

## PUBLIC NOTICE

**City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, August 23, 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 August 9, 2023 meeting.
4. SUP-23-09. Hold a PUBLIC HEARING and consider a request by Janeane Tolomeo for a Specific Use Permit to allow a *Lodging or Boarding House* in the RMD Residential Medium Business District on 0.385 acres in the Byrd Lockhart League, Abstract No. 17, located at 202 West Olive Street
5. ZC-23-05. Hold a PUBLIC HEARING and consider a request by Bobby Schmidt on behalf of Schmidt Business LTD & Schmidt Cattle LP, for a Zoning Change from A0 Agriculture-Open Space District and RLD Residential Low Density District to 30.04 acres RHD Residential High Density District and 8.01 acres CHB Commercial Heavy Business District on a total of 38.05 acres in the Byrd Lockhart League, Abstract No. 17, located at 1502 North Colorado Street (US 183).
6. ZC-23-06. Hold a PUBLIC HEARING and Consider a request by Monte J. Guidry for a Zoning Change from CHB Commercial Heavy Business to RMD Residential Medium Density District on a total of 0.216 acres in the Byrd Lockhart League, Abstract No. 17, located at 1013 North Colorado Street (US 183).
7. FP-23-04. Consider a request by Paul Leventis for approval of a revised Final Plat for Lockhart Farms Addition Phase 2, consisting of 36.18 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned RMD (Residential Medium Density) and CMB (Commercial Medium Business), and located in the 2000 block of West San Antonio Street (SH 142).
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 1:30 PM on the 17<sup>th</sup> day of August, 2023.**

**City of Lockhart  
Planning and Zoning Commission  
August 9, 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, David Fowler, Kevin Waller

**Visitors/Citizens Addressing the Commission:** Mac Jones, Robert Lloyd, Clifton Jones, Jonathan McNamara, Mark Walker, Amy Walker, Kevin Mills, Melanie Cuellar, Lonnie West

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 July 26, 2023, meeting.

*Commissioner Arnic moved to approve the July 26, 2023, minutes with suggested corrections. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.*

4. SUP-23-08. Hold a PUBLIC HEARING and consider a request by Mac Jones on behalf of LCD Multifamily Partners, LLC, for a Specific Use Permit to allow a MF-2 Residential Development Type in the Residential High Density (RHD) zoning district on 19.751 acres in the Francis Berry Survey, Abstract No. 2, located at 400 State Park Road (FM 20).

David Fowler presented his staff report, noting that this would be Phase Two of the Calvary Apartments. He showed their conceptual plan, which included the extension of Lion Country Drive and Harper Trail. The complex will have a large detention pond that would serve both phases along with a pool, a club house, and a dog park. He stated no opposition was received.

Chair Ruiz opened the public hearing.

Mac Jones, the applicant came forward to confirm that they are requesting 18.5 units per acre for phase two. They believe it is a great location for their complex and there is a demand for multifamily housing. These apartments will be market rate rentals, not income-restricted like many properties in Lockhart.

Commissioner McBride stated that the Commission would like the playscape/playground centrally located within their complexes and not in a remote location like the dog park. He stated that given the location close to school, he wanted a family friendly community.

Mr. Jones said they would be centrally located among both complexes.

Robert Loyd of 1290 E Pointe Place said his home abuts the property on the southwest side. He is in opposition because he thought it would decrease property values, while increasing traffic and crime in the area. He expressed that Medina Street needs to be rebuilt because of its deterioration.

Chair Ruiz closed the public hearing.

Mr. Fowler stated that staff recommends approval of the SUP.

*Commissioner Peterson moved to approve SUP-23-08. Commissioner Lingvai seconded, and the motion passed with a vote of 7-0.*

5. ZC-23-04. Hold a PUBLIC HEARING and consider a request by Jonathan McNamara on behalf of Clifton Jones, for a Zoning Change from PDD, Planned Development District, to RMD, Residential Medium Density District, on a total of 8.465 acres in the Francis Berry Survey, Abstract No. 2, located at 1501 Clear Fork Street

Mr. Fowler presented the staff report and showed the original layout of the approved PDD which included condos, townhomes, single-family and duplexes. He said the applicant is requesting the RMD zoning district so they may come back with an SUP for a DF-2 residential development type development. The street location and the amenities proposed in the original PDD would remain the same, but the intended development would increase the project from 40 to 60 housing units. He mentioned that one e-mail was received in opposition to the zoning change wherein the writer said that they planned to gather signatures for a letter of protest for the zoning change.

Chair Ruiz opened the public hearing.

Clifton Jones, the property owner, came forward and said he purchased the property from Bobby Schmidt two years ago. He had been trying to go forward with what was approved for the PDD but had not been successful in finding investors. He stated his intent was to build duplexes on 30 lots with the same amenities shown on the PDD. He said typically people either buy them to live in and rent out the other space or to rent out both units.

Commissioner Peterson asked how important it was to have the higher density for the duplexes.

Mr. Jones said it is important to cover the costs for construction with inflation.

Commissioner McBride commented that he cannot see how duplexes would work in the area, which neighbors single family residences. He believes it would impact the quality of life for the surrounding neighborhood.

Jonathan McNamara of Matkin Hoover, the engineer on the original PDD came up and reiterated that they were keeping the same amenities and layout already approved for the PDD because they have approved construction plans already that work for the DF-2 development type and if they went with the lower DF-1 development type they would have to redesign the development.

Mark and Amy Walker of 1404 Clear Fork Street had flooding, drainage, and traffic concerns. They mentioned that their pond is fed from up north where the proposed subdivision is located.

Mr. McNamara mentioned that with the approved PDD they were required to submit a LOMR to FEMA to make sure the homes were out of the flood zone in the subject property.

Mr. Fowler stated that the flow of stormwater is required to remain the same after the subdivision is developed.

Kevin Mills of 1540 Clear Fork Street said he was in favor of the approved PDD and thought the development would be nice addition to the area. He is not in favor of a duplex community. He mentioned that Clear Fork Street still has major drainage issues, and the road has not had any improvements with the new developments that have been built. He agrees with Commissioner McBride that it would not be a good addition to the neighboring properties.

Mr. McNamara came forward again and said they would be improving Clear Fork Street to the edge of their property. They understand there would be an increase in density and traffic because of the project.

Melanie Cuellar of 1515 Colton Lane said she opposed the zoning change.

Lonnie West of 704 Indian Blanket Street said he opposed the zoning change because the subdivision would be elevated behind his backyard.

Mr. Fowler said that the site would not be elevated but they could build two story duplexes.

Chair Ruiz reminded everyone that the case before the Commission was only a zoning change and closed the public hearing.

Mr. Fowler stated that the staff recommends approval because the original zoning was RMD before it was changed to PDD.

*Commissioner Lingvai moved to approve ZC-23-04. Commissioner Haug seconded, and the vote was 3-4 in favor of the motion, with Chair Ruiz, Vice-Chair Oliva, Commissioners McBride and Arnic against. As a result, the motion failed.*

*Commissioner McBride moved to recommend denial of ZC-23-04. Commissioner Arnic seconded, and the motion passed with a vote of 4-3, with Commissioners Peterson, Haug and Lingvai against.*

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

Mr. Fowler said that the next meeting will be August 23rd with two zoning cases and one SUP. Mr. McBride said he will not be available.

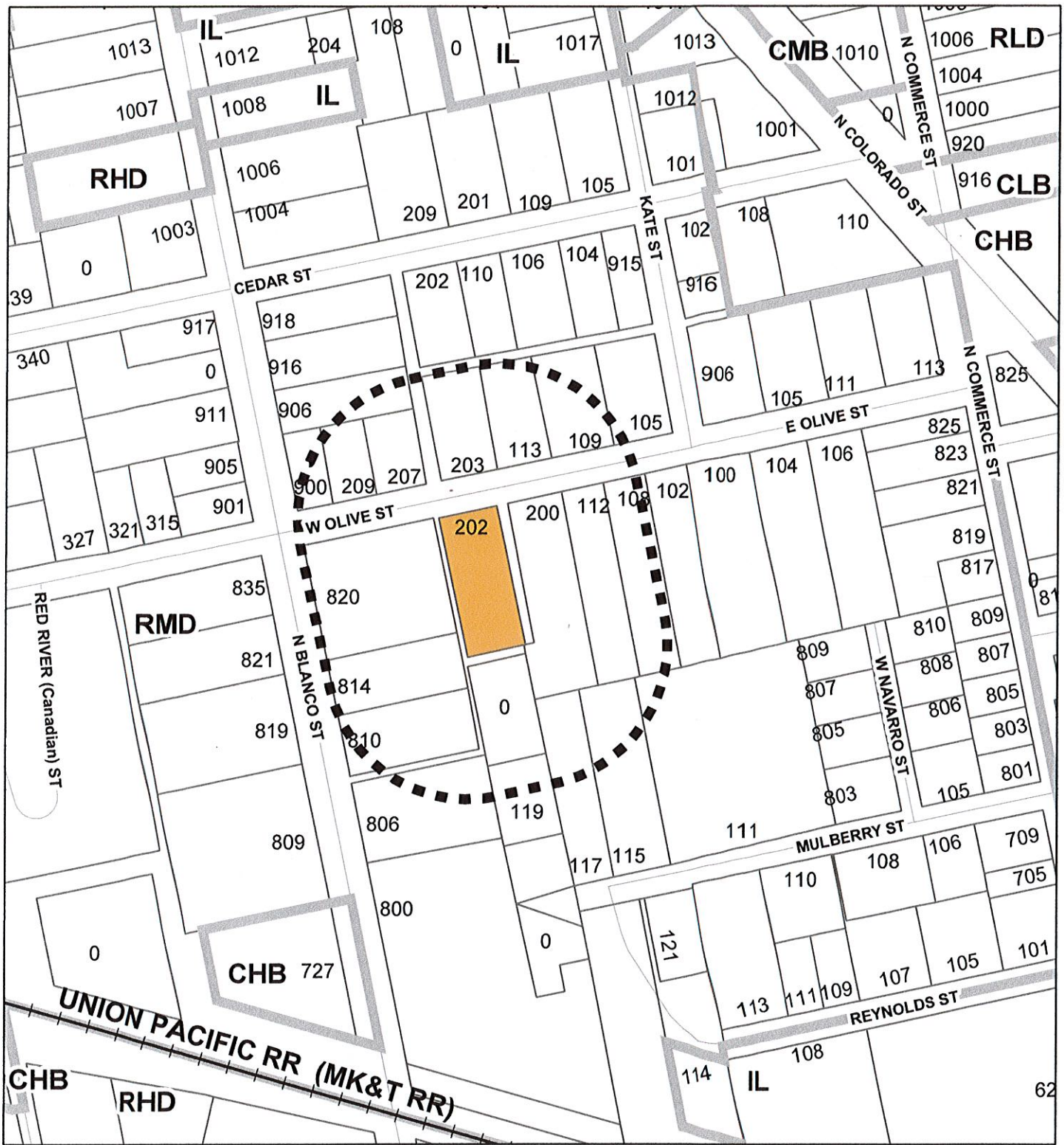
7. Adjourn.

