

PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

September 19, 2023

**CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3RD FLOOR
LOCKHART, TEXAS**

6:30 P.M. WORK SESSION (No Action)

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issues discussed or reviewed during the work session except to the extent specifically authorized under the Texas Open Meetings Act.

DISCUSSION ONLY

- A. Presentation of a Proclamation proclaiming September 25-29, 2023 as National GEAR UP Week in Lockhart. 4-4
- B. Presentation and request from the Ascension Seton Hays Foundation regarding the Children's Care-a-Van. 5-7
- C. Presentation and update by TRC and Rialto Studio regarding the Downtown Revitalization Project (100% Design Plans). 8-26
- D. Presentation by Halff Associates regarding the final concept plan for Lions Park. 27-44
- E. Update regarding TxDOT/SH 142 Corridor Study and possible partnership for signal/traffic modifications at the intersection of SH142 and Mockingbird Lane. 45-58
- F. Discuss request by Martin Spellerberg for a determination of eligibility for a Tax Abatement (TA-23-01) pursuant to Chapter 28 "Historic Districts and Landmarks", Division 2 "Tax Abatement", of the Lockhart Code of Ordinances, for exterior and interior improvements to a commercial building in the Historic District, located at 103 South Main Street. 59-118
- G. Discuss Ordinance 2023-20 amending Chapter 28, "Historic Districts and Landmarks", Section 28-11, "Certificate for alteration for historic landmarks or historic districts", subsection (c)(4), to require that all awnings and suspended canopies be considered through the Certificate for Alteration review procedures, without a "Pre-Approved" option. 119-128
- H. Presentation and discussion regarding a progress report on the actions of the Housing and Development Committee. 129-189

- I. Discuss Resolution 2023-14 naming the City of Lockhart's nominations for Directors of the Caldwell County Appraisal District for the 2024-2025 term. 190-200
- J. Discuss an interlocal agreement between the City and Caldwell County regarding EMS services. 201-202

7:30 P.M. REGULAR MEETING

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation. Pledge of Allegiance to the United States and Texas flags.

3. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the City Council on issues that are or are not on the agenda. No discussion can be carried out on the citizen/visitor comment about items not on the agenda. Comments are limited to three minutes per speaker.

4. DISCUSSION/ACTION ITEMS

- A. Presentation and consideration of request from the Ascension Seton Hays Foundation regarding the Children's Care-a-Van. 203-205
- B. Discussion and/or action regarding update on TxDOT/SH 142 Corridor Study and possible partnership for signal/traffic modifications at the intersection of SH142 and Mockingbird Lane. 206-219
- C. Discussion and/or action to consider a request by Martin Spellerberg for a determination of eligibility for a Tax Abatement (TA-23-01) pursuant to Chapter 28 "Historic Districts and Landmarks", Division 2 "Tax Abatement", of the Lockhart Code of Ordinances, for exterior and interior improvements to a commercial building in the Historic District, located at 103 South Main Street. 220-229
- D. Discussion and/or action to consider adoption of Ordinance 2023-20 amending Chapter 28, "Historic Districts and Landmarks", Section 28-11, "Certificate for alteration for historic landmarks or historic districts", subsection (c)(4), to require that all awnings and suspended canopies be considered through the Certificate for Alteration review procedures, without a "Pre-Approved" option. 280-289
- E. Presentation and/or possible action regarding a progress report on the actions of the Housing and Development Committee 290-350
- F. Discussion and/or action to consider Resolution 2023-14 naming the City of Lockhart's nominations for Directors of the Caldwell County Appraisal District for the 2024-2025 term. 351-361
- G. Discussion and/or action to consider an interlocal agreement between the City and Caldwell County regarding EMS services. 362-363

5. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- National Night Out - Tuesday, October 3, 2023.
- Reminder: There will not be a City Council meeting on the first Tuesday of October due to the National Night Out event. The next City Council meeting is scheduled for October 17, 2023.
- Kiwanis 5K Stampede - Saturday, September 30th.
- Airport "Fifty to Fifty Romeo Fly-In" - September 30th.
- Splash Pads close October 1st.
- Cemetery Cleanup - October 10-11.
- Citywide Bulk Cleanup - Saturday, October 14th.

6. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

7. ADJOURNMENT

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 15th day of September, 2023 at 4:00 pm.



Proclamation

Whereas, the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is a federally funded program designed to increase the number of students who stay in school and pursue postsecondary education; and

Whereas, GEAR UP focuses on students who might be the first person in their family to go to college; and

Whereas, GEAR UP provides seven-year grants to states or partnership to deliver support and resources to students and their families, starting no later than the 7th grade (middle school) through high school and onward to fulfill their dreams attaining a postsecondary education; and

Whereas, GEAR UP services including tutoring, mentoring, advising, rigorous academic preparation and financial education to improve access and success in higher education; and

Whereas, GEAR UP is built around public-private partnerships to support students as they prepare to enter and succeed in education beyond high school; and

Whereas, GEAR UP has enabled thousands of students since 1999 to achieve their dreams of higher education; and

Whereas, GEAR UP is committed to providing a quality education for all students, helping them to achieve their highest potential.

NOW, THEREFORE, I, Lew White, by virtue of the authority vested in me as Mayor of the City of Lockhart, Texas, do hereby proclaim

September 25-29, 2023

as

“National GEAR UP Week in Lockhart, Texas”

and I encourage all people in our state to join in this special observance.

IN TESTIMONY, WHEREOF, I have hereto set my hand and cause to be affixed the Seal of the City of Lockhart, Texas this the 19th day of September, 2023.

CITY OF LOCKHART

ATTEST:

Julie Bowermon
Deputy City Secretary

Lew White
Mayor

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation and request from the Ascension Seton Hays Foundation regarding the Children's Care-a-Van.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Sam Regonini, Associate Director of Development of the Ascension Seton Hays Foundation, will update the Council about the Caldwell County Children's Care-a-Van program, and request that the City of Lockhart consider providing monetary support in FY 23-24. Mr. Regonini has previously met with the Mayor and City Manager and discussed an immediate need to replace the van in order to continue the program.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: N/A

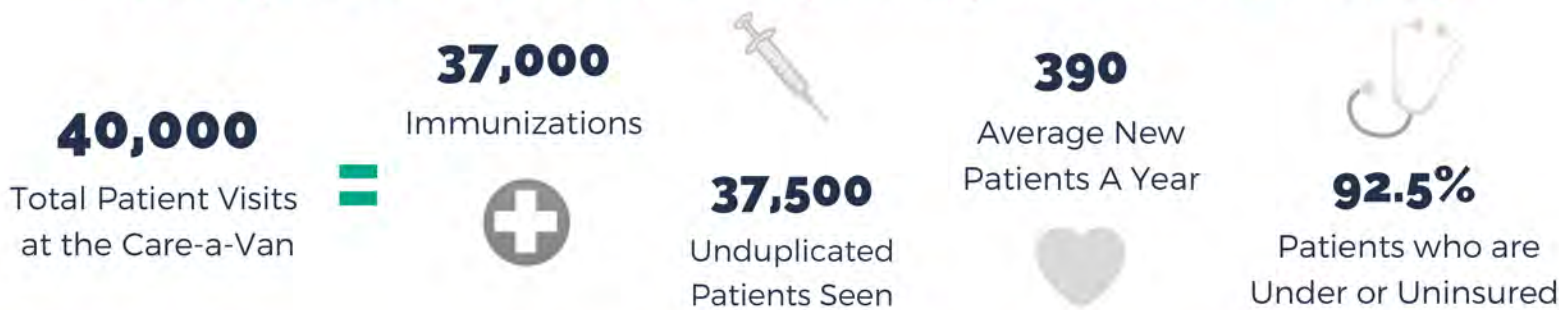
COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council.

LIST OF SUPPORTING DOCUMENTS: City of Lockhart Care-a-Van Impact 2023

For 20 years, contributions from members of this community have sustained a distinct, dedicated healthcare program for the growing population of vulnerable youth in Caldwell County. Over the last 20 years, the Care-A-Van has provided thousands of children access to great care. This invaluable mission relies on the mobility of the program bringing care directly to children ensuring access to anyone who needs it.

Over 20 years the Care-a-Van team has provided pediatric healthcare through:



THE NUMBERS ABOVE ARE APPROXIMATES

THE HISTORY

The first pediatric mobile medical clinical in Caldwell County began in 2003. The goal was to be a bridge for children with immediate medical needs eventually linking them to a primary care provider (PCP). But, due to a persistent lack of resources – **especially a shortage of PCPs who accept CHIP/Medicaid** – the van quickly became THE medical home for thousands.

Each week the Children's Care-a-Van parks near schools and churches for patient visits. Children receive immunizations, well and sick visits, and most recently, telehealth. Ongoing care has been available despite challenges like the COVID-19 pandemic, due to accessible clinic space in Lockhart and Luling; and continues now, as we work towards purchasing a new van providing care through community partnerships and Ascension clinics.

Thank you for allowing us to care for the children of this community for the last 20 years!

WHY IS THE VAN IMPORTANT TO THIS COMMUNITY

4,000:1

There are 4,000 residents to 1 PCP in Caldwell County (1,640:1 average in Texas)

20%

A 20% Increase in van patients who are under or uninsured over the past 4 years

2.6%

Kindergartens in Lockhart ISD have a 2.6% higher immunization rate than other Texas schools

1.5X

Caldwell County children lack insurance at a 1.5X higher rate than children in Texas.

LOOKING AHEAD- THE NEW VAN

As the van has aged, it has been out of service for repairs more frequently and for longer stretches resulting in being immobile almost 50% of this year. While the clinical team continues to see patients at local Ascension Seton clinics, the lack of mobility makes it difficult to provide convenient care. The mobility of this program is what makes it unique - ensuring that no family has to choose between care and other priorities. Our goal is to replace our current van so that it can reliably provide services across the community. \$416,000 is the estimated cost for a replacement van - a large goal but one that can be accomplished with the support of our community.



You're Invited!

SATURDAY, SEPTEMBER 30 at 6PM

Join us to celebrate 20 years of service of the Children's Care-A-Van. Enjoy dinner, drinks, great company and help support our new van!

at ZEDLER MILL

1170 S. Laurel Ave., Luling, TX 78648

Interested in joining us for the Color Me Happy 20th Anniversary Celebration?

**Contact Lauren Schumann for more details
lschumann@ascension.org**

We are so grateful for your partnership, which is truly changing the lives of so many families that we care for in our community.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation and update by TRC and Rialto Studio regarding the Downtown Revitalization Project (100% Design Plans).

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: TRC will be providing a project update regarding the 100% design milestone. The progress report will cover changes to the project since the last report and address the following:

- Completed tasks
- Updates probable costs
- Pedestrian amenities and landscape elements
- Construction coordination
- Next steps, bidding and scheduling

Bidding for the project is anticipated to be completed in December 2023 and construction will begin in early 2024.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

May 3, 2022 - Council approved Downtown Revitalization Plan Option 1B

June 21, 2022 - Entered into a Professional Service Agreement with TRC for the Downtown Revitalization Project

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: Accept the report.

City of Lockhart, Texas

Council Agenda Item

Cover Sheet

LIST OF SUPPORTING DOCUMENTS: 2023 9-13 City Council Presentation - Condensedv2

DOWNTOWN REVITALIZATION PROJECT

PROJECT STATUS UPDATE

SEPTEMBER 2023



RIALTO STUDIO
LANDSCAPE ARCHITECTURE



PROJECT STATUS UPDATE

TASKS COMPLETED SINCE 90%

- RECEIVED APPROVAL FROM LOCKHART HISTORICAL PRESERVATION COMMISSION
- UPDATED PROJECT COST ESTIMATE
- PERMITTING UNDERWAY
 - TCEQ
 - TEXAS HISTORICAL COMMISSION
 - TXDOT
 - CALDWELL COUNTY

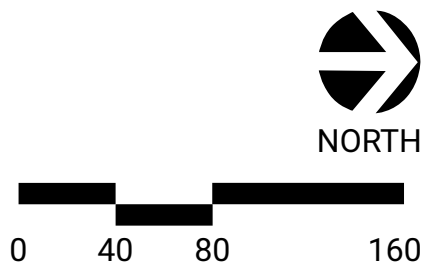
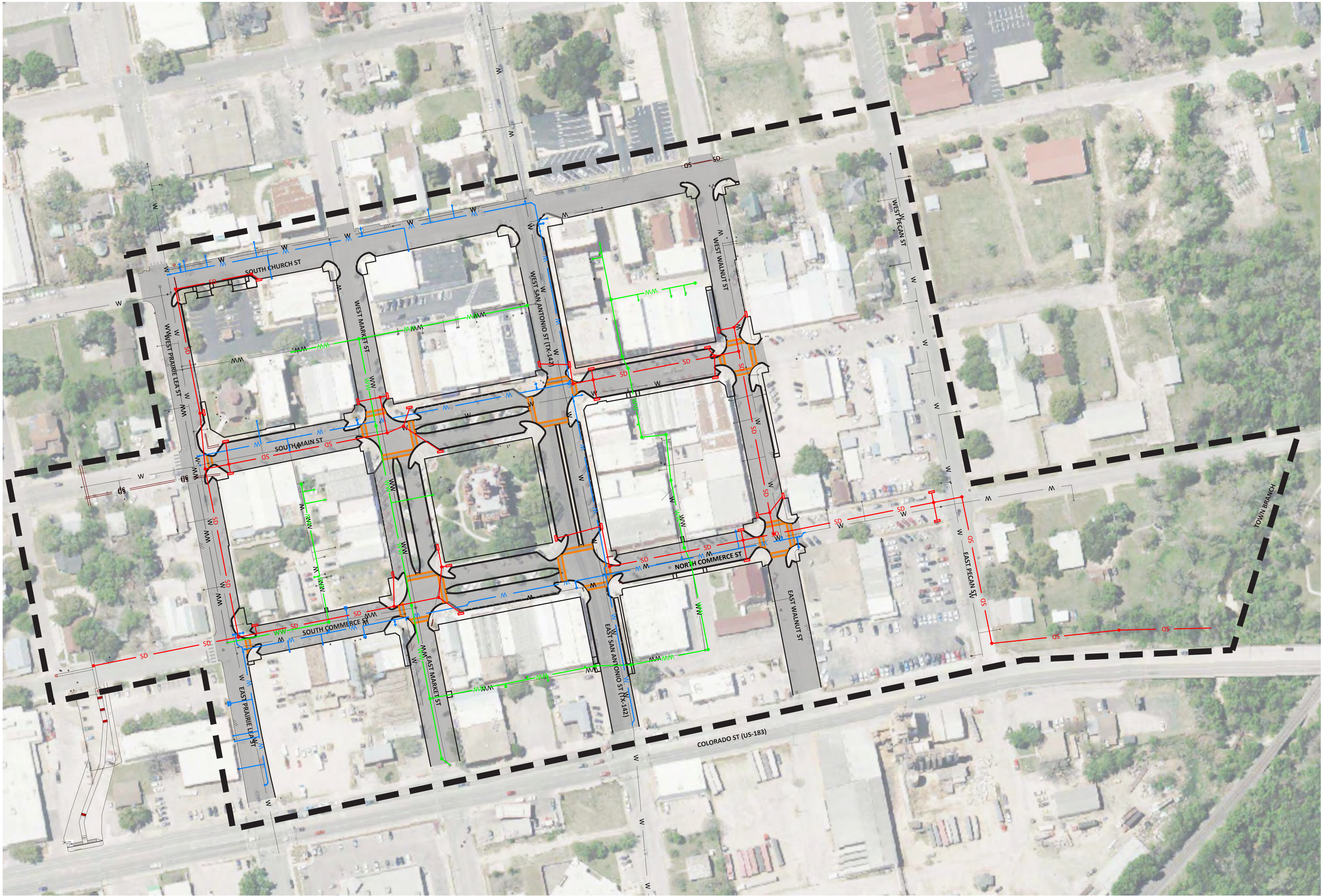
UPDATED PROJECT COST ESTIMATE

05/16/2023 = \$9,655,526

09/19/2023 = \$9,586,616

REFINED PROJECT COST ESTIMATE

- COST DECREASED APPROX. \$68,910
- FINALIZED QUANTITIES; NO SCOPE CHANGES



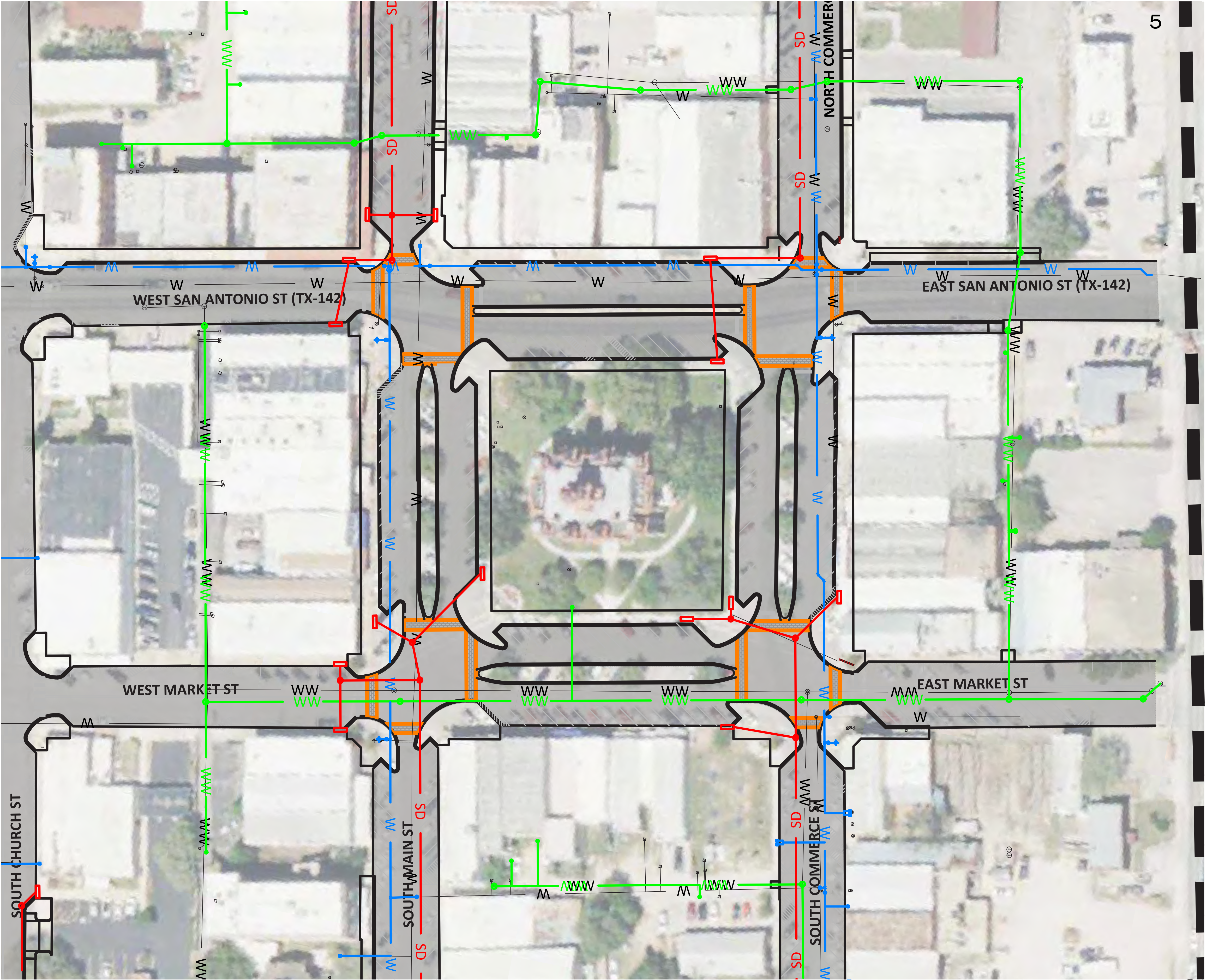
DOWNTOWN REVITALIZATION PROJECT
PROPOSED PAVEMENT AND UTILITY IMPROVEMENTS

SEPTEMBER 2023



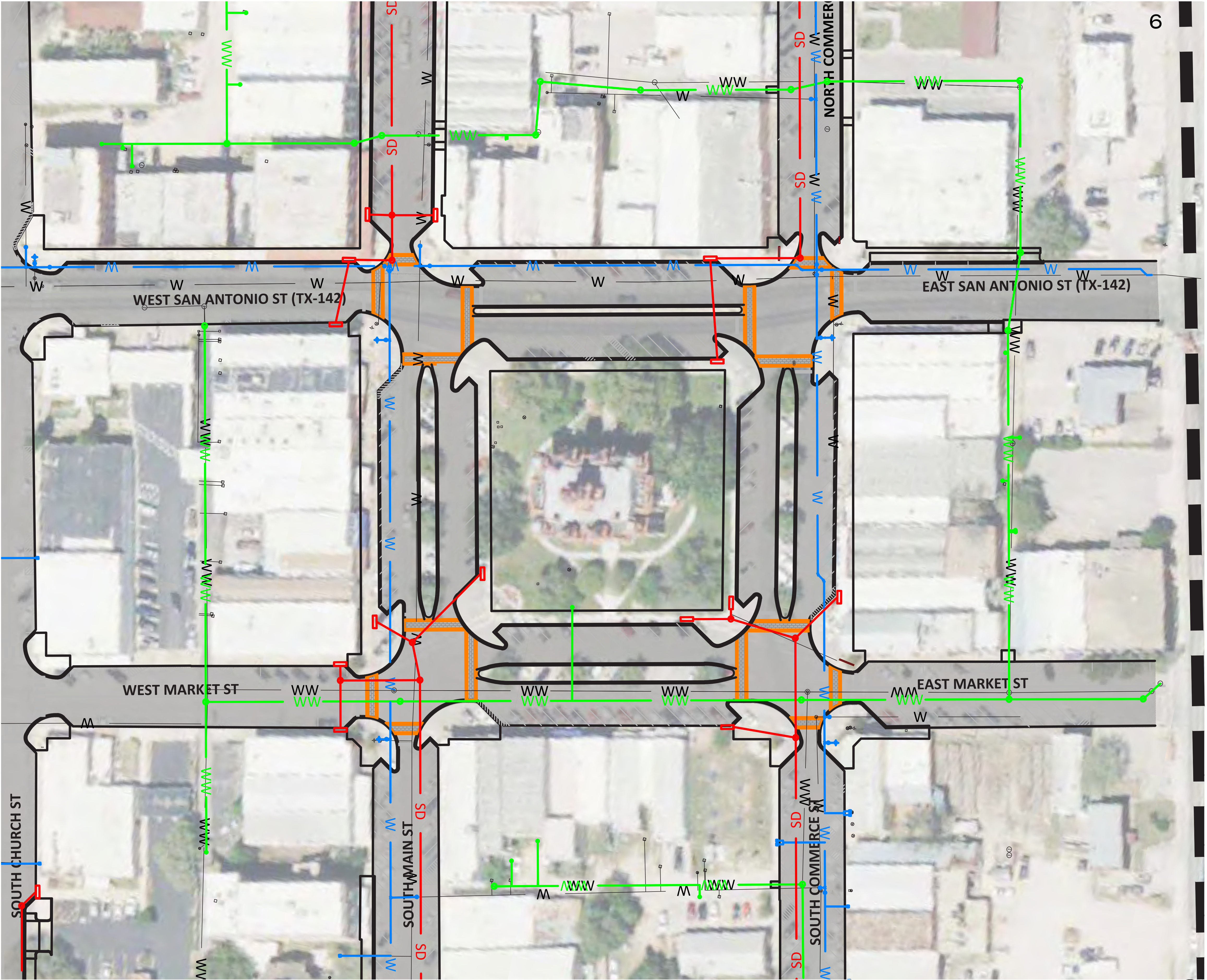
EVENTS WITH ROAD CLOSURES

- FARMERS AND ARTISANS MARKET OF LOCKHART
EVERY SATURDAY MORNING
- COURTHOUSE NIGHTS
THIRD FRIDAY, APRIL THROUGH JULY
- RUNNING OF THE BULLS
WEEKEND MID-APRIL
- CINCO DE MAYO
FIRST WEEKEND IN MAY
- CTR PARADE
SECOND SATURDAY IN JUNE
- DIEZ Y SEIS
WEEKEND MID-SEPTEMBER
- TRUNK OR TREAT
THIRD SATURDAY IN OCTOBER
- TEXAS MONTHLY BBQ WORLD'S FAIR
FIRST WEEKEND IN NOVEMBER
- A CHRISTMAS TO REMEMBER
FIRST WEEKEND IN DECEMBER



EVENTS WITHOUT ROAD CLOSURES

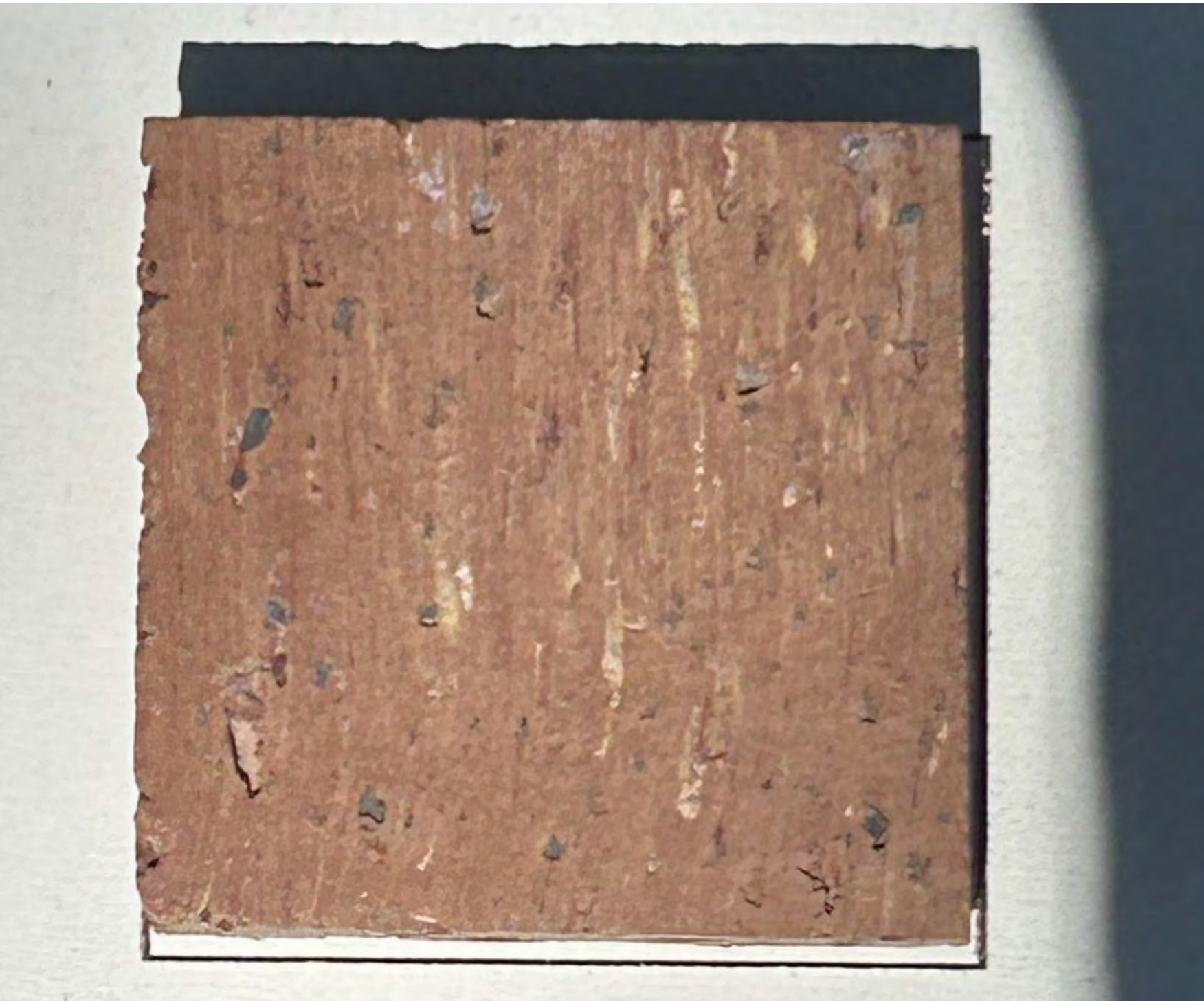
- FIRST FRIDAYS
EVERY FIRST FRIDAY
- SIP-N-STROLL
FIRST WEEKEND IN APRIL
- DIA DE LOS MUERTOS
FIRST FRIDAY IN NOVEMBER
- LIBRARY PROGRAMS
ONGOING



EXISTING PAVING



PROPOSED PAVING
PAVERS
MATCH EXISTING PAVING

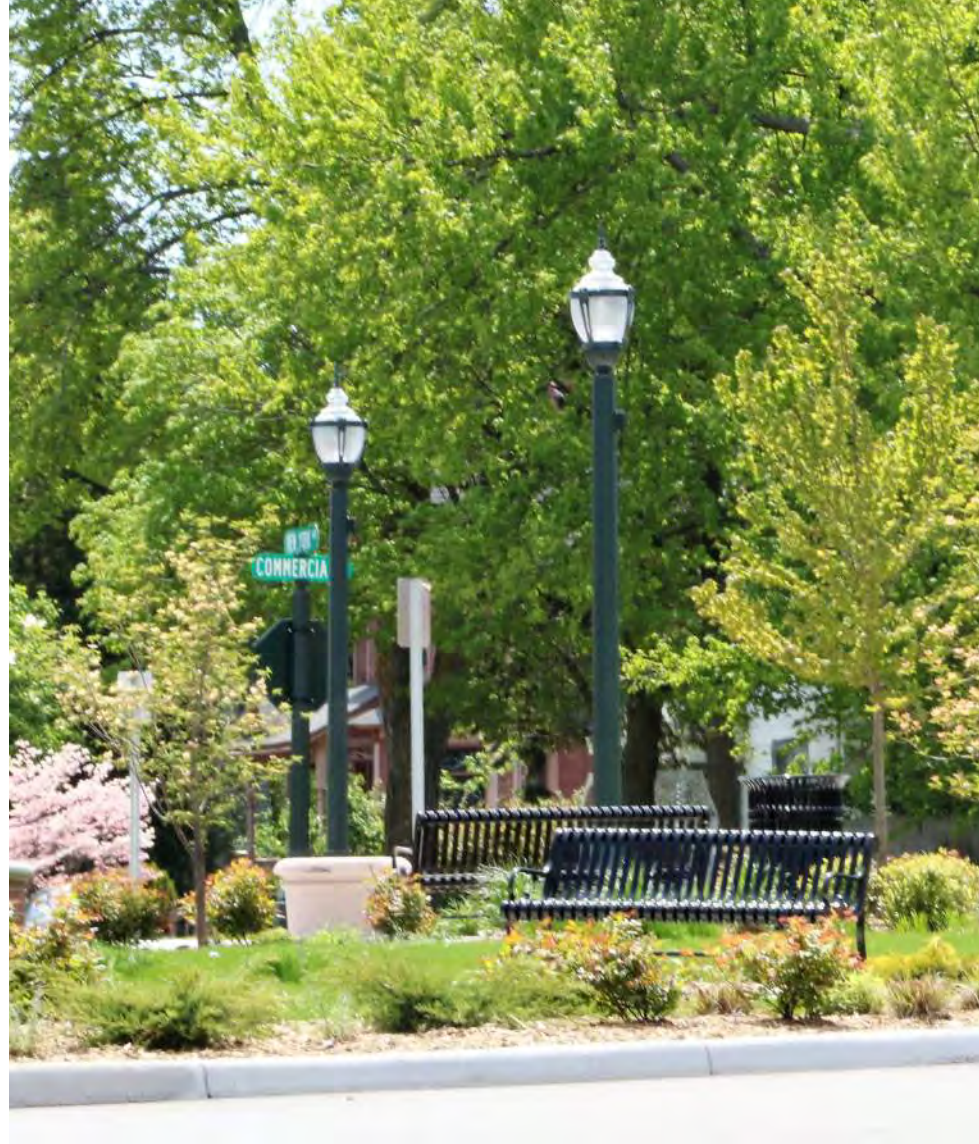


ACID ETCH CONCRETE





PEDESTRIAN AMENITIES



DOWNTOWN REVITALIZATION PROJECT

LANDSCAPE ELEMENTS



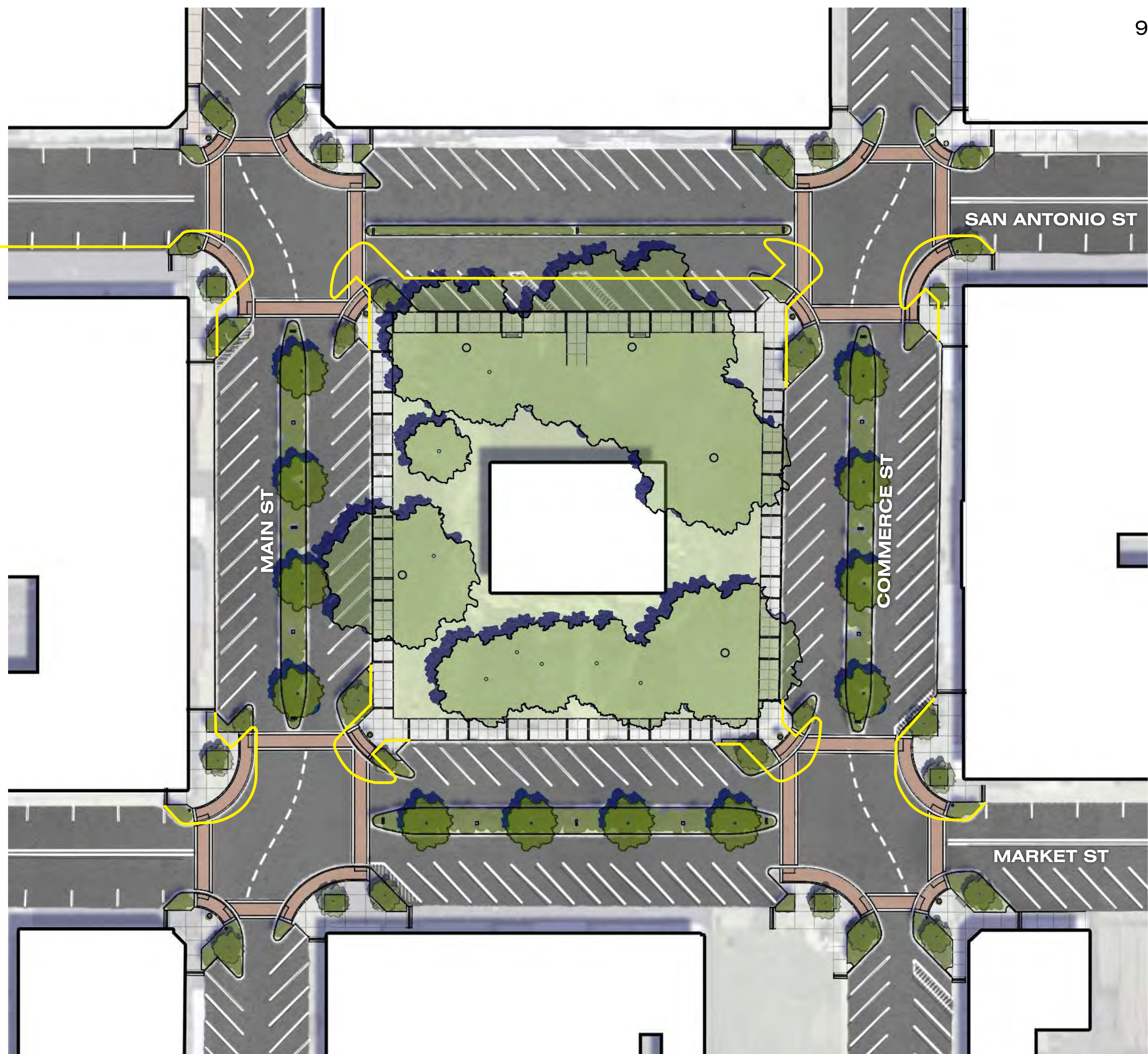
SEPTEMBER 2023



PREVIOUS CURB LINEWORK

PARKING COUNT UPDATE

- EXISTING PARKING SPACES = 373
- CITY COUNCIL APPROVED PARKING SPACES = 376
- PROPOSED PARKING SPACES = 365 (NET LOSS 8)
 - WIDENING OF SAN ANTONIO STREET PER TXDOT COMMENTS
 - CURB BUMP-OUT ADJUSTMENTS TO ACCOMMODATE DELIVERY TRUCK (WB-40)



DOWNTOWN REVITALIZATION PROJECT

SEPTEMBER 2023

PARKING



Cedar Elm
Ulmus crassifolia



Live Oak
Quercus virginiana



Texas Red Oak
Quercus texana



Texas Mountain Laurel
Sophora secundiflora



Dwarf Anisacanthus
Anisacanthus quadrifidus var wrightii



Blue Mist Flower
Conoclinium coelestinum



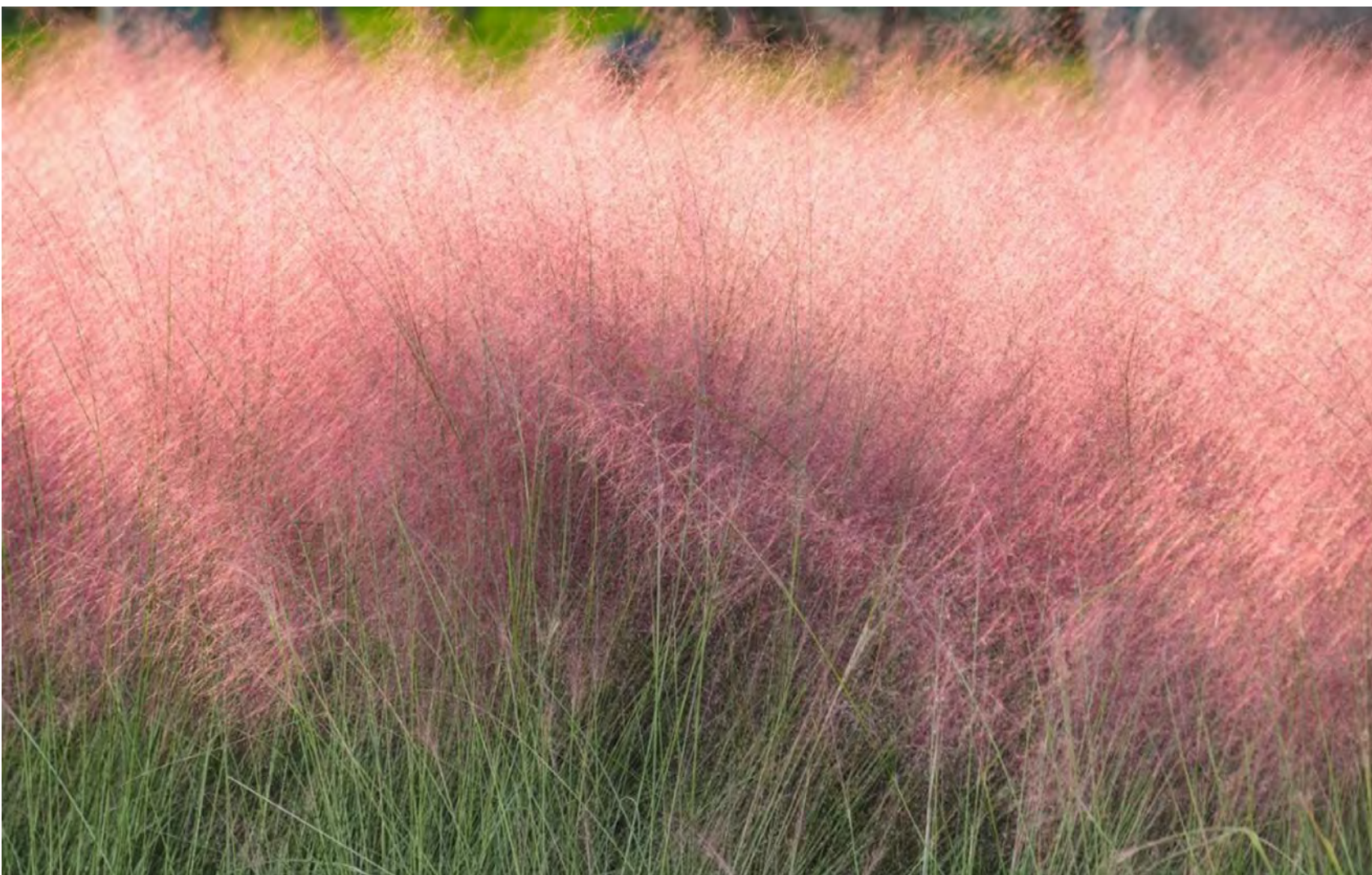
Texas Sedge
Carex perdentata



Dwarf Yaupon Holly
Ilex vomitoria v. nana



Giant Liriope
Liriope gigantea



Gulf Muhly Grass
Muhlenberghia capillaris



Red Yucca
Hesperaloe parviflora



Indigo Spires Salvia
Salvia farinacea 'Indigo Spires'



