

## PUBLIC NOTICE

City of Lockhart  
Planning and Zoning Commission  
7:00 PM, Wednesday, August 28, 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 July 24, 2024 meeting.
4. **ZC-24-06.** Hold a PUBLIC HEARING and consider a request by the Marilyn Riddle Trust for a **Zoning Change** from *AO Agricultural-Open Space District* to *CMB Commercial Medium Business, RMD Residential Medium Density, and RHD Residential High Density Districts* on 177.78 acres in the James George Survey, Abstract Number 9, located in the 1500, 1600, and 1700 blocks of South Commerce Street.
5. **SUP-24-06.** Hold a PUBLIC HEARING and consider a request by Taylor Burge on property owned by Philip Ducloux for a **Specific Use Permit** to allow a *Bar, Tavern or Lounge* use on 0.124 acres in the Original Town of Lockhart, Block 13, part of Lot 1, zoned CCB Commercial Central Business District, located at 104 East Market Street.
6. **SUP-24-08.** Hold a PUBLIC HEARING and consider a request by Cesar Ochoa, Jr. on behalf of Cesar Ochoa, Sr., for a **Specific Use Permit** to allow a *Manufactured Home* use on 0.458 acres in the Byrd Lockhart League, Abstract No. 17, zoned RMD Residential Medium Density District and located at 1001 Perez Street.
7. **PP-23-03.** Consider a request by Austin Davis of Lockhart 1322, LLC, for approval of a **Preliminary Plat and Subdivision Development Plan** for Lay Ranch Subdivision, consisting of 92.52 acres in the James George Survey, Abstract Number 9, zoned RMD (Residential Medium Density), and located at 200 Lay Road and 370 Lay Road, including two Variances to Chapter 52, "Subdivision Regulations", as follows: (1) Sections 52-72(i)(2) and 52-72(p), to allow for a 31-foot paved width for the proposed reconstruction of Lay Road, in place of the 41-foot paved width required for Collector Streets; and (2) Section 52-112(f), to allow for 12.3 percent of the perimeter of a park lot to contain frontage on an improved public street right-of-way, in place of the 25 percent required for public parkland over one acre in size.
8. **FP-24-07.** Consider a request by Edgar Llamas for approval of a **Final Plat** for Antonio M. Juarez Addition Lot 3, Block One, consisting of 0.252 acres, zoned RMD (Residential Medium Density), and located at 507 China Street, including a Variance to Chapter 52, "Subdivision Regulations", Section 52-72(e), to allow for 2.88 feet of right-of-way dedication along the property's China Street frontage where 3.35 feet would normally be required.
9. Discuss the date and agenda of the next meeting, including Commission requests for agenda items.
10. Adjournment.

**Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, at 2:00 p.m. on the 21<sup>st</sup> day of August, 2024.**

**City of Lockhart  
Planning and Zoning Commission  
July 24, 2024**

**MINUTES**

**Members Present:** Philip Ruiz, Manuel Oliva, Phil McBride, Julia Haug, Rick Arnic, Bradley Lingvai, Ron Peterson

**Members Absent:** None

**Staff Present:** David Fowler, Kevin Waller, Evan Olszewski, Romy Brossman

**Visitors/Citizens Addressing the Commission:** Winn Smith, Travis Krause,

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 July 10, 2024, meeting.

*Commissioner Arnic with correction moved to approve the July 10, 2024, minutes. Commissioner Peterson seconded, and the motion passed by a vote of 7-0.*

*Chair Ruiz thanked Vice Chair Oliva for leading the July 10, 2024 Planning and Zoning Commission Meeting.*

4. **ZC-24-05 and PDD-24-03.** Hold a PUBLIC HEARING and consider a request by Winn Smith on behalf of Mainsprings LLC., for a **Zoning Change** from PDD Planned Development District to PDD Planned Development District including a **revised PDD Development Plan** for the Main Springs Subdivision Planned Development, on a total of 1.778 acres in the Main Springs Planned Development Subdivision, Block 1, Lot 1, located at 416 North Church Street.

Evan Olszewski came forward to present his staff report, which included location maps, aerials, photos, and renderings of proposed buildings and 17 vacation cabin rentals. The residential condominium units originally planned for phase two have been removed, to be replaced with additional vacations rental units. The retail buildings originally planned for the site were still intact, but the live/work units had been removed and replaced with the of the vacation rental units. The site plan also included an outdoor, grassy area and stage as well as a 20-foot private driveway through phase two of the property. The site plan showed 47 parking spaces, four more than required by City code, mostly located along Church Street as head-in parking. It was noted that a portion of mixed-use building B would be situated in the flood plain but raised above grade on piers.

Mr. Olszewski stated he received one phone call from a resident requesting more information about the project and reporting concern about noise levels from the outdoor special events area.

Chair Ruiz asked about life/safety access to which Mr. Olszewski confirmed emergency vehicles will have access to the private thru drive.

Commissioner Lingvai indicated head-in parking is not generally accepted as presented on Church St. Mr. Fowler confirmed this parking type is possible due to the PDD.

Applicant Winn Smith, of 3901 Turkey Creek Dr. Austin, TX came forward. He recognized in the audience Cameron Goldsmith from Lake Flato Architects. He stated that after continued study of the site they determined the original townhome concept would be detrimental to their project goals, including impeding views, risking the viability and sustainability of the spring fed creek, as well as eliminating trees. He and his team believe the proposed vacation cabins and mixed commercial use is more sustainable, aligns better with their goals and will provide further economic and retail benefits to the city and community.

Commissioner Oliva asked if the restaurant would serve alcohol and if so, has the restaurant's proximity to the catholic church been considered?

Mr. Smith informed the commission the restaurant will serve alcohol and that the property is more than 300 feet from St. Mary's front door on Blanco, using the measurement method detailed in City code.

Commissioner Oliva asked a question about sidewalks and walkability to nearby attractions.

Mr. Smith reported there are currently no sidewalks and that Main St is currently underdeveloped. It is hoped increased development will spur the City to make improvements to the street. The project will include a sidewalk along Church Street, connecting to Pecan Street.

Commissioner Peterson asked if the restaurant will be accessible to the public to which Mr. Winn confirmed the restaurant, retail and lawn will be accessible to the public.

The Chair asked if there have been any changes or impacts to the flood plain.

Mr. Smith stated grass was planted in the flood plain, but the flood plain grade has not been altered.

Chair Ruiz asked if anyone from the public would like to speak.

Resident Matt Lingvai of 418 N. Church Street, Lockhart, voiced concern about parking on Church St. He believes the street is not adequate in size to accommodate head-in parking of large vehicles, specifically trucks.

Staff noted that the parking along Church Street on the proposed PDD plan was unchanged from the existing PDD.

Mr. Olszewski reported that staff recommends approval of the plan which offers additional lodging and recreation options and maintains enhanced design with the original development.

Commissioner Lingvai motioned to change head-in parking to angled parking. The motion was held to hear the applicant's response.

Mr. Winn responded that the previous City Planner had requested the development have ninety-degree parking and that angled parking would force drivers onto Locust St. and through the neighborhood instead of allowing them to choose to go left or right.

Commissioner Lingvai responded that Church Street is an underdeveloped road with a bridge only as wide as the road and suggested other parking options be considered.

Commissioner Oliva stated that he's not concerned with the head in parking because no parking will be on the other side of the road.

*Commissioner Peterson moved to approve ZC-24-05 and PDD-24-03. Commissioner Arnic seconded, and the motion passed with a vote of 7 - 0.*

5. Hold a PUBLIC HEARING and consider a recommendation to the City Council for a proposed **Zoning Text Amendment** to Chapter 64, "Zoning" of the Lockhart Code of Ordinances, Appendix II, "Specific requirements for commercial districts", to adjust the maximum height within the CHB Commercial Heavy Business district and to add a required parking minimum for the "Hotel" use within the CHB Commercial Heavy Business district.

David Fowler stated that most modern hotels located near highways are four stories and that three story hotels generally are considerably less common among recent construction. Despite being the heaviest commercial district, CHB has a lower height limit (three stories, 40 feet) compared to CCB and CMB, which have 5-story, 60-foot height limits. Hotels are not allowed in CMB but are allowed by right in the CHB district and with an SUP in the CCB district. The zoning for the new proposed hotel near City Line Rd. and 142 (behind Fashion Glass and Mirror) is CHB. As the City is interested in attracting more hotels, changes in the zoning text are proposed to accommodate the 4-story hotel height trend.

The proposal also includes new separate parking minimums for hotels requiring 1.2 parking spaces per room for hotel uses in the CHB district. Staff surveyed other Texas cities' parking requirements and found they range between 0.8 and 1 space per room with added spaces assessed either by hotel convention room square footage or by the number of employees. Staff proposes requiring 1.2 parking spaces per room and no special rate for accommodating proposed convention space or employees.

*Commissioner Haug moved to approve Zoning Text Amendment to Chapter 64, "Zoning" related to building height in the CHB zoning district and minimum parking for hotels with staff's conditions. Commissioner Lingvai seconded, and the motion passed with a vote of 7 - 0.*



*Commissioner Haug then made a recommendation for the commission to study potentially lowering the maximum height in the CCB district from five stories to 3 stories. Commissioner Oliva agreed to the recommendation.*

6. **FP-24-01.** Consider a request by Travis Krause of Patton 3, LLC, for approval of a **Final Plat** for Lockhart Place Townhomes Planned Development District Phase 1, consisting of 11.547 acres in the Francis Berry Survey, Abstract No. 2, zoned PDD (Planned Development District), and located at 903 State Park Road (FM 20).

Kevin Waller presented his staff report, making a correction to where the staff report stated that the entirety of Patton Rd. (from State Park Rd. to Center St.) will be reconstructed during Phase 1 of construction. The Final Plat for Phase 1 includes 123 proposed lots including: 104 residential townhouse lots, 2 greenspace/parkland lots and 17 lots designated for greenspace, public amenity and utility purposes. The 2 greenspace and public amenity lots will be owned by the City and maintained by the Homeowners' Association. The 17 greenspace/public, amenity/utility lots will be owned and maintained by the HOA. Four new street rights-of-way are proposed within the development, as well as the extension of Westward Drive into the development to connect to Patton Road.

Applicant James Travis Krause, of 1950 County Rd. 146, Georgetown, TX spoke. He stated overall they have kept to the plan discussed when the project was first presented. Two to four lots were lost from the original master plan, from 200 lots to 196. For Phase 1, he and his team have focused on walkability, parks and increased public parking in the community. The biggest plan change is the partnership with his company, a neighbor and the City which would relocate water detention onto the neighbor's property. This relocation increases the space for parks in the community and would provide the neighbor with a desired lake.

Mr. Krause acknowledged his promise to mow the property at the beginning of the month, but due to recent rains has had difficulty scheduling the work.

Commissioner McBride inquired about townhomes and if the product will be for sale or rent.

Mr. Krause clarified that the original intent was to sell the homes, but due to market conditions his company are considering both selling and leasing units.

Commissioner Arnic asked if LCRA was contacted and if they gave approval for the width of easements on the plat?

Mr. Krause confirmed LCRA reviewed and approved the development plans, which is also true for the gas utility along Patton Rd.

Mr. Waller approached the podium and stated that staff recommends approval with conditions: labeling of right-of-way widths for all streets with a constant width on the plat drawing; the addition of a new Plat Note 13 for a separate easement instrument to be recorded for the offsite stormwater detention pond at or prior to the recording of the final plat; the addition of a new Plat Note 14 to address the maintenance responsibilities of the offsite detention pond (HOA); the addition of a new Plat Note 12 as a condition of approval to read: "Turning lane improvements along State Park Road (FM 20) shall be constructed in accordance with the

donation agreement with TxDot dated \_\_\_\_\_, with the subdivision’s public improvements prior to recordation of this plat.”

*Commissioner McBride moved to approve FP-24-01 with staff’s conditions. Commissioner Haug seconded, and the motion passed with a vote of 7 - 0.*

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

Mr. Fowler stated there is a Zoning Case and an SUP case to be presented at the August 14, 2024 meeting. This meeting was subsequently postponed to August 28th.

- 8. Adjournment.

*Commissioner Arnic moved to adjourn, and Commissioner Lingvai seconded. The motion passed by a unanimous vote, and the meeting adjourned at 8:27 p.m.*

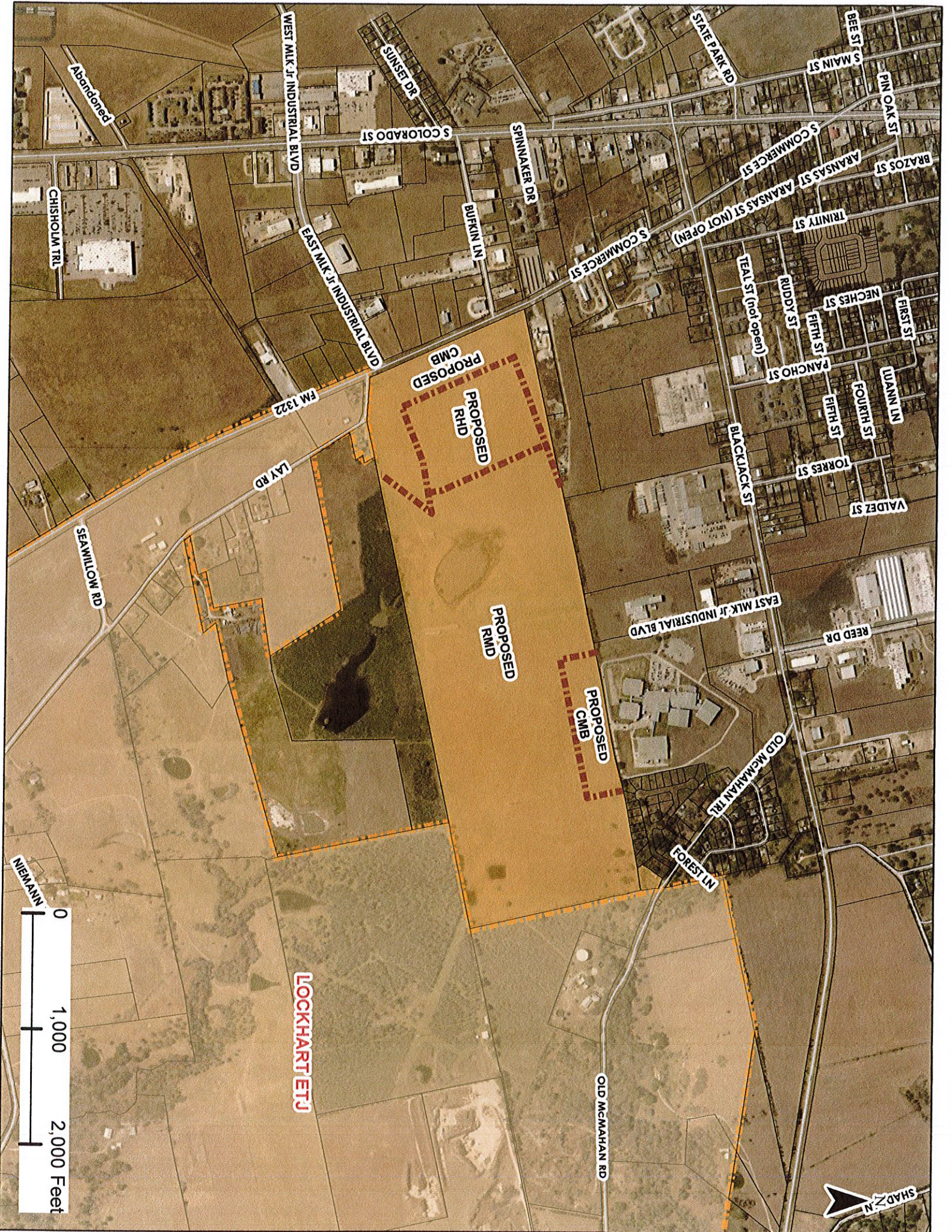
Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Romy Brossman, Recording Secretary

