

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, February 8, 2023
Municipal Building – Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the January 11, 2023, meeting.
6. SUP-23-03. Hold a PUBLIC HEARING and consider a request by Catarina Gonzales on behalf of Martin Espinoza for a **Specific Use Permit** to allow a *Manufactured Home* on Lot 3, Block 1, East Side, zoned RMD Residential Medium Density District and located at 405 Neches Street.
7. SUP-23-04. Hold a PUBLIC HEARING and consider a request by Chris Quintana on behalf of Lockhart ISD, for a **Specific Use Permit** to allow one *Portable Classroom* as a public/institutional use on 14.23 acres in the Francis Berry Survey, Abstract No. 2, zoned PI Public and Institutional District and located at Lockhart ISD Cub House Child Development Center, 610 San Jacinto Street.
4. ZC-23-01. Hold a PUBLIC HEARING and consider a request by Austin Davis and Lockhart 1322 for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 92.52 acres in the James George League, Abstract No. 9, located on the east side of Lay Road approximately 530 feet east of the FM 1322 intersection.
5. ZC-23-02. Hold a PUBLIC HEARING and consider a request by James Cotton of 2401 CR 119, LLC for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 11.51 acres in the Byrd Lockhart League, Abstract No. 17, located at 1400 Lovers Lane.
8. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
9. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 AM on the 3rd day of February, 2023.

**City of Lockhart
Planning and Zoning Commission
January 11, 2023**

MINUTES

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

Member Absent: None

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

Visitors/Citizens Addressing the Commission: Jim Meredith, Epi Quintana, Linda Hinkle

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 December 14, 2022, meeting.

Commissioner Arnic moved to approve the December 14, 2022, minutes. Commissioner St. Leger seconded, and the motion passed by a vote of 7-0.

4. SUP-23-01. Hold a PUBLIC HEARING and consider a request by Jim Meredith for a Specific Use Permit to allow the MF-2 Residential Development Type on 14.57 acres in the Byrd Lockhart League, Abstract No. 17, zoned RHD Residential High Density District and located at 102 East China Street.

David Fowler presented the application. He stated that the subject property was the subject of a zoning change from CHB to the current zoning of RHD in July 2022. The applicant's request was to build up to 348 apartments, which would be just short of 24 units per acre. Access is proposed off China Street and Silent Valley Road, the latter of which would be extended by the developer. Wastewater service for the subject property would have to be upgraded before any building permit is approved. The applicant's engineer is working with City staff and the City engineer to determine the best option for conveying wastewater from the site to the main sewer line near the railroad tracks. The site would need to be platted and Silent Valley Road constructed and utility improvements installed before building permits could be applied for.

Chair Ruiz opened the public hearing and asked for the applicant to come forward.

Jim Meredith of 4301 Westbank Dr., Austin, said he is proposing a 348-unit apartment complex. He would develop the extension of Silent Valley Road so that there are two access points for the

complex instead of access from Colorado Street. The apartments will be three story garden style.

Chair Ruiz asked if anyone else would like to speak, seeing no volunteers, he closed the public hearing and asked for staff's recommendation.

Mr. Fowler stated staff recommends approval.

Commissioner Peterson moved to approve SUP-23-01. Commissioner St. Leger seconded, and the motion passed by a vote of 7-0.

5. SUP-23-02. Hold a PUBLIC HEARING and consider a request by Epi Quintana on behalf of Brian Rodgers for a Specific Use Permit to allow a Church on 2.49 acres in the Cornelius Crenshaw League and Labor, Abstract No. 68, zoned CHB Commercial Heavy Business District and located at 2000 West San Antonio Street (Pecan Plaza, Unit 6).

Mr. Fowler presented the request. He noted the church would be located in the south building on the subject property. There is a mix of commercial uses on the subject property. Most other commercial businesses would not conflict with the service times of the church, so the parking should be adequate. The applicant stated the church has 10-20 people who attend a typical service. There were no statements of opposition received in response to the notification for the specific use permit.

Chair Ruiz opened the public hearing and asked for the applicant to come forward.

Epi Quintana said he would like approval of a church at the proposed location. They had been looking for a place to meet for over year and half.

Chair Ruiz asked if there was anyone else who would like to speak. Seeing no volunteers, he closed the public hearing and asked for staff's recommendation.

Mr. Fowler stated that staff recommended approval.

Commissioner Oliva moved to approve SUP-23-02. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.

6. Hold a PUBLIC HEARING and consider a recommendation to City Council for proposed amendments to Chapter 64, "Zoning" of the Lockhart Code of Ordinances, revising:
 - 1) Section 64-2 Definitions, by deleting or changing existing definitions, and adding new definitions, of various land uses; and,
 - 2) Sections 64-196(b), 64-196(c), 64-196(d), 64-196(e), 64-196(f), 64-196(g), 64-196(h), 64-196(i), 64-196(j), 64-196(k), and 64-196(l), by deleting or changing existing land uses, and adding new land uses, listed as allowed by-right or as a specific use in the AO, PI, RLD, RMD, RHD, CLB, CCB, CMB, CHB, IL, and IH zoning districts.

Mr. Gibson came forward and explained that these determinations were made from 2011 through 2022 but had not been codified. He stated that staff added several changes to clarify some other uses that are already listed in the Zoning Ordinance but have occasionally led to confusion due to the way they are worded. Also included, are the changes and additions to the definitions associated with some of the uses being added or clarified. He said that staff recommends approval to City Council.

Commissioner Peterson moved to recommend approval of the proposed amendments to Chapter 64 "Zoning" to City Council. Commissioner McBride seconded, and the motion passed by a vote of 7-0.

7. Consider a recommendation to City Council for proposed amendments to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances, updating, adding, deleting, correction, or clarifying certain provision throughout the entire chapter.

Mr. Gibson presented the new Subdivision Regulations to the commission which are in compliance with state law.

Linda Hinkle came forward to ask if a change could be added under Sec. 52-31(c)(7). If the word "residential" could be added in front of "construction permits." And under Sec. 52-31(c)(2) that the owner of property did not have to reside on one of the parcels. Because most parents/grandparents don't live nearby their children but want to give them property they own. Ms. Hinkle also suggested the definition of family for grants of land not requiring a plat to be revised to allow one further level of familiarity/consanguinity to mirror state law. She also recommended removing the provision that the grantor must live on the parent tract.

Commissioner McBride moved to recommend approval of the proposed amendments to Chapter 52 "Subdivision Regulations" to City Council with the recommended changes. Commissioner Arnic seconded, and the motion passed by a vote of 7-0.

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

It was announced that the Commission's next regular meeting date would be January 25, 2023.

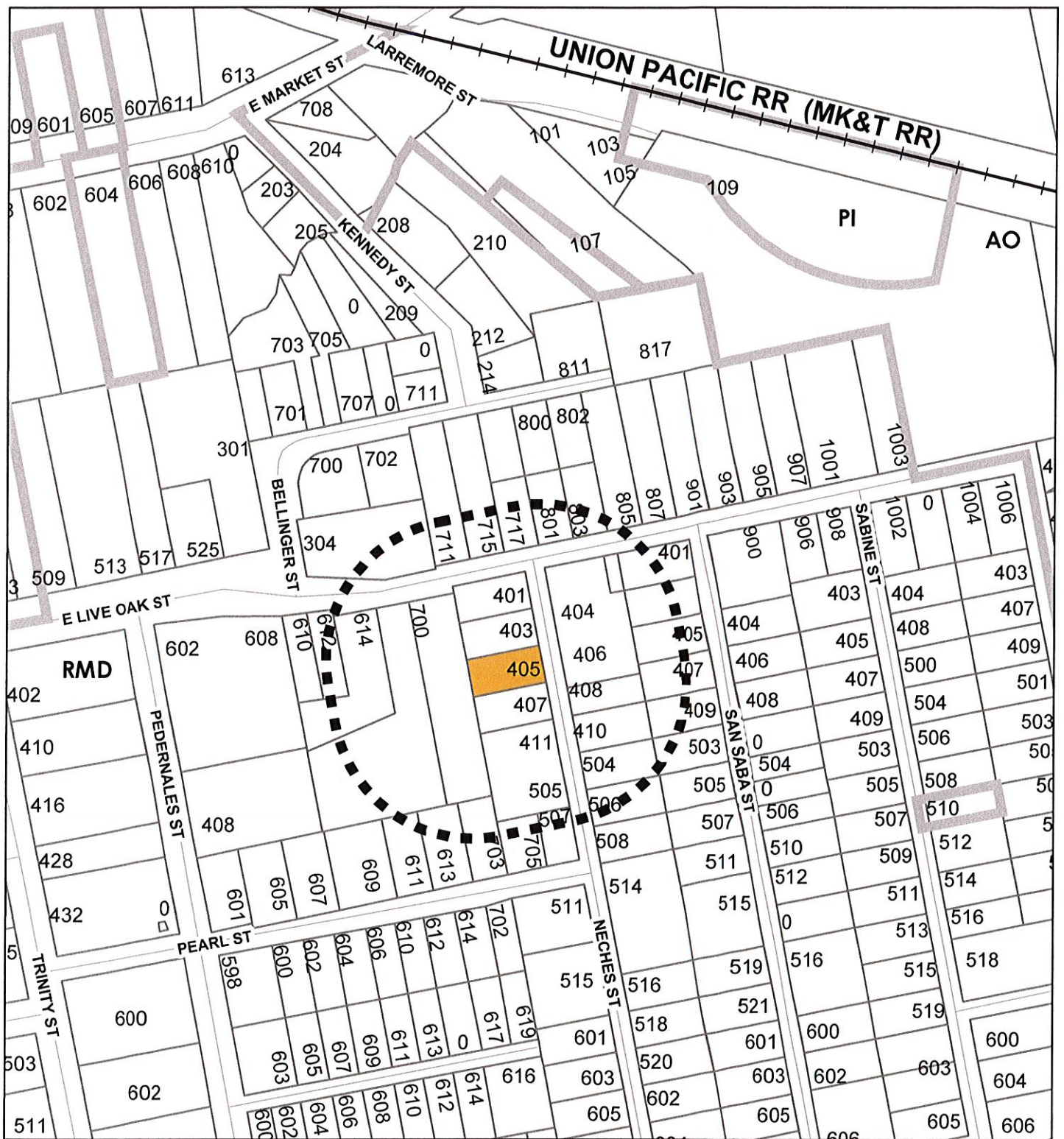
9. Adjourn.