*Commissioner Haug moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:31 p.m.*

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Christine Banda, Recording Secretary

\_\_\_\_\_  
Philip Ruiz, Chair



**SUP-23-09**

202 W OLIVE ST

BOARDING HOUSE OR LODGING

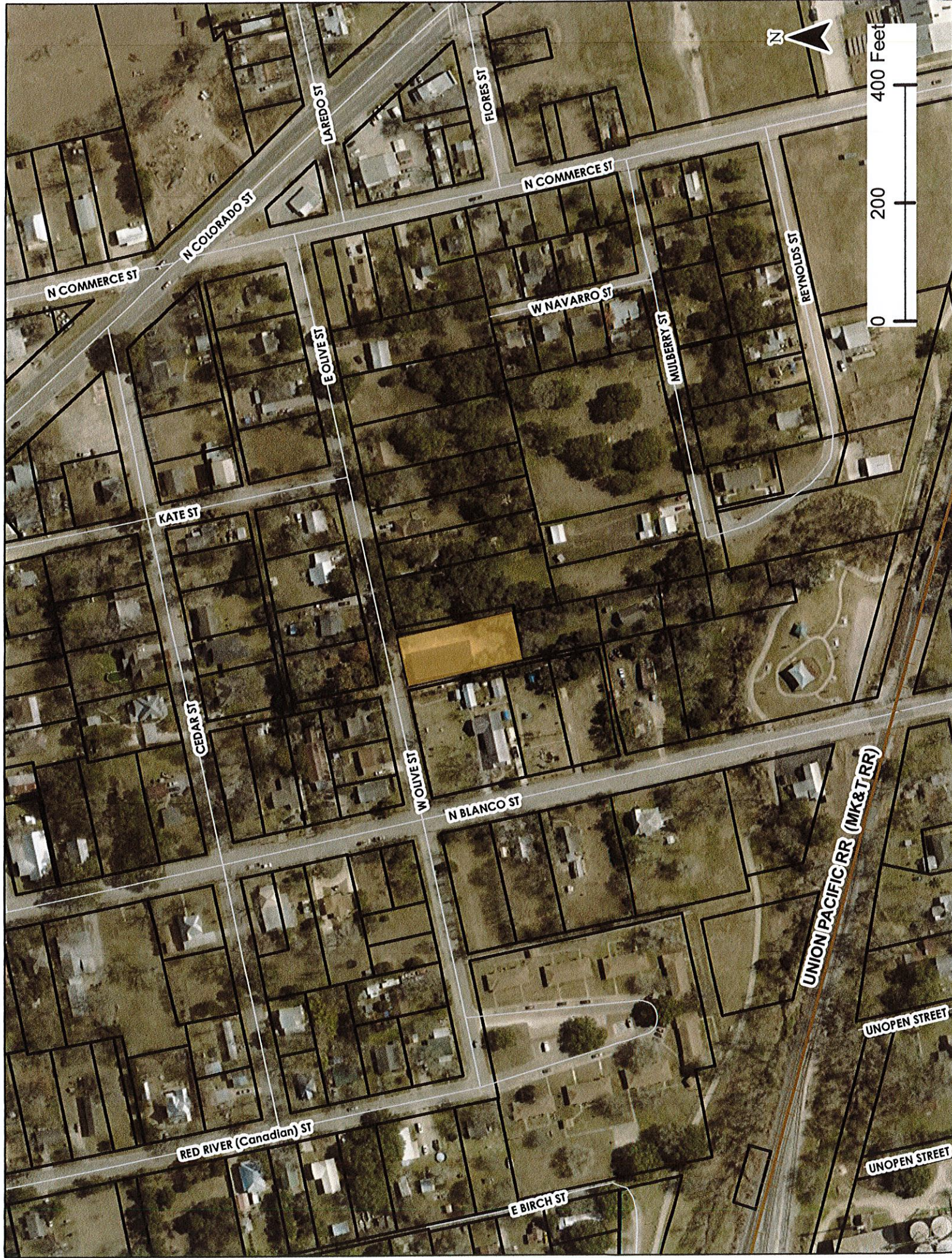


 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 200'



N COMMERCE ST

N COLORADO ST

LAREDO ST

FLORES ST

N COMMERCE ST

REYNOLDS ST

W NAVARRO ST

MULBERRY ST

OLIVE ST

KATE ST

CEDAR ST



W OLIVE ST

N BLANCO ST

UNION PACIFIC RR (MK&T RR)

UNOPEN STREET

RED RIVER (Canadian) ST

E BIRCH ST

UNOPEN STREET

# PLANNING DEPARTMENT REPORT      SPECIFIC USE PERMIT

## CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBER: SUP-23-09

REPORT DATE: August 17, 2023

PUBLIC HEARING DATE: August 23, 2023

APPLICANT'S REQUEST: **Lodging or Boarding House**

STAFF RECOMMENDATION: **Approval**

SUGGESTED CONDITIONS: Area to be rented limited to one sleeping room

## BACKGROUND DATA

APPLICANT: Janeane Tolomeo

OWNER: Janeane Tolomeo

SITE LOCATION: 202 West Olive Street

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 0.385 acres

EXISTING USE OF PROPERTY: Single Family Residence

ZONING CLASSIFICATION: RMD Residential Medium Density District

## ANALYSIS OF ISSUES

**CHARACTERISTICS OF PROPOSED USE:** The subject property is currently zoned RMD. The lot's dimensions are approximately 83.7 feet wide by 200 feet deep, for an area of approximately 16,771 square feet. The lot covers 0.359 acres and is in an area characterized by the same zoning and similar lot sizes. The surrounding area is mostly site-built homes, with only a few lots currently undeveloped.

**NEIGHBORHOOD COMPATIBILITY:** The surrounding area is mostly medium-sized lot residential development. Like the subject lot, many of the lots are significantly larger than the minimum size for a single-family lot in the RMD zoning district. Most houses in the area are single-story, as is the subject residence. There are a few newer site-built houses in the area, but most are older. The house in which the proposed use would be located is very new, having been built in 2021. The house has been designed in a manner that has two separate enclosed spaces under a large common roof. The applicant proposes to occasionally rent the rear of the two enclosed spaces on a short-term basis.

**COMPLIANCE WITH STANDARDS:** The proposed lodging or boarding house must meet the requirements for the use in Section 64-2 of the Lockhart Code of Ordinances, entitled "Definitions." In that section, it is stated that one parking space must be provided for each sleeping room available for rent plus one space for the proprietor's dwelling unit, if any. The applicant has stated that there will be only one sleeping room in the unit to be rented, with the other main room to be used as a living room. As there are two parking spaces on the lot, the property meets the parking requirement. The unit to be rented has a full bathroom, as does the owner's unit. Only the owner's unit has a kitchen.

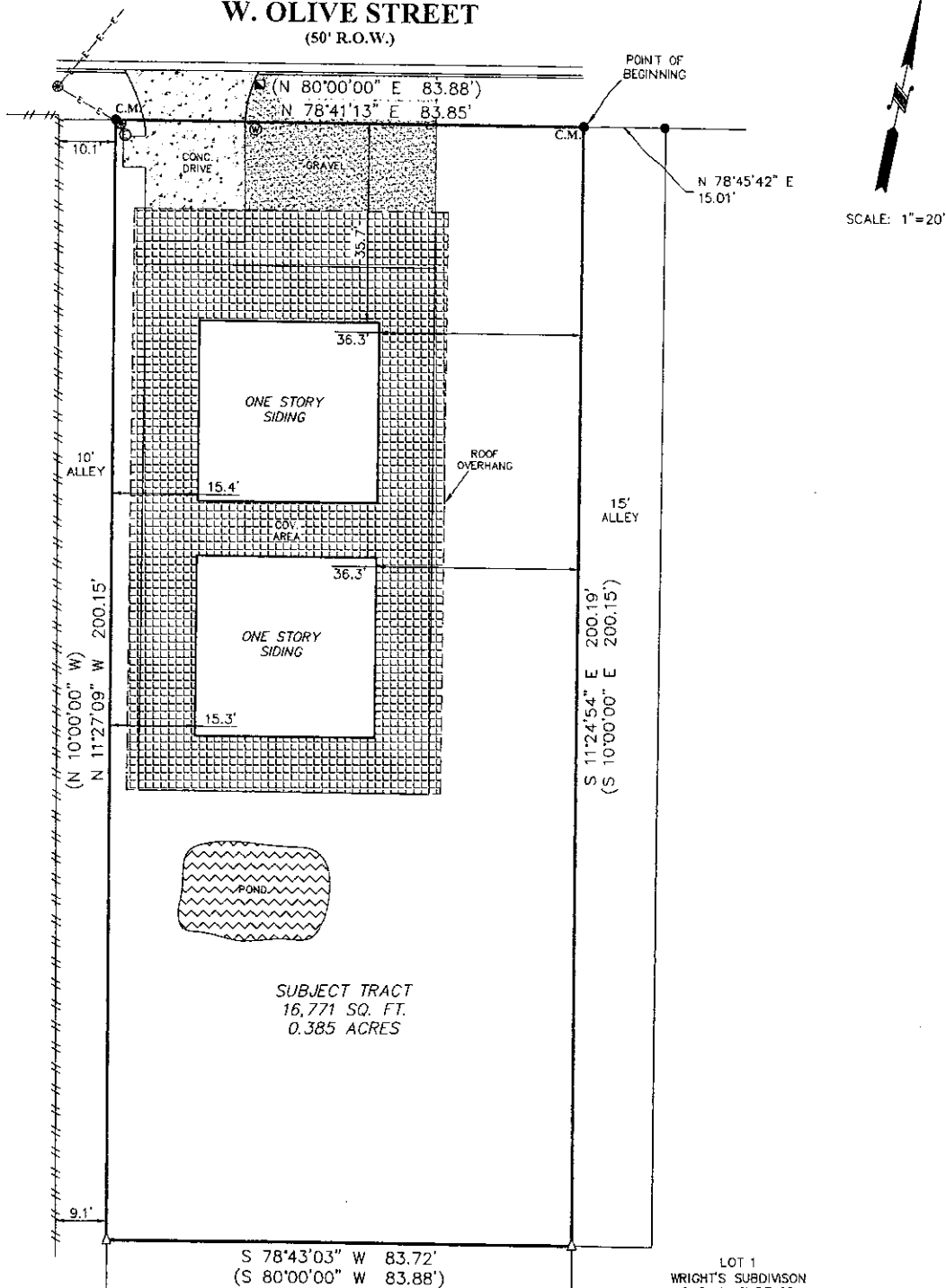
**ADEQUACY OF INFRASTRUCTURE:** Vehicular access will be available from East Olive Street. Water and wastewater are available via a 6-inch lines, which are both within the West Olive Street right-of-way.

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

**STAFF RECOMMENDATION:** Approval, provided only one sleeping room is offered for rental.



**W. OLIVE STREET**  
(50' R.O.W.)



SUBJECT TRACT  
16,771 SQ. FT.  
0.385 ACRES

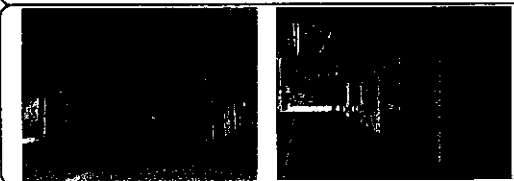
NOTE:  
PRIOR SURVEY (WESTAR JOB NOS. 97634 & 114760) WERE  
USED FOR REFERENCE.

NOTE:  
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

NOTE:  
Bearings shown hereon are based on actual GPS Observations,  
Texas State Plane Coordinates, South Central Zone, Grid.

TERESA VALDEZ  
0.275 ACRES  
VOL. 197 PG. 363

THIS SURVEY IS  
ACKNOWLEDGED AND  
IS ACCEPTED:



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48053C, Panel No. 0120E, which is Dated 05/19/2012. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the surveyor did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://msc.fema.gov/portals>.

Property Address:  
202 W. OLIVE STREET  
Property Description:  
Being 0.385 acres out of The Byrd Lockhart Survey No. 8, Abstract 17, Caldwell County, Texas, and being that same property described in Special Warranty Deed recorded in Document No. 2021003438, Official Public Records of Caldwell County, Texas, said 0.385 acres being more particularly described by metes and bounds attached hereto.

Owner:  
JANEANE A. TOLOMEO AND ERIK P. SUMMA

FIRM REGISTRATION NO.  
10111700

**Westar Alamo**  
LAND SURVEYORS, L.L.C.  
P.O. BOX 1645 BOERNE, TEXAS 78006  
PHONE (210) 372-9500 FAX (210) 372-9989

**LEGEND**

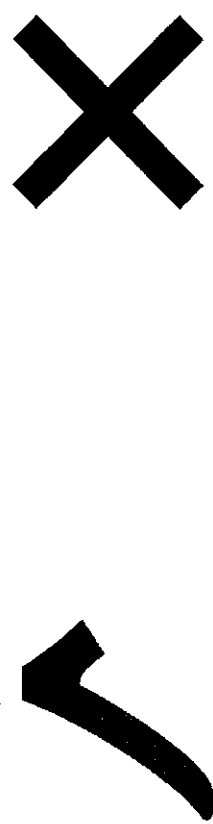
- ▲ - CALCULATED POINT
- - FOUND 1/2" IRON ROD
- ( ) - RECORD INFORMATION
- C.M. - CONTROLLING MONUMENT
- ⊕ - POWER POLE
- ⊙ - ELECTRIC METER
- ⊖ - OVERHEAD ELECTRIC
- ⊗ - WATER METER
- ⊘ - WOOD FENCE