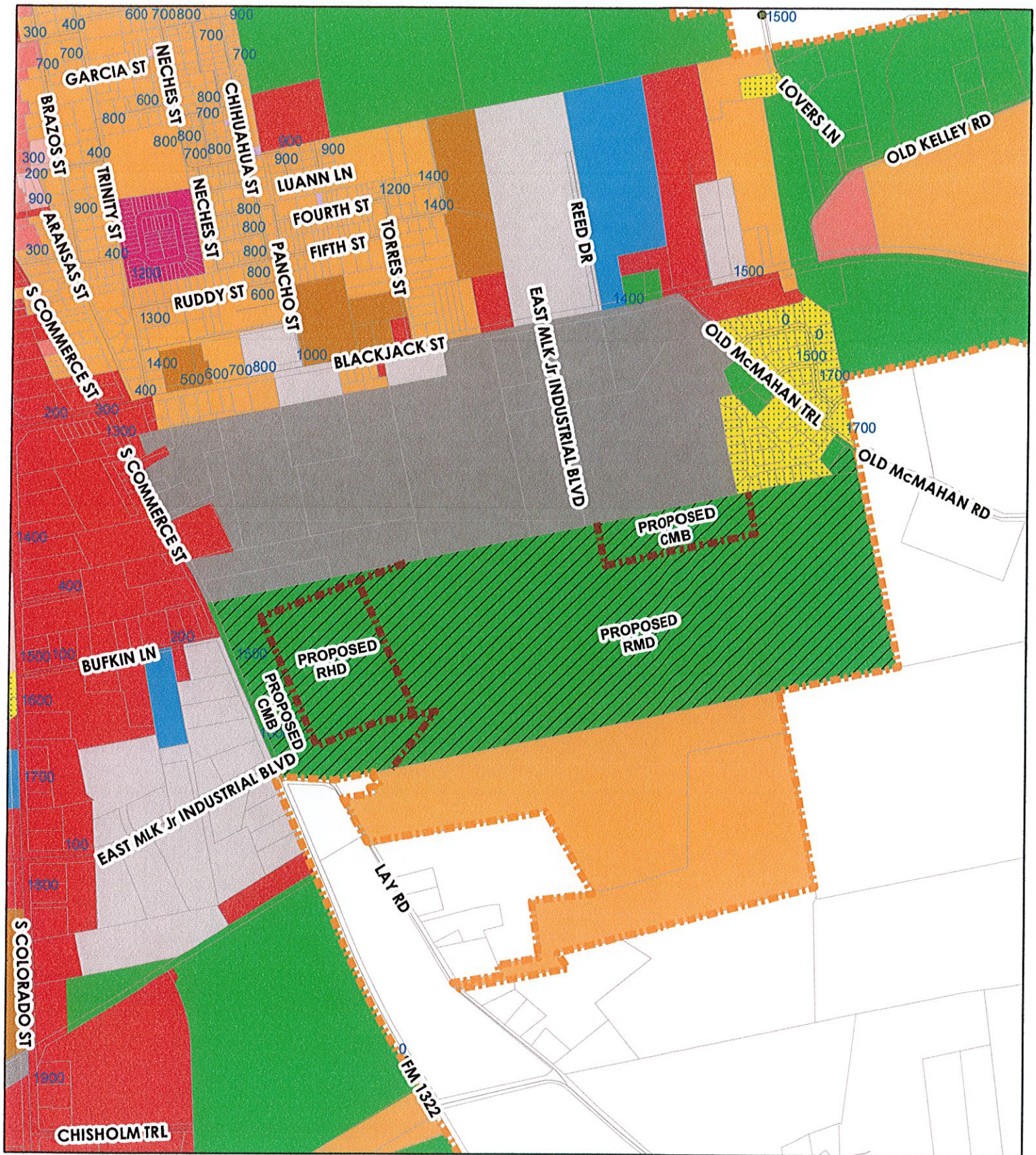
\_\_\_\_\_  
Philip Ruiz, Chair











**ZC-24-06**

AO TO CMB, RHD AND RMD

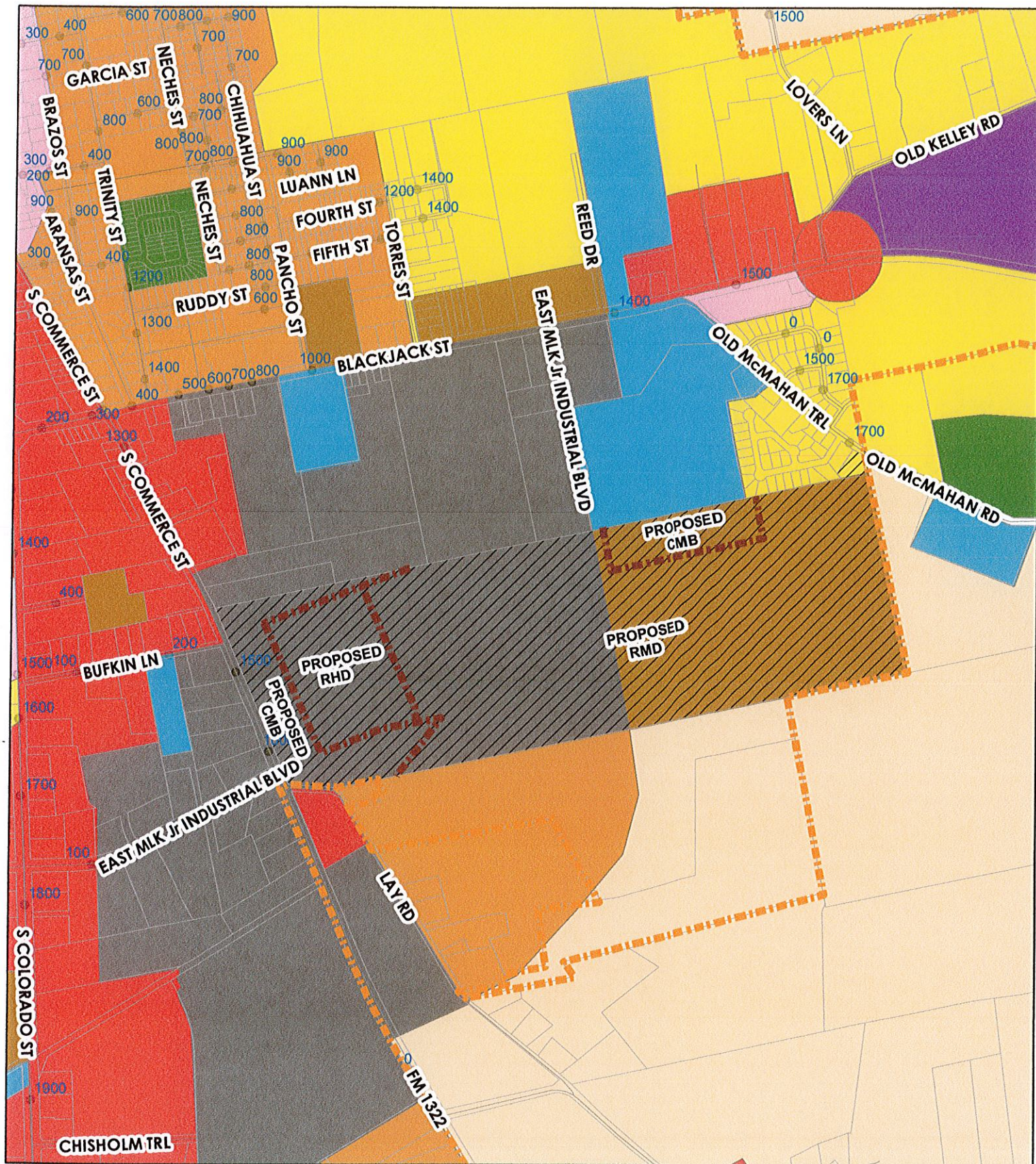
1500, 1600, 1700 BLK S COMMERCE ST



scale 1" = 1,000'

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





## FUTURE LANDUSE & THOROUGHFARES

AO TO CMB, RHD AND RMD

1500, 1600, 1700 BLK S COMMERCE ST



scale 1" = 1,000'

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



# PLANNING DEPARTMENT REPORT

# ZONING CHANGE

## CASE SUMMARY

STAFF: David Fowler, Planning Director

CASE NUMBER: ZC-24-06

REPORT DATE: August 21, 2024

PLANNING AND ZONING COMMISSION HEARING DATE: August 28, 2024

CITY COUNCIL HEARING DATE: September 3, 2024

REQUESTED CHANGE: Agricultural-Open Space AO to CMB Commercial Medium Business, RHD Residential High Density, and RMD Residential Medium Density

STAFF RECOMMENDATION: **Approval**

## BACKGROUND DATA

APPLICANT: Marilyn Riddle Trust

OWNER: Marilyn Riddle Trust

SITE LOCATION: 1500, 1600, and 1700 blocks of South Commerce Street

LEGAL DESCRIPTION: Metes and bounds within the Jame George Survey, Abstract Number 9

SIZE OF PROPERTY: 177.78 acres

EXISTING USE OF PROPERTY: Vacant

LAND USE PLAN DESIGNATION: *Industrial and High Density Residential*

## ANALYSIS OF ISSUES

REASON FOR REQUESTED ZONING CHANGE: The Applicant seeks a zoning change to a combination of three zoning districts to create a mix of uses including single and multi-family residential and medium intensity commercial. The site's current Agricultural-Open Space zoning district does not allow these uses.

### AREA CHARACTERISTICS:

The site is generally flat but does slope downward towards the eastern portion of the site. There are not any FEMA floodplains on the site. There is also a very small pond on the site that is not in a flood zone. The property is also traversed by five easements, including gas, electric and water transmission lines. The surrounding uses are as follow:

	Existing Use	Zoning	Future Land Use Plan
North	Industrial, Institutional, Residential subdivision	HI, PI RLD	<i>Industry, Public and Institutional, Residential Low Density</i>
East	Vacant land	ETJ	<i>Agriculture/Rural Development</i>
South	Vacant land	RMD, ETJ	<i>Residential Medium Density, Agriculture/Rural Development</i>
West	Industrial, Commercial, Vacant land	IL, CHB	<i>Industry, General Heavy Commercial</i>

TRANSITION OF ZONING DISTRICTS: The surrounding properties are agricultural, institutional, industrial, and residential in nature. The area immediately to the north of the subject parcel is the site of a few industrial uses, plus the Coleman Unit prison. The area to the south of the property is zoned RMD and designated for Medium Density Residential and agricultural uses on the Future Land Use Map. The area to the east is mostly zoned Residential Low Density and has a future land use designation of Low Density Residential and Agricultural. To the west, the property abuts South Commerce Street/FM 1322 which has a mix of industrial and commercial-oriented zoning and future land use categories.

The planned residential subdivision to the south of the property is zoned with the requested Residential Medium Density zoning district. The industrial uses to the north typically have a setback between the active parts of the site and subject property. The prison has active areas closer to the subject property, which has led the applicant to choose to place a commercial area adjacent to the prison to buffer the proposed residential areas. The proposed Residential High Density zone would serve as a buffer between the commercial and industrial areas along FM 1322 Commerce Street and the planned single-family residential area to the east.

The applicant proposes a layout including 17.8117 acres of commercial in the CMB Commercial Medium Business District along FM 1322, with an area of 17.7206 acres of RHD Residential High Density District to the east of the FM 1322 frontage. The remainder of the property is proposed to be zoned RMD Residential Medium Density, except for 10.1838 acres of RMD immediately south of the prison.

#### ADEQUACY OF INFRASTRUCTURE:

**POTENTIAL NEIGHBORHOOD IMPACT:** As much of the area to the south and east of the property is vacant, the proposed development would not be expected to cause much conflict with uses in those areas. The one potential areas of concern is how the proposed land uses will interact with the industrial and institutional properties to the north. The applicant has used the location of proposed streets to separate the single-family residential uses from the industrial uses to the north. While using an area of proposed commercial zoning to separate the eastern parts of the single-family residential area from the prison property.

Regarding the proximity of the site to amenities, the nearest schools are Navarro Elementary, Lockhart Junior High, and Lockhart High School. The closest park is Ed Braun Park in Summerside Subdivision. Sidewalks are mostly absent in the nearby area, but there are some sidewalks along East Martin Luther King Jr. Industrial Boulevard.

**CONSISTENCY WITH COMPREHENSIVE PLAN:** The proposed Residential High Density zoning classification is consistent with the Future Land Use Plan; however, it is in a different location on the Future Land Use map than what the application proposes. The proposed RMD and CMB zoning are not anticipated on the Future Land Use Map but are consistent with what is proposed on the Comprehensive Plan update. The applicant plans to continue both East Martin Luther King Industrial Boulevard (MLK) and Bufkin Lane through the site, in a manner that would make MLK terminate just south of its current terminus south of Blackjack Street, which would be consistent with the future Land Use Map. Bufkin Lane would be located along the site's northern boundary, terminating at a planned intersection with MLK.

**ALTERNATIVE CLASSIFICATIONS:** The future land use map shows the western half of the property as industry and the eastern half of the property as High-Density Residential. Changing uses nearby and the City's development of industrial areas west of SH 130 makes industrial development of this property less likely.

**RESPONSE TO NOTIFICATION:** Staff has received a question regarding the proposed development from the owner of a concrete plant located north of the site on the east side of South Commerce Street.

**STAFF RECOMMENDATION:** Staff believes that the proposed rezoning to CMB, RHD, and RMD is an acceptable solution for the subject property based upon existing adjacent uses and planned uses on nearby parcels.



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 Marilyn Riddle Trust  
DAY-TIME TELEPHONE 512-359-0036  
E-MAIL kentriddle@gmail.com

ADDRESS 630 Frio St  
Lockhart, TX 78644

OWNER NAME Marilyn Riddle Trust  
DAY-TIME TELEPHONE 512-359-0036  
E-MAIL kentriddle@gmail.com

ADDRESS 630 Frio St  
Lockhart, TX 78644

### PROPERTY

ADDRESS OR GENERAL LOCATION East of intersection of FM 1322 & E MLK Jr Industrial

LEGAL DESCRIPTION (IF PLATTED) \_\_\_\_\_

SIZE 177.74 <sup>(177.78)</sup> ACRE(S)

LAND USE PLAN DESIGNATION Industry, Residential, High Density

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

PROPOSED NEW USE, IF ANY Commercial and Residential

### REQUESTED CHANGE

FROM CURRENT ZONING CLASSIFICATION Agricultural

TO PROPOSED ZONING CLASSIFICATION Commercial Medium Business (CMB) / Residential, High Density (RHD) / Residential, Medium Density (RMD)

REASON FOR REQUEST New master planned community

## 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 \$10,000 PAYABLE TO THE CITY OF LOCKHART AS FOLLOWS:

\$25 0

\$'

\$

plus \$15 0 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.

