

PUBLIC NOTICE

City of Lockhart
Planning and Zoning Commission
7:00 PM, Wednesday, July 10, 2024
Municipal Building – Glosserman Room
308 W. San Antonio St.

AGENDA

1. Call meeting to order.
2. Citizen comments not related to an agenda item.
3. Consider the Minutes of the June 26, 2024 meeting.
4. **FP-24-03.** Consider a request by Tamara Carlisle of The Lumberyard Lockhart, LLC, for approval of a **Final Plat** for Lockhart Lumberyard Addition, consisting of 0.562 acre on property identified as Lot 24 and part of Lot 22, A.R. Chews Addition, zoned RMD (Residential Medium Density), and located at 508, 510, 512, and 514 West Market Street, including a Variance to Chapter 52, "Subdivision Regulations", Section 52-72(e), to allow for five feet of right-of-way dedication along the property's West Market Street frontage where 10 feet would normally be required, and no right-of-way dedication along the Cibilo Street frontage, in place of the required 11.7 feet.
5. Consider a recommendation to the City Council for a proposed amendment to Chapter 52, "Subdivision Regulations" of the Lockhart Code of Ordinances, Section 52-62, Land Dedication, to correct a reference made to another section within the Regulations.
6. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
7. Adjournment.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 10:00 a.m. on the 2nd day of July, 2024.

**City of Lockhart
Planning and Zoning Commission
June 26, 2024**

MINUTES

Members Present: Philip Ruiz, Phil McBride, Bradley Lingvai, Ron Peterson

Members Absent: Manuel Oliva, Julia Haug, Rick Arnic

Staff Present: David Fowler, Evan Olszewski, Christine Banda, Romy Brossman

Visitors/Citizens Addressing the Commission: Buddy Preston, Kacie Brown, Larry Jackson, Genaro Tovar, Samuel Rosson, Holly Ruggiere, Dean Young, Kimberly Smith, Tamara Menke-Rosson

1. Call meeting to order. Chair Ruiz called the meeting to order at 7:00 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the Minutes of the June 12, 2024, meeting.

Commissioner McBride moved to approve the June 12, 2024, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 4-0.

4. SUP-24-05. Hold a PUBLIC HEARING and consider a request by Olivia Leyva, for a Specific Use Permit to allow a Manufactured Home on 0.17 acres in the Hunters Pointe Subdivision, Block 3, Lot 4, zoned RMD Residential Medium Density District and located at 1503 Hunters Road.

Evan Olszewski presented the staff report. He gave an overview of the location of the subject property. He said the applicant would like to place a manufactured home on the subject property, which is zoned RMD. The home would be 14 feet wide by 66 feet long, which is 924 square feet. The home would need to be placed with the long edge perpendicular to Hunters Road because the lot width is only 60 feet wide. He mentioned that the site plan shows the home encroaching the required front yard building setback and that the side yard setback to the west side may need to be revised to allow for a stoop or deck for the second entrance to the home. He said that staff discovered the deed restrictions recorded in volume 40 and page 209 which clearly states that manufactured homes are prohibited in the subdivision. Staff received numerous calls and letters received in opposition to the SUP request.

Commissioner Lingvai asked staff who would enforce the deed restrictions.

Mr. Olszewski said the property owners in this community have the right to uphold the deed restrictions.

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

The applicant was not present.

Chair Ruiz asked for anyone in favor of the sup to please come forward. Seeing none he asked for those in opposition.

Buddy Preston of 1515 Hunters Rd said he opposes the manufactured home and showed his copy of the deed restrictions where it clearly states that such homes are not allowed in the subdivision.

Kacie Brown of 1504 Hunters Road said she opposes the specific use permit and would prefer to see a site-built house on the property.

Larry Jackson of 1502 Hunters Road stated he opposed the specific use permit.

Genaro Tovar of 1501 Hunters Road stated he opposed the specific use permit.