DWG BY: GJ/JV RVD:MJE

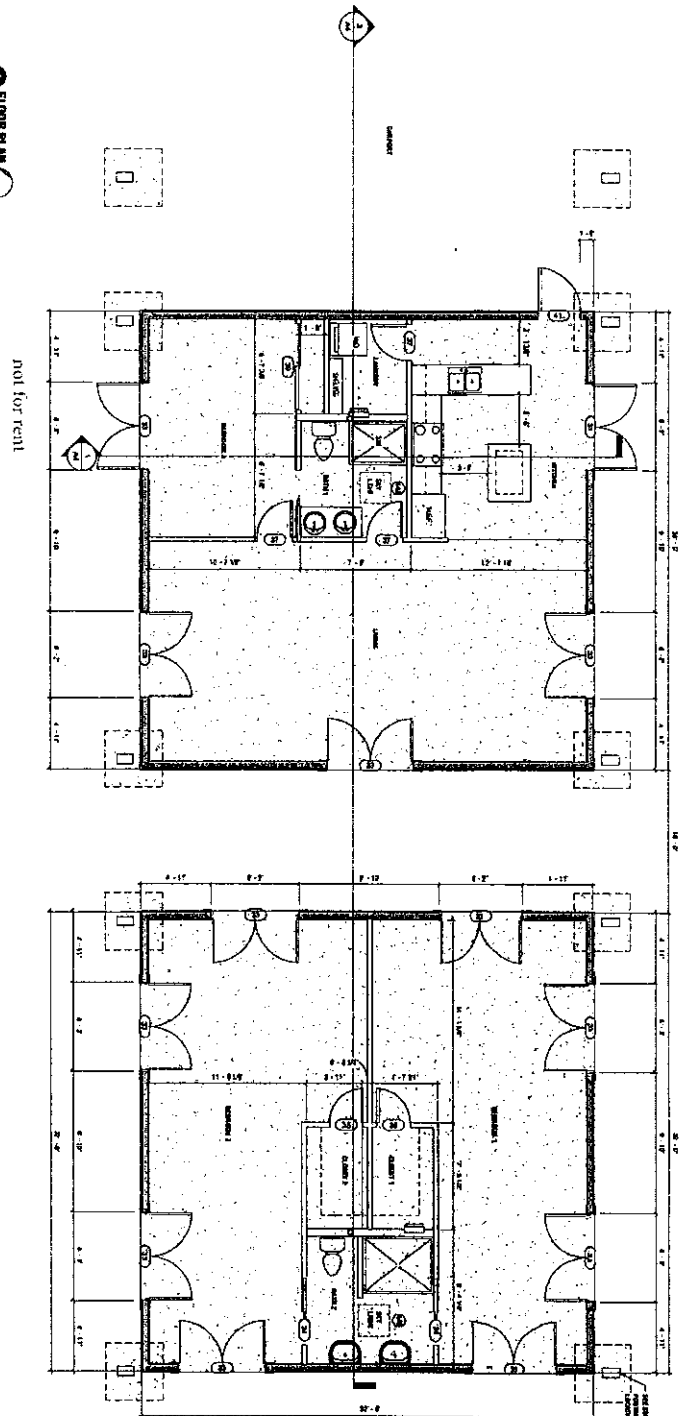
MARK J. EWALD  
5095  
PROFESSIONAL LAND SURVEYOR

I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

*Mark J. Ewald*  
MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095



**FLOOR PLAN**



not for rent

bedroom for rent will be here on the left side of the house with one bed for 2 people

this side will also be included in the rental and will be a living room with a couch, we are considering adding a sink to wash coffee mugs and have drinking water, as well as a refrigerator, there will be no stove top.

**ROOM SCHEDULE**

NO.	DESCRIPTION	AREA	FINISH	DATE
1	LIVING ROOM	12'-0" x 12'-0"	1	1/1/20
2	KITCHEN	8'-0" x 8'-0"	1	1/1/20
3	DINING ROOM	8'-0" x 8'-0"	1	1/1/20
4	BEDROOM	10'-0" x 10'-0"	1	1/1/20
5	BEDROOM	10'-0" x 10'-0"	1	1/1/20
6	BATH	5'-0" x 5'-0"	1	1/1/20
7	HALL	4'-0" x 4'-0"	1	1/1/20
8	CLOSET	4'-0" x 4'-0"	1	1/1/20
9	STOVE	2'-0" x 2'-0"	1	1/1/20
10	SINK	2'-0" x 2'-0"	1	1/1/20
11	REFRIG	2'-0" x 2'-0"	1	1/1/20
12	WATER	2'-0" x 2'-0"	1	1/1/20
13	WATER	2'-0" x 2'-0"	1	1/1/20
14	WATER	2'-0" x 2'-0"	1	1/1/20

**WINDOW SCHEDULE**

NO.	DESCRIPTION	AREA	FINISH	DATE
1	W1	4'-0" x 6'-0"	1	1/1/20
2	W2	4'-0" x 6'-0"	1	1/1/20
3	W3	4'-0" x 6'-0"	1	1/1/20
4	W4	4'-0" x 6'-0"	1	1/1/20
5	W5	4'-0" x 6'-0"	1	1/1/20
6	W6	4'-0" x 6'-0"	1	1/1/20
7	W7	4'-0" x 6'-0"	1	1/1/20
8	W8	4'-0" x 6'-0"	1	1/1/20
9	W9	4'-0" x 6'-0"	1	1/1/20
10	W10	4'-0" x 6'-0"	1	1/1/20

A2

**FLOOR PLAN**

SCALE: 1/4" = 1'-0" | 506 LLC LOCKHART TX | 202 W. Olive St. Lockhart TX



**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 Janeane Tolomeo  
DAY-TIME TELEPHONE 4844320652  
E-MAIL janeane@gmail.com

ADDRESS 202 West Olive Street  
Lockhart TX 78644

OWNER NAME Janeane Tolomeo  
DAY-TIME TELEPHONE 4844320652  
E-MAIL janeane@gmail.com

ADDRESS 202 West Olive Street  
Lockhart TX 78644

**PROPERTY**

ADDRESS OR GENERAL LOCATION 202 West Olive Street Lockhart TX 78644

LEGAL DESCRIPTION (IF PLATTED) (Metes and bounds)

SIZE .385 ACRE(S) ZONING CLASSIFICATION Residential Medium Density

EXISTING USE OF LAND AND/OR BUILDING(S) Primary residence, will rent out 1 bedroom, attached "living room" and bathroom

**REQUESTED SPECIFIC USE** Boarding house or lodging

PROPOSED USE REQUIRING PERMIT Renting out back part of house for short term rental

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 interested in renting part of our house as a 1 bedroom rental for 2 people

There is 1 bedroom, and 1 living room for guests

We want to rent this to offset our expenses as well as donate the space 2-3x per year

**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 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 Jansane Tolomeo

DATE 8/2/23

**OFFICE USE ONLY**

ACCEPTED BY D. Fowler

RECEIPT NUMBER 01238680

DATE SUBMITTED 8/2/2023

CASE NUMBER SUP - 23-09

DATE NOTICES MAILED 8-7-2023

DATE NOTICE PUBLISHED 8-10-23

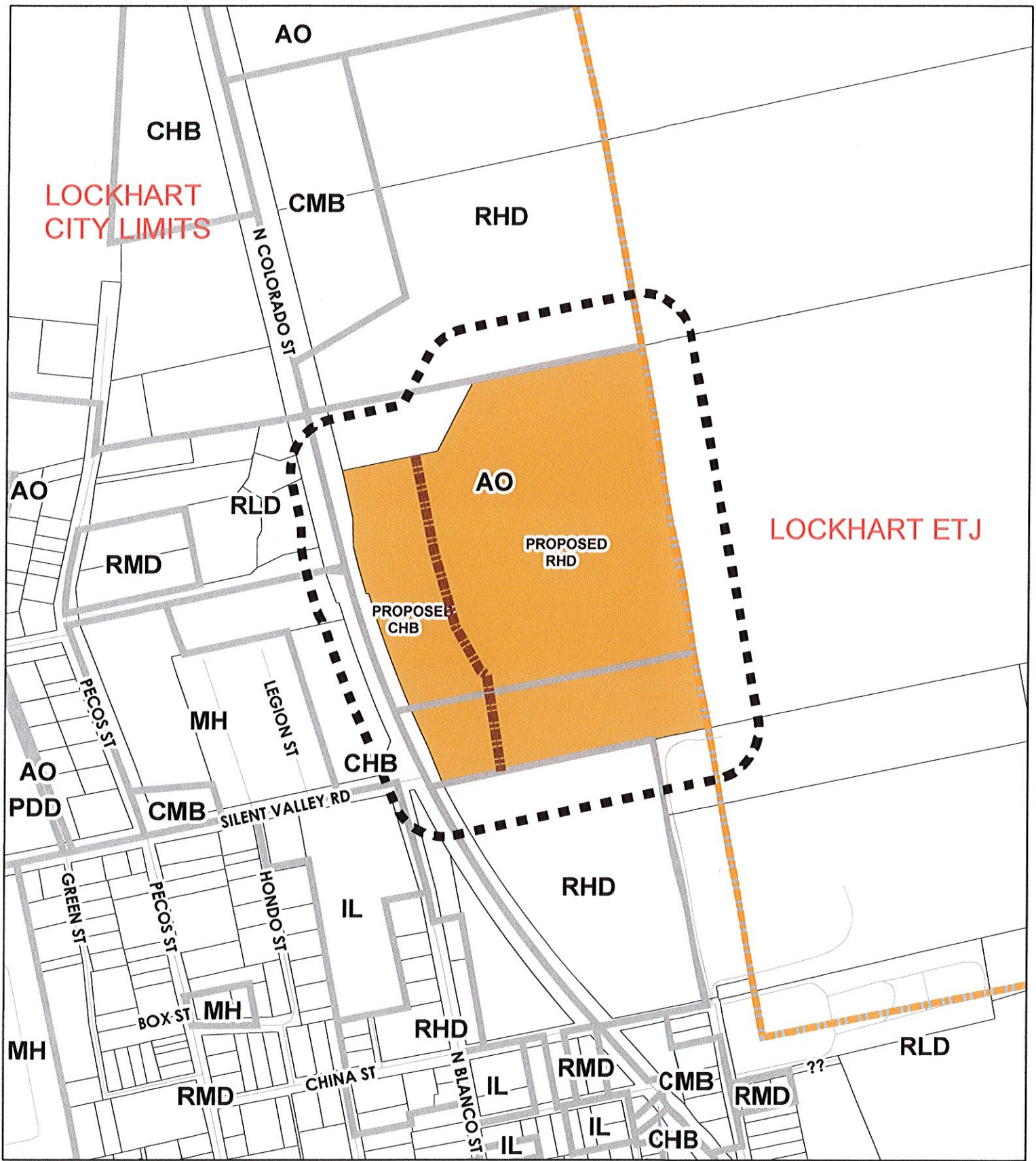
PLANNING AND ZONING COMMISSION MEETING DATE 8/23/2023

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**ZC-23-05**

AO & RLD TO CHB & RHD

1502 N COLORADO ST (US 183)



scale 1" = 500'

