

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, October 12, 2022
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 September 28, 2022, meeting.
4. SUP-22-13. Hold a PUBLIC HEARING and consider a request by Barret Kruggel for a **Specific Use Permit** to allow an *Accessory Dwelling Unit (General Type)* on the east half of Lot 7, Block 2, Hudson's Addition, consisting of 0.249-acre zoned RMD Residential Medium Density District and located at 703 South Church Street.
5. ZC-22-24. Hold a PUBLIC HEARING and consider a request by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.562 acre consisting of all of Lot 24 and part of Lot 22, A. R. Chews Addition, located in the 500 Block of West Market Street.
6. ZC-22-25. Hold a PUBLIC HEARING and consider a request by Tamara K. Carlisle on behalf of The Lumberyard Lockhart, LLC, for a **Zoning Change** from *CMB Commercial Medium Business District* to *RMD Residential Medium Density District* on a total of 0.135 acre consisting of part of Lot 20, A. R. Chews Addition, located at 500 West Market Street.
7. ZC-22-26. Hold a PUBLIC HEARING and consider a request by Chris Elizondo of Cuatro Consultants, Ltd., on behalf of Jimbo Cotton of 2401 CR 119, LLC, for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 19.367 acres in the Byrd Lockhart League, Abstract No. 17, located at 1400 Lovers Lane.
8. ZC-22-27. Hold a PUBLIC HEARING and consider a request by Dan Ross on behalf of Thomas Staub of Roed Prop Company, LLC, for a **Zoning Change** from *AO Agricultural-Open Space District* to *RMD Residential Medium Density District* on a total of 89.775 acres in the John A. Neill League, Abstract No. 20, located at 2400 FM 1322.
9. Hold a PUBLIC HEARING and consider a **Zoning Text Amendment** for Article VII "Zoning Districts and Standards", Section 64-197 "Regulations Common To All Or Several Districts", Subsection (g)(2) "Additional Parking Requirements Within Residential Districts", to allow front-facing garage doors for any size garage to occupy up to 50 percent of the width of detached single-family dwellings.

10. FP-22-07. Consider a request by Brian Parker, P.E., on behalf of LCD Multifamily Partners, LLC, for approval of a **Final Plat** for *Cavalry Subdivision*, consisting of 34.512 acres in the Francis Berry Survey, Abstract No. 2, zoned RHD Residential High Density District, and located at 400 State Park Road (FM 20).
11. RP-22-01. Consider a request by Chris Van Heerde, PE, on behalf of Continental Homes of Texas, LP, d/b/a DR Horton, for approval of *Eeds-Lancaster Subdivision*, a **Resubdivision Plat** of a portion of Lot 1, Block 2, Texas Heritage Subdivision, and 2.17 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD Planned Development District and RLD Residential Low Density District, and located at 300 Mockingbird Lane and 307, 313, and 317 San Jacinto Street, including **Variances** to Chapter 52, "Subdivision Regulations" waiving the requirement in *Section 52-72(e)* for dedicating one half of the abutting San Jacinto Street right-of-way sufficient to make the ultimate full right-of-way conform to the Thoroughfare Plan, and waving the requirement of *Section 52-77(b)* for construction of a public sidewalk along the abutting San Jacinto Street designated as a future collector street.
12. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
13. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:30 AM on the 7th day of October, 2022.

**City of Lockhart
Planning and Zoning Commission
September 28, 2022**

MINUTES

Members Present: Philip Ruiz, Bradley Lingvai, Ron Peterson, Phil McBride, Chris St. Ledger

Members Absent: Manuel Oliva, Rick Arnic

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

Visitors/Citizens Addressing the Commission: Rebecca Briceno, Scottie Pendergrass, Adam Pendergrass

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 the September 14, 2022, meeting.

Commissioner McBride moved to approve the September 14, 2022, minutes. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-0.

4. ZC-22-23. Hold a PUBLIC HEARING and consider a request by Rebecca Briceno for a Zoning Change from CLB Commercial Light Business District to RMD Residential Medium Density District on a total of 0.586 acre in the Byrd Lockhart League, Abstract No. 17, located at 915 Red River Street.

Senior Planner David Fowler presented the staff report. He explained that the subject property originally had been the site of a washateria, which is why it was commercially zoned. Since the closing of the business, the building has been converted into a duplex where the property owner resides. Staff received two letters regarding the proposed zoning change, both of which were in favor of the zoning change, provided any future development is well-maintained new construction. Mr. Fowler stated the applicant is interested in subdividing the property into two lots after the zoning change is approved. She will need to submit for a Specific Use Permit if she decides she would like to install a manufactured home on the new lot

Chair Ruiz opened the public hearing and asked if the applicant would like to speak.

Rebecca Briceno, of 925-B Red River Street, the property owner, said she would like to rezone the property so that she could subdivide it and place a new manufactured home in which one of her children could live on the new lot.

Chair Ruiz asked if any other members of the public would like to speak and, seeing none, he closed the public hearing and asked for the staff recommendation.

Mr. Fowler said that staff recommended approval of the proposed zoning change.

Commissioner Peterson moved to recommend approval of ZC-22-23 to City Council. Commissioner Lingvai seconded, and the motion passed by a vote of 5-0.

5. PV-22-03. Consider a request by Scottie Pendergrass for a Variance to Chapter 52 "Subdivision Regulations", Section 52-31(a) "Plat Required", to waive the subdivision plat requirement for a family land grant dividing a two-acre parcel out of a 49.778-acre tract in the Francis Berry Survey, Abstract No. 2, and located at 2219 Old Fentress Road (CR 217).

Kevin Waller gave the staff report and explained that the owner would like to give two acres out of his 49 acres to his son so he could live close to him and help him maintain the property. The owner requested the city's platting requirement be waived so he could apply for a Family Land Grant through Caldwell County.

Chair Ruiz asked if the applicant wished to speak.

Scottie Pendergrass introduced himself as the owner of the subject property. He stated would like to give his son two acres so that he can build a home for his family. He felt that since he is getting older it would be nice for his son to be around to help.

Adam Pendergrass said he was Scottie Pendergrass' son. He stated he would like to build a small two-bedroom home for his family on the two acres his father would gift to him.

Chair Ruiz asked if any other members of the public would like to speak, and seeing none, he asked for the staff recommendation.

Mr. Waller stated that staff recommended approval if the Commission finds that the required criteria were met for a variance.

Commissioner McBride moved to approve PV-22-03. Commissioner St. Ledger seconded, and the motion passed by a vote of 5-0.

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

It was announced that the Commission's next regular meeting date would be October 12th, and there will be numerous items for that agenda.

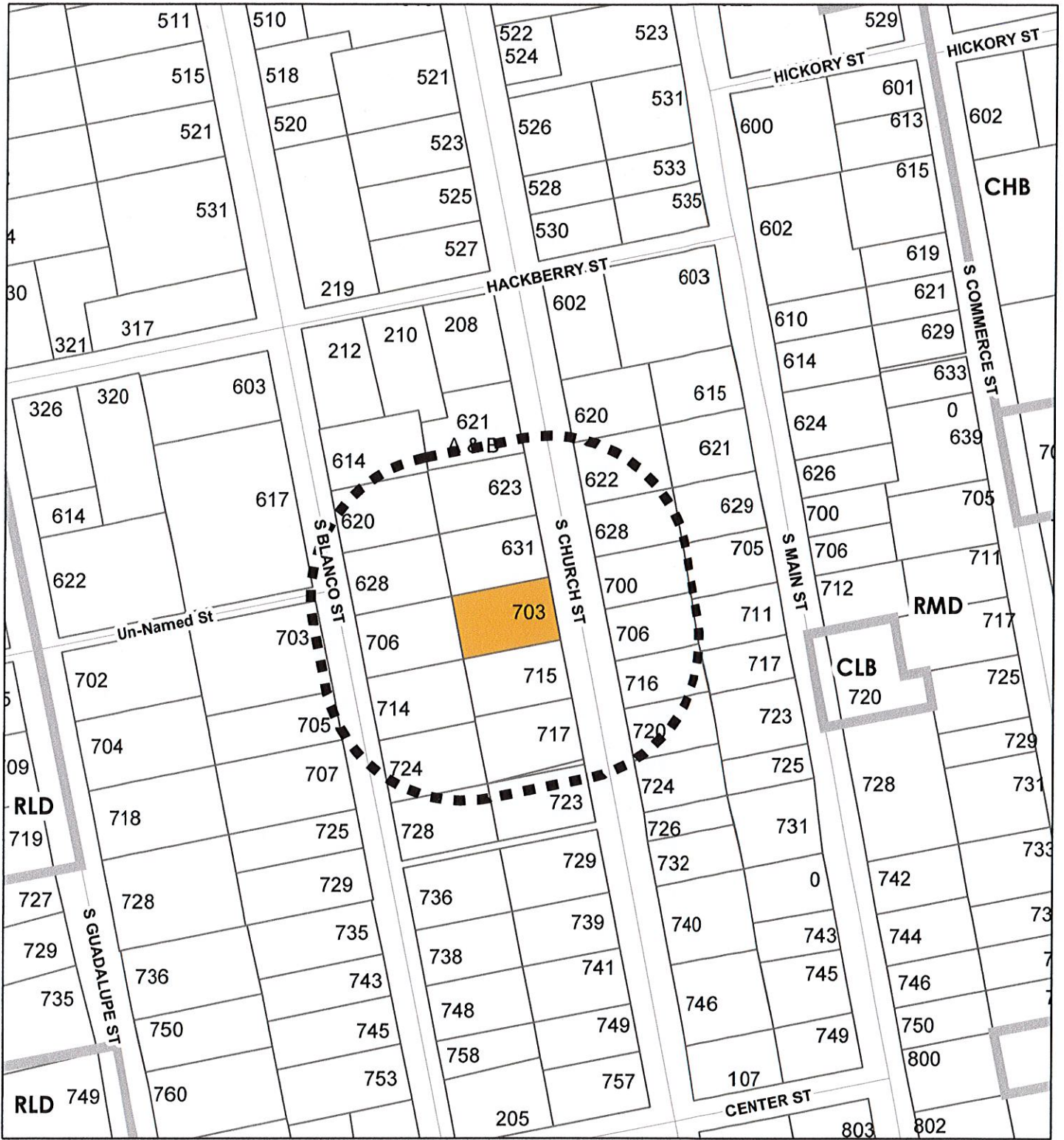
7. Adjourn.

Commissioner Lingvai moved to adjourn, and Commissioner Peterson seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:21 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair



SUP-22-13

703 SOUTH CHURCH STREET

GENERAL TYPE - ACCESSORY DWELLING UNIT

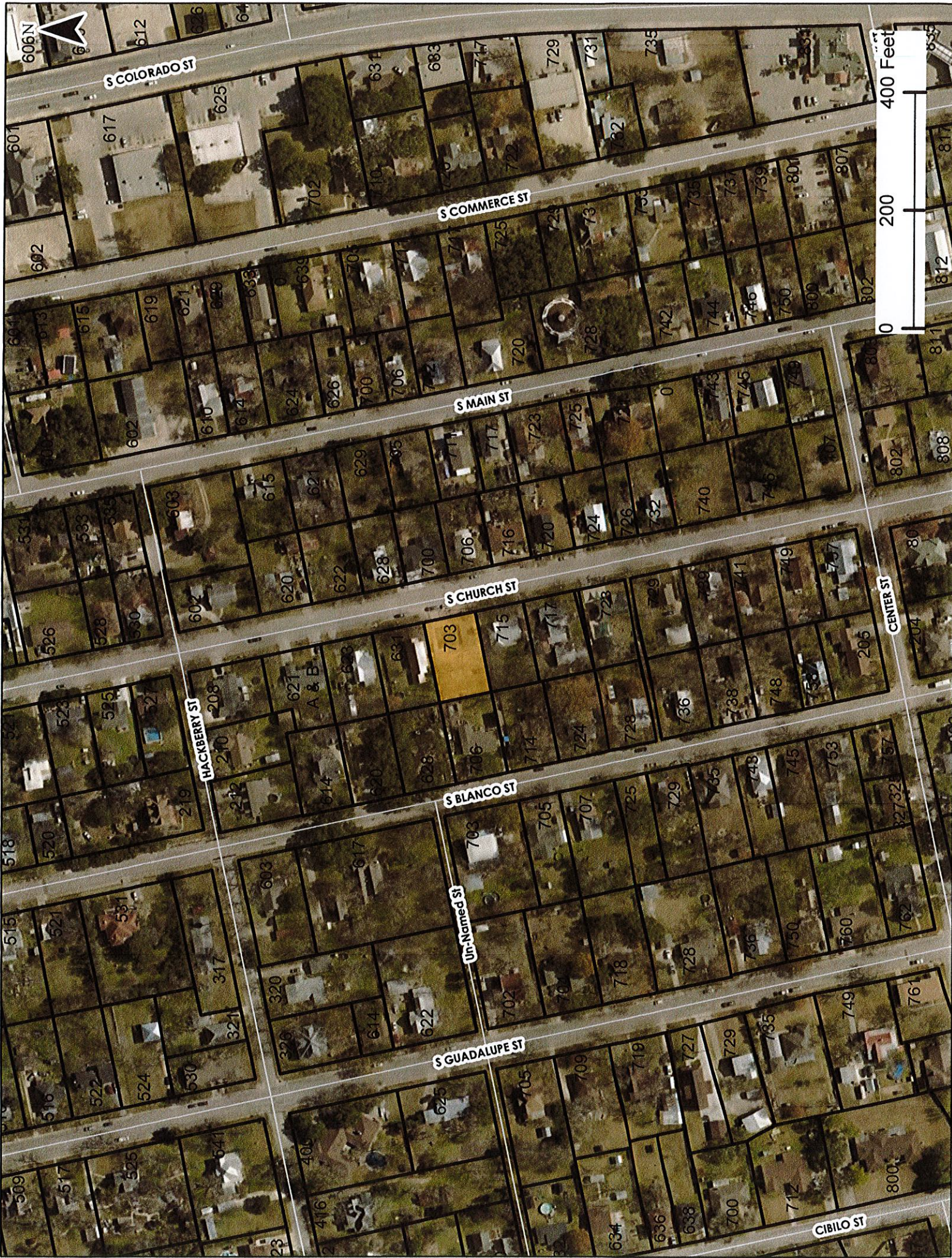


 SUBJECT PROPERTY

 ZONING BOUNDARY

 200 FT. BUFFER

scale 1" = 200'



S COLORADO ST

S COMMERCE ST

S MAIN ST

S CHURCH ST

S BLANCO ST

S GUADALUPE ST

HACKBERRY ST

CENTER ST

CIBILO ST

0 200 400 Feet

Un-Named St

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CASE SUMMARY

STAFF CONTACT: David Fowler, Senior Planner
REPORT DATE: October 7, 2022
PUBLIC HEARING DATE: October 12, 2022
APPLICANT'S REQUEST: Accessory Dwelling Unit – General
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None.

CASE NUMBER: SUP-22-13

BACKGROUND DATA

APPLICANT(S): Barret Kruggel
OWNER(S): Same
SITE LOCATION: 703 Church St.
LEGAL DESCRIPTION: Hudson's Addition, Block 2, Lot E/2-7
SIZE OF PROPERTY: 0.249 acre
EXISTING USE OF PROPERTY: Single-family dwelling
ZONING CLASSIFICATION: RMD Residential Medium Density District

ANALYSIS OF ISSUES

CHARACTERISTICS OF PROPOSED USE: The applicant proposes to construct an Accessory Dwelling Unit -- General. The RMD district allows the Accessory Dwelling Unit – General use upon approval of a Specific Use Permit. The maximum floor area allowed for an ADU-General is 1,000 square feet. The proposed ADU is 800 square feet. The property is a mid-block lot. The ADU would be located to the rear and to the north of the main house, behind an existing wood fence.

NEIGHBORHOOD COMPATIBILITY: The surrounding area is zoned RMD, and the neighborhood consists generally of modest homes of varying sizes and ages, although there are some newer houses, including the house on the subject property. The size of the subject property is typical of other lots in the general area. Many lots in the surrounding area include accessory structures, including detached garages, sheds, and a small number of older garage apartments.

COMPLIANCE WITH STANDARDS: Accessory Dwelling Unit – General is allowed only on lots having at least the minimum size and dimensions as is required for a duplex. The subject property exceeds that standard. The ADU is also required to have at least two off-street parking spaces in addition to the minimum required parking for the principal dwelling. The primary house has three bedrooms, which requires two off-street parking spaces, so a total of four parking spaces are required. The drawings submitted with the SUP application show the required four parking spaces (two for the principal dwelling unit and two for the ADU).

