

PUBLIC NOTICE

City of Lockhart
Zoning Board of Adjustment
6:30 PM, Monday, May 2, 2022
Municipal Building — Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Citizen comments not related to a public hearing item.
3. Consider the minutes of the April 4, 2022 meeting.
4. **SE-22-02.** Hold a PUBLIC HEARING and consider a request by Brad Schwab, CHG, LLC, on behalf of Lockhart Blvd. Project, LLC, for a Special Exception as provided in Section 64-130(c)(4)(a), Chapter 64 "Zoning", Lockhart Code of Ordinances, to reduce the minimum off-street parking requirement by 33% for a Senior Housing Development on Lot 2, Block 1, Lockhart Gateway Addition, consisting of 7.5 acres zoned RHD (Residential High Density District) and located in the 2200 block of West San Antonio Street (SH 142).
5. Discuss the date and agenda of the next meeting.
6. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas at 1:00 p.m. on the 25th day of April, 2022.

**CITY OF LOCKHART
ZONING BOARD OF ADJUSTMENT
APRIL 4, 2022**

MINUTES

Members Present: Wayne Reeder, Mike Annas, Anne Clark, Severo Castillo, Shawn Martinez, Laura Cline, Lori Rangel

Member Absent: Kirk Smith

Staff Present: Christine Banda, Kevin Waller, Dan Gibson

Others Present: Terry Black (Applicant, Agenda Item 4)

1. Call meeting to order. Chair Cline called the meeting to order at 6:30 p.m.
2. Citizen comments not related to a public hearing item. None
3. Consider the minutes of the February 7, 2022, meeting.

Member Clark moved to approve the February 7, 2022, minutes. Member Reeder seconded, and the motion passed by a vote of 7-0.

4. SV-22-01. Hold a PUBLIC HEARING and consider a request by Terry Black for a Variance to Chapter 46 " Signs", Lockhart Code of Ordinances, Sections 46-10(b)(3) and 46-10(h)(4), to reduce the required sign setback from a property line adjacent to a street from 10 feet to 5 feet, and reduce the required off-premises sign separation distance from a church building from 2,500 feet to approximately 358 feet, on property consisting of 0.414 acre in the Esther Berry Survey, Abstract No. 1, zoned CHB (Commercial Heavy Business District) and located 2230 South Colorado Street (US 183).

Planning Staff Kevin Waller presented the staff report and stated that the proposed off-premises, high-profile sign is located on property owned by Terry Black, currently occupied by the Rodriguez Tire Shop. A previous off-premises sign existed in the same location as the proposed sign, but was removed last summer without the applicant's permission. Staff received a telephone call and letter from the owner of the neighboring funeral home, who explained that he was indifferent to the proposal, but wished to ensure that the sign would not obstruct the funeral home's sign or building. Mr. Waller stated that Staff recommends approval of the Variance request to allow the sign to be located approximately 358 feet from a church building, but recommends denial of the Variance to reduce the sign setback adjacent to a street from 10 feet to 5 feet, as there appears to be no reason why the sign cannot be placed in a location that meets the 10-foot setback requirement.

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

Terry Black stated that he is the applicant and owner. He supports Staff's approval recommendation for the Variance from the church building separation distance.

Chair Cline closed the public hearing, and asked for a motion on the variance request from Section 46-10(h)(4) (church separation).

Member Martinez moved to approve the Variance to Section 46-10(h)(4), which reduces the required off-premises sign separation distance from a church building from 2,500 feet to approximately 358 feet. Vice-Chair Annas seconded, and the motion passed with a vote of 7-0.

Mr. Waller came forward to continue discussion of the second Variance request to the setback requirement adjacent to a street for a high-profile sign. The applicant would like to place the new sign five feet from the front property line adjacent to South Colorado Street, which is the same location as the previous sign, instead of the required 10 feet. Waller stated that analysis of the 6 Variance review criteria does not support approval of this variance request, and Staff therefore recommends denial.

Chair Cline opened the public hearing and asked the applicant to come forward to speak on this variance request.

Mr. Black stated that TxDOT does not require permits for signs adjacent to its right-of-way. Black explained that his brother, Kent Black, removed the original sign without his consent once Kent learned that Terry planned to open a restaurant in town, so that Terry could not utilize the sign for the new business. Black explained that the case is currently under review in the District Attorney's Office, and that he only wants to replace what was already there. The sign will be new and look somewhat different from the previous, but will be in the same location and similar in layout to the Black's sign near the animal clinic along West San Antonio Street. Mr. Black stated that he does not have enough room to place the sign 10 feet from the front property line, and that the requested five-foot setback would be sufficient. The new sign will be higher than the original and will not obstruct the neighboring funeral home's sign.