Sam Rosson of 1507 Hunters Road said he opposed the specific use permit.

Holly Ruggiere of 1510 Hunters Rd said she opposed the specific use permit and if this were approved it would set a precedent allowing for others to be able to be placed on either side of her home where there are vacant lots.

Dean Young of 1522 Hunters Road said he opposed the specific use permit.

Kimberly Smith of 1500 Hunters Road said she opposed the specific use permit.

Tamara Menke-Rosson of 1507 Hunters Road said she opposed the specific use permit and staff mentioned that they would use gravel for the driveway which would be worrisome for runoff.

Chair Ruiz asked for any other speakers, seeing none he moved to staff recommendations.

Mr. Olszewski corrected his statement about the proposed driveway and that the site plan shows a concrete driveway and not gravel. He said that staff recommends denial.

Commissioner Peterson moved to deny SUP-24-05. Commissioner Lingvai seconded, and the motion passed with a vote of 4-0.

5. Hold a PUBLIC HEARING and consider a text amendment to Chapter 64 "Zoning" of the Lockhart Code of Ordinances, as follows: Amend Article I "In General", Section 64-2 "Definitions", and Article VII "Zoning Districts and Standards", Section 64-196 "Establishment of zoning districts," to add additional zoning use definitions and assign newly-defined uses to existing zoning districts.

David Fowler came forward to present the proposed text amendments. He explained that there were numerous land uses that are not defined, missing, or not listed in the zoning ordinance that needed to be added. Also, a new table was created to list all the uses with their zoning and if they are permitted or allowed. Staff also found that the sight triangle diagram needed to be added to the ordinance and Illustration 64-2 was updated to be legible. He went over some uses that were added or clarified with the commissioners and explained the terms allowed and permitted. He asked for the commissioner's recommendation to City Council.

Commissioner McBride moved to recommend approval of the text amendments submitted by staff to City Council. Commissioner Lingvai seconded, and the motion passed with a vote of 4-0.

6. Planning Director's report.

Mr. Fowler mentioned that the Seawillow Development was approved. With this project the water and wastewater would be extended, and a new water tower would be built for the area. The Seawillow Development is projected to be built out in ten years. In a separate item, the City's ETJ had recently been expanded to include the entirety of the Juniper Springs project.

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

Mr. Fowler stated that the next meeting would be held on Wednesday, July 10th with one plat.

