

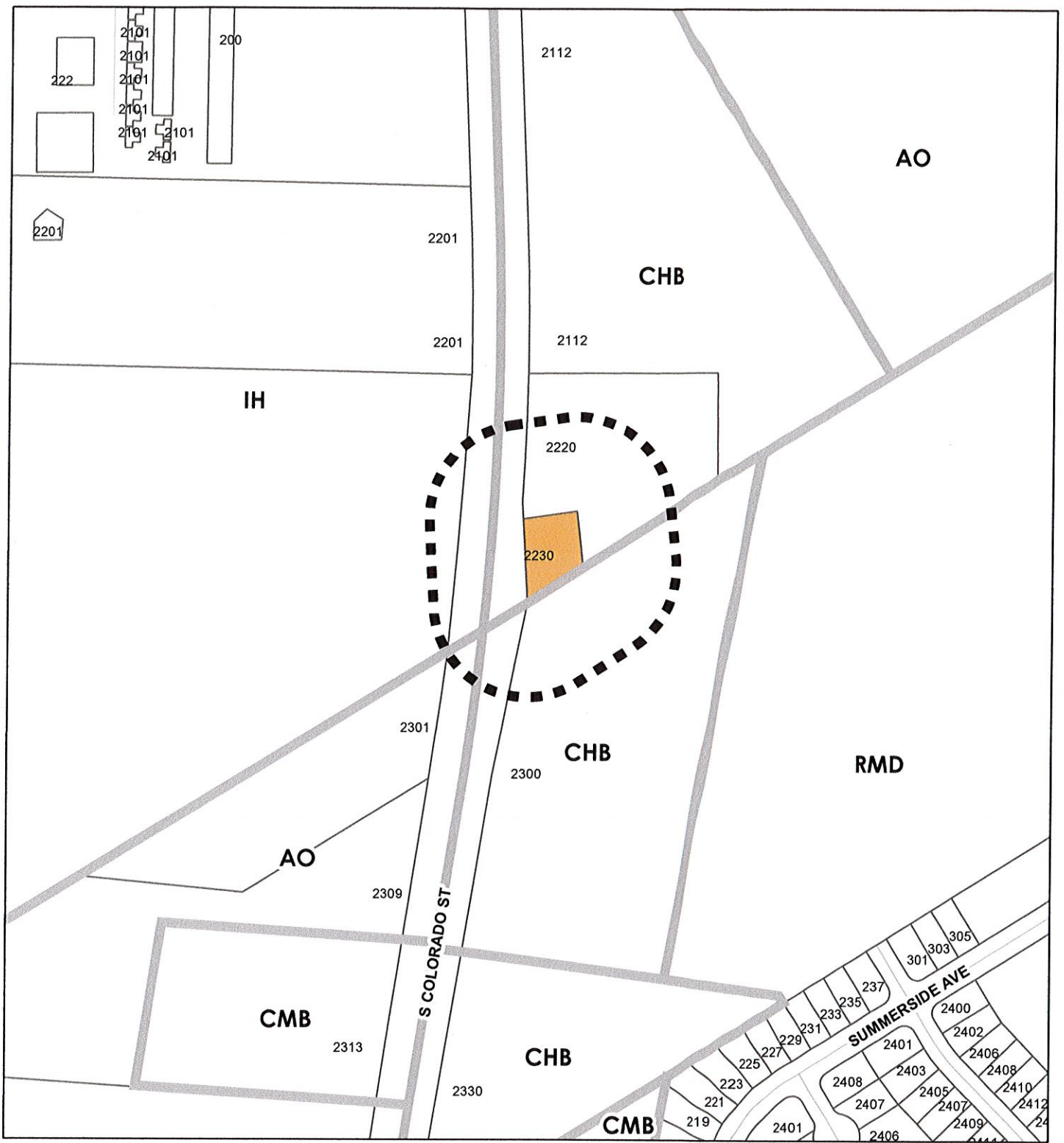
## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, April 13, 2022  
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 March 23, 2022, meeting.
4. SUP-22-07. Hold a PUBLIC HEARING and consider a request by Terry Black for a **Specific Use Permit** to allow a *High-Profile Sign* on 0.414 acre in Esther Berry Survey, Abstract No. 1, zoned CHB Commercial Heavy Business District and located at 2230 South Colorado Street (US 183).
5. SUP-22-08. Hold a PUBLIC HEARING and reconsider a request by Ricardo Rodriguez on behalf of Stephanie Bradley for a **Specific Use Permit** to allow a *Bar with extended hours to 2:00 a.m.* on part of Lot 6, Block 17, Original Town of Lockhart, consisting of 0.06-acre zoned CCB Commercial Central Business District and located at 211 East Market Street.
6. ZC-22-10. Hold a PUBLIC HEARING and consider a request by Jim Meredith on behalf of Robert A. Schmidt for a **Zoning Change** from *CHB Commercial Heavy Business District* to *RHD Residential High Density District* on 14.57 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 101 East China Street.
7. FP-21-01. Consider a request by Blayne Stansberry, P.E., on behalf of GAH Owner, LLC, for approval of a **Final Plat** for *GAH Subdivision*, consisting of 13.43 acres zoned CLB Commercial Light Business District and RHD Residential High Density District, and located at 1505 South Main Street, including a **Variance** to *Section 52-76(d) of the Subdivision Regulations* to allow more than one flag lot.
8. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
9. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 1:00 PM on the 7<sup>th</sup> day of April, 2022.