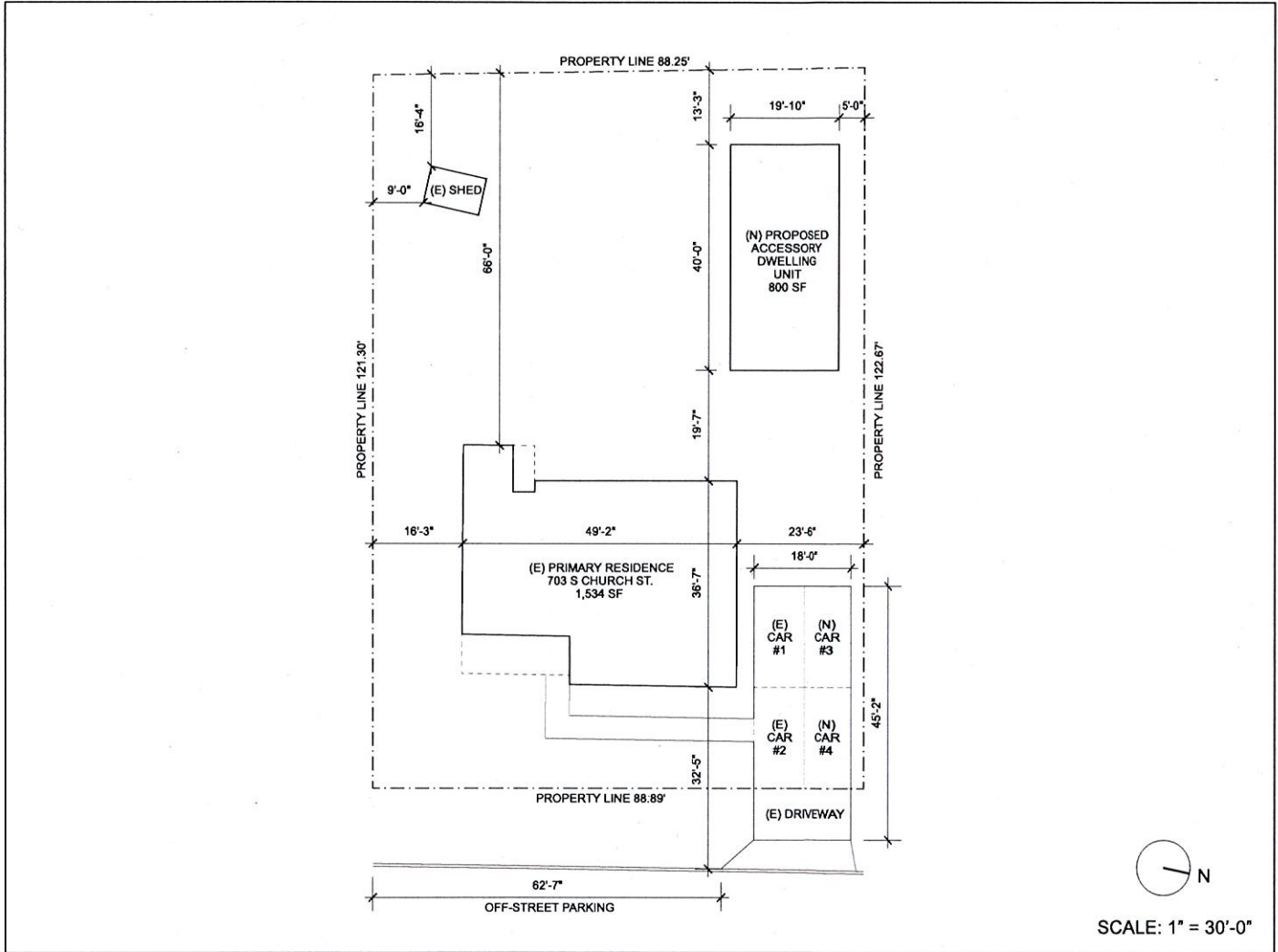
ADEQUACY OF INFRASTRUCTURE: Existing utilities are existing and adequate for the proposed use.

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

STAFF RECOMMENDATION: Approval. An alternative would be an Accessory Dwelling Unit – Limited, which would be allowed by-right, but this ADU type has a limit of 600 square feet or one half the floor area of the principal dwelling, whichever is greater.

CITY OF LOCKHART - SITE PLAN

APPLICANT NAME: Barret Kruggel **PHONE:** 925-878-5206
SITE ADDRESS: 703 S. Church St., Lockhart, TX 78644
PERMIT NUMBER: _____
PROPOSED WORK: Accessory Dwelling Unit - General



Please indicate the following:

1. North arrow, scale of the drawing (e.g., 1" = 50 feet), property lines with dimensions, and abutting streets and alleys;
2. Outline the location, size, and type of all structures with labels indicating whether existing or proposed; show roof overhangs as dotted lines;
3. Distances between all existing and/or proposed structures (measuring from roof overhang, if any) as well as from all existing and/or proposed structures to all property lines;
4. Location, type, and width of all known easements; and
5. Location, dimensions, and surface material of existing or proposed driveways and off-street parking areas; specify the number of provided and required parking spaces. Planning staff can assist with this requirement.

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 Barret Kruggel

ADDRESS 703 S Church St.

DAY-TIME TELEPHONE 925.878.5206

Lockhart, TX

E-MAIL bkruggel@gmail.com

78644

OWNER NAME Barret Kruggel

ADDRESS 703 S Church St.

DAY-TIME TELEPHONE 925.878.5206

Lockhart, TX

E-MAIL bkruggel@gmail.com

78644

PROPERTY

ADDRESS OR GENERAL LOCATION 703 S Church St., Lockhart, TX 78644

LEGAL DESCRIPTION (IF PLATTED) HUDSON'S ADDN, BLK 2, LOT E/2-7

SIZE 0.248 ACRE(S) ZONING CLASSIFICATION Residential Medium Density

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

REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Short-term rental (ACCESSORY DWELLING UNIT-GENERAL)

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.

New 800sf 2 bed, 1 bath short-term rental accessory dwelling unit. Max. 4 guests per rental period. 800sf gross floor area, 24-hour operation with quiet hours between 10pm-8am every day.

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 \$ 125 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 09/20/2022

OFFICE USE ONLY

ACCEPTED BY David Fowler RECEIPT NUMBER 01177430

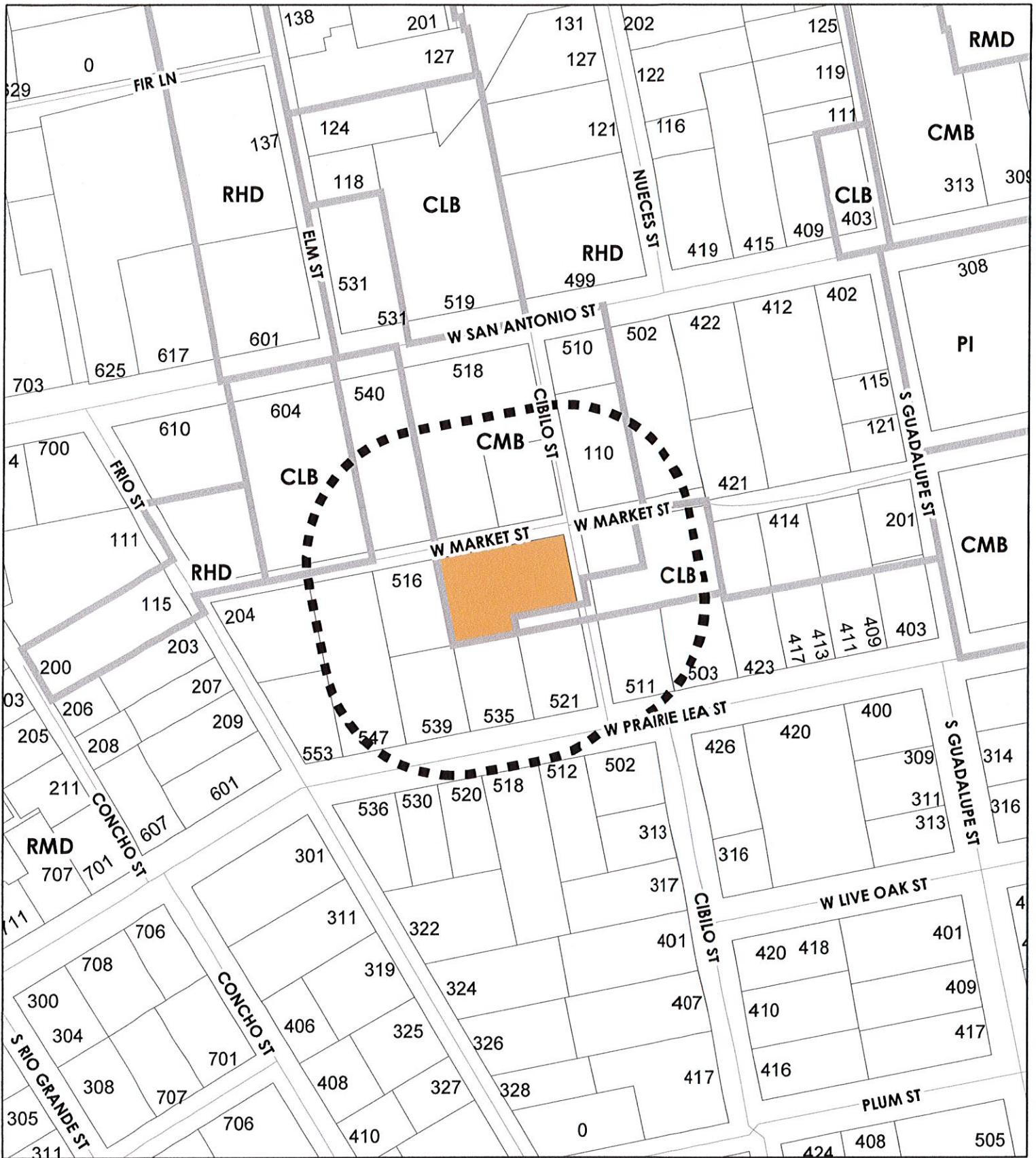
DATE SUBMITTED 9-20-22 CASE NUMBER SUP - 22 - 13

DATE NOTICES MAILED 9-26-2022 DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

DECISION _____

CONDITIONS _____






ZC-22-24

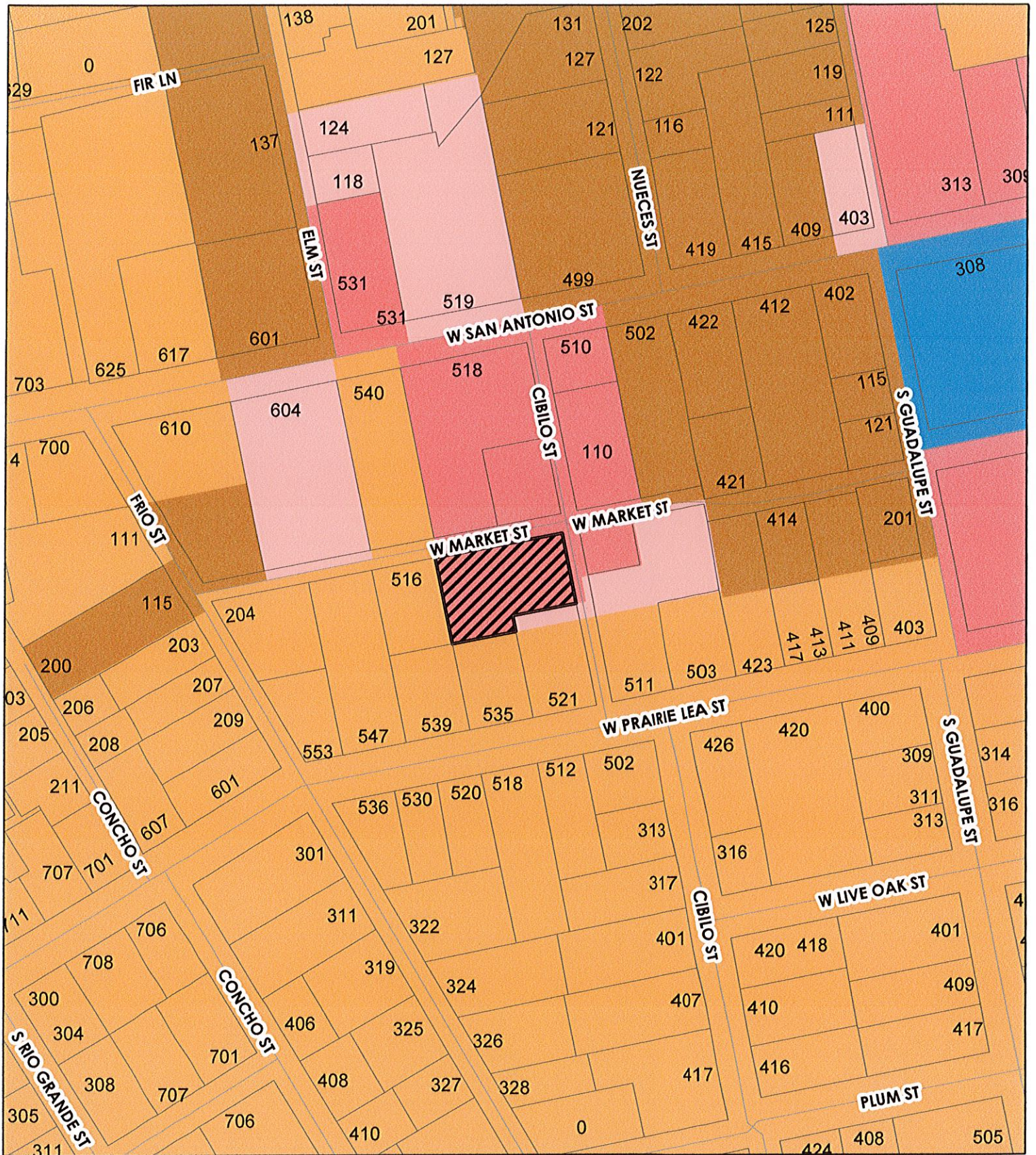
CMB TO RMD

500 BLK W MARKET ST



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER



ZC-22-24

CMB TO RMD

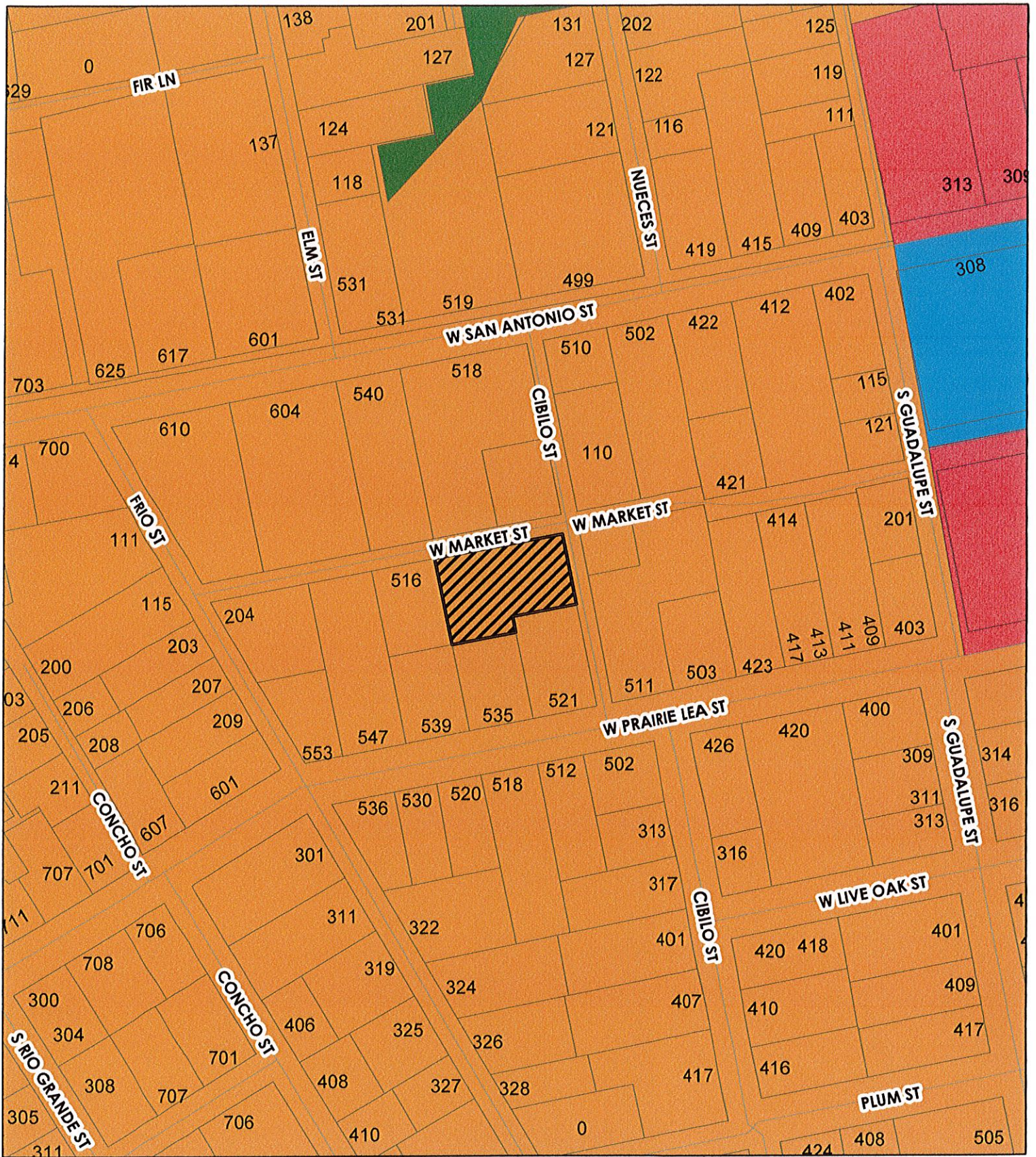
500 BLK W MARKET ST



scale 1" = 200'

