.

Leonard Gabbay of 420 W. Prairie Lea Street said he was not against the zoning request, but he is concerned with not knowing the impact the development would have on already-congested West San Antonio Street and the existing subdivision at Windridge. He suggested that Low-density residential zoning may be better suited for the property.

Dionne Robertson of 1314 Woodlawn Street said she manages a grocery store on the square and enjoys it. She moved here four years ago and has seen the increase in traffic along W. San Antonio Street and would like the Commission to slow down development and preserve Lockhart's rural feel.

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

Mr. Fowler stated that staff recommends approval of the requested RMD zoning on the grounds that the zoning is consistent with the adjacent Windridge Subdivision and other new subdivisions north of San Antonio Street.

Chair Ruiz noted that the Staff Report included an Alternative Classification of Residential Low Density (RLD) district. Mr. Fowler stated that the Alternative Classification was included because the RLD district is consistent with the property's Low Density Residential designation on the Future Land Use map.

Commissioner McBride moved to recommend the Alternative Classification of RLD zoning approval for ZC-22-29 to City Council. Commissioner St. Ledger seconded, and the motion passed by a vote of 4-1 with Commissioner Oliva in opposition.

6. FP-2-08. Consider a request by Bobby Ross of Doucet & Associates, on behalf of Lockhart Economic Development Corporation, for approval of a Final Plat for Lockhart Industrial Park III, Section 2, consisting of 37.82 acre in the Cornelius Crenshaw Survey, Abstract No. 68, zoned IL Industrial Light District, and located in the 500 block of FM 2720.

Mr. Gibson passed out a letter from the City Manager stating that there is a new owner of the property included in the plat. The ownership change means the applicant's engineer needed additional time to review the final plat before submittal. Mr. Gibson stated the plat as proposed would have four lots; three proposed for industrial use and one would be a dedicated drainage lot. A new internal street would be created, to be named DeWitt Street, which would have access from FM 2720. In addition, a hike and bike trail will be constructed along the SH 130 frontage. Mr. Gibson suggested that a minimum 25-foot by 25-foot temporary turnaround easement should be shown and labeled on the plat at the northwest corner of Lot 3, Block C, at the east end of DeWitt Street. This turnaround would expire upon the future extension of DeWitt Street to the adjacent property to the east. He recommended that the plat be tabled until the next meeting.

Chair Ruiz asked for the applicant to speak.

The applicant, Bobby Ross of Doucet and Associates, stated that Phase One would have an amending plat submitted with the turnaround included. He said the new owner would like to see a larger drainage lot, so some lot lines would change. The tabling of the item would allow the applicant more time to work on the changes before final submittal.

Mr. Gibson read the letter submitted by the City Manager acting on behalf of LEDC requesting to table the item to the Commission's December 14th meeting date.

Commissioner Oliva moved to table FP-22-08 until the 12-14-2022 meeting date. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-0.

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

Dan Gibson announced that the Commission's next regular meeting date would be December 14th and that applications have been received to be heard at that meeting.

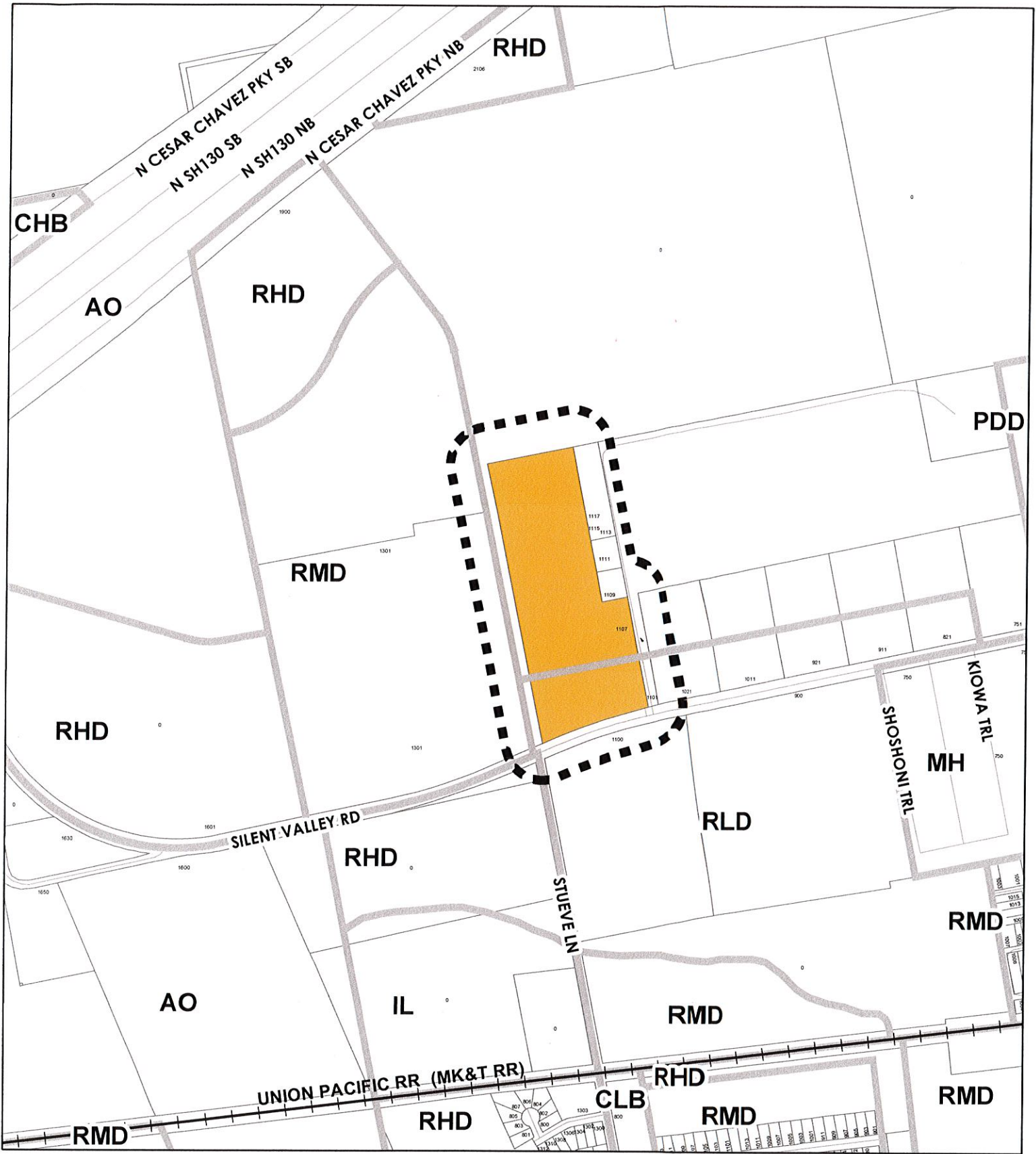
8. Adjourn

Commissioner Peterson moved to adjourn, and Commissioner St. Ledger seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:53 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



ZC-22-30

AO & RLD TO RLD

1107 SILENT VALLEY RD



scale 1" = 700'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



VETERAN ST

PECOS ST

SILENT VALLEY PK

VEGA ST

KIOWA TRL

TONKAWA TRL

SHOSHONI TRL

CASI

STUEVE LN

UNION PACIFIC RR (MK&TERR)

