

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, August 11, 2021
Municipal Building – Glosserman Room
308 W. San Antonio St.

COMMISSION MEMBER AUDIO CONFERENCE PARTICIPATION

One or more members of the Lockhart Planning and Zoning Commission may participate in a meeting remotely. The member of the Commission presiding over the meeting will be physically present at the above public location. Audio conference equipment providing two-way audio communication with each member participating remotely will be made available, and each portion of the meeting held by audio conference that is required to be open to the public can be heard by the public at the location specified.

CITIZEN AUDIO CONFERENCE PARTICIPATION

- *Call-in number: 1-408-418-9388. Attendee Access Code: 626-304-323#.*
- *Citizens wishing to listen or participate must call in prior to the start of the meeting, and should identify themselves. Attendees may call in to listen only, if desired.*
- *Those wishing to speak will be called upon to address the Commission.*
- *Planning and Zoning Commission agenda packets can also be viewed on-line at www.lockhart-tx.org starting two days before the meeting. Navigate from the Departments tab at the top to Development Services – Meeting Minutes/Schedules (on left side) – Agendas & Minutes – Planning & Zoning Commission Agendas & Minutes – Agenda Packets.*

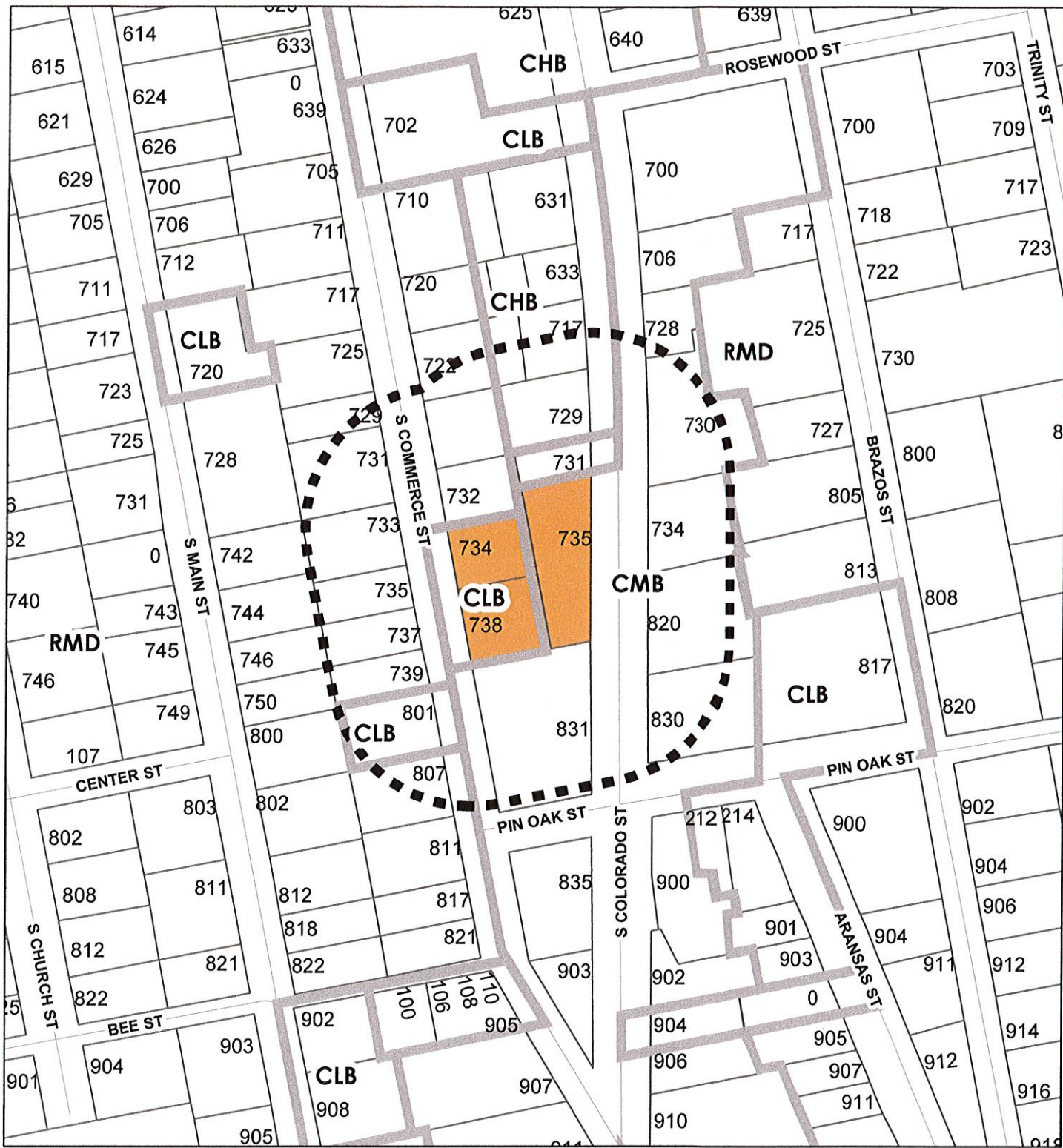
AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the July 28, 2021, meeting.
4. SUP-21-05. Hold a PUBLIC HEARING and consider a request by Skylar Reeves, on behalf of Edward P. Perez, for a **Specific Use Permit** to allow a *Bar and Commercial Outdoor Entertainment* on 0.89 acre in the Lockhart Byrd Survey, Abstract No. 17, located at 734 and 738 South Commerce Street, and 735 South Colorado Street (US 183).
5. PP-21-03. Consider a request by Keith Schauer, P.E., on behalf of Robert A. Schmidt, for approval of a **Preliminary Plat** for *Summerside Subdivision, Sections 5, 6, 7, and 8*, consisting of 91.09 acres zoned RMD Residential Medium Density District and 10.62 acres zoned CHB Commercial Heavy Business District, on a total of 101.71 acres in the Esther Berry Survey, Abstract No. 1, and located at 2300 South Colorado Street (US 183).