Dwarf Lantana
Lantana camara Bandito



Lantana (Purple, White & Yellow)
Lantana montevidensis & *L. x 'New Gold'*



Lindheimer's Muhly
Muhlenbergia lindheimeri



Mexican Honeysuckle
Justicia spicigera



Rock Rose
Pavonia lasiopetala



Purple Heart
Setcreasea pallida



Thryallis
Galphimia glauca

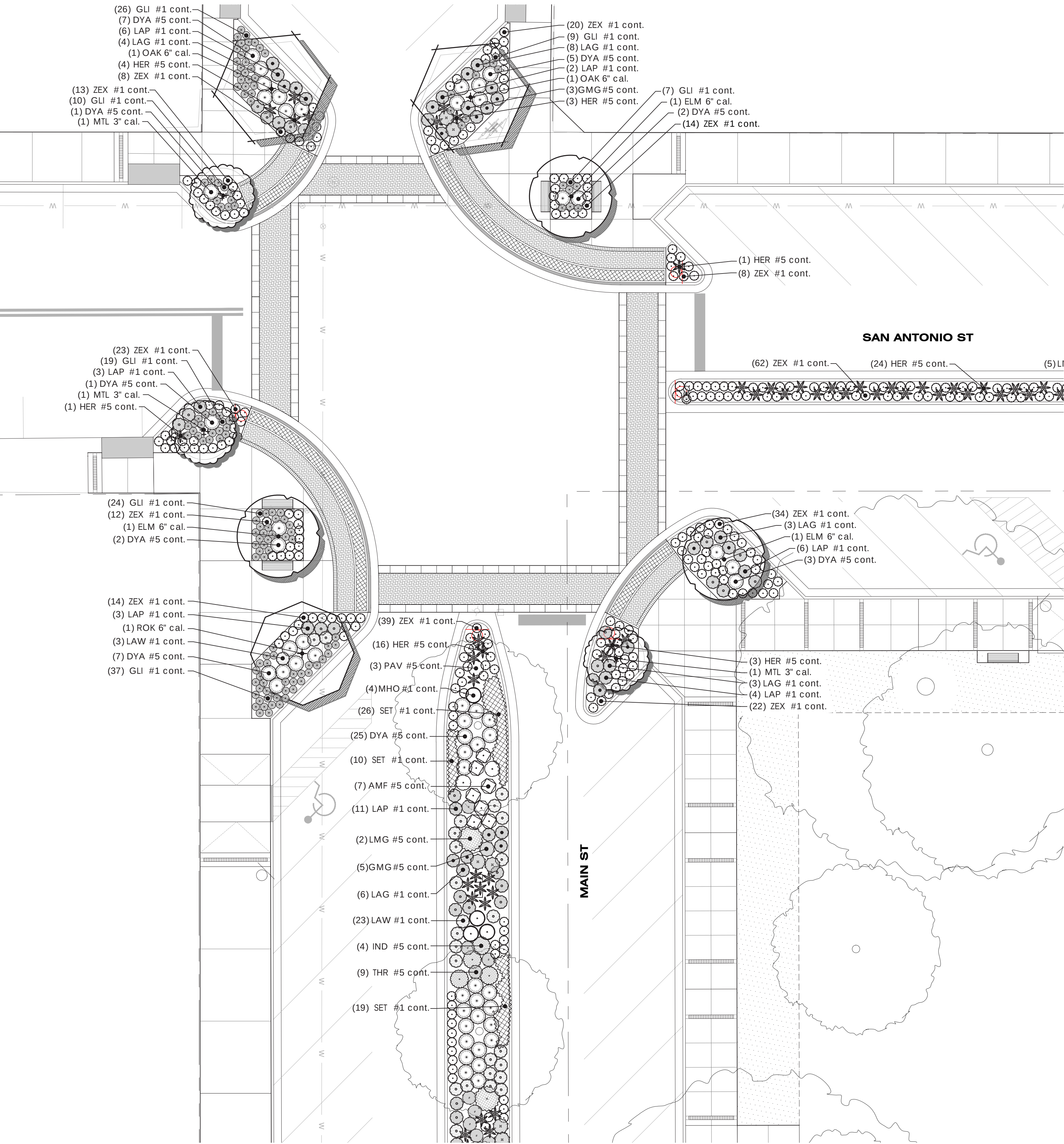


Turk's Cap
Malvaviscus drummondii

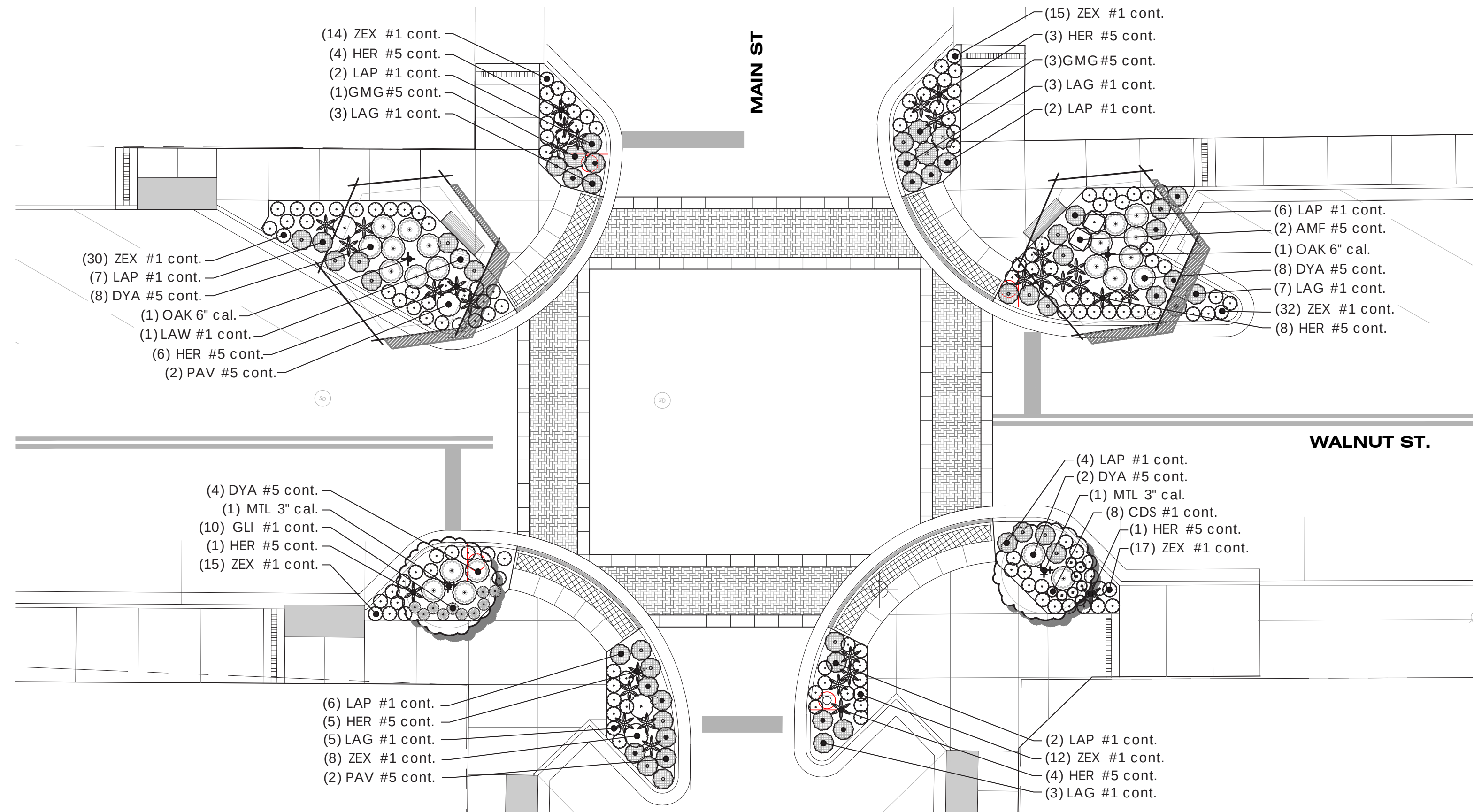


Zexmenia
Wedelia hispida

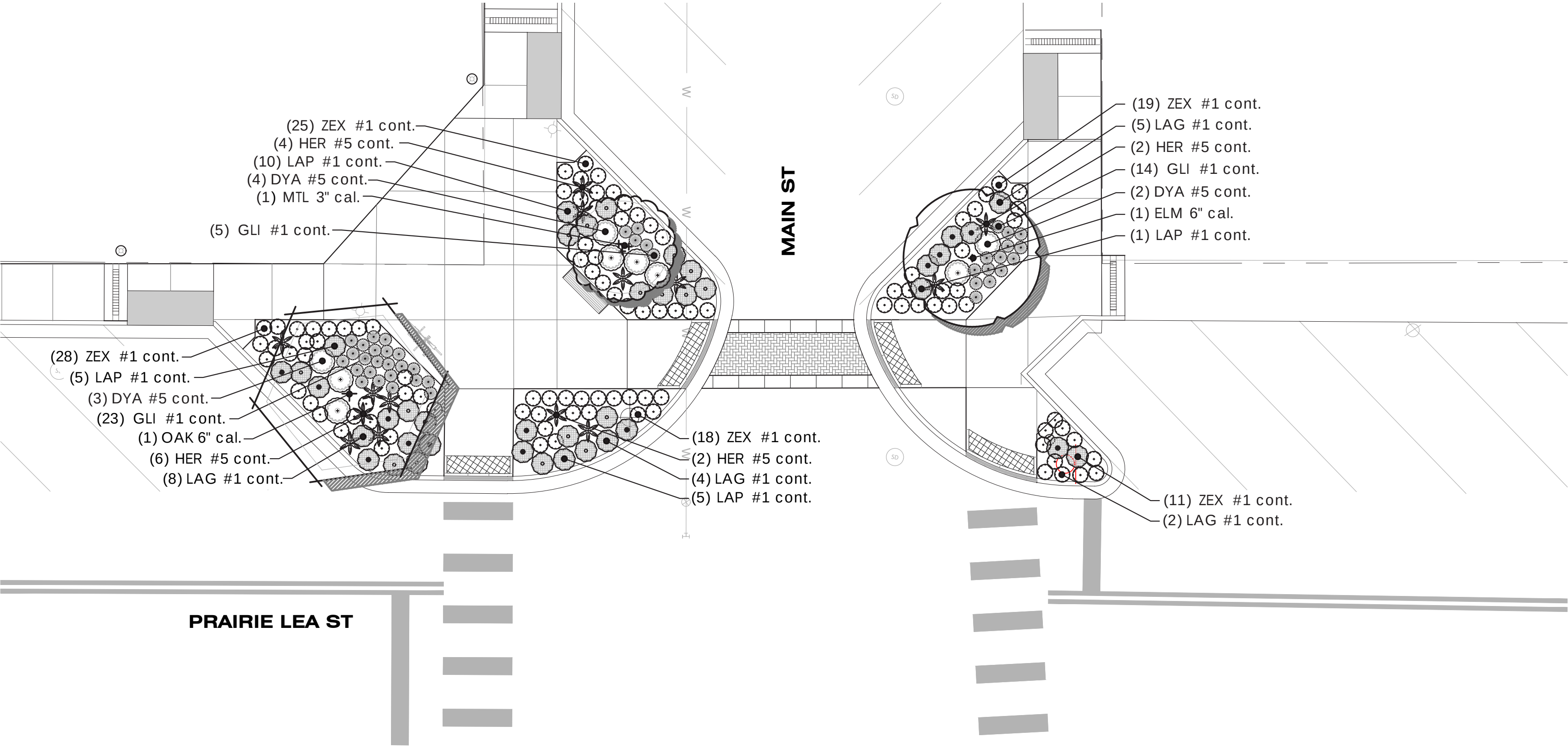
INTERSECTION AT SAN ANTONIO ST. & MAIN ST.



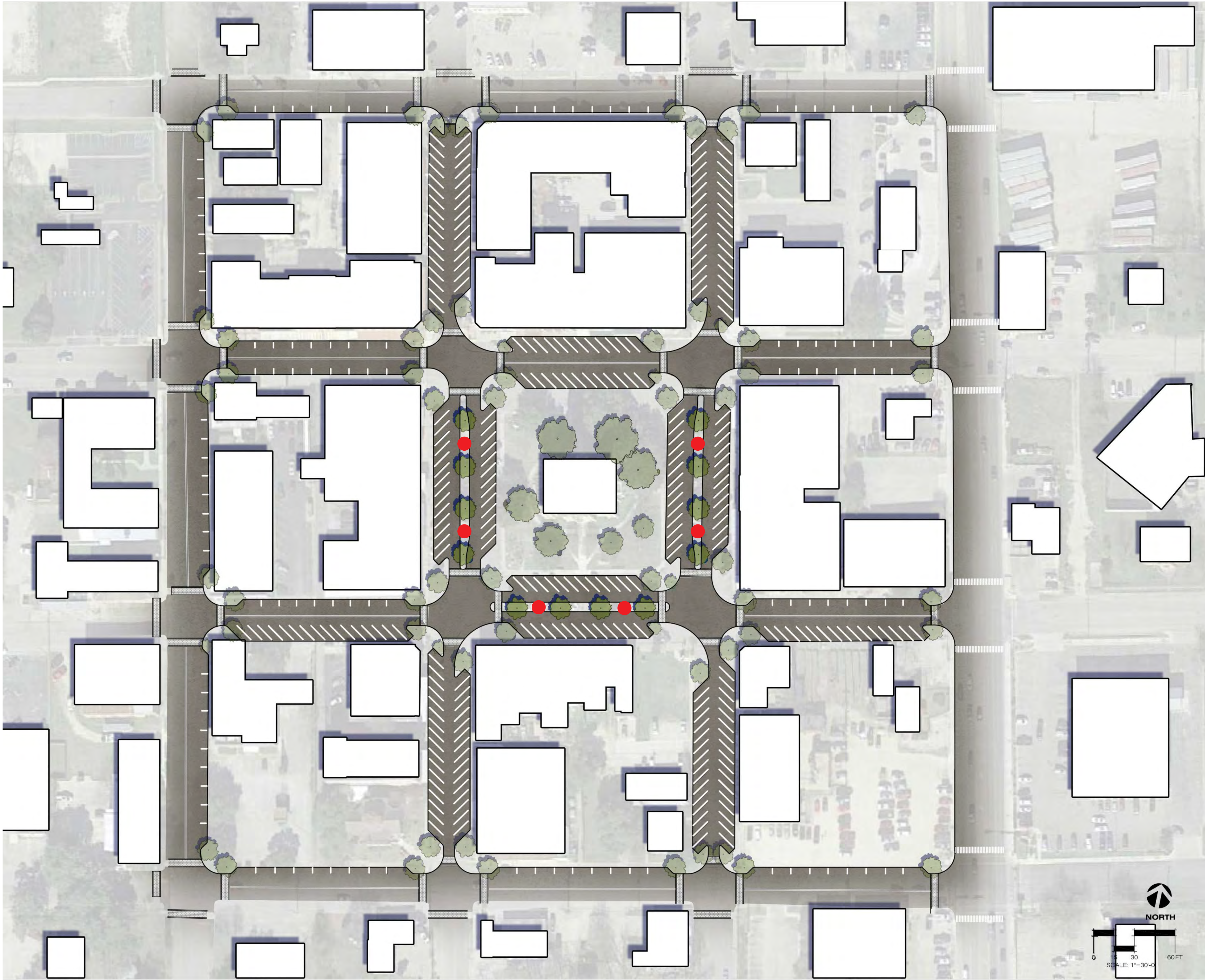
INTERSECTION AT MAIN ST. AND WALNUT ST.



INTERSECTION AT PRAIRIE LEA ST. AND MAIN ST.



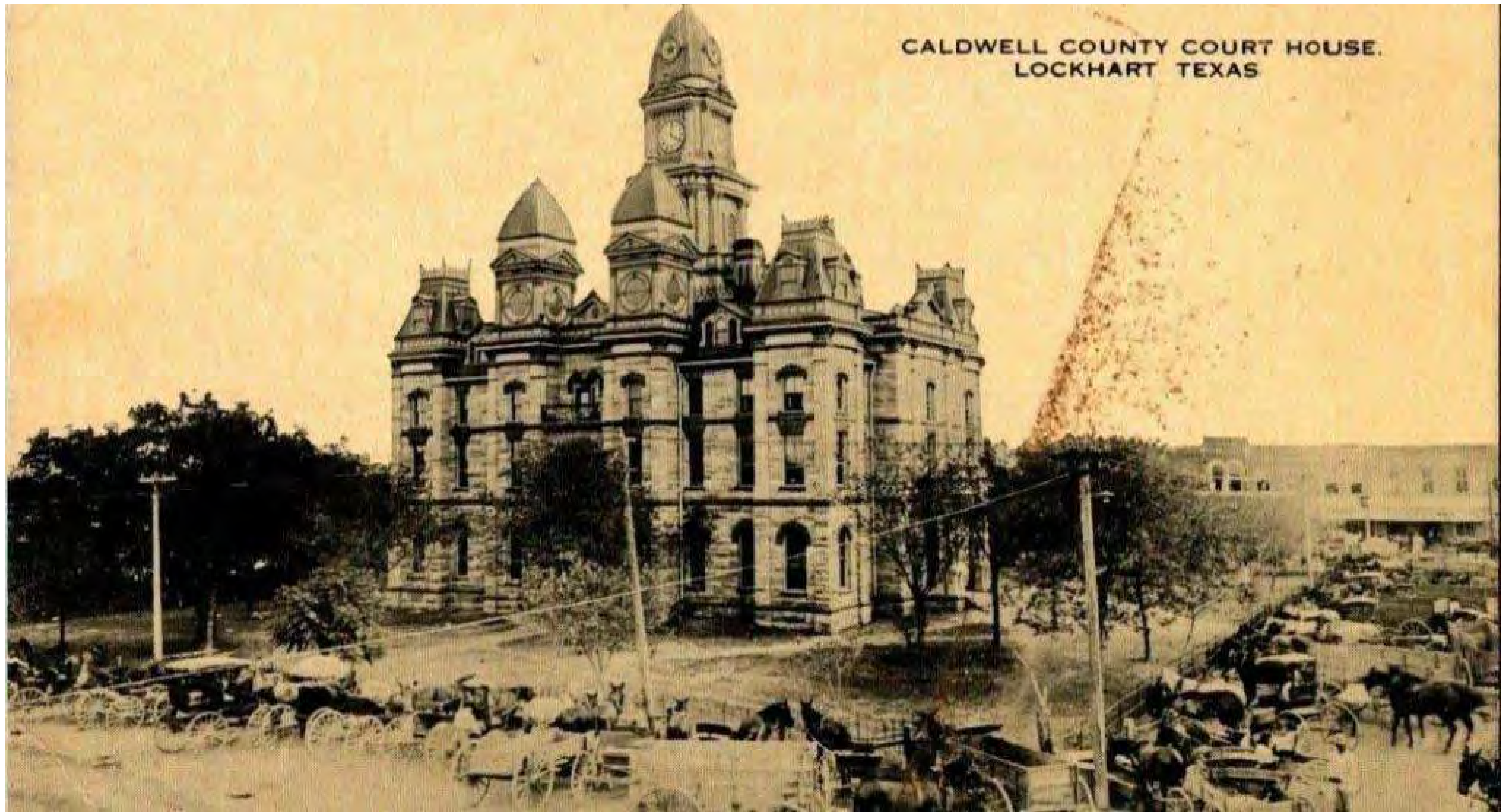
ELECTRICAL PEDESTALS
6 PEDESTALS AT MEDIANS



IRRIGATION

- DRIP IRRIGATION SYSTEM
- TREE BUBBLERS





DOWNTOWN REVITALIZATION PROJECT

SEPTEMBER 2023

COURTHOUSE FROM EARLY 1900'S



RIALTO STUDIO
LANDSCAPE ARCHITECTURE



DOWNTOWN REVITALIZATION PROJECT
COURTHOUSE PERSPECTIVE

SEPTEMBER 2023



SCHEDULE

DESIGN

JUNE 2022 TO JULY 2023

30% - COMPLETE

SEPTEMBER 2022

60% - COMPLETE

JANUARY 2023

100% - COMPLETE

JULY 2023

PERMITTING

AUGUST TO NOVEMBER 2023

BIDDING

NOVEMBER TO JANUARY 2024

CONSTRUCTION

FEBRUARY 2024 TO FEBRUARY 2026

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation by Halff Associates regarding the final concept plan for Lions Park.

ORIGINATING DEPARTMENT AND CONTACT: Parks & Recreation - Travis Hughes

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: On April 18, 2023, City Council authorized Halff Associates, Inc. to provide professional design services for the City of Lockhart by preparing a conceptual master plan for Lions Park. Halff Associates will present that master plan, including concept designs, community feedback, estimated costs, and potential phases of implementation.

PROJECT SCHEDULE (if applicable): Can begin at the discretion of City Council as funds are available

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

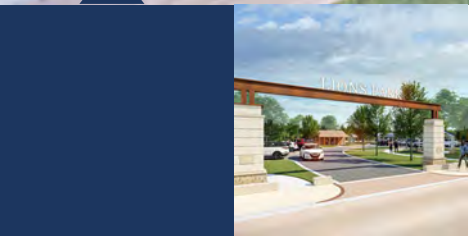
FISCAL NOTE (if applicable): There is approximately \$490,000 available in ARPA funds to begin this project.

PREVIOUS COUNCIL ACTION: City Council authorized Halff Associates to begin this project on April 18, 2023.

COMMITTEE/BOARD/COMMISSION ACTION: An ad-hoc committee was assembled to provide community input during the design phase.

STAFF RECOMMENDATION/REQUESTED MOTION: Approval of conceptual master plan and commencement of project based on available funding.

LIST OF SUPPORTING DOCUMENTS: Lion'sPark, 2023-09-14 Lion's Park OPCC



Lockhart, Texas

Lion's Park

Conceptual Master Plan

September 19, 2023



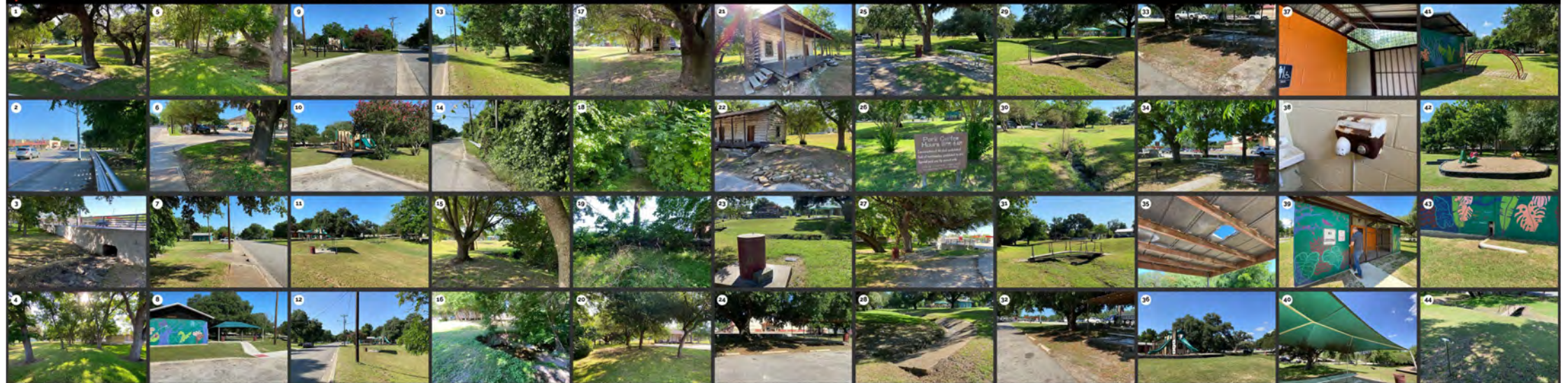
PROCESS

- Base Map
- Photo Inventory
- Stakeholder Interviews
- Preliminary Concepts
- Public Engagement
- Final Concept and Perspectives
- Opinion of Probable Construction Costs
- Potential Phasing
- Maintenance, Operations, Revenue, Expenses





PHOTO LOCATION | Point of red location icon indicates direction photo is viewed.





STAKEHOLDER INTERVIEWS

- Landmark/gateway
- Mitigate bad activities
- Night-time enhancement
- Additional parking
- Trails/sidewalks
- Brock Cabin improvements
- Improve creek
- Enhance nature
- Inclusive playground
- Pavilions
- Fitness equipment
- Pickleball
- Sand volleyball

LEGEND

1. CREEK ACCESS AREA
2. PEDESTRIAN BRIDGE
3. ENTRY MONUMENT
4. DECORATIVE PAVING
5. BROCK CABIN
 - W/ INTERPRETIVE EXHIBITS
 - AND ENHANCED PLANTING
6. PICNIC PAVILION
7. ENHANCED CREEK
 - W/ BOULDERS
8. ALTERNATE DRIVEWAY
 - W/ EXPANDED PARKING
9. SPORTS COURT
10. RENOVATED RESTROOM
11. 2-5 PLAYGROUND
12. 5-12 PLAYGROUND
13. LARGE PICNIC PAVILION
14. ADULT FITNESS EQUIPMENT
15. QUARRY BLOCK
 - RETAINING WALLS (TYP.)
16. CHECK DAM (TYP.)
17. TRAILHEAD AND
 - WAYFINDING SIGNAGE
18. SPLASHPAD

ADDITIONAL AMENITIES

- LIGHTING
- UPLIGHTING/
DOWNLIGHTING
- WI-FI HOTSPOT
- OUTLETS



LEGEND

1. CREEK ACCESS AREA
2. PEDESTRIAN BRIDGE
3. ENTRY MONUMENT
4. DECORATIVE PAVING
5. BROCK CABIN
W/ INTERPRETIVE EXHIBITS
AND ENHANCED PLANTING
6. PICNIC PAVILION
7. ENHANCED POND
W/ BOULDERS
8. PICNIC TABLES
9. SPORTS COURT
10. RENOVATED RESTROOM
11. 2-5 PLAYGROUND
12. 5-12 PLAYGROUND
13. MULTI-USE PAVILION
14. ADULT FITNESS
EQUIPMENT (TYP.)
15. QUARRY BLOCK
RETAINING WALLS (TYP.)
16. EXPANDED PARKING
17. TRAILHEAD AND
WAYFINDING SIGNAGE
18. SAND VOLLEYBALL COURT

ADDITIONAL AMENITIES

- LIGHTING
- UPLIGHTING/
DOWNLIGHTING
- WI-FI HOTSPOT
- OUTLETS



S COLORADO ST / 183

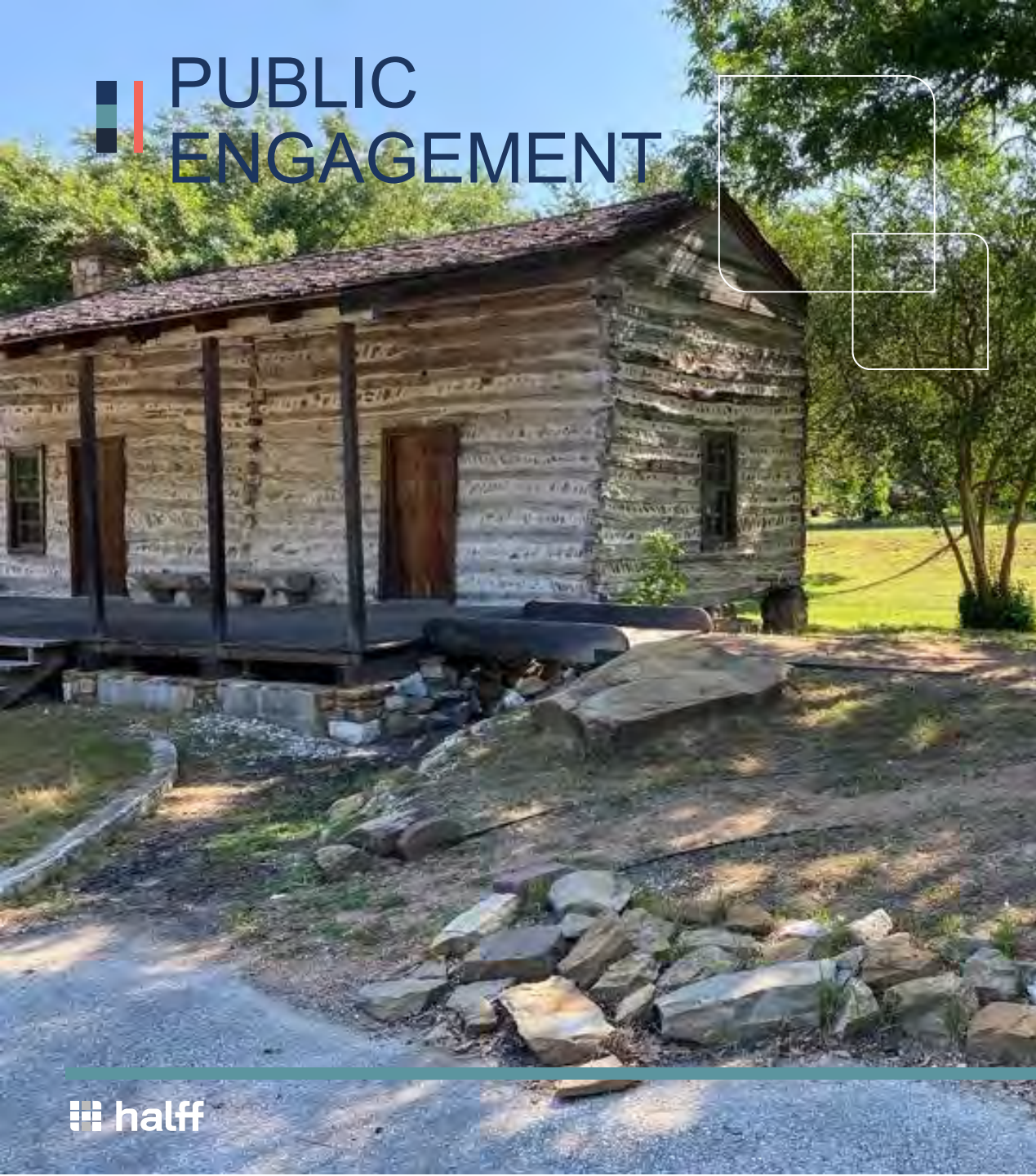
Lockhart
TEXAS



LION'S PARK CONCEPT B



PUBLIC ENGAGEMENT



An online survey was conducted. Links to the survey were provided on the City of Lockhart home page, as well as at Courthouse Nights on August 18th.

- 70 responses to survey.
- Concept B preferred.
- Agreed with amenities proposed: Keep playground, pavilions, picnic areas, loop trail, basketball court, and fitness stations shown in concept.
- Add splashpad to concept.
- Additional sports courts could be satisfied by multi-sports court.

LEGEND

1. CREEK ACCESS AREA
2. PEDESTRIAN BRIDGE
3. ENTRY MONUMENT
4. DECORATIVE PAVING
5. BROCK CABIN
W/ INTERPRETIVE EXHIBITS
AND NATIVE PLANTING
6. PICNIC PAVILION W/ GRILL
7. ENHANCED POND
W/ FOUNTAIN
8. PICNIC TABLES
9. MULTI-USE SPORTS COURT
(BASKETBALL, PICKLEBALL,
VOLLEYBALL, TENNIS)
10. RENOVATED RESTROOM
11. 2-5 INCLUSIVE PLAYGROUND
12. 5-12 INCLUSIVE PLAYGROUND
13. MULTI-USE PAVILION
14. ADULT FITNESS
EQUIPMENT (TYP.)
15. QUARRY BLOCK
RETAINING WALLS (TYP.)
16. EXPANDED PARKING
17. TRAILHEAD AND
WAYFINDING SIGNAGE
18. SAND VOLLEYBALL COURT
19. UNDERGROUND DRAINAGE
20. WELL-FED SPLASHPAD

ADDITIONAL AMENITIES

- SITE LIGHTING
- TREE LIGHTING
- WI-FI HOTSPOT
- POWER RECEPTACLES
- NATIVE LANDSCAPING



Lockhart
TEXAS



LION'S PARK

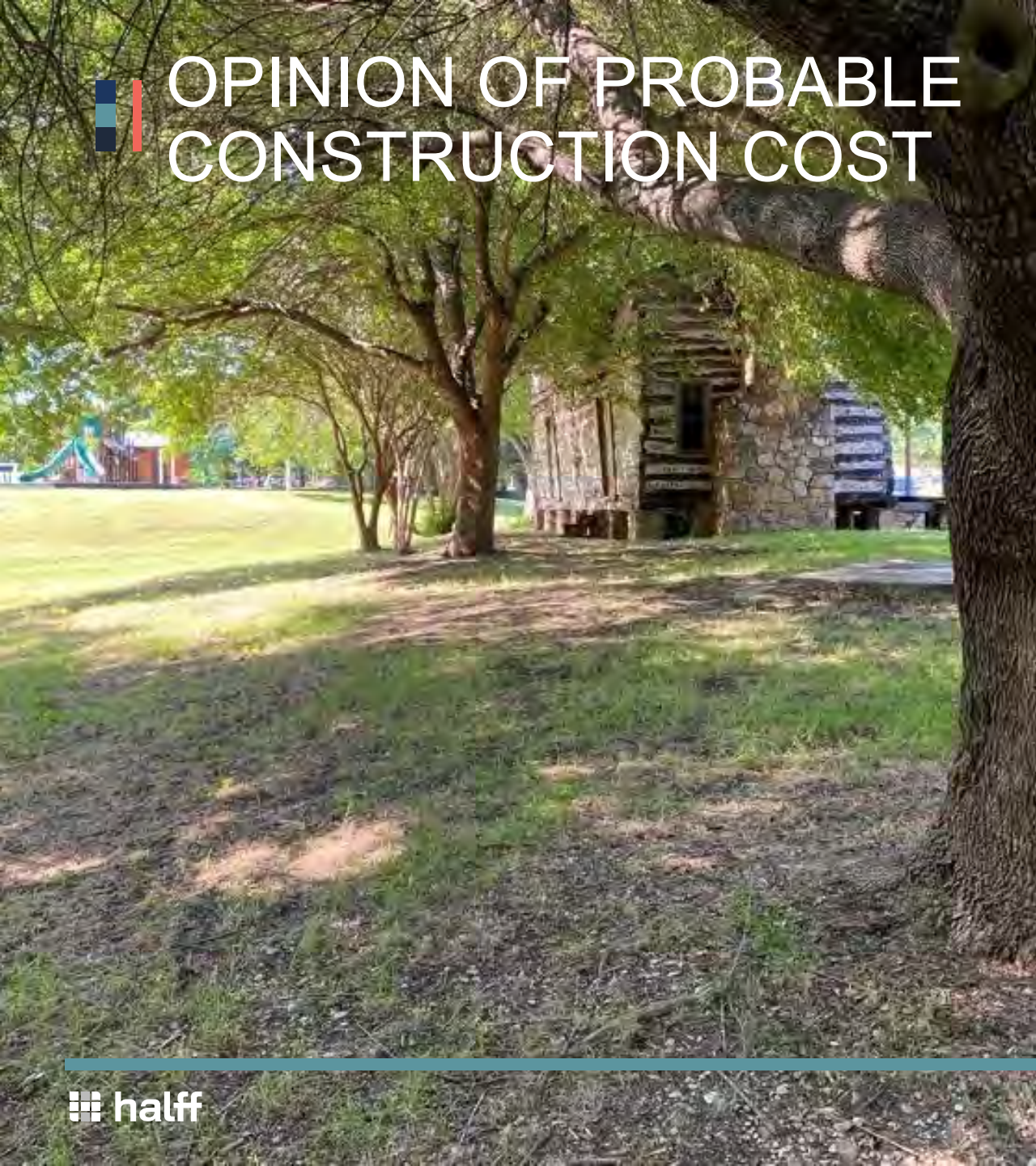
Lockhart, TX











OPINION OF PROBABLE CONSTRUCTION COST

An Opinion of Probable Construction Costs (OPCC) was developed based on the final master plan.

Final total is \$3,112,900.00

Based off recently completed Halff projects, as well as local and statewide bids.

POTENTIAL PHASING

Creek enhancements, restroom, and all improvements between creek and Highway 183.

\$1,452,000

1

All improvements between creek and Brazos Street.

\$1,660,900

2



MAINTENANCE, OPERATIONS, REVENUE, EXPENSES

M

Required maintenance dollars will increase due to additional site amenities. Increased visitor traffic will also cause the need for additional maintenance. Additional staff/maintenance contract required.

O

Operations are not anticipated to change unless revenue generating amenities are considered.

R

Pavilions with splash pads are popular for birthday parties and family events and offer potential revenue generation.

E

With the option for revenue generation, additional expenses for pavilion make-ready, reservation system, etc may be incurred.

BRAZOS ST

S COLORADO ST / 183



Lion's Park
Opinion of Probable Construction Costs



September 2023

Item No.	Description (with unit price in words)	Quantity	Unit	Unit Price	Amount	Item Sub-Total
SCHEDULE 100 - GENERAL SITE						
SITE WORK / DEMOLITION						
100.01	Demo Allowance (existing misc. concrete, structures, etc.)	1	LS	90,000.00	\$ 90,000.00	\$90,000.00
PARK IMPROVEMENTS						
Main Entrances (off Highway 183)						
100.02	Entry Monument Signage	2	EA	30,000.00	\$ 60,000.00	\$65,000.00
100.03	Decorative Paving - Allowance	1	LS	5,000.00	\$ 5,000.00	
Parking Lot Expansion (off Highway 183)						
100.04	Parking Expansion - 41 Spaces (includes asphalt paving, base prep, and sign allowance)	1	LS	123,000.00	\$ 123,000.00	\$215,000.00
100.05	Shade Trees Allowance (includes installation, irrigation, soil, stakes & warranty)	1	LS	5,000.00	\$ 5,000.00	
100.06	Landscape & Irrigation Allowance (Parking Islands)	1	LS	25,000.00	\$ 25,000.00	
100.07	Parking Lot Lighting Allowance	1	LS	60,000.00	\$ 60,000.00	
100.08	Striping & Signage Allowance	1	LS	2,000.00	\$ 2,000.00	
Parking Lot Expansion (off Brazos St.)						
100.09	Parking Expansion - 12 Spaces (includes asphalt paving, base prep, and sign allowance)	1	LS	36,000.00	\$ 36,000.00	
100.10	Shade Trees Allowance (includes installation, irrigation, soil, stakes & warranty)	1	LS	3,000.00	\$ 3,000.00	
100.11	Landscape & Irrigation Allowance (Parking Islands)	1	LS	8,000.00	\$ 8,000.00	
100.12	Parking Lot Lighting Allowance	1	LS	45,000.00	\$ 45,000.00	
100.13	Striping & Signage Allowance	1	LS	1,000.00	\$ 1,000.00	
Brock Cabin Enhancements						
100.14	Interpretive Exhibits Allowance	1	LS	10,000.00	\$ 10,000.00	\$25,000.00
100.15	Shade Trees Allowance (includes installation, irrigation, soil, stakes & warranty)	1	LS	5,000.00	\$ 5,000.00	
100.16	Landscape & Irrigation Allowance	1	LS	10,000.00	\$ 10,000.00	
Miscellaneous Park Improvements						
100.17	Concrete Loop Trail (5 ft. wide, concrete includes subgrade prep)	2,600	LF	50.00	\$ 130,000.00	\$1,735,500.00
100.18	Multi-Use Sports Court (includes paint)	1	LS	130,000.00	\$ 130,000.00	
100.19	Sports Court Furnishings (backboards, nets)	1	LS	6,000.00	\$ 6,000.00	
100.20	Playground (2 to 5 age range) Allowance (3,000 sf area includes play equipment, playground surfacing)	1	LS	330,000.00	\$ 330,000.00	
100.21	Playground (5 to 12 age range) Allowance (1,500 sf area includes play equipment, playground surfacing)	1	LS	165,000.00	\$ 165,000.00	
100.22	Fabric Shade Sail System (over playgrounds)	1	LS	130,000.00	\$ 130,000.00	
100.23	Multi-Use Pavilion - Allowance (20 ft x 35 ft)	1	EA	80,000.00	\$ 80,000.00	
100.24	Picnic Pavilion Allowance (20 ft x 15 ft)	4	EA	15,000.00	\$ 60,000.00	
100.25	Restroom Renovation Allowance	1	LS	80,000.00	\$ 80,000.00	
100.26	Sand Volleyball Court	1	LS	60,000.00	\$ 60,000.00	
100.27	Site Furnishing (Picnic Tables)	21	EA	1,500.00	\$ 31,500.00	
100.28	Site Furnishing (BBQ Grills)	4	EA	1,500.00	\$ 6,000.00	
100.29	Site Furnishing (Trash / Recycle Receptacles)	8	EA	2,500.00	\$ 20,000.00	
100.30	Site Furnishing (Exercise Stations)	18	EA	1,500.00	\$ 27,000.00	
100.31	Splash Pad Allowance (2,500 sf area includes surfacing, pumps, splash pad equipment)	1	LS	250,000.00	\$ 250,000.00	
100.32	Pedestrian Bridge	2	EA	50,000.00	\$ 100,000.00	
100.33	Trailhead/Wayfinding Signage	5	EA	6,000.00	\$ 30,000.00	
100.34	Site Lighting - Allowance	1	LS	100,000.00	\$ 100,000.00	
SUBTOTAL CONSTRUCTION COSTS						
						\$2,223,500.00
OTHER PROJECT COSTS						
						\$889,400.00
*Construction Contingency (25%)						
Estimated Soft Costs - 12% (Professional Design Services, Design Survey, Geotechnical)						
TOTAL (INCLUDES CONTINGENCY & SOFT COSTS)						
						\$3,112,900.00

Assumptions/Disclaimers:

- 1) All Opinion of Probable Construction Costs(OPCC) represent the Consultant and their Sub-Consultant(s) best judgement as professionals, familiar with the construction industry and current available unit pricing; Consultant/Sub-Consultant(s) do not guarantee that proposals, bids or actual project costs will not vary from its Opinion of Probable Construction Costs. Quantities are estimates only and the actual amount of work and/or materials are contingent upon final design of these facilities.
- 2) Unit pricing is based on average cost statewide and do not account for any site specific determinates that would effect costs of constnuction (i.e.- unknown subsurface conditions, etc.). Unit pricing based on today's dollars and valid for 90 days.
- 3) 25% Construction Contingency included to cover unknown site development costs due to masterplan level of detail (unclassified demo, site prep., clearing, grubbing, e/s controls, pond/creek enhancements, unclassified earthwork, drainage infrastructure, water/wastewater improvements, primary/secondary site electric, general conditions of the contract, etc. , unless otherwise noted)
- 4) This OPCC does not include utility adjustments/relocations/extensions/services for storm sewer, domestic water, sanitary sewer, gas, electric or communication utility lines off site.
- 5) Environmental and regulatory review, permitting, and fess are not included in this OPCC.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Update regarding TxDOT/SH 142 Corridor Study and possible partnership for signal/traffic modifications at the intersection of SH142 and Mockingbird Lane.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: At the December 13, 2022 Growth Planning Meeting, TxDOT outlined short- and long-term projects with respect to SH 142. The short-term goal was pavement repair and overlay on SH 142 from US 183 to Borchert loop and the long-term goal would be for a Feasibility Study of the SH 142 corridor. However, the corridor study was not scheduled at that time, nor was funding appropriated.

As a result of the information we received from TxDOT regarding improvements to SH 142, staff have continued to work with TxDOT and the City Engineer to expedite improvements along the SH142 corridor. On August 1, 2023, council was presented with a Preliminary Engineering Service Agreement for a corridor study on SH142. During that presentation, the scope of work, goals for the project, budget and schedule were discussed. This item was for discussion only and was to collect feedback from the discussion.

Since August 1, staff has consulted with TxDOT to discuss the potential of partnering with TxDOT for a collaboration to make improvements to the intersection of SH 142 and Mockingbird Lane. During the joint growth planning meetings, comments were made about the bottlenecking during times of peak traffic. Many improvements have recently been made along the SH142 corridor as a result of the requirement for developments to make necessary traffic improvements to mitigate findings from their development's Traffic Impact Analysis (TIA), but the intersection of SH 142/Mockingbird was outside of these scopes of work.

