

PUBLIC NOTICE

**City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, July 26, 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 June 28, 2023 meeting.
4. SUP-23-07. Hold a PUBLIC HEARING and consider a request by Lockhart I.S.D for a Specific Use Permit to allow a *Public-School Expansion* at Lockhart High School on 32.14 acres in the Francis Berry Survey Abstract No. 2, zoned PI, Public and Institutional, and located at 906 Center Street. .
5. PV-23-03. Consider a request by Steven Lewis, President of Lockhart Economic Development Corporation, for approval of a Plat Variance to allow construction of the required hike and bike trail per Section 52-77(b) of the Subdivision Regulations until after the Final Plat is recorded, for Lockhart Industrial Park III Section 2 on 37.820 acres, zoned IL, Industrial Light, and located within the 500 block of F.M. 2720.
6. PP-22-06. Consider a request by John Pickens of Kimley-Horn and Associates, Inc., for approval of a Preliminary Plat and Subdivision Development Plan for Juniper Springs Subdivision, consisting of 484.653 acres in the John B. Gray Survey, Abstract No. 116, and the William House Survey, Abstract No. 15, located partially within the Lockhart Extraterritorial Jurisdiction (ETJ), and partially within the Caldwell County jurisdiction outside the ETJ, at 2814 Borchert Loop and 3000 Borchert Loop.
7. PP-23-02. Consider a request by James Cotton of 2401 C.R. 219, LLC for approval of a Preliminary Plat for Blackjack Grove Subdivision, consisting of 13.761 acres in the James George Survey, Abstract No. 9, and Lot 2, Reyna Acres, zoned RMD, Residential Medium Density, and located at 1519 Blackjack Street and 1541 Lover's Lane.
8. Discuss the date and agenda of the 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 10:30 AM on the 20th day of July, 2023.

**City of Lockhart
Planning and Zoning Commission
June 28, 2023**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Bradley Lingvai, Phil McBride, Rick Arnic, Ron Peterson, Julia Haug

Members Absent: None

Staff Present: Christine Banda, Kevin Waller

Visitors/Citizens Addressing the Commission:

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 June 14, 2023, meeting.

Commissioner Arnic moved to approve the June 14, 2023, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.

4. Consider a request by Adam Green of Kbar Group, Inc., for approval of a 6-month extension of the Preliminary Plat approval period (PP-22-02) for Lockhart Place Townhomes, consisting of 19.798 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD (Planned Development District), and located at 903 State Park Road.

Mr. Waller said that Lockhart Place Townhomes Preliminary Plat was approved by the Commission on June 22, 2022, along with a Planned Development District Plan and Zoning Change which were approved by the City Council on August 16, 2022. The applicant had ongoing negotiations between an adjacent property owner to the west to secure an off-site stormwater detention area that had delayed the process of moving forward with their final plat. The applicant is requesting an extension for their preliminary plat to remain valid until December 21, 2023.

Chair Ruiz asked how many extensions are allowed, Mr. Waller replied two.

The applicant, James Travis Krause of 1950 County Road 146, Georgetown, explained that the delay was related to efforts obtain an area west of the project site so that they could have a larger detention area. They intend to sign an agreement soon with the neighboring property

owner to create an offsite detention area. With this step cleared. They should be ready to move forward with the project.

Mr. Waller satated that staff recommends approval of the extension.

Commissioner Oliva moved to approve a 6-month extension for PP-22-02. Commissioner Haug seconded, and the motion passed with a vote of 7-0.

5. PV-23-01. Consider a request by Victor Ostiguin, P.E., of Doucet & Associates, Inc., for approval of a Plat Variance to allow a 6-month extension to January 26, 2024, after a six-month extension to July 26, 2023, as authorized in Section 52-35(e) of the Subdivision Regulations, of the one-year period within which construction must begin following approval by the Planning and Zoning Commission on January 26, 2022, of the final plat of Summerside Section 5 on 29.948 acres, zoned CHB (Commercial Heavy Business) and RMD (Residential Medium Density), and located at 2300 South Colorado Street (U.S. Hwy 183).

Mr. Waller explained that the Final Plat for Summerside Section 5 was approved by the Commission on January 26, 2022, and on December 7, 2022, a one-time, six-month extension to the final plat approval period was granted by the City Planner. With that extension, the deadline to begin construction of the required subdivision improvements was extended to July 26, 2023. The applicant is now requesting a second 6-month extension to begin construction of the subdivision improvements for a proposed deadline of January 26, 2024. He continued, explaining that since this is a second extension request a variance must first be approved by the Commission prior to approval of any additional extensions. He said the reason for the request is the recent rise in interest rates and the slowdown in the real estate market.

The applicant, Victor Ostiguin of 1324 Gardien Street, Gonzales, stated that due to the increase in interest rates and the leading to a slowdown in the real estate market they are requesting the extension. He added that the subject property currently has crops which are scheduled to be harvested by the farmer in August of this year. They would like to accommodate the farmer's plans to ensure a smooth transition without disrupting their operations. The extension would eliminate unnecessary conflicts with the farmer and better align with market conditions.

Adam Stowe with Lennar confirmed that they are working with the farmer to ensure he gets his crops harvested before any construction is started. He stated that they would not come back for another extension.

Mr. Waller said that staff recommends approval of the second 6-month extension.

Commissioner Oliva moved to approve the second 6-month extension to January 26, 2024, for PV-23-01. Commissioner Peterson seconded, and the motion passed with a vote of 7-0.

6. PV-23-02. Consider a request by Victor Ostiguin, P.E., of Doucet & Associates, Inc., for approval of a Plat Variance to allow a 6-month extension to January 26, 2024, after a six-month extension to July 26, 2023, as authorized in Section 52-35(e) of the Subdivision Regulations, of the one-year period within which construction must begin following approval by the Planning and

Zoning Commission on January 26, 2022, of the final plat of Summerside Section 6 on 23.982 acres, zoned RMD, and located at 2300 South Colorado Street (U.S. Hwy 183).

Mr. Waller said that this case is the same as the previous case for Summerside Section 5. They are requesting another 6-month extension for the same reasonings.

The applicant, Victor Ostiguin of 1324 Gardien Street, Gonzales, said this case is the same situation as section 5. He said they plan to develop both sections 5 and 6 together.

Mr. Waller said that staff recommends approval.

Commissioner Oliva moved to approve the second 6-month extension to January 26, 2024, for PV-23-02. Commissioner Peterson seconded, and the motion passed with a vote of 7-0.

7. RP-23-01. Consider a request by Sam Walker, P.E., of Eckermann Engineering, Inc., for approval of McCoy's Lockhart Subdivision, a Resubdivision Plat of Lots 5-A and 5-B, Block 1, Lockhart Industrial Park II, and 4.007 acres in the Francis Berry Survey, Abstract No. 2, for a total of 12.843 acres, zoned CHB (Commercial Heavy Business), and located at 1600 South Colorado Street, 114 Bufkin Lane, and 116 Bufkin Lane.

Mr. Waller presented the Resubdivision plat for McCoy's Lockhart Subdivision. He described the plat having both two platted lots and one unplatted lot which will become four total lots which categorize it as a Resubdivision, which required approval by the Commission. A McCoy's Building Supply store will be constructed on Lot 2 and the other three proposed lots would be sold separately for future commercial developments. There might also be future expansion of the store onto one of the other lots. There is an existing bank building that would need to be demolished, and sidewalks would be added along Bufkin Lane when those lots are developed. The applicant had obtained approval for a driveway along South Colorado Street from TxDOT.

Sam Walker, the civil engineer on the project, stated they are excited to be coming to Lockhart. The site plan was designed to save as many trees as possible and replant those that must be removed. The removal of the existing trees was approved by the City Council earlier this year. He mentioned that they obtained a hold harmless agreement to start moving dirt to relocate a 12-inch sewer line further east on the subject property and that electric power is also being moved on the property.

Mr. Waller said that staff recommends approval.

Commissioner Arnic moved to approve RP-23-01. Commissioner McBride seconded, and the motion passed with a vote of 7-0.

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

Mr. Waller said that the next meeting will be July 12th with one subdivision variance.

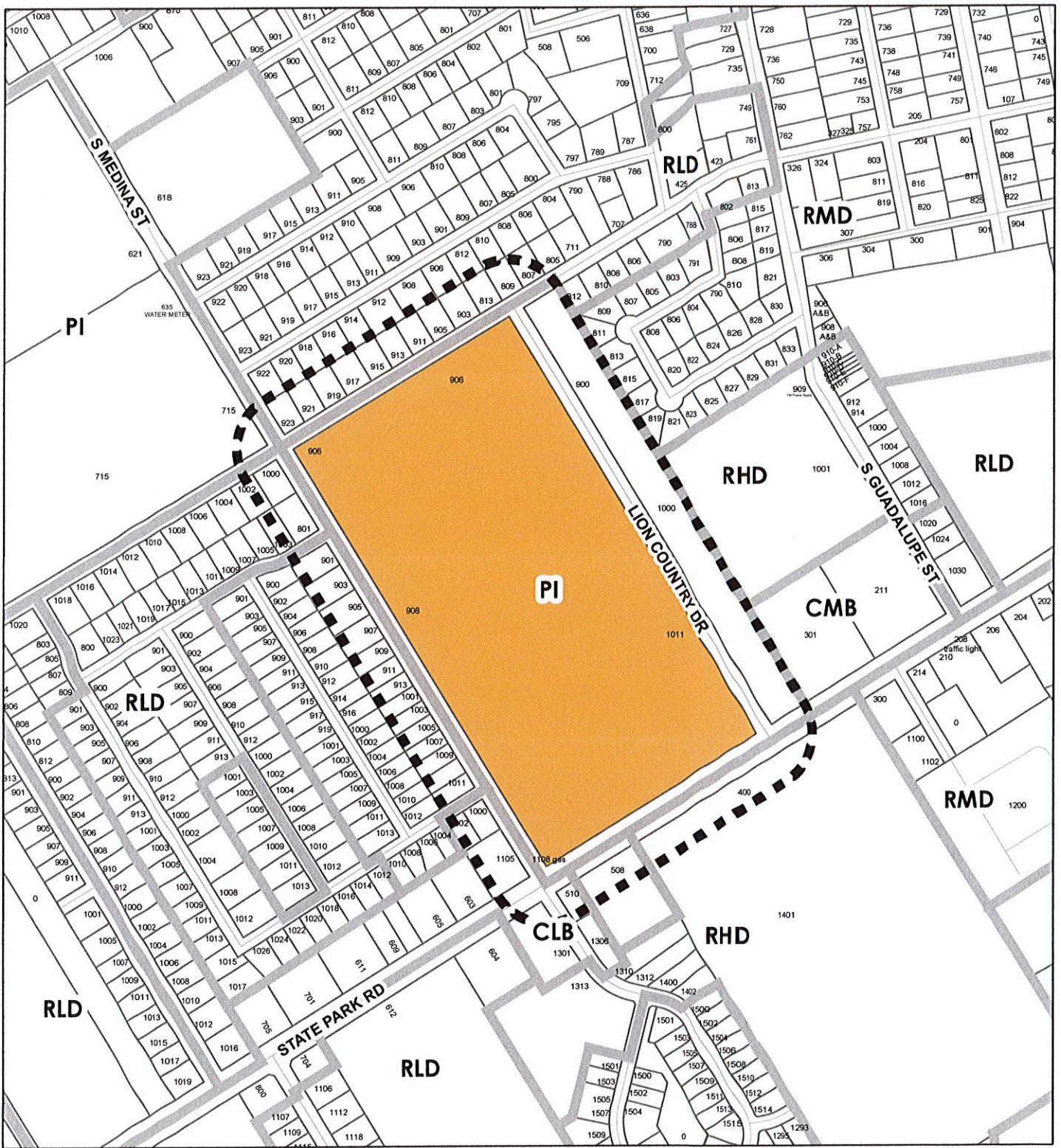
9. Adjourn.

Commissioner Lingvai moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:44 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



SUP-23-07

906 CENTER ST

LOCKHART HIGH SCHOOL EXPANSION



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 500'



PIN OAK ST
PIN OAK ST

S COMMERCE ST
WHITE OAK ST

BLACKJACK ST

S COLORADO ST

S MAIN ST

MEADOW PARK LN
MEADOW PARK LN

S CHURCH ST

CENTER ST

BEE ST

S BLANCO ST

S GUADALUPE ST

ROSS CIR

CIBILO ST

CIBILO ST

LION COUNTRY DR

STATE PARK RD

S MEDINA ST

HUNTERS RD

HARTER TR

S NIXON ST

MERTZ DR

BRAMHALL ST

VOGEL DR

S MEDINA ST

CROCKETT ST

ALMOSY

McMILLEN BLVD

PANNIN ST

BOLIE ST

TRAVIS ST

SAN JACINTO ST

PATTON RD

ST CLAY ST

PLUM ST

LEONA ST

CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBER: SUP-23-07

REPORT DATE: July 19, 2023

PUBLIC HEARING DATE: July 26, 2023

APPLICANT'S REQUEST: Public School Expansion at Lockhart High School, 906 Center Street

STAFF RECOMMENDATION: **Approval**

SUGGESTED CONDITIONS: None.

BACKGROUND DATA

APPLICANT: Jeremiah Chapman

OWNER: Lockhart ISD

SITE LOCATION: 906 Center Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 32.14 acres

EXISTING USE OF PROPERTY: Public School (Lockhart High School)

ZONING CLASSIFICATION: PI, Public and Institutional District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The school district expects to be over capacity at the High School and proposes to build a two-story classroom wing and expand both the cafeteria and Fine Arts and Multipurpose Building. The proposed expansions total 41,797 square feet. The location of the proposed building is indicated in the attached aerial photo.

NEIGHBORHOOD COMPATIBILITY: The proposed building additions would be visible from Center and Medina Streets. The classroom addition, which would be the addition with the closest setback to a neighboring street, would mostly impact Lion Country Drive, on which the addition would be across the street from the tennis courts. The classroom addition will bring the east side of the high school approximately 80 feet closer to Center Street, to the north but the building would still be set back approximately 120 feet from that street frontage. It is along the Lion Country frontage that the project will have the smallest setback. The building addition would be set back a minimum of 1.5 feet from the property line. This spacing would leave the existing sidewalk in place. There is no minimum side setback

COMPLIANCE WITH STANDARDS: The zoning ordinance does not provide an off-street parking formula for facilities in the PI district. The addition of the classroom wing will alter the parking lot along Center Street, with some of the spaces relocated to a new pad closer to Center Street. This will result in a net loss of 7 parking spaces. The proposed building additions will create an increased overall parking demand, despite the loss of 7 spaces. The parking calculation provided in the site plan projects an on-site parking shortage of 157 spaces resulting from the proposed additions and the loss of existing spaces.

ADEQUACY OF INFRASTRUCTURE: Existing vehicular access from all three adjacent streets would continue. Water and wastewater service is adequate.

RESPONSE TO NOTIFICATION: Staff has received a phone call from a nearby Medina Street resident who has expressed concern that the new additions would create additional stormwater drainage issues in the

area. The resident claims that a recent high school expansion has created drainage problems that have not been addressed.

STAFF RECOMMENDATION: Approval.

While staff overall recommends approval of the proposed building additions, serious questions regarding site drainage and parking strategy are created by the proposed expansion. The Commission should take these issues into account when deliberating the proposed Specific Use Permit.

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 Jeremiah Chapman
DAY-TIME TELEPHONE 737-357-6344
E-MAIL jeremiah.chapman@lockhart.txed.net

ADDRESS 419 Bois D'Arc St.
Lockhart, TX
78644

OWNER NAME Lockhart ISD
DAY-TIME TELEPHONE 512-398-0000
E-MAIL jeremiah.chapman@lockhart.txed.net

ADDRESS 419 Bois D'Arc St.
Lockhart, TX
78644

PROPERTY

ADDRESS OR GENERAL LOCATION 906 Center St. Lockhart TX. 78644

LEGAL DESCRIPTION (IF PLATTED) Lockhart High School Francis Berry Survey A-2

SIZE 32.14 ACRE(S) ZONING CLASSIFICATION PI

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

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Addition and renovation

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.

We are proposing to add a two story classroom wing addition, a fine arts addition and a cafeteria addition. 3993 sq ft

3510 sq ft

2165 sq ft

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 \$ 792.80 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 6-28-2023

OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER 01232062

DATE SUBMITTED 6/29/23

CASE NUMBER SUP - 23 - 07

DATE NOTICES MAILED 7-10-2023

DATE NOTICE PUBLISHED 7-13-2023

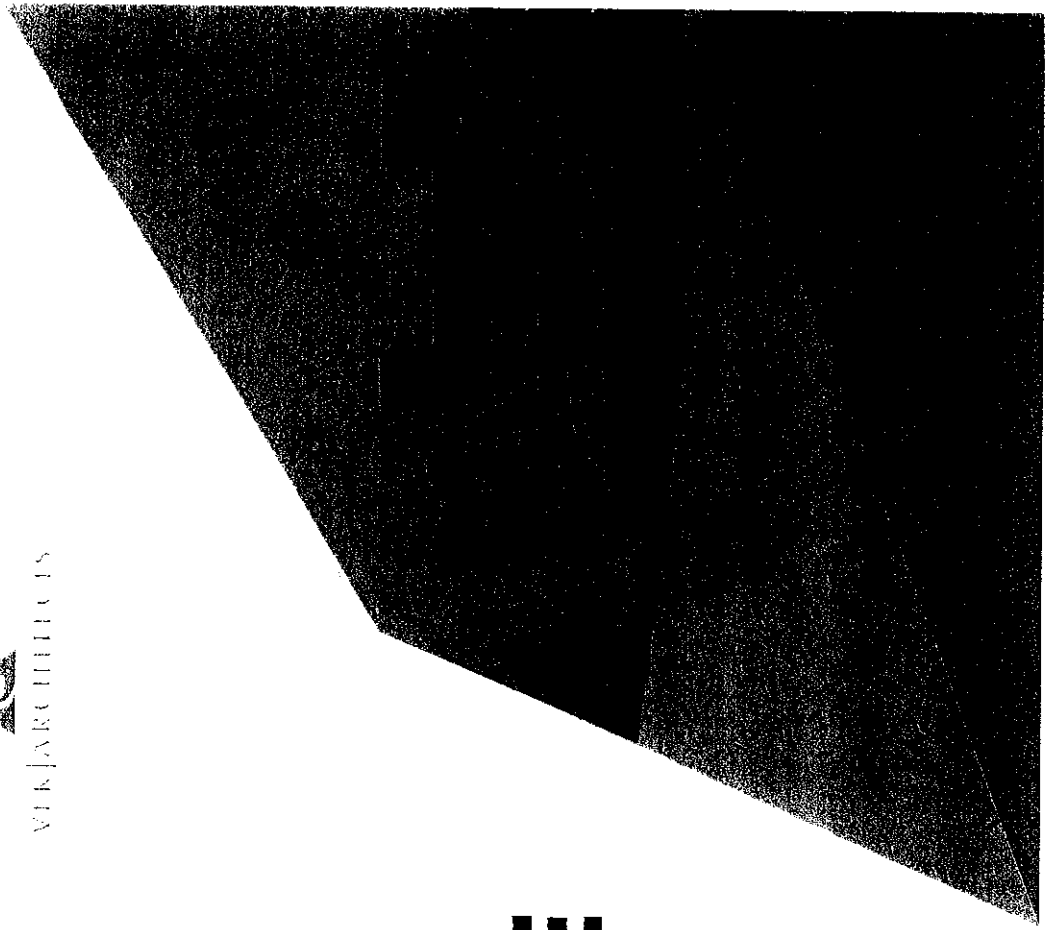
PLANNING AND ZONING COMMISSION MEETING DATE 7/26/23