ZONING DISTRICTS

- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

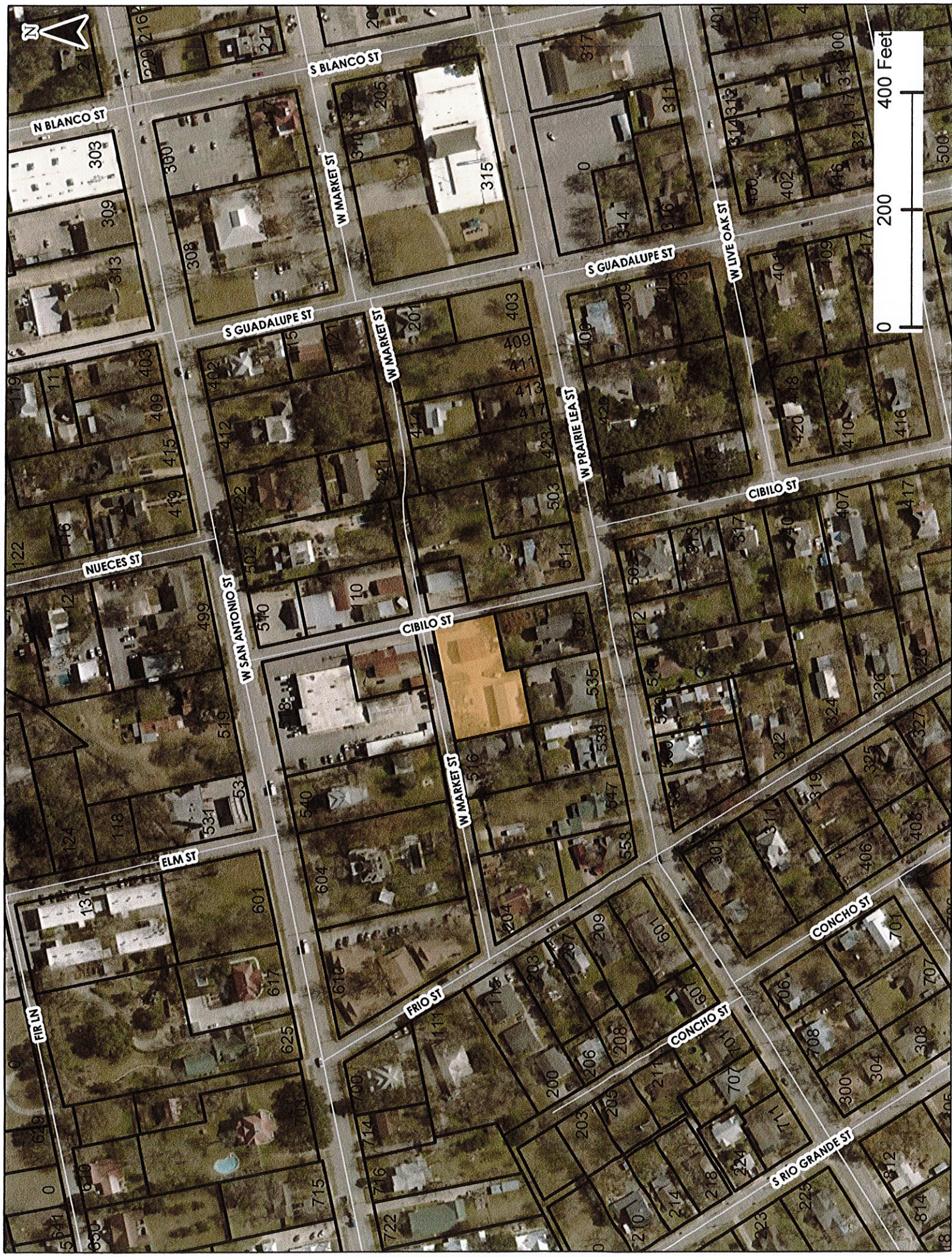
CMB TO RMD

500 BLK W MARKET ST



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-24

REPORT DATE: October 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: CMB to RMD

STAFF RECOMMENDATION: **Approval**

PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

BACKGROUND DATA

APPLICANT: Tamara Carlisle

OWNER: Tamara Carlisle

SITE LOCATION: 500 Block of West Market Street

LEGAL DESCRIPTION: All of Lot 24, part of Lot 22, A.R. Chews Subdivision

SIZE OF PROPERTY: 0.562 acre

EXISTING USE OF PROPERTY: Commercial

LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to divide the lot into four lots to be used as single-family residences. As the Current Commercial Medium Business (CMB) zoning does not allow residential uses, a residential zoning district will be required to construct a house on the property created through the subdivision. Residential Medium Density (RMD) has been selected as it is the zoning found on adjacent properties.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Single-family residential	CMB, RHD	<i>Medium Density Residential</i>
East	Commercial, Single-family residential	RMD	<i>Medium Density Residential</i>
South	Single-family residential	RMD	<i>Medium Density Residential</i>
West	Single-family residential	CMB	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The site is one of two lots located south of West Market Street that were outparcels of the recently-closed lumber business. The lots are currently zoned Commercial Medium Business (CMB), but all of the lots to the south, east and west of the two lots are residential uses zoned Residential Medium Density (RMD) district. The proposed zoning change will move the transition from commercial to residential to the center of West Market Street, so no commercial lots are directly abutting residential lots south of Market Street.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Cibolo Street and West Market Street. Water is available and adequate, with the site being served by a 6-inch line in the West Market Street right-of-way and a 6-inch wastewater line, also in the West Market Street right-of way.

POTENTIAL NEIGHBORHOOD IMPACT: The nearby area south of West San Antonio Street other than the lumber yard and hardware store sites is overwhelmingly residential, with mostly single-family detached lots as well as a few smaller multi-unit properties. The proposed RMD zoning will be more consistent with the area south of the commercial uses along west San Antonio Street than the current CLB zoning. The four-unit subdivision proposed for the site will remove the current condition of several nearby residential lots abutting a commercial zoning classification.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the *Medium Density Residential* future land use that is designated for the subject lot.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: Staff has received one letter in favor of the proposed rezoning.

STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning change from CMB, Commercial Medium Business District, to RMD, Residential Medium Density District.

540 San Antonio LLC
Lockhart, Texas 78644-0990
(512) 398 - 9300 / (512) 398 - 6000 (Fax)
Email : black525@sbcglobal.net

September 29, 2022

City of Lockhart

Attn: David Fowler, AICP

P.O. Box 239

Lockhart, TX 78644

David,

Terry Black, of 540 San Antonio LLC, would like to submit a statement of support for a Zoning Change from CMB Commercial Medium Business District to RMD Residential Medium Density District on a total of 0.562 acre consisting of all of Lot 24 and part of Lot 22, A. R. Chews Addition, located at 500 Block West Market Street.

Sincerely,

Terry Black

41 houses

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 Tamara Carlisle ADDRESS The Wimbey and Lockhart LLC

DAY-TIME TELEPHONE 512 657 1850 110 Cibola St

E-MAIL TAMARA.K.CARLISLE@gmail.com 78644

OWNER NAME TAMARA Carlisle ADDRESS 102 S Commerce St

DAY-TIME TELEPHONE 512 657 1850 78644

E-MAIL TAMARA.K.CARLISLE@gmail.com

PROPERTY

ADDRESS OR GENERAL LOCATION 110 Cibola 500 Blk W market

LEGAL DESCRIPTION (IF PLATTED) TRACT 7 Being all of lot 24 A.E. Chas Addition ^{SEE ATTACHED}

SIZE .562 ACRE(S) LAND USE PLAN DESIGNATION Residential (RM)

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

PROPOSED NEW USE, IF ANY 4 residential homes 2 stories

under 2,000 sq ft

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Commercial (CMB)

TO PROPOSED ZONING CLASSIFICATION Medium density residential (RM)

REASON FOR REQUEST To build 4 houses

2 stories

Each house under 2,000 sq ft

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 \$ 150⁰⁰ 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 Tanna Oelle

DATE 7/6/22

OFFICE USE ONLY

ACCEPTED BY David Fowler

RECEIPT NUMBER 01176784

DATE SUBMITTED 9-15-2022

CASE NUMBER ZC - 22 - 24

DATE NOTICES MAILED 9-26-2022

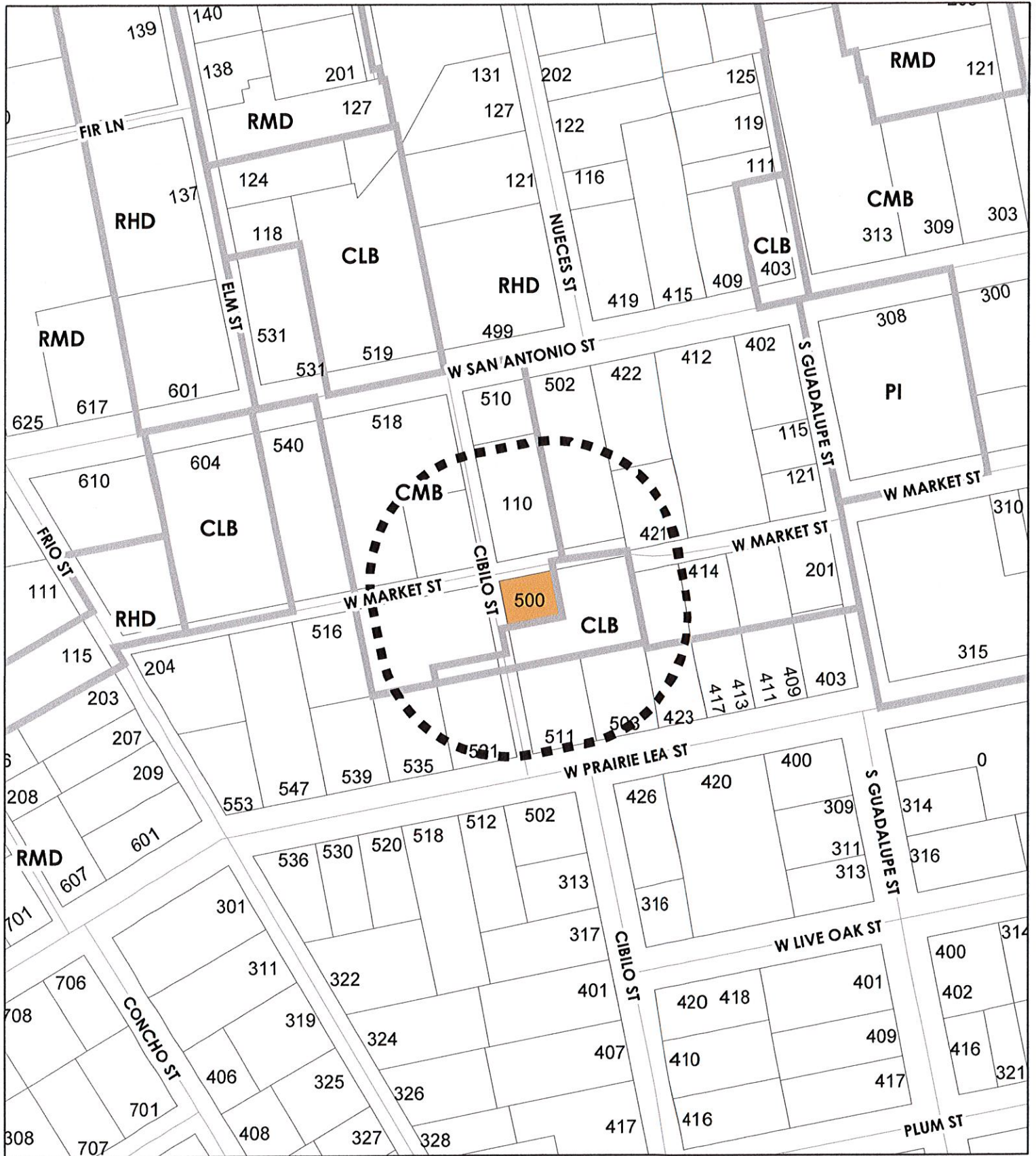
DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 10-18-2022

DECISION _____



ZC-22-25

CMB TO RMD

500 W MARKET ST



scale 1" = 200'



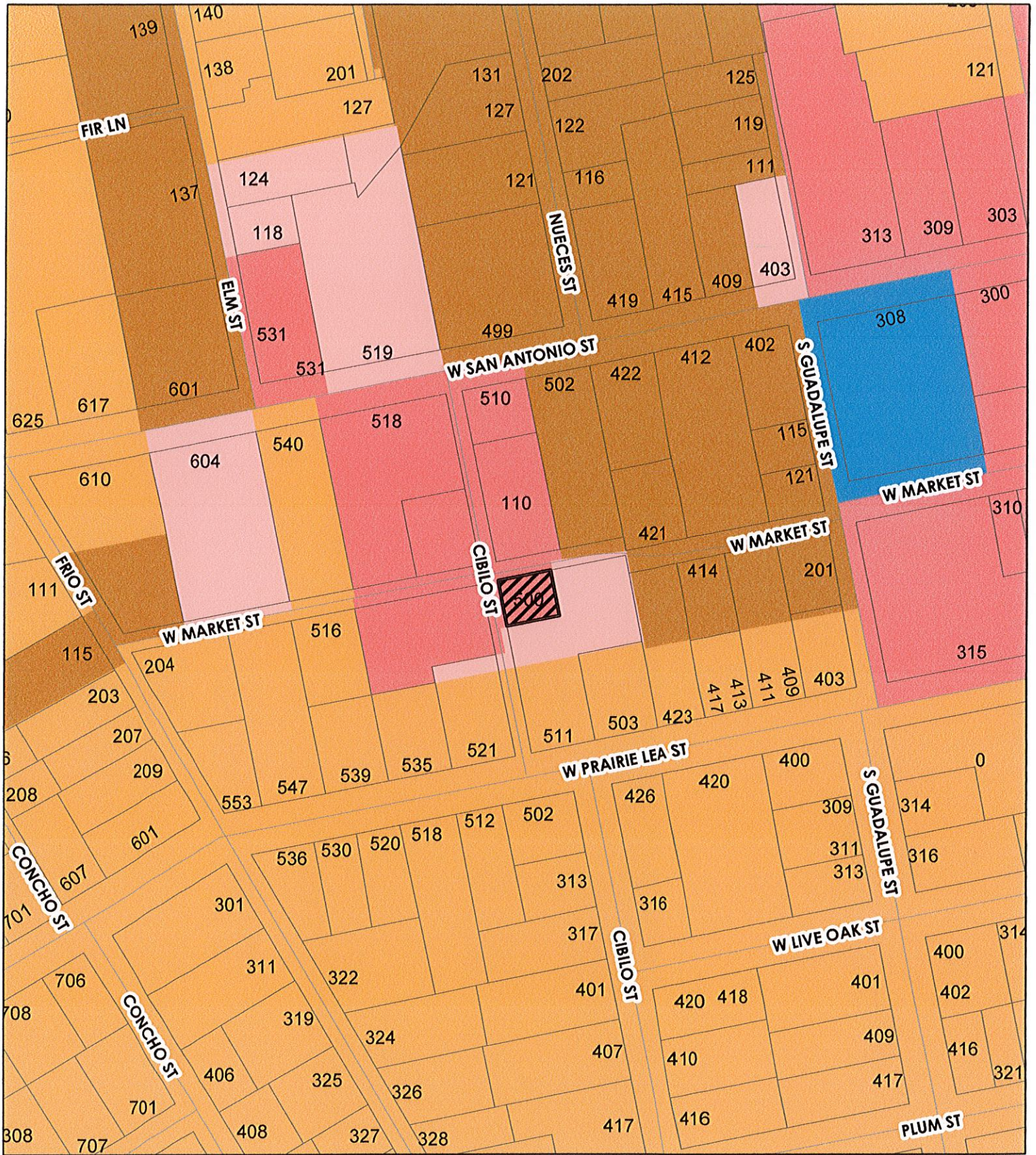
SUBJECT PROPERTY



ZONING BOUNDARY



200 FT BUFFER



ZC-22-25

CMB TO RMD

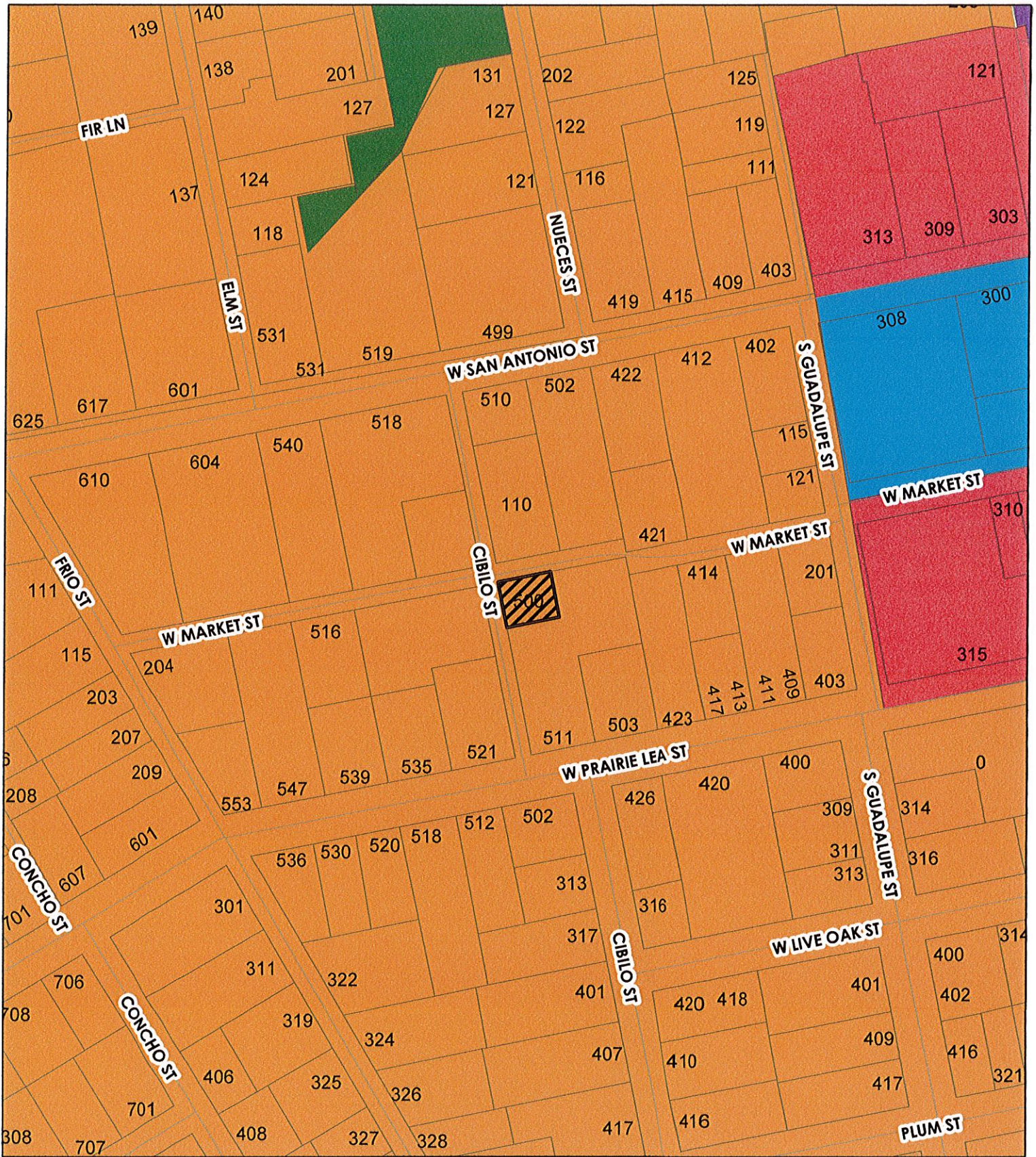
500 W MARKET ST



scale 1" = 200'

