

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, August 25, 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 August 11, 2021, meeting.
4. ZC-21-11. Hold a PUBLIC HEARING and consider a request by Berk RE, LLC, on behalf of Terry Black for a **Zoning Change** from *RLD Residential Low Density District* to *CHB Commercial Heavy Business District* on 1.022 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 900 North Colorado Street (US 183).
5. FP-21-02. Consider a request by Keith Schauer, P.E., on behalf of Lennar Homes of Texas Land and Construction, LTD, for approval of a **Final Plat** for *Summerside Subdivision, Section 4*, consisting of 110 single-family residential lots on a total of 20.844 acres in the Esther Berry Survey, Abstract No. 1, zoned RMD Residential Medium Density District and located in the 2200 block of South FM 1322.
6. PP-21-02. Reconsider a request by David Speicher of Doucet & Associates for approval of a **Preliminary Plat and Subdivision Development Plan** for *Lockhart Industrial Park III* consisting of seven industrial lots and one stormwater detention lot on a total of 75.03 acres in the Esther Berry Survey, Abstract No. 1, zoned II Industrial Light District and located at 500 F.M. 2720.

7. FP-21-05. Reconsider a request by David Speicher of Doucet & Associates for approval of a **Final Plat** for *Lockhart Industrial Park III – Section One* consisting of four industrial lots on 37.37 acres in the Cornelius Crenshaw Survey, Abstract No. 68, zoned II Industrial Light District and located at 500 F.M. 2720.
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 9:30 AM on the 19th day of August, 2021.

**City of Lockhart
Planning and Zoning Commission
August 11, 2021**

MINUTES

Members Present: Philip Ruiz, Manuel Oliva, Bradley Lingvai, Ron Peterson, Phil McBride, Chris St. Leger

Member Absent: Rick Arnic

Staff Present: Dan Gibson, Kevin, Waller, Christine Banda

Visitors/Citizens Addressing the Commission:

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:02 p.m.
2. Citizen comments not related to an agenda item. None.
3. Consider the Minutes of June 28, 2021, meeting.

Commissioner St. Ledger moved to approve the June 28, 2021, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

4. SUP-21-05. Hold 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).

Mr. Gibson explained that the subject property had recently been rezoned to CHB Commercial Heavy Business District so that it would be eligible for this SUP to allow a bar and commercial outdoor entertainment on the site. He presented a map of the location and the applicant's site plan, and explained the proposed uses of the existing buildings, the addition of food trucks or trailers, off-street parking, and outdoor seating and music venue. The stage would face southeast to direct sound away from the adjacent and nearby homes along South Commerce Street. He noted that staff had not received any phone calls or letters in opposition.

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

Skylar Reeves, of 458 Hobby Horse Road, and Josh Hazzard of 10000 Gail Road in Austin, presented a slideshow illustrating the concept they had in mind for the proposed food trailers, coffee house, bar, general store, and outdoor music venue. Customers would walk through the general store to get to the large backyard where there would be tables and small music stage for live entertainment. They said they were open to suggestions from the Commission regarding hours of operation for the outdoor entertainment and the bar.

Commissioner McBride said he was concerned about the outdoor entertainment disrupting the lives of his friends who live across the street from of the proposed venue.

Ms. Reeves said the type of music planned would be relaxing for patrons, and would not overpower conversations.

Mr. Hazzard said they would not have large bands, and would comply with the City's noise standards.

Commissioner Peterson asked what their ideal hours of operation would be.

Mr. Hazard replied that they didn't plan to be open past midnight.

There was discussion about the City's noise regulations.

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

Mr. Gibson recommended approval because no objections had been expressed by potentially affected property owners in the area. He recommended that a screening fence at least six feet tall be provided along the south property line of 732 South Commerce Street, and said that the Commission could attach conditions limiting the hours of operation and serving of alcoholic beverages, if desired.

A motion was initially made by Commissioner McBride, but Commissioners Peterson and Lingvai asked for some clarification and additions to the motion.

Commissioner McBride moved to approve SUP-21-05 subject to the following conditions: 1) the stage must be sound-insulated on the two sides facing existing homes; 2) activities must stop by 11:00pm on Sunday through Thursday nights, and by midnight on Friday and Saturday nights; and, 3) if there are any complaints received by the City regarding the outdoor activities within the first six months of operation, the specific use permit shall be placed on the Commission agenda for reconsideration. Commissioner Peterson seconded, and the motion passed by a vote of 6-0.

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).

Kevin Waller presented a revised plat submitted after the agenda packet had been mailed to the Commission. It corrected three items on the plat. A new street name, Monsoon Road, was added. There was a lot labeled as parkland that was too small for use as parkland, so it was changed to a landscape lot. The hike and bike trail was expanded to include a spur extending to the existing Summerside Subdivision.

Commissioner McBride stated his desire that a playscape with at least five features be provided for the parkland.

Keith Schauer, P.E., of Doucet & Associates, representing the home builder, said the trail would be concrete, and they agreed to add a playscape in the parkland.

There was discussion about when the main park area would be developed, and in what section, because the commissioners wanted the parkland to be developed with the first two sections.

Mr. Gibson said that the parkland note on the plat could state that the playscape would be provided in Lot 9 when Section 7 is built.

Mr. Waller recommended adding information about the trail spur in plat note #4.

Commissioner Lingvai moved to approve PP-21-03. Commissioner St. Ledger seconded, and the motion passed by a vote of 6-0.