SH 142/Mockingbird Lane Current Conditions

- 80' right-of-way dedication
- 2-lane traffic on each road
- Signal Cycle Length: 60 Seconds
- Delay: 14.0 seconds
- Actuated-Coordination Signal
- Level of Service: B (April 2021)

Traffic Impact Analysis Findings

- Information based on TIA for the Hansford Subdivision (April 2023)

City of Lockhart, Texas

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- 2025 Buildout Level of Service: B
- Delay: 18.3 seconds
- Expected Added Delay: 4.3 seconds
- The TIA only accounts for the current conditions plus the buildout for the development.
- The TIA used a 2.89% year-over-year growth rate. In 2023, the Road Impact Fee Report lists 4.25% as the potential growth rate.

Level of Service (LOS) is an A-F rating system and is most commonly used to describe the operating conditions of a roadway based on factors such as speed, maneuverability, safety and what is often measured-delay. LOS delays differ for stop controlled intersections and signalized controlled intersections. Signalized intersections typically can expect longer delays and the LOS delay tolerance is reflected in the grading.

If the City were to decide to partner with TxDOT, the City would enter into an Advance Funding Agreement(AFA) similar to the North Blanco Street Bridge and Truck Route projects. Currently, there is an 80' ROW on SH142, which could accommodate widening the pavement to a single 12' driving lane on each direction on SH142 (one eastbound and one westbound) and one 12' center turning lane on SH142 (three lanes total). Additional improvements needed would be reestablishing the pedestrian crosswalks, stormdrain modifications, permanent traffic signal installation with arm-masts and the relocation of utility conflicts. TxDOT believes that they could handle the engineering and design for the project if the City decides to partner, but the City would have to fund the construction if it is decided to expedite this improvement. TxDOT would also handle the bidding on the project, conduct construction inspections on the improvements, and produce the as-built plans for the project. TxDOT's participation on this project has an approximate value of \$180,000-200,000 if the City were to take on the design and bidding for the project. No probable cost has been established at this time, but TxDOT notified us that the estimated construction cost would be close to \$1,000,000. This would be the expected City participation if the City were to expedite an improvement at Mockingbird/SH142.

SH142 is scheduled for repaving in late 2024, TxDOT is willing to postpone the resurfacing project and possibly bundle this improvement to save money on the improvement. TxDOT has asked that a decision be made regarding the potential collaboration on the intersection so they may determine when repaving SH142 will take place and if that project will need to be placed in another bidding cycle. If the City proceeds with an AFA for the project, the SH142 improvements would not be expected until late 2025/early 2026.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

City of Lockhart, Texas

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Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION: December 13, 2022 and January 12, 2023 -
Growth Planning Meetings

August 1, 2023 - Discussion regarding engineering services for a SH142 Corridor Study

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requested Council's feedback.

LIST OF SUPPORTING DOCUMENTS: (2023-07-26) SH142 CORRIDOR STUDY, 2023-07-
26_Lockhart SH 142 Corridor Study

CITY OF LOCKHART, TX
SH 142 CORRIDOR
STUDY
AREA LIMITS



SH 130

SH 142

US 183

TRC
TRC ENGINEERS, INC.
505 E. HUNT LAND DRIVE, STE. 250 AUSTIN, TX 78752
T.B.P.E. FIRM REGISTRATION # F-8632
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July 26, 2023

Mr. Steven Lewis, City Manager
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644

RE: San Antonio Street (SH 142) Corridor Study and Preliminary Engineering Engineering Services Agreement

Dear Mr. Lewis:

TRC Engineering, Inc. (TRC) has prepared this proposal and scope of services for the Lockhart San Antonio Street (SH142) Corridor Study and Preliminary Engineering for the City of Lockhart (City).

BACKGROUND

Based on projected growth, the City has identified the need to study the widening of San Antonio St (SH142) from SH130 to US183. The corridor study will be developed to satisfy TxDOT criteria, proposed development needs, and in coordination with landowners, TxDOT, Caldwell County, and any other stakeholders, as applicable. Consequently, up to three (3) alternatives are to be considered by the proposed Design Consultant Team of TRC and its subconsultant, Binkley and Barfield. The study should address the following major topics: Short- and Long-Range Planning, Safety, Property and Impacts and Cost.

SCOPE OF WORK

Project Coordination

Project coordination is a crucial component in achieving TRC's goal of meeting or exceeding the City of Lockhart's expectations for this project. Continuous coordination between the project team and the City will help keep the project in-line with the City's goals, on schedule, and within budget. This coordination will include:

- a. Progress Reports and Invoices
- b. The TRC project team shall review the project schedule and prepare monthly progress reports for review by the City's Project Manager. Invoices for all work completed during the period will be submitted monthly (with a progress report) for work performed by the TRC project team. Monthly progress reports shall include:
 - Activities, ongoing or completed, during the reporting period.
 - Activities planned for the following month.
 - Problems encountered.

c. Project Schedule

The high-level project schedule will be developed and shall include identified tasks, milestones, public involvement, and submittal deadlines. The project schedule shall be approximately six (6) months. The schedule shall be updated quarterly.

d. Kick-Off Meeting

The purpose of the Kick-off Meeting is to assemble members of the City and consulting staffs to make sure the direction and coordination of the project is well understood. The Kick-off meeting may be held virtually.

The following topics will be reviewed at the meeting:

- Introductions of City staff and Consultants
- Reporting relationships and contact information
- Goals and Objectives of the Study
- Scope and data needs/availability
- Schedule, budget, and deliverables
- Public outreach program

e. Progress Meetings

The TRC project team shall conduct up to three (3) progress meetings with appropriate City staff to facilitate data collection, coordination, and in-progress reviews. The meetings will be held virtually but may be at City offices if required by the agenda. The TRC team will present its findings and recommendations at these progress meetings and seek input from the City prior to moving forward with the public meeting.

f. Quality Control Quality Assurance

For each deliverable, the TRC project team, including its subconsultant, Binkley and Barfield, shall perform quality assurance quality control (QA/QC) reviews of all deliverables, the TRC project team shall provide documentation that the QA/ QC reviews were performed by qualified staff.

g. Project Coordination Deliverables:

- Meeting minutes for each meeting attended; PDF format.
- Documentation of QA/QC reviews.
- Project Schedule, PDF format.
- Monthly Progress Report, PDF format.

Data Collection

- a. The TRC project team shall obtain appropriate data to document existing conditions as well as any proposed plans along the project limits. The TRC project team shall:
 - Meet with TxDOT and City of Lockhart to establish initial work tasks consistent with TxDOT Project Development
 - Interview major stakeholders impacted by the Corridor Study
- b. Data collection includes:
 - Design data from record drawings of existing facility including County, City, and TxDOT plans where applicable.
 - Roadway inventory information, including the number of lanes, speed limits, pavement widths and ROW widths.
 - Corridor Studies, recent Master Transportation Plan (MTP) updates, and proposed roadway plans in the area.
 - Previously prepared drainage studies, FEMA Maps
 - Adjacent land uses
 - Right-of-way
 - Field review of existing conditions including verification of land use, environmental setting, location of existing driveways, lane configuration assignment, and existing pedestrian and bicycle facilities
 - Peak Hour Turning Movement Counts at the following intersections:
 - Texas 130 SBFR
 - Texas 130 NBFR
 - Borchert Drive
 - Mockingbird Lane
 - Stueve Lane
 - San Jacinto Street
 - Orange/Navidad
 - Medina/Magnolia
 - Blanco
 - US 183
 - Two bidirectional traffic volume classification counts
 - AADT from TxDOT traffic count stations along SH 142
 - Crash Records Information System (CRIS) data will be collected for this work authorization.
 - Existing land use in study area to support traffic projections based on growth rates. Obtain current information about approved development plans and City of Lockhart future land use plans within the project area.

Develop Base Map

- a. The TRC project team will prepare a base map to include:
 - Project base map (property lines, easements, alignments)
 - Typical sections
 - Existing ROW
 - Preliminary drainage area maps
 - Preliminary environmental constrain map
- b. The TRC project team shall obtain existing ROW and property information from as-built plans and from Caldwell County appraisal District tax records to prepare base map depicting the compiled information.

Analyze Existing Conditions

Using collected data and base map, the TRC project team shall develop an overall analysis of the existing conditions in order to identify and develop the proposed improvements.

- a. The analysis of the existing conditions shall include:
 - Existing typical section
 - Existing ROW limits, driveways, and property lines
 - Existing bicycle and pedestrian accommodations
- b. Traffic Analysis - Traffic Projections
 - The TRC project team shall hold a methodology meeting with the City and participating stakeholders to discuss traffic projection methodology to support the development of schematics and the environmental process. After the methodology meeting, the TRC project team shall prepare and submit for approval to the City a methodology memorandum with the projection of traffic volumes within the study corridor for the opening and 25-year horizon. The methodology memo shall include a summary of the traffic methodology and assumptions to evaluate traffic demand and future demographics. The TRC project team shall utilize the existing traffic data, land use/development information, and any additional information from CAMPO/the City to determine the future year traffic projection.
- c. Traffic Analysis - Crash Analysis
 - A high-level crash analysis for five years of crashes along the corridor will be included with the traffic projections when assessing the proposed conceptual corridor.

- Utilizing crash data from CRIS, a high-level crash analysis for five years of crashes for the overall corridor will be considered when assessing the overall proposed conceptual corridor. The analysis will include the identification of any trends in the crash data and provide potential counter measures and recommendations for further consideration.

d. Traffic Analysis – Traffic Operation Analysis

- Intersection Capacity Analysis

The TRC project team will analyze observed traffic volumes and perform intersection capacity analysis for the study intersections. Additionally, the Engineer will analyze the study intersections with the projected traffic volumes based on the existing roadway configuration for comparison purposes, as a “No-Build” scenario. The Engineer will document patterns and observations in the traffic analysis report along with the level of service analysis. The Engineer will review the data and provide recommendations for potential improvements and changes to the intersection layouts.

- Turn Lane Analysis

The TRC project team will evaluate the need for auxiliary lanes based on TxDOT requirements. The operations of the proposed turned lanes will be evaluated and documented to ensure no issues are anticipated.

Identify and Analyze Three Build Alternatives

The TRC project team shall identify and analyze up to three (3) build alternatives along the corridor which might include segmentation of the corridor into three zones. Alternatives must consider avoiding or minimizing potential environmental issues of concern, structural impediments. The Feasibility Study goals to identify build alternatives that would improve roadway operation, improve safety, circulation, and mobility in the area. The TRC project team shall consider the following in the analysis to optimize the design:

- The most efficient use of the existing and proposed ROW
- Roadway and intersection geometry, sight distance, roadside safety, and appurtenances
- Construction costs to include ROW.

a. Alternatives Development and Diagrammatic Schematic

The TRC project team shall develop diagram schematics for the two alternatives. The diagram schematics shall be plan view for all two alternatives and the profile view for the recommended alternative.

The diagram schematic shall contain the following design elements:

- Vicinity map.
- Design speed.
- The existing and proposed ROW and property information.
- Existing and proposed typical sections.
- Roadway alignment, pavement edges, face of curb, lane lines, and shoulder lines.
- The proposed structure locations, retaining walls, and profile.
- Bicycle and pedestrian accommodations.
- Direction of traffic flow described by directional arrows.
- Preliminary construction costs of proposed improvements.

b. Develop Existing and Proposed Typical Sections

The TRC project team shall develop existing and proposed typical sections that depicts the number and type of lanes, shoulders, median width, curb offsets, border width, clear zone widths, and ROW limits.

c. Bicycle and Pedestrian Accommodations

The TRC project team shall consider inclusion of bicycles and pedestrian facilities. Public input when applicable, as well as local and planning organization reports concerning bicycles and pedestrian accommodations must be considered.

d. Preliminary Cost Estimate

The TRC project team shall prepare preliminary planning level cost estimates for the three (3) build alternatives, including costs of construction. Current State unit bid prices shall be used in the preparation of the estimate.

e. Environmental Constraints Map

To support the alternatives analysis, The TRC project team will use readily available online resources to map environmental constraints. For natural, social, biological, and physical resources considered, the area of investigation ("study area") will extend 1500 feet from the existing and proposed roadway centerline but would also include the area(s) proposed for floodplain mitigation. This task includes desktop data collection using GIS to compile geospatial information from multiple sources, task also include:

- Compile information on community resources (utilities, pipelines, cemeteries, religious facilities, day-care centers, parks, first responders, hospitals, and the like), and possible displacements within the alignments.
- Use the Potential Archeological Liability Map (PALM) and recorded sites locational data obtained from the Texas Historical Commission Sites Atlas

(THC) to identify historic buildings and archeological resources within 500 feet of the proposed study corridor. For this feasibility study, the Area of Potential Effect (APE) would be defined by this 500-foot buffer area. Historians would consult THC's Texas Historic Sites and Archeological Sites Atlases to identify potential cultural resources sites in the vicinity of the proposed project.

- Listed Historic Structures/Districts and eligible structures identified within the Lockhart Downtown Project will be displayed and buildings of potential historic age. A survey by an architectural historian of the corridor to identify historic-age structures will not be completed.
- Collect relevant environmental data from public sources considering endangered species; migratory birds; the location, presence, and relative health of biological and natural ecosystems.
- Compile National Wetlands Inventory (NWI) maps, National Hydrography Dataset (NHD), and floodplain data to identify potential wetlands, waters of the United States, and floodplains within or along the project corridor.
- Collect information from the Texas Commission on Environmental Quality (TCEQ), U.S. Environmental Protection Agency (EPA), CAMPO, and the Railroad Commission of Texas (RRC) online datasets and websites concerning the location and status of potentially registered or recorded hazardous materials and/or hazardous waste sites within 500 feet of the corridor and in the area of proposed floodplain mitigation.
- Collect Texas Natural Diversity Dataset (TxNDD) and U.S. Fish and Wildlife (USFWS) Information, Planning, and Conservation System (IPaC) Webpage to collect county lists of threatened and endangered species, and project-specific official species lists.

f. Alternatives Evaluation and Analysis

The TRC project team shall evaluate up to three (3) alternatives based on the following factors:

- Impacts to ROW, access, and cost.
- Considering the purpose and need and the public involvement, identify potential issues of concern, environmental conditions or other constraints, possible avoidance of mitigation measures, and the appropriate documentation of the alternative's evaluation process and results.
- Public and stakeholder comments to determine community needs, goals, and interest as determined through the public involvement process conducted with interested local, state, and federal agencies and the local stakeholders including area residents.

The TRC project team shall document the evaluation process leading to the recommendation of a preferred alternative.

The TRC team shall break down the long-term preferred alternative into short and mid-term proposed improvements and provide cost estimates for these additional two options.

Preparation of Feasibility Report

The TRC project team shall prepare a feasibility report summarizing the results of all studies completed as a part of this project. The report shall include a final discussion of the design criteria, public and agency involvement issues and environmental constraints encountered, alternatives investigated, and a preliminary cost estimate and basis of estimate.

a. Feasibility Studies Deliverables

In conjunction with the performance of the foregoing services, the TRC project team shall provide the following draft and final documents and associated electronic files:

- Draft copy of the Diagram Schematic layouts (1 inch = 100 feet) of the recommended alternative.
- Final copy of the Diagram Schematic layouts (1 inch = 100 feet) of the recommended alternative.
- Draft copy of the TRC project team Summary Report
- Final copy of the Engineering Summary Report
- Electronic files shall be furnished to the City

Community Outreach Support and Public Engagement

The TRC project team shall assist the City with two (2) Public Meetings, to present the alternatives and the recommended alternative. There will be up to four (4) stakeholder meetings that the TRC project team shall attend. Stakeholders will include TxDOT, Caldwell County and potentially others. In addition, the Team will provide two (2) updates to City Council, one after each Public Meeting.

a. Public Meetings

The TRC project team shall prepare and submit draft schematic roll plot and typical section board to the City for review and comment. The TRC project team shall prepare final schematic roll plot and typical section board based on comments received from the City and shall bring copies of final schematic roll plot and typical section board to the Public Meeting. The TRC project team shall:

- Arrange coordination meetings with the City to discuss and review the materials to be used prior to the public meeting.
- Arrange one dress rehearsal meeting for each public meeting with the City to present all exhibits and other materials to be used prior to the public meeting.
- Provide four (4) personnel to staff the meetings.

The City will coordinate the location and other preparations for the public meeting and outreach activities.

b. Stakeholder Meetings

The TRC project team shall participate in up to four (4) stakeholder meetings or Meeting with Affected Property Owners (MAPO) located within or near the project study area. The TRC project team shall prepare a memorandum documenting each meeting.

c. Council Meetings

- Provide Project updates to the City's Public Information Officer for addition to the City's website during the 6-month Project Schedule. (Maximum 2 updates)
- Provide Council updates in-person during the 6-month Project Schedule. Council updates will be coordinated with the City's Public Information Officer for website updates for the project. (Maximum 2 Council meetings)

ASSUMPTIONS

1. City to provide Public Involvement activities not listed in the scope above.
2. Field investigations for the Environmental Constraints Map will be reconnaissance-level and limited to accessible public ROW and/or properties on which the City coordinates right-of-entry.

EXCLUSIONS

1. TxDOT LGPP coordination and approval.
2. No geotechnical investigation will be included in this scope of services.
3. No field surveying will be performed for this effort.
4. Does not include wetland/WOTUS delineations.
5. Does not include a habitat assessment for federally- or state-listed species.
6. Does not include an ASTM Standard Phase I Environmental Site Assessment or hazardous materials database search. Phase I ESAs and Phase II investigations related to parcel acquisitions which will be completed once the alignment is finalized.
7. Does not include presence/absence surveys for threatened and endangered species.
8. Does not include preparation of NEPA documentation or technical report.
9. Does not include preparation of a Section 404 permit application or coordination with the USACE.

10. Does not include cultural resource surveys.

11. Does not include a survey by an architectural historian of the corridor to identify historic-age structures.

COMPENSATION FOR SERVICES

TRC will provide the professional engineering services as outlined herein for a total fee as follows:

Data Collection	\$ 64,387
Base Map Development	\$ 20,554
Analyzing Existing Conditions	\$ 29,119
Development of three Build Alternatives	\$ 92,722
Community Outreach Support and Public Engagement	\$ 54,103
Feasibility Report Development	\$ 138,899
Total:	\$ 399,784

This lump sum fee includes labor and material costs associated with the Scope of Work identified above. These services will be performed under the terms and conditions of our previously executed Master Services Agreement with the City of Lockhart.

TRC's fee above is based on a continuous flow of work. Any delays or restrictions, caused by customer or customer's sub consultants, which result in idle-time or inefficiencies, could be cause for additional compensation.

Changes in scope, including additional scenarios or modification to the scenarios identified above will be evaluated for additional services and/or materials cost through a formal change order process, which results in approval of the additional cost prior to executing the additional work.

Fees for services quoted in this Letter of Agreement are valid for a period of time not to exceed 60 days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. Please review this SOW and, upon acceptance, sign in the space provided below, returning a copy for our files.

CITY OF LOCKHART

TRC ENGINEERS, Inc.

By: _____
Steven Lewis
City Manager

By:  _____
William Wachel, P.E.
Deputy Director



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discuss request by Martin Spellerberg for a determination of eligibility for a Tax Abatement (TA-23-01) pursuant to Chapter 28 “Historic Districts and Landmarks”, Division 2 “Tax Abatement”, of the Lockhart Code of Ordinances, for exterior and interior improvements to a commercial building in the Historic District, located at 103 South Main Street.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Kevin Waller

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION:

Division 2 of the Historic Districts and Landmarks Ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historic district or that are a City-designated historic landmark. The owner of a commercial building within the Historic District located at 103 South Main Street has applied for a tax abatement for both exterior and interior improvements to the building, including a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration application must be considered by the Commission along with the Tax Abatement application. Two Certificates for Alteration were approved by the Commission for the overall project, one on July 19, 2023, and the other on August 16, 2023. The Tax Abatement application was recommended for approval at the Commission’s September 6, 2023 meeting.

PROJECT SCHEDULE (if applicable): According to the applicant, the project improvements will commence in September 2023, to conclude in December 2023.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

City of Lockhart, Texas

Council Agenda Item Cover Sheet

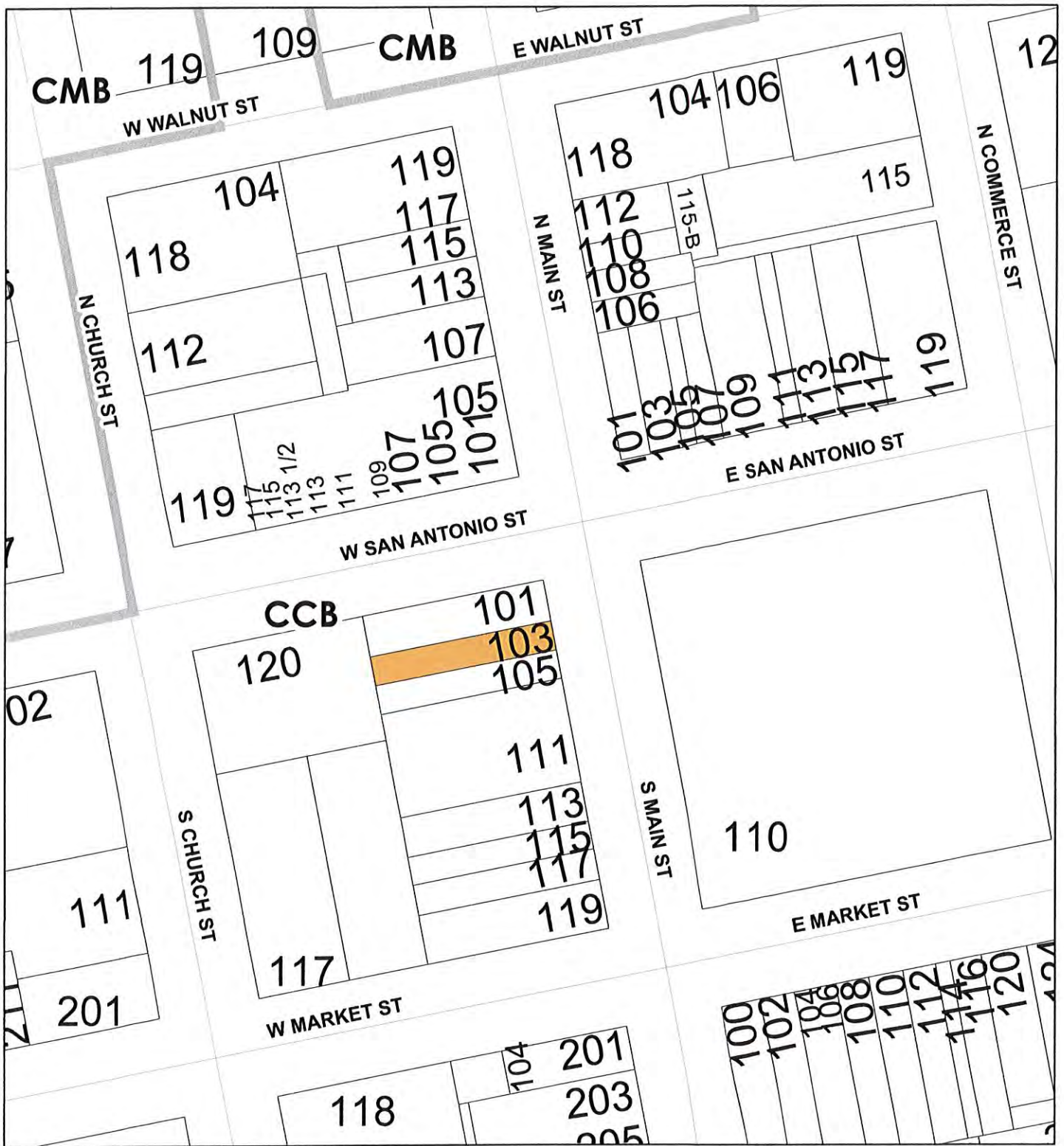
The tax abatement applies only to City property taxes, and it cannot exceed the owner's total out-of-pocket cost of the improvements. The most recent estimate of the total cost is **\$145,400.00**. For the first five years of the abatement period, 100 percent of the City taxes are waived. After a reappraisal, 50 percent of the taxes can be waived each year for an additional consecutive five-year period. The estimated City property taxes for the subject property in 2023 are \$2,013.28; even if the maximum allowed amount is waived each year over the ten-year period, the total abatement will not exceed the owner's out-of-pocket expenses.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission voted 5-0 at their September 6, 2023 meeting to recommend that the City Council determine that the proposed improvements are ELIGIBLE for a tax abatement.

STAFF RECOMMENDATION/REQUESTED MOTION: The Historical Preservation Officer has determined that the submitted tax abatement application meets the guidelines set forth in Section 28-22 "Application for Tax Abatement", and recommends that the proposed improvements at 103 South Main Street be determined ELIGIBLE for a tax abatement as provided in Chapter 28, Division 2, of the Lockhart Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: Map, Staff Report, Application Materials (City Council), Chapter 28, Division 2- Tax Abatement (City Council), Tax Abatement Handout 4-28-2020, Tax Abatement Agreement (103 S. Main St.)



TA-23-01

103 S MAIN ST

MULTIPLE IMPROVEMENTS



Subject Property



Zoning Boundary

scale 1" = 100'

CASE SUMMARY

STAFF: Kevin Waller, Historical Preservation Officer/Senior Planner *KW* CASE NUMBER: TA-23-01
REPORT DATE: September 1, 2023 [Updated September 12, 2023]
HISTORICAL PRESERVATION COMMISSION DATE: September 6, 2023
CITY COUNCIL DATE: September 19, 2023
APPLICANT'S REQUEST: Various interior improvements, new HVAC unit on roof, new window on rear building façade, re-pitching of the roof, and roof replacement with a different material
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None
HISTORICAL PRESERVATION COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Martin Spellerberg
OWNER: Spellerberg Associates, LLC, c/o Martin Spellerberg
SITE LOCATION: 103 S. Main St.
LEGAL DESCRIPTION: Part of Lot 4, Block 19, Original Town of Lockhart
EXISTING USE OF PROPERTY: Commercial
PROPOSED USE OF PROPERTY: Same as above
ZONING CLASSIFICATION: CCB (Commercial Central Business)

ANALYSIS OF ISSUES

PROJECT DESCRIPTION: The applicant proposes both exterior and interior improvements to an existing commercial building in the Historic District, and has requested a Tax Abatement for municipal taxes with the attached application. The improvements were initially approved by the Commission through two Certificates for Alteration, one on July 19, 2023 (CFA-23-25), and the other on August 16, 2023 (CFA-23-28). A portion of the improvements includes a new window on the rear façade of the building, the re-pitching of the roof, and replacement of the roof with a different material. The window will replace an exhaust fan within what appears to be a historic window opening at the center of the second story at the rear façade, to include a wooden casement with a single pane of glass. The roof will be re-pitched in a low spot near the center of the building to correct a standing water issue. Currently, the roof is composed of an ethylene propylene diene monomer (EPDM) rubber material, which is proposed to be replaced with a white thermoplastic polyolefin (TPO) material. Additional improvements will include repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. The existing and proposed HVAC roof units will not be visible from a public street. Section 28-10 of the Historic Districts and Landmarks Ordinance excludes work that is considered "Ordinary Maintenance" from the requirements for a Certificate for Alteration. Although some of the above improvements are considered ordinary maintenance, all improvements for which a tax abatement application is submitted require a review and certificate for alteration by the Commission (Section 28-21(b)). A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration application must be considered

by the Commission along with the Tax Abatement application. Two Certificates for Alteration were approved by the Commission for the project as noted above, and the Tax Abatement application was recommended for approval at the Commission's September 6 meeting.

COMPATIBILITY: The proposed improvements will enhance the building's appearance and will not have adverse impacts on the Courthouse Square.

COMPLIANCE WITH STANDARDS: Two Certificates for Alteration have been approved by the Commission for the proposed improvements, as discussed above, and the Commission has also recommended approval of the tax abatement. Staff has determined that the submitted tax abatement application meets the guidelines set forth in Section 28-22. A complete copy of the application packet, a copy of Chapter 28, Division 2 (Tax Abatement), and a summary of the tax abatement review procedure are included with your agenda packet materials.

ALTERNATIVES: None necessary.

Spellerberg Associates

Art Studios at 103 S Main St

Work To Be Done

Part 1 – Demolition

- Remove all carpet and foam underlay (except in one room on the first floor)
- Reset or remove protruding nail heads

Upstairs

Front

- Demolish drop ceiling
- Demolish duct chase/cabinet in front room
- Remove shelving from cubbies

Back

- Remove the existing exhaust fan with motor and louver and set aside;
- Demolish the existing ¾ inch plywood shelving and store for reuse;
- Demolish existing particleboard, sheetrock and metal stud shelving unit located in the middle of the room;
- Demolish existing sheetrock duct chase;
- Remove debris;

Downstairs

- Remove certain ceiling fixtures;
- Remove certain partitions;
- Remove existing stainless-steel sink and cabinet at the hand-washing station below stairs. Asbestos abatement by specialized firm;
- Demolish damaged ceiling tiles and rail in the rear entry hall

Spellerberg Associates

Art Studios at 103 S Main St

Part 2 – Roof

- Remove the existing sheet rubber roofing material;
- Remove the existing roof hatch. Repair hole;
- Repair roof deck as required;
- Re-pitch roof from front to back;
- Install new thermal insulation above existing roof deck;
- Install new roof hatch, which will be a manufactured product with frame included.
- Install new TPO roof membrane;

Part 3 – Carpentry/Construction

Upstairs

- Repair the floor as required;

Front

- Extend partition wall to new ceiling height;
- Use 2x4 with ¾-inch plywood to reconstruct the supply air duct chase along South wall

Rear

- Leave existing ceiling rafters exposed;
- Construct studio spaces using new 2x4 partition walls. Install OSB 7/16" thickness on both sides of each partition wall. Attach the new partitions to existing 2x6 frame where possible;
- Reconstruct the supply air duct chase along the South wall. Meet code requirements. Use ¾-inch plywood if allowed, other non-combustible material if required.
- Frame the existing opening in the back (West) wall. Install a wooden casement window approximately 57 inches wide by 80 inches tall. Install window seals and trim to prevent entrance of air and water.

Downstairs

- Repair floorboards as needed; Install ¼-inch Masonite, stapled or screwed to existing subfloor.
- Replace sink at the hand-washing station with a free-standing 20-gallon mop sink in the same location
- Frame studio spaces with new partition walls using wood 2x4 frames. Install OSB 7/16" thickness to cover existing walls and new partition walls.
- Smooth the texture of one particular partition wall.

Spellerberg Associates

Art Studios at 103 S Main St

Part 4 – Electrical

- All electrical work shall comply with NFPA 70, National Electrical Code (NEC) or the current Code approved by the City of Lockhart.
- Retain existing 150-amp main breaker and service entrance.

Electrical for HVAC

- As the existing panel will not support the additional HVAC needs, we will install a sub-panel which can accommodate the new mini-split.
- Retain existing Federal Pacific panels and existing operable Federal Pacific circuit breakers;
- Add new Square-D, QO or equivalent panel with bolt-on circuit breakers as needed

Outlets, Fixtures, Etc.

- Install two new 120-volt, 20-amp duplex outlets in each of the eight partitioned studio spaces. Locate the outlets high on the wall.
- Replace fluorescent lamps throughout with LED
- Install wired smoke/carbon dioxide detectors
- Repair, replace and install new emergency signage and lighting

Part 5 – HVAC

- Repair or replace the rooftop mounting brackets for AC units as needed

4-ton Central system (Serving Downstairs)

- Install a new 4-ton roof-top condensing unit and gas-electric air handling unit/furnace;
- Install new roof penetrations;
- Retain and rework the existing filter grill and return air plenum;
- Build a new raised platform for the horizontal-mounted air handling unit to provide a slope of not less than 1/8" per foot for the condensate drain line, the drain line shall be a minimum 3/4" diameter PVC pipe with provision for flushing and clean-out;
- Rework existing supply ducting to connect to existing supply air ducting;
- Rebuild duct chase with plywood if allowed by code, or non-combustible material if required.
- Reuse and reinsulate existing copper refrigerant lines when possible, replace with larger ones if required.
- Retain existing thermostat, relocate to new position.

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Art Studios at 103 S Main St

2.5-ton Central system (Serving Upstairs Front)

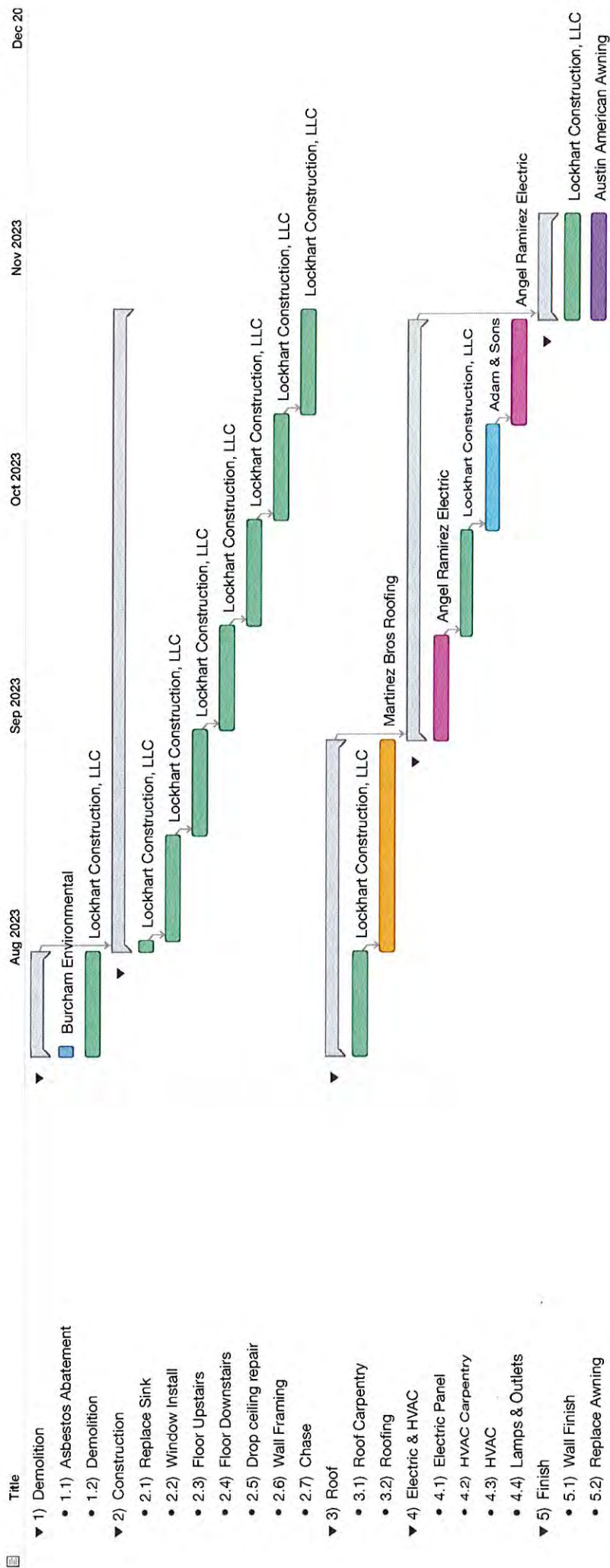
- Retain existing 2 ½ ton unit
- Move the external unit to a new location on the roof. Install new roof penetrations.
- Remediate Settlement trap Red Tag issue
- Remediate vent pipe Red Tag issue
- Replace ducting

New 2-ton Mini Split (Serving Upstairs Rear)

- Mini Split system with cassettes

Condensate Run-off

- Consolidate condensate run-off from all three HVAC systems into one line 3/4" PVC line
- Penetrate floor at a location along the South wall
- Run line across the ceiling above hallway ceiling tiles, down the sink wall and tie into the PVC sink drain.
- Approximately 46' of PVC drain line.



Spellerberg Associates

Art Studios at 103 S Main St

Budget Estimate

Roofing	\$45,000-59,900
<i>Martinez Bros. Roofing, Lockhart</i>	
Construction/Carpentry	\$26,900-35,800
<i>Lockhart Construction, LLC, Lockhart</i>	
HVAC	\$12,600-16,800
<i>Adam & Sons, Lockhart</i>	
Electrician	\$10,200-13,500
<i>Angel Ramirez Electric, Lockhart</i>	
Architectural Design	\$3,000-4,000
<i>A. M. Smith, Lockhart</i>	
Awning	\$2,200-2,900
<i>Austin American Awning, Lockhart</i>	
Asbestos Removal	\$1,500-2,000
<i>Burcham Environmental Services, LLC, Wimberley</i>	
Misc. Supplies	\$7,400-9,800
Permits & Fees	<u>\$500-700</u>
Total	\$109,300-145,400

Spellerberg Associates

Art Studios at 103 S Main St

Addendum to City of Lockhart Historic Property Preservation Tax Abatement Application

Question 4. Current assessed property value:

- \$335,210

Question 5. Estimated property value upon completion:

- \$335,210

Question 7. Description of Current Use:

Spellerberg Projects Art Gallery & Studios. We are located at 103 S Main St, Lockhart, on the Square, in the Historic District. We have operated an art gallery in the building's storefront since 2016. Exhibitions rotate monthly, with gallery hours on Saturdays and First Fridays.

Behind the gallery, we offer artist studios and private offices for rent to artists and community organizations. This project will optimize the studio spaces.

- There will be eight studios. These will be semi-private cubicles, each about 100 square feet. Each studio can be occupied by either one or two artists.
- There will be two private offices. Offices are approximately 275 square feet each.

In addition to their designated cubicles and offices, tenants have access to two common areas:

- The 1st floor "Artist's Lounge," in the center of the building, with couches and a kitchenette. This will encourage social interaction, community, and the exchange of creative ideas.
- The 2nd floor "Flex Space." This space may be used by tenants for meetings, workshops, photo shoots, etc.

Tenants share the 1st floor restroom.

Spellerberg Associates

Art Studios at 103 S Main St

This is a project of **Spellerberg Associates LLC**, founded in Austin in 2015. Our primary business is offering digital consulting services to museums in the United States. Current clients include the Andy Warhol Museum, Pittsburgh; the Akron Art Museum, Ohio; the Contemporary at Blue Star, San Antonio; the Museum of Contemporary Photography, Chicago; the Rubin Museum, New York; the Terra Foundation for American Art, Chicago; and others.

Martin Spellerberg, owner, is a digital designer, developer and consultant with over twenty years of experience. He is a thought leader who regularly speaks at industry conferences and publishes in peer-reviewed publications. He directs a network of freelance contractors to provide solutions for clients across the United States. He is currently pursuing a Masters of Business Administration degree from Texas State University, San Marcos.