Chair Cline closed the public hearing.

Member Clark moved to approve the Variance to Section 46-10(b)(3), which reduces the required sign setback from a property line adjacent to a street from 10 feet to 5 feet. Member Reeder seconded, the motion passed with a vote of 7-0.

5. Discuss the date and agenda of the next meeting.

Mr. Waller stated that the next regularly scheduled meeting would be held May 2, 2022, if applications are received by the April 11th deadline.

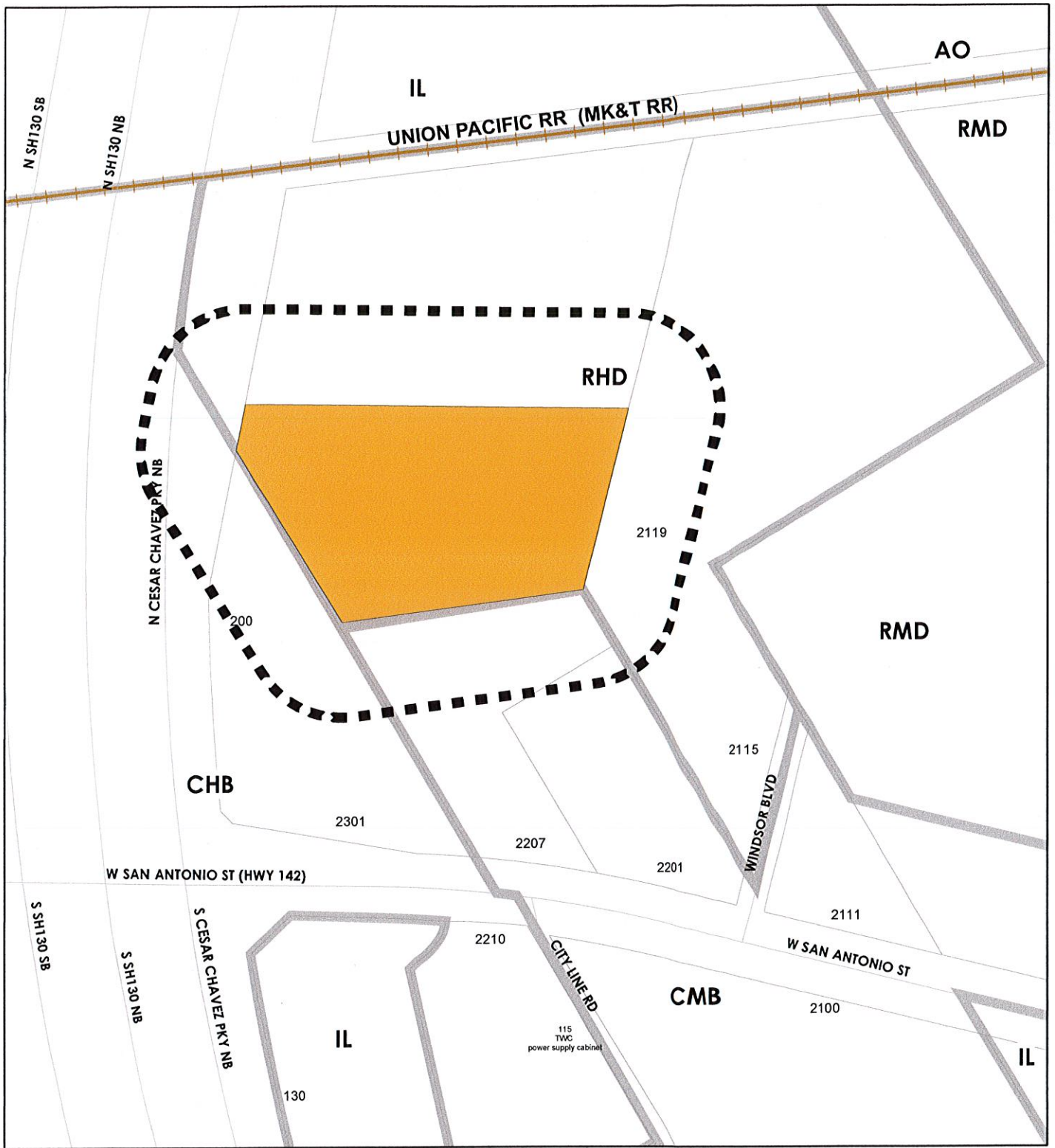
6. Adjourn.

