

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, January 24, 2024
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 January 10, 2024 meeting.
4. **ZC-23-09 and PDD-23-01.** Hold a PUBLIC HEARING and consider a request by Pam McClain Madere of Jackson Walker, LLP, for a Zoning Change from AO (Agricultural-Open Space) to PDD (Planned Development District), including a PDD Development Plan, for McCormick Ranch Planned Development District, on 53 acres in the Cornelius Crenshaw Survey, Abstract No. 68, and located at 2835 F.M. 2001.
5. **PP-23-04.** Consider a request by Pam McClain Madere of Jackson Walker, LLP, for approval of a **Preliminary Plat** for McCormick Ranch Planned Development District, consisting of 53 acres in the Cornelius Crenshaw Survey, Abstract No. 68, proposed to be rezoned from AO (Agricultural-Open Space), following annexation of the property, to PDD (Planned Development District), and located at 2835 F.M. 2001.
6. Hold a PUBLIC HEARING and consider a **Text Amendment** to Chapter 18 “Environment”, Chapter 46 “Signs”, Chapter 52 “Subdivision Regulations”, and Chapter 64 “Zoning” of the Lockhart Code of Ordinances, as follows:
 - Amend Chapter 18 “Environment”, Article III “Nuisances”, Division 2 “Offensive Conditions”, Section 18-82 “Prohibited”;
 - Amend Chapter 46 “Signs”, Section 46-6 “Prohibited signs and locations”;
 - Amend Chapter 52 “Subdivision Regulations”, Article V “Design Standards”, Section 52-78 “Streetlights”;
 - Amend Chapter 64 “Zoning”, Article I “In General”, Section 64-2 “Definitions”; Article VII “Zoning Districts and Standards”, Section 64-197 “Regulations Common to all or several districts.”, Subsection (g) “Minimum parking and loading requirements”;
 - Add Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, Section 64-197 “Regulations Common to all or several districts.”, Subsection (j) “Lighting Standards”; and
 - Amend Chapter 64 “Zoning”, Article VII “Zoning Districts and Standards”, Section 64-198 “Performance standards for commercial and industrial districts.”, Subsection (c) “Nuisances” to establish revised requirements and standards for residential and commercial lighting, include references to lighting standards in relevant sections, and include updated street lighting policy.
7. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
8. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 12:00 PM on the 19th day of January, 2024.

**City of Lockhart
Planning and Zoning Commission
January 10, 2024**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Bradley Lingvai, Manuel Oliva, Julia Haug Rick Arnic, Ron Peterson

Members Absent: None

Staff Present: David Fowler, Evan Olszewski, Christine Banda

Visitors/Citizens Addressing the Commission: Sandra Gomez, Paul Ginsberg, Ben Siegel, Lauren Siegel, Rebecca Hawener, Donna Daniels, Len Gabbay, Robert Steinbomer, Jana Sensat, Levi Garrett, Roy Watson

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 December 13, 2023, meeting.

Commissioner Lingvai moved to approve the December 13, 2023, minutes with the suggested corrections by Vice-Chair Oliva. Commissioner McBride seconded, and the motion passed by a vote of 7-0.

4. SUP-23-18. Hold a PUBLIC HEARING and consider a request by Sandra Gomez of CTX Lone Star Enterprises, LLC for a Specific Use Permit to allow a Bar as a use on 0.37 acres in the James George League, Abstract No. 9, zoned CHB Commercial Heavy Business District located at 1201 South Commerce Street.

Evan presented the case. He said that the applicant would like to open a bar at their proposed food court which requires a specific use permit in the CHB Commercial Heavy Business District. He showed the site plan submitted by the applicant so the members could see the location of the bar on the subject property. The property abuts a single-family residence to the north. Screening is required between commercial uses and residential zoning district. He mentioned that no opposition was received.

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

Sandra Gomez with CTX Lone Star Enterprises, LLC of 395 Cullen Blvd, Buda, came forward and stated that the company is owned by her, her husband and son. She said they plan to use the

existing fence on the north side of the property and add screening to the south of the property with a sliding gate so that the court can be locked after hours. The court will provide rental spaces for food trucks with outdoor dining area with the availability of selling alcohol on the premises. There will not be any outdoor entertainment. The only building that would be built on the property would be the bar and restrooms. The times of operation are Thursday through Sunday from 4 p.m. – midnight.

Commissioner Haug had some suggestions for the site plan, including moving the trash bins to the south of the property to help deter odors from reaching the neighboring property owner, screening the trash dumpster area and adding parking stops to the parking spaces.

Ms. Gomez said the trash bin area would be screened, and it may be possible to relocate it to the south side of the lot. She also stated the parking spaces would have wheel stops.

Commissioner Lingvai asked what the parking requirements for the food trailers were.

Ms. Gomez said that two parking spaces were required per food trailer.

Commissioner Arnic expressed concern about lighting being an issue for the neighboring property owners and suggested that Ms. Gomez be sure and look into it, so they do not disrupt the neighbors.

Chair Ruiz informed Ms. Gomez that previous SUPs for bars in town were given a one-year trial period. After one year the commissioners would receive a police report and the application would have to come back before the commission to consider their bar use again, with renewal depending upon the police report.

Francisco Rangel of 1204 S Commerce St. said he had safety concerns along the street because of the increased traffic.

Chair Ruiz asked for any other speakers, and seeing none, he closed the public hearing and asked for staff recommendation.

Mr. Olszewski said that staff recommends approval with the conditions of additional landscaping being planted to add screening along the north and south property lines at least 8 feet in height, reducing the width of the parking lot, extended the parking lot to allow a turn-around for vehicles and trailers pulling out of the parking spaces closest to the start of the food court area.

There was additional discussion amongst the commissioners about the dumpster and screening.

Ms. Gomez came forward again to express that they would be taking a big risk if they were not approved for the bar SUP permanently and had to come back in one year for final approval.

Commissioner Oliva moved to approve SUP-23-18 with conditions of adding 8-foot-high fencing along the south and north property lines, moving the trash bins to the south of the property, and requiring the parking area to be made less wide to accommodate landscaping on the

property lines. The one-year review was not included. Commissioner Haug seconded, and the motion passed with a vote of 7-0.

5. SUP-23-19. Hold a PUBLIC HEARING and consider a request by Lauren Siegel of The Judge's House, LLC for a Specific Use Permit to allow a Lodging House or Boarding House and Special Events Center as a use on 0.925 acres in the Arnette McDaniels Subdivision, Block 1, Lot 1, zoned RMD Residential Medium Density District located at 703 West San Antonio Street (SH 142).

Mr. Olszewski presented the case. He said that the applicant first intended to have an Airbnb but instead would like to have a lodging or boarding house with an indoor and outdoor special event center. The property is under remodel currently. The proposed venue includes four overnight rooms and can accommodate approximately 200 event guests. The applicant claimed to have secured offsite parking agreements with Lockhart Ace Hardware and First Lockhart Baptist Church to provide additional parking spaces.

Chair Ruiz asked if the subject property was a historical site.

Mr. Olszewski said that the property had been designated a landmark, but the landmark status was never recorded onto the property deed, and that the City Council removed it from the historical listing because of a request from the present applicant.

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

Ben Siegel, of 84 Chalmers Ave., Austin said the goal is to have a venue for weddings with bride and groom suites upstairs and that the house is already set up with a boarding house feel inside.

Commissioner McBride asked about their proposed off-site parking.

Mr. Siegel said they spoke with city staff and have met the parking requirements and would also inform all those using the space where they should park.

Chair Ruiz asked if it would be possible to get a contract instead of email from Ace Hardware and First Lockhart Baptist Church for the additional parking.

Mr. Siegel said that those establishments are used to providing parking for other businesses and is not sure a contract is necessary.

Lauren Siegel, the wife of Ben Siegel and co-applicant, stated that she is in talks with other property owners to provide more parking. She confirmed the e-mails and stated she believed that they have good backups for parking.

Mr. Siegel said that he had spoken to Rebecca Hawener who had hosted A Night with the Authors for 17 years and that there had never been any issues with parking along West San Antonio Street (SH 142).

Mrs. Siegel said she has spoken with many wedding planners for their input and most bus in their clients to wedding venues.

Rebecca Hawener of 625 W. San Antonio St. said she has no problem with the lodging or boarding house but does not agree with the special events center which would negatively impact the neighborhood. She also has concerns with the proposed off-site parking proposed.

Donna Daniels of 420 W. Prairie Lea St. said she owns the property next to the Judge's House and believes that the Siegel's would have a nice, maintained venue and be good neighbors. She is in favor of the project.

Len Gabbay of 420 W. Prairie Lea St. said he is in favor of the project. He said the applicant owns the Bangers restaurant in Austin and it is a wonderful establishment.

Robert Steinbomer of 321 San Jacinto St. said he is doing the remodeling work on the Judge's House. He stated that the Siegels are very considerate of the city and the neighborhood.

Ms. Hawener came forward again to say that the venue would disturb her and the folks across the street. There would still be noise complaints and she does not want a wedding venue next door to her property.

Jana Sensat of 716 W. San Antonio St. said she is in favor of the SUP.

Levi Garrett of 400 W. Prairie Lea St. said there have been no issues with the frequent community events or film crews in his area regarding parking, so he is in favor of the SUP.

Roy Watson of 700 W. San Antonio St. said he lives directly across the venue location. He said he found it alarming that the off-site parking requirements were considered to be sufficient. He also said that an Evening with the Authors is held only one night out of the year. He would like to know the frequency of the proposed facility's events, which could very much impact the neighborhood. He believes more clarification is needed from the applicants regarding the events.

Ms. Hawener said she had indeed held the Evening for the Authors event, but it is a collaboration with the city and held from 6 p.m. – 9 p.m. for one night out of the year. She stated the venue being proposed is a completely different level of activity.

Ronda Reagan of 412 W. San Antonio St. said she has lived in Lockhart for 18 years. Two local residents who own The Carlisle House turned it into an Airbnb. There have been reports made regarding noise complaints and parking issues on that property. The owners of the Carlisle House are good neighbors and agreed they will no longer hold weddings at their property. Ms. Reagan mentioned that golf carts could be an issue transporting guests to the venue because they are not allowed on State Highways such as W. San Antonio St. She reached out to the manager at ACE Hardware and said they were confused and thought it was a local resident requesting additional parking and would have to retract the email sent to the Siegels. She said normally bartenders at such venues have the bar open for 5-6 hours, which raises concerns regarding who would control the events if things get out of hand.

Christine Ohlendorf of 815 W. San Antonio St. said at their Historical Preservation Commission meeting the applicants originally proposed a Bed and breakfast. She is concerned with parking for this venue, concerned for pedestrians, and noise levels.

Mr. Siegel stated that he appreciates all the neighbors' concerns and comments. He reassured the commissioners that they have every intention of being a good neighbor. Their wedding venue in Austin is also located in a residential neighborhood with no noise complaints and they do over 100 events a year. Their first intention was to make an Airbnb but have pivoted to the proposed use.

Mrs. Siegel thanked Ms. Reagan for contacting ACE Hardware and stated they are confident they can handle the events' parking requirements. He said they have been open to the City's requests and want to create something beautiful.

Ronda Reagan said she is a licensed real estate broker for both residential and commercial properties. There is the possibility of conditioning the any real estate sale upon SUP or other needed zoning approval. This could have been an option for the Siegels when buying the property.

Ms. Daniels said being the previous owner of 703 W. San Antonio St., she understands the unique structure of the home and it better suits for a boarding house rather than a residential home for a family.

Ms. Ohlendorf mentioned that the offsite parking would require insurance and wondered who would be responsible if a guest or citizen is injured.

Chair Ruiz asked for any other speakers, seeing none he closed the public hearing and asked for staff recommendations.

Mr. Olszewski said that the Commission can approve SUP for a special events center, conditional upon specifying parking requirements for the site. He said since the proposed uses meet the requirements staff recommends approval.

Commissioner Lingvai moved to approve SUP-23-18. Commissioner Haug seconded, and the motion passed with a vote of 5-2 with Chair Ruiz and Vice-Chair Oliva against.

6. SUP-24-01. Hold a PUBLIC HEARING and consider a request by Ivan Tristan for a Specific Use Permit to allow an Accessory Dwelling Unit (General Type) on Lot 6, Block 4, Lipscomb's Subdivision, consisting of 0.183 acres zoned RMD Residential Medium Density District and located at 817 Fir Lane.

WITHDRAWN

7. ZC-23-10. Hold a PUBLIC HEARING and consider a request by Paul Ginsberg for a Zoning Change from RLD Residential Low Density District to RMD Residential Medium Density District on a total of 0.371 acres in the Byrd Lockhart League, Abstract No. 17, located at 1107 and 1109 North Commerce Street.

David Fowler presented the case. He said the applicant would like to change the residential zoning district to RMD so they could subdivide the property with the lots running north and south instead of east to west as the property looks now. The revised zoning allows would allow for two conforming lots to be created on the site, whereas the current parcels are of nonconforming dimensions. The proposed RMD zoning district is consistent with the future land use plan.

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

Paul Ginsberg of 851 Peach St said he is requesting the zoning change for his property for the reasons outlined in the staff presentation.

Chair Ruiz asked for any other speakers, and seeing none, he closed the public hearing and asked for staff recommendation.

Mr. Fowler said that staff recommends approval.

Commissioner Oliva moved to approve ZC-23-10. Commissioner Arnic seconded, and the motion passed with a vote of 7-0.

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

David Fowler said that their next meeting will be on Wednesday, January 24th. There will be lighting ordinance code amendments and an industrial PDD on the agenda.