DECISION _____

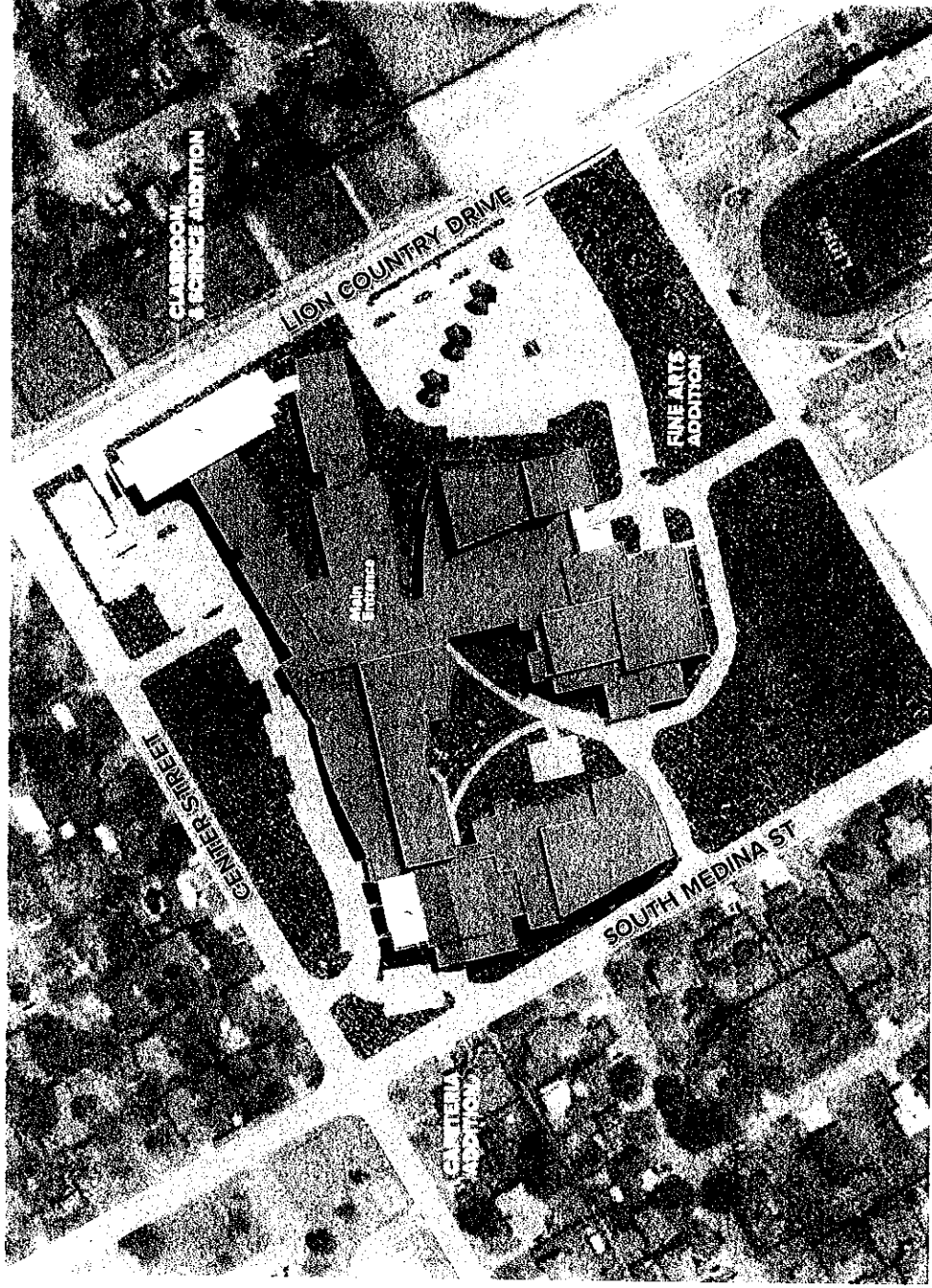
CONDITIONS _____



LOCKHART HS SCHEMATIC DESIGN UPDATE

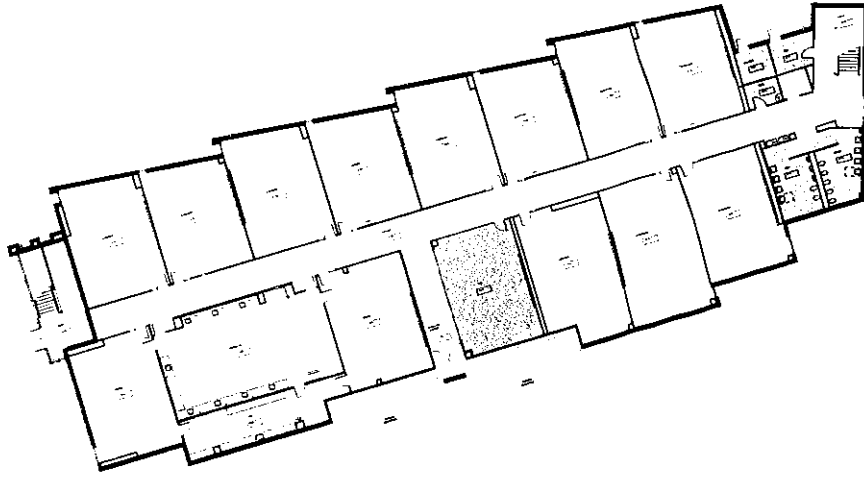


ADDITIONS TO LOCKHART HIGH SCHOOL SITE PLAN

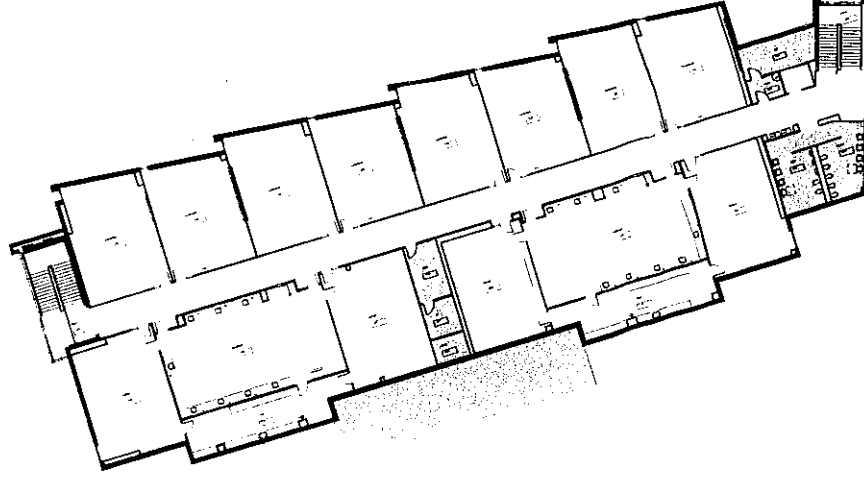


- **Base Bid:**
New 2-story building addition to serve 600 students, including (3) science labs and (25) classrooms and infill of existing multi-level cafeteria floor
- **Alternate Bid:**
Expansion of the existing cafeteria and a new multipurpose fine arts addition
- Blend the character of the addition to the existing campus

ADDITIONS TO LOCKHART HIGH SCHOOL CLASSROOM ADDITION



FIRST FLOOR



SECOND FLOOR

First Floor:
18,215 Sq. Ft.

Second Floor:
17,424 Sq. Ft.

Total Addition:
19 Classrooms
6 Science CL's
3 Science Labs
1 PLC

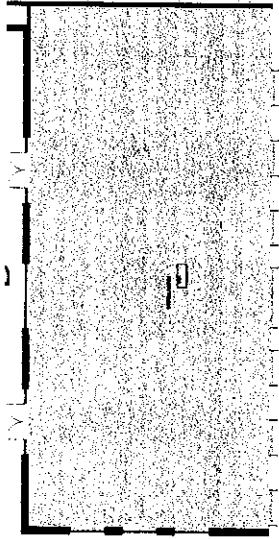
35,639 Sq. Ft.

LEGEND

- ADMINISTRATION
- ATHLETICS
- CAFETERIA
- CIRCULATION
- CLASSROOMS
- FINE ARTS
- LIBRARY
- RESTROOMS AND SERVICE
- SCIENCE AND TECHNOLOGY
- SPECIAL EDUCATION

**ADDITIONS TO LOCKHART HIGH SCHOOL
CAFETERIA ADDITION**

ALTERNATE BID
Cafeteria Addition
3,988 Sq. Ft.
Additional 300 Seats



BASE BID
Cafeteria Floor Infill
5,841 Sq. Ft.
Additional 180 Seats



Total Cafeteria Sq. Ft.
9,337 Sq. Ft.



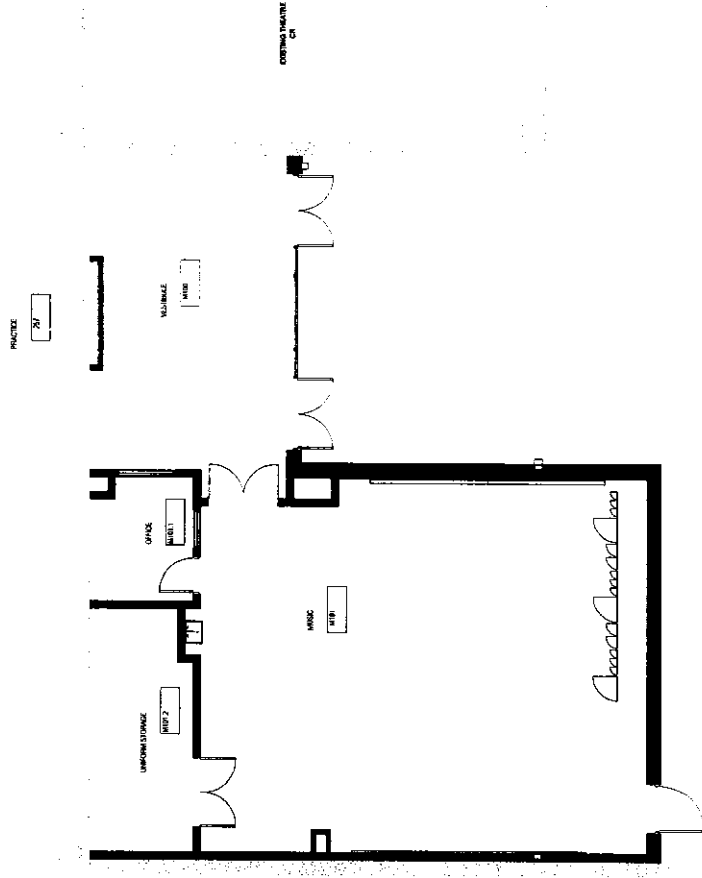
Total Seating Capacity
1,140



FIRST FLOOR
MOI LOCKHART

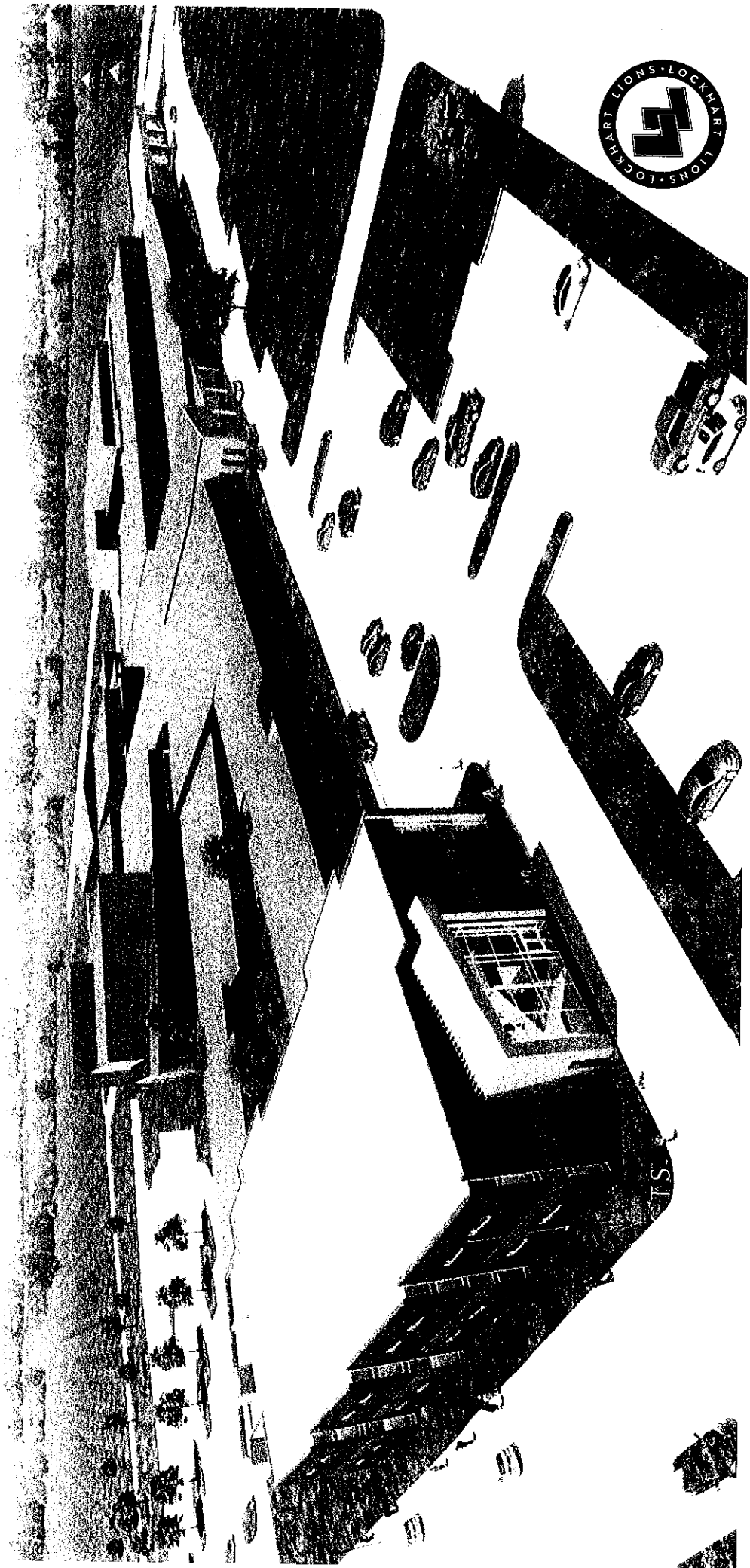
ADDITIONS TO LOCKHART HIGH SCHOOL
FINE ARTS ADDITION

ALTERNATE BID
Fine Arts Addition:
1 Office
1 Storage Room
1 Fine Arts Room
1,951 Sq. Ft.