**SUP-22-07**

2230 S. COLORADO STREET (US183)

OFF-PREMISE HIGH PROFILE SIGN



 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 300'



2112

2112

2220

2230

2300

200

2101

220

2201

2220

2301

2309

2313

S COLORADO ST

SUMMERSIDE AVE

SKYLINE

0

300

600 Feet

36

## CASE SUMMARY

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STAFF CONTACT: Dan Gibson, City Planner  
REPORT DATE: April 6, 2022  
PUBLIC HEARING DATE: April 13, 2022  
APPLICANT'S REQUEST: High-profile sign  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: None

CASE NUMBER: SUP-22-07

## BACKGROUND DATA

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APPLICANT(S): Terry Black's Barbecue Lockhart, LLC  
OWNER(S): Terry Black  
SITE LOCATION: 2230 S. Colorado St. (US 183)  
LEGAL DESCRIPTION: Metes and bounds  
SIZE OF PROPERTY: 0.41 acre  
EXISTING USE OF PROPERTY: Tire shop and off-premises sign location  
ZONING CLASSIFICATION: CHB Commercial Heavy Business District

## ANALYSIS OF ISSUES

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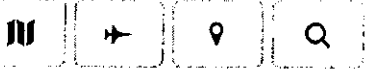
**CHARACTERISTICS OF PROPOSED USE:** A previous a high-profile off-premises sign at the subject location was demolished last summer without notification to the owner. That sign was approximately 24 feet tall, with a sign area of 240 square feet. It did not meet the current standards of our sign ordinance, but was grandfathered and classified as a high-profile sign due to the height being over 20 feet. The grandfathered status was lost when the entire sign was removed. The applicant/owner wishes to erect a replacement off-premises sign in the same location. The proposed 30-foot tall sign will be taller than the original sign, but will have a smaller face area of 200 square feet. The new sign will have the faces at an angle in a "V" shape, whereas the original sign was a standard double-faced structure.

**NEIGHBORHOOD COMPATIBILITY:** Because there was previously a similar sign in this location for many years, the proposed sign would not represent a change in the overall appearance of the area. The closest buildings are the tire shop on the same property, a funeral home abutting to the north, the livestock auction barn across Colorado Street to the northwest, and a church 358 feet across Colorado Street to the southwest. There are no residences in the immediate area.

**COMPLIANCE WITH STANDARDS:** The proposed sign will comply with all standards except for the setback from the Colorado Street right-of-way line, and the minimum distance from a church. On April 4<sup>th</sup>, the Zoning Board of Adjustment approved variances to allow a reduction in the setback for a high-profile sign from ten feet to five feet, and to allow an off-premises sign less than 2,500 feet from a church.

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

**STAFF RECOMMENDATION:** Because this SUP would simply allow a new high-profile sign to replace the original high profile sign at the same location, staff recommends **Approval**.



32814  
32813  
32811  
32812  
32810

31003

31004

17199

33620

LOCKHART AUCTION

FUNERAL HOME  
17189

17190

SIGN

LOCATION

2230 SO.  
COLORADO ST.,

SOUTH SIDE  
CORNER OF LOT

37268

S COLORADO ST  
183

61184

61183

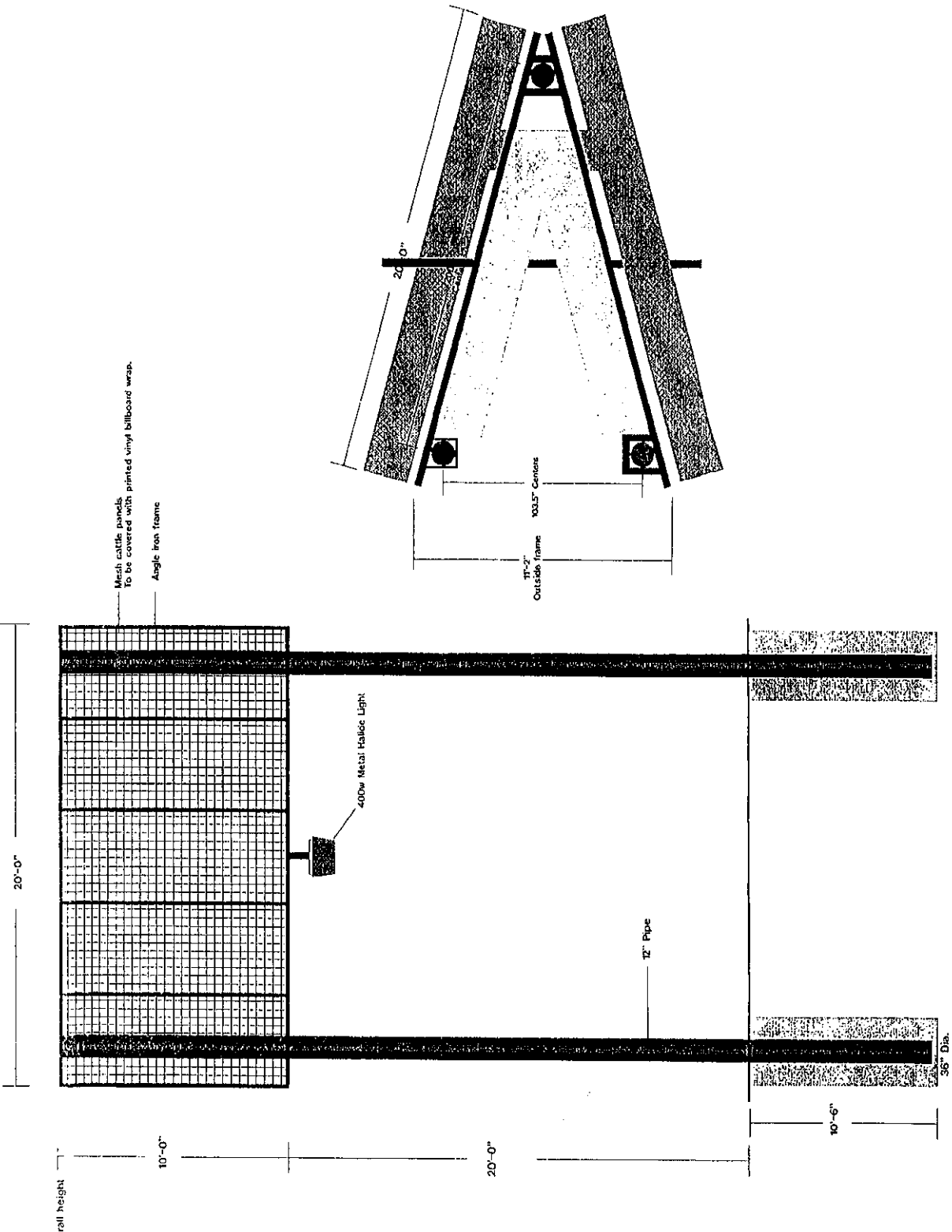
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MOTOR CO  
94837  
(FORD)