HORSESHOE RD

SILENT VALLEY RD

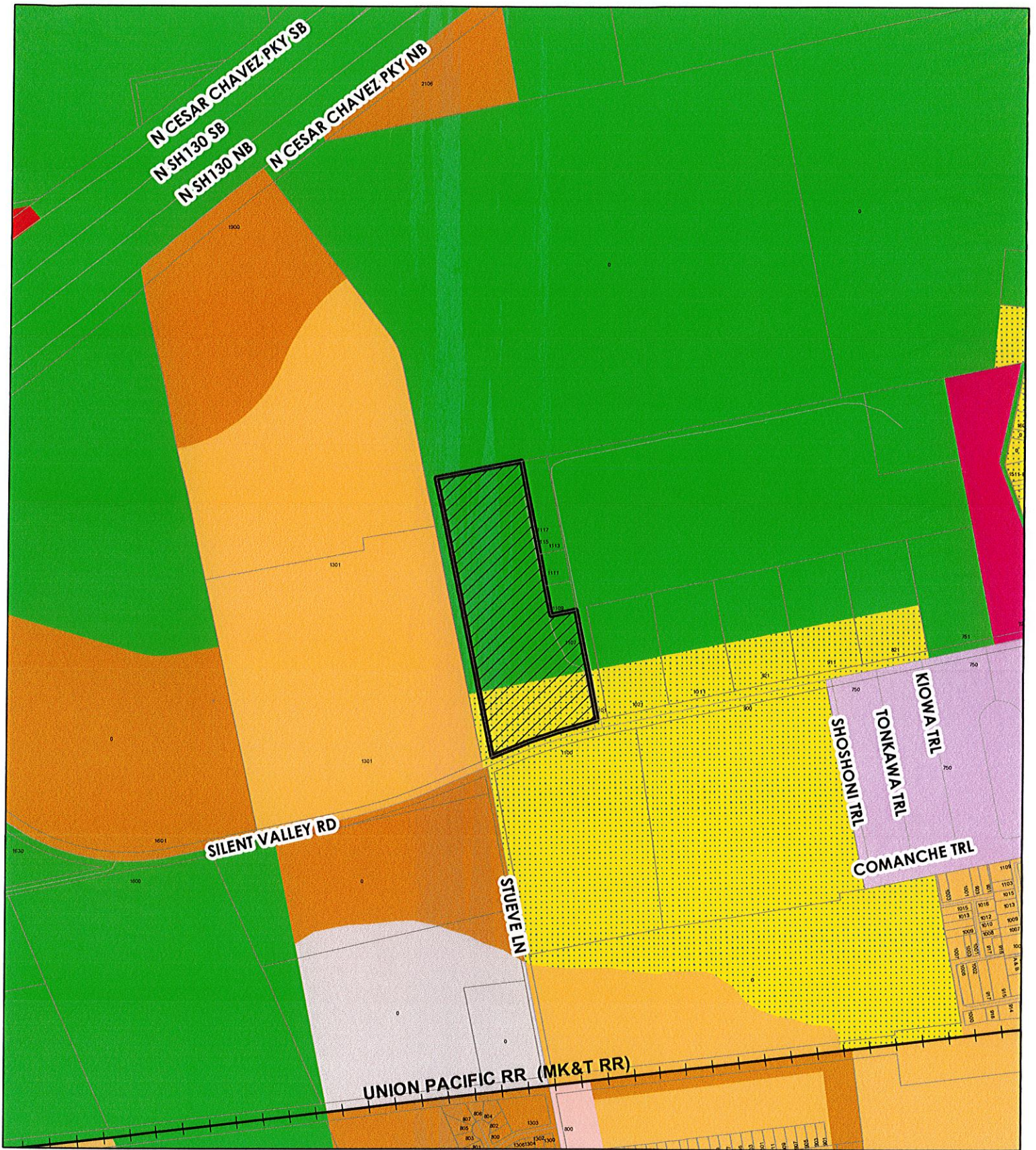
N SH130 NB

N SH130 SB

N GEAR CHAVEZ PKY NB

N GEAR CHAVEZ PKY SB





ZC-22-30

AO & RLD TO RLD

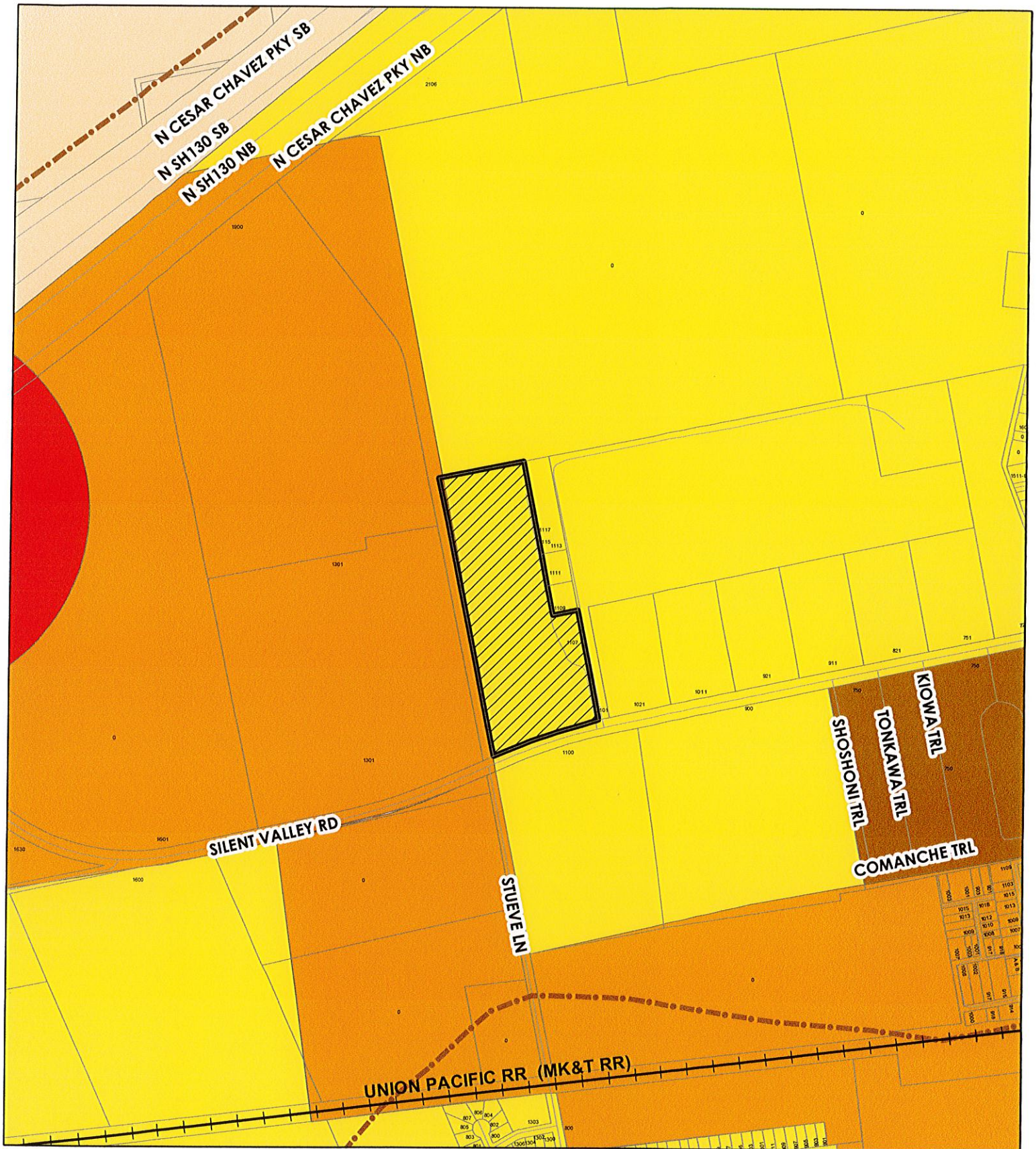
1107 SILENT VALLEY RD



scale 1" = 700'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- INDUSTRIAL LIGHT
- MANUFACTURED HOME
- PLANNED DEVELOPMENT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO & RLD TO RLD

1107 SILENT VALLEY RD



scale 1" = 700'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY
- HIKE/BIKE TRAIL

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-30

REPORT DATE: December 8, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: December 14, 2022

CITY COUNCIL HEARING DATE: December 20, 2022

REQUESTED CHANGE: AO and RLD to RLD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

BACKGROUND DATA

APPLICANT: Alan Balsler

OWNER: Alan Balsler

SITE LOCATION: 1107 Silent Valley Road

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 17.228 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant proposes to rezone the subject property to allow development of the property as a single-family residential subdivision. The current AO zoning on most of the site allows single-family dwellings, but only on lots of one acre or larger, while the RLD zoning on the remainder of the site allows residential lots of 8,500 square feet or larger. The applicant has applied for the Residential Low Density (RLD) district to make the entire property's zoning consistent and to match the Future Land Use designation for the property.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	AO	<i>Low Density Residential</i>
East	Single-family residential, Vacant land	RLD, AO	<i>Low Density Residential</i>
South	Agricultural/vacant land	RLD, RHD	<i>Low Density Residential, Medium Density Residential</i>
West	Agricultural/vacant land	RMD	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: With the exception of RMD and RHD areas to the west or southwest, all the parcels abutting the subject property to the east, west, and north are either RLD or AO. The areas to the west and southwest have higher-density residential zoning due to plans for development that would take advantage of that area's proximity to SH 130

ADEQUACY OF INFRASTRUCTURE: The property is served by Silent Valley Road (FM 2001) and the property lies immediately east of the planned Stueve Lane extension. Adequate City water service is currently available via a 12-inch water line in the Silent Valley Road right-of-way. Wastewater service would require the building of a main line along the railroad tracks, connecting to an extension northward to Silent Valley Road. The impact fee CIP includes a future 12-inch sewer main that would serve the area, but the recent capacity study recommends a 24-inch main along the railroad track and an 18-inch line along Stueve Lane. The timing of the project and the precise amount of developer participation required to serve the subject property has not been determined.

POTENTIAL NEIGHBORHOOD IMPACT: A residential subdivision on the subject site would likely have connections to Silent Valley Road and the future Stueve Lane extension which is adjacent to the west. The property abuts three other residential properties which are accessed via Meadow Lane Drive, which is not a dedicated street, but is a private road in an access easement located entirely within the subject parcel.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RLD zoning is consistent with the *Low Density Residential* designation on the Land Use Plan map.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: None received 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 Alan Balser

ADDRESS 11166 Lawnhaven Rd.

DAY-TIME TELEPHONE 214-368-8025

Dallas, TX 75230

E-MAIL awb@palaura.com

OWNER NAME Alan Balser

ADDRESS 11166 Lawnhaven Rd.