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.

Mr. Gibson explained that the applicant wishes to install a six-foot tall chain-link fence in the front building setback area to provide a secure material storage area while the existing building is being remodeled.

Winn Smith, of 8406 Avocet Drive in Austin, said the fence will encompass the existing parking lot and be attached to the building. They plan to level the existing building, temporarily remove the flooring, and do interior remodeling work. It would be convenient to store the flooring and other materials next to the building. The fence, which may be needed for about 18 months, would be firmly installed the same as a permanent fence, which is why the Commission's approval is required. The fence will be needed for about 18 months.

Commissioner St. Ledger moved to approve the fence. Commissioner Oliva seconded, and the motion passed by a vote of 6-0.

7. Report from staff on the status of the amendments to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances.

Mr. Gibson said that new sections recommended by the city attorney's office were pretty dense, and he was still reviewing them for clarity and consistency to make them easier to understand. As usual, the department's daily workload has limited the time available to devote to the amendments.

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

Mr. Gibson stated that the next regular meeting date is August 25th, and items had been submitted for that agenda.

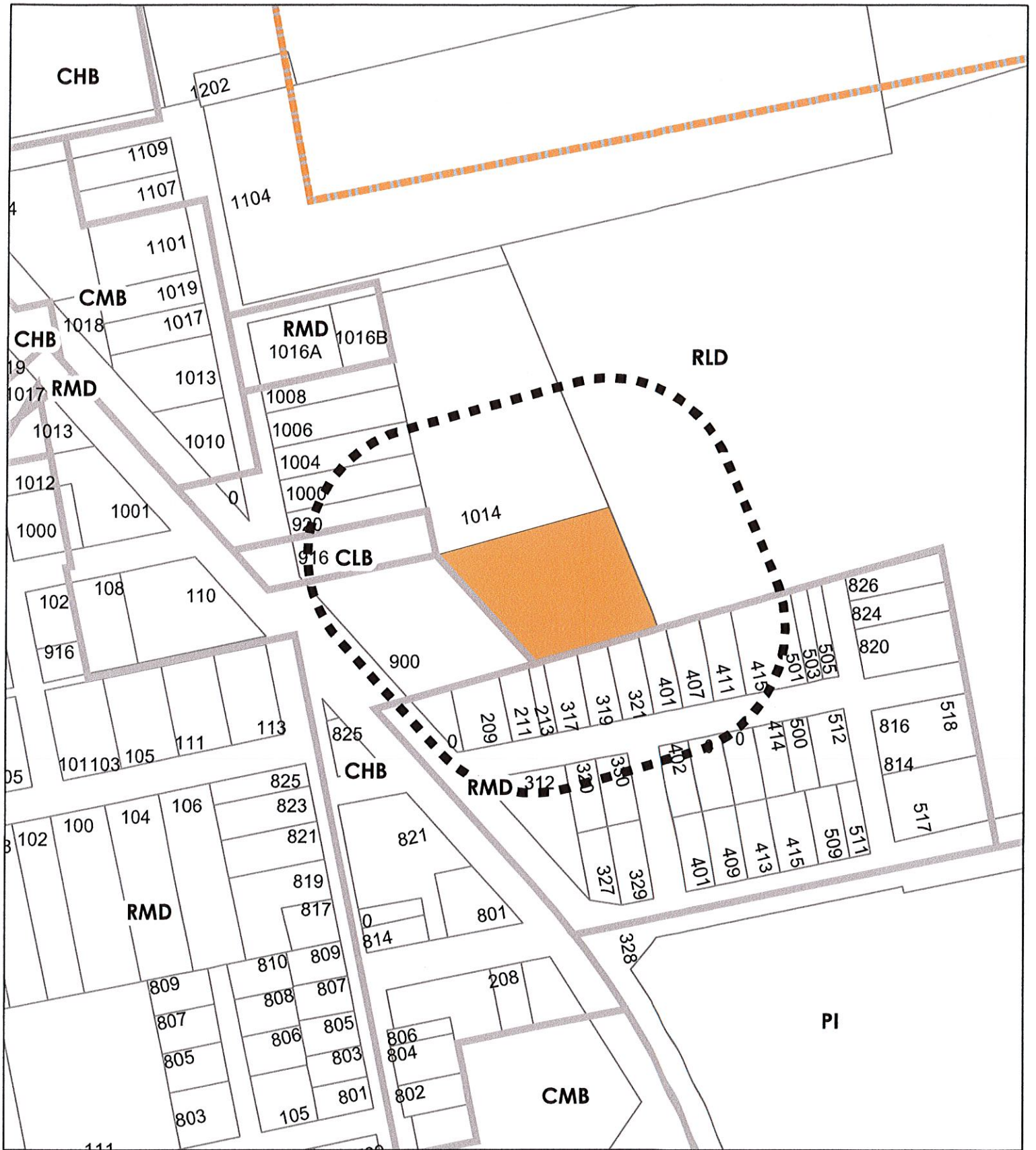
9. Adjourn.