X SIGNATURE Marilyn Riddle Trustee

DATE 7-19-2024

## OFFICE USE ONLY

ACCEPTED BY Evan Olszewski

RECEIPT NUMBER 712312024

DATE SUBMITTED 7-23-2024

CASE NUMBER ZC - 24 - 06

DATE NOTICES MAILED 7-29-2024

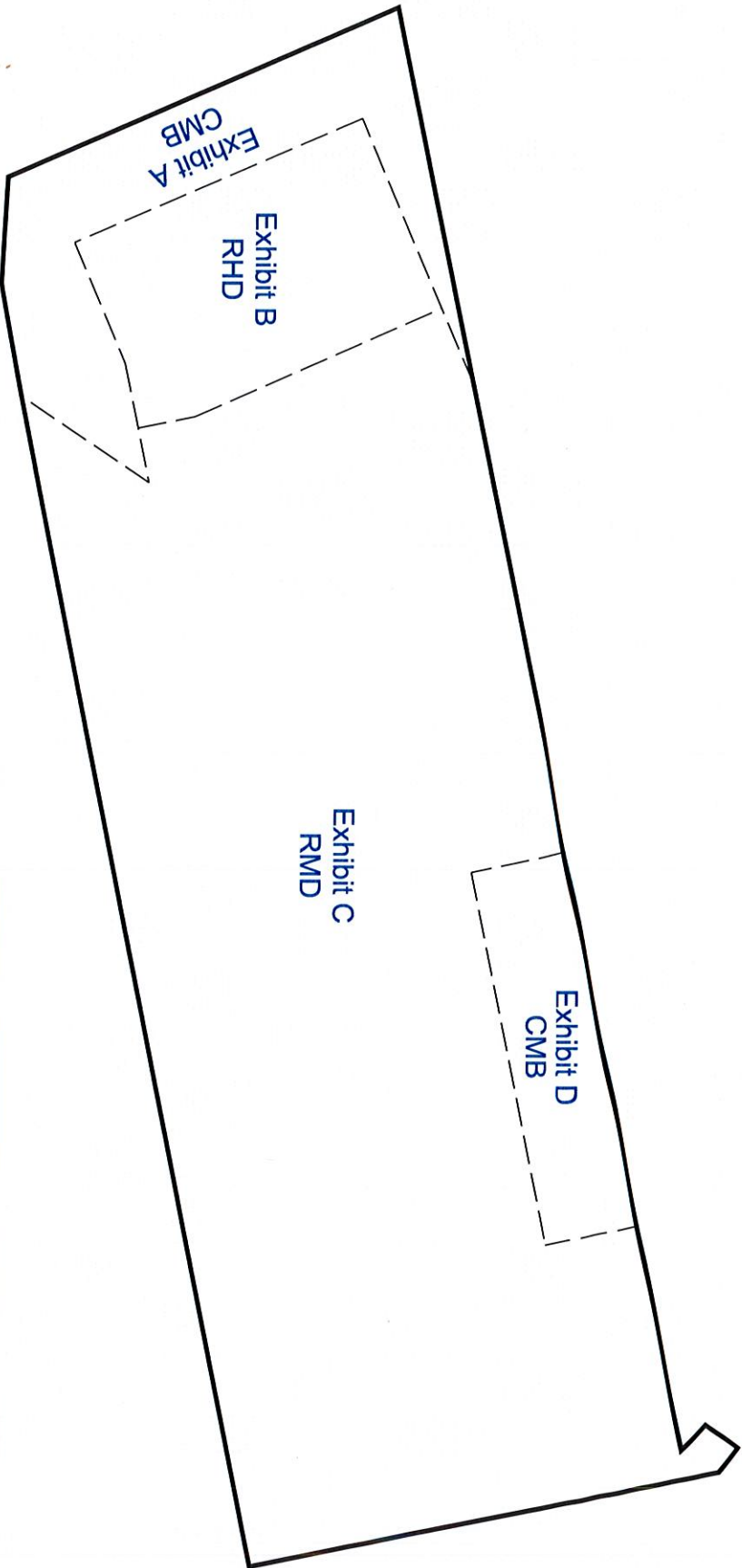
DATE NOTICE PUBLISHED 8-1-2024

PLANNING AND ZONING COMMISSION MEETING DATE 8-28-2024

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

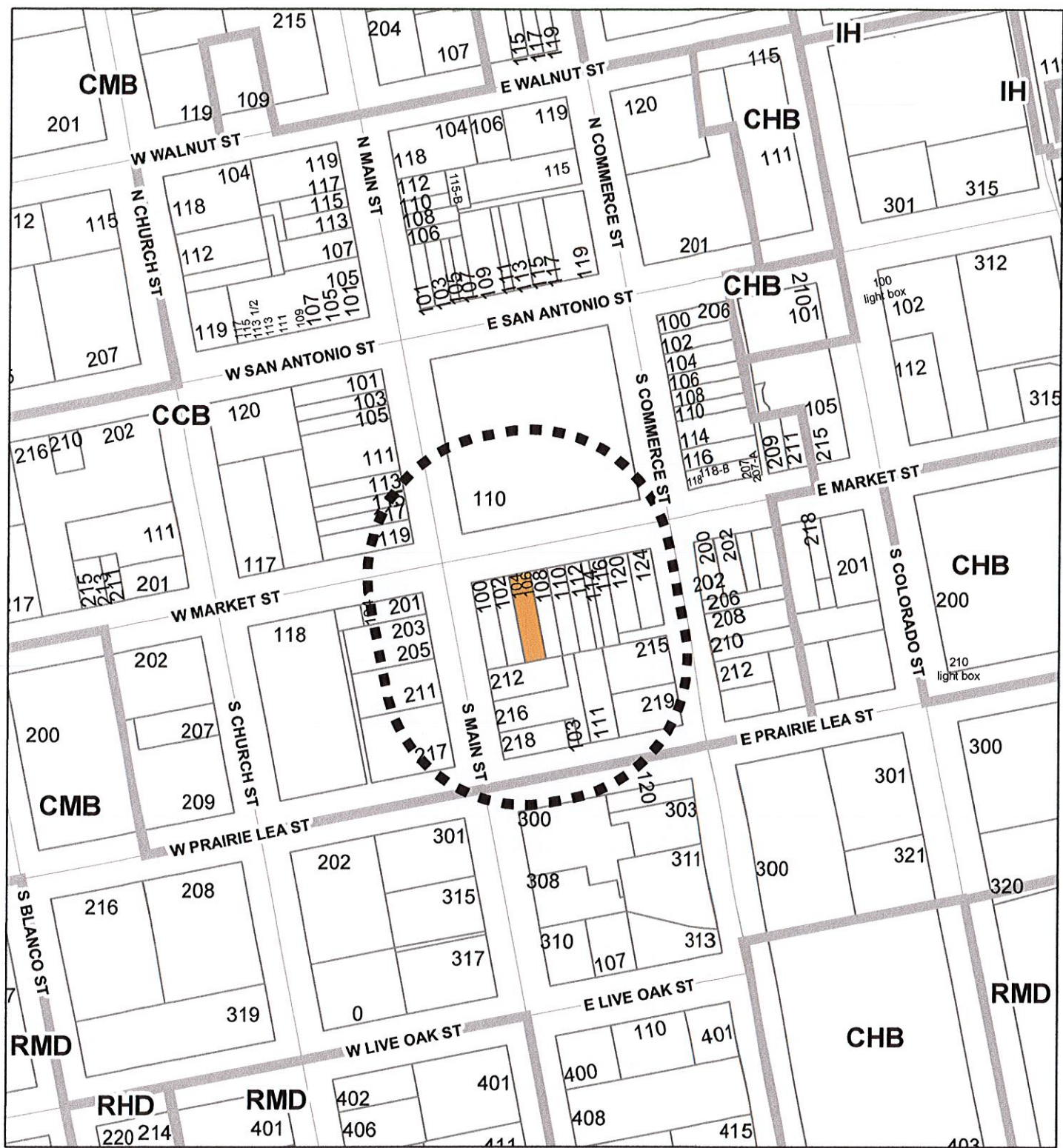
CITY COUNCIL MEETING DATE 9-3-2024

DECISION \_\_\_\_\_



CMB - Commercial Medium Business  
RMD - Residential, Medium Density  
RHD - Residential, High Density





**SUP-24-06**

105 E MARKET ST

BAR



scale 1" = 200'



SUBJECT PROPERTY



ZONING BOUNDARY



200 FT. BUFFER







## CASE SUMMARY

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STAFF CONTACT: Evan Olszewski, AICP, Planner  
REPORT DATE: August 21, 2024  
PUBLIC HEARING DATE: August 28, 2024  
APPLICANT'S REQUEST: Bar, Tavern, or Lounge  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: None

CASE NUMBER: SUP-24-06

## BACKGROUND DATA

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APPLICANT(S): Taylor Burge  
OWNER(S): Philip Ducloux  
SITE LOCATION: 104 East Market Street  
LEGAL DESCRIPTION: Part of Lot 1, Block 13, Original Town of Lockhart  
SIZE OF PROPERTY: 0.069 acres  
EXISTING USE OF PROPERTY: Vacant Commercial Building with second-story apartment  
ZONING CLASSIFICATION: CCB Commercial Central Business District

## ANALYSIS OF ISSUES

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**CHARACTERISTICS OF PROPOSED USE:** The Applicant requests a Specific Use Permit for a Bar, Tavern, or Lounge use in a building adjacent to their existing coffee shop, in the building formerly occupied by Firewheel Trading Company. The use proposed is a tequila bar with light food and an indoor occupancy of 40, operating between 9 a.m. and 10 p.m. Monday through Thursday, 9 a.m. to 12 a.m. Friday and Saturday, and 10 a.m. to 6 p.m. Sundays. The proposed bar will have a gross floor area of 1,650 square feet. The application also states there will be food service and outdoor seating similar to the coffee shop next door, with an additional capacity of 20 people.

**NEIGHBORHOOD COMPATIBILITY:** The surrounding zoning classifications are CCB in all directions. Nearby land uses are commercial, including the Applicant's coffee shop next door. The Future Land Use Map recommendation matches the CCB designation and anticipates the expansion of the CCB district in the future. Negative impacts on surrounding properties are unlikely with the proposed hours of operation and surrounding uses, but the dwelling unit upstairs above the bar space may be impacted by sound from the establishment.

**COMPLIANCE WITH STANDARDS:** The subject site has no parking lot of its own, and no off-street parking is required in the CCB district. The property complies with all setback requirements: The 10-foot rear setback required in the CCB district does not apply within the Downtown Historic District overlay.

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

**RESPONSE TO NOTIFICATION:** Staff received one letter in support of the project at the time of the staff report.

**STAFF RECOMMENDATION:** **Approval.**

# 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 Taylor Burge  
DAY-TIME TELEPHONE 512-230-2366  
E-MAIL chaparral.cantina@gmail.com

ADDRESS 406 S Church St  
Lockhart, TX 78644

OWNER NAME Philip Ducloux  
DAY-TIME TELEPHONE 512-303-1477  
E-MAIL ducloux@austin.rr.com

ADDRESS PO Box 3  
Bastrop, TX 78602

## PROPERTY

ADDRESS OR GENERAL LOCATION 104 E Market St

LEGAL DESCRIPTION (IF PLATTED) Part of Lot 1, Block 13, Original Town of Lockhart

SIZE 0.069 ACRE(S) ZONING CLASSIFICATION CCB

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

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT ~~Mixed Beverage/ Restaurant~~ **BAR, Tavern or Lounge**

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.

Tequila Bar, indoors occupancy approx 40, patio occupancy approx 20

Hours of Operation: M-Th 9am-10pm, Fri-Sat 9am-12am, Sunday 10-6pm

Light food options along with non alcoholic beverages like Agua Frescas

## 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 \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$2,500,  
APPLICATION FEE OF \$ ~~\$265~~ <sup>\$200.35</sup> PAYABLE TO THE CITY OF LOCKHART.

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 Taylor Burge

DATE 7/17/2024

## OFFICE USE ONLY

ACCEPTED BY Evan Olszewski

RECEIPT NUMBER 01310441

DATE SUBMITTED 7/23/2024

CASE NUMBER SUP - 24 - 06

DATE NOTICES MAILED 7-29-2024

DATE NOTICE PUBLISHED 8-1-2024

PLANNING AND ZONING COMMISSION MEETING DATE 8/1/2024

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

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



Letter of Intent for Consideration of a Special Use Permit for 104 E Market St

To Whom It May Concern,

My name is Taylor Burge. Along with my husband, Austin Burge, we are the owners of Chaparral Coffee (located at 106 E Market St) for the past nine years. We are now the new leasers of 104 E Market St and our intent is to bring forth a vision we cast years ago - creating a space of connection, music, food, and beverage in what we are calling "Chaparral Cantina." We will be focusing on Tequila and Mezcal cocktails with an array of non-alcoholic beverages as well like Agua Frescas, Teas and non-alcoholic cocktails. We will have a small food menu like Brisket Queso, Guacamole, Brisket Quesadillas, etc. We will host small musical acts and DJs. We will be sound treating the space so that the noise will be protected from the residents living above the space. Our intent is not to be a late-late night space, but focus on Happy Hour and early evening gatherings.

Thank you for your consideration in approving our Special Use Permit Request,

*Taylor Burge* 7/18/2024

*Austin Burge* 7/18/2024

**FROM THE DESK OF**  
**PHILIP DUCLOUX**  
P.O. BOX 3  
BASTROP, TEXAS 78602  
PHONE (512) 303-1477  
*email: ducloux@austin.rr.com*

July 17, 2024

Re: Specific Use Permit Application dated July 17, 2024,  
filed by Taylor Burge for property at 104 East Market St, Lockhart

To the City of Lockhart, Texas, ,

I am the owner of 104 E Market Street. I authorize Taylor Burge to represent me for purposes of the above-referenced application.

Cordially,

*Philip Ducloux*

Philip Ducloux

WALL

OPEN WALL

WALL

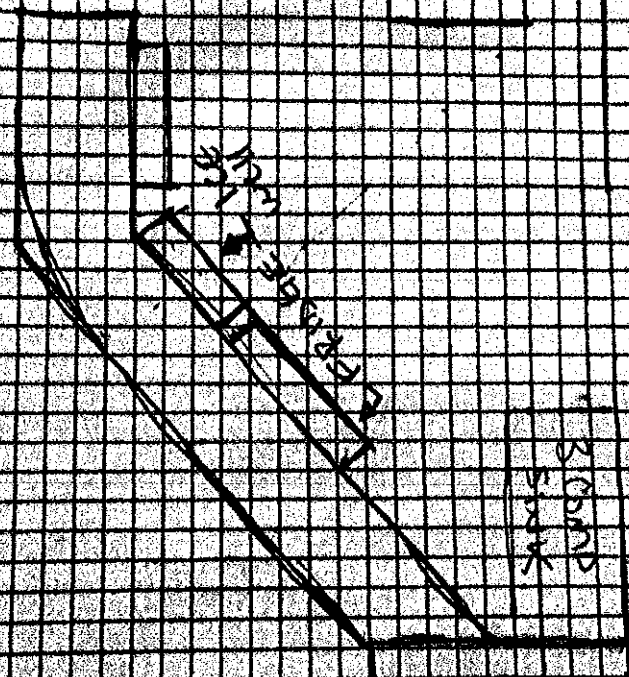
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PLANT 200-10