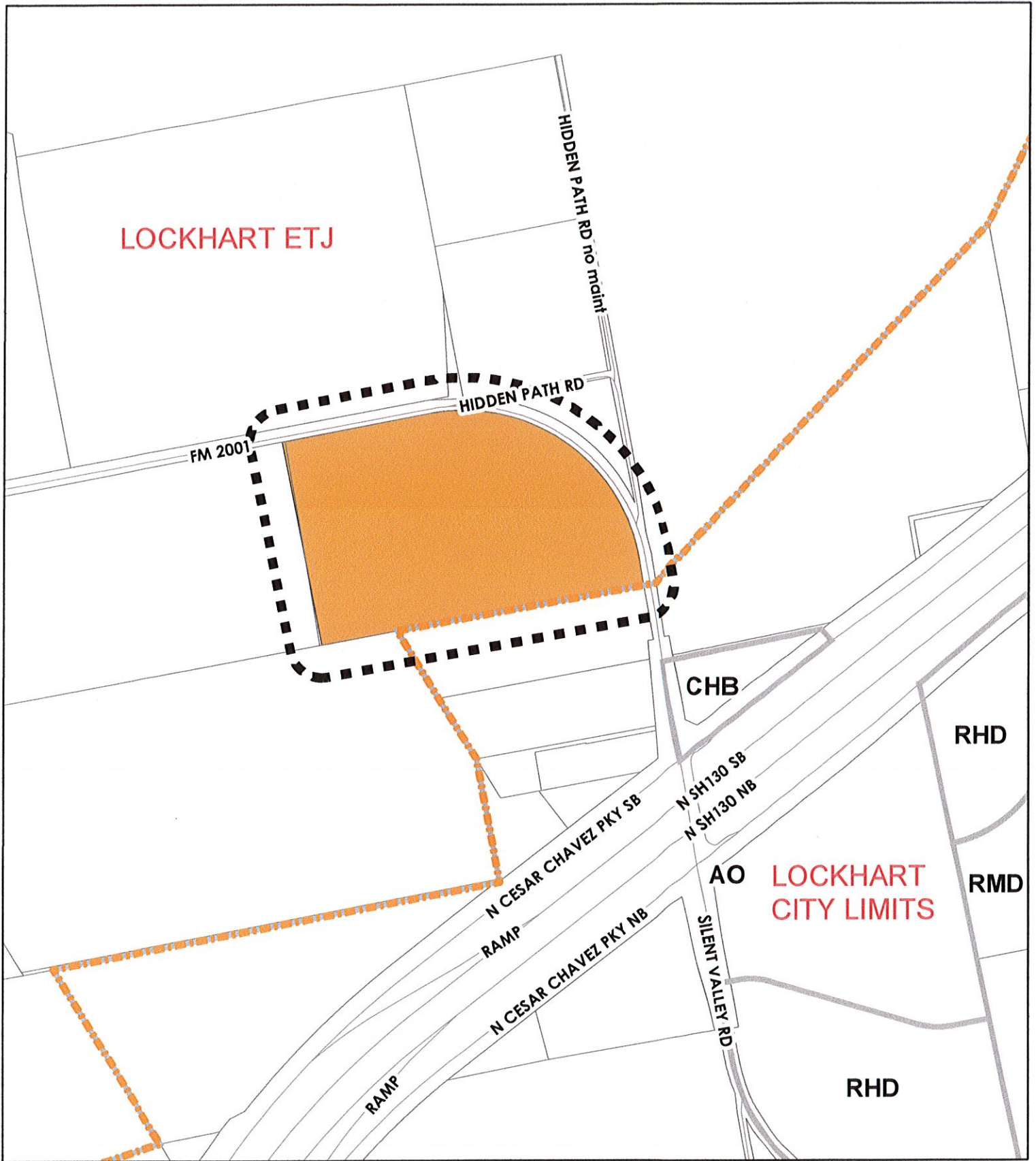
9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Haug seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:56 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair







ZC-23-09

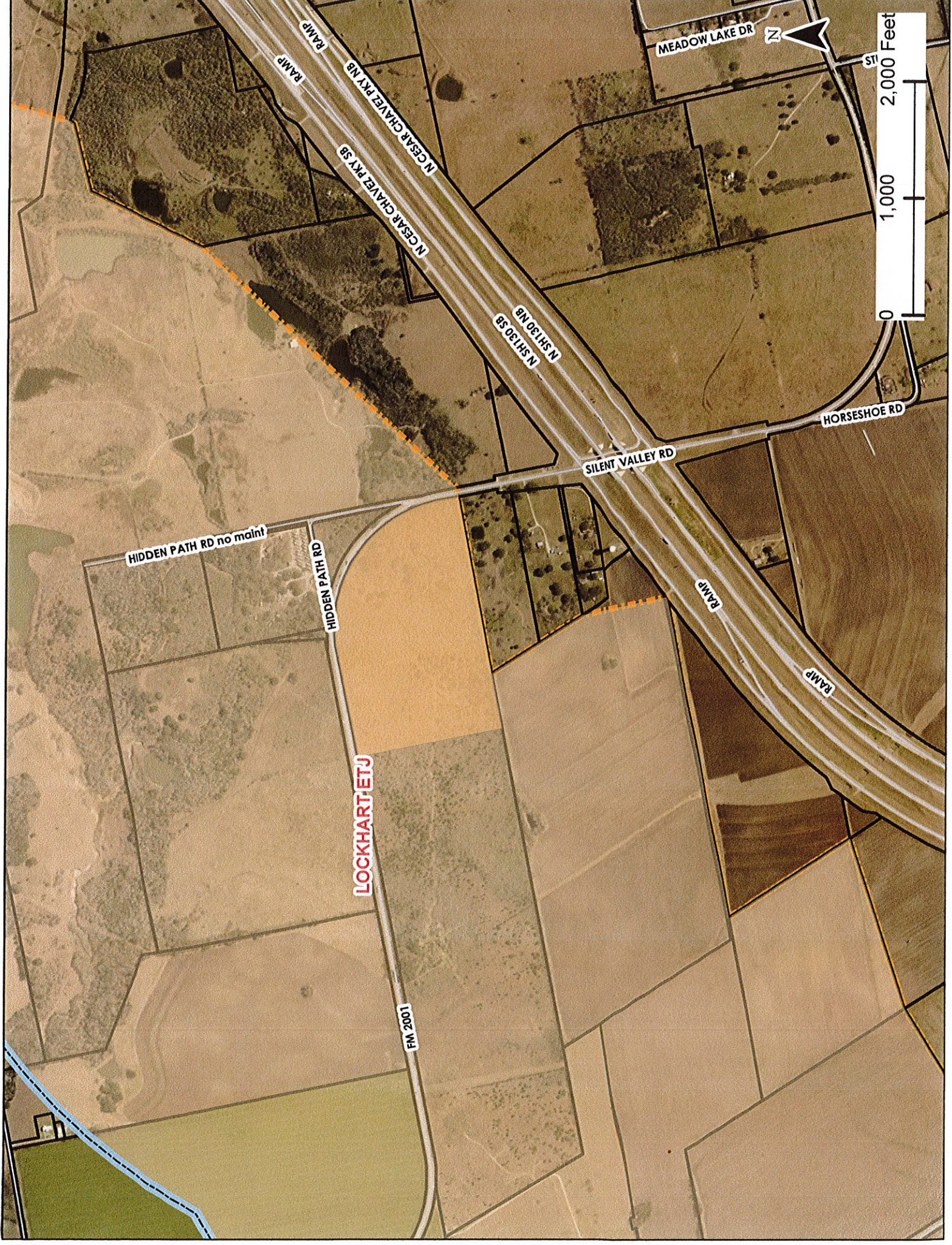
AO TO PDD

2835 FM 2001



scale 1" = 800'

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



MEADOW LAKE DR



N CESAR CHAVEZ PKWY NB
RAMP
RAMP
RAMP

N SH130 NB

SILENT VALLEY RD

HORSESHOE RD

RAMP

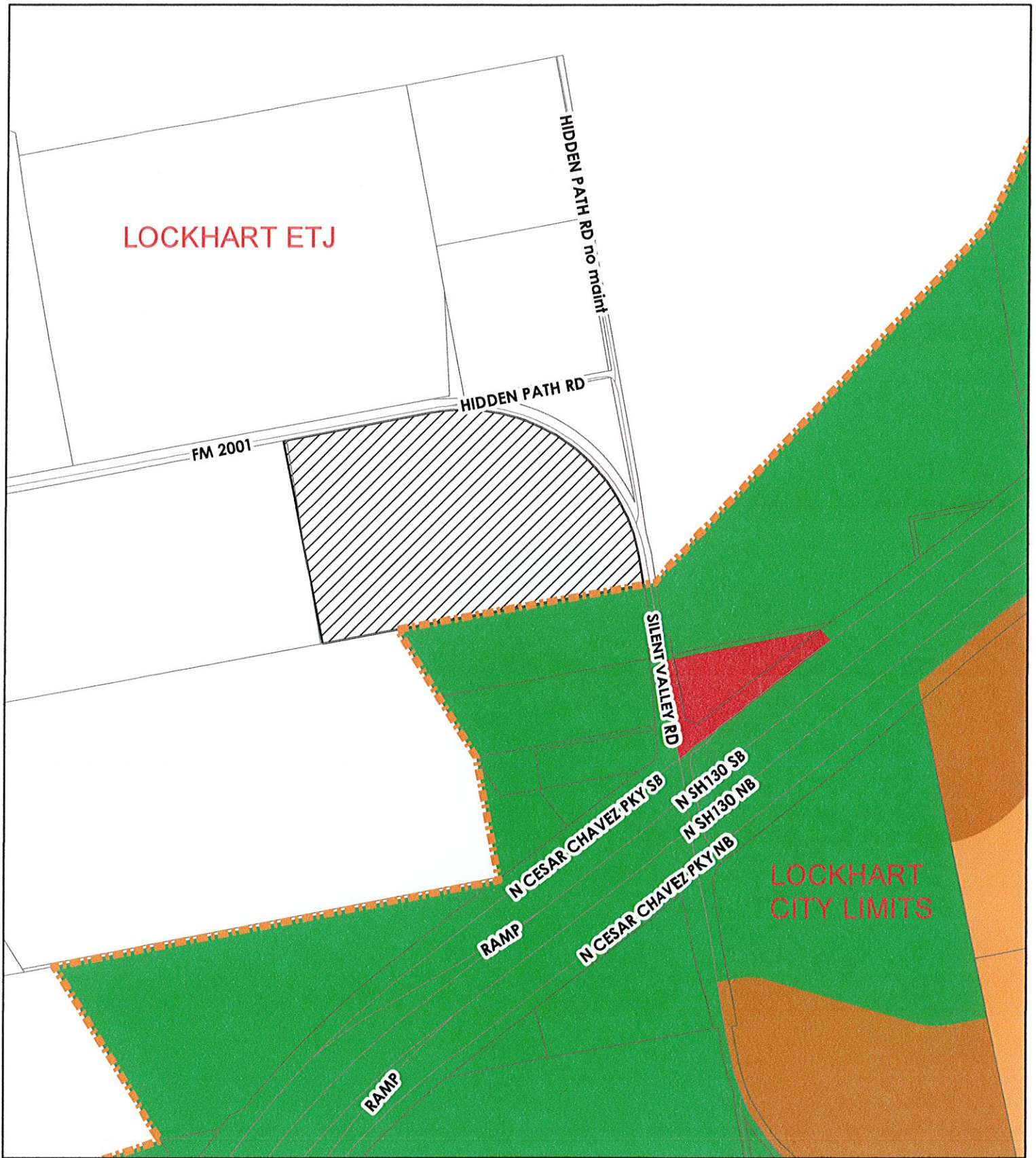
RAMP

HIDDEN PATH RD no maint

HIDDEN PATH RD

LOCKHART ETJ

FM 2001



ZC-23-09

AO TO PDD

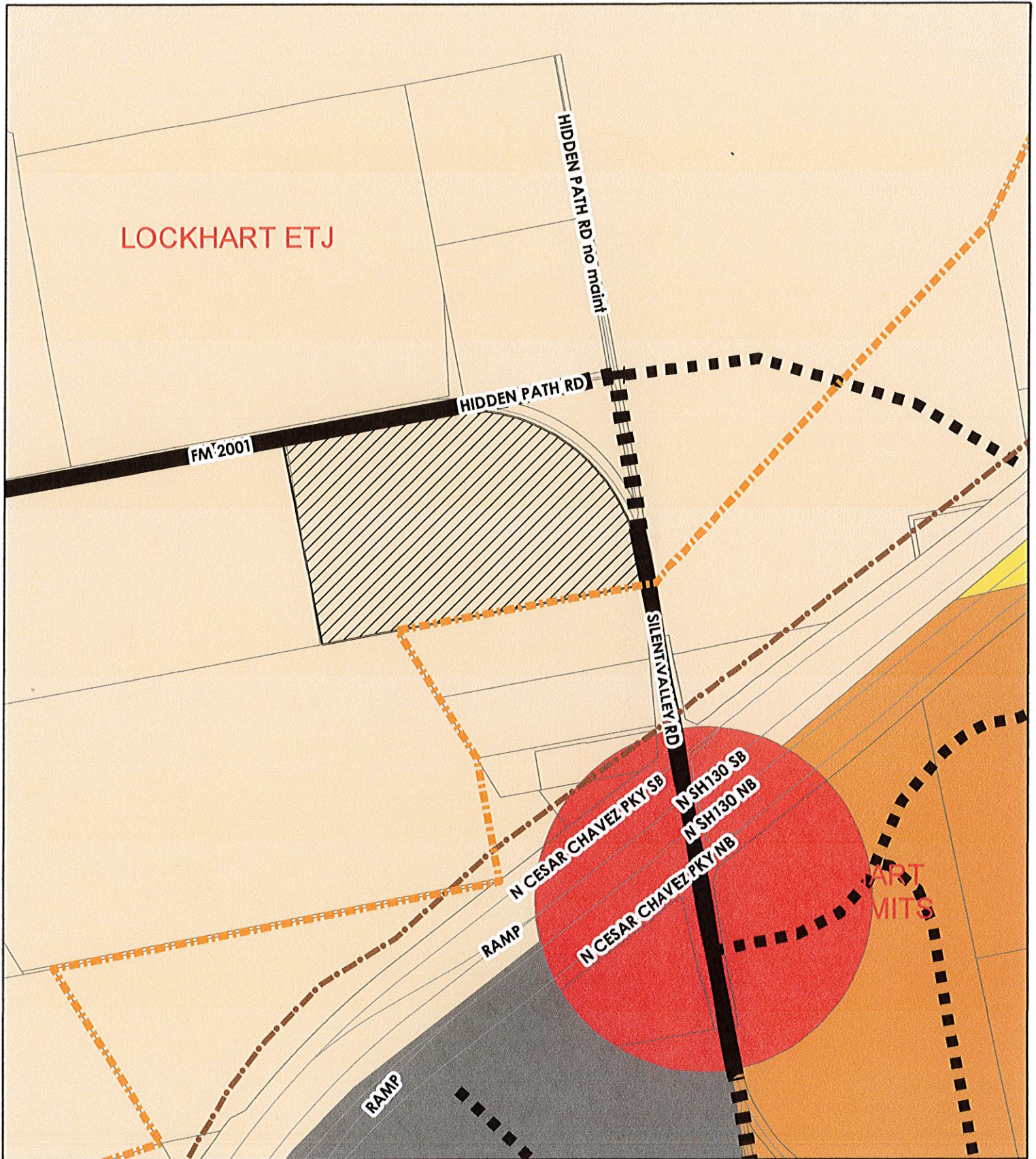
2835 FM 2001



scale 1" = 800'

ZONING DISTRICTS

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



FUTURE LANDUSE & THOROUGHFARES

AO TO PDD

2835 FM 2001



- | | |
|-------------------|-------------------------------|
| HIKE/BIKE TRAIL | AGRICULTURE/RURAL DEVELOPMENT |
| EXISTING ARTERIAL | GENERAL-HEAVY COMMERCIAL |
| FUTURE COLLECTOR | INDUSTRY |
| FUTURE ARTERIAL | RESIDENTIAL, LOW DENSITY |
| | RESIDENTIAL, MEDIUM DENSITY |

scale 1" = 800'

PLANNING DEPARTMENT REPORT

ZONING CHANGE/PDD PLAN

CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBERS: ZC-23-09, PDD 23-01

REPORT DATE: January 18, 2024

PLANNING AND ZONING COMMISSION HEARING DATE: January 24, 2024

CITY COUNCIL HEARING DATE: February 6, 2024

REQUESTED CHANGE: AO to PDD

STAFF RECOMMENDATION: ***Approval with conditions***

PLANNING AND ZONING COMMISSION RECOMMENDATION: ***Pending***

BACKGROUND DATA

APPLICANT: Pam McClain Madere, Jackson Walker, LLP

OWNER: Ian Karpov, F3 Lockhart Owner, LLC

SITE LOCATION: 2835 FM 2001

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 53 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: Agriculture/Rural Development

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: This application, along with the accompanying PDD plan, proposes to create a Planned Development District for an industrial park development with up to 877,000 square feet. A PDD is the only way to accommodate the proposed cold storage facility, which has height, parking and other characteristics which are not typical of most uses permitted by right in the Light Industrial (LI) zoning district.

