

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, December 13, 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 November 14, 2023 meeting.
4. **ZC-23-08.** Hold a PUBLIC HEARING and consider a request by Caroline Eckert with Wuest Group on behalf on Lockhart 130 North/South LTD for a **Zoning Change** from *RHD Residential High Density District* to *CHB Commercial Heavy Business District* on a total of 2.102 acres in the Cornelius Crenshaw Survey, Abstract No. 68, located at 2500 West San Antonio Street (SH 142).
5. Planning Director's Report
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 AM on the 8th day of December 2023.

**City of Lockhart
Planning and Zoning Commission
November 14, 2023**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Bradley Lingvai, Manuel Oliva, Julia Haug

Members Absent: Rick Arnic, Ron Peterson

Staff Present: David Fowler, Evan Olszewski, Christine Banda

Visitors/Citizens Addressing the Commission: Miguel Perez, Robert Burnet, Barbara Baylor,
Andy Cardenas

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the October 25, 2023, meeting.

Commissioner Lingvai moved to approve the October 25, 2023, minutes. Commissioner Haug seconded, and the motion passed by a vote of 5-0.

4. SUP-23-17. Hold a PUBLIC HEARING and consider a request by Rafael Garnica Perez for a Specific Use Permit to allow a Manufactured Home in the RMD Residential Medium Density District on 0.12 acres known as Lot7 of the Smith-Whitis Addition, located at 1102 Wichita Street.

Evan Olszewski presented the staff report. He said the applicant would like approval for a new manufactured home to be placed at the subject property. He mentioned that there were two older manufactured homes in the neighborhood, but the rest of the neighborhood was mostly single-family site-built homes. All property owners within 200 feet were notified of the SUP. There was a submitted protest letter with 12 signatures submitted to the planning department.

Chair Ruiz opened the public hearing.

Miguel Perez and Robert Burnet of Village Homes came forward for the applicant. They said the owner would like to place a new manufactured home on his property.

Barbara Louise Baylor of 207 Mountain View Dr., Pflugerville and her husband Leo came forward to say she is a 1970 graduate of Lockhart High School. They strongly opposed the SUP. They have also spoken to their neighbors who agree with them in opposition. They stated they

believe manufactured homes are not built to standards as site-built homes and due to that they depreciate quickly. They stated that manufactured homes do not belong in this historical neighborhood.

Andy Cardenas of 709 Mesquite St. said he opposes the SUP.

Robert Burnet approached again and said the applicant Mr. Perez would be a great addition to the neighborhood along with the new manufacture home. The home would be built to HUD code and the same materials are used as site-built homes. He believed manufactured homes do not devalue property and he thought the comments made during the hearing could be discriminatory toward these types of homes and to the applicant.

Mrs. Baylor said that she heard that the manufactured home must be occupied by the owner of the home and if it's not she has an issue with that.

Chair Ruiz closed the public hearing.

David Fowler said there is nothing in our ordinance that prohibits to what Mrs. Baylor was referring.

Chair Ruiz asked for staff recommendation.

Mr. Olszewski said because of the high level of opposition received, staff recommends denial.

Commissioner Oliva moved to deny SUP-23-17. Commissioner Haug seconded, and the motion passed with a vote of 5-0.

5. Hold a PUBLIC HEARING and consider amending Chapter 64 "Zoning" of the Lockhart Code of Ordinances, as follows: Amend Article I, "In General," Section 64-2 "Definitions;" Article VII. "Zoning District and Standards", Section 64-166 "Planned Development District (PDD)", Section 64-196 "Establishment of Zoning Districts." Subsection (p) "Planned Development District (PDD)," and Section 64-199 "Additional requirements for Planned Development District, " to establish revised requirements for Planned Development District(PDD) applications.

David Fowler presented the proposed revised text amendments for the Planned Development District. He mentioned that they are a product of the Housing and Development Committee. These text amendments would improve upon our current PDD requirements and improve the quality of submissions by both increasing the level of detail required in the applications as well as raising the overall purpose and expectations of PDD submissions. He covered all the proposed text changes with the commission.

Commissioner Lingvai moved to approve the text amendments as presented by staff. Commissioner Haug seconded, and the motion passed with a vote of 5-0.

6. Discuss the date and agenda of the next meeting, including Commission request for agenda items.

David Fowler said that their next meeting would be held on Wednesday, December 13th. A zoning change application had been submitted. The next Impact Advisory Committee meeting will be held prior to the Planning and Zoning Commission meeting in December.