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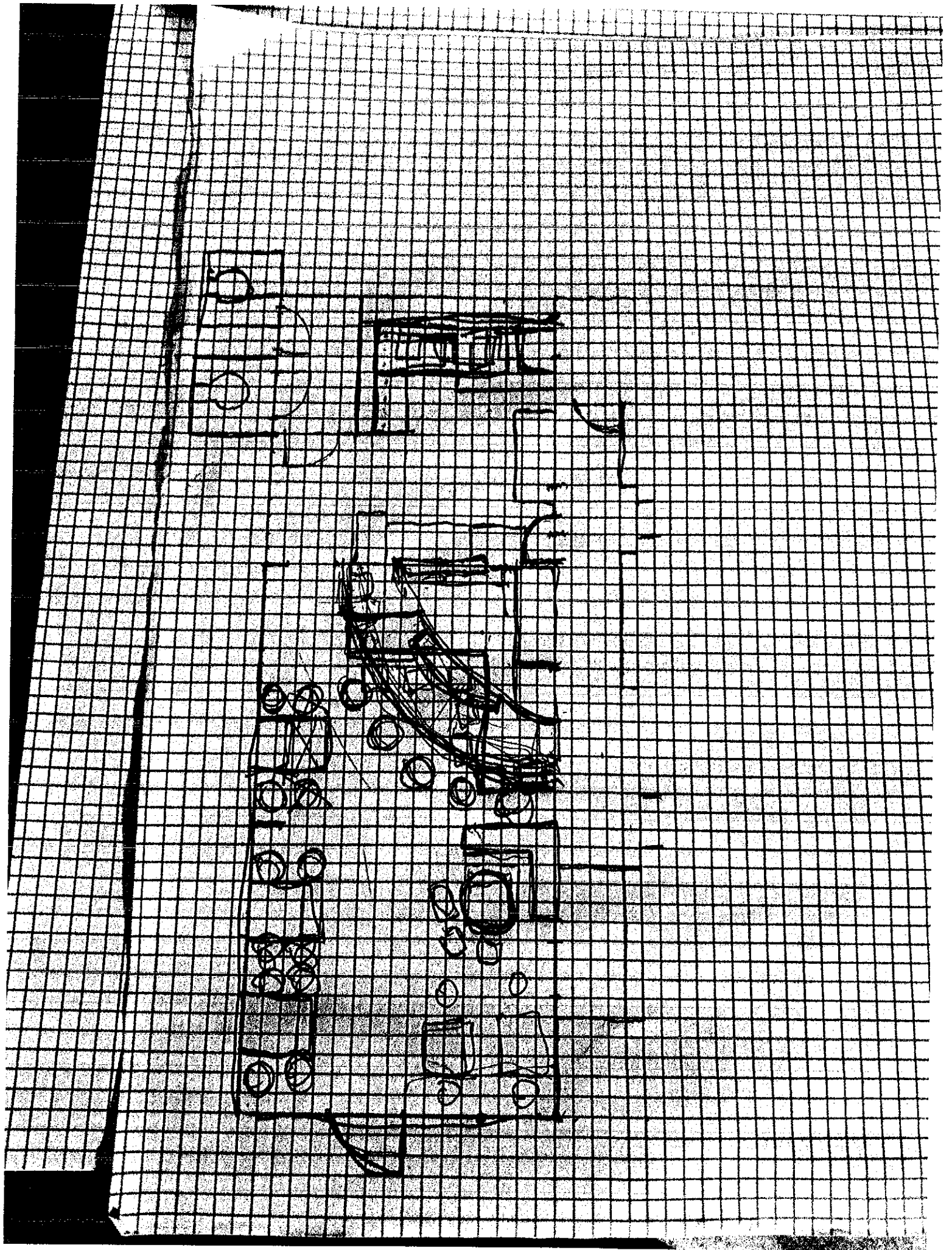
CE?



STORAGE  
HAULBERT

100  
100  
100  
100

100/100



**Evan Olszewski**

---

**From:** Kenneth Germer <[REDACTED]>  
**Sent:** Thursday, August 8, 2024 12:55 PM  
**To:** Evan Olszewski  
**Subject:** Support of SUP-24-06: 104 E Market to be used as a bar

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**THIS EMAIL ORIGINATED FROM AN EXTERNAL SOURCE. PLEASE EXERCISE CAUTION BEFORE CLICKING ON ANY LINKS OR ATTACHMENTS.**

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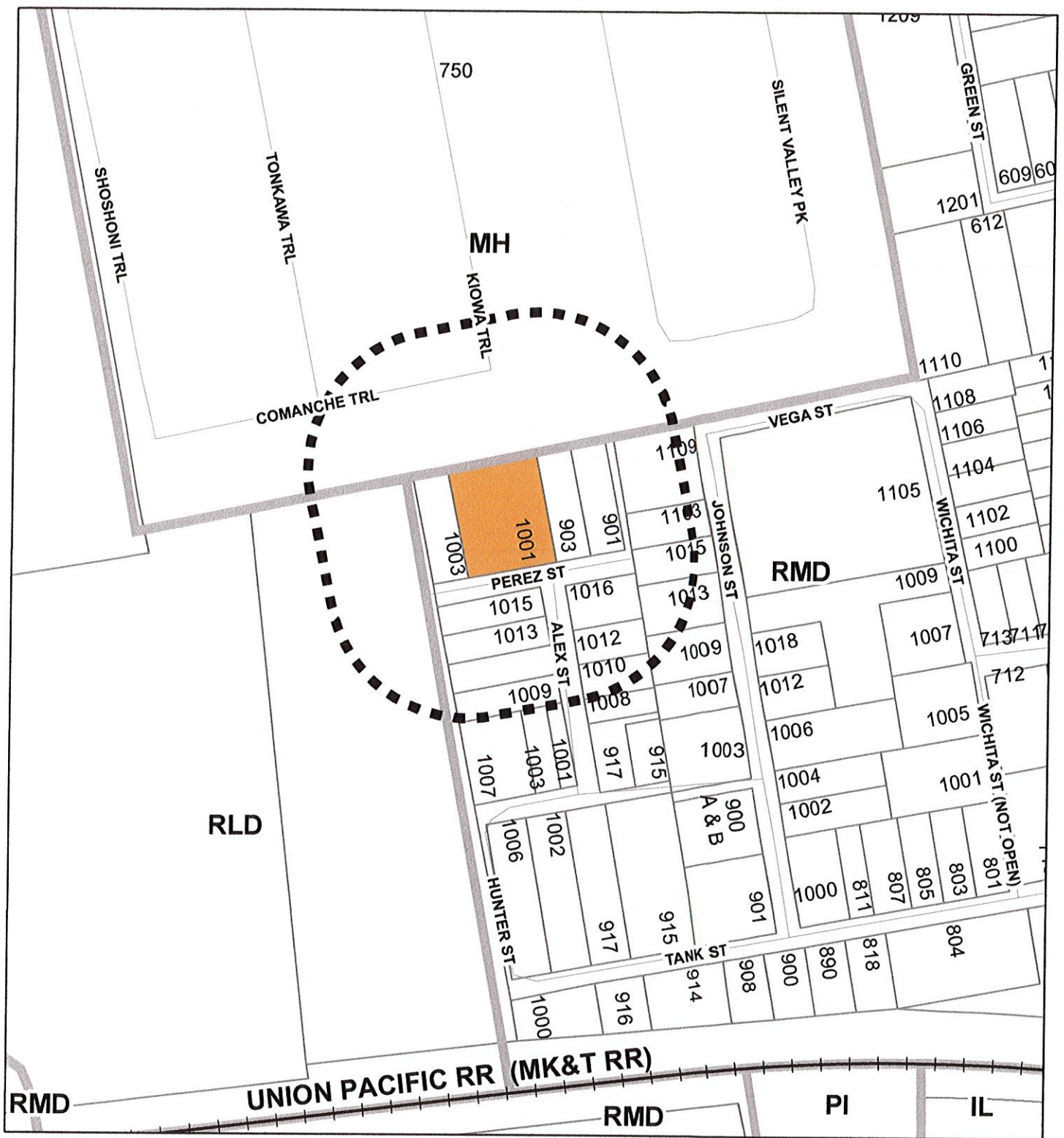
Dear Zoning Administrator,

I am in receipt of the notice for the hearing for the Special Use Permit for 104 East Market Street. I am a managing member of the LLC that owns 110 E Market and we support the approval of the Special Use Permit. Taylor and Austin Burge's businesses have been good neighbors and we are very supportive of their continued efforts to make the Square a safe, entertaining destination and trust that they will operate their expanded business into 104 E Market in the same neighborly, minimally disruptive manner.

---

Ken Germer  
110 Market LLC  
Owners of 110 E Market Street  
202.412.9347





**SUP-24-08**

1001 PEREZ ST

MANUFACTURED HOME



scale 1" = 200'



SUBJECT PROPERTY



ZONING BOUNDARY



200 FT. BUFFER







## **CASE SUMMARY**

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STAFF CONTACT: Evan Olszewski, AICP, Planner  
REPORT DATE: August 21, 2024  
PUBLIC HEARING DATE: August 28, 2024  
APPLICANT'S REQUEST: MH Manufactured Home Use  
STAFF RECOMMENDATION: **Approval**  
SUGGESTED CONDITIONS: None

CASE NUMBER: SUP-24-08

## **BACKGROUND DATA**

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APPLICANT(S): Cesar Ernesto Ochoa Jr.  
OWNER(S): Cesar Ochoa Sr.  
SITE LOCATION: 1001 Perez Street  
LEGAL DESCRIPTION: 0.458 Acres in the Byrd-Lockhart League, Abstract Number 17  
SIZE OF PROPERTY: 0.458 acres  
EXISTING USE OF PROPERTY: Storage building on vacant lot  
ZONING CLASSIFICATION: RMD Residential Medium Density

## **ANALYSIS OF ISSUES**

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**CHARACTERISTICS OF PROPOSED USE:** The subject property is zoned RMD Residential Medium Density and is located in a residential area north of the railroad tracks and abutting an existing manufactured home park to the north. The Applicant has submitted the request for the Specific Use Permit because the MH Manufactured Home use requires an SUP. The Manufactured Home use is only allowed by right in the MH Manufactured Home district and is permitted via SUP in the RMD and RHD districts. Manufactured homes where allowed or permitted are subject to the additional code requirements in Section 64-200.

The Applicant proposes to install a new manufactured home approximately 32 feet wide and 56 feet deep on the lot. The lot dimensions are approximately 128 feet by 156 feet, which means the home will meet the Chapter 64-200(a)(2) requirement for manufactured homes to be sited with the long side facing the street. The proposed manufactured home is approximately 1,800 square feet and has three bedrooms. It has two entrances: The primary entrance on the south side and a secondary entrance to the north.

**NEIGHBORHOOD COMPATIBILITY:** An RMD Residential Medium Density neighborhood abuts the property to the south, east, and west. To the north of the property is an existing manufactured home park, consisting of approximately 29 acres. While the manufactured home park is nearby, there is no direct street access from Perez Street to the park and a screening fence blocks pedestrian access and visual communication between the two areas.

The Future Land Use Plan shows that this property and its surroundings are intended for Medium Density Residential development. The Thoroughfare Plan shows a future hike/bike trail along the railroad track about 700 feet to the south of the property. There is also an existing park nearby at the corner of North Pecos Street and Tank Street.

**COMPLIANCE WITH STANDARDS:** The subject property is approximately 19,950 square feet, which meets the required area for the MH Manufactured Home use. The property meets the other required

dimensional and area standards for the Manufactured Home use listed in Appendix II of Chapter 64. The front setback depicted on the site plan is 30 feet. The side and rear setbacks depicted are 11 feet and 94 feet, respectively. The MH use requires a 25-foot front setback, seven-and-a-half-foot side setbacks, and a 10-foot rear setback. According to Chapter 64-200, a stoop, porch, or patio is required at each entrance to the manufactured home. The porches are drawn on the site plan and the entrances are far enough from the required setbacks for this requirement to be met.

The Applicant's site plan shows a parking area 18 feet by 18 feet on the south-eastern edge of the property. The proposed parking area provides the required room for two vehicles and will need to be paved or repaved, as the existing concrete is in poor condition.

**ADEQUACY OF INFRASTRUCTURE:** A six-inch wastewater line and a six-inch water line reach the site from Alex Street and Perez Street.

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

**STAFF RECOMMENDATION:** **Approval**

# 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 Cesar Ernesto Ochoa JR

ADDRESS 909 Brass st Austin TX

DAY-TIME TELEPHONE 512-676-1181

78702

E-MAIL COchoa512@yahoo.com

OWNER NAME Cesar Ochoa sr

ADDRESS 909 Brass st Austin TX

DAY-TIME TELEPHONE 512 721 9339

78702

E-MAIL Ochoa Cesar 102@gmail.com

## PROPERTY

ADDRESS OR GENERAL LOCATION 1001 Perez st lock hart tx 78644

LEGAL DESCRIPTION (IF PLATTED) A017, Lockhart, byrd, acres .46

SIZE 0.458 ACRE(S)

ZONING CLASSIFICATION Residential MD

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

## REQUESTED SPECIFIC USE

PROPOSED USE REQUIRING PERMIT Residential home - Manufactured Home

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.

manufactured home for living use, 32' x 56'

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 \$250, PLUS \$150 PER ACRE, MAXIMUM OF \$2,500,  
APPLICATION FEE OF \$ 1319.00 PAYABLE TO THE CITY OF LOCKHART.

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

[Signature]

DATE

8/6/24

ACCEPTED BY Gwen Olszewski

RECEIPT NUMBER RC1513425

DATE SUBMITTED 8/7/2024

CASE NUMBER SUP - 24 - 08

DATE NOTICES MAILED 8-12-2024

DATE NOTICE PUBLISHED 8-15-2024

PLANNING AND ZONING COMMISSION MEETING DATE 8/28/2024

DECISION \_\_\_\_\_

CONDITIONS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **SUBMITTAL REQUIREMENTS**

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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;

08/4/2024

**Dear city of lockhart to whom it may concern I cesar  
ochoa sr and debbie ochoa give any and all  
permissions to cesar ochoa jr for use of permit  
application and property use at 1001 perez st  
lockhart Tx, 78644 if any question or concerns please  
contact me at 5127219339**

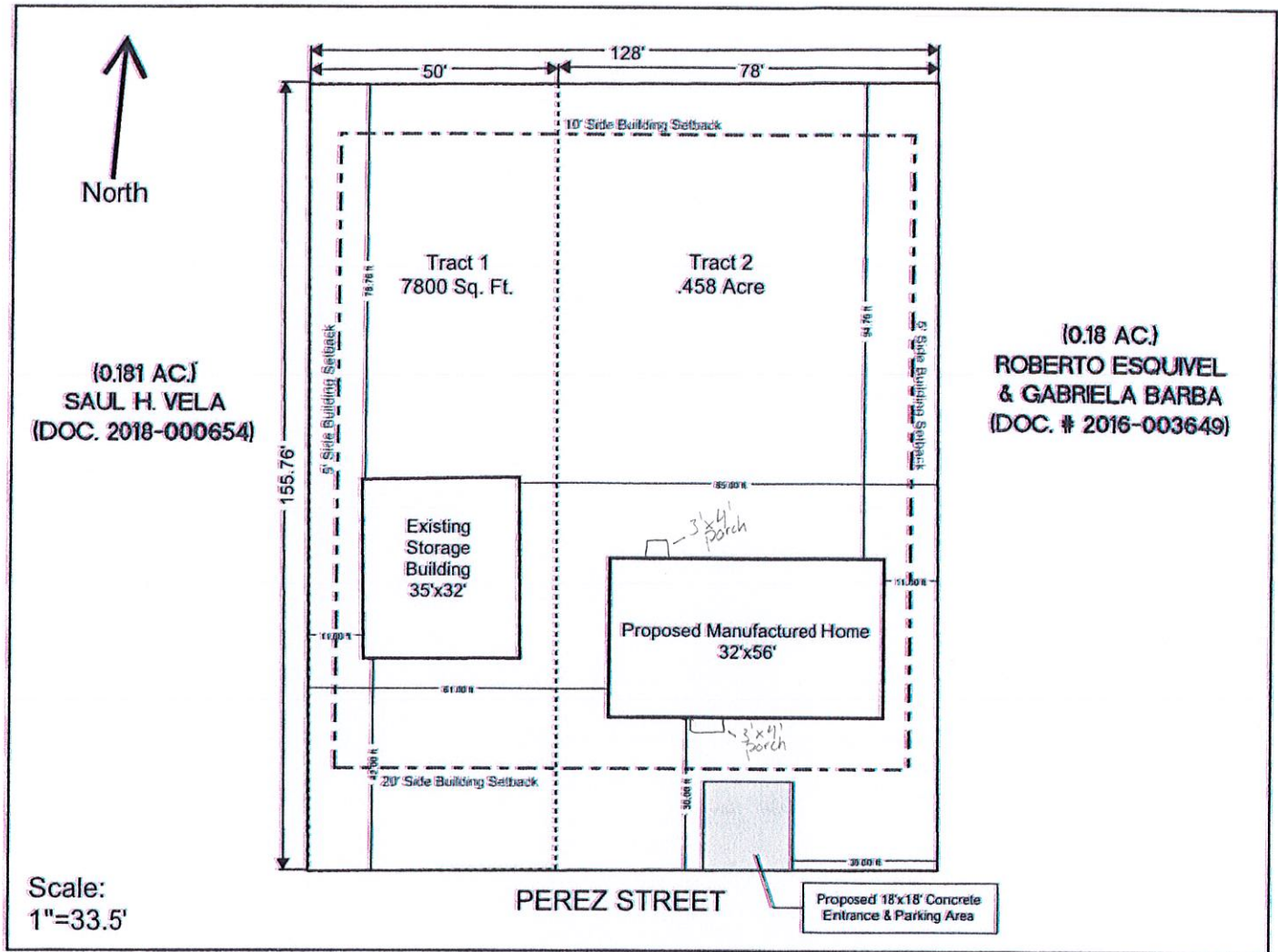
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x 