FIRST FLOOR
NOT TO SCALE

LOCKHART HIGH SCHOOL
AERIAL VIEW LOOKING SOUTHWEST

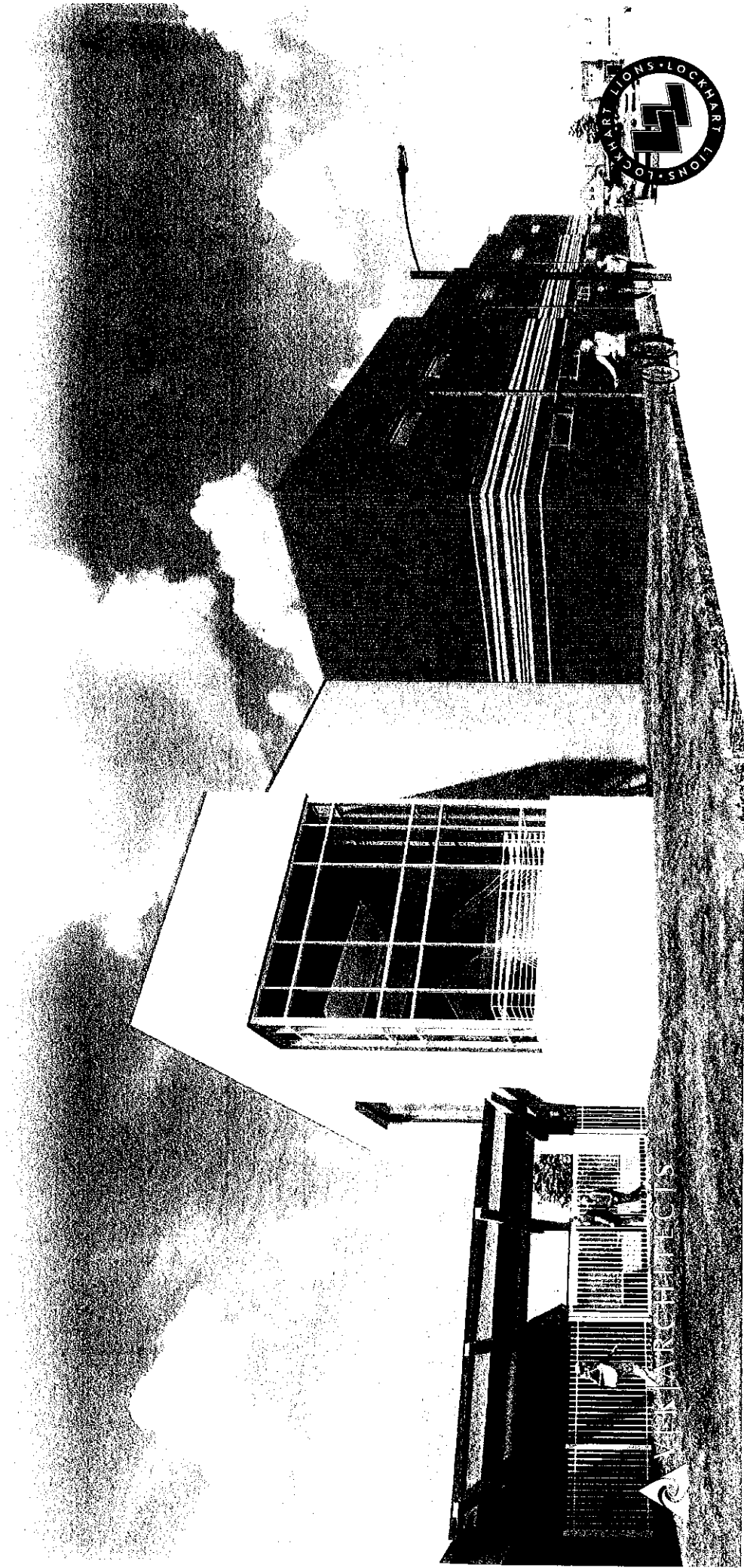


LOCKHART HIGH SCHOOL

CONCEPTUAL ARCHITECTURE



LOCKHART HIGH SCHOOL
CONCEPTUAL IMAGE - CLASSROOM ADDITION

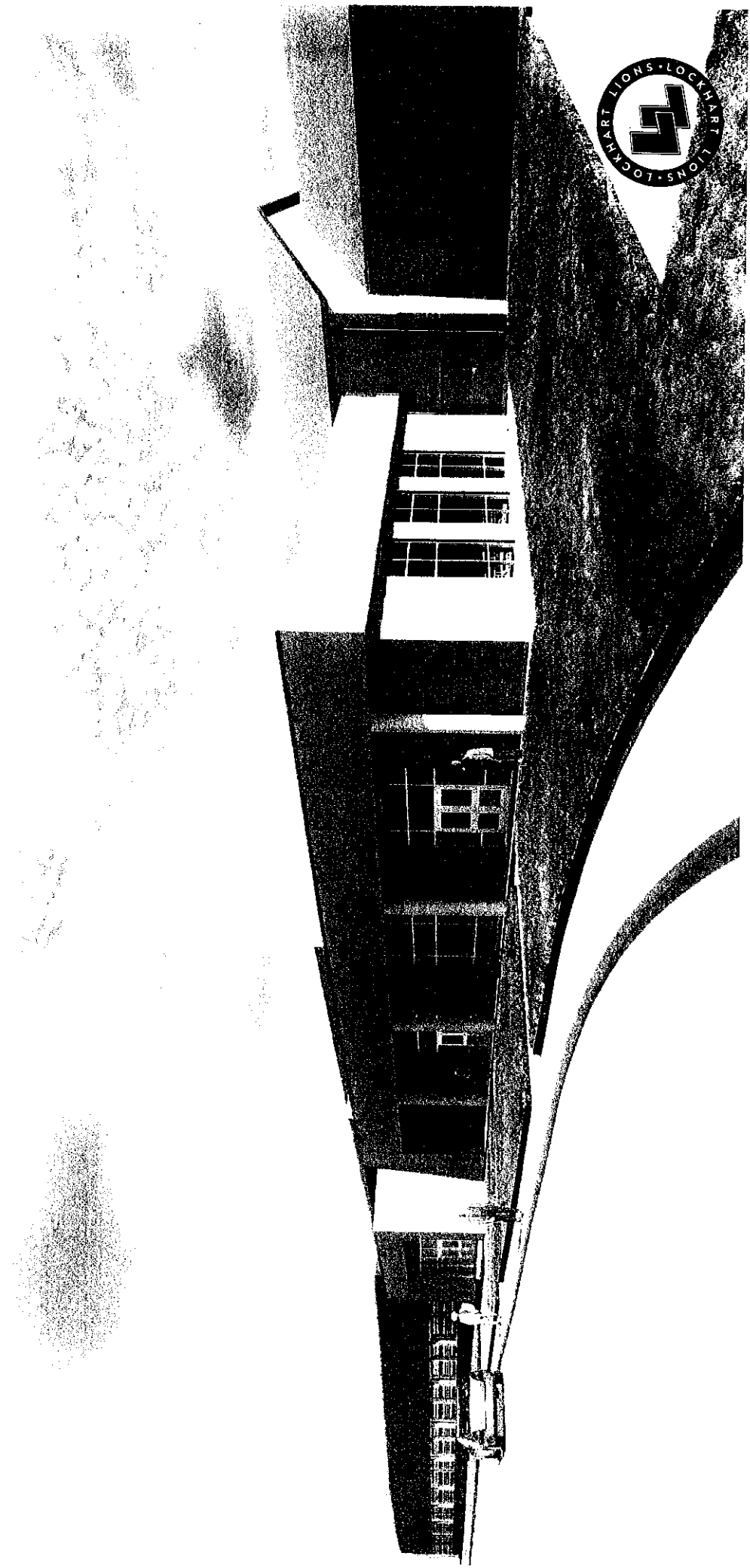


LOCKHART HIGH SCHOOL
AERIAL VIEW LOOKING SOUTHEAST

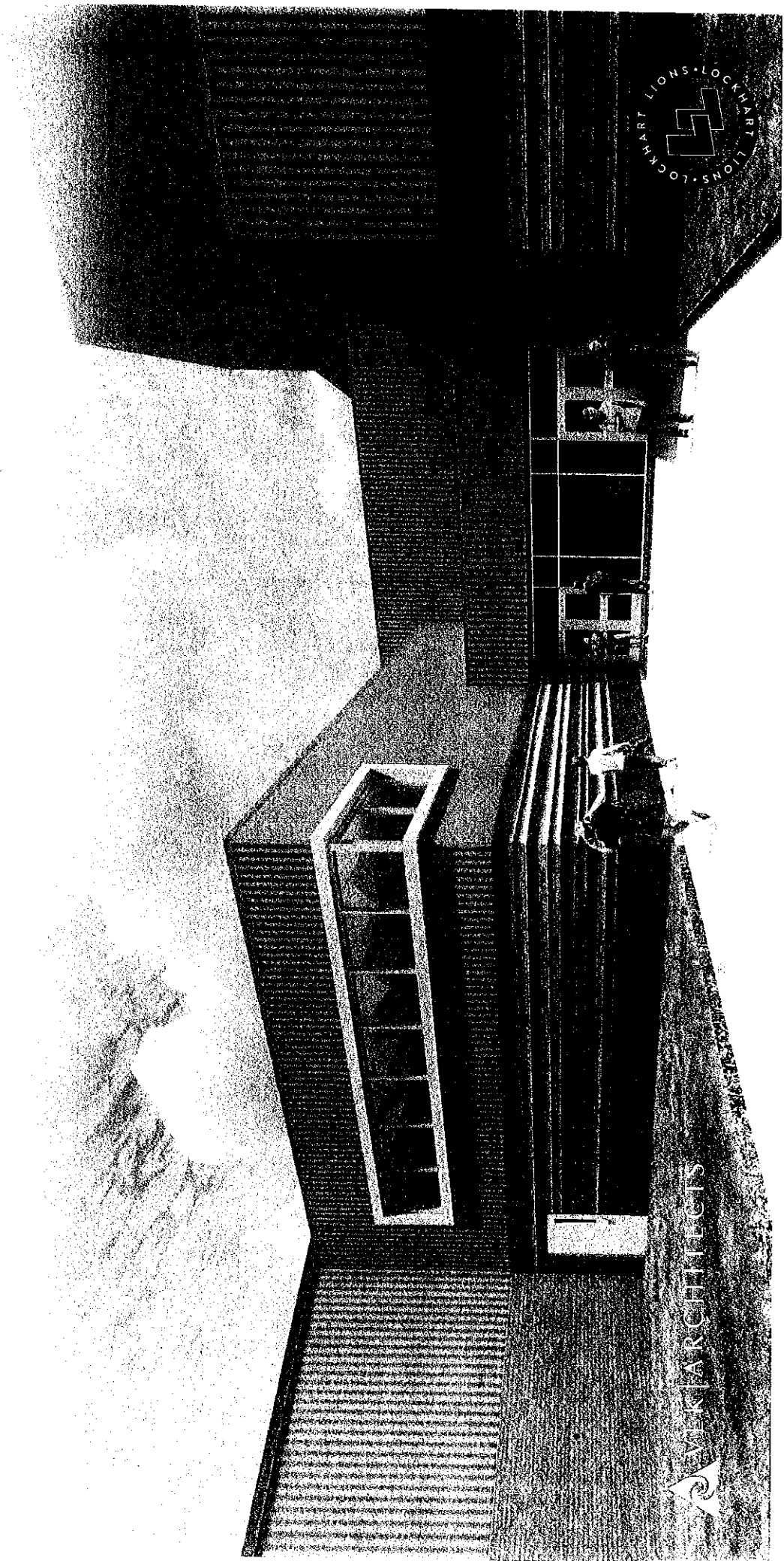


K|ARCHITECTS

LOCKHART HIGH SCHOOL
CONCEPTUAL IMAGE - CAFETERIA ADDITION - ALTERNATE BID



LOCKHART HIGH SCHOOL
CONCEPTUAL IMAGE - FINE ARTS ADDITION - ALTERNATE BID



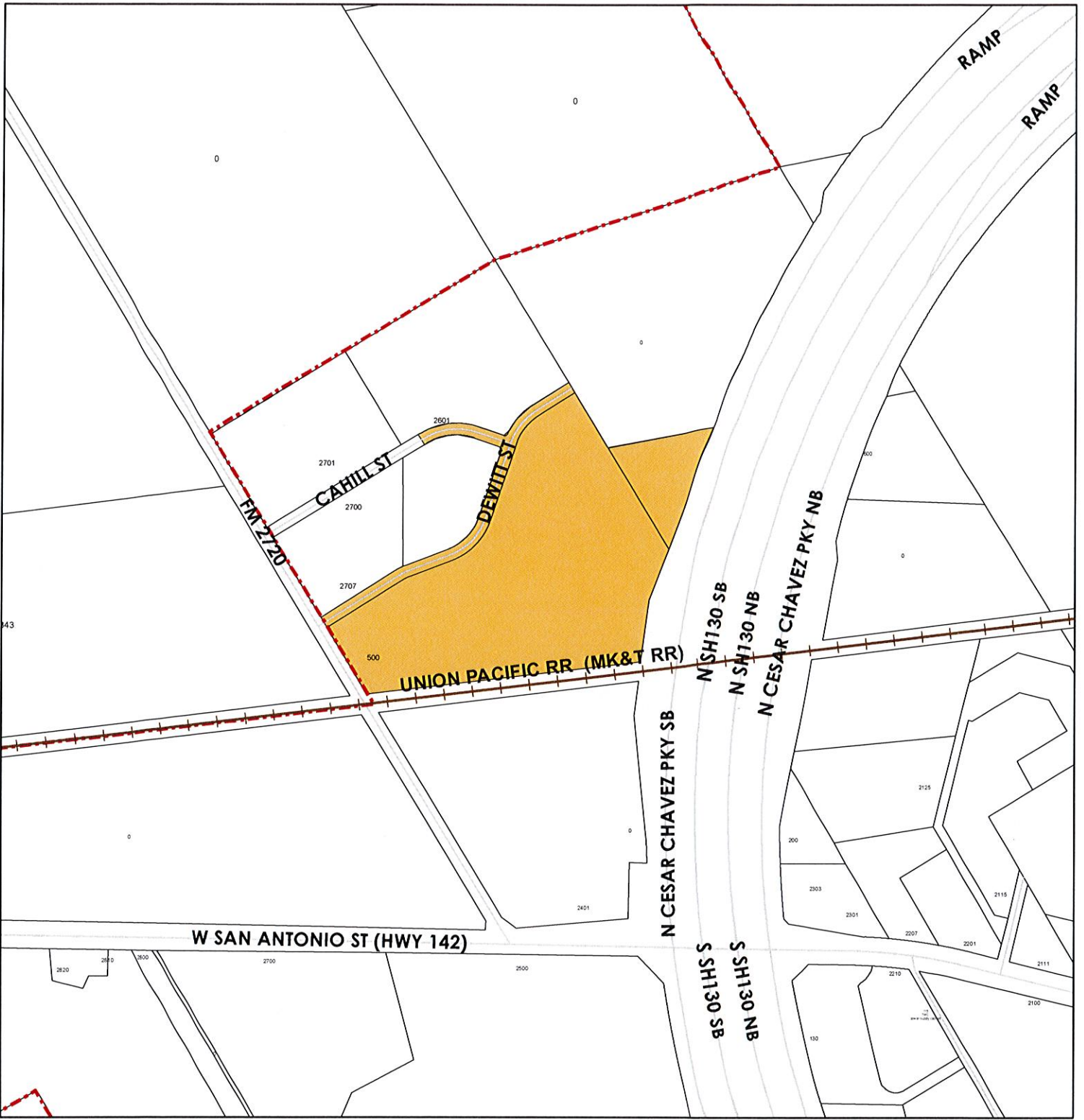
NEWKIRK ARCHITECTS





THANK YOU!





PV-23-03

500 BLK OF FM 2720

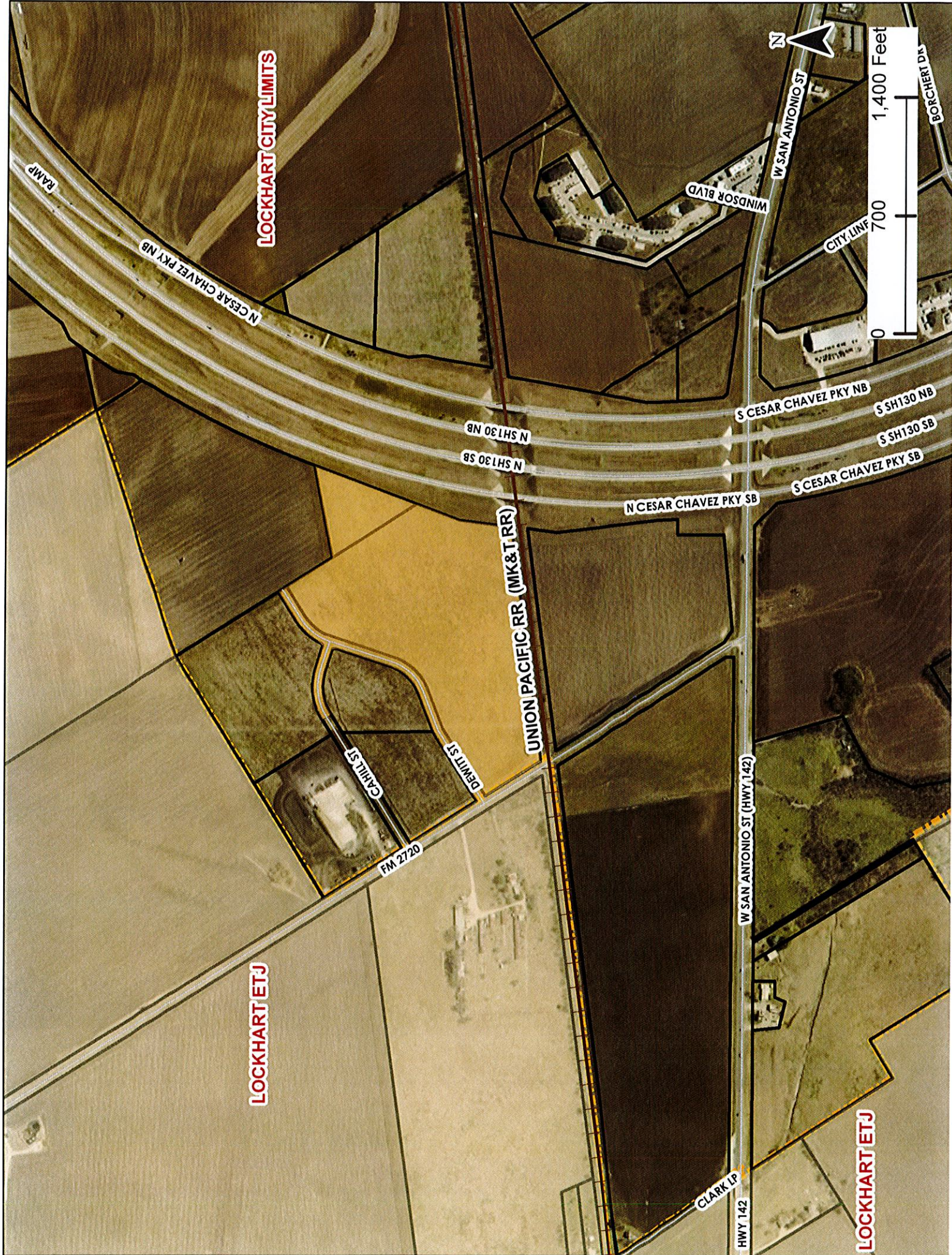
LOCKHART INDUSTRIAL PARK III SEC 2

PLAT VARIANCE TO ALLOW CONSTRUCTION
OF HIKE & BIKE TRAIL UNTIL AFTER FINAL PLAT IS RECORDED



- SUBJECT PROPERTY
- ZONING BOUNDARY
- CITY LIMITS

scale 1" = 700'



LOCKHART CITY LIMITS

LOCKHART ETJ

LOCKHART ETJ



RAMP

N CESAR CHAVEZ PKY NB

N SH 130 NB
N SH 130 SB

UNION PACIFIC RR (MK&T RR)

CATILL ST

DEWITT ST

FM 2720

N CESAR CHAVEZ PKY SB

W SAN ANTONIO ST (HWY 142)

WINDSOR BLVD

W SAN ANTONIO ST

CITY LIMIT

S CESAR CHAVEZ PKY NB

S SH 130 NB

S SH 130 SB

S CESAR CHAVEZ PKY SB

CLARK LP

HWY 142

BORCHERT DR

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: PV-23-03

REPORT DATE: July 18, 2023

PLANNING & ZONING COMMISSION DATE: July 26, 2023

APPLICANT'S REQUEST: Allow construction of hike and bike trail after Final Plat recording

STAFF RECOMMENDATION: **Approval****BACKGROUND DATA**

APPLICANT: Steven Lewis, President, Lockhart Economic Development Corporation

OWNER: Same as above

SITE LOCATION: 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 VARIANCE: The Lockhart Industrial Park III Section 2 Final Plat was approved by the Commission on December 14, 2022 (Case File #FP-22-08). General Note 2 of the approved plat states that a 10-foot-wide public hike and bike trail shall be constructed along the North Cesar Chavez Parkway Southbound frontage of the subdivision, with Note 3 requiring that the trail be constructed by the subdivider with the subdivision improvements, prior to recordation of the Final Plat. The current request is for a Variance from Section 52-77(b) of the Subdivision Regulations to delay construction of the trail by the subdivider until after the recordation of the plat, at the time of construction of the trails on the adjacent properties to the north and south of the subject property. According to Section 52-77(b), sidewalks (or trails identified on the City's Sidewalk/Trail Plan map) required along public streets abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility, shall be constructed by the subdivider as a subdivision improvement, and accepted by the City, prior to the plat being recorded. The Sidewalk and Trail Plan identifies the trail location relative to the subject property as being along the rear of proposed Lots 3 and 4, with Lot 4 being a drainage lot. The plat attached to your packet materials has been revised to reflect the variance proposal, with regard to General Note 4. Note that the Economic Development Corporation, as the subdivider, will be responsible for funding the trail at the time of its construction.

AREA CHARACTERISTICS: The properties to the north of the subject property include those within Lockhart Industrial Park III Section 1, one of which was recently developed, with another currently under construction. 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. The hike and bike trail will not abut Section 1, but only that portion of Section 2 along North Cesar Chavez Parkway at the subdivision's east boundary.

SPECIAL CIRCUMSTANCES: The applicant cites the lack of hike and bike trails on adjacent properties that would connect to a trail along the subject property, as well as facilitation of pending property closings, as reasons for the variance request. According to the applicant, the granting of the variance would also allow the Economic Development Corporation to allocate its resources to other economic development activities that have an immediate positive effect on Lockhart.

PRESERVATION OF SUBSTANTIAL PROPERTY RIGHT: Although the applicant does not lose a substantial property right by constructing the trail prior to recordation of the plat as required, approval of the variance would allow the trail to be constructed at the time that it is constructed on the adjacent properties to the north and south. Approval of the request would prevent an isolated section of trail from being constructed along the subject property and allow a lengthier trail network to be constructed at the time the other properties develop.

EFFECT ON SURROUNDING PROPERTY AND PUBLIC SAFETY: The delay of construction of the hike and bike trail will have no impact on surrounding properties or on public safety. Currently, there are no existing trail sections in the area that would connect to the proposed trail.

EFFECT ON ORDERLY SUBDIVISION OF OTHER LAND: Allowing construction of the trail after the recording of the plat will not limit the potential for subdivision or development of other land in the area.

ALTERNATIVES: The applicant could simply construct the hike and bike trail prior to recordation of the Final Plat, as required by Section 52-77(b), as an alternative to the proposed variance, which would then negate the need for a variance. Another alternative, which would require a variance, would be to construct the trail after recordation of the plat, but prior to issuance of a Certificate of Occupancy for any structure constructed on the proposed Lot 3, which is the industrial lot that abuts the proposed trail section.

July 6, 2023

David Fowler
Director, Development Services
308 W. San Antonio Street
Lockhart, TX 78644

Re: Lockhart Industrial Park III Variance Request

Dear David:

The Lockhart Economic Development Corporation (LEDC) is finalizing its construction of Lockhart Industrial Park III at the intersection of Cahill Street and FM 2720 in west Lockhart. To facilitate pending closings of property within the park, the LEDC is requesting a deferral of the construction of the 10' wide hike and bike trail that is located along SH 130 and shown on the plat.

The LEDC is seeking this variance due to no connecting trail to this section. By deferring this construction until it connects to another segment, it will allow the LEDC to deploy its resources to other economic development activities that have immediate positive effect on Lockhart. Since the LEDC trail section would not currently connect to an existing trail section, there is no detriment to the public health or safety of the community. The LEDC section of trail would be a stand alone unit and does not interfere with any other land in the area.

The LEDC is committed to the City of Lockhart's Thoroughfare Plan and will construct the hike and bike trail, as shown on the plat, when it will be able to have proper connectivity with other trail sections.

Please reach out to me or Mike Kamerlander (mkamerlander@lockhart-tx.org) should you have any questions.

Sincerely,



Steve Lewis, President
Lockhart Economic Development Corporation

OWNERS ACKNOWLEDGMENT.

CITY OF CALDWELL... KNOW ALL MEN BY THESE PRESENTS... I, TERESA ROSSER, COUNTY CLERK IN AND FOR CALDWELL COUNTY, TEXAS... TO CERTIFY WHICH, WITNESS MY HAND AT THE COUNTY COURT OF SAID COUNTY, TEXAS, AT MY OFFICE IN LOCKHART, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

SUBDIVISION DESCRIPTION:

BEING A 37,820 ACRE SUBDIVISION OUT OF THE CORNELIUS CRENSHAW SURVEY, ABSTRACT NUMBER 88, CALDWELL COUNTY, TEXAS... BEING A PORTION OF A CALLED 75,039 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]... BEING A PORTION OF A CALLED 43,392 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]... BEING A PORTION OF A CALLED 75,039 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]... BEING A PORTION OF A CALLED 43,392 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]... BEING A PORTION OF A CALLED 75,039 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]... BEING A PORTION OF A CALLED 43,392 ACRE TRACT, DESCRIBED TO LOCKHART FORTY-FOUR INDUSTRIAL, LTD. AS RECORDED IN VOLUME 579, PAGE 533 [O.P.A.C.C.1]...

CITY CLERK CERTIFICATION.

TERESA ROSSER, COUNTY CLERK IN AND FOR CALDWELL COUNTY, TEXAS... TO CERTIFY WHICH, WITNESS MY HAND AT THE COUNTY COURT OF SAID COUNTY, TEXAS, AT MY OFFICE IN LOCKHART, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

CITY APPROVAL.

TERESA ROSSER, COUNTY CLERK IN AND FOR CALDWELL COUNTY, TEXAS... TO CERTIFY WHICH, WITNESS MY HAND AT THE COUNTY COURT OF SAID COUNTY, TEXAS, AT MY OFFICE IN LOCKHART, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

ENGINEER'S CERTIFICATION.

KEITH SCHAUER, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS... TO CERTIFY WHICH, WITNESS MY HAND AND SEAL, THIS THE ____ DAY OF ____ 20__.

OWNER:

LOCKHART ECONOMIC DEVELOPMENT CORPORATION... 7007 EAST STREET LOCKHART, TX 78644

SURVEYOR:

CHRISTOPHER W. TERRY, P.E. DOUGLET & ASSOCIATES... 603 N. SAINT JOSEPH ST. DALLAS, TX 75225

ENGINEER:

KEITH SCHAUER, P.E. DOUGLET & ASSOCIATES... 603 N. SAINT JOSEPH ST. DALLAS, TX 75225

NOTARY PUBLIC STATE OF TEXAS

I, _____, a Notary Public in and for the State of Texas, do hereby certify that the foregoing instrument was duly acknowledged before me and that the signatory is a duly qualified member of the State Bar of Texas.

SITE LOCATION:

BETWEEN TX-33 AND FM 2720 NORTH OF UNION PACIFIC RAILROAD, WEST OF LOCKHART, TX 78644.

BENCHMARK NOTE:

THE BENCHMARK IS IN A HEADWALL FOUND LOCATED APPROXIMATELY 1,300 FEET NORTHWEST FROM THE INTERSECTION OF FM 2720 AND W. SAN ANTONIO STREET. (SHOWN HEREIN)

FLOODPLAIN NOTE:

THIS PROPERTY (AS SHOWN HEREIN) IS LOCATED WITH UNSHADED ZONE "X", AS SHOWN ON F.I.R.M. PANEL NO. 485550011E, CALDWELL COUNTY, TEXAS EFFECTIVE 06/19/2002.

UTILITY NOTE:

UNDESIGNED UTILITIES ARE SHOWN HEREIN AS A PRELIMINARY MEASURE BASED UPON OBSERVED SURFACE LOCATIONS. DOUGLET & ASSOCIATES DOES NOT MAKE RESPONSIBILITY FOR THE DEPTH OR LOCATION OF UNDERGROUND UTILITIES WITHIN OR AROUND THE SUBJECT SITE. ALL UTILITIES SHOULD BE FIELD VERIFIED AND CHANGED BY CONTRACTOR.

CONTROL NOTE:

THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4304), NORTH AMERICAN DATUM 1983 (NAD83), 2011 ADJUSTMENT (EPOCH 2010) AND A VERTICAL DATUM OF NAVD83 (GEOID 128). ALL COORDINATE VALUES SHALL BE REPORTED IN BOTH STATE PLANE AND UTM COORDINATES. ALL VALUES SHOULD BE GIVEN TO THE NEAREST MILLI-METER OR FRACTION THEREOF. ALL VALUES SHOULD BE REPORTED TO THE NEAREST MILLI-METER OR FRACTION THEREOF.

GENERAL NOTES:

- 1. THE ZONING OF THE SUBDIVISION IS INDUSTRIAL-UO1T.
- 2. PUBLIC SPACE SHALL BE PROVIDED AS SHOWN ON THE FINAL PLAN. THE PUBLIC SPACE SHALL BE PROVIDED AS SHOWN ON THE FINAL PLAN.
- 3. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.
- 4. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.
- 5. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.
- 6. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.
- 7. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.
- 8. THE SUBDIVISION SHALL BE CONSTRUCTED WITH THE SUBDIVISION IMPROVEMENTS.

ROADWAY TABLE

STREET NAME	FRONT YARD SETBACK FEET	ASBESTOS
DEWITT STREET	60' R.O.W.	2.510
CAYLOR STREET	60' R.O.W.	2.610

LOT SUMMARY TABLE

LOT TYPE	NUMBER OF LOTS	TOTAL ACREAGE
INDUSTRIAL	3	32.006
DRAINAGE	1	2.703
RIGHT-OF-WAY	2	3.111
TOTAL ACRES OF SUBDIVISION		37.820

Date: 07/05/2023 Scale: N/A Drawn by: SWP Reviewer: CT Project: 2205-001 Sheet: 2 OF 2 Field Book: N/A Party Check: AM Survey Date: 07/18/2023

DOUGLET & ASSOCIATES Civil Engineers, Planning, Geologists 7401 B. Highway 71 W, Suite 140 Austin, Texas 78735 Phone: (512)-583-2600 www.douglendasociates.com TPELS Firm No.: 10158800 TPE Survey Date: 07/18/2023

LOCKHART INDUSTRIAL PARK III-SECTION 2 FINAL PLAT CITY OF LOCKHART, CALDWELL COUNTY, TEXAS

CITY OF LOCKHART, CALDWELL COUNTY, TEXAS

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 _____ ADDRESS _____
DAY-TIME TELEPHONE _____
E-MAIL _____
ENGINEER NAME _____ ADDRESS _____
DAY-TIME TELEPHONE _____
E-MAIL _____
OWNER NAME Lockhart EDC ADDRESS 215 E. Market Street
DAY-TIME TELEPHONE 512.398.3461 Lockhart, TX 78644
E-MAIL slewis@lockhart-tx.org

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 500 Block
ADDRESS OR GENERAL LOCATION Intersection of Cahill Street and FM 2720
LOCATED IN CITY LIMITS ____ ETJ (COUNTY) ____ PDD
TOTAL LAND AREA 37.820 ACRE(S) PROPOSED NUMBER OF LOTS 4
ZONING CLASSIFICATION(S) Industrial Light
PROPOSED USE OF LAND Industrial

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION – A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – TWO FULL-SIZE PAPER COPIES OF THE ENGINEERING PLANS.

IF THE APPLICATION IS FOR, OR INCLUDES, A SUBDIVISION CODE VARIANCE – COMPLETED VARIANCE SECTION ON NEXT PAGE AND REQUIRED STATEMENT NOTED THEREIN.

PLAT DOCUMENTS, AS FOLLOWS, CONTAINING THE INFORMATION REQUIRED IN ARTICLE 23-6. (Amending Plats, Replat/Resubdivision Plats, and Minor Plats are considered the same as Final Plats for the purpose of content and format). All plat copies shall be full-size paper copies.