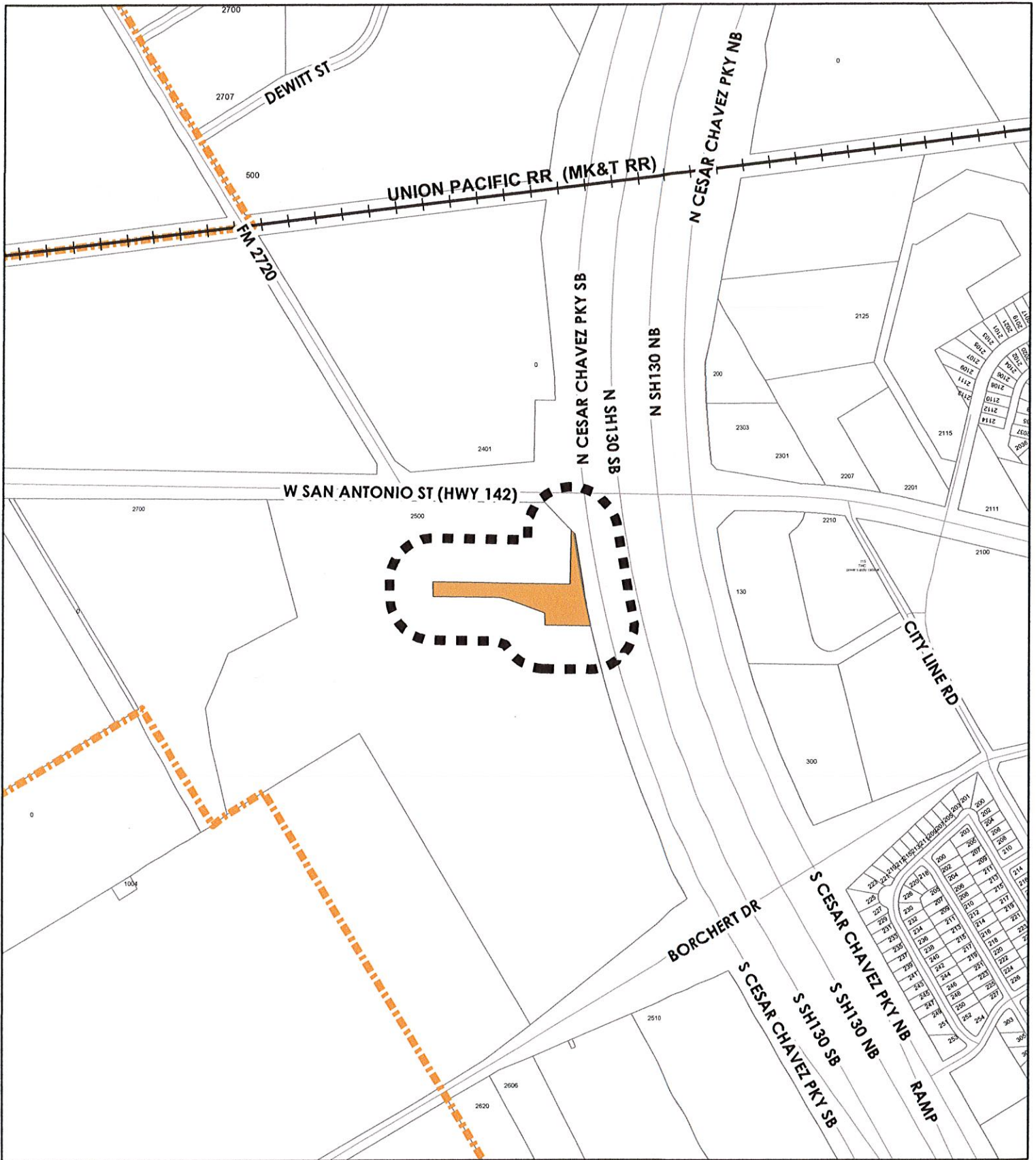
7. Adjourn.

Commissioner Haug moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:46 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair