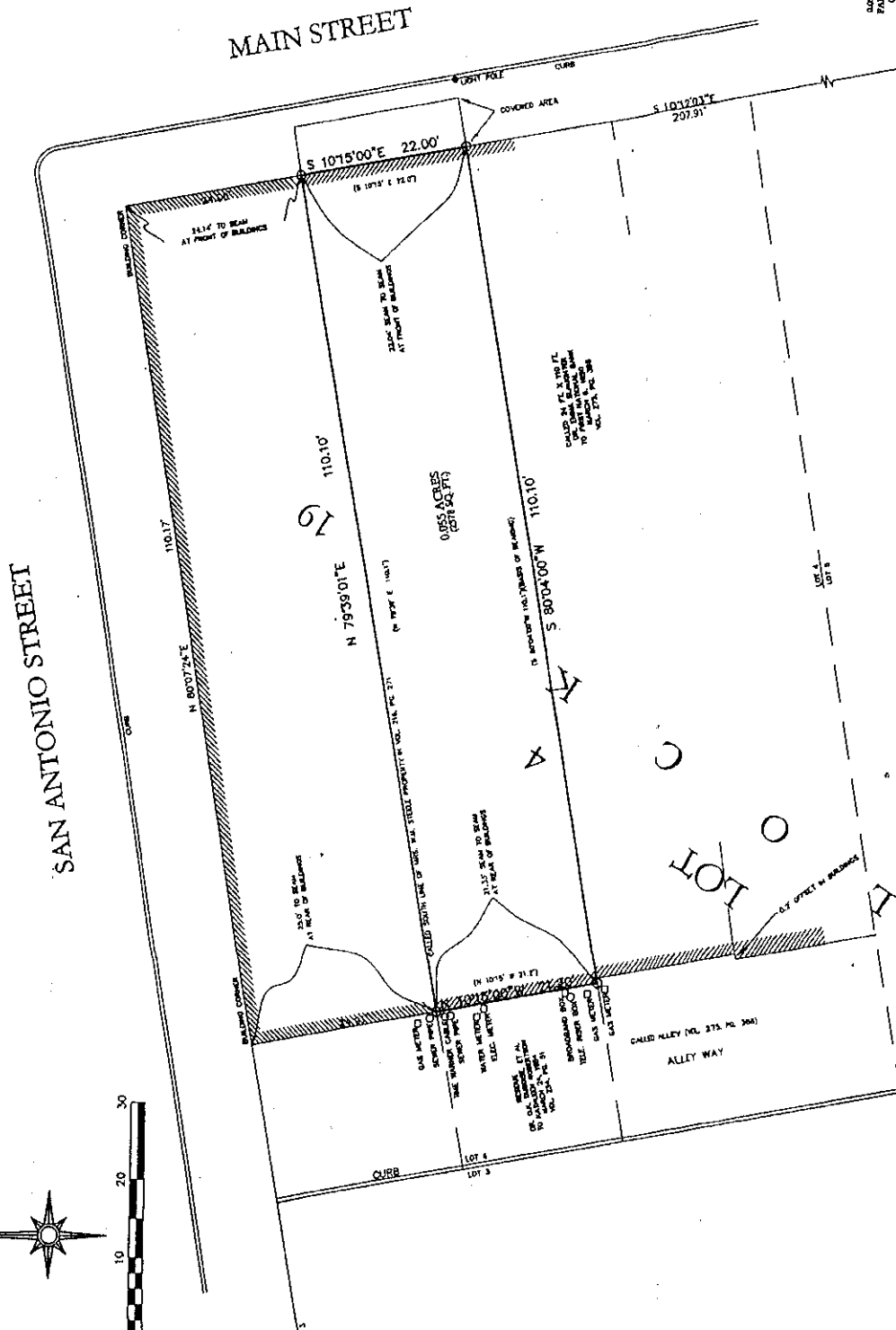
RECORD OF THE COUNCIL COUNTY COMMISSION
ON THE 15TH DAY OF MARCH 2004
AT THE REGULAR MEETING OF THE COUNCIL COUNTY COMMISSION
Held at the County Administration Center
San Antonio, Texas
PRESENT: [List of Commissioners]
ABSENT: [List of Commissioners]
CITY CLERK: [Name]
CITY ATTORNEY: [Name]
CITY ENGINEER: [Name]
CITY PLANNING COMMISSION: [Name]
CITY PUBLIC WORKS COMMISSION: [Name]
CITY UTILITIES COMMISSION: [Name]
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CITY CULTURAL AFFAIRS COMMISSION: [Name]
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CITY TRANSPORTATION COMMISSION: [Name]

THE PLAT OF THE CITY OF SAN ANTONIO
COUNTY, TEXAS
FOR THE CITY OF SAN ANTONIO
COUNTY, TEXAS
DATE: 10/11/2007
BY: [Name]
CITY CLERK: [Name]
CITY ATTORNEY: [Name]
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CITY ENVIRONMENTAL COMMISSION: [Name]
CITY INFRASTRUCTURE COMMISSION: [Name]
CITY TRANSPORTATION COMMISSION: [Name]



BETTERSWORTH & ASSOCIATES, INC.
1111 EAST MOUNTAIN STREET, SEAGRAM, TEXAS 78155
PH: 817.379.5553 FAX: 817.379.5553
ENGINEERING FROM NO. F-11721
SURVEYING FROM NO. F-107287



NOTES:
1. THE PLAT REPRESENTS THE RESULTS OF AN
ON THE GROUND SURVEY MADE BY THE
ENGINEER AND HIS STAFF. THE ENGINEER
HAS NO KNOWLEDGE OF ANY OTHER
SURVEYS OR RECORDS THAT MAY AFFECT
THE CORRESPONDING FIELD INFORMATION.
DATE OF SURVEY: 10/11/2007
BY: [Signature]
CITY CLERK: [Signature]

TAX RECEIPT

11/04/2022 01:20PM

Caldwell County Appraisal District
211 Bufkin Ln.
P.O. Box 900
Lockhart, TX 78644

Receipt Number
1157033

Date Posted 11/04/2022
Payment Type P
Payment Code Full
Total Paid \$5,311.18

PAID BY:

SPELLERBERG ASSOCS LLC
6312 WOODHUE DR
AUSTIN, TX 78745-3734

Property ID	Geo	Legal Acres	Owner Name and Address								
16942	0300000-019-004-70	0.0000	SPELLERBERG ASSOCS LLC 6312 WOODHUE DR AUSTIN, TX 78745-3734								
Legal Description											
O T. LOCKHART, BLOCK 19, LOT PT 4											
Situs	DBA Name										
103 S MAIN ST LOCKHART, TX 78644											
Entity	Year	Rate	Taxable Value	Stmt #	Void	Original Tax	Discnts	P&I	Att Fees	Overage	Amount Pd
Farm to Market Road	2022	0.00010	230,100	40451	N	0.23	0.00	0.00	0.00	0.00	0.23
Plum Creek											
Underground Water	2022	0.01590	230,100	40451	N	36.59	0.00	0.00	0.00	0.00	36.59
Lockhart ISD	2022	1.12230	230,100	40451	N	2,582.41	0.00	0.00	0.00	0.00	2,582.41
Plum Creek Conservation District											
District	2022	0.01620	230,100	40451	N	37.28	0.00	0.00	0.00	0.00	37.28
City of Lockhart	2022	0.60060	230,100	40451	N	1,381.98	0.00	0.00	0.00	0.00	1,381.98
Caldwell County	2022	0.55310	230,100	40451	N	1,272.69	0.00	0.00	0.00	0.00	1,272.69
											5,311.18
Balance Due As Of 11/04/2022: .00											

Tender	Details	Description	Amount
Check	1375		5311.18
			5311.18

Operator Batch
ROCIOC 9655 (11012022RC)

Total Paid
5,311.18

TEXAS HISTORICAL COMMISSION

real places telling real stories

August 21, 2019

Martin Coleman Spellerberg
Spellerberg Associates LLC
6312 Woodhue Dr.
Austin, TX 78745-373

PROPERTY: 103 S. Main Street, Lockhart, Caldwell County
PROJECT NUMBER: THPTC-0506-19-082
APPLICATION: Part A
DECISION: Building Certified Historic

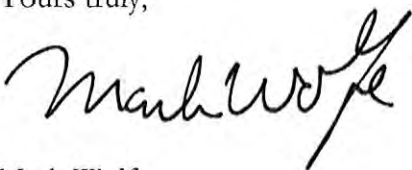
Dear Mr. Spellerberg,

The Texas Historical Commission (THC) has reviewed your Texas Historic Preservation Tax Credit (THPTC) Application, Part A: Evaluation of Significance, for the above-named property, which corresponds with Federal Rehabilitation Tax Credit project #40551. This letter represents the official determination of the Executive Director of the THC. THC received notification of the National Park Service's review of your Part 1 application on August 5, 2019 and, as such, has determined that the property listed above is a certified historic structure for the purposes of the THPTC program.

Congratulations on completing the first part of your tax credit application. If you have not done so already, the next step in the application process is submission of the Part B – Description of Rehabilitation. Note that the Part B should be submitted as early as possible in the course of the project. Our reviewers are available to consult with you on your planned work to ensure compliance with program requirements and the Secretary of Interior's Standards for Rehabilitation.

Thank you for your interest in the cultural heritage of Texas, and we look forward to working with you on this project. **If you have any questions concerning our review of the Part A application, please contact Greg Smith at greg.smith@thc.texas.gov, or at 512-463-6013. If we can be of assistance regarding further steps in the application process or to communicate with your tax credit project reviewer, please contact Kylie Woodlock at kylie.woodlock@thc.texas.gov, or at 512-475-0129.**

Yours truly,



Mark Wolfe,
State Historic Preservation Officer
Executive Director, Texas Historical Commission



EXAS HISTORICAL COMMISSION

Received

MAY 28 2019

Texas Historic Preservation Tax Credit Application
Part A: Evaluation of Significance

Division of Architectural

Read instructions carefully before completing application. No certification will be made unless a completed, signed application form has been received. Type or print clearly in black ink. If additional space is needed, attach blank sheets. Please submit only **one** copy of this application and supporting materials. Please do not use spiral binding, binders or folders to submit your application. You may submit your application in person, via courier service or U.S. Mail. E-mailed or faxed applications will not be accepted.
Note: If you wish to participate in the Federal program, you must submit the appropriate Federal application(s) to the THC. Visit www.nps.gov/tps to download applications.

Please Check One:

☒ State and Federal Application☐ State Only Application

Property Name: 103 S. Main Street

Property Address: 103 S. Main Street
StreetLockhart
CityCaldwell
County78644-2740
Zip Code

Historic Designation (select all that apply)	
☐ Individually listed on the National Register of Historic Places	☒ Contributing resource in existing National Register District
☐ Individually listed as a Recorded Texas Historic Landmark	☐ Contributing resource in certified Local Historic District
☐ Individually listed as a State Antiquities Landmark	Name of district: _____
☐ This is a preliminary request for individual determination of eligibility for the National Register of Historic Places	☐ This is a preliminary request for a property outside the Area or Period of Significance of an existing district

Applicant			Project Contact		
Name Martin Coleman Spellerberg			Name		
Organization Spellerberg Associates LLC			Organization		
Address 6312 Woodhue Dr			Address		
City Austin	State Texas	Zip 78745-373	City	State	Zip
Telephone 737-333-9760	Email marty@spellerberg.org		Telephone	Email	
Property Owner 1			Property Owner 2		
Name Martin Coleman Spellerberg			Name		
Organization Spellerberg Associates LLC			Organization		
Address 6312 Woodhue Dr			Address		
City Austin	State Texas	Zip 78745-373	City	State	Zip
Telephone 737-333-9760	Email marty@spellerberg.org		Telephone	Email	

THC Official Use Only

THPTC -0504- 19 - 082

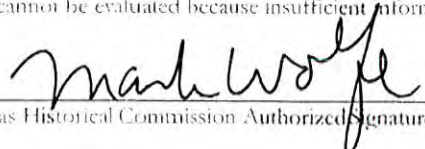
The Texas Historical Commission has reviewed Part A for the above-named property and has determined that the property:

☐ is currently listed individually on the National Register, or as a State Antiquities Landmark or Recorded Texas Historic Landmark.

Date of listing _____ Name as listed _____

☒ contributes to the significance of a district or functionally-related complex listed in the National Register.Date of listing 1978 Name as listed Caldwell County Courthouse Historic District☐ does not contribute to the significance of the above-named district or property.

Preliminary determinations of eligibility:

☐ appears to meet the National Register Criteria for Evaluation or criteria for approval as a SAL or RTHL, and will likely be listed as such if nominated according to official procedures.☐ does not appear to meet the criteria for individual listing in the National Register or as a SAL or RTHL.☐ appears to contribute to the significance of a potential historic district, which will likely be listed if duly nominated.☐ appears to contribute to the significance of a registered historic district if the period or area of significance as currently documented in NPS/THC records is expanded.☐ does not appear to qualify as a certified historic structure.☐ cannot be evaluated because insufficient information has been provided.

 Texas Historical Commission Authorized Signature

Date

8/23/19

3/2019

National Register



Caldwell County Courthouse Historic District

Reference Number: 78002902

Resource Type: District

Address: Courthouse Sq. and environs

City: Lockhart

County: Caldwell

State: TEXAS

Certification Date: 19780103

Multi Resource Name:

of Contributing Buildings: 67

of Contributing Objects: 0

of Contributing Sites: 0

of Contributing Structures: 0

ARKANSAS

Block 17

Streets: CHURCH, SAN ANTONIO, MAIN, LAFAYETTE, AV., GONZALES, COLUMBIA, PECAN.

Lots: 11, 12, 13, 14, 17, 19, 20, 21, 22, 23, 24.

Public Square

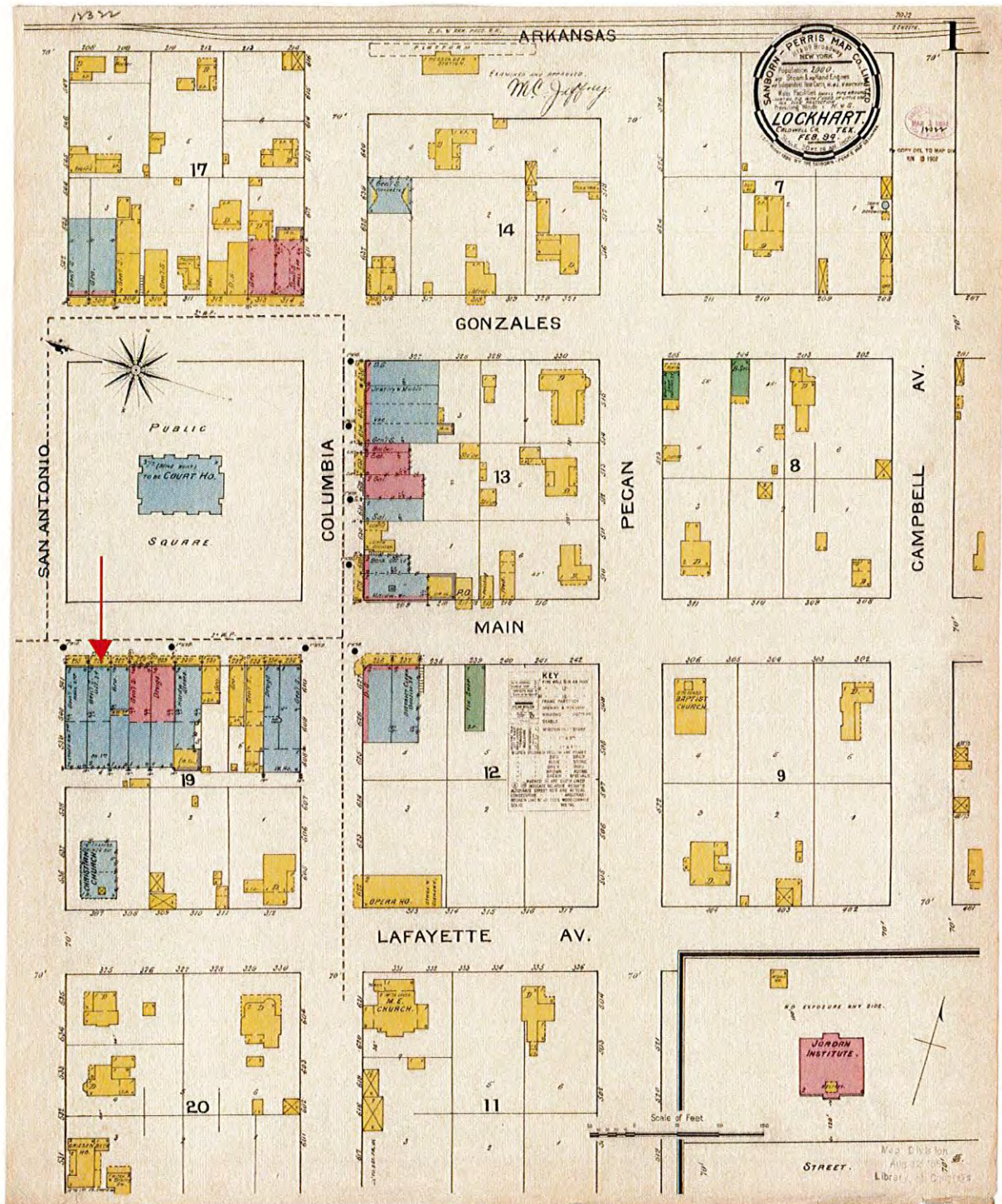
Compass Rose

Scale of Feet

Lockhart & Publishing Co. Seal:
SABORIN MAP & PUBLISHING CO. LIMITED
NEW YORK
Population 1897
By Steam & Wind Engines
Independent Scales
Water Facilities - See Notes
Printing Works N.Y.C.
LOCKHART
Since 1888
Printed by J.B. Smith, New York

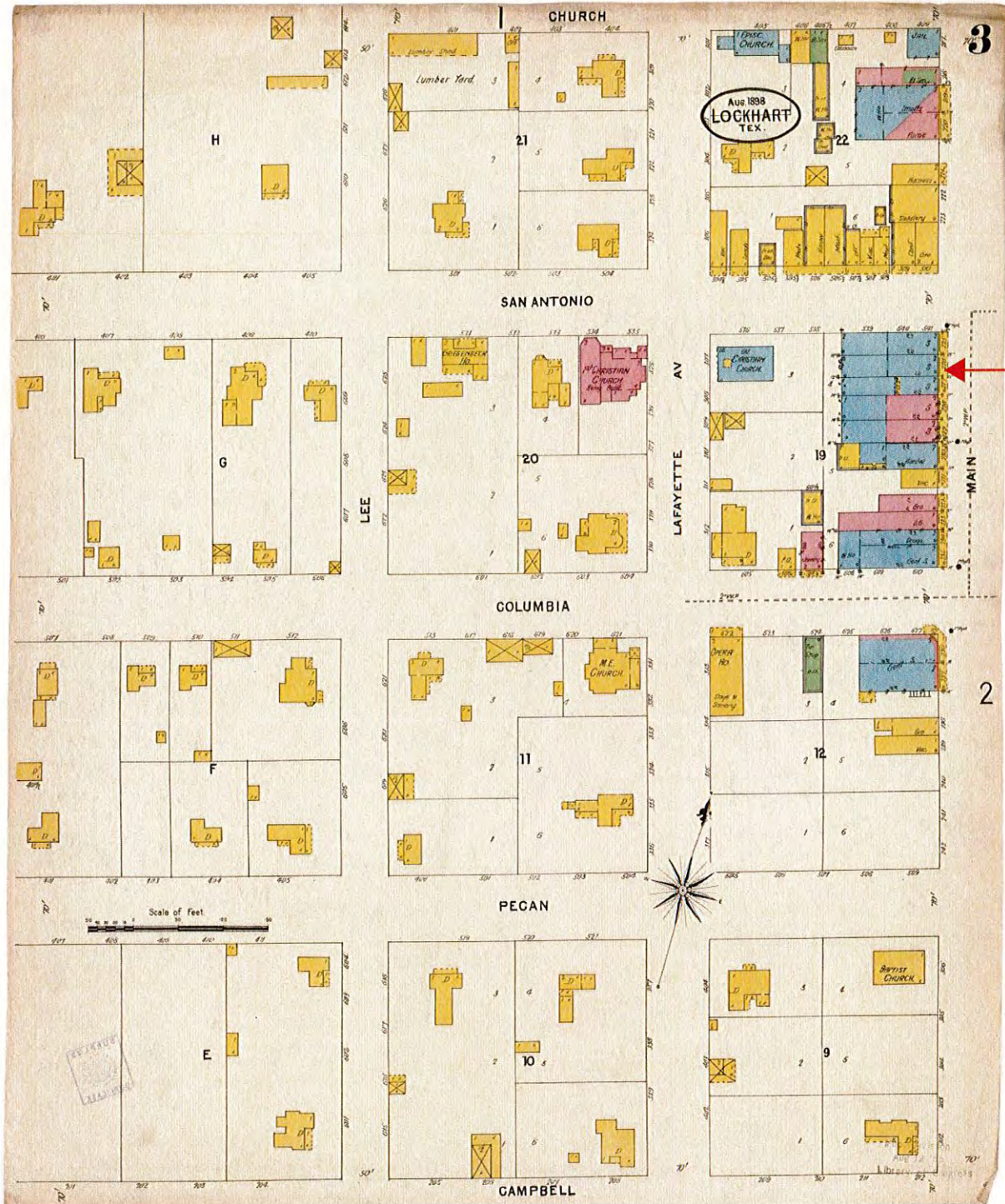
Page 78 of 378

Sanborn Map, Lockhart, 1894



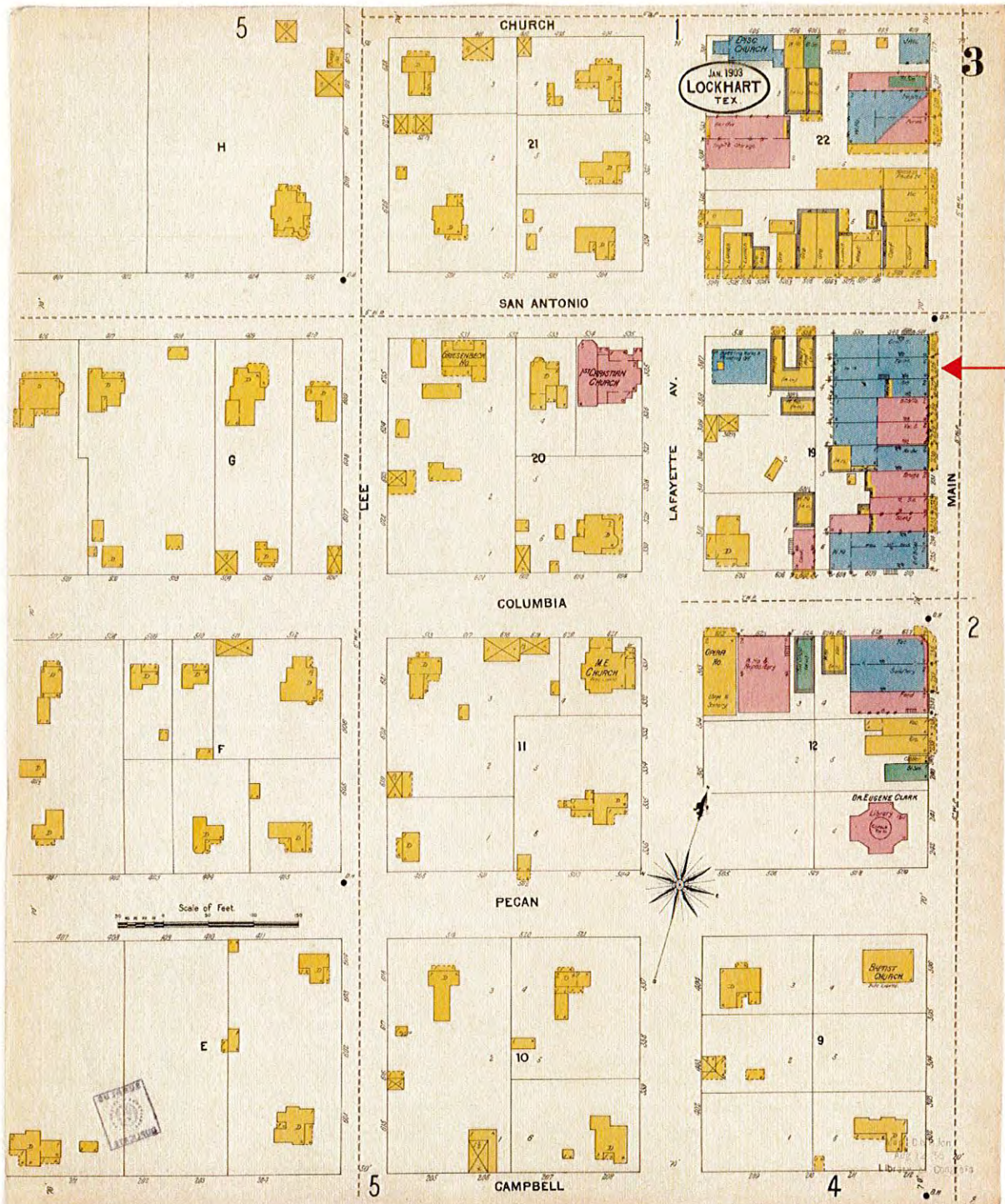
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1898



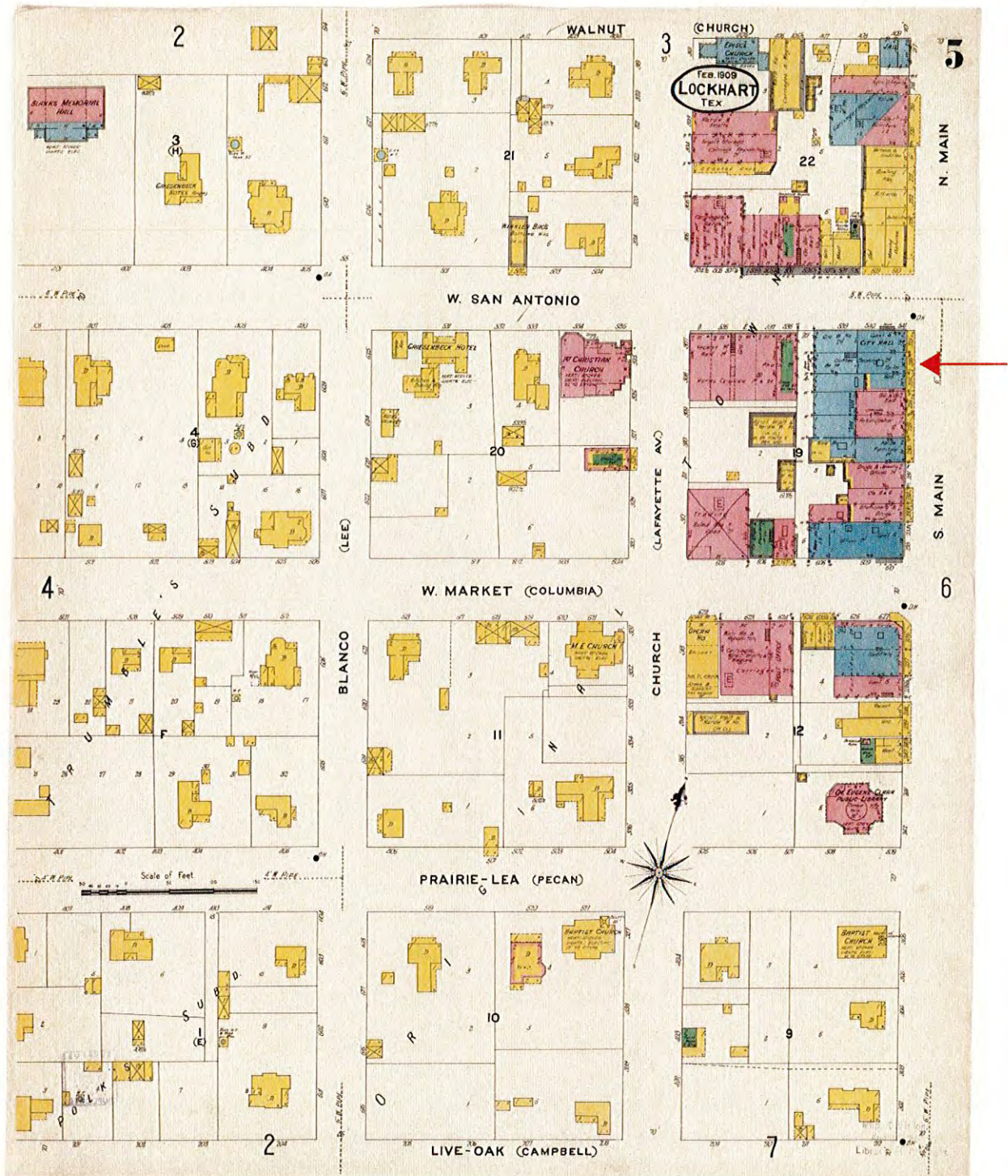
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1903



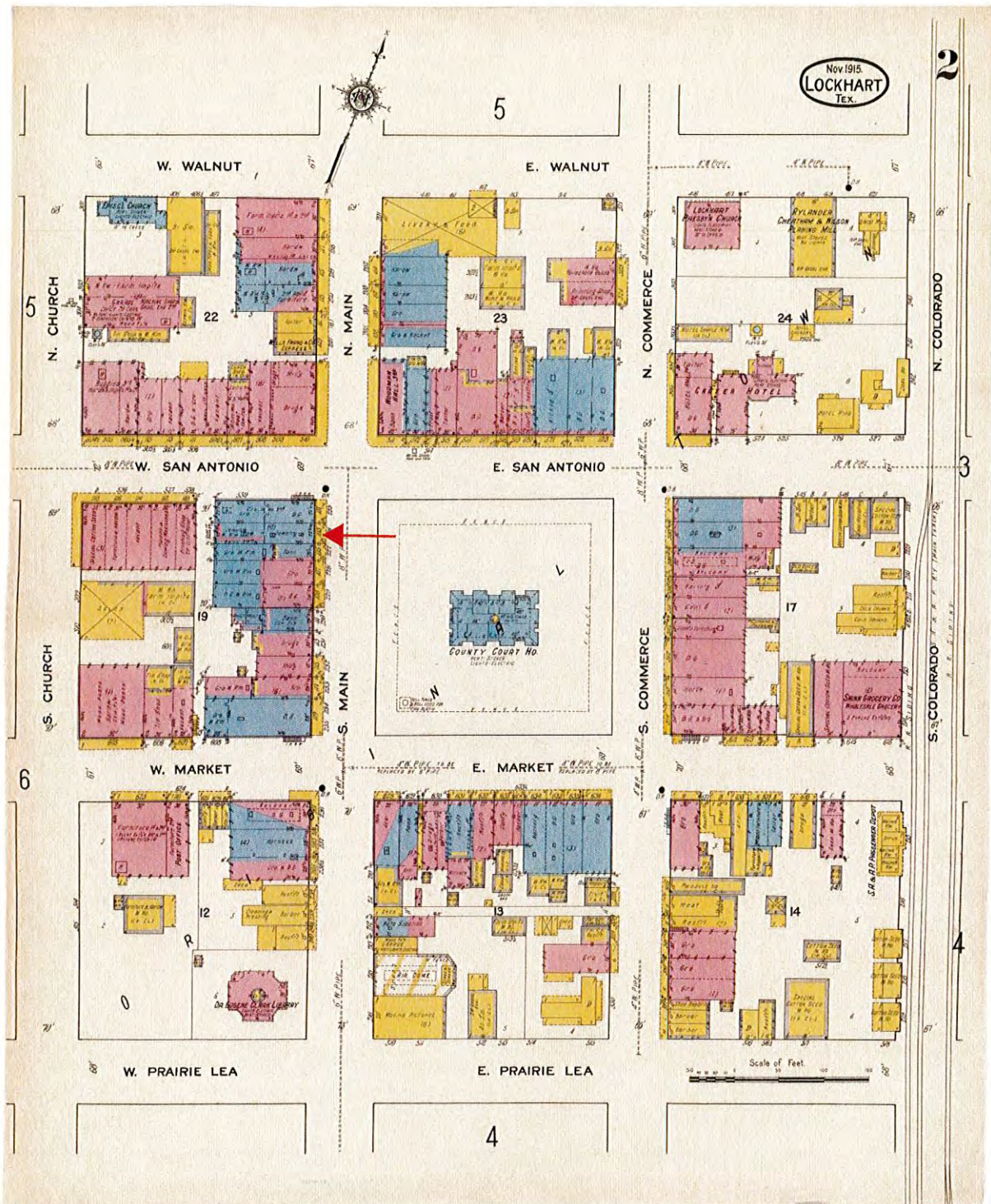
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1909



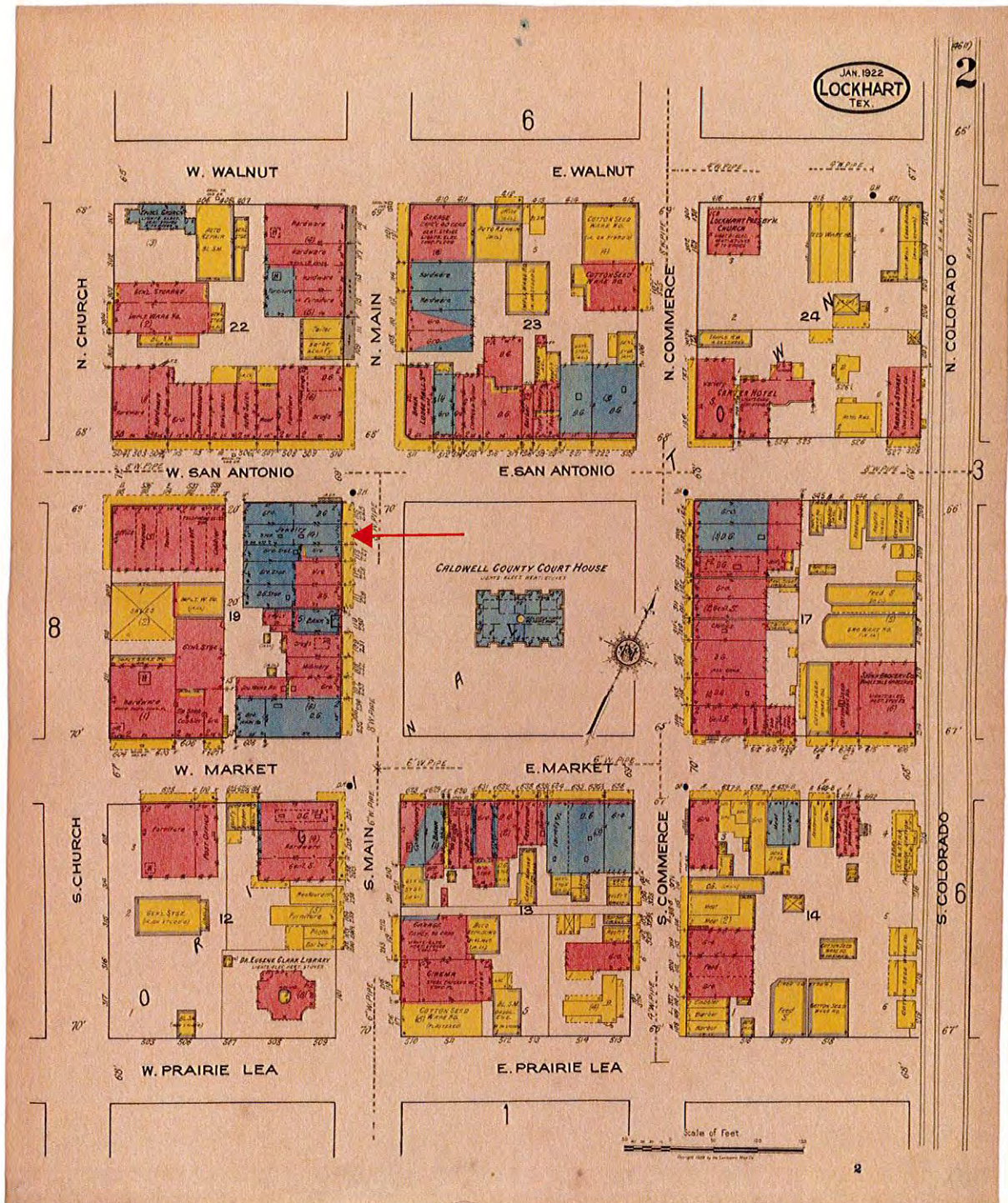
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1915



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1922



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Historical Photo #1



The Star Building-Lockhart National Bank, 1903-1915

Photo shows railing around balcony

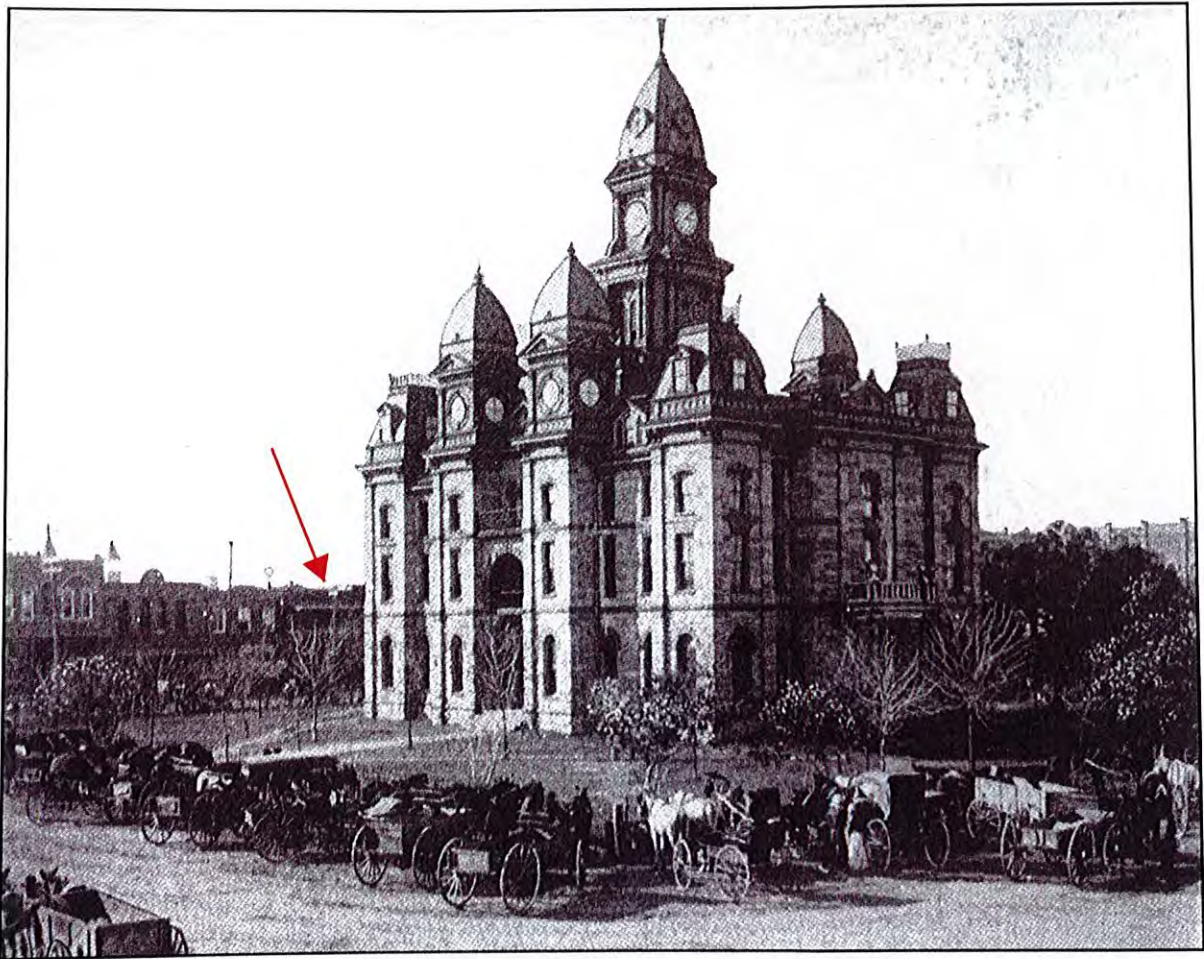
Photo taken between 1902 and 1924 when Lockhart National Bank was located at 101 E. San Antonio Street (Withers, pp. 6, 9)

Sources:

Historical Caldwell County, where roots intertwine, pg. 426, Briscoe F 392 C2 H577Reagan, Ronda A., "Lockhart: Images of America", page 27

A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, Lockhart Post Register, inside cover

Historical Photo #2



County Courthouse looking Northwest, 1905-1909

Source: A Pictorial History: Remembering Lockhart's first 150 years, page 11

Historical Photo #3



Winter scene, 1909

Source: Reagan, Ronda A., "Lockhart: Images of America", page 43

Original source: Caldwell County History Center

Historical Photo #4



West side of Square, looking south, W. H. Lewis & Co., 1915-1925
Shows roofed balcony

Sources:

Historical Lockhart, then and now by Zona Adams Withers, page 10, Briscoe F394 L78 W573
A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 25

Historical Photo #5



Northwest Corner of Square, Wranitzky Bros. 1916

Sources:

Reagan, Ronda A., "Lockhart: Images of America", page 30

A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 43

Original Source: Gerry and Conrad Ohlendorf Collection

Historical Photo #6

on the lower left is now the County Tax Office (County)



This view is of the northwest corner of the town square.

Aerial view, 1921-1923

Source #1: Reagan, Ronda A., "Lockhart: Images of America", page 64

Original source: Eugene Clark Library

Historical Photo #7

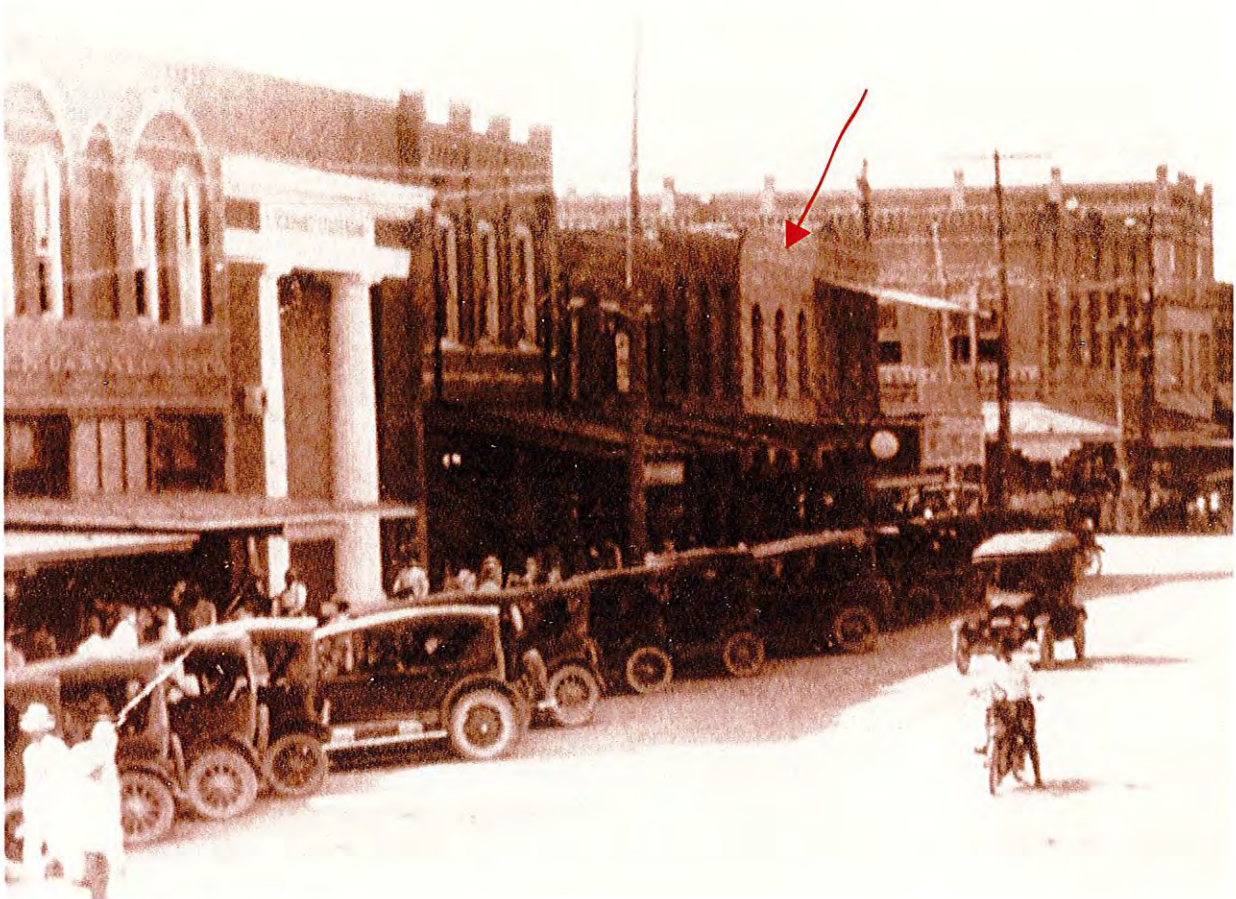


November 1923 Confederate Monument unveiled on the Courthouse lawn.