6. As provided in Chapter 12 "Buildings and Building Regulations", Section 12-491(3), of the Lockhart Code of Ordinances, consider a request by Winn Smith for approval of a six-foot tall chain-link fence in the minimum required front setback on property zoned IL Industrial Light District and located at 204 and 206 Cemetery Street.
7. Report from staff on the status of the amendments to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances.
8. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
9. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 4:15 PM on the 4th day of August, 2021.

The Minutes of the July 28 meeting were not available at the time this agenda packet was prepared. They will either be sent electronically when completed, or hardcopies will be provided at the Commission meeting.



SUP-21-05

734 & 738 S COMMERCE ST
AND 735 S COLORADO ST

BAR & COMMERCIAL OUTDOOR ENTERTAINMENT

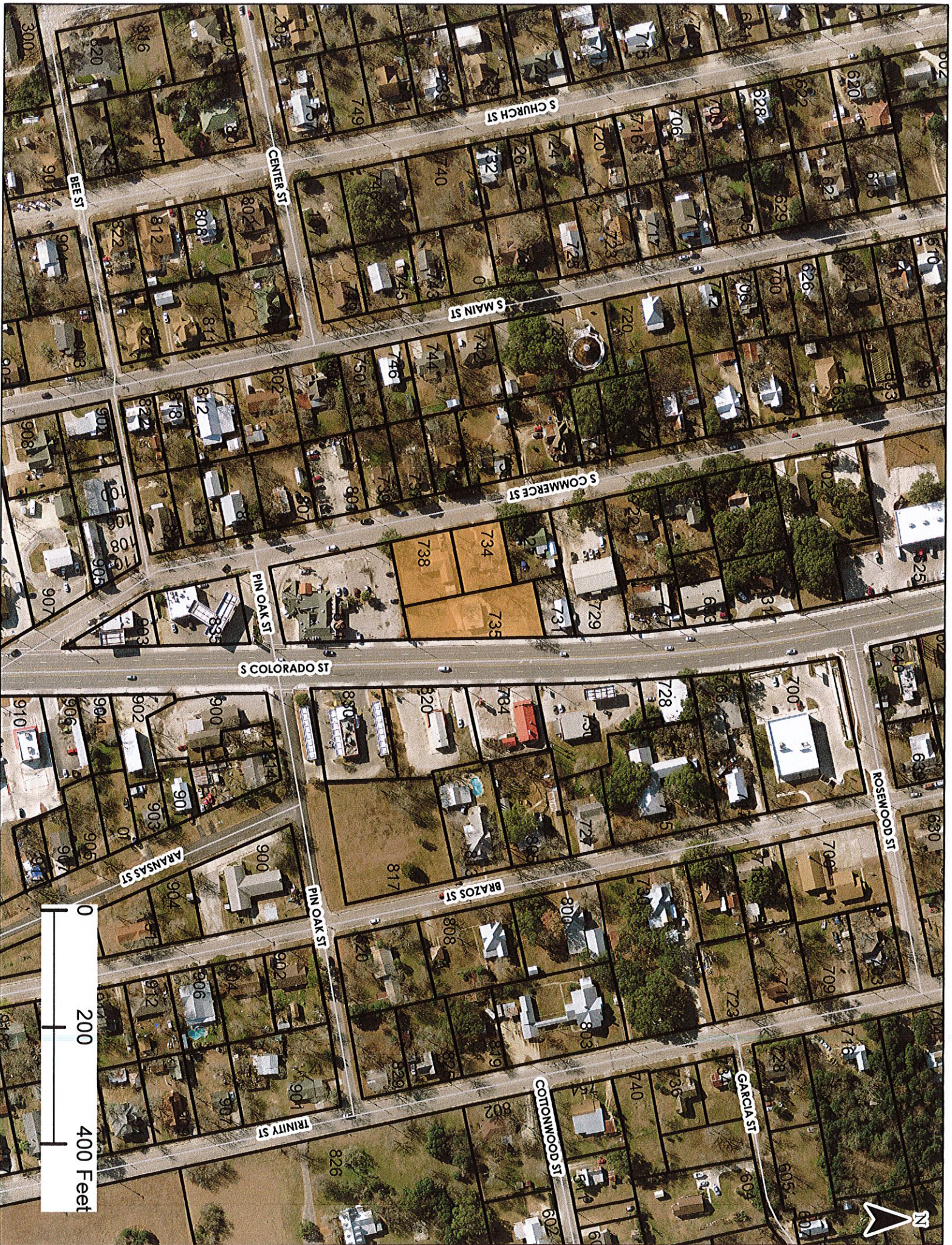


 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 200'



0 200 400 Feet



CASE SUMMARY

STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-21-05

REPORT DATE: August 5, 2021

PUBLIC HEARING DATE: August 11, 2021

APPLICANT'S REQUEST: Bar and Commercial Outdoor Entertainment

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: Minimum six-foot visual screening where adjacent to residential property.

BACKGROUND DATA

APPLICANT(S): Skylar Reeves

OWNER(S): Edward & Alma Perez

SITE LOCATION: 735 south Colorado Street (US 183), 734 and 738 South Commerce Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.89 acre

EXISTING USE OF PROPERTY: Office building, two single-family dwellings

ZONING CLASSIFICATION: CHB Commercial Heavy Business District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The subject property was recently rezoned from CLB and CMB to CHB. As noted at that time, the applicant proposes a portable food court where food and nonalcoholic beverages would be served from trucks or trailers. The existing house at 738 Commerce Street is proposed to be partially demolished, with the remainder being a coffee shop that would also serve alcoholic beverages. The house at 734 Commerce Street is also proposed to be partially demolished, with the remainder modified to provide a stage for outdoor entertainment. The existing office building on the Colorado Street frontage is proposed to be remodeled as a general store. Seating will be mostly outside, with canopies providing some shelter from sun and rain. Because there is a possibility that the alcoholic beverage sales could exceed 50 percent of the total food and beverage sales on the premises, the applicant is applying for this SUP to allow a bar, which is the classification used when the on-premise sale of alcoholic beverages exceeds 50 percent of the total. Both bars and commercial outdoor entertainment are specific uses in the CHB district.