Commissioner Arnic moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:44 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



SUP-23-03

405 NECHES ST

MANUFACTURED HOME



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 200'



UNION PACIFIC RR (MK&T RR)

LARIMORE ST

KENNEDY ST

BELLINGER ST

ELIVE OAK ST

SAN SABA ST

NECHES ST

PEDERNALES ST

TRINITY ST

CHAPARRAL ST

BRAZOS ST

HICKORY ST

MONUMENT ST

SABINE ST

PEARL ST

PERS



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CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBER: SUP-23-03

REPORT DATE: February 2, 2023

PUBLIC HEARING DATE: February 8, 2023

APPLICANT'S REQUEST: MH Manufactured Home

STAFF RECOMMENDATION: **Approval**

SUGGESTED CONDITIONS: Meet all requirements of Section 64-200.

BACKGROUND DATA

APPLICANT: Catarina Gonzales

OWNER: Martin Espinosa

SITE LOCATION: 405 Neches Street

LEGAL DESCRIPTION: Lot 3, Block 1, East Side Supplemental Addition

SIZE OF PROPERTY: 0.129 acres

EXISTING USE OF PROPERTY: Vacant land

ZONING CLASSIFICATION: Residential Medium Density District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property is currently zoned RMD. The lot's dimensions are approximately 53 feet wide by 105 feet deep, for an area of approximately 5,565 square feet. The lot covers 0.129 acres and is located in an area characterized by the same zoning and similar lot sizes. The surrounding area is a mixture of site-built and manufactured homes, with a significant number of lots currently undeveloped.

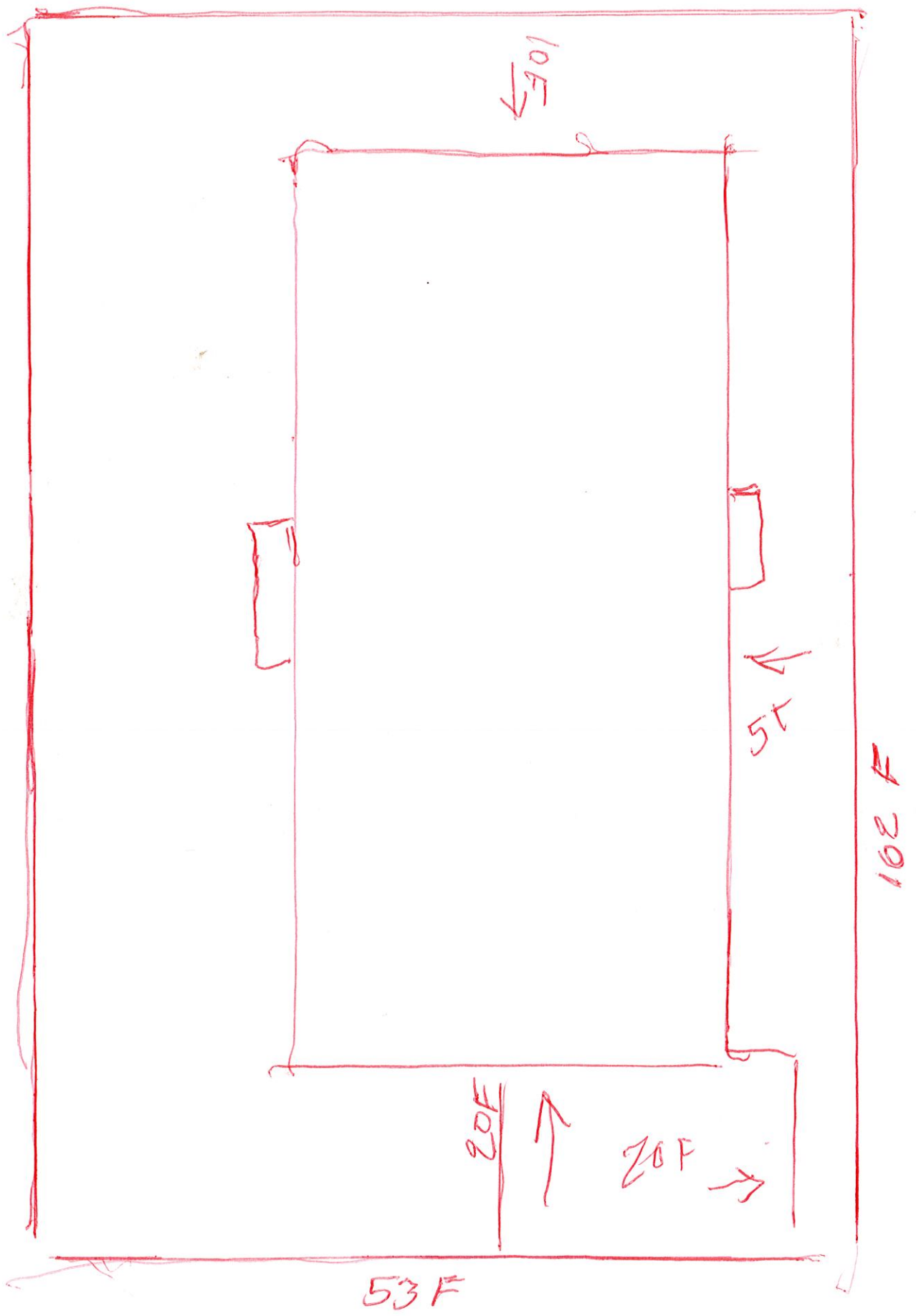
NEIGHBORHOOD COMPATIBILITY: The surrounding area is mostly smaller lot residential development, typically one-story buildings, with several vacant lots. The proposed manufactured home would be larger in size and in newer condition than most surrounding residences.

COMPLIANCE WITH STANDARDS: The manufactured dwelling must meet the requirements of Section 64-200 of the Lockhart Code of Ordinances, entitled "Same (Additional Standards for)-Manufactured Homes and Modular Dwellings. The lot that is proposed as the site for the manufactured home meets minimum acreage and road frontage requirement for a lot of its type. The orientation of the house on the included site plan is allowed due to the year the lot was platted.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be available from Neches Street. Water is available from a 6-inch line and wastewater is available via an 8-inch line, both in the Neches Street right-of-way.

RESPONSE TO NOTIFICATION: None to date.

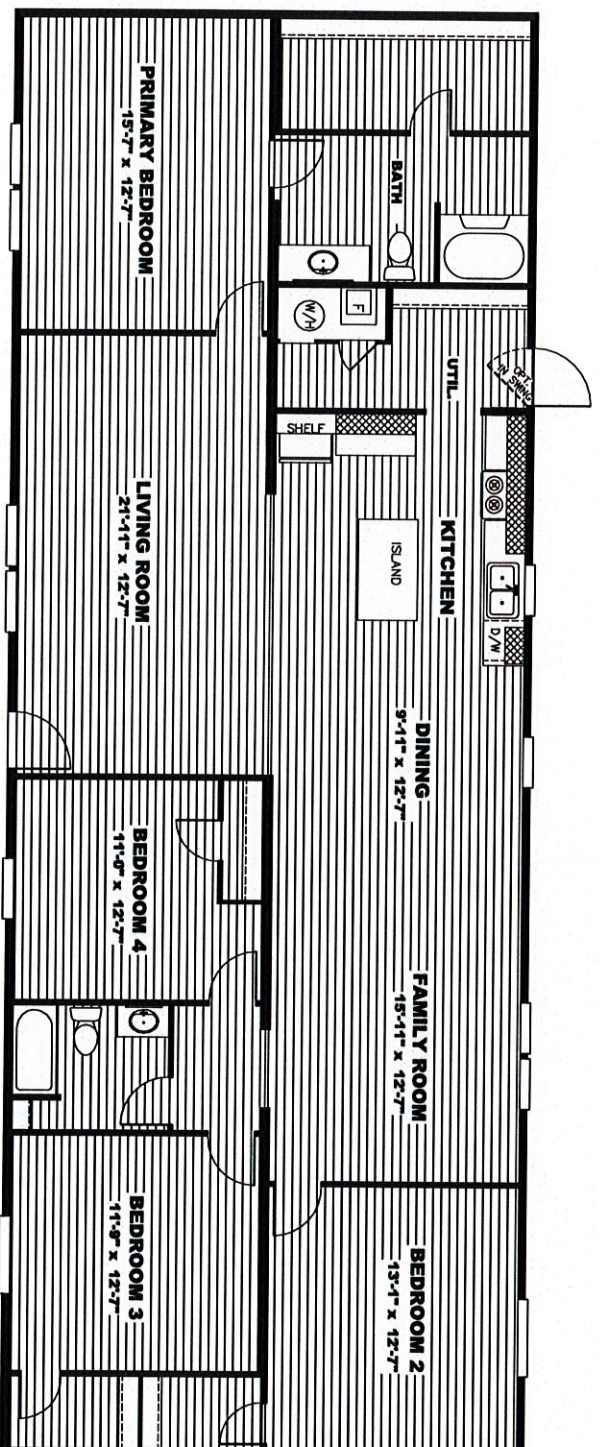
STAFF RECOMMENDATION: Approval, subject to the standards of Section 64-200 of the Lockhart Code of Ordinances.





