

**City of Lockhart
Planning and Zoning Commission
December 11, 2024**

MINUTES

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

Members Absent: None

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

Visitors/Citizens Addressing the Commission:

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 November 13, 2024, meeting.

Commissioner Haug moved to approve the November 13, 2024, minutes. Commissioner Oliva seconded, and the motion passed by a vote of 7 - 0.

4. ZC-24-08. Hold a Public Hearing and consider a request by Talley J. Williams on behalf of Blackjack Block, LLC for a Zoning Change from AO, Agricultural Open Space District to RMD, Residential Medium Density District on a total of 84.981 acres in the John A. Neill Survey Abstract No. 20, located at 2500 FM 1322.

Staff member David Fowler introduced the subject property with maps and aerials. The property is scheduled to be annexed on December 17, 2024. Upon annexation, the property will be assigned AO, Agricultural-Open Space zoning. The applicant proposes to rezone the subject property to develop a single-family residential subdivision. The initial AO zoning would allow single-family dwellings, but only on lots of one acre or larger. The RMD district has been selected, as the applicant intends to develop the subdivision consistent with the Single-Family 2 (SF-2) residential development type.

Currently, there is a large block of RMD zoning to the north of the subject parcel in the form of section one of the Seawillow Development. This is the only portion of Seawillow that has been annexed to date. Other nearby areas are in the ETJ, including the rest of the Seawillow development area.

Applicant Devin Kleinfelder, of DR Horton, 1542 Escarpment Rd. New Braunfels, TX, came forward. He stated he is planning on building a single-family residential development consisting of 363 units.

Mr. Fowler returned to the podium. He recommended approval of the subject zoning change application, stating that there is identical zoning adjacent to the subject property and other

nearby areas are likely to be the sites of similar residential or commercial development in the future. As such, the transition of zoning districts reflected in the zoning pattern after the proposed zoning change will be appropriate.

Commissioner Oliva moved to approve ZC-24-08 subject to annexation. Commissioner Lingvai seconded, and the motion passed with a vote of 7 - 0.

5. FP-24-07. Consider a request by Alan Balsler for approval of a Final Plat for Meadow Lake Addition, consisting of 5.306 acres on property in the Byrd Lockhart Survey, Abstract No. 17, zoned RLD, Residential Light Density and AO, Agricultural Open Space, located at 1107, 1109, 1111, and 1117 Silent Valley Road, including a Variance to Chapter 52, "Subdivision Regulations" Section 52-76(b), to allow Lots 2, 3 and 4 to not abut an improved public street right-of-way and a Variance to Chapter 52, "Subdivision Regulations" Sections 52-112(a)(1) and 52-113(a)(1) to allow for no parkland dedication or a fee in-lieu of parkland dedication.

Kevin Waller came to the podium to present the case. The Meadow Lake Addition Final Plat includes four residential lots on property located at the northwest corner of the intersection of Silent Valley Road and the private Meadow Lake Drive. The subject property includes four existing single-family residences, each on individual parcels, with the northernmost parcel also containing a duplex. The parcels proposed as Lots 2, 3 and 4 will be widened as part of the subdivisions to include Meadow Lake Drive within their boundaries, with the proposed Lot 1 to also contain its own portion of the road. A 60-foot-wide joint use access easement for Meadow Lake Drive is shown on the plat drawing and was recorded by separate instrument in 1962, according to the applicant. Inclusion of the private road within the subdivision boundaries will prevent the use of the road from traffic generated by future development of the larger parcel to the west owned by Mr. Balsler. That parcel will utilize separate, future roadways for circulation, once developed. Meadow Lake Drive is for the continued exclusive use of the four proposed subdivision lots as stated in Surveyor's Note 6.

A Zoning Variance (ZV-24-07) was approved by the Zoning Board of Adjustment on November 4, 2024, to allow a reduction in the minimum required lot width, depth and area standards of the AO zoning district for the proposed Lots 2, 3 and 4. While these lots will remain nonconforming, their widening and resulting increase in area will make the lots more conforming to the AO standards upon approval of the subdivision plat. Sidewalks are not required for this subdivision since the only subdivision frontage onto a public street right-of-way is the full 60-foot width of the joint use access easement for Meadow Lake Drive along Silent Valley Road. According to the applicant, a road maintenance agreement will be developed for Meadow Lake Drive which will be recorded either prior to or at the time of the recording of the plat (Surveyor's Note 7). Two Subdivision Variances, one to the parkland dedication requirement and the other to the requirement that each lot abut an improved public street right-of-way, have been requested with the application as discussed below. The plat is required to be a Final Plat due to the variance requests and would have otherwise been classified as an administratively reviewed minor plat. The proposed subdivision has been reviewed and deemed acceptable by the Caldwell County Appraisal District's GIS Division.

