

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, September 23, 2020  
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](http://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.*

### **AMENDED AGENDA**

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the September 9, 2020, meeting.
4. ZC-20-11 and PDD-20-02. Hold a PUBLIC HEARING and consider a request by request by Laura Toups on behalf of PHX15, LLC, for a **Zoning Change** from *CMB Commercial Medium Business District* to *PDD Planned Development District*, including a **PDD Development Plan** for *Main Springs Planned Development*, a proposed mixed-use development on 1.778 acres in the Byrd Lockhart Survey, Abstract No. 17, located at 416 North Church Street.
5. FP-20-04. Consider a request by Laura L. Toups on behalf of PHX15, LLC, for approval of a **Final Plat** of *Main Springs Planned Development* consisting of 1.778 acres in the Byrd Lockhart Survey, Abstract No. 17, proposed to be zoned *PDD Planned Development District* and located at 416 North Church Street, including a **Variance** to waive the requirement in Section 52-77(b) of the Subdivision Regulations for a four-foot wide public sidewalk along the North Main Street right-of-way.

6. RP-20-01. Hold a PUBLIC HEARING and consider a request by Dave Mills on behalf of Ellia May, LCC, for approval of the *Teal Addition*, a **Replat of the Revised Plat of Trinity Addition**, Lots 15 and 16 in Block 2, Lots 8-12 in Block 3, Lots 3-6 and Lots 9-12 in Block 6, Lots 1, 14, and part of 15 in Block 7, and including a portion of an existing 20-foot wide alley right-of-way to be abandoned and a portion of the existing 50-foot wide Teal Street right-of-way to be abandoned, consisting of a total of 4.075 acres located in the 500-600 block of Blackjack Street (FM 20).
7. SUP-20-11. Hold a PUBLIC HEARING and consider a request by Kay Elaine Gourley on behalf of Clifton Jones for a **Specific Use Permit** to allow a *Bed and Breakfast Inn* use on Lots 3-8, and 11-16, Block 5, Mrs. M. M. Blanks Addition, zoned RLD Residential Low Density District and located at 1125 Magnolia Street.
8. SUP-20-12. Hold a PUBLIC HEARING and consider a request by Irwin Glenn Adams for a **Specific Use Permit** to allow a *Church as a Public/Institutional Use* on Part of Lot 6, Block 17, Original Town of Lockhart, consisting of 0.057-acre zoned CCB Commercial Central Business District, and located at 209 East Market Street.
9. Discuss the date and agenda of next meeting, including Commission requests for agenda items.
10. Adjourn.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 1:00 PM on the 18th day of September, 2020.

**City of Lockhart  
Planning and Zoning Commission  
September 9, 2020**

**MINUTES**

**Members Present:** Philip Ruiz, Philip McBride, Rick Arnic, Manuel Oliva (Present in Building), Paul Rodriguez, Bradley Lingvai (On the Phone)

**Member Absent:** Chris St. Leger

**Staff Present:** Dan Gibson, 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 the August 12, 2020, meeting.

*Commissioner Oliva moved to approve the August 12, 2020 minutes. Commissioner Arnic seconded, and the motion passed by a vote of 6-0.*

4. ZC-20-10. Hold a PUBLIC HEARING and consider a request by Joe Roland for a Zoning Change from RLD Residential Low Density District and CMB Commercial Medium Business District, on 0.371 acre in the Byrd Lockhart Survey, Abstract No. 17, located at 1101 North Commerce Street.

Mr. Gibson explained that the owner had been parking vehicles on the vacant property, which is a zoning violation because it is not a permitted principal use in the RLD zoning district. The proposed CMB zoning would allow a parking lot or vehicle storage area as the principal use. If the zoning changed is approved, the applicant can move forward with applying for a building permit to construct a parking lot with an approved all-weather surface, plus the required storm-water detention facility. He said that the requested CMB zoning is the same as the existing zoning on adjacent properties to the south and west, but is not consistent with the Medium Density Residential land use designation on the Future Land Use Plan map. He noted that one letter of opposition was received after the packet had been mailed to the commissioners.

Chair Ruiz opened the public hearing but there was no one present to speak, either in person or on the phone.

Chair Ruiz then closed the public hearing and ask for the staff recommendation.

Mr. Gibson said that, based upon the fact that the majority of the block is already zoned CMB, he recommended approval of the zoning change.

*Commissioner Lingvai moved to recommend approval of ZC-20-10 to City Council. Commissioner Oliva seconded, and the motion passed by a vote of 5-0-1, with Commissioner Rodriguez abstaining.*

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

Mr. Gibson stated that the next regular meeting would be held on September 23<sup>rd</sup> for two specific use permits, one PDD zoning change case with a development plan, and two plats.

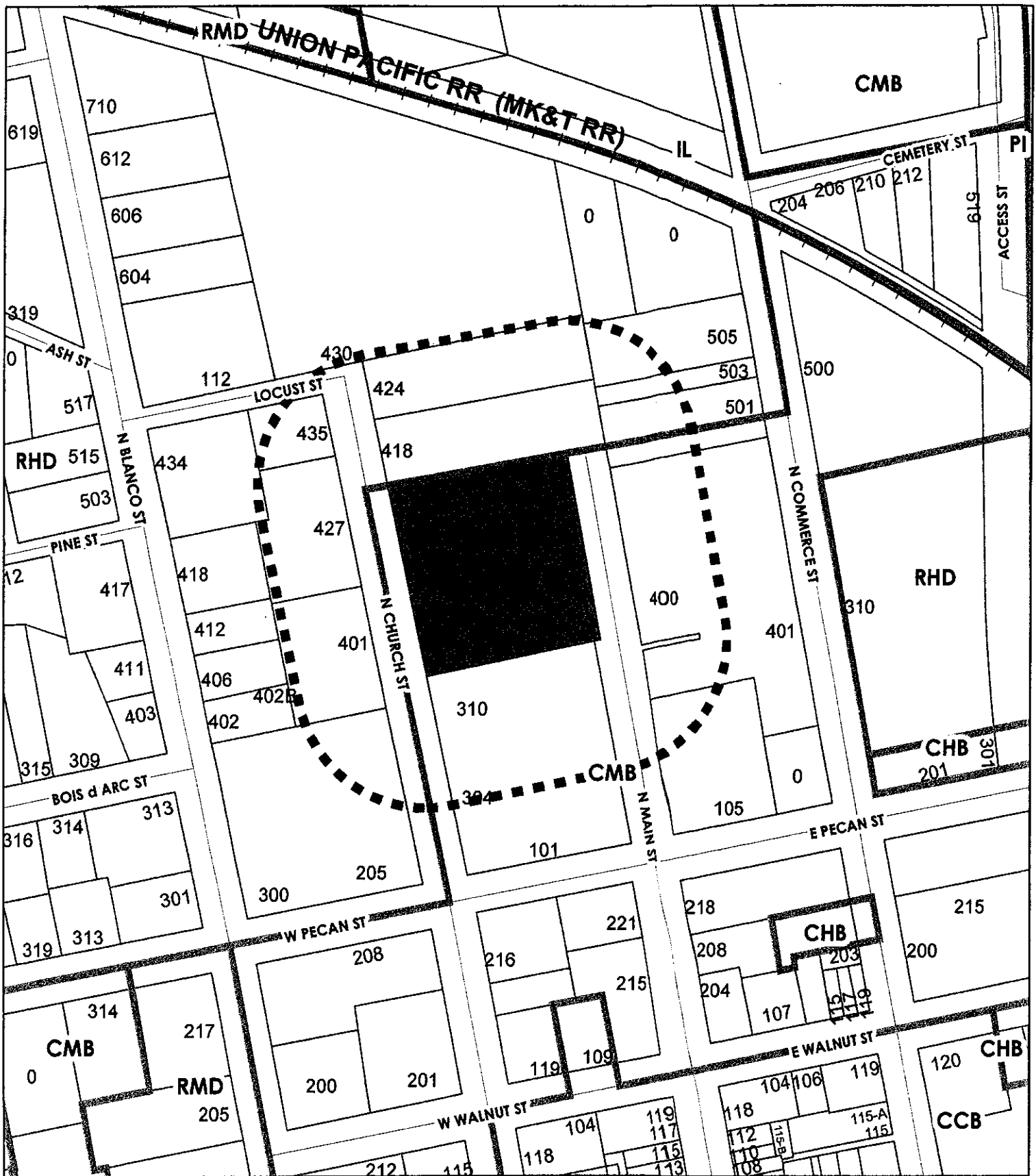
6. Adjourn.

*Commissioner McBride moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:40 p.m.*