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<p>2401 E. 35 S. San Marcos, TX 78666          (512) 388-0900 FAX (512) 388-1601          signcrafters.com www.signcrafters.net</p>	CLIENT <b>TERRY Black's Bar-B-Q</b>	DATE <b>3/29/11</b>
	APPROVAL	DATE
TYPE OF SIGNAGE <b>10' x 20' V-shaped billboard structure w/ printed vinyl wrap</b>		WITH CHANGES AS NOTED
INSTALL <b>10'-6" x 3' Holes with concrete / (3) 12.75" steel pipe</b>		SCALE <b>N.T.S.</b>
LOCATION <b>San Antonio-St. Lockhart 2230 S. COLORADO</b>		

# 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 Terry Black's Barbecue\* ADDRESS P.O. Box 990  
DAY-TIME TELEPHONE 512-398-9300 Lockhart, TX 78644  
E-MAIL black525@sbcglobal.net  
OWNER NAME Terry Black ADDRESS same  
DAY-TIME TELEPHONE same  
E-MAIL same

\* LOCKHART, LLC

## PROPERTY

ADDRESS OR GENERAL LOCATION 2230 So. Colorado Street  
LEGAL DESCRIPTION (IF PLATTED) N/A  
SIZE .41 ACRE(S) ZONING CLASSIFICATION CHB  
EXISTING USE OF LAND AND/OR BUILDING(S) Billboard location and tire shop

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT High-Profile Sign-46-10(b)(3) & 46-11(b)

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.

High profile off premises billboard sign, 30 foot high, 200 square foot sign face with a 5 foot set back from the TXDOT right of way.

# 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 \$ 150.00 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 Terry Black

DATE 3/14/2022

## OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER R0114-3118

DATE SUBMITTED 3-15-22

CASE NUMBER SUP - 22 - 07

DATE NOTICES MAILED 3-28-2022

DATE NOTICE PUBLISHED 3-31-2022

PLANNING AND ZONING COMMISSION MEETING DATE 4-13-22

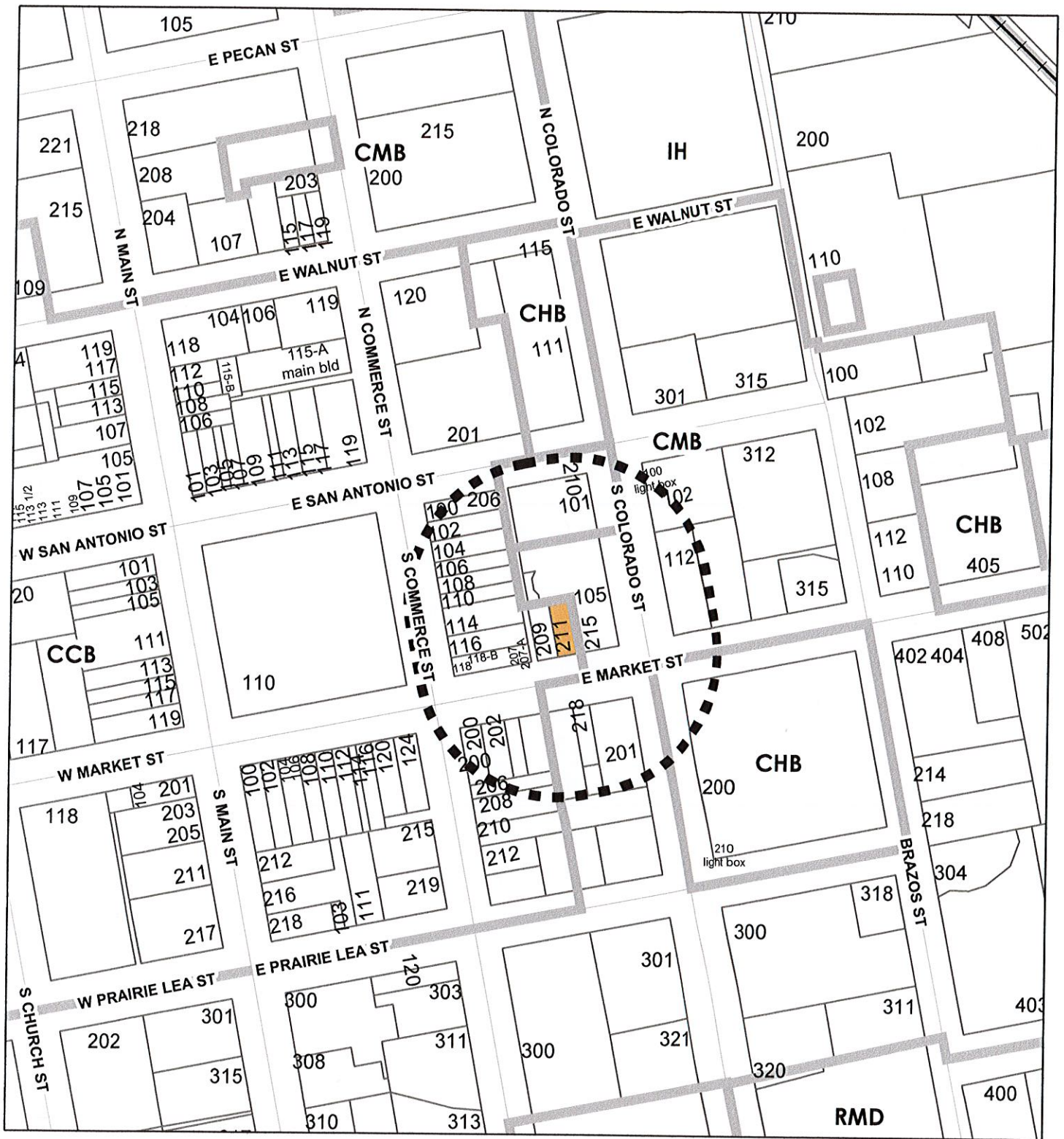
DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_








**SUP-22-08**

211 E MARKET ST

RECONSIDER BAR WITH EXTENDED HOURS ON FRIDAY-SATURDAY UNTIL 2 AM



-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER

scale 1" = 200'



UNION PACIFIC RR. (MARKET ST)



E WALNUT ST

N COLORADO ST

E WALNUT ST

N COMMERCE ST

E SAN ANTONIO ST

E PECAN ST

N MAIN ST

W WALNUT ST

N CHURCH ST

W SAN ANTONIO ST

W MARKET ST

S CHURCH ST

W PRAIRIE LEA ST

E MARKET ST

S COLORADO ST

S COMMERCE ST

S MAIN ST

E PRAIRIE LEA ST

E LIVE OAK ST

E LIVE OAK ST

BRAZOS ST

200

110

100

215

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204

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## CASE SUMMARY

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STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-22-08