ZONING DISTRICTS

- COMMERCIAL LIGHT BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

CMB TO RMD

500 W MARKET ST



scale 1" = 200'

- GENERAL-HEAVY COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, MEDIUM DENSITY



N BLANCO ST

S BLANCO ST

NUECES ST

S GUADALUPE ST

S GUADALUPE ST

W LIVE OAK ST

FIR LN

ELM ST

CIBILO ST

W MARKET ST

FRIO ST

CONCHO ST

CONCHO ST

S RIO GRANDE ST

W MARKET ST

W MARKET ST

W SAN ANTONIO ST

W PRAIRIE LEA ST

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CASE SUMMARY

STAFF: David Fowler, Senior Planner CASE NUMBER: ZC-22-25
 REPORT DATE: October 6, 2022
 PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022
 CITY COUNCIL HEARING DATE: October 18, 2022
 REQUESTED CHANGE: CMB to RMD
 STAFF RECOMMENDATION: **Approval**
 PLANNING AND ZONING COMMISSION RECOMMENDATION: **Pending**

BACKGROUND DATA

APPLICANT: Tamara Carlisle
 OWNER: Tamara Carlisle
 SITE LOCATION: 500 West Market Street
 LEGAL DESCRIPTION: Part of Lot 20, A.R. Chews Subdivision
 SIZE OF PROPERTY: 0.135 acre
 EXISTING USE OF PROPERTY: Commercial
 LAND USE PLAN DESIGNATION: *Medium Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The owner wishes to develop the lot to be a single-family residence. As the current Commercial Medium Business (CMB) zoning does not allow residential uses, a residential zoning district will be required to construct a house on the property. Residential Medium Density (RMD) has been selected as it is the zoning found on adjacent properties.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Commercial, single-family residential	CMB, RHD	<i>Medium Density Residential</i>
East	Residential	RMD	<i>Medium Density Residential</i>
South	Residential	RMD	<i>Medium Density Residential</i>
West	Commercial	CMB	<i>Medium Density Residential</i>

TRANSITION OF ZONING DISTRICTS: The site is one of two lots located south of West Market Street that were outparcels of the recently-closed lumber business. The lots are currently zoned Commercial Medium Business (CMB), but all the lots to the south, east and west of the two lots are residential uses zoned Residential Medium Density (RMD) district. The proposed zoning change will move the transition from commercial to residential to the center of West Market Street so no commercial lots are directly abutting residential lots south of Market Street.

ADEQUACY OF INFRASTRUCTURE: Vehicular access is available from Cibolo Street and West Market Street. Water is available and adequate, with the site being served by a 6-inch line in the West Market Street right-of-way and a 6-inch wastewater line, also in the West Market Street right-of way.

POTENTIAL NEIGHBORHOOD IMPACT: The nearby area south of West San Antonio Street other than the lumber yard and hardware store sites is overwhelmingly residential, with mostly single-family detached lots as well as a few smaller multi-unit properties. The proposed RMD zoning will be more consistent with the area south of the commercial uses along west San Antonio Street than the current CLB zoning. Because of the shallow depth (approximately 71 feet) of the lot, the Board of Adjustment would have to grant a special exception before a building permit could be issued for the site.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning classification is consistent with the *Medium Density Residential* future land use that is designated for the subject lot.

ALTERNATIVE CLASSIFICATIONS: None.

RESPONSE TO NOTIFICATION: None to date.

STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning change from CMB, Commercial Medium Business District, to RMD, Residential Medium Density District.

Small Lot

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 The lumberyard lockhart LLC ADDRESS 110 Cibola St
 DAY-TIME TELEPHONE 512 657 1850 Lockhart
 E-MAIL TAMARA K Carlson @ gmail
 OWNER NAME TAMARA Carlson ADDRESS 102 S Commerce
 DAY-TIME TELEPHONE 512 657 1850 78644
 E-MAIL TAMARA K Carlson @ gmail

PROPERTY

ADDRESS OR GENERAL LOCATION 500 W Market St
~~Southeast corner of Cibola & Market~~
 LEGAL DESCRIPTION (IF PLATTED) Being all of Lot 20 AR Chews ... attached
 SIZE .135 ACRE(S) LAND USE PLAN DESIGNATION _____
 EXISTING USE OF LAND AND/OR BUILDING(S) Commercial old shed
 PROPOSED NEW USE, IF ANY Residential
one house

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Commercial (CMB) (CMB)
 TO PROPOSED ZONING CLASSIFICATION Medium density Residential (RMD)
 REASON FOR REQUEST So we can build one home
2 stories
less than 2,000 sq ft

SUBMITTAL REQUIREMENTS

IF THE APPLICANT IS NOT THE OWNER, A LETTER SIGNED AND DATED BY THE OWNER CERTIFYING THEIR OWNERSHIP OF THE PROPERTY AND AUTHORIZING THE APPLICANT TO REPRESENT THE PERSON, ORGANIZATION, OR BUSINESS THAT OWNS THE PROPERTY.

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

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

APPLICATION FEE OF \$ 125 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

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

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

SIGNATURE Tamara Carline

DATE 7/6/22

OFFICE USE ONLY

ACCEPTED BY DFawler

RECEIPT NUMBER 01176785

DATE SUBMITTED 9-15-2022

CASE NUMBER ZC - 22 - 25

DATE NOTICES MAILED 9-26-2022

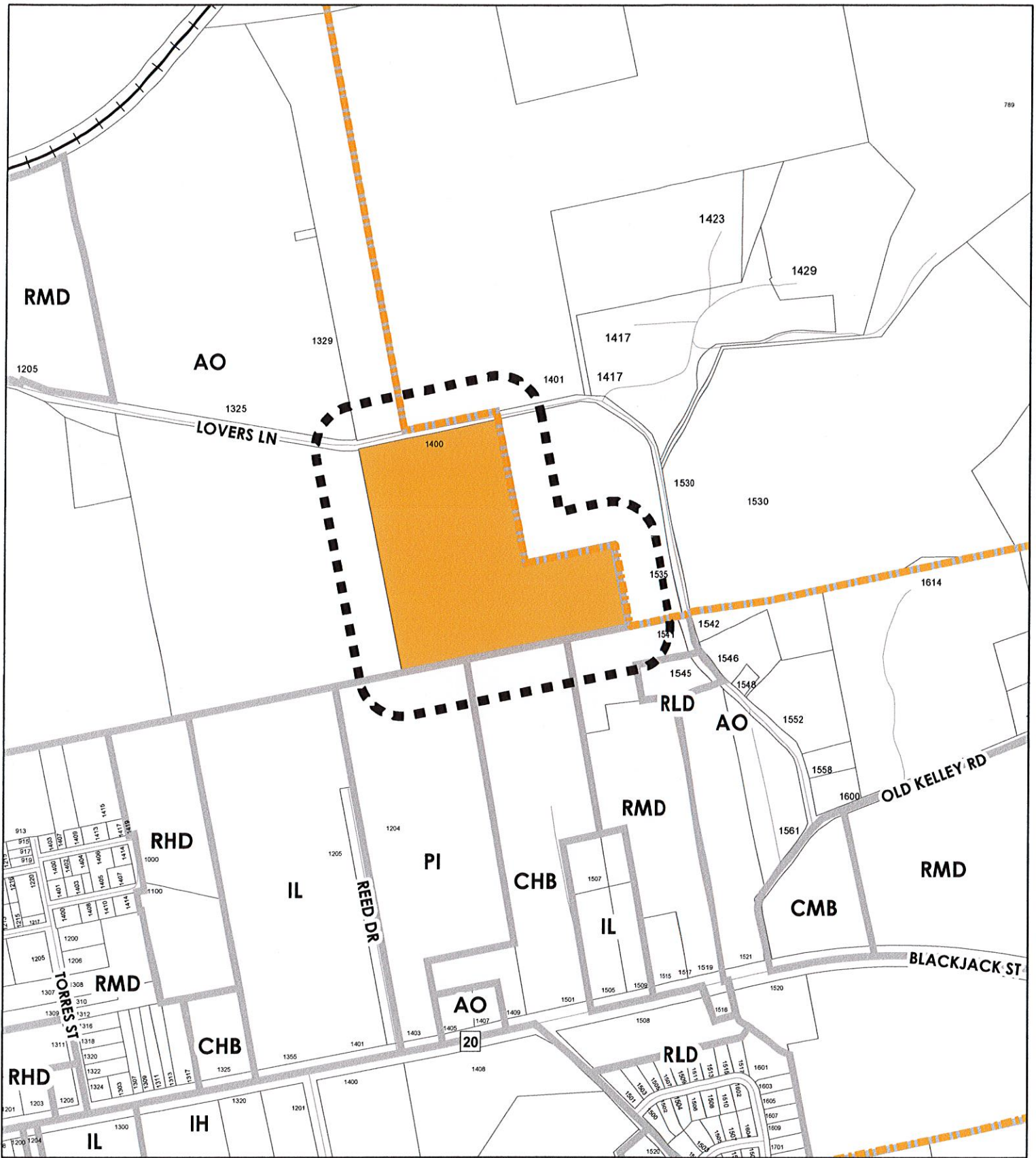
DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 10-18-2022





DECISION _____

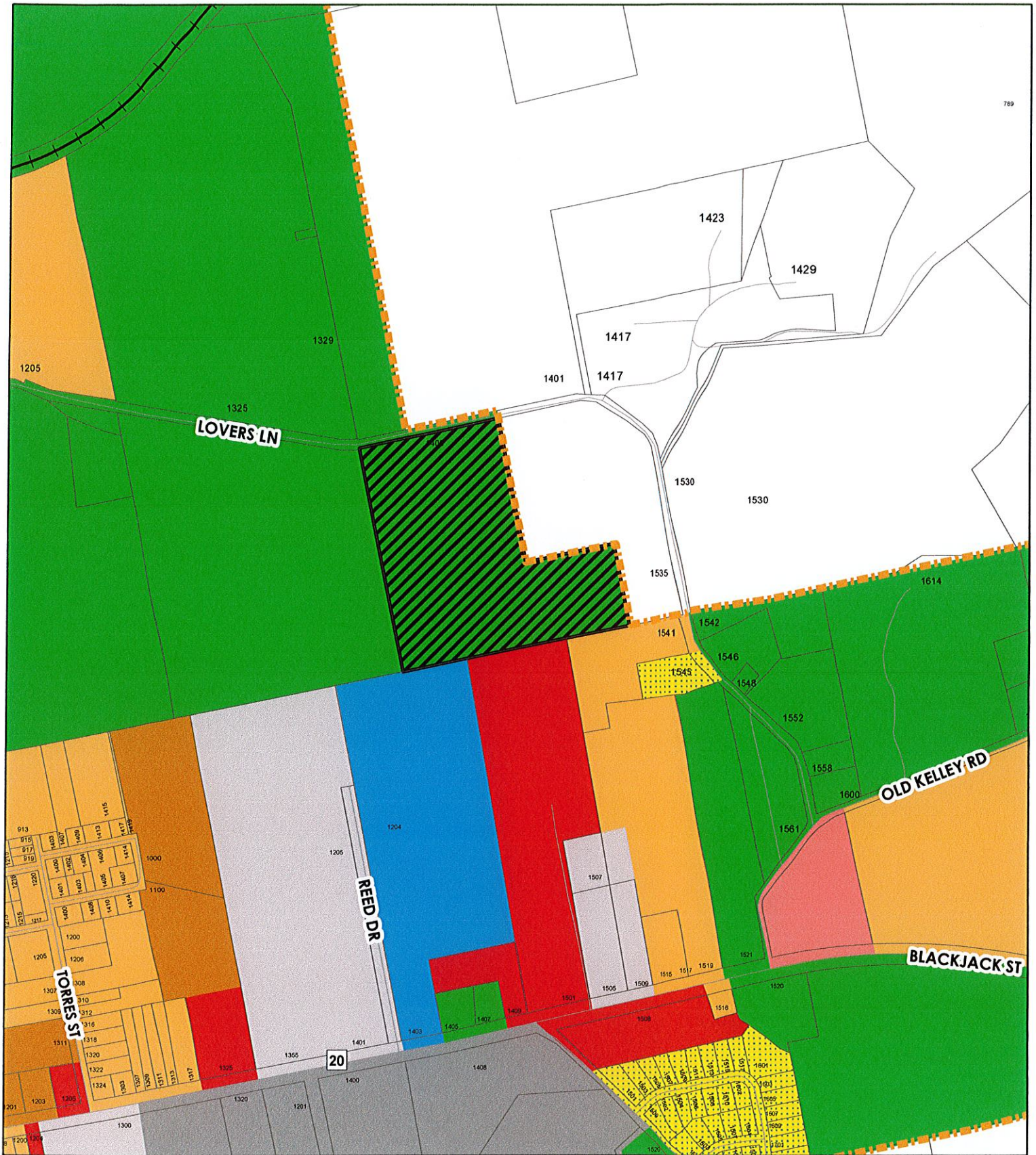


ZC-22-26
 AO TO RMD
 1400 LOVERS LANE



scale 1" = 600'

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



ZC-22-26

AO TO RMD

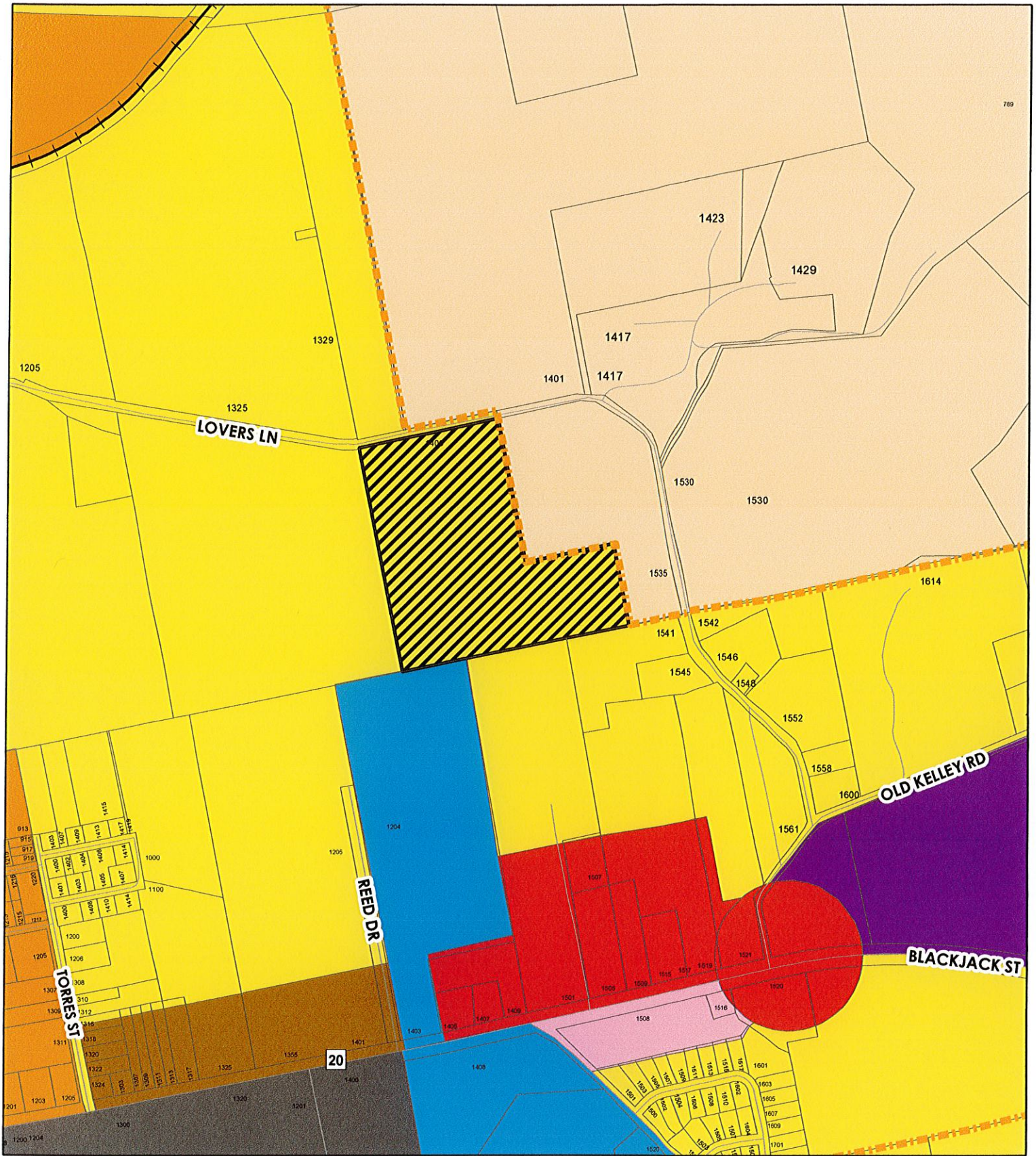
1400 LOVERS LANE



scale 1" = 600'

ZONING DISTRICTS

- AGRICULTURAL-OPEN SPACE
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL HEAVY
- INDUSTRIAL LIGHT
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO TO RMD

1400 LOVERS LANE



scale 1" = 600'

- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY

CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-26

REPORT DATE: October 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: AO to RMD

STAFF RECOMMENDATION: *Approval*

PLANNING AND ZONING COMMISSION RECOMMENDATION: *Pending*

BACKGROUND DATA

APPLICANT: Chris Elizondo

OWNER: Jimbo Cotton, 2402 CR 119, LLC

SITE LOCATION: 1400 Lovers Lane

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 19.36 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Low Density Residential*

ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on September 15, 2009. Upon annexation, the property was assigned AO Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The Residential Medium Density (RMD) district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	AO, ETJ	<i>Agricultural/Rural Development, Low Density Residential</i>
East	Vacant land, Single-family residential	ETJ	<i>Agricultural/Rural Development</i>
South	Vacant Land, Industrial, Institutional	PI, CHB, RMD	<i>Public and Institutional,</i>
West	Single-family residential, Vacant land	RMD, ETJ	<i>Medium Density Residential, Low Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There currently are two large blocks of RMD zoning to the south and east of the subject parcel, including the area proposed to combine with the subject parcel to create a single subdivision. Other nearby areas are either in the ETJ or are zoned RMD, PI, or AO. While there is relatively little other residentially-zoned land in the general area currently, much of the area to the north, east and southeast is designated for residential development on the Future Land Use Map.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the Lover's Lane right-of-way near the northwest corner of the site. As the proposed subdivision will also abut Blackjack Street (FM 20), the subdivision would provide an opportunity to loop the water system in the area. City wastewater service will require connection to an area southeast of the site along Lover's Lane or in the Blackjack Street right-of-way. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development. Improvement of Lovers Lane to City standards will be required as a condition of the subdivision plat.