Commissioner Oliva moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:39 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



ZC-21-11

RLD TO CHB

900 N COLORADO ST (US 183)



scale 1" = 200'

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



CASE SUMMARY

STAFF: Dan Gibson, City Planner CASE NUMBER: ZC-21-11
 REPORT DATE: August 18, 2021
 PLANNING AND ZONING COMMISSION HEARING DATE: August 25, 2021
 CITY COUNCIL HEARING DATE: September 7, 2021
 REQUESTED CHANGE: RLD to CHB
 STAFF RECOMMENDATION: *Approval, if there is no significant protest by owners of abutting properties.*
 PLANNING AND ZONING COMMISSION RECOMMENDATION:

BACKGROUND DATA

APPLICANT: Berk RE, LLC
 OWNER: Terry Black
 SITE LOCATION: 900 North Colorado Street (US 183)
 LEGAL DESCRIPTION: Metes and bounds
 SIZE OF PROPERTY: 1.022 acres
 EXISTING USE OF PROPERTY: Vacant
 LAND USE PLAN DESIGNATION: Low Density Residential

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The subject property was recently purchased by the owner. It's a land-locked parcel that abuts a tract at 900 North Colorado Street that already belongs to the owner. That tract currently contains a small warehouse building that will be modified to be part of a new restaurant planned for the property. Ultimately, both tracts will be platted to become one large lot. Because the original parcel is already zoned CHB, the applicant is proposing the same classification for the subject property so that it will be available for future expansion of the planned commercial development.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant land	RLD	Low Density Residential
East	Vacant land	RLD	Low Density Residential
South	Single-family dwellings	CHB, RMD	Medium Density Residential
West	Commercial, Single-family dwellings	CHB, PI	General—Heavy Commercial

TRANSITION OF ZONING DISTRICTS: Residential zoning abuts the subject property on three sides, with two of the sides being vacant but zoned RLD, and the third side being a single-family neighborhood zoned RMD. CHB, the most intensive commercial zoning classification, immediately adjacent to low or medium density single-family housing, is not considered a desirable transition.

ADEQUACY OF INFRASTRUCTURE: All utilities are available and adequate. Vehicular access is available only from North Colorado Street (US 183).

POTENTIAL NEIGHBORHOOD IMPACT: The proposed rezoning extends the potential for incompatible commercial uses further eastward along the common property boundary with the existing residential neighborhood. Commercial uses can have adverse impacts such as noise and night-lighting.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed CHB zoning classification is not consistent with the Land Use Plan map, which designates the subject property as Low Density Residential.

ALTERNATIVE CLASSIFICATIONS: CMB would be a slightly less intense zoning classification because the list of uses is a little more restrictive, but it would still allow office, retail, and restaurant uses, along with commercial parking lots, package sales of alcoholic beverages, veterinary clinics, vehicle sales and repair, and indoor recreation/ entertainment/amusement facilities. Another option that could be somewhat of a transitional zone, is RHD, which would allow a wide variety of residential housing types, including apartments. It would be less intense than CHB, but more intense than RMD, which is the zoning of the abutting residential neighborhood. Neither CMB nor RHD, though, would be a natural expansion of the existing CHB zoning that shares the same site.

RESPONSE TO NOTIFICATION: A person who owns one of the abutting residential lots along Laredo Street called and said she had heard that a barbeque restaurant was to be constructed in this area. She was concerned that she would be breathing smoke, or at least smelling it, all the time. She says there are times when she can smell the barbeque smoke from Kreuz Market, and it bothers her. I explained that the planned restaurant was going to be constructed on the portion of the applicant's property that is already zoned CHB, so it technically is not subject to approval of this zoning change. It is unknown what would be built on the one-acre subject property.

STAFF RECOMMENDATION: Because staff's greatest concern is compatibility between the proposed heavy commercial zoning and the adjacent low and medium density residential zoning classifications, staff believes this is a situation where the wishes, either pro or con, of the owners of nearby residential properties should count. If there is a considerable protest, then a less intense zoning classification should be considered.

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 BERK RE, LLC ADDRESS 208 N. Main ST.
 DAY-TIME TELEPHONE 512 376-8840 LOCKHART, TX 78644
 E-MAIL BLACK525@SBCGLOBAL.NET
 OWNER NAME TERRY Black ADDRESS same
 DAY-TIME TELEPHONE same
 E-MAIL same

PROPERTY

ADDRESS OR GENERAL LOCATION 900 N. Colorado - REAR/EAST acre
 LEGAL DESCRIPTION (IF PLATTED) see attached
 SIZE 1.022 ACRE(S) LAND USE PLAN DESIGNATION Low Density Residential
 EXISTING USE OF LAND AND/OR BUILDING(S) RESIDENTIAL/VACANT
 PROPOSED NEW USE, IF ANY UNKNOWN

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION RESIDENTIAL - RLD
 TO PROPOSED ZONING CLASSIFICATION CHB
 REASON FOR REQUEST I recently purchased the REAR/EAST acre. The FRONT/WEST/Hwy 183 FRONTAGE acre is ZONE CHB. I am requesting the REAR acre be ZONE THE SAME AS THE FRONT ACRE. BOTH acres will be re-platted as one piece of ABOUT 2 acres.