REPORT DATE: April 6, 2022

PUBLIC HEARING DATE: April 13, 2022

APPLICANT'S REQUEST: Bar with extended hours to 2:00am on Friday and Saturday nights

STAFF RECOMMENDATION: *Revoke previous approval of extended hours*

SUGGESTED CONDITIONS: None

## BACKGROUND DATA

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APPLICANT(S): Ricardo Rodriguez

OWNER(S): Stephanie Bradley

SITE LOCATION: 211 East Market Street

LEGAL DESCRIPTION: Part of Lot 6, Block 17, Original Town of Lockhart

SIZE OF PROPERTY: 0.06 acre

EXISTING USE OF PROPERTY: Bar with extended hours to 2:00am on Friday and Saturday nights

ZONING CLASSIFICATION: CCB Commercial Central Business District

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** A specific use permit application was previously submitted for a bar at this location, including a request to allow extended hours to 2:00am on Saturday and Sunday mornings. It was approved by the Commission on March 18, 2021, subject to a condition that at the end of one year the application would be reconsidered with regard to extended hours (past midnight), whereby the Commission can continue or revoke that part of the original approval based on reported issues with customer conduct within the surrounding area. The year has passed, and the case is back on the agenda, but with a current case number instead of the old case number.

**NEIGHBORHOOD COMPATIBILITY:** The subject property is one-half block from the courthouse square. As noted before, bars have previously operated at this address. The closest existing bar is The Pearl on North Main Street, near the opposite corner of the square. In addition, several restaurants downtown serve alcoholic beverages. Otherwise, in addition to the courthouse, the central business district consists primarily of offices and retail establishments, with some upper story-apartments.

**COMPLIANCE WITH STANDARDS:** Off-street parking is not required in the CCB district, but on-street parking is available.

**RESPONSE TO NOTIFICATION:** The owner of the adjacent building expressed concerns to staff about some issues with the subject property not related to the bar operation. They didn't mention any specific instances of an adverse impact on their property, and there has been no other response to the public hearing notification.

STAFF RECOMMENDATION: There were 52 police calls logged to this address during the period from March 21, 2021, to March 21, 2022. Among the 52 calls of various types, 16 were for "Disturbance". I spoke with Captain Jesse Bell at the police department, and he says that there have been more actual police visits to the bar late at night than are reflected on the call log, and that there regularly are rowdy crowds inside and outside the bar near closing time. A couple of examples where arrests were made were on New Years Eve (actually early New Years Day), and on February 19<sup>th</sup> when a police officer was injured when trying to break up an unruly crowd in the street outside the bar. Six calls were logged as "Ordinance", which means violations of City ordinances such as parking and noise. Captain Bell stated that when other bars and restaurants close at midnight, some of their customers simply move to this bar and continue to drink for two more hours. The increased inebriation often leads to irresponsible customer behaviors. Because the police department reports that this bar has been the greatest source of public disturbances during the past year, staff recommends that the Commission ***Revoke the previous approval of extended hours to 2:00am***. The basic approval for a bar at this location will remain in affect because the reconsideration is limited to the extended hours issue, but the business would now be required to close no later than midnight on all days that it is open.

# 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 Ricardo Rodriguez ADDRESS 2001 FM 1322  
DAY-TIME TELEPHONE \_\_\_\_\_ Lockhart, TX 78644  
E-MAIL Ricardo.rodriguez<sup>4224</sup>@yahoo.com \_\_\_\_\_  
OWNER NAME Stephanie Bradley ADDRESS 2541 So Wilson Ave  
DAY-TIME TELEPHONE 512-415-2109 Austin, TX 78702  
E-MAIL stephanie.guitar@att.net \_\_\_\_\_

## PROPERTY

ADDRESS OR GENERAL LOCATION 211 E. Market  
LEGAL DESCRIPTION (IF PLATTED) Original Town pt lot 6 B11217  
SIZE 0.06 ACRE(S) ZONING CLASSIFICATION CCB  
EXISTING USE OF LAND AND/OR BUILDING(S) ~~Bar~~ Bar

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Reconsideration of Bar w/ extended hours

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.

OPEN AN INDOOR SPORTS BAR TO SERVE MIXED DRINKS AND FOOD WITH  
TVS TO WATCH SPORTS. THE OCCUPANCY LIMIT IS 92 PER FIRE CODE.  
ALCOHOL SALES MAY BE OVER 5% OF REVENUES HOURS OF OPERATION  
WILL BE SUNDAY - THURSDAY 10AM - 12AM. FRIDAY - SATURDAY 10AM - 2AM

# SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

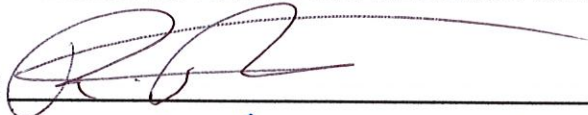
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SITE PLAN, SUBMITTED ON PAPER NO LARGER THAN 11" X 17", SHOWING: 1) Scale and north arrow; 2) Location of site with respect to streets and adjacent properties; 3) Property lines and dimensions; 4) Location and dimensions of buildings; 5) Building setback 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 \$ \_\_\_\_\_ 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 3/29/2022 4/7/22

*Meeting set by Commission to reconsider from date of original*  
**OFFICE USE ONLY** Sup March 24, 2021

ACCEPTED BY 

RECEIPT NUMBER N/A

DATE SUBMITTED 3/29/2022 by staff

CASE NUMBER SUP - 22 - 08

DATE NOTICES MAILED 3/29/2022

DATE NOTICE PUBLISHED 3/31/22

PLANNING AND ZONING COMMISSION MEETING DATE 3/4/13/2022

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

3/2/2021

I, Stephanie Bradley, owner of the building on 211 E Market St. Lockhart, Tx 78644, hereby allow Ricardo Rodriguez to act on my behalf for all needs pertaining to their business at my property.

Sincerely,

Stephanie Bradley

A handwritten signature in black ink that reads "Stephanie Bradley". The signature is written in a cursive style with a long, sweeping underline that extends under the word "Bradley".