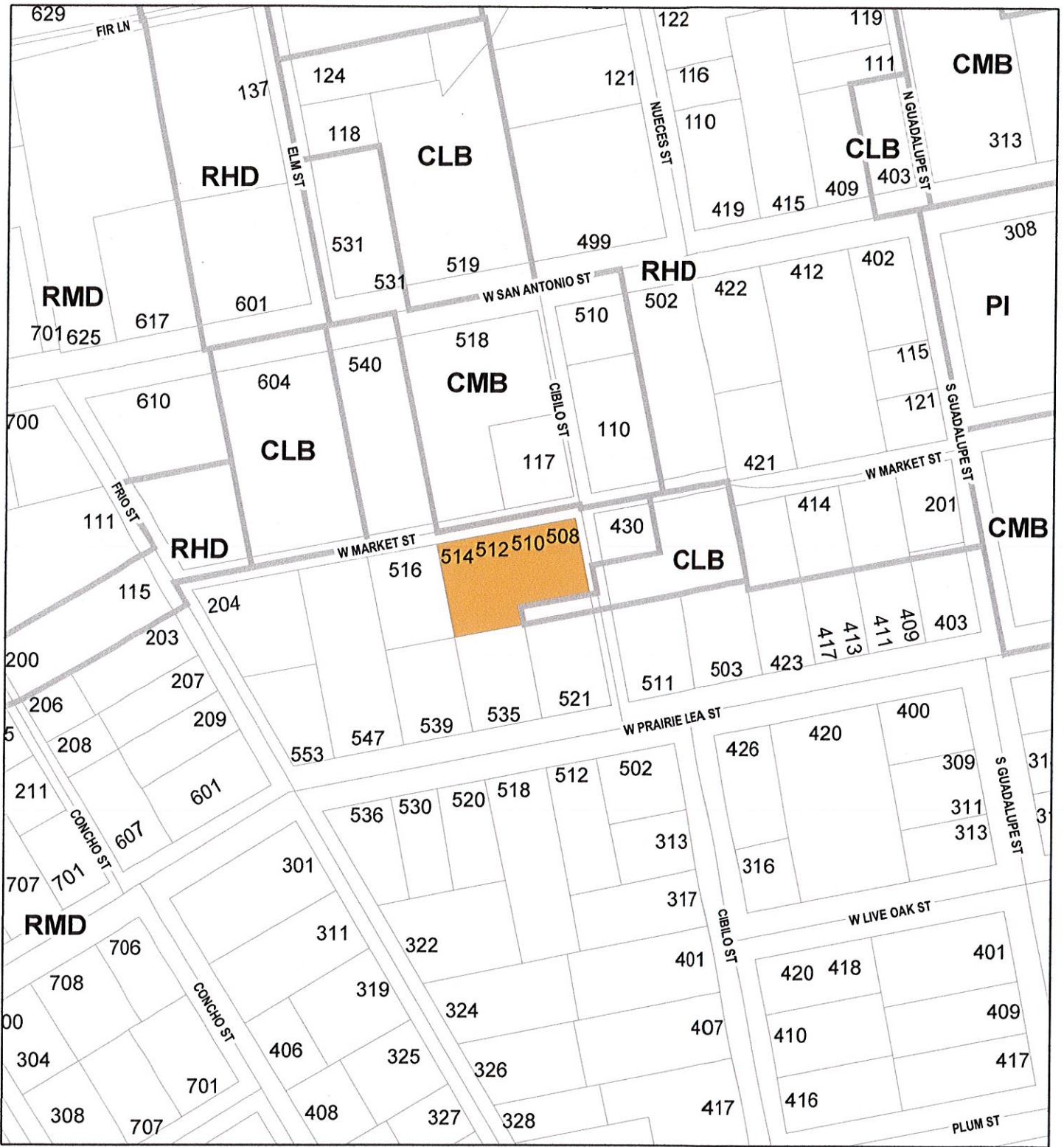
8. Adjournment.

Commissioner Lingvai moved to adjourn, and Commissioner McBride seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:46 p.m.

Approved: _____
(date)

Christine Banda, Recording Secretary

Philip Ruiz, Chair





FP-24-03

LOCKHART LUMBERYARD ADDITION

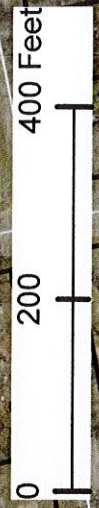
508, 510, 512, 514 W MARKET ST

FINAL PLAT



-  SUBJECT PROPERTY
-  ZONING

scale 1" = 200'



N BLANCO ST

S BLANCO ST

N GUADALUPE ST

S GUADALUPE ST

W MARKET ST

W MARKET ST

S GUADALUPE ST

W LIVE OAK ST

NUECES ST

W SAN ANTONIO ST

CIBILO ST

W PRAIRIE LEA ST

CIBILO ST

ELM ST

W MARKET ST

FRIO ST

FIR LN

CONCHO ST

W LIVE OAK ST

CONCHO ST

S RIO GRANDE ST

CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner

KW

CASE NUMBER: FP-24-03

REPORT DATE: July 3, 2024

PLANNING & ZONING COMMISSION DATE: July 10, 2024

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

SUGGESTED CONDITIONS: (1) Correction of ownership information on neighboring property to the southeast (see Compliance with Standards section below); and (2) addition of CLB (Commercial Light Business) zone label to an adjacent property to the south on the plat drawing (see Form and Content section below).