Member Rangel moved to adjourn the meeting, and Member Martinez seconded. The motion passed with a vote of 7-0, and the meeting adjourned at 7:04 p.m.

Approved: _____
(Date)

Christine Banda, Recording Secretary

Laura Cline, Chair



SE-22-02

2200 BLK W SAN ANTONIO ST (SH 142)



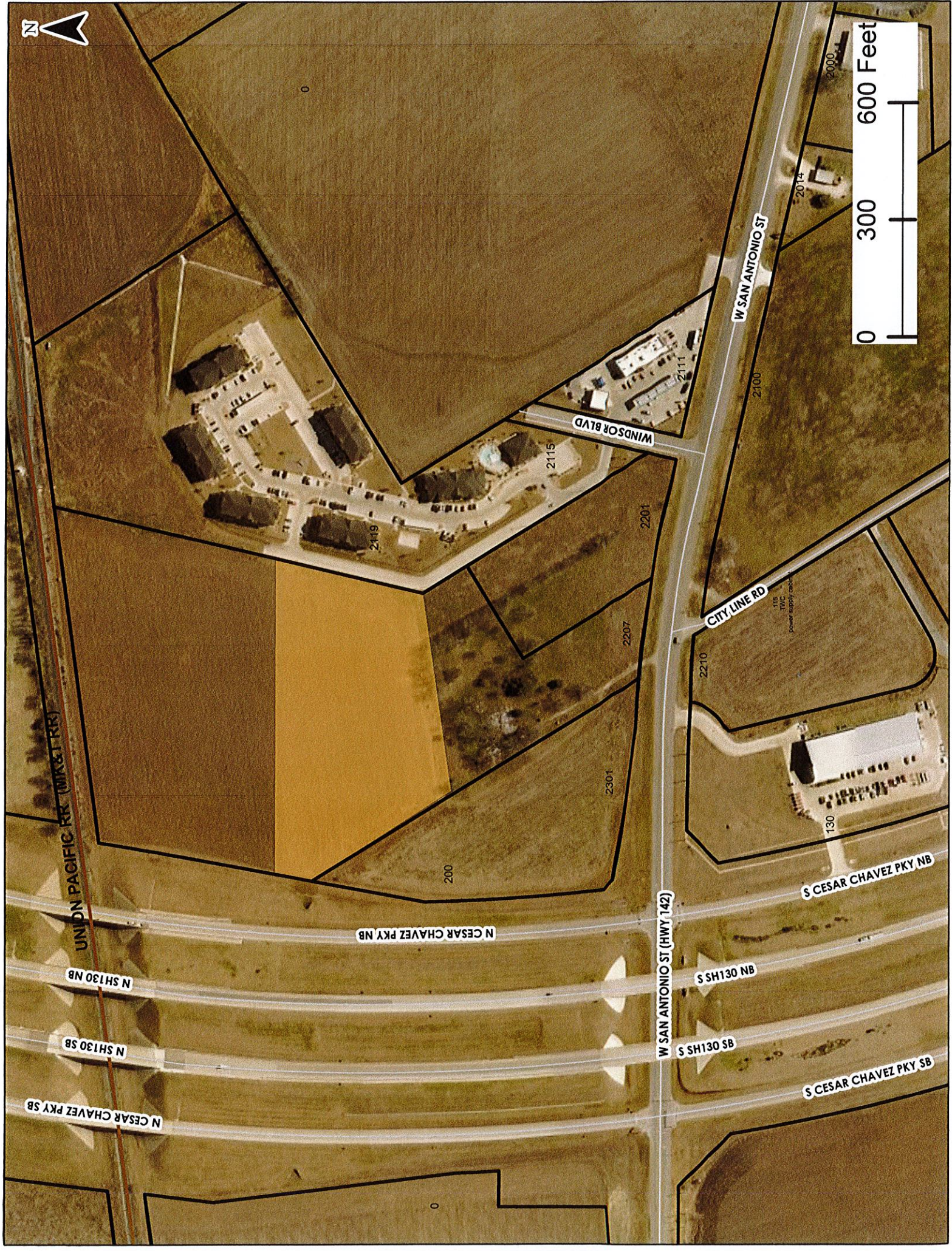
Subject Property



Zoning Boundary

REDUCE THE MIN REQUIRED OFF-STREET
PARKING REQUIREMENT BY 33% FOR A
SENIOR HOUSING DEVELOPMENT

scale 1" = 300'