Confederate Monument, 1923

Source: A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 52

Historical Photo #8



Bank Pillars and Parked Cars: Stone front, without balcony, 1922-1923

Source: A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 62

Historical Photo #9

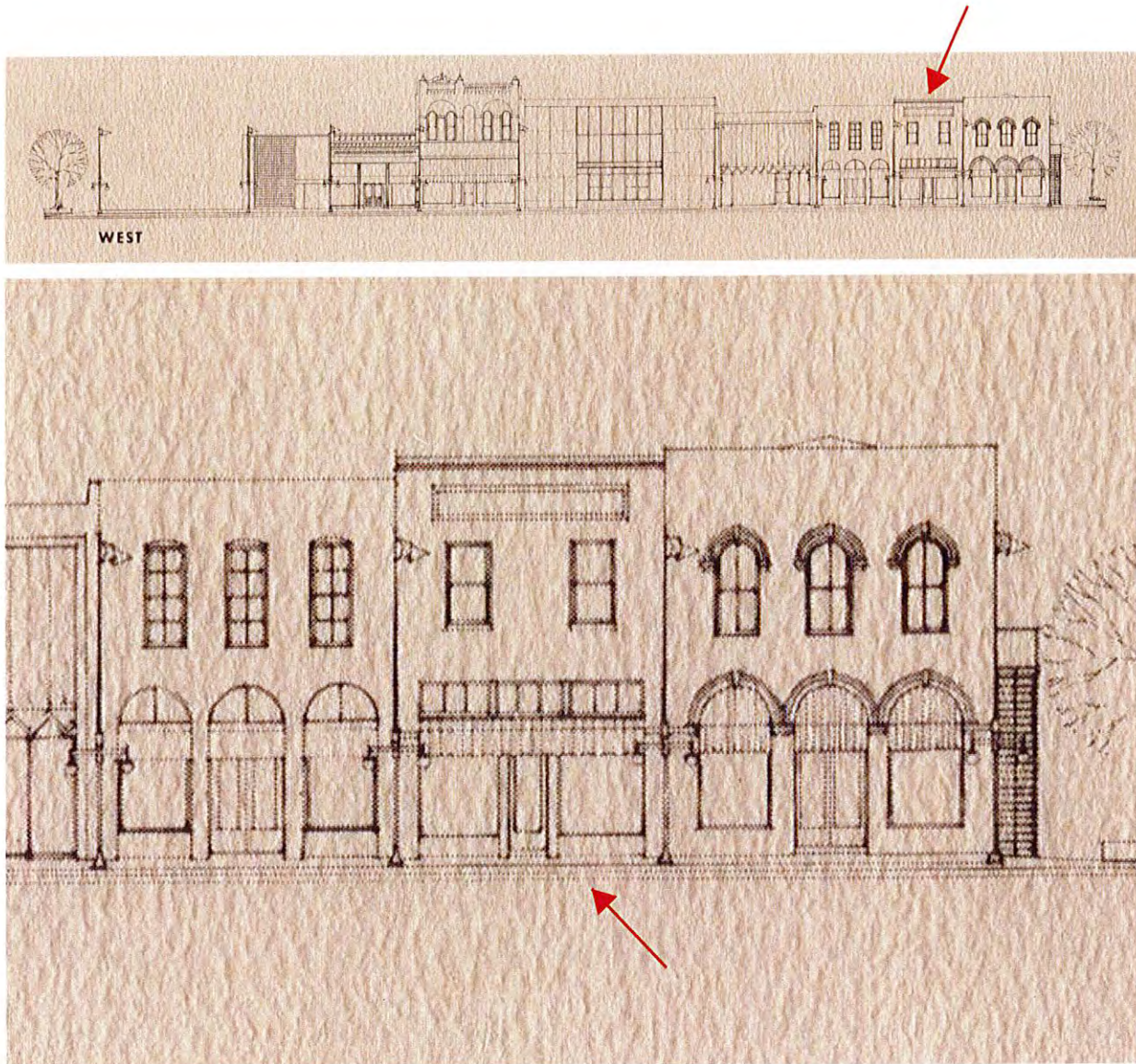


Parade Float, 1948

Source #1: Reagan, Ronda A., "Lockhart: Images of America", page 124

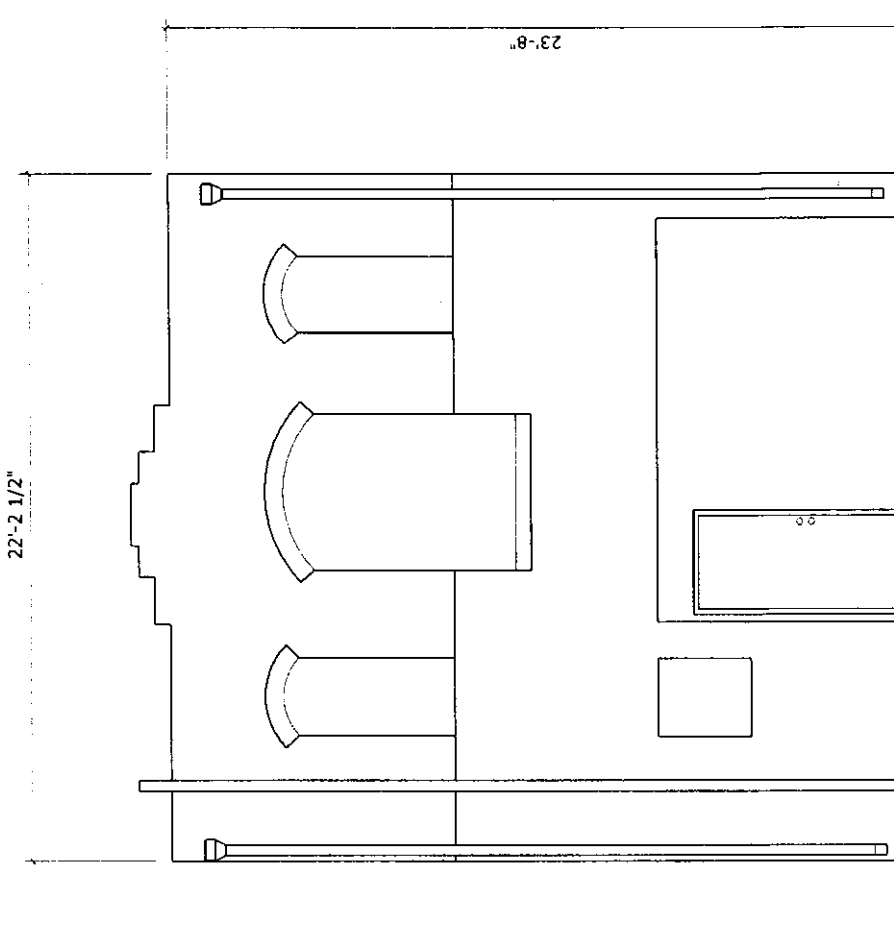
Original Source: Eugene Clark Library

Historical Photo #10

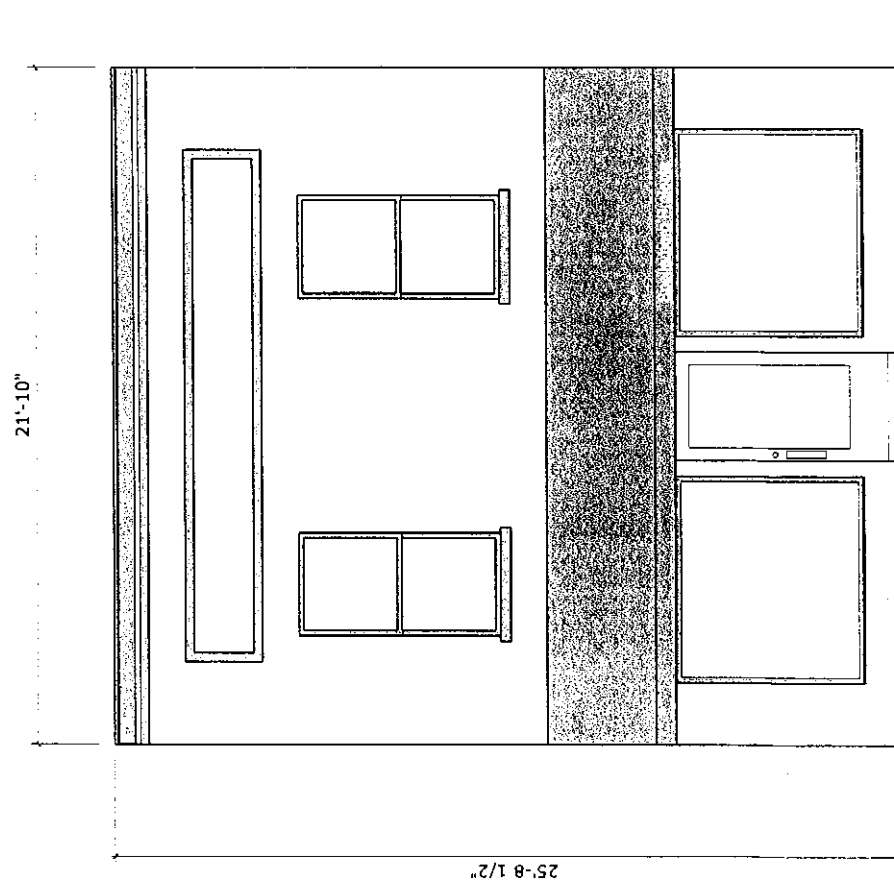


Sketch of buildings facing Square, 1968

Source: Courthouse Square, Lockhart, Texas by Garland Anderson, 1968, pg. 10.



Existing West Elevation (Rear)



Existing East Elevation (Front)

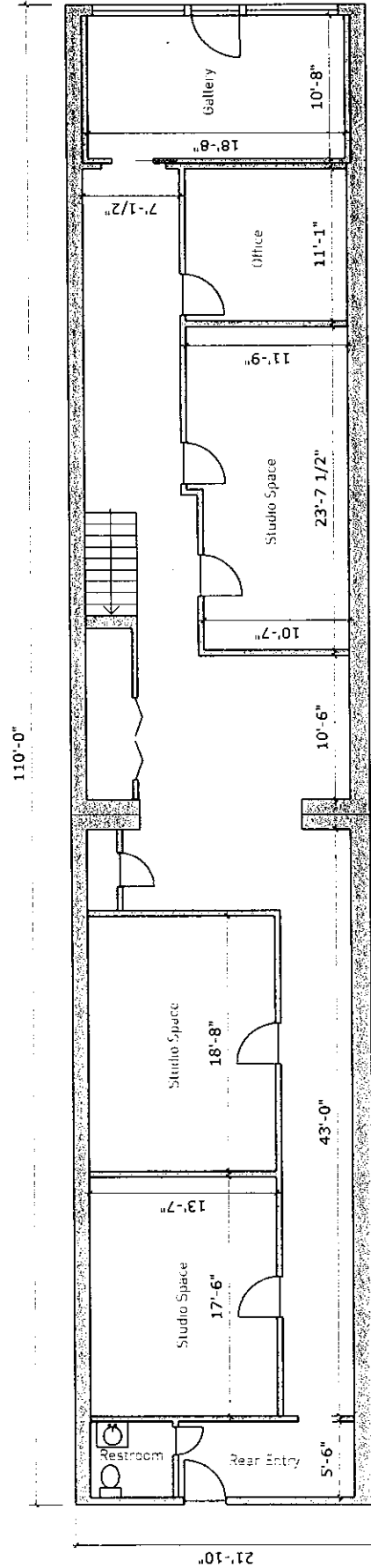
06/23/2023

Spellerberg Projects Gallery - 103 S Main St - Lockhart, TX - Remodel and Updates

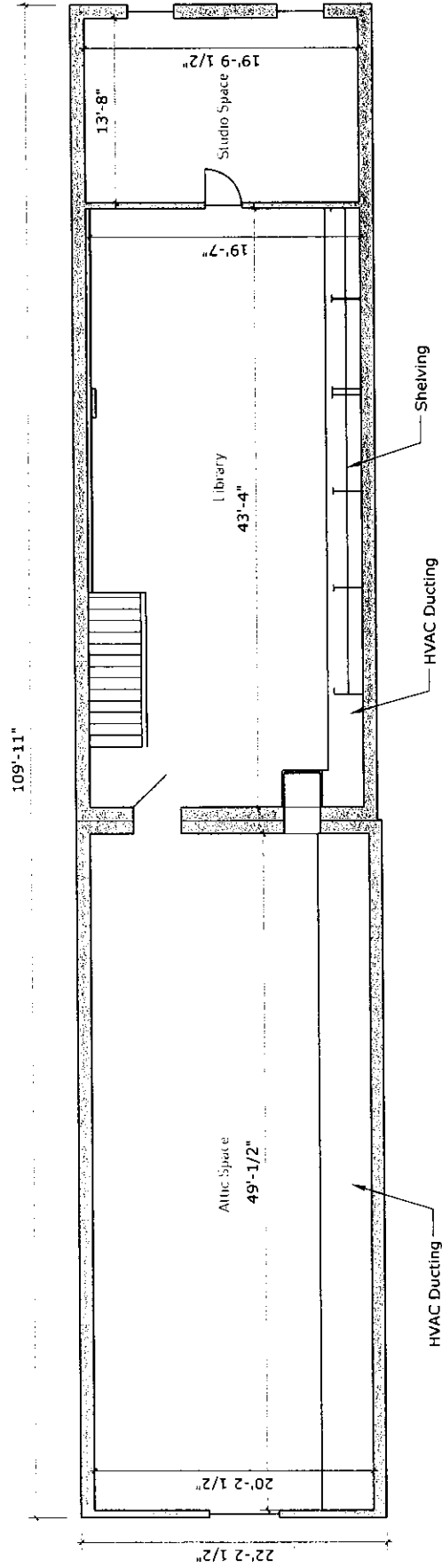
311 S Guadalupe, Lockhart, TX 78644 512 785-8695

Drawing 01

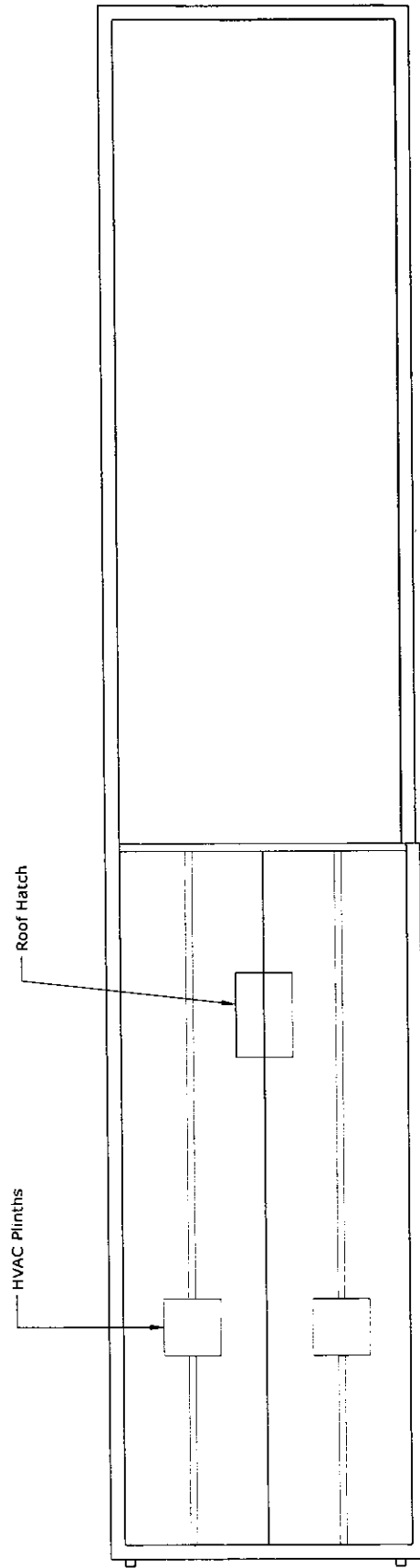
A M SMITH



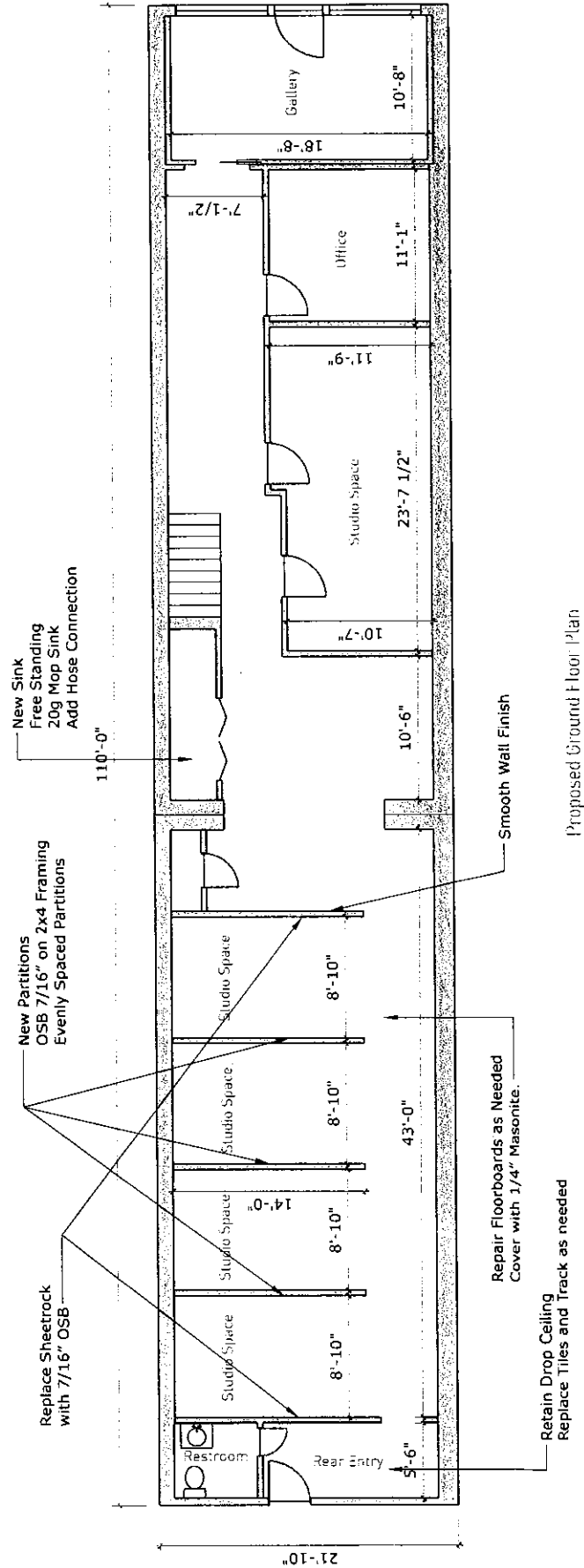
Existing Ground Floor Plan

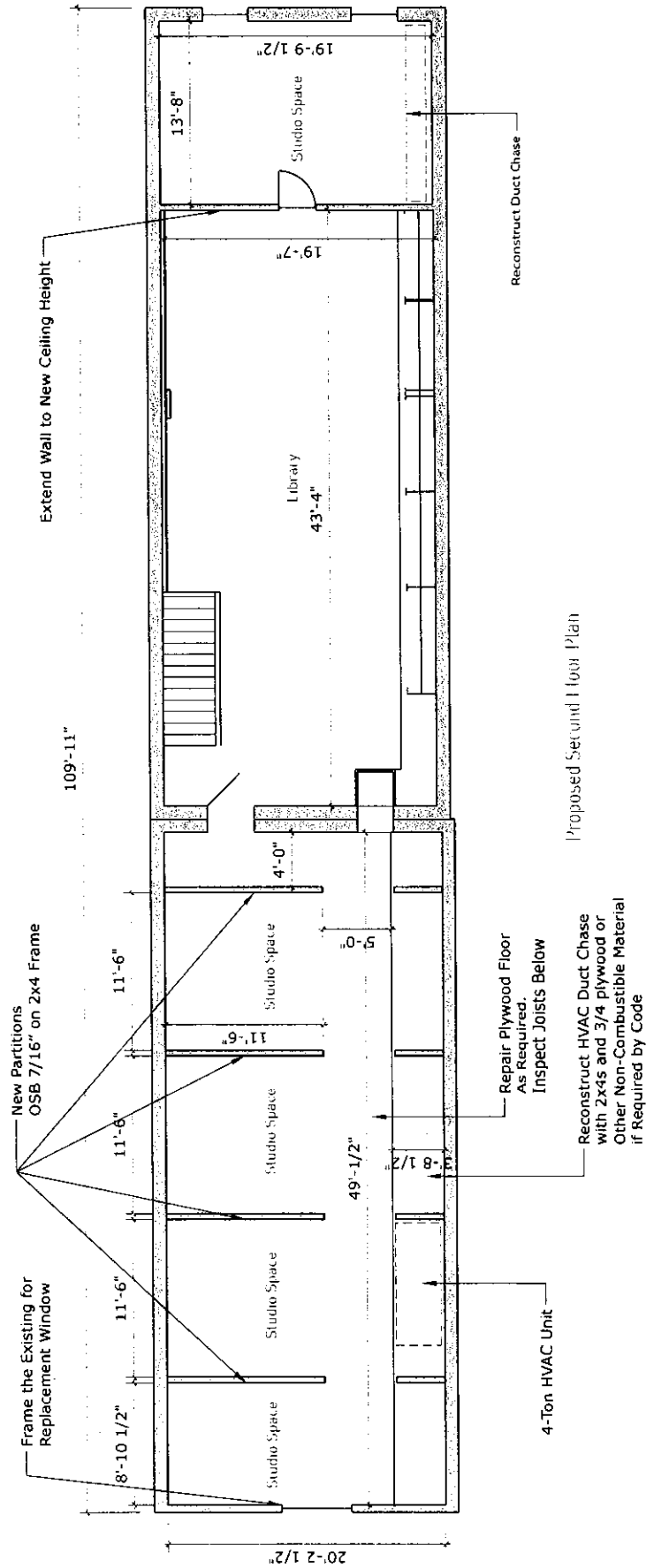


Existing Second Floor Plan



Existing Roof Plan



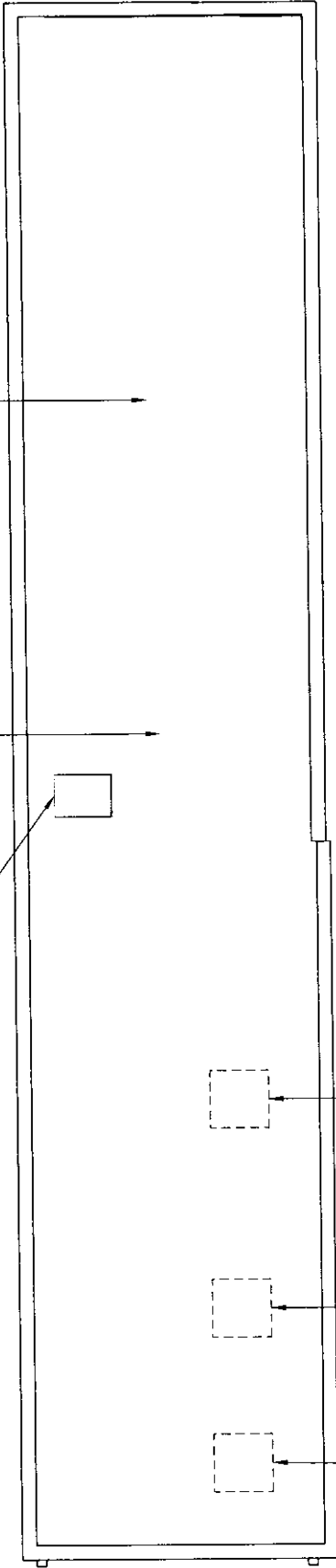


Re-slope Roof from Front to Back (E to W)

Install New Roof
Hatch Spec TBD

Install New Thermal Insulation
Above Roof Deck

Install New TPO Membrane



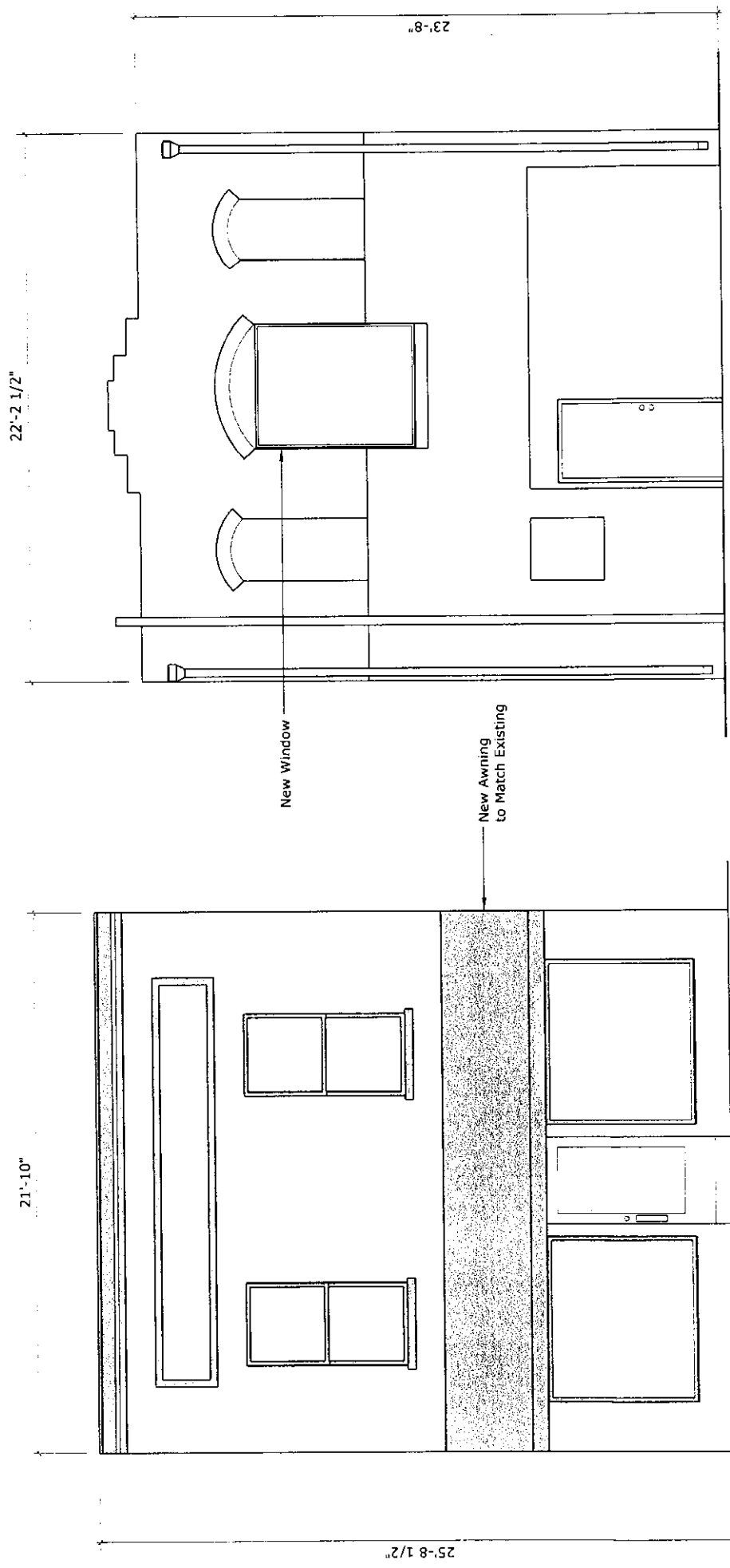
Proposed Kool Pad

Re-install 2-Ton Unit
at New Location
on Metal Base

4-Ton Unit at
Existing Location
on Metal Base

2 Ton Minisplit
on Metal Base

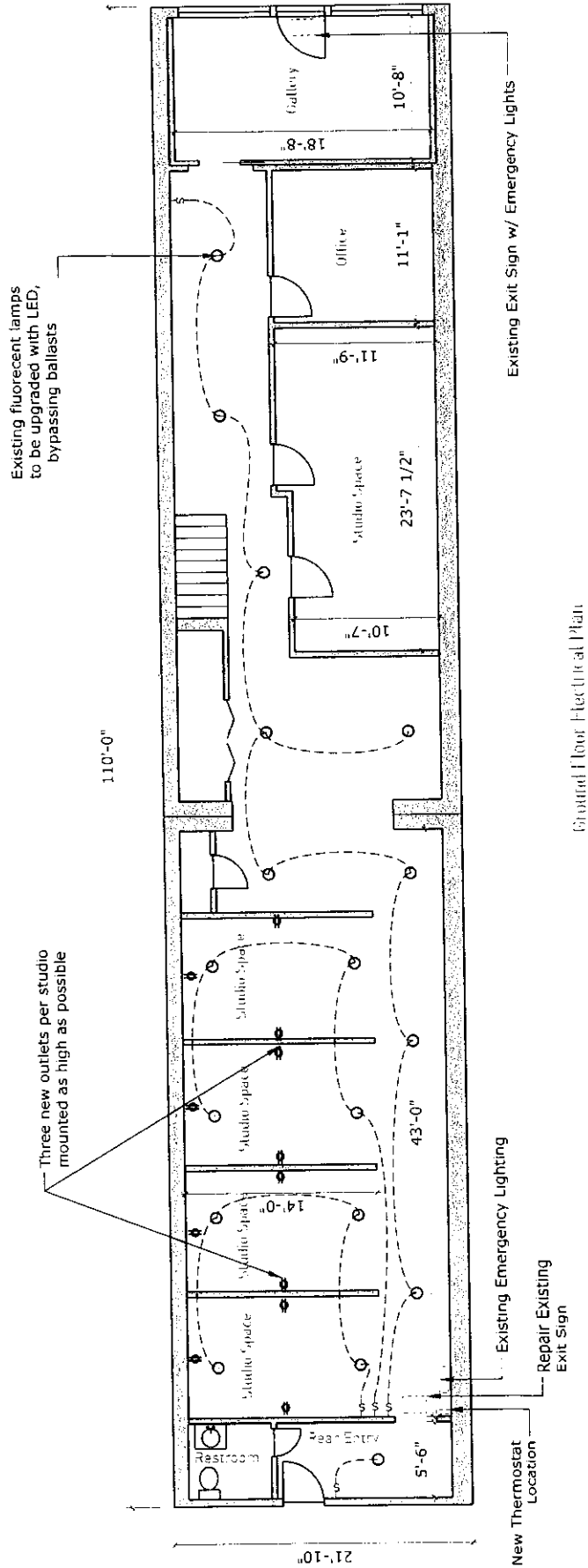
A M SMITH



Proposed East Elevation (Front)

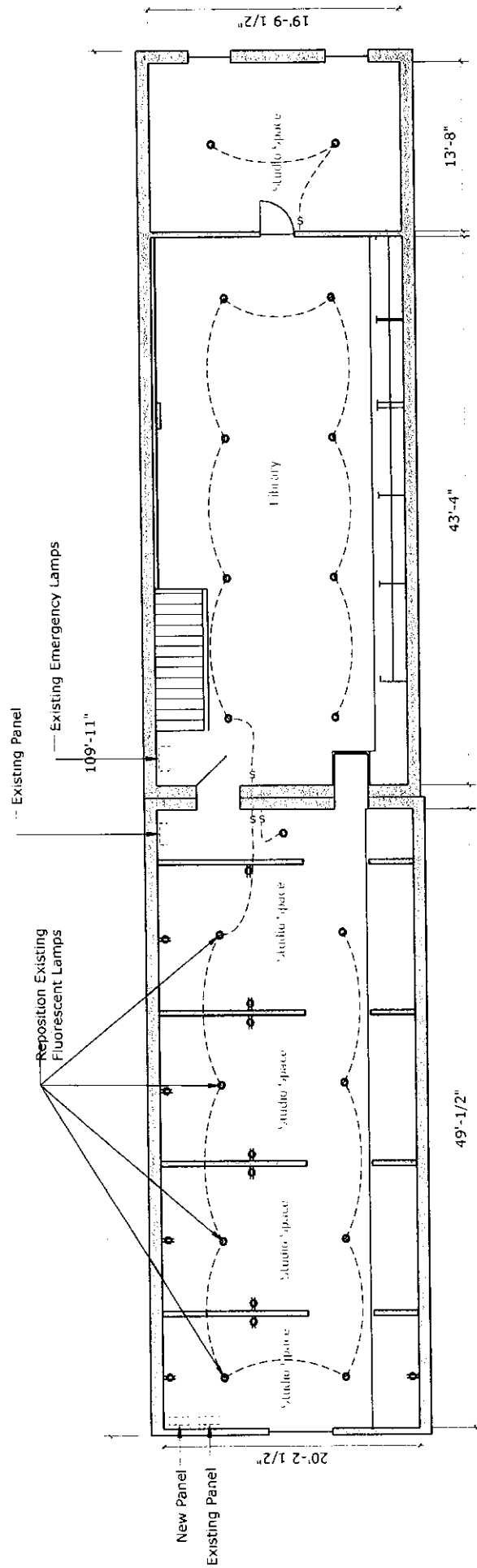
Proposed West Elevation (Rear)

- Replace fluorescent lamps throughout
- Repair emergency lighting (exit of building)
- Add wired smoke & carbon monoxide detectors per code
- Add additional emergency lighting & exit signage per code

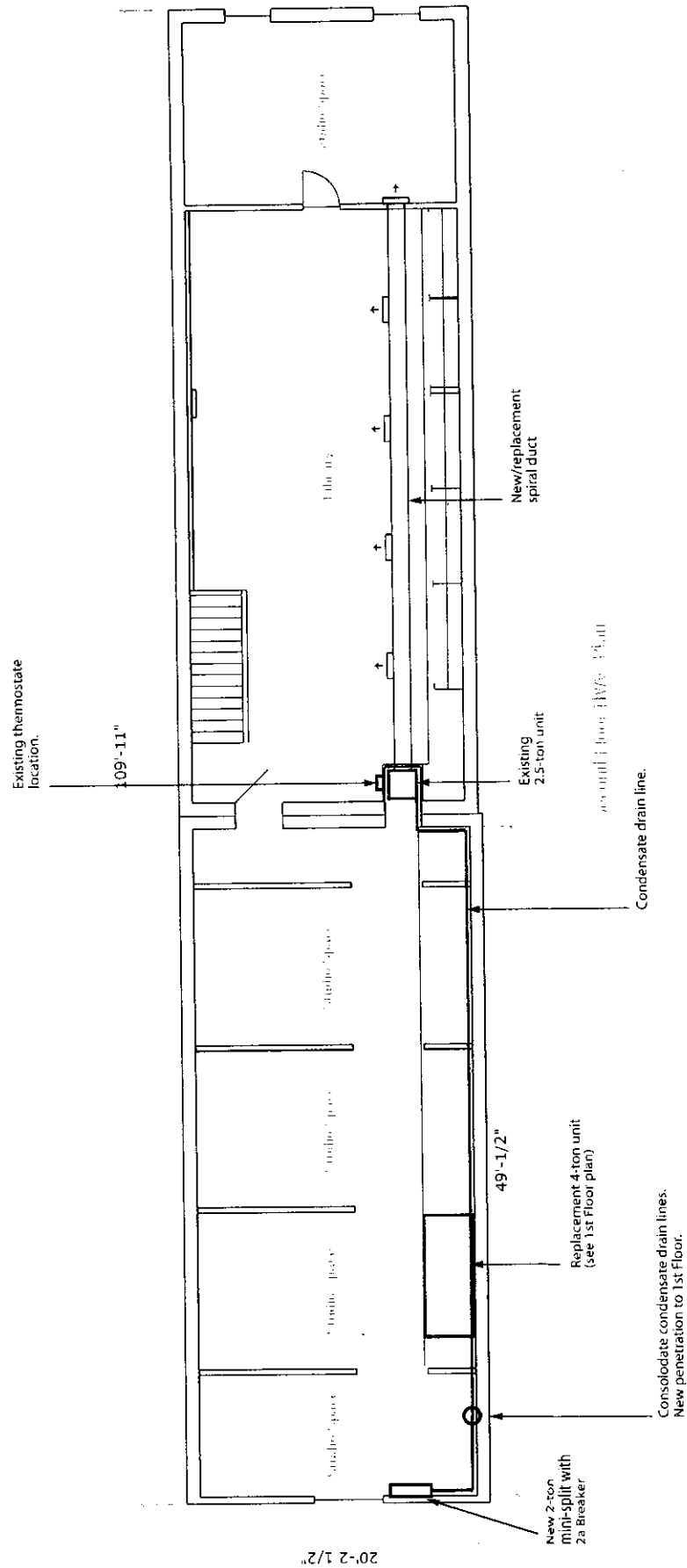


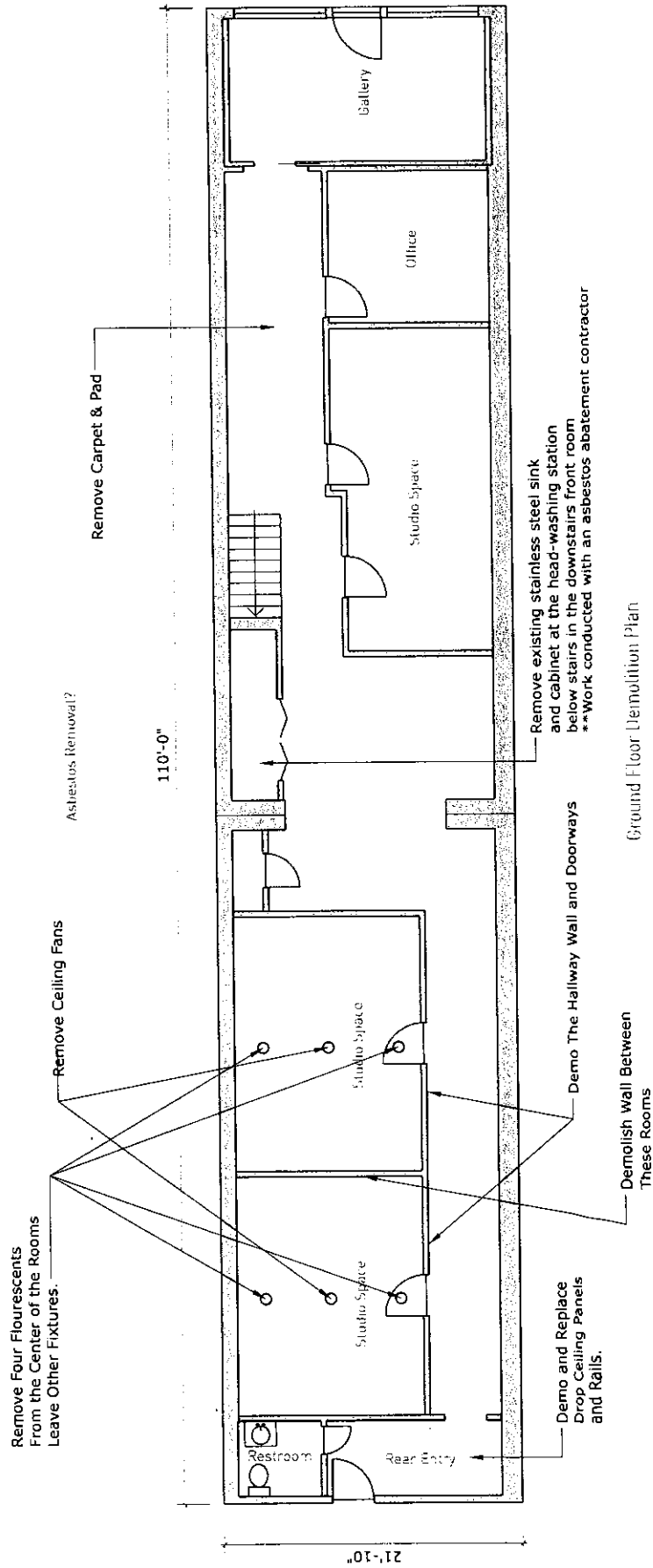
Ground Floor Electrical Plan

- Replace fluorescent lamps throughout
- Replace emergency lighting near exit of building
- Add wired smoke & carbon monoxide detectors per code
- Add additional emergency lighting & exit signage per code

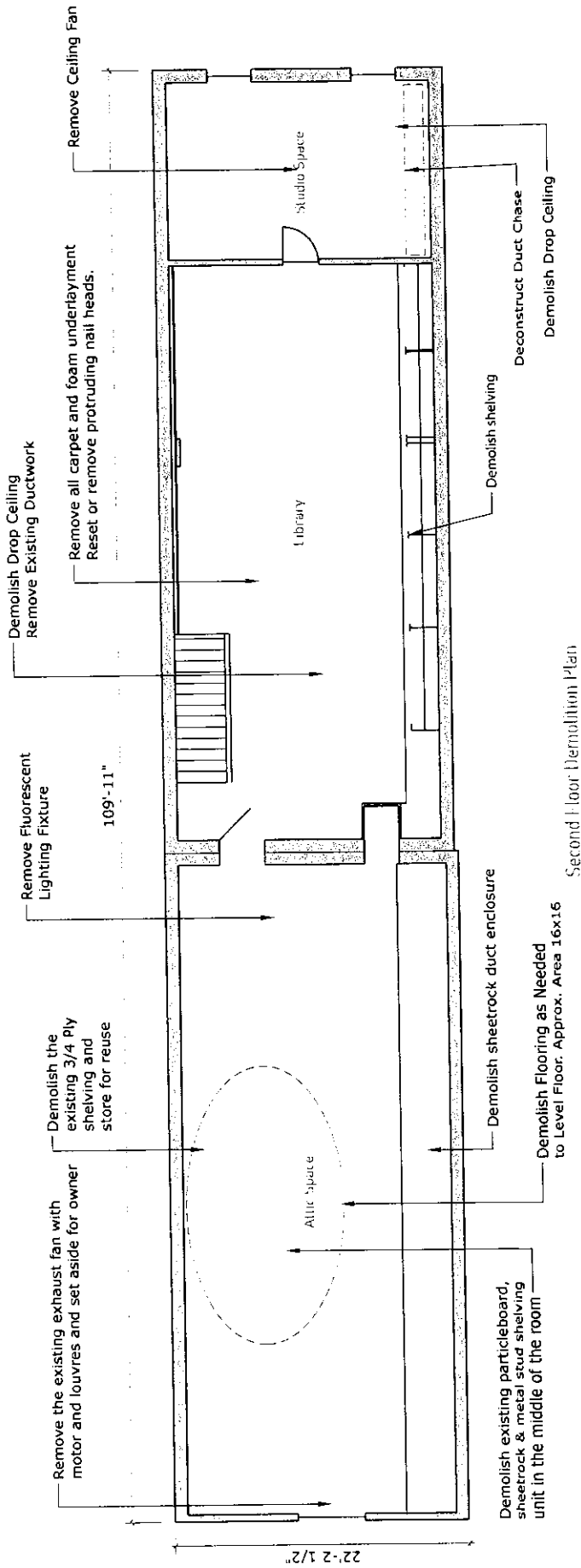


Second Floor Electrical Plan

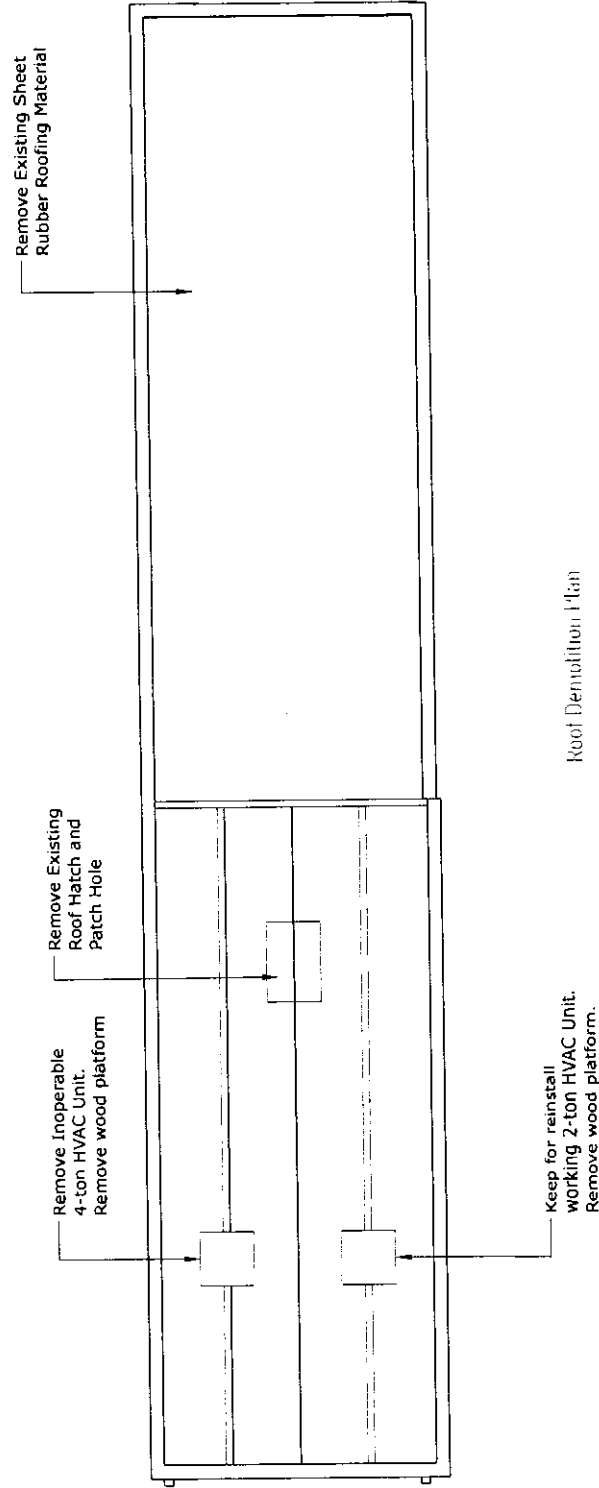




A M SMITH

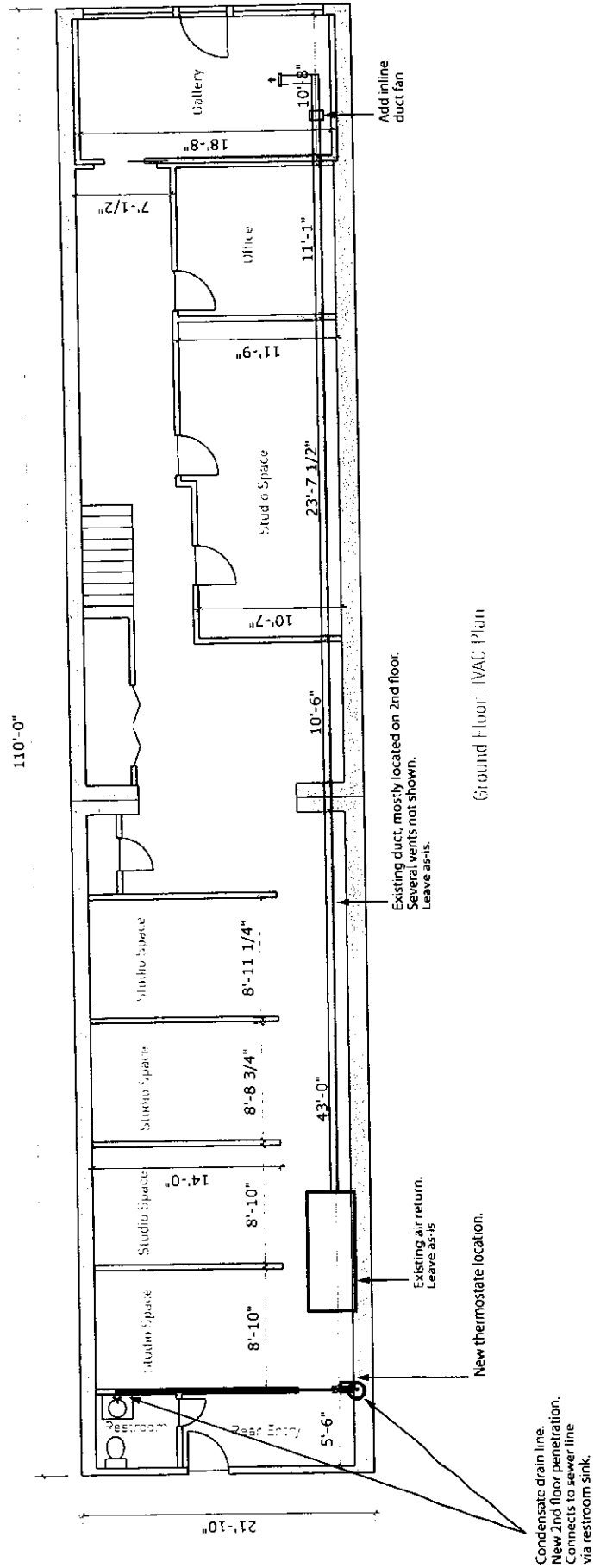


A. M. SMITH



Roof Demolition Plan

A M SMITH





HISTORIC PROPERTY PRESERVATION TAX ABATEMENT APPLICATION

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

APPLICANT / PROPERTY OWNER

Martin Spellerberg, Owner
NAME: Spellerberg Associates LLC
DAY-TIME TELEPHONE: 737-333-9760
E-MAIL: marty@spellerberg.org

MAILING ADDRESS: 6312 Woodhue Dr, Austin TX 78745

PROPERTY

ADDRESS: 103 S Main St, Lockhart TX 78644

LEGAL DESCRIPTION (IF PLATTED): Part of Lot 4, Block 12, Original Town of Lockhart

SIZE: 2,378 SQUARE FEET OR 0.055 ACRE(S)

ZONING CLASSIFICATION: Commercial (CCB)

HISTORICAL SIGNIFICANCE

BUILDER/ARCHITECT (IF KNOWN): _____

DATE OF ORIGINAL CONSTRUCTION (IF KNOWN): ca. 1888

CITY, STATE, OR NATIONAL HISTORIC DESIGNATION(S) (IF ANY): Building Certified Historic, Texas Historical Commission

HISTORICAL NAME(S) OF BUILDING(S) (IF KNOWN): _____

PROPERTY OWNER AUTHORIZATION

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.

