

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, March 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 February 8, 2023, meeting.
4. PP-22-08. Consider a request by Dan Ross of Red Oak Development Group for approval of a Preliminary Plat for Seawillow Ranch Subdivision, consisting of 89.775 acres in the John A. Neill Survey, Abstract No. 20, zoned RMD Residential Medium Density District, and located at 2400 F.M. 1322.
5. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
6. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 12:00 PM on the 2nd day of March, 2023.

**City of Lockhart
Planning and Zoning Commission
February 8, 2023**

MINUTES

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

Member Absent: None

Staff Present: David Fowler, Christine Banda

Visitors/Citizens Addressing the Commission: Catarina Gonzales, James Acuna, Brett Corwin, Kent Riddle, Joan Gabriel

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 January 11, 2022, meeting.

Commissioner Lingvai moved to approve the January 11, 2022, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 7-0.

4. 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.

Mr. Fowler presented the request, detailing the site and the surrounding neighborhood. He said that the applicant has requested to place a new manufactured home on the subject property. He mentioned that no communication opposing the request had been received.

Commissioner St. Ledger asked if the site plan only showed the building yard setbacks and if a two-car driveway with no covered parking would be allowed at the location.

Mr. Fowler said yes, no dimensions of the home were on the site plan that had been submitted, but the dimension of the proposed home were provided separately. Ms. Banda noted that since the property was recorded prior to 1990, covered parking is not required. However, they would provide two required off-street parking spaces.

Commissioner Oliva asked if the lot was large enough to build a site-built home.

Mr. Fowler stated that a site-built home could be built upon the lot.

Chair Ruiz made a comment to the commission that when one drives through the east side of town it is apparent that several new homes with a more modern design have been built recently. He also stated that it is known that manufactured homes do not retain their value in comparison to site-built homes. He stated that he believes that residential neighborhoods are more suitable for site-built homes.

Mr. Fowler said that manufactured homes are allowed with a specific use permit, and it is the citizen's right to apply if they so wish. The granting of the Specific Use Permit is at the discretion of the Commission.

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

Catarina Gonzales of 407 Neches Street said that they would have liked to build a site home but that it is not as economically feasible as a manufactured home. She said that many older manufactured homes in her neighborhood have been remodeled. She mentioned that they would remodel the house at 407 Neches Street where they currently live once they have a home at 405 Neches Street. The property belongs to her father, who would also live with them. She stated there are numerous manufactured homes in her neighborhood. She asked if she heard correctly from Chair Ruiz that they did not want manufactured homes in town.

Chair Ruiz said that the commission needs to weigh where they fit appropriately either in manufactured home parks or in neighborhoods.

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

Mr. Fowler said that staff recommends approval and that the case is consistent with the requirements.

Commissioner St. Ledger moved to approve SUP-23-03. Commissioner Peterson seconded, and the motion was denied with a vote of 2-4-1 (Commissioners Oliva, Ruiz, Arnic and Lingvai against and Commissioner McBride's abstention).

5. 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.

Mr. Fowler presented his staff report. He said that Lockhart ISD is asking to place a portable classroom next to the Cub house which is located off San Jacinto Street on the same property as two elementary schools.

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

James Acuna, Executive Director of Operations with Lockhart ISD came forward for any questions from the commission. He said that the district is growing fast, and the extra space is needed. The portable building will free up space at Carver Pre-K.

Commissioner Arnic asked if the portable building would be temporary or permanent.

Mr. Acuna stated that the building would be temporary. Now that a bond has passed the then they will determine which portable buildings can be removed as new schools are constructed. The proposed portable will be enclosed with fencing so that there is no outside access.

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

Mr. Fowler recommended approval because it meets the criteria for an SUP for the proposed use.

Commissioner McBride moved to approve SUP-23-04. Commissioner St. Leger seconded, and the motion passed by a vote of 7-0.

6. 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.