DAY-TIME TELEPHONE 214-368-8025

Dallas, TX 75230

E-MAIL awb@palaura.com

PROPERTY

ADDRESS OR GENERAL LOCATION 1107 Silent Valley Road

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

SIZE 17.228 ACRE(S) LAND USE PLAN DESIGNATION _____

EXISTING USE OF LAND AND/OR BUILDING(S) AO & RLD

PROPOSED NEW USE, IF ANY Single-family housing

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO & RLD

TO PROPOSED ZONING CLASSIFICATION RLD

REASON FOR REQUEST To permit single-family subdivision

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 \$ 494.56 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 Bulson

DATE 10/27/2022

OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER 201185467

DATE SUBMITTED 11/1/2022

CASE NUMBER ZC - 22 - 30

DATE NOTICES MAILED 11-28-2022

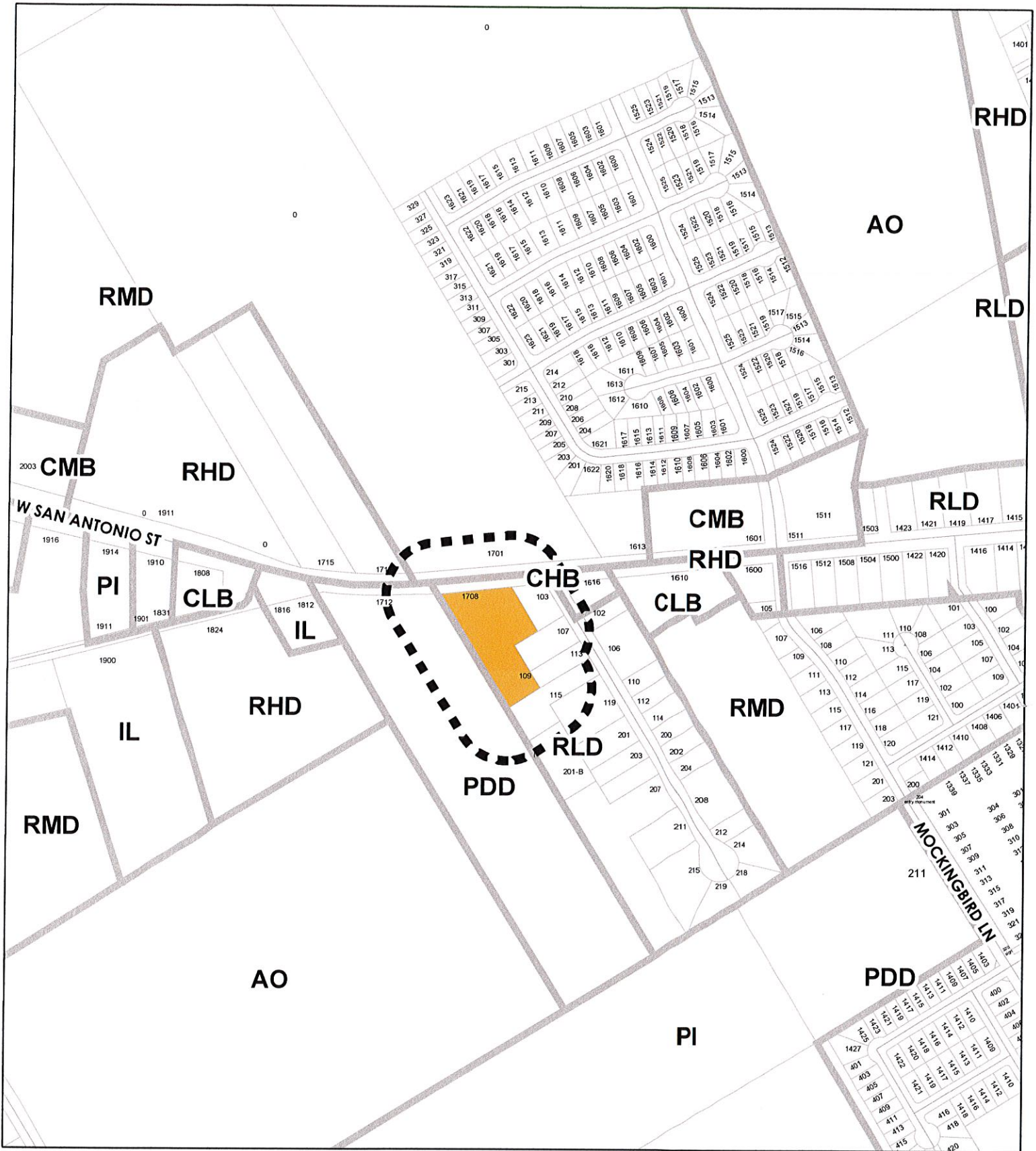
DATE NOTICE PUBLISHED 12-1-2022

PLANNING AND ZONING COMMISSION MEETING DATE 12/14/2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 12-20-2022

DECISION _____






ZC-22-31

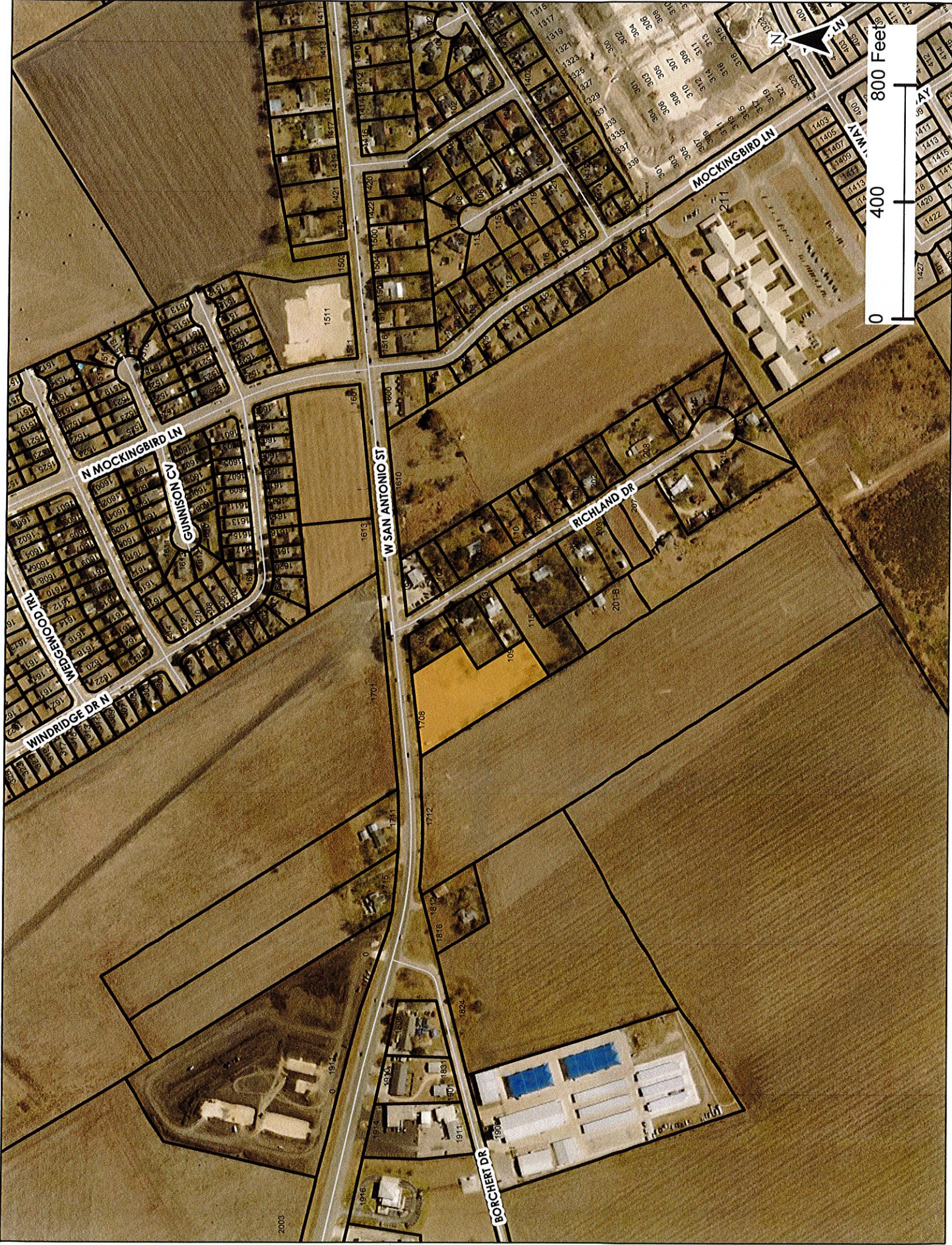
RLD TO CMB

1708 W SAN ANTONIO ST

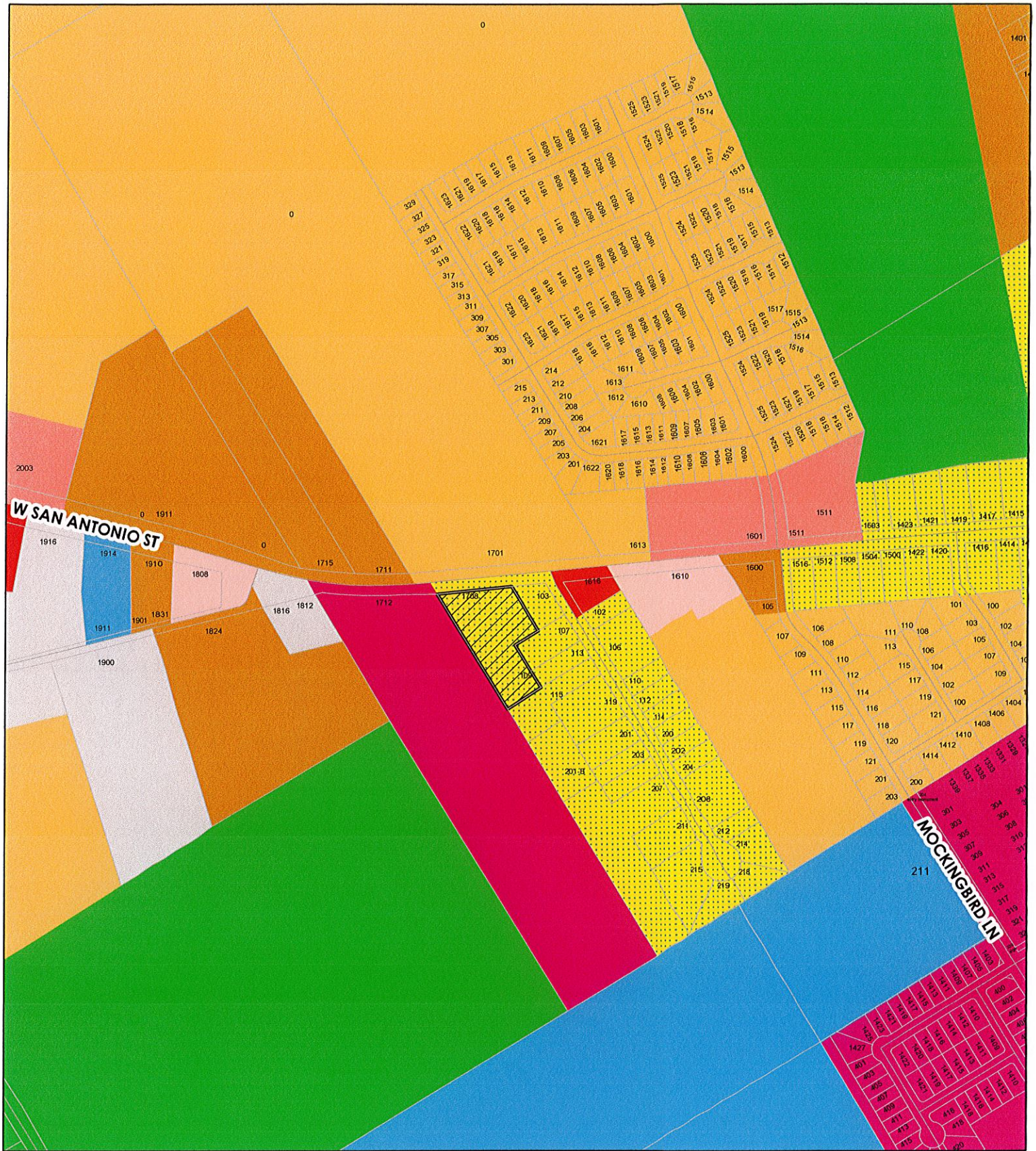


scale 1" = 500'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER



2003



ZC-22-31

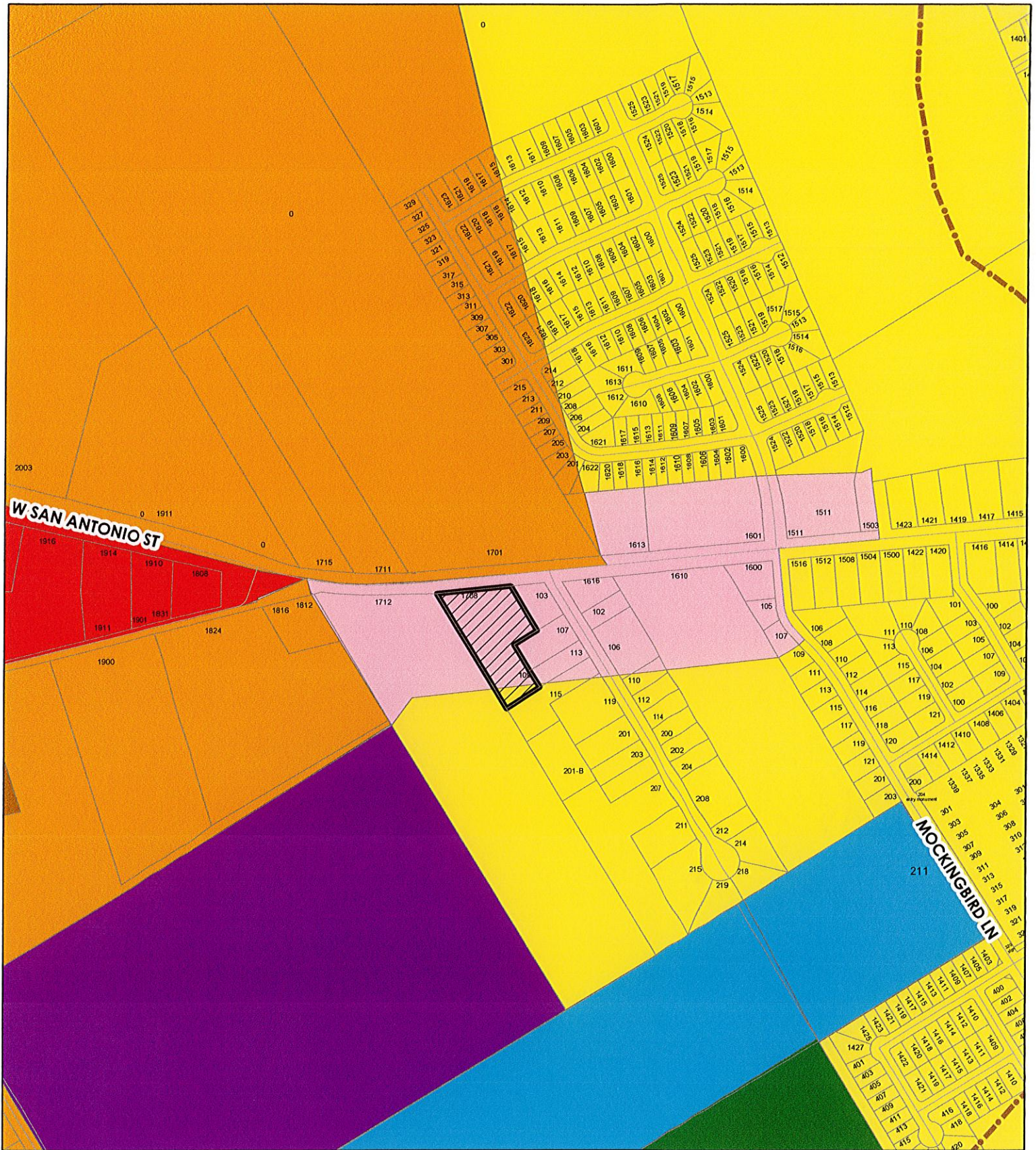
RLD TO CMB

1708 W SAN ANTONIO ST



scale 1" = 500'

- ZONING DISTRICTS**
- AGRICULTURAL-OPEN SPACE
 - COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - INDUSTRIAL LIGHT
 - PLANNED DEVELOPMENT
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

RLD TO CMB

1708 W SAN ANTONIO ST



scale 1" = 500'

- GENERAL-HEAVY COMMERCIAL
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY
- HIKE/BIKE TRAIL

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-31

REPORT DATE: December 8, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: December 14, 2022

CITY COUNCIL HEARING DATE: December 20, 2022

REQUESTED CHANGE: RLD to CMB

STAFF RECOMMENDATION: *Approval*

PLANNING AND ZONING COMMISSION RECOMMENDATION: *Pending*

BACKGROUND DATA

APPLICANT: Diane Bernal/Kumar Savitala

OWNER: Michael Wes Masur/Mandy Masur Holcomb

SITE LOCATION: 1708 West San Antonio Street

LEGAL DESCRIPTION: Masur Addition, Lot 1

SIZE OF PROPERTY: 2.248 acres

EXISTING USE OF PROPERTY: Vacant