PROPOSED DEVELOPMENT: The planned layout includes a single lot. Phase one would be the site of the cold storage facility, while the future phase would be the site of other light industrial uses, which are unspecified at this time. The development site would have two entrances from FM 2001/Silent Valley Road. A detention pond will be provided to serve both phases on the inside of the curve of FM 2001.

The overall regulatory structure of the requirements found on the PDD development plan are based upon the City's Light Industrial (LI) zoning district. Because of the characteristics of the proposed Cold Storage use, the applicant has proposed several standards that vary from the standards found in the base zoning district, as follows:

- 1) Maximum building height of 75 feet (50 feet in IL zoning district).
- 2) Roof-mounted mechanical equipment taller than 18 inches above the roof surface and ground-mounted mechanical equipment will not be required (is required in 64-203, Nonresidential Appearance Standards).
- 3) Sidewalks adjacent to FM 2001 are not required (is required in subdivision ordinance). This is the subject of a related subdivision variance request.
- 4) Required parking is limited to one space per 4,690 square feet of building area in phase one comprising the cold storage facility and one space per 3,000 square feet of building area in phase two, which is

currently unspecified light industrial development. The LI district specifies one parking space per 1,000 square feet.

- 5) Three of the “bonus features” listed in Section 64-203, Nonresidential Appearance Standards, would be required for each phase as it is development. Seven is the standard bonus feature requirement for developments with buildings over 25,000 square feet in area. Seeing that all three of the landscaping bonus features in 64-203 (6) l.-n. are listed as being required for each phase, this requirement as written would effectively remove the need for any architectural or other site-design related features on the site as each section develops.

The PDD development plan shows amenities including an employee break area and a four-foot-wide granite trail along the rear (east) boundary of the property in phase two. The attached PDD design document shows eight-foot fencing around the parking lot for the cold storage facility, and also details the proposed building design and signage location and design for the first phase. The trail would not be built until phase two. No details have been provided for the employee break area.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	ETJ, agricultural uses	ETJ	<i>Agriculture/Rural Development</i>
East	City and ETJ, agricultural/vacant land	ETJ, AO	<i>Agriculture/Rural Development</i>
South	Agricultural, residential	AO	<i>Agriculture/Rural Development</i>
West	Vacant Land	ETJ	<i>Agriculture/Rural Development</i>

TRANSITION OF ZONING DISTRICTS: Because PDD is not a conventional zoning classification, the basis for comparison to other zoning districts would be the development plan, which in this case. The subject project is industrial, which varies from the agricultural designation for the surrounding areas in the City and ETJ. The site’s overall intensity is similar to other uses that could be developed under the City’s LI zoning district.

ADEQUACY OF INFRASTRUCTURE: Vehicular access will be provided via FM 2001, which will be improved with turn lanes into and out of the property. The development will have an internal network of driveways connecting the two phases. Currently, the site’s utility service is inadequate for the proposed use, but the developer has received economic development incentives which will reimburse the developer for extending currently wastewater to the site and upsizing the current 3-inch water line located in FM 2001 right-of-way. The project’s water and wastewater extension plans are currently under review by the city engineer.

POTENTIAL NEIGHBORHOOD IMPACT: The properties in the areas are agricultural or undeveloped, with only the properties to the south within the City limits. The nearest industrial uses are further south between SH 130 and FM 2720 north Of West San Antonio Street (SH 142). No other development is currently planned in the area, other than a gas station/convenience store at the northeast intersection of SH 130 and FM 2001.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed PDD zoning is not consistent with the *Agriculture/Rural Development* designation for the property on the Future Land Use Plan map. The PDD will be considerably more intense than the site’s agricultural designation. However, the Lockhart 2020 Comprehensive Plan generally does not specify future land uses other than Agriculture for areas that were in the ETJ at the time the plan was written. The property part of the area designated as the City’s ETJ Industrial District on August 15, 2023, so the proposed use is consistent with that more recent designation.

ALTERNATIVE CLASSIFICATIONS: The site’s current AO zoning is consistent with the Future Land Use Plan map. However, the proposed cold storage component of the proposed development would not be possible in the current zoning district or any of the city’s standard zoning districts due to the height of the proposed building.

FORM AND CONTENT: The PDD Development Plan conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with applicable subdivision standards, in the areas of utilities, stormwater drainage, signage, and parkland. The applicant proposes a subdivision variance from the required sidewalk along FM 2001, which is also reflected in the development standards listed in the PDD development plan.

ADDITIONAL REQUIREMENTS: The applicant has worked with TxDOT to determine proper access to the site, resulting in required turn lanes into and out of the development at both entrances.

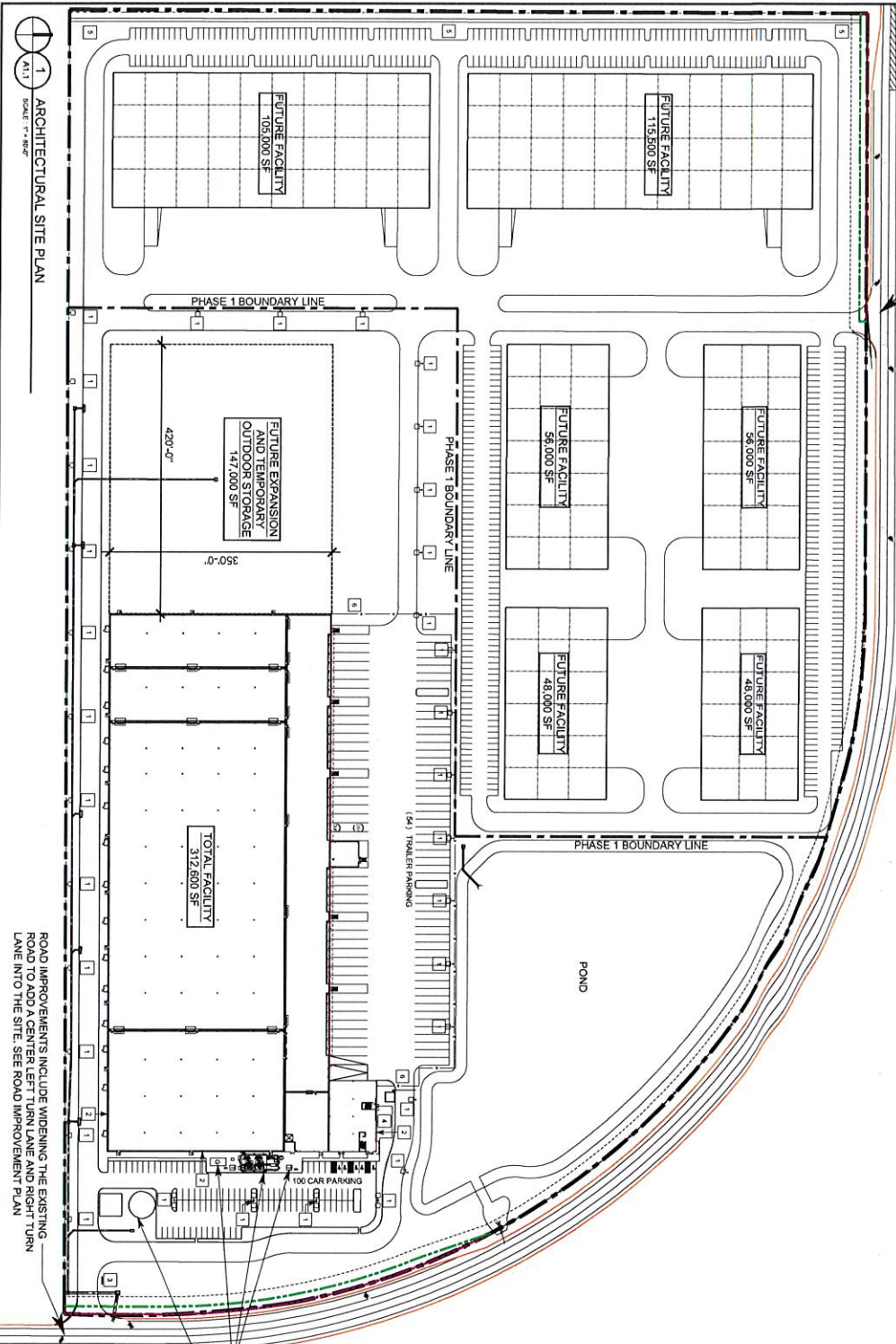
RESPONSE TO NOTIFICATION: Staff have only received one question from a nearby resident of the ETJ at this time.

STAFF RECOMMENDATION: City Planning Staff recommends approval of ZC-23-09 and PDD-23-01, proposed development will provide an industrial development type which is currently not present in Lockhart. However, many of the proposed conditions of the PDD plan have the possibility to impair the appearance of the development on the site and compatibility with future development in the surrounding area. In particular, the lack of sidewalks may become an issue as surrounding properties develop along FM 2001 due to adequate water and wastewater becoming available in the area. Additionally, while staff recognizes that the proposed cold storage use may have a lower parking demand than typical industrial uses, the 67 percent parking reduction requirement for the future phases of the development does not seem to be based on any data or case studies showing that the phase two uses would provide lower on-site parking demand than the zoning ordinance anticipates. Staff recommends the following conditions of approval:

- 1) Provide a sidewalk along FM 2001 or otherwise provide an internal trail system to connect the site's two entrances from FM 2001 that would provide access along FM 2001 in lieu of a sidewalk. Staff has requested the applicant verify if the TxDOT right-of-way could accommodate the sidewalk.
- 2) Require one parking space per 2,000 square feet of building area for phase two of the development.
- 3) Provide landscaping or other screening to conceal any ground-mounted mechanical equipment or outdoor storage areas visible from FM 2001.
- 4) Provide details of lighting fixtures to be placed at sites labeled "1" in the keynote legend on the Architectural Site Plan.
- 5) Provide at least 5 bonus features from Section 64-202, Nonresidential Appearance Standards, to include at least two features that would be incorporated into the building design.

MCCORMICK RANCH PLANNED DEVELOPMENT DISTRICT DEVELOPMENT PLAN

ROAD IMPROVEMENTS INCLUDE WIDENING THE EXISTING ROAD TO ADD A CENTER LEFT TURN LANE AND RIGHT TURN LANE INTO THE SITE. SEE ROAD IMPROVEMENT PLAN



1 ARCHITECTURAL SITE PLAN
SCALE: 1/4" = 1'-0"

ROAD IMPROVEMENTS INCLUDE WIDENING THE EXISTING ROAD TO ADD A CENTER LEFT TURN LANE AND RIGHT TURN LANE INTO THE SITE. SEE ROAD IMPROVEMENT PLAN

- KEYNOTE LEGEND**
- 1 LIGHTING TO BE INSTALLED AND OPERATED PER MANUFACTURER'S REQUIREMENTS. LIGHTING SHALL ONLY BE USED WHERE NEEDED FOR SAFETY AND SECURITY PURPOSES. LIGHTING SHALL NOT BE USED FOR ANY BUILDING LIGHTING WILL NOT BE USED.
 - 2 EXTERIOR BUILDING SIGNAGE COMPLYING WITH CODES OF ORDINANCES CITY OF LOCKHART, TEXAS. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF LOCKHART, TEXAS. SIGNAGE SHALL NOT BE INSTALLED ON THE FRONT FACADE OF THE BUILDING UNLESS SPECIFICALLY ALLOWED BY THE CITY OF LOCKHART, TEXAS. SIGNAGE SHALL NOT BE INSTALLED ON THE FRONT FACADE OF THE BUILDING UNLESS SPECIFICALLY ALLOWED BY THE CITY OF LOCKHART, TEXAS.
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- GENERAL NOTES**
1. DEVELOPMENT OF THE PROPERTY SHALL COMPLY WITH ALL APPLICABLE CITY OF LOCKHART, TEXAS ORDINANCES AND THE CITY OF LOCKHART, TEXAS ZONING ORDINANCE. THE DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF LOCKHART, TEXAS ZONING ORDINANCE.
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PDD SUBMITTAL : 01.16.2024

NOT FOR CONSTRUCTION

DATE: 01/16/2024

SHEET NUMBER: A1.1

PROJECT: RELATED FUND MANAGEMENT REALCOLD LOCKHART

LOCATION: COUNTY ROAD 303 & SILENT VALLEY ROAD, LOCKHART, TEXAS 78644

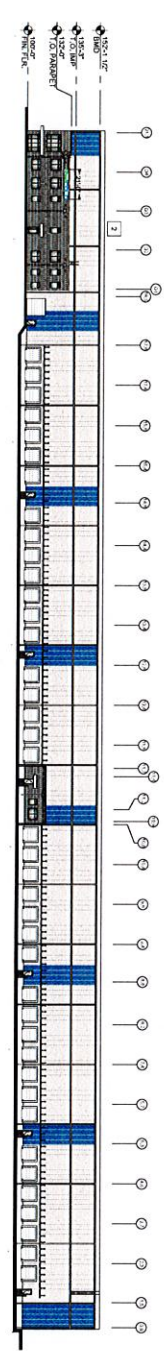
PROJECT: RELATED FUND MANAGEMENT REALCOLD LOCKHART