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

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

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



**ZC-20-11 & PDD-20-02**




MAIN SPRINGS PDD

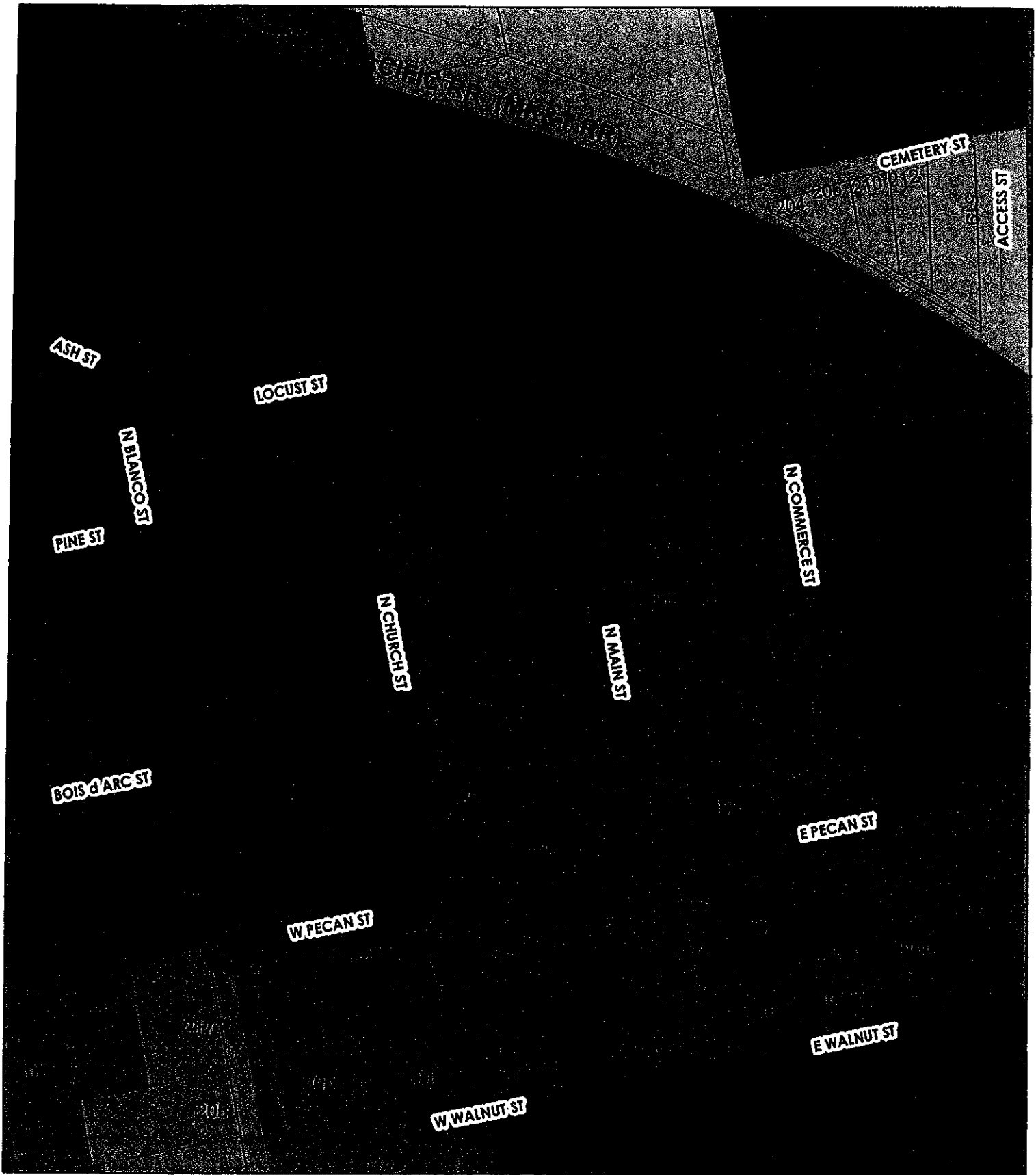
CMB TO PDD

416 N CHURCH ST



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT BUFFER



**ZC-20-11**

CMB TO PDD

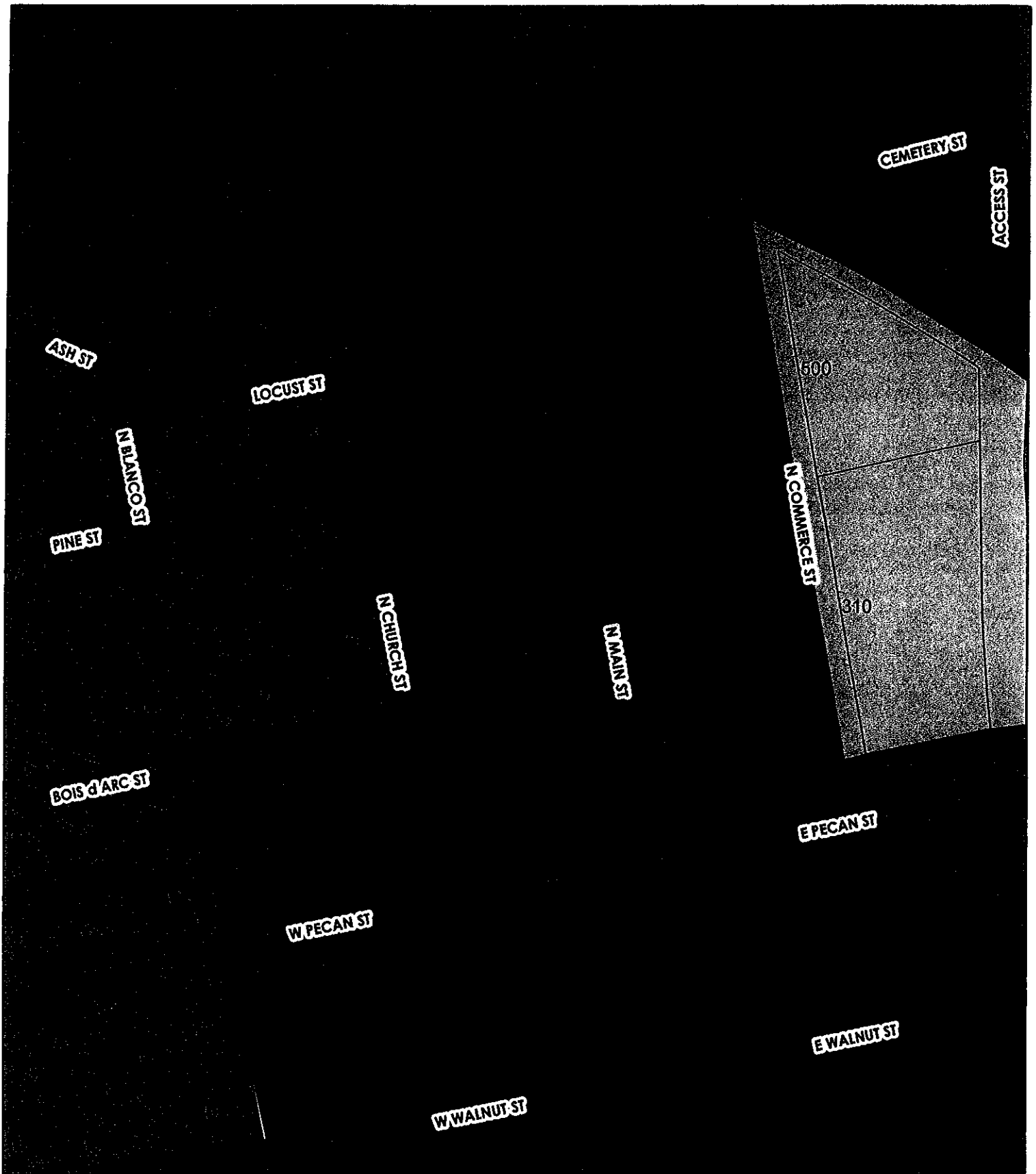
416 N CHURCH ST



scale 1" = 200'

**ZONING DISTRICTS**

- COMMERCIAL CENTRAL BUSINESS
- COMMERCIAL HEAVY BUSINESS
- COMMERCIAL MEDIUM BUSINESS
- INDUSTRIAL LIGHT
- PUBLIC AND INSTITUTIONAL
- RESIDENTIAL HIGH DENSITY
- RESIDENTIAL MEDIUM DENSITY










# FUTURE LANDUSE

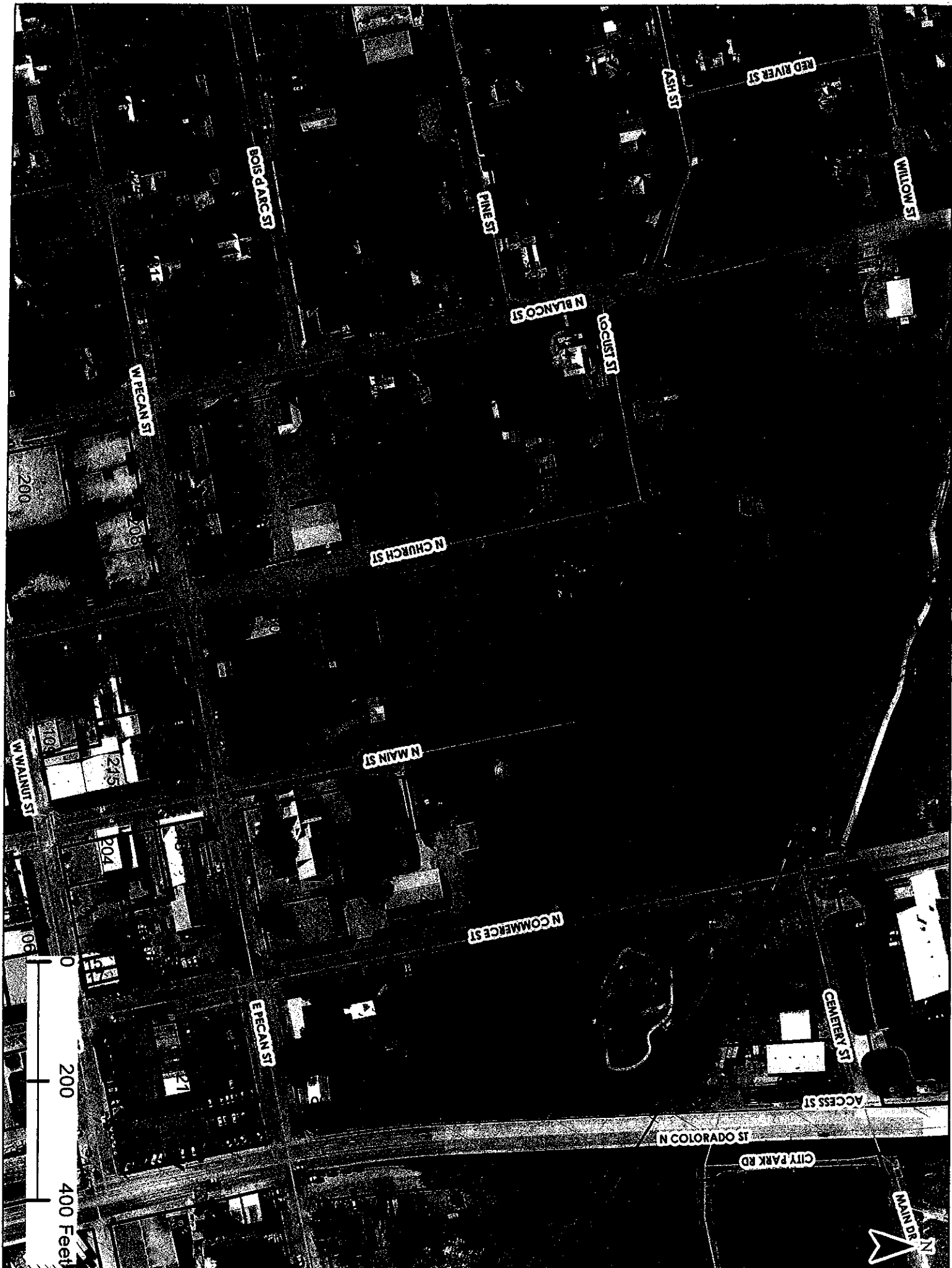
MAIN SPRINGS PDD

416 N CHURCH ST



scale 1" = 200'