WONDER

TRU28724R // 28x72 // 1,896 sq ft // 4 beds // 2 baths

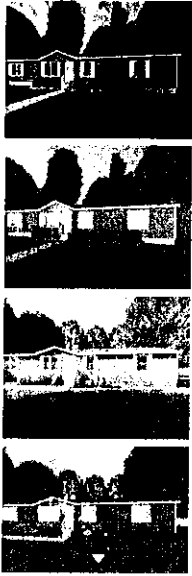


OWN IT

The home series and floor plans indicated will vary by retailer and store. Your local Home Center can quote you on specific prices and terms of purchase for specific homes. TRU invests in continuous product and process improvement. All home series, floor plans, specifications, dimensions, features, materials, availability, and starting prices shown on this website are artists' renderings or estimates, and are subject to change without notice. Dimensions are nominal and length and width measurements are from exterior wall to exterior wall.

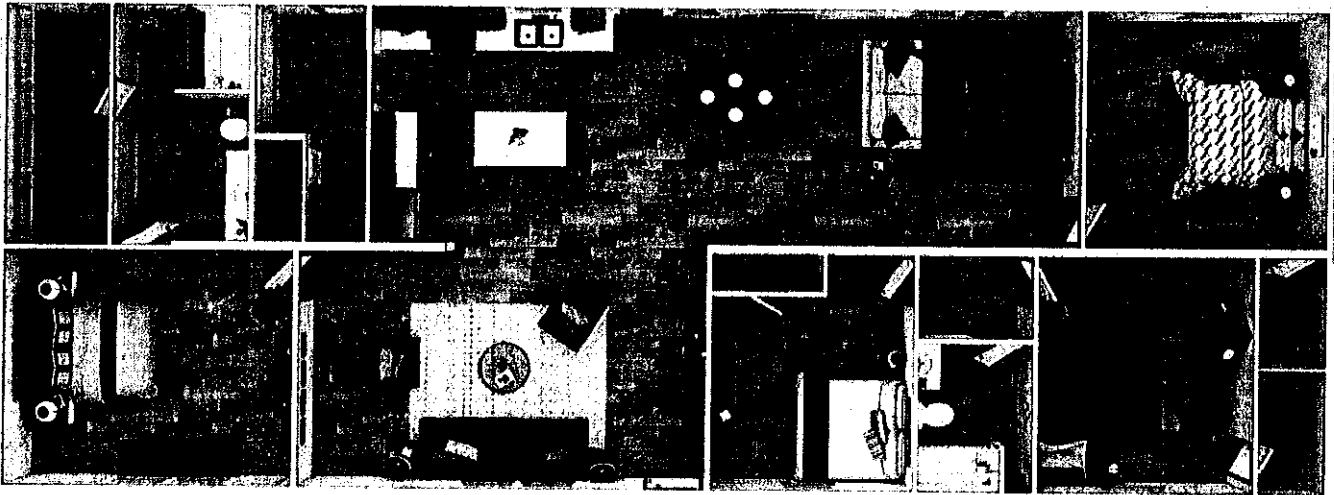
OwnTRU.com

LET'S TALK ([HTTPS://OWNTRU.COM/LETS-TALK/?MODELNUMBER=TRU28724RH](https://owntru.com/lets-talk/?MODELNUMBER=TRU28724RH))



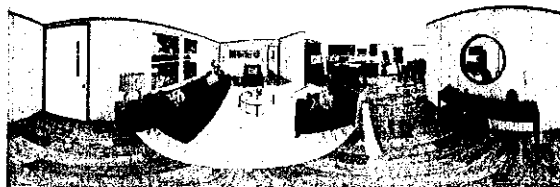
View 3D 2D

[Print Brochure \(https://owntru.com/wp-content/uploads/2022/05/TRU28724R-Wonder-SingleSheets.pdf\)](https://owntru.com/wp-content/uploads/2022/05/TRU28724R-Wonder-SingleSheets.pdf)



● TRU28724RH_Wonder

Momento360.com



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 Catarina Gonzales ADDRESS 407 Neches St

DAY-TIME TELEPHONE (512)749-3128 Lockhart TX 78644

E-MAIL Catarina Gonzales 92@gmail.com

OWNER NAME Martin Espinoza ADDRESS Same

DAY-TIME TELEPHONE _____

E-MAIL Mevilla64@gmail.com

Hari Kunwar - email - hkunwar@gmail.com

PROPERTY

hkunwar@gmail.com, 512 293 0524

ADDRESS OR GENERAL LOCATION 405 Neches St

LEGAL DESCRIPTION (IF PLATTED) East side, Block 1, Lot 3

SIZE 0.1292 ACRE(S) ZONING CLASSIFICATION City

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

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Manufactured home

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.

4 bedroom, 2 baths 28'x72' 1896 sq ft

single-wide model The Under

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 Martin Espinoza U

DATE 01/09/2023

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 201197826

DATE SUBMITTED 1/13/23

CASE NUMBER SUP - 23 - 0.3

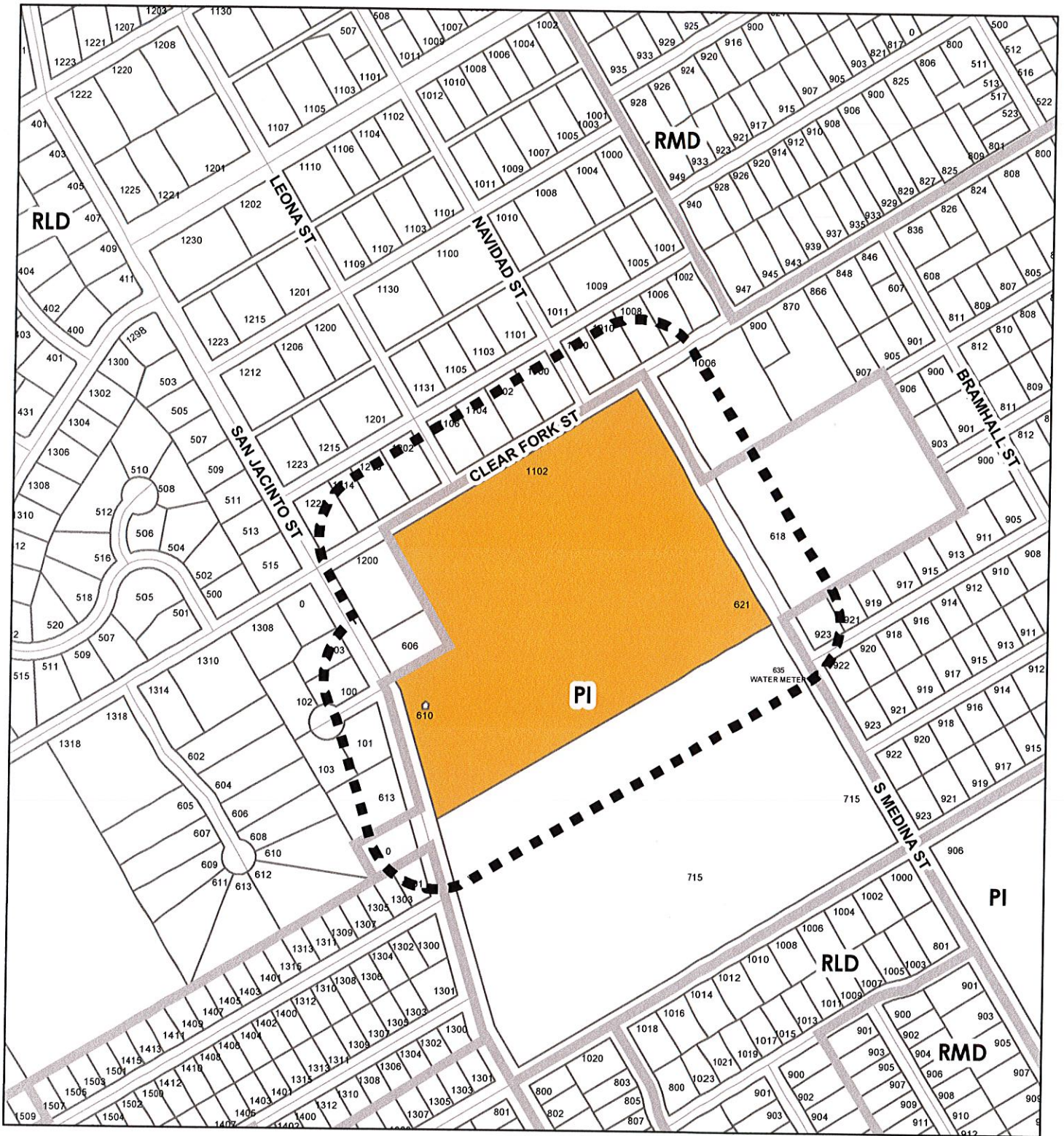
DATE NOTICES MAILED 1-23-2023

DATE NOTICE PUBLISHED 1-26-2023

PLANNING AND ZONING COMMISSION MEETING DATE 2/8/23

DECISION _____

CONDITIONS _____






SUP-23-04

610 SAN JACINTO ST

ONE PORTABLE BUILDING



-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER

scale 1" = 400'



CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBER: SUP-23-04

REPORT DATE: February 2, 2023

PUBLIC HEARING DATE: February 8, 2023

APPLICANT'S REQUEST: Addition of portable classroom buildings at Cub House child care center.

STAFF RECOMMENDATION: **Approval**

SUGGESTED CONDITIONS: None.