LOCATION: COUNTY ROAD 303 & SILENT VALLEY ROAD, LOCKHART, TEXAS 78644

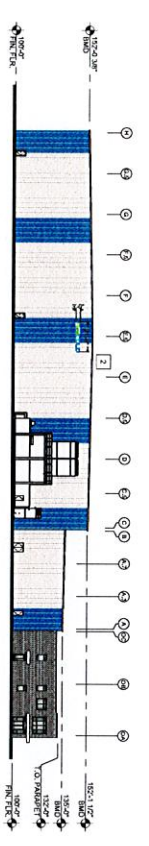
ARCHITECT: GMA ARCHITECTS

DESIGN BUILDER: ARCO NATIONAL CONSTRUCTION

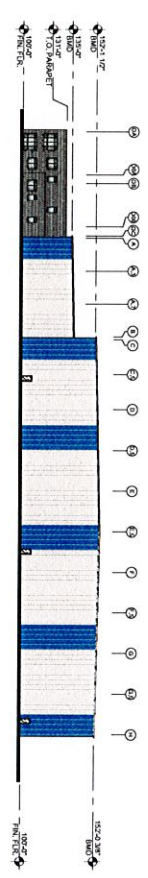
CONSULTING ENGINEERS: [List of engineering firms and their contact information]



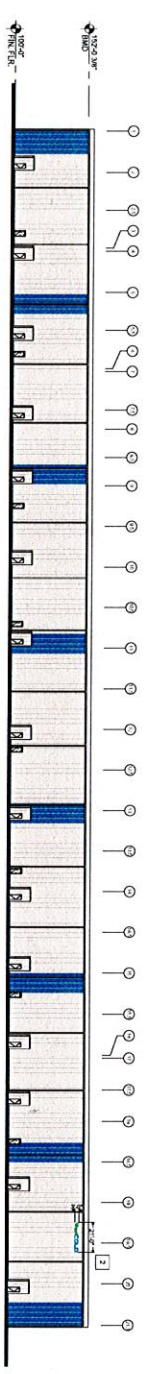
1 NORTH ELEVATION
AS.3 SCALE: 1" = 48'-0"



2 EAST ELEVATION
AS.3 SCALE: 1" = 48'-0"



3 WEST ELEVATION
AS.3 SCALE: 1" = 48'-0"



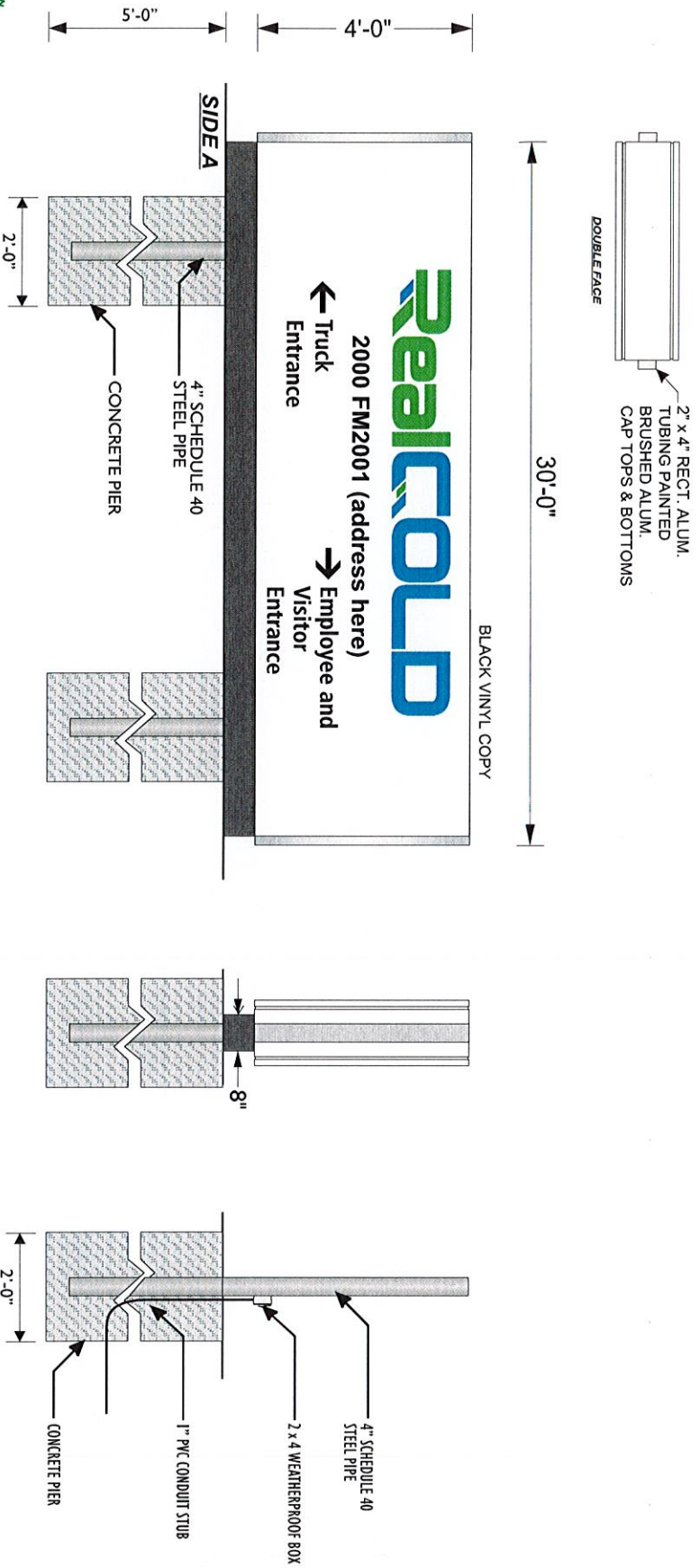
4 SOUTH ELEVATION
AS.3 SCALE: 1" = 48'-0"

2 EXTERIOR BUILDING SIGNAGE, COMPARTMENTALIZATION, AND COLOR OF ORNAMENTAL CITY OF LOCKHART, TEXAS CHAPTER 46 AND SIZE MAY CHANGE BASED FINAL COORDINATION WITH OWNER. ALL BUILDINGS SHALL BE CONSTRUCTED TO COMPLY WITH CODE OF ORDINANCES CITY OF LOCKHART, TX CHAPTER 46

PDD SUBMITTAL : 01.16.2024

SHEET NUMBER AS.3 RELATED FUND MANAGEMENT REALCOLD LOCKHART	PROJECT RELATED FUND MANAGEMENT REALCOLD LOCKHART COUNTY ROAD 303 & SILENT VALLEY ROAD LOCKHART, TEXAS 78644	ARCHITECT GMA ARCHITECTS 1800 CLAYTON ROAD, STE 300 RICHMOND HEIGHTS, MO 63117 PH: 314.882.8111 WWW.GMAARCHITECTS.COM	DESIGN BUILDER ARCO NATIONAL CONTRACTORS 1021 14TH AVENUE SE, STE 229 BELLVILLE, MO 63024 PH: 204.484.8111 WWW.ARCONATIONAL.COM	CONSULTING ENGINEERS ELECTRICAL MECHANICAL PLUMBING PIPE PROTECTION REFRIGERATION
	NOT FOR CONSTRUCTION	REVISIONS 1	DATE: 01/16/2024 DRAWN BY: JAVIER CHECKED BY: JAVIER DESIGNED BY: JAVIER PERMIT DATE: 02/06/2024	ALL MATERIAL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LOCKHART, TEXAS CHAPTER 46. ALL BUILDINGS SHALL BE CONSTRUCTED TO COMPLY WITH CODE OF ORDINANCES CITY OF LOCKHART, TX CHAPTER 46.

McCormick Ranch Planned Development District Development Plan Lockhart Cold Storage



SIGN OPTION A
ELEVATION: NOTE
1/2" SCALE

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 Pamela Madere
DAY-TIME TELEPHONE 512-236-2048
E-MAIL pmadere@jw.com

ADDRESS 100 Congress Ave., Suite 1100
Austin, TX. 78701

OWNER NAME F3 Lockhart Owner LLC
DAY-TIME TELEPHONE _____
E-MAIL ikarpov@related.com

ADDRESS c/o Ivan Karpov
30 Hudson Yards, 83rd Floor
New York, NY 10001

PROPERTY

ADDRESS OR GENERAL LOCATION 2835 FM 2001, Lockhart, TX.

LEGAL DESCRIPTION (IF PLATTED) 53 ac. out of Cornelius Crenshaw Survey, Abstract No. 68

SIZE 53 ACRE(S) LAND USE PLAN DESIGNATION Agriculture / Rural Development

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

PROPOSED NEW USE, IF ANY Industrial

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AO (following annexation)

TO PROPOSED ZONING CLASSIFICATION PDD

REASON FOR REQUEST The zoning is required in order to develop the property for an industrial park

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 \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$10,000, PLUS ADDITIONAL \$1,000 FOR PLANNED DEVELOPMENT DISTRICT.

APPLICATION FEE OF \$9,200.00 PAYABLE TO THE CITY OF LOCKHART.

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 Pat Mal

DATE 11/2/23

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER R01259301

DATE SUBMITTED 1/13/23

CASE NUMBER ZC - 23 - 09

DATE NOTICES MAILED 1/8/24

DATE NOTICE PUBLISHED 1/11/24

PLANNING AND ZONING COMMISSION MEETING DATE 1/24/2024

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE _____

DECISION _____

May 8, 2023

Honorable Mayor and City Council Members
c/o Mike Kamerlander
City of Lockhart
308 West San Antonio Street
Lockhart, Texas 78644

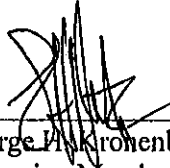
Re: Voluntary Annexation Petition – Project Apple Pie, Lockhart, Texas
("Property")

Honorable Mayor and City Council Members:

As the current owner of the Property, I hereby submit my request for voluntary annexation and zoning for the Property.

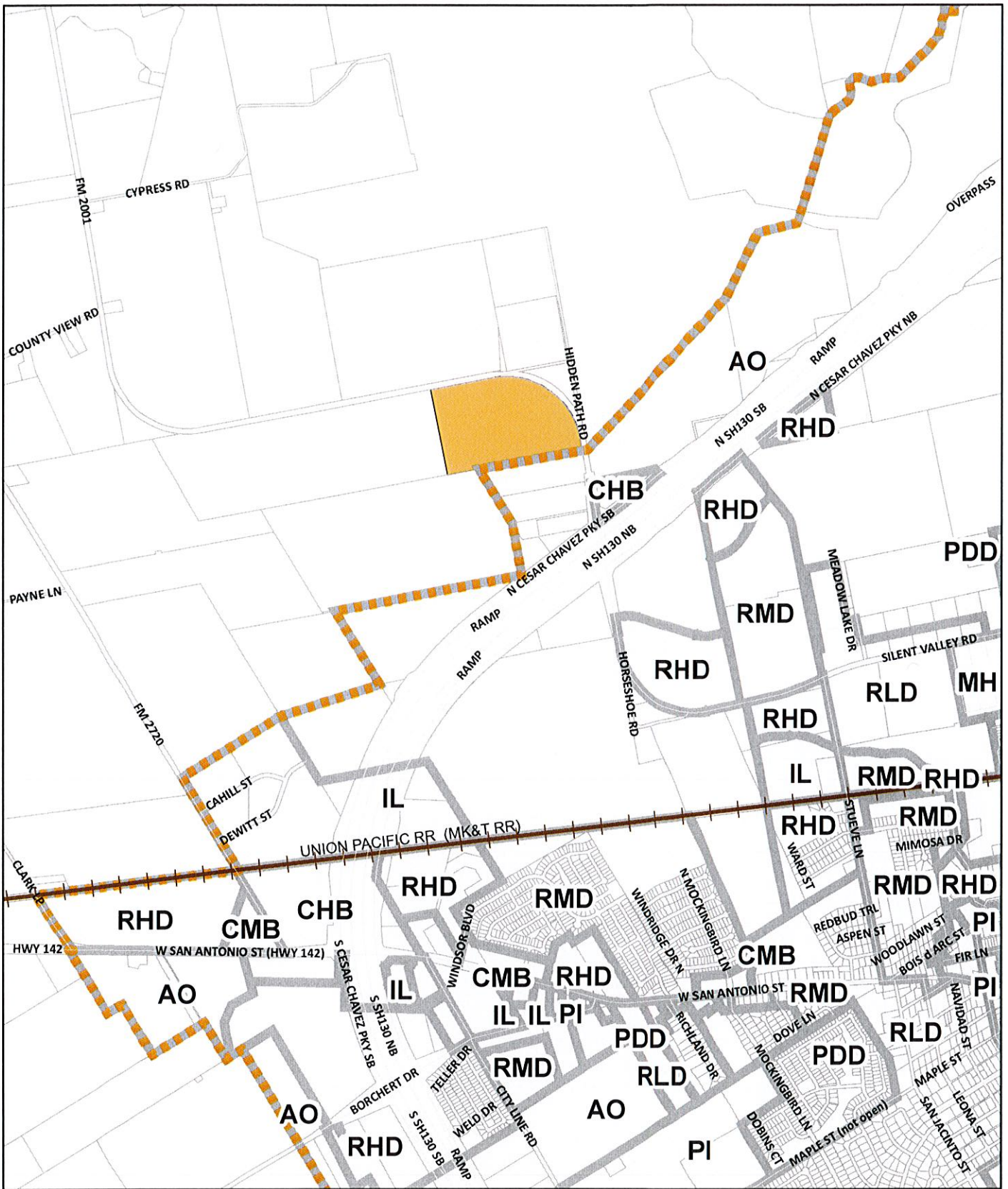
As owner, I reserve the right to withdraw this annexation request from consideration at any time during the proceedings. Pam Madere, Jackson Walker LLP, will serve as the agent for these applications.