ZC-23-08

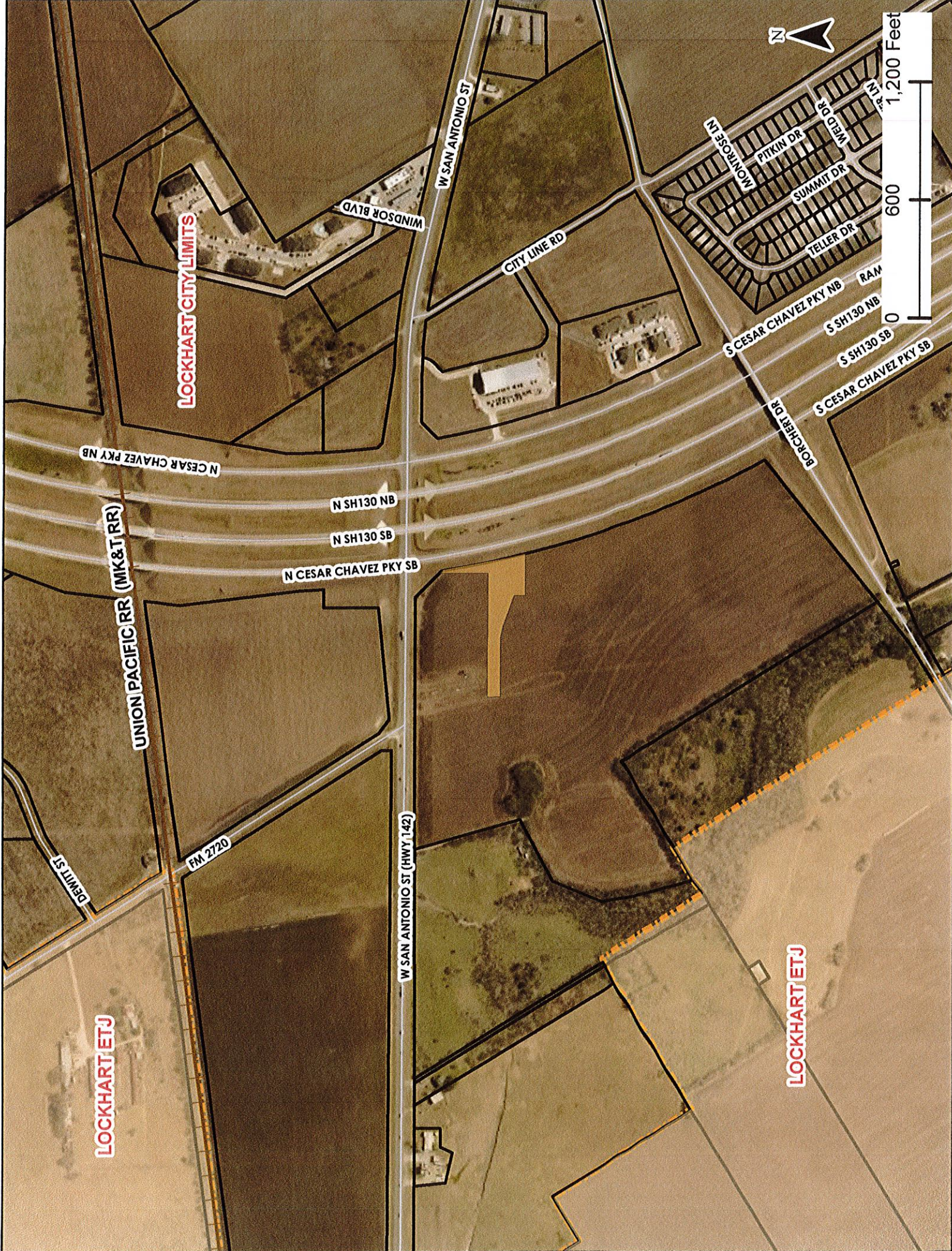
RHD TO CHB

2500 W SAN ANTONIO ST



scale 1" = 600'

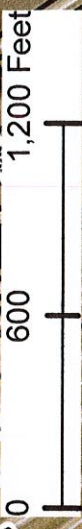
-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  CITY LIMITS
-  200 FT BUFFER



LOCKHART CITY LIMITS

LOCKHART ETJ

LOCKHART ETJ



N CESAR CHAVEZ PKY NB

N SH130 NB

N SH130 SB

N CESAR CHAVEZ PKY SB

W SAN ANTONIO ST (HWY 142)

FM 2720

DEWITT ST

UNION PACIFIC RR (MK&T RR)