POTENTIAL NEIGHBORHOOD IMPACT: As the proposed subdivision would front on both Blackjack Street and Lovers Lane, those streets would be most heavily affected, with Blackjack Street getting most of the additional traffic as it offers the fastest connection to Colorado Street and points outside of Lockhart. As Blackjack Street/FM 20 is a TxDOT route, the agency will review proposed intersection locations and possibly require intersection improvements to mitigate traffic impacts.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is one step up in intensity from the site's *Low Density Residential* designation on the Land Use Plan map but is consistent with the single-family residential envisioned for the site in the Comprehensive plan.

ALTERNATIVE CLASSIFICATIONS: Residential Low Density.

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

STAFF RECOMMENDATION: Approval.



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 CHRIS ELIZONDO
DAY-TIME TELEPHONE 512-810-8588
E-MAIL CHRIS@CUATROCONSULTANTS.COM

ADDRESS 3601 KYLE CROSSING
SUITE A, KYLE, TX
78640

OWNER NAME JIMBO COTTON
DAY-TIME TELEPHONE 512-784-3015
E-MAIL JIMBO@MATEXAS.COM

ADDRESS P.O. BOX 5708
AUSTIN, TX 78763

PROPERTY

ADDRESS OR GENERAL LOCATION 1400 LOVERS LANE, LOCKHART, TX 78644
LEGAL DESCRIPTION (IF PLATTED) A017 LOCKHART, BYRD, ACRES 19.367
SIZE 19.36 ACRE(S) LAND USE PLAN DESIGNATION SINGLE FAMILY SUBDIVISION
EXISTING USE OF LAND AND/OR BUILDING(S) AGRICULTURE
PROPOSED NEW USE, IF ANY SINGLE-FAMILY DEVELOPMENT

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AGRICULTURAL-OPEN SPACE
TO PROPOSED ZONING CLASSIFICATION RESIDENTIAL MEDIUM DENSITY
REASON FOR REQUEST PROPOSED SINGLE-FAMILY SUBDIVISION

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 \$ 537.20 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 *James L. H...*

DATE 9-2-22

OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER 201177561

DATE SUBMITTED 9/21/2022

CASE NUMBER ZC 22 - 26

DATE NOTICES MAILED 9-26-2022

DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 10-18-2022

DECISION _____

Christine Banda

From: Jimbo Cotton <jimbo@matexas.com>
Sent: Friday, September 23, 2022 2:59 PM
To: Chris Elizondo
Subject: Blackjack Subdivision, Lockhart

Chris,

This email will serve as authorization for Cuatro Consultants, Ltd. to file a zoning application and related documents for the project known as Blackjack Subdivision in Lockhart, Texas.

I am the managing member of 2401 CR 219, LLC, a Texas limited liability company, acting on the behalf of the company.

thank you,
Jimbo Cotton

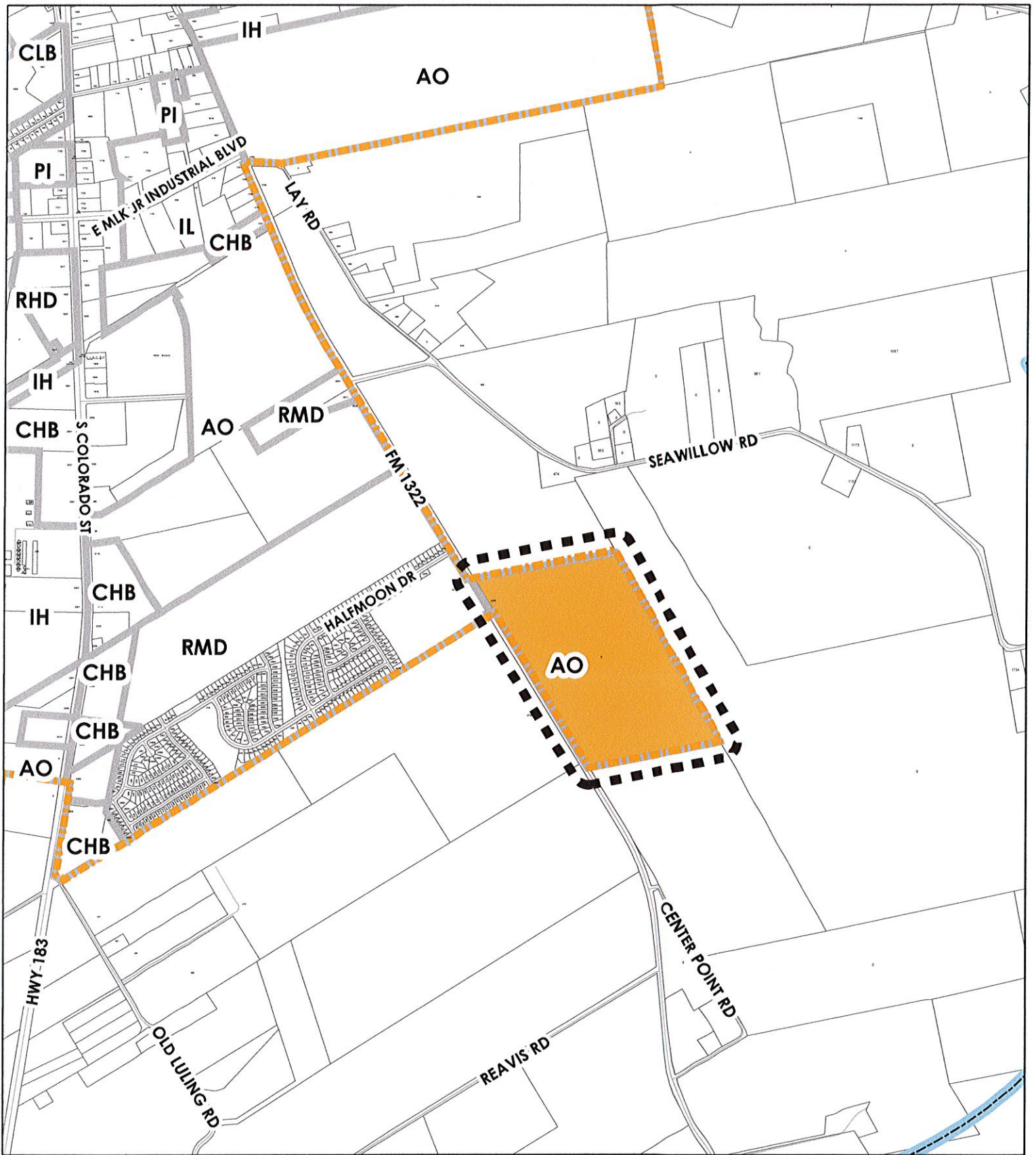
--

Jimbo Cotton
McALLISTER & ASSOCIATES

502 Baylor Street
Austin, Texas 78703
(O) 512.467.4056
(C) 512.784.3015
jimbo@matexas.com

[About Broker Services](#)

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ZC-22-27

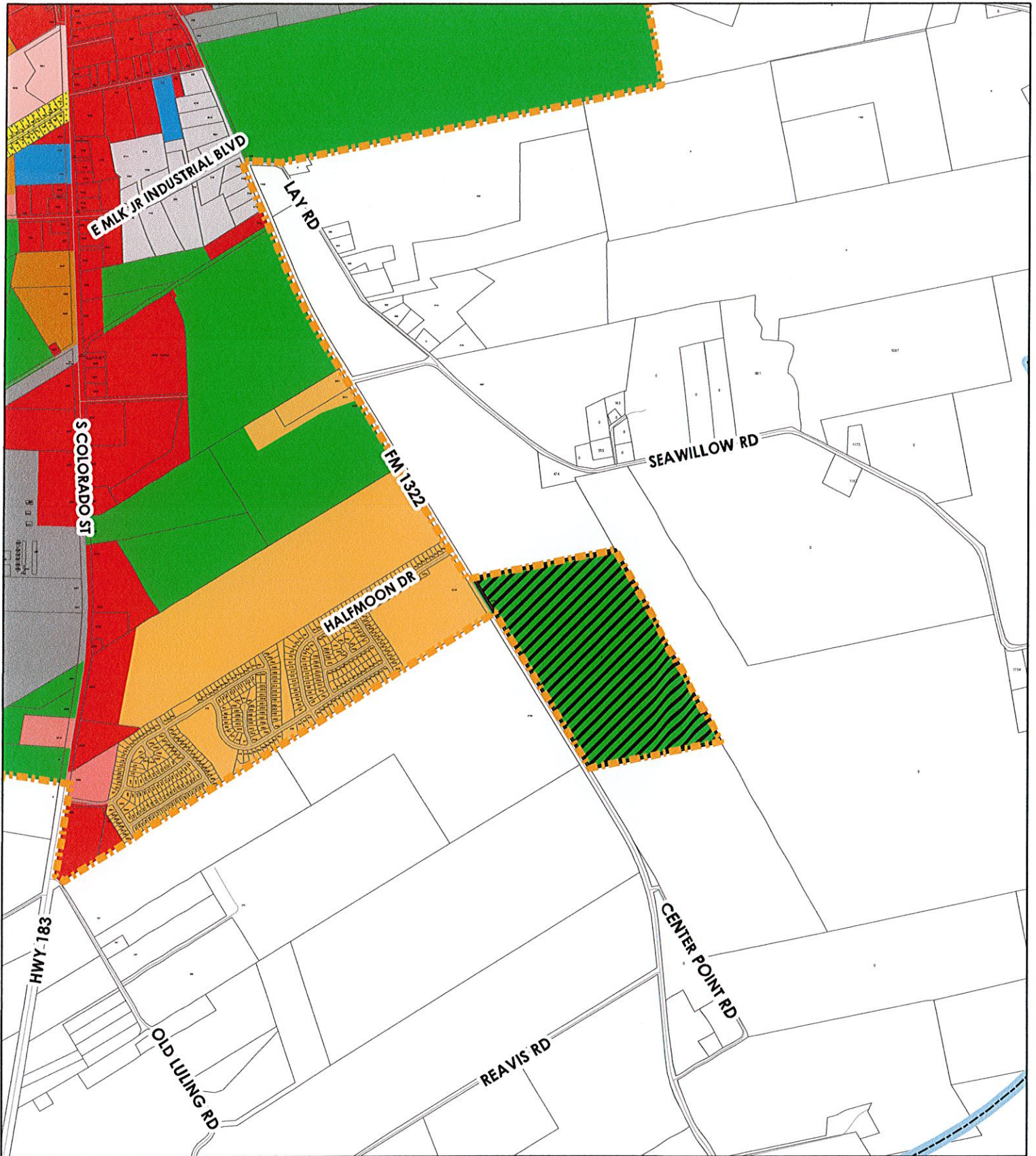
AO TO RMD

2400 FM 1322



scale 1" = 1500'

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



ZC-22-27

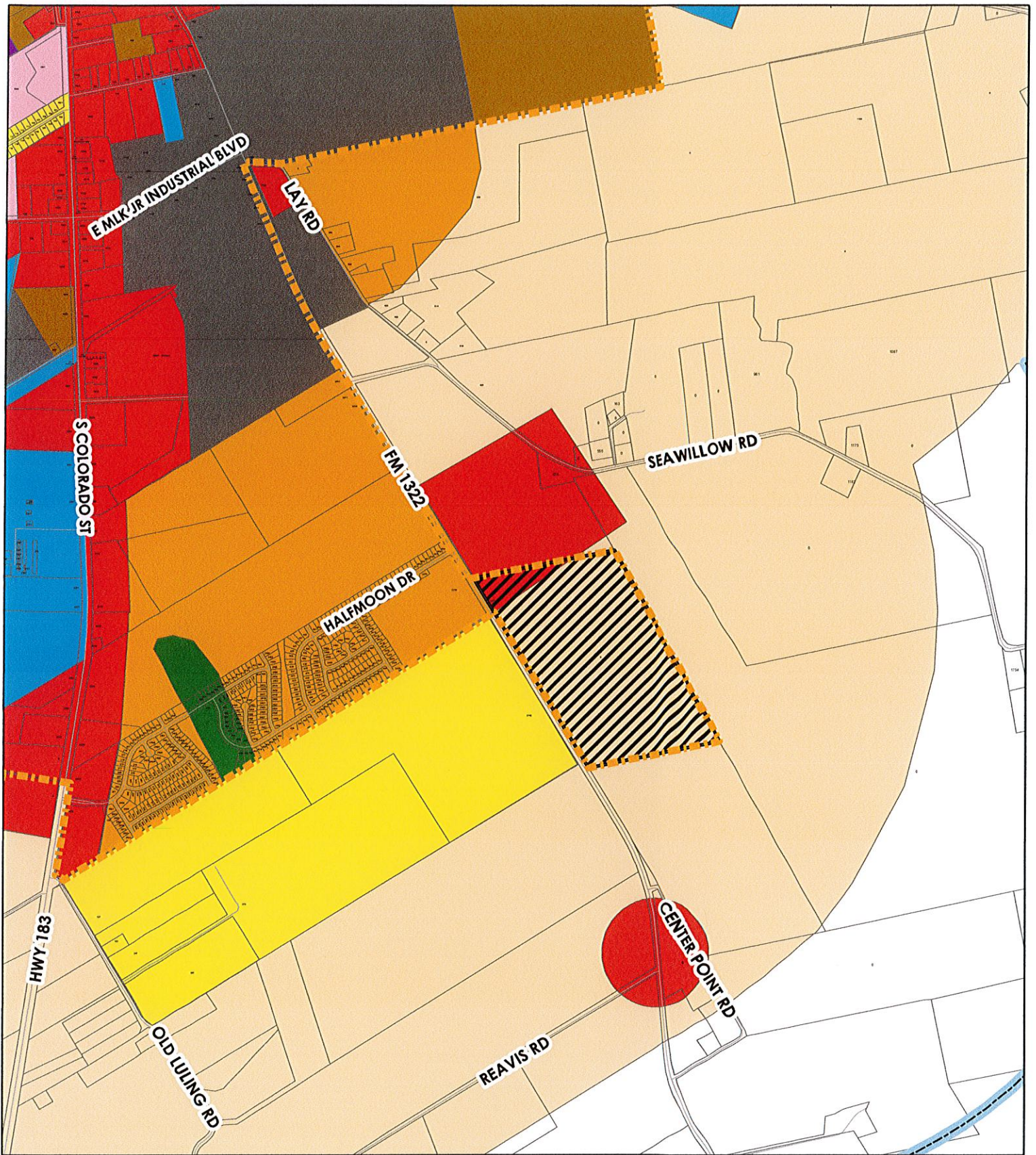
AO TO RMD

2400 FM 1322



scale 1" = 150'

- ZONING DISTRICTS**
- AGRICULTURAL-OPEN SPACE
 - COMMERCIAL HEAVY BUSINESS
 - COMMERCIAL LIGHT BUSINESS
 - COMMERCIAL MEDIUM BUSINESS
 - INDUSTRIAL HEAVY
 - INDUSTRIAL LIGHT
 - PUBLIC AND INSTITUTIONAL
 - RESIDENTIAL HIGH DENSITY
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL MEDIUM DENSITY



FUTURE LANDUSE

AO TO RMD

2400 FM 1322



scale 1" = 1500'

- zc2227
- AGRICULTURE/RURAL DEVELOPMENT
- GENERAL-HEAVY COMMERCIAL
- INDUSTRY
- LIGHT-MEDIUM COMMERCIAL
- MIXED RETAIL, OFFICE, RESIDENTIAL
- PARKS AND OPEN SPACE
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL, HIGH DENSITY
- RESIDENTIAL, LOW DENSITY
- RESIDENTIAL, MEDIUM DENSITY



CASE SUMMARY

STAFF: David Fowler, Senior Planner

CASE NUMBER: ZC-22-27

REPORT DATE: October 6, 2022

PLANNING AND ZONING COMMISSION HEARING DATE: October 12, 2022

CITY COUNCIL HEARING DATE: October 18, 2022

REQUESTED CHANGE: AO to RMD

STAFF RECOMMENDATION: *Approval*PLANNING AND ZONING COMMISSION RECOMMENDATION: *Pending***BACKGROUND DATA**

APPLICANT: Dan Ross

OWNER: Thomas Staub, Red Oak Development Group

SITE LOCATION: 2400 FM 1322

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 89.775 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: *Agriculture/Rural Development and General-Heavy Commercial***ANALYSIS OF ISSUES**

REASON FOR REQUESTED ZONING CHANGE: The property was annexed on September 6, 2022. Upon annexations, the property was assigned AO Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The current AO zoning allows single-family dwellings, but only on lots of one acre or larger. The RMD district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

AREA CHARACTERISTICS:

	Existing Use	Zoning	Future Land Use Plan
North	Vacant Land	ETJ	<i>Agricultural/Rural Development, General-Heavy Commercial</i>
East	Vacant land	ETJ	<i>Agricultural/Rural Development</i>
South	Vacant Land	ETJ	<i>Agricultural/Rural Development</i>
West	Single-family residential, Vacant land	RMD, ETJ	<i>Medium Density Residential, Low-Density Residential</i>

TRANSITION OF ZONING DISTRICTS: There currently is a large block of RMD zoning to the west of the subject parcel in the form of existing and future sections of the Summerside subdivision. Other nearby areas are either in the ETJ or are zoned AO. Given that there is identical zoning nearby and other nearby areas are zoned AO but are likely to be the sites of residential or commercial development in the future, the transition of zoning districts reflected in the zoning pattern after the proposed zoning changes will be appropriate.