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

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

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

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

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

Preliminary Plat	\$600.00 payable to the City of Lockhart
Final Plat or Replat/Resubdivision	\$400.00 plus \$20.00 per acre, payable to the City of Lockhart
Amending plat, Minor plat, or Minor replat not requiring a public hearing	\$100.00 payable to the City of Lockhart
Recording fee for Amending Plat, Replat/Resubdivision, Final Plat, or Minor Plat	\$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk

To the best of my knowledge, this application and associated documents conform to all requirements of the City of Lockhart Subdivision Regulations. By signing below I agree that if any part of this plat and/or associated construction plans is found to be incorrect, incomplete, or otherwise deficient with regard to applicable City standards, the deadline imposed by the Texas Local Government Code, Section 212.009, for approval or denial of the plat and/or associated construction plans by the City within 30 days of the date this application is deemed complete 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 7-6-2023

PRINTED NAME Steven Lewis

TELEPHONE 512.398.3461

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) Section 52-77(b) OF THE SUBDIVISION REGULATIONS
CURRENT ORDINANCE REQUIREMENT(S) Hike and bike trail is required along SH 130
prior to recordation of the final plat.

REQUESTED VARIANCE(S) Deferral of construction of hike and bike trail section until
after the recordation of the final plat, at the time the neighboring parcels also construct their portions of the trail.

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

DATE SUBMITTED 7/10/23

CASE NUMBER PV 23 03

DATE APPLICATION IS DEEMED COMPLETE

DATE NOTICES MAILED

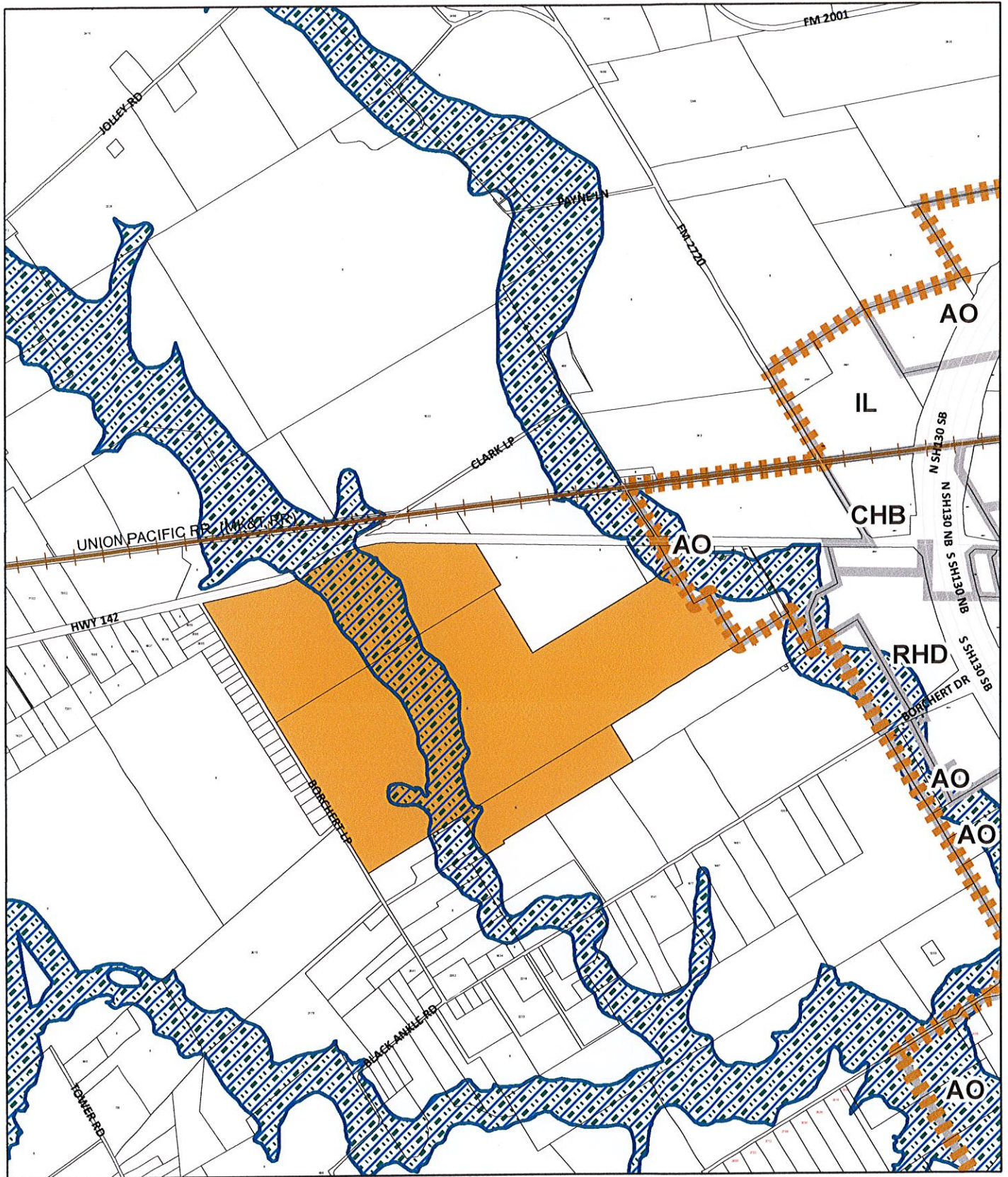
DATE NOTICE PUBLISHED

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 7/26/23

DECISION

CONDITIONS






PP-22-06

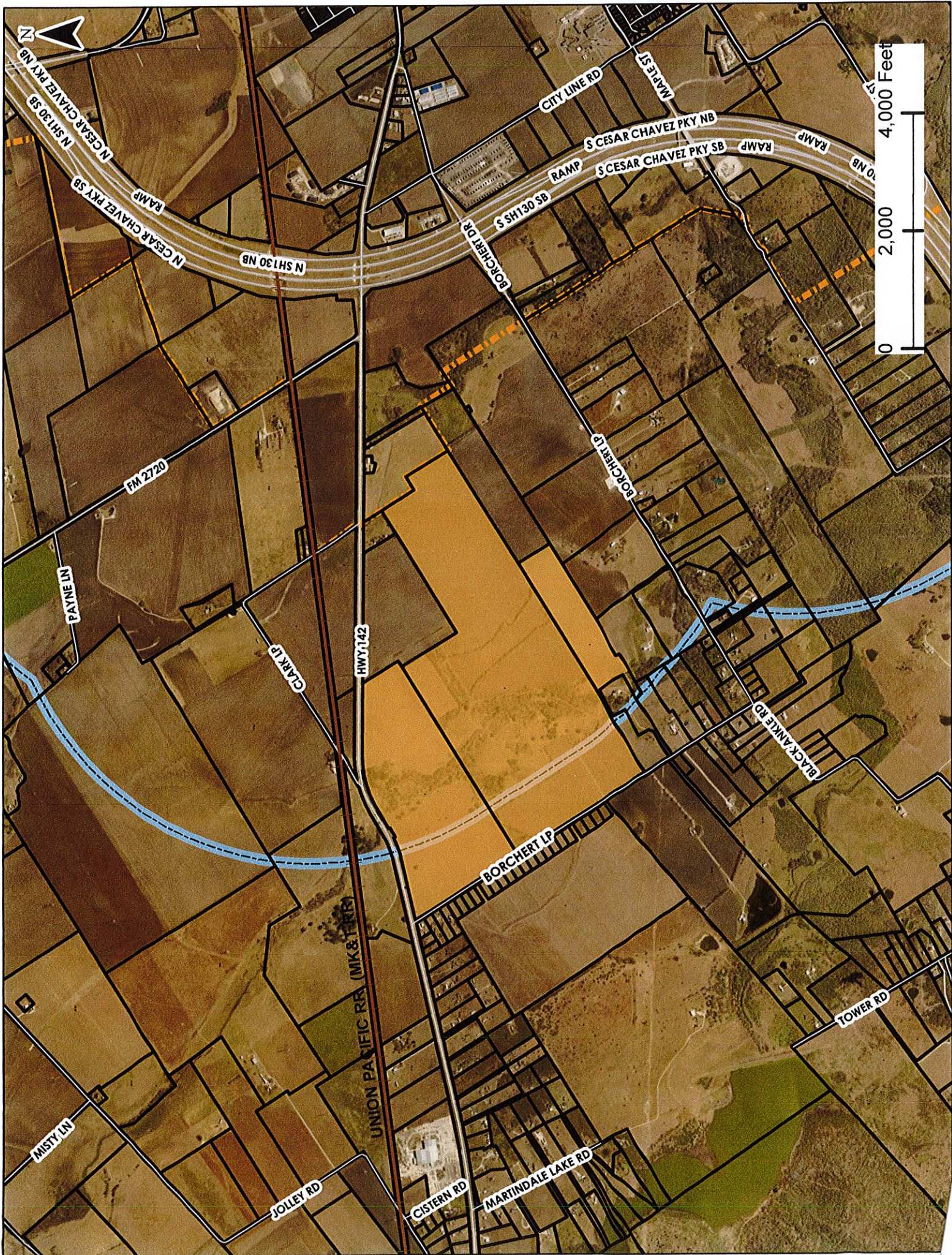
JUNIPER SPRINGS SUBDIVISION

3000 BLOCK BORCHERT LOOP



-  SUBJECT PROPERTY
-  ZONING DISTRICT
-  CITY LIMITS

scale 1" = 2000'



N SH 130 SB
N CESAR CHAVEZ PKY NB
RAMP
N CESAR CHAVEZ PKY SB
RAMP
N SH 130 NB
CITY LINE RD
MAPLE ST
S CESAR CHAVEZ PKY NB
RAMP
S CESAR CHAVEZ PKY SB
RAMP
RAMP
BOCHERT DR
BS 03HS S
BOCHERT LP
FM 2720
PAYNE LN
CLARK LP
HWY 142
BORCHERT LP
BACK ANGLE RD
BORCHERT LP
MISTY LN
JOLLEY RD
CISTERN RD
MARTINDALE LAKE RD
TOWER RD
UNION PACIFIC RR (MK & FRR)

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*
REPORT DATE: July 19, 2023
PLANNING & ZONING COMMISSION DATE: July 26, 2023
STAFF RECOMMENDATION: ***Approval of the Plat and Variance Requests***
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-22-06

BACKGROUND DATA

APPLICANT AND ENGINEER: John Pickens, P.E., Kimley-Horn and Associates, Inc.
OWNER: Nick McIntyre, PHAU-Lockhart 450, LLC
SURVEYOR: John G. Mosier, P.L.S., Kimley-Horn and Associates, Inc.
SITE LOCATION: 3000 Borchert Loop
PROPOSED SUBDIVISION NAME: **Juniper Springs Subdivision**
SIZE OF PROPERTY: 484.653 acres
NUMBER OF LOTS: 1,486 (see details below)
EXISTING USE OF PROPERTY: Primarily vacant, with two older residential structures near the middle of the property, as well as areas with seasonal agricultural use.
ZONING CLASSIFICATION: Outside City limits, partially within the Extraterritorial Jurisdiction (ETJ), and partially outside the ETJ in Caldwell County jurisdiction

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Juniper Springs Subdivision Preliminary Plat and Subdivision Development Plan includes a total of 1,486 proposed lots, to be developed in 16 phases. Of those lots, 1,422 are single-family residential, with 33 landscape lots, 18 parkland/open space lots, 9 joint open space and drainage lots, one lot to contain an amenity center with a pool, one lot to be purchased by Lockhart ISD for a future elementary school, one lot for a future private wastewater treatment plant, and one commercial lot. Five entrances into the development from Borchert Loop are proposed, with one entrance from SH 142. Borchert Loop is identified as a future arterial street on the City's Thoroughfare Plan map where it abuts the west boundary of the subject property, and will be improved in accordance with Caldwell County standards. A total of 8 street stub connections from the internal roadway network to adjacent properties are proposed. A future collector street is identified on the Thoroughfare Plan map as traversing the eastern portion of the property, and is shown on the plat drawing on Sheet 6 as "Street W". This street is proposed with a 70-foot-wide right-of-way width, which exceeds the minimum 60-foot width for collector streets set forth in the Subdivision Regulations. All parkland/open space areas are proposed to be owned and maintained by the Juniper Springs Homeowners' Association, and will not be dedicated to the public. A fee in lieu of public parkland dedication, equivalent to 8 percent of the market value of the undeveloped property, is proposed to be paid, excluding the 13.44-acre school lot, which will be required prior to recordation of the final plat for the first phase. The 100-year floodplain (Zone "A", no elevation study) traverses the central portion of the subject property, and is proposed to be contained within several joint open space and drainage lots, with no overlap into residential lots. Sidewalks are proposed on both sides of all internal streets, in addition to along the subdivision frontages with

SH 142 and Borchert Loop as required. In addition, two Subdivision Variances are requested concurrent with the Preliminary Plat submission to the maximum cul-de-sac length standard and the timing of the land dedication for the future school site, as detailed in the variance section below. As this subdivision is located within the ETJ, it is subject to concurrent review by both the City and Caldwell County through the Interlocal Cooperation Agreement adopted on May 18, 2021. The County issued a 1445 Approval Letter for the Preliminary Plat, dated July 17, 2023 (enclosed). A Development Agreement between the subdivider and Caldwell County was executed on July 26, 2022 (enclosed), which establishes general terms and conditions, obligations for both parties, and deed restrictions. In addition, a Municipal Utility District (MUD) was established for this subdivision in 2019. Four different lot widths are proposed pursuant to the MUD Consent Agreement with the City, including widths of 40 feet, 45 feet, 50 feet, and 60 feet.

NEIGHBORHOOD COMPATIBILITY: There are two properties located to the north of the subject property, across SH 142, with one being in rural residential use, and the other in agricultural use. The adjacent properties to the east are vacant and in agricultural use, one of which is within the City limits. The properties to the south are in rural residential and agricultural use. To the west are several properties in residential and agricultural use, as well as the recently platted Hartland Ranch Subdivision fully within Caldwell County jurisdiction. The proposed subdivision will have access from both SH 142 and Borchert Loop, the latter of which is required to be improved to County standards. A total of 6 access points into the subdivision are proposed from these two streets. At the time of the final plat stage for each related phase, all roadway improvements to SH 142 and Borchert Loop must be constructed with the subdivision improvements, prior to recordation of the final plat. Likely improvements to SH 142 and Borchert Loop required by TxDOT and Caldwell County, respectively, would be turning lanes, deceleration lanes, and/or traffic signalization. According to the applicant, a Traffic Impact Analysis for impacts to SH 142 has been approved by TxDOT, and a Donation Agreement executed. With regard to Borchert Loop, Caldwell County has indicated in a recent email conversation that the County prefers a three-lane, plus shoulders, open-swale design for this road, in lieu of curb and gutter, which would be easier for the County to maintain.

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

COMPLIANCE WITH STANDARDS: The proposed development will meet all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, and stormwater drainage, except for compliance with the maximum cul-de-sac length standard for Streets "Z" and "BB", and compliance with the timing of the land dedication for the future LISD school site, for which variances are requested. The final engineering design must be completed prior to the Commission's consideration of the final plat for each phase, which is the next stage after the preliminary plat process.

CONCURRENT VARIANCES REQUESTED: Two Variances are requested concurrent with the preliminary plat submission. The first variance is to Subdivision Regulations Section 52-72(k), which establishes a 500-foot maximum cul-de-sac length. The second variance is to Section 52-111, which requires that the entire land dedication requirement, including school sites, shall be satisfied at the time that the final plat of the first phase is recorded, for those subdivisions with phasing proposed. The applicant proposes a cul-de-sac length of approximately 622 feet for Street "Z" and approximately 850 feet for Street "BB", and also proposes to dedicate the school site at the time of the 16th, or final, phase of the subdivision development. As justification for the first variance to the maximum cul-de-sac length, the applicant cites the need of longer cul-de-sacs for the above two streets in order to accommodate

the natural topography of the property and maintain natural drainage patterns, as well as the fact that the County has already approved the proposed deviations, as reasons for this variance request. With regard to the second variance to the school site timing, the applicant cites the size of the development and the need to practically minimize grading and impact to natural drainage patterns, which could not be accomplished were the school to be developed at the time of the first phase in the proposed location. Note that a variance is not needed to allow the various proposed parkland/open space lots to be developed across multiple phases, since those lots will not be dedicated for public use. The applicant's justification for both variance requests is explained in the attached letter dated July 17, 2023 from the applicant's engineer. In addition, Staff has identified several block lengths in the subdivision that exceed the maximum length standards of Section 52-75. A variance to the block length standard for any blocks that exceed 800 feet along a minor residential street, 1,000 feet along collector streets, and 1,200 feet along arterial streets will therefore be required at the time of the final plat submission for each applicable phase.

The criteria for granting variances is set forth in Subdivision Regulations Section 52-3(a), as follows:

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;
4. The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.



7401B Highway 71 West, Suite 160
Austin, TX 78735
Office: 512.583.2600
Fax: 800.587.2817
DoucetEngineers.com

Date: July 17, 2023

Mr. Kevin Waller
308 W. San Antonio
P.O. Box 239
Lockhart, Texas 78644

Re: Juniper Springs Subdivision (Preliminary Plat)– 1445 Approval Letter

Dear Mr. Waller,

In our role as consulting engineers to Caldwell County, we had the opportunity to review the aforementioned subdivision for compliance with Caldwell County's Development Ordinance. Doucet has no further review comments at this time.

Pursuant to the Interlocal Cooperation Agreement between Caldwell County and the City of Lockhart for subdivision regulation within the extraterritorial jurisdiction of the City of Lockhart.

Sincerely,
Kimberly Johnson-Hopkins

Kimberly Johnson-Hopkins
Planner, Land Development
Doucet

DEVELOPMENT AGREEMENT

This Development Agreement (the "Agreement") is by and between Caldwell County, a political subdivision of the state of Texas ("County"), and **PHAU-Lockhart 450, LLC** (hereinafter "PHAU"), a Texas Limited Liability Company ("Declarant"). The effective date of this Agreement shall be the date that it is executed by the Caldwell County Judge.

WHEREAS, Declarant has acquired **484.65** acres of real property, which is more particularly described in **Exhibit A-1, Exhibit A-2, and Exhibit A-3** attached hereto (the "Property"); and

WHEREAS, Declarant desires to subdivide and develop the property as generally depicted on **Exhibit B**, attached hereto (the "Project"); and

WHEREAS, the County and Declarant desire to design, engineer and construct the Project pursuant to the terms and conditions stated herein; and

WHEREAS, This Agreement delineates the conditions for the Project under which variances to the technical requirements of the Caldwell County Development Ordinance will be granted in exchange for a mutually agreeable alternate standard which meets the intent of the Ordinance and is in the interest of both parties.

NOW, THEREFORE, for and in consideration of the promises and mutual agreements set forth herein, the County and Declarant agree as follows:

1. General Terms and Conditions

- a. The "Project" is defined as the subdivision and development of the Property, together with all related construction, drainage, detention and other improvements to be constructed or implemented on the Property.
- b. Declarant desires to subdivide and develop a portion of the Property as depicted on **Exhibit B**, attached hereto and incorporated by reference, to be known as **Juniper Springs**, consisting of approximately **1,408** lots.
- c. The benefit to the Parties set forth in this Agreement which exceed the minimum requirements of State law and Caldwell County Development Ordinance are good and valuable consideration for this Agreement, the sufficiency of which is hereby acknowledged by both Parties.

2. Declarant Obligations

- a. **Declarant will implement, at a minimum, Deed Restrictions and/or Restrictive Covenants that encumber each lot, tract or parcel, to include the following terms and conditions:**
- b. **All construction within the Project will consist of site-built structures, specifically excluding mobile homes, manufactured homes, and recreational vehicles.**

c. The deed restrictions shall include the following Dark Sky provision:

“Any light fixture used for exterior illumination must be fully shielded, pointed downward and placed in a manner so that the light source is not directly visible from any other properties or public roadways. In order to reduce glare and light trespass into neighboring lands and to reduce negative impacts to wildlife, exterior illumination shall be restricted to light sources with a Correlated Color Temperature of 2,700K or less. As used herein, “Fully Shielded” means no direct uplight (i.e., no light emitted above the horizontal plane running through the lowest point on the fixture where light is emitted). The use of streetlights should be held to a minimum. The use of reflective surfaces should always be considered as an alternative to streetlights.”

d. Approximately 130 acres of open space shall be provided within the Project Limits.

f. Any and all open space, sidewalks, street lighting, storm sewers, and detention facilities constructed by Declarant shall be dedicated and maintained by Home Owners or Property Owners Association established for the purpose of owning and managing the common land or amenities and whose documents have been accepted and/or approved by the County.

h. The Residential designation shown on the Concept Plan shall allow for lot widths ranging from forty feet (40') to sixty feet (60') in width. There shall be a minimum of twenty percent of fifty foot (50') wide lots and ten percent of sixty foot (60') wide lots.

i. All single-family detached homes shall contain a minimum of a 2-car garage.

j. All single-family detached driveways shall be a minimum of twenty feet (20') in depth as measured from the right-of-way and sixteen feet (16') in width.

k. All single-family attached or multi-family homes shall provide a minimum of 1 parking space per bedroom up to two bedrooms with an additional ½ parking space per additional bedroom.

l. The Parties shall execute a license agreement, in substantially the same the form provided on Exhibit D, attached hereto, to maintain all non-standard improvements within the rights-of-way.

m. Residential structures shall have a minimum 30-foot building setback from hydrocarbon-carrying pipeline easements.

n. Developer shall reimburse County for costs incurred in the County Engineer's review of this Development Agreement, up to \$4,500, within forty-five (45) days of receiving notice of such cost.

o. Declarant and County agree that subsequent development of the Project, if in phases, shall comply with all Caldwell County rules regulating subdivision of real property, development, and construction, subject to paragraph 3 below.

3. County Obligations

County agrees to permit development and construction of the Project in accordance with the proposed variances and on the terms contained within Exhibit C, attached hereto. Any other proposed

or requested waiver or variance from the County's standards or technical requirements shall be subject to the administration and procedures of the Caldwell County Development Ordinance.

4. **Actions Performable.** The County and the Declarant agree that all actions to be performed under this Agreement are performable in Caldwell County, Texas.

5. **Default.** Notwithstanding anything herein to the contrary, no Party shall be deemed to be in default hereunder until the passage of ninety (90) calendar days after receipt by such party of notice of default from the other party. Upon the passage of ninety (90) calendar days without cure of the default, such party shall be deemed to have defaulted for purposes of this Agreement

6. **Governing Law.** The County and Declarant agree that this Agreement has been made under the laws of the State of Texas in effect on this date, and that any interpretation of this Agreement at a future date shall be made under the laws of the State of Texas.