W SAN ANTONIO ST

WINDSOR BLVD

CITY LINE RD

MONROSE LN

PITKIN DR

SUMMIT DR

TELLER DR

S CESAR CHAVEZ PKY NB

S SH130 NB

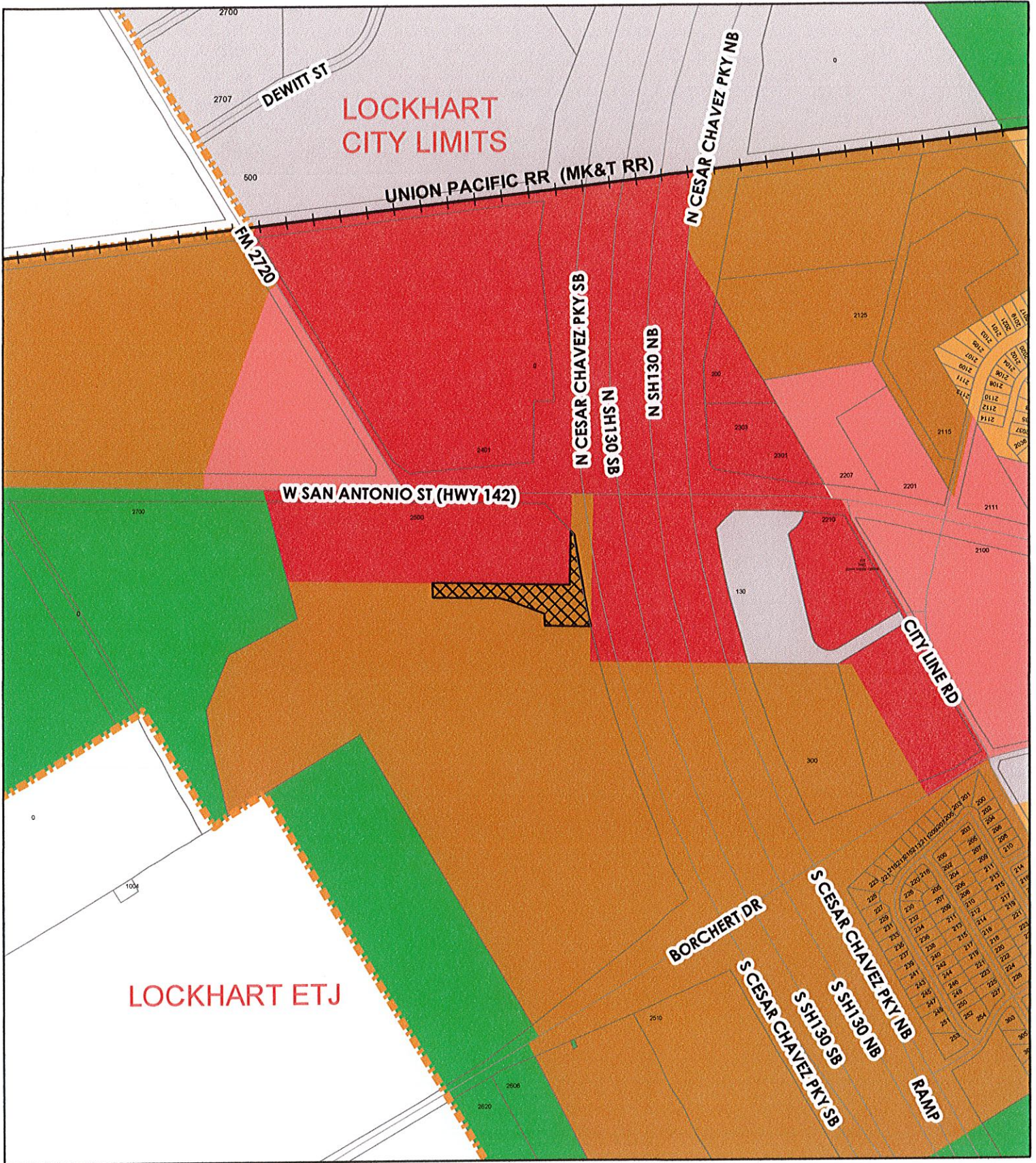
S SH130 SB

S CESAR CHAVEZ PKY SB

BOCHERT DR

RAMBLER DR

WELD DR



ZC-23-08

RHD TO CHB

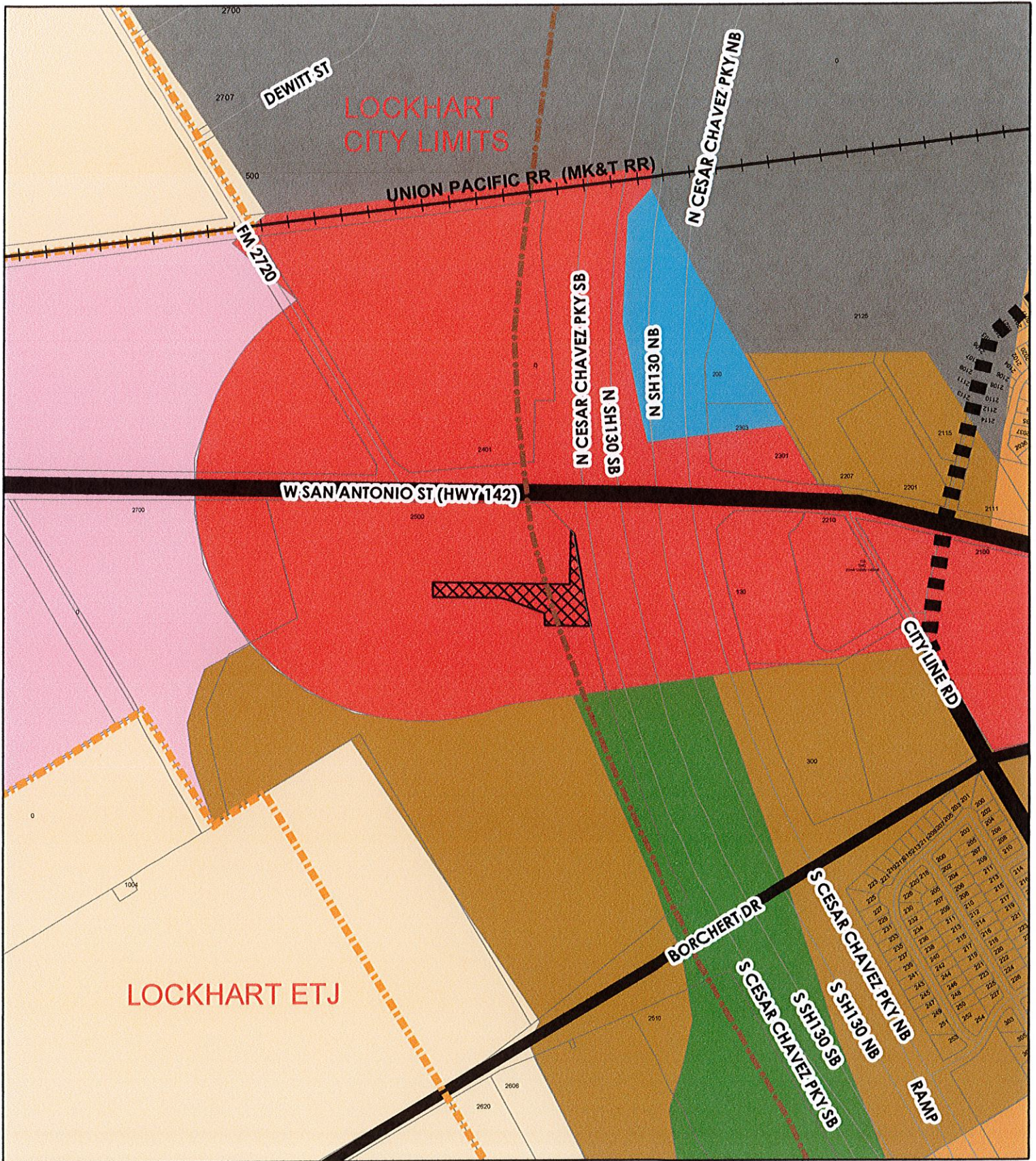
2500 W SAN ANTONIO ST



scale 1" = 600'

ZONING DISTRICTS













- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE & THOROUGHFARES
 RHD TO CHB
 2500 W SAN ANTONIO ST



scale 1" = 600'

- | | |
|---|--|
|  AGRICULTURE/RURAL DEVELOPMENT |  EXISTING COLLECTOR |
|  GENERAL-HEAVY COMMERCIAL |  EXISTING ARTERIAL |
|  INDUSTRY |  FUTURE ARTERIAL |
|  LIGHT-MEDIUM COMMERCIAL |  HIKE/BIKE TRAIL |
|  PARKS AND OPEN SPACE | |
|  PUBLIC AND INSTITUTIONAL | |
|  RESIDENTIAL, HIGH DENSITY | |
|  RESIDENTIAL, MEDIUM DENSITY | |

CASE SUMMARY

STAFF: David Fowler, Planning Director
REPORT DATE: December 7, 2023
PLANNING AND ZONING COMMISSION HEARING DATE: December 13, 2023
CITY COUNCIL HEARING DATE: December 19, 2023
REQUESTED CHANGE: RHD to CHB
STAFF RECOMMENDATION: **Approval**
PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

CASE NUMBER: ZC-23-08

BACKGROUND DATA

APPLICANT: Caroline Eckert, Wuest Group
OWNER: Lockhart 130 North/South LTD
SITE LOCATION: 2500 West San Antonio Street
LEGAL DESCRIPTION: Metes and bounds
SIZE OF PROPERTY: 2.102 acres
EXISTING USE OF PROPERTY: Vacant land
LAND USE PLAN DESIGNATION: *General-Heavy Commercial*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: A major convenience store chain plans to develop a location on this property, as well as a pad site for another commercial business. The depth of the site plan for the proposed commercial development is slightly deeper than the area shown in the CHB zoning district along West San Antonio Street (US 142), which was drawn at a depth of approximately 350 feet south of the property line.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	CHB	<i>General Heavy Commercial</i>
East	Light Industrial, Vacant Land	LI	<i>General Heavy Commercial</i>
South	Vacant Land	RHD	<i>High Density Residential</i>
West	Vacant Land	CHB	<i>General Heavy Commercial</i>

TRANSITION OF ZONING DISTRICTS: The proposed CHB zoning district is common in the area near the intersection of West San Antonio Street (SH 142) and SH 130. The property to the south is zoned RHD and is planned for a future apartment development.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from San Antonio Street (SH 142) as well as Cesar Chavez Parkway/SH 130. Water is available via a 12" line near the southwest intersection of San Antonio Street and Cesar Chavez Parkway. Wastewater will be available via an extension southward from the wastewater line along the railroad tracks, which is expected to begin construction shortly.