- SUBJECT PROPERTY
- ZONING BOUNDARY
- 200 FT BUFFER



LOCKHART ETJ

PROPOSED RHD

PROPOSED CHB

LOCKHART CITY LIMITS

N COLORADO ST

LEGION ST

VETERAN ST

PECOS ST

N BLANCO ST

HONDO ST

PECOS ST

GREEN ST

SILENT VALLEY RD

SILENT VALLEY PK

SILENT VALLEY PK

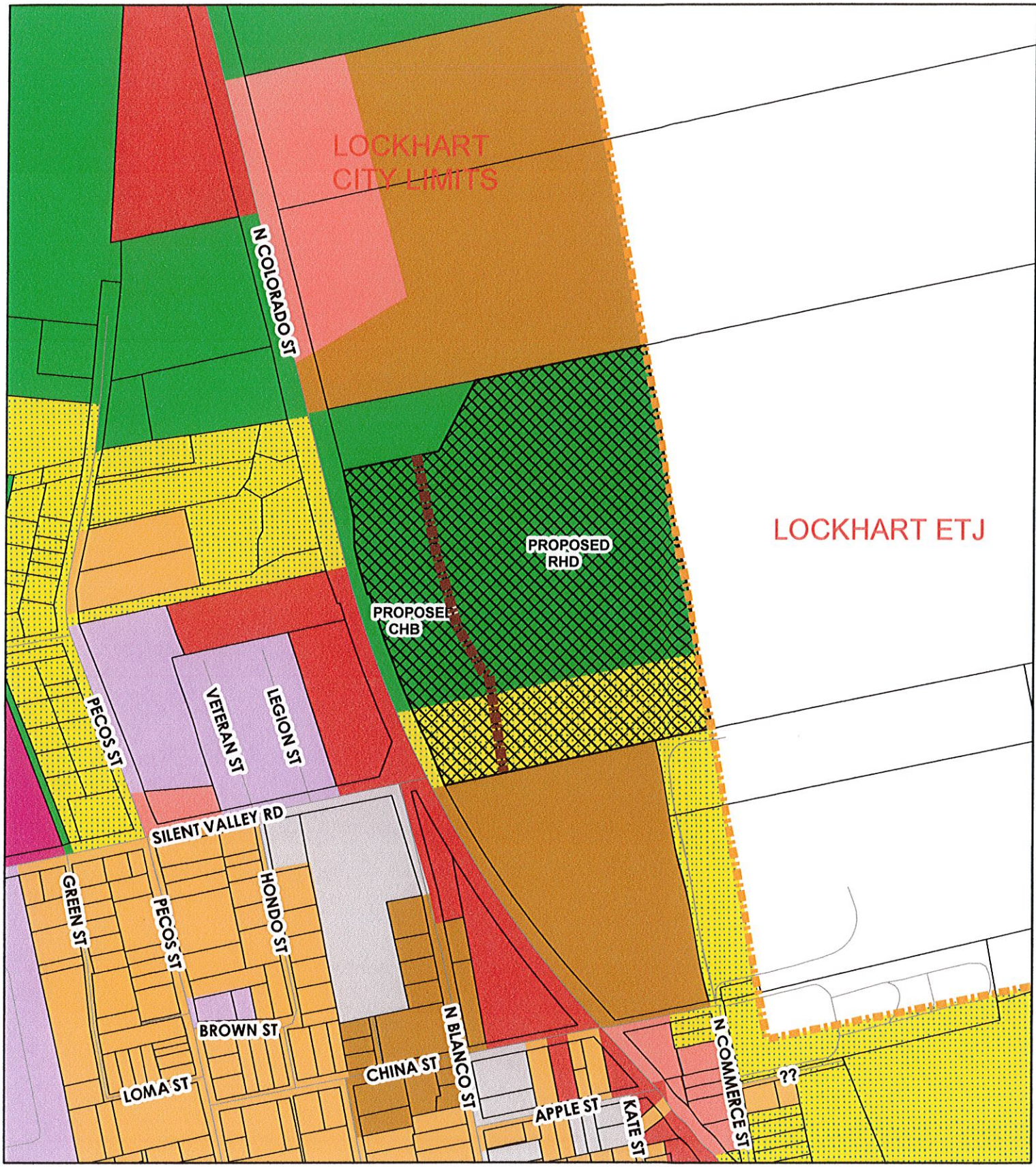
KIOWA TRL

CHINA ST

RED RIVER ST

BROWN ST

BOX ST



**ZC-23-05**

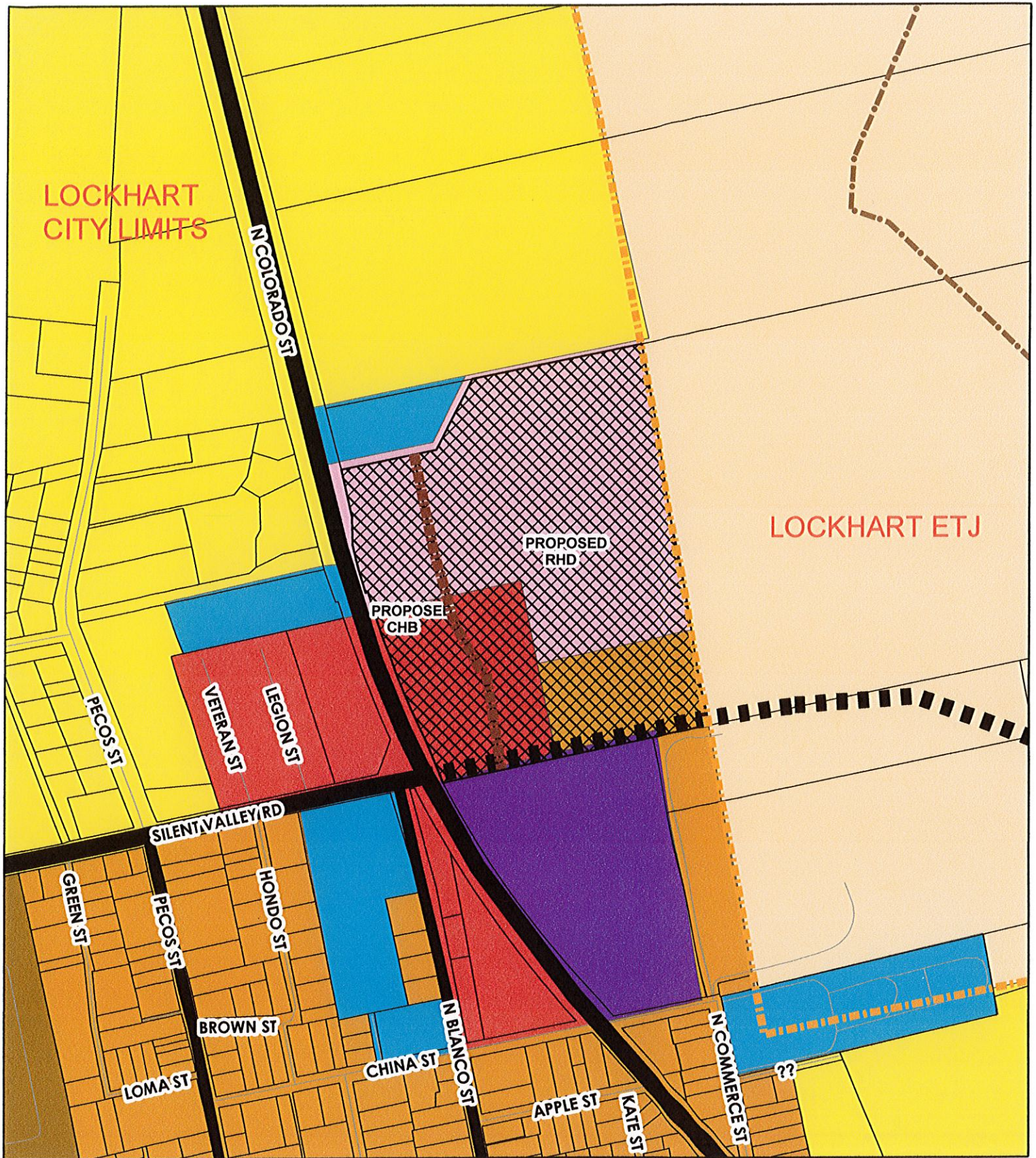
AO & RLD TO CHB & RHD

1502 N COLORADO ST (US 183)



scale 1" = 500'

- ZONING DISTRICTS
- AGRICULTURAL-OPEN SPACE
  - COMMERCIAL HEAVY BUSINESS
  - COMMERCIAL MEDIUM BUSINESS
  - INDUSTRIAL LIGHT
  - MANUFACTURED HOME
  - PLANNED DEVELOPMENT
  - RESIDENTIAL HIGH DENSITY
  - RESIDENTIAL LOW DENSITY
  - RESIDENTIAL MEDIUM DENSITY



# FUTURE LANDUSE & THOROUGHFARES

AO & RLD TO CHB & RHD  
 1502 N COLORADO ST (US 183)



scale 1" = 500'

- |  |                                   |  |                    |
|--|-----------------------------------|--|--------------------|
|  | AGRICULTURE/RURAL DEVELOPMENT     |  | HIKE/BIKE TRAIL    |
|  | GENERAL-HEAVY COMMERCIAL          |  | EXISTING COLLECTOR |
|  | LIGHT-MEDIUM COMMERCIAL           |  | EXISTING ARTERIAL  |
|  | MIXED RETAIL, OFFICE, RESIDENTIAL |  | FUTURE ARTERIAL    |
|  | PUBLIC AND INSTITUTIONAL          |  |                    |
|  | RESIDENTIAL, HIGH DENSITY         |  |                    |
|  | RESIDENTIAL, LOW DENSITY          |  |                    |
|  | RESIDENTIAL, MEDIUM DENSITY       |  |                    |



# PLANNING DEPARTMENT REPORT

# ZONING CHANGE

## CASE SUMMARY

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STAFF: David Fowler, Planning Director

CASE NUMBER: ZC-23-05

REPORT DATE: August 17, 2023

PLANNING AND ZONING COMMISSION HEARING DATE: August 23, 2023

CITY COUNCIL HEARING DATE: April 5, 2022

REQUESTED CHANGE: AO and RLD to RHD and CHB

STAFF RECOMMENDATION: **Approval.**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

## BACKGROUND DATA

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APPLICANT: Lockhart Silent Valley, LLC

OWNER: Bobby Schmidt

SITE LOCATION: 1502 North Colorado Street (US 183)

LEGAL DESCRIPTION: Metes and Bounds

SIZE OF PROPERTY: 38.05 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: General-Heavy Commercial, Light-Medium Commercial

## ANALYSIS OF ISSUES

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REASON FOR REQUESTED ZONING CHANGE: The purpose of the zoning change is to allow future development of 8.01 acres of general commercial land uses along the Colorado Street frontage, and 30.04 acres of housing behind the commercial area. The exact housing type to be proposed on the RHD portion of the site has not yet been detailed. Although the tract extends eastward to Plum Creek, the zoning change is only for the portion of the tract that is within the city limits, which is roughly 22 percent of the original tract. There is a pond located in the area proposed to be rezoned, and the Plum Creek floodplain is at or near the northeastern corner of the property in the City.

### AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	CMB, RHD	<i>Light-Medium Commercial</i>
East	Vacant land	Not zoned	<i>Agriculture/Rural Development</i>
South	Vacant land	RHD	<i>Mixed Retail, Office, Residential</i>
West	Institutional, Manufactured housing	CHB, MH,	<i>General-Heavy Business</i>

TRANSITION OF ZONING DISTRICTS: The subject property abuts the RHD-zoned parcel immediately to the south. This parcel is under the same ownership and applicant. The parcel to the south was rezoned to a combination of RHD and CMB Commercial Medium Business zoning in 2022.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be from Colorado Street, and a future Silent Valley extension. Because of the high speed limit along Colorado Street, TxDOT will likely require that the developer widen the highway to provide a center left-turn lane and right turn deceleration or transition lane for any street or driveway intersections into the development. Some of this need could be mitigated depending upon the design of the access point along the extended Silent Valley Road. There is a 12" water main along the east side of the highway that is adequate to serve the property. However, the closest wastewater main of sufficient size is located approximately one mile south 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 corridor area, including the subject property. This would be paid through a combination of developer fees and impact fee revenues if available.

POTENTIAL NEIGHBORHOOD IMPACT: The subject property is in a largely undeveloped area of the city where there are no immediate neighbors that would be impacted by development which would be allowed by the proposed zoning district classifications. Future traffic from the site onto Colorado Street would present a regional impact, but that is bound to occur where there is potential for additional development. This would likely be mitigated by a center turn lane and/or right-turn deceleration lanes.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RHD and CHB zoning classifications are **partially** consistent with the General-Heavy Commercial, Light-Medium Commercial, and Medium Density Residential future land use designations shown on the Land Use Plan map. Only the CHB zoning matches the future Land Use map for this area. The only housing classification shown in this area is Medium Density Residential, which is closer to the RMD zoning district than to the proposed RHD zoning.

ALTERNATIVE CLASSIFICATIONS: None

RESPONSE TO NOTIFICATION: None to date

STAFF RECOMMENDATION: Approval

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 Lockhart Silent Valley, LLC  
DAY-TIME TELEPHONE 512-306-8300  
E-MAIL jim@masonwoodtx.com

ADDRESS 4301 Westbank Dr  
Bldg. A, Ste. 110  
Austin, TX 78746

OWNER NAME Bobby Schmidt  
DAY-TIME TELEPHONE (512) 924-0387  
E-MAIL bobby@schmidtranch.net

ADDRESS 3595 Schuelke Rd  
Niederwald, TX 78640

### PROPERTY

1502 N. Colorado St

ADDRESS OR GENERAL LOCATION NE of Hwy 183 and Silent Valley Rd Intersection

LEGAL DESCRIPTION (IF PLATTED) See metes and bounds exhibit

SIZE 38.05 ACRE(S) LAND USE PLAN DESIGNATION CUB, CHB, RMD

EXISTING USE OF LAND AND/OR BUILDING(S) open field

PROPOSED NEW USE, IF ANY commercial, retail, multi CHB + RMD

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Residential Low Density/Ag-Open Space

TO PROPOSED ZONING CLASSIFICATION CHB - Commercial heavy business district, RHD-Residential High Density

REASON FOR REQUEST More appropriate/flexible zoning adjacent to Hwy 183

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**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 \$ 911.00 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 \$170 + \$20x37.05= \$931.00