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





**CASE SUMMARY**

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STAFF: Dan Gibson, City Planner

CASE NUMBER: ZC-20-11

REPORT DATE: September 17, 2020

PLANNING &amp; ZONING COMMISSION HEARING DATE: September 23, 2020

CITY COUNCIL HEARING DATE: October 8, 2020

REQUESTED CHANGE: CMB to PDD

STAFF RECOMMENDATION: **Approval**, with concurrent approval of the PDD development plan

PLANNING &amp; ZONING COMMISSION RECOMMENDATION:

**BACKGROUND DATA**

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APPLICANT(S): Laura Toups

OWNER(S): PHX15, LLC

SITE LOCATION: 416 North Church Street

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 1.778 acres

EXISTING USE OF PROPERTY: Vacant land

LAND USE PLAN DESIGNATION: High Density Residential

**ANALYSIS OF ISSUES**

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REASON FOR REQUESTED CHANGE: The requested PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of an up-front commitment on the part of the developer in terms of the site layout, land uses, and amenities. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD development plan (PDD-20-02) and final plat (FP-20-04) were submitted with this zoning change application (no preliminary plat is required). The zoning change and PDD development plan must be considered concurrently, since the zoning is conditional upon the project being developed as depicted on the plan. In this case, the owner is proposing a mixed-use project consisting of eight vacation rental units in a total of four structures, a two-story commercial building, a two-story mixed-use building containing commercial on the first floor three apartments on the second floor, six townhome condominium units, and an open-air pavilion. Off-street parking is provided for the townhome condominiums via a private driveway extending between North Church Street and North Main Street. All other parking is proposed to be in the North Church Street right-of-way where the project will include widening the east side of the street to accommodate 90-degree on-street parking. The property is divided by an unnamed tributary of Town Branch Creek within a floodplain area that extends from the east side of the site. Both the pavilion and one of the commercial buildings extend into the floodplain but will be raised on columns such that their floors will be at least one-foot above the base flood elevation (100-yr flood level). The base flood elevation will be determined by hydrologic modeling prior to issuance of floodplain development permits. The zoning ordinance requires that development in the floodplain be further authorized as a specific use, so SUP applications will be submitted for consideration by the Commission once the base flood elevation is known.

**AREA CHARACTERISTICS:**

|              | <b>Existing Use</b>                           | <b>Zoning</b> | <b>Land Use Plan</b>                              |
|--------------|---|---------------|---|
| <b>North</b> | Single-family residential                     | RHD           | High Density Residential,<br>Parks and Open Space |
| <b>East</b>  | Vacant  | CMB           | High Density Residential                          |
| <b>South</b> | Church festival site                          | CMB           | General-Heavy Commercial                          |
| <b>West</b>  | Single-family residential, Church (southwest) | PDD, PI       | High Density Residential                          |

**TRANSITION OF ZONING DISTRICTS:** Because PDD is not a conventional zoning classification, the basis for comparison to other zoning districts would be the development plan, which in this case shows a combination of residential and commercial uses. That is generally a compatible combination for the area since residential zoning abuts the property on two sides, and commercial zoning abuts the property on the other two sides.

**ADEQUACY OF INFRASTRUCTURE:** A private drive will provide internal access between North Church Street and North Main Street. Adequate water and wastewater utility services are available from North Church Street, and a five-foot wide public sidewalk is to be constructed along the North Church Street frontage. Stormwater drainage will comply with City standards, although the precise method is yet to be determined.

**POTENTIAL NEIGHBORHOOD IMPACT:** The greatest impact will likely be traffic generated by the development, depending on the type of businesses occupying the commercial buildings. The low number of vacation rental units and townhouse condominium units will not generate excessive traffic. The development is proposed to be dark-sky compliant, so the impact of night lighting should not be an issue.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** Because the subject site is in an area designated as high density residential on the Land Use Plan map, the commercial uses in the proposed planned development are not consistent. However, the residential uses that are shown on the PDD development plan are clustered, so that a large proportion of the property will remain as open space, and the overall effect will be less intense than if the site were developed to its fullest possible extent with high density residential types of land use.

**ALTERNATIVE CLASSIFICATIONS:** Due to the mixed-use concept of the proposed development, the reliance for much of the required parking to be in the street instead of on-site, and reduced building setbacks on the east and west sides, there is no conventional zoning district that will accommodate it. This is a good example of the proper use of the PDD zoning classification instead of a conventional classification.

**RESPONSE TO NOTIFICATION:** One letter of support is attached.

**STAFF NOTE:** The minimum size of an area to be zoned PDD is five acres. On June 1, 2020, the Zoning Board of Adjustment approved an application for a variance to allow a reduction in the minimum required site area to 1.778 acres. Therefore, it is eligible for the proposed rezoning from CMB to PDD.

Donna Blair and Tamara Carlisle  
2120 Enterprises, LLC

September 14th, 2020

To whom it may concern:

We are the owners of 435 N Church St, which is located across the street from the proposed development. We have met with Winn Smith, reviewed the plans, and discussed the future multi-use development that he proposes to build. We support and appreciate the development group's initiative to bring progress and tourism to this community. We are especially in favor of incorporating trails and nature into their proposed plan.

Sincerely,  
Donna Blair and Tamara Carlisle  
512-657-1850

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 Laura Toups  
DAY-TIME TELEPHONE 512.917.5796  
E-MAIL ltoups@dunawayassociates.com

ADDRESS 5707 Southwest Pkwy  
Bldg 2, Ste 250  
Austin, TX 78735

OWNER NAME PHX15 LLC  
DAY-TIME TELEPHONE 512.787.0383  
E-MAIL ws@countywidere.com

ADDRESS 215 Bufkin Lane  
Lockhart, TX 78644

**PROPERTY**

ADDRESS OR GENERAL LOCATION 416 N Church St

LEGAL DESCRIPTION (IF PLATTED) Metes & Bounds

SIZE 1.778 ACRE(S) LAND USE PLAN DESIGNATION Residential, High Density

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

PROPOSED NEW USE, IF ANY commercial, mixed-use, vacation rentals, townhomes

**REQUESTED CHANGE**

FROM CURRENT ZONING CLASSIFICATION CMB

TO PROPOSED ZONING CLASSIFICATION PDD

REASON FOR REQUEST To allow the proposed development plan.

Variance to PDD minimum tract size granted by the Lockhart BOA on June 1, 2020.

**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 \$ 185.56 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 *Laura L. Joyner*

DATE Sept. 1, 2020

**OFFICE USE ONLY**

ACCEPTED BY *Kevin Walker*

RECEIPT NUMBER *957773*

DATE SUBMITTED *8/31/2020*

CASE NUMBER ZC - *20 - 11*

DATE NOTICES MAILED *9-19-2020*

DATE NOTICE PUBLISHED *9-10-2020*

PLANNING AND ZONING COMMISSION MEETING DATE *9/23/2020*

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

CITY COUNCIL MEETING DATE \_\_\_\_\_

DECISION \_\_\_\_\_




**OWNER AUTHORIZATION LETTER**

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. This shall be the principal contact with the City in processing this application.

PHX 15 LLC

Name/Company

DocuSigned by:  


EDBEDES50C3E48A...  
Owner's Signature

8/21/2020

Date

Laura Toups

Agent's Name

Jenna J. Jorgensen  
Agent's Signature

8-21-2020

Date

**CASE SUMMARY**

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STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: PDD-20-02

REPORT DATE: September 17, 2020

PLANNING &amp; ZONING COMMISSION DATE: September 23, 2020

CITY COUNCIL DATE: October 8, 2020

STAFF RECOMMENDATION: *Approval*

SUGGESTED CONDITIONS: More accurately delineate and/or label the floodplain boundary on the plan

PLANNING &amp; ZONING COMMISSION RECOMMENDATION:

**BACKGROUND DATA**

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ENGINEER: Laura Toups (Dunaway Associates)

SURVEYOR: Hinkle Surveyor

OWNER: PHX15, LLC

SITE LOCATION: 416 North Church Street

SUBDIVISION NAME: Main Springs Planned Development

SIZE OF PROPERTY: 1.778 acres

NUMBER OF LOTS: One

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATION: CMB proposed to be rezoned to PDD

**ANALYSIS OF ISSUES**

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PROPOSED DEVELOPMENT: This plan accompanies Zoning Change request ZC-20-11 from CMB to PDD for the same property. Unlike conventional zoning classifications, which cannot have conditions attached, the PDD classification is subject to the conditions represented by the development plan. The development plan is adopted with the zoning change, and thereafter cannot be changed except through the normal rezoning process. The PDD zoning classification is intended to accommodate developments that have unusual characteristics that might require deviations from the normal zoning and/or subdivision standards. In return for such flexibility, the PDD requires more of an up-front commitment on the part of the developer in terms of the site layout, land uses, and amenities. The zoning change and PDD development plan must be considered concurrently, since the zoning is conditional upon the project being developed as depicted on the plan. In this case, the owner is proposing a mixed-use project consisting of eight vacation rental units in a total of four structures, a two-story commercial building, a two-story mixed-use building containing commercial on the first floor three apartments on the second floor, six townhome condominium units, and an open-air pavilion. Off-street parking is provided for the townhome condominiums via a private driveway extending between North Church Street and North Main Street. All other parking is proposed to be in the North Church Street right-of-way where the project will include widening the east side of the street to accommodate 90-degree on-street parking. The property is divided by an unnamed tributary of Town Branch Creek within a floodplain area that extends from the east side of the site. The area labeled on the enclosed PDD development plan as the 100-year floodplain is actually the 500-year floodplain, which is not the primary basis for regulating structures and other encroachments. The plan should be revised to either show only the 100-year floodplain, which is a smaller footprint, or show both with correct labeling. The attached aerial photo illustrates both boundaries. Both the pavilion and one of the commercial buildings extend into the floodplain but will be raised on columns such that their floors will be at least one-foot above the base flood elevation (100-year flood level), as required by our floodplain ordinance. The base floodplain elevation will be determined by hydrologic modeling prior to issuance of floodplain development permits. The zoning ordinance requires that development in the floodplain be further authorized as a specific use, so SUP applications will be submitted for consideration by the Commission once the base flood elevation is known.

**NEIGHBORHOOD COMPATIBILITY:** The greatest impact will likely be traffic generated by the development, depending on the type of businesses occupying the commercial buildings. The low number of vacation rental units and townhouse condominium units will not generate excessive traffic. The development is proposed to be dark-sky compliant, so the impact of night lighting should not be an issue.