7. **Changes in writing.** Any changes or additions or alterations to this Development Agreement must be agreed to in writing with signatures of both parties.

8. **Severability.** If a provision hereof shall be finally declared void or illegal by any court or administrative agency having jurisdiction, the entire Agreement shall not be void, but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.

9. **Complete Agreement.** This Agreement represents a complete agreement of the parties and supersedes all prior written and oral matters related to this Agreement. Any amendment to this Agreement must be in writing and signed by all parties.

10. **Exhibits.** All exhibits attached to this Agreement are incorporated by reference and expressly made part of this Agreement as if copied verbatim.

11. **Notice.** All notices, requests or other communications required or permitted by this Agreement shall be in writing and shall be sent by (i) email transmission, to the party to whom notice is given at the email address for such party set forth below, (ii) by overnight courier or hand delivery, or (iii) certified mail, postage prepaid, return receipt requested, and addressed to the parties at the following addresses:

To County: Caldwell County Judge
110 S. Main St., Rm. 101
Lockhart, TX 78644

With copy to:
Caldwell County Director of Sanitation
1700 FM 2720
Lockhart, Texas 78644

To Declarant: PHAU-Lockhart 450, LLC
Attn: Nick McIntyre
1921 TX-46,
New Braunfels, TX 78132

With copy to:
Perry Homes
Attn: Brad Todes
9000 Gulf Fwy,
Houston, TX 77017

12. **Force Majeure.** Declarant and the County agree that the obligations of each party shall be subject to force majeure events such as natural calamity, fire, pandemic or strike.
13. **Assignment.** This Agreement may not be assigned by the Declarant without the written consent of the Caldwell County Commissioners Court, not to be unreasonably withheld.
14. **Signature Warranty Clause.** The signatories to this Agreement represent and warrant that they have the authority to execute this Agreement on behalf of the County and Declarant, respectively.
15. **Multiple Counterparts.** This Agreement may be executed in several counterparts, all of which taken together shall constitute one single agreement between the parties.
16. **Agreement Binds Successors and Runs with the Land.** This Agreement shall bind and inure to the benefit of the parties, their successors and assigns. The terms of this Agreement shall constitute covenants running with the land comprising the Property and shall be binding on and benefit all Owners. After the Effective Date hereof, this Agreement, at the County's cost, shall be recorded in the Official Public Records of Caldwell County, Texas.

IN WITNESS THEREOF, the parties have executed this agreement on the 26 day of July, 2022.

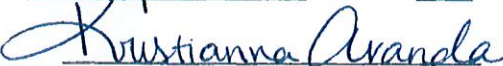
COUNTY: 
Hoppy Haden
Caldwell County Judge

The State of Texas,
County of Caldwell,


Before me Kristianna Aranda on this day personally appeared Hoppy Haden, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26 day of July, A.D., 2022.




Name: Kristianna Aranda
Notary Public

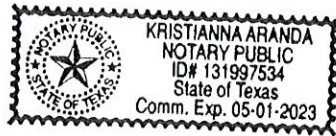
DECLARANT:


By: NICK MCINTYRE
Title: VP LAND

The State of Texas,
County of Caldwell,

Before me Kristianna Aranda on this day personally appeared NICK McIntyre,
proved to me through PHAV-LOCKHART 450, LLC to be the person whose name is subscribed to
the foregoing instrument and acknowledged to me that he executed the same for the purposes and
consideration therein expressed.

Given under my hand and seal of office this 26 day of July, A.D., 2022.



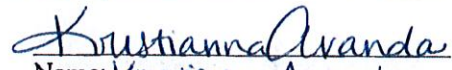

Name: Kristianna Aranda
Notary Public

Exhibit A-1

Kimley-Horn and Associates, Inc.
TBPLS Firm No. 10193973
601 NW Loop 410, Suite 350
San Antonio, Texas 78216

**A METES AND BOUNDS
DESCRIPTION OF A
135.731 ACRE TRACT OF LAND**

BEING a 135.731 acre (5,912,451 square feet) tract of land situated in the J.B. Gray Survey, Abstract 116, Caldwell County, Texas; and being all of that certain 133.1 acre tract described in instrument to Clark R. and Anne J. William recorded in Document No. 122818 of the Official Public Records of Caldwell County; and being more particularly described as follows:

COMMENCING at a 2-inch metal post found on the northeasterly right of way line of County Road 108 (Borcher Loop) (width varies) marking the south corner of that certain 316.856 acre tract described in instrument to J & P Lockhart I, LP recorded in Document No. 2016-003049 of the Official Public Records of Caldwell County, and the western-most corner of that certain 59.289 acre tract described in instrument to Jay S. Cheek and Brenda A. Cheek, recorded in Volume 243, Page 830 of the Official Public Records of Caldwell County;

THENCE, along the said northeasterly right of way line of said County Road 108 the following three (3) courses and distances:

1. North 31°42'12" West, 831.96 feet to a 60D nail found at a wood post for corner;
2. North 31°09'41" West, 1784.12 feet to a railroad tie corner post found marking the **POINT OF BEGINNING** of herein described tract, the west corner of said 316.856 acre tract, and the south corner of said 133.1 acre tract;
3. North 31°45'04" West, 2080.69 feet to a brass disk in concrete (TxDOT Type 2 monument) found on the southeasterly right of way line of State Highway 142 (width varies) marking the west corner of said 133.1 acre tract;

THENCE, along the said southeasterly right of way line of State Highway 142 the following four (4) courses and distances:

1. North 77°29'15" East, 403.50 feet to a brass disk in concrete (TxDOT Type 2 monument) found for corner;
2. North 77°35'36" East, 614.53 feet to a brass disk in concrete (TxDOT Type 2 monument) found for a point of curvature;
3. in a northeasterly direction, along a tangent curve to the left, a central angle of 16°47'34", a radius of 1979.86 feet, a chord bearing and distance of North 69°11'50" East, 578.20 feet, and a total arc length of 580.27 feet to a brass disk in concrete (TxDOT Type 2 monument) found for the point of tangency;
4. North 60°48'03" East, 72.48 feet to a point for corner, on the southwesterly line of that certain 2.04 acre tract described in instrument to the State of Texas recorded in Volume 211, Page 501 of the Deed Records of Caldwell County, and marking the southeast corner of that certain 1.148 acre tract (Part 2) described in instrument to the State of Texas recorded in Volume 111, Page 272 of the Official Public Records of Caldwell County, and from which a 1/2-inch iron rod (bent) found bears: South 48°25'08" East, 0.20 feet;

THENCE, along the southwesterly, southeasterly, and northeasterly lines of said 2.04 acre tract the following four (4) courses and distances:

1. South 48°25'08" East, 243.37 feet to a concrete monument (TxDOT Type 1) found marking the south corner of said 2.04 acre tract for corner;
2. North 61°06'51" East, 199.72 feet to a concrete monument (TxDOT Type 1) found marking the southeast corner of said 2.04 acre tract for corner;

Kimley-Horn and Associates, Inc.
TBPLS Firm No. 10193973
601 NW Loop 410, Suite 350
San Antonio, Texas 78216

3. North 11°21'22" East, 159.62 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set found marking the east corner of said 2.04 acre tract for corner;
4. North 65°23'10" West, 135.83 feet to a brass disk in concrete (TxDOT Type 2 monument) found on the southeasterly right of way line of said State Highway 142 marking the southwest corner of that certain 1.553 acre tract (Part 1) described in aforesaid instrument to the State of Texas;

THENCE, along the said southeasterly right of way line of State Highway 142 the following three (3) courses and distances:

1. North 60°48'30" East, 73.56 feet to a brass disk in concrete (TxDOT Type 2 monument) found for the point of curvature;
2. in a northeasterly direction, along a tangent curve to the right, a central angle of 30°17'19", a radius of 1839.85 feet, a chord bearing and distance of North 75°57'11" East, 961.33 feet, and a total arc length of 972.61 feet to a brass disk in concrete (TxDOT Type 2 monument) found at a point of tangency;
3. South 88°54'09" East, 1200.54 feet to a brass disk in concrete (TxDOT Type 2 monument) found marking the northeast corner of said 133.1 acre tract, and the northwest corner of that certain 55.627 acre tract described in instrument to Charles D. and Jane Spillmann recorded in Document No. 2016-004753 of the Official Public Records of Caldwell County;

THENCE, along the southwesterly, and northwesterly lines of said 55.627 acre tract the following three (3) courses and distances:

1. South 31°07'22" East, 708.49 feet to a wood post found marking the east corner of said 133.1 acre tract;
2. South 58°52'53" West, 114.97 feet to a 1/2-inch iron rod with plastic cap "UNREADABLE" found for corner;
3. South 55°23'01" West, 17.64 feet to a "T" post in rock mound found marking a westerly corner of said 55.627 acre tract;

THENCE, South 58°48'59" West, 3761.70 feet along the southeasterly line of said 133.1 acre tract, same being the northwesterly line of aforesaid 316.856 acre tract to the POINT OF BEGINNING and containing 135.731 acres of land in Caldwell County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System Grid, Southcentral Zone (FIPS 4204) (NAD'83). All distances are on the Surface and shown in U.S. Survey Feet. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.

John G. Mosier 7-26-2021

John G. Mosier
Registered Professional Land Surveyor No. 6330
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, Texas 78216
Ph. 210-541-9166
greg.mosier@kimley-horn.com



Exhibit A-2

Kimley-Horn and Associates, Inc.
TBPLS Firm No. 10193973
601 NW Loop 410, Suite 350
San Antonio, Texas 78216

A METES AND BOUNDS DESCRIPTION OF A 316.436 ACRE TRACT OF LAND

BEING a 316.436 acre (13,783,942 square feet) tract of land situated in the J.B. Gray Survey, Abstract 116, and the W. House Survey, Abstract 15, Caldwell County, Texas; and being all of that certain 316.856 acre tract described in instrument to J & P Lockhart I, LP recorded in Document No. 2016-003049 of the Official Public Records of Caldwell County, save and except that certain called 0.5165 acre tract described in instrument to Maya Ingram recorded in Document No. 2019-004315, described in instrument to John Casey Roy recorded in Document No. 2019-004310, described in instrument to Rene Abrego Roy recorded in Document No. 2019-004312, described in instrument to Danielle Benson recorded in Document No. 2019-004314, and described in instrument to Michelle Wittenburg recorded in Document No. 2019006266 all of the Official Public Records of Caldwell County; and being more particularly described as follows:

BEGINNING at a 2-inch metal post found on the northeasterly right of way line of County Road 108 (Borcher loop) (width varies) marking the south corner of the said 316.856 acre tract, and the western-most corner of that certain 59.289 acre tract described in instrument to Jay S. Cheek and Brenda A. Cheek, recorded in Volume 243, Page 830 of the of the Official Public Records of Caldwell County;

THENCE, along the said northeasterly right of way line of County Road 108 (Borcher Loop) the following two (2) courses and distances:

1. North 31°42'12" West, 831.96 feet to a 60D nail found in a wood post for corner;
2. North 31°09'41" West, 1784.12 feet to a rail road tie corner post found marking the west corner of said 316.856 acre tract and the south corner of that certain 133.1 acre tract described in instrument to William R. Clark and Anne J. Clark recorded in Document No. 122818 of the Official Public Records of Caldwell County;

THENCE, North 58°48'59" East, 3761.70 feet along the northwesterly line of said 316.856 acres and the southeasterly line of said 133.1 acres to a "T" post found in a rock mound marking the west corner of that certain 55.627 acre tract described in instrument to Charles D. and Jane Spillman recorded in Document No. 2016-004753 of the Official Public Records of Caldwell County;

THENCE, along the southwesterly and southeasterly line of said 55.627 acre tract the following two (2) courses and distances:

1. South 31°47'47" East, 1102.97 feet to a "T" post found in a 2-inch iron pipe in a rock mound marking the south corner of said 55.627 acre tract;
2. North 59°08'09" East, 2443.75 feet to a 12-inch wood post found on the southwesterly line of that certain 17.18 acre tract (first tract) described in instrument to Kenneth G. Willenberg recorded in Document No. 2015-001132 of the Official Public Records of Caldwell County;

THENCE, along the southwesterly and southeasterly line of said 17.18 acre tract the following two (2) courses and distances:

1. South 32°06'46" East, 654.15 feet to a 2-inch metal post found marking the south corner of said 17.18 acre tract;
2. North 59°21'32" East, 262.39 feet to a 2-inch metal post found marking the west corner of that certain 14.6 acre tract (second tract) described in said instrument to Kenneth G. Willenberg;

THENCE, South 30°58'48" East, 850.02 feet to a 2-inch metal post found on the northwesterly line of that certain 45.489 acre tract described in instrument to Kyle R. and Rudolph E. Schroeder recorded in

Kimley-Horn and Associates, Inc.
TBPLS Firm No. 10193973
601 NW Loop 410, Suite 350
San Antonio, Texas 78216

Document No. 2016-000084 of the Official Public Records of Caldwell County, marking the east corner of aforesaid 316.856 acre tract and the south corner of said 14.6 acre tract;

THENCE, along the southeasterly line of aforesaid 316.856 acre tract the following two (2) courses and distances:

1. South 58°49'37" West, 2283.22 feet to a cotton spindle in a 3/4-inch iron pipe found marking the west corner of said 45.489 acre tract;
2. South 58°54'24" West, 2860.56 feet to a 1/2-inch iron rod with cap stamped "HARPER" marking the east corner of said 0.5165 acre tract;

THENCE, along the northeasterly, northwesterly, and southwesterly line of aforesaid 0.5165 acre tract the following three (3) courses and distances:

1. North 31°06'06" West, 150.02 feet to a 1/2-inch iron rod with cap stamped "HARPER" marking the north corner of said 0.5165 acre tract;
2. South 58°53'54" West, 150.00 feet to a 1/2-inch iron rod with cap stamped "HARPER" marking the west corner of said 0.5165 acre tract;
3. South 31°06'06" East, 150.00 feet to a 1/2-inch iron rod with cap stamped "HARPER" marking the south corner of said 0.5165 acre tract;

THENCE, South 58°54'24" West, 1186.55 feet along the southeasterly line of aforesaid 316.856 acre tract to the **POINT OF BEGINNING** and containing 316.436 acres of land in Caldwell County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System, South Central Zone (FIPS 4204) (NAD'83), as determined by the Global Positioning System (GPS). All distances shown hereon are on the Surface. To convert Surface distances to Grid apply the Surface to Grid Scale Factor of 0.9998858382. The unit of linear measurement is U.S. Survey Feet. This document was prepared in the office of Kimley-Horn and Associates, Inc. in San Antonio, Texas.



John G. Mosier
Registered Professional Land Surveyor No. 6330
Kimley-Horn and Associates, Inc.
601 NW Loop 410, Suite 350
San Antonio, Texas 78216
Ph. 210-541-9166
greg.mosier@kimley-horn.com



Exhibit A-3

Kimley-Horn and Associates, Inc.
TBPLS Firm No. 10193973
601 NW Loop 410, Suite 350
San Antonio, Texas 78216

**A METES AND BOUNDS
DESCRIPTION OF A
32.486 ACRE TRACT OF LAND**

BEING a 32.486 acre (1,415,074 square feet) tract of land situated in the W. House Survey, Abstract 15, Caldwell County, Texas; and being a portion of that certain 59.289 acre tract described in instrument to Jakovich Interest LLC., recorded in Document No. 2022-000879 of the Official Public Records of Caldwell County, and being more particularly described as follows:

COMMENCING at a 2-inch metal post found on the northeasterly right of way line of County Road 108 (Borcher loop) (width varies), marking the northwest corner of said 59.289 acre tract, and the south corner of that certain 316.436 acre tract described in instrument to Phau-Lockhart 450 LLC., recorded in Document No. 2021-005590 of the Official Public Records of Caldwell County;

THENCE, along the southeasterly line of said 316.856 acre tract, same being the northwesterly line of said 59.289 acre tract the following two (2) courses and distances:

1. North 58°54'24" East, 1956.90 feet to a 1/2-inch iron rod with cap stamped "KHA" set for the **POINT OF BEGINNING** of herein described tract;
2. North 58°54'24" East, 2240.20 feet to a 3/4-inch iron pipe with a cotton spindle found marking the northeast corner of said 59.289 acre tract and the west corner of that certain 45.489 acre tract described in instrument to Kyle R. and Rudolph E. Schroeder, recorded in Document No. 2016-000084 of the Official Public Records of Caldwell County;

THENCE, South 31°48'12" East, 633.97 feet along the common line of said 59.289 acre tracts and said 45.489 acre tract to a metal fence post found on the northwesterly line of that certain 46.401 acre tract described in the partition deed to Rudolph E. Schroeder recorded in Document No. 2015-005802 of the Official Public Records of Caldwell County, and marking the east corner of said 59.289 acre tract and the south corner of said 45.489 acre tract;

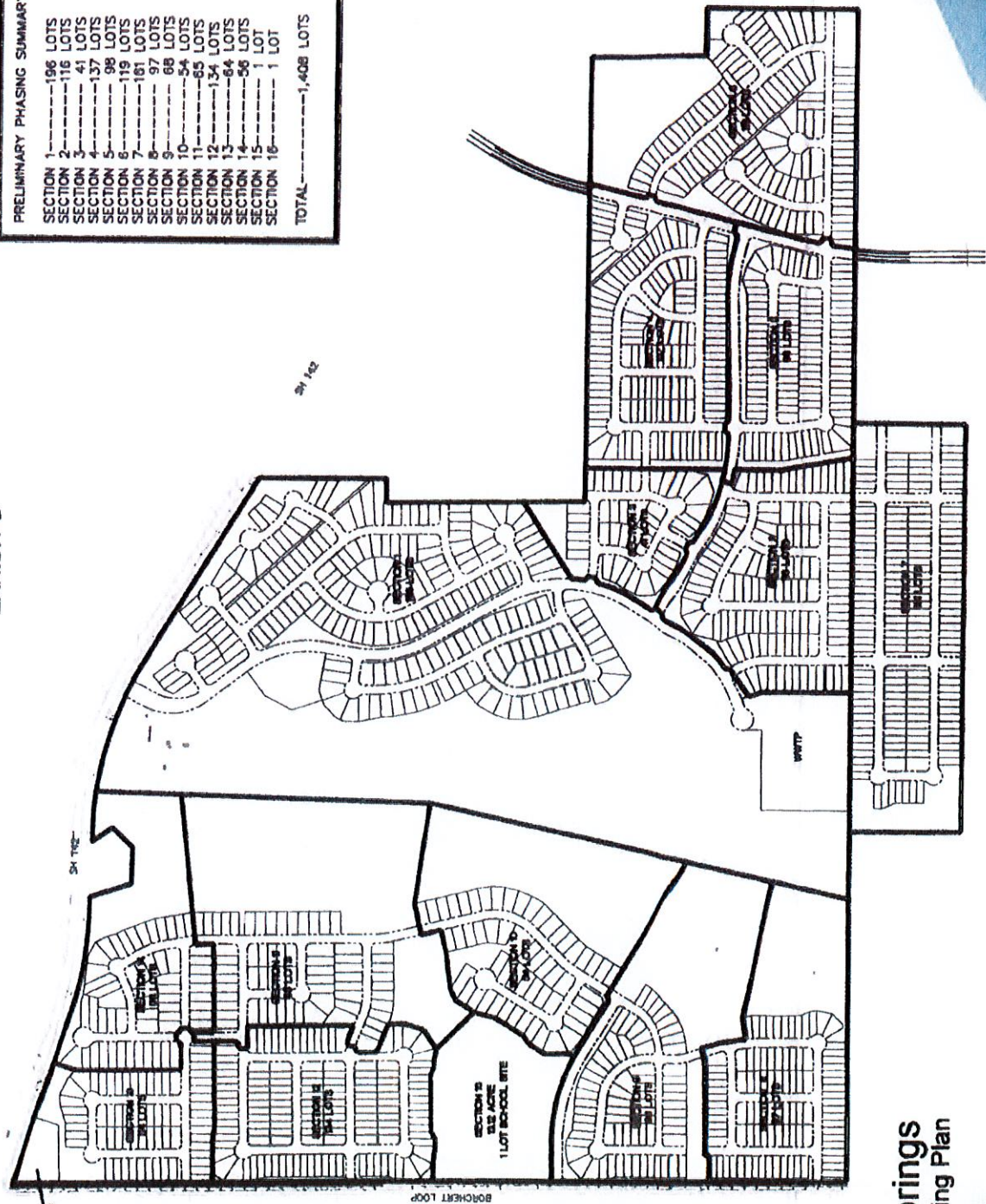
THENCE, South 59°04'39" West, passing at 210.21 feet a 1/2-inch iron rod with cap stamped "HICKLE" found marking the west corner of said 46.401 acre tract, passing at 1108.03 feet a 1/2-inch iron rod with cap stamped "HICKLE" found marking the west corner of that certain 40.00 acre tract described in the partition deed to Timothy R. Schroeder recorded in Document No. 2015-005801 of the Official Public Records of Caldwell County, for a total distance of 2248.07 feet to a metal fence post found marking a northwest corner of that certain 23.849 acre tract described in instrument to Kevin Dwane Schnautz recorded in Document No. 2015-005803 of the Official Public Records of Caldwell County;

THENCE, North 31°05'36" West, 627.22 feet crossing said 59.289 acre tract to the **POINT OF BEGINNING** and containing 32.486 acres of land in Caldwell County, Texas. The basis of bearing for this description is the Texas State Plane Coordinate System, South Central Zone (FIPS 4204) (NAD'83), as determined by the Global Positioning System (GPS). All distances shown hereon are on the Surface. To convert Surface distances to Grid apply the Surface to Grid Scale Factor of 0.9998858382. The unit of linear measurement is U.S. Survey Feet. This description was generated on 6/3/2022 at 10:11 AM, based on geometry in the drawing file K:\SNA_Survey\PERRY HOMES CLEAR FORK RANCH\068725500-CLEAR FORK RANCH\DWG\BASE CLEAR FORK RANCH.dwg.