Mr. Fowler presented the staff report. He stated that the subject property was annexed on January 3, 2023. The future land use map shows the property is designated medium density residential, especially closer to Lay Road, which is consistent with the proposed zoning change. City water is located relatively close to the property. The developer would have to extend wastewater to the development, which could involve a force main and lift station.

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

Brett Corwin of 5953 McNaughton, Kyle, said the subdivision would be similar to Summerside Subdivision located south of town. It would consist of single family homes and they could possibly use an existing drainage area on the property as an open space amenity.

Chair Ruiz asked how many housing units they would build.

Mr. Corwin said that while they are still working with the engineer, he believed that there would be roughly 380 units, which would be less than the maximum allowed under the proposed zoning district. Also, after speaking with their engineer about the wastewater, they know that they will have to provide a lift station for their development, and it would need to be diverted north and connect to Blackjack Street.

Chair Ruiz asked if any other speakers would like to state their support or opposition to the application.

Kent Riddle of 1203 Magnolia Street said that he is concerned with the narrow right-of-way along Lay Road and that it would not support the heavy traffic that would arrive with the new development.

Joan Gabriel of 93 Seawillow Road said that she is also concerned with Lay Road as well as drainage issues from a new development.

Mr. Corwin said that the first thing he discussed with city staff was how to improve Lay Road. It would need to be widened to support the increased traffic along with it being curb and gutter. He mentioned that TxDOT is requesting a left-hand turn lane off FM 1322 onto Lay Road. The project would be consistent with road improvement standards required by the City, Caldwell County, and TxDOT.

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

Mr. Fowler stated that staff recommends approval.

Commissioner Peterson moved to recommend approval of ZC-23-01 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 7-0.

7. 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.

Mr. Fowler informed the commission that the applicant withdrew the request.

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 February 22, 2023, with a possible subdivision.

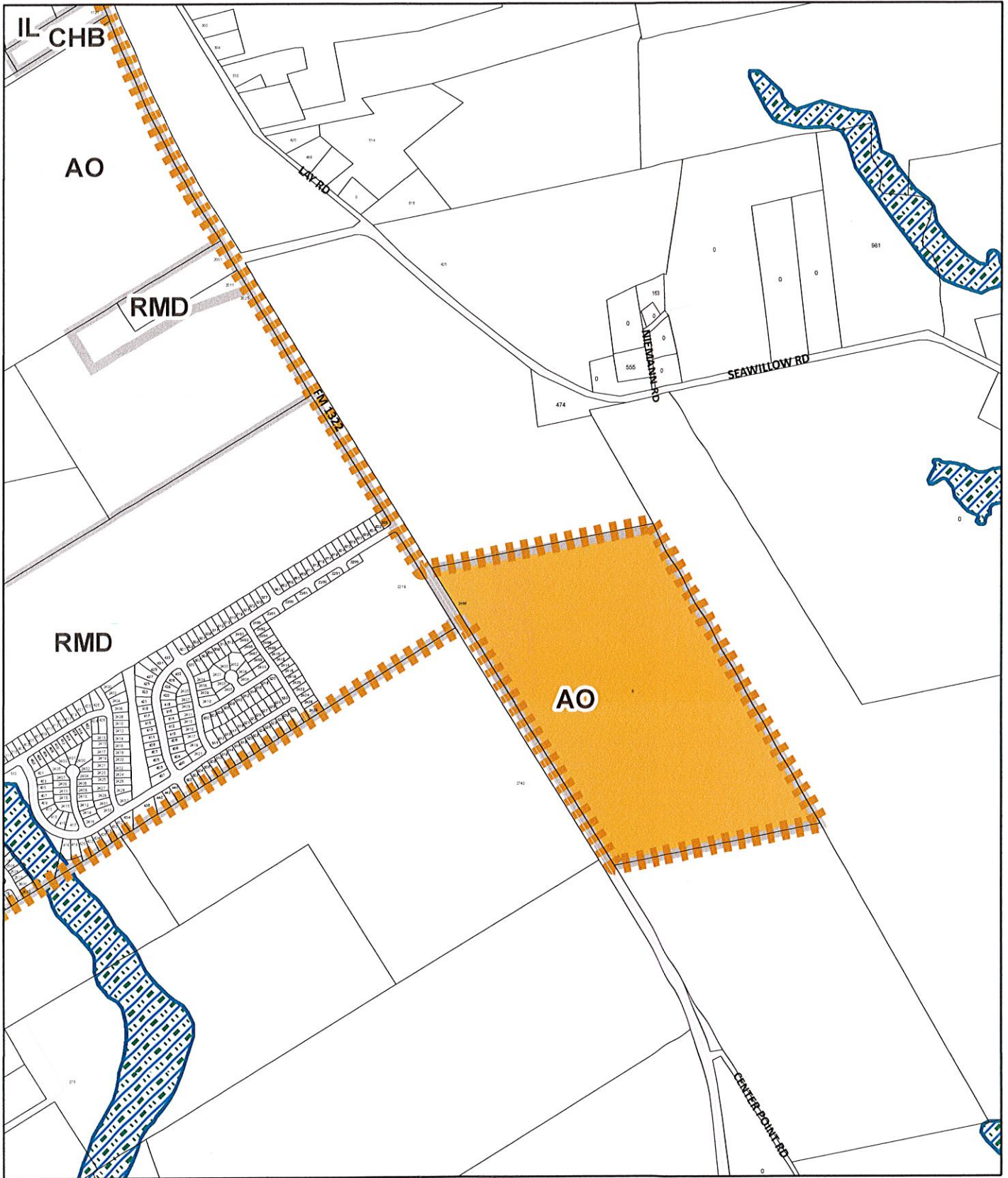
9. Adjourn.