# CITY OF LOCKHART - SITE PLAN

APPLICANT NAME: Cesar Ochoa Jr. PHONE: 512-676-1181  
 SITE ADDRESS: 1001 Perez St  
 PERMIT NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PROPOSED WORK: \_\_\_\_\_



Please indicate the following:

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



# ASH & ASSOCIATES

## SURVEYING - MAPPING - PLANNING

*"Serving the Community of Texas"*

142 Jackson Lane  
San Marcos, Texas 78666  
Phone: 512-392-1719  
ashandassociates.net

STATE OF TEXAS  
COUNTY OF CALDWELL

BYRD LOCKHART LEAGUE

BEING 0.458 ACRES OF LAND OUT OF THE BYRD LOCKHART LEAGUE, CALDWELL COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 7800 SQUARE FOOT TRACT OF LAND, DESCRIBED AS "FIRST TRACT", AND THAT CERTAIN CALLED ONE-QUARTER ACRE TRACT OF LAND, DESCRIBED AS "SECOND TRACT", BY DEED CONVEYED TO CESAR OCHOA & DEBBIE S. OCHOA, AS RECORDED IN VOLUME 130, PAGE 880, DEED RECORDS OF CALDWELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY THE METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2 iron rod found at the northeastern corner of said Ochoa called "Second Tract", for the northeastern corner of the herein described tract of land, same being at the common northwestern corner of a called 0.18 acre tract of land conveyed to Roberto Esquivel & Gabriela Barba by deed recorded in Document No. 2016-003649, Deed Records of Caldwell County, Texas, and being in the south line of a called 29.215 acre tract of land conveyed to Silent Valley Texas LP by deed recorded in Document No. 2024-003292, Deed Records of Caldwell County, Texas;

**THENCE** with the east line of said Ochoa called "Second Tract", and the common west line of said Esquivel tract, **South 12°22'40" East** (S 10° E Record), a distance of **155.76 feet** (156' Record) to a 1/2 inch iron rod found at the southeast corner of said Ochoa called "Second Tract", same being the common southwest corner of said called 0.18 acre Esquivel tract, for the southeast corner of the herein described tract of land, and being in the north line of Perez Street, a 30 foot public right-of-way, and from which a 1/2 iron rod found bears North 79°40'51" East, a distance of 50.25 feet;

**THENCE** departing said called 0.18 acre Esquivel tract, with the north line of said Perez Street, the following two (2) courses and distances:

1. **South 77°37'20" West** (S 80° W Record), with the south line of said Ochoa called "Second Tract", a distance of **78.00 feet** (78' Record) to a 1/2 iron rod set with cap marked "RPLS 5687" at the southwest corner of said Ochoa called "Second Tract", and the common southeast corner of the abovementioned Ochoa called "First Tract";
2. **South 77°37'20" West** (S 80° W Record), departing said Ochoa called "Second Tract", with the south line of said Ochoa called "First Tract", a distance of **50.00 feet** (50' Record) to a 1/2 iron rod set with cap marked "RPLS 5687" at the southwest corner of said Ochoa called "First Tract", same being at the southeast corner of a called 0.181 acre tract of land conveyed to Saul H. Vela by deed recorded in Document No. 2018-000654, Deed Records of Caldwell County, Texas, and from which a disturbed 1/2 inch iron rod found bears North 29°36'47" East, a distance of 4.44 feet;



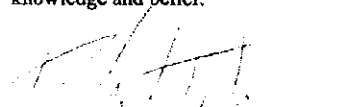
**THENCE** with the west line of said Ochoa called "First Tract", the common east line of said called 0.181 acre Vela tract, and generally along the meanders of a dilapidated wire fence, **North 12°22'40" West** (N 10° W Record), a distance of **155.76 feet** (156' Record) to a 1/2 iron rod set with cap marked "RPLS 5687" at the northwest corner of said Ochoa called "First Tract", and the common northeast corner of said called 0.181 acre Vela tract, for the northwest corner of the herein described tract of land, and being in the south line of the aforementioned called 29.215 acre Silent Valley Texas LP tract;

**THENCE** departing said called 0.181 acre Vela tract, with the south line of said called 29.215 acre Silent Valley Texas LP tract, and generally along the meanders of a wire fence, the following two (2) courses and distances:

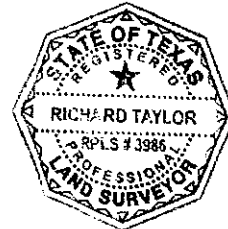
1. **North 77°37'20" East** (N 80° E Record), with the north line of said Ochoa called "First Tract", a distance of **50.00 feet** (50' Record) to a 1/2 iron rod set with cap marked "RPLS 5687" at the northeast corner of said Ochoa called "First Tract", and the common northwest corner of the aforementioned Ochoa called "Second Tract";
2. **North 77°37'20" East** (N 80° E Record), departing said Ochoa called "First Tract", with the north line of said Ochoa called "Second Tract", a distance of **78.00 feet** (78' Record) to the **POINT OF BEGINNING** and **CONTAINING 0.458 ACRES OF LAND.**

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD83.

I, Richard H. Taylor, do certify that this description and associated exhibit were prepared this date from a boundary survey performed under my direction during July 2024, and is true and correct to the best of my knowledge and belief.

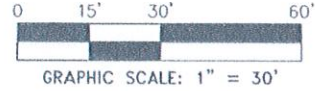
  
Richard H. Taylor  
Registered Professional Land Surveyor  
No. 3986 State of Texas  
Attachment: Drawing of 0.458 acres  
Job: 24-8523

07/24/24  
Date



● IRON ROD FOUND  
 ○ IRON ROD SET  
 CAPPED "RPLS 5687"  
 W WATER METER  
 WATER VALVE  
 FIRE HYDRANT  
 POWER POLE  
 —E— OVERHEAD ELECTRIC LINE  
 —//— WOOD FENCE  
 —X— WIRE FENCE  
 T TELEPHONE PEDESTAL  
 S SANITARY SEWER MANHOLE  
 (BRG.—DIST.) RECORD CALL

P.O.B.



0.458 AC.  
CESAR OCHOA &  
DEBBIE S. OCHOA  
(130/880)

(0.18 AC.)  
ROBERTO ESQUIVEL  
& GABRIELA BARBA  
(DOC. # 2016-003649)

(0.181 AC.)  
SAUL H. VELA  
(DOC. 2018-000654)

**PEREZ STREET**  
(30' PUBLIC R.O.W.)

RICHARD H. TAYLOR, RPLS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NUMBER 3986 STATE OF TEXAS  
©ASH & ASSOCIATES, L.L.C.

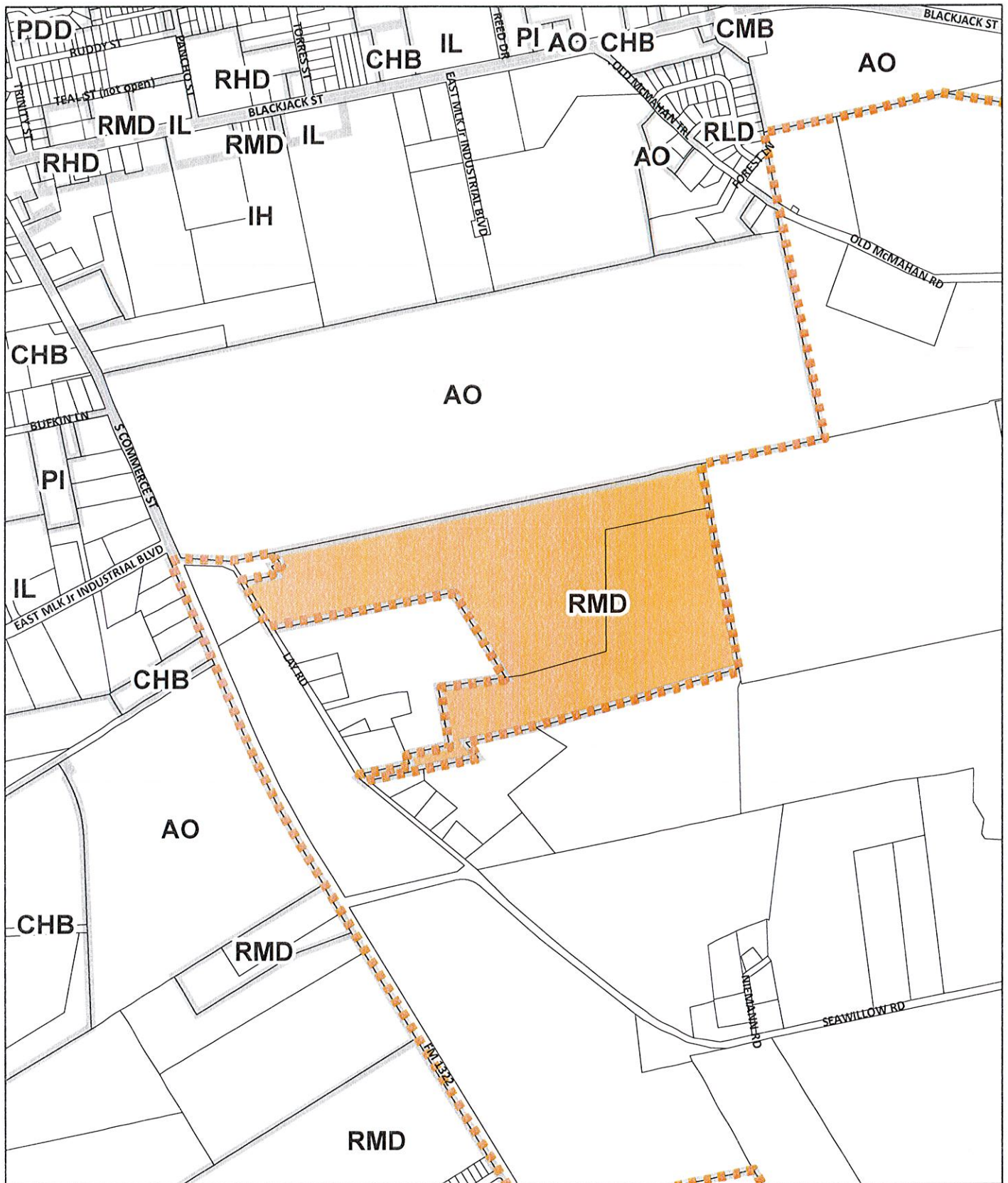
STATE OF TEXAS  
REGISTERED  
RICHARD TAYLOR  
PLS # 3986  
PROFESSIONAL  
LAND SURVEYOR

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COUNTY, TEXAS, AND BEING MORE PARTICULARLY  
DESCRIBED BY METES AND BOUNDS ATTACHED.



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**PP-23-03**

200 & 370 LAY RD

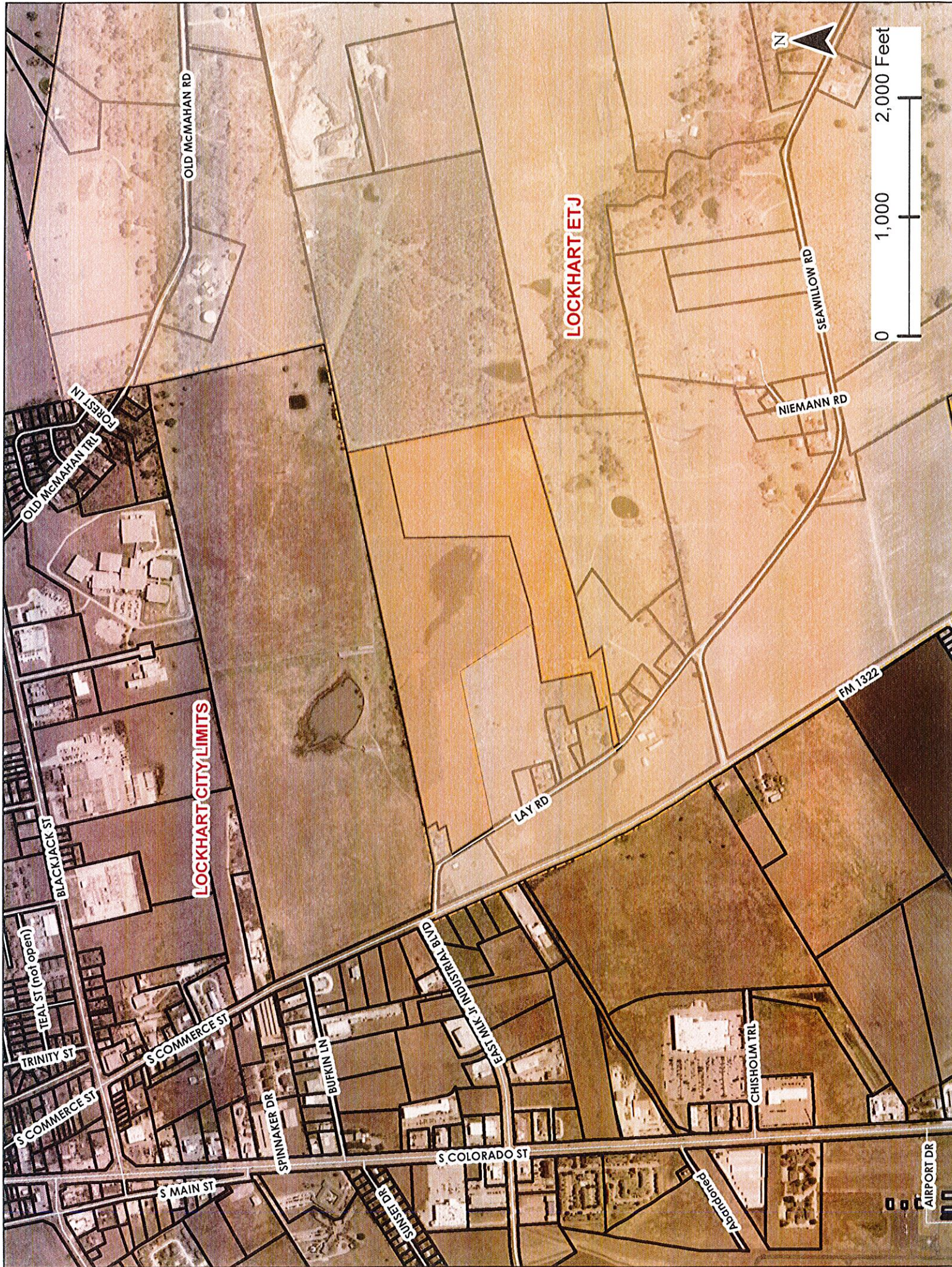
LOCKHART 92 SUBDIVISION



-  SUBJECT PROPERTY
-  ZONING DISTRICT
-  CITY LIMITS

scale 1" = 1,000'







## CASE SUMMARY

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: PP-23-03

REPORT DATE: August 22, 2024

PLANNING & ZONING COMMISSION DATE: August 28, 2024

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

SUGGESTED CONDITION: Include the phrase "Subdivision Development Plan" in the plat title

## BACKGROUND DATA

APPLICANT: Austin Davis

OWNER: Lockhart 1322, LLC, c/o Austin Davis

ENGINEER: Nick Marino, P.E., Gray Engineering, Inc.