BACKGROUND DATA

APPLICANT AND OWNER: Tamara Carlisle, The Lockhart Lumberyard, LLC

SURVEYOR: Jerry Hinkle, P.L.S., Hinkle Surveyors

SITE LOCATION: 508, 510, 512, and 514 W. Market St.

PROPOSED SUBDIVISION NAME: **Lockhart Lumberyard Addition**

SIZE OF PROPERTY: 0.562 acre

NUMBER OF LOTS: Four single-family residential lots

EXISTING USE OF PROPERTY: Two former commercial buildings in the demolition process, otherwise vacant

ZONING CLASSIFICATION: RMD (Residential Medium Density)

ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Lockhart Lumberyard Addition Final Plat includes four single-family residential lots on property located at the southwest corner of the intersection of West Market Street and Cibilo Street. Two lumber storage buildings are currently located on the property that were part of the former Wilson-Riggin lumber company operations. These buildings are currently in the demolition process. Each of the proposed lots will have rear-loaded parking on the south portion of each lot, accessed via a shared use access easement, as shown on the plat drawing. Sidewalks are not required for this subdivision according to Subdivision Regulations Section 52-77(d)(3), since sidewalks were not required when the original subdivision was platted in 1891 and the proposal involves less than five lots from the original 1891 plat. Two Variances to the right-of-way dedication requirement have been requested with the application, one for West Market Street and the other for Cibilo Street, as discussed below. The plat is considered a Final Plat due to the variance requests, and would have otherwise been classified as an administratively-reviewed minor plat. The proposed subdivision has been reviewed and deemed acceptable by the Caldwell County Appraisal District's GIS Division.

NEIGHBORHOOD COMPATIBILITY: The two adjacent properties to the south are zoned RMD and Commercial Light Business (CLB), both being developed with single-family residences. The property to the west is zoned RMD and contains a triplex residential building. The two properties to the north, across West Market Street, are zoned Commercial Medium Business (CMB), with one being the Ace Hardware store and associated storage buildings, and the other a vacant lot to contain a future

commercial recording studio. The property to the east, across Cibilo Street, contains a newly-completed single-family residence.

FORM AND CONTENT: With the addition of the CLB zone label to the easternmost adjacent property to the south on the plat drawing (a small strip of CLB follows that property's north boundary) as a recommended condition of approval, the plat will conform to all minimum requirements for form and content.

COMPLIANCE WITH STANDARDS: With Staff's recommended condition to correct the ownership information on the plat drawing for the property to the southeast, across Cibilo Street (Christina and James Davenport, Volume 571, Page 696), the proposed development will meet all applicable subdivision standards.

CONCURRENT VARIANCES REQUESTED: Two Subdivision Variances are requested with this application to the right-of-way dedication requirement specified in Section 52-72(e) of the Subdivision Regulations to allow for: (1) five feet of dedication along the property's West Market Street frontage where 10 feet would normally be required, being half the 20-foot deficiency for the 50-foot minor street right-of-way requirement identified in the City's Thoroughfare Plan; and (2) zero feet of right-of-way dedication along the property's Cibilo Street frontage where 11.7 feet would normally be required, being half of the 23.4-foot deficiency for the 50-foot minor street right-of-way requirement. In the applicant's attached written statement addressing the variance criteria, it is explained that the storage buildings on the Ace Hardware property across West Market Street from the subject property are positioned very close to the street, making any future widening of the street impractical. In addition, Staff notes that the location of two buildings associated with the former Wilson-Riggin business located on property diagonally across the intersection from the subject property also would preclude future widening of West Market Street and Cibilo Street in this area. That property, however, is also owned by the owner of the subject property, who plans to potentially demolish one of both of these structures with a future redevelopment of the property. In a July 2, 2024 email discussion with Public Works Director Sean Kelley, Mr. Kelley informed Staff that he has no objections to the variance requests. However, Mr. Kelley also expressed that if parking becomes an issue on the shared driveway at the rear of each property in a manner that interferes with emergency vehicle response, "no parking" signs may be needed if requested by the emergency services providers.