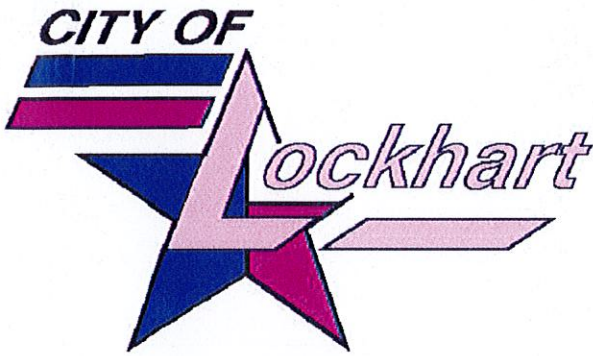
POTENTIAL NEIGHBORHOOD IMPACT: The surrounding area is currently rural in nature, with sparse development west of SH 130. The developer will be required by TxDOT to do a traffic impact analysis, and TxDOT can require the developer to construct roadway safety improvements at street and driveway intersections if determined to be necessary by the traffic impact analysis.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is consistent with the property's *General-Heavy Commercial* future land use designation.

ALTERNATIVE CLASSIFICATIONS: None.

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

STAFF RECOMMENDATION: Approval.



ZONING CHANGE APPLICATION

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

APPLICANT/OWNER

APPLICANT NAME CAROLINE ECKERT

DAY-TIME TELEPHONE 512-394-1900

E-MAIL CECKERT@WUESTGROUPTX.COM

OWNER NAME LOCKHART 130 NORTH/SOUTH, LTD

DAY-TIME TELEPHONE _____

E-MAIL _____

ADDRESS 5207 AIRPORT BLVD

AUSTIN, TX

78751

ADDRESS 809 CUERNAVACA DRIVE

AUSTIN, TX

78733

PROPERTY

ADDRESS OR GENERAL LOCATION 2500 WEST SAN ANTONIO STREET

LEGAL DESCRIPTION (IF PLATTED) _____

SIZE 2.102 ACRE(S) LAND USE PLAN DESIGNATION _____

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

PROPOSED NEW USE, IF ANY SERVICE STATION/CONVENIENCE STORE

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION RHD

TO PROPOSED ZONING CLASSIFICATION CHB

REASON FOR REQUEST EXTENDING THE CHB ZONING PER THE ATTACHED METES AND BOUNDS. THIS WILL ALLOW CONSTRUCTION OF THE PROPOSED 7ELEVEN GAS STATION/CONVENIENCE STORE.

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.

ATTACHED.

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

NO LIEN HOLDERS.

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

APPLICATION FEE OF \$ 192.04 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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 Carolei Echert

DATE 11/9/2023

OFFICE USE ONLY

ACCEPTED BY David Fowler RECEIPT NUMBER 15F-01243431
2nd-01259648

DATE SUBMITTED 11-14-2023 CASE NUMBER ZC - 33 - 08

DATE NOTICES MAILED 11-17-2023 DATE NOTICE PUBLISHED 11-23-2023

PLANNING AND ZONING COMMISSION MEETING DATE 12-13-2023

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 12-19-2023

DECISION _____

July 13, 2023

From: LOCKHART 130 NORTH/SOUTH LTD – Property Owner

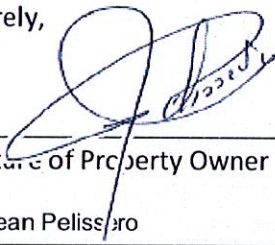
Re: **7/11 @ 130 & 142**
2500 West San Antonio Street
CCAD# 31854
Agent Authorization

To: The City of Lockhart Representatives:

As owner(s) of the above reference property, please take note that Wuest Group has authorization to act as agent for all matters pertaining to the following:

- All development applications related to the **2500 West San Antonio Street** project in conjunction with the proposed Site Plan Application

Sincerely,



Signature of Property Owner

Jean Pelissiero

Printed Name

Managing Partner of Centerpoint Management It's GP

Title

July 13, 2023

Date

EXHIBIT "A"