SURVEYOR: Jason Ward, P.L.S., 4Ward Land Surveying, LLC

SITE LOCATION: 200 and 370 Lay Rd.

PROPOSED SUBDIVISION NAME: **Lay Ranch Subdivision**

SIZE OF PROPERTY: 92.52 ac.

NUMBER OF LOTS: 362 single-family residential lots and 20 nonresidential lots consisting of a mixture of open space/parkland, utility, landscape, fire access, and drainage areas

EXISTING USE OF PROPERTY: Primarily vacant, with a barn structure located in the southwest corner of the property (to be removed)

ZONING CLASSIFICATION: RMD (Residential Medium Density)

## ANALYSIS OF ISSUES

PROPOSED DEVELOPMENT: The Lay Ranch Subdivision Preliminary Plat and Subdivision Development Plan includes 382 total proposed lots on two parcels of land, to be developed in three phases. Of those lots, 362 are for single-family residential use, with the remaining 20 being nonresidential lots consisting of a mixture of open space/parkland, utility, landscape, fire access, and drainage areas. The total parkland proposed is 13.825 acres, which will exceed the 8 percent requirement by 6.4 acres. This parkland acreage includes half the area of the joint parkland/open space/drainage lots, half being 8.26 acres, as allowed in Section 52-112(d) of the Subdivision Regulations. According to Plat Note 5, all nonresidential lots, including the parkland/open space lots, will be owned and maintained by the Homeowners' Association, with the park lots being open to the public. In an August 19, 2024 email discussion with Parks Director Travis Hughes, Mr. Hughes informed Staff that the parkland's private ownership/maintenance and public accessibility is acceptable. With regard to parkland improvements, Plat Note 5 specifies that a playscape containing at least four functions shall be constructed on the large park lot (Lot 12, Block L). In addition, a parking lot with 12 spaces, paved with asphalt, will be located adjacent the playscape on the same park lot. Both the playscape and parking lot will be constructed by the subdivider with the subdivision improvements, prior to recordation of the final plat for the first phase. These improvements have also been approved by the Parks Director. Within the subdivision, 23 new street rights-of-way are proposed, including 8 stub-outs to adjacent properties to the north, south, and east. Sidewalks are proposed on both sides of all internal streets. A wastewater lift-station is proposed in a dedicated lot near the stormwater detention pond in the southeast corner of the large park lot referenced above. The subdivision's north frontage onto Lay Road contains a divided entry/exit median at Clearlake Drive that extends to the nearest cross-street, Pulitzer Drive,



and the south frontage onto Lay Road contains an emergency-only access onto the road with a locked access gate. Two Variances, one to the paved street width requirement for Lay Road and the other to the percentage of street frontage requirement for the perimeter of the large park lot have been requested with the application, as discussed below. The proposed subdivision has been reviewed and deemed acceptable by the Caldwell County Appraisal District's GIS Division.

**NEIGHBORHOOD COMPATIBILITY:** The subject property is located in an area projected to experience rapid rates of growth in the future, including future phases of Summerside Subdivision across F.M. 1322 to the south and the Seawillow Ranch/Acevedo Ranch development planned to the south. The subject property is bordered to the north by a large, vacant parcel zoned Agricultural-Open Space (AO) owned by the Riddle family. The adjacent property to the east is located outside the City limits, within the Extraterritorial Jurisdiction (ETJ), and is mostly vacant, save for a barn and several associated structures. Three properties are adjacent the subject property to the south, within the ETJ, with one being vacant, another mostly vacant with a shed structure, and another adjacent to Lay Road and developed with a single-family residence. Parcels to the west, including those on both sides of Lay Road, are also within the ETJ and contain residential uses and vacant land in agricultural use. The greatest impact of the proposed development would be increased traffic onto the abutting Lay Road and nearby F.M. 1322/South Commerce Street. However, the subdivider plans to improve Lay Road to City standards from the north frontage at Clearlake Drive to the South Commerce Street intersection, with a variance to the paved width requirement (see the variance section below). In addition, the 8 proposed stub-outs to the sides and rear of the subject property will provide even greater connectivity when the adjoining properties develop in the future. A planned on-site lift-station will help distribute impacts associated with wastewater transmission.

**FORM AND CONTENT:** With the addition of the phrase "Subdivision Development Plan" to the plat title at the top of Sheet 1 and to the sidebar on all four sheets, identifying the subdivision as a phased development, the plat will conform to all minimum requirements for form and content.

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

**CONCURRENT VARIANCES REQUESTED:** Two Subdivision Variances are requested with this application, as follows: (1) to allow for a 31-foot paved width for the proposed reconstruction of Lay Road, in place of the 41-foot paved width requirement for Collector Streets (Subdivision Regulations Sections 52-72(i)(2) and 52-72(p)); and (2) to allow for 12.3 percent of the perimeter of the large park lot (Lot 12, Block L) to contain frontage on an improved public street right-of-way, in place of the 25 percent required for public parkland over one acre in size (Section 52-112(f)). In the applicant's attached written statement addressing the variance criteria for the reconstruction of Lay Road, it is explained that due to the limited, approximately 46 feet of right-of-way width from the subject property to the South Commerce Street intersection, reconstruction of the street to the Collector Street standard of a 41-foot paved width is not feasible. The applicant also states that the reconstruction, although not to the full 41-foot Collector width, will widen the existing pavement from approximately 18 feet to 31 feet, measured from back-of-curb to back-of-curb, with new curb, gutter, and drainage improvements. In a recent meeting with the applicant, Planning Staff, and Public Works Director Sean Kelley, Mr. Kelley expressed support for the 31-foot width and variance request. In the applicant's attached written statement addressing the variance criteria for the parkland perimeter percentage along a public street

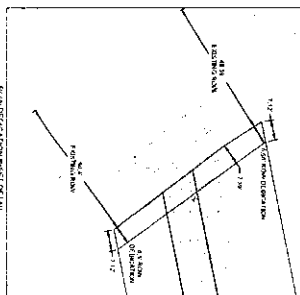
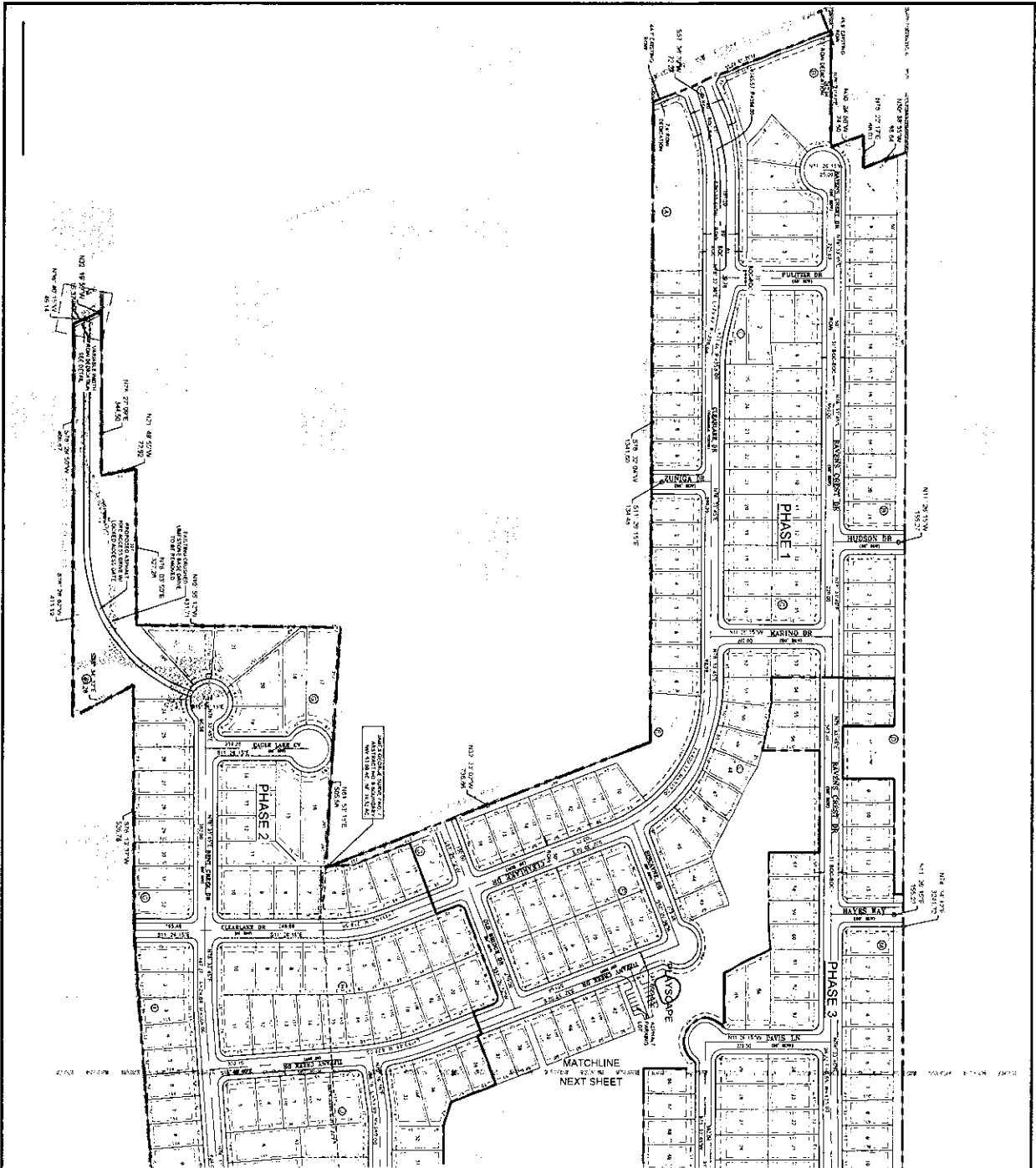
right-of-way, the applicant notes that the large park lot has 11 unique access points to public streets. It is further explained that in designing the park with additional access points than originally planned to reach the current 11, combined with the unique shape of the park lot, the overall perimeter of the park increased such that the percentage of parkland fronting a public street decreased. It should also be noted that although the perimeter of this lot does not contain 25 percent street frontage, but rather 12.3 percent, the park will include a playscape and parking lot, in addition to the numerous access points cited above.

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 each variance request, Staff believes that each warrants approval, due to the support of the Public Works Director for the proposed 31-foot paved width for Lay Road within an area of limited right-of-way width, and due to the large park lot's numerous access points and planned parkland amenities.





1	CD NUMBER	LOCATIONS
2	FIELD NUMBER	
3	PROPERTY AND/OR DONOR NAME	
4	DATE OF ACQUISITION	
5	FIELD NAME/CONTENTS	
6	DATE AND LOCATION	
7	ANALYST'S NAME	
8	FIELD SITE NAME	
9	FIELD SITE COORDINATES	
10	COLLECTOR'S NAME(S)	
11	DATE OF COLLECTION	
12	TYPE OF SPECIES	
13	SEX	
14	AGE	
15	WEIGHT	
16	LENGTH	
17	WING	
18	TAIL	
19	HEAD	
20	BEAK	
21	FEET	
22	CLAW	
23	SKIN	
24	EGG	
25	CHICK	
26	ADULT	
27	OTHER	
28	REMARKS	
29	REMARKS	
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100	REMARKS	

1. I believe that the structure and the conditions of the work shall be determined by the management of the company, and that the employees shall be bound to follow the instructions of the management in the execution of their duties.
2. I believe that the management of the company shall have the right to hire and fire employees, and to assign them to different jobs or departments as it sees fit.
3. I believe that the management of the company shall have the right to set the rules and regulations of the company, and that the employees shall be bound to follow them.
4. I believe that the management of the company shall have the right to determine the wages and salaries of the employees, and that the employees shall be bound to accept the wages and salaries offered by the management.
5. I believe that the management of the company shall have the right to determine the hours of work of the employees, and that the employees shall be bound to work the hours specified by the management.
6. I believe that the management of the company shall have the right to determine the methods of work of the employees, and that the employees shall be bound to follow the methods specified by the management.
7. I believe that the management of the company shall have the right to determine the standards of work of the employees, and that the employees shall be bound to meet the standards specified by the management.
8. I believe that the management of the company shall have the right to determine the conditions of work of the employees, and that the employees shall be bound to accept the conditions specified by the management.
9. I believe that the management of the company shall have the right to determine the benefits of the employees, and that the employees shall be bound to accept the benefits offered by the management.
10. I believe that the management of the company shall have the right to determine the discipline of the employees, and that the employees shall be bound to follow the discipline specified by the management.





# SUBDIVISION PLAT APPLICATION

CITY OF

# Lockhart

TEXAS

*\*This is the resubmitted application-  
3/20/24.*

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

## APPLICANTS

SURVEYOR NAME Jason Ward, R.P.L.S.

ADDRESS P.O. Box 90876

DAY-TIME TELEPHONE (512) 537-2384

Austin, Texas 78709

E-MAIL info@4wardls.com *rbrittain@4wardls.com*

ENGINEER NAME Brian Williams

ADDRESS 8834 N. Capital of Texas Hwy.

DAY-TIME TELEPHONE (512) 851-7128

Austin, Texas 78759

E-MAIL bwilliams@grayengineeringinc.com

Suite 140

OWNER NAME Lockhart1322 LLC

ADDRESS 2899 Cedar Hollow Rd

DAY-TIME TELEPHONE 817-823-9359

Georgetown, Texas 78628

E-MAIL austind.realty@gmail.com

## TYPE OF APPLICATION (check all that apply)

☒ PRELIMINARY PLAT    ☒ SUBDIVISION DEVELOPMENT PLAN    ☐ FINAL PLAT  
☐ MINOR PLAT    ☐ REPLAT    ☐ MINOR REPLAT    ☐ RESUBDIVISION  
☐ AMENDING PLAT    ☐ DEVELOPMENT PLAT    ☐ VARIANCE

## PROPERTY

SUBDIVISION NAME Lay Ranch Subdivision

ADDRESS OR GENERAL LOCATION 200 Lay Rd. Lockhart, Texas 78644

LOCATED IN ☒ CITY LIMITS    ☐ ETJ (COUNTY)    ☐ PDD

TOTAL LAND AREA 92.52 ACRE(S)

PROPOSED NUMBER OF LOTS 382

ZONING CLASSIFICATION(S) RMD

PROPOSED USE OF LAND Residential



## SUBMITTAL REQUIREMENTS

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

IF THE APPLICATION IS FOR AN AMENDING PLAT, REPLAT, MINOR REPLAT, OR 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, Replats, Resubdivision Plats, Minor Plats, and Minor Replats are considered the same as Final Plats for the purposes 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.

12 copies after initial staff reviews above (preliminary plats, final plats, replats, and resubdivisions).


Two copies after initial staff reviews (amending plats, minor plats, and minor replats).