LAND USE PLAN DESIGNATION: *Light-Medium Commercial*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The applicant is interested in developing a commercial or mixed use (commercial and residential) center. Only single-family detached development is allowed by the existing RLD zoning.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-Family Residential	RMD, RHD	<i>Medium Density Residential</i>
East	Single Family Residential, Commercial	RLD, RHD	<i>Light-Medium Commercial</i>
South	Single-Family Residential,	RLD	<i>Low Density Residential</i>
West	Duplex Residential PD	PD	<i>Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: Nearby developed areas are largely residential, with either RLD, RMD, or RHD zoning, with the exception of a PDD-zoned duplex condominium project immediately to the west. There are several nearby commercial parcels fronting West San Antonio Street that have the requested RLD zoning. The nearby garage at the corner of Richland and West San Antonio is zoned CHB, but that is not typical of commercial parcels in the area until one travels further west, nearing the intersection of West San Antonio Street and SH 130.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from West San Antonio Street (SH 142). Water is available along the property’s northern boundary, whereas wastewater is available on the north side of West San Antonio Street.

POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is mostly a combination of single-family uses, with some commercial uses and multifamily uses nearby. Because of the parcel's size and location fronting on West San Antonio Street, it is not well suited for new single-family residential development. If the zoning change is approved, any structures built on the parcel would have a required 20-foot side setback from the residentially-zoned properties to the east.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CMB zoning classification is consistent with the property's *Light-Medium Commercial* future land use designation. The property's location along the West San Antonio Street frontage will make the proposed zoning consistent with the commercial corridor shown along the south side of West San Antonio Street on the future land use map.

ALTERNATIVE CLASSIFICATIONS: None.