IF THE APPLICATION IS NOT SUBMITTED BY THE PROPERTY OWNER OF RECORD, A LETTER AUTHORIZING THE APPLICANT TO ACT ON THE PROPERTY OWNER'S BEHALF IS REQUIRED, AND MUST BE SIGNED AND DATED BY THE PROPERTY OWNER. AN E-MAILED AUTHORIZATION FROM THE PROPERTY OWNER TO THE PLANNING DEPARTMENT IS ALSO ACCEPTABLE.

*PLEASE NOTE THAT A CERTIFICATE FOR ALTERATION MUST BE APPROVED BY THE HISTORICAL PRESERVATION COMMISSION, PRIOR TO APPROVAL OF THE REQUESTED TAX ABATEMENT.

SIGNATURE OF PROPERTY OWNER: M. Spellerberg

PRINTED NAME: Martin Spellerberg

DATE: Jun 26, 2023

SUBMITTAL REQUIREMENTS

1. AN AFFIDAVIT BY THE OWNER DESCRIBING THE HISTORIC SIGNIFICANCE OF THE STRUCTURE(S) IN NEED OF TAX RELIEF, INCLUDING ANY RELEVANT OR USEFUL INFORMATION REGARDING THE HISTORY OF THE STRUCTURE(S) (HISTORICAL PHOTOGRAPHS, NEWSPAPER ARTICLES, ARCHITECTURAL DRAWINGS, ETC.)
2. A PLAN AND DETAILED WRITTEN DESCRIPTION OF THE IMPROVEMENTS, ENHANCEMENT, REHABILITATION, AND/OR PRESERVATION ("WORK") FOR WHICH TAX ABATEMENT IS REQUESTED.
3. A SITE PLAN SHOWING THE TYPE, NUMBER, AND LOCATION OF ALL EXISTING IMPROVEMENTS ON THE PROPERTY (PRIMARY AND ACCESSORY BUILDINGS, FENCES, SIGNS, ETC.)
4. A COPY OF THE LAST PAID TAX RECEIPT, AN ITEMIZED STATEMENT OF THE CURRENT ASSESSED PROPERTY VALUE, AND A COPY OF THE PROPERTY'S CURRENT APPRAISAL CARD AND PROPERTY TAX RECORD ON FILE AT THE CALDWELL COUNTY APPRAISAL DISTRICT.
5. AN ITEMIZED STATEMENT OF COSTS FOR THE PROPOSED WORK AND ESTIMATED PROPERTY VALUE UPON COMPLETION.
6. A SCHEDULE OF THE ESTIMATED CONSTRUCTION TIME WITH START AND COMPLETION DATES OF THE PROPOSED WORK.
7. A DETAILED STATEMENT OF THE CURRENT AND PROPOSED USE FOR THE PROPERTY.
8. IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.
9. **APPLICATION FEE OF \$125.00**, PAYABLE TO THE CITY OF LOCKHART.

OFFICE USE ONLY

CASE NUMBER: TA- 23 - 01 DATE SUBMITTED: 8/21/23

ACCEPTED BY: Kevin Waller RECEIPT NUMBER: R01243383

HISTORICAL PRESERVATION COMMISSION MEETING DATE: 9/6/23

HISTORICAL PRESERVATION COMMISSION RECOMMENDATION: 50 - Approval

CITY COUNCIL MEETING DATE: 9/19/23

CITY COUNCIL DECISION OF ELIGIBILITY: _____

APPLICANT SWORN STATEMENT OF COMPLETION — DATE SUBMITTED: Initial - 9/6/23

HISTORICAL PRESERVATION COMMISSION SITE INVESTIGATION DATE: Final -

HISTORICAL PRESERVATION COMMISSION APPROVAL DATE: _____

CITY NOTIFICATION TO APPRAISAL DISTRICT — DATE: _____

DIVISION 2. TAX ABATEMENT

Sec. 28-20. Tax abatement for preservation of historic properties.

Historical preservation contributes to the economic development, growth and expansion of a community. The following tax abatement program is designed to encourage historical preservation in the city and to provide guidelines, criteria, and procedures for such tax abatements consistent with stated policy, and incorporate the components, requirements and criteria included in sections 28-21 through 28-24.

(Code 1982, § 12.5-20; Ord. No. 93-19, pt. 20, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-21. General criteria and guidelines of tax abatement program.

(a) An historic landmark or a property in an historic district in need of tax relief to encourage improvement and preservation in accordance with the provisions of this chapter and which is improved, enhanced, rehabilitated, restored and/or preserved as certified by the commission may have a tax abatement granted, subject to the approval and conditions of the city.

(b) The enhancement qualifying for a tax abatement shall be either interior or exterior, or both, but shall require a review and certificate for alteration by the commission.

(c) Eligibility for a tax abatement shall not be limited as to zoning classification or use, but shall be subject to the property owner(s), tenant(s), and the city entering into a tax abatement agreement.

(d) A minimum threshold for qualification to participate shall be established based on a minimum cost of qualifying enhancement which equals or exceeds the minimum tax abatement allowed.

(e) The minimum tax abatement allowed shall be an amount equal to the previous two years of city taxes actually paid on the property. The city council may set a different minimum abatement.

(f) The total tax abatement shall not exceed the owner's and/or tenant's total out-of-pocket cost of the enhancement certified by the commission.

(g) The maximum tax abatement allowed shall be one of the following effected for a maximum term of ten years:

- (1) The qualified property may have no assessed value for City of Lockhart ad valorem taxation for a period of five tax years after the completion of the certified enhancement. Thereafter, the qualified property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period.
- (2) The property may receive an abatement of the city ad valorem taxation of the added value in the eligible property as determined by the increase in the assessed value in the property as a result of the improvements and preservation.

(h) Any tax abatement granted shall begin on the first day of the first tax year after verification of completion of the rehabilitation and/or preservation required for certification, provided that the building shall comply with the applicable zoning regulations for its use and location.

(i) Any property which receives a tax abatement shall be designated and zoned historic (H or HL) by the city council prior to verification. To qualify and receive the tax relief as specified in this section, the property must be zoned historic (H or HL) and be maintained in a minimal condition equal to the condition at the time of verification.

(j) The historical preservation officer shall inspect and verify to the tax authorities annually that the property qualifies for the scheduled tax abatement.

(k) The work which is certified for tax abatement must be completed within one year of the certification and agreement. The certified and/or verified tax abatement shall carry with the property. A property may be certified and verified for additional work and receive more than one tax abatement concurrently, but not to exceed the limits allowed by the tax abatement program.

(Code 1982, § 12.5-21; Ord. No. 93-19, pt. 21, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-22. Application for tax abatement.

(a) Application for an historic property preservation tax abatement pursuant to this section shall be filed with the city manager for review by the commission which will make a recommendation to the city council. Each application shall be signed and sworn to by the owner of the property and shall:

- (1) State the legal description and a map of the property proposed for certification;
- (2) Include an affidavit by the owner describing the historic significance of the structure in need of tax relief;
- (3) Include a plan and detailed written description of the improvements, enhancement, rehabilitation and/or preservation ("work") for which tax abatement is requested;
- (4) A list of the kind, number and location of all improvements to the property;
- (5) A copy of the last paid tax receipt and itemized statement of the current assessed property value;
- (6) Include an itemized statement of costs for the proposed work and estimated property value upon completion;
- (7) Include a schedule of the estimated construction time with start and completion dates of the proposed work;
- (8) Authorize the members of the commission, the city tax assessor-collector and city officials to visit and inspect the property proposed for certification;
- (9) Include a detailed statement of the current and proposed use and zoning for the property;

(10) Provide any additional information to the commission which the owner deems relevant or useful, such as the history of the structure; and

(11) Processing and appraisal fees may be required by the city at the time of application.

(b) Each application shall contain sufficient documentation confirming or supporting the information submitted therein. The approval of tax abatement will depend upon the quality of the information provided by the applicant.

(Code 1982, § 12.5-22; Ord. No. 93-19, pt. 22, 9-21-93)

Sec. 28-23. Certification for tax abatement.

Upon receipt of the sworn application, the commission shall make an investigation of the property and shall certify the facts to the city within 30 days along with the commission's documentation for approval or disapproval of the application for abatement. Upon receipt of the certified application for tax abatement as well as the recommendation of the commission, the city council shall within 30 days approve or disapprove eligibility of the property for tax relief pursuant to sections 28-21 through 28-24. In determining eligibility, the City of Lockhart shall first determine that the applicant is in compliance with all the requirements of these sections and the city Code. The certification for tax abatement for specified work shall be valid for one year. The city shall require the property owners, tenants and city enter into a tax abatement agreement which may set further conditions on the tax abatement authorized. The verification and subsequent tax abatement may carry with the property provided the conditions of the abatement are met and the city is in agreement.

(Code 1982, § 12.5-23; Ord. No. 93-19, pt. 23, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-24. Verification for tax abatement.

Upon completion of the preservation and/or rehabilitation, the certified applicant shall submit a sworn statement of completion acknowledging that the enhancement and preservation work as certified by the commission is complete. The commission, upon receipt of the sworn statement of completion, but no later than 30 days thereafter, shall make an investigation of the property and shall approve or disapprove the fact that the property has been substantially completed as required for certification. If verification or completion shall be deemed unfavorable, the certified applicant shall be notified in writing, listing the work required to complete the preservation and/or rehabilitation in order to secure the tax abatement provided herein. If the verification of completion is favorable, the commission shall notify the City of Lockhart in writing of compliance. The city shall notify the tax authorities, and thereafter the tax assessor-collector shall provide the property with the tax abatement authorized by the agreement and program, provided the property is maintained in a minimal condition equal to the condition at the time of verification.

(Code 1982, § 12.5-24; Ord. No. 93-19, pt. 24, 9-21-93)



Historic Property Preservation Tax Abatement

The Tax Abatement Program encourages preservation of historic buildings in order to maintain and enhance the architectural character of Lockhart's downtown Historic District and individual properties designated as local Historic Landmarks.

General Information:

- The minimum tax abatement allowed shall be an amount equal to the previous two years of city taxes actually paid on the property.
- The total tax abatement shall not exceed the owner's and/or tenant's total out-of-pocket cost of the improvements.
- The tax abatement applies only to municipal taxes.
- The property owner must be current on property taxes prior to authorization of any tax abatement.
- In addition to the Tax Abatement Application, a Certificate for Alteration Application must be approved by the Historical Preservation Commission, prior to the Commission's approval of the tax abatement.
- The tax abatement may carry with the property.
- Both residential and non-residential properties are eligible.
- www.library.municode.com/tx/lockhart/codes/code_of_ordinances?nodeId=PTIICOR_C H28HIDILA_S28-20TAABPRHIPR

Process Summary:

- 1) The *Historic Property Preservation Tax Abatement Application* shall be filed with the City Manager (Planning Department will coordinate) for review by the Historical Preservation Commission.
- 2) The Commission will make a recommendation to the City Council within 30 days.
- 3) The City Council will then issue a decision within 30 days of the Commission's recommendation.
- 4) The work must be completed within one year of certification and agreement.
- 5) Upon completion of the work, the applicant shall submit a sworn statement of completion.
- 6) The Commission will then have 30 days to inspect the property to determine its eligibility for tax abatement.
- 7) Once the property is found to be eligible, the City will direct the Caldwell County Appraisal District to apply the tax abatement.

TAX ABATEMENT AGREEMENT

THIS TAX ABATEMENT AGREEMENT is made and entered into as of the 19th day of September, 2023 (the “*Effective Date*”), by and between **Martin Spellerberg of Spellerberg Associates, LLC** (property owner), and the City of Lockhart, a Texas home rule city in Caldwell County, Texas, upon the terms and conditions set forth herein:

- A. The City Council of the City of Lockhart recognizes the importance of the preservation of historically significant structures within the city, and that historic preservation contributes to the economic development, growth, and expansion of a community.
- B. The expenses involved with the restoration and upkeep of said structures often exceeds that of newer structures.
- C. The City Council desires to encourage preservation of historically significant structures by providing the owners of said structures with property tax relief.
- D. The Historic Districts and Landmarks Ordinance, Lockhart Code of Ordinances, Sections 28-21, 28-22, 28-23, and 28-24 provide that upon application and approval by the City Council, the owner of property designated as a historic landmark or located within a historic district may receive an abatement on the municipal taxes assessed on the property.
- E. The said abatement being that the qualified property may have no assessed value for City of Lockhart ad valorem taxation for a period of five tax years after completion of the certified enhancement(s). Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period.
- F. The property may receive an abatement of the City ad valorem taxation of the added value in the eligible property as determined by the increase in the assessed value in the property as a result of the improvements and preservation.
- G. The minimum tax abatement allowed shall be an amount equal to the previous two years of City taxes actually paid on the property. The City Council may set a different minimum abatement.
- H. The total tax abatement shall not exceed the owner’s total out-of-pocket cost of the enhancement.
- I. The work which is certified for tax abatement must be completed within one year of the certification and agreement.

- J. The certified and/or verified tax abatement may carry with the property, provided the conditions of the abatement are met and the City is in agreement.
- K. Martin Spellerberg of Spellerberg Associates, LLC, owner of the property located at 103 South Main Street, Lockhart, Caldwell County, Texas, more fully described as Part of Lot 4, Block 19, Original Town of Lockhart, has applied for a tax abatement for both exterior and interior improvements to an existing commercial building in the Courthouse Square Historic District to include a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Mr. Spellerberg has met the requirements set forth in Sections 28-21, 28-22, and 28-23 of the Lockhart Code of Ordinances, including a determination of eligibility by the City Council at its September 19, 2023 Public Hearing. Section 28-24 addresses later steps in the process, including the property owner's submission of a sworn statement of completion, final investigation of the property by the Historical Preservation Commission, and the City's notification to the Caldwell County Appraisal District to apply the tax abatement accordingly.
- L. For the tax year beginning after the completion of the certified enhancement, and continuing for a total of five tax years, Martin Spellerberg is granted a 100% abatement of the municipal taxes assessed against the property located at 103 South Main Street. Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period. In no event shall the total tax abatement exceed the total out-of-pocket cost of the enhancements certified by the Commission, the most recent estimate of which, documented by the owner, is **\$145,400.00**.

DATED AND EFFECTIVE as of the Effective Date first written above.

PROPERTY OWNER:

Spellerberg Associates, LLC

By: _____

Name: _____

Title: _____

CITY:

City of Lockhart, Texas

By: _____

Name: _____

Title: _____

Approved as to form:

Name: _____

Title: _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discuss Ordinance 2023-20 amending Chapter 28, "Historic Districts and Landmarks", Section 28-11, "Certificate for alteration for historic landmarks or historic districts", subsection (c)(4), to require that all awnings and suspended canopies be considered through the Certificate for Alteration review procedures, without a "Pre-Approved" option.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Kevin Waller

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: During a previous Historical Preservation Commission meeting, members expressed a desire that all awnings and suspended canopies, no matter the design or materials used, require Commission review through the Certificate for Alteration review procedures, due to their impact and relevance to the downtown Historic District. Currently, certain types of awnings/canopies can be considered to be "pre-approved", which is an administrative Staff review that is not subject to the Commission's consideration. Section 28-11(c) of the Historic Districts and Landmarks Ordinance provides further details on the pre-approval process and is enclosed with your agenda packet materials, as well as subsection (4), which specifically addresses pre-approved awnings and suspended canopies. The Ordinance amendment would simply involve removing Section 28-11(c)(4), which would then remove the pre-approved option and effectively send all proposals through the Commission for review. The replacement of awnings/canopies with those of identical design and materials is considered ordinary maintenance, and would continue to be exempt from Commission review. Following consideration of the text amendment at the August 16, 2023 Commission meeting, the Commission made a formal recommendation at that meeting to approve the amendment to City Council.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission recommended at its August 16, 2023 meeting (5-0 vote) that Section 28-11(c)(4) be amended such that awnings and suspended canopies no longer contain a "pre-approved" provision, but that all awnings and suspended canopies must be considered by the Commission through the Certificate for Alteration review procedures.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends that the City Council adopt the Ordinance to amend Section 28-11(c)(4), Historic Districts and Landmarks, such that awnings and suspended canopies no longer contain a "pre-approved" provision, but that all awnings and suspended canopies must be considered by the Commission through the Certificate for Alteration review procedures.

LIST OF SUPPORTING DOCUMENTS: 2023-20 Awning Ordinance Amendment, 09-12-2023 Awning Memo to City Council, 08-16-2023 LHPC Minutes (see Agenda Item 5)

ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", OF THE CODE OF ORDINANCES, DIVISION 1 "HISTORIC DISTRICTS AND LANDMARKS REGULATIONS AND PROCEDURES", SECTION 28-11 "CERTIFICATE FOR ALTERATION FOR HISTORIC LANDMARKS OR HISTORIC DISTRICTS", SUBSECTION (C)(4); PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Lockhart Historical Preservation Commission reviews all proposed development, redevelopment, and alteration within the Courthouse Square Historic District and on properties identified as City-designated Historic Landmarks,

WHEREAS, The Lockhart Historical Preservation Commission has recommended that all new awnings and suspended canopies require Commission review and a Certificate for Alteration in the Courthouse Square Historic District and on properties identified as City-designated Historic Landmarks; and,

WHEREAS, Awning and suspended canopy proposals of certain materials and designs currently contain a "pre-approved", administrative review option, without the requirement for Commission review and a Certificate for Alteration,

WHEREAS, An Amendment to Chapter 28 "Historic Districts and Landmarks" Section 28-11(c)(4) is proposed to remove the "pre-approved" option for awnings and suspended canopies in the Historic District and on properties identified as City-designated Historic Landmarks,

WHEREAS, the City Council has determined that such amendment serves a public purpose and the Council desires to amend the Code of Ordinances accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. Chapter 28 "Historic Districts and Landmarks", Section 28-11 "Certificate for alteration for historic landmarks or historic districts", subsection (c), is hereby amended as follows, with all existing provisions not shown remaining unchanged:

~~(4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional~~

~~engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).~~

(5) (4) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or non-street side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

V. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VI. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS,
ON THIS THE NINETEENTH DAY OF SEPTEMBER, 2023.**

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
Interim City Secretary

Monte Akers
City Attorney

TO: Lockhart City Council
FROM: Kevin Waller, Historical Preservation Officer / Senior Planner
SUBJECT: Awnings and Suspended Canopies
DATE: September 12, 2023

During a previous Historical Preservation Commission meeting, members expressed a desire that all awnings and suspended canopies, no matter the design or materials used, require Commission review through the Certificate for Alteration review procedures, due to their impact and relevance to the downtown Historic District. Currently, certain types of awnings/canopies can be considered to be “pre-approved”, which is an administrative Staff review that is not subject to the Commission’s consideration. Section 28-11(c) of the Historic Districts and Landmarks Ordinance provides further details on the pre-approval process and is enclosed with your agenda packet materials, as well as subsection (4), which specifically addresses pre-approved awnings and suspended canopies. The Ordinance amendment would simply involve removing Section 28-11(c)(4), which would remove the pre-approved option and effectively send all proposals through the Commission for review. The replacement of awnings/canopies with those of identical design and materials is considered ordinary maintenance, and would continue to be exempt from Commission review. Following consideration of the text amendment at the August 16, 2023 Commission meeting, the Commission made a formal recommendation at that meeting to approve the amendment to City Council.

Sec. 28-11. - Certificate for alteration for historic landmarks or historic districts.

(a) A certificate for alteration is required to carry out construction or relocation on property designated as historic (H and HL) if such construction will change the exterior architecture, design, finishes or outward appearance of a building, structure, object, site, area or district.

(b) A certificate for alteration (CFA) is not required for the following construction activities and work. However, no exempted construction shall involve the drilling, cutting, covering or painting of virgin or unpainted masonry and/or removal of same:

(1) Any interior or exterior construction activities, which do not make a physical change to the exterior elements, design features, finishes or appearance of the property designated historic.

(2) In-kind replacement or repair of any exterior element or for the ordinary maintenance of an historic landmark or property within an historic district as provided in [section 28-10](#).

(3) Exterior wood. Replacement of existing painted wood on the exterior of a building with a durable cementitious wood material is exempt if the material is painted and does not make a physical change to the exterior elements, design features, finishes or appearance of the property.

(4) Roofs. Replacement of existing roofing material with like or similar material and same design, slope and elevation is exempted. However, if the roof structure is clearly visible from a public street, replacement of existing roofing material with a different design, slope, elevation or material, such as replacing wood or slate roofing with metal roofing, does require a CFA approval by the commission, as provided in [section 28-12](#).

(5) Utility installations on the rear and/or alley side of buildings which do not abut or are not clearly visible from a public street and do not alter, damage or obscure the architectural design, fabric (composition) or appearance, as provided in subsection [28-11\(a\)](#) are exempted. Any such exempted utility work shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same.

(c) A certificate for alteration (CFA) may be "pre-approved" for the following construction activities and work. Any qualifying activities and work pre-approved by the commission shall be listed and described in a "Pre-Approved Certificate for Alteration Guideline" developed by the commission, maintained and published by the city. An application for a CFA for any construction or activity that is determined "pre-approved" shall be made by the owner as provided in subsection [28-12\(a\)](#) prior to conducting the work. The historical preservation officer (HPO) shall promptly review the application and determine if the construction or activity complies with the "pre-approved" criteria. The HPO has the authority to approve the CFA only for construction or activities, which qualify as "pre-approved." Any construction activity that qualifies as pre-approved as determined by the HPO does not require any further approval of the commission, and may proceed according to normal city policies and procedures. Any "pre-approved" construction or activity shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same. Types of alterations included in the Pre-Approved Certificate for Alteration Guideline follow:

(1) Signs as provided for in "Pre-Approved Certificate for Alteration Guideline," signs that do not alter, damage or obscure a building's architectural design, historic fabric or appearance as otherwise provided in subsection [28-11\(a\)](#) are "pre-approved." No sign may be painted on a previously unpainted masonry wall. Business signs suspended from canopies over the public sidewalk or attached to the exterior of buildings may be "pre-approved," as provided in "Pre-Approved Certificate for Alteration Guideline." All signs shall comply with chapter 46 "Signs." Signs that are exempt and do not require a CFA include: Temporary banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection [46-7\(15\)](#); and banner signs on private property as provided in chapter 46, subsection [46-10\(g\)](#).

(2) Window replacement may be "pre-approved" only as provided in the "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of existing windows with historically appropriate designed painted wood single or 2-over-2 divided-light windows matched to the size of the historic window openings may be "pre-approved." Any other type of window replacement or closure of windows requires CFA approval by the commission as provided in [section 28-12](#).

(3) Door replacement may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of an existing front entry door with a historically appropriate designed wood door is "pre-approved." Replacement of a side or rear door with exterior grade, solid core, smooth slab doors is "pre-approved." Any other type of entry door replacement requires CFA approval by the commission as provided in [section 28-12](#).

~~(4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light-gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).~~

(5) ~~(4)~~ Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or non-street side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

(d) A certificate for alteration is not required for the following:

(1) Signs that are not visible from a public street;

(2) Signs that are indoors and visible through a window from a public street, except for signs painted or affixed to the inside of the window glass;

(3) Banners suspended over streets;

(4) Temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection [46-7](#)(15); or

(5) Banner signs on private property as provided in chapter 46, subsection [46-10](#)(g).

(e) The commission and historical preservation officer shall process each application for a certificate for alteration as expeditiously as possible.

(f) Special considerations and provisions shall be made for emergency repair of sudden, accidental, and unforeseen damage to buildings by acts of God or man which shall endanger a building, business, owner or the public. Immediate temporary repair of damage shall be encouraged with only notification of the historical preservation officer that such work is taking place. If a certificate for alteration is required for permanent repairs of damage which will change the exterior appearance of the building or structure, a special rapid review and approval may be requested. The historical preservation officer shall immediately contact the commission chairman for action.

(g) Special consideration and provisions shall be made for temporary alteration of the appearance of historic landmarks or property located in an historic district for a special event or occurrence (e.g., a movie, fundraiser, etc.). The commission may grant one certificate for alteration to the responsible organization to approve all of the temporary work anticipated, conditional upon the organization returning the property to its original condition. The commission shall require photographic documentation of existing conditions prior to issuance of the certificate for (temporary) alteration. An individual "permanent" certificate for alteration is required for each property which wishes to retain the "temporary" alterations after the special event.

(h) The commission and/or the historical preservation officer shall not unreasonably withhold any certificate for alteration.

(i) A certificate for alteration shall be obtained prior to the issuance of a city building permit, if such permit is required. A certificate shall not be issued in lieu of a required city building permit. Approval and issuance of a certificate for alteration by the commission qualifies as "other zoning action required to effect the issuance of a city building permit" as specified in the Lockhart Code, subsection [64-126](#)(b)(3), or as may be hereafter amended.

(Ord. No. 93-19, pt. 11, 9-21-93; Code 1982, § 12.5-11; Ord. No. 00-30, § I, 10-3-00; Ord. No. 2010-16, § II, 6-15-10; [Ord. No. 2020-13](#), § I, 5-19-20)

City of Lockhart
Historical Preservation Commission
August 16, 2023

MINUTES

Members Present: Christine Ohlendorf, Ronda Reagan, Kevin Thuerwaechter, John Lairsen, Ron Faulstich

Members Absent: Ray Ramsey, Michel Royal

Staff Present: Kevin Waller, Yvette Aguado, David Fowler

Public Present: Marty Spellerberg (Applicant, Agenda Item 4)

1. Call meeting to order. Chair Lairsen called the meeting to order at 5:31 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the August 2, 2023, meeting.

Vice-Chair Reagan moved to approve the minutes as presented. Commissioner Faulstich seconded; the motion passed by a vote of 5-0.

4. CFA-23-28. Consider a request by Marty Spellerberg for approval of a Certificate for Alteration for various interior improvements and a new HVAC unit on the roof for a future Tax Abatement application on part of Lot 4, Block 19, Original Town of Lockhart, zoned CCB (Commercial Central Business) and located at 103 South Main Street.

Planning Staff Kevin Waller provided a brief overview of the proposal via PowerPoint presentation. He reported that the applicant proposes various interior improvements, as well as a new HVAC on the roof for the purposes of a future Tax Abatement application submission. The interior improvements include the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Staff recommends approval.

Applicant Martin Spellerberg, 6312 Woodhue Dr., Austin, Texas, came forward to discuss and answer questions from the Commission regarding the proposed improvements.

Discussion continued with Commission members and the applicant.

Vice-Chair Reagan moved to approve CFA-23-28 as presented. Commissioner Faulstich seconded, and the motion passed by a vote of 5-0.

5. Consider a text amendment to the Historic Districts and Landmarks Ordinance to require that all awnings be considered through the Certificate for Alteration review procedures, without a "Pre-approved" option.

Mr. Waller suggested that the Commission make a formal recommendation to City Council to approve the change and require that all awnings come before the Commission for approval with a Certificate for Alteration.

Vice-Chair Reagan moved to recommend that the City Council delete Section 28-11(c)(4), Historic Districts and Landmarks Ordinance, which removes the pre-approved option and requires that all awnings be subject to the Certificate for Alteration review procedures. Chair Lairsen seconded, and the motion passed by a vote of 5-0.

6. Continue discussion of a potential amendment to Chapter 60, Article II to address the trimming and pruning of protected trees, including an amendment to the definitions section (Section 60-28).

Mr. Waller reported that the Commission members had expressed a desire for a Historic Tree Preservation Ordinance, to ensure that large, ornate trees are not pruned in such a way that creates blight to the neighborhood. Staff reviewed and found that Section 60-28 (Definitions) currently addresses the pruning of protected trees in the definition of "removal", and Staff's position is that no Ordinance revisions are necessary. Staff does propose the amendment of Section 60-28, specifically the "tree" definition, to also include Class II trees as protected trees in addition to the Class I category, as that class is defined in the "Evaluation of Shade Trees" article.

Staff and Commission members entered discussion.

The Commission tabled this item to a future meeting by consensus, until the City Council addresses trees further.

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

Mr. Waller stated that the next regularly scheduled meeting would be held September 6, with one Tax Abatement application already submitted and one anticipated Certificate for Alteration application to be submitted by the deadline.

8. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Commissioner Thuerwaechter seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 6:16 p.m.

Approved: _____
(date)

Yvette Aguado, Recording Secretary

John Lairsen, Chairman

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation and discussion regarding a progress report on the actions of the Housing and Development Committee.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: The Housing and Development Committee was formed following the joint sessions of City Council and the Planning and Zoning Committee held in December 2022 and January 2023 to discuss the impacts of and possible strategies to ameliorate the effects of the city's recent wave of residential growth. After the Mayor appointed the Committee members, the Committee met for the first time on February 27, 2023. At the first meeting, the Committee was presented an overview of the findings from the joint work sessions and discussed the possible policy strategies planning staff originally presented at the joint work sessions to address the city's growth issues. After discussing the potential policies, the Committee assigned long, medium, and short-range priorities for each action and assigned staff to return with drafts of the legislation at the next meeting.

The second meeting was held on April 26, 2023. At this meeting, the Committee reviewed drafts of the landscaping ordinance, residential anti-repetition requirements and draft fee schedule updates. The Committee directed staff to move the draft legislation forward with some revisions, while assigning a new round of revisions. Between this meeting and the next meeting, the landscaping ordinance, the first element of residential appearance standards, and the updated fee schedule were adopted. At the third meeting, held September 7, 2023, the Committee reviewed the new draft work products, including more advanced residential design standards and possible Planned Development code revisions, and assigned staff to complete the code updates by the end of the year. The members of the Committee decided that with the assignment of the upcoming work, the Committee's purpose was met, and recommended the committee did not need to meet again. As a result of these assignments, the design standards for residential districts and the PD revisions will be heard at public hearings before the Planning and Zoning Commission and City Council prior to adoption in the coming months.

During the time between the joint sessions and the present date, other relevant changes affecting the development process were also enacted.. In January 2023, several revisions to the subdivision ordinance were passed. These revisions resulted in greater requirements for park dedication, increased the required sidewalk width along major thoroughfares, increased perimeter screening requirements for subdivisions abutting major roads, and established "rough proportionality" language for roadway dedication. On May 2, 2023, new impact fee studies and assessments for roads and water/wastewater were adopted, bringing the city's impact fees within the range of other similarly-situated cities in Central Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable): The Committee met three times between February and September 2023. At its most recent meeting, the group recommended that it be disbanded to allow the City staff to complete the remaining tasks which the Committee had assigned.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): The recent adoption of revised development fees should result in better coverage of the true costs of application processing and allow for allocation of general funds to cover other city initiatives. The recent increase in impact fees will allow for greater city investment in upgraded or expanded road and utility infrastructure. The adoption of proposed design elements and strengthened Planned Development requirements would be made with the aim of creating residential structures with greater aesthetic appeal, thereby potentially increasing long-term value.

PREVIOUS COUNCIL ACTION: Mayor White appointed the members of the Committee in January 2023. The group has forwarded the following items to Council, resulting in adoption:

1. A comprehensive update of fees, affecting the revenues of the Planning, Building and Public Works departments, adopted June 6 as resolution 2023-08 on June 6, 2023.
2. The City's first ever residential landscaping requirements, affecting most single-family and multifamily projects, adopted on June 20, 2023 as Ordinance 2023-11.
3. The City's first residential design standards, including the residential anti-repetition standards adopted as part of 2023-11 on June 20, 2023.

COMMITTEE/BOARD/COMMISSION ACTION: The Committee has directed staff regarding the work program stemming from the committee's responsibilities, while also reviewing the first drafts of the work products resulting from the committee's assignments.

STAFF RECOMMENDATION/REQUESTED MOTION: Completion of the Committee's assignments, resulting in the adoption of residential design requirements and Planned Development District ordinance revisions in late 2023.

LIST OF SUPPORTING DOCUMENTS: O-2023-11-Landscaping, R-2023-08, Proposed residential design elements and MF location--Updated 9-13-23, PDD City Code Redline 8-28-23, Lockhart Joint Workshop #2

ORDINANCE 2023-11

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCES, SECTION 64-2 "DEFINITIONS", TO DELETE OR REVISE EXISTING DEFINITIONS, AND TO ADD NEW DEFINITIONS RELATED TO TREES; AND TO REVISE SECTIONS 64-197, TO ADD NEW SECTIONS 64-197(h) "RESIDENTIAL LANDSCAPING REQUIREMENTS" AND 64-197(i) "RESIDENTIAL DESIGN"; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Sections 64-93(c)(3)(7) and 64-196(a) authorize the Planning and Zoning Commission to determinations of appropriate zoning or use; and,

WHEREAS, some land uses require clarification by deleting or revising existing definitions, or creating new standards for aspects of land uses that do not have defined standards; and,

WHEREAS, Chapter 64, Zoning, currently has no standards for residential landscaping and design; and,

WHEREAS, The Housing and Development Committee has expressed their desire to add landscaping and design standards for residential development to Chapter 64, Zoning; and,

WHEREAS, the Lockhart Planning and Zoning Commission held a public hearing on June 14, 2023, to consider proposed amendments to the applicable sections of Chapter 64 "Zoning", and voted to recommend said amendments; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and desires to amend the Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. Chapter 64 "Zoning", Section 64-2, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-2. Definitions.

Shade tree

A tree from a species which the Texas A&M Forest Service recommends for planting in Caldwell County which has a height at maturity of at least 30 feet.

Ornamental Tree

A flowering tree from a species which the Texas A&M Forest Service recommends for planting in Caldwell County which is typically less than 30 feet in height at maturity.

III. Chapter 64 "Zoning", Section 64-197, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-197. Regulations common to one or more districts

(h) "Residential landscaping requirements

(1) Single-family residential Landscaping.

- a. All lots developed in the SF-1 development type must include three shade trees of a minimum 3 inches in caliper at planting.
- b. All lots developed in the SF-2, DF-1, DF-2, PH-1, and PH-2 development types must provide two shade trees per lot measuring at least three inches in caliper at planting.
- c. All townhouse or combined family developments in TH-1, TH-2, CF-1, or CF-2 development types must include a minimum of one shade tree of at least three inches caliper planted per residential unit in the development.
- d. An existing shade tree from a qualified species that are preserved in the process of developing a lot may be counted towards one tree required in a., b., or c., above.
- e. All lots in SF-1, SF-2, DF-1, DF-2, CF-1, CF-2, TH-1, and TH-2 development types must have a shrub bed at least 3 feet in depth covering at least 75% of the building's front façade not covered by driveway or sidewalk planted with at least 3 five-gallon shrubs and other flowering plants or native grasses planted in a mulch base.

(2) Multi-family residential landscaping.

- a. For the purposes of this section, multifamily consists of the MF-1, MF-2, CM-1, and CM-2 development types.
- b. A Shade tree of at least 3 inches caliper at planting must be provided for each 40 feet of public street frontage and along all property lines abutting RLD and RMD zoning districts.
- c. A continuous shrub buffer composed of shrubs of at least 5 gallons at planting with a mature height of at least 48" must be provided along all street frontages.
- d. Shrub beds at least 4 feet in depth with shrubs, tall grasses or flowers planted in a mulch base is required along each frontage of a residential building with a pedestrian entrance. At least one five-gallon shrub shall be planted for each five feet of shrub bed length. The shrub bed must cover at least 60 percent of the length of each building face having a pedestrian entrance.
- e. One shade tree of least three inches in caliper or two ornamental trees of at least six feet in height at planting must be planted for each 10 residential parking spaces provided within a multifamily development, exclusive of the shade trees required in b. and f., in this section. Each uncovered parking space must be within 80 feet of a shade tree.
- f. Four additional shade trees must be planted per multifamily building on the site. Two ornamental trees may be substituted for one required shade tree.
- g. Existing shade trees from qualified species that are preserved in the process of developing a site may be counted towards one shade tree required in b., d., and f., above.

(i) *Residential Design*

(1) Single Family Design.

- a. **Front Facades.** No single front facade of a home in the SF-1, SF-2, DF-1, PH-1, PH-2, DF-2, CF-1, or CF-2 development types may be duplicated within six (6) lots as measured along the curb line, or within three lots on the opposite side of the street. Mirror (reverse) images of a house façade count as the same house façade for the purposes of this requirement.

IV. **Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

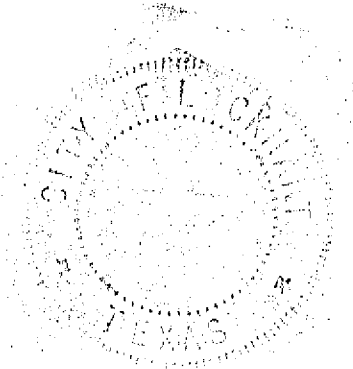
V. **Repealer:** That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. **Penalty:** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. **Publication:** That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. **Effective Date.** That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 20th DAY OF JUNE, 2023.

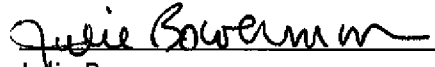


CITY OF LOCKHART

A handwritten signature in black ink, appearing to read "Lew White", is written over a horizontal line.

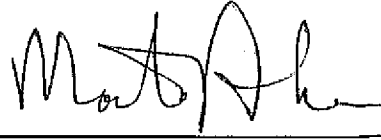
Lew White
Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Julie Bowermon", written over a horizontal line.

Julie Bowermon
Deputy City Secretary

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Monte Akers", written over a horizontal line.