**ZC-22-12**

CHB TO RHD

101 EAST CHINA STREET



scale 1" = 300'

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









LEGION ST  
VETERAN ST

SILENT VALLEY RD

HONDO ST

RED RIVER ST

RED RIVER (Canadian) ST

CHINA ST

N COLORADO ST

N COMMERCE ST

CEDAR ST

KATE ST

APPLE ST

N BLANCO ST

BROWN ST

PECOS ST

BOX ST

1204

1203

202

1104

??

1016A

1008

1006

1004

101

1308 billboard

1317

1300

1207

1285

1201

302

300

1013

1005

1007

1003

1503

1501

1324

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**CASE SUMMARY**

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STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-12

REPORT DATE: April 8, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: April 13, 2022

CITY COUNCIL HEARING DATE: April 19, 2022

REQUESTED CHANGE: CHB to RHD

STAFF RECOMMENDATION: *Table*

PLANNING AND ZONING COMMISSION RECOMMENDATION: *Pending*

**BACKGROUND DATA**

---

APPLICANT: Jim Meredith

OWNER: Bobby Schmidt

SITE LOCATION: 101 E. China Street

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 14.57 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Mixed Retail, Office, Residential.*

**ANALYSIS OF ISSUES**

---

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to construct a multifamily or single-family condominium development on the site. As this use is not permitted in the CHB zoning district, a rezoning has been requested.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant	RLD, AO	<i>General-Heavy Commercial, Light-Medium Commercial</i>
East	Vacant, Large lot residential in ETJ	RLD	<i>Agricultural Development, Light-Medium Commercial</i>
South	Single-family residential, commercial,	RMD, RLD, CHB, CMB	<i>Residential Medium Density, Public and Institutional</i>
West	Commercial, TxDOT maintenance, Single-family residential, church	CHB, RHD, IL	<i>General-Heavy Commercial, Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: This zoning change will create an area of RHD that is not contiguous to other areas with the same zoning. The nearest RHD-zoned area is north of the intersection of West China Street and North Blanco Street, across North Colorado Street from the subject parcel.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from East China Street and North Colorado Street. Additionally, extension of the Silent Valley Road arterial is planned along the north and east sides of the subject property, as shown on the Thoroughfare Plan map. Any new driveway onto North Colorado Street will require approval from TxDOT. Water is available and adequate, with the site being served by

a 12" line along East China and North Colorado Streets. Wastewater service is not adequate as the nearest connection points to the site are a 6" wastewater line at the northern end of Commerce St. and potentially a 6" wastewater line at the southwest corner of West China and North Colorado Streets. The closest wastewater main of sufficient size is located approximately 2,000 feet south of the site near the railroad track and Town Branch Creek. The wastewater impact fee CIP does propose a system of wastewater mains extending from that point northward, along with a lift-station, where it would serve the North Colorado Street area, including the subject property. There currently is no timeline or source of funding identified other than impact fees. Impact fees can be used to pay for up to half of the cost, but the remainder would have to come from other sources, such as developer participation.

**POTENTIAL NEIGHBORHOOD IMPACT:** The surrounding area is a mixture of commercial, church and residential development, with some vacant lots. Higher intensity zoning is appropriate when located along an arterial street such as Colorado Street and the future Silent Valley Road extension. There are single-family lots in the RMD and RLD zoning districts south of East China Street. As the existing CHB district allows several high intensity uses, the proposed RHD zoning should not have an adverse impact compared to existing zoning.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The proposed RHD zoning classification is not consistent with the *Mixed Retail, Office, Residential* future land use that is designated for the subject lot, as the proposed development concept only includes residential uses. Mixed use buildings containing commercial and residential are allowed by right in the existing CHB zoning district. However, the high-density residential development proposed for the subject site could contribute to the overall mixed-use development of the US 183 corridor.

**ALTERNATIVE CLASSIFICATIONS:** Either CHB or PDD involving mixed use development would be consistent with the Land Use Plan map.

**RESPONSE TO NOTIFICATION:** None to date.

**STAFF RECOMMENDATION:** The requested zoning change, while not consistent with the Comprehensive Plan, would typically be recommended for approval due to the requested RHD zoning having similar intensity as the existing zoning. However, the existing wastewater capacity is insufficient for multifamily and other higher-density residential types permitted in RHD zoning. On the other hand, the wastewater capacity would be sufficient for many of the development types permitted in the current CHB zoning district. The wastewater CIP is based on the land use types and intensities shown on the Land Use Plan map, which is mixed use for the subject property. A wastewater project is proposed that would serve the area but, as with the northwest quadrant of the city, a study may need to be done to determine whether or not the proposed wastewater infrastructure will be adequate for higher land use intensities. Such a study would confirm the size and cost of the new wastewater mains and associated lift station. So, the main issue is timing of development, and not necessarily the type of development proposed. Generally, a zoning change is considered premature if there is not adequate infrastructure available to support the development that the proposed zoning classification would allow. Three previous requests were received for zoning changes to RHD to allow high density apartments where the land use plan shows lower intensities. A precedent was set when the zoning changes were tabled for several months due to a similar need for a study to determine the size and cost of wastewater infrastructure necessary to serve the higher land use intensities proposed for the area. The Commission may take the same action by tabling this application or it can go ahead and recommend approval of the zoning change knowing that no actual development can occur without adequate wastewater service. Staff recommends **Tabling** until the May 25<sup>th</sup> Planning and Zoning Commission meeting, when more information will be available regarding the extension of wastewater infrastructure to the North Colorado Street area.

CITY OF

# Lockhart

TEXAS

## ZONING CHANGE APPLICATION

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

### APPLICANT/OWNER

APPLICANT NAME Jim Meredith

DAY-TIME TELEPHONE (512)306-8300

E-MAIL jim@masonwoodtx.com

ADDRESS 4301 Westbank Dr.

Bldg A, Suite 110

Austin, TX 78746

OWNER NAME Bobby Schmidt

DAY-TIME TELEPHONE (512)924-0387

E-MAIL bobby@schmidtranch.net & aanton@antonauctions.com

ADDRESS 3595 Schuelke Rd.

Niederwald, TX 78640

### PROPERTY

ADDRESS OR GENERAL LOCATION 101 E. China St.