Sincerely,



Name: George H. Kronenberg, III

Title: Managing Member, McCormick Ranch Partners, LP, a
Texas limited partnership



PP-23-04

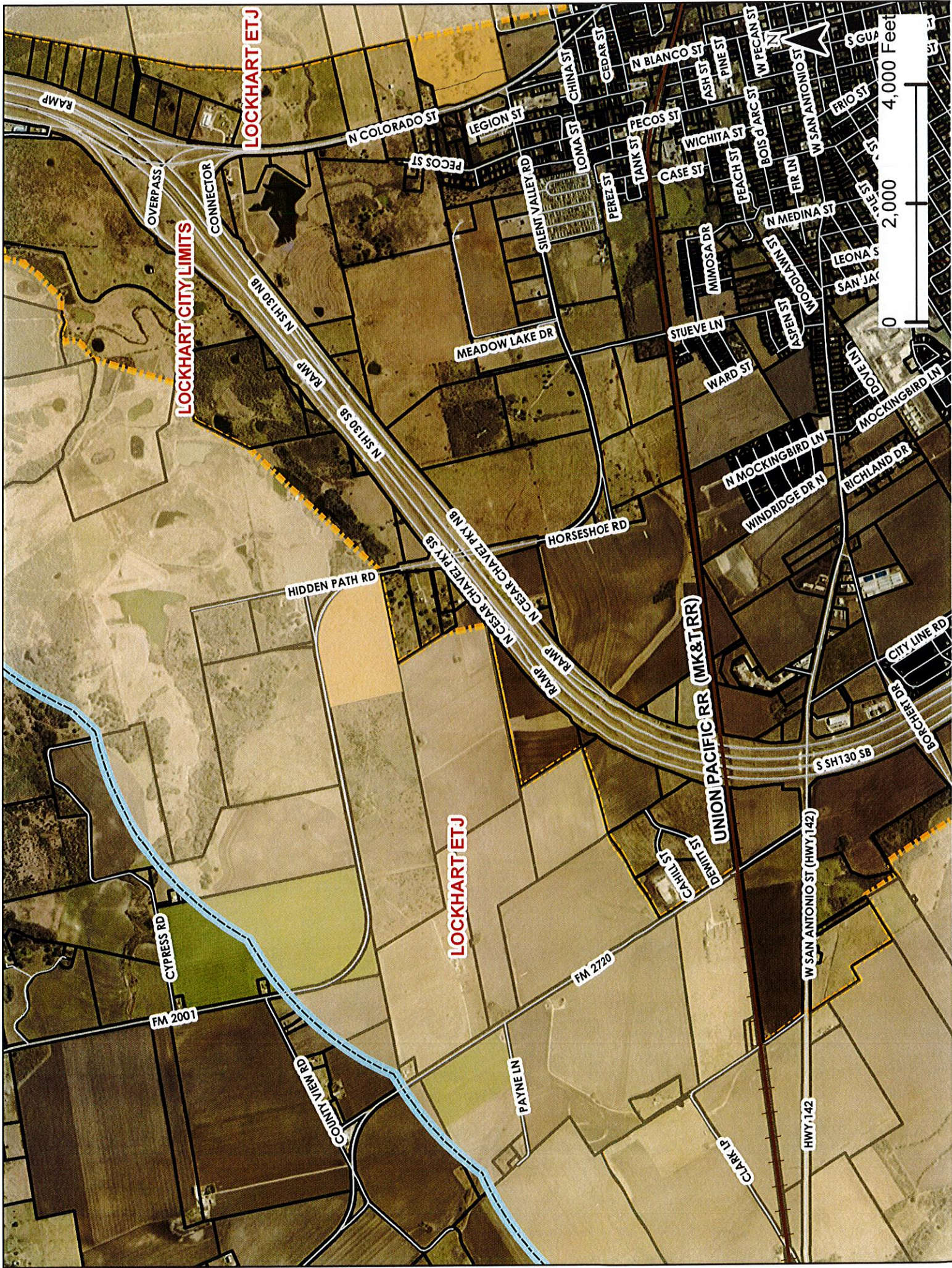
2835 FM 2001

MCCORMICK RANCH
PLANNED DEVELOPMENT



- SUBJECT PROPERTY
- ZONING DISTRICT
- CITY LIMITS

scale 1" = 2,000'



LOCKHART CITY LIMITS

LOCKHART ETJ

LOCKHART ETJ

UNION PACIFIC RR (MK&TRR)

0 2,000 4,000 Feet

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner

CASE NUMBER: PP-23-04

REPORT DATE: January 17, 2024

PLANNING & ZONING COMMISSION DATE: January 24, 2024

STAFF RECOMMENDATION: *Approval of the Plat and Denial of the Variance Request*

SUGGESTED CONDITIONS: None

BACKGROUND DATA

APPLICANT: Pam McClain Madere, Jackson Walker, LLP

ENGINEER: C.J. Ponton, P.E., Kimley-Horn and Associates, Inc.

SURVEYOR: Jason Ward, P.L.S., 4Ward Land Surveying

OWNER: Ivan Karpov, F3 Lockhart Owner, LLC

SITE LOCATION: 2835 FM 2001

PROPOSED SUBDIVISION NAME: **McCormick Ranch Planned Development**

SIZE OF PROPERTY: 53 acres

NUMBER OF LOTS: One Light Industrial Lot

EXISTING USE OF PROPERTY: Undeveloped

ZONING CLASSIFICATION: Currently located outside of the City limits and within the ETJ (Extraterritorial Jurisdiction); proposed annexation into the City and rezoned to PDD (Planned Development District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The McCormick Ranch Planned Development Preliminary Plat accompanies the PDD Development Plan and Zoning Change request (PDD-23-01 and ZC-23-09, respectively) from Agricultural-Open Space (AO) to PDD for the same property. Currently, the property is located outside of the City limits and within the ETJ, with an annexation request scheduled for consideration by the City Council on January 18, 2024. If the annexation is approved, the property's default zoning classification will be AO, which would then be changed to PDD upon approval of the zoning change request by the City Council at a future meeting. The plat includes one proposed 53-acre lot out of a larger, 168.04-acre property, to contain light industrial uses. This lot will be split into two phases of building development according to the PDD Development Plan, with the first phase to include a cold storage facility, and the second phase to contain future light industrial operations. A four-foot-wide compacted gravel employee walking trail will be located along the full length of the west boundary of the lot, to be constructed with the development of Phase 2. In addition, a Subdivision Variance is requested concurrent with the Preliminary Plat submission to the sidewalk requirement along the property's FM 2001 frontage, as detailed in the variance section below.

NEIGHBORHOOD COMPATIBILITY: Of the two neighboring properties to the east, across FM 2001 and Hidden Path Road, one is vacant and located within the ETJ outside of the City limits, and the other is a very large parcel located partially within the City limits and partially within the ETJ that is developed with a single-family residence. The parcel to the north, across FM 2001, is vacant and fully within the ETJ. To the west is the remainder of the subject property that is not being included in the proposed subdivision plat. Both of the adjacent parcels to the south are vacant and in seasonal agricultural use, with one located fully within the City limits, and the other partially within the City limits and partially within the ETJ. At the time of the final plat stage, roadway improvements to FM 2001 that have been identified as

required by TxDOT, including a left-turn lane and right-turn / deceleration lane both at the proposed east property entrance into the Phase 1 development, and the proposed north entrance into the Phase 2 development, must be constructed as subdivision improvements, prior to issuance of a Certificate of Occupancy for the first structure constructed in each respective phase.

FORM AND CONTENT: The plat complies with all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will meet all applicable subdivision standards, including utility line extensions and stormwater drainage, except for compliance with the sidewalk requirement along FM 2001, for which a variance is requested. The final engineering design must be completed prior to issuance of a Certificate of Occupancy for the first structure constructed in each respective phase.

CONCURRENT VARIANCE REQUESTED: A Variance is requested to the requirement in Subdivision Regulations Section 52-77(b) that requires a 6-foot-wide public sidewalk along arterial streets, in this instance, FM 2001. The applicant proposes no sidewalk along the subdivision's FM 2001 frontage, and explains that a planned drainage channel along the majority of the property's roadway frontage as part of a roadway improvement project required by TxDOT, to also include turning lanes as noted above, will compromise the construction of a sidewalk along the road frontage. In lieu of the sidewalk, the applicant proposes a pedestrian path along the west property boundary, as referenced above. The applicant's justification is explained in the attached letter dated December 18, 2021 (presumably intended to be 2023) from the applicant's engineer.

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.

The Commission's decision regarding the plat approval and/or the granting of the subdivision variance may be appealed to City Council.

Upon review of the variance criteria in light of the request, Staff recommends **denial** of the variance. Although the construction of a drainage channel along the roadway frontage would present an obstacle for the placement of a sidewalk, the approximately 80-foot road right-of-way width should allow for a sidewalk to be constructed alongside the channel, depending upon the channel width. Section 52-77(e)(1) establishes that if a sidewalk within the right-of-way is not feasible, it may instead be constructed within a dedicated public access easement within the property boundaries along the right-of-way. As another alternative, Section 52-77(e)(2) states that the subdivider may, at the City's discretion, pay a fee in lieu of sidewalk construction. It should also be noted that there is a public safety issue with not constructing a sidewalk along a roadway with a 60-mph speed limit, for those who might be tempted to walk along the edge of the road from one portion of the property to another. Since the variance request arises from a roadway improvement project for TxDOT, Staff might be inclined to change its

recommendation, depending upon whether TxDOT is in support of the variance. The applicant has recently contacted TxDOT for comment on the variance request, and Staff will provide any updates at the time of the Commission meeting.



December 18, 2021

City of Lockhart
308 W. San Antonio
PO Box 239
Lockhart, TX 78644

**Re: Letter of Intent – Subdivision Plat Application Variance Request
2835 FM 2001
Lockhart, TX 78644**

To whom it may concern,

On behalf of our client, Kimley-Horn has prepared this letter of intent to accompany the site development variance application for the RFM Real Cold Lockhart project. The 53-acre site is located on FM 2001 within the City of Lockhart Extraterritorial Jurisdiction. This variance request is being submitted as part of the Planned District Development application which will incorporate the property into City of Lockhart full jurisdiction.

This project is requesting variance from section 52-77(b) of the City of Lockhart's Code of Ordinances:

(b)Public sidewalks not less than four feet wide shall be provided on each side of collector streets and minor nonresidential streets, and on one side of minor residential streets, including culs-de-sac exceeding 350 feet in length as measured in accordance with subsection 52-72(k). Public sidewalks not less than six feet wide shall be provided on each side of arterial streets and on the subdivision side of expressway frontage roads. Required sidewalks shall be constructed by the builder for each lot before a certificate of occupancy will be issued for any structure thereon. Sidewalks required along public streets abutting property that is already developed, abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility in accordance with subsection 52-112, shall be constructed by the subdivider as a subdivision improvement, and accepted by the city, prior to the plat being recorded.

We are proposing improvements of FM 2001 through a TxDOT donation agreement, which includes a drainage channel along the majority of the property's roadway frontage. This creates a grading constraint for a sidewalk along the property's FM 2001 frontage. In lieu of a roadway frontage sidewalk, we are proposing a pedestrian path along the westernmost portion of our site, where proposed grading can accommodate it for internal pedestrian circulation.

If there is additional information that you require, please contact me at (737) 787 8750.

Sincerely,

Kimley-Horn and Associates, Inc.

C.J. Ponton, P.E.

OWNER:
F3 LOCKHART OWNER, LLC
35 HUDSON YARDS, FL 83
NEW YORK, NY 10001

SURVEYOR:
CORNELIUS CRENSHAW SURVEYING
4120 REDBROOK LN, SUITE 200
AUSTIN, TX 78744

ENGINEER:
KIMLEY-HORN & ASSOCIATES, INC.
5301 SOUTHWEST PARKWAY
AUSTIN, TX 78735

SILENT VALLEY FARM, LLC
CALLED 108.129 ACRES
DOC. NO. 2020-040913
O.P.R.C.C.T.
LAND USE: UNDEVELOPED

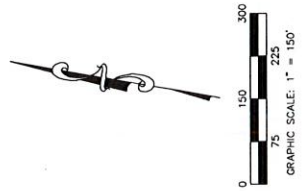
BETTY MAGEE BALSER
CALLED 0.66 ACRE
VOL. 267, PG. 223
D.R.C.C.T.
LAND USE: UNDEVELOPED

HIDDEN PATH RV RESORT
LIMITED LIABILITY COMPANY
CALLED 20.252 ACRES
DOC. NO. 2022-004638
O.P.R.C.C.T.
LAND USE: CAMPGROUND

HIDDEN PATH RD
(NO RECORD INFO FOUND)

MCCORMICK RANCH PARTNERS, LP
CALLED 4.40 ACRES
(TRACT "1")
DOC. NO. 2021-007211
O.P.R.C.C.T.
LAND USE: UNDEVELOPED

F.M. 2001 (R.O.W. VARIES)



MCCORMICK RANCH PARTNERS, LP
REMAINDER OF CALLED 168.04 ACRES
(TRACT "2")
DOC. NO. 2021-007211
O.P.R.C.C.T.
LAND USE: UNDEVELOPED

CORNELIUS CRENSHAW SURVEY SUBTRACT ABNO. 68

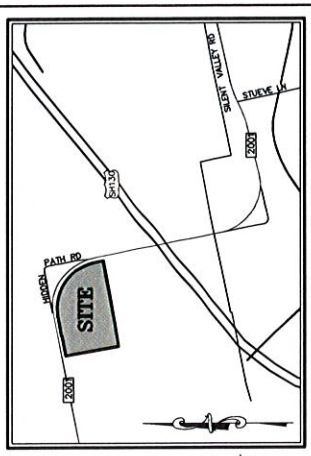
LOT 2, BLOCK 1
SPILLMANN SUBDIVISION
CAB. C. SLD. 108
P.R.C.C.T.
LAND USE: AGRICULTURAL

LOT SUMMARY TABLE

LOT	PROPOSED PHASE 1 USE	LOT AREA (ACRES)	LOT AREA (SQ. FT.)
LOT 1, BLOCK A	INDUSTRIAL	52.6872 ACRES(S)	2,295,053 SQ. FT.
R.O.W. DEDICATION	RIGHT-OF-WAY	0.3128 ACRES(S)	13,628 SQ. FT.
TOTAL		53.0000 ACRES	2,308,681 SQ. FT.
LOT 1, BLOCK A	PROPOSED PHASE 2 USE	LOT AREA (ACRES)	LOT AREA (SQ. FT.)
TOTAL	INDUSTRIAL	52.6872 ACRES	2,295,053 SQ. FT.
		52.6872 ACRES	2,295,053 SQ. FT.