Commissioner Arnic moved to adjourn, and Commissioner Oliva seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:54 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair






PP-22-08

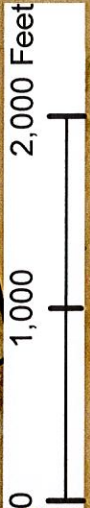
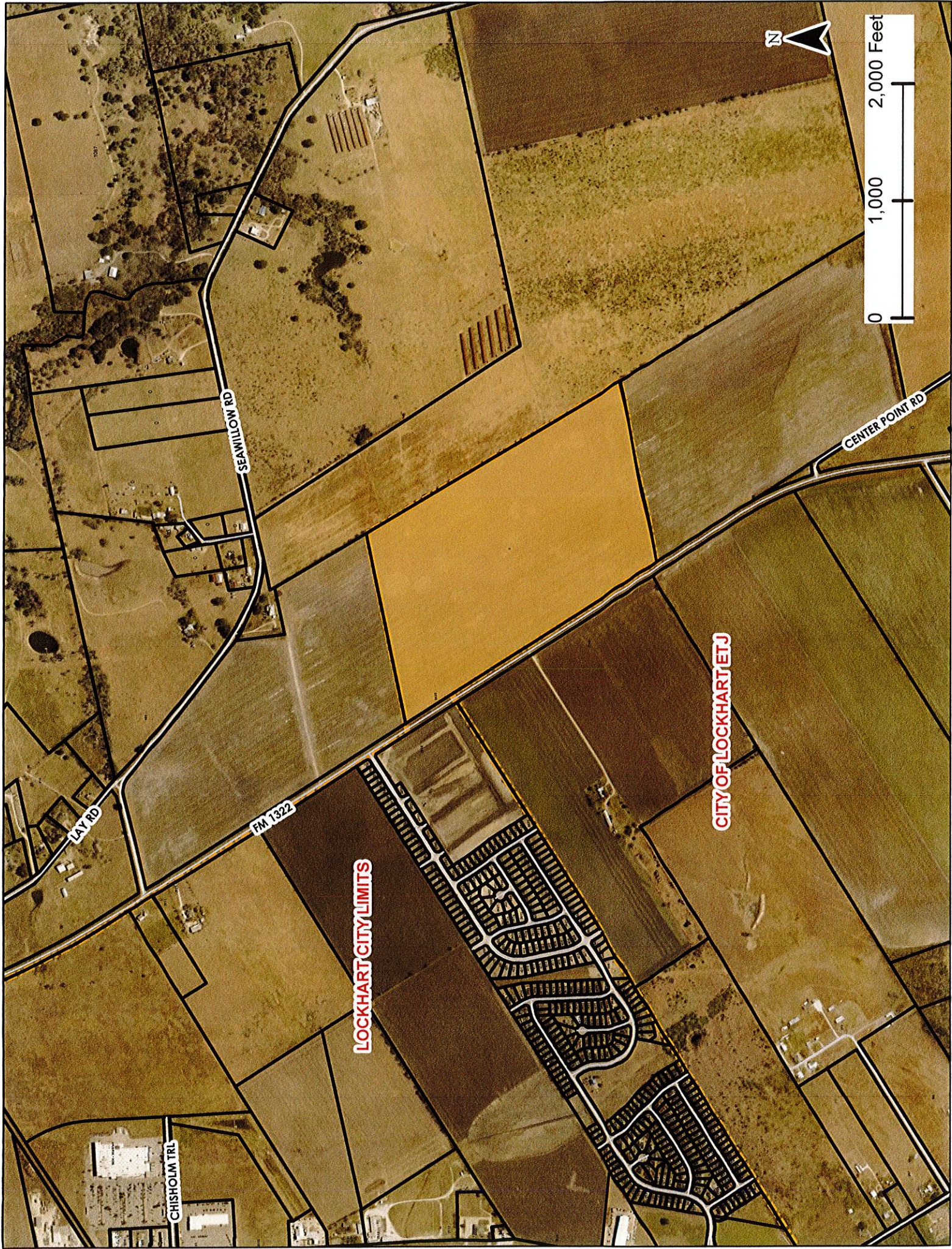
SEAWILLOW RANCH

2400 FM 1322



-  SUBJECT PROPERTY
-  ZONING DISTRICT
-  CITY LIMITS

scale 1" = 1200'



SEAWILLOW RD

CENTER POINT RD

LAY RD

FM 1322

CHISHOLM TRL

LOCKHART CITY LIMITS

CITY OF LOCKHART (ETJ)

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*
REPORT DATE: March 2, 2023
PLANNING & ZONING COMMISSION DATE: March 8, 2023
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-22-08

BACKGROUND DATA

APPLICANT: Dan Ross, RedOak Development Group
ENGINEER: Eric Beals, P.E., ViewPoint Engineering
SURVEYOR: Matt Tomerlin, P.L.S., DataPoint Surveying & Mapping
OWNER: Tom Staub, Founder and CEO, RedOak Development Group
SITE LOCATION: 2400 F.M. 1322
PROPOSED SUBDIVISION NAME: **Seawillow Ranch Subdivision**
SIZE OF PROPERTY: 89.775 acres
NUMBER OF LOTS: 417 single-family residential lots and 8 nonresidential lots consisting of a mixture of parkland and stormwater detention areas
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: RMD (Residential Medium Density)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Seawillow Ranch Subdivision Preliminary Plat includes 425 total proposed lots on a parcel of land recently annexed into the city, to be developed in a single phase. Of those lots, 417 are single-family residential, with the remaining 8 being nonresidential lots consisting of a mixture of parkland and stormwater detention areas. The largest nonresidential lot (Lot 1, Block 4) is a joint parkland and stormwater detention lot. The total parkland proposed is 8.279 acres, which will exceed the eight percent requirement by 1.097 acres. This parkland acreage includes half the area of the joint parkland/stormwater detention lot, half being 4.065 acres, as allowed in Section 52-112(d) of the Subdivision Regulations. According to Plat Note 10, the parkland area is for public use, and will be owned and maintained by the Homeowners' Association. There is no indication on the plat as to whether parkland improvements will be constructed within the development; however, it should be noted that the subdivision plat application was submitted prior to adoption of the current Subdivision Regulations which require such improvements. Within the subdivision, 14 new street rights-of-way are proposed, including five stub-outs to adjacent properties to the north, east, and south. In addition, one existing street, Clear Sky Drive, will be extended into the development from Summerside Section 4 across F.M. 1322 to the west. Sidewalks are proposed on both sides of all internal streets. The street names labeled on the plat drawing may be used as placeholders, since street names will not be assigned until the Final Plat review procedures.