NEIGHBORHOOD COMPATIBILITY: There are existing houses adjacent to the north along Commerce Street, as well as along the west side of Commerce Street. Generally, bars and outdoor entertainment are not considered compatible uses in a residential neighborhood. However, in this case the subject property is in a transition area between a residential neighborhood along Commerce Street and commercial development along Colorado Street. With adequate screening, and limited hours of operation that do not extend into the late night, the proposed uses could possibly occur with minimal impact on the neighborhood.

COMPLIANCE WITH STANDARDS: The zoning ordinance will require two off-street parking spaces for each portable food truck or trailer, and one space per 300 hundred square feet of interior floor area plus one space per employee in the maximum shift on duty in the permanent buildings. A detailed site plan has not yet been done to scale showing individual parking spaces, but staff has verified that there is sufficient open area on the property to accommodate at least 22 spaces, which is the minimum we calculated.

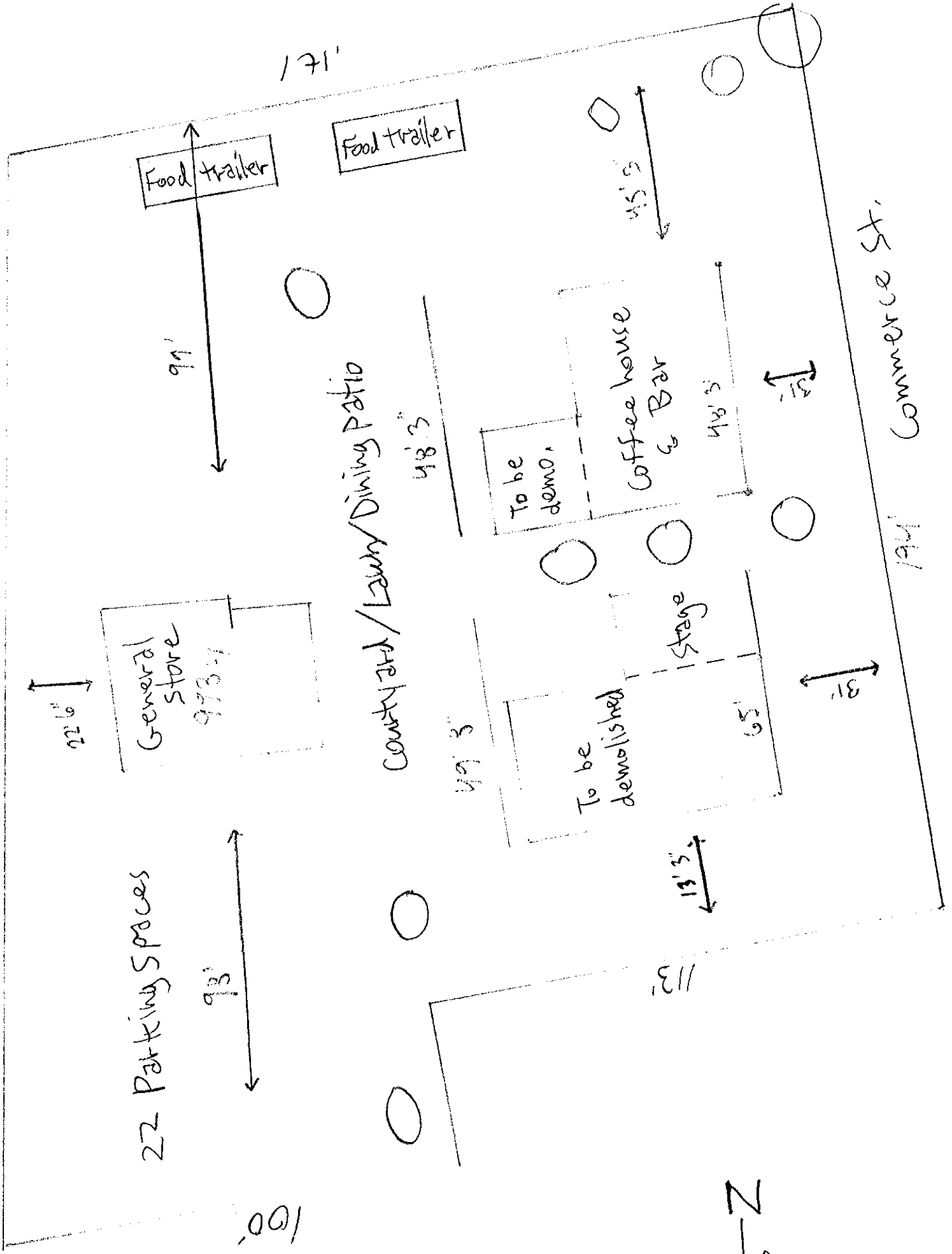
ADEQUACY OF INFRASTRUCTURE: Existing utilities are existing and adequate. Vehicular access is available from both Colorado Street and Commerce Street.

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

STAFF RECOMMENDATION: Approval subject to a minimum of six-foot visual barrier where adjacent to residential property. The Commission may also wish to impose a night curfew for at least the outdoor entertainment part the SUP as a condition of approval.

Mr. Toro

234' Colorado St



Commerce St. 194'



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 Skylar Reeves
DAY-TIME TELEPHONE 713.305.7917
E-MAIL Skylar@SkylarReeves.com

ADDRESS 458 Hobby Horse Rd.
Lockhart, tx 78644

OWNER NAME Edward Perez
DAY-TIME TELEPHONE _____
E-MAIL _____

ADDRESS 1432 Young Lane
Lockhart, 78644

PROPERTY

ADDRESS OR GENERAL LOCATION 735 S. Colorado, 734 : 738 S. Commerce

LEGAL DESCRIPTION (IF PLATTED) _____

SIZE .89 ACRE(S) ZONING CLASSIFICATION CHB

EXISTING USE OF LAND AND/OR BUILDING(S) 2 homes ; bail bonds building
(empty)

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT CHB - Bar & light music ^{outdoor Entertainment}

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.