BACKGROUND DATA

APPLICANT: Chris Quintana

OWNER: Lockhart ISD

SITE LOCATION: 610 San Jacinto Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 14.23 acres

EXISTING USE OF PROPERTY: Daycare center

ZONING CLASSIFICATION: Public and Institutional District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The school district expects to be over capacity at the Cub House and proposes to install a portable classroom building to the east side of the building. The location of the proposed building is indicated in the attached aerial photo.

NEIGHBORHOOD COMPATIBILITY: The proposed location of the portable building would be visible from San Jacinto Street, although it would be approximately 150 feet from San Jacinto Street, at the rear of the parking lot. The area adjacent to the east is the site of Clearfork Elementary, on the same lot. The proposed setback of the building along San Jacinto Street would be further back than the main Cub House building.

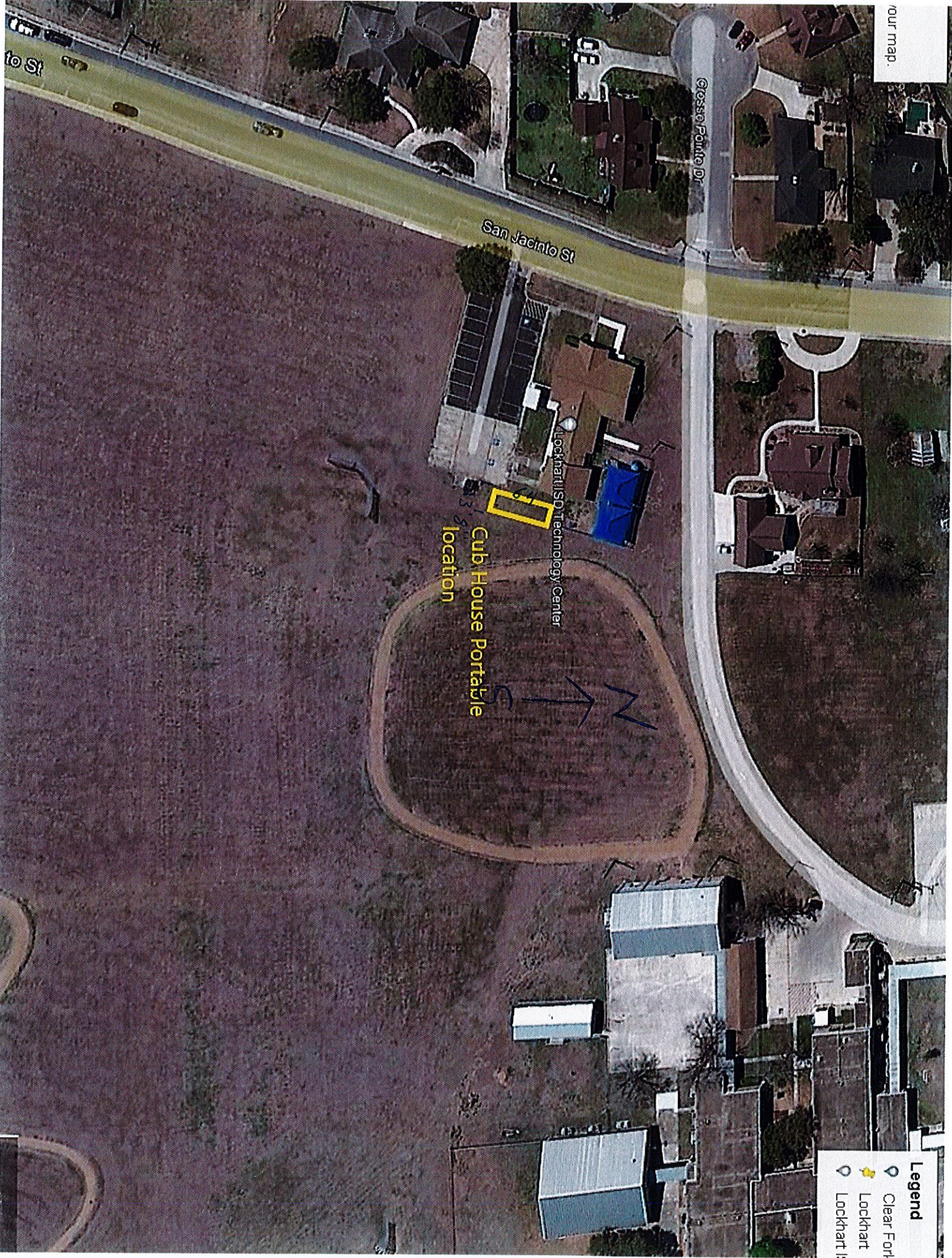
COMPLIANCE WITH STANDARDS: The zoning ordinance does not provide an off-street parking formula for facilities in the PI district. The approximately 25 parking spaces provided on site was based on school district needs at the time of building in 1970. The addition of a portable building with one classroom should not create enough extra demand to require the construction of additional parking spaces.

ADEQUACY OF INFRASTRUCTURE: Existing vehicular access from San Jacinto Street would continue. Water and wastewater service is adequate.

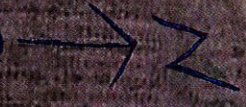
RESPONSE TO NOTIFICATION: Staff has not received any communication regarding the SUP application.

STAFF RECOMMENDATION: Approval.

our map.



Cub House Portable location



San Jacinto St

Grosse Pointe Dr

Lockhart, SD Technology Center

- Legend**
- Clear Fork
 - Lockhart
 - Lockhart:

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 Christopher Quintana ADDRESS 711 Bois darc

DAY-TIME TELEPHONE 512-227-5402 lockhart tx 78644

E-MAIL Christopher.Quintana

OWNER NAME L.I.S.D. ADDRESS 419 Bois darc

DAY-TIME TELEPHONE 512-398-0000 Lockhart tx 78644

E-MAIL ashlyn.robinson@lockhart.txed.net

PROPERTY

ADDRESS OR GENERAL LOCATION 610 San Jacinto Cub House

LEGAL DESCRIPTION (IF PLATTED) A002 Berry Francis/Building only Clerk fork elementary

SIZE 14.23 ACRE(S) ZONING CLASSIFICATION PI

EXISTING USE OF LAND AND/OR BUILDING(S) Elementary School Day care for teachers and student parents

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT School classrooms/portable Building

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.

1 Portable Classroom / No residents / 2-3 employees
Floor Area = 1536² Ft.

Anticipated Occupancy = 35 MAX persons

Hours operation - 6AM - 6pm M-F

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.

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APPLICATION FEE OF \$ N/A PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE



DATE 1-17-2023

OFFICE USE ONLY

ACCEPTED BY



RECEIPT NUMBER

N/A

DATE SUBMITTED

1/17/2023

CASE NUMBER SUP -

2303-04

DATE NOTICES MAILED

1-23-2023

DATE NOTICE PUBLISHED

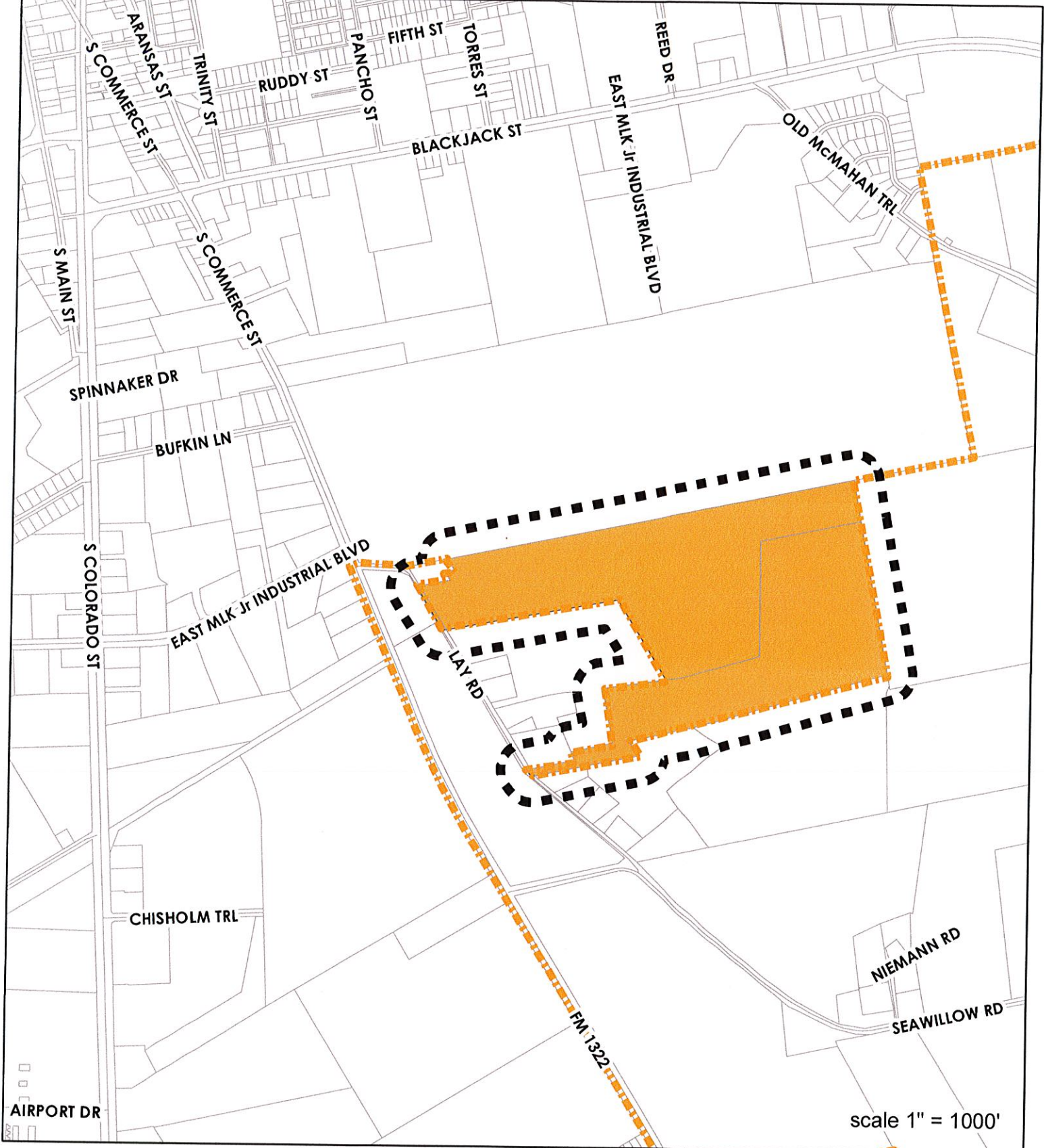
1-26-23

PLANNING AND ZONING COMMISSION MEETING DATE

2-8-23

DECISION _____

CONDITIONS _____



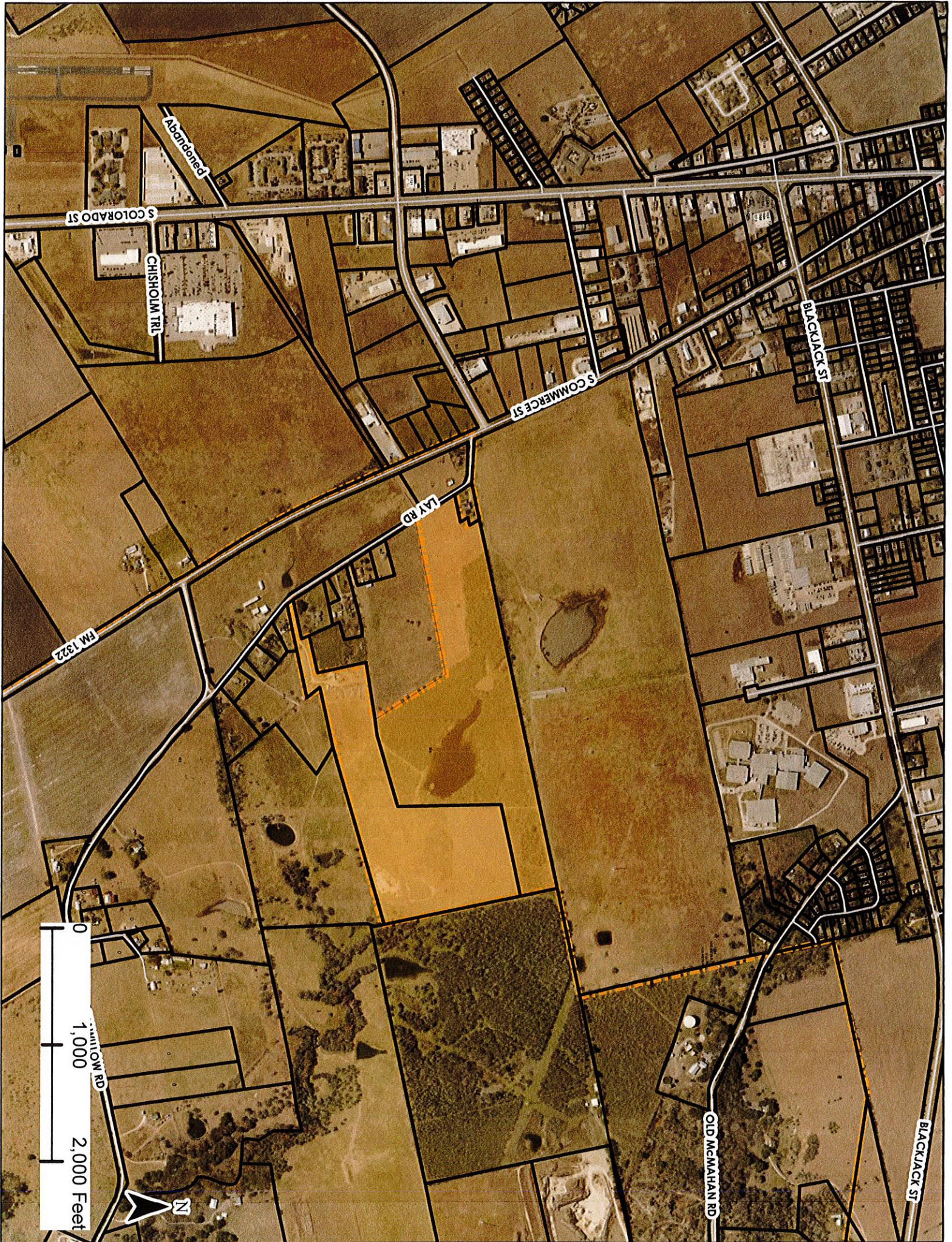
ZC-23-01

AO TO RMD

EAST SIDE LAY RD APPROXIMATELY
530 FEET FROM FM 1322 INTERSECTION



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



Abandoned

S COLORADO ST

CHISHOLM TRL

S COMMERCE ST

BLACKJACK ST

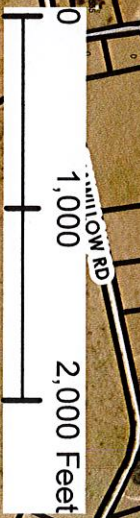
LAY RD

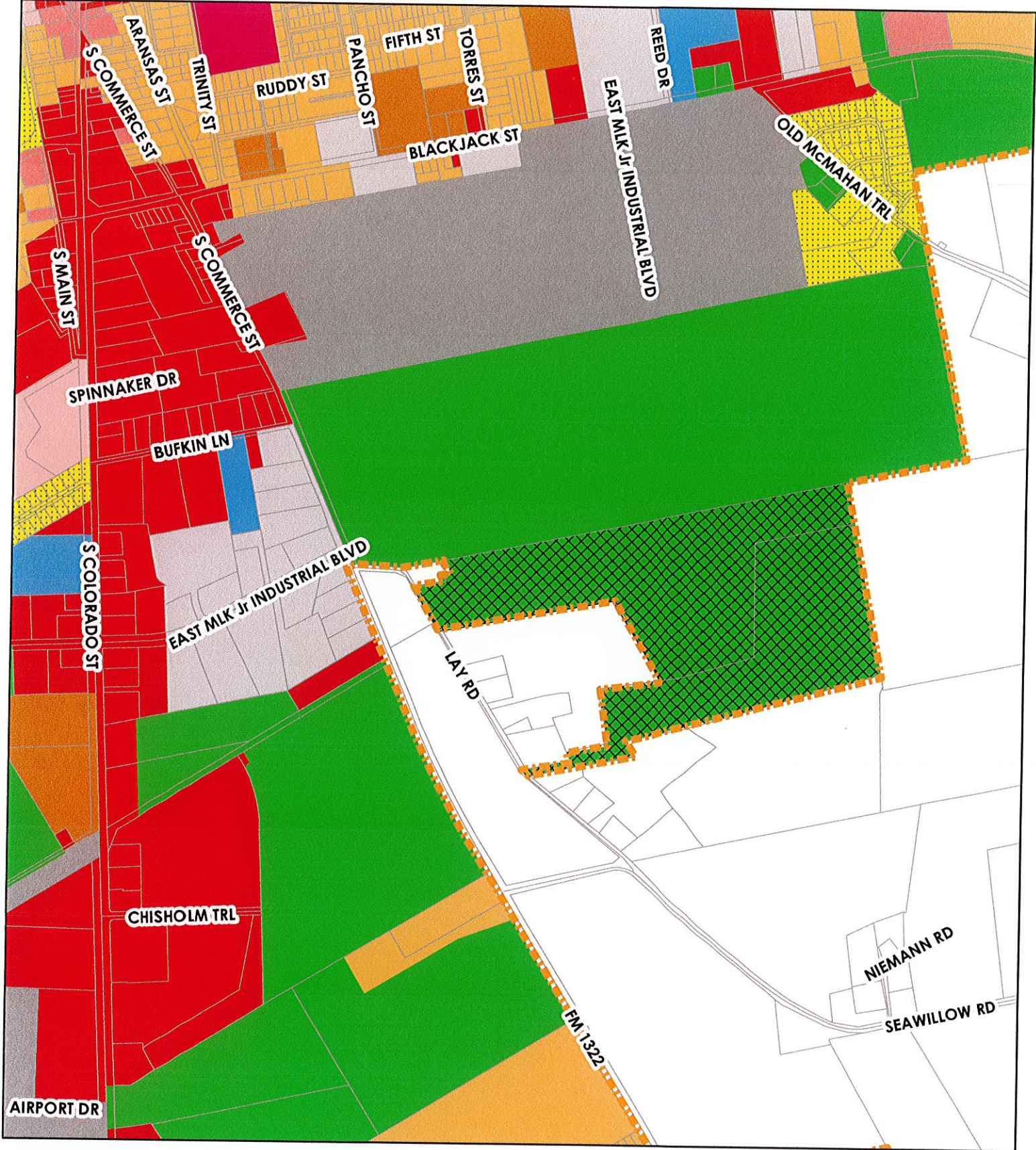
FM 1322

OLD McMAHAN RD

BLACKJACK ST

WILLOW RD





ZC-23-01

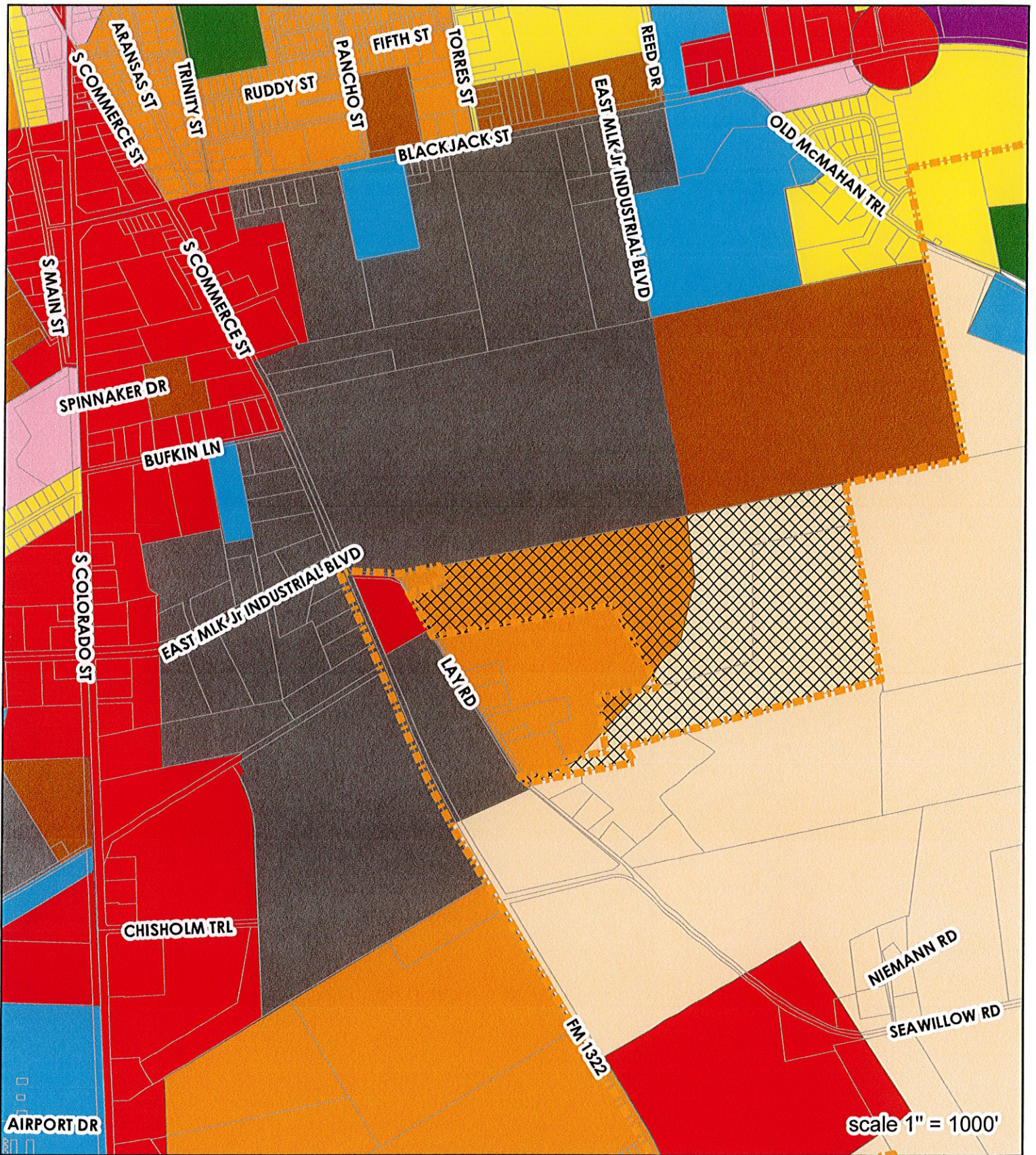
AO TO RMD

EAST SIDE LAY RD APPROXIMATELY
530 FEET FROM FM 1322 INTERSECTION



scale 1" = 1000'

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



FUTURE LANDUSE

AO TO RMD

EAST SIDE LAY RD APPROXIMATELY
530 FEET FROM FM 1322 INTERSECTION



- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

PLANNING DEPARTMENT REPORT

ZONING CHANGE

CASE SUMMARY

STAFF: David Fowler, Planning Director
REPORT DATE: February 2, 2023
PLANNING AND ZONING COMMISSION HEARING DATE: February 8, 2023
CITY COUNCIL HEARING DATE: February 21, 2023
REQUESTED CHANGE: AO to RMD
STAFF RECOMMENDATION: **Approval**
PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

CASE NUMBER: ZC-23-01

BACKGROUND DATA

APPLICANT: Austin Davis, Lockhart 1322, LLC
OWNER: Same as applicant
SITE LOCATION: East side of Lay Road, 530 feet east of FM 1322
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 92.52 acres
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: Medium Density Residential, *Agriculture/Rural Development*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on January 3, 2023. Upon annexation, the property was assigned to AO Agricultural-Open Space District. The applicant proposes to rezone the subject property to develop a single-family detached residential subdivision. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The RMD district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	AO	<i>Industry, High Density Residential</i>
East	Vacant land	ETJ	<i>Industry, Agricultural/Rural Development</i>
South	Vacant Land	ETJ	<i>Agricultural/Rural Development</i>
West	Single-family residential, Vacant land	ETJ	<i>Agricultural/Rural Development, Industry</i>