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.

Upon review of the two variance requests, Staff believes that they warrant approval, due to the proximity of buildings on nearby properties to the streets and the above input received from the Public Works Director. In addition, the proposed rear-loaded parking spaces for each lot will add a safety element to the street intersection and help to discourage parking along the street.

Lockhart Lumberyard Addition Lots 1, 2, 3, and 4 in Block 1

Showing 0.562 acres of land and being all of Lot 24 and a part of Lot 22 of the A. R. Chews Addition in the City of Lockhart, Caldwell County, Texas, recorded in Volume 12 Page 149 of the Deed Records of Caldwell County, Texas.

STATE OF TEXAS
COUNTY OF CALDWELL

We, the undersigned owners of the land shown on this plat designated as Lot 24 and part of Lot 22 of the A.R. Chews Addition according to the map or plat recorded in Volume 12 Page 149 of the Deed Records of Caldwell County, Texas and also being designated as Tract 5 and Tract 7 in a deed conveyed to The Lumberyard Lockhart LLC by deed recorded in Instrument # 2021-004970 of the Official Public Records of Caldwell County, Texas to be designated as LOTS 1, 2, 3, AND 4 IN BLOCK 1 OF LOCKHART LUMBERYARD ADDITION, do hereby subordinate such property and join, approve and consent to all dedications and plat or surveyor note requirements shown hereon and reserve to the public all easements for the mutual use of all public utilities desiring to use the same; that any public utility shall have the right to remove and keep removed all or any part of any growth or construction by maintenance or efficient use of its respective system in such easements, and further shall have full unobstructed access along such easements.

DATE _____

REPRESENTATIVE FOR:
THE LUMBERYARD LOCKHART LLC
102 S. COMMERCE STREET
LOCKHART, TEXAS 78644

STATE OF TEXAS
COUNTY OF CALDWELL

Before me, the undersigned authority, personally appeared _____, known to me to be the representative whose name is subscribed to the foregoing instrument, and acknowledged to me that he (she) executed the same for the purposes and considerations stated herein.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF CALDWELL

I, Philip Ruiz, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20____.

CHAIRMAN

STATE OF TEXAS
COUNTY OF CALDWELL

I, Jerry L. Hinkle, registered professional land surveyor, State of Texas, hereby certify that this plat is a true and correct representation of a survey made on the ground under my supervision and all monuments and markers were properly placed under my direct supervision and a true and correct to the best of my knowledge.

IN WITNESS WHEREOF, my hand and seal, this the _____ day of _____, 20____.

NOT FOR PUBLIC RELEASE

Jerry L. Hinkle
Registered Professional
Land Surveyor #5459

LEGAL DESCRIPTION

All of a certain tract or parcel of land situated in the City of Lockhart, Caldwell County, Texas and being a part of Lots 22 and 24 of A.R. Chews Addition as recorded in Volume 12 Page 149 of the Deed Records of Caldwell County, Texas and being also a part of two tracts of land designated as Tract 5 called the North 110' of Lot 22 and designated as Tract 7 called Lot 24 and conveyed to The Lumberyard Lockhart, LLC by deed recorded in Instrument #2021-004970 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the East line of Lot 22 and the West line of Cibolo Street for the NE corner this tract and from which point the intersection of the South line of W. Market St. in the West line of Cibolo Street and the NE corner the said Lot 22 bears N 10°00'00" W 5.00 feet.

THENCE S 10 degrees 00 minutes 00 seconds E with the East line the said Lot 22 and the West line of Cibolo Street 105.00 feet, to a PK nail set in the SE corner the above mentioned Tract 5 and in the apparent NE corner of a tract of land called 0.369 acres and conveyed to NIKI Land et vir by deed recorded in Instrument number 2016-000078 of the said Official Public Records for the most Easterly SE corner this tract.