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 Kumar Savitala / Diane Bernal ADDRESS 11917 OAK KNOLL DR., STE. C
DAY-TIME TELEPHONE 512-363-2728 / 512-215-1433 AUSTIN, TEXAS 78759
E-MAIL kumarsavitala@gmail.com / dianejbernal@gmail.com

OWNER NAME Michael Wes Masur / ADDRESS 825 CATFISH LN
Mandy Masur Holcomb LOCKHART, TX 78644-4639
DAY-TIME TELEPHONE 512-376-8096
E-MAIL kumar.savitala@gmail.com

PROPERTY

ADDRESS OR GENERAL LOCATION 1708 W. San Antonio, Lockhart, Texas 78644
LEGAL DESCRIPTION (IF PLATTED) MASUR ADDITION, LOT 1, ACRES 2.248
SIZE 2.248 ACRE(S) LAND USE PLAN DESIGNATION LIGHT-MEDIUM COMMERCIAL
EXISTING USE OF LAND AND/OR BUILDING(S) Vacant / Undeveloped
PROPOSED NEW USE, IF ANY Commercial / Retail

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Residential Low Density
TO PROPOSED ZONING CLASSIFICATION Commercial Medium Business District (CMB)
REASON FOR REQUEST Proposal of mixed use retail and office use (vertical mixed use)

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 \$ 194.96 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 DAVE BERNAL

DATE November 10, 2022

OFFICE USE ONLY

ACCEPTED BY David Fowler

RECEIPT NUMBER 01187655

DATE SUBMITTED 11/10/22

CASE NUMBER ZC - 22 - 31

DATE NOTICES MAILED 11-28-2022

DATE NOTICE PUBLISHED 12-1-2022

PLANNING AND ZONING COMMISSION MEETING DATE 12-14-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 12-20-2022

DECISION _____

September 28, 2022

Development Services Department
City of Lockhart
308 W. San Antonio St.
Lockhart, Texas 78644

Re: 1708 W. San Antonio / Zoning Request

Dear Development Services:

As property owners of the sites identified as MASUR ADDITION, LOT 1, ACRES 2.248 (CCAD 86554), locally addressed as 1708 W. San Antonio Street, Lockhart, Caldwell County, Texas, am authorizing the following consultant as the authorized agents for a proposed zoning change and future development that will also require meetings with City staff to discuss the proposed zoning change and development of the property.

Authorized Agent 1: Kumar Savitala (512-363-2728, kumarsavitala@gmail.com).

Authorized Agent 2: Diane Bernal (512-215-1433, dianejbernal@gmail.com).

The total acreage of 2.248 will be proposed as commercial use in anticipation of future retail and office use as per the City of Lockhart Code of ordinances Chapter 64, Article VII.

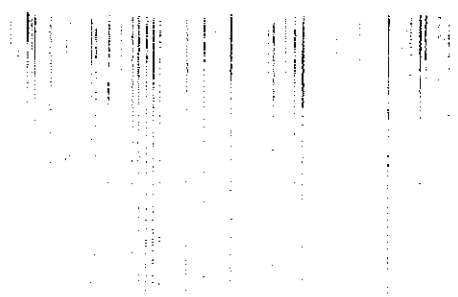
The development will fall under the jurisdiction of the City of Lockhart.

If there are any questions regarding the applications for zoning and the ancillary supporting documents, please contact the authorized agents for the project, Kumar Savitala (512-363-2728 / kumarsavitala@gmail.com) or Diane Bernal (512-215-1433 / dianejbernal@gmail.com) at any time.

Sincerely,

DocuSigned by:
Michael Wes Masur 9/28/2022
19D084EEFE484E9
Michael Wes Masur
Property Owner 1708 W. San Antonio St.
512-376-8886
wes.masur@tpwd.texas.gov

DocuSigned by:
Mandy Holcomb 9/28/2022
9F8FA068E9F1471
Mandy Masur Holcomb
Property Owner 1708 W. San Antonio St.
512-376-1700
Mandy.Holcomb@tpwd.texas.gov





908 S MAIN ST

ALLOW A 4 FT IRON ROD FENCE IN THE FRONT YARD IN CLB DISTRICT



- Subject Property
- Zoning Boundary

scale 1" = 200'

CITY OF

Lockhart

TEXAS

(512) 398-3461 • FAX (512) 398-5103
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

TO: Planning and Zoning Commission
FROM: David Fowler, Senior Planner
SUBJECT: Agenda Item #6, Fence in front yard
DATE: December 8, 2022

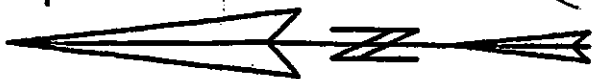
Section 12-491(3) of the Lockhart code of Ordinances (fence ordinance) requires that any fences in the minimum required front yard (building setback area) of a property having a nonresidential zoning classification must be reviewed and approved by the Planning and Zoning Commission. The maximum fence height allowed is eight feet, and no more than 50 percent of the fence elevation can block the view through the fence.

The property, located at 908 South Main Street, is zoned CLB, Commercial Light Business, as is the property to the north, which is also a single-family residence. Other than the two properties, most of the adjacent blocks of South Main Street are zoned RMD, Residential Medium Density District. The subject property contains a single-story house of just over 1,500 square feet with an attached carport, a covered porch, and two storage/utility structures. The subject property shares a property line with the Texas Hatters commercial property addressed at 911 South Commerce Street and abuts that business's rear driveway to Main Street. The subject property has a wood fence abutting part of the Texas Hatters property, continuing along the property's boundary with Texas Oil Express and covering half of the boundary with the house at 902 South Main Street.

The proposed fence, which was constructed without a permit, is a four-foot-tall wrought iron fence along the front property line of the house with an arched gate that is five feet in height. A six-foot wrought iron fence has been installed along the side lot lines, terminating where the wood fences begin, approximately ten feet behind the front elevation of the house.

Staff recommends approval of the four-foot-tall wrought iron front yard fence with gate and the six-foot fence located along the side lot lines at 908 South Main Street, as the proposed fences are within the height limitations found in Section 12-491(3) of the Code of Ordinances.

Scale
1" = 30'



Schawe Tract
V. 196/P. 27
ORCC

Hodge Tract
V. 461/P. 208
ORCC

Lot 1

(S 10°00'00"E - 113.55')
S 11°26'35"E 113.59'

N 78°35'58"E 223.43'
1/2" IR Found

Lot 2
0.337 Acres

New 6' wrought iron

New 4' wrought iron

6' Wood fence

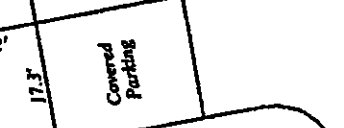
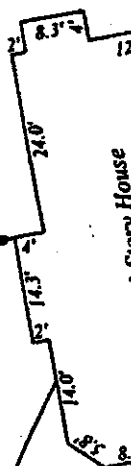
New 6' wrought iron

N 78°42'15"E 129.11'
(N 80°04'33"E - 129.28')

S 78°36'10"W 129.38'
(S 80°00'00"W - 129.41')

N 11°18'32"W 113.81'
(N 09°55'55"W - 113.72')

South Main Street



Driveway

gate

25' Building Line

Sidewalk

Legend

ORCC
Official Records of Caldwell County

Lot 1, Block 1
Gammage Subdivision

Bobby Mendez

908 S. Main St.; Lockhart, TX 78644

P. 512.995.1136

mendezhomescustom@gmail.com

To the City of Lockhart:

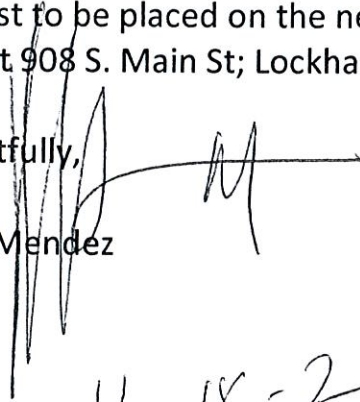
RE: Zoning Fence at 908 S. Main St.; Lockhart, TX 78644

Whom it may concern,

I request to be placed on the next planning and zoning meeting agenda for my fence at 908 S. Main St; Lockhart, TX 78644.