JUAN A. & ALICE D. GARCIA
CALLED 14.914 ACRES
DOC. NO. 2019-003279
O.P.R.C.C.T.
LAND USE: AGRICULTURAL

- PLAT NOTES:**
- 1) THIS PROPERTY IS LOCATED WITHIN THE 1% (UNSHADDED) AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN AS SHOWN ON FIRM #16-048568000E, CALDWELL COUNTY, TEXAS AND INCORPORATED AREAS. MAP REVISED JUNE 19, 2012. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
 - 2) NO PUBLIC SIDEWALKS ARE PROPOSED ALONG THE FRONTAGE OF PROPERTY ABUTTING RIGHT-OF-WAY.
 - 3) THIS PROPERTY IS CURRENTLY LOCATED OUTSIDE OF THE LOCKHART CITY LIMITS AND LOCATED WITHIN THE LOCKHART EXTRA-TERRITORIAL JURISDICTION, AND IS PROPOSED TO BE ANNEXED INTO THE CITY AND REZONED TO PDD (PLANNED DEVELOPMENT DISTRICT).
 - 4) A 4-FOOT WIDE COMPACTED GRAVEL EMPLOYEE WALKING TRAIL SHALL BE PROVIDED ALONG THE WEST BOUNDARY OF THE LOT, EXTENDING FROM THE SOUTH BOUNDARY TO THE NORTH BOUNDARY AT THE F.M. 2001 RIGHT-OF-WAY. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THIS WALKING TRAIL. THE SURVEYOR HAS NO CONTRACT FOR THE FIRST STRUCTURE CONSTRUCTED IN PHASE 2 OF THE PDD ASSOCIATED WITH THIS LOT.



VICINITY MAP
GRAPHIC SCALE: 1" = 2000'

DARRYL W. MUELLER & HEATHER RENAE GISLER, CO-TRUSTEES OF THE MUELLER FARM & RANCH IRREVOCABLE TRUST
CALLED 986.762 ACRES
(TRACT "2")
DOC. NO. 2015-006741
O.P.R.C.C.T.
LAND USE: AGRICULTURAL

HIDDEN PATH RD
(NO RECORD INFO FOUND)

BEARING BASIS:
ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4200+), HORIZONTAL DATUM OF 1983, MEAN SEA LEVEL SURFACE USING A COMBINED SCALE FACTOR OF 1.00014354478.

SURVEY CONTROL:
CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH CONCRETE CAP SET IN THE CORNER OF THE LOT. THE ELEVATION HEREIN WERE COMPUTED FROM NGS O.P.L.S. SOLUTION REPORT DERIVED FROM 4WARD STATIC DATA COLLECTED MARCH 20, 2023.

BENCHMARK NOTE:
BM "1" - SQUARE CUT ON TOP OF CONCRETE IN THE EAST MARGIN OF F.M. 2001 ±140' NORTHWEST FROM A POWER POLE WITH CONCRETE CAP SET IN THE CORNER OF THE LOT. THE ELEVATION OF A 3.31" CEDAR ELM WITH TREE TAG #6003 IN THE WEST MARGIN ELEVATION = 562.26'

MCCORMICK RANCH PLANNED DEVELOPMENT DISTRICT
PRELIMINARY PLAT
City of Lockhart ETJ,
Caldwell County, Texas

Project: 01641
Scale: 1" = 100'
Reviewer: DM
Title: TR
Field Date: 3/21/23
Survey Date: MAR. 2023
INFO@4WARDLS.COM (813) 537-2384
TBPELS FRM #0174200
Sheet: 1 OF 3

CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
C1	1,095.09'	415.08'	21°43'03"	S21°15'15"E	412.60'
C2	1,107.08'	1,056.03'	54°20'35"	S65°09'21"E	1,011.11'
C3	1,107.08'	533.09'	27°35'23"	S24°11'22"E	527.96'
C4	1,107.08'	158.23'	81°1'00"	S83°34'42"W	156.09'
C5	914.54'	124.04'	7°46'16"	N63°02'02"E	123.95'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S28°58'57"E	113.42'
L2	S10°17'36"E	160.58'
L3	N79°31'56"E	479.40'
L4	N10°25'33"W	11.76'
L5	N85°29'49"E	32.24'

LEGEND

PROPERTY LINE
PROPERTY LINES

1/2" IRON ROD WITH "MMMD" BOUNDARY CAP SET (UNLESS NOTED)

1/2" IRON ROD FOUND (UNLESS NOTED)

TWOOT TYPE I CONCRETE MOMENT FOUND (UNLESS NOTED)

CONCRETE FOUND (UNLESS NOTED)

CALCULATED POINT

TRIBUTORY
SURVEY CONTROL POINT

P.B.B.
POINT OF BEGINNING

C&A/L.D.
C&A/L.D. NUMBER

D.C. NO.
DOCUMENT NUMBER

R.O.W.
RIGHT-OF-WAY

P.R.I.C.T.
PLAT RECORDS, CALDWELL COUNTY, TEXAS

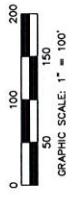
O.P.R.C.C.T.
OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS

(.....)
RECORD INFORMATION PER DEED DOC. NO. 2021-007781

[.....]
RECORD INFORMATION PER DEED DOC. NO. 2021-007781

[.....]
RECORD INFORMATION PER DEED DOC. NO. 2021-007781

[.....]
RECORD INFORMATION PER DEED DOC. NO. 2021-007781

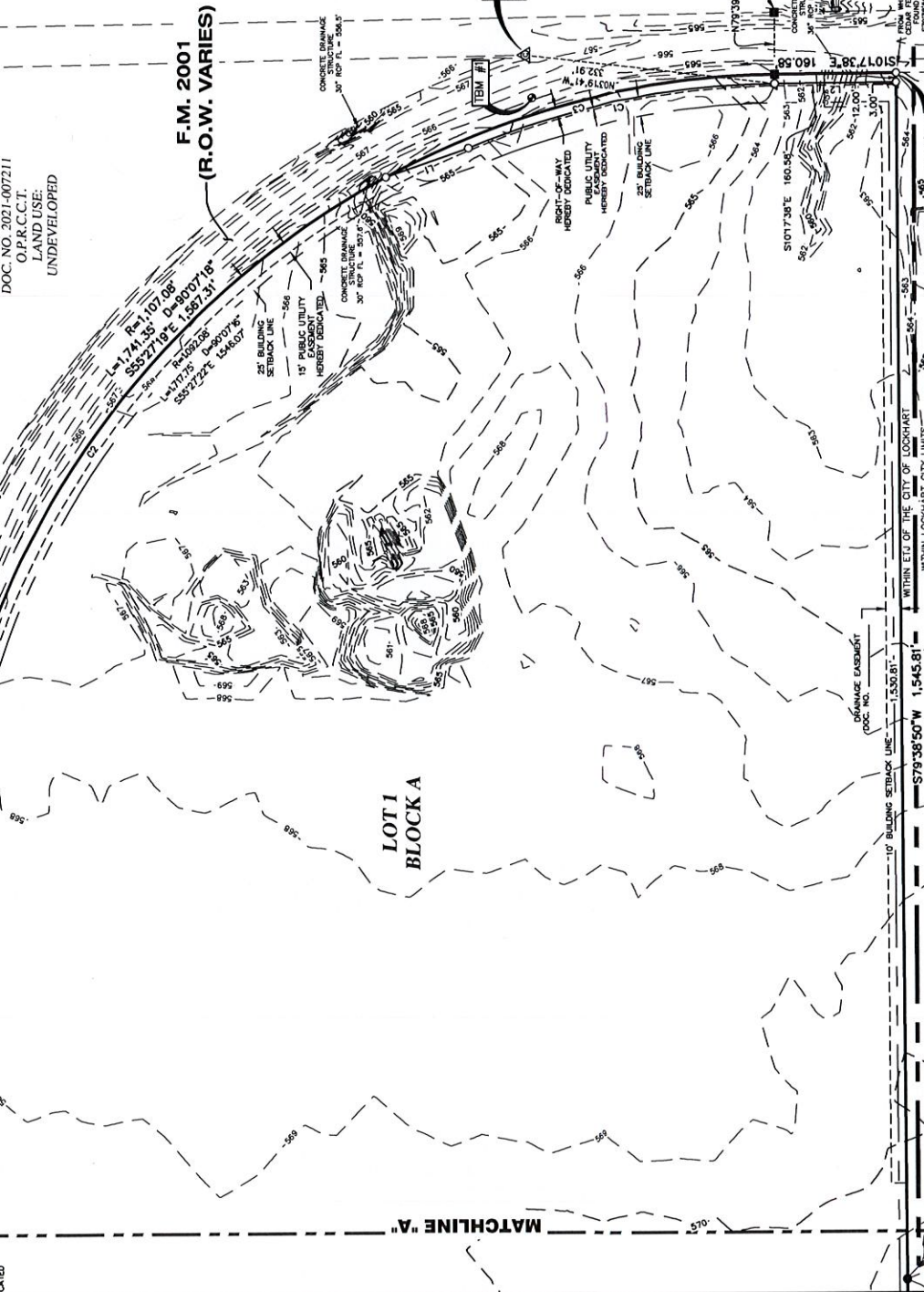


SILENT VALLEY FARM, LLC
CALLED 108.129 ACRES
DOC. NO. 2020-000913
O.P.R.C.C.T.
LAND USE: UNDEVELOPED

BETTY MAGBE BALSER
CALLED 0.666 ACRE
VOL. 267, PG. 223
D.R.C.C.T.
LAND USE: UNDEVELOPED

HIDDEN PATH RD (NO RECORD INFO FOUND)

MCCORMICK RANCH PARTNERS, LP
CALLED 4.40 ACRES
(TRACT "J")
DOC. NO. 2021-007211
O.P.R.C.C.T.
LAND USE: UNDEVELOPED



MCCORMICK RANCH PLANNED DEVELOPMENT DISTRICT
PRELIMINARY PLAT
City of Lockhart ETJ, Texas
Caldwell County, Texas

DARRYL W. MUELLER & HEATHER RENEAE GISLER, CO-TRUSTEES OF
THE MUELLER FARM &
RANCH IRREVOCABLE TRUST
CALLED 986.762 ACRES
(TRACT "I")
DOC. NO. 2015-006741
O.P.R.C.C.T.
LAND USE: AGRICULTURAL

AWARD Land Surveying
A Caldwell County, Texas Land Surveying Company
PO Box 98876, Austin Texas 78709
INFO@AWARDLS.COM (512) 837-2384
Website: www.awardls.com

Date: 1/10/2024
Project: 01841
Scale: 1" = 100'
DW: [blank]
Reviewer: [blank]
Title: [blank]
Field Color: [blank]
Field Date: MAR 2023
Survey Date: MAR 2023
Sheet: 2 OF 2
TABLES: FROM P10174200

MATCHLINE "A"

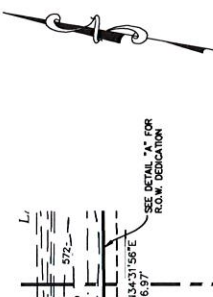
WITHIN CITY LIMITS OF LOCKHART, TEXAS

WITHIN CITY LIMITS OF LOCKHART, TEXAS

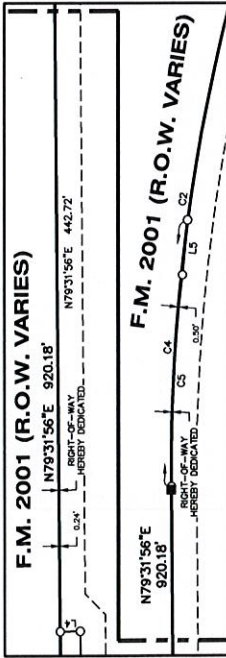
WITHIN CITY LIMITS OF LOCKHART, TEXAS

SILENT VALLEY FARM, LLC
 CALLED 108.129 ACRES
 DOC. NO. 2020-006913
 O.P.R.C.C.T.
 LAND USE: UNDEVELOPED

F.M. 2001 (R.O.W. VARIES)



DETAIL "A"
 SCALE: 1"=50'



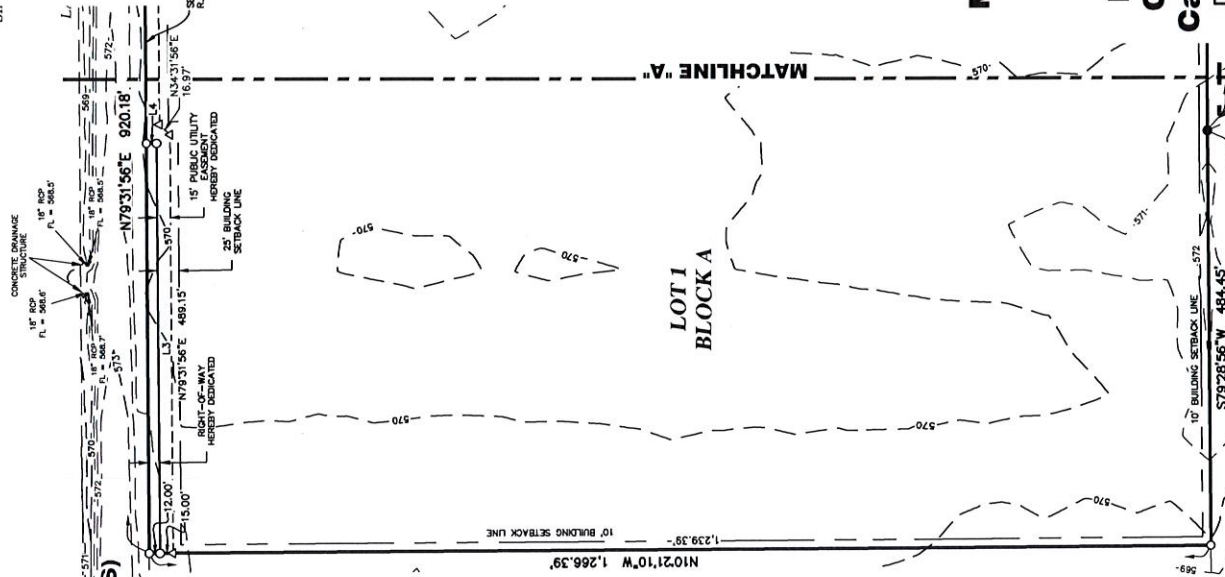
MCCORMICK RANCH PARTNERS, LP
 REMAINDER OF CALLED 168.04 ACRES
 (TRACT "2")
 DOC. NO. 2021-007211
 O.P.R.C.C.T.
 LAND USE: UNDEVELOPED

CORNELIUS CRENSHAW SURVEY
ABSTRACT NO. 68

92A PARTNERSHIP, LLC
 CALLED 92.793 ACRES
 DOC. NO. 2021-009427
 O.P.R.C.C.T.
 LAND USE: AGRICULTURAL

S79°28'56"W 3.08157'
 S79°28'07"W 3.263427'
 LOT 2, BLOCK 1
 SPILLMANN SUBDIVISION
 CAB. C. SLD 108
 P.R.C.C.T.
 LAND USE: AGRICULTURAL