THENCE S 80 degrees 00 minutes 00 seconds W with a South line of the said Tract 5 and the apparent North line of the above mentioned 0.369 acre tract 100.00 feet, to an "X" carved in concrete in the SW corner of the said Tract 5 and the apparent NW corner of the said 0.369 acre tract and in the West line the said Lot 22 and the East line of the said Lot 24 for an el corner this tract.

THENCE S 10 degrees 00 minutes 00 seconds E with the West line of the said Lot 22 and the East line of the said Lot 24 25.00 feet, to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the SE corner of the said Lot 24 and the SW corner of the said Lot 22 and the NE corner of Lot 23 of the said A.R. Chews Addition for the most Southerly SE corner this tract.

THENCE S 80 degrees 00 minutes 00 seconds W with the South line of the said Lot 24 and the North line of the said Lot 23 100.00 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the SW corner the said Lot 24 and the SE corner of Lot 26 of the said Chews Addition for the SW corner this tract.

THENCE N 10 degrees 00 minutes 00 seconds W with the West line the said Lot 24 and the East line of the said Lot 26 130.00 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS for the NW corner this tract and from which point the NW corner of the said Lot 24 and the NE corner of the said Lot 26 and the South line of W. Market St. bears N 10°00'00" W 5.00 feet.

THENCE N 80 degrees 00 minutes 00 seconds E over and across the said Lots 22 and 24 and with the newly dedicated South line of W. Market St. 200.00 feet to the place of BEGINNING containing 0.539 acres of land more or less.

STATE OF TEXAS
COUNTY OF CALDWELL

I, Teresa Rodriguez, County Clerk in and for Caldwell County, Texas do hereby certify that the foregoing instrument with its certificates of authorization was filed for record in my office on the _____ day of _____, 20____, at _____ o'clock _____ M., and duly recorded on the _____ day of _____, 20____, in the Plat Records of Caldwell County, Texas in Plat Cabinet _____ at Side _____.

Teresa Rodriguez
County Clerk, Caldwell County, Texas

SURVEYORS NOTES:

- The Lots shown lie in Flood Zone "X". The City of Lockhart has adopted Zone "X" to be no special flood hazard, according to FEMA Panel #48055C0120E effective date June 15, 2012.
- Lots 1, 2, 3, and 4 in Block 1 are zoned RMD (Residential Medium Density). Surrounding properties are zoned and labeled RMD (Residential Medium Density), CMB (Commercial Medium Business) and CLB (Commercial Light Business).
- RECORD OWNERS OF LAND:
The Lumberyard Lockhart LLC
DESIGNER OF PLAT: Hinkle Surveyors
PO Box 1027 Lockhart TX 78644
(512) 398-2000
DATE OF PREPARATION: February 2024
SURVEYOR: Jerry L. Hinkle, R.P.L.S. #5459
PO Box 1027,
Lockhart, TX 78644
(512) 398-2000
- Building setback lines shall be in accordance with the City of Lockhart Zoning Ordinance.
- Lot Closure: Lot 1- 1' in 320,000,000'; Lot 2- 1' in 320,000,000';
Lot 3- 1' in 370,000,000'; Lot 4- 1' in 370,000,000'
Boundary Closure: 1' in 670,000,000'