Outdoor food trucks, coffee shop, and beer garden. Indoor/outdoor
seating. 6-9 employees, 1 indoor house/bar @ 1200 sq.ft.; bar, restroom,
seating for 15 people. 7am - 11pm 5-6 days per week.
Approx. 22 off-street parking spaces.

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 _____

DATE 7.3.21

OFFICE USE ONLY

ACCEPTED BY Dan Gibson

RECEIPT NUMBER 01018569

DATE SUBMITTED 7-20-21

CASE NUMBER SUP - 21 - 0105

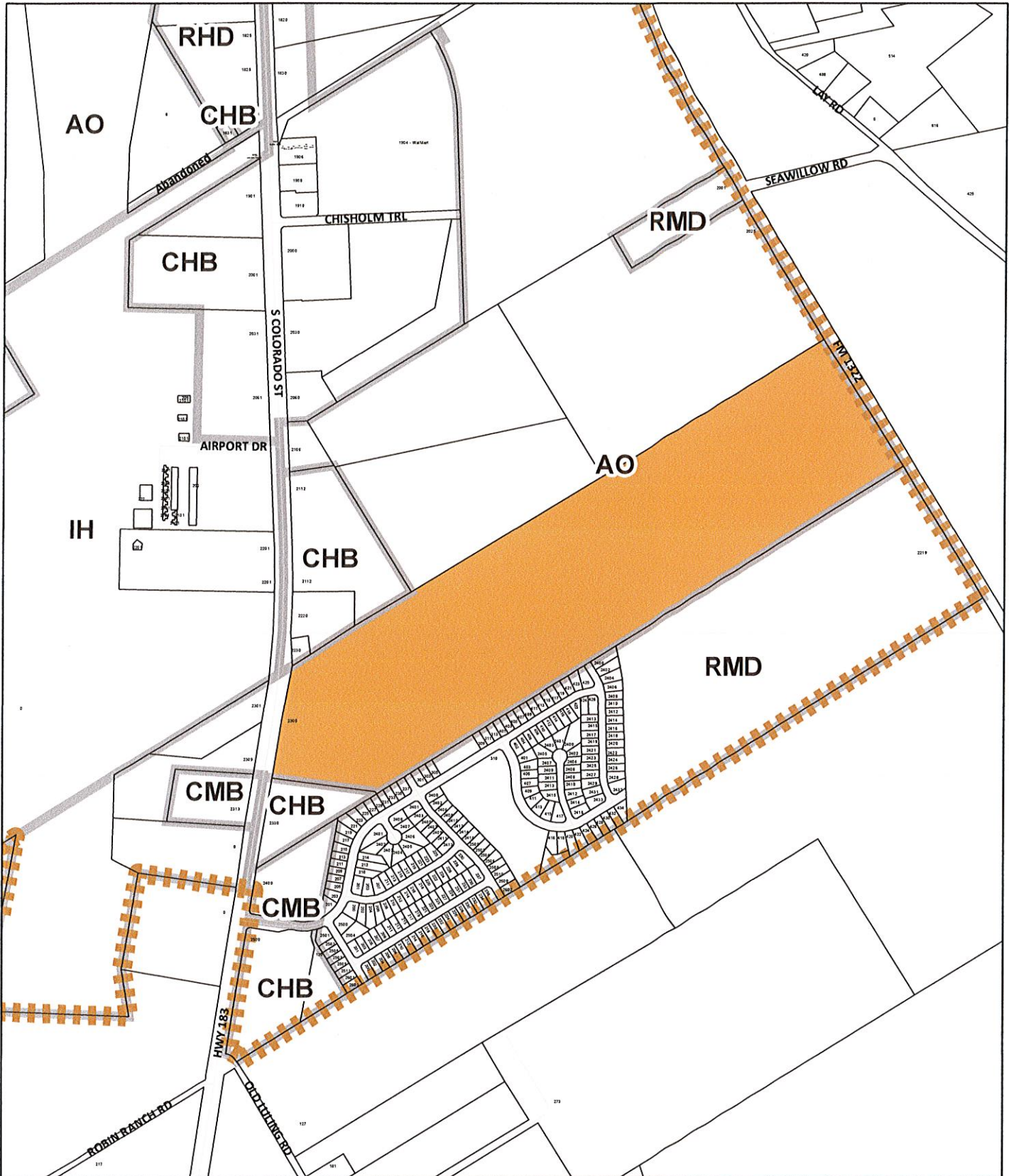
DATE NOTICES MAILED 7-26-2021

DATE NOTICE PUBLISHED 7-29-2021

PLANNING AND ZONING COMMISSION MEETING DATE 8-11-21

DECISION _____

CONDITIONS _____



PP-21-03

SUMMERSIDE SECTIONS 5-8

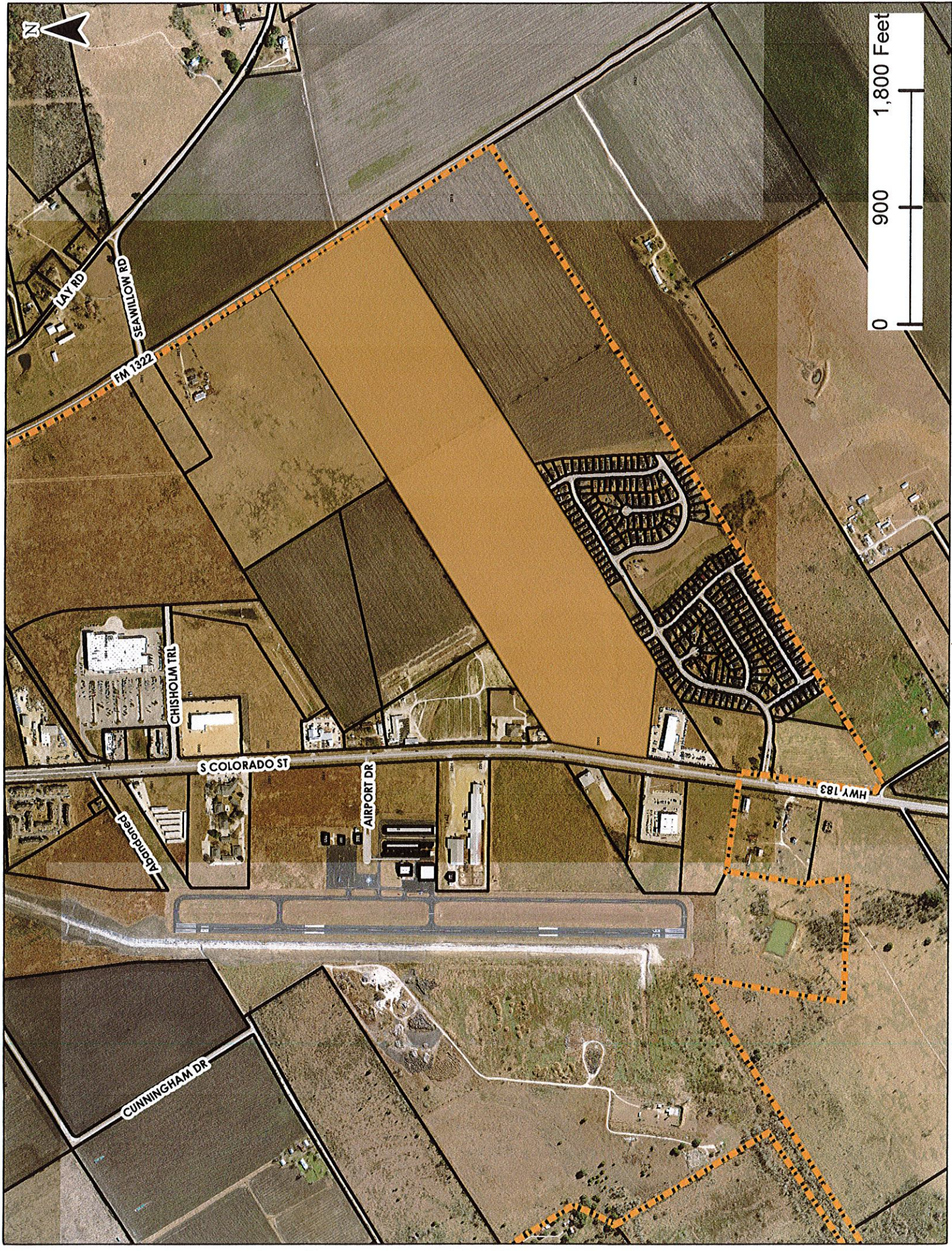
2300 SOUTH COLORADO ST



scale 1" = 900'

 Subject Property

 City Limits



LAY RD

W MILLION RD

FM 1322

CHISHOLM TRL

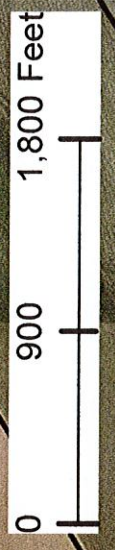
S COLORADO ST

Abdoreto

AIRPORT DR

HWY 183

CUNNINGHAM DR



CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW*
REPORT DATE: August 4, 2021
PLANNING & ZONING COMMISSION DATE: August 11, 2021
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-21-03

BACKGROUND DATA

APPLICANT: J. Keith Schauer, P.E., Doucet & Associates, Inc.
OWNER: Robert Schmidt
SITE LOCATION: 2300 South Colorado Street (north of existing Summerside development)
PROPOSED SUBDIVISION NAME: **Summerside Sections 5-8**
SIZE OF PROPERTY: 101.72 acres
NUMBER OF LOTS: 365 single-family residential lots, four commercial lots, and five parkland lots
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: RMD (Residential Medium Density District) and CHB (Commercial Heavy Business)