EXHIBIT B

PRELIMINARY PHASING SUMMARY

SECTION 1	186 LOTS
SECTION 2	116 LOTS
SECTION 3	41 LOTS
SECTION 4	137 LOTS
SECTION 5	98 LOTS
SECTION 6	119 LOTS
SECTION 7	181 LOTS
SECTION 8	97 LOTS
SECTION 9	68 LOTS
SECTION 10	54 LOTS
SECTION 11	85 LOTS
SECTION 12	134 LOTS
SECTION 13	64 LOTS
SECTION 14	56 LOTS
SECTION 15	1 LOT
SECTION 16	1 LOT
TOTAL	1,408 LOTS



SECTION 15
1 LOT COMMERCIAL

24 1/2'

24 1/2'

BORGHESE LOOP

SECTION 12
BUS ACADEMY
1 LOT SCHOOL SITE

WWTTP

Juniper Springs
Preliminary Lotting Plan
Adair County, Texas
July 2022



Exhibit C		
Juniper Springs Request for Variance		
Ordinance #	Current Ordinance	Proposed Variance To Ordinance
A.3.(B)	The minimum lot size for all lots in an Urban Subdivision is one quarter (1/4) acre. This minimum lot size does not apply to lots designated by plat notes for landscaping, drainage detention, parks, open space, or other common community uses.	The minimum lot size for residential tracts shall be (1/10) acre.
A.3.(D)	Residential blocks in urban subdivisions shall not exceed thirteen hundred feet (1,300') in length unless such blocks are parallel to and adjacent to an arterial, in which case such blocks shall not exceed seventeen hundred fifty feet (1,750') in length.	No minimum block length requirements; Block lengths are designed per City of Lockhart code as the development is in the City's ETI.
A.3.(F)	The minimum lot frontage and building set back along roadways in urban subdivisions shall be as follows: Road Type Minimum Building Lot Frontage Set Backs 1.) Local Streets 70' 20' 2.) Minor Collectors 100' 25' 3.) Major Collectors 225' 30' 4.) Minor Arterials 300' 30' 5.) Major Arterials 375' 30'	Lots shall be a minimum of 40' in width as measured 20 feet from the front property line.
C.2	Minimum Offset between Edges of Adjacent Driveways on the Same Side of Street Local Street (Rural) 75' Local Street (Curb/gutter) 25' Collector Street 150' Arterial Street 300'	The minimum offset between edges of adjacent driveways on the same side of the street shall be 10' for Local Streets with curb & gutter.
C.2.(B)	Driveways connecting to Local streets are to be located no closer to the corner of intersecting rights of way than 60 percent of parcel frontage or 50 feet, whichever is greater. Driveways connecting to all other street types are to be located no closer to the corner of intersecting rights-of-way than 60 percent of parcel frontage or 100 feet; whichever is greater. Driveways shall not be constructed within the curb return of a street intersection.	Driveways connecting to Local Streets are to be located no closer to the corner of intersecting rights of way than 25 feet. Driveways connecting to all other street types are to be located no closer to the corner of intersecting rights of way than 50'.
G.1.	Development activity in Caldwell County, including grading, clearing and construction, shall be set back from the centerline of waterways the following distances based upon the size of the contributing watershed: A) Minor Waterways (64 to 320 acres) 50 feet B) Intermediate Waterways (320 to 1280 acres) 100 feet C) Major Waterways (greater than 1280 acres) 150 feet	No minimum setbacks from the centerline of waterways are required for Minor Waterways (64 acres to 320 acres). The minimum setback from the centerline of waterways for Intermediate and Major Waterways shall be 100 feet.
N/A	N/A	Side street setbacks for corner lots shall be a minimum of 15 feet.
Assumptions:		
Based on Caldwell County Development Ordinance Adopted March 24, 2020		



July 17, 2023

Kevin Waller, Senior Planner
City of Lockhart
308 W. San Antonio
Lockhart, TX 78644

RE: *Request for Subdivision Variances on the proposed Juniper Springs Subdivision; being a 316.436 acre tract of land situated in the J.B. Gray Survey, Abstract 116, and the W. House Survey, Abstract, a 135.731 acre tract of land situated in the J.B. Gray Survey, Abstract 116, and a 32.486 acre tract of land situated in the W. House Survey, Abstract 15; generally located at southeast of SH 142 and Borchert Loop*

Dear Mr. Waller:

As representatives of the owner of the above stated Property we respectfully submit the attached application for two subdivision variances as outlined below for concurrent review with the Preliminary Plat of Juniper Springs.

Variance 1: A variance from Section 52-72(k) to allow a cul-de-sac longer than 500 feet.

The proposed length of Street Z is approximately 622 feet. The proposed length of Street BB is approximately 850 feet.

Variance 2: A variance from Section 52-111 to allow the proposed school site to be dedicated in Section (Phase) 16, and not in the first phase.

The proposed development includes 23.09 acres of private open space/amenity and a 13.44-acre school site, with a fee in-lieu of public parkland dedication to be paid for the 23.09 acres of private open space/amenity.

The Juniper Springs Subdivision is a proposed subdivision of approximately 1,422 single-family lots (1486 total lots including open spaces, drainage lots, etc.). The subdivision also includes approximately 136.45 acres of open space/ drainage lots, approximately 20.82 acres of open space lots, approximately 2.27 acres of amenity lots and an approximately 13.44-acre school lot to accommodate utility and drainage facilities.

A portion of the subject property lies outside of the City of Lockhart ETJ in Caldwell County. A concept plan for the entire subdivision was originally approved by the Caldwell County Commissioner's Court on July 26, 2022 (attached). The development agreement approved by Caldwell County included the approval for similar variances from the County's subdivision regulations (see exhibit C of the agreement).

This request is compliant with the approval criteria of Section 52-3 for a Subdivision Variance in the following ways:

- 1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.**

The proposed modifications to the City's subdivision regulations would allow development in alignment with those regulations and entitlements already approved by Caldwell County. Additionally, the proposed plans for the subdivision demonstrate that the proposed deviations are reasonable to expect within a development of such size and scope that must practically minimize grading and impact to natural drainage patterns and be developed in phases.

- 2. That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.**

The proposed variances would be consistent with the entitlements already granted by Caldwell County and would permit compatible development under the City's regulations. The proposed subdivision will include standard mitigation measures that minimize the impact of the development on adjacent properties.

The proposed length of cul-de-sacs on Street Z is approximately 622 feet. This represents a 24.4% increase in length that would have little to no impact on the vehicular or pedestrian experience on the street. Street BB is proposed to be approximately 850 feet in length which is necessary to accommodate the natural topography of the property maintaining natural drainage patterns.

The open space will be distributed roughly evenly throughout the development to provide equitable access to open space through each section of the neighborhood. The largest piece of open space, the tract for Lockhart ISD, is proposed to be in its own phase to accommodate the needs of the District.

- 3. That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.**

The proposed subdivision will not impact the development of properties in its vicinity. The proposed variances only affect features internal to the proposed development. Additionally, the proposed street layout includes 8 stubs to ensure the street network continues appropriate as development occurs. The proposed cul-de-sac lengths facilitate development internal to the subject property and avoids excessive connections on other properties. The proposed open space plan is intended to serve residents of the proposed subdivision only and remain private.

If you have any questions about this application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Sincerely,



John Pickens, P.E.
Project Manager
Attachment 1 – Caldwell County Development Agreement Approved July 26, 2022

JUNIPER SPRINGS SUBDIVISION

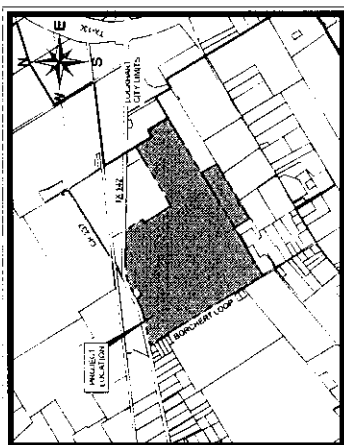
PRELIMINARY PLAT & SUBDIVISION DEVELOPMENT PLAN

CITY OF LOCKHART ETJ, CALDWELL COUNTY

- PRELIMINARY PLAT NOTES:**
- THE SMALL PROPERTY LOCATED IN THE NORTHWEST CORNER OF THE LOCKHART ETJ, WILL, HEREAFTER BECOME THE CITY OF LOCKHART ETJ, AND WILL BE WITHIN CALDWELL COUNTY OUTSIDE THE LOCKHART ETJ.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOCKHART ETJ, CALDWELL COUNTY, AND THE STATE OF TEXAS.
 - THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOCKHART ETJ, CALDWELL COUNTY, AND THE STATE OF TEXAS.
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SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	OVERALL PRELIMINARY PLAT
3	PRELIMINARY PLAT SHEET 1 OF 9
4	PRELIMINARY PLAT SHEET 2 OF 9
5	PRELIMINARY PLAT SHEET 3 OF 9
6	PRELIMINARY PLAT SHEET 4 OF 9
7	PRELIMINARY PLAT SHEET 5 OF 9
8	PRELIMINARY PLAT SHEET 6 OF 9
9	LEGAL DESCRIPTION & HIGHWAY SECTION DETAIL



TYPE	AREA	PERCENT	PERCENT	PERCENT	PERCENT
IMPROVED PAVED	1.2	1.2	1.2	1.2	1.2
UNIMPROVED PAVED	1.2	1.2	1.2	1.2	1.2
UNIMPROVED UNPAVED	1.2	1.2	1.2	1.2	1.2
TOTAL	3.6	3.6	3.6	3.6	3.6

NO. OF LOTS	TOTAL ACRES OF LOTS
NO. OF 1/2 ACRES LOTS 45	22.50
NO. OF 1/4 ACRES LOTS 625	156.25
NO. OF 1/8 ACRES LOTS 1250	156.25
NO. OF 1/16 ACRES LOTS 2500	156.25
NO. OF 1/32 ACRES LOTS 5000	156.25
NO. OF SINGLE FAMILY LOTS 1,452	1.452
NO. OF OPEN SPACE LOTS 18	20.82
NO. OF OPEN SPACE/DRAINAGE LOTS 9	106.45
NO. OF SHRETT LOTS 1	73.44
NO. OF 1/4 ACRES LOTS 1	25.28
NO. OF 1/2 ACRES LOTS 1	126.40
NO. OF 3/4 ACRES LOTS 1	189.60
NO. OF 1 ACRES LOTS 1	379.20
NO. OF COMMERCIAL LOTS 1	1.56
TOTAL NO. OF LOTS 1,486	
TOTAL LINEAR FOOTAGE OF SHEETS 93,900 LF	
ACREAGE ENTIRE SUBDIVISION 485.5	
ORIGINAL SUBMITTAL DATE 07/12/2022	

ENGINEER
Kimley»Horn
 5001 HWY LOOP 401
 SUITE 100
 LOCKHART, TX 78701
 TEL 512-966-8998
 CONTACT JOHN A. PICKENS, P.E.

OWNER/DEVELOPER
 PHILIP LOCKHART HORN, LLC
 5001 HWY LOOP 401
 SUITE 100
 LOCKHART, TX 78701
 TEL 512-966-8998
 CONTACT NICK MCINTYRE

SURVEYOR
 KIMLEY-HORN ASSOCIATES, INC.
 5001 HWY LOOP 401
 SUITE 100
 LOCKHART, TX 78701
 TEL 512-966-8998
 CONTACT GREG WOSNER

COVER SHEET

JUNIPER SPRINGS
 SUBDIVISION
 PRELIMINARY PLAT & SUBDIVISION
 DEVELOPMENT PLAN
 CITY OF LOCKHART ETJ
 CALDWELL COUNTY, TEXAS

SHEET NUMBER
 1

NO.	REVISIONS	DATE	BY

Kimley»Horn
 5001 HWY LOOP 401
 SUITE 100
 LOCKHART, TX 78701
 TEL 512-966-8998
 CONTACT JOHN A. PICKENS, P.E.

KHA PROJECT NO. 099294700
 KIMLEY-HORN ASSOCIATES, INC.
 5001 HWY LOOP 401
 SUITE 100
 LOCKHART, TX 78701
 TEL 512-966-8998
 CONTACT JOHN A. PICKENS, P.E.

SHEET NUMBER
2

JUNIPER SPRINGS
SUBDIVISION
DEVELOPMENT PLAN
CITY OF LODGHART TX
CALDWELL COUNTY TEXAS

OVERALL PRELIMINARY
PLAT

DATE: JULY 2023
SCALE: AS SHOWN
DRAWN BY: JAP
CHECKED BY: JAP



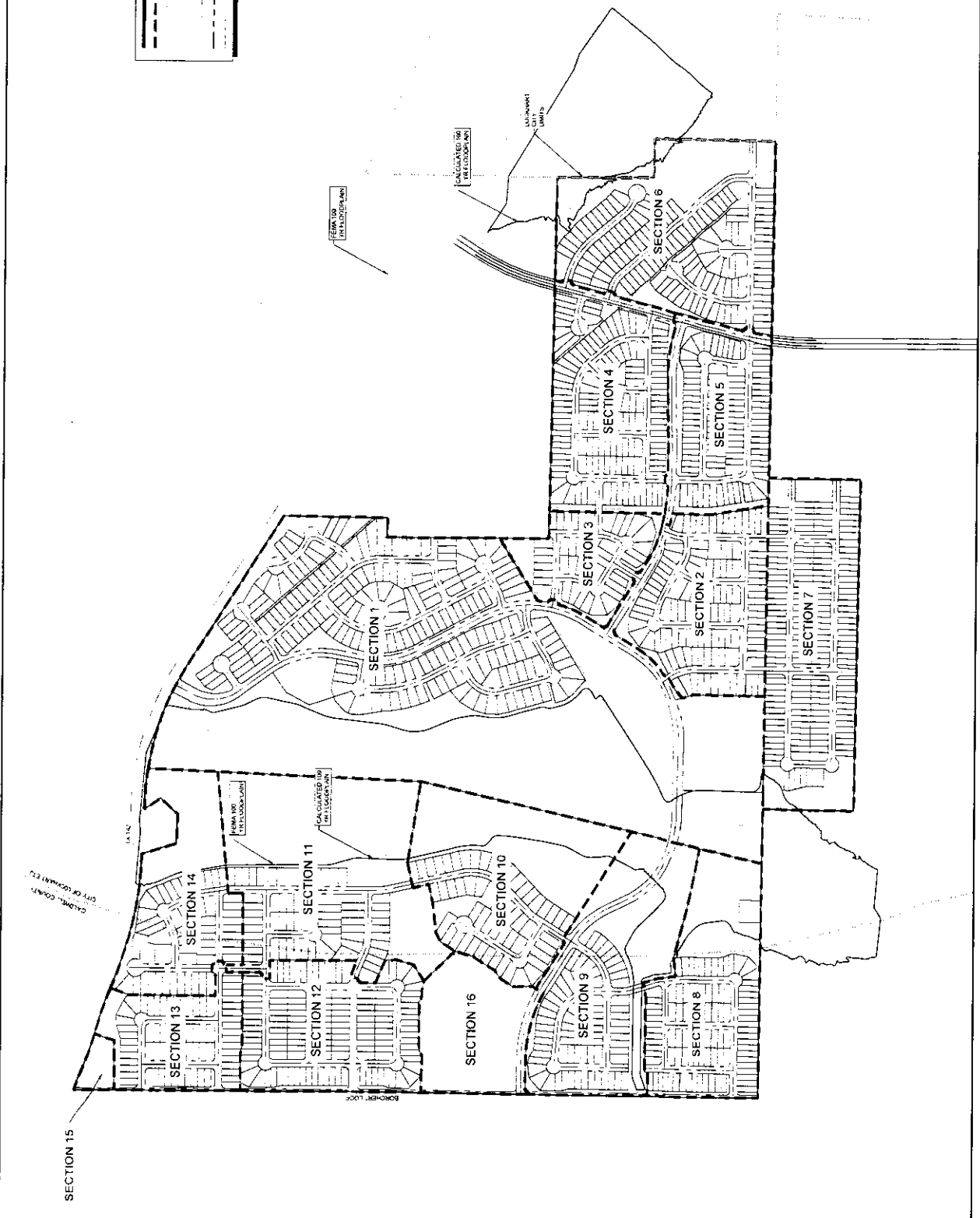
Kimley-Horn
KIMLEY-HORN AND ASSOCIATES, INC.
10811 ALPINE ROAD, SUITE 200, AUSTIN, TX 78758
PHONE: 512-488-1271 FAX: 512-488-1278
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM # 8282

NO.	REVISIONS	DATE

LEGEND

- PROJECT LINE
- PROPERTY LINE
- LOT OR CONDOMINIUM UNIT
- UNDEVELOPED LOT
- UNDEVELOPED UNIT
- PROPOSED LOT OR UNIT
- PROPOSED STREET CENTERLINE

GRAPHIC SCALE: 1" = 50'



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SHEET NUMBER
C

JUNIPER SPRINGS
SUBDIVISION
DEVELOPMENT PLAN
CITY OF LOCKHART TEXAS
CADWELL COUNTY TEXAS

PRELIMINARY PLAT
(SHEET 1 OF 6)

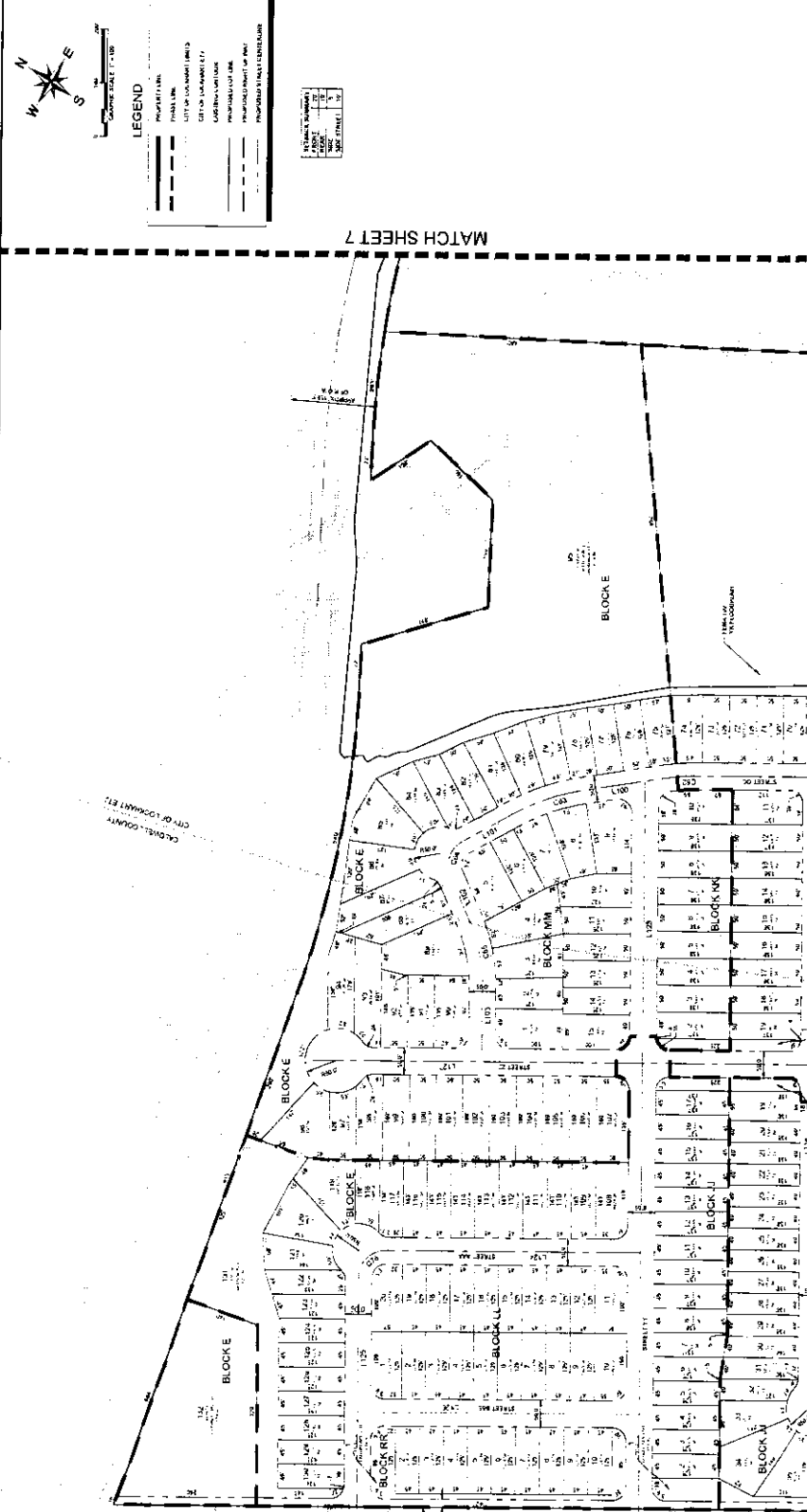
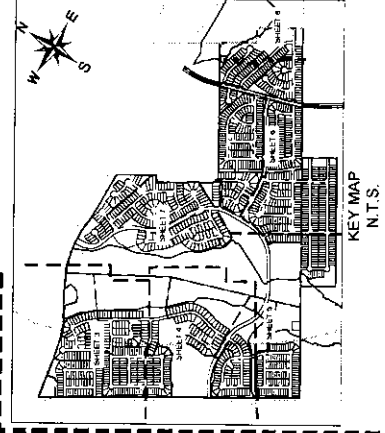
WHA PROJECT
083939C
DATE
AUG 2023
SCALE AS SHOWN
CHECKED BY
JAN
DRAWN BY
JAN



62031 RAINF-HORN AND ASSOCIATES, INC.
10811 JACOB ROAD, SUITE 200, LOCKHART, TX 78726
PHONE: 512-638-1777 FAX: 512-638-1799
WWW.KIMLEY-HORN.COM
TEKAS REGISTERED ENGINEERS, PWS 1-822

REVISIONS

NO.	DATE	BY

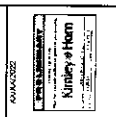


MATCH SHEET 4

MATCH SHEET 7

NO.	REVISIONS	DATE

8202 MARLBOROUGH AND ASSOCIATES, INC.
 16414 DALLAS ROAD, SUITE 200, ADDICKS, TX 75001
 PHONE 512-418-1777 FAX 512-418-1791
 WWW.HORN-KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM # 5122



