

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 stated 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.

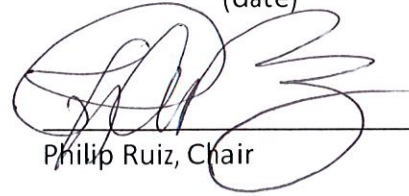
Mr. Waller said that the next meeting will be July 12th with one subdivision variance.

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: 7/20/23
(date)


Christine Banda, Recording Secretary


Philip Ruiz, Chair