UNION PACIFIC RR (MK&T RR)

N SH130 NB

N SH130 SB

N CESAR CHAVEZ PKY SB

N CESAR CHAVEZ PKY NB

W SAN ANTONIO ST (HWY 142)

SH130 NB

SB SH130 S

S CESAR CHAVEZ PKY NB

S CESAR CHAVEZ PKY SB

WINDSOR BLVD

CITY LINE RD

W SAN ANTONIO ST

2119

2115

2100

2074

2000

200

2301

2207

2201

2210

130

116
118
power supply rack

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: SE-22-02 *a*

REPORT DATE: April 26, 2022

PUBLIC HEARING DATE: May 2, 2022

APPLICANT'S REQUEST: Special Exception, as provided in Section 64-130(c)(4)(a), to allow a 33% reduction in the required off-street parking spaces for senior housing.

STAFF RECOMMENDATION: ***Approval***

CONDITIONS: None

BACKGROUND DATA

APPLICANT: Brad Schwab, CHG, LLC

OWNER: Lockhart Blvd. Project, LLC

SITE LOCATION: 2200 Block West San Antonio Street

LEGAL DESCRIPTION: 7.5 acres (yet to be replatted) out of Lockhart Gateway Addition, Block 1, Lot 2

SIZE OF PROPERTY: See above

EXISTING USE OF PROPERTY: Agricultural

ZONING CLASSIFICATION: RHD (Residential High Density District)

ANALYSIS OF ISSUES

REASON FOR REQUESTED SPECIAL EXCEPTION: The proposed Legacy Senior Residences, an age-restricted community for elderly residents, will consist of 172 apartment units featuring both one- and two-bedroom layouts. This represents a 12-unit increase from the 160 units initially proposed when the Board approved a Special Exception for a parking space reduction in February 2022. The normal off-street parking requirement for 172 multifamily units would be two spaces per dwelling unit plus one space for each four units, for a total of 387 spaces. However, Section 64-130(c)(4)(a) of the Zoning Ordinance provides for a Special Exception procedure to reduce this requirement by a maximum of 33% for housing specifically designed and intended for use by the elderly, disabled, or other occupants typically having a lower expectation of automobile ownership and use. The 33% reduction would result in 259 parking spaces. The applicant proposes 260 spaces, as shown on the application form and site plan. 16 of those spaces are proposed as ADA spaces, more than the minimum required number of ADA spaces, in consideration of the senior housing use type. The Special Exception approval in February was for 266 regular spaces and 16 handicapped spaces (282 total spaces), which was a 22% reduction based upon the 160 dwelling units proposed at that time and less than the applicant's requested 33% reduction. Note that the proposed 7.5-acre site to contain the senior housing facility is still part of a larger, 20.5-acre lot, and will therefore require approval of a separate subdivision plat prior to development. In addition, a Specific Use Permit for the MF-2 development type (21.3 units per acre) was approved by the Planning and Zoning Commission at its February 9 meeting.

AREA CHARACTERISTICS: The area to the north of the proposed site is part of the same overall lot (Lot 1, Block 2, Lockhart Gateway Addition) and in agricultural use. The Stanton Luxury Apartments are adjacent to the east. To the south of the proposed site is vacant land, zoned Commercial Medium Business (CMB), and also part of the same overall lot. The property to the west is in agricultural use, with North Cesar Chavez Parkway NB also adjacent to the west. Although there will be fewer parking spaces if the Special Exception is approved, a Traffic Impact Analysis may be required by TxDOT to assess impacts to West San Antonio Street.