**FORM AND CONTENT:** The PDD Development Plan conforms to all minimum requirements for form and content, with the exception that the floodplain boundary shown on the plan incorrectly identifies it as the 100-year floodplain. Instead of changing the label, staff suggests that the plan be revised to show the approximate 100-year floodplain boundary consistent with the current label. The 100-year floodplain is a more limited area, and is what the regulation of buildings and other encroachments is based on.

**COMPLIANCE WITH STANDARDS:** The proposed development will include a five-foot wide public sidewalk along North Church Street, which is one-foot wider than the minimum required. There are several other deviations from normal ordinance standards. One is that there will be no public sidewalk along the North Main Street frontage, but a concurrent subdivision variance is being requested as part of the final plat application because there is no actual street in that segment of the right-of-way where the street terminates in a dead end. In addition, much of the required parking is being provided in the North Church Street right-of-way instead of on the private property. Lastly, zero building setbacks are proposed along the east and west boundaries of the property instead of the setbacks normally required by the conventional zoning districts (roof eaves or awnings will not be allowed to extend across any property line). As allowed by the subdivision regulations, a fee will be paid in lieu of dedicating parkland for the apartment and townhome condominium land use elements of the development.

**ADDITIONAL REQUIREMENTS:** None.



17804

17903

17806



35500

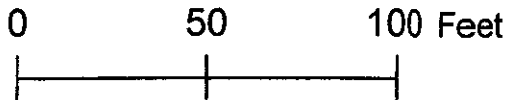
17909

17018

17815

33786

# CITY OF Lockhart TEXAS



PARCEL BOUNDARY

FLOOD ZONE

500 Yr

AE - 100Yr Elev Study

Floodway

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey, and represents only the approximate relative location of property boundaries.

**PDD DEVELOPMENT PLAN APPLICATION**

CITY OF

**Lockhart**

TEXAS

(512) 398-3461 • FAX (512) 398-3833

P.O. Box 239 • Lockhart, Texas 78644

ADDRESS 308 West San Antonio Street

**APPLICANT/OWNER**

APPLICANT NAME Laura Toups

DAY-TIME TELEPHONE 512.917.5796

E-MAIL ltoups@dunawayassociates.com

5707 SW Pkwy, Bldg2, Ste 250

Austin, TX 78735

OWNER NAME PHX15

DAY-TIME TELEPHONE 512.787.0383

E-MAIL ws@countywidere.com

ADDRESS 215 Bufkin Lane

Lockhart, TX 78644

**PROPERTY**

ADDRESS OR GENERAL LOCATION 416 Church St

LEGAL DESCRIPTION (IF PLATTED) Meters & Bounds

PROPOSED SUBDIVISION NAME, IF NOT PLATTED Main Springs PDD

SIZE 1.778 ACRE(S) ZONING CLASSIFICATION CMB

EXISTING USE OF LAND AND BUILDINGS Vacant

**PROPOSED DEVELOPMENT**

PROPOSED USE OF LAND AND BUILDINGS Commercial, Mixed-Use, Vacation rentals, Apartments, Townhomes

NUMBER OF LOTS 1 TOTAL NUMBER OF DWELLING UNITS, IF ANY 9

RESIDENTIAL DENSITY NA UNITS/ACRE

TOTAL LAND AREA ALLOCATED TO RESIDENTIAL USE, IF ANY <sup>8400 s.f./1.19 ac.</sup>            ACRE(S)

TOTAL LAND AREA ALLOCATED TO NON-RESIDENTIAL USE, IF ANY 1.588 ACRE(S)

# 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.

PROPOSED DECLARATION OF COVENANTS AND RESTRICTIONS ESTABLISHING AND GOVERNING ANY LEGAL ENTITY THAT MAY BE REQUIRED TO OWN, OPERATE, AND/OR MAINTAIN PRIVATE STREETS, UTILITIES, OR OTHER FACILITIES PROVIDED FOR THE COMMON USE OF ALL PROPERTY OWNERS.

PROPOSED WRITTEN AGREEMENT BETWEEN THE CITY AND THE LEGAL ENTITY TO BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF PRIVATE STREETS AND ALLEYS, PERMITTING ACCESS AND USE WITHOUT LIABILITY BY CITY VEHICLES AND PERSONNEL ON OFFICIAL BUSINESS.

PDD DEVELOPMENT PLAN, AS FOLLOWS, INDICATING THE SCALE AND NORTH ARROW, PROPOSED USE(S) OF ALL PARTS OF THE DEVELOPMENT, BOUNDARIES OF PROPOSED PHASES, IF ANY, AND CONTAINING THE INFORMATION REQUIRED IN SECTION 64-166(b).

Four copies for initial staff review.

Ten copies after initial staff review.

One mylar reproducible (two if applicant wants to keep one), plus two copies, of approved PDD Development Plan.

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 Laura L. Joyner

DATE Sept. 1, 2020

## OFFICE USE ONLY

ACCEPTED BY Kevin Waller *Application Deemed Complete 9/3/2020* DATE SUBMITTED 8/31/2020

ZONING CASE NUMBER ZC - 20 - 11

PLAN CASE NUMBER PDD - 20 - 02

PLANNING AND ZONING COMMISSION MEETING DATE 9/23/2020

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



**OWNER AUTHORIZATION LETTER**

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. This shall be the principal contact with the City in processing this application.

PHX 15 LLC

Name/Company

DocuSigned by:

EDBEDE3003E48A

Owner's Signature

8/21/2020

Date

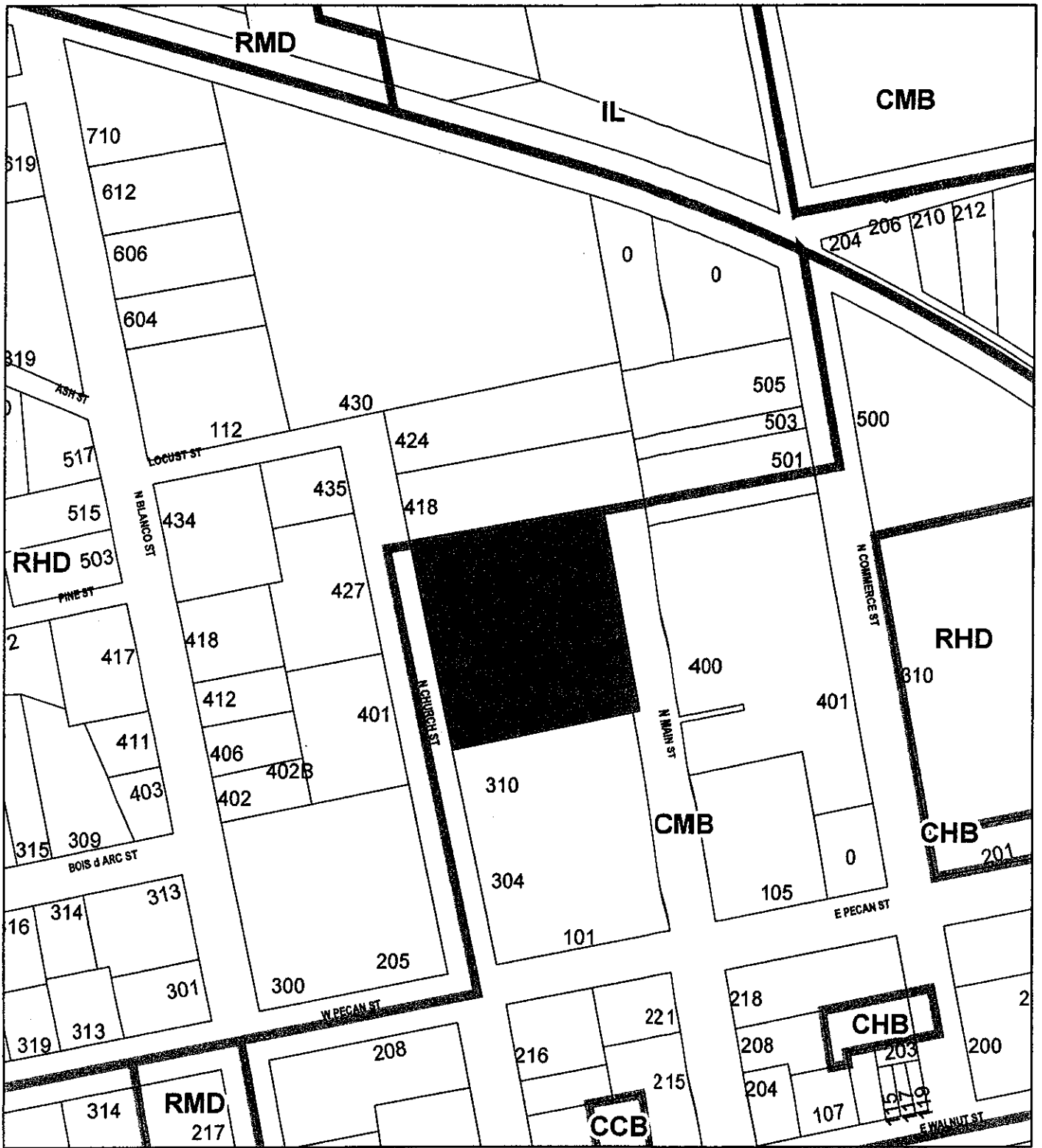
Laura Toups

Agent's Name

Agent's Signature

8-21-2020

Date



**FP-20-04**

MAIN SPRINGS

FINAL PLAT



 SUBJECT PROPERTY

 ZONING BOUNDARY

scale 1" = 200'

## CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW* CASE NUMBER: FP-20-04  
REPORT DATE: September 18, 2020  
PLANNING & ZONING COMMISSION DATE: September 23, 2020  
STAFF RECOMMENDATION: ***Approval of both the Plat and requested Variance***  
SUGGESTED CONDITIONS: None

## BACKGROUND DATA

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors  
ENGINEER: Laura Toups, P.E. (Dunaway Associates)  
OWNER: PHX 15, LLC  
SITE LOCATION: 416 North Church Street  
SUBDIVISION NAME: **Main Springs Planned Development**  
SIZE OF PROPERTY: 1.778 acres  
NUMBER OF PROPOSED LOTS: One  
EXISTING USE OF PROPERTY: Vacant  
ZONING CLASSIFICATION: CMB (Commercial Medium Business District), proposed to be rezoned to PDD (Planned Development District)

## ANALYSIS OF ISSUES

**PROPOSED DEVELOPMENT:** This plat accompanies the Planned Development District Development Plan (PDD-20-02) and Zoning Change (ZC-20-11) changing the zoning classification from CMB to PDD. The subject property is located between North Church Street and North Main Street, the property's south boundary of which coincides with the termination of the paved portion of North Main Street. The North Main Street right-of-way continues to its termination at the north boundary of the subject property. The owner is proposing a mixed-use project consisting of eight vacation rental units in a total of four structures, a two-story commercial building, a two-story mixed-use building containing commercial use on the first floor, three apartments on the second floor, six townhome condominium units, and an open-air pavilion. Further details about the development are provided in the staff report for the PDD Development Plan.