SH



LEGEND	
—	PROPERTY LINE
- - -	EXISTING PROPERTY LINES
- - -	1/2" IRON ROD WITH "AWARD" BOUNDARY CAP SET (UNLESS NOTED)
○	1/2" IRON ROD FOUND (UNLESS NOTED)
●	PROPERTY MONUMENT FOUND (UNLESS NOTED)
■	TOOTH TYPE II BRASS DISC FOUND (UNLESS NOTED)
△	CALCULATED POINT
△	SURVEY CONTROL POINT
△	POINT OF BEGINNING
△	CABINET, SLICE
△	DOC. NO.
△	R.O.W.
△	P.R.C.C.T.
△	OP.R.C.C.T.
(---)	OPTIONAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS
(---)	RECORD INFORMATION PER DEED DOC. NO. 2021-007211
(---)	RECORD INFORMATION PER DEED DOC. NO. 2019-002279
(---)	RECORD INFORMATION PER DEED CAB. C. SLD 108
(---)	RECORD INFORMATION PER DEED DOC. NO. 2020-000913
(---)	TOOTH IRON MAP

**MCCORMICK RANCH
 PLANNED
 DEVELOPMENT
 DISTRICT
 PRELIMINARY PLAT**
 City of Lockhart ETJ,
 Caldwell County, Texas

AWARD
 Land Surveying
 A Limited Liability Company
 PO Box 90878, Austin Texas 78709
 INFO@AWARDS.COM (512) 537-3384
 TBPELS FROM #0174200

Date: 1/16/2024
 Project: D1841
 Scale: 1" = 100'
 Reviewer: PM
 Title: TR
 Filed: 01/16/2024
 Survey Date: MAR. 2023
 Sheet: 3 OF 3

Plot Area: 1.26639 Acres

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 Jason Ward, R.P.L.S.
DAY-TIME TELEPHONE 512-537-2384
E-MAIL info@4wards.com

ADDRESS P.O. Box 90876
Austin, TX. 78709

ENGINEER NAME C.J. Ponton, P.E., Kimley- Horn
DAY-TIME TELEPHONE 512-646-2237
E-MAIL cj.ponton@kimley-horn.com

ADDRESS 5301 Southwest Parkway
Bldg. 2, Suite 100
Austin, TX. 78735

OWNER NAME F3 Lockhart Owner LLC
DAY-TIME TELEPHONE _____
E-MAIL ikarpov@related.com

ADDRESS c/o Ivan Karpov
30 Hudson Yards, 83rd Floor
New York, NY 10001

TYPE OF APPLICATION (check all that apply)

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

PROPERTY

SUBDIVISION NAME McCormick Ranch Subdivision
ADDRESS OR GENERAL LOCATION 2835 FM 2001
LOCATED IN _____ CITY LIMITS _____ ETJ (COUNTY) PDD
TOTAL LAND AREA 53 ACRE(S) PROPOSED NUMBER OF LOTS 1
ZONING CLASSIFICATION(S) PDD
PROPOSED USE OF LAND Light Industrial

SUBMITTAL REQUIREMENTS

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

IF THE APPLICATION IS FOR AN AMENDING PLAT, REPLAT, MINOR REPLAT, OR 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, Replats, Resubdivision Plats, Minor Plats, and Minor Replats are considered the same as Final Plats for the purposes 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.

12 copies after initial staff reviews above (preliminary plats, final plats, replats, and resubdivisions).

Two copies after initial staff reviews (amending plats, minor plats, and minor replats).

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

APPLICATION FEE OF \$6,800.00 PAYABLE TO THE CITY OF LOCKHART
(NO FEE FOR SUBDIVISION DEVELOPMENT PLANS OR APPEALS):

Preliminary Plat or Development Plat	\$1,500.00, plus \$100.00 per acre
Final Plat, Replat, or Resubdivision	\$1,000.00, plus \$100.00 per acre
Amending Plat, Minor Plat, or Minor Replat not requiring a public meeting	\$750.00, plus \$100.00 per acre
Subdivision Variance	\$750.00 per variance requested
Recording fee for Final Plat, Replat, Resubdivision, Amending Plat, Minor Plat, or Minor Replat	\$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 can be voluntarily extended for an additional 30 days upon mutual agreement by the applicant and the City. 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 Pal Mad

DATE 10/26/23

PRINTED NAME Pamela Madere

TELEPHONE 512-236-2048

PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat and the engineering plans 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 the construction of any required public improvements has not commenced within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the Planning Director.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-77 (b) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) 6-foot wide public sidewalk along arterial streets is required.

REQUESTED VARIANCE(S) No sidewalk along the subdivision's F.M. 2001 street frontage.

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 Waller

RECEIPT NUMBER R01259301

DATE SUBMITTED 11/13/23

CASE NUMBER PP - 23 - 04

DATE APPLICATION IS DEEMED COMPLETE 1/3/24

DATE NOTICES MAILED —

DATE NOTICE PUBLISHED —

(For certain Replats or Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 1/24/24 DECISION —

CONDITIONS (IF ANY) —

TO: Lockhart City Council; Planning and Zoning Commission
FROM: David Fowler AICP, Director, Development Services
SUBJECT: Lighting Ordinance Amendment
DATE: January 17, 2024

Council and Commission:

The attached proposed code amendments regulate sign and exterior lighting by creating clear standards for light trespass/glare, the reduction of light pollution, and administrative review of light fixtures on new projects. The amendments are proposed in response to interest from the public and public officials in maintaining quality development and Lockhart’s dark skies. The purpose of the amendments is:

To permit an amount of outdoor lighting that is appropriate to allow for the safe use and enjoyment of outdoor areas, while mitigating light trespass and glare to abutting property and the public at large, reducing light pollution, and promoting public energy conservation.

A lighting ordinance with clear standards and review for development prevents surprises to the city and neighbors by requiring that developers and builders provide complete information about proposed lighting, site suitability, and ordinance compliance that can be fully judged before permits are issued. Additionally, the proposed amendments include additions to chapters throughout the city code that cross-reference the primary lighting code section. Enforcement of these code amendments will require the purchase of a luminance meter (a.k.a. light meter) and an illuminance meter to enable staff to take measurements of light levels. No external training or contractors are required.

The proposed code amendments strengthen the City’s current lighting requirements. In Lockhart’s current city code, lighting regulations are contained in two sections: **Section 64-197(e)(5) Regulations common to all or several districts**, and **Section 64-198(c)(1) Performance standards for commercial and industrial districts**. These sections contain language that protects residences from off-street parking lighting and prohibits commercial/industrial lighting from crossing zoning boundaries, respectively. Additionally, **Section 18-82(d)** on prohibited nuisances requires that reflection from residential lighting is minimized, preventing the illumination of other properties by residential yard lighting. **Section 52-78**

Streetlights. in the subdivision code’s design standards stipulated simply that streetlights are required according to city policy. Further lighting regulations apply to sign standards in **Section 46-6 Prohibited signs and locations.**

In preparing these amendments, staff has studied best practices in municipal lighting codes – including the recommendations of the International Dark-Sky Association – and compared similar cities’ lighting standards. The chief recommendations are the consolidation of all lighting standards into one section of the code and writing the new standards to be as simple as possible to aid the public and staff with review and enforcement.

The proposed amendments are developed from the following principles for good lighting standards:

- Providing the right amount of light,
- Using fixtures that place the light only where needed, e.g., on the pavement,
- Using fixtures that shield the light source (bulb) from view,
- Having lights on only when needed, and
- Lighting areas uniformly to avoid very bright and very dark areas.

The amendments apply these principles to address the following areas:

- Glare control, e.g., aiming, shielding, light trespass,
- Max. allowed mounting heights,
- Shut-off hours/Security lighting,
- Lighting plan submission content,
- Compliance verification/monitoring,
- Non-conforming lighting,
- Maximum allowable illuminance at the property boundary,
- Allowed luminaire types,
- Penalties for code infractions.

A detailed overview of the lighting changes by section is below.

Chapter 18-82(d) – Prohibited.

This section of the nuisance code prohibits lighting that illuminates other properties and intends that lighting in residential zoning districts should be arranged to minimize light trespass on other properties. The proposed change adds a reference to the new code section created by this ordinance, **Chapter 64-197(j) – Lighting Standards**, to ensure citizens reading the code are aware of the new standards.

Chapter 46-6(a)(5) - Prohibited signs and locations.

This section of the sign code prohibits signage lighting that “causes direct or undiffused illumination” to be visible from public roadways or residential districts. This standard allows diffused light which is visible from roadways and residential districts. The opaque or semi-opaque cabinets typically used in commercial signs are generally considered to diffuse the interior cabinet lights. The proposed change adds a maximum limit to the brightness of light coming from signs between sunset and sunrise to reduce glare or light trespass. The proposed changes also include a reference to the new code section created by this ordinance, **Chapter 64-197(j) – Lighting Standards**, to ensure citizens reading the code are aware of the new standards.

Section 52-78 - Streetlights.

This section of the code currently consists of a single sentence referring the reader to “the current streetlight policy, as adopted by the city council”. The proposed change includes the current streetlight policy in whole, as adopted by City Council on January 21, 2020 as part of the City of Lockhart, Texas Construction Standards (pp. 44-46). The proposed changes also include a reference to the new code section created by this ordinance, **Chapter 64-197(j) – Lighting Standards**, to ensure citizens reading the code are aware of the new standards.

Chapter 64-2 – Definitions.

This section of the code includes the definitions of terms used in the entirety of **Chapter 64 – Zoning**. The proposed changes add new definitions of key terms in this lighting ordinances to support the new lighting ordinance. Key definitions include “footcandles” and “nits”, two measurements of light which record the amount of light coming from a particular direction and the amount of light emitted by a single source, respectively.

Chapter 64-197(g)(1)(e)(5)

This code section consists of a single sentence: “Lighting fixtures used to illuminate or to mark any off-street parking area shall be arranged to shield direct light from any residence and from street traffic.” The proposed changes add a reference to the new code section created by this ordinance, **Chapter 64-197(j) – Lighting Standards**, to ensure citizens reading the code are aware of the new standards.

Chapter 64-197(j) – Lighting Standards.

This section of the code is the main subject of this ordinance amendment. It is entirely new and proposes standards for new and existing lighting throughout the City. It will be appended to **Section 64-197. – Regulations common to all or several districts.** and is the section to which the added references in other code sections point. The regulations recommended by staff adapt the principles of the International Dark-Sky Association to apply to Lockhart, which has a large amount of pre-existing lighting. The regulations are intended to provide simple rules and review for new projects to maximize the effectiveness of staff enforcement.

Comments by subsection are below.

- Purpose and Application: The new standards apply to all new and existing residential, commercial, public, and industrial development in Lockhart. The standards are designed to allow for the safe use and enjoyment of outdoor areas, streets, and the night sky while mitigating light trespass and glare to abutting property and the public, reducing light pollution, and promoting public energy conservation.
- Exceptions from applicability:
 - o Per the streetlight standards in the City of Lockhart, Texas Construction Standards, incorporated into **Section 52-78 – Streetlights** above, streetlights are exempted from the proposed standards because the Section 52 standards control.
 - o Temporary emergency lighting as required by City/Public emergency services are exempted.
 - o Federally-required lighting for hazard warnings (example: light required on communications towers by the Federal Aviation Administration) are exempted provided they conform to the minimum output allowed by federal standards.
 - o Recreational area lighting for sports stadiums and similar recreational uses are exempted from the lighting standards provided that where the nearest uses are residential simple landscape screening principles detailed in the code section are followed.
- Regulations:
 - o Light from any use is limited to 0.25 footcandles at the property line of any residential use.
 - o Sources of light (or fixtures, called here “luminaires”) are required to be of a design and placement that directs light straight down and does not allow light to escape to the sides or top. This minimizes the primary causes of light pollution and trespass onto nearby properties.
 - o The maximum height of luminaries is set at 30 feet, except where required by streetlighting standards. This is because even downward-facing lights may light areas beyond property lines when located high up.

- Nonresidential, multifamily, and mixed-use regulations:
 - A lighting plan is required for these development types, which will allow Staff to predict and modify the effects of site lighting on surrounding properties. The lighting plan shall include the information typically included on a site plan or development plan and shall show the location of each proposed luminaire. Applicants will be required to include a description and characteristics of each proposed luminaire with the plan; this information is typically available from light fixture manufacturers/suppliers.
 - Maximum light levels at property lines are established based on the type of adjacent use: retail, office, commercial, and multifamily uses will receive no more than 3.0 footcandles from adjacent properties; industrial uses will receive no more than 5.0 footcandles from adjacent uses; residential uses will receive no more than 0.25 footcandles from adjacent uses.
 - Parking areas which are not used after dark shall not be illuminated after dark, while parking areas used after dark require lighting. Maximum parking area luminaire heights are set based on the size of the parking area.
- Nonconforming lighting:
 - Luminaires not meeting the standards of this ordinance will be considered legally nonconforming.
 - Nonconforming lighting shall be brought into compliance with the ordinance prior to building permits can be issued for the property, or when minor actions (example: simple readjustment of moveable light fixtures) can bring the property into compliance.
 - The ordinance provides that the City can require nonconforming lights to be brought into compliance when existing lighting is a hazard to health or safety, when the number of luminaires on a property is increased by 30% or more, or when there is a change in use of the property.

Chapter 64-198(c)(1) – Nuisances.

This code section consists of a single sentence: “Lighting fixtures shall be arranged to shield direct light from crossing any zone boundary line.” The proposed changes add a reference to the new code section created by this ordinance, **Chapter 64-197(j) – Lighting Standards**, to ensure citizens reading the code are aware of the new standards.

Staff appreciates your time and dedication to the City and welcomes your questions and comments on the proposed amendments.

Measurement notes:

- **Footcandle measurements** are appropriate for determining brightness from all light sources in a direction, making **illuminance meters** useful for measuring light trespass from one property to another.
- **Nit measurements** are appropriate for measuring the brightness of illumination on an object, making **luminance meters** useful for determining whether specific objects are over/under illuminated with respect to an ordinance setting maximum brightness levels for certain uses, e.g. billboards.

TO: David Fowler, AICP Planning Director
FROM: Evan Olszewski, Planner
SUBJECT: Proposed Lighting Ordinance Language
DATE: January 17, 2024

Discussion of Lockhart’s lighting regulations have highlighted the need for stricter standards that are contained in one part of the code of ordinances. This memo recommends language for the proposed lighting ordinance based on the standards of peer cities and the International Dark-Sky Association model ordinance.

Lockhart’s current lighting regulations are contained in two code sections: **Section 64-197(g)(1)(e)(5) Regulations common to all or several districts**, and **Section 64-198(c)(1) Performance standards for commercial and industrial districts**. These sections contain language that protects residences from off-street parking lighting and prohibits commercial/industrial lighting from crossing zoning boundaries, respectively. Additionally, **Section 18-82(d)** on prohibited nuisances requires that reflection from residential lighting is minimized, preventing the illumination of other properties by residential yard lighting. **Section 52-78 Streetlights** in the subdivision code’s design standards stipulates simply that streetlights are required according to city policy. Further lighting regulations apply to interior construction for certain uses and to sign standards in **Section 46-6 Prohibited signs and locations**.