DESCRIPTION

DESCRIPTION OF A 2.102 ACRE (91,573 SQUARE FEET) TRACT OF LAND SITUATED IN THE CORNELIUS CRENSHAW SURVEY, A-68, AND THE WILLIAM HOUSE 1/4 LEAGUE, A-15, CALDWELL COUNTY, TEXAS; BEING A PORTION OF A CALLED 85.56 ACRE REMAINDER TRACT OF LAND CONVEYED TO LOCKHART 130 NORTH/SOUTH, LTD. BY WARRANTY DEED WITH VENDOR'S LIEN OF RECORD IN DOCUMENT #2014-004094, OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS; SAID 2.102 ACRE TRACT DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a TXDOT type II brass disc monument found at a point of curvature of a curve to the left on the west right-of-way (R.O.W.) line of State Highway No. 130 (R.O.W. varies), said R.O.W. being conveyed in a street deed to the State of Texas by deed of record in Volume 570, Page 198, Deed Records of Caldwell County, Texas, also being near the south R.O.W. line of State Highway No. 142 (R.O.W. varies) (a/k/a "West San Antonio Street"), said R.O.W. being conveyed in a deed to the State of Texas by deed of record in Volume 121, Page 522, Deed Records of Caldwell County, Texas, said TXDOT type II brass disc monument found being 344.83 feet right of State Highway No. 130 Station 3668+60.12 and 206.33 feet left of State Highway No. 142 Station 124+92.16, same being an easterly corner of said 85.56 acre remainder tract and the tract described herein, from which a TXDOT type II brass disc monument found at the intersection of the west R.O.W. line of State Highway No. 130 with the south R.O.W. line of State Highway No. 142, said TXDOT type II brass disc monument found being 458.10 feet right of State Highway No. 130 Station 3667+15.38 and 70.61 feet left of State Highway No. 142 Station 126+29.24, being a northerly corner of said 85.56 acre remainder tract, bears N 44°15'42" W, a distance of 192.81 feet;

THENCE with the west curving R.O.W. line of State Highway No. 130 and the east curving line of said 85.56 acre remainder tract and the tract described herein, along said curve to the left having a radius of 5485.00 feet, an arc length of 392.97 feet, and a chord which bears S 11°20'15" E, a distance of 392.88 feet to a calculated point of tangency, for the southeast corner of the tract described herein, from which a TXDOT type II brass disc monument found on the west curving R.O.W. line of State Highway No. 130, said TXDOT type II brass disc monument being 341.73 feet right of State Highway No. 130 Station 3668+00.00, being on the east line of said 85.56 acre remainder tract, bears a chord bearing and distance of S 17°41'28" E, a distance of 822.72 feet;

THENCE leaving the curving west R.O.W. line of State Highway No. 130 and through the interior of said 85.56 acre remainder tract, with the irregular lines of the tract described herein, the following eight (8) courses and distances:

1. N 88°53'10" W, a distance of 249.59 feet to a calculated point,
2. N 01°06'50" E, a distance of 50.68 feet to a calculated point,
3. N 74°04'15" W, a distance of 183.02 feet to a calculated point of curvature of a curve to the left,

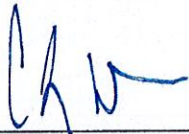


4. Along said curve to the left having a radius of 333.00 feet, an arc length of 86.52 feet, and a chord which bears N 81°30'52" W, a distance of 86.28 feet to a calculated point of tangency,
5. N 88°57'29" W, a distance of 334.65 feet to a calculated point for the southwest corner of the tract described herein,
6. N 01°05'05" E, a distance of 60.66 feet to a calculated point,
7. S 88°55'26" E, a distance of 736.64 feet to a calculated point for an interior corner of the tract described herein, and
8. N 01°06'34" E, a distance of 239.48 feet to a calculated point on the west R.O.W. line of State Highway No. 130 and being near the south R.O.W. line of State Highway No. 142, being on the northeast line of said 85.56 acre remainder tract, for the northernmost corner of the tract described herein;

THENCE S 44°15'42" E, with the west R.O.W. line of State Highway No. 130 and the northeast line of said 85.56 acre remainder tract, being with the north line of the tract described herein, a distance of 35.75 feet to the **POINT OF BEGINNING** and containing 2.102 acres (91,573 square feet) of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone (4204), NAD83, Grid.

That I, Cara L. Williams, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying survey map are true and correct to the best of my knowledge and belief and was prepared from an actual on-the-ground survey under my direction and supervision.



11-08-23

Cara L. Williams
RPLS No. 6336
State of Texas

Date



CALDWELL COUNTY, TEXAS
 CORNELIUS CRENSHAW SURVEY, A-68
 WILLIAM HOUSE 1/4 LEAGUE, A-15

EXHIBIT " "
 SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

CALLED 0.507 ACRE
 (PARCEL 647A - PART 2)
 STATE OF TEXAS
 VOL. 569, PG. 546, O.P.R.C.C.T.

CALLED 6.123 ACRES
 (PARCEL 647B)
 STATE OF TEXAS
 VOL. 569, PG. 570, O.P.R.C.C.T.