**NEIGHBORHOOD COMPATIBILITY:** The property is located in an area generally transitioning from residential uses to the north to commercial uses to the south. The greatest impact will likely be traffic generated by the development, depending on the type of businesses occupying the commercial buildings. The low number of vacation rental units and townhouse condominium units will not generate excessive traffic. The development is proposed to be dark-sky compliant, so the impact of lighting should not be an issue.

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

**COMPLIANCE WITH STANDARDS:** The plat complies with all applicable subdivision standards, including the provision of public sidewalks along the property's North Church Street frontage. A variance to the sidewalk requirement is requested along the North Main Street frontage, as detailed below.

**CONCURRENT VARIANCE REQUESTED:** A variance is requested to the sidewalk requirement in Section 52-77(b) of the Subdivision Regulations for the North Main Street frontage. This frontage includes only the North Main Street right-of-way, a segment in which there is no actual paved street. In addition, if a sidewalk were constructed along this frontage, there would be no adjoining sidewalk to which it would connect.

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.



Applicant is requesting a variance to the requirement to build a sidewalk along the undeveloped ROW for Main Street adjacent to the proposed Main Spring PDD plat for the following reasons:

1. The special circumstance that affects the land involved is that Main Street currently dead ends before the beginning of this plat. There is no constructed roadway of Main Street adjacent to the plat. The road cannot be extended due to the topography and severe drainage issues within this ROW. The ROW does not connect to a street on the north end as it dead ends into private property.
2. This variance is necessary for preserving the natural edge of the east side of the proposed plat.
3. The variance will not be detrimental to the public as there will not be a public street along this edge.
4. This variance will not have the effect of preventing any other subdivisions of land in the area.

Respectfully submitted,

**DUNAWAY ASSOCIATES, L.P.,**  
a Texas limited partnership

A handwritten signature in black ink that reads "Laura L. Toups".

Laura L. Toups, P.E., LEED AP  
Senior Engagement Manager



**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 Jerry L. Hinkle

ADDRESS PO Box 1027

DAY-TIME TELEPHONE 512.398.2000

E-MAIL contact@hinklesurveyors.com

Lockhart, TX 78644

ENGINEER NAME Laura Toups

ADDRESS 5707 Southwest Pkwy

DAY-TIME TELEPHONE 512.917.5796

Bldg 2, Ste 250

E-MAIL ltoups@dunawayassociates.com

Austin, TX 78735

OWNER NAME PHX LLC

ADDRESS 215 Bufkin

DAY-TIME TELEPHONE 512.787.0383

Lockhart, TX 78644

E-MAIL ws@countywidere.com

**TYPE OF APPLICATION**

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

**PROPERTY**

SUBDIVISION NAME Main Springs PDD

ADDRESS OR GENERAL LOCATION 416 N Church St

LOCATED IN     CITY LIMITS     ETJ (COUNTY)     PDD

TOTAL LAND AREA 1.778 ACRE(S)    PROPOSED NUMBER OF LOTS 1

ZONING CLASSIFICATION(S) Currently CMB, Proposed PDD

PROPOSED USE OF LAND commercial, mixed-use, vacation rentals, townhomes

# 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<br>Minor replat not requiring a public hearing           | \$100.00 payable to the City of Lockhart   |
| Recording fee for Amending Plat,<br>Replat/Resubdivision, Final Plat,<br>or Minor Plat | \$71.00 for the first sheet, and \$50.00 for each additional sheet, payable to the Caldwell County Clerk |

To the best of my knowledge, this application and associated documents conform to all requirements of the City of Lockhart Subdivision Regulations. By signing below I agree that if any part of this plat and/or associated construction plans is found to be incorrect, incomplete, or otherwise deficient with regard to applicable City standards, the deadline imposed by the Texas Local Government Code, Section 212.009 for approval or denial of the plat and/or associated construction plans by the City within 30 days of the date this application is deemed complete is automatically extended for an additional 30 days. I further agree that if any part of this plat and/or associated construction plans remains deficient at such time that the plat and/or associated construction plans cannot be approved prior to the expiration of the second 30 days, the plat or construction plans will be subject to denial by the approval authority. It is understood that I or another representative should be present at all public meetings concerning this application.

SIGNATURE 

DATE Sept. 1, 2020

PRINTED NAME Laura L. Toups

TELEPHONE 512-917-5796

# 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) 52-77 (b) OF THE SUBDIVISION REGULATIONS  
CURRENT ORDINANCE REQUIREMENT(S) Four-foot wide public sidewalks required along the property's road frontages.  
REQUESTED VARIANCE(S) Waive the requirement to construct the sidewalk along the property's N. Main St. frontage.

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

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

## OFFICE USE ONLY

ACCEPTED BY Kerin Waller RECEIPT NUMBER 957773  
DATE SUBMITTED 8/17/2020 CASE NUMBER FP 20 04  
DATE APPLICATION IS DEEMED COMPLETE 9/3/2020  
DATE NOTICES MAILED \_\_\_\_\_ DATE NOTICE PUBLISHED \_\_\_\_\_  
(For certain Replats/Resubdivisions without vacating preceding plat)  
PLANNING AND ZONING COMMISSION MEETING DATE 9/23/2020  
DECISION \_\_\_\_\_  
CONDITIONS \_\_\_\_\_

# UTILITY SERVICE FORM

THIS FORM SHOULD BE COMPLETED BY THE APPLICANT, AFTER CONSULTING WITH THE UTILITY SERVICE PROVIDERS LISTED BELOW, FOR ALL PLATS, EXCEPT AMENDING PLATS, AND FINAL PLATS THAT ARE CONSISTENT WITH APPROVED PRELIMINARY PLATS. THE FOLLOWING UTILITY SERVICE CODES ARE TO BE INDICATED, AS APPLICABLE, IN THE SPACE PROVIDED BELOW.

- A Adequate service is currently available to the proposed subdivision.
- B Adequate service is not currently available, but arrangements *have* been made to provide it.
- C Adequate service is not available, and arrangements have *not* been made to provide it from the utility.
- D Additional easements are needed for the utility within the subject property.

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NAME OF **WATER SERVICE** PROVIDER City of Lockhart

APPLICABLE UTILITY SERVICE CODE(S) A

---

## WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) A

---

## TEXAS GAS SERVICE **GAS COMPANY**

APPLICABLE UTILITY SERVICE CODE(S) A

---

NAME OF **ELECTRIC SERVICE** PROVIDER City of Lockhart

APPLICABLE UTILITY SERVICE CODE(S) A

UNDERGROUND    Yes     No




**OWNER AUTHORIZATION LETTER**

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review. I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. This shall be the principal contact with the City in processing this application.

PHX 15 LLC

Name/Company

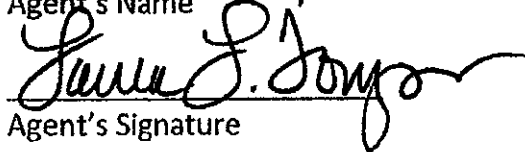
DocuSigned by:  
  
EDBEDE5B0C3E46A  
Owner's Signature

8/21/2020

Date

Laura Toups

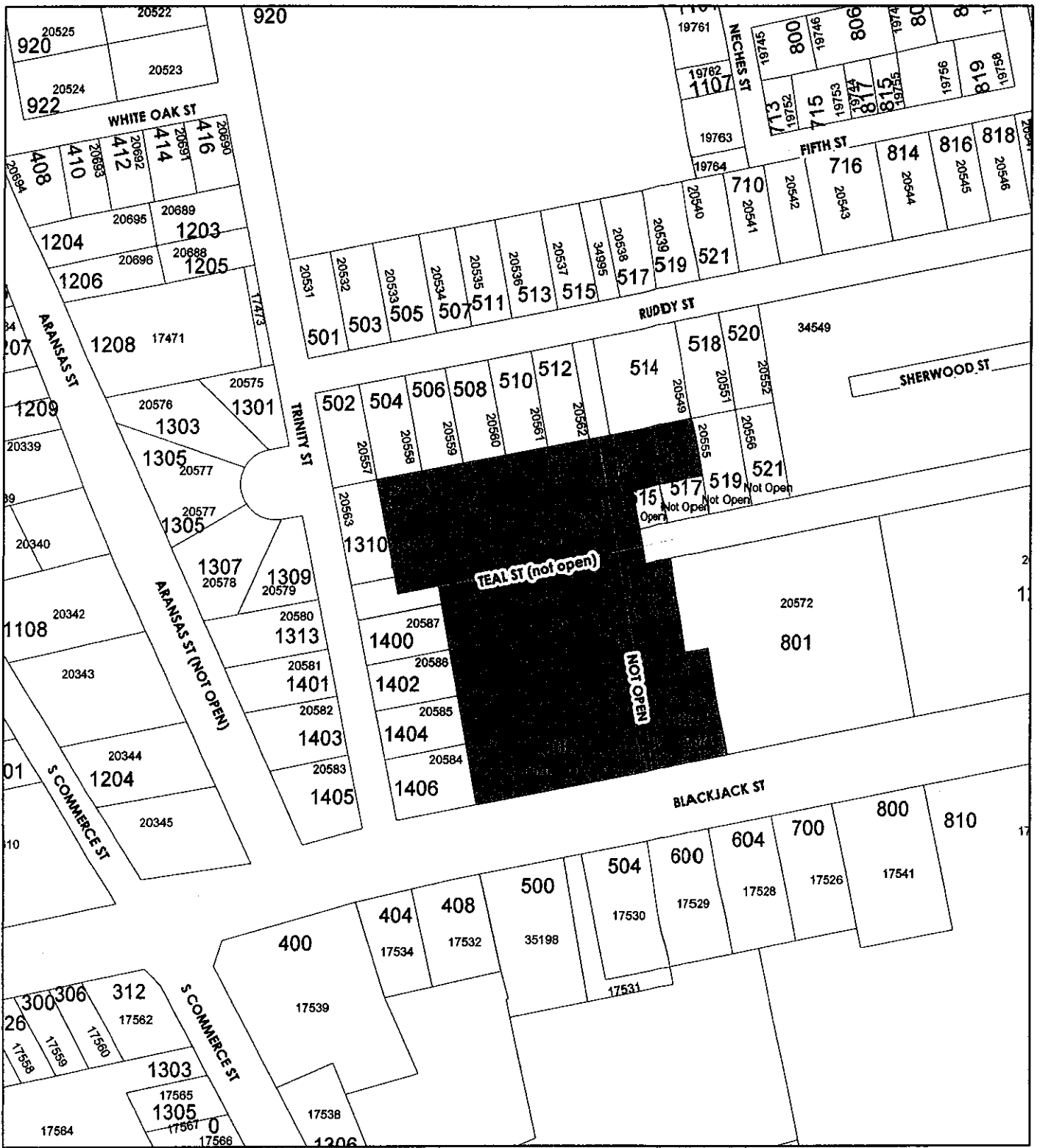
Agent's Name

  
Agent's Signature

8-21-2020

Date





**RP-20-01**



 **RP 20 01**

500 - 600 BLK BLACKJACK ST

TEAL ADDITION LOT 1 BLK 1

scale 1" = 200'