Monte Akers
City Attorney

RESOLUTION NO. 2023-08

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO ESTABLISH NEW CATEGORIES OF FEES AND CHARGES; TO REVISE EXISTING RATES; TO RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE

WHEREAS, the City Council has from time-to-time revised fees and charges based on need for additional funding to cover increased costs of services funded by said fees; and

WHEREAS, a single comprehensive schedule of development-related fees and charges facilitates administration of the multiplicity of fees collected by various departments in the City and provides a simpler and less complicated means of reviewing and adjusting rates as needed from time to time; and

WHEREAS, Development and building fees should adequately reflect the cost of services associated with providing the related services; and

WHEREAS, the current development and building fee revenues do not cover the cost of service, therefore, the citizens and taxpayers are left subsidizing the difference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS that:

SECTION 1. All fees and charges listed in EXHIBIT "A" attached hereto and incorporated herein for all purposes are hereby adopted.

SECTION 2. All fees and charges listed in EXHIBIT "A" shall be effective and valid beginning September 1, 2023.

SECTION 3. All fees authorized by the Code of Ordinances and referenced as "on file in the City Secretary's office" are shown in EXHIBIT "A" as incorporated herein.

SECTION 4. All ordinances, parts of ordinances or resolutions in conflict herewith are expressly repealed to the extent of such conflict.

SECTION 5. The invalidity of any section or provision of this Resolution shall not invalidate other sections or provisions thereof.

SECTION 6. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted, was posted and that such meeting was open to the public as required by law at all times during which this Resolution and

the subject matter hereof was discussed, considered , and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended and the Act

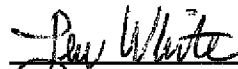
PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THIS THE 6th DAY OF JUNE, 2023.



ATTEST:


Julie Bowermon,
Assistant City Secretary

CITY OF LOCKHART:


Lew White, Mayor
City of Lockhart

APPROVED AS TO FORM:

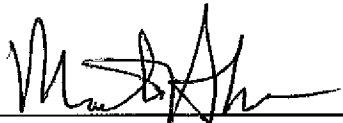

Monte Akers, City Attorney

EXHIBIT "A"

Schedule of development fees

Planning-related fees:

<u>Application</u>	<u>Fee amount</u>
Zoning Change	\$250 , plus \$150 per acre, maximum of \$10,000, plus additional \$1,000 for Planned Development District
Specific Use Permit	\$250, plus \$150 per acre, maximum of \$2,500
Zoning Variance/Special Exception	\$250, plus \$150 per acre, maximum \$2,500
PID/MUD/SUD/WCID consent agreement	\$10,000 minimum escrow plus professional fees
Zoning Verification letter	\$75
Voluntary Annexation	\$1,500
Preliminary Plat/development plat	\$1,500 plus \$100 per acre
Final plat/major replat/resubdivision	\$1,000 plus \$100 per acre
Amending/Minor Plat/Minor Replat	\$750 plus \$100 per acre
Family Transfer Exception	\$250
Subdivision Variance	\$750 per variance requested
Engineering plan review fee (Subdivisions and site plans)	\$1,000 plus \$250/acre, \$20,000 maximum
Plan Check Fee	50 percent of building permit fee amount
Sign Permit	\$100, plus \$1 per square foot
Traffic Impact Analysis	\$1,000 plus professional review fees
Fence Permit	\$50 residential, \$75 commercial
Certificate for Alteration/Historic Landmark	\$50
Historic Preservation Tax Abatement	\$200
Street/ Alley Abandonment	\$1,000
Tree removal permit	\$100 residential/\$200 commercial
Printouts of maps	\$5 per square foot
Public Improvement Inspections	\$1,000 per acre
Off-site utility extension review	\$1 per foot of utility extension, each utility assessed separately. Also applies to upsizing.

Building-related fees:

<u>Application</u>	<u>Fee Amount</u>
Residential Electric New construction	\$75
Residential Electrical Repair/Remodel	\$75
Electrical Meter Loop	\$75
Commercial Electrical Repair/Remodel	\$75
Commercial Electrical New Construction	\$75
Residential Plumbing repair/remodel	\$75
Residential Plumbing New Construction	\$75
Commercial plumbing repair/remodel	\$75
Commercial plumbing new construction	\$75, hotels multifamily and similar configurations, \$20/unit
Residential Mechanical Repair/Remodel	\$75
Residential Mechanical, New Construction	\$75
Commercial Mechanical Repair/Remodel	\$75
Commercial Mechanical New Construction	\$75, hotels multifamily and similar configurations, \$20/unit
New Construction--residential	\$0.45 per square foot
New construction—commercial	As approved in Resolution 2022-19
Residential Building Repair/Remodel	\$75
Residential Swimming Pool	\$125
Commercial Swimming Pool	\$150
Residential Duplex New Construction	\$0.40 per square foot
Residential Inspection Fee	\$75 in addition to permit fee
Permit Renewal Fee	\$75
Residential or Commercial Re-inspection	\$100

Building-related fees (continued):

<u>Application</u>	<u>Fee Amount</u>
Roof Permit	\$75
Demolition Permit	\$75
Moving Permit	\$75

Housing and Development Committee
Residential design and location language
September 2023

Proposed single-family residential design elements

Every residential building in the SF-1, SF-2 and DF-1, DF-2, PH-1, PH-2, CF,-1, and CF-2. development types must incorporate at least 4 of the design elements below.

1. Covered front porch of at least 80 square feet in area (min. 8' deep) with a railing at least 36" high except at entrance (may encroach front setback by four feet).
2. Upgraded garage doors, including an upgraded surface material such as wood grain, plus decorative features such as double doors, windows or decorative hardware.
3. Nearest front face of house set back least 5 feet further than front yard setback line.
4. Garage door that does not face the front yard setback or garage completely behind main structure.
5. Garage recessed at least 5 feet from front building face
6. Chimney or dormers visible from the front elevation. Chimneys must serve a working fireplace.
7. Decorative windows including transoms, bay windows, multi-pane windows (excluding the use of grills), shutters, or other similar window enhancements.
8. Rainwater harvesting system of 1,000 gallons or solar panels built as part of initial permitted construction, meeting building code requirements.
9. Enhanced pavement (brick/pave stone/stamped concrete/colored concrete) on non-sidewalk surfaces.
10. Incorporation of authentic stone or brick into at least 50% of three building elevations.

Multifamily regulations

- A. Multifamily location policy: Developments of the MF-2 development type greater than 5 acres in area must have frontage along, or direct driveway access to an arterial level street.
- B. Multifamily design (MF-1 and MF-2 development types)
 - 1. All buildings over 3 stories must provide an elevator.
 - 2. At least 5 percent of land area must be devoted to recreation space, including swimming pools, playgrounds, indoor exercise rooms, picnic areas, dog parks, and other outdoor amenities.
 - 3. All developments in the MF-1 and MF-2 development types must incorporate four of the following design elements:
 - a) Balconies at least 50 square feet in area on 50 percent of all living units.
 - b) Awnings over entryways to buildings and at least 25 percent of exterior windows.
 - c) At least 30 percent of parking spaces covered, with at least 20 percent of parking spaces in enclosed garages which provide electrical outlets sufficient to charge an electric vehicle.
 - d) No parking located within the front building setback.
 - e) Windows having decorative features such as multi-pane design, arches, or shutters
 - f) Use of dormers or other vertical offsets to attain vertical articulation.
 - g) Providing horizontal articulation of at least 4 feet for every 30 feet of building wall.
 - h) Only enclosed climate-controlled hallways and stairwells rather than open breezeways and stairwells.

8-28-2023

Chapter 64 – Zoning

Sec. 64-2. Definitions.

“[...]Patio home: A residential single-family detached development type where one side wall of the dwelling abuts the property line and has no doors, windows, or other openings, while the opposite side of the dwelling has a larger than normal side yard that typically contains a patio or courtyard. The exterior wall abutting the common side property line with an adjacent patio home faces the patio or courtyard of the adjacent patio home. This development type is also known as a zero-lot-line home or garden home.

Planned Development District: A type of master planned development that provides for a flexible combination of various development types in high-quality master planned districts. PDDs may be subject to special conditions and regulations as prescribed by the commission or council.

Principal structure: The primary building on a lot which by its design defines the use and character of the tract. See Figure 1 following this section. [...]

Sec. 64-166. Planned development district (PDD).

(a) Purpose: The PDD allows flexibility to the city development standards for development that fulfills the city comprehensive planning policies and is superior in quality to that allowable under the current standards. Planned Development Districts consist of a mix of land use types and public spaces planned and constructed as cohesive, context-sensitive, and consistent districts. Unless clearly stated in the ordinance creating the PDD district, the development project must comply with all applicable city regulations. PDD districts are intended to implement generally the goals and objectives of the city's comprehensive plan. PDD districts are also intended to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

(1) To provide for a superior design of lots or buildings;

(2) To provide for increased recreation and/or open space opportunities for public use;

(3) To provide amenities or features that would be of special benefit to the property users or community;

(4) To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, hills, viewsapes, and wildlife habitats;

- (5) To protect or preserve existing historical buildings, structures, features or places;
- (6) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and
- (7) To meet or exceed the present standards of this article.
- (b) Development standards for each PDD shall be set forth in an ordinance granting the PDD and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, design, coverage, floor area ratio, parking, access, streetscaping, fencing/screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the City Council may deem appropriate.
- (ca) The planned development district, being a special form of subdivision, will adhere to the design, construction, platting, approval, and recording requirements of the city subdivision ordinance, chapter 52, except as modified below.
- (db) A preliminary development plan and a final development plan shall accompany the preliminary plat and the final plat, as appropriate. The development plan shall include, as a minimum, the following:
- (1) Proposed public and private rights-of-way and easements.
 - (2) Location of each proposed structure, exterior dimensions, number of stories, gross floor area, location of entrances and loading points thereto, walks, and parking facilities.
 - (3) Conceptual images of building elevations,
 - (43) Driving lanes, parking areas, loading areas, fire lanes, and service areas for both private and public use.
 - (54) All walks, malls, and open areas for use of tenants and visitors or for public use.
 - (65) Location and height of each screening wall, fence or planting area.
 - (76) Location, height and orientation of each sign. Compliance with the city sign ordinance, chapter 46, is required.
 - (87) Exterior lighting fixtures for areas, entrances and signs.
 - (98) A drainage plan providing location, details, appropriate elevations, finish floor elevations of proposed structures, slabs, and curbs not defining street lines. Any structures required to conform to the drainage and flood control ordinance, chapter 22, shall be shown. Any off-site facilities necessary to provide adequate drainage shall be shown along with any necessary structures and easements required.
- (ee) As most of the structures erected within a planned development district are not in fact constructed at the time of the construction of the infrastructure, detailed plans for such proposed structures will not be required to accompany such development plan.

Sec. 64-196. Establishment of zoning districts.

(p) *Planned development district (PDD)*. This district provides for a flexible combination of various development types in high-quality master planned districts in any area within the city as a specific use. PDDs may be subject to special conditions and regulations as prescribed by the commission or council. ~~provides for a combination of the various residential development types, which may include various commercial district types, or for commercial and industrial tracts within the same area. This district may be developed in any area within the city as a specific use and may be subject to special conditions and regulations as prescribed by the commission or council.~~ See [chapter 52](#), Code of Ordinances, [section 64-166](#) and [section 64-198](#).

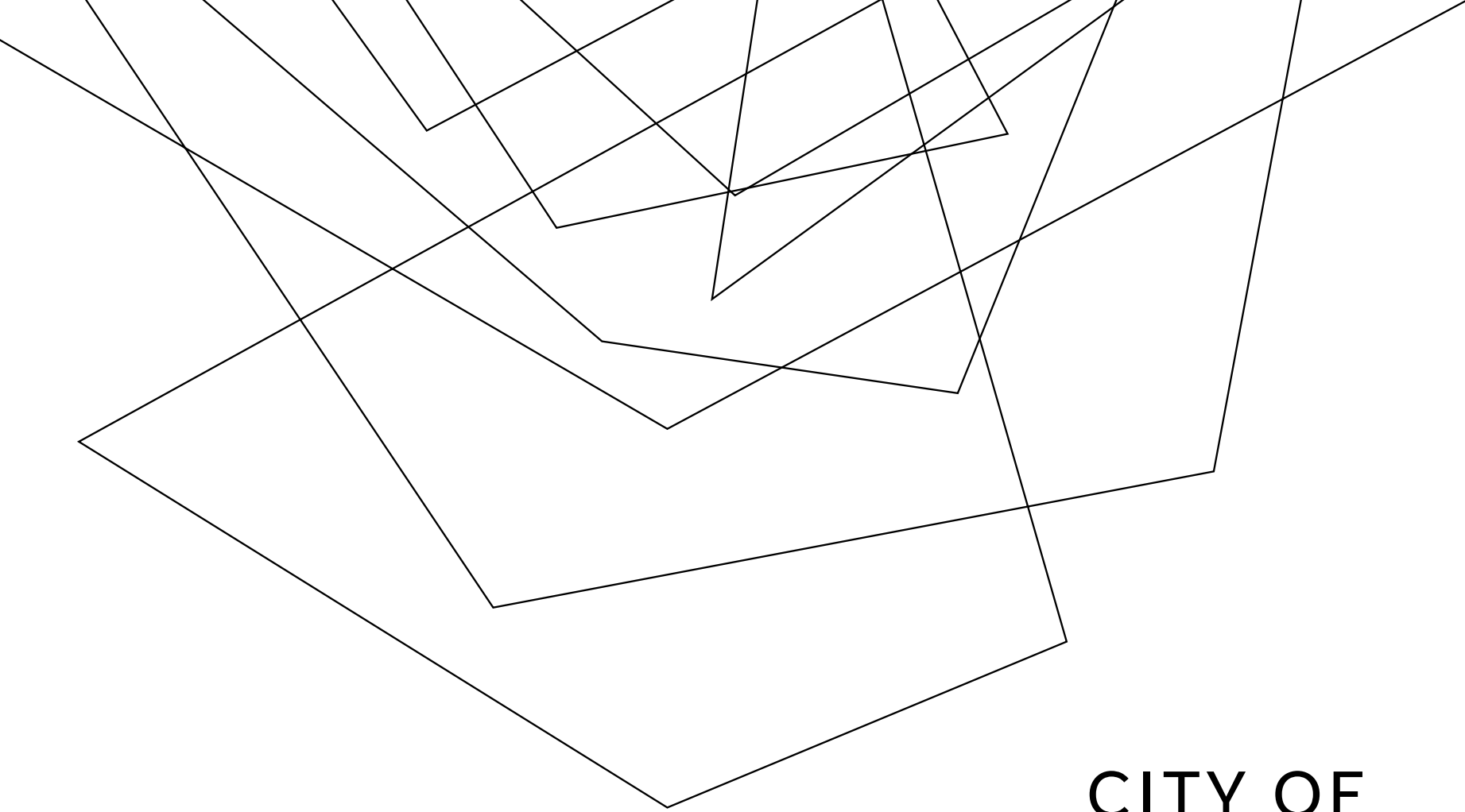
Sec. 64-199. Additional requirements for planned development district.

- (a) The minimum site area for a PDD is five acres.
- (b) To provide for the additional cost to the city for administration, review, and inspection of both the preliminary and the final development plans of a PDD, a separate fee which shall be established by the council, shall accompany such development plans.
- (c) In order to minimize the potential negative effects of partial completion of a PDD, the preliminary and final development plans shall each be divided into phases of development. Development phases shall be designed such that each shall constitute a completed unit and shall not require any other completed phase to allow development or use. Phases shall not divide lots, blocks, or street centerlines. Final plats shall be filed for record only for those phases completed.
- (d) The city may rezone in a manner deemed by the city to be most compatible any or all portions of those phases abandoned or not developed within the timeframe provided by the specific use permit. Failure to complete development within the specified time limit shall rescind and vacate such specific use permit.
- (e) Private streets, drives and easements shall be constructed to city standards, shall be maintained by the developer, owner, or an association, and shall grant a right-of-way to the city for use. Such streets, drives, and easements shall be shown on the subdivision plat as well as on the development plans and shall be so indicated. Deed restrictions shall delineate maintenance and repair responsibilities for private streets, drives, easements, and for all other common areas and facilities.
- (f) To ensure adequate streets, drives, parking and loading area within the PDD and to provide data concerning the effect of such traffic flow and upon the streets adjoining the PDD, a study of traffic density and flow shall be completed by an appropriate professional, at the expense of the developer, and submitted with both the preliminary and final development plans.
- (g) The requirements of this chapter and of the city subdivision ordinance are intended to be complimentary and to be fulfilled concurrently. When requirements of such ordinances

conflict, the commission, upon advice from the zoning administrator and the city engineer, shall determine which standard shall prevail.

- (h) The final development plan and the subdivision plat of a PDD are integral elements of the district designation. The use areas within the PDD are subject to adherence to the development plan. Any change in the final development plan shall be considered a zoning change.

DRAFT

Abstract geometric lines in black on a white background, forming various overlapping polygons and shapes.

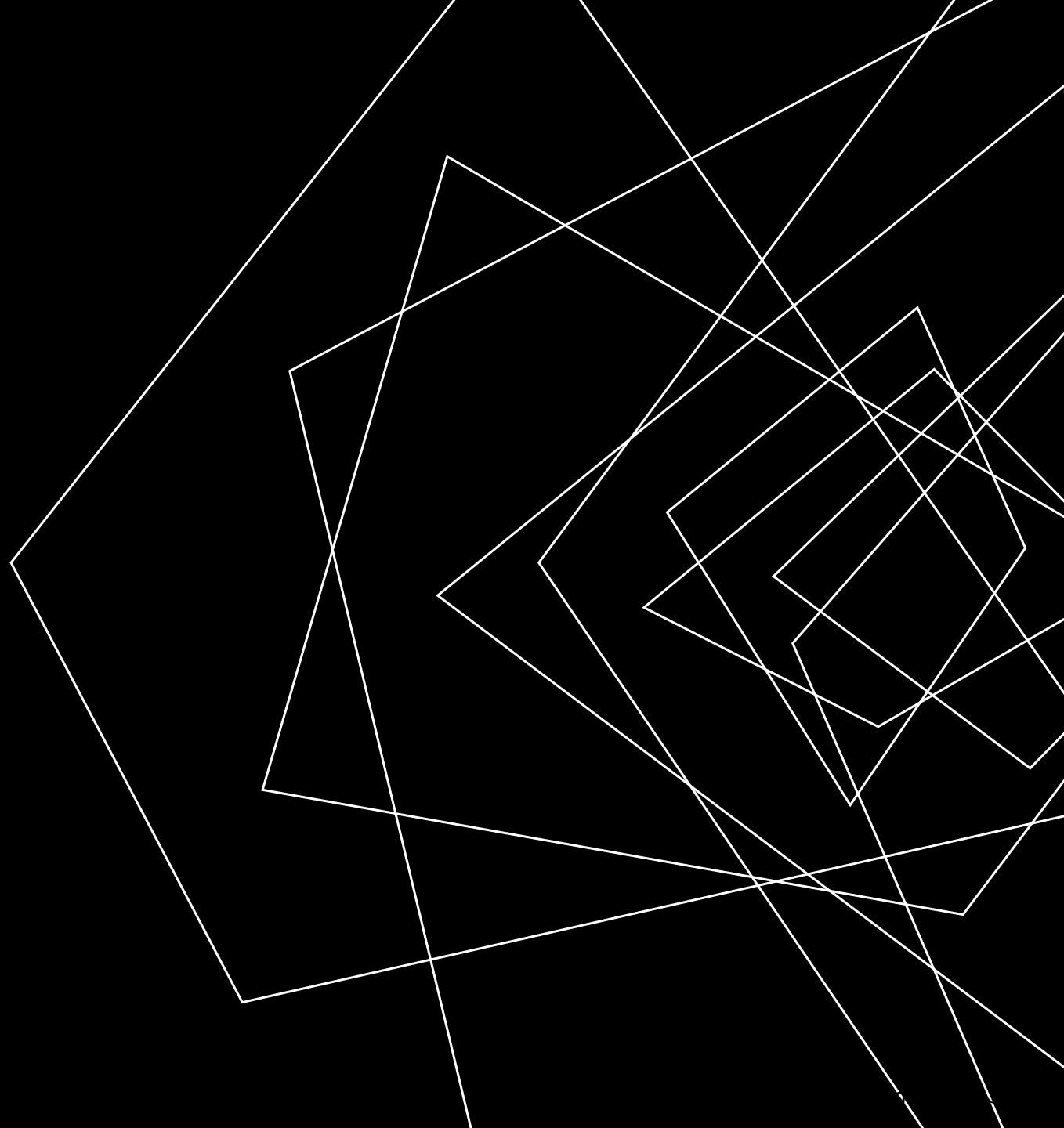
CITY OF LOCKHART

Growth Planning Workshop – Housing and Development

January 12, 2023—Council Chamber

AGENDA

1. Call to Order, City Council and Planning and Zoning Commission
2. Self-introductions
3. Presentation—David Fowler
4. Q & A
5. Next Steps



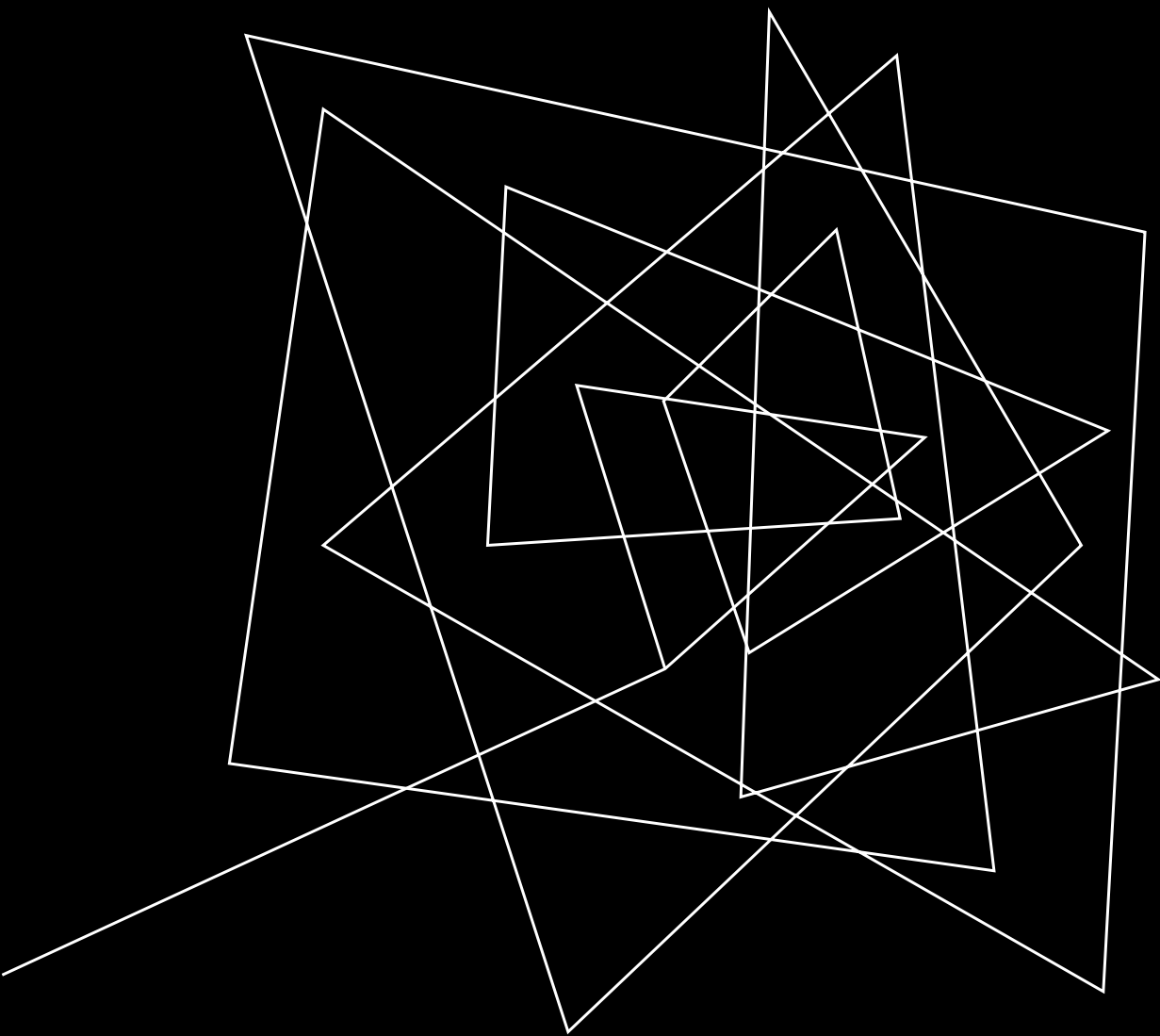


WHY WE'RE HAVING JOINT WORKSHOPS

- City has recently undergone period of unprecedented growth
- Desire to take stock of recent growth, assess future trends, and discuss possible approaches to shape future of Lockhart.

FIRST WORKSHOP, 12/13/2022

- Discussed recent growth's impacts on city infrastructure
- Discussed ability of water and wastewater to meet demands of future growth
- Discussed future roadway and intersection improvement needs, possibility of future funding with TxDOT



HOUSING

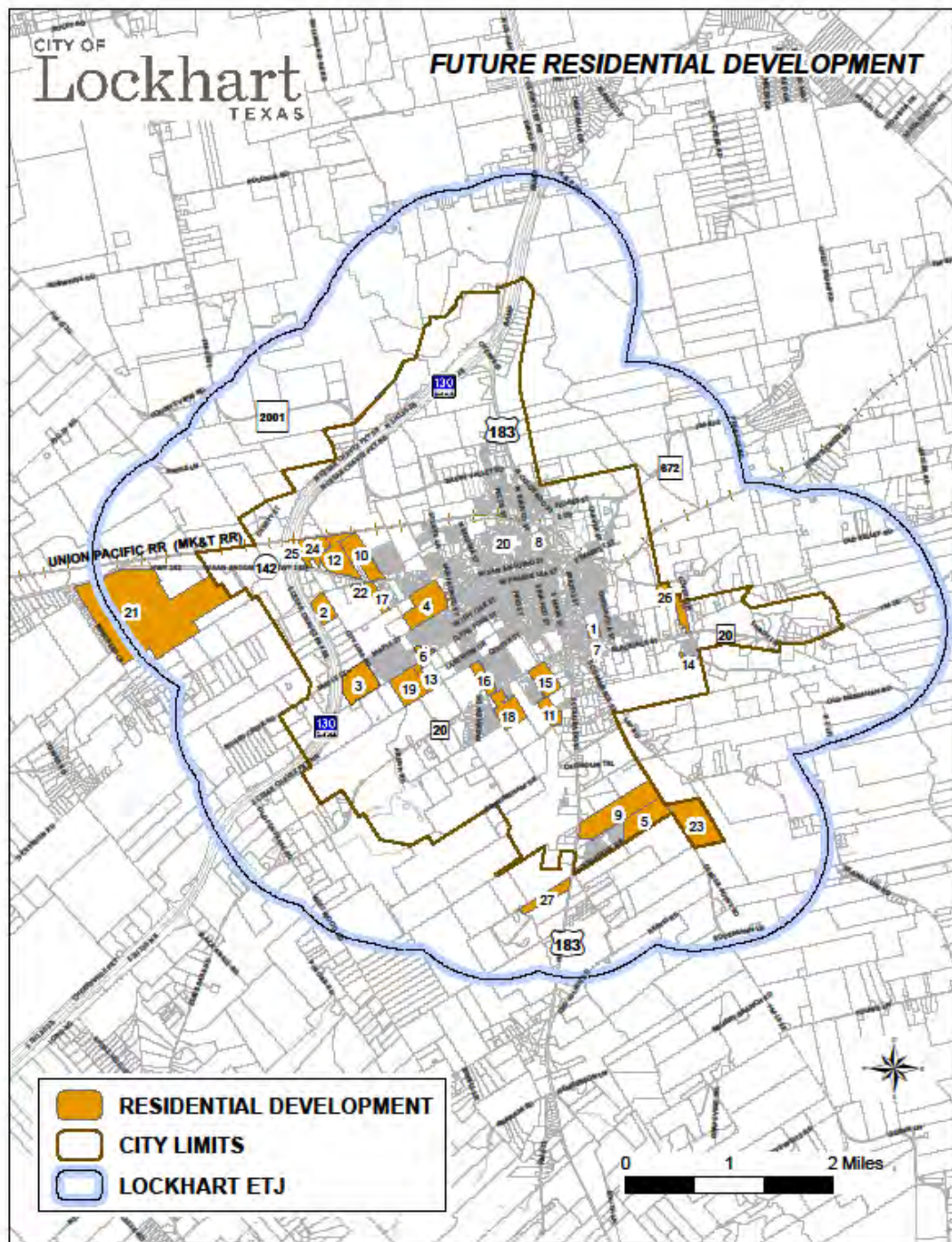
HOUSING IN LOCKHART

- Strong recent growth, with several projects currently underway

185 single-family residential permits through November 2022 (94 in all of 2021)

One permit for Multifamily projects in 2022, two in 2021

- Housing market is extremely tight
 - Very few houses for sale
 - Waiting list for several apartment types at local complexes
 - LISD recently explored building housing for district employees



CURRENT PROJECTS

In City (at least Preliminary Plat/SUP submitted)

2,967 single-family units

52 duplexes (104 units)

247 townhouses

244 condo units

228 senior housing units

1,142 approved apartment units

In ETJ

1,413 single-family lots in MUD, one other subdivision

In pipeline (No SUP submitted) ~ 2,000 apartment units

RECENT HOUSING TRENDS--REGIONAL

2021 Austin-Round Rock-Georgetown MSA: 50,907 total housing units permits permitted

24,486 single-family (48.1 %)

494 duplex (1 %)

285 3-4 plex (0.6 %)

26,642 multifamily (52.3 %)

Other metro areas in 2021:

San Antonio: 22,264 units (62.6 % single-family)

Dallas-Ft. Worth: 78,705 units (66.1 % single-family)

Houston: 69,263 units (76.1 % single-family)

Austin region in 2022 (through November):

41,197 units (47.1 % single-family, 51.69 % multifamily)

Source: US Census Bureau 2021-2022

RECENT HOUSING TRENDS

Why has balance of housing tipped towards multifamily in Austin Region?

- Rapid population growth in region, creating need for housing to be created quickly
- High land prices make multifamily only feasible product for well-located parcels
- High housing prices have put home ownership out of reach for large segments of the population
- Recent rise in interest rates has caused buyers in the Austin region to lose 36% of buying power in last two years.
- Rising construction costs making all types of housing more expensive

RECENT HOUSING TRENDS



In Lockhart:

- Median Household Income (2017-2021) \$64,633
- As of Friday, 1/6: No houses or sale for less than \$225,000. No 3-bedroom houses available for immediate sale under \$265,000
- Out of 56 houses listed on Realtor.com, only 9 existing houses under \$300,000

A screenshot of the Realtor.com website showing search results for "78644, Lockhart, TX". The search filters at the top include "Price", "Property Type", "2+ Beds", "Baths", "Hide Pending", "More Filters", and "Save Search". The results are titled "78644 2 or More Bedroom Homes for Sale" and "56 Homes Sort by Lowest Price". The listings are arranged in a grid of 12 cards. Each card shows a property photo, a "For Sale" status, the price, and basic details like bedrooms, bathrooms, square footage, and lot size. The properties are mostly single-story or two-story houses with varying architectural styles, including some with stone accents and others with more traditional siding. The prices range from \$225,000 to \$296,990. The bottom right corner of the screenshot shows "Page 155 of 378".

RECENT HOUSING TRENDS—EXAMPLE HOUSE

- \$2,124 monthly payment required for \$299,000 house, assuming 20% down payment
- Payment would be 36% of pre-tax median income
- Industry standard is no more than 28% of income spent on mortgage.
- With 28% standard, income of \$90,992/year required to buy this house
- Remember, this also assumes buyer has funds for \$59,800 down payment.

Presented by:
IRENE YANEZ with Countywide Realty



[Virtual Tour](#) [2 / 23](#)

Veterans: Check 2023 VA Loan Requirements | What can you buy? (It's easy to find out)

For Sale

\$299,000 ↓ \$16K Est. **\$2,124/mo**

3 bed 2 bath 1,169 sqft 6,486 sqft lot

1517 Windridge Dr, Lockhart, TX 78644

Single Family
Property Type

76 Days
Time on realtor.com

\$256
Price per sqft

2 cars
Garage

2014
Year Built

Commute Time: [Add a commute](#)

This property has multiple listings: [Listing 1](#) | [Listing 2](#)

Monthly Payment

Costs for this home

[Edit](#)

Home price \$299,000

Monthly payment \$2,124

Loan 30-Year Fixed loan at 6.598%

Principal & Interest \$1,527

Property tax \$362

Home Insurance \$234

[Learn more](#)

HOA fees \$0

Mortgage Insurance \$0

Total due at close \$71,760

Down payment (20%) \$59,800

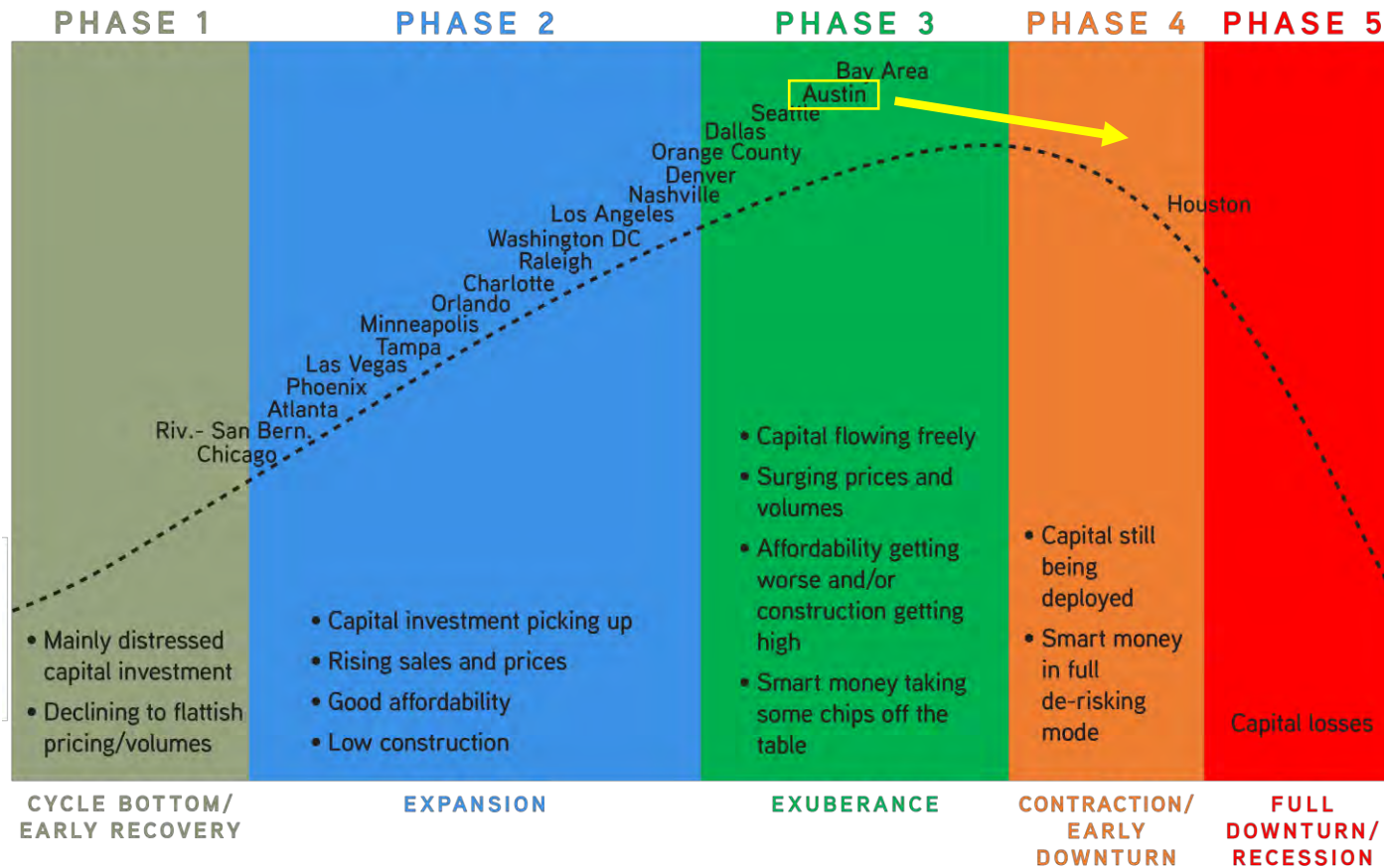
Estimated closing cost (4%) \$11,960

Apply veterans benefits



Confirm your budget with a lender

THE HOUSING MARKET CYCLE



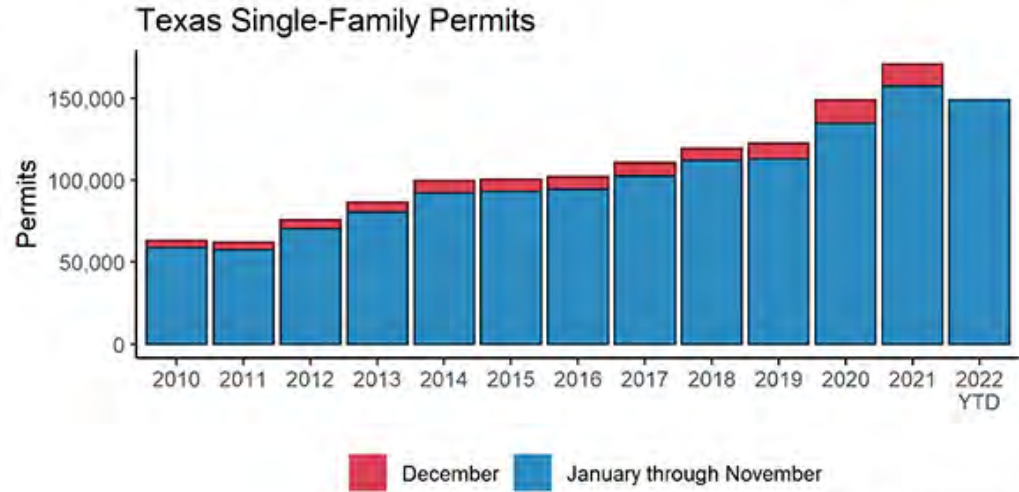
Austin region showing signs of lower levels of construction after recent boom

Downturn expected to make single-family supply even tighter, raise prices of all housing types

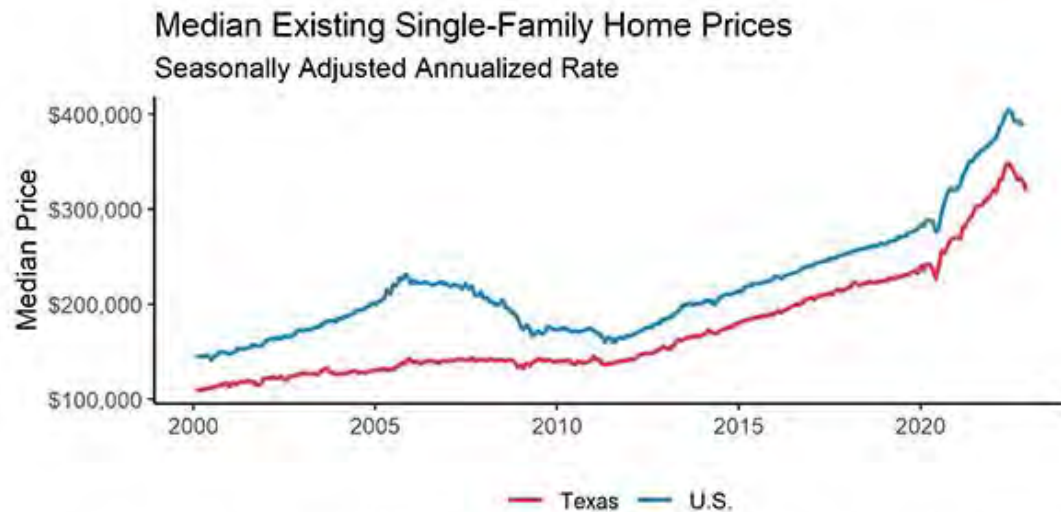
Increase in multifamily construction activity becomes more likely

Source: John Burns Real Estate Consulting, LLC (Pub: Sep-2016)

THE HOUSING MARKET CYCLE



Source: Texas Real Estate Research Center at Texas A&M University



Source: National Association of Realtors - Texas Real Estate Research Center at Texas A&M University



Source: National Association of Realtors - Texas Real Estate Research Center at Texas A&M University



Source: Texas Real Estate Research Center at Texas A&M University

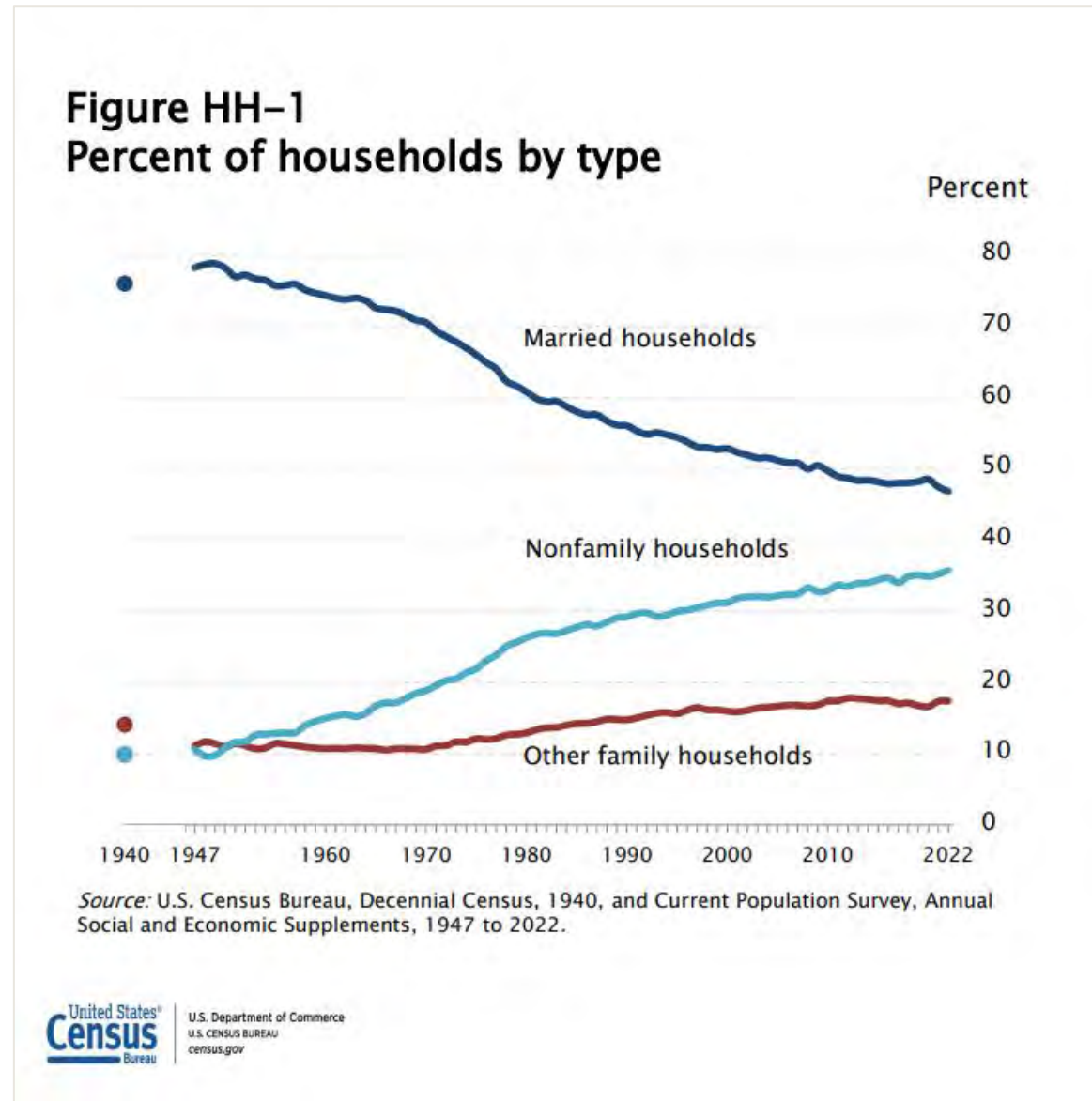
RECENT HOUSING TRENDS

Reasons for higher rates of multifamily construction, smaller single-family lots in Austin region:

- High cost of land
- High housing prices/interest rates
- Lower rates of family households (more single residents, elderly residents, roommates)
- Many members of the two youngest adult generations are pessimistic about being able to purchase a home

Related trend: Increasing trend of building single-family **rental** communities

HISTORIC CHANGES IN HOUSEHOLD TYPES



SINGLE-FAMILY HOUSING

Opportunities of single-family housing:

- Providing new residents a chance to live and invest in Lockhart
- Allows move-up opportunity, ability to live in new construction, for existing residents
- Creates tangible asset to potentially build wealth
- More housing units being built in Lockhart will help attract desired retail, larger health care facilities

SINGLE-FAMILY HOUSING

Challenges (local, regional and national):

- Trend towards smaller lots due to increasing land prices, interest rates, tighter development economics
- Lack of diversity in lot size and square footage of houses
- Large lot development rare except in higher-income areas or rural areas
- Lack of move-up housing opportunities due to price
- Most new neighborhoods built by large developers with standard products in many cities leading to local resident complaints about “cookie cutter” housing
- Dedication of streets and utilities creates perpetual maintenance responsibilities for city
- Single-family housing typically a net expense for cities (often does not break even).