Two Subdivision Variances are requested with this application as follows: (1) to the requirement that each lot abuts an improved public street right-of-way along at least one property line, specified in Section 52-76(b) of the Subdivision Regulations with no frontage proposed for Lots

2, 3 and 4; and (2) to the requirement that parkland be dedicated in the amount of five percent of the total land area (Section 52-112(a)(1)) or that a fee in lieu of dedication be paid equivalent to five percent of the market value of the total land area prior to development (Section 52-113(a)(1)) with no such dedication or fee in-lieu proposed. The applicant explains in a written statement that the current parcels have been accessed by the private Meadow Lake Drive for many years as well as the fact that the homes on each proposed lot have also been in place for quite some time with now plans to change the use of those lots. In addition, the applicant notes that the enlargement of the proposed Lots 2 through 4 to include Meadow Lake Drive within their boundaries will along with Lot prevent use of the road by traffic from future development on Mr. Balsers' property to the west, thereby eliminating any conflict with the future development over this road.

Chair Ruiz asked how the parcels receive water and wastewater.

Mr. Waller answered that the units are on individual septic systems. Four water meters are located at the southwest corner of the property allowing for city water access. The waterline is a public access easement.

Chair Ruiz asked how the City would have access to the easements.

Mr. Waller stated that Plat Note 8 refers to a 60-foot joint use easement which will also serve as a private easement that the City can also use.

Chair Ruiz asked what size water line is installed at the site, especially for the sake of fire protection. He asked if considering the length of the drive, if another hydrant be installed

Mr. Waller, perhaps the applicant can answer that question.

Commissioner Oliva asked if Lots 2, 3 and 4 are nonconforming.

Mr. Waller responded that the lots are of insufficient size because the agricultural zoning district requires one-acre minimum lot size and 200 feet by 200 feet depth and width. That's what prompted the recent case before the Board of Adjustments.

Chair Ruiz asked what the justification was for potentially allowing no parkland dedication or a fee in-lieu of parkland.

Mr. Waller answered that staff believes that variance should be approved due to the lots being in existence for many years and because there will be no new residential impacts necessitating need for additional parkland.

Applicant Alan Balsers, 11166 Lawnhaven Road Dallas, TX, came to the podium. He stated he's trying to sell the house on lot 1, but first the house must be separated from the 17 acres; similar to lots 2, 3 and 4. He stated he has no current plans for development of the 17 acres. He currently owns the right-of-way but for safety reasons and to limit traffic he's agreed to assign Meadow Lake Drive to the property owners of lots 2, 3, 4 and eventually lot 1.

Chair Ruiz asked if given the location and distance of the fire hydrant from the houses, should another hydrant be installed.

Mr. Balsler responded, he will have no further rights to the property. It will be what is shown on the plat.

Linda Hinkle, 1109 S Main Street Lockhart TX, came forward to speak in favor of the request. Per the Public Works Department, the city does not maintain anything past the utility box. The water lines will all be privately owned within a private utility easement. All the property owners want Meadow Lake Drive to remain a private road. When the 17 acres is developed, the city will get parkland fees. There are a lot of benefits to this proposal.

Upon review of the two variance requests, staff recommends approval of both variances due to the longstanding nature of both the existing residential development within the subdivision and Meadow Lake Drive. The utilization of just one access point onto Silent Valley Road via Meadow Lake Drive for each proposed lot enhances traffic safety in comparison to the four access points onto Silent Valley Road that would be needed if each lot were required to abut this road. In addition, the proposed inclusion of Meadow Lake Drive fully within the boundaries of each proposed lot will prohibit use from future development on nearby properties and will prevent increased safety hazards from additional traffic.

Commissioner Oliva stated his concern for the risk of grass fires, but he noted, there is a fire break behind the properties.

Commissioner Oliva moved to recommend approval of FP-24-07. Commissioner McBride seconded, and the motion passed with a vote of 7 - 0.

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

Mr. Fowler reminded the Commission that the next meeting is scheduled for January 8, 2025. There may be a plat submittal heard at that meeting. He stated at the last City Council Meeting a workshop was held regarding possible corridor overlays on major entrances into town, with the goal of protecting the appearance of those areas as they develop and eliminating undesirable land uses. City Council wants to proceed with the overlays and staff will be drafting a set of draft overlay restrictions next. The code revision will be coming through the Planning and Zoning Commission in early 2025.

Commissioner McBride inquired about the road construction bond that passed, specifically how it will affect the city.

Mr. Fowler responded that before the bond election, city staff met with contractors for Caldwell County and submitted to them a list of several roads (City Line and Windsor Road realignment, State Park Road/FM 20 rerouting, and a study to widen West San Antonio Street as examples) within or near the city limits, including some that are roadway impact fee projects. Several of the projects that City staff were incorporated into the list of projects for the election,


7. Adjournment.

Commissioner Peterson moved to adjourn, and Commissioner Arnic seconded. The motion passed by a unanimous vote, and the meeting adjourned at 7:42 p.m.



Romy Grossman, Recording Secretary

Approved: 1-22-2025

(date)


Philip Ruiz, Chair