NEIGHBORHOOD COMPATIBILITY: The subject property is located across F.M. 1322 from Summerside Subdivision in an area projected to experience rapid rates of growth in the future. The property is bordered to the north, east, and south by vacant properties in seasonal agricultural use. The

properties to the west, across F.M. 1322, include a parcel containing a single-family residential use and a large agricultural field, as well as Summerside Section 4, currently under residential construction. The greatest impact of the proposed development would be increased traffic on the abutting F.M. 1322. However, the proposed subdivision at build-out will provide three access points onto F.M. 1322, one of which will be constructed to Collector Street standards (identified as "Barrow Lane" on the plat drawing). In addition, the five proposed stub-outs to the sides and rear of the subject property will provide even greater connectivity when the adjoining properties develop in the future. At the time of the final plat stage, any roadway improvements required by TxDOT, such as turning lanes and deceleration lanes, must be constructed with the subdivision improvements, prior to recordation of the plat. The applicant has informed Staff that a Traffic Impact Analysis has been prepared, and will be submitted to TxDOT for review in the next few weeks.

FORM AND CONTENT: The plat complies with all minimum requirements for form and content.

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

CONCURRENT VARIANCES REQUESTED: None

SUBDIVISION PLAT APPLICATION

CITY OF
Lockhart
TEXAS

*-This is the resubmitted application-
1/30/23-*

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

APPLICANTS

SURVEYOR NAME Data Point Surveying & Engineering
DAY-TIME TELEPHONE 726-777-4230
E-MAIL matt@datapointsurveying.com

ADDRESS 12450 Network Blvd Ste 300
San Antonio, TX 78249

ENGINEER NAME ViewPoint Engineering
DAY-TIME TELEPHONE 210-667-7774
E-MAIL ebeals@viewpointengineering.com

ADDRESS 2121 E 6th Austin
Austin, Texas 78702

OWNER NAME Tom Staub
DAY-TIME TELEPHONE 717-856-0018
E-MAIL tom@redoakvc.com

ADDRESS 8512 Bestride Bend
Austin, TX 78744

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Seawillow Ranch *Subdivision*
ADDRESS OR GENERAL LOCATION ²⁴⁰⁰ FM 1322, Lockhart, TX
LOCATED IN CITY LIMITS ETJ (COUNTY) PDD
TOTAL LAND AREA ^{89.775} ACRE(S) PROPOSED NUMBER OF LOTS 425
ZONING CLASSIFICATION(S) RMD
PROPOSED USE OF LAND Single Family 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.

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 reproducible (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 Dan Ross

Digitally signed by Dan Ross
DN: cn=Dan Ross, o=Caldwell County, c=US
Reason: I am the author of this document
Locales: C=US
Date: 2023.01.30 14:07:08.00

DATE 1/30/2023

PRINTED NAME Dan Ross

TELEPHONE 717-609-7365

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 Walker

RECEIPT NUMBER Roll 85994 (resubmission)

DATE SUBMITTED 1/30/23 (resubmission) CASE NUMBER PP - 22 - 08

DATE APPLICATION IS DEEMED COMPLETE 12/6/22 (original submission)

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

PLANNING AND ZONING COMMISSION MEETING DATE 3/8/23

DECISION _____

CONDITIONS _____