## CASE SUMMARY

STAFF CONTACT: Kevin Waller, Assistant City Planner *KW*  
REPORT DATE: September 17, 2020  
PLANNING & ZONING COMMISSION DATE: September 23, 2020  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: See Compliance with Standards section below

CASE NUMBER: RP-20-01

## BACKGROUND DATA

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors  
OWNER: Ryan Gibson, Ellia May, LLC  
APPLICANT: Dave Mills, Lockhart Realty  
SITE LOCATION: 500-600 Block of Blackjack Street  
SUBDIVISION NAME: **Teal Addition**  
SIZE OF PROPERTY: 4.075 acres after aggregation of multiple lots shown on plat, and after abandonment of portions of the Teal Street and 20-foot wide alley rights-of-way within the property boundaries, prior to proposed right-of-way dedication for Teal Street in the property's northeast portion (3.961 acres after dedication)  
NUMBER OF PROPOSED LOTS: One residential lot of unknown proposed density  
EXISTING USE OF PROPERTY: Vacant  
ZONING CLASSIFICATIONS: RMD (Residential Medium Density District) and RHD (Residential High Density District)

## ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The subject property is located 61 feet east of the intersection of Blackjack Street and Trinity Street, and along the north boundary of Blackjack Street. The property is currently bisected by an undeveloped, 50-foot wide portion of the Teal Street right-of-way, generally aligned east and west through the central portion of the property, as well as an undeveloped portion of a 20-foot wide alley right-of-way, generally aligned north and south through the eastern portion of the property. The subject property is currently vacant, consisting of Lots 15 and 16, Block 2, Lots 8 through 12, Block 3, Lots 3 through 6, Block 6, Lots 9 through 12, Block 6, and Lots 1, 14, and the west half of Lot 15, Block 7 of the Revised Plat of Trinity Addition, as well as the undeveloped rights-of-way discussed above. The applicant proposes to aggregate these lots and rights-of-way into one lot of unspecified residential use and density. In addition, portions of the existing Lots 15 and 16, Block 2, are proposed to be dedicated as additional Teal Street right-of-way, to accommodate a future street turnaround where the undeveloped right-of-way will remain and abut the subject property's east boundary. The Teal Street right-of-way from the property's west boundary westward to Trinity Street is also proposed to be abandoned, the area of which will be disbursed to the adjoining lots to the north and south. The actual rights-of-way abandonment will take place through Ordinance in a City Council meeting to occur after the platting process. This request would normally follow an administrative process as an Amending Plat. However, since it is a replat without vacating the preceding plat, a public hearing is required.



**NEIGHBORHOOD COMPATIBILITY:** The surrounding area consists of single-family residential development to the north, west, and south of the subject property, and duplex and triplex residential development to the east. The subject property's RHD and RMD zoning classifications would allow for medium and high-density residential uses to be developed, both of which would be generally consistent with surrounding uses.

**FORM AND CONTENT:** The plat will conform to all minimum requirements for form and content with satisfaction of the conditions outlined in the Compliance with Standards section below.

**COMPLIANCE WITH STANDARDS:** The plat will comply with all applicable standards, provided the following recommended conditions of approval are met to the City's satisfaction, prior to the City Council meeting considering the rights-of-way abandonments and prior to recording the plat, as follows:

- 1) The description of the Teal Street right-of-way in the plat drawing should be changed to read: "This portion of the Teal Street right-of-way abandoned..."
- 2) The description of the 20-foot wide alley right-of-way in the plat drawing should be changed to read: "This portion of the 20-foot wide alley right-of-way abandoned..."
- 3) The south boundary of Lot 7, Block 3, west of the subject property boundary, should be moved southward to the centerline of the Teal Street right-of-way, if Lot 7 is to receive half of the right-of-way area following its abandonment. This would also necessitate the north boundary of Lot 4, Block 2 to be moved northward to the centerline of the Teal Street right-of-way. The new property line between Lot 7, Block 3 and Lot 4, Block 2 should be shown with a dashed line.
- 4) A metes-and-bounds legal description must be provided for the Teal Street right-of-way, from the subject property's east boundary to Trinity Street. The legal description can be a simplified version, as discussed with Hinkle Surveyors. The description is needed, due to the fact that the right-of-way doesn't evenly align with existing lot lines where it exits the subject property at the east end, which would otherwise provide a clear identification of the right-of-way's course through the property.
- 5) The word "City" should only be used once in the lot description in the last two lines of the lower portion of the title block.
- 6) In the third and fifth paragraphs of the legal description, the word "pass" should be corrected to "past".

**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 Hinkle Surveyors  
DAY-TIME TELEPHONE 512-398-2000  
E-MAIL contact@hinklesurveyors.com

ADDRESS 1109 S Main St  
Lockhart, TX 78644

ENGINEER NAME \_\_\_\_\_  
DAY-TIME TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

OWNER NAME Ellia May LLC  
DAY-TIME TELEPHONE 254-723-0645  
E-MAIL ryan@rydellholdings.com

ADDRESS 2223 AUSTIN AVE  
STE C  
WACO, TX 76701-1659

**TYPE OF APPLICATION**

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

**PROPERTY**

SUBDIVISION NAME Teal Addition  
ADDRESS OR GENERAL LOCATION Blocks <sup>2,3</sup> 6 & 7 of The Revised Plat of Trinity Addition = 500-600 Block of Blackjack St.  
LOCATED IN  CITY LIMITS    \_\_\_\_ ETJ (COUNTY)    \_\_\_\_ PDD  
TOTAL LAND AREA 4.075 <sup>3.91</sup> ACRE(S)    PROPOSED NUMBER OF LOTS 1  
ZONING CLASSIFICATION(S) Residential Medium Density & Residential High Density  
PROPOSED USE OF LAND the highest and best use

# **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<br>Minor replat not requiring a public hearing           | \$100.00 payable to the City of Lockhart   |
| Recording fee for Amending Plat,<br>Replat/Resubdivision, Final Plat,<br>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

Dave Mills (Lockhart Realty)

DATE 5-15-2020

PRINTED NAME

Dave Mills (Lockhart Realty)

TELEPHONE 502-376-4275

## PLAT APPROVAL PERIODS

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

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

## SUBDIVISION VARIANCE (for variance applications, only)

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

CURRENT ORDINANCE REQUIREMENT(S) \_\_\_\_\_

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

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

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

## OFFICE USE ONLY

ACCEPTED BY Kevin Walker RECEIPT NUMBER 940076

DATE SUBMITTED 6/25/20 CASE NUMBER RP 20 .01

DATE APPLICATION IS DEEMED COMPLETE 8/6/2020

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

PLANNING AND ZONING COMMISSION MEETING DATE 9/23/2020

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

To City of Lockhart:

I, Ryan Gibson sole member of Ellia May, LLC, hereby appoint Dave Mills to represent Ellia May, LLC in all matters regarding the land on Blackjack and Teal Street and the abandoning of Teal Street.