STATE HIGHWAY NO. 142

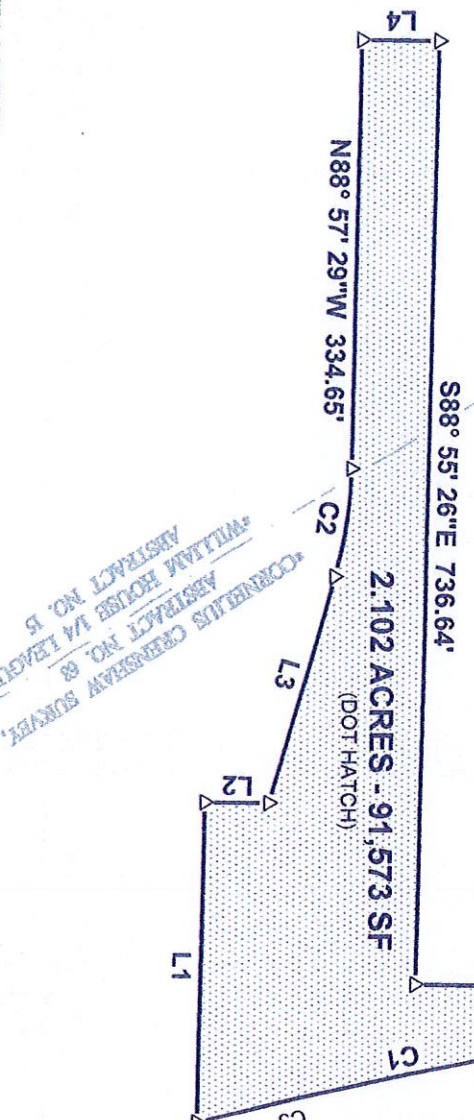
(R.O.W. VARIES) (AK/A "WEST SAN ANTONIO STREET")
 (SEE VOL.121, PG. 522 - D.R.C.C.T.)

S88° 54' 55"E 1294.62'

STATE HIGHWAY 130
 STA. 3667+15.38
 458.10' RT
 STATE HIGHWAY 142
 STA. 126+29.24
 70.61' LT

CALLED 85.56 ACRES (REMAINDER OF)
 LOCKHART 130 NORTH/SOUTH, LTD.
 DOC. #2014-004094, O.P.R.C.C.T.
 CALDWELL COUNTY PROPERTY ID #31854

P.O.B.
 STATE HIGHWAY 130
 STA. 3668+60.12
 344.83' RT
 STATE HIGHWAY 142
 STA. 124+92.16
 206.33' LT

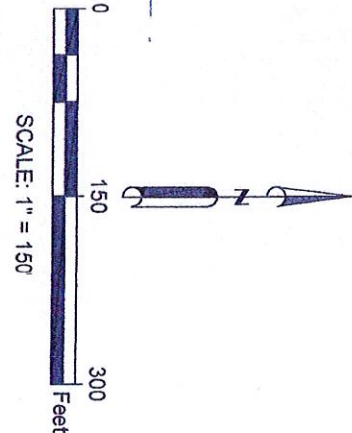


CORNELIUS CRENSHAW SURVEY,
 WILLIAM HOUSE 1/4 LEAGUE
 ABSTRACT NO. 8
 ABSTRACT NO. 15

STATE HIGHWAY NO. 130
 (SEE VOL. 570, PG. 198 - D.R.C.C.T.) (R.O.W. VARIES)

NOTE:
 * = APPROXIMATE LOCATION

BEARING BASIS & HORIZONTAL DATUM:
 TEXAS COORDINATE SYSTEM, GRID
 NAD 83 (SOUTH CENTRAL ZONE 4204)



WEST GROUP
 ENGINEERING & SURVEYING

TPELS FIRM # 10194507
 AND FIRM # F-15324
 5207 AIRPORT BOULEVARD
 AUSTIN, TEXAS 78751
 (512)394-1900

LOCKHART 130/142
 LOCKHART, TEXAS 78644
 NOVEMBER, 2023
 PROJECT NO. 0181-008

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N88° 53' 10"W	249.59'
L2	N01° 06' 50"E	50.68'
L3	N74° 04' 15"W	183.02'
L4	N01° 05' 05"E	60.66'
L5	N01° 06' 34"E	239.48'
L6	S44° 15' 42"E	35.75'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	CHORD
C1	392.97'	5485.00'	S11° 20' 15"E 392.88'
C2	86.52'	333.00'	N81° 30' 52"W 86.28'
C3	1216.46'	5485.00'	S15° 38' 19"E 1213.97'
C4	823.49'	5485.00'	S17° 41' 28"E 822.72'

LEGEND	
▲	RAILROAD SPIKE FOUND
▣	TXDOT TYPE II BRASS DISC MONUMENT FOUND
△	CALCULATED POINT
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
D.R.C.C.T.	DEED RECORDS, CALDWELL COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS

[Handwritten Signature]

CARA L. WILLIAMS
 RPLS NO. 6336 - STATE OF TEXAS
 WUEST GROUP
 (512)394-1900

11-08-23

DATE:



LOCKHART 130/142
 LOCKHART, TEXAS 78644
 NOVEMBER, 2023
 PROJECT NO. 0181-008

WUEST GROUP
 ENGINEERING & SURVEYING

TBPELS FIRM # 10194507
 AND FIRM # F-15324
 5207 AIRPORT BOULEVARD
 AUSTIN, TEXAS 78751
 (512)394-1900