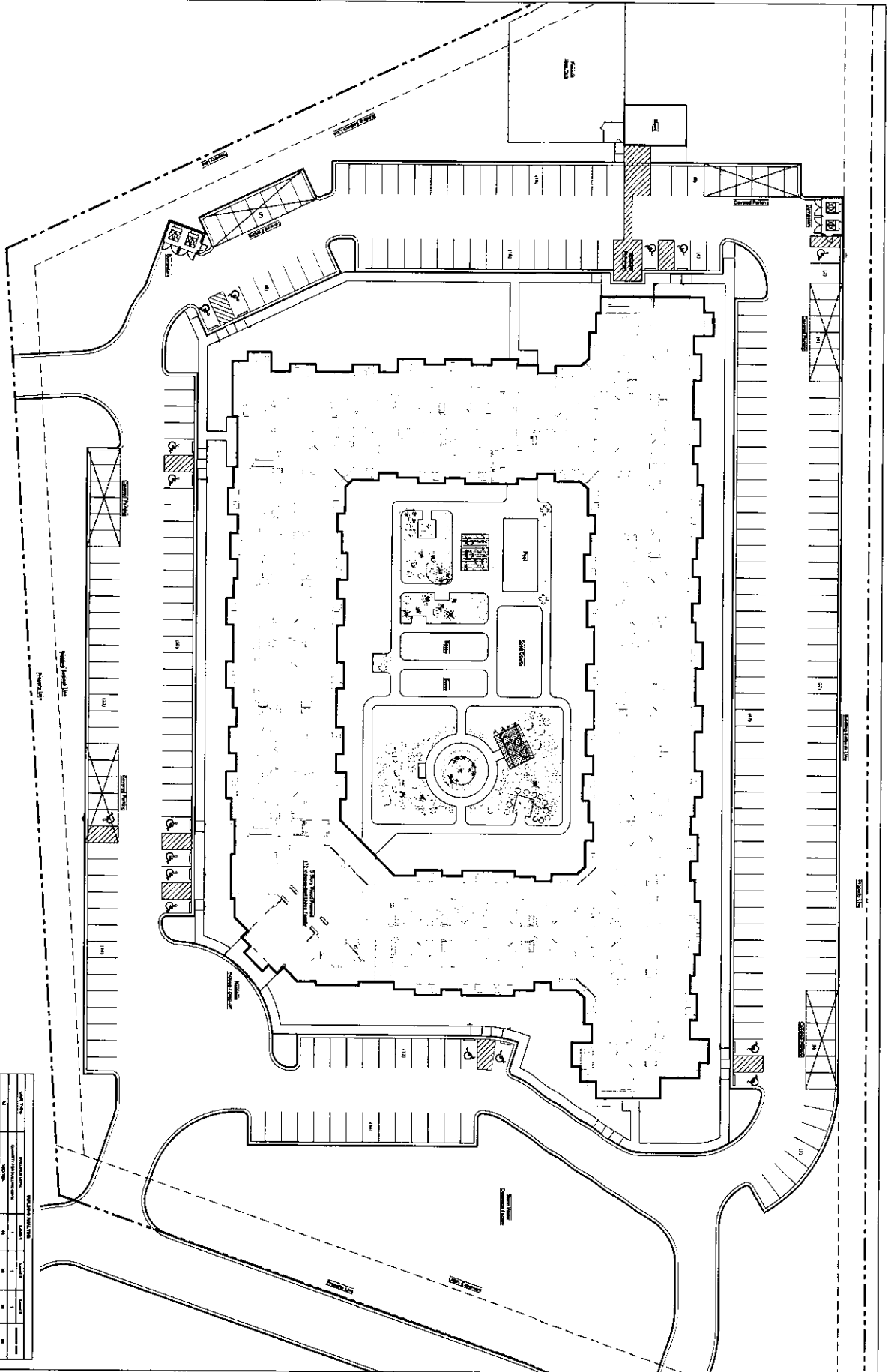
EFFECT ON PUBLIC HEALTH AND SAFETY: Approval of the requested Special Exception is not expected to have adverse impacts on public health and safety. Fewer parking spaces will result in less vehicular traffic on the roadway network, thereby enhancing traffic safety.

EFFECT ON THE CHARACTER OF THE ZONING DISTRICT WHERE LOCATED: The Stanton Luxury Apartment complex is located on the adjacent parcel to the east in the same zoning district as the subject property, and no adverse impacts to the character of this district are anticipated.

EFFECT ON SURROUNDING PROPERTY: With or without the Special Exception, the proposal will add traffic to the private roadway shared with The Stanton Apartments.

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

1 | Architectural Site Plan



NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
1	PAVED AREA	10,000	10.00%
2	GRASS AREA	80,000	80.00%
3	WATER	100	0.10%
4	ASPHALT DRIVE	5,000	5.00%
5	CONCRETE DRIVE	5,000	5.00%
6	CONCRETE DRIVE	5,000	5.00%
7	CONCRETE DRIVE	5,000	5.00%
8	CONCRETE DRIVE	5,000	5.00%
9	CONCRETE DRIVE	5,000	5.00%
10	CONCRETE DRIVE	5,000	5.00%
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12	CONCRETE DRIVE	5,000	5.00%
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47	CONCRETE DRIVE	5,000	5.00%
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50	CONCRETE DRIVE	5,000	5.00%