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 Bobby Johnson

DATE 7/25/23

**OFFICE USE ONLY**

ACCEPTED BY D Foster

RECEIPT NUMBER 01238069

DATE SUBMITTED 7/21/2023

CASE NUMBER ZC - 23 - 05

DATE NOTICES MAILED 8-7-2023

DATE NOTICE PUBLISHED 8-10-2023

PLANNING AND ZONING COMMISSION MEETING DATE 8-23-2023

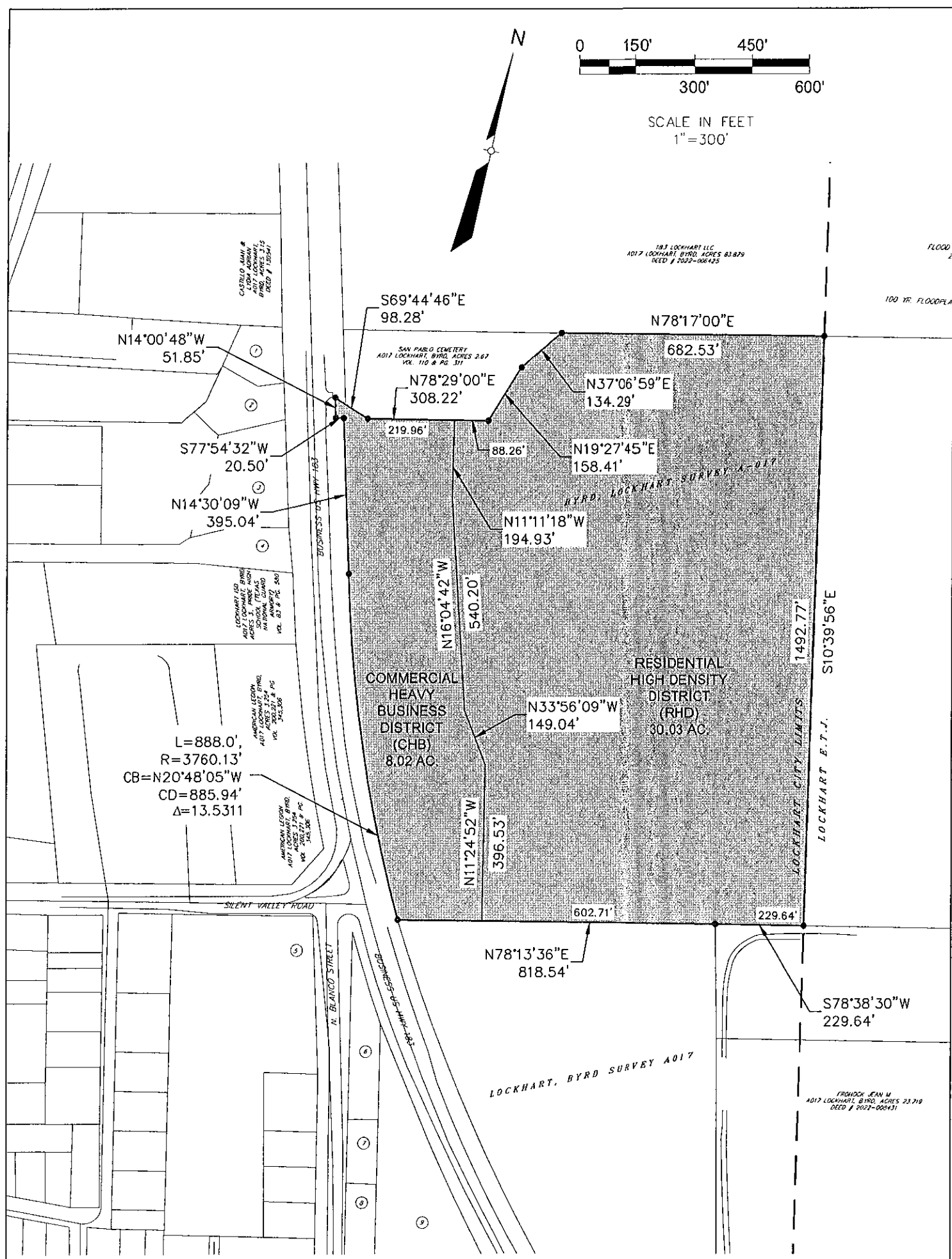
PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE 9-5-2023

DECISION \_\_\_\_\_



SCALE IN FEET  
1" = 300'



CORREDO, RENE &  
ADRI LOCKHART,  
LORNA ADRIAN,  
DEED # 122541

18.8 LOCKHART LLC  
ADRI LOCKHART, BYRD, ACRES 83.879  
DEED # 2022-00425

FLOOD

100 YR. FLOODPLAIN

S69°44'46"E  
98.28'

N78°17'00"E  
682.53'

N14°00'48"W  
51.85'

SAN PABLO CEMETERY  
ADRI LOCKHART, BYRD, ACRES 267  
VOL. 110 & PG. 311

N78°29'00"E  
308.22'

N37°06'59"E  
134.29'

S77°54'32"W  
20.50'

219.96'

N19°27'45"E  
158.41'

N14°30'09"W  
395.04'

N11°11'18"W  
194.93'

LOCKHART LEO  
ADRI LOCKHART, BYRD,  
AGRICULTURAL HIGH  
SCHOOL (TEXAS  
NATIONAL GUARD  
VOL. 63 & PG. 58)

N16°04'42"W  
540.20'

HYRD, LOCKHART SURVEY A-017

COMMERCIAL  
HEAVY  
BUSINESS  
DISTRICT  
(CHB)  
8.02 AC.

N33°56'09"W  
149.04'

RESIDENTIAL  
HIGH DENSITY  
DISTRICT  
(RHD)  
30.03 AC.

L=888.0'  
R=3760.13'  
CB=N20°48'05"W  
CD=885.94'  
Δ=13.5311

AMERICAN LEGION  
ADRI LOCKHART, BYRD,  
ADRI ACRES 1.24 & PG.  
244,208

N11°24'52"W  
396.53'

LOCKHART CITY LIMITS  
1492.77'

LOCKHART E.T.J.  
S10°39'56"E

SILENT VALLEY ROAD

602.71'

229.64'

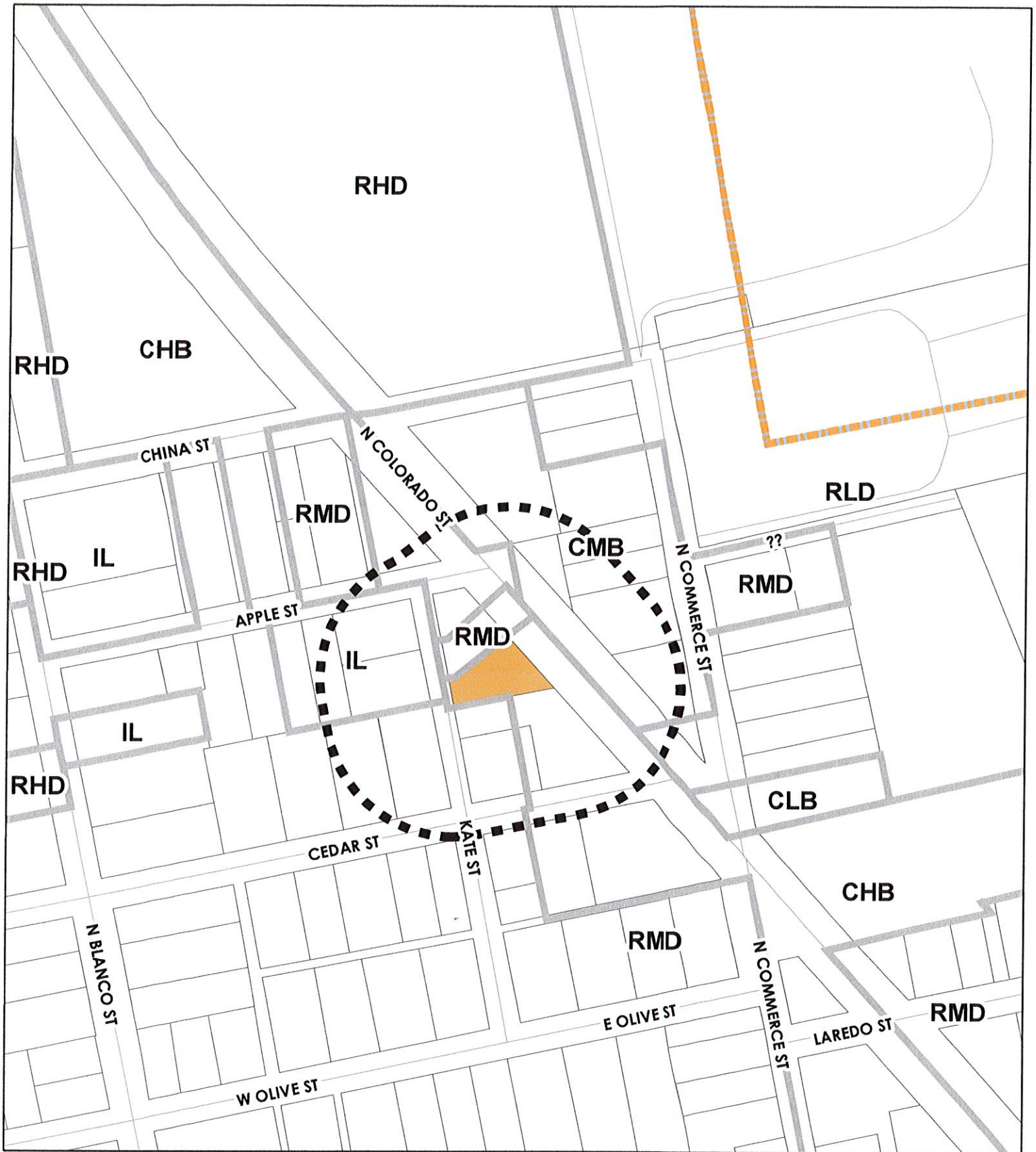
N78°13'36"E  
818.54'

S78°38'30"W  
229.64'

N. BLANCO STREET

LOCKHART, BYRD SURVEY A017

FRODOCK JEAN M  
ADRI LOCKHART, BYRD, ACRES 23.719  
DEED # 2021-006131







**ZC-23-06**

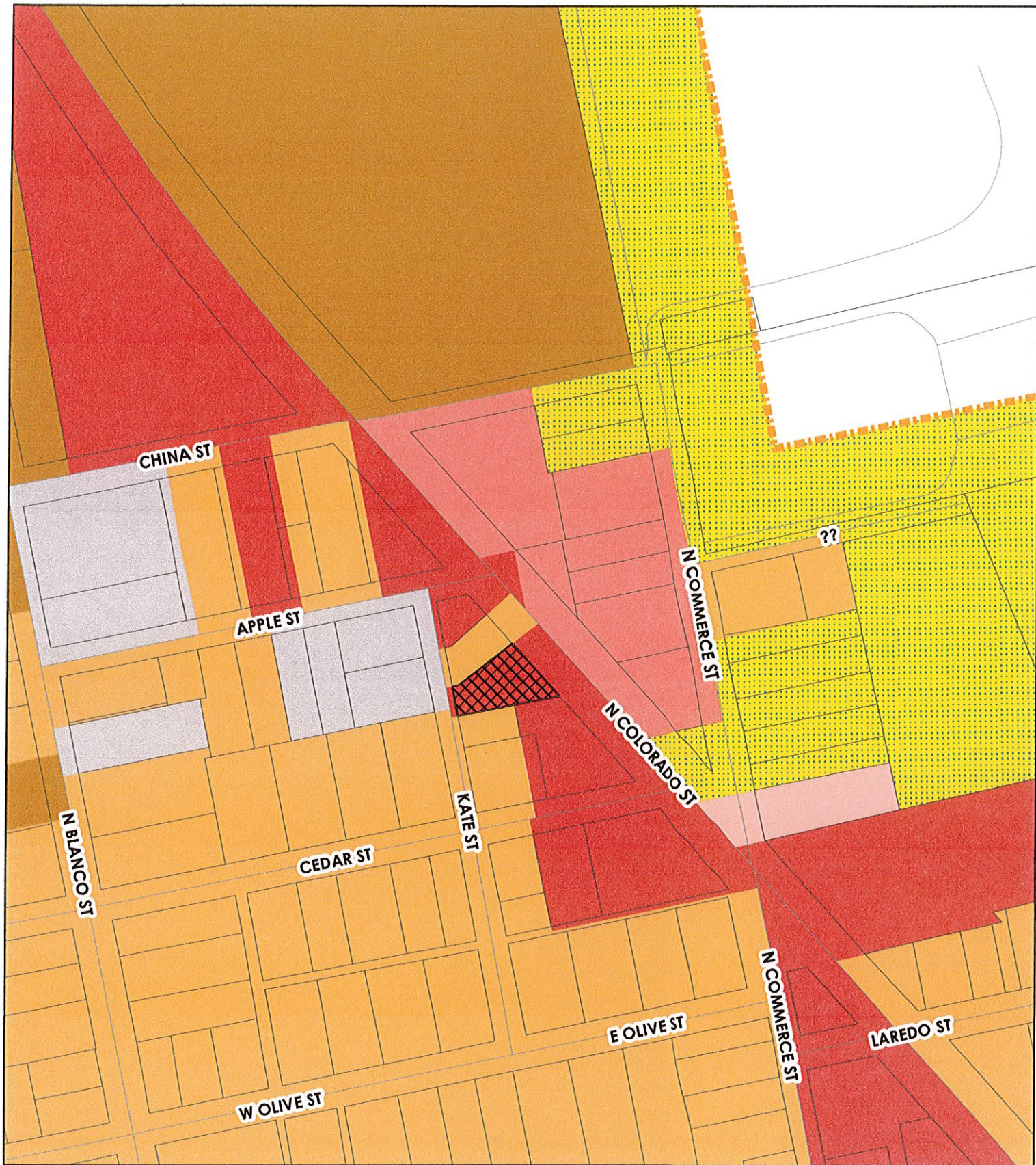
CHB TO RMD

1013 N COLORADO ST



scale 1" = 200'