TRANSITION OF ZONING DISTRICTS: Most nearby areas are either in the ETJ or are zoned AO. The exception is the area to the northwest of the subject parcel on the west side of FM 1322 is zoned LI, Light Industrial and the area to the west shown as Industry on the Future Land Use Map. Given that other nearby areas are in the ETJ but are likely to be the sites of residential or commercial development in the future, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the FM 1322 right-of-way near the northwest corner of the site. City wastewater service will require a lengthy off-site extension along FM 1322 towards Blackjack Street (FM 20), which may also require the installation of a force main and lift station. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development.

POTENTIAL NEIGHBORHOOD IMPACT: Because this is still a sparsely populated area, any adverse impact will likely be limited to increased traffic on Lay Road and FM 1322, with likely impact on the Blackjack Road intersection with FM 1322. TxDOT will likely require a traffic impact analysis for the intersection with FM 1322 and the impact on the FM 1322-Blackjack Road intersection, and could require safety improvements (center left-turn lane, right-turn transition lanes, traffic signals, etc.) that would be the responsibility of the developer to provide.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is consistent with the Medium Density Residential designation for much of the subject property on the Future Land Use Plan map. The rest of the property was assigned Agriculture/Rural Development, consistent with the pattern of assigning this designation to areas within the ETJ rather than assigning more specific future land uses to areas further outside the city.

ALTERNATIVE CLASSIFICATIONS: None more appropriate.

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 Lockhart 1322 LLC (Austin Davis)

ADDRESS 2899 Cedar Hollow Rd

DAY-TIME TELEPHONE 817-823-9359

Georgetown TX 78628

E-MAIL austind.realty@gmail.com

OWNER NAME _____

ADDRESS _____

DAY-TIME TELEPHONE _____

E-MAIL _____

PROPERTY

*East side of Lay Rd starting approximately
530 feet from FM 1322 intersection*

ADDRESS OR GENERAL LOCATION Lay Road east of FM 1322

LEGAL DESCRIPTION (IF PLATTED) See attached legal description

SIZE 92.52 ACRE(S) LAND USE PLAN DESIGNATION Residential, Medium Density / Agriculture

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

PROPOSED NEW USE, IF ANY Single-Family Residential

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural *AO*

TO PROPOSED ZONING CLASSIFICATION Residential, Medium Density

REASON FOR REQUEST New master planned community

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 \$ 2,000.40 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE 