Thanks,

Ryan Gibson

Ryan Gibson, sole member Ellia May, LLC

5/15/20

Date

6/1/20

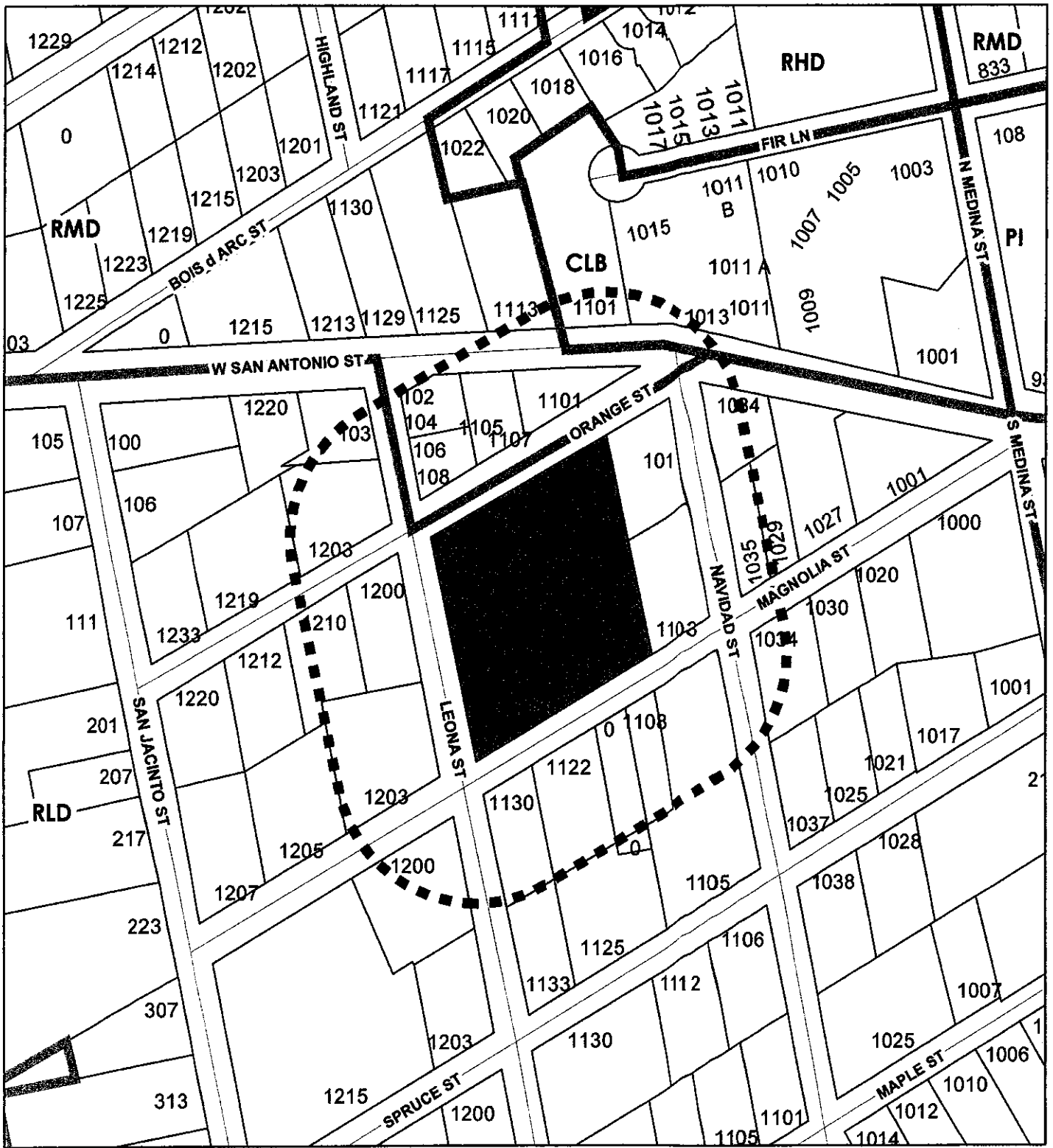
To Whom It May Concern,

As the owner of the property located at Teal Street, I am applying to the City of Lockhart for the vacation of the right-of-way along Teal Street as well as adjacent alleys as shown on the plat.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Gibson".

Ryan Gibson






**SUP-20-11**

1125 MAGNOLIA ST  
 BED & BREAKFAST INN



scale 1" = 200'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER



SAN JACINTO ST

STUEVE LN

WOODLAWN ST

W SAN ANTONIO ST

BOBBING ST

HIGHLAND ST

SPRUCE ST

ORANGE ST

LEONA ST

NAVIDAD ST

MAGTOLA ST

FIR LN

MAPLE ST

N MEDINA ST

S MEDINA ST





**CASE SUMMARY**

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STAFF CONTACT: Dan Gibson, City Planner  
REPORT DATE: September 17, 2020  
PUBLIC HEARING DATE: September 23, 2020  
APPLICANT'S REQUEST: Bed and Breakfast Inn  
STAFF RECOMMENDATION: **Approval.**  
SUGGESTED CONDITIONS: None.

CASE NUMBER: SUP-20-11

**BACKGROUND DATA**

---

APPLICANT(S): Kay Elaine Gourley  
OWNER(S): Clifton Jones  
SITE LOCATION: 1125 Magnolia St.  
LEGAL DESCRIPTION: Lots 3-8 and 11-16, Block 5, Mrs. M. M. Blanks Addition  
SIZE OF PROPERTY: 2.066 acres  
EXISTING USE OF PROPERTY: Single-family Dwelling  
ZONING CLASSIFICATION: RLD

**ANALYSIS OF ISSUES**

---

**CHARACTERISTICS OF PROPOSED USE:** The subject property contains a large house with five bedrooms and five bathrooms, and a three-car garage. There is an asphalt driveway crossing through the property from Magnolia Street to Orange Street at the rear of the house, as well as a wide concrete driveway on the Leona Street side. The applicant proposes to purchase the property and convert the house to function as a Bed and Breakfast Inn, which requires approval of a specific use permit in the RLD district.

**NEIGHBORHOOD COMPATIBILITY:** The exterior appearance of the existing house will not change, so it will remain compatible with the surrounding neighborhood, which consists mostly of single-family dwellings. The only exception is four duplexes occupying the block on the north side of Orange Street.

**COMPLIANCE WITH STANDARDS:** The primary consideration for a bed and breakfast inn in a low density residential neighborhood is typically the availability of off-street parking. The standard adopted for bed and breakfast inns is two parking spaces for the owner/resident, and one space for each bedroom rented to customers. The total of seven spaces is proposed to be accommodated by widening the concrete driveway so that it meets the dimensional requirements for a parking lot with four 90-degree spaces on one side, plus the necessary access aisle for maneuvering. The other three parking spaces can be aligned with the three garage doors at the rear, with access from the asphalt driveway. In addition, if additional parking is needed, at least one of the three interior garage spaces can still be accessed from the Leona Street side without conflicting with the four new spaces in the parking lot.

**ADEQUACY OF INFRASTRUCTURE:** All necessary utilities are available and adequate.

**ALTERNATIVES:** If the SUP is denied, the property can still be used as a single-family dwelling. However, the size of the building and lot is ideal for a bed and breakfast facility with no adverse impact on the surrounding neighborhood.

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

LEONA STREET

ORANGE STREET

NAVIDAD STREET

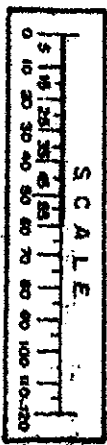
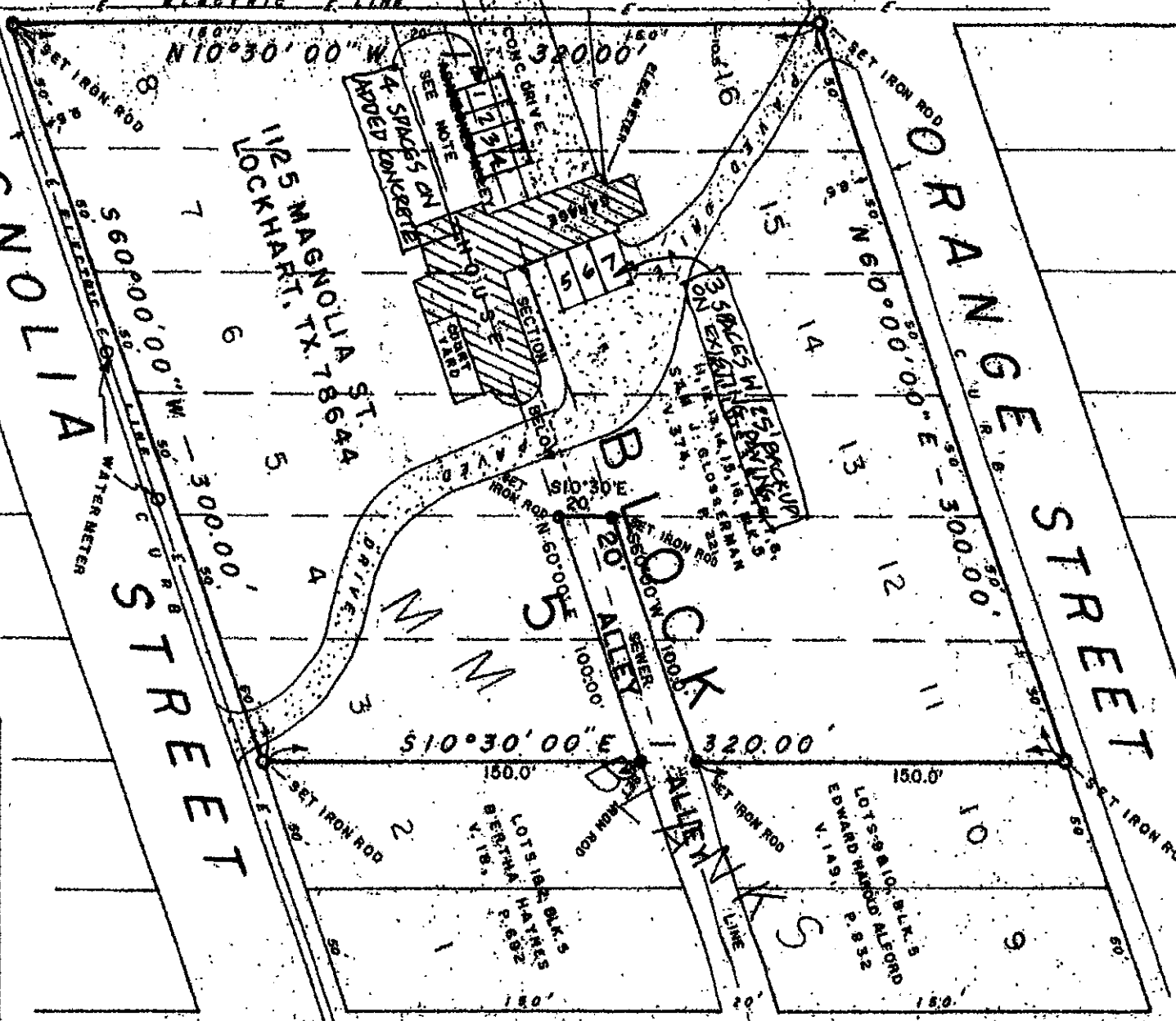
MAGNOLIA STREET

STREET

LOCKHART, TX 78644

LOCKHART ALLEY

ALLEY



**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 Kay Elaine Gourley  
DAY-TIME TELEPHONE 512.994.9507  
E-MAIL KayGourley@gmail.com

ADDRESS 4803 Placid Place  
Austin Tx 78731

OWNER NAME Clifton Jones  
DAY-TIME TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_

ADDRESS P.O. Box 5759  
Austin, Tx 78763

**PROPERTY**

ADDRESS OR GENERAL LOCATION 1125 Magnolia Street 78644

LEGAL DESCRIPTION (IF PLATTED) Block 5 m.m. Blanks 3-8 | 11-16

SIZE 2.066 ACRE(S) ZONING CLASSIFICATION RLD

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

**REQUESTED SPECIFIC USE**

PROPOSED USE REQUIRING PERMIT B+B Bed & Breakfast

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.