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



**ZC-23-06**

CHB TO RMD

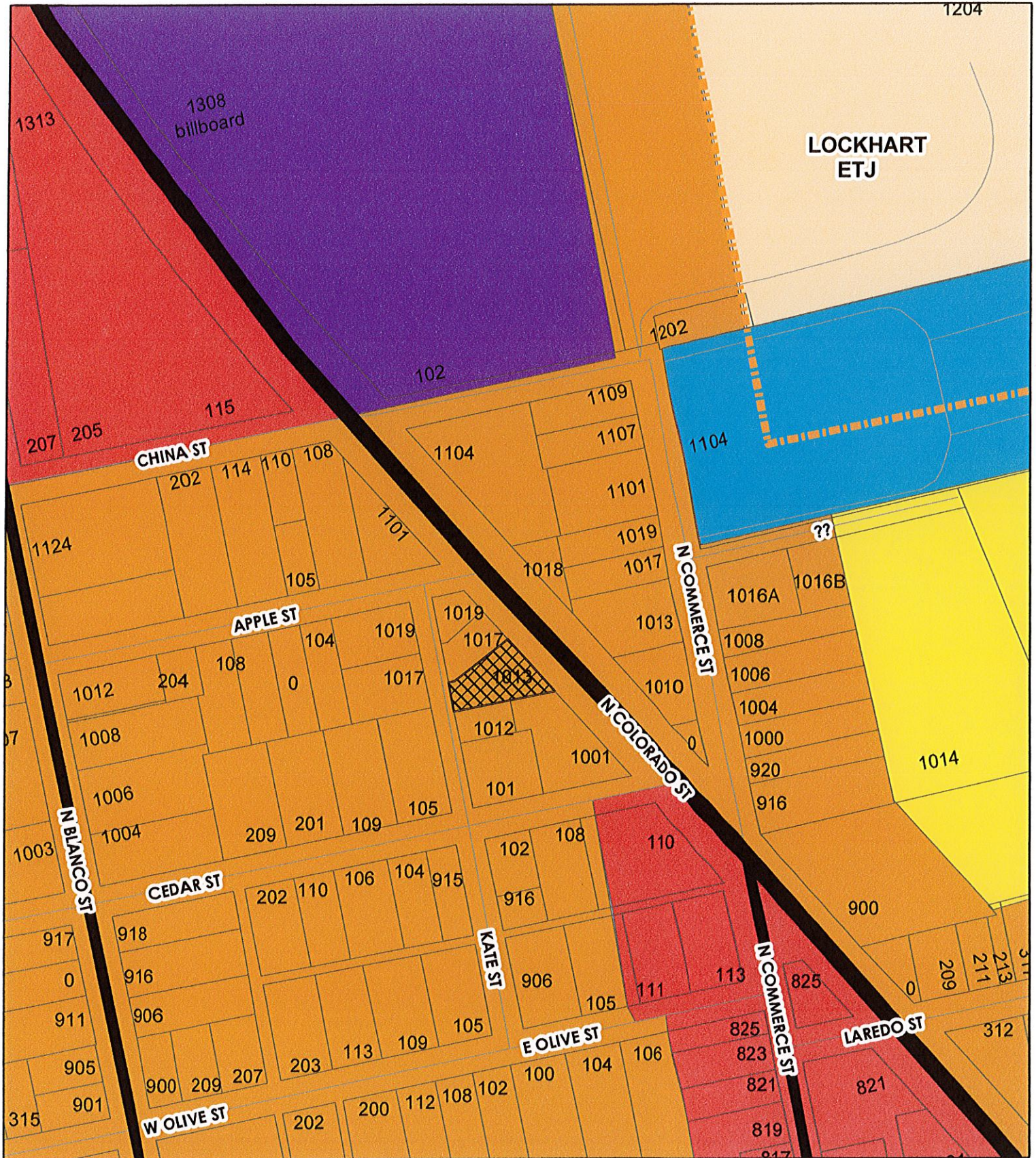
1013 N COLORADO ST



scale 1" = 200'

**ZONING DISTRICTS**

- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



# FUTURE LANDUSE & THOROUGHFARES

CHB TO RMD

1013 N COLORADO ST



scale 1" = 200'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY
- EXISTING COLLECTOR
- EXISTING ARTERIAL



LOCKHART ETJ



# PLANNING DEPARTMENT REPORT

# ZONING CHANGE

## CASE SUMMARY

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STAFF: David Fowler, Planning Director

CASE NUMBER: ZC-23-06

REPORT DATE: August 17, 2023

PLANNING AND ZONING COMMISSION HEARING DATE: August 23, 2023

CITY COUNCIL HEARING DATE: September 5, 2023

REQUESTED CHANGE: CHB to RMD

STAFF RECOMMENDATION: **Approval if no significant opposition**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

## BACKGROUND DATA

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APPLICANT: Monte J, Guidry

OWNER: Same

SITE LOCATION: 1013 North Colorado Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.216 acres

EXISTING USE OF PROPERTY: Residential

LAND USE PLAN DESIGNATION: *Medium Density Residential*

## ANALYSIS OF ISSUES

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**REASON FOR REQUESTED ZONING CHANGE** This is a reapplication for the zoning change originally requested in ZC-23-03. That application had been administratively withdrawn after being incomplete for over three months. A new application was submitted after the applicant was able to provide an updated survey, as Planning and Zoning Commission had requested. The applicant proposes to rezone the subject property for the purpose of permitting the structure on the rear of the lot as an Accessory Dwelling Unit, General. The existing house is allowed to be occupied as an existing nonconforming use, however accessory dwelling units would only be allowed if the property were rezoned to a residential zoning district which allows accessory dwelling units. The RMD district has been selected, as that zoning district would allow the accessory dwelling, subject to approval of a Specific Use Permit.

### AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Residential Commercial	RMD, CHB	<i>Medium Density Residential</i>
East	Commercial	CMB	<i>Medium Density Residential</i>
South	Residential, Commercial	CHB	<i>Medium Density Residential, General-Heavy Commercial</i>
West	Residential	RMD, ETJ	<i>Medium Density Residential, Low-Density Residential</i>

**TRANSITION OF ZONING DISTRICTS:** The property's current zoning is consistent with the western frontage of Colorado Street in the area. Other than the lot to the immediate north, all other lots along that frontage share the property's current CHB zoning.

**ADEQUACY OF INFRASTRUCTURE:** Adequate City water service is currently available in the Kate Street and North Colorado Street rights-of-way. There are 6-inch water and wastewater lines along Kate Street and a 6-inch sewer line in the Colorado Street right-of-way adjacent to the property.

**POTENTIAL NEIGHBORHOOD IMPACT:** The proposed zoning change would not alter the property's current residential use. However, the proposed accessory dwelling unit could create more traffic on Kate Street.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The proposed RMD zoning is consistent with the *Medium Density Residential* designation for the property on the future Land Use Plan map. However, the site's commercial zoning along the North Colorado Street Corridor is consistent with neighboring properties. Despite what the future land use map shows, City staff does not intend to change the corridor's zoning to residential.

**ALTERNATIVE CLASSIFICATIONS:** None more appropriate.

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

**STAFF RECOMMENDATION:** Approval if no significant opposition is present. Staff did not recommend approval of the previous application to rezone the site due to the nature of the types of structures on the lot, how the structures are placed on the site, and evidence of unpermitted construction work,

When first approached regarding the permitting of the accessory unit, staff had advised the applicant that the only way the garage located on the site could be converted to an accessory dwelling unit was through changing the zoning of the property to a residential district and subsequent approval of a Specific Use Permit for an Accessory Dwelling Unit-General. At the time of the previous application, the planning staff was unaware of the full scope of issues facing the property. These issues became more apparent when researching the site's history. The garage structure appears to have been converted illegally into a dwelling unit between 2020 and 2022, before the current owner had purchased the property. No permits were ever issued for the garage conversion. The garage structure appears to violate streetside side setback requirements and may even cross the property line to the north. The rear building does not have paved off-street parking and does not have sufficient room for head-in off-street parking, even after an updated survey shows that 10 feet of right-of-way along Kate Street has been added to the rear of the property. Additionally, a privacy fence has been constructed along the lot line without a permit. According to the survey, the fence encroaches the side lot line to the south. The main house on the lot is also closer to the southern property line than the required five-foot setback.

The City of Lockhart Building Official has identified numerous issues on the site, including electrical violations, hazardous plumbing, as well as the illegal residential conversion and possible issues that could make upgrading the unit to meet codes difficult. Because the garage structure has been in place for some time, it may be legally used as a garage for the main house. However, the illegal conversion of the garage grants no rights to use the structure as an accessory dwelling unit. If the zoning change is approved, several variances would be required prior to the property being eligible for a Specific Use Permit. Similarly, all code violations the Building Official has identified would need to be cleared. Staff had advised the applicant of the many steps that would have to be taken in order to make the accessory dwelling unit legally compliant. While the many issues facing the property will make achieving compliance difficult, the application at hand is solely for the purpose of changing the parcel's zoning. As such, staff recommends approval of the zoning change, absent significant neighborhood opposition, while noting that many steps must precede full approval of the accessory dwelling unit.

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 Guidry

ADDRESS 4835 Seawilkow Rd

DAY-TIME TELEPHONE 713 252 9250

Lockhart, TX 78644

E-MAIL jim@guidryeast.com

OWNER NAME - Same -

ADDRESS - Same -

DAY-TIME TELEPHONE \_\_\_\_\_

E-MAIL jim@guidryeast.com

### PROPERTY

ADDRESS OR GENERAL LOCATION 1013 N Colorado St

A 017 Lockhart, Byrd, Across  
LEGAL DESCRIPTION (IF PLATTED) 0.216, 0.205 Ac plus 4-10' Abandoned Street

SIZE 0.216 ACRE(S) LAND USE PLAN DESIGNATION Residential

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

PROPOSED NEW USE, IF ANY Residential

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION CH13

TO PROPOSED ZONING CLASSIFICATION RMD

REASON FOR REQUEST Make non conforming use as a

non conforming use

use the requested RMD zoning district

**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 \$ 125 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 *M. J. Jandy*