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat, resubdivision, final plat, minor plat, or minor replat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

APPLICATION FEE OF \$ N/A PAYABLE TO THE CITY OF LOCKHART *- application withdrawn prior to decision deadline and later resubmitted. -KW*  
(NO FEE FOR SUBDIVISION DEVELOPMENT PLANS OR APPEALS):

Preliminary Plat or Development Plat	\$1,500.00, plus \$100.00 per acre
Final Plat, Replat, or Resubdivision	\$1,000.00, plus \$100.00 per acre
Amending Plat, Minor Plat, or Minor Replat not requiring a public meeting	\$750.00, plus \$100.00 per acre
Subdivision Variance	\$750.00 per variance requested
Recording fee for Final Plat, Replat, Resubdivision, Amending Plat, Minor Plat, or Minor Replat	\$71.00 for the first sheet, and \$50.00 for each additional sheet (payable to the Caldwell County Clerk)

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

SIGNATURE 

DATE 3/15/24

PRINTED NAME Austin Davis

TELEPHONE 817-823-9359



## PLAT APPROVAL PERIODS

A preliminary plat approval period expires if a final plat and the engineering plans 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 the construction of any required public improvements has not commenced within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the Planning Director.

(2<sup>nd</sup> Variance request on following page)

## SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-72(p) & 52-72(i)(2) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) Substandard streets be brought up to City standards (52-72(p)), including a 41' paved width (back-of-curb to back-of-curb) for Collector Streets (52-72(i)(2)).

REQUESTED VARIANCE(S) 31' paved width for Lay Rd. (collector street) is proposed (reconstruct to 31 feet) from the Clearlake Drive intersection to the South Commerce Street intersection. (back-of-curb to back-of-curb)

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

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

## OFFICE USE ONLY

ACCEPTED BY Kevin Waller

RECEIPT NUMBER N/A

DATE SUBMITTED 3/20/24

CASE NUMBER PP - 23 - 03

DATE APPLICATION IS DEEMED COMPLETE 7/31/23 (original application)

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

PLANNING AND ZONING COMMISSION MEETING DATE 8/28/24 DECISION —

CONDITIONS (IF ANY) —



## PLAT APPROVAL PERIODS

*A preliminary plat approval period expires if a final plat and the engineering plans 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 the construction of any required public improvements has not commenced within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the Planning Director.*

*2<sup>nd</sup> Variance request*

### **SUBDIVISION VARIANCE (for variance applications, only)**

VARIANCE TO SECTION(S) Section 52-112(f) OF THE SUBDIVISION REGULATIONS,  
CURRENT ORDINANCE REQUIREMENT(S) At least 25% of public parkland <sup>perimeter,</sup> over one acre, shall front on an improved public street right-of-way.  
REQUESTED VARIANCE(S) 12.3% of street frontage along the perimeter of the large park lot (Block L, Lot 12).

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 \_\_\_\_\_

RECEIPT NUMBER \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

CASE NUMBER \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

DATE APPLICATION IS DEEMED COMPLETE \_\_\_\_\_

DATE NOTICES MAILED \_\_\_\_\_ DATE NOTICE PUBLISHED \_\_\_\_\_

(For certain Replats or Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE \_\_\_\_\_ DECISION \_\_\_\_\_

CONDITIONS (IF ANY) \_\_\_\_\_



# UTILITY SERVICE FORM

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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 Lockhart

APPLICABLE UTILITY SERVICE CODE(S) A

---

## WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) City of Lockhart

A

---

## TEXAS GAS SERVICE **GAS COMPANY**

APPLICABLE UTILITY SERVICE CODE(S) \_\_\_\_\_

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NAME OF **ELECTRIC SERVICE PROVIDER** Bluebonnet Electric Cooperative, Inc.

APPLICABLE UTILITY SERVICE CODE(S) A

UNDERGROUND    Yes X    No \_\_\_\_\_



March 19, 2024

City of Lockhart Planning Department  
308 W. San Antonio  
Lockhart, TX 78644

**Lockhart 92 Preliminary Plat  
Engineer's Summary Letter**

---

To whom it may concern,

The following summary letter is included with the Lockhart 92 Subdivision Preliminary Plat application to outline the overall scope of the project as well as provide a brief overview of the drainage and utilities for the site.

**Overview –**

Lockhart 92 Subdivision (Site) is a 368-lot single-family development located within the City Limits of Lockhart along the east side of Lay Road. The Site is currently zoned RMD. A Preliminary Plat had previously been submitted for the Site in 2023 and had passed completeness check. This submittal is for a phased preliminary plat and identifies the projected development phasing of the project as well as exhibits demonstrating water, wastewater, and drainage conceptual plans.

**Access –**

Access to the Site will be via a proposed divided connection to Lay Road. An additional 5 road stub-outs are proposed to the adjacent tracts to the north, south, and east of the Site. An exhibit is included in the submittal demonstrating proposed improvements to Lay Road back to S. Commerce Street (FM 1322).

**Utilities –**

The Site will be served water by the City of Lockhart. An existing 12" line is located on the west side of Commerce Street. As part of the subdivision improvements, a 12" waterline is proposed to be constructed down Lay Road ROW and connected to the existing 12" waterline. Please refer to the Preliminary Utility schematic provided with the submittal.

The Site generally slopes from northwest to southeast. A lift station will be constructed at the southeast corner of the Site and wastewater flows will be pumped back to a connection with a 12" gravity wastewater line near the intersection of Commerce Street and Blackjack Street via a force main. The force main will be located within the ROW of Lay Road (City Road) and Commerce Street (TxDOT Road). It is the applicants understanding that the City has approved of an alignment of the proposed force main within the Commerce Street ROW.

**Drainage –**

As previously mentioned, the Site generally slopes in a southeasterly direction and is bisected by a small tributary. Drainage lots are provided around the perimeter of the Site where upgradient runoff flows onto the Site from adjacent property. Small swales will be constructed on these lots to convey runoff to the before mentioned tributary. Detention will be provided in the southeast corner of the Site to reduce developed flows to pre-developed conditions for the 2, 10, 25, and 100-yr storm events.





Sincerely,

*Nick Marino*

Nick Marino, P.E.

**GRAY ENGINEERING, INC.**

Consulting Engineers TBPELS Firm 2946  
8834 N. Capital of Texas Highway, Suite 140  
Austin, Tx 78759  
Cell: 469.834.8611



August 14, 2024

Kevin Waller, Senior Planner  
City of Lockhart Development Services  
308 W. San Antonio  
Lockhart, TX 78644

**RE: Variance Request - Lockhart 92 Subdivision Preliminary Plat and Subdivision Development Plan**

---

Mr. Waller,

We are requesting a variance to section 52-72(p) of the Subdivision Regulations, requiring a collector road to have a pavement width of 41 feet back-to-back of curb, and a right-of-way width of 60 feet. This request specifically applies to Lay Road between the entrance to Lockhart 92 and Commerce Street where there is not enough right-of-way to construct the full width of a collector road per the City Transportation Plan. Lay Road is currently approximately 18-feet wide, and the applicant is proposing to widen lay road to a 31 foot street width within a variable right-of-way width of approximately 46 to 55 feet.

Please see the responses below for the reasons for the 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;

Lay Road currently has about 46-feet of existing ROW. Although the applicant is dedicating additional ROW for Lay Road along the subject tracts frontage with Lay Road, there are segment of Lay Road that will remain with approximately 46-feet of ROW. In for strict application of Code to be applied to widen Lay Road to 41-feet in width, additional ROW would need to be acquired from other properties not owned by the subdivider since additional ROW would be required to construct the improvements. Without the ability to utilize imminent domain, the subdivider is unable to construct the 41-feet street width required by Code.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

Without a variance to allow construction of a 31-foot wide street, the subdivider would not be able to improve the subject tract and subdivide to its existing zoning classification.

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,

The variance will not be detrimental since it provides a path forward to improve Lay Road from an existing approximately 18-foot wide road to a 31-foot wide road with curb and gutter consisting of two lanes and adequate drainage improvements. ROW is also being dedicated to allow future subdividers of adjacent properties the ability to expand Lay Road to 41-feet.

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.





The variance will not prevent the orderly subdivision of other land in the area. The subject tract is dedicating ROW to allow improvements to Lay Road when other lands in the area dedicate required ROW as well as actually widening Lay Road to a two-lane, 31-foot wide street.

Sincerely,

A handwritten signature in blue ink that reads 'Nick Marino'.

Nick Marino, P.E.

**GRAY ENGINEERING, INC.**

Consulting Engineers TBPELS Firm 2946  
8834 N. Capital of Texas Highway, Suite 140  
Austin, Tx 78759  
Cell: 469.834.8611



August 20, 2024

Kevin Waller, Senior Planner  
City of Lockhart Development Services  
308 W. San Antonio  
Lockhart, TX 78644

**RE: Variance Request - Lockhart 92 Subdivision Preliminary Plat and Subdivision Development Plan**

Mr. Waller,

We are requesting a variance to section 52-112(f) of the Subdivision Regulations, requiring a land for community facilities or public open space over one acre to have frontage on an improved public street right-of-way equal to at least 25 percent of the land's perimeter. This request specifically applies to the 13.14 acre Block L, Lot 12 open space/drainage/park lot. The 13.14 acre park lot has 11 unique access points to public streets and 1007 feet of frontage on public street, but due to the size and shape of the tract there is currently not enough right-of-way frontage to meet the 25 percent minimum. The park exceeds the minimum parkland dedication by 8.98 acres, but has approximately 12.3 percent of it's perimeter fronting public right-of-way as proposed.

Please see the responses below for the reasons for the 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;

There is a 4.16 acre subsection of this lot that would satisfy the minimum acreage and frontage percentage requirement for dedicated parkland, however this would result in an adjacent open space lot, that would not be open to the public, which the City has expressed that they do not prefer. Additionally, many of the 11 access points around the park lot increase the perimeter in a manner that skews the overall right-of-way frontage percentage by adding more non-right-of-way fronting perimeter, than perimeter that would contribute to the right-of-way frontage percentage.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

Without a variance to allow a lower street right-of-way frontage percentage, the subdivider would need to close off a majority of this open space lot to the public.

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,

The variance will not be detrimental since it provides adequate parkland acreage and 11 access points along it's frontage with opportunities for trail connections.

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.





The variance will not prevent the orderly subdivision of other land in the area. The onsite park lot does not create any limitations for adjacent properties, and even provides the opportunity to add right-of-way frontage should they choose to do so.

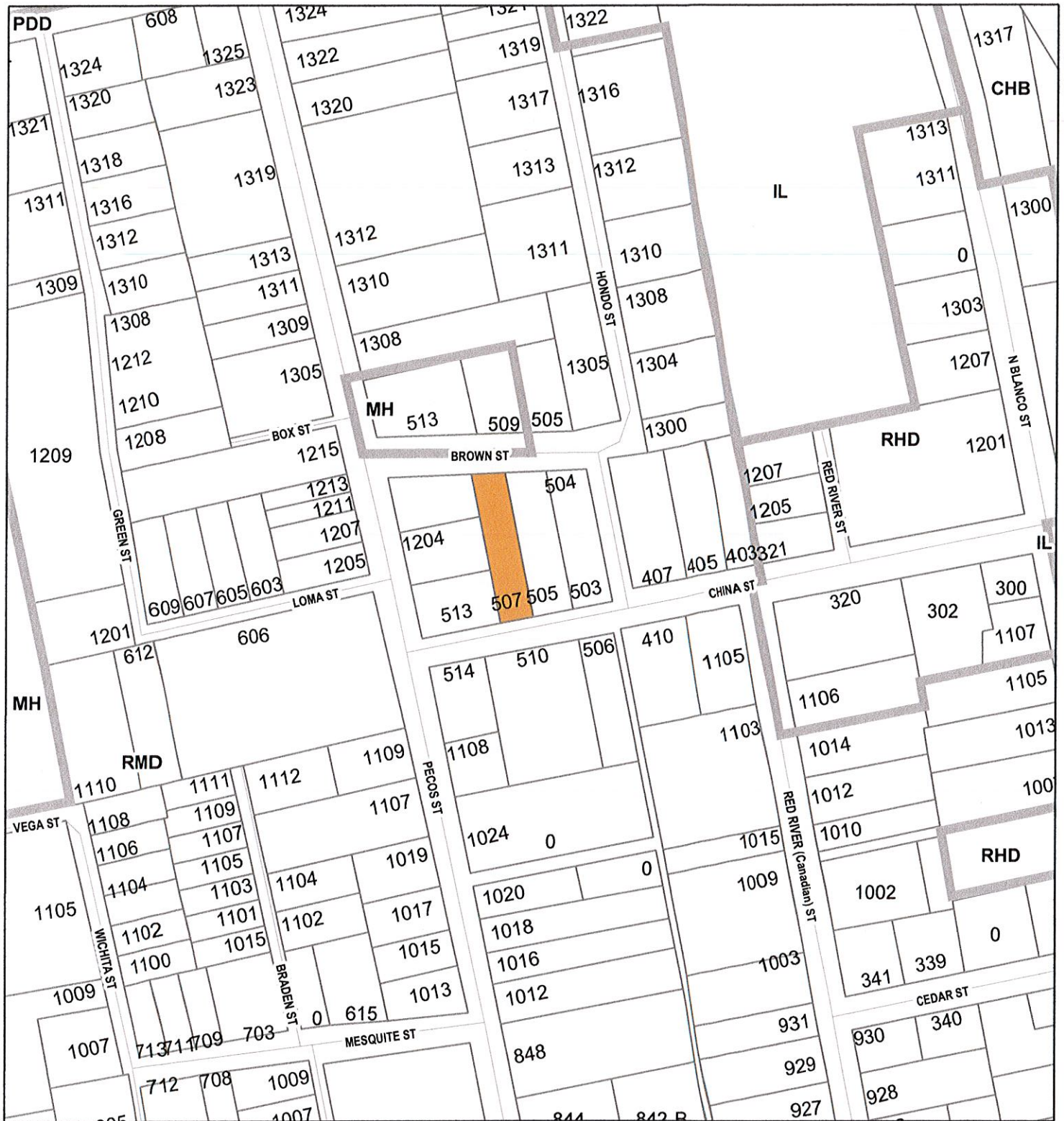
Sincerely,

A handwritten signature in blue ink that reads 'Nick Marino'.

Nick Marino, P.E.

**GRAY ENGINEERING, INC.**

Consulting Engineers TBPELS Firm 2946  
8834 N. Capital of Texas Highway, Suite 140  
Austin, Tx 78759  
Cell: 469.834.8611



**FP-24-07**

ANTONIO M. JUAREZ ADDITION

507 CHINA ST

FINAL PLAT



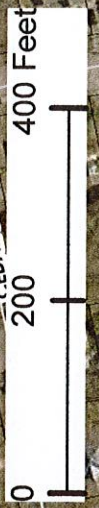
SUBJECT PROPERTY



ZONING

scale 1" = 200'





N COLORADO ST

N BLANCO ST

CEDAR ST

RED RIVER ST

CHINA ST

RED RIVER (Canadian) ST

HONDO ST

BROWN ST

PECOS ST

BOX ST

LOMA ST

MESQUITE ST

BRADEN ST

SILENT VALLEY RD

GREEN ST

SILENT VALLEY PK

VEGA ST

WICHITA ST

JOHNSON ST



# PLANNING DEPARTMENT REPORT

# FINAL PLAT

## CASE SUMMARY

---

STAFF CONTACT: Kevin Waller, Senior Planner *KW*

CASE NUMBER: FP-24-07

REPORT DATE: August 21, 2024

PLANNING & ZONING COMMISSION DATE: August 28, 2024

STAFF RECOMMENDATION: Approval of both the Plat and the Subdivision Variance request

SUGGESTED CONDITIONS: None

## BACKGROUND DATA

---

APPLICANT: Edgar Llamas

OWNERS: Edgar and Jiovanna Llamas

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

SITE LOCATION: 507 W. China St.