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ARCHITECTURAL SITE PLAN

Legacy Senior Living
Independent Living Facility
 Windsor Blvd.
 Lockhart, Texas 78644

KATYUS SENIOR GROUP

Not for Regulatory Approval or Purpose of Contribution
 Sawyer R. Lawrence
 Senior Vice President
 2022-08-02

SPECIAL EXCEPTION 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 Brad Schwab, CHG LLC

ADDRESS 209 S 19th St

DAY-TIME TELEPHONE 303.517.7845

Suite 100

E-MAIL bschwab@cstonellc.net

Omaha, NE 68102

OWNER NAME Lockhart Blvd Project, LLC

ADDRESS 43 New York Ct

DAY-TIME TELEPHONE 949.300.6770

Dana Point, CA 92629

E-MAIL djstahl777@gmail.com

PROPERTY

ADDRESS OR GENERAL LOCATION 7.5 acres split from 2207 W San Antonio St, Parcel ID 18695

LEGAL DESCRIPTION (IF PLATTED) LOCKHART GATEWAY ADDN, BLOCK 1, LOT 2, ACRES 20.549

SIZE 7.5 ACRE(S) ZONING CLASSIFICATION Residential High Density District

EXISTING USE OF LAND AND/OR BUILDING(S) Agriculture/Vacant

REQUESTED SPECIAL EXCEPTION

AUTHORIZED BY SECTION 64-130(c)(4)a. OF THE ZONING ORDINANCE

EXPLANATION OF OR REASON FOR REQUEST, INCLUDING DESCRIPTION FOR PROPOSED USE AND/OR BUILDING AND SITE IMPROVEMENTS, AS APPLICABLE TO THE REQUESTED SPECIAL EXCEPTION.

The number of units increased from 160 to 172. 387 parking spaces are needed to meet minimum multifamily parking requirements.

A permissible 33% reduction for senior housing decreases the minimum parking requirement to ²⁶⁰ spaces. We request a full 33% reduction.

²⁶⁰ parking spaces are shown on the provided site plan which includes 16 ADA accessible spaces. The site is maximized to provide

adequate, safe, and conveniently located parking around all four sides of the building. The need for a large detention pond east of the building

prevents additional spaces out front. Please let us know if additional information is needed. Thank you for your consideration.

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; and, 7) any other proposed features of the site which are applicable to the requested special exception.

APPLICATION FEE OF \$ 300.00 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 Brad Schwab Digitally signed by Brad Schwab
Date: 2022.03.29 14:07:16 -06'00'

DATE 03/29/2022

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER R01145492

DATE SUBMITTED 3/30/22

CASE NUMBER SE - 22 - 02

DATE NOTICES MAILED 4-14-22

DATE NOTICE PUBLISHED 4-21-2022

BOARD OF ADJUSTMENT MEETING DATE 5/2/22

DECISION _____

CONDITIONS _____

Lockhart Blvd Project, LLC
43 New York Court
Dana Point, CA 92629
(949) 300-6770

January 5, 2022

Dan Gibson
City of Lockhart
308 W. San Antonio St
Lockhart, TX 78644

Subject: *Property Ownership Certification and Application Authorization*

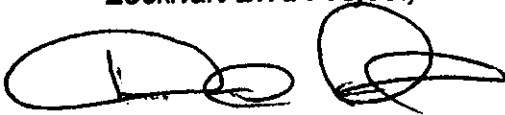
We hereby certify that we are the owner of Lockhart Gateway Addition, Block 1, Lot 2 with an address of 2207 W. San Antonio St, Lockhart, TX 78644.

We respectfully request processing and approval of the Specific Use Permit and Special Exception applications for Legacy Senior Residences, a 160-unit senior housing community proposed by Cornerstone Housing Group, LLC.

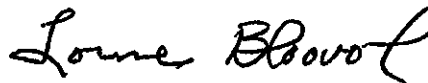
We hereby authorize Brad Schwab with Cornerstone Housing Group, LLC to act on our behalf as the "Applicant" during the processing and presentation of the above applications. Mr. Schwab shall be the principal contact with the City in processing these applications.

Please feel free to contact me if you have any questions.

Sincerely,
Lockhart Blvd Project, LLC



Dennis Stahl
Managing Member
Chalkstone Partners, LLC
Its Manager



Lorne Bloovol
Managing Member
Chalkstone Partners, LLC
Its Manager