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. NONE

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

APPLICATION FEE OF \$ 170.44 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE *Terry Black*

DATE 7/28/2021

OFFICE USE ONLY

ACCEPTED BY *Dan Gibson*

RECEIPT NUMBER 01020255

DATE SUBMITTED 7-28-21

CASE NUMBER ZC - 21 - 11

DATE NOTICES MAILED 8-10-2021

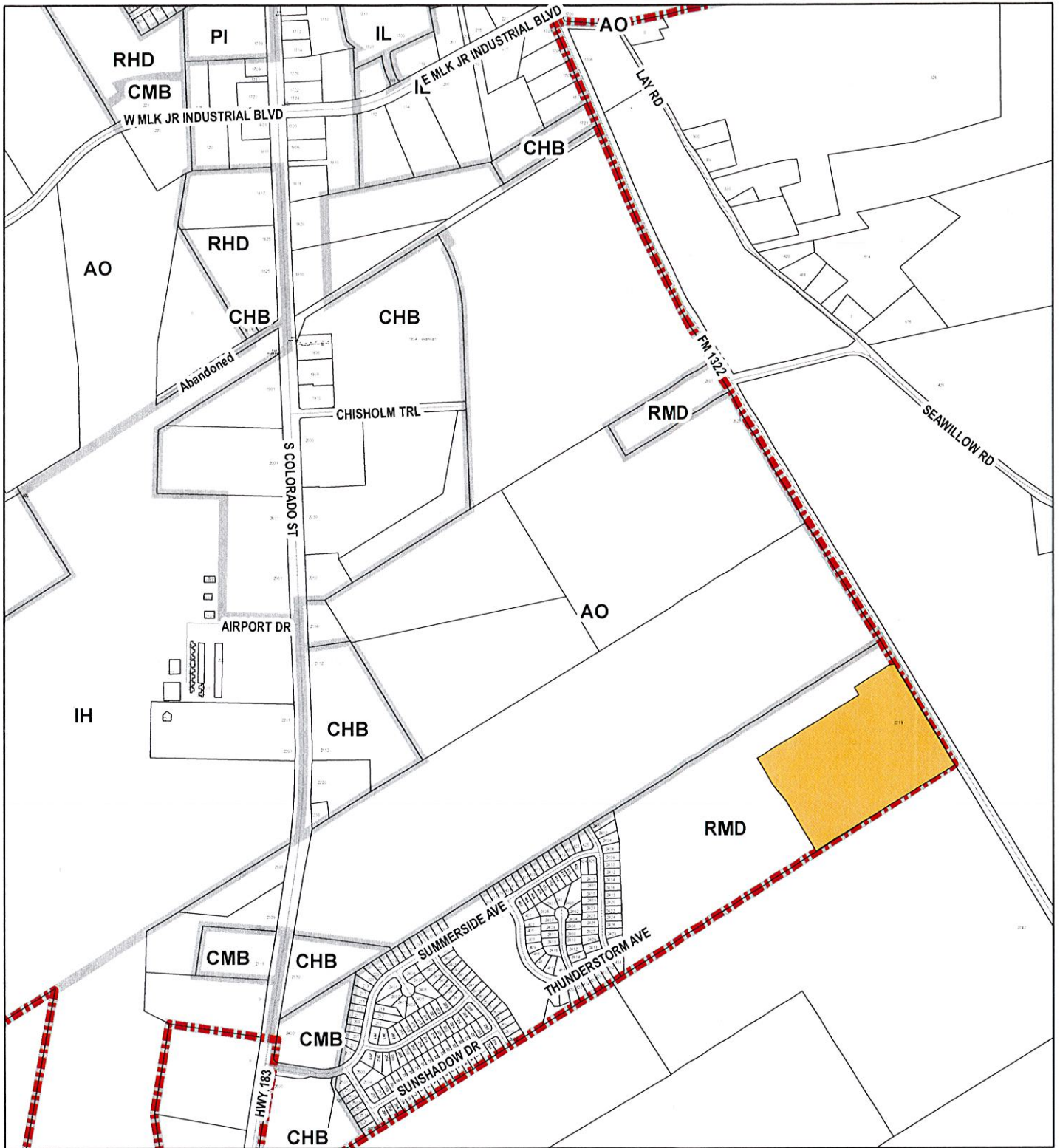
DATE NOTICE PUBLISHED 8-12-2021

PLANNING AND ZONING COMMISSION MEETING DATE 8-25-21

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 9-7-21

DECISION _____



FP-21-02

SUMMERSIDE SUBD
SECTION 4

FINAL PLAT



scale 1" = 1000'



SUBJECT PROPERTY



ZONING



LOCKHART CITY LIMITS

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW*
REPORT DATE: August 19, 2021
PLANNING & ZONING COMMISSION DATE: August 25, 2021
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: FP-21-02

BACKGROUND DATA

SURVEYOR: Chris Terry, P.L.S., Doucet & Associates, Inc.
ENGINEER: J. Keith Schauer, P.E., Doucet & Associates, Inc.
OWNER: Lennar Homes of Texas Land and Construction, Ltd.
SITE LOCATION: 2200 Block of F.M. 1322
SUBDIVISION NAME: Summerside Section 4
SIZE OF PROPERTY: 20.84 acres
NUMBER OF LOTS: 110 single-family residential lots
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: RMD (Residential Medium Density District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: Summerside Section 4 is located to the east of Section 3B and to the south of Section 3A, both currently under construction, and is adjacent to F.M. 1322 to the east. The proposal includes 110 single-family residential lots and five new public streets. Parkland requirements for Section 4 were satisfied in previous sections of the subdivision, as shown in the Lot Summary Table and plat drawing of the Preliminary Plat approved by the Planning and Zoning Commission on September 12, 2018. Highway turning lane improvements along South Colorado Street into the overall development will be constructed in accordance with the Donation Agreement with TxDOT, prior to the recording of the Section 4 plat, as specified in General Note 10 on Sheet 2.