DATE 8-2-23

**OFFICE USE ONLY**

ACCEPTED BY D. Fowler

RECEIPT NUMBER R01238664

DATE SUBMITTED 8/2/2023

CASE NUMBER ZC 23 - 06

DATE NOTICES MAILED 8-7-2023

DATE NOTICE PUBLISHED 8-10-2023

PLANNING AND ZONING COMMISSION MEETING DATE 8/23/23

PLANNING AND ZONING COMMISSION RECOMMENDATION \_\_\_\_\_

CITY COUNCIL MEETING DATE 9/5/2023

DECISION \_\_\_\_\_

# City of Lockhart Caldwell County, Texas

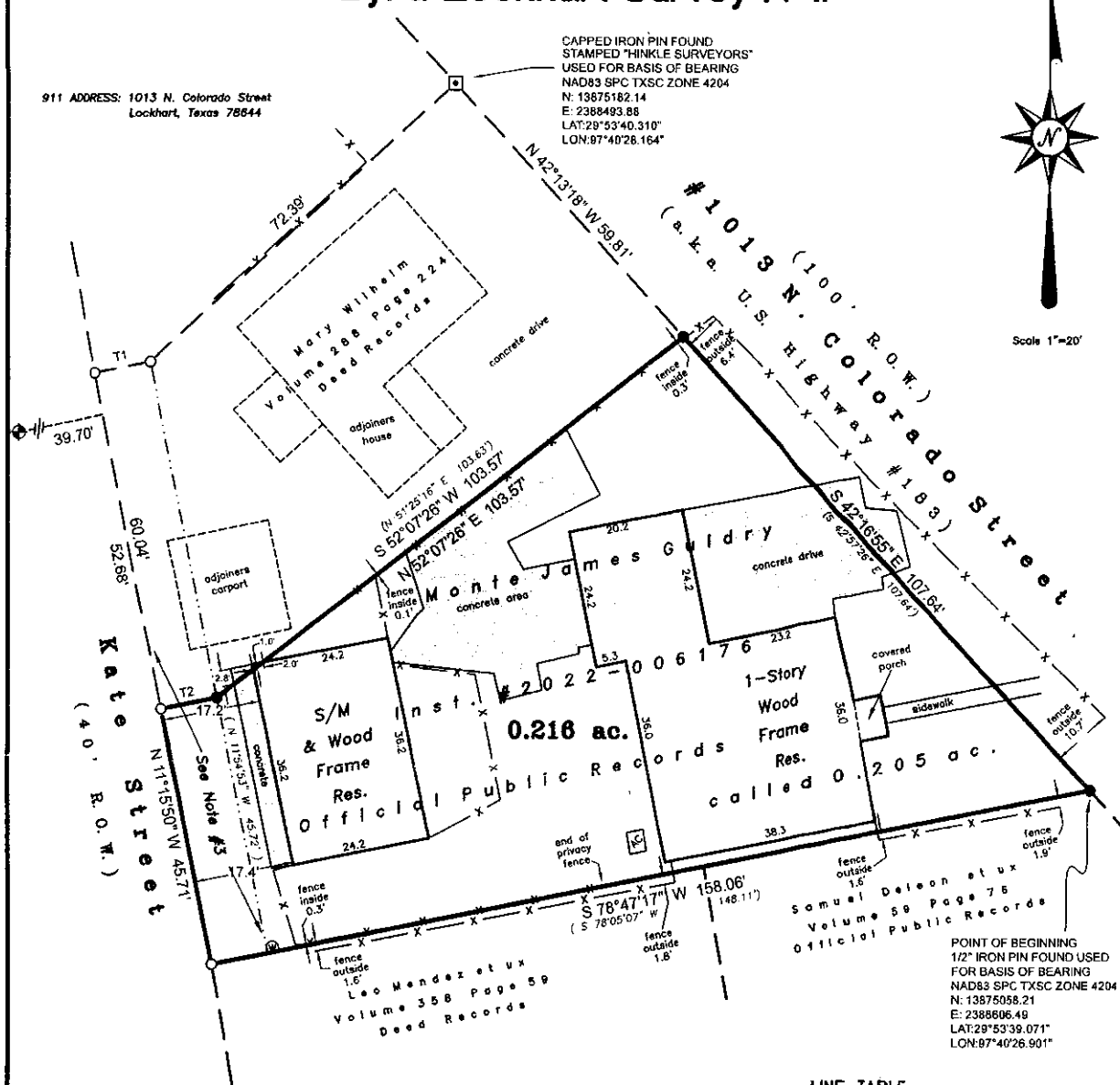
## Byrd Lockhart Survey A-17

911 ADDRESS: 1013 N. Colorado Street  
Lockhart, Texas 78644

CAPPED IRON PIN FOUND  
STAMPED "HINKLE SURVEYORS"  
USED FOR BASIS OF BEARING  
NAD83 SPC TXSC ZONE 4204  
N: 13875182.14  
E: 2388493.88  
LAT: 29°53'40.310"  
LON: 97°40'28.164"



Scale 1"=20'



**General Notes**

- 1) Before digging call 811 to verify locations of any utilities, pipelines, or other easements of record since the surveyor cannot guarantee the exact position of these encumbrances.
- 2) The property shown has access to and from a public roadway.
- 3) THE EAST 10' OF KATE STREET WAS VACATED BY THE CITY OF LOCKHART BY ORDINANCE #03-19 RECORDED IN VOL. 350 PG. 470 OF THE OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS BUT DOES RETAIN SAID 10' AS A UTILITY AND DRAINAGE EASEMENT.
- 4) THIS SURVEY IS FOR USE WITH THIS ONE TRANSACTION ONLY.
- 5) FLOOD ZONES SHOWN ARE APPROXIMATE AND CREATE NO LIABILITY ON THE PART OF THE SURVEYOR AND ARE BASED ON FROM A FLOOD INSURANCE RATE MAP. The property shown lies in Flood Zone(s) according to FEMA Panel #48053C0120E effective date June 19, 2012. Flood Zone "X" is areas determined to be outside the 0.2% annual chance floodplain. WARNING: This flood Statement, as Determined by a H.L.D. - F.I.A. FLOOD HAZARD BOUNDARY MAP, DOES NOT IMPLY THAT the Property or the improvements thereon will be Free from Flooding or Flood Damage. On rare occasions, Greater Floods Can and Will Occur, and Flood Heights may be increased by Man-Made or Natural Causes.

**SURVEY DRAWING**

Showing a 0.216 acre tract of land out of the Byrd Lockhart Survey A-17 in the City of Lockhart, Caldwell County, Texas and the improvements as found situated thereon. I do hereby certify that (1) the foregoing plat is a true and correct representation of a survey made on the ground under my direct supervision July 27, 2023. (2) No Abstract of Title, title commitment, nor research or record easements were supplied to the Surveyor. There may exist easements of record which could effect this parcel. **THIS SURVEY IS CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE. THE SURVEYOR SHALL INCUR NO LIABILITY FOR ANY USE OF THIS SURVEY BEYOND THIS ONE TRANSACTION OR FOR ANY PERSON(S) NOT ASSOCIATED WITH THIS TRANSACTION.** Only those prints containing the raised Surveyor's seal and an original "LIVE" signature should be considered official and relied upon by the user.



**LINE TABLE**

LINE	BEARING	DISTANCE
T1	N 78°44'10" E	10.00'
T2	N 78°44'10" E	10.00'

**LEGEND**

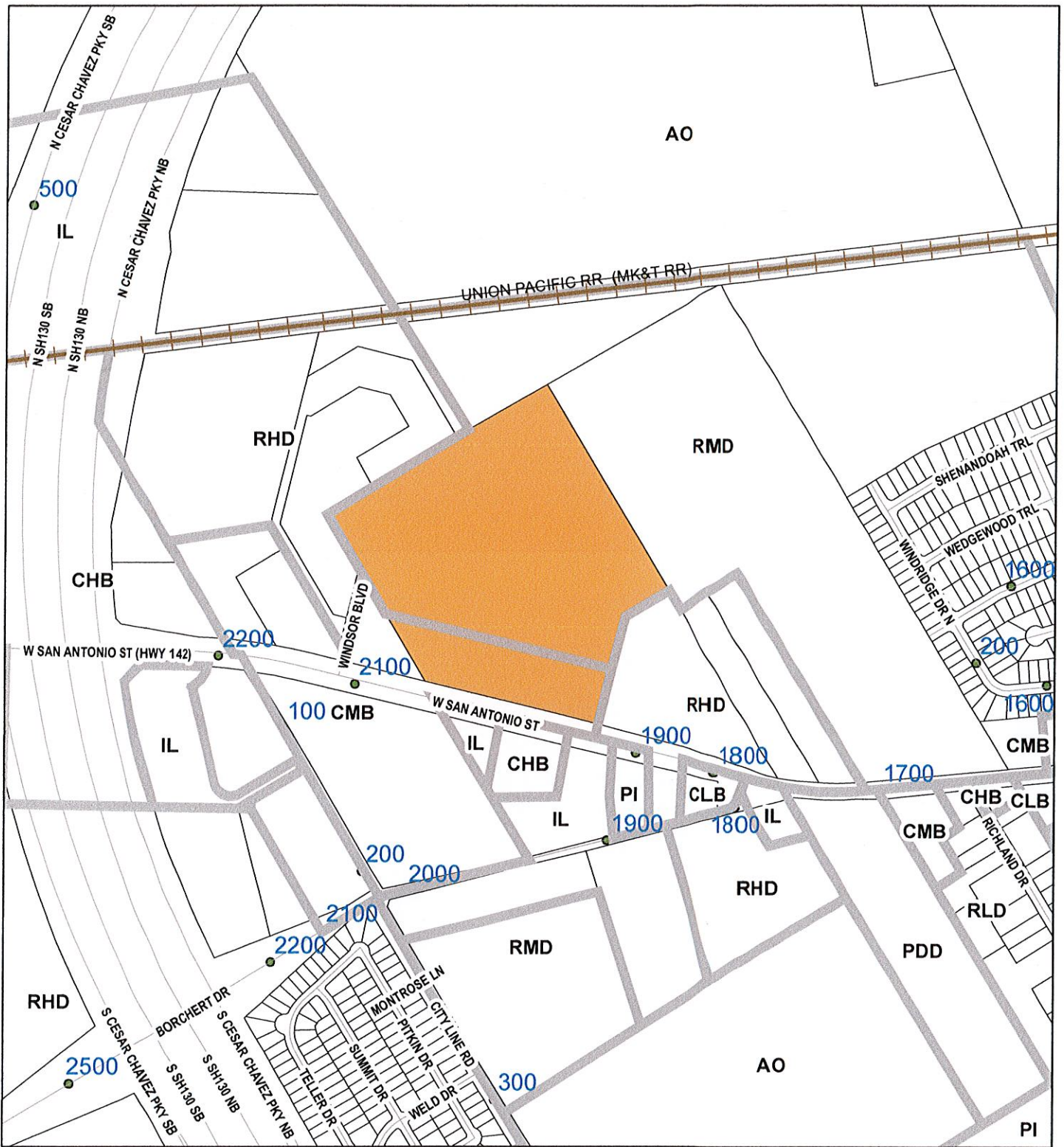
- CAPPED 1/2" IRON PIN SET STAMPED "HINKLE SURVEYORS"
- 1/2" IRON PIN FOUND
- ⊠ CAPPED IRON PIN FOUND STAMPED "HINKLE SURVEYORS"
- ⊕ CHAIN LINK FENCE POST
- ⊙ WATER METER
- /// SCALE BREAK
- (.....) ORIGINAL DEEDED CALLS
- X- FENCES MEANDER UNLESS OTHERWISE NOTED

Field Book: 4c	Drawn By: JHJ LH
Job No: 20232121	Drawing: 20232121.dwg
Date: July 2023	Word Disk: Begin 07012023
Surveyed By: JHJ JDB	Autocad Disk: Begin 07012023



**HINKLE SURVEYORS**

P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644  
Ph: (512) 398-2000 Fax: (512) 398-7683 Email: contact@hinklesurveyors.com Firm Registration No. 100886-00



**FP-23-04**

LOCKHART FARM ADDITION PHASE 2

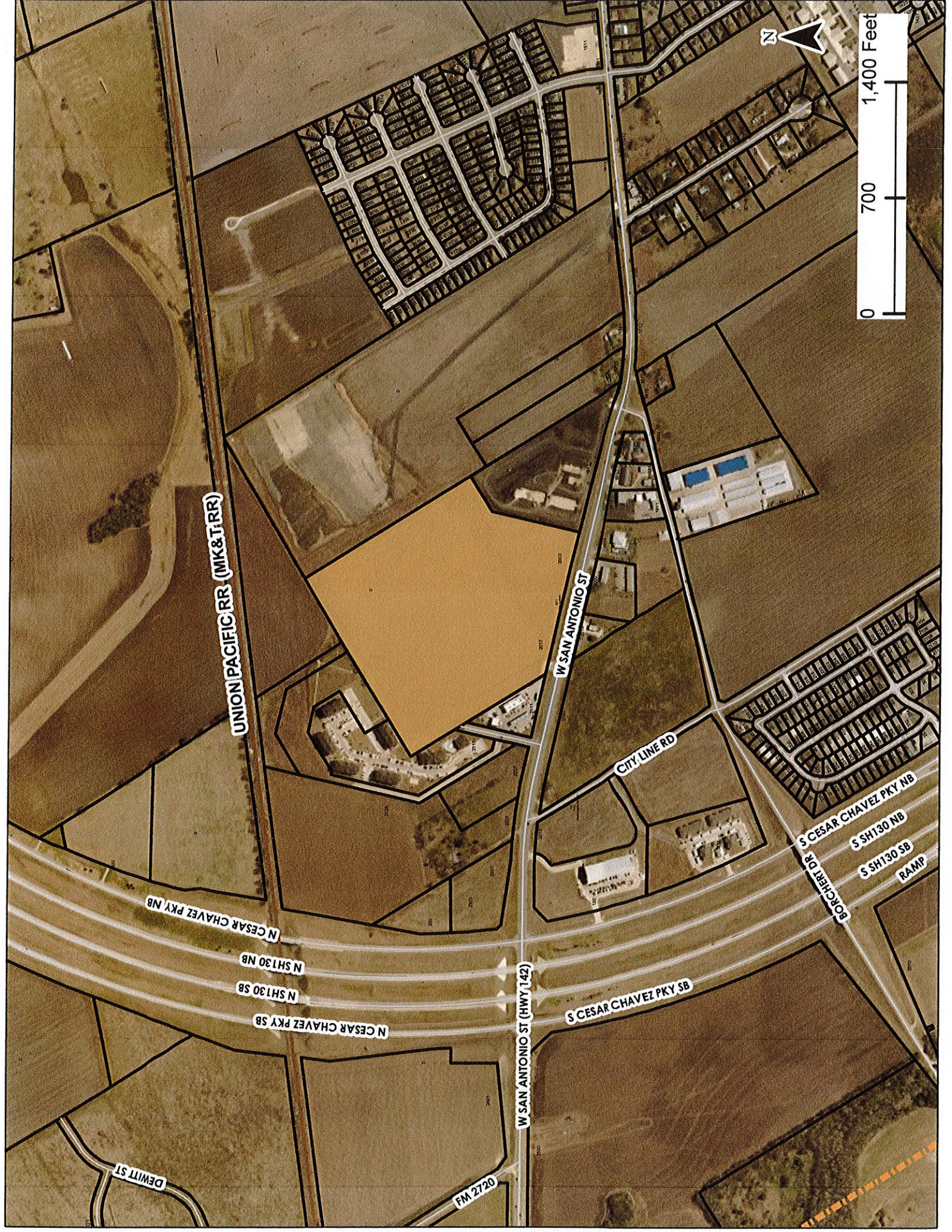
2000 BLK W. SAN ANTONIO ST

FINAL PLAT



- SUBJECT PROPERTY
- ZONING

scale 1" = 700'