LEGAL DESCRIPTION (IF PLATTED) N/A - Metes & Bounds

SIZE 14.57 ACRE(S)

LAND USE PLAN DESIGNATION Mixed Retail, Office, Residential

EXISTING USE OF LAND AND/OR BUILDING(S) N/A

PROPOSED NEW USE, IF ANY Residential High Density

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Commercial Heavy Business

TO PROPOSED ZONING CLASSIFICATION Residential High Density

REASON FOR REQUEST To gain the desired density for multifamily and /or single family condiuminum style development

## SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

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

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

APPLICATION FEE OF \$ 441.40 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE

*[Handwritten Signature]*

DATE

3/16/2022

## OFFICE USE ONLY

ACCEPTED BY

Kevin Waller

RECEIPT NUMBER

0143300  
R01143132

DATE SUBMITTED

3/16/22

CASE NUMBER ZC

22 - 12

DATE NOTICES MAILED

3-29-2022

DATE NOTICE PUBLISHED

3-31-2022

PLANNING AND ZONING COMMISSION MEETING DATE

4/13/22

PLANNING AND ZONING COMMISSION RECOMMENDATION

CITY COUNCIL MEETING DATE

4-19-22

DECISION

**Robert A. Schmidt**  
**3595 Schuelke Rd**  
**Niederwald, Tx 78640**  
**(512) 924-0387**  
**bobby@schmidtranch.net**

March 16, 2022

Mr. Dan Gibson  
City of Lockhart, Developmental Services  
308 W. San Antonio Street  
Lockhart, Texas 78644

RE: Property known as 102 East China St. Lockhart, Tx 78644; 14.65 Acres PID # 18458

Dear Mr. Gibson,

I authorize Mr. Jim Meredith/Moody Engineering to apply with the City of Lockhart for purposes of changing the zoning, submitting and processing a final plat, construction plans, site plans and any other required plan/documents to include corrections and revisions needed to proceed with their development of the subject property. The processes will all be at the applicant's expense.

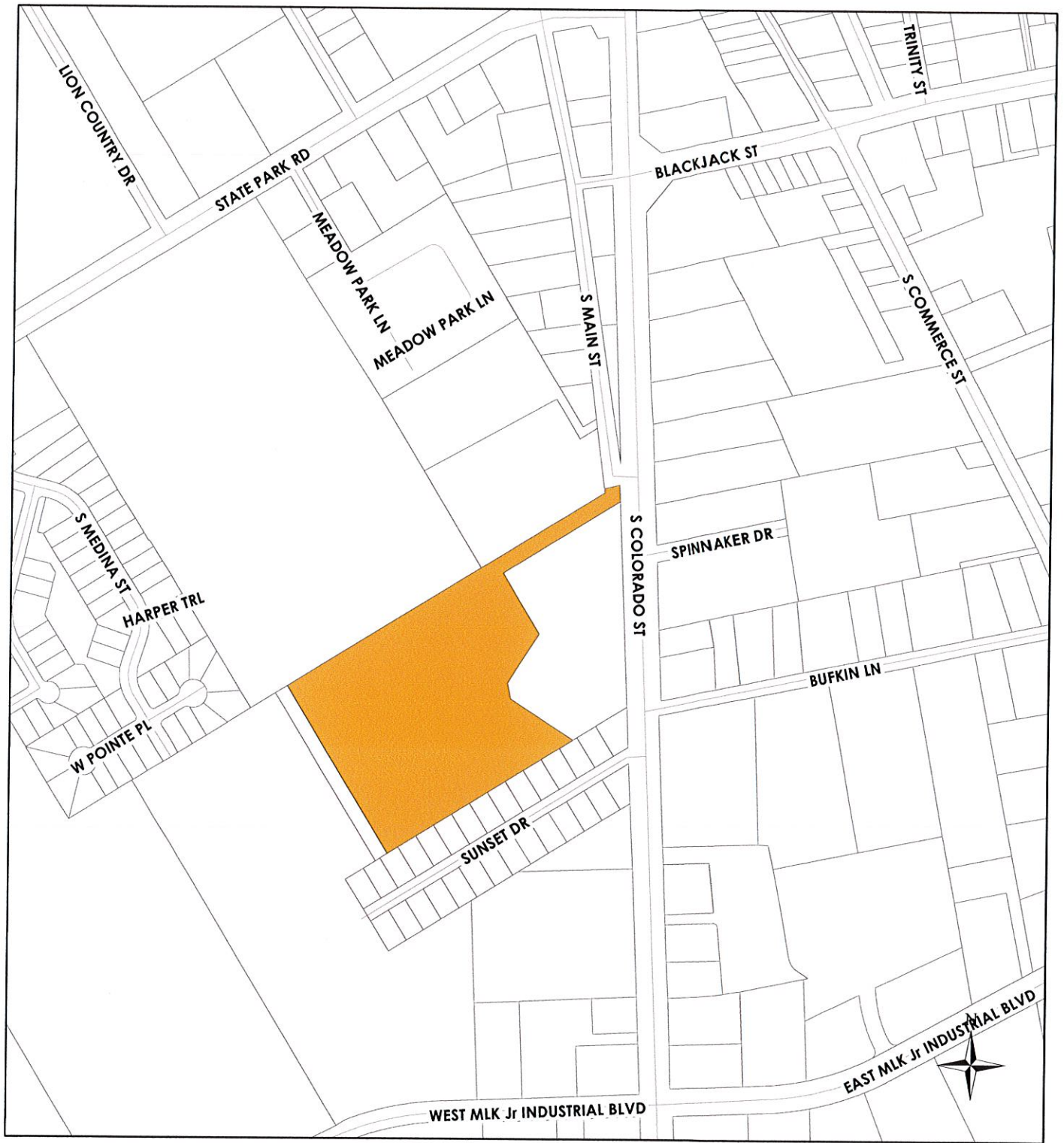
You may reach me at the above phone number if there are any questions.