ANALYSIS OF ISSUES

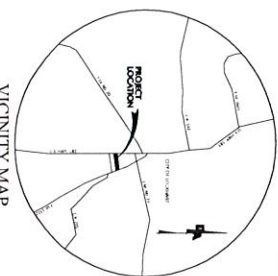
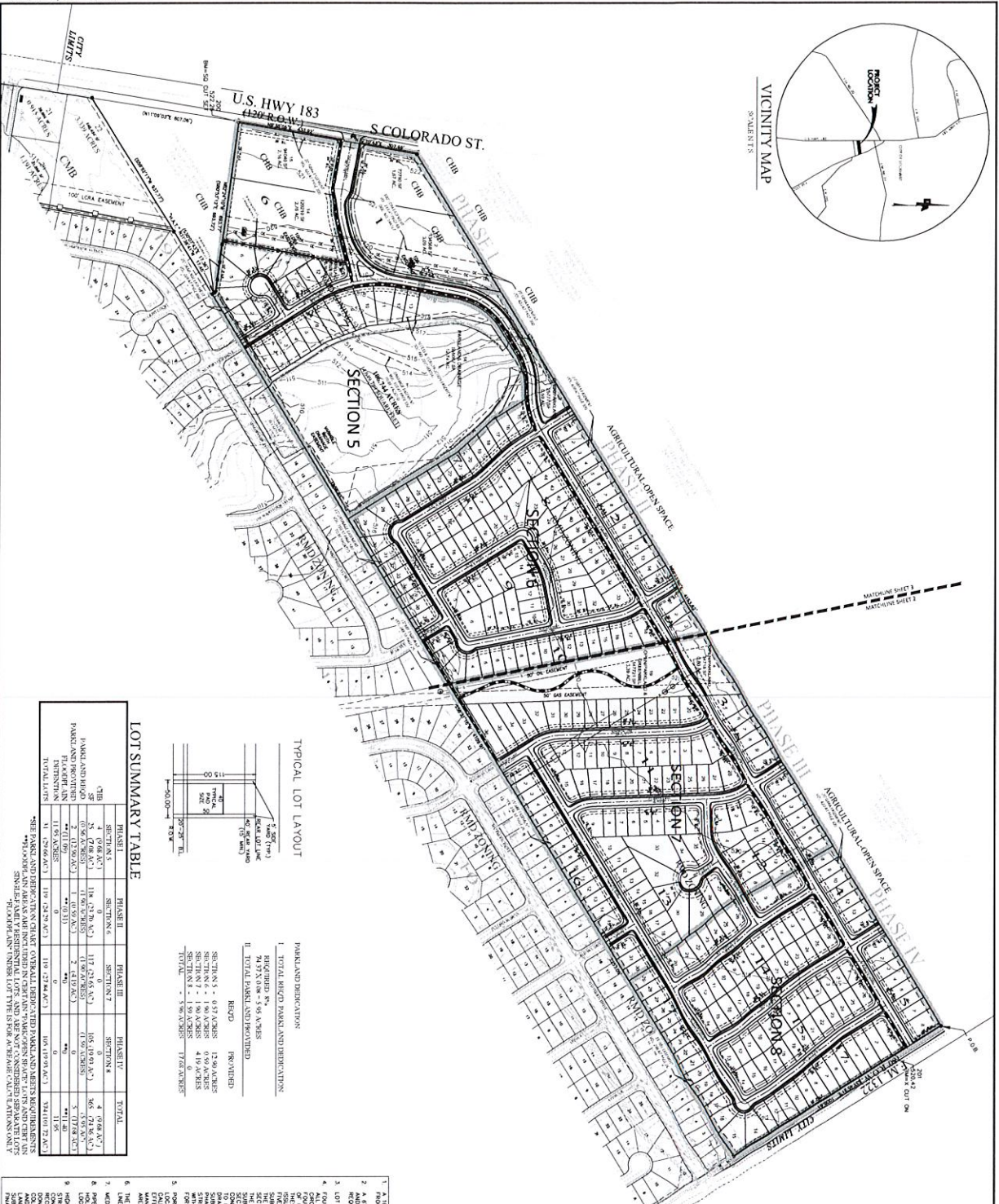
PROPOSED DEVELOPMENT: The subject property is located between South Colorado Street (U. S. Hwy. 183) and F.M. 1322, and is proposed to be subdivided into 365 single-family residential lots and four commercial lots. The first four phases of Summerside Subdivision are located on the adjacent property to the south, with Sections One-A, One-B, and Two already developed, Sections Three-A and Three-B under construction, and Section Four in process. The current proposal is for approval of Sections Five through Eight. Within these sections, 13 new street rights-of-way are proposed, and four existing streets will be extended from Sections One through Three into Sections Five through Seven. The commercial lots in Section Five will be accessed by the proposed Gulf Stream Drive at the west end of the development near the South Colorado Street intersection. A total of 17.68 acres of parkland and open space is proposed for the residential component, which exceeds the required eight percent for subdivisions of 20 acres or more. The City's Sidewalk and Trail Plan shows a Hike and Bike Trail route extending across the entire south boundary of the subject property. A Hike and Bike Trail is shown on the plat drawing that begins at the Gulf Stream Drive intersection with South Colorado Street, following Gulf Stream Drive to Silvercloud Drive, and then follows that street through the northern portion of the property to its termination at the intersection of Silvercloud Drive with F.M. 1322. In addition, a trail spur will divert southward at the park lot in Lot 19, Block 10, and meander through that lot to the south boundary of the development, providing access to residents of Section Three-A where Windrow Lane enters Section Seven, as well as to residents of Section Two where Blue Sky Lane enters Section Six. Any highway turning lane improvements required by TxDOT at the street intersections from South Colorado Street and F.M. 1322 must be constructed with the subdivision improvements of the applicable phase, as referenced in Plat Note Nine on Sheet One. An existing drainage easement on the parkland/drainage lot on Lot 14, Block 7 that serves Summerside Sections One through Four is proposed to be vacated with the recording of the final plat for Section Five, as shown on the plat drawing, since it will become part of a dedicated drainage lot.

NEIGHBORHOOD COMPATIBILITY: The subject property is bordered to the south by Summerside Sections One through Four. The abutting properties to the north include one in single-family residential use, an undeveloped property, and three commercial properties. The property to the east, across F.M. 1322, is in agricultural use. Lockhart Ford is located adjacent to the west of the subject property, and across South Colorado Street to the west of the subject property is Tractor Supply Co. and Abundant Faith Living Center Church. The greatest impact of the proposed development would be increased traffic on abutting South Colorado Street and F.M. 1322. However, the proposed subdivision at build-out will provide connectivity between these two arterial streets via Gulf Stream Drive and Silvercloud Drive. The development will also tie into four existing streets within Summerside Sections One through Four to the south for increased connectivity.

FORM AND CONTENT: The plat complies with all minimum requirements for form and content. There are a few small revisions to be made to the plat that are in process, with revised copies of the plat to be submitted at the time of the meeting.

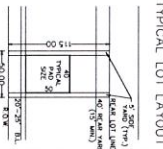
COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, stormwater drainage, and parkland. The final engineering design must be completed prior to the Commission's consideration of the final plat for each phase, which is the next stage after the preliminary plat process.

CONCURRENT VARIANCES REQUESTED: None



LOT SUMMARY TABLE

SECTION	RESIDENT	RECREATION	TOTAL
SECTION 5	4 (0.98 AC.)	0	4 (0.98 AC.)
SECTION 6	0	0	0
SECTION 7	0	0	0
SECTION 8	117 (27.94 AC.)	1 (0.23 AC.)	118 (28.17 AC.)
TOTAL	121 (29.15 AC.)	1 (0.23 AC.)	122 (30.38 AC.)