NEIGHBORHOOD COMPATIBILITY: Sections 3A and 3B, to the north and west of Section 4, respectively, are currently under construction. The property to east, across F.M. 1322, as well as the adjacent property to the south, are in agricultural use. The greatest impact of the proposed development would be increased traffic on F.M. 1322 and South Colorado Street. However, development of Sections 3A and 3B will provide connectivity between these two arterial streets via the Halfmoon Drive collector street under construction and extension of another collector street, Thunderstorm Avenue. In addition, Section 4 will provide a direct connection to F.M. 1322 via Clear Sky Drive, a proposed minor residential street. The future turning lane along South Colorado Street will provide safer access for southbound traffic into the development, as well as alleviate congestion at that entrance.

FORM AND CONTENT: The plat conforms to all minimum requirements for form and content. Although the Lot Summary Table on Sheet 1 shows the total net acreage of the subdivision (minus road rights-of-way) on your printed plat copies, the applicant has since corrected this to show the total gross acreage, and will provide a hard copy of the revised plat at the meeting.

COMPLIANCE WITH STANDARDS: The plat complies with all applicable standards, including the provision of public sidewalks. As noted in the attached letter dated August 11, 2021 and follow-up email dated August 16, 2021, the City Engineer has approved the engineering plans.

CONCURRENT VARIANCES REQUESTED: None

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 Christopher W. Terry

DAY-TIME TELEPHONE (210) 469-4564

E-MAIL cterry@doucetengineers.com

ENGINEER NAME Keith Schauer, P.E.

DAY-TIME TELEPHONE (512) 583-2672

E-MAIL kschauer@doucetengineers.com

OWNER NAME LENNAR

DAY-TIME TELEPHONE (512) 945-4665

E-MAIL bill.barton@lennar.com

ADDRESS Doucet & Associates Inc.

7401 B Hwy 71 West, Suite 160

Austin, TX 78735

ADDRESS Doucet & Associates Inc.

7401 B Hwy 71 West, Suite 160

Austin, TX 78735

ADDRESS 13620 N FM 620

Bldg. B, Suite 150

Austin, Texas 78717

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Summerside Section 4

*Property ID #: 17197
2200 Blk. of F.M. 1322*

ADDRESS OR GENERAL LOCATION US 183 South at Summerside Drive ↓

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 20.844 ACRE(S)

PROPOSED NUMBER OF LOTS 110

ZONING CLASSIFICATION(S) Residential Medium Density

PROPOSED USE OF LAND Single Family Residentail

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
Digitally signed by Keith Schauer
DN: dc=cm, dc=doucetandassociates, dc=int,
ou=Users-Austin Corp, cn=Keith Schauer
Date: 2021.03.08 14:06:58 -06'00'

DATE August 12, 2021

PRINTED NAME Keith Schauer

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 Kevin Waller RECEIPT NUMBER 984860

DATE SUBMITTED 8/12/21 (2nd submission - original was 3/17/21) CASE NUMBER FP - 21 - 02

DATE APPLICATION IS DEEMED COMPLETE 4/1/21 (original submission - current is unchanged)

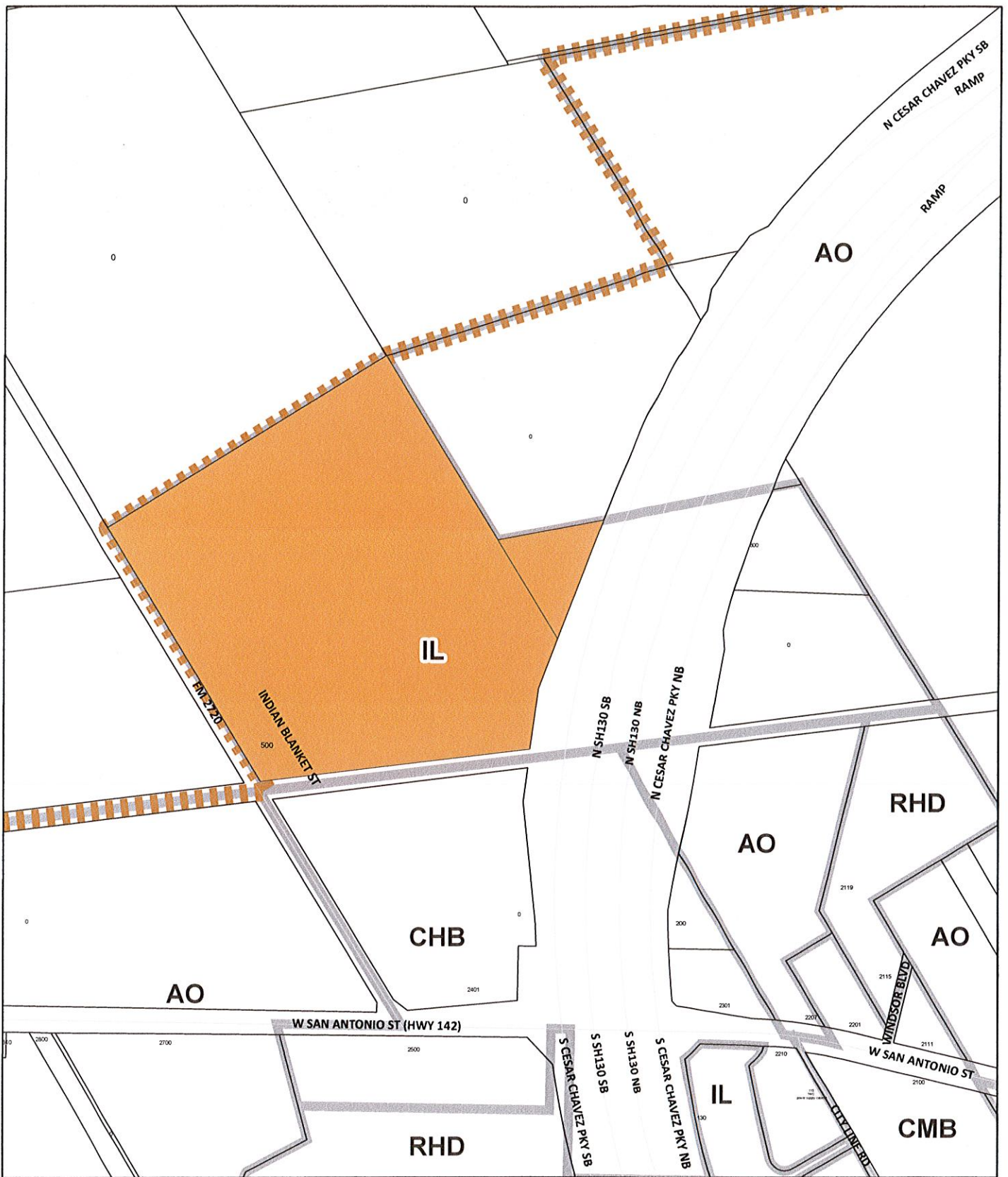
DATE NOTICES MAILED N/A DATE NOTICE PUBLISHED N/A