Sincerely,

  
Robert A. Schmidt

CC: Amy Anton







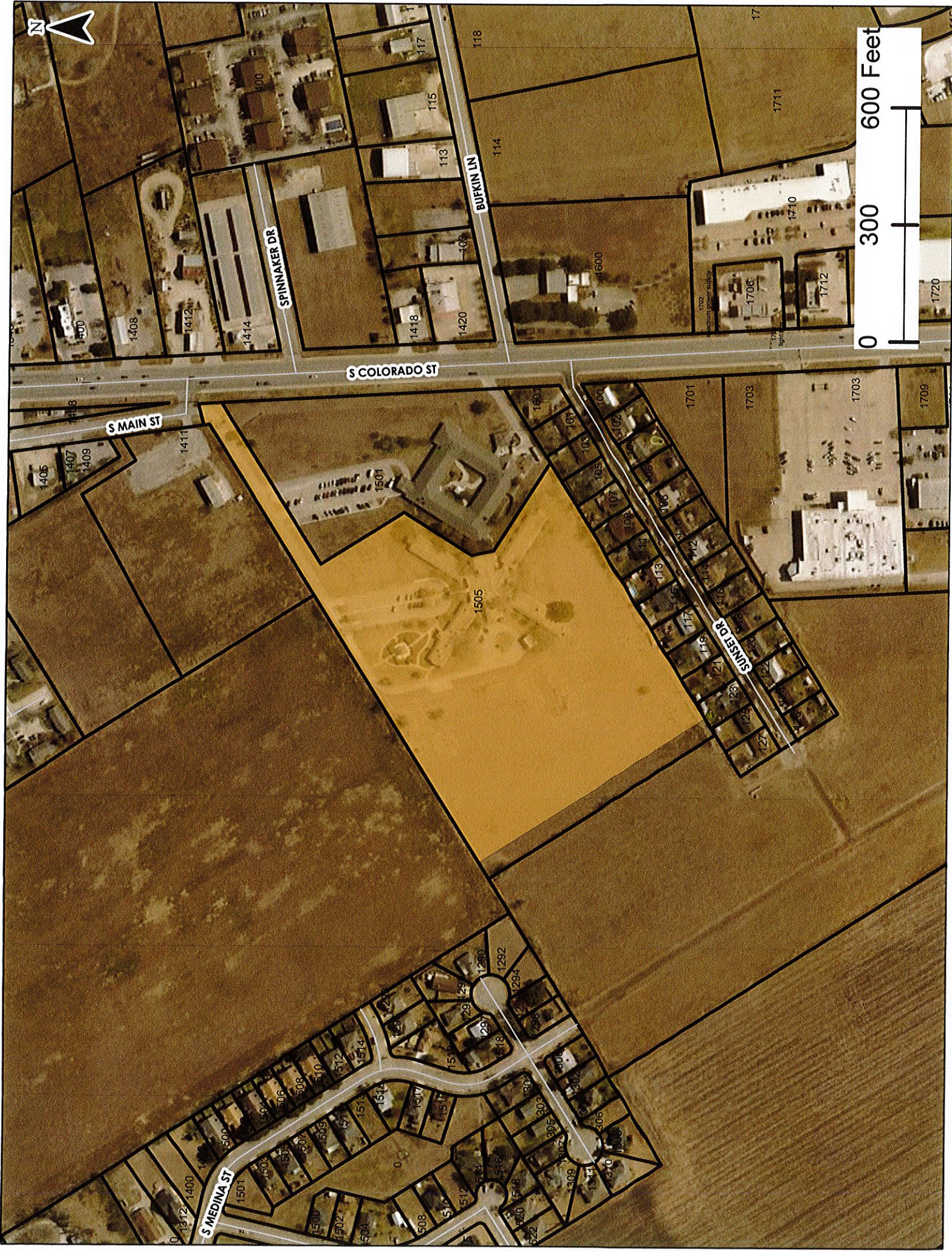
**FP-22-01**

GAH SUBDIVISION

FINAL PLAT

-  SUBJECT PROPERTY
-  ZONING

scale 1" = 500'



**CASE SUMMARY**

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STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: FP-22-01

REPORT DATE: April 6, 2022

PLANNING &amp; ZONING COMMISSION DATE: April 13, 2022

STAFF RECOMMENDATION: ***Approval of both the Plat and requested Variance***

SUGGESTED CONDITION: Revise the labeling of the 60-foot wide access easement on the plat drawing to a "60-Foot Wide Joint Use Access Easement".

**BACKGROUND DATA**

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APPLICANT/ENGINEER: Blayne Stansberry, P.E., Stansberry Engineering Co.

SURVEYOR: Jerry Wilkie, P.L.S., Atwell, LLC

OWNER: Steffen Waltz, GAH Owner, LLC

SITE LOCATION: 1505 South Main Street

SUBDIVISION NAME: **GAH Subdivision**

SIZE OF PROPERTY: 13.43 acres

NUMBER OF PROPOSED LOTS: Two

EXISTING USE OF PROPERTY: Multifamily residential (Golden Age Home) and undeveloped land

ZONING CLASSIFICATIONS: CLB (Commercial Light Business District) and RHD (Residential High Density District)

**ANALYSIS OF ISSUES**

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PROPOSED DEVELOPMENT: The proposal is for two lots, one of which includes the existing Golden Age Home building, with the other being undeveloped agricultural land. A new Golden Age Home facility is proposed to be constructed on the vacant lot, with the existing facility to be repurposed or redeveloped in the future, according to the applicant. A fee in lieu of parkland dedication is proposed to be paid for Lot 1, most of which is zoned RHD, which is reflected in a plat note. Access to both lots will be provided via 60-foot wide private access easement. A condition of approval is recommended to revise the labeling of this easement to a "60-Foot Wide Joint Use Access Easement" on the plat drawing. In addition, a variance has been requested by the applicant to allow both proposed lots as flag lots, as outlined below. Finally, the applicant proposes to convey a 50-foot wide strip of land to the adjacent property to the west, which is part of the Golden Eagle subdivision that received approval for a preliminary plat by the Commission in September 2021. Accordingly, a plat note specifies that evidence of the ownership transfer be provided to the Planning Department, prior to recordation of the final plat.

NEIGHBORHOOD COMPATIBILITY: The subject property is bordered to the west by the future Golden Eagle subdivision. The properties to the south include existing single-family residential development in the Southside Estates Phase 1 subdivision. Adjacent to the east is the Parkview Nursing and Rehabilitation Center, as well as South Colorado Street at the "flagpole" tip of the subject property. To the north is a property formerly used as an auto dealership, as well as a vacant property proposed for multifamily development. The applicant explains that most of the vehicular traffic generated by the new Golden Age facility will utilize Golden Parkway, the proposed extension of South Medina Street through the Golden Eagle subdivision to the west, to access the new facility. Traffic to the new facility via the shared driveway through the flagpole portion of the proposed lots would be distributed onto South Main Street and indirectly onto South Colorado Street via an approximate 30-foot connection with South Main Street. However, an existing center turn lane along South

Colorado Street will help alleviate traffic congestion for those turning left onto South Main Street and into the development. The applicant states that the existing Golden Age Home building generates 143 vehicular trips per day, and the new facility is projected to generate 420 trips per day. The net increase in traffic does not warrant a Traffic Impact Analysis, according to the applicant.