ADEQUACY OF INFRASTRUCTURE: Adequate City water service is currently available in the FM 1322 right-of-way near the northwest corner of the site. City wastewater service will require a lengthy off-site extension along FM 1322 towards Blackjack Street (FM 20), which also will require the installation of a force main and lift station. Any subdivision of the property will require internal public streets, and stubs to neighboring properties for connection to future development.

POTENTIAL NEIGHBORHOOD IMPACT: Because this is still a sparsely populated area, any adverse impact will likely be limited to increased traffic on FM 1322, and possibly streets within the Summerside Subdivision. TxDOT will require a traffic impact analysis for all new street intersections along FM 1322 and could require safety improvements (center left-turn lane, right-turn transition lanes, traffic signals, etc.) that would be the responsibility of the developer to provide.

CONSISTENCY WITH COMPREHENSIVE PLAN: The proposed RMD zoning is not consistent with the *Agriculture/Rural Development and General Heavy Commercial* designations for the property on the Land Use Plan map. However, much of the ETJ was assigned Agriculture/Rural Development, rather than assigning a wider range of future land uses to areas outside the city.

ALTERNATIVE CLASSIFICATIONS: None more appropriate.

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

STAFF RECOMMENDATION: Approval.

CITY OF

Lockhart

TEXAS

ZONING CHANGE APPLICATION

(512) 398-3461 • FAX (512) 398-3833
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

APPLICANT/OWNER

APPLICANT NAME Dan Ross
DAY-TIME TELEPHONE 717-609-7365
E-MAIL dan@redoakvc.com

ADDRESS 863 Northview Dr
New Braunfelds/TX/78130

OWNER NAME Thomas Staub
DAY-TIME TELEPHONE 717-609-7365
E-MAIL tom@redoakvc.com

ADDRESS 8512 Bestride Bend
Austin/TX/78744

PROPERTY

2400 Fm 1322

ADDRESS OR GENERAL LOCATION See attached legal description

LEGAL DESCRIPTION (IF PLATTED) _____

SIZE 89.775 ACRE(S) LAND USE PLAN DESIGNATION _____

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

PROPOSED NEW USE, IF ANY Residential Medium Density - SF Homes

REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION AG

TO PROPOSED ZONING CLASSIFICATION RMD- Residential Medium Density

REASON FOR REQUEST _____

Red Oak Development intends on developing single family homes.

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 \$ ~~1,965.50~~ PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

1/4 acre or less	1945.50 OF	\$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 Dan Ross

Digitally signed by Dan Ross
DN: cn=Dan Ross, givenName=Dan Ross, o=US United States, ou=US United States
c=us, email=ross@cityoflockhart.com
Reason: I am the author of this document
Location:
Date: 2022.09.15 07:29:05-00

DATE 9/15/2022

OFFICE USE ONLY

ACCEPTED BY D. Fowler

RECEIPT NUMBER ROLL 79835

DATE SUBMITTED 9-21-2022

CASE NUMBER ZC - 22 - 28

DATE NOTICES MAILED 9-24-2022

DATE NOTICE PUBLISHED 9-29-2022

PLANNING AND ZONING COMMISSION MEETING DATE 10-12-2022

PLANNING AND ZONING COMMISSION RECOMMENDATION _____

CITY COUNCIL MEETING DATE 10-18-2022

DECISION _____

To Whom It May Concern:

I, Thomas Staub, am the owner of the property located on FM 1322, Lockhart, TX (SEE Legal description attached) consisting of 89.775 acres. I authorize Dan Ross to apply for a change in the zoning classification of my property from AG Agricultural to RMD Residential Medium Density and RHD Residential High Density.

Thomas Staub

Thomas Staub

7/1/2022

Date

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Dan Gibson, City Planner *DG*
DATE: October 4, 2022

This past February the City Council adopted a zoning text amendment that the Planning and Zoning Commission recommended requiring covered-parking for detached single-family dwellings (SF-1 and SF-2 development types). At the May 3rd City Council meeting, at the request of Council-member Kara McGregor, the City Council discussed exempting homes on nonconforming (grandfathered) platted lots from the covered parking requirement because there are old subdivisions, primarily on the east side of the city, where the lots are less than the current minimum width of 50 feet. The result was that the Council passed a motion to direct staff to prepare an amendment to make the covered parking standards more reasonable for houses constructed on such lots. On June 22nd, the Planning and Zoning Commission recommended such an amendment, as well as other changes recommended by staff, and on July 19th the City Council adopted the amendments as recommended by the Commission.

A potential situation has been brought to our attention by a homebuilder regarding the limit on the width of a front-facing garage door being no more than 40 percent of the width of a detached single-family dwelling, which is in our current version of the covered parking standards as amended on July 19th. With a minimum 50-foot wide lot for the SF-2 (detached single-family dwelling) development type, which is allowed in the RMD and RHD districts, plus the five-foot minimum side building setback and a one-foot roof eave on the sides, the resulting width of the home would be 38 feet. The standard garage door for a two-car garage is 16 feet wide, which is roughly 42 percent of the width of a 38-foot wide house and, therefore, exceeds the 40 percent limit. The 40 percent limit works only if the house has no roof overhangs which, in accordance with the fire code, must not extend any closer than five feet to the property line. Therefore, under the current standard, a maximum width home with overhanging roof eaves on a 50-foot wide lot would be limited to only a single-car garage. Because we want to encourage two-car garages, increasing the maximum garage width to 50 feet would solve the problem. Fifty feet is the standard used by the City of Buda.

If the current 40 percent limit is increased to 50 percent, it would also eliminate the need for the separate 50-foot limit for three-car garages and, therefore, would simplify the ordinance by applying the 50-foot limit to all sizes of garages for detached single-family dwellings. Covered parking for at least one vehicle per unit is also required for duplexes, two-unit condominiums, or two-unit townhouses, but the limit on the width of garage doors currently does not apply to them, and is not proposed to be changed. The attached page shows the current wording of Section 64-197(g)(2)(a), a version showing the proposed changes with deleted text crossed-out, and a clean version of the section after the changes take effect.

Chapter 64 Zoning

ARTICLE VII. ZONING DISTRICTS AND STANDARDS

Sec. 64-197. Regulations common to all or several districts.

(g) *Minimum parking and loading requirements.*

(2) Additional parking requirements in residential districts. [**Current text**]

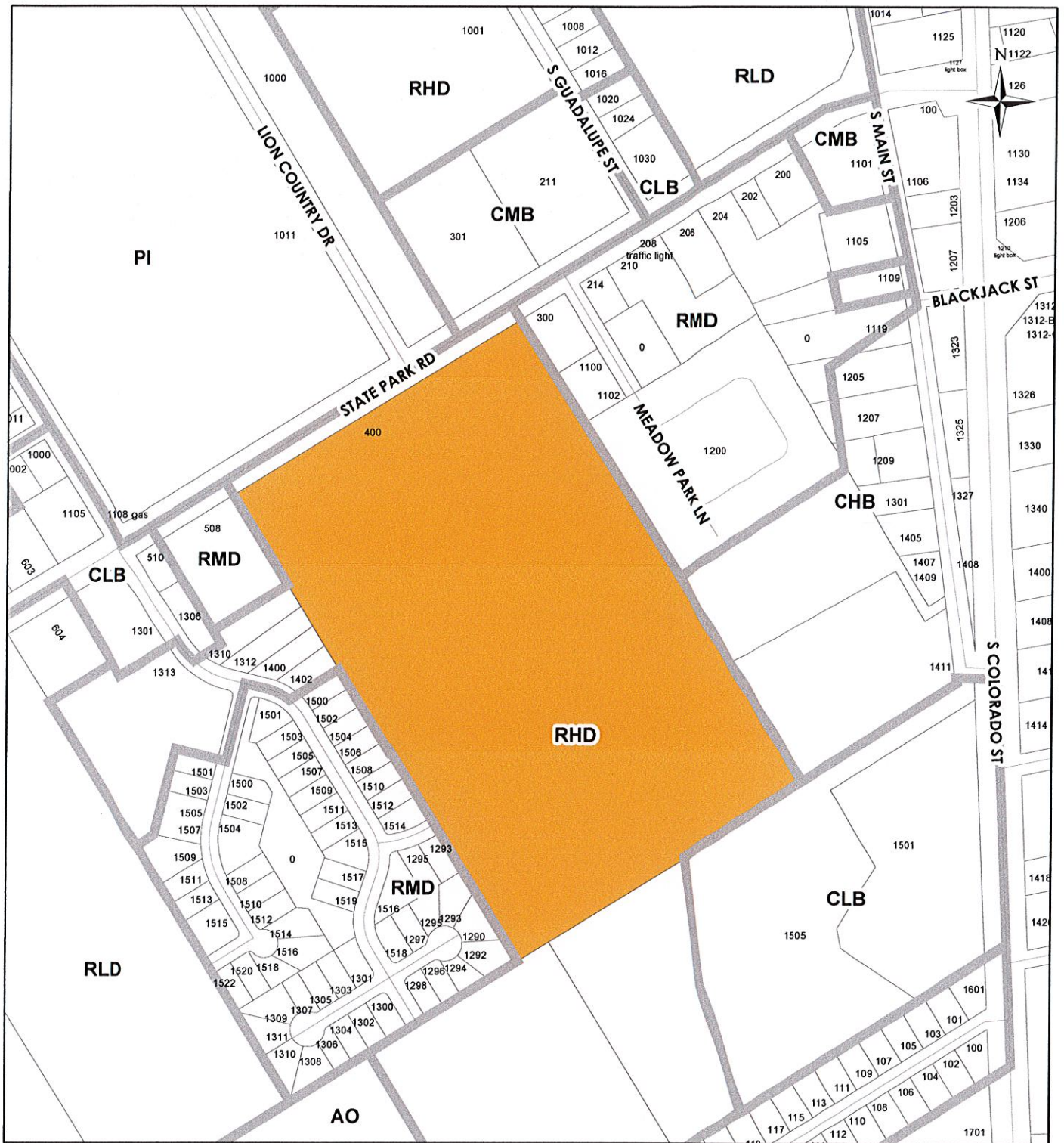
- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. Front-facing garage doors for single-car and two-car garages shall not occupy more than 40 percent, and front-facing garage doors for three-car garages shall not occupy more than 50 percent, of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

(2) Additional parking requirements in residential districts. [**Recommended changes**]

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. ~~Front-facing garage doors for single-car and two-car garages shall not occupy more than 40 percent, and front-facing garage doors for three-car garages shall not occupy more than 50 percent,~~ of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.

(2) Additional parking requirements in residential districts. [**Proposed text**]

- a. Each detached single-family dwelling, duplex, two-unit condominium, or two-unit townhouse, shall provide covered parking for at least one vehicle in the form of a carport or garage having a usable parking area, exclusive of storage or other functions, of at least 220 square feet per vehicle for each dwelling unit. Carports shall be provided with an integral enclosed storage room of at least 40 square feet. Garages and carports shall not extend closer to the front property line than the wall or covered porch of the dwelling that is closest to the front property line. Front-facing garage doors shall not occupy more than 50 percent of the width of detached single-family dwellings. A dwelling constructed on a nonconforming lot less than 50 feet wide that was platted prior to April 15, 1990, is not required to provide covered parking.



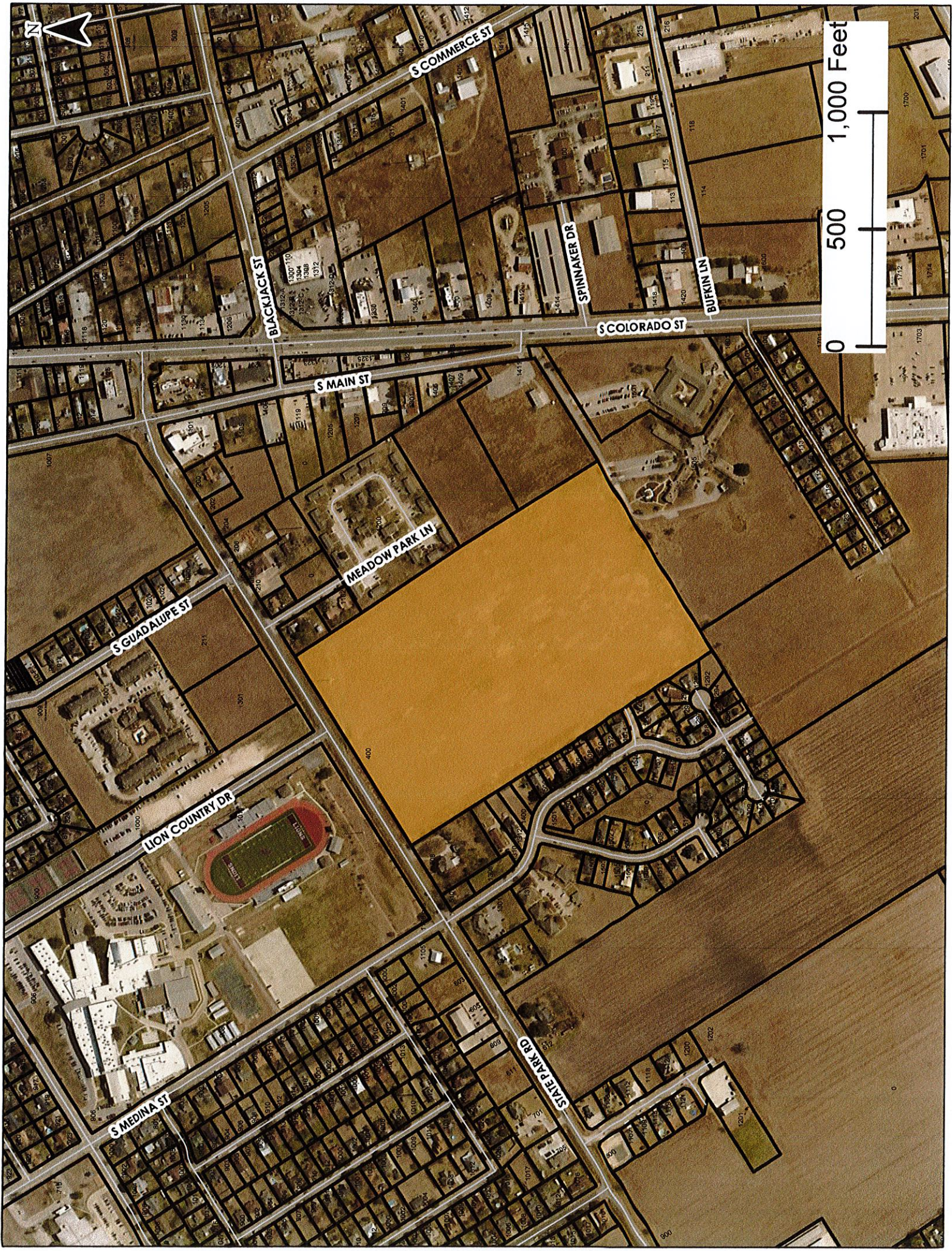
FP-22-07

CAVALRY SUBDIVISION

400 STATE PARK RD

- SUBJECT PROPERTY
- ZONING

scale 1" = 400'



S COMMERCE ST

BLACKJACK ST

SPINNERAKER DR

BUFKIN LN

S COLORADO ST

S MAIN ST

MEADOW PARK LN

S GUADALUPE ST

LION COUNTRY DR

S MEDINA ST

STEARNS RD

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: FP-22-07

REPORT DATE: October 5, 2022

PLANNING & ZONING COMMISSION DATE: October 12, 2022

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: (1) Revise the Engineer's Certification section to replace Jacob Kondo's name with Brian Parker, as specified in the application form; and (2) Add a new plat note requiring left-turn and right-turn lanes into the development from State Park Road at the Lion Country Drive extension, as prescribed by TxDOT, to be constructed by the subdivider as a subdivision improvement, prior to recordation of the Final Plat.