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 8/25/21

DECISION _____

CONDITIONS _____



PP-21-02

CENTERPOINT INDUSTRIAL PARK

500 FM 2720



 Subject Property

 City Limits

scale 1" = 700'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW*
REPORT DATE: April 22, 2021 [Updated August 18, 2021]
PLANNING & ZONING COMMISSION DATE: August 25, 2021
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: PP-21-02

BACKGROUND DATA

ENGINEER: David Speicher, P.E., Doucet & Associates
SURVEYOR: Chris Terry, P.L.S., Doucet & Associates
OWNER: Mike Kamerlander, Lockhart Economic Development Corporation
SITE LOCATION: 500 F.M. 2720
SUBDIVISION NAME: **Lockhart Industrial Park III**
SIZE OF PROPERTY: 75.03 acres
NUMBER OF LOTS: Seven industrial lots, one stormwater detention lot, and two new street rights-of-way
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: IL (Industrial Light District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: On April 28, 2021, the Commission approved the Preliminary Plat and Subdivision Development Plan for Lockhart Industrial Park III, which at that time consisted of six industrial lots and two drainage lots, to be served by two internal streets, DeWitt Street and Cahill Street. The property is located at the northeast corner of F.M. 2720 and the Union Pacific Railroad right-of-way, with the City limits bordering the property along its southwest and northwest boundaries. Since the time of the Commission's approval, Staff has discovered that the phase boundary between Sections One and Two was incorrectly depicted on the approved plat. The phase boundary begins at the southern boundary of the subdivision, follows the eastern boundary of Lot 1, Block C to DeWitt Street, and then follows DeWitt Street to its terminus at the east boundary of the subdivision. The phase boundary should have diverted from DeWitt Street up Cahill Street to the point where it meets the temporary cul-de-sac (see attached, revised plat), since the portion of Cahill Street east of the cul-de-sac is located within Section Two. In addition, the applicant now proposes to change the functional classification of Lot 1, Block C from a drainage lot to an industrial lot, adjust the phase boundary so that this lot is relocated from Section One to Section Two, with the length of DeWitt Street fully within Section Two, and enlarge the north boundary line of Lot 4, Block C, which is the stormwater detention lot. These revisions require reconsideration of the Preliminary Plat, which is the subject of this proposal.

NEIGHBORHOOD COMPATIBILITY: The adjacent properties to the north and south of the subject property are in agricultural use, with the property to the north being located outside the City limits and that to the south zoned Commercial Heavy Business (CHB). Across F.M. 2720 to the west is a property in agricultural and rural residential use, also outside the City limits. The subject property is bordered to the east by the SH 130 / North Cesar Chavez Parkway Southbound right-of-way. Due to its location along the SH 130 corridor in an area of primarily agricultural use, the proposed industrial development is not expected to present adverse impacts to the surrounding area.

FORM AND CONTENT: The plat conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The proposed development will comply with all applicable subdivision standards, including construction of new streets where required, sidewalks/trails, utilities, and stormwater drainage. The final engineering design is currently in process for Section One, the final plat of which will also be reconsidered at this meeting. The City Engineer has indicated that he expects the engineering plans for that section to be approved prior to the meeting.