DATE 1/11/23

OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER 201199325

DATE SUBMITTED 1/11/23

CASE NUMBER ZC - 23 - 01

DATE NOTICES MAILED 1/23/23

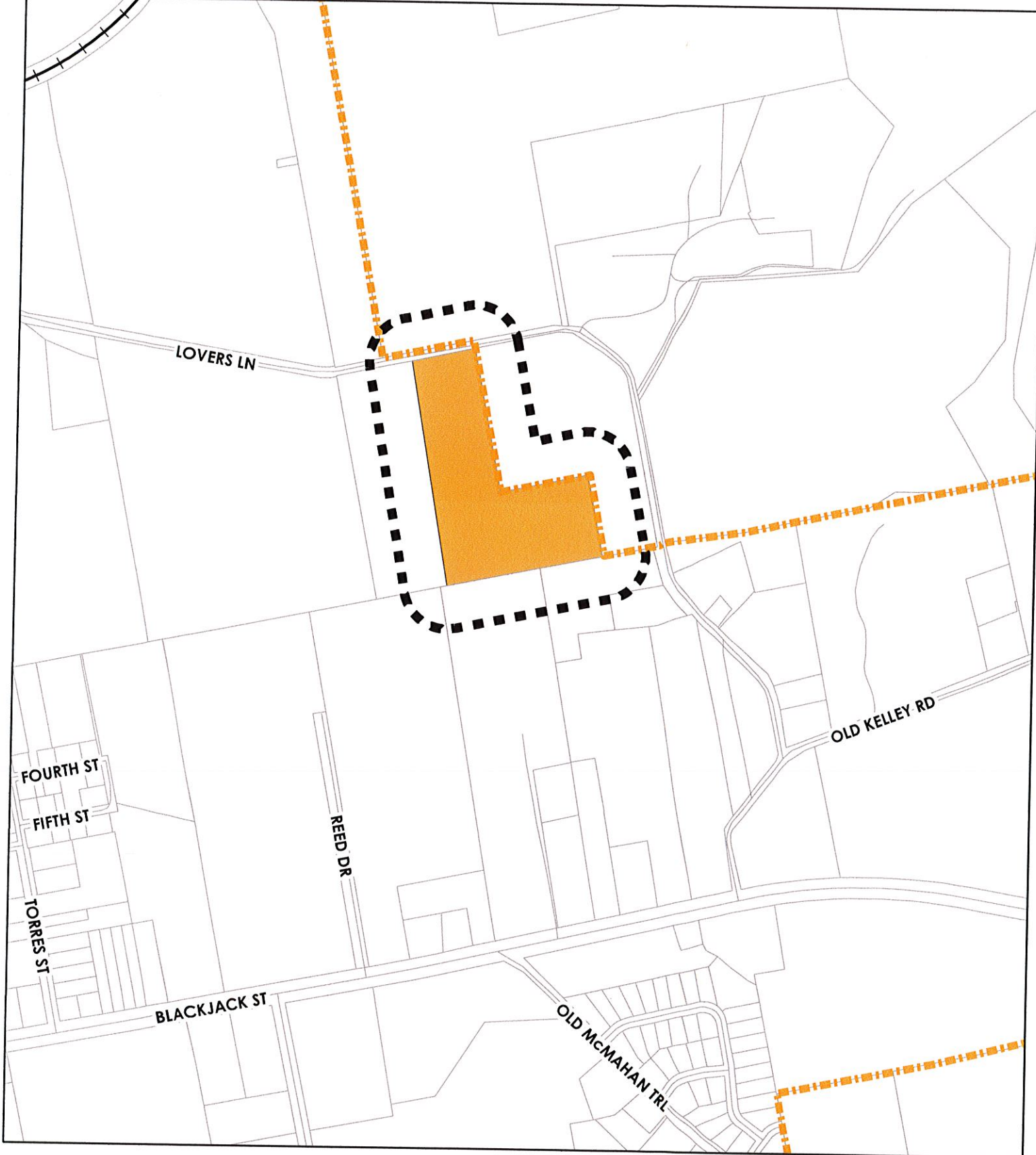
DATE NOTICE PUBLISHED 1/26/23

PLANNING AND ZONING COMMISSION MEETING DATE 2/8/23

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 2/14/23

DECISION







ZC-23-02

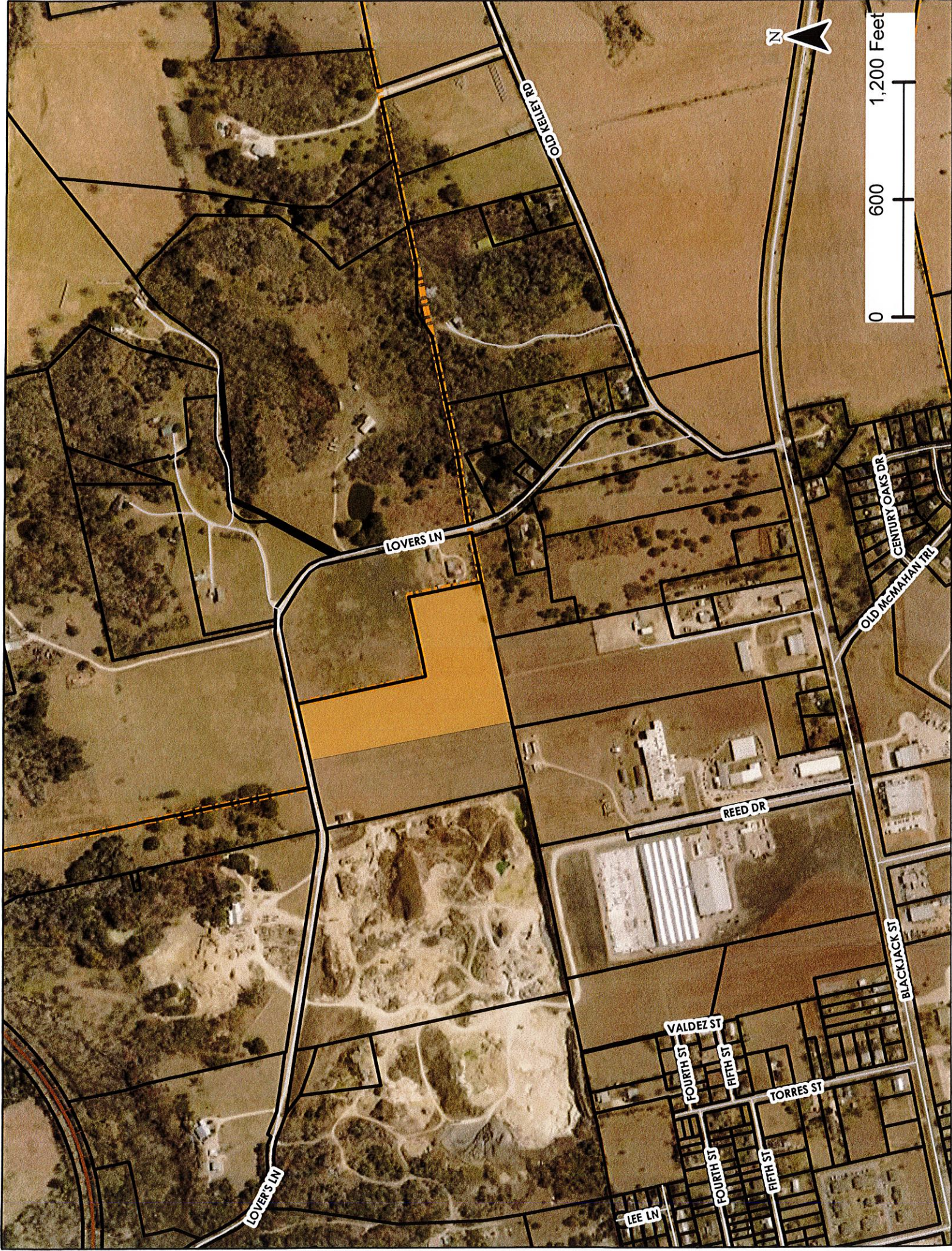
AO TO RMD

1400 LOVERS LANE



scale 1" = 600'