BACKGROUND DATA

APPLICANT AND ENGINEER: Brian Parker, P.E., Kimley-Horn

SURVEYOR: Joby Early, P.L.S., Early Land Surveying

OWNER: Mac Jones, c/o LCD Multifamily Partners, LLC

SITE LOCATION: 400 State Park Road

SUBDIVISION NAME: **Cavalry Subdivision**

SIZE OF PROPERTY: 34.512 acres

NUMBER OF PROPOSED LOTS: Two multifamily lots and three park lots

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATION: RHD (Residential High Density) District

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Cavalry Subdivision Preliminary Plat (PP-22-01) was approved by the Commission on May 25, 2022. The current proposal is for approval of the Final Plat. This proposal will include two multifamily lots and three park lots. A Specific Use Permit was approved by the Commission in September 2021 to allow 23.45 units per acre under the MF-2 development type. The public infrastructure, including extensions of Lion Country Drive and Harper Trail through the subdivision, will be developed all at once, without phasing. A planned future realignment of State Park Road, in accordance with the Lockhart 2020 Thoroughfare Plan map, traverses the north portion of the subject property and is shown on the plat drawing in a labeled reservation area. This area measures 100 feet in width, as prescribed by TxDOT, to allow for the future right-of-way and potential "wiggle room" needed for the paved street. The applicant does not plan to offer any park amenities at this time, however, the park lot identified as Lot 3, Block B is proposed to be utilized as a dog park. The two park lots along State Park Road will be owned and maintained by the City, and the dog park will be privately owned and maintained. A fee in lieu of public parkland dedication equivalent to 0.625 acre, which includes the 0.305 acre private dog park and remaining 0.32 acre not physically provided, is required to be paid, prior to recordation of the final plat. There is a small, 0.036 acre reduction in the size of the dog park from the approved Preliminary Plat, due to a needed correction from a 50-foot-wide right-of-way to 60 feet along the Harper Trail extension, which shifts the remaining parkland acreage not provided from 0.284 acre to 0.32 acre for the non-dog-park portion. However, since the total parkland deficit remains at 0.625 acre, the plat note regarding the parkland fee will remain the same. Sidewalks will be constructed on both sides of Lion Country Drive and Harper Trail, as well as along the property frontage with State Park Road. Perimeter fencing will

be provided along the property boundaries that abut Residential Medium Density-zoned properties, as required in Zoning Ordinance Appendix I, and as specified in a plat note (notes are unnumbered). Among the conditions of Preliminary Plat approval included the need to confirm with LCRA whether a 100-foot-wide electric easement was needed in place of the 80-foot easement shown on the plat in Lot 2, Block A and Lot 1, Block B. However, according to recent correspondence with LCRA, they have indicated that 80 feet is sufficient, which is shown on the Final Plat drawing.

NEIGHBORHOOD COMPATIBILITY: The subject property is bordered to the west by a single-family residential neighborhood zoned RMD and RHD. The abutting property to the south includes the existing Golden Age Home facility. The properties adjacent to the east include single-family homes, a multifamily lot, and two vacant properties zoned CHB, one of which includes a vacant building. The properties to the north include a vacant property zoned CMB and the Lockhart High School property. The proposed multifamily uses will be located in an area generally transitioning from single-family residential uses to the west to other multifamily uses and commercial uses to the south and east. According to the applicant, TxDOT will require left-turn and right-turn lanes into the development at the proposed Lion County Drive extension onto State Park Road, according to the approved Traffic Impact Analysis. The turning lanes must be constructed by the subdivider with the subdivision improvements, prior to recordation of the final plat. A new plat note to this effect is recommended as a condition of approval.

FORM AND CONTENT: With the replacement of Jacob Kondo's name with Brian Parker in the Engineer's Certification section, as specified in the application form, the plat will conform to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: With Staff's recommended condition to add a new plat note regarding the turning lanes required by TxDOT, the plat will comply with all applicable subdivision standards, including construction of new streets where required, the provision of public sidewalks, utilities, stormwater drainage, and parkland. As noted in the attached letter dated September 28, 2022, the City Engineer has approved the engineering plans.

CONCURRENT VARIANCES REQUESTED: None



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

September 28, 2022

Mr. Dan Gibson, City Planner
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644

**RE: Lockhart – Cavalry at Lockhart Master Infrastructure
Engineering Plan Review**

Dear Dan:

TRC received the following items for the above referenced project submitted by Kimley-Horn on September 20, 2022.

1. Master Infrastructure Plans.
2. Other supporting documents: TxDOT Approval and HEC-RAS Model.

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

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

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

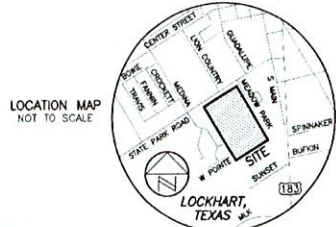
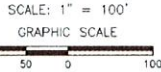
Sincerely,

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

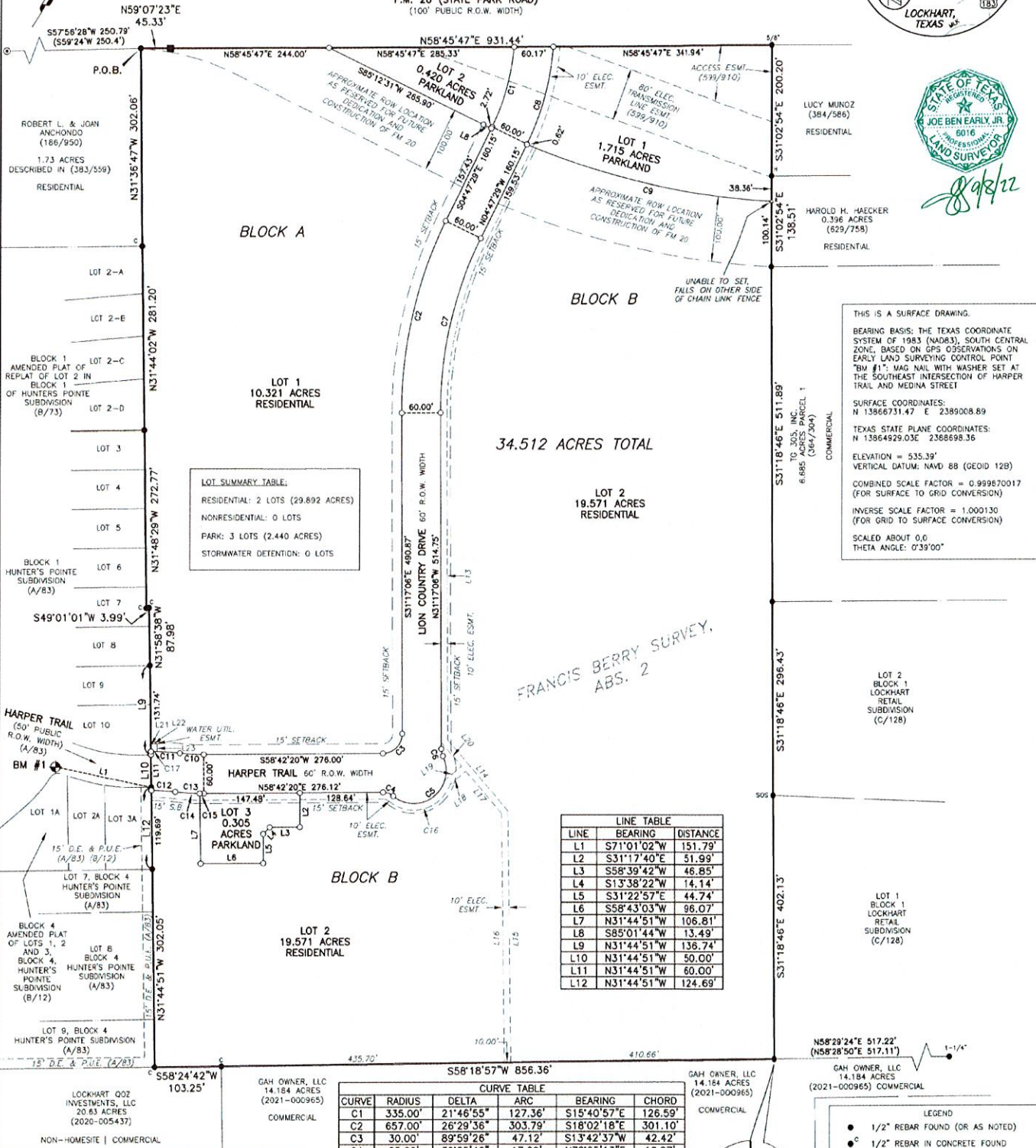
William Wachel, P.E.
Deputy Director
Design Management Services

CC: Brian J. Parker, P.E., Kimley-Horn
Abby Brudnick, Kimley-Horn

CAVALRY SUBDIVISION



F.M. 20 (STATE PARK ROAD)
(100' PUBLIC R.O.W. WIDTH)



THIS IS A SURFACE DRAWING.
BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, BASED ON GPS OBSERVATIONS ON EARLY LAND SURVEYING CONTROL POINT "BM #1", MAG NAIL WITH WASHER SET AT THE SOUTHEAST INTERSECTION OF HARPER TRAIL AND MEDINA STREET
SURFACE COORDINATES:
N 13866731.47 E 2389008.89
TEXAS STATE PLANE COORDINATES:
N 13864929.03E 2388998.35
ELEVATION = 535.39'
VERTICAL DATUM: NAVD 88 (GEOID 128)
COMBINED SCALE FACTOR = 0.999870017 (FOR SURFACE TO GRID CONVERSION)
INVERSE SCALE FACTOR = 1.000130 (FOR GRID TO SURFACE CONVERSION)
SCALED ABOUT 0.0
THETA ANGLE: 0°39'00"

PROJECT NO.: 1086-002
DRAWING NO.: 1086-002-PL1
PLOT DATE: 9/8/22
PLOT SCALE: 1" = 100'
DRAWN BY: MAW & JBE
SHEET 1 OF 2

EARLY LAND SURVEYING
A LIMITED LIABILITY COMPANY
P.O. BOX 92588
AUSTIN, TX 78709
512-202-8631
TBPELS FIRM NO. 10194487

GAH OWNER, LLC 14.184 ACRES (2021-000965) COMMERCIAL

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	335.00'	21°46'55"	127.36'	S15°40'57"E	126.59'
C2	657.00'	26°29'36"	303.79'	S18°02'18"E	301.10'
C3	30.00'	89°59'26"	47.12'	S13°42'37"W	42.42'
C4	25.00'	39°25'46"	17.20'	N78°25'13"E	16.87'
C5	50.00'	155°42'50"	135.89'	N20°18'41"E	97.76'
C6	25.00'	26°11'17"	11.43'	N44°29'05"W	11.33'
C7	597.00'	26°29'36"	276.05'	N18°02'18"W	273.60'
C8	395.00'	22°29'30"	155.06'	N16°02'14"W	154.06'
C9	1154.05'	19°33'49"	394.05'	S71°55'52"W	392.14'
C10	303.00'	7°01'31"	37.15'	S62°13'06"W	37.13'
C11	363.00'	7°03'45"	44.75'	S62°11'58"W	44.72'
C12	303.00'	6°58'49"	36.91'	N62°14'26"E	36.89'
C13	363.00'	7°01'31"	44.51'	N62°13'06"E	44.48'
C14	363.00'	6°02'46"	38.31'	N62°42'28"E	38.29'
C15	363.00'	0°58'45"	6.20'	N59°11'43"E	6.20'

GAH OWNER, LLC 14.184 ACRES (2021-000965) COMMERCIAL

LEGEND

- 1/2" REBAR FOUND (OR AS NOTED)
- 1/2" REBAR IN CONCRETE FOUND
- ⊕ 1/2" REBAR WITH "HINKLE" CAP FOUND
- ⊙ 505 1/2" REBAR WITH "SPOT ON SURVEYING" CAP FOUND
- ⊗ 1/2" IRON PIPE FOUND (OR AS NOTED)
- CONCRETE HIGHWAY MONUMENT FOUND
- 1/2" REBAR WITH "EARLY BOUNDARY" CAP TO BE SET
- △ CALCULATED POINT
- ⊕ CONTROL POINT/BENCHMARK LOCATION
- () RECORD INFORMATION

PLAT PREPARATION DATE: AUGUST 26, 2022

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 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 

DATE 08/25/2022

PRINTED NAME Brian Parker, PE

TELEPHONE 512-646-2248

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 N/A - Resubmission

DATE SUBMITTED 8/26/22 CASE NUMBER FP 22 07

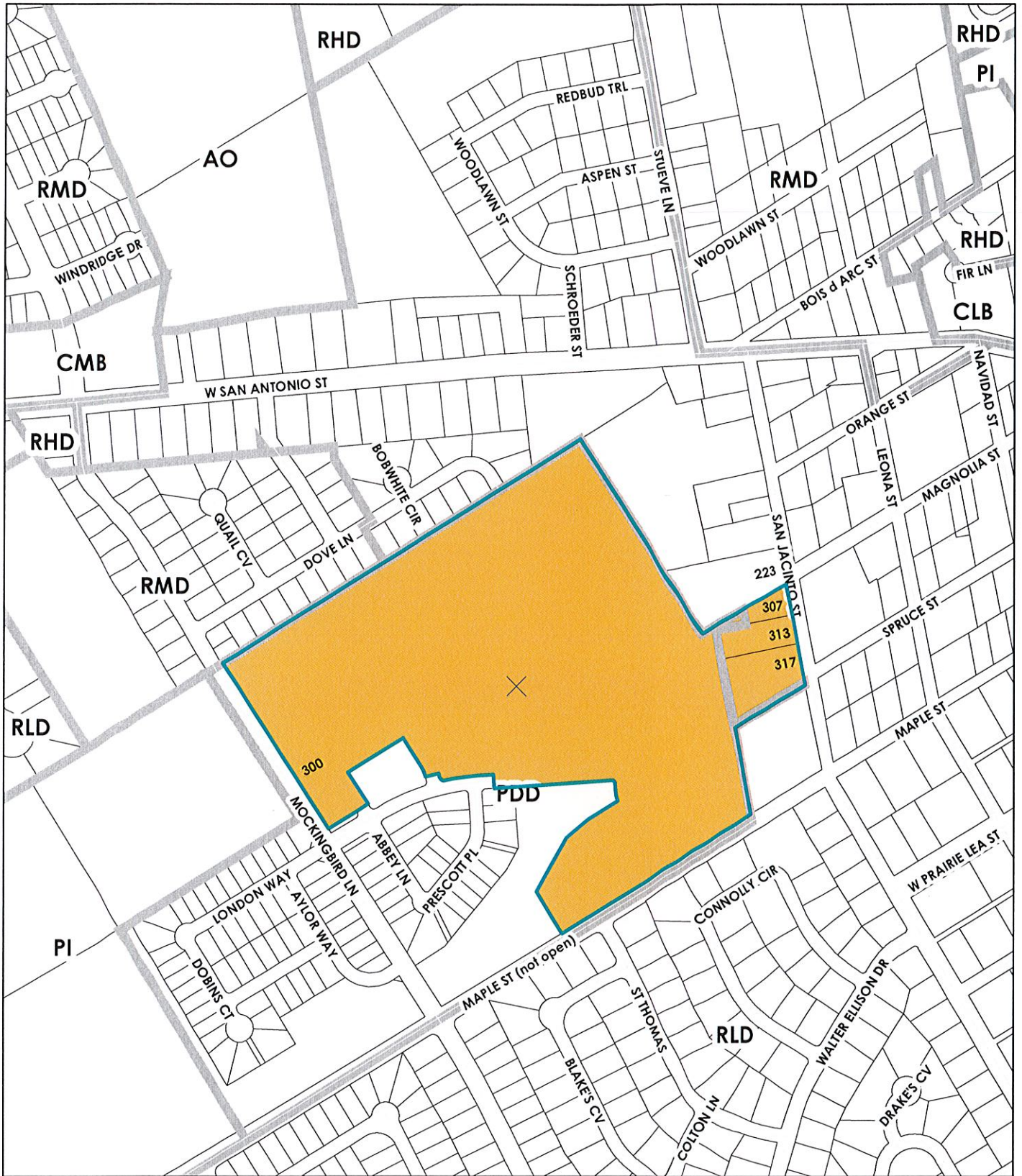
DATE APPLICATION IS DEEMED COMPLETE 7/11/22 (original Application)