CONCURRENT VARIANCES REQUESTED: None

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 Garrett Cavauiolo
DAY-TIME TELEPHONE 512-583-2600
E-MAIL gcavauiolo@doucetengineers.com

ADDRESS Doucet & Associates
7401 B HWY-71 STE 160
Austin, Texas 78735

ENGINEER NAME Frank DesRoches
DAY-TIME TELEPHONE 210-701-5927
E-MAIL fdesroches@doucetengineers.com

ADDRESS Doucet & Associates
7401 B HWY-71 STE 160
Austin, Texas 78735

OWNER NAME Mike Kamerlander
DAY-TIME TELEPHONE 512-376-0856
E-MAIL mkamerlander@lochart-tx.org

ADDRESS Lockhart Economic Development Corporation
215 East Market St.
Lockhart, Texas 78644

TYPE OF APPLICATION

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

PROPERTY

Formerly Known as Centerpoint Industrial Park

SUBDIVISION NAME Lockhart Industrial Park III 500 F.M. 2720

ADDRESS OR GENERAL LOCATION Between SH-130 and FM-2720, north of UP Railroad

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 75.03 ACRE(S) PROPOSED NUMBER OF LOTS 8

ZONING CLASSIFICATION(S) Light-Industrial

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 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 Frank DesRoches
Digitally signed by Frank DesRoches
DN: dc=com, dc=duccetandassociates, dc=int,
ou=Users-Austin Corp, cn=Frank DesRoches
Date: 2021.03.03 10:58:31 -06:00

DATE 3/3/2021

PRINTED NAME Frank DesRoches

TELEPHONE 210-701-5927

PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request received prior to the expiration, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission.

A final plat approval period expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the City Planner.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) N/A OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) _____

REQUESTED VARIANCE(S) _____

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

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

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 991781

DATE SUBMITTED 3/3/21

CASE NUMBER PP-21-02

DATE APPLICATION IS DEEMED COMPLETE 4/16/21

DATE NOTICES MAILED N/A

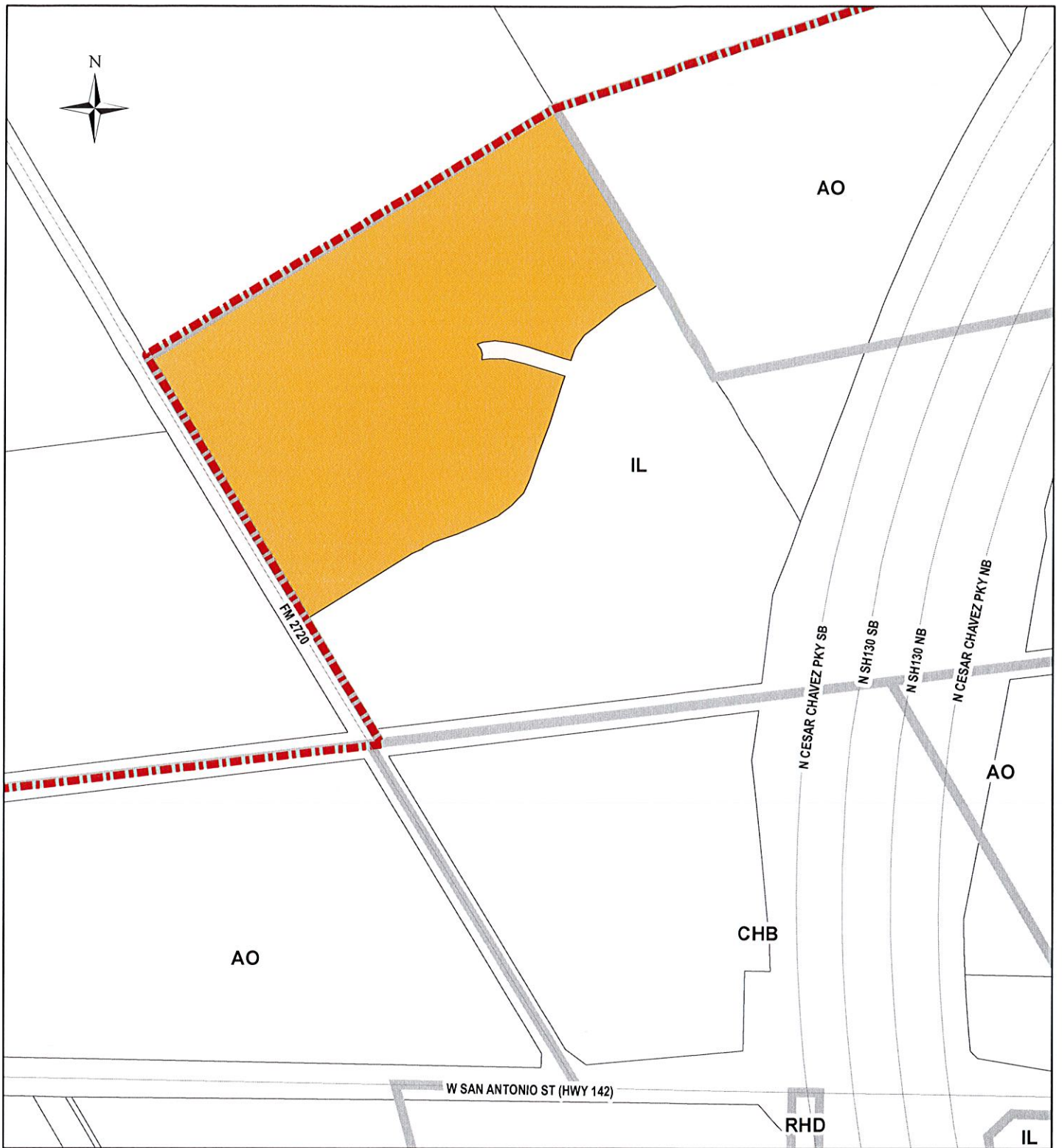
DATE NOTICE PUBLISHED N/A

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 4/28/21

DECISION Approval (5-0)