**FORM AND CONTENT:** With Staff's recommended condition of approval, the proposed plat will conform to all minimum requirements for form and content.

**COMPLIANCE WITH STANDARDS:** The plat complies with all applicable standards. The applicant has requested a variance to allow two flag lots, as detailed below.

**CONCURRENT VARIANCE REQUESTED:** A variance is requested to the subdivision standard that allows only one flag lot "in the subdivision of an extremely long and relatively narrow previously unplatted tract into two lots..." (Section 52-76(d) of the Subdivision Regulations). The applicant explains that because of the current flaglot configuration of the subject property, a variance is necessary in order to subdivide the property and maintain frontage on a public street (South Colorado Street) for both lots. The applicant's written statement addressing the four variance criteria below is attached to your packet materials.

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.





# stansberry engineering

January 10, 2022

Mr. Kevin Waller  
City of Lockhart  
308 W. San Antonio St.  
P.O. Box 239  
Lockhart, TX 78644

RE: Golden Age Home, Subdivision Variance Request

Mr. Waller,

A variance to the subdivision regulations of Chapter 52, Section 76 of the City of Lockhart Code of Ordinances is requested. Sec. 52-76 states *"one flag lot may be approved in the subdivision of an extremely long and relatively narrow previously unplatted tract into two lots provided that the street frontage of the flag lot is at least 25 feet and the width of the lot where any building is constructed is at least the minimum required by the applicable zoning district."*

The 14.18 acre Golden Age Home tract is currently unplatted and exists in a flag lot configuration. The frontage dimension at S. Colorado Street is 68 feet with a 60 foot shared access easement along the "pole". This access is shared with the 5.8 acre tract for Parkview Nursing & Rehabilitation Center that fronts entirely on S. Colorado.

The existing Golden Age Home facility uses approximately half of the 14 acre tract. The rear half of the tract is vacant and a new facility is proposed. Creating two platted lots will allow the existing facility to be repurposed or redeveloped separately from the new Golden Age Home building which would not be achievable without the variance to create two separate lots.

The variance, if granted, will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area nor will it have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

The overall boundary of the Golden Age Home tract is not changing. The subdivision will split the existing flag shape of the tract into two flag lots. There is sufficient width within 60' wide the flag "pole" for both utilities and emergency vehicle access.

If you have any questions on the subdivision application or variance request, please contact me at 512 / 292-8000.

Sincerely,

Stansberry Engineering Co., Inc.

*Blayne Stansberry*

Blayne E. Stansberry, P.E.



Texas Registered Engineering Firm F-8276

Post Office Box 132, Manchaca, Texas 78652 512 / 292-8000 [www.stansberryengineering.com](http://www.stansberryengineering.com)

# 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	Atwell, LLC	ADDRESS	10100 Reunion Place, Suite 700
DAY-TIME TELEPHONE	210 / 861-0733		San Antonio, TX 78216
E-MAIL	jwilkie@atwell-group.com		
ENGINEER NAME	Stansberry Engineering Co.	ADDRESS	Post Office Box 132
DAY-TIME TELEPHONE	512 / 292-8000		Manchaca, TX 78652
E-MAIL	blayne@stansberryengineering.com		
OWNER NAME	GAH Owner, LLC	ADDRESS	1301 West 25th St. Suite 510
DAY-TIME TELEPHONE	512 / 600-8080		Austin, Texas 78705
E-MAIL	sewaltz@dominionadvisors.com		

### TYPE OF APPLICATION

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

### PROPERTY

SUBDIVISION NAME GAH Subdivision  
ADDRESS OR GENERAL LOCATION 1505 S Main St.  
LOCATED IN  CITY LIMITS     ETJ (COUNTY)     PDD  
TOTAL LAND AREA 13.43 ACRE(S)    PROPOSED NUMBER OF LOTS 2  
ZONING CLASSIFICATION(S) CLB & RHD  
PROPOSED USE OF LAND Assisted Living

# SUBMITTAL REQUIREMENTS

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

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

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

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

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
<i>\$668.60</i>	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
<i>\$71.00</i>	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 is automatically extended for an additional 30 days. 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 \_\_\_\_\_

*Blayne Stansberry*

DATE \_\_\_\_\_

1/14/2022

PRINTED NAME \_\_\_\_\_

Blayne Stansberry, P.E.

TELEPHONE \_\_\_\_\_

512 / 292-8000



## 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) 52-76 (d) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) allows one flag lot provided that the street frontage of the flag lot is at least 25 feet and the width of the lot where any building is constructed is at least the minimum required by the applicable zoning district.

REQUESTED VARIANCE(S) to allow two flag lots, each with street frontage at least 30 feet wide.  
The width of the lot where any building is exceeds minimum required by the applicable zoning district.

SUBMIT A WRITTEN STATEMENT DOCUMENTING THE REASON FOR THE VARIANCE(S), INCLUDING EVIDENCE THAT THE REQUEST COMPLIES WITH THE FOLLOWING CRITERIA AS REQUIRED FOR APPROVAL OF A VARIANCE:

1. Special circumstances or conditions affect the land involved such that strict application of the provisions of the Code would deprive the applicant reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area; and,
4. The variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of the Code.

## OFFICE USE ONLY

ACCEPTED BY Kevin Walker RECEIPT NUMBER 01134038  
DATE SUBMITTED 1/19/22 CASE NUMBER FP 22 01  
DATE APPLICATION IS DEEMED COMPLETE 2/25/22  
DATE NOTICES MAILED — DATE NOTICE PUBLISHED —  
(For certain Replats/Resubdivisions without vacating preceding plat)  
PLANNING AND ZONING COMMISSION MEETING DATE 4/13/22  
DECISION \_\_\_\_\_  
CONDITIONS \_\_\_\_\_