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

PLANNING AND ZONING COMMISSION MEETING DATE 10/12/22

DECISION _____

CONDITIONS _____



RP-22-01

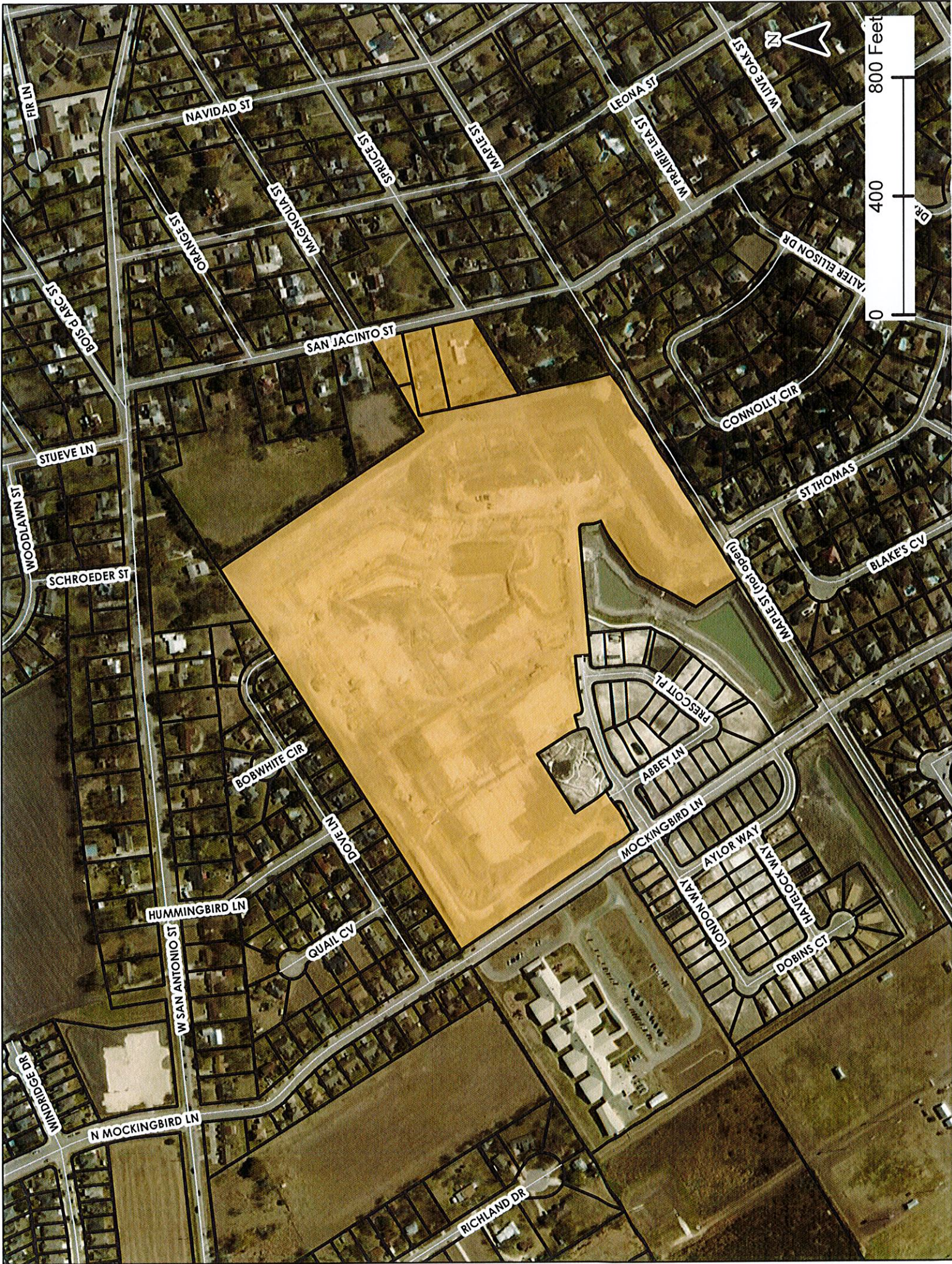
300 MOCKINGBIRD LN &
307, 313 & 317 SAN JACINTO ST

EEDS-LANCASTER SUBDIVISION



 SUBJECT PROPERTY

scale 1" = 500'



CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: RP-22-01

REPORT DATE: October 6, 2022

PLANNING & ZONING COMMISSION DATE: October 12, 2022

STAFF RECOMMENDATION: ***Approval of both the Plat and two Subdivision Variance requests***

SUGGESTED CONDITIONS: (1) Label Mockingbird Lane on the plat drawing, including the right-of-way width; (2) Label San Jacinto Street; (3) Adjust Francis Berry Survey reference to "Francis Berry Survey, Abstract No. 2"; and (4) Adjust 0.327-acre parcel (proposed Lot 1) to 0.497 acre.

BACKGROUND DATA

APPLICANT AND ENGINEER: Chris Van Heerde, P.E., HMT Engineering & Surveying

SURVEYOR: Dorothy Taylor, P.L.S., HMT Engineering & Surveying

OWNER: Devin Kleinfelder, c/o Continental Homes of Texas, L.P., dba D.R. Horton

SITE LOCATIONS: 300 Mockingbird Lane, and 307, 313, and 317 San Jacinto Street

SUBDIVISION NAME: **Eeds-Lancaster Subdivision**

SIZE OF PROPERTY: 41.968 acres

NUMBER OF PROPOSED LOTS: Four residential lots (see detail below)

EXISTING USE OF PROPERTY: Single-family residential

ZONING CLASSIFICATIONS: PDD (Planned Development District) and RLD (Residential Low Density District)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The proposal includes a boundary line relocation between four parcels of land, as well as two Subdivision Variance requests. Since one of the four parcels is platted (Lot 1, Block 2, Texas Heritage Subdivision) and the remaining three are not, the request is categorized as a Resubdivision. Due to the variance requests, outlined below, the proposal must be considered by the Commission. The applicant wishes to convey a small, east portion of the currently platted lot to be distributed amongst the adjoining landowners of the three parcels along San Jacinto Street. The portion of land to be conveyed is currently part of the approved, but not yet recorded, Vintage Springs Subdivision Unit 2 Final Plat. Prior to recording the Vintage Springs plat, the applicant wishes to disperse of that portion of land, as it is not needed for the Vintage Springs development. Parkland dedication will be included with the Vintage Springs Units 2 and 3 plats, which exceeds the required 8 percent of total land area. The parkland will be dedicated to the public, and owned and maintained by the Vintage Springs Homeowners' Association. Sidewalks will be constructed on both sides of Maple Street as part of the City's Maple Street improvements project, and along the property's Mockingbird Lane frontage. A variance to waive the sidewalk requirement along the San Jacinto Street frontage has been requested with the application, as detailed below.

NEIGHBORHOOD COMPATIBILITY: To the south of the subject property is the single-family residential development of Clear Fork Estates, the recently recorded Vintage Springs Section One-B and Bluebonnet Elementary School is located to the west, the existing single-family residential development of Westland Addition Section Two is to the north, and existing platted and unplatted single-family residential development is located to the east. In addition, the Sidewalk and Trail Plan identifies a hike and bike trail traversing the central portion of the subject property in a general

northeasterly direction. The trail is shown on the approved PDD Development Plan for Vintage Springs, and will be constructed in accordance with the Development Plan.

FORM AND CONTENT: With the recommended conditions of approval noted above regarding plat label revisions and an acreage correction, the plat will conform to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: The plat complies with all applicable subdivision standards. Public sidewalks, streets, stormwater drainage, parkland dedication, and utilities will be satisfied with the Vintage Springs Unit 2 Final Plat.

CONCURRENT VARIANCES REQUESTED: Two Subdivision Variances are requested with this application, as follows: (1) To the requirement for construction of a four-foot-wide public sidewalk along the San Jacinto Street frontage (Section 52-77(b) of the Subdivision Regulations); and (2) To the requirement to dedicate one-half of the right-of-way deficiency along San Jacinto Street for a Collector Street (Section 52-72(e)).

In the applicant's attached written statement addressing the variance criteria, it is explained that the homes on the three properties along San Jacinto Street (proposed Lots 1, 2, and 3) have existed for many years, and that there are utility lines along the street that could be compromised with construction of a sidewalk. The applicant also states that if a sidewalk were constructed, there are no other sidewalks in the area to which it would connect. Regarding the right-of-way deficiency, it is Staff's opinion that since the subdivision proposal is merely to adjust property lines and the three homes along San Jacinto Street are existing, there are no new impacts that would justify the need to dedicate one-half of the right-of-way deficiency for this street. San Jacinto Street's right-of-way width is currently approximately 50 feet according to the applicant and plat drawing, and the minimum standard for Collector Streets is 60 feet, leaving one-half of the deficiency at 5 feet.

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.



290 S. Castell Avenue, Ste 100
New Braunfels, TX 78130
TBPE-FIRM F-10961
TBPLS FIRM 10153600

March 24, 2022

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

RE: *Variance request for the Texas Heritage Block 1, Lot 1 - Eeds/Lancaster replat*

Mr. Gibson,

Our client Continental Homes of Texas, LP d.b.a. DR Horton currently owns the 39.971-acre tract of land known as Block 1, Lot 1, of the Texas Heritage Subdivision recorded in Cabinet B, Slide 54 M.P.R.C.C.T. The Eeds and Lancaster Families own the three properties located at 307, 313, and 317 San Jacinto Street. Hereafter, these properties will be referred to as the "San Jacinto Tracts".

Background:

There are (2) two areas on the eastern boundary that DR Horton is interested in gifting to the adjoining land owners of the San Jacinto Tract, making it necessary to replat Block 1 Lot 1, of the Texas Heritage Subdivision into (4) four lots, which will be called the "The Re-Subdivision of Texas Heritage Subdivision Block 1, Lot 1 and Eeds-Lancaster". In total land totaling approximately 0.647 Acres from Block 1, Lot 1 will be included in this gift.

DR Horton has retained HMT Engineering to further divide the remaining 39.324-Acre tract as Vintage Springs Units 2 and 3 which is currently under construction.

Included with this variance request, we have submitted the application for subdivision to the City of Lockhart for administrative review and approval under **Section 52-36 – Minor plat or minor replat**. since it will involve (4) four or fewer lots and that all lots are fronting on existing streets.

Items DRH is seeking Variance on:

HMT Engineering is requesting a variance from **Section 52-77(b)** "Public sidewalks, not less than four feet wide, shall be provided on each side of all classifications of streets except for minor residential streets".

Variance Criteria:

Under **Section 52-77(d)(4)** *The commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with Section 52-3 – Variances. Commission has granted staff the ability to grant this variance based on the following criteria.*

Section 52.3 *The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity.*

Section 52.3(a)(1) - *That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.*

Response: The areas in question are of unique size, shape and dimensions not being able for the creation of any future lot if the main portion of the 39.971-acre tract was to be further subdivided, which would deprive DR Horton of reasonable use of this portion of land. However, by creating the subdivision of land to give the land to the San Jacinto Tracts it will allow for best use of the land.

Section 52.3 (a)(2) - *That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.*

Response: It is our opinion that the granting of this variance request shall have no detriment to public health, safety or welfare and will not be injurious to other property in the area. The homes have fronted onto San Jacinto in their current state for many years. There are a number of electrical, telephone and cable improvements that are installed on power poles along the front of the existing San Jacinto Tracts. These improvements present issues for construction of a sidewalk. Furthermore, a sidewalk in the front of the three San Jacinto Tracts would not connect to any existing sidewalks.

Section 52.3 (a)(3) - *That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.*

Response: Granting this variance request will not prevent subdivision of other lands in the area.

In conclusion, the area along San Jacinto Street where the variance would apply to older homes which are well landscaped, and without existing sidewalks. HMT Engineering is requesting the approval of the variance for the sidewalk requirements on the San Jacinto Tracts.

We hope everything here is in order, and if you have any questions or comments, please contact me at (830) 625-8555.

Sincerely,

A handwritten signature in blue ink that reads "Chris Van Heerde, P.E." The signature is written in a cursive, flowing style.

Chris Van Heerde, PE
Project Manager



290 S. Castell Avenue, Ste 100
New Braunfels, TX 78130
TBPE-FIRM F-10961
TBPLS FIRM 10153600

October 6, 2022

Kevin Waller
City of Lockhart
308 W. San Antonio St.
Lockhart, TX 78644

RE: *Eeds-Lancaster Subdivision (Re-subdivision of a portion of the Texas Heritage Subdivision Block 2, Lot 1)*
San Jacinto ROW Variance Request Letter

Dear Mr. Waller,

This letter is a request for variance from right-of-way dedication for San Jacinto Street in regard to the Eeds-Lancaster Subdivision (Re-subdivision of a portion of the Texas Heritage Subdivision Block 2, Lot 1) plat submittal. I am writing it on behalf of my client DR Horton who desires to give property over to the residents at 307, 313, and 317 San Jacinto Street. It was confirmed by our surveyors that the existing right-of-way width for San Jacinto Street in the front of these homes varies but is slightly larger than 50'.

As you know, this section of San Jacinto Street is identified as a collector on the City's Thoroughfare Plan Map and a 60-foot right-of-way width minimum would be required. Therefore, City of Lockhart code sections 52-72 (i)(2) and 52-72 (p) would come into effect. They are quoted below:

Sec. 52-72. Streets.

- (i) Street right-of-way and pavement widths shall be as shown on the thoroughfare plan and, where not shown therein, shall be not less than as follows:
 - (2) *Collector streets:* Right-of-way width 60 feet, and pavement width of 41 feet back-to-back of curb. The right-of-way width may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.
- (p) If an existing public street or unimproved rights-of-way not meeting city standards for its classification designated in the thoroughfare plan with respect to width, drainage or surface type abuts the perimeter of a subdivision and provides the sole vehicular access to the subdivision or section thereof being platted, it shall be improved at the subdivider's expense to comply with such standards prior to acceptance of the subdivision by the city...

In normal circumstances, the subdivider must dedicate one-half of the right-of-way deficiency. So, in our case, this would precipitate approximately 5' right-of-way dedication on the homeowners of 307, 313, and 317 San Jacinto Street.

We are requesting a variance from the sections of code listed above. Based on Sec. 34-40, a variance may be approved based on the following criteria (our comments on these sections follows the conditions and is shown in italics):

October 6, 2022

- (1) The variance arises from such condition that is unique to the property in question, where such condition was not created by an action of the property owner or applicant;
 - *This is a unique situation where the existing street has been in use and was not created by the property owner or applicant.*
- (2) The particular physical surroundings, shape, or topographical condition within or adjacent to the property would result in an unnecessary hardship, practical difficulty, or inequity upon or for the owner or applicant, as distinguished from a mere inconvenience, if the provision in question were literally enforced;
 - *Under a scenario of right-of-way dedication, these three San Jacinto Street lots would lose existing land/front yard which would decrease the distance to the existing structures.*
- (3) The request for a variance is not based exclusively upon a desire of the owner or applicant for increased financial gain from the use of the property, or to reduce a personal financial hardship;
 - *This request is based on continued usability and safety for the residents of 307, 313, and 317 San Jacinto Street.*
- (4) The granting of the variance will not adversely affect the public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent property; and
 - *Granting this variance will not adversely affect the public health or safety and will not interfere with the appropriate use of adjacent property.*
- (5) The degree of variance requested is the minimum amount necessary to allow a reasonable use of the property.
 - *We believe this to be the case.*

Please evaluate the merits of our request as I believe it to be in conformance with the spirit of the code. If you have any questions, please contact me at (830) 625-8555.



Chris Van Heerde, P.E.
Managing Partner
HMT Engineering and Surveying

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

This is the resubmitted application - 9/9/22

APPLICANTS

SURVEYOR NAME Dorothy J. Taylor **ADDRESS** 290 S. Castell
New Braunfels
DAY-TIME TELEPHONE 830-625-8555 **TEXAS** 78130
E-MAIL dorothyt@hmtnb.com

ENGINEER NAME Chris Van Heerde **ADDRESS** 290 S. Castell
New Braunfels
DAY-TIME TELEPHONE 830-625-8555 **TEXAS** 78130
E-MAIL chrishv@hmtnb.com ; plats@hmtnb.com

OWNER NAME Continental Homes of Texas LP **ADDRESS** 10700 Pecan Park Blvd
Austin, TEXAS 78750
DAY-TIME TELEPHONE 210-859-1829
E-MAIL d.kleinfelder@drhorton.com

TYPE OF APPLICATION

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

PROPERTY

SUBDIVISION NAME Eeds-Lancaster Subdivision
ADDRESS OR GENERAL LOCATION San Jacinto street and Maple street *300 Mockingbird Ln & 300 Black San Jacinto St.*
LOCATED IN CITY LIMITS ETJ (COUNTY) PDD
TOTAL LAND AREA 41.968 ACRE(S) **PROPOSED NUMBER OF LOTS** 4
ZONING CLASSIFICATION(S) PDO (Planned Development Dist.) & RLD (Res. Low Density)
PROPOSED USE OF LAND residential
(307, 313, & 317 San Jacinto Streets) ←

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	<i>* NO FEE per Dan Gibson - Resubmission -</i> \$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 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

Chris Van Heerde, PE

DATE

9/9/22

PRINTED NAME

Chris Van Heerde

TELEPHONE

(830)625-8555

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) Section 52-77(b) § 52-72(e) OF THE SUBDIVISION REGULATIONS
CURRENT ORDINANCE REQUIREMENT(S) installation of 4' sidewalk ^{52-77(c)} along San Jacinto St.;
and dedication of 1/2 row deficiency along San Jacinto St. (52-72(e)).
REQUESTED VARIANCE(S) Exemption from Sec. 52-77(b) for the San Jacinto

Street frontage of proposed Lots 1, 2 and 3, for sidewalks.
No row dedication along San Jacinto St. (52-72(e)).

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 N/A-Resubmission
DATE SUBMITTED 9/9/22 CASE NUMBER RP-22-01
DATE APPLICATION IS DEEMED COMPLETE 5/23/22 (original App.)
DATE NOTICES MAILED — DATE NOTICE PUBLISHED —
(For certain Replats/Resubdivisions without vacating preceding plat)
PLANNING AND ZONING COMMISSION MEETING DATE 10-12-22
DECISION —
CONDITIONS —