CONDITIONS None



FP-21-05

LOCKHART INDUSTRIAL PARK III SECTION 1

FINAL PLAT

 SUBJECT PROPERTY

 ZONING

 LOCKHART CITY LIMITS

scale 1" = 500'

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW*
REPORT DATE: June 23, 2021 [Updated August 19, 2021]
PLANNING & ZONING COMMISSION DATE: August 25, 2021
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None

CASE NUMBER: FP-21-05

BACKGROUND DATA

ENGINEER: David Speicher, P.E., Doucet & Associates
SURVEYOR: Chris Terry, P.L.S., Doucet & Associates
OWNER: Mike Kamerlander, Lockhart Economic Development Corporation
SITE LOCATION: 500 F.M. 2720
SUBDIVISION NAME: **Lockhart Industrial Park III Section One**
SIZE OF PROPERTY: 37.36 acres
NUMBER OF LOTS: Four industrial lots
EXISTING USE OF PROPERTY: Vacant/Seasonal Agricultural Use
ZONING CLASSIFICATION: IL (Industrial Light District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: On June 23, 2021, the Commission approved the Final Plat for Lockhart Industrial Park III Section One, which at that time consisted of four industrial lots and one drainage lot, to be served by two internal streets, DeWitt Street and Cahill Street. The property is located at the northeast corner of F.M. 2720 and the Union Pacific Railroad right-of-way, with the City limits bordering the property along its southwest and northwest boundaries. Since the time of the Commission's approval, Staff has discovered that the phase boundary between Sections One and Two was incorrectly depicted on the approved plat. The phase boundary begins at the southern boundary of the subdivision, follows the eastern boundary of Lot 1, Block C to DeWitt Street, and then follows DeWitt Street to its terminus at the east boundary of the subdivision. The phase boundary should have diverted from DeWitt Street up Cahill Street to the point where it meets the temporary cul-de-sac (see attached, revised plat), since the portion of Cahill Street east of the cul-de-sac is located within Section Two. In addition, the applicant now proposes to adjust the phase boundary so that Lot 1, Block C is relocated from Section One to Section Two, with the length of DeWitt Street fully within Section Two. These revisions require reconsideration of the Final Plat for Section One, which is the subject of this proposal.

NEIGHBORHOOD COMPATIBILITY: The adjacent properties to the north and east of the subject property are in agricultural use, with the property to the north being located outside the City limits. To the south is the proposed Section Two of this subdivision. Across F.M. 2720 to the west is a property in agricultural and rural residential use, also outside the City limits. Due to the subject property's location west of the SH 130 corridor in an area of primarily agricultural use, the proposed industrial development is not expected to present adverse impacts to the surrounding area.

FORM AND CONTENT: The plat conforms to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The engineering plans are currently being reviewed by the City Engineer, and are expected to be approved by the time of the Commission meeting. A copy of the City Engineer's approval letter will be emailed to you as soon as it is received. Once the engineering plans are approved, the proposed development will comply with all applicable subdivision standards, including construction of new streets where required, sidewalks, utilities, and stormwater drainage.

CONCURRENT VARIANCES REQUESTED: None

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 Chris Terry

DAY-TIME TELEPHONE 210-469-4564

E-MAIL cterry@doucetengineers.com

ENGINEER NAME Frank DesRoches

DAY-TIME TELEPHONE 210-701-5927

E-MAIL fdesroches@doucetengineers.com

OWNER NAME Mike Kamerlander

DAY-TIME TELEPHONE 512-376-0856

E-MAIL mkamerlander@lockhart-tx.org

ADDRESS Doucet & Associates

7401 B HWY-71 STE 160

Austin, Texas 78735

ADDRESS Doucet & Associates

7401 B HWY-71 STE 160

Austin, Texas 78735

ADDRESS Doucet & Associates

7401 B HWY-71 STE 160

Austin, Texas 78735

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Lockhart Industrial Park III - Section One ↓ 500 F.M. 2720

ADDRESS OR GENERAL LOCATION Between SH-130 and FM-2720, north of UP Railroad

LOCATED IN CITY LIMITS ETJ (COUNTY) PDD

TOTAL LAND AREA 37.36 ACRE(S) PROPOSED NUMBER OF LOTS 4

ZONING CLASSIFICATION(S) Light-Industrial

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 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 Frank DesRoches

Digitally signed by Frank DesRoches
DN: dc=coim, dc=dooucelandassociates, dc=nt,
ou=Years-Austin Corp, o=Frank DesRoches
Date: 2021.06.18 07:11:14 -0500

DATE 6/16/2021

PRINTED NAME Frank DesRoches

TELEPHONE 210-701-5927

PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat for one or more sections is not submitted within 12 months of approval. Upon written request received prior to the expiration, a maximum of two six-month extensions may be considered by the Planning and Zoning Commission.

A final plat approval period expires if any required infrastructure construction is not begun within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the City Planner.

SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) N/A OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) _____

REQUESTED VARIANCE(S) _____

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

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

OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 01012814

DATE SUBMITTED 6/18/21

CASE NUMBER FP 21 05

DATE APPLICATION IS DEEMED COMPLETE 6/21/21

DATE NOTICES MAILED _____ DATE NOTICE PUBLISHED _____

(For certain Replats/Resubdivisions without vacating preceding plat) 23

PLANNING AND ZONING COMMISSION MEETING DATE 6/23/21

DECISION Approval (7-0)

CONDITIONS Approval of Engineering Plans by City Engineer