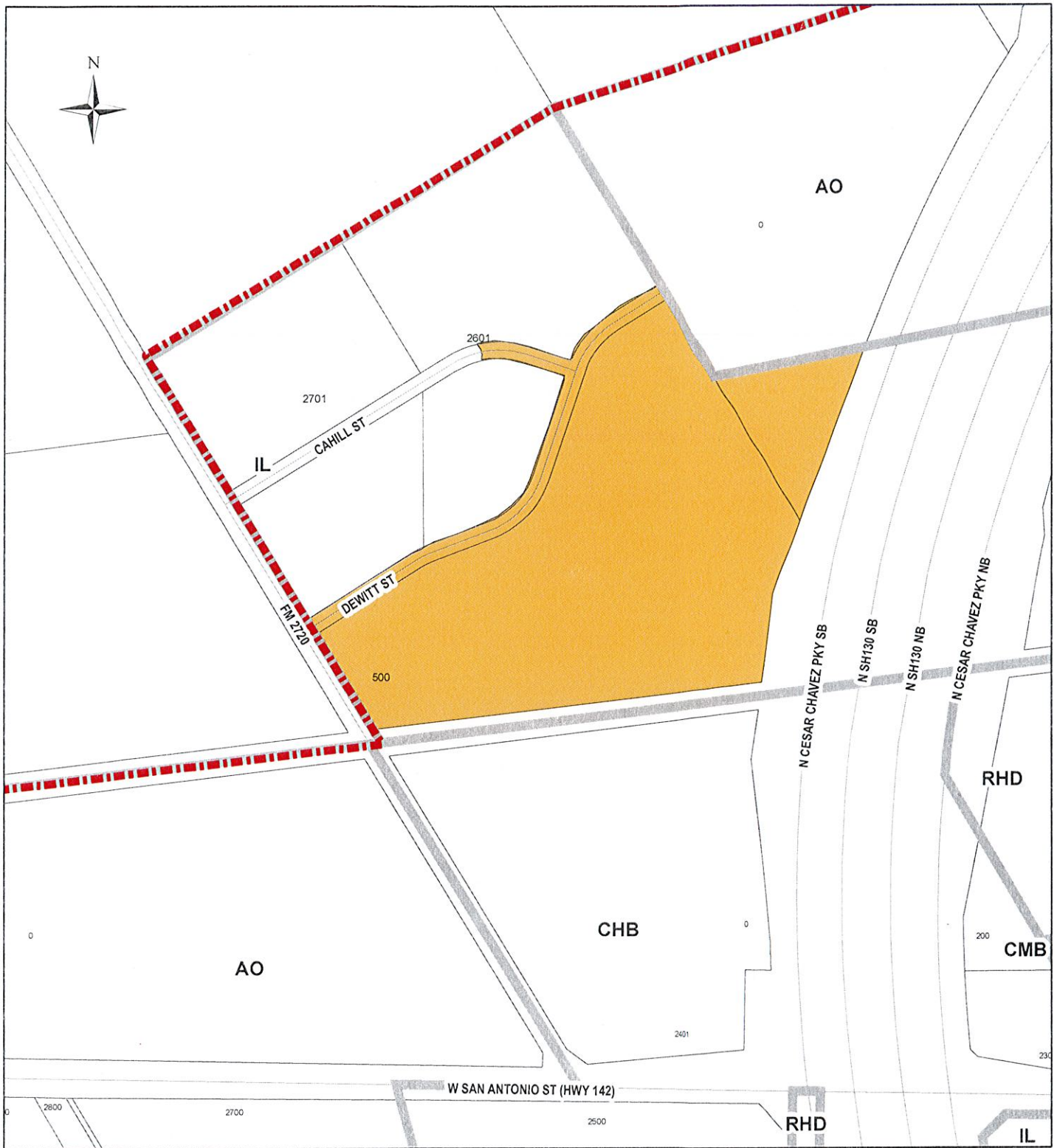
Respectfully,

Bobby Mendez



11-18-22

COPY



FP-22-08

LOCKHART INDUSTRIAL PARK III SECTION 2

500 FM 2720

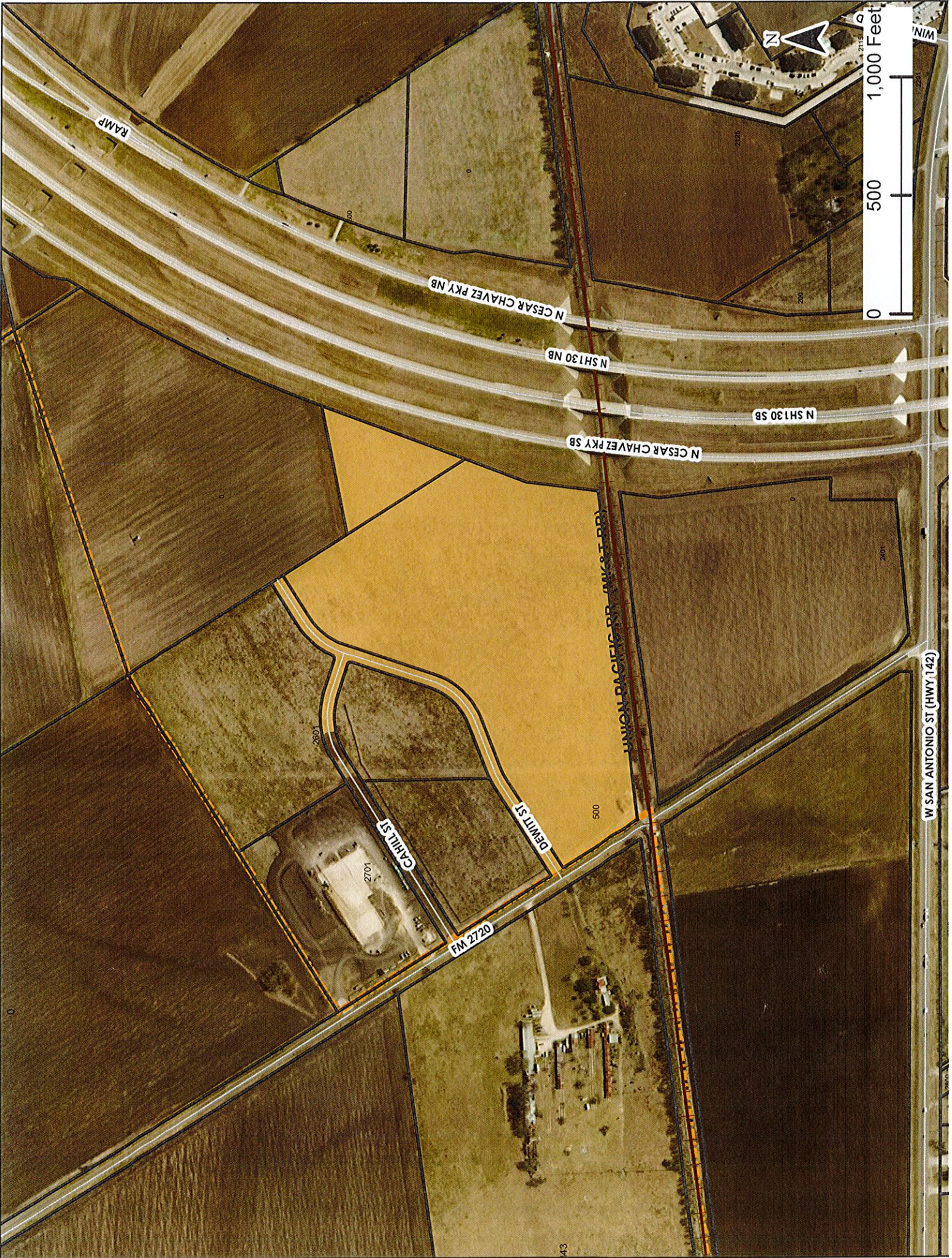
FINAL PLAT

 SUBJECT PROPERTY

 ZONING

 LOCKHART CITY LIMITS

scale 1" = 500'



RAMP

N CESAR CHAVEZ PKY NB

N SH130 NB

N SH130 SB

N CESAR CHAVEZ PKY SB

UNION PACIFIC RR (AKA T-RR)

W SAN ANTONIO ST (HWY 142)

GALLIS ST

DEWITT ST

FM 2720

2801

2701

500

2001

200

2125

0 500 1,000 Feet

N

43

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*
REPORT DATE: November 3, 2022 [updated December 7, 2022]
PLANNING & ZONING COMMISSION DATE: December 14, 2022
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: FP-22-08

BACKGROUND DATA

ENGINEER: Keith Schauer, P.E., Doucet & Associates
SURVEYOR: Chris Terry, P.L.S., Doucet & Associates
OWNER: Steven Lewis, President, Lockhart Economic Development Corporation
SITE LOCATION: The 500 Block of F.M. 2720
SUBDIVISION NAME: **Lockhart Industrial Park III Section 2**
SIZE OF PROPERTY: 37.820 acres
NUMBER OF LOTS: Three industrial lots and one drainage lot
EXISTING USE OF PROPERTY: Vacant / Seasonal Agricultural Use
ZONING CLASSIFICATION: IL (Industrial Light) District

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: On August 25, 2021, the Commission approved the Preliminary Plat for Lockhart Industrial Park III and the Final Plat for Section 1, both of which included revised configurations from earlier approvals. The current proposal is for the Final Plat for Section 2, located at the northeast corner of F.M. 2720 and the Union Pacific Railroad right-of-way, with the City limits bordering the property along its southwest boundary. Of the four proposed lots, three are for industrial use, and one is to be a dedicated drainage lot. The development will be served by one internal street, DeWitt Street, which accesses F.M. 2720 to the west. Another internal street, Cahill Street, does not front along the proposed lots, but will provide indirect access to Section 2 from Section 1 to the north. Although the subject property has frontage along S.H. 130 / North Cesar Chavez Parkway Southbound at its east boundary, the steep grade between the roadway and the property precludes access from that road. Sidewalks will be constructed along both sides of DeWitt and Cahill Streets, and along the property's F.M. 2720 frontage. In addition, a Hike and Bike Trail will be constructed along the S.H. 130 frontage, in accordance with the City's Sidewalk and Trail Plan.

NEIGHBORHOOD COMPATIBILITY: The properties to the north of the subject property include those within Section 1, one of which was recently developed, with the others anticipated to be developed soon. S.H. 130 is located to the east of the subject property. To the south, across the Union Pacific Railroad right-of-way, is an undeveloped parcel in seasonal agricultural use. Across F.M. 2720 to the west is a property in agricultural and rural residential use, outside the City limits. Due to the subject property's location adjacent to SH 130 in an area of primarily agricultural use, the proposed industrial development is not expected to present adverse impacts to the surrounding area.

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

COMPLIANCE WITH STANDARDS: The proposed subdivision complies with all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, and stormwater detention. As noted in the attached letter dated October 13, 2022, the City Engineer has approved the engineering plans.

CONCURRENT VARIANCES REQUESTED: None



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

October 13, 2022

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

**RE: Lockhart – Industrial Park III Section II
Engineering Plan Review**

Dear Dan:

TRC received the following items for the above referenced project submitted by Doucet & Associates, Inc. on October 06, 2022:

1. Civil Construction Plans.
2. Other supporting files submitted with the construction plans: Drainage Report.

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

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

Approval of the construction plans is contingent upon providing approval from TxDOT for the proposed improvements along FM 2720 within TxDOT ROW, once received. Any proposed improvements related to the TxDOT ROW to include, but not limited to sidewalks, driveways, culvert, channel improvements, and stormwater conveyance shall not commence until TxDOT approval has been received.

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

Sincerely,

A handwritten signature in blue ink that reads "William A. Wachel".

William Wachel, P.E.
Deputy Director
Design Management Services

CC: J. Keith Schauer, P.E., Doucet & Associates, Inc.
Bobby Ross, EIT, CFM., Doucet & Associates, Inc.