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



OLD KIEFER RD

LOVERS LN

LOVERS LN

REED DR

VALDEZ ST

LEE LN

FOURTH ST

FIFTH ST

TORRES ST

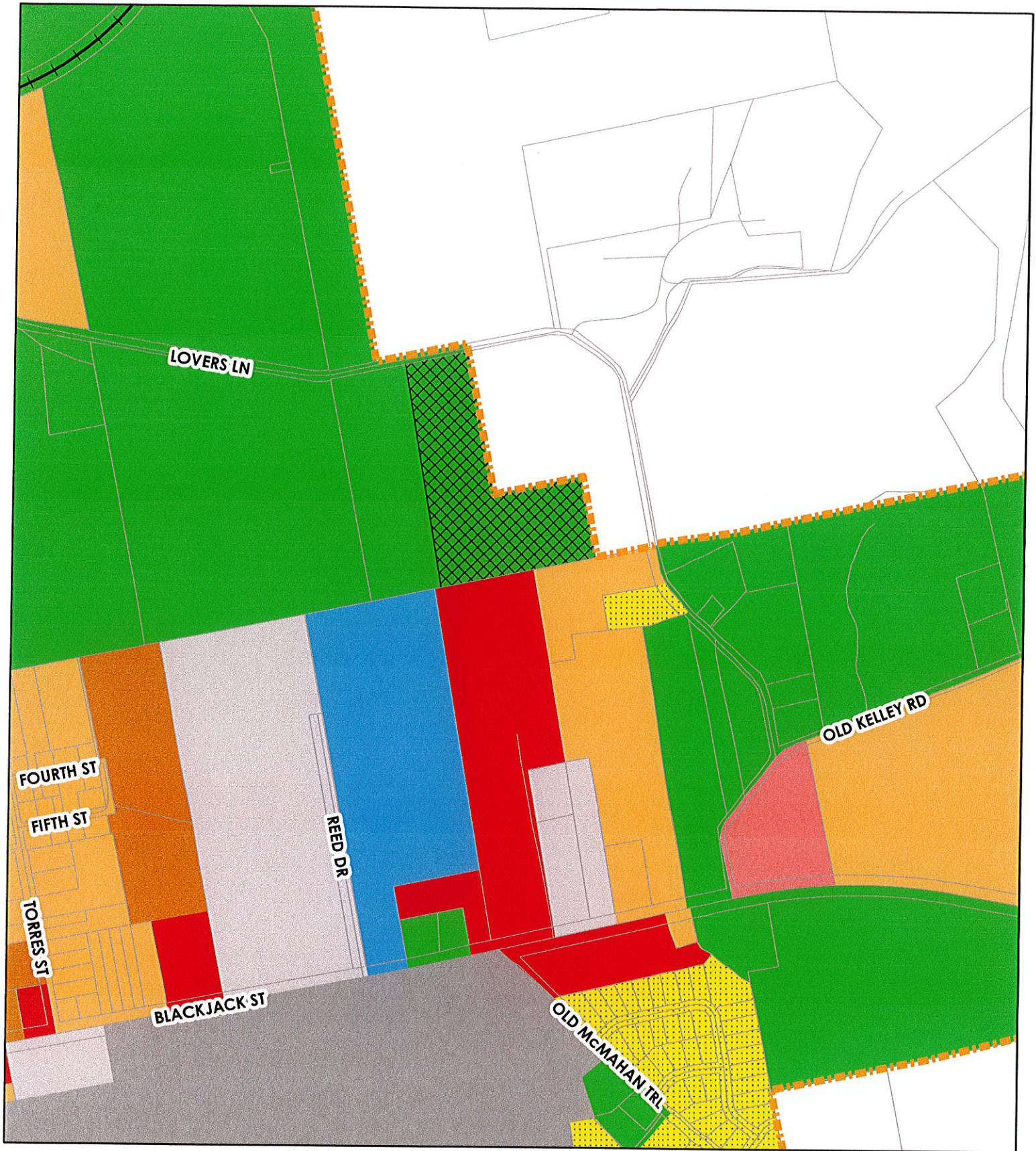
FOURTH ST

FIFTH ST

CENTURY OAKS DR

OLD McMAHMAN TRL

BLACK JACK ST



ZC-23-02

AO TO RMD

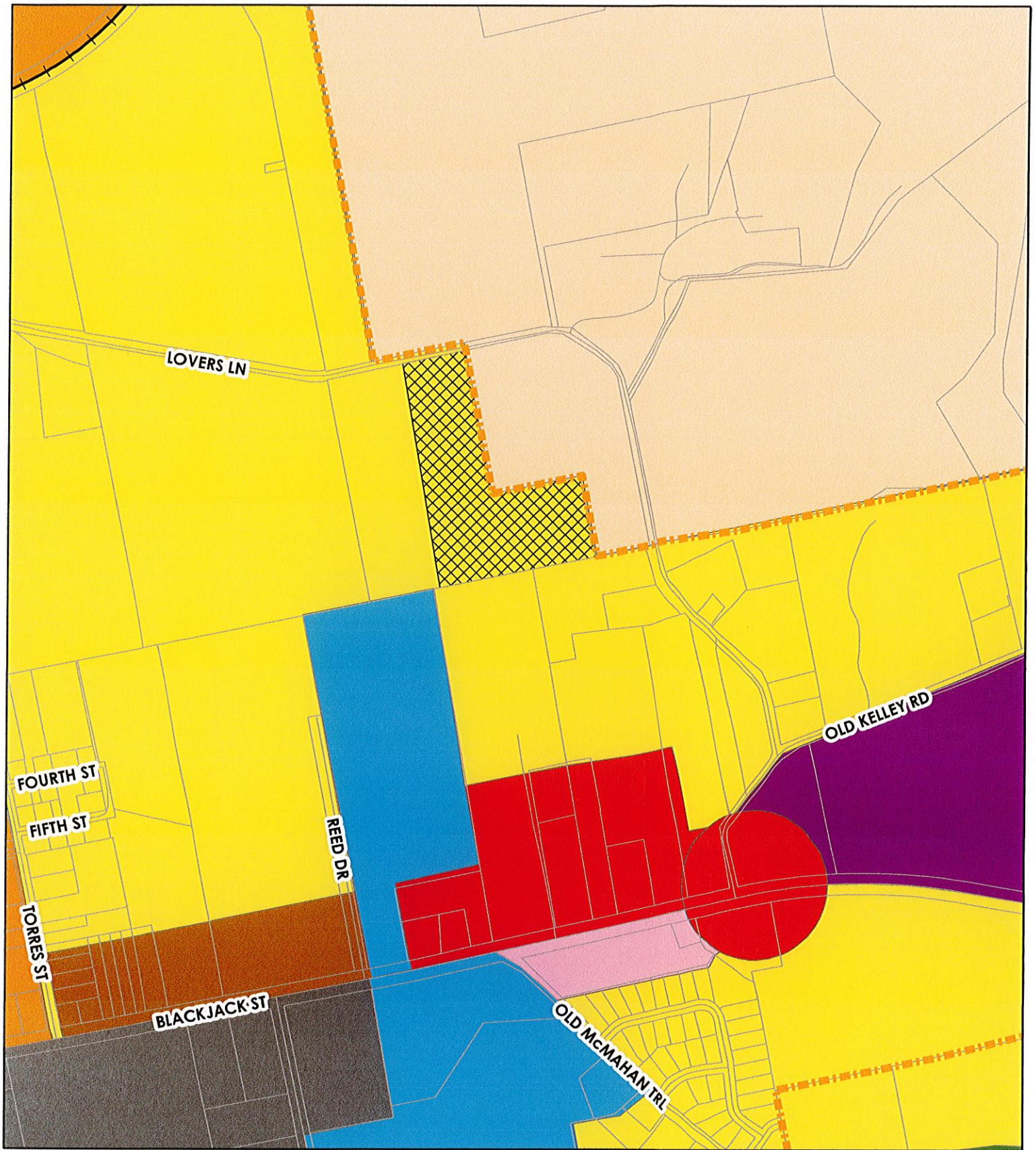
1400 LOVERS LANE



scale 1" = 600'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL HEAVY
- INDUSTRIAL LIGHT
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO TO RMD

1400 LOVERS LANE



scale 1" = 600'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

PLANNING DEPARTMENT REPORT

ZONING CHANGE

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-23-02

REPORT DATE: February 2, 2023

PLANNING AND ZONING COMMISSION HEARING DATE: February 8, 2023

CITY COUNCIL HEARING DATE: February 21, 2023

REQUESTED CHANGE: AO to RMD

STAFF RECOMMENDATION: *Denial*

PLANNING AND ZONING COMMISSION RECOMMENDATION: *Pending*

BACKGROUND DATA

APPLICANT: Chris Elizondo

OWNER: Jimbo Cotton, 2402 CR 119, LLC

SITE LOCATION: 1400 Lovers Lane

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 19.36 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on September 15, 2009. Upon annexation, the property was assigned AO Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision That would also include adjacent parcels to the south. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The Residential Medium Density (RMD) district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type. The proposed area to be rezoned represents a smaller area of the parent tract than was proposed in zoning change request ZC-22-26, which was denied on October 18, 2022, due to City Council concerns regarding the site being adjacent to an active gravel pit. The new request would leave an area of approximately 300-350 feet adjacent to the gravel pit in its current AO zoning district to provide a buffer between the gravel operation and any homes to be built.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	AO, ETJ	<i>Agricultural/Rural Development, Low Density Residential</i>
East	Vacant land, Single-family residential	ETJ	<i>Agricultural/Rural Development</i>
South	Vacant Land, Industrial, Institutional	PI, CHB, RMD	<i>Public and Institutional,</i>
West	Resource extraction, Vacant land	AO	<i>Medium Density Residential, Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There currently are two large blocks of RMD zoning to the south and east of the subject parcel, including the area proposed to combine with the subject parcel to create a single subdivision. Other nearby areas are either in the ETJ or are zoned CHB, PI, or AO. While there is relatively little other residentially-zoned land in the general area currently, much of the area to the north, east and southeast is designated for residential development on the Future Land Use Map.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the Lovers Lane right-of-way near the northwest corner of the site. As the proposed subdivision will also abut Blackjack Street (FM 20), the subdivision would provide an opportunity to loop the water system in the area. City wastewater service will require connection to an area southeast of the site along Lover's Lane or in the Blackjack Street right-of-way. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development. Improvement of Lovers Lane to City standards will be required as a condition of the subdivision plat.

POTENTIAL NEIGHBORHOOD IMPACT: As the proposed subdivision would front on both Blackjack Street and Lovers Lane, those streets would be most heavily affected, with Blackjack Street getting most of the additional traffic as it offers the fastest connection to Colorado Street and points outside of Lockhart. As Blackjack Street/FM 20 is a TxDOT route, the agency will review proposed intersection locations and possibly require intersection improvements to mitigate traffic impacts.

Unlike in most other zoning cases, a larger issue concerns the impact of existing neighboring uses on this proposed residential development. One of the concerns expressed by the City Council before it denied the previous zoning application on October 18, 2022, was the potential negative impacts of the gravel pit on any residents that would move to the area after it is developed. TCEQ has standards for the proximity of residences to gravel pits and recommends 1,500 feet separation of gravel operations from residential areas when new pits are permitted. For this application, the proposed RMD zoning area has been moved more than 300 feet away from the gravel pit since October, but the proposed residential area would nevertheless be considerably closer than the TCEQ standard. Because of the potential negative effects on the health of residents and on residential property values from being located near an active gravel pit, the City should not create the circumstances that could expose future residents to these negative outcomes. For this reason, City staff does not recommend approval of the proposed zoning change.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is one step up in intensity from the site's *Low Density Residential* designation on the Land Use Plan map but is consistent with the single-family residential envisioned for the site in the Comprehensive plan.

ALTERNATIVE CLASSIFICATION: Residential Low Density District or remain in Agricultural-Open Space District.

RESPONSE TO NOTIFICATION: City Staff has received one phone call from a neighboring resident expressing opposition to the project based on current heavy truck traffic in the area and the additional traffic that would be created by the addition of over 100 residences.

STAFF RECOMMENDATION: Denial.

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 Chris Elizondo
DAY-TIME TELEPHONE 512-810-8588
E-MAIL chris@cuatroconsultants.com

ADDRESS 3601 Kyle Crossing
Suite A
Kyle, TX 78640

OWNER NAME Jimbo Cotton
DAY-TIME TELEPHONE 512-784-3015
E-MAIL jimbo@matexas.com

ADDRESS PO Box 5708
Austin, TX 78763

PROPERTY

ADDRESS OR GENERAL LOCATION 1400 Lovers Lane, Lockhart, TX 78644
LEGAL DESCRIPTION (IF PLATTED) A017 Lockhart, Byrd, Acres 11.51
SIZE 11.51 ACRE(S) LAND USE PLAN DESIGNATION Single Family Subdivision
EXISTING USE OF LAND AND/OR BUILDING(S) Agriculture
PROPOSED NEW USE, IF ANY Single Family Development

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural-Open Space
TO PROPOSED ZONING CLASSIFICATION Residential Medium Density
REASON FOR REQUEST Proposed 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 \$ 380.20 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

James H. Hahn

DATE 1-11-23

OFFICE USE ONLY

ACCEPTED BY David Fowler

RECEIPT NUMBER P012 00231

DATE SUBMITTED 1/17/23

CASE NUMBER ZC - 23 - 02

DATE NOTICES MAILED 1-23-2023

DATE NOTICE PUBLISHED 1-26-2023

PLANNING AND ZONING COMMISSION MEETING DATE 2/8/23

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 2/24/23

DECISION _____