UNION PACIFIC RR (MK&T RR)

W SAN ANTONIO ST

CITY LINE RD

N CESAR CHAVEZ PKY NB

N SH130 NB

N SH130 SB

N CESAR CHAVEZ PKY SB

W SAN ANTONIO ST (HWY 142)

S CESAR CHAVEZ PKY SB

S CESAR CHAVEZ PKY NB

S SH130 NB

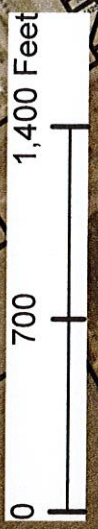
S SH130 SB

RAMP

BOCHER DR

DEWITT ST

FM 2720





**CASE SUMMARY**

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STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: FP-23-04

REPORT DATE: August 16, 2023

PLANNING &amp; ZONING COMMISSION DATE: August 23, 2023

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: Revise all references to the regional detention pond within Phase 1 (Lot D-3, Block 6) to a regional retention pond, add sheet index and vicinity map, and remove PrDE (private drainage easement) designation from Legend.

**BACKGROUND DATA**

---

APPLICANT: Paul Leventis

OWNERS: Paul Leventis, Lockhart Land Group, LLC (commercial lots), and Lance Jackson, VMP Lockhart Properties, LLC (residential lots)

ENGINEER: Tim Wolff, P.E., Bleyl Engineering

SURVEYOR: Nathan Kerr, P.L.S., Kerr Surveying, LLC

SITE LOCATION: 2000 Block West San Antonio Street

SUBDIVISION NAME: **Lockhart Farms Addition Phase 2**

SIZE OF PROPERTY: 36.18 acres

NUMBER OF PROPOSED LOTS: 156 lots (see description below)

EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use

ZONING CLASSIFICATIONS: RMD (Residential Medium Density) and CMB (Commercial Medium Business)

**ANALYSIS OF ISSUES**

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PROPOSED DEVELOPMENT: The Lockhart Farms Addition Preliminary Plat and Subdivision Development Plan (PP-21-06) was conditionally approved by the Commission on October 27, 2021, and the Final Plats of Phases 1 and 2 were conditionally approved on November 17, 2021 and August 10, 2022, respectively. The current proposal is for approval of a revised configuration of the Final Plat of Phase 2. With the proposed Hansford Subdivision and the multifamily lot of Lockhart Farms Phase 1 to the east, and the Stanton Development to the west, the proposed Phase 2 includes 145 single-family residential lots, two commercial lots, three common area lots, two drainage lots, three joint public access and drainage lots, and one joint public access, public utility, and drainage lot, for a total of 156 lots. The drainage and common area lots are proposed to be owned and maintained by the neighborhood's Homeowners' Association. The previously approved Phase 2 configuration included 147 single-family residential lots, two commercial lots, 6 drainage lots, and one common area lot. Another revision to the current proposal is the relocation of a 22-foot-wide drainage easement from the rear yards of Lots 2 through 16, Block 6 to a 20-foot-wide drainage easement behind these lots on the adjacent Stanton property to the north, which has been approved by the City Engineer and will allow for larger backyards on those lots. In a letter to the Planning Department dated July 18, 2023 (enclosed), the Stanton property owner's engineer has agreed to this change. Finally, the 20-foot-wide drainage easement shown on the previously approved plat along the rear of Lots 1, 2, and Common Area Lot D-5 in Block 6 has been removed, as the project engineer

and City Engineer have confirmed that it is not necessary. Sidewalks will be provided on one side of the internal streets, along both sides of the Windsor Boulevard extension and Mesquite Drive, and along the property's West San Antonio Street frontage. A five-foot-wide public pedestrian trail, although primarily located within the physical boundaries of the first phase, will serve the single-family development in Phase 2 and be constructed with that phase. The trail will also connect to Windsor Boulevard and tie into the sidewalk that will connect with the Hansford Subdivision. The subdivision will be served by a regional retention pond located within Phase 1, north of Phase 2, that is proposed to also serve the Hansford development and a future phase of the Stanton Development. Parkland will be provided within the lot to contain the regional retention pond. Although the parkland meets the minimum-required 8 percent of total land area for both phases of the subdivision, it does not abut a public street and will not provide parking, and is therefore proposed to be private, with ownership and maintenance by the Homeowners' Association. As such, a fee in lieu of public parkland dedication is proposed to be paid, prior to recordation of the final plat of Phase 1, as specified in General Note 9 on the Phase 2 plat. Note 18 specifies that a multi-function playscape will be provided on the lot to contain the regional retention pond within Phase 1, outside of the pond area, by the subdivider prior to recordation of the Phase 2 Final Plat. The playscape was required by the Commission as a condition of approval from the previous meeting for Phase 2.

**NEIGHBORHOOD COMPATIBILITY:** The subject property is bordered to the east by the multifamily development of Phase 1, a drainage lot extension to the regional retention/parkland area in Phase 1, and the future Hansford Subdivision. The properties to the south, across West San Antonio Street, include commercial uses and the Bluebonnet Electric Cooperative building. The properties to the west include The Stanton Luxury Apartments and the Valero gas station. The property to the north includes the regional retention pond in Phase 1 mentioned above. The greatest impact of the proposed development would be increased traffic on abutting West San Antonio Street. However, the proposed subdivision at build-out, including Phase 2, will provide connectivity to The Stanton Development and the future Hansford Subdivision via the Windsor Boulevard extension. According to the applicant, TxDOT has approved the Traffic Impact Analysis, which includes the requirement to construct a right-turn/deceleration lane from West San Antonio Street into Mesquite Drive (a left-turn lane already exists at this location). The turning lane improvements must be constructed with the subdivision improvements of Phase Two, as prescribed by TxDOT.

**FORM AND CONTENT:** With the removal of the PrDE (private drainage easement) designation from the Legend as a recommended condition of approval due to the drainage modifications discussed above, the plat will conform to all minimum requirements for form and content.

**COMPLIANCE WITH STANDARDS:** The two "detention" references in General Note 18 should be changed to "retention", as well as in the plat drawing for Lot D-3, Block 6 as recommended conditions of approval, as well as the inclusion of a sheet index overlay and vicinity map as shown in the previously approved Phase 2 plat. With those conditions, the plat will comply with all applicable subdivision standards, including construction of new streets where required, the provision of public sidewalks, utilities, stormwater drainage, and the payment of a fee in lieu of public parkland. As noted in the attached letter dated August 11, 2023, the City Engineer has approved the engineering plans.

**CONCURRENT VARIANCES REQUESTED:** None



July 18, 2023

AVO 43645.003

City of Lockhart Planning Department  
304 W. San Antonio Street  
Lockhart, Texas 78644

RE: The Stanton Phase II Drainage Channel

To whom it may concern:

This letter is to confirm that the concrete drainage channel located within Phase II of the Stanton Apartments, along the southeastern boundary, was designed with sufficient capacity to accept a portion of the lots associated with the Lockhart Farms Phase II development. The lots will be located along the southeastern boundary of the Stanton and the portion of the lots that discharge into the drainage channel will have a maximum flow of 2 cfs.

Please contact me at 512-777-4577 or [blane@halff.com](mailto:blane@halff.com) if you have any questions or require additional information.

Sincerely,

**HALFF ASSOCIATES, INC.**

A handwritten signature in blue ink, appearing to read "Bradley G. Lane".

Bradley G. Lane, PE  
Land Development Project Manager



505 East Huntland Drive  
Suite 250  
Austin, Texas 78752

T 512.454.8716  
TRCcompanies.com  
T.B.P.E. #F-8632

August 11, 2023

Mr. David Fowler, City Planner  
City of Lockhart  
P.O. Box 239  
Lockhart, Texas 78644

**RE: Lockhart Farms Phase 2 Revision 1  
Engineering Plan Review**

Dear David:

TRC is in receipt of the following items for the above referenced project submitted by Bleyl Engineering on August 11, 2023.

1. Revised Grading Plan Section 1
2. Revised Overall Grading Plan

Our review finds that these documents have been prepared in general conformance with the Lockhart Subdivision Code and Chapter 22 Article 3 of the City of Lockhart Drainage and Flood Control Ordinance.

As TRC did not provide the detailed design of the submitted documents, TRC and the City of Lockhart must rely on the adequacy of the Design Engineer that prepared the documents and all responsibility for the plans and submitted documents shall remain with the Design Engineer.

If you have any questions regarding this information, please feel free to contact this office.

Sincerely,

A handwritten signature in blue ink that reads "William A. Wachel".

Will Wachel, P.E.  
Deputy Director

CC: John Henry, Bleyl Engineering  
Sean Kelley, Director of Public Works, City of Lockhart





\*This is the resubmitted application - 7/25/23

# 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** KERR Survey

**ADDRESS** 409 N. Texas Ave.

**DAY-TIME TELEPHONE** 979-268-3165

Bryan, Texas 77803

**E-MAIL** surveys@kerrsurveying.com

**ENGINEER NAME** Bleyl Engineering

**ADDRESS** 1722 Broadmoor Dr.

**DAY-TIME TELEPHONE** 979-268-1125

Suite 210

**E-MAIL** twolff@bleylengineerig.com

Bryan, Texas 77802

**OWNER NAME** Lockhart Land Group, LLC

**ADDRESS** 1722 Broadmoor Dr.

**DAY-TIME TELEPHONE** 979-255-2407

Suite 220

**E-MAIL** paull@brazostrace.com

Bryan, Texas 77802

**OWNER NAME** VMP Lockhart Properties, LLC

**ADDRESS** 5001 Plaza On The Lake

**DAY-TIME TELEPHONE** 754-210-2665

Suite 200

**E-MAIL** ljackson@amherst.com

Austin, TX 78746

## TYPE OF APPLICATION

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

## PROPERTY

**SUBDIVISION NAME** Lockhart Farms Phase 2 *Addition*

**ADDRESS OR GENERAL LOCATION** 2000 Block W. San Antonio St.

**LOCATED IN**     CITY LIMITS     ETJ (COUNTY)     PDD

TOTAL LAND AREA 36.18 ACRE(S) PROPOSED NUMBER OF LOTS 156 Total lots  
 ZONING CLASSIFICATION(S) RMD and CMB  
 PROPOSED USE OF LAND 145 ^ Lots and Light Commercial (two lots)  
Single-family

**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.

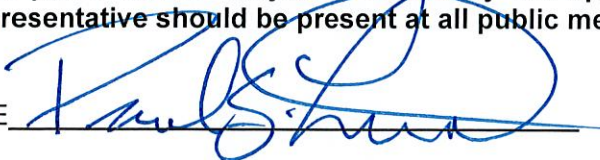
Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat/resubdivision, final plat, or minor plat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

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

	<i>*NO FEE - withdrawn &amp; resubmitted prior to statutory decision deadline.</i>	
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 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 

DATE July 25, 2023

PRINTED NAME Paul Leventis

TELEPHONE 979-255-2407

SIGNATURE  For

DATE July 25, 2023

PRINTED NAME Lance Jackson

TELEPHONE 754-210-2665

## 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) N/A OF THE SUBDIVISION REGULATIONS  
CURRENT ORDINANCE REQUIREMENT(S) \_\_\_\_\_

REQUESTED VARIANCE(S) \_\_\_\_\_

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 R01215507

DATE SUBMITTED 7/25/23 CASE NUMBER FP-23-04

DATE APPLICATION IS DEEMED COMPLETE 4/20/23 (original application)

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

PLANNING AND ZONING COMMISSION MEETING DATE 8/23/23

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_