The recommended language below replaces the two lighting sections in Chapter 64 with one new “Lighting Standards” section and adds references to the new standards in the mentions of lighting in Chapters 18, 46, and 52.

Proposed Edits:

Chapter 64-2 – Definitions.

[...]

Adequately Shielded – The attribute of a light source from which no direct glare is visible at normal viewing angles by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, skirts, or visors that permit no light to be emitted at or above a horizontal plane drawn through the lowest light-emitting part of the luminaire.

[...]

Footcandle – Unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), and measurable with an illuminance meter, a.k.a. light meter. Footcandle measurements report the amount of light originating from a specific direction.

[...]

Glare – Excessive brightness in the field of view that is sufficiently greater than that to which the eyes are adapted, so as to cause annoyance or loss in visual performance and visibility, so as to jeopardize health, safety or welfare.

[...]

Illuminance – Quantity of incident light, measured in footcandles.

[...]

Light Trespass – Light emitted by a luminaire or lighting installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

[...]

Luminaire – A complete lighting fixture assembly consisting of lamp(s), lamp holders, electrical components, light directing devices, shielding devices and lenses or diffusers.

[...]

Nit – A unit of luminance, or brightness, emitted from a luminous surface equal to one candle per square meter, measured perpendicular to the rays of the source. Nits is the only scientific manner for measuring light energy being emitted from an internally illuminated sign.

[...]

Chapter 18-82(d) – Prohibited.

“It shall be unlawful in residentially zoned districts to arrange, operate or maintain any yard lighting so that it illuminates portions of other properties, causing problems from glare or of a general nuisance nature. The intent of this subsection is that any lighting used to illuminate any yard, building, or structure in a residentially zoned district be so arranged as to reflect the light away from adjoining properties, thus

maximizing the illumination of any yard lighting onto the property where it originates and minimizing the illumination that pervades other properties. See Chapter 64-197(j) – Lighting Standards for additional lighting regulations.”

Chapter 46-6(a)(5) - Prohibited signs and locations.

“Any sign lighting, other than neon tube lighting, that exceeds 100 nits between sunset and sunrise, exceeds 300 nits between sunrise and sunset, or that causes any direct or undiffused illumination to be visible from any roadway or any residential district. See Chapter 64-197(j) – Lighting Standards for additional lighting regulations.”

Section 52-78 - Streetlights.

A. “Streetlights shall be installed by the subdivider in accordance with the current streetlight policy, as adopted by the city council, and shall conform to the construction and lighting standards of the city. See Chapter 64-197(j) – Lighting Standards for additional lighting regulations.”

B. Street Lighting Policy

a. Street lights shall not be installed on private property.

b. New Subdivisions

- i. All new subdivision construction plans shall have developer installed LED street lights based upon these standards, and the City’s Subdivision Ordinance. Any variance to this policy must be approved by the City Manager or designee.
- ii. The developer shall submit a streetlight plan as a part of the final subdivision plat package in conjunction with the utility plans and in conformance with these standards.
- iii. The staff shall review, coordinate with the electric utility, and recommend LED street lighting plans to the Electric Distribution Superintendent or other City Manager designee.
- iv. Metal poles with at a minimum height of 30 feet (30’) shall be required for all public LED street lighting with minimum 8 foot (8’) long, 80 gauge aluminum arms.
- v. The City may reject subdivision and development construction plans involving streets that fail to comply with the standards set forth in this section. In new subdivisions where underground primary and secondary must be provided by the developer, the developer shall provide all required easements and pay for the installation/materials/equipment for street lights in accordance with the standards set out in this section.

c. Spacing

i. Street lights shall be placed in accordance with the following spacing requirements in all public streets:

1. Typical spacing of lights shall be one per intersection as described in the Street LED Watts/Lumens Chart of this section; where two street types intersect, the heavier street type lighting shall apply.
2. Lights shall be provided along arterial and collector streets, with a maximum spacing between lights of 250 feet (250') and in compliance with the LED Watts/Lumens Chart.
3. If the block length is over 600 feet (600') but less than increments of 300 feet (300'), the light shall be placed mid-block to the degree practical.
4. In a cul-de-sac turnaround, if the cul-de-sac length is longer than 300 feet (300').
5. In all vertical curve points of 10% or more in all streets.
6. At all roundabouts, bulb outs, and marked crosswalks.
7. Streetlights shall be placed in the subdivision in compliance with the final approved LED lighting plan.

ii. Streetlight LED Watts/Lumens Chart

<u>Type of Street, Intersections, Other Locations</u>	<u>Watts/Lumens (Minimum)</u>
	<u>30' Metal Poles, 8' aluminum mast Arms, photoelectric control, and fused – Submittal approval required.</u>
<u>Arterial</u>	<u>148/8,600</u>
<u>Arterial/Arterial Intersections</u>	<u>148/10,300</u>
<u>Arterial/Collector Intersections</u>	<u>130/9,100</u>
<u>Arterial/Residential Intersections</u>	<u>130/9,100</u>
<u>Arterial Other Specified Locations</u>	<u>45/3,500</u>
<u>Collector</u>	<u>95/5,600</u>
<u>Collector/Residential Intersections</u>	<u>130/9,100</u>
<u>Collector/Collector Intersections</u>	<u>130/9,100</u>
<u>Collector/Arterial Intersections</u>	<u>130/9,100</u>
<u>Collector Other Specified Locations</u>	<u>45/3,500</u>
<u>Residential-Local (Low Traffic)</u>	<u>45/3,500</u>
<u>Residential/Residential Intersections</u>	<u>95/8,000</u>

<u>Residential/Collector Intersections</u>	<u>130/9,100</u>
<u>Residential/Arterial Intersections</u>	<u>45/3,500</u>
<u>Residential Other Specified Locations</u>	<u>45/3,500</u>

d. Private Streets and Mobile Home Park Subdivision Streets

- i. No street or intersection shall be illuminated at public expense by the City of Lockhart unless said street is located within dedicated public street right-of-way. Public access easements shall not be considered public right-of-way for street lighting purposes. Street lights within the mobile home park shall be provided by the developer along internal streets. Light standards shall have a height and spacing to ensure an average illumination level of not less than 0.2 footcandles shall be maintained.

e. Annexed Areas

- i. In newly annexed areas, the annexation assessment and service plan, if required, shall indicate the approximate number of street lights to be provided, the approximate annual cost of providing the lights and the timing for providing the street lights. Street lights shall be installed by the City in developed areas with conventional "along the street utility areas" in subdivisions of 5 lots or more upon request.
- ii. The additional cost of providing street lights in annexed areas with underground utilities shall not be borne by the City. Street lights in areas with rear utilities shall be provided as soon as economically feasible. All street lights shall be provided within 5 years of the effective date of annexation where there are at least 5 contiguous home sites.

f. Existing Areas

- i. When a request is received for a street light in previously developed areas, the Developer and/or his designee will complete the "Request for Street Light" form. All requests for street lights in existing subdivisions and public streets will be evaluated by the City Manager or his designee according to the standards set out in this chapter as follows:
 - 1. Requested light(s) must not be closer than 250 feet (250') to the closest existing street light(s) unless approved by the City Manager or designee.
 - 2. Requested light(s) will receive priority if located at:
 - a. intersections of public streets,
 - b. sharp curves,
 - c. turns,

- d. cul-de-sacs,
 - e. dead end streets, and
 - f. points of traffic conflict.
 - g. Lumen measurements will also be considered.
3. Installation costs shall be reasonable and the number of trees along the streets that hinder street light levels will be considered.
 4. The City Manager or designee will evaluate a request for street lighting according to the above criteria. If a request is denied by the City Manager, the applicant may ask that his street light request be heard by the City Council; the Council's decision will be final.
- g. Moving Existing Installed Street Lights
- i. It shall be the responsibility of the property owner, developer, or building contractor to move existing installed street lights where required in order to construct/alter/move a driveway or other appurtenance. A licensed electrical contractor must perform the work after review by the Electric Superintendent or designee and after obtaining the required permits.

Chapter 64-197(g)(1)(e)(5)

Lighting fixtures used to illuminate or to mark any off-street parking area shall be arranged to shield direct light from any residence and from street traffic. See Chapter 64-197(j) – Lighting Standards for additional lighting regulations.

Chapter 64-197(j) – Lighting Standards.

A. Purpose and Application

a. Purpose

- i. Standards for controlling lighting and glare are set forth to permit an amount of outdoor lighting that is appropriate to allow for the safe use and enjoyment of outdoor areas, streets, and the night sky while mitigating light trespass and glare to abutting property and the public, reducing light pollution, and promoting public energy conservation. These standards are intended to allow reasonable enjoyment of adjacent and nearby properties by their owners and occupants while requiring adequate levels of lighting for nonresidential areas, such as parking lots.

b. Applicability and Exceptions

i. Applicability

1. This section applies to new and existing residential, commercial, public, and industrial development.

ii. Exceptions

1. Luminaires used for public roadway illumination may be installed at a maximum height of 30 feet and may be positioned at that height up to the edge of any bordering property.
2. All temporary emergency lighting required by the Police, the Fire Department, or other emergency services shall be exempt from the requirements of this section.
3. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this section, except that all luminaires used must be shown to be as close as possible to the federally required minimum output requirement for the specific task.
4. Recreational Area Lighting – Lighting for recreational uses (including athletic courts and fields) may employ standards, poles, and luminaires in excess of the heights prescribed in B(b) below.

- a. Where recreational uses are adjacent to residential uses regardless of separation by streets, and such recreational use is illuminated in such a manner as to produce a light intensity in excess of 0.25 footcandles at the property line of the residential use, a living screen shall be required in accordance with the following:

- i. Shade trees that normally grow to a height of 30 feet or greater shall be provided.
- ii. Shade trees shall be planted at most 30 feet on center along the property line abutting the residential use.
- iii. Shade trees shall be a variety that maintains a crown width sufficient to form a continuous screen at height between 10 feet and 25 feet above grade.
- iv. Such trees shall be a minimum of 10 feet tall at the time of planting.
- v. Shade trees acceptable for this purpose are defined in Chapter 60 – Vegetation, Section 60-28 - Definitions.

- b. Recreational lighting must be shut off by 10:30pm on Sunday through Thursday and 11:30pm on Friday or Saturday nights.

B. Regulations

a. General

- i. The allowable maximum illuminance for any development abutting a residential use, including other residential uses, shall be 0.25 footcandles as measured at the property line.
- ii. Light sources shall be adequately shielded, of a down-light, indirect, diffused, or shield type so installed and maintained as to reduce glare effect and light trespass onto adjacent properties and boundary streets. Direct light shall not cross any zone boundary line.
- iii. No luminaire may be directed at an angle other than straight down. Up-lighting is prohibited, including but not limited to lighting for buildings, signage, and landscaping.
- iv. Pole-mounted and wall-mounted luminaires mounted above six (6) feet shall be adequately shielded, of a down-light or full cutoff type, and shall not direct light onto adjacent properties.
- v. The height of luminaires, including those mounted on poles and standards, shall not exceed 30 feet except as required by street lighting standards.

b. Nonresidential, Multifamily, and Mixed Use Regulations

i. Lighting Plan Required

1. All nonresidential, multifamily, and mixed use developments shall submit a lighting plan. The lighting plan shall show how the proposed development will comply with the regulations within this Section.

- a. An application for a lighting plan shall be submitted and approved or denied by the Director of Planning as part of Subdivision, Planned Development District, and Building Permit applications. The lighting plan shall show such information in sufficient detail to enable the Director of Planning to readily determine whether the lighting plan is in compliance with the requirements within this section.

b. Elements of a Lighting Plan

- i. A site plan or plans, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed trees, and adjacent uses. The lighting plan shall contain a layout of all proposed and existing luminaires, including but not limited to area, architectural, building entrance, canopy, soffit, landscape,

- flag, and sign lighting by location, orientation, aiming direction, and mounting height;
- ii. The type of luminaires, fixtures, lamps, supports, reflectors, and other devices, and their respective location on the site;
- iii. A description of the luminaires, fixtures, lamps, supports, reflectors, and other devices (such as catalog cuts by manufactures and drawings); and
- iv. Photometric data, such as furnished by manufacturers, or similar data showing the angle of cut off or light emissions.
- ii. The allowable maximum illuminance measured at the property line of a retail, office, commercial, or multifamily use shall be 3.0 footcandles and shall be 5.0 footcandles at the property line of an industrial use. When located adjacent to residential development, the intensity shall be no greater than 0.25 footcandles at the property line.
- iii. All off-street parking areas for nonresidential, multifamily, and mixed uses that are used at night shall be illuminated beginning no later than thirty (30) minutes after sunset. Lighting may be constant or by motion sensor.
- iv. Nonresidential uses that abut residential zoning districts shall be required to cease illumination of parking areas at the termination of hours of use. In case only a portion of a parking area is offered for use after dark, only that part is required to be illuminated in accordance with these standards. The portion offered for use after dark shall be clearly designated on the Lighting Plan.
- v. The following table establishes maximum pole-mounted luminaire heights by parking lot size:

<u>Longest Dimension of Lot</u>	<u>Maximum Luminaire Mounting Height</u>
<u>Zero – 50 feet</u>	<u>12 feet</u>
<u>51 – 100 feet</u>	<u>18 feet</u>
<u>101 feet or greater</u>	<u>25 feet</u>

C. Nonconforming and Temporary Lighting

a. Nonconforming Lighting

- i. Any luminaire or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance, shall be considered legally nonconforming.

1. A nonconforming luminaire or lighting installation shall be made to conform with the requirements of this Ordinance before building permits may be issued for the property, or when:
 - a. Minor corrective action, such as re-aiming, automatically shutting off offending sources at a reasonable hour nightly, or shielding can achieve conformity with the applicable requirements of this Ordinance,
 - b. It is deemed by the City to create a health or safety hazard,
 - c. It is replaced by another luminaire or luminaires, or abandoned or relocated,
 - d. The number of existing luminaires on the property is increased by 30% or more, or
 - e. There is a change in use of the property.
- b. Temporary Lighting
 - i. Any temporary outdoor lighting that conforms to the requirements of this chapter shall be allowed.

Chapter 64-198(c)(1) – Nuisances.

Lighting fixtures shall be arranged to shield direct light from crossing any zone boundary line. See Chapter 64-197(j) – Lighting Standards for additional lighting regulations.