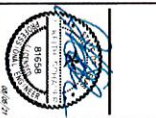
TYPICAL LOT LAYOUT
 PARKLAND DIMENSIONS:
 I. TOTAL WEDGE PARKLAND DIMENSIONS:
 74.29' X 138.86' = 5.96 ACRES
 II. TOTAL PARKLAND DIMENSIONS:
 74.29' X 138.86' = 5.96 ACRES
 RECREATION DIMENSIONS:
 SECTION 5 - 0.23 ACRES
 SECTION 6 - 0.00 ACRES
 SECTION 7 - 0.00 ACRES
 SECTION 8 - 1.99 ACRES
 TOTAL - 2.22 ACRES

NOTES

1. A 10'-00" WIDE PUBLIC UTILITY EASEMENT WILL BE PROVIDED ALONG THE STREET FRONTAGE OF ALL LOTS.
2. A 6" TALL WOOD POSTED FENCE SHALL BE CONSTRUCTED BY THE HOMEOWNER, UNLESS OTHERWISE SPECIFIED, TO BE LOCATED AT THE CORNER OF THE LOT AND ADJACENT TO THE STREET.
3. LOT SIZES ARE TYPICAL FOR A 115' MINIMUM LOT WIDTH OF 50'.
4. FOUR-FOOT WIDE PUBLIC SIDEWALKS SHALL BE CONSTRUCTED ALONG ONE SIDE OF EACH LOT FRONTAGE. THE SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE LOT FRONTAGE. THE SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE LOT FRONTAGE. THE SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE LOT FRONTAGE. THE SIDEWALKS SHALL BE CONSTRUCTED TO THE CENTERLINE OF THE LOT FRONTAGE.
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OWNER: LENNAR
 BILL BARTON
 13620 N FW 620
 AUSTIN, TX 78717
 (512) 945-4665

ENGINEER: DOUCET & ASSOCIATES
 CHRISTOPHER W. TERRY, P.L.S.
 7401 B HWY 71 WEST SUITE 160
 AUSTIN, TX 78735
 (512) 583-2600



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 <u>Chris Terry, RPLS</u>	ADDRESS <u>Doucet & Associates, Inc.</u>
DAY-TIME TELEPHONE <u>210-469-3370</u>	<u>7401-B Hwy 71 W, Ste 160</u>
E-MAIL <u>cterry@doucetengineers.com</u>	<u>Austin, TX 78735</u>
ENGINEER NAME <u>Keith Schauer, P.E.</u>	ADDRESS <u>Doucet & Associates, Inc.</u>
DAY-TIME TELEPHONE <u>512-583-2672</u>	<u>829 N. St. Joseph Street</u>
E-MAIL <u>kschauer@doucetengineers.com</u>	<u>Gonzales, TX 78629</u>
OWNER NAME <u>Robert A. Schmidt</u>	ADDRESS <u>Schmidt Ranch</u>
DAY-TIME TELEPHONE _____	<u>3595 Schuelke Road</u>
E-MAIL <u>bobby@schmidtranch.net</u>	<u>Niederwald, TX 78640</u>

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Summerside Subdivision Sections 5, 6, 7 & 8
ADDRESS OR GENERAL LOCATION S. Colorado Street, north of Summerside Subdivision
LOCATED IN _____ CITY LIMITS _____ ETJ (COUNTY) _____ PDD
TOTAL LAND AREA 101.7 ACRE(S) **PROPOSED NUMBER OF LOTS** 374
ZONING CLASSIFICATION(S) Commercial Heavy Business, Residential Medium Density
PROPOSED USE OF LAND Commercial and Residential

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):

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 Keith Schauer

DATE April 30, 2021

PRINTED NAME Keith Schauer, P.E.

TELEPHONE 512-583-2672

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 Don Gibson RECEIPT NUMBER 01003166

DATE SUBMITTED 4-30-21 CASE NUMBER PP -21 - 03

DATE APPLICATION IS DEEMED COMPLETE 6/15/21

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

PLANNING AND ZONING COMMISSION MEETING DATE 8/11/21

DECISION _____

CONDITIONS _____

A case map for the agenda item to approve a fence in the front yard at 204/206 Cemetery Street was not available at the time this agenda packet was prepared. It will be sent electronically when completed, or a hardcopy will be provided at the Commission meeting. It will also be shown on the screen during the staff presentation

TO: Planning and Zoning Commission
FROM: Dan Gibson, City Planner DG
SUBJECT: Agenda item #6, Fence in front yard
DATE: August 5, 2021

City of Lockhart
MEMO

Section 12-491(3) of the Lockhart Code of Ordinances (fence ordinance) requires that any fences in the minimum required front yard (building setback area) of property having a nonresidential zoning classification must be reviewed and approved by the Planning and Zoning Commission. The maximum fence height allowed is eight feet, and no more than 50 percent of the fence elevation can block the view through the fence.

The property located at 204/206 Cemetery Street is zoned IL Industrial Light District, as is the entire block on the south side of that street. Kreuz Market is on the north side of the street and is zoned CMB Commercial Medium Business District. The subject property contains an old warehouse-type building (206) and small parking lot (204). The applicant will be doing some major repairs and remodeling of the warehouse building, and needs to store materials on the existing parking lot slab. There is a need for fencing to enclose that area for security purposes. Because much of the parking lot is within the minimum 25-foot front building setback, a portion of the fence around the parking lot will be roughly along the front property line. Therefore, the Commission's review and approval is required before a permit can be issued for the fence.

The proposed fence will be six-foot tall chain-link constructed to be as sturdy as a permanent fence, but will be removed whenever there is no longer a need for secure outdoor construction material storage. In terms of visual impact, the warehouse building is already located at the front property line, so the proposed fence will be no closer to the street than the building. There is currently a temporary chain-link fence supported by T-posts on the east side of the building where an existing dilapidated house is being prepared for demolition. It is also within the front building setback area. The proposed chain-link material will not block the view through the fence or create a safety hazard.

Staff recommends approval of the proposed six-foot tall chain-link fence along the front property line at 204 and 206 Cemetery Street.