K-HA PROJ. E. 069524-00
 DATE: 04/13/2012
 SCALE: AS SHOWN
 CHECKED BY: JAF
 DRAWN BY: JAF

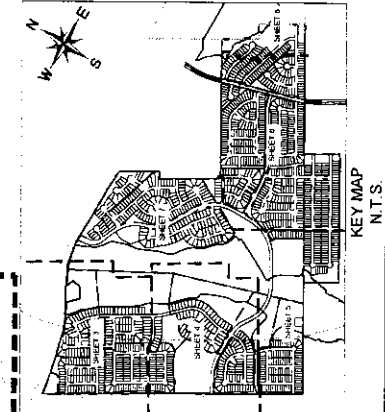
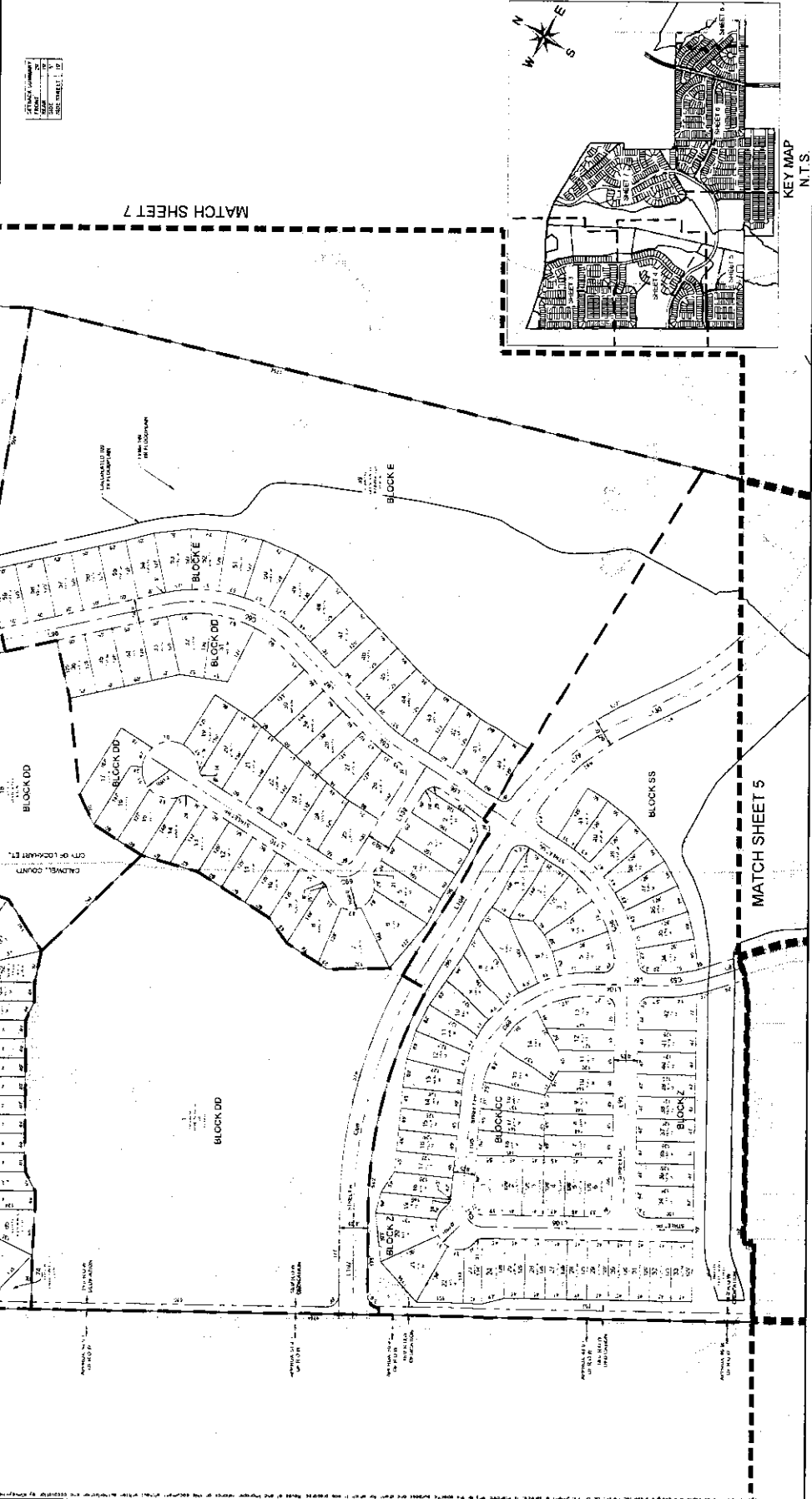
JUNPER SPRINGS
 SUBDIVISION
 DEVELOPMENT PLAN
 CITY OF LOCKHART, TEXAS
 CALDWELL COUNTY, TEXAS
 PRELIMINARY PLAT
 (SHEET 2 OF 6)

SHEET NUMBER
4

LEGEND

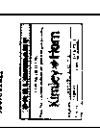
- PROPERTY LINE
- UTILITY LINE
- UTILITY LOCATIONS
- STREET CENTERLINE
- STREET RIGHT-OF-WAY
- PROPOSED UTILITY LOCATIONS

MATCH SHEET 7
 MATCH SHEET 3
 MATCH SHEET 5



NO.	REVISIONS	DATE

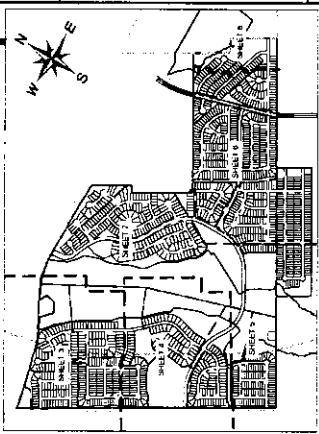
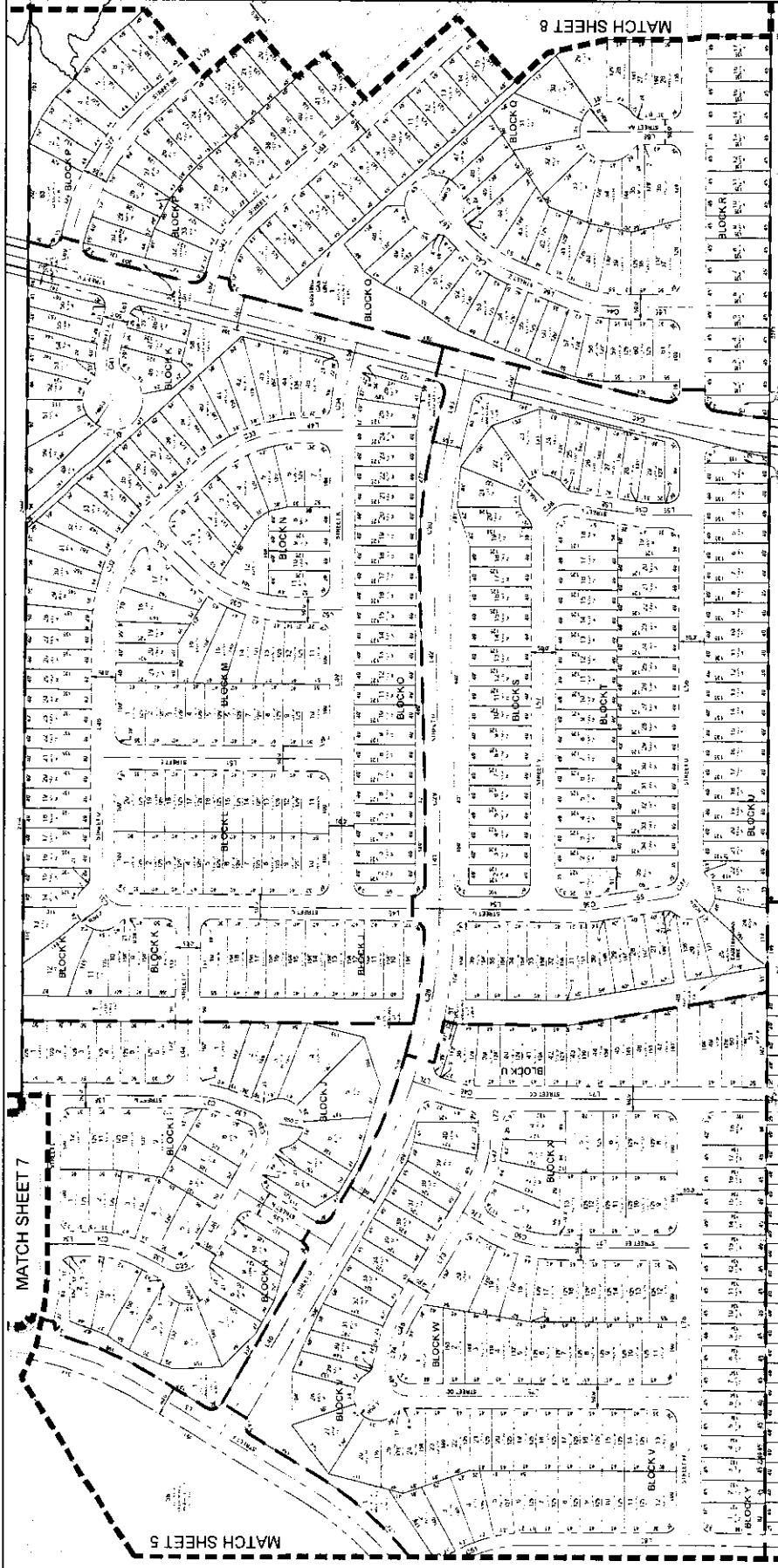
KIMLEY-HORN & ASSOCIATES, INC.
 2012 KIMLEY-HORN AND ASSOCIATES, INC.
 100 N. DALLAS ROAD, SUITE 200, AUSTIN, TX 78751
 PHONE: 512-418-1171 FAX: 512-418-1179
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEER FROM 4-958



PROJECT: JUNIPER SPRINGS
 SHEET: 9 OF 6
 DATE: MAY 2012
 DRAWN BY: JAT
 CHECKED BY: JAT

JUNIPER SPRINGS
 SUBDIVISION
 DEVELOPMENT PLAN
 CITY OF LOCKHART, TEXAS
 CADWELL COUNTY, TEXAS

SHEET NUMBER
9



LEGEND
 PROJECT LINE
 UTILITY LOCATIONS
 CITY OF LOCKHART, TEXAS
 CITY OF LOCKHART, TEXAS
 ADJACENT LOT LINES
 PROPOSED LOT LINES
 PROPOSED STREET LINES

SCALE: 1" = 40'
 NORTH

PREPARED BY: JAT
 CHECKED BY: JAT

7
SHEET NUMBER

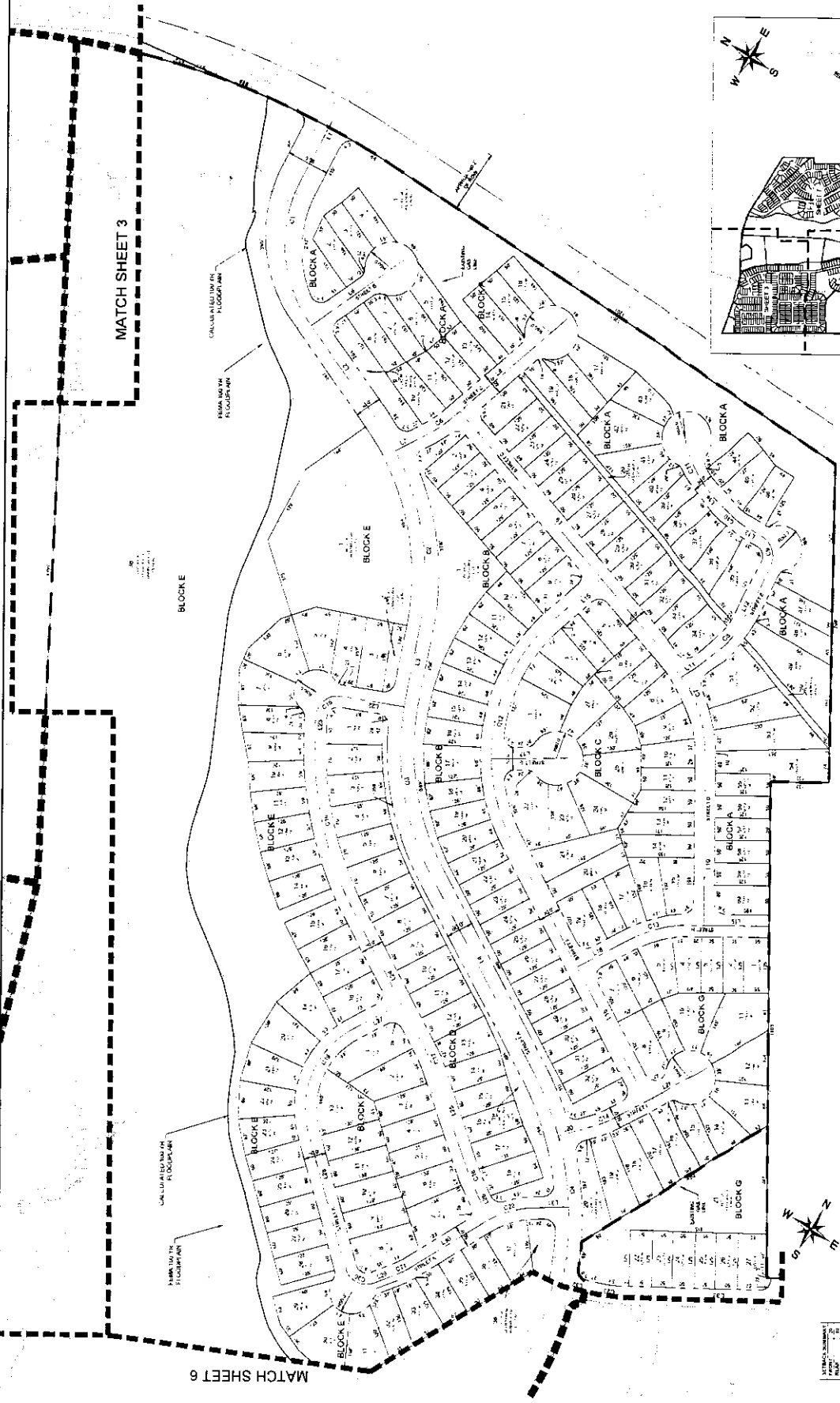
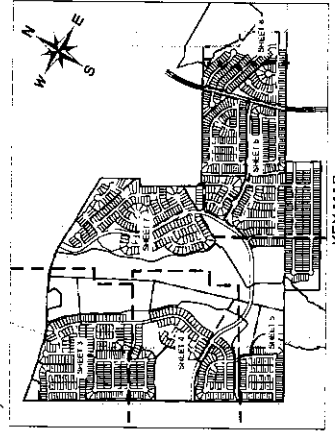
JUNIPER SPRINGS
SUBDIVISION
DEVELOPMENT PLAN
CITY OF LOCHAMPT ETJ
CALDWELL COUNTY, TEXAS

PRELIMINARY PLAT
(SHEET 5 OF 6)

KIMLEY-HORN
PRELIMINARY PLAT
DATE: MAY 2022
SCALE: AS SHOWN
DRAWN BY: JAF
CHECKED BY: JAF

Kimley»Horn
KIMLEY-HORN AND ASSOCIATES, INC.
10014 JACOB ROAD, SUITE 200, AUSTIN, TX 78758
PHONE: 512-418-1777 FAX: 512-418-1778
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM 1-528

NO.	REVISIONS	DATE	BY



LEGEND

- PROPERTY LINE
- PROPOSED LOT
- EXISTING LOT
- STREET CENTERLINE
- STREET RIGHT-OF-WAY
- STREET RIGHT-OF-WAY
- STREET RIGHT-OF-WAY
- STREET RIGHT-OF-WAY
- STREET RIGHT-OF-WAY

SCALE: 1" = 40'

CALDWELL COUNTY, TEXAS

MATCH SHEET 3

MATCH SHEET 6

Kimley-Horn
 & Associates
 1601 KIMBLE BOW CAMPUS ST. SUITE 100
 KIMBLE, TEXAS 76756
 PHONE 512-418-1171 FAX 512-418-1133

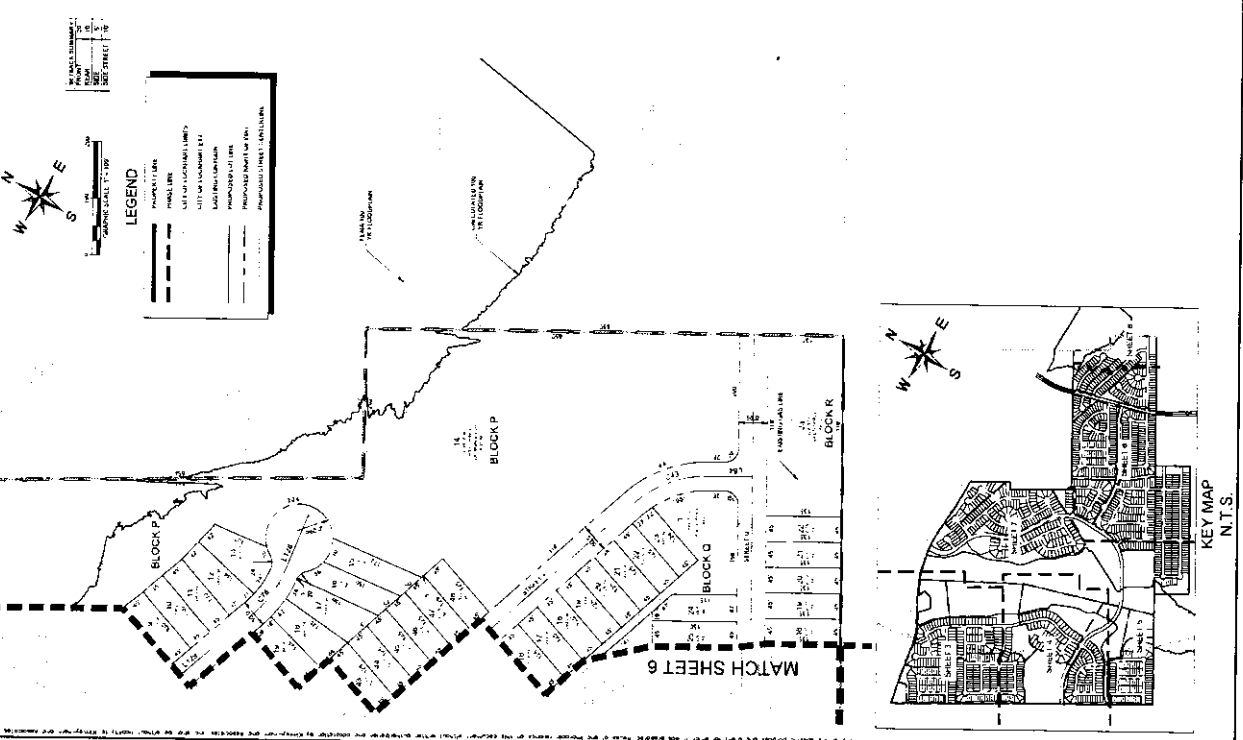
REVISIONS

NO.	DATE	REVISIONS

CURVE	CHORD	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ARC BEARING	ARC CHORD DISTANCE	AREA	PERCENT

CURVE	CHORD	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ARC BEARING	ARC CHORD DISTANCE	AREA	PERCENT

LINE	LENGTH	BEARING	LINE BEARING	START	END	AREA	PERCENT



JUNIPER SPRINGS
SUBDIVISION
DEVELOPMENT PLAN
CITY OF LOCKWART TX
CADWELL COUNTY TEXAS

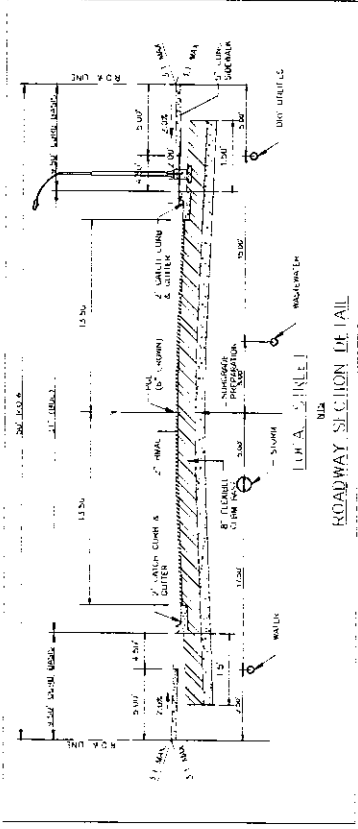
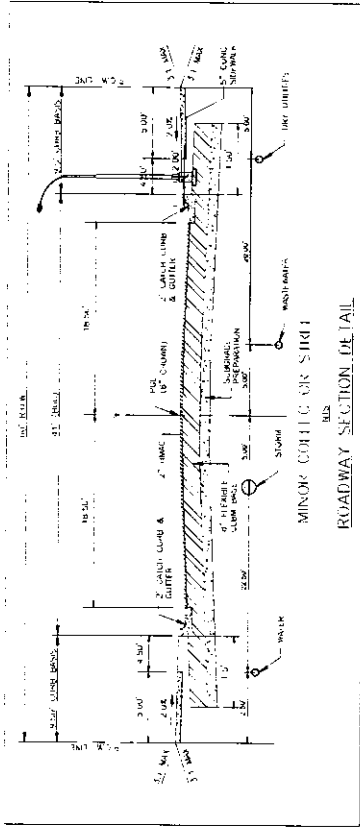
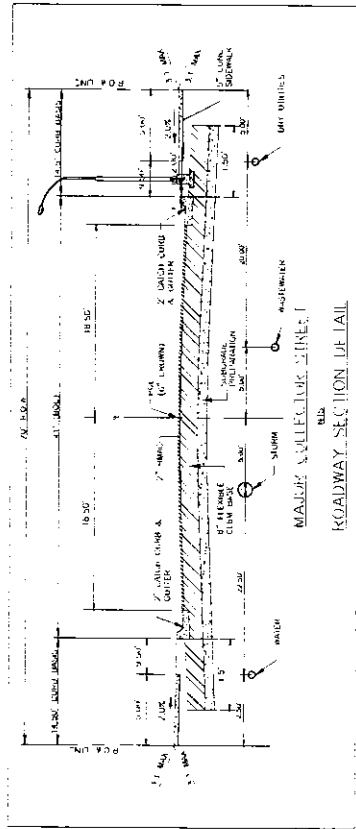
LEGAL DESCRIPTION &
ROADWAY SECTION &
DETAIL

DATE: JULY 2023
SCALE: AS SHOWN
DRAWN BY: JAC
CHECKED BY: JAC

Kimley-Horn
Engineering & Architecture
2023
2023

Kimley-Horn
Engineering & Architecture
2023
2023

Table with columns: NO, REVISIONS, DATE, BY



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ARCHITECTURE, INC.