5749 sq. ft 5 bedrooms 5 bath

2.066 acres

7 parking places

## **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 \$ 191.35 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 Kay E. Gouwing

DATE August 31, 2020

## **OFFICE USE ONLY**

ACCEPTED BY Kevin Waller

RECEIPT NUMBER 957213

DATE SUBMITTED 8/31/2020

CASE NUMBER SUP - 20 - 11

DATE NOTICES MAILED 9-9-2020

DATE NOTICE PUBLISHED 9-10-2020

PLANNING AND ZONING COMMISSION MEETING DATE 9-23-2020

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLIFTON JONES**  
P. O. Box 5759  
Austin, TX 78763

August 24, 2020

Mr. Dan Gibson  
City of Lockhart, Development Services Department  
308 W. San Antonio, St.  
Lockhart, TX 78644

RE: 1125 Magnolia Street, Lockhart, TX 78644

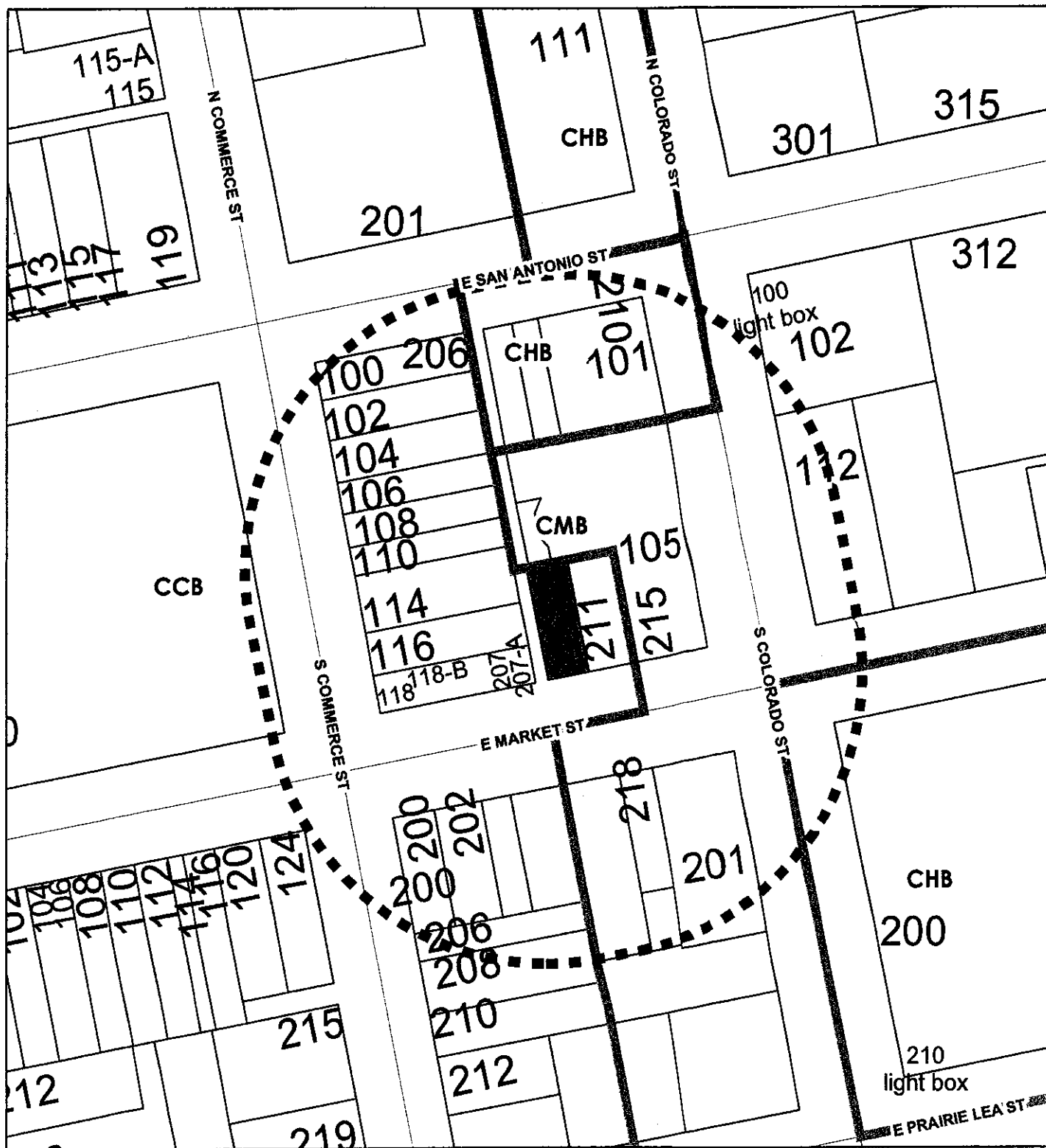
Dear Mr. Gibson,

The subject property is under contract effective 8/25/20 from Clifton Jones and Leah Jones to Kay Elaine Gourley. Please regard this letter as the permission necessary for the prospective Buyer to apply for a Specific Use Permit Application at her expense specifically for using the property as a Bed and Breakfast Home. We authorize her to sign the application and to proceed in cooperating with the City of Lockhart to provide information necessary to obtain approval at your earliest possible date. If a public hearing is necessary, we authorize the prospective Buyer to represent herself at said hearing and in the process of purchasing our property.

DocuSigned by:  
Clifton Jones 8/24/2020  
A9AF70BDCFS74BC...  
Clifton Jones Date

DocuSigned by:  
Leah Jones 8/24/2020  
A9AF70BDCFS74BC...  
Leah Jones Date








**SUP-20-12**

209 E MARKET ST

CHURCH



scale 1" = 100'

-  SUBJECT PROPERTY
-  ZONING BOUNDARY
-  200 FT. BUFFER



21

0

S MAIN ST

12

109

115

N COMMERCE ST

212  
216

S COMMERCE ST

118

117

206

E SAN ANTONIO ST

201

212

208

E MARKET ST

N COLORADO ST

S COLORADO ST

0

100

200 Feet

BRATOS ST

104





**CASE SUMMARY**

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STAFF CONTACT: Dan Gibson, City Planner

CASE NUMBER: SUP-20-12

REPORT DATE: September 17, 2020

PUBLIC HEARING DATE: September 23, 2020

APPLICANT'S REQUEST: Church, as a public/institutional use

STAFF RECOMMENDATION: ***Approval, if there is no significant public opposition.***

SUGGESTED CONDITIONS: None.

**BACKGROUND DATA**

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APPLICANT(S): Irwin Glenn Adams

OWNER(S): Same

SITE LOCATION: 209 E. Market St.

LEGAL DESCRIPTION: Metes and bounds

SIZE OF PROPERTY: 0.057 acre

EXISTING USE OF PROPERTY: Vacant commercial building

ZONING CLASSIFICATION: CCB

**ANALYSIS OF ISSUES**

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**CHARACTERISTICS OF PROPOSED USE:** The subject commercial building is on the north side of Market Street, just east of the courthouse square. The applicant proposes to use it for as church. As stated on the application, occupancy will consist of only 15 to 20 people who will meet on Sunday mornings and evenings, and on Wednesday evenings. Churches require a specific use permit in the CCB district.

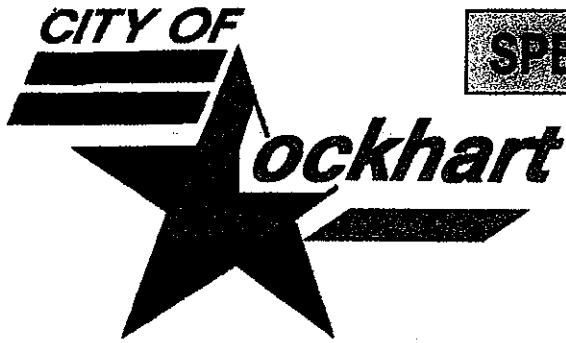
**NEIGHBORHOOD COMPATIBILITY:** A small church group such as this will have much less impact than some businesses in the surrounding commercial area. However, a concern expressed in the past has been that a church perhaps is not the most ideal use for a downtown location because it occupies a space that could otherwise be a retail, office, restaurant, or entertainment business that contributes more to the vitality of the central business district by attracting customers on a daily basis.

**COMPLIANCE WITH STANDARDS:** The primary consideration for churches is typically off-street parking. Because the CCB district does not require off-street parking, and the building occupies the entire lot, all parking will be in the street. Such parking is normally readily available on Sundays and weekday evenings.

**ADEQUACY OF INFRASTRUCTURE:** All necessary utilities are available and adequate.

**ALTERNATIVES:** If the SUP is denied for being an inappropriate use of the property, the building can still be used for a wide variety of commercial uses. A specific use permit is required for churches in all but the PI Public and Institutional District, where they are allowed by-right.

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



**SPECIFIC USE PERMIT APPLICATION**

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

**APPLICANT/OWNER**

APPLICANT NAME Irwin Glenn Adams ADDRESS P.O. Box 50  
DAY-TIME TELEPHONE 512-947-4536 Luling, Tx 78648  
E-MAIL newoldparts@gmail.com  
OWNER NAME Irwin Glenn Adams ADDRESS P.O. Box 50  
DAY-TIME TELEPHONE 512-947-4536 Luling, Tx 78648  
E-MAIL newoldparts@gmail.com

**PROPERTY**

ADDRESS OR GENERAL LOCATION 209 E. Market St Lockhart, Tx  
LEGAL DESCRIPTION (IF PLATTED) See attached survey  
SIZE .051 ACRE(S) ZONING CLASSIFICATION Commercial Central Business District  
EXISTING USE OF LAND AND/OR BUILDING(S) was antique shop

**REQUESTED SPECIFIC USE**

PROPOSED USE REQUIRING PERMIT Church - Potter's House Christian

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.

15-20 people, Wednesday 7:30-9:00 pm  
Sunday 11:00-1:00 pm  
5:30-8:00 pm

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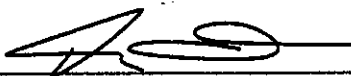
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|                               |  |
|-------------------------------|--|
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| One acre or greater           | \$170 plus \$20.00 per each acre over one acre |

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SIGNATURE 

DATE 9/2/2020

**OFFICE USE ONLY**

ACCEPTED BY CHRISTINE BANDA

RECEIPT NUMBER 957589

DATE SUBMITTED 9/2/2020

CASE NUMBER SUP - 20 - 12

DATE NOTICES MAILED 9-9-2020

DATE NOTICE PUBLISHED 9-10-2020

PLANNING AND ZONING COMMISSION MEETING DATE 9-23-2020

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

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