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 Christopher W. Terry, RPLS
DAY-TIME TELEPHONE 512-583-2600
E-MAIL cterry@doucetengineers.com

ADDRESS 7401 B HWY 71 West Ste 160
Austin, TX 78644

ENGINEER NAME Keith Schauer, PE
DAY-TIME TELEPHONE 512-851-1740
E-MAIL KSchauer@doucetengineers.com

ADDRESS 829 N. Saint Joseph Street
Gonzales, Texas 78629

OWNER NAME Lockhart Economic Development
DAY-TIME TELEPHONE 512-749-5262
E-MAIL mkamerlander@lockhart-tx.org

ADDRESS 215 E Market St
Lockhart, TX 78644

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Lockhart Industrial Park III - Section Two

ADDRESS OR GENERAL LOCATION Between FM-2720 and SH-130 , North of U.P. Railroad Crossing

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 37.82 ACRE(S)

PROPOSED NUMBER OF LOTS 3 industrial
1 drainage lot
4 detail lots

ZONING CLASSIFICATION(S) Light-Industrial

PROPOSED USE OF LAND Light-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 can be voluntarily extended for an additional 30 days upon mutual agreement by the applicant and the City. 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  Digitally signed by Bobby Ross
DN: cn=Bobby Ross, o=Doucet, ou=PWWR,
email=bross@doucetengineers.com, c=US
Date: 2022.06.24 15:54:12 -0500

DATE 06-24-2022

PRINTED NAME Bobby Ross

TELEPHONE 512-557-7876

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) N/A 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 Kevin Waller

RECEIPT NUMBER R01163661

DATE SUBMITTED 6/30/22

CASE NUMBER FP 22-08

DATE APPLICATION IS DEEMED COMPLETE 7/14/22

DATE NOTICES MAILED _____

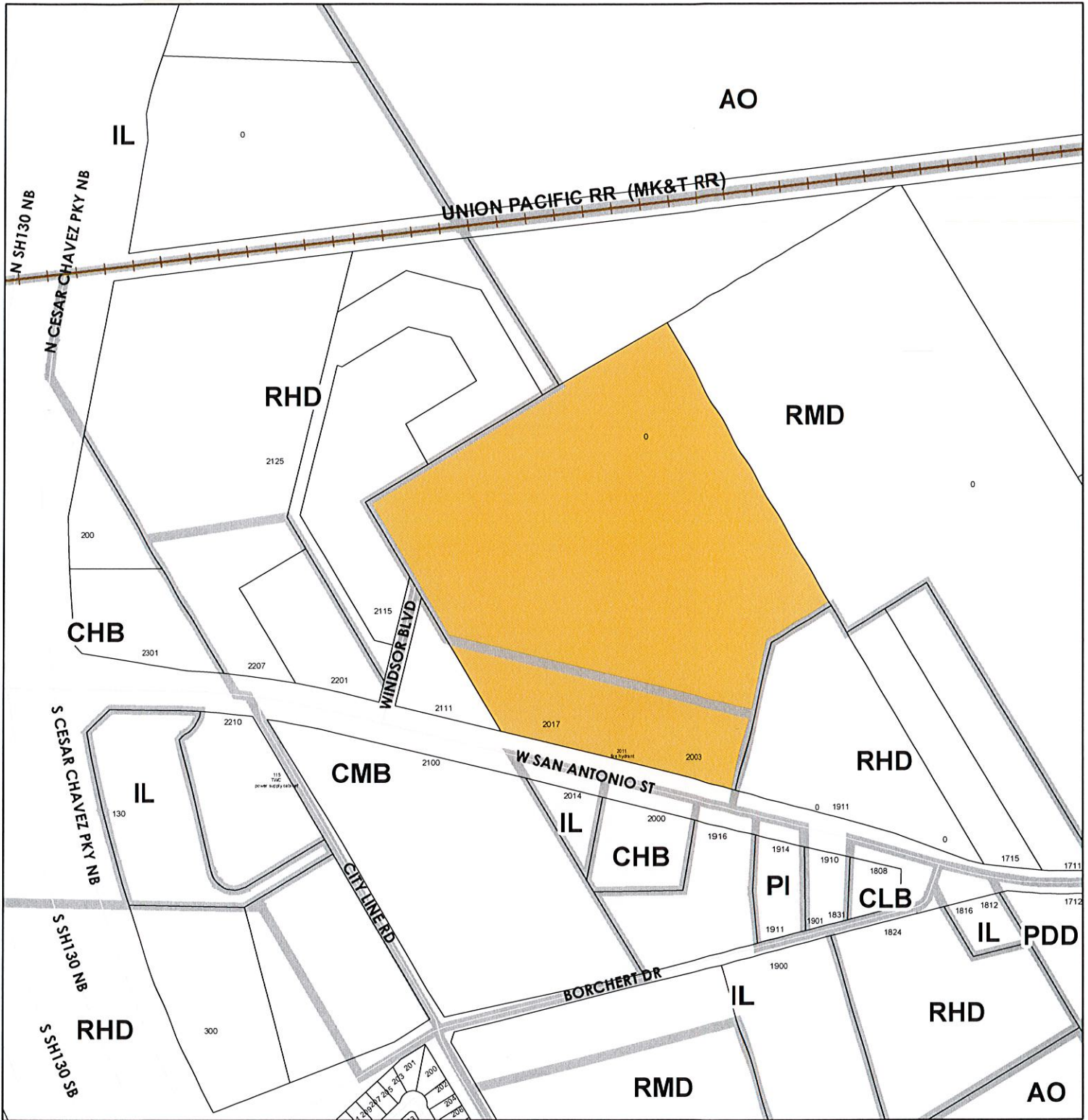
DATE NOTICE PUBLISHED _____

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 11/9/22 / Tabled to 12/14/22

DECISION _____

CONDITIONS _____



PV-22-04

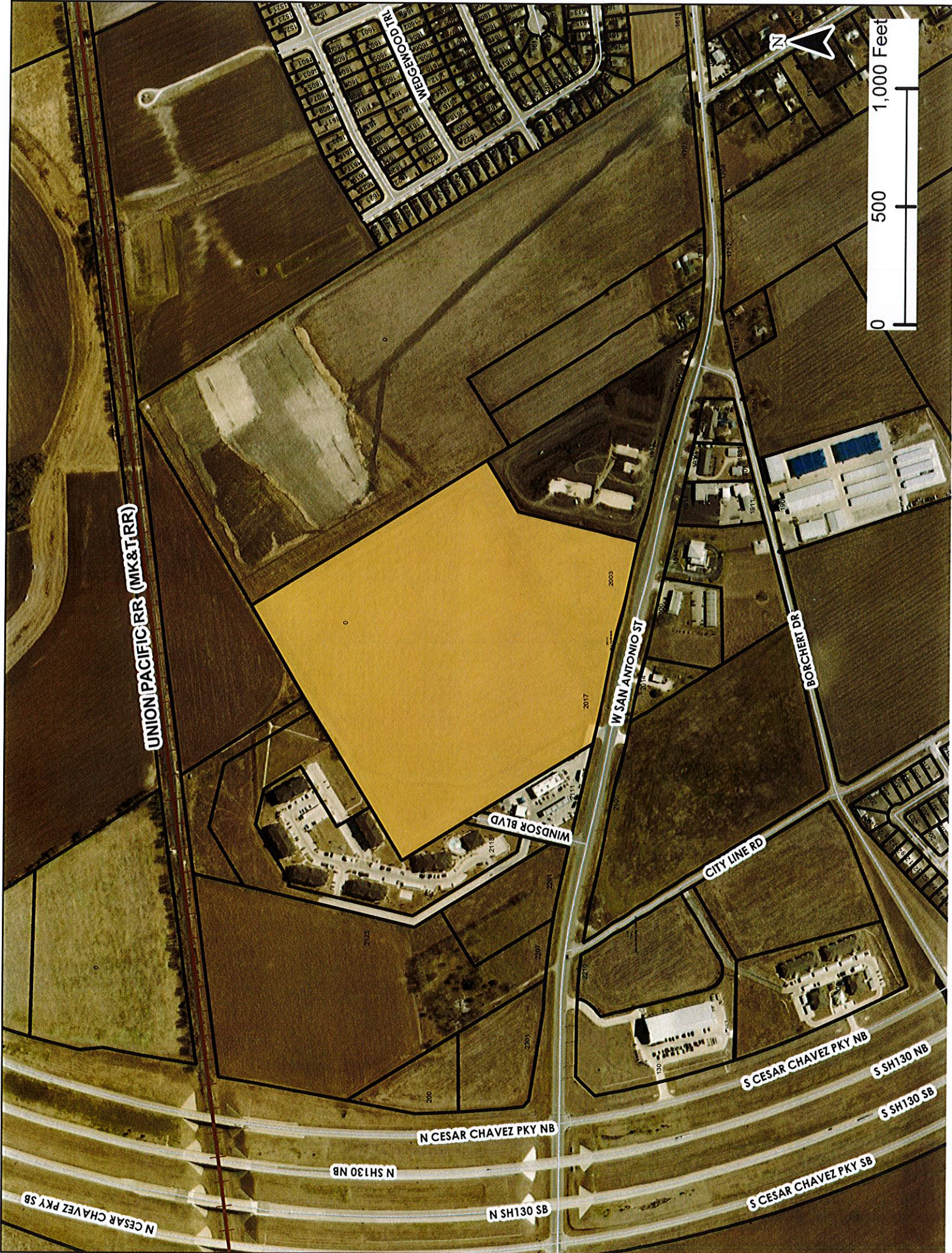
LOCKHART FARMS PHASE TWO
THREE SUBDIVISION VARIANCES