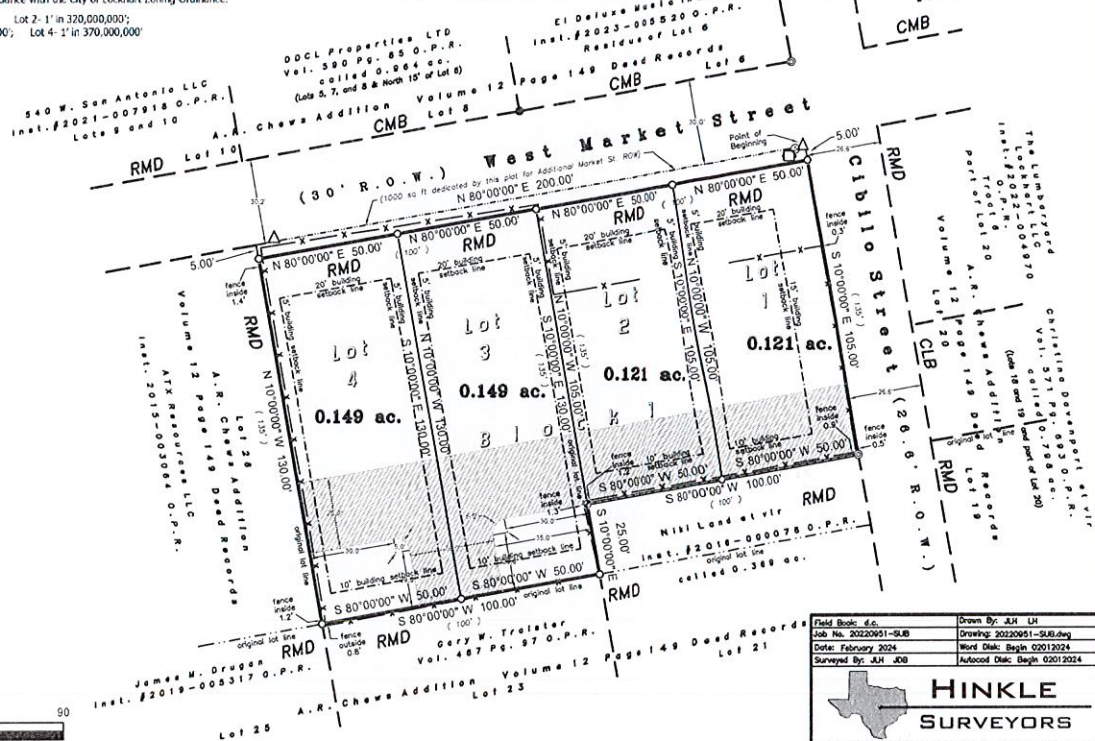


The Lumberyard
Lockhart LLC
Inst. #2021-004970
O.P.R.
Tract 3 called Lot 4
A.R. Chews
Addition
Vol. 12 Pg. 149
Deed Records
Lot 4

- ### LEGEND
- CAPPED 1/2" IRON PIN SET STAMPED "HINKLE SURVEYORS"
 - FIRE MORTAR
 - △ EL POLE
 - ⊙ STOP SIGN
 - ORIGINAL DECEDED CALLS
 - X- FENCES MENDER
 - ⊕ "X" CARVED IN CONCRETE
 - ⊙ PK NAIL SET
 - O.P.R. OFFICIAL PUBLIC RECORDS
 - ▭ SHARED USE ACCESS EASEMENT DEDICATED BY THIS PLAT UNLESS OTHERWISE NOTED



Scale 1"=30'



Field Book: d.c.	Drawn By: JAH LH
Job No. 20220951-040	Drawing: 20220951-040.dwg
Date: February 2024	Word Date: Bgsh 02012024
Surveyed By: JAH JOB	AutoCAD Date: Bgsh 02012024

HINKLE SURVEYORS

P.O. Box 1027 1109 S. Main Street Lockhart, TX 78644
Ph: (512) 398-2000 Fax: (512) 398-7683 Email: contact@hinklesurveyors.com Firm Registration No. 100886-00

4 houses

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 ADDRESS PO Box 1027
DAY-TIME TELEPHONE 512 398 2000 1109 S Main St
E-MAIL contact@hinklesurveyors.com 78644

ENGINEER NAME _____ ADDRESS _____
DAY-TIME TELEPHONE _____
E-MAIL _____

OWNER NAME The Lumberyard Lockhart LLC ADDRESS 102 S Commerce A
Tamara Caelixle - Donna Blak
DAY-TIME TELEPHONE 512 657 1850 78644
E-MAIL TAMARA CAELIXLE @ gmail