To Whom it May Concern:

Please consider this letter as a formal request requesting permission to build a portion of a chain link fence within the front setback at 204 Cemetery St., in Lockhart, TX. According to Sec. 12-491 of the zoning ordinances, we need to request permission from planning and zoning in non-residential districts. This property is zoned light industrial. I have attached a diagram showing the location of fence and gate. This parking lot is associated with the structure on located at 206 Cemetery St.

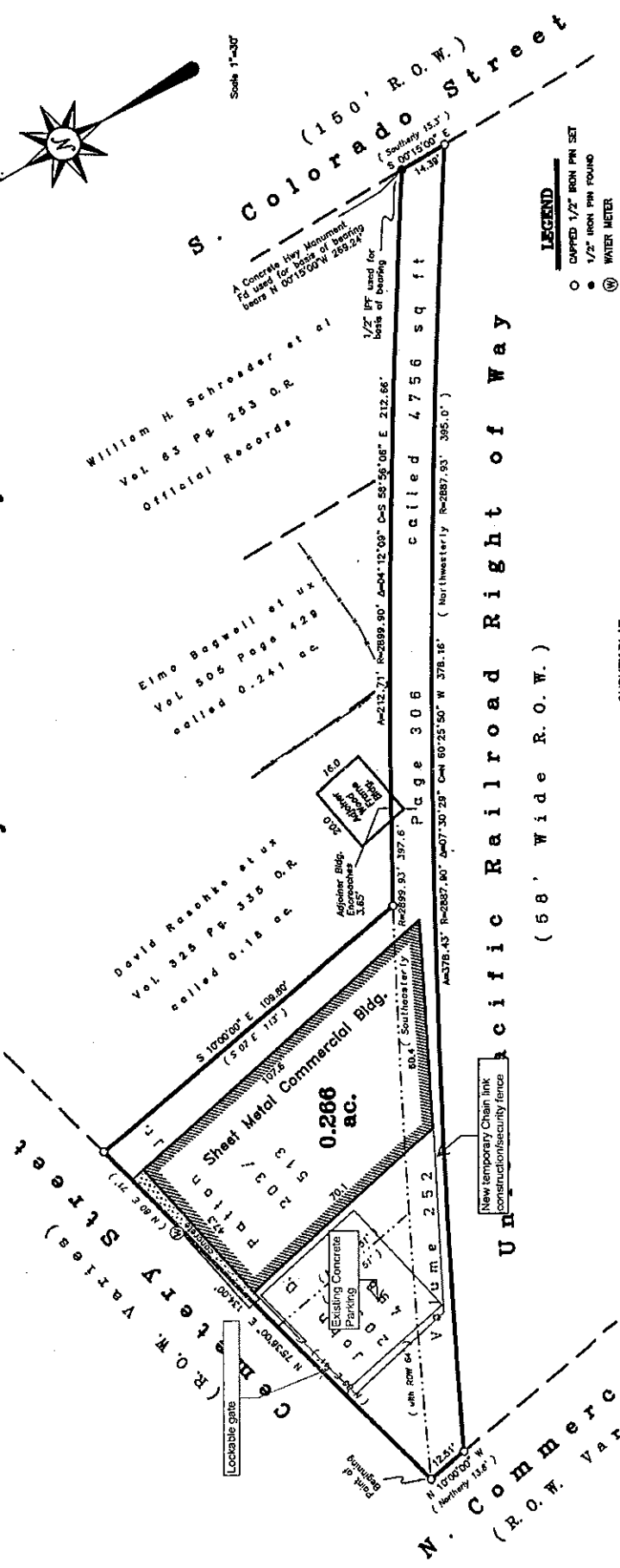
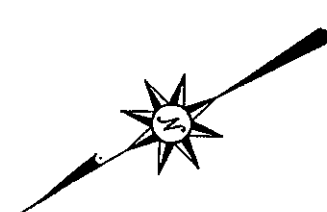
Thank you,

Winn Smith

Property Owner

204 and 206 Cemetery St

City of Lockhart Caldwell County, Texas Byrd Lockhart Survey A-17



LEGEND

- CAPPED 1/2" IRON PIN SET
- 1/2" IRON PIN FOUND
- ⊕ WATER METER
- ORIGINAL DEEDED CALLS
- ORIGINAL TRACT LINE
- CONCRETE

UNLESS OTHERWISE NOTED

Field Book: 66	Drawn By: J.H. BS
Sub No.: 080712	Drawing: 080712.dwg
Date: March 12, 2008	Word Date: Begin 03/11/08
Surveyed By: J.H. BS	AutoCAD Date: Begin 03/11/08

Claude Hinkle Surveyors
P. O. Box 1027
Lockhart, Texas 78644
(512) 398-2000

SURVEY PLAT

Showing a 0.266 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 to STEWART MCGREGOR and KARA MCGREGOR, that (1) the foregoing plat is a true and correct representation of a survey made on the ground under my direct supervision on March 12, 2008, (2) have shown or noted all recorded easements or right of ways listed in the title report, G.F. #086697U, and shown all observable evidence of easements on the ground. There are no encroachments, protrusions, conflicts nor any shortages in area nor boundary other than shown hereon. THIS SURVEY IS CERTIFIED AND ITS CONTENTS GUARANTEED FOR USE WITH THIS ONE TRANSACTION ONLY DATED THIS DATE ONLY. This plat contains the original and relied upon by the user.



General Notes:


- 1) THIS SURVEY IS FOR USE WITH THIS ONE TRANSACTION ONLY.
- 2) FLOOD ZONES SHOWN ARE APPROXIMATE AND CREATE NO LIABILITY ON THE PART OF THE SURVEYOR. The property shown lies in Flood Zones approximately as shown according to FEMA Panel #48065-0002-C dated January 17, 1991. Flood Zone 'X' is determined to be outside the 50-year floodplain. No special flood hazards according to FEMA Panel mentioned hereon. WARNING: This flood statement, as determined by a HUD - F.L.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.

G.F. JOHNSON
BORROWER: Stewart McGregor and Kara McGregor

Untitled Map

Write a description for your map.

Legend

 206 Cemetery St

 Untitled Path