 SUBJECT PROPERTY

 ZONING BOUNDARY

scale 1" = 500'



UNION PACIFIC RR (MK&TRR)

WEDGEWOOD TR

W SAN ANTONIO ST

BORCHERT DR

WINDSOR BLVD

CITY LINE RD

N CESAR CHAVEZ PKY NB

S CESAR CHAVEZ PKY NB

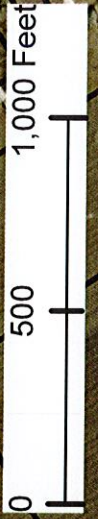
N SH130 NB

S SH130 NB

BS 031HS N

S CESAR CHAVEZ PKY SB

N CESAR CHAVEZ PKY SB



CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: PV-22-04

REPORT DATE: December 7, 2022

PLANNING & ZONING COMMISSION DATE: December 14, 2022

APPLICANT'S REQUEST: Three Subdivision Variances (see Proposed Variances section below)STAFF RECOMMENDATION: ***Approval, if the Commission finds that all Subdivision Variance Criteria are met.***

RECOMMENDED CONDITIONS: None

BACKGROUND DATA

APPLICANT AND OWNER: Casey Stevenson, VMP Lockhart Properties, LLC

SITE LOCATION: 2000 Block of West San Antonio Street

SUBDIVISION NAME: Lockhart Farms Addition Phase 2

SIZE OF PROPERTY: 36.18 acres

NUMBER OF PROPOSED LOTS: 156

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATIONS: RMD (Residential Medium Density) District and CMB (Commercial Medium Business) District

ANALYSIS OF ISSUES

PROPOSED VARIANCES: The Final Plat for Lockhart Farms Addition Phase 2 was approved by the Commission on August 10, 2022. Currently, the applicant is requesting the following three variances: (1) to allow for the issuance of building permits prior to the recordation of the Final Plat (Subdivision Regulations Sections 52-31(a) and 52-205(c)); (2) to allow for the provision of utility services prior to recordation of the plat (Sections 52-31(a) and 52-205(b, d, e)); and (3) to allow for the recording of the plat prior to inspection and acceptance of the public improvements by the City (Section 52-204). According to the applicant, the homes to be utilized in the subdivision are constructed in 15-foot by 60-foot modules at the factory, and then set on permanent foundations on each lot by crane. The applicant explains that the weight of a crane lifting the home sections could damage the freshly laid asphalt roadway. Therefore, the applicant proposes to delay the two-inch asphalt top-coating of the roadway until after all of the homes are constructed.

AREA CHARACTERISTICS: The subject property is bordered to the east by the multifamily development of Phase 1, a drainage lot extension to the regional detention/parkland area in Phase 1, and the future Hansford Subdivision. The properties to the south, across West San Antonio Street, include commercial uses and the Bluebonnet Electric Cooperative building. The properties to the west include The Stanton Luxury Apartments and the Valero gas station. The property to the north includes the regional detention pond in Phase 1 mentioned above.

SPECIAL CIRCUMSTANCES: The use of a crane to lift the housing modules into place ahead of final completion of the roadway and recordation of the final plat, in order to avoid damaging the finished road, might be considered a special circumstance to justify approval of the variances.

PRESERVATION OF SUBSTANTIAL PROPERTY RIGHT: The proposed variances are not necessary for the preservation and enjoyment of a substantial property right of the applicant. Nothing prevents the applicant from utilizing conventional stick-built homes constructed on site, and completing the roadway network and recording the plat prior to issuance of building permits and provision of utility services.

EFFECT ON SURROUNDING PROPERTY AND PUBLIC SAFETY: The applicant states, and Staff agrees, that the variances 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 and provision of utility services ahead of the inspection and acceptance of the public improvements and the recording of the plat, the variances 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 variances. Staff believes that the variance requests warrant 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 beginning site work, which would have avoided the need for the variances.

PRECEDENT: Approval of the variances might set a precedent by encouraging other developers to utilize similar housing construction methods to what is proposed, thereby seeking variances to allow the issuance of building permits and the provision for utility services for subdivisions in which the public improvements have not been accepted by the City and the final plat has not been recorded.



Amherst

November 17, 2022

Dan Gibson, AICP
City Planner
City of Lockhart, TX
308 W. San Antonio
PO Box 239
Lockhart, TX 78644
512-398-3461

Re: Lockhart Farms, Phase 2 Variance Request

Dear Mr. Gibson:

Amherst Homes has acquired Lockhart Farms, Phase 2 from the original developer, Mr. Paul Leventis, with the intent to construct 147 Industrialized homes. These homes will be constructed in 15'x60' modules at our factory in Cuero, TX and be delivered to the site where a crane will set the homes on permanent foundations. Through the course of designing the homes and scheduling construction it was discovered that the weight of a fully loaded crane lifting a home section could damage the freshly laid asphalt roadway. We have explored multiple options to protect the roadways, and at the developer's recommendation we would like to delay the 2" asphalt top coating of the roadway until after all the homes in the community have been constructed. This methodology is beneficial as any damage sustained to the roadways could be easily repaired and the community will be left with fresh intact pavement. For this reason, we respectfully request a variance to the following sections of the City of Lockhart's Subdivision Ordinance be granted:

1. Section 52-31(a) – which requires that building permits be issued and utility services provided only after recordation of the plat.
2. Section 52-204 - Which requires that a plat be submitted for recordation only after the approval of the plat and after construction and acceptance of the required infrastructure.
3. Section 52-205 (b) (c) (d) (e) – Which requires that building permits (c) and public utility services ((b), (d), and (e)) be issued only after the plat is recorded

Granting of these variances follows the City of Lockhart criteria for approval of a variance:



Amherst

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.

The 2" asphalt topcoat is the last step in the pavement process, but it is easily damaged by the weight of the crane and transportation of the homes. By delaying the topcoat until after all the homes are constructed, the community will be left with fresh asphalt pavement that will not have to be repaired.

2. The Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Granting these variances will directly preserve the asphalt roadway and allow for a more enjoyable end product. The reason for asking for these variances is to prevent damaging the pavement during home construction, so that the community is more presentable and aesthetically pleasing.

3. The Variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to the other property in the area; and,

Granting of the variance will not be detrimental to public health, safety, or welfare and will not be injurious to other properties in the area. In fact, by granting the variance the City and community will be left with roadways that are in better shape and be safer to drive on.

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.

Granting of the variances will not have the effect of preventing the orderly subdivision of other lands because the finished product will comply City of Lockhart requirements. We are just wanting to delay top coating of the pavement to prevent damaging it during home construction. No other properties will be affected.

Respectfully,

Casey Stevenson, P.E.
Director of Land Development
Amherst Homes

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 KERR Surveying

ADDRESS 409 N. Texas Ave

DAY-TIME TELEPHONE 979-268-3195

Bryan, Texas 77803

E-MAIL Surveys@kerrsurveying

ENGINEER NAME Bleyl Engineering

ADDRESS 1722 Broadmoor Dr.

DAY-TIME TELEPHONE 979-268-1125

Suite 210

E-MAIL twolff@bleylengineering.com

Bryan, Texas 77802

OWNER NAME VMP Lockhart Properties, LLC

ADDRESS 5001 Plaza on the Lake, Suite 200

DAY-TIME TELEPHONE 214-460-3621

Austin, TX 75746

E-MAIL cstevenson@amherst.com

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Lockhart Farms Addition Phase 2

ADDRESS OR GENERAL LOCATION North of 142, 0.5 miles East of 130 - 2000 Block of West San Antonio St.

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 36.18 ACRE(S) PROPOSED NUMBER OF LOTS 147 single-

ZONING CLASSIFICATION(S) Residential Medium Density (RMD) and Commercial Medium family lots, two commercial lots,

PROPOSED USE OF LAND Single-Family Residential & Business (CMB) 6 drainage lots and one common area lot.

two commercial lots. (156 total lots)

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.

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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).

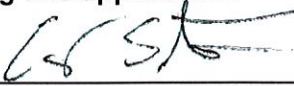
Two copies after initial staff reviews for amending and minor plats.

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 can be voluntarily extended for an additional 30 days upon mutual agreement by the applicant and the City. 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 11/18/22

PRINTED NAME Casey Stevenson

TELEPHONE 214-460-3621

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(b)(c)(d)(e) and 52-204 OF THE SUBDIVISION REGULATIONS *Plat can only be recorded after approval, and after construction and acceptance of public improvements.*

CURRENT ORDINANCE REQUIREMENT(S) Final plat cannot be recorded until after City acceptance,
building permit cannot be issued until after final plat is recorded, utility service cannot be provided until final plat is recorded

REQUESTED VARIANCE(S) 52-204 → 1) allow for recording of final plat prior to City acceptance *of public improvements*
2) allow for issuing of building permit prior to recordation of final plat, 3) allow for utility services to be provided prior to recordation of final plat

52-31(a) & 52-205(c) 52-31(a), 52-205(b,d,e)
SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPLIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE:

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

OFFICE USE ONLY

ACCEPTED BY Kevin Waller RECEIPT NUMBER N/A - No fee for variances

DATE SUBMITTED 11/21/22 CASE NUMBER PV - 22 - 04

DATE APPLICATION IS DEEMED COMPLETE N/A

DATE NOTICES MAILED _____ DATE NOTICE PUBLISHED _____
(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 12/14/22

DECISION _____

CONDITIONS _____