TYPE OF APPLICATION

SUBDIVISION DEVELOPMENT PLAN REPLAT/RESUBDIVISION VARIANCE
 PRELIMINARY PLAT AMENDING PLAT MINOR PLAT FINAL PLAT
 DEVELOPMENT PLAT Only replat. 562 at Cibola + Market
SW corner of Cibola + Market

PROPERTY

SUBDIVISION NAME Lockhart Lumberyard Addition
ADDRESS OR GENERAL LOCATION 508, 510, 512, 514 W. Market St.
LOCATED IN CITY LIMITS ETJ (COUNTY) PDD
TOTAL LAND AREA 562 ACRE(S) PROPOSED NUMBER OF LOTS 4
ZONING CLASSIFICATION(S) RMD
PROPOSED USE OF LAND Residential 4 houses
(single-family)

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 Tanna Caelt

DATE 7/6/22

PRINTED NAME Tanna Caelt

TELEPHONE 526571850

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) 52-72(e) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Dedication of one-half of right-of-way deficiency for Cibolo St. & W. Market St.

REQUESTED VARIANCE(S) No right-of-way dedication along Cibolo St.; 5' of right-of-way dedication along W. Market St.

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 R01200389
+ R01241695

DATE SUBMITTED 2/26/24

CASE NUMBER FP-24-03

DATE APPLICATION IS DEEMED COMPLETE 3/13/24

DATE NOTICES MAILED —

DATE NOTICE PUBLISHED —

(For certain Replats/Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 7/10/24

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.

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

APPLICABLE UTILITY SERVICE CODE(S) _____

WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) _____

TEXAS GAS SERVICE **GAS COMPANY**

APPLICABLE UTILITY SERVICE CODE(S) _____

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

APPLICABLE UTILITY SERVICE CODE(S) _____

UNDERGROUND Yes No

① The streets are not wide enough.
The hardware is close to the street line.
We were not required to dedicate
Right away immediate across the street.
Widening a small section of the street
would not be congruent.

② We are creating a neighborhood,
with sidewalks, porches etc.
Creating a good tax base.

③ It will not be detrimental.
It will be an improvement

④ It will not prevent other
developments.

TO: Lockhart Planning and Zoning Commission
FROM: Kevin Waller, AICP, Senior Planner *KW*
SUBJECT: Subdivision Regulations Text Amendment, Agenda Item 5
DATE: July 2, 2024

Dear Planning and Zoning Commission:

Following adoption and implementation of the text amendments to the Subdivision Regulations in January 2023, it was recently discovered that one of the approved amendments was misrepresented in the codified version of the regulations. Specifically, a reference is made in Section 52-62- Land Dedication to Section 52-57, which should have been a reference to Section 52-61- Capital Improvements, according to the text amendments approved at the January 17, 2023 City Council meeting. In the codified version, Section 52-62 states that a subdivision plat must include “dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the developer’s obligation as provided in section 52-57.” It should be noted that Section 52-57 is currently a non-existent section listed under “Reserved”. Section 52-61, the correct reference, addresses capital improvements, such as streets, sidewalks/trails, stormwater drainage, water, wastewater and the like, that refer back to the essential public facilities and services alluded to in Section 52-62.

Two exhibits are attached. The first is a “strikethrough” version of Chapter 52, with deleted text stricken and added text underlined. The second exhibit is a “clean” version of the text that results from the change. Those sections of the subdivision regulations not shown are unchanged.

Your recommendation will be forwarded to the City Council for consideration and approval at their July 16 meeting.

CHAPTER 52. SUBDIVISION REGULATIONS
DRAFT AMENDMENT (Strikethrough)

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section ~~52-57~~ 52-61.

CHAPTER 52. SUBDIVISION REGULATIONS
DRAFT AMENDMENT (Clean)

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section 52-61.