PROPOSED SUBDIVISION NAME: **Antonio M. Juarez Addition, Lot 3, Block One**

SIZE OF PROPERTY: 0.252 acre

NUMBER OF LOTS: Two single-family residential lots

EXISTING USE OF PROPERTY: Vacant

ZONING CLASSIFICATION: RMD (Residential Medium Density)

## ANALYSIS OF ISSUES

---

**PROPOSED DEVELOPMENT:** The Antonio M. Juarez Addition, Lot 3, Block One Final Plat includes two single-family residential lots on property located east of the intersection of West China Street and Pecos Street, with frontage on West China Street to the south and Brown Street to the north. Although the property is vacant, historical aerial imagery shows that a single-family residence was once located on the property along the West China Street frontage. 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 1959 and the proposal involves just one lot from the original plat. It should also be noted that no sidewalks currently exist along the street frontages for any of the 6 lots within the original plat. A Variance to the right-of-way dedication requirement has been requested with the application for West China Street, as discussed below. The plat is considered a Final Plat due to the variance request, and would have otherwise been classified as an administratively-reviewed minor replat. The proposed subdivision has been reviewed and deemed acceptable by the Caldwell County Appraisal District's GIS Division.

**NEIGHBORHOOD COMPATIBILITY:** The three adjacent properties to the west are zoned RMD, with two being developed with single-family residences and the third being vacant. The two properties to the north, across Brown Street, are zoned MH (Manufactured Home), with one containing a manufactured home, and the other a stick-built, single-family residence. The adjacent property to the east is zoned RMD and developed with a single-family residence. The property to the south, across West China Street, is also developed with a single-family residence.

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



COMPLIANCE WITH STANDARDS: Existing 6-inch water lines are located along both West China Street and Brown Street, with a 6-inch sewer line along West China Street. It appears that no sewer line is located along Brown Street, which Staff is in the process of confirming with the Water/Wastewater department. If no line is present, the future owner of Lot 3-A will need to extend the sewer line either from Pecos Street or Hondo Street for a connection. With this sewer connection, the plat will meet all applicable subdivision standards.

CONCURRENT VARIANCES REQUESTED: A Subdivision Variance is requested with this application to the right-of-way dedication requirement specified in Section 52-72(e) of the Subdivision Regulations to allow for 2.88 feet of dedication along the property's West China Street frontage where 3.35 feet would normally be required, being half the 6.7-foot deficiency for the 50-foot minor street right-of-way requirement identified in the City's Thoroughfare Plan. In the applicant's attached written statement addressing the variance criteria, it is explained that the variance is being requested in order to allow both proposed lots to have conforming depths and areas, which without the variance would result in substandard lots. In an August 15, 2024 email discussion with Public Works Director Sean Kelley, Mr. Kelley informed Staff that he has no objections to the variance request.

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 variance request, Staff believes that it warrants approval, due to the above input received from the Public Works Director, and which would allow both proposed lots to conform to the minimum area and dimensional standards set forth in Subdivision Regulations Appendix I.

# ANTONIO M. JUAREZ ADDITION REPLAT OF LOT 3 in BLOCK ONE

A subdivision of 0.252 acres out of the Byrd Lockhart Survey A-17 in the City of Lockhart, Caldwell County, Texas

## SURVEY NOTES

- The Lots shown in Block One "C" according to FEMA Panel #46353 (01206 effective date June 19, 2012, FLOOD ZONE "C") are determined to be outside the 0.2% annual chance floodplain.
- Lot 3-A and Lot 3-B in Block One are zoned RMD (Residential Medium Density) and the surrounding lots are zoned RMD (Residential Medium Density) and MH (Manufactured Home) as shown on plat.
- Building Setbacks shall be in accordance with City of Lockhart Zoning Ordinance.
- According to the map or plat of Antonio M. Juarez Addition recorded in Vol. 278 Pg. 284 of the Deed Records of Caldwell County, Texas, no restrictions are noted on the plat of record.
- RECORD OWNERS OF LAND: Jovanna Llamas and Edgar Llamas  
DESIGNER OF PLAT: Hinkle Surveyors, P.O. Box 1027, Lockhart, TX 78644 (512) 796-2000  
DATE OF REVISION: July 2024  
SURVEYOR: Jerry L. Hinkle, S.P.L.S. #5459 (P.O. Box 1027, Lockhart, TX 78644 (512) 796-2000

STATE OF TEXAS  
COUNTY OF CALDWELL

We, the undersigned owners of the land shown on this plat by deed recorded in Instrument #2021-005048 of the Official Public Records of Caldwell County, Texas and described as Lot 3 in Block One of Antonio M. Juarez Addition in the City of Lockhart, Caldwell County, Texas according to the map or plat thereof recorded in Volume 278 Page 284 of the Deed Records of Caldwell County, Texas, do hereby subdivide such property to be known as ANTONIO M. JUAREZ ADDITION REPLAT OF LOT 3 in BLOCK ONE and further 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 for maintenance or efficient use of its respective system in such easements.

DATE

JOVANNA LLAMAS  
350 OLD LIVING ROAD  
LOCKHART, TEXAS 78644

EDGAR LLAMAS  
350 OLD LIVING ROAD  
LOCKHART, TEXAS 78644

STATE OF TEXAS  
COUNTY OF CALDWELL

Before me, the undersigned authority, personally appeared JOVANNA LLAMAS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and considerations stated herein.

Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF CALDWELL

Before me, the undersigned authority, personally appeared EDGAR LLAMAS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose 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, Caldwell County, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PHILIP RUIZ, CHAIRMAN  
CITY OF LOCKHART

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 authentication was filed for record in my office this \_\_\_\_\_ 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

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 and all monuments and markers were properly placed under my direct supervision and is true and correct to the best of my knowledge.

IN WITNESS THEREOF, my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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 also a part of the Byrd Lockhart Survey A-17 and being also a part of Lot 3 in Block One of Antonio M. Juarez Addition to the City of Lockhart as recorded in Volume 278 Page 284 of the Deed Records of Caldwell County, Texas and said Lot 3 conveyed to Jovanna Llamas et vir by deed recorded in Instrument #2021-005048 of the Official Public Records of Caldwell County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2" iron pin found used for basis of bearing in the NW corner of the above mentioned Lot 3 and the NE corner of Lot 6 in the said Block One and in the South line of Brown Street for the NW corner this tract.

**THENCE** N 89°50'00" E with the North line of the said Lot 3 and the South line of Brown Street 50.63 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the NE corner of the said Lot 3 and the NW corner of Lot 2 in the said Block One for the NE corner this tract.

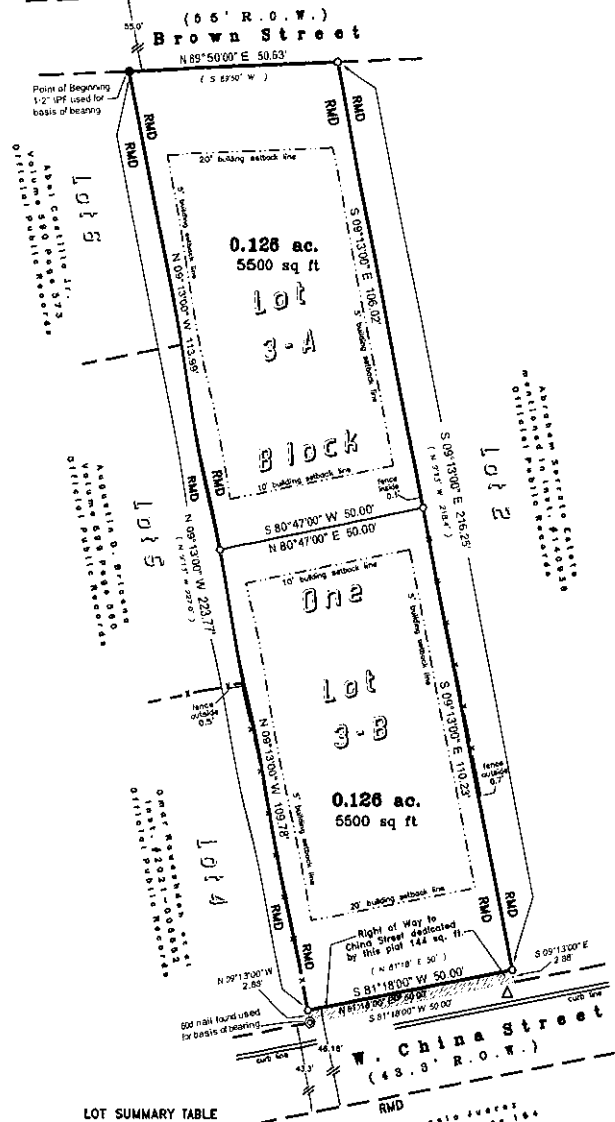
**THENCE** S 09°13'00" E with the East line of the said Lot 3 and the West line of the above mentioned Lot 2 216.25 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the newly dedicated North line of W. China Street for the SE corner this tract and from which point the original SE corner of the said Lot 3 bears S 09°13'00" E 2.88 feet.

**THENCE** S 81°18'00" W over and across the said Lot 3 and with the newly dedicated North line of W. China Street 50.00 feet to a capped 1/2" iron pin set stamped HINKLE SURVEYORS in the West line of the said Lot 3 and the East line of Lot 4 in the said Block One for the SW corner this tract and from which point a 60d nail found marking the SW corner of the said Lot 3 used for basis of bearing bears S 09°13'00" E 2.88 feet.

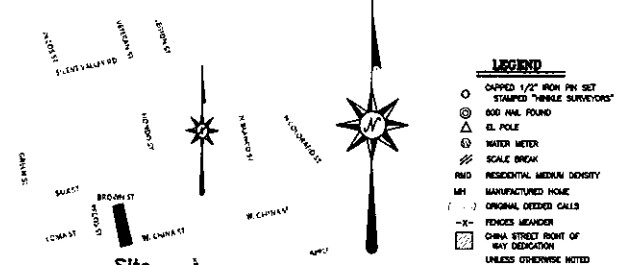
**THENCE** N 09°13'00" W with the West line of the said Lot 3 and the East line of Lots 4, 5, and 6 of the said Block One 223.77 feet to the place of beginning containing 0.252 acres of land more or less.

Leonor Gonzalez et al  
Volume 240 Page 393  
Official Public Records  
dated 0.31.14

Jennifer Lee Hutchins  
Inst. #2023-002818  
Official Public Records  
dated 0.31.14



Lot #	SQ FT	ACREAGE	USE
3-A	5,500	0.128	RESIDENTIAL
3-B	5,500	0.128	RESIDENTIAL
Total	11,000	0.252	



Field Book: C.A. Drawn By: J.L.H. LH  
Job No. 2024-1801-sub Drawing: 2024-1801-subsurvey  
Date: July 2024 Word Date: Begin 07/01/2024  
Surveyed By: J.L.H. JCH AutoCAD Date: Begin 07/01/2024

**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



# 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  
DAY-TIME TELEPHONE 512-398-2000  
E-MAIL contact@hinklesurveyors.com

ADDRESS PO Box 1027  
Lockhart  
TX (firm reg no: 100866.00)

ENGINEER NAME \_\_\_\_\_  
DAY-TIME TELEPHONE \_\_\_\_\_  
E-MAIL 512-995-1480

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

OWNER NAME Edgar & Jiovanna Llamas  
DAY-TIME TELEPHONE \_\_\_\_\_  
E-MAIL llamas.edgar10@gmail.com

ADDRESS 350 Old Luling RD  
Lockhart TX 78644  
\_\_\_\_\_

## TYPE OF APPLICATION (check all that apply)

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

## PROPERTY

SUBDIVISION NAME Antonio M Juarez Addition Replat of Lot 3 Blk 1  
ADDRESS OR GENERAL LOCATION 507 China Street  
LOCATED IN ☒ CITY LIMITS      \_\_\_\_ ETJ (COUNTY)      \_\_\_\_ PDD  
TOTAL LAND AREA 0.252 ac ACRE(S)      PROPOSED NUMBER OF LOTS 2 RMD  
ZONING CLASSIFICATION(S) RMD Pid No: 19469  
PROPOSED USE OF LAND Residential



## **SUBMITTAL REQUIREMENTS**

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

IF THE APPLICATION IS FOR AN AMENDING PLAT, REPLAT, MINOR REPLAT, OR 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, Replats, Resubdivision Plats, Minor Plats, and Minor Replats are considered the same as Final Plats for the purposes 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.

12 copies after initial staff reviews above (preliminary plats, final plats, replats, and resubdivisions).

Two copies after initial staff reviews (amending plats, minor plats, and minor replats).

Two signed and sealed mylar reproducibles (three if applicant wants to keep one) of approved amending plat, replat, resubdivision, final plat, minor plat, or minor replat, for recording. One recorded reproducible is filed at the County Clerk's office, and the other is returned to the City.

**APPLICATION FEE OF \$ 1,775.00 PAYABLE TO THE CITY OF LOCKHART**  
(NO FEE FOR SUBDIVISION DEVELOPMENT PLANS OR APPEALS):

Preliminary Plat or Development Plat	\$1,500.00, plus \$100.00 per acre
Final Plat, Replat, or Resubdivision	\$1,000.00, plus \$100.00 per acre
Amending Plat, Minor Plat, or Minor Replat not requiring a public meeting	\$750.00, plus \$100.00 per acre
Subdivision Variance	\$750.00 per variance requested
Recording fee for Final Plat, Replat, Resubdivision, Amending Plat, Minor Plat, or Minor Replat	\$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 

PRINTED NAME Edgar Llamas

DATE 7-23-24

TELEPHONE 512-995-1480



## PLAT APPROVAL PERIODS

*A preliminary plat approval period expires if a final plat and the engineering plans 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 the construction of any required public improvements has not commenced within 12 months of approval. Upon written request received prior to the expiration, one six-month extension may be considered by the Planning Director.*

## SUBDIVISION VARIANCE (for variance applications, only)

VARIANCE TO SECTION(S) 52-72 (e) OF THE SUBDIVISION REGULATIONS

CURRENT ORDINANCE REQUIREMENT(S) 3.35 feet of right-of-way dedication along the China St. frontage.

REQUESTED VARIANCE(S) 2.88 feet of right-of-way dedication.

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 R01310453

DATE SUBMITTED 7/23/24

CASE NUMBER FP 24.07

DATE APPLICATION IS DEEMED COMPLETE 8/1/24

DATE NOTICES MAILED       

DATE NOTICE PUBLISHED       

(For certain Replats or Resubdivisions without vacating preceding plat)

PLANNING AND ZONING COMMISSION MEETING DATE 8/28/24 DECISION       

CONDITIONS (IF ANY)



## 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) \_\_\_\_\_

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### WASTEWATER SERVICE

APPLICABLE UTILITY SERVICE CODE(S) City of Lockhart

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### TEXAS GAS SERVICE **GAS COMPANY**

APPLICABLE UTILITY SERVICE CODE(S) Texas Gas

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

APPLICABLE UTILITY SERVICE CODE(S) \_\_\_\_\_

UNDERGROUND    Yes \_\_\_\_\_    No \_\_\_\_\_



## Kevin Waller

---

**From:** Edgar Llamas <llamas.edgar10@gmail.com>  
**Sent:** Tuesday, July 23, 2024 2:25 PM  
**To:** Kevin Waller

This email originated from an external sender. Please exercise caution before clicking on any links or attachments.

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1. The reason why we're requesting a variance is to allow lot 3b to have a conforming lot depth.
2. Yes it will be necessary for the preservation and enjoyment of a substantial property right of the applicant.
3. The variance will not be detrimental to the public
4. Yes the variance will not have the effect of preventing the orderly subdivision of other lands in the area.