SUBDIVISION PLAT APPLICATION

*This is the resubmitted application-5/31/23

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 John G. Mosier, R.P.L.S

ADDRESS 601 NW Loop 410

DAY-TIME TELEPHONE 210-541-9166

Suite 350

E-MAIL greg.mosier@kimley-horn.com

San Antonio, TX 78216

ENGINEER NAME John Pickens, P.E.

ADDRESS 10814 Jollyville Road

DAY-TIME TELEPHONE 512-720-5466

Avallon IV, Suite 200

E-MAIL john.pickens@kimley-horn.com

Austin, TX 78759

OWNER NAME PHAU - Lockhart 450 LLC

ADDRESS 9000 GULF FREEWAY

DAY-TIME TELEPHONE 210-580-8598

Houston, TX 77017

E-MAIL Nick.McIntyre@perryhomes.com

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Juniper Springs Subdivision

ADDRESS OR GENERAL LOCATION 3000 BORCHERT LP LOCKHART, TX 78644

LOCATED IN CITY LIMITS

ETJ (COUNTY) PDD

TOTAL LAND AREA 484.653 ACRE(S)

PROPOSED NUMBER OF LOTS 1486

ZONING CLASSIFICATION(S) N/A - ETJ

PROPOSED USE OF LAND Residential

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

** N/A - Re withdrawal & resubmission of application prior to statutory decision deadline.*

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

John Pickens

DATE

05/05/2023

PRINTED NAME

John Pickens, P.E.

TELEPHONE

512-720-5466

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) 52-72(K) & 52-111 OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Maximum cul-de-sac length is 500 feet (52-72(K)); land dedication (including school sides) must be

REQUESTED VARIANCE(S) Two cul-de-sacs (Streets "Z" & "BB") proposed to exceed 500 feet; dedicate school side with the 16th phase. Satisfied with the 1st phase (52-111).

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 Roll 65009

DATE SUBMITTED 5/31/23 (resubmission) CASE NUMBER PP 22-06

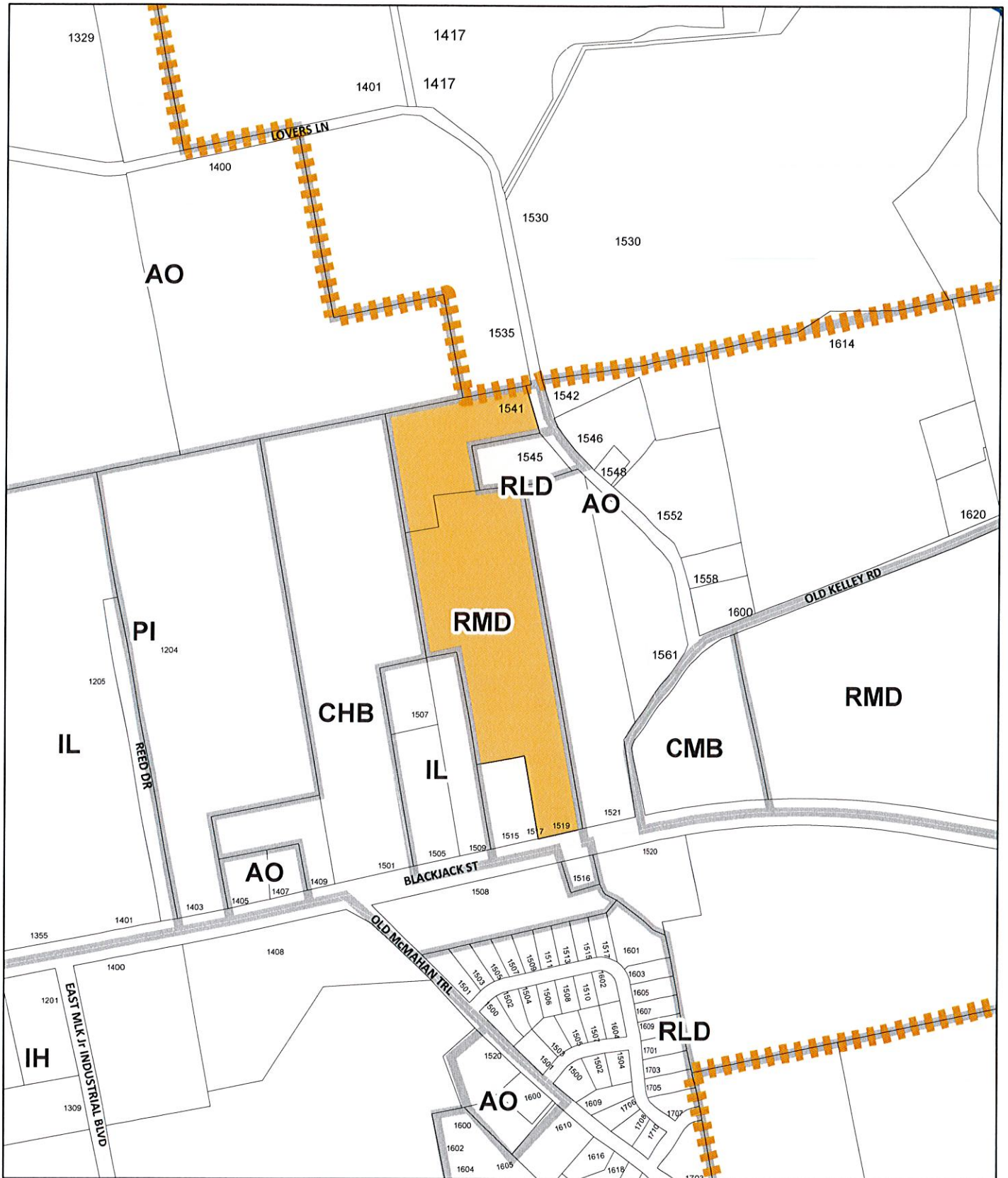
DATE APPLICATION IS DEEMED COMPLETE 10/18/22 (original application)

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

PLANNING AND ZONING COMMISSION MEETING DATE 7/26/23

DECISION _____

CONDITIONS _____






PP-23-02

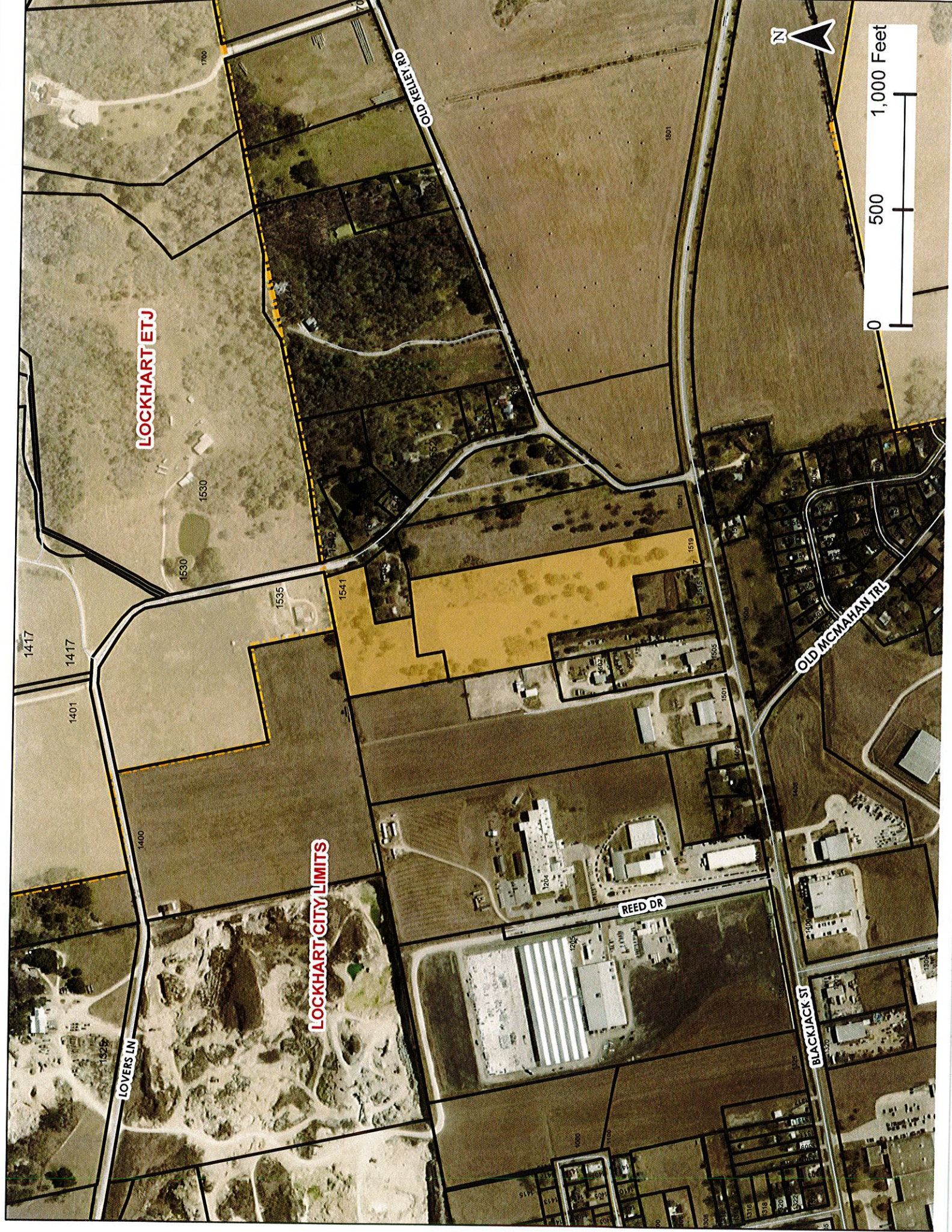
BLACKJACK GROVE SUBDIVISION

1541 LOVERS LANE
& 1519 BLACKJACK ST



-  SUBJECT PROPERTY
-  ZONING DISTRICT
-  CITY LIMITS

scale 1" = 500'



LOCKHART ETJ

LOCKHART CITY LIMITS

OLD KELEY RD

OLD MCMAHAN TRL

REED DR

BLACKJACK ST

LOVERS LN



1417
1401
1417

1400

1528

1530

1700

1535

1541

1518

1515

1520

1505

1501

1507

1503

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CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*
REPORT DATE: July 18, 2023
PLANNING & ZONING COMMISSION DATE: July 26, 2023
STAFF RECOMMENDATION: **Approval of the Plat and Variance**
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-23-02

BACKGROUND DATA

APPLICANT AND OWNER: James Cotton, 2401 C.R. 219, LLC
ENGINEER: Hugo Elizondo, Jr., P.E., Cuatro Consultants, Ltd.
SURVEYOR: George E. Lucas, P.L.S., Celco Surveying
SITE LOCATION: 1519 Blackjack Street and 1541 Lover's Lane
PROPOSED SUBDIVISION NAME: **Blackjack Grove Subdivision**
SIZE OF PROPERTY: 13.76 acres
NUMBER OF LOTS: 55 single-family residential lots and two stormwater detention lots
EXISTING USE OF PROPERTY: Undeveloped
ZONING CLASSIFICATION: RMD (Residential Medium Density)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Blackjack Grove Subdivision Preliminary Plat includes a total of 57 proposed lots, to be developed in a single phase. Of those lots, 55 are single-family residential, with the remaining two proposed for stormwater detention. Three new street rights-of-way are proposed within the development, two of which include cul-de-sacs due to the fairly narrow configuration of the subject property. In addition, First Street will be extended through the subdivision following the thoroughfare alignment shown on the Lockhart 2020 Thoroughfare Plan map. The closest, developed section of First Street, however, is located approximately one-third of a mile to the west, near the Pancho Street intersection. A fee in lieu of parkland dedication, equivalent to five percent of the market value of the undeveloped property, is proposed to be paid, which will be required prior to recordation of the final plat. According to email correspondence with the Parks Department Director on May 31, 2023, a fee in lieu of public parkland dedication for this development is acceptable, due to the property's size, layout, and location. Sidewalks are proposed on both sides of all internal streets, in addition to along the subdivision frontages with Blackjack Street and Lover's Lane as required. In addition, a Subdivision Variance is requested concurrent with the Preliminary Plat submission to the maximum block length standard, as detailed in the variance section below.

NEIGHBORHOOD COMPATIBILITY: The subject property is bordered to the east by a vacant parcel, as well as two properties in single-family residential use. The neighboring properties to the south, including one across Blackjack Street, are also developed with single-family residences. A vacant parcel is located to the west, as well as one in commercial use. The property to the north is vacant, zoned Agricultural-Open Space (AO), and also owned by the applicant. This property was originally included within the boundaries of the subdivision proposal. A proposed zoning change to RMD for

that property, however, was denied by the City Council on October 18, 2022, and it was subsequently excluded from the subdivision boundaries. The proposed subdivision will derive access from both Blackjack Street and Lover's Lane, which will improve traffic circulation into the development compared with a single access point and help minimize congestion. At the time of the final plat stage, any roadway improvements to Blackjack Street required by TxDOT, such as turning lanes and deceleration lanes, must be constructed with the subdivision improvements, prior to recordation of the plat. However, improvements to Blackjack Street are not likely for this subdivision, due to the number of lots proposed and additional access onto Lover's Lane.

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

COMPLIANCE WITH STANDARDS: The proposed development will meet all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, and stormwater drainage, except for compliance with the minimum block length standard for Block C, for which a variance is requested. 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 VARIANCE REQUESTED: A Variance is requested to the requirement in Subdivision Regulations Section 52-75(b) that establishes an 800-foot maximum block length along minor residential streets. The applicant proposes a length of 1,245 feet for Block C along the proposed Ryan Baker Parkway, and cites the subject property's relatively narrow dimensions, as well as the already-developed properties to the west, as reasons for the request. The applicant's justification is explained in the attached letter dated June 27, 2023 from the applicant's engineer.

The criteria for granting variances is set forth in Subdivision Regulations Section 52-3(a), as follows:

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;
4. The variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.



June 27, 2023

Firm Registration No. F-3924

Kevin Waller, Senior Planner
City of Lockhart Development Services
308 W. San Antonio St.
Lockhart, Texas 78644

**RE: BLACKJACK GROVE SUBDIVISION
CITY OF LOCKHART, TEXAS
CCL 22-026**

Subject: BLOCK LENGTH VARIANCE REQUEST

Dear Mr. Waller:

The required block length along a minor street shall generally not exceed 800 feet per Chapter 52, Section 72 of the City of Lockhart Code of Ordinances. The block length of the proposed Block C is approximately 1,245 feet.

Per the City of Lockhart plat Application, we provide the following evidence for the variance request.

1. The dimensions of this Site, location of adjacent property boundaries, and lack of Public Right-of-Way access to the west hinder the property owner from meeting the block length requirements.
2. The variance is necessary for the preservation and enjoyment of the substantial property rights of the applicant. Providing a stub to the west to break up Block C does not provide a necessary benefit as all adjacent lots are developed.
3. The variance request does not produce a risk to public health, safety, or welfare and will not prove injurious to other property in the area. Multiple entrances are provided for the subject tract and all adjacent land maintains access to public right-of-way.
4. The variance request will not prevent the orderly subdivision of the adjacent properties to the west. The properties to the west have access to public right-of-way from Blackjack Street. In addition, First Street is being stubbed out to the west as part of the City of Lockhart's Thoroughfare Plan and will provide additional access to Public Right-of-Way.

Therefore, we request a variance from the maximum block length of 800 feet to be increased to 1,245 feet.

Please advise if you have questions on this matter.

Sincerely,

Karch Bickham, E.I.T.
Project Engineer

WALLER_VARIANCE LETTER_6-23

PRELIMINARY PLAT OF
BLACKJACK GROVE SUBDIVISION
 OUT OF THE JAMES GEORGE SURVEY, ABSTRACT NO. 9,
 AND LOT 2, REYNA ACRES SUBDIVISION
 CALDWELL COUNTY, TEXAS
 13.76 ACRES



LOCATION MAP
 SCALE 1"=1,500'

LAND USE CHART		
LAND USE	NUMBER OF LOTS	ACREAGE
RESIDENTIAL LOTS (MEDIUM DENSITY)	55	9,305 ACRES
DRAINAGE LOTS	2	1,187 ACRES
STREET R.O.W.	1	3,293 ACRES
TOTAL	1	13,785 ACRES
AVERAGE SINGLE FAMILY LOT SIZE	N/A	0.169 ACRES



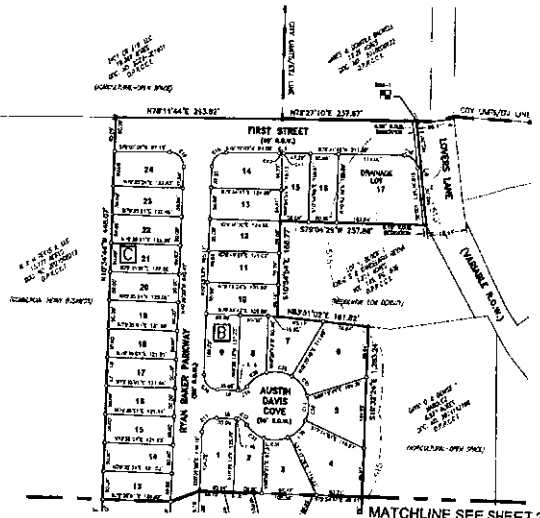
LEGEND

- DENOTES BENCHMARK (SEE NOTE)
- DENOTES 1/2" ST. SL. SET
- DENOTES 1/2" ST. SL. P.O.
- PROPERTY LINE OR R.O.W. LINE
- LOT LINE OR R.O.W. LINE
- UTILITY OR DRAINAGE EASEMENTS
- OFFICIAL PUBLIC RECORDS CALDWELL COUNTY TEXAS
- [A] BLOCK IDENTIFICATION

REFERENCE INFORMATION:
 TOWN: 1/2" 60x120 1000
 2008080 - 13,818,023.00
 EASTING: 3,296,262.00
 SECTION: 09 04 10
 COUNTY: CALDWELL TEXAS
 SURVEY: BENTLEY BLVD. LAMBERTY TRACT, CALDWELL COUNTY, TEXAS AND 13

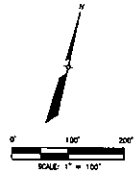
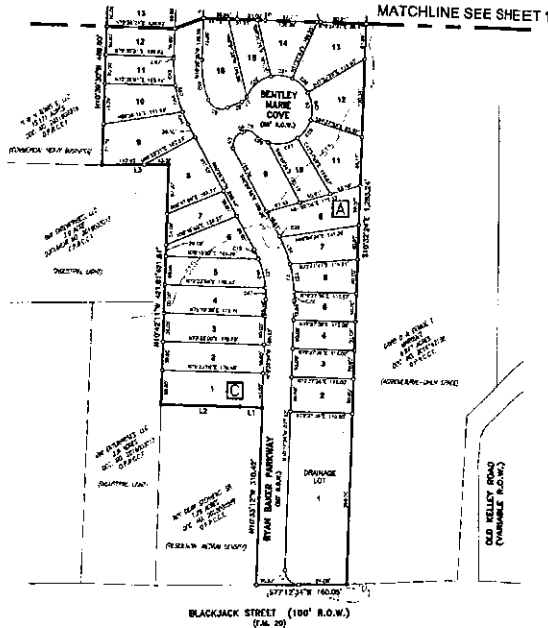
NOTES

- ① 60'x120' 1000' 1000'
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FOR REVIEW ONLY
 NOT FOR CONSTRUCTION
 DATE: 7-10-2023

PRELIMINARY PLAT OF
BLACKJACK GROVE SUBDIVISION
 OUT OF THE JAMES GEORGE SURVEY, ABSTRACT NO. 9,
 AND LOT 2, REYNA ACRES SUBDIVISION
 CALDWELL COUNTY, TEXAS
 13.76 ACRES



LEGEND

- DENOTES BENCHMARK (SEE NOTE)
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- UTILITY OR DRAINAGE EASEMENTS
- OFFICIAL PUBLIC RECORDS CALDWELL COUNTY TEXAS
- [A] BLOCK IDENTIFICATION

FOR REVIEW ONLY
 NOT FOR CONSTRUCTION
 DATE: 7-10-2023

SUBDIVISION PLAT APPLICATION

CITY OF

Lockhart
TEXAS

*- This is the resubmitted application -
6/7/23.*

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

APPLICANTS

SURVEYOR NAME George E. Lucas

ADDRESS 18018 Overlook Loop, Ste. 105

DAY-TIME TELEPHONE (512) 635-4857

San Antonio, TX 78259

E-MAIL george@celcosurveying.com

ENGINEER NAME Hugo Elizondo, Jr., P.E.

ADDRESS 120 Riverwalk Drive, Suite 208

DAY-TIME TELEPHONE (512) 565-9040

San Marcos, TX 78666

E-MAIL hugo@cuatroconsultants.com

OWNER NAME Jimbo Cotton

ADDRESS PO Box 5708

DAY-TIME TELEPHONE (512) 784-3015

Austin, TX 78763

E-MAIL jimbo@matexas.com

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE

PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT

DEVELOPMENT PLAT

PROPERTY

SUBDIVISION NAME Blackjack Grove Subdivision

ADDRESS OR GENERAL LOCATION 1541 Lovers Lane, Lockhart, TX 78644

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 13.76 ACRE(S) PROPOSED NUMBER OF LOTS 57

ZONING CLASSIFICATION(S) Residential Medium Density

PROPOSED USE OF LAND Single family subdivision

SUBMITTAL REQUIREMENTS

NAME(S) AND ADDRESS(ES) OF PROPERTY LIEN-HOLDERS, IF ANY.

IF THE APPLICATION IS FOR AN AMENDING PLAT OR REPLAT/RESUBDIVISION – A COPY OF EXISTING DEED RESTRICTIONS OR RESTRICTIVE COVENANTS, IF ANY.

IF THE APPLICATION IS FOR A FINAL PLAT INVOLVING PUBLIC IMPROVEMENTS – 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	<i>NO FEE, since application was withdrawn prior to the Commission's decision deadline.</i> \$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 James C. Cotton

DATE 6-6-2023

PRINTED NAME James C. Cotton

TELEPHONE 512-784-3015

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) 52-75(b) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Block length shall generally not exceed 800 feet along minor streets.

REQUESTED VARIANCE(S) Block C's length proposed at 1,245 feet along a proposed minor residential street (Ryan Baker Parkway).

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

DATE SUBMITTED 6/7/23

CASE NUMBER PP 23.02

DATE APPLICATION IS DEEMED COMPLETE 3/31/23 (original application)

DATE NOTICES MAILED —

DATE NOTICE PUBLISHED —

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 7/26/23

DECISION _____

CONDITIONS _____