SINGLE FAMILY HOUSING

Strategies to improve quality of new single-family housing developments:

- Enact design standards, including menu of required design elements
- Require greater variation of house designs, increase restrictions on repeating same house
- Add minimum landscaping standards, including minimum tree plantings and minimum caliper
- Increase park dedication requirements, greater specification of required amenities
- Shorten block length maximums, shorten cul-de-sac lengths
- Require greater connectivity between streets within subdivisions
- Require minimum number of entrances, street connections, stub streets, avoid single-entrance layouts
- Create or maintain enough RLD zoning to create move-up housing
- Raise development fees to cover costs
- Monitor short-term rentals to make sure not impacting housing supply

MULTI-FAMILY HOUSING

Opportunities:

- Provide opportunity to establish life in Lockhart
- Needed to provide workforce housing for teachers, city employees, industrial workers
- Provide alternative to single-family rentals, may provide incentive to renovate older houses
- Addition of apartment units brings population needed to attract additional retail and services
- Lower infrastructure burden compared to single-family—no streets or pipes to maintain within complexes

MULTI-FAMILY HOUSING

Challenges:

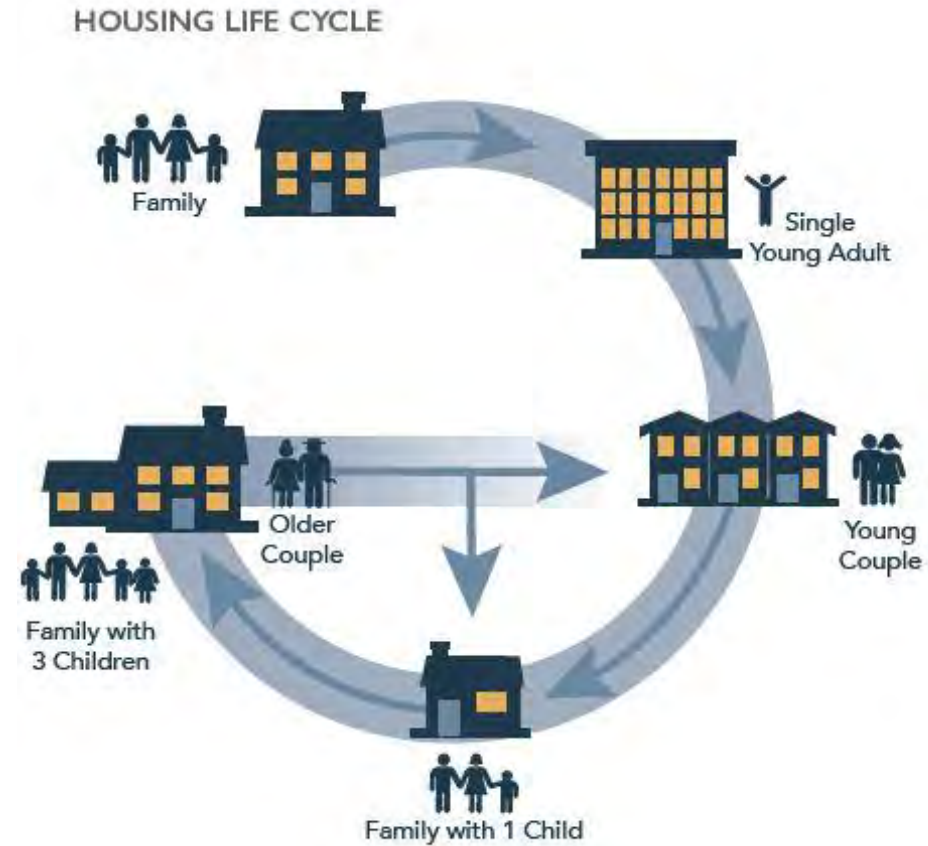
- Increased share of new construction due to land and construction costs, affordability issues
- Renters not building equity
- Less suitable for families with children—few 3+ bedroom units built
- Perception of residents as lower income, less tied to community
- Many existing apartment complexes are income-restricted (most new complexes are market rate)
- Historic negative image in comparison with single-family dwellings

MULTI FAMILY HOUSING

Strategies to improve quality of new multi-family housing:

- Enact architectural design standards, including options to enhance appearance
- Add minimum landscaping standards, including minimum tree plantings with minimum calipers
- Require some covered parking (provide options)
- Increase park dedication requirements, plus require minimum required on-site amenities
- Ensure equitable ratio of new single and multi-family in comparison to region
- Discourage MF-2 development (24 units/acre) away from arterial roads
- Avoid rezoning of commercial and industrial lands for multi-family
- Encourage moderate-density housing types for families (condos, townhouse, duplexes), not just MF-2
- Raise development fees to cover costs

HOUSING FOR ALL STAGES OF LIFE CYCLE



LIFE CYCLE HOUSING

To be a complete city for all stages of life, need to have full complement of housing:

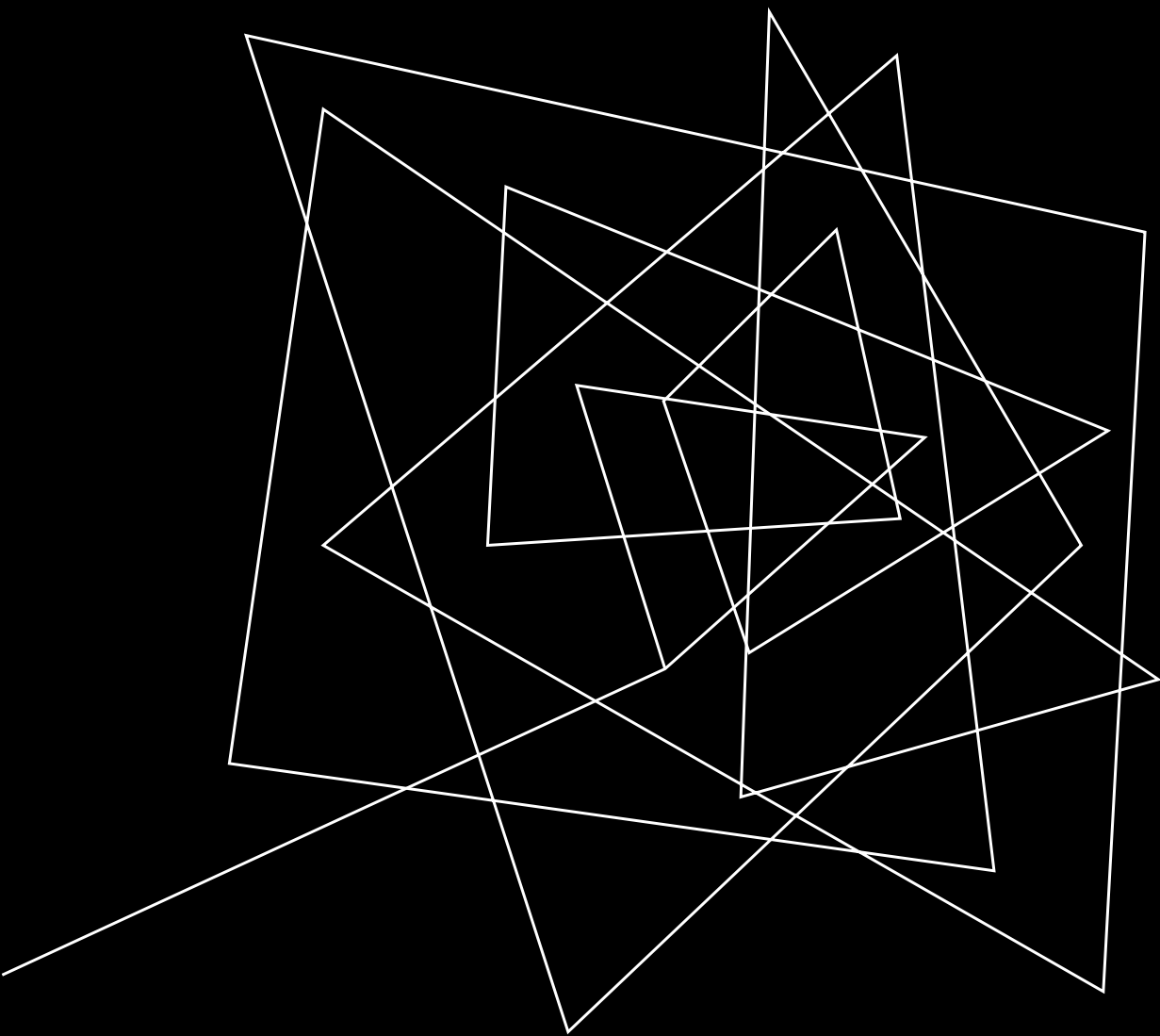
- Growing up: House or other 2-4 BR home with parents
- Young and/or single: Apartment, shared rental home, accessory dwelling unit
- Couple w/o kids: Small house, townhouse, duplex, condo/luxury apartment
- Couple with kids: 3+ BR Home (rental or own)
- Empty nester: House, may downsize to duplex, townhouse, condo, or move up to “trophy house”
- Widow/er: Smaller house, duplex, accessory dwelling, senior apartment,
- Elderly: Remain in house with assistance, duplex, senior apartment, assisted living, nursing home

LIFE CYCLE HOUSING

- Problem: Lockhart historically has built numerous types and sizes of housing, but newer developments are largely either single-family detached or dense multifamily.
- Need for more housing types to accommodate varying needs and tastes, as residents move through life

Missing Middle Housing is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood.





APPROACHES TO GROWTH AND FINANCIAL ISSUES

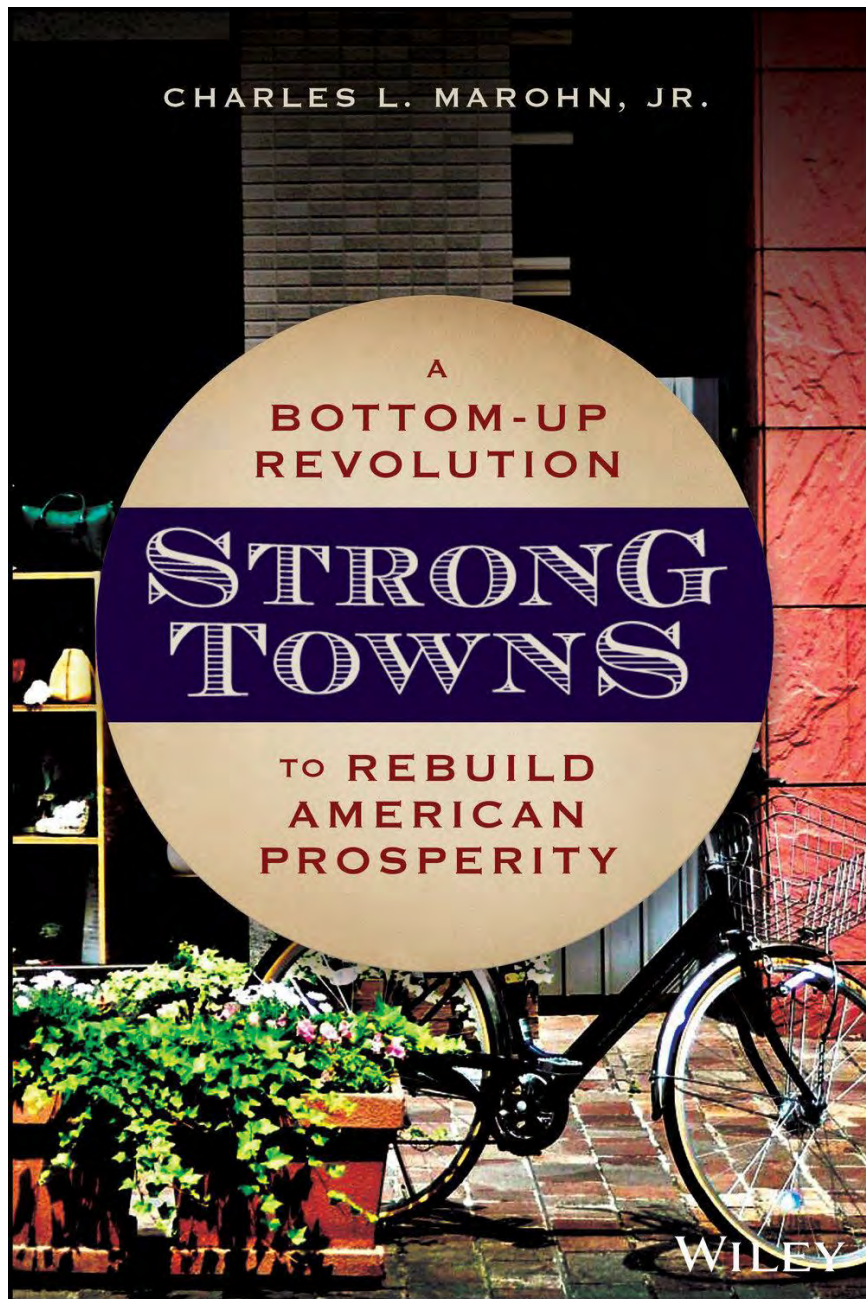
SMART GROWTH

Smart growth: Development that is environmentally sensitive, economically viable, community-oriented, and sustainable.

Smart growth focuses on the planning and layout of communities and the efficient use of land to maximize community goals and avoid wasteful sprawl.

Smart Growth Principles:

- Mixing Land Uses
- Employing compact building design
- Creating a range of housing opportunities and choices
- Creating walkable, bicycle-friendly neighborhoods
- Designing distinctive, attractive communities with a strong sense of place
- Preserving open space, farmland and critical environmental areas
- Directing development towards existing communities
- Providing a variety of transportation choices
- Making development decisions fair, predictable and cost-effective
- Encouraging community and stakeholder participation



STRONG TOWNS

- Refinement of Smart Growth principles with enhanced focus on long-term fiscal well-being of cities
- Awareness of long-term liability of infrastructure dedicated to cities
- Urges compact development patterns to reduce fiscal liability per resident
- Warns against nonproductive uses of land such as excessive free parking
- Urges **value per acre** calculation instead of typical gross value per project or lot to determine impact on city's bottom line
- Make streets and development people-friendly, rather than car-oriented

VALUE PER ACRE: COMMERCIAL

Wal-Mart

Assessed value: \$8,811,825

Area: 21.7 acres

Value per acre: \$406,074



VALUE PER ACRE: COMMERCIAL

HEB

Assessed value: \$3,541,260

Area: 4.37 acres

Value per acre: \$810,357



VALUE PER ACRE: COMMERCIAL

Walgreens

Assessed Value: \$1,825,900

Area: 1.38 acres

Value per acre: \$1,323,116



VALUE PER ACRE: COMMERCIAL

Block 17 (13 properties)

Assessed value: \$4,245,750

Area: 1.35 acres

Value per acre: \$3,145,000



VALUE PER ACRE: RESIDENTIAL

The Stanton Apartments

Assessed value: \$10,213,620

Area: 7.16 acres

value per acre: \$1,426,483



VALUE PER ACRE: RESIDENTIAL

Sunchase Square Apartments

Assessed value: \$7,195,000

Area: 8.61 acres

Value per acre: \$835,656



VALUE PER ACRE: RESIDENTIAL

O.T. Lockhart Block 1/Heppenstall (19 lots)

Assessed value: \$3,760,781

Area: 5.6 acres

Value per acre: \$675,139



VALUE PER ACRE: RESIDENTIAL

The Ridge (18 lots)

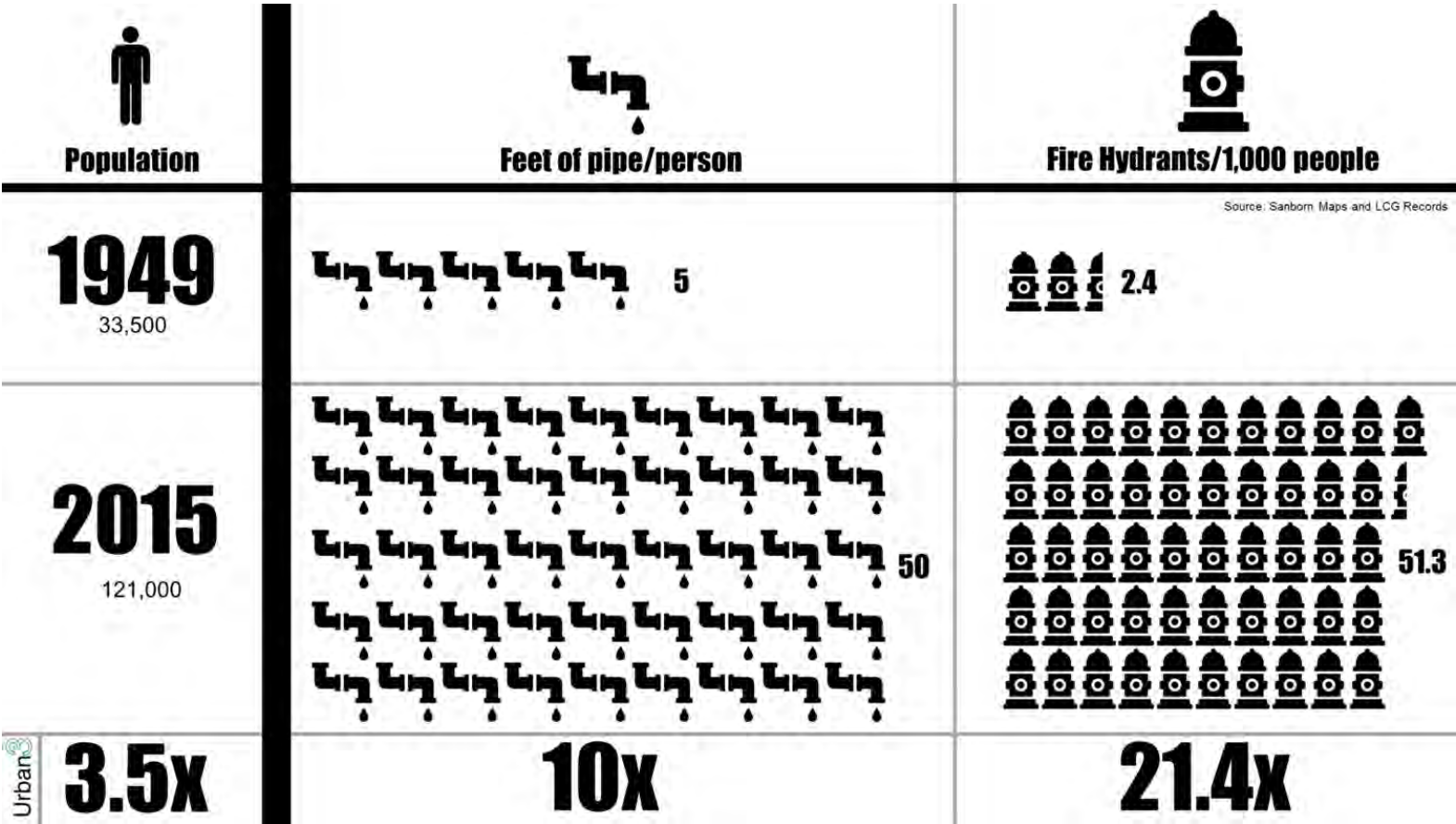
Assessed value \$7,504,424

Area: 60.3 acres

Value per acre: \$124,451



RESOURCE EFFICIENCY



RESOURCE EFFICIENCY

Your Median Household income



\$27,700



\$45,000

1.6x

Source: US Census Bureau and Stanford University adjusted to 2015 net present value.

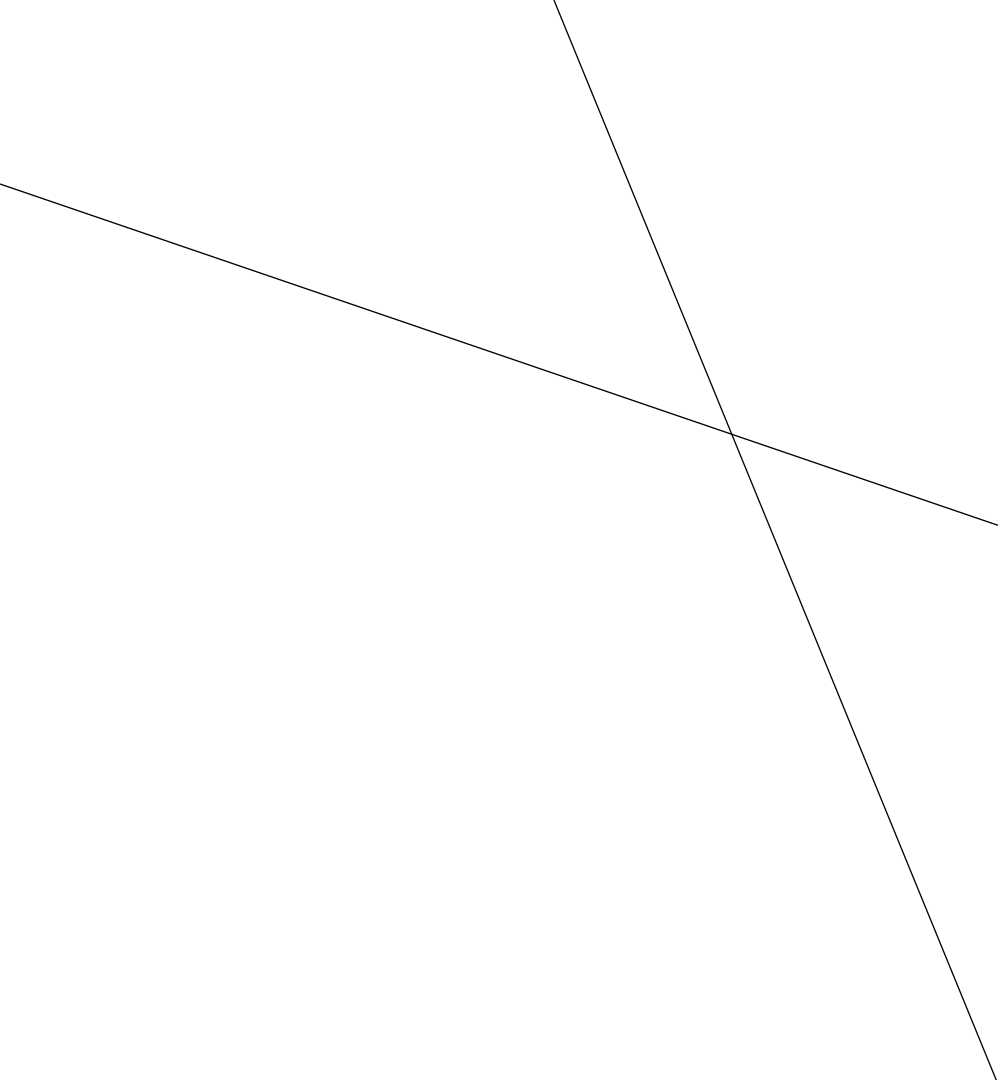
VALUE PER ACRE

Methods to maximize highest value per acre (and strengthen the bottom line):

- Prioritize creating value and revenue for city over other competing preferences
- Prioritize infill development, in areas where utilities and roads are already in place, over outward expansion of City infrastructure
- Work to make linear feet of streets/utility pipes per resident **decline** as city grows
- Avoid “pioneering” extensions of water and wastewater wherever possible, especially when using city funds
- Strengthen downtown development, possibly expanding area of Central Commercial District zoning/density
- Avoid requiring excessive parking if parking can be shared between neighboring uses
- Prioritize creation of value and creating memorable places over getting vehicles through quickly

OTHER ZONING/DEVELOPMENT ISSUES

- Heavy zoning change case traffic, many seemingly to “flip” property
- Three residential zones, but greater number of development types
- Separate zones for medium density single-family and Duplex, Townhouse, etc?
- Use of Planned Development Districts: good or bad?
- Prospect of MUDs, TIRZ, other financing types
- Development of “satellite” cities just outside of Lockhart. Adding to city or competing?



SUMMARY

- Regional and national trends in housing economics have had enormous impacts on Lockhart
- Decisions regarding City housing policy should be made based upon a foundation of knowledge of demographic trends, financial impacts of various types of development, while still maintaining community character and values
- Comprehensive plan will provide biggest opportunity to discuss and refine policy approaches for Lockhart's next 20 years.

NEXT STEP: COMPREHENSIVE PLAN!

- RFQ released this week, responses due February 10.
- Planning process starting around April, depending upon consultant's availability
- Planning process: 1 year-18 months
- Major land use policy changes should be made after plan's adoption, but urgent items can be addressed during planning process.

QUESTIONS/DISCUSSION



THANK YOU

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discuss Resolution 2023-14 naming the City of Lockhart's nominations for Directors of the Caldwell County Appraisal District for the 2024-2025 term.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart received a notice from the Caldwell County Appraisal District (CCAD) for nominations of up to five director positions for the 2024-2025 term. Nominations are to be submitted by written resolution by October 15, 2023. Qualifications are that a director must reside in the appraisal district for at least two years immediately preceding the date he or she takes office, and must not have delinquent property taxes. An employee of a taxing unit is not eligible to serve as a director unless the employee is also an elected official.

If the Council chooses to make a nomination(s) to the CCAD BOD, staff requests that nominees be named during the September 19th Council meeting. A Resolution is attached that will be amended to reflect the nominee(s) that will thereafter be submitted to the CCAD to place the City's nominee(s) on a ballot that the Council will vote on in the future. The City of Lockhart's previous nominees (Alfredo Munoz and Sally Daniel) remain on the CCAD Board of Directors.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Council discussed nominations during the September 5, 2023 Council meeting.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Council to make a nomination(s), if desired, that will be inserted on attached Resolution 2023-14 that will thereafter be provided to the CCAD.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

LIST OF SUPPORTING DOCUMENTS: History: Resolution 2021-16, Proposed Resolution 2023-14, August 10, 2023 letter regarding Nomination of Appraisal District Directors, List of current Board of Directors

RESOLUTION 2021-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS NAMING THE CITY OF LOCKHART'S NOMINEE(S) TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2022-2023 TERM

WHEREAS, the City of Lockhart is entitled to cast 436 votes to serve on the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City of Lockhart City Council has been notified and requested to make up to five nominations to the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City Council has duly considered the nominations and taken a vote in a public setting at a regular meeting of the City Council.

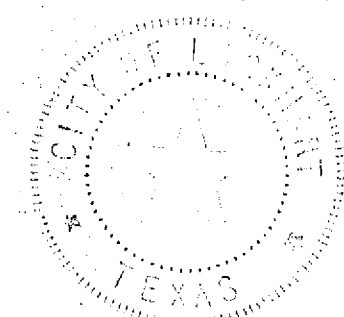
NOW, THEREFORE, BE IT RESOLVED THAT:

The Lockhart City Council hereby nominates the following to serve on the Caldwell County Appraisal District Board of Directors:

Alfredo Munoz
1201 Plum St.
Lockhart, TX 78644

Sally Daniel
113 E. San Antonio St. Apt A
Lockhart, TX 78644

This Resolution shall be in full force and effect immediately upon its passage, approval and adoption on this the 21st day of September 2021.



ATTEST:

Connie Constancio
Connie Constancio, TRMC
City Secretary

CITY OF LOCKHART

Lew White
Lew White, Mayor

APPROVED AS TO FORM:

Monte Akers
Monte Akers
City Attorney

RESOLUTION 2023-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS NAMING THE CITY OF LOCKHART'S NOMINEE(S) TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2024-2025 TERM

WHEREAS, the City of Lockhart is entitled to cast 451 votes to serve on the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City of Lockhart City Council has been notified and requested to make up to five nominations to the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City Council has duly considered the nominations and taken a vote in a public setting at a regular meeting of the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Lockhart City Council hereby nominates the following to serve on the Caldwell County Appraisal District Board of Directors:

This Resolution shall be in full force and effect immediately upon its passage, approval and adoption on this the 19th day of September 2023.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
Assistant City Secretary

Monte Akers
City Attorney

Caldwell County Appraisal District

DATE: August 10, 2023
TO: Taxing Unit Presiding Officers
FROM: Shanna Ramzinski, Chief Appraiser
RE: Nomination of Appraisal District Directors

Dear Members:

Nominations for directors of the Caldwell County Appraisal District for the 2024-2025 term are to be submitted to the chief appraiser on or before **October 15, 2023**. Each taxing unit may nominate one candidate for each position to be filled. All five positions are available for selection, therefore, each unit may nominate up to five candidates.

A director must reside in the appraisal district for at least two years immediately preceding the date he or she takes office, and must not have delinquent property taxes. An employee of a taxing unit is not eligible to serve as a director unless the employee is also an elected official.

The presiding officer of the taxing unit submits the names and addresses of the nominees by written resolution to the chief appraiser by October 15, 2023. Names submitted after this date will not be listed on the ballot. The resolution must be adopted by majority vote of your taxing unit's governing body. Each unit will then receive a ballot before October 30, 2023.

Enclosed you will find the voting entitlement for each of the voting taxing units. Please submit nominees only at this time.

I have enclosed a document outlining the steps in the selection process and a copy of the Property Tax Code regarding eligibility

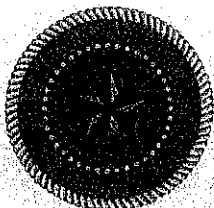
Please call on me if you have any questions about the selection process.

Sincerely,

Shanna Ramzinski

Shanna Ramzinski
Chief Appraiser

Encl; Vote allocation
Process letter
Tax Code §6.03



211 Bufkin Ln
P.O. Box 900
Lockhart, Texas 78644
United States

PHONE (512) 398-5550
FAX (512) 398-5551
E-MAIL general@caldwellcad.org
WEB SITE www.caldwellcad.org

CALDWELL COUNTY APPRAISAL DISTRICT VOTE ALLOCATION FOR BOARD OF DIRECTORS SELECTION 2024-2025 TERM

TAXING UNIT	2022 TAX LEVY	ALL LEVIES	Quotient	X 1000	= Product	X # Members	= VOTES	ROUNDED VOTES
CALDWELL COUNTY	\$24,032,242.99 /	\$78,245,137.88 =	0.3071404	X 1000 =	307.1	X 5	= 1535.7	1536
CITY LOCKHART	\$7,059,211.33 /	\$78,245,137.88 =	0.09021917	X 1000 =	90.2	X 5	= 451.1	451
CITY LULING	\$1,628,544.83 /	\$78,245,137.88 =	0.02081337	X 1000 =	20.8	X 5	= 104.1	104
CITY MARTINDALE	\$370,640.43 /	\$78,245,137.88 =	0.00473691	X 1000 =	4.7	X 5	= 23.7	24
CITY MUSTANG RIDGE	\$117,700.29 /	\$78,245,137.88 =	0.00150425	X 1000 =	1.5	X 5	= 7.5	8
CITY NIEDERWALD	\$53,784.92 /	\$78,245,137.88 =	0.00068739	X 1000 =	0.7	X 5	= 3.4	3
CITY OF SAN MARCOS	\$201,971.53 /	\$78,245,137.88 =	0.00258127	X 1000 =	2.6	X 5	= 12.9	13
CITY OF UHLAND	\$29,998.60 /	\$78,245,137.88 =	0.00038339	X 1000 =	0.4	X 5	= 1.9	2
LOCKHART ISD	\$31,092,500.44 /	\$78,245,137.88 =	0.39737294	X 1000 =	397.4	X 5	= 1986.9	1987
LULING ISD	\$6,949,638.72 /	\$78,245,137.88 =	0.08881879	X 1000 =	88.8	X 5	= 444.1	444
PRAIRIE LEA ISD	\$1,881,412.44 /	\$78,245,137.88 =	0.0240451	X 1000 =	24.0	X 5	= 120.2	120
HAYS ISD	\$1,068,659.36 /	\$78,245,137.88 =	0.01365784	X 1000 =	13.7	X 5	= 68.3	68
GONZALES ISD	\$510,092.08 /	\$78,245,137.88 =	0.00651915	X 1000 =	6.5	X 5	= 32.6	33
SAN MARCOS ISD	\$2,752,511.70 /	\$78,245,137.88 =	0.03517805	X 1000 =	35.2	X 5	= 175.9	176
WEALDER ISD	\$417,721.54 /	\$78,245,137.88 =	0.00533863	X 1000 =	5.3	X 5	= 26.7	27
AUSTIN COM COLLEGE	\$78,506.68 /	\$78,245,137.88 =	0.00100334	X 1000 =	1.0	X 5	= 5.0	5
TOTAL	\$78,245,137.88	\$78,245,137.88					5000	5001

* = Not including Plum Creek Conservation, Plum Creek Underground, Caldwell-Hays ESD1, Gonzales Underground, Caldwell ESD2, Caldwell ESD3, Caldwell ESD4, Bollinger MUD, Caldwell Co MUD 1, 2, 3, 4, Chisholm MUD 1, Cotton Center MUD 2, Caldwell Valley MUD 1

* = Only Levy within Caldwell County PTC 6.03d

STEPS IN THE VOTING PROCESS TO ELECT DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT

- 1 Chief appraiser delivers written notice of nominations process and voting entitlement before October 1, 2023 to:
 - County Judge
 - County Commissioners
 - Mayors
 - City Managers
 - City Secretaries (if no city manager)
 - School Board Presidents
 - School Superintendents
- 2 Governing body adopts resolution nominating from one to five candidates for directors.
- 3 Presiding officer of governing body submits the resolution naming the unit's nominees to the chief appraiser no later than October 15, 2023.
- 4 Chief Appraiser delivers ballot to the presiding officer of each governing body before October 30, 2023.
- 5 Governing body determines its vote by resolution and submits it to the chief appraiser no later than December 15, 2023.
- 6 Chief appraiser counts the votes, declares the five candidates who receive the most votes elected, and submits the results to the governing bodies and the candidates before December 31, 2023.

NOTES TO DECISIONS

Analysis

- Energy & Utilities Law
 - Oil, Gas & Mineral Interests
 - General Overview
- Evidence
 - Procedural Considerations
 - Burdens of Proof
 - General Overview
- Tax Law
 - State & Local Taxes
 - Real Property Tax
 - General Overview

ENERGY & UTILITIES LAW

Oil, Gas & Mineral Interests

General Overview. — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

EVIDENCE

Procedural Considerations

Burdens of Proof

General Overview. — Where a mineral lease crossed

county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

TAX LAW

State & Local Taxes

Real Property Tax

General Overview. — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

ATTORNEY GENERAL OPINIONS

Jurisdiction.

Despite the enactment of House Bill 1010 by the Eightieth Legislature, an appraisal district operating in overlapping territory by operation of Tex. Tax Code Ann. § 6.02(b) retains authority to hear and determine pending corrective motions and taxpayer protests concerning property in that territory that relate to the 2007, or prior, tax year. 2008 Tex. Op. Att'y Gen. GA-0631, 2008 Tex. AG LEXIS 45.

Savings Clause.

After the 2007 legislation that altered the legal framework for

appraising property for ad valorem taxation in taxing units located in more than one county, an appraisal district is still responsible for litigation filed against it prior to January 1, 2008, and involving property that is no longer in its appraisal district; the general savings clause continues in effect relevant portions of Tex. Tax Code Ann. § 6.02, such that a taxing district has continuing authority to defend itself in the pending litigation, and a taxing unit has a continuing obligation to pay the related costs. 2008 Tex. Op. Att'y Gen. GA-0590, 2008 Tex. AG LEXIS 2.

Sec. 6.025. Overlapping Appraisal Districts; Joint Procedures [Repealed].

Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(3), effective January 1, 2008.

HISTORY: Enacted by Acts 1995, 74th Leg., ch. 186 (H.B. 623), § 1, effective January 1, 1996; am. Acts 1997, 75th Leg., ch. 1357 (H.B. 670), § 1, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 250 (H.B. 1037), § 1, 2, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 455 (H.B. 703), § 1, effective January 1, 2004; am. Acts 2003, 78th Leg., ch. 1041 (H.B. 1082), § 1, effective January 1, 2004.

ATTORNEY GENERAL OPINIONS

Overlapping Districts.

With respect to property lying in overlapping appraisal districts, section 6.025(d) of the Tax Code requires the chief appraiser of each of the overlapping districts to enter in the

appraisal records the lowest values, appraised and market, listed by any of the overlapping districts. 2004 Tex. Op. Att'y Gen. GA-0283.

Sec. 6.03. Board of Directors.

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under

Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) [Effective until January 1, 2022] The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(k) [Effective January 1, 2022] Except as provided by Subsection (k-1), the governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(k-1) [Effective January 1, 2022] This subsection applies only to an appraisal district established in a county with a population of 120,000 or more. The governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers the ballot to the presiding officer of the governing body. The governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is adopted.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]

HISTORY: Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013; am. Acts 2021, 87th Leg., ch. 644 (H.B. 988), § 3, effective January 1, 2022.

NOTES TO DECISIONS

Analysis

- Constitutional Law
 - Equal Protection
 - Scope of Protection
- Governments
 - Local Governments
 - Finance
- Tax Law
 - State & Local Taxes
 - Personal Property Tax
 - General Overview
 - Real Property Tax
 - Assessment & Valuation
 - General Overview

CONSTITUTIONAL LAW

Equal Protection

Scope of Protection. — Judgment that denied a municipal utility district's request to declare Tex. Tax Code Ann. § 6.03(c), (d), (f), (h), (i) unconstitutional was affirmed because a political subdivision did not have any equal protection rights; equal protection rights were vested in persons. *Colony Municipal Utility Dist. v. Appraisal Dist. of Denton County*, 626 S.W.2d 930,

1982 Tex. App. LEXIS 3784 (Tex. App. Fort Worth Jan. 13, 1982, no writ).

GOVERNMENTS

Local Governments

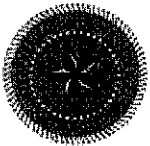
Finance. — Appraisal districts were created by statute and constituted political subdivisions of the State and constituted entities independent from the cities and counties within their borders; the McLennan County Appraisal District was neither a city nor a county for purposes of the constitutional provision. *Hoppenstein Props. v. McLennan County Appraisal Dist.*, No. 07-13-00035-CV, 2014 Tex. App. LEXIS 5413 (Tex. App. Amarillo May 20, 2014).

TAX LAW

State & Local Taxes

Personal Property Tax

General Overview. — Three-fourths of county taxing units was not authorized by Tex. Tax Code Ann. § 6.03 to change method of selecting board of director members for local tax appraisal district because state legislature provided a clear formula concerning voting entitlement. *Huffman v. Arlington*, 619 S.W.2d 425, 1981 Tex. App. LEXIS 3815 (Tex. Civ. App. Fort Worth June 18, 1981, no writ).



(<https://caldwellcad.org>)



(CURRENT)

Board of Directors

Board of Directors

Board Member	Location
Sally Daniel	Lockhart
Kathy Haigler	Dale
Alfredo Munoz	Lockhart
Linda Hinkle	Lockhart
Kayline Cabe	Dale

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discuss an interlocal agreement between the City and Caldwell County regarding EMS services.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart has contracted with the Seton Family of Hospitals for ambulance, personnel, and management services for operating EMS services for the City. That contract expires on September 30, 2023, and Seton has indicated that it does not intend to renew it. Earlier this year, Caldwell County received a petition for the creation of a new Emergency Services District No. 5, which, if approved by voters on November 7, 2023, would provide ambulance and EMS services for portions of Caldwell County and Lockhart. Even if ESD No. 5 is approved by voters in November, it will still take several months for the District to be fully funded. Therefore, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, the County and the City are negotiating an Interlocal Agreement for the provision of emergency medical services, which contemplates that the parties will evenly split costs for such services during this interim period until ESD No. 5 is approved by voters.

The draft of the ILA will be provided once finalized.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully recommends approval as presented.

City of Lockhart, Texas

**Council Agenda Item
Cover Sheet**

LIST OF SUPPORTING DOCUMENTS:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation and consideration of request from the Ascension Seton Hays Foundation regarding the Children's Care-a-Van.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Sam Regonini, Associate Director of Development of the Ascension Seton Hays Foundation, will update the Council about the Caldwell County Children's Care-a-Van program, and request that the City of Lockhart consider providing monetary support in FY 23-24. Mr. Regonini has previously met with the Mayor and City Manager and discussed an immediate need to replace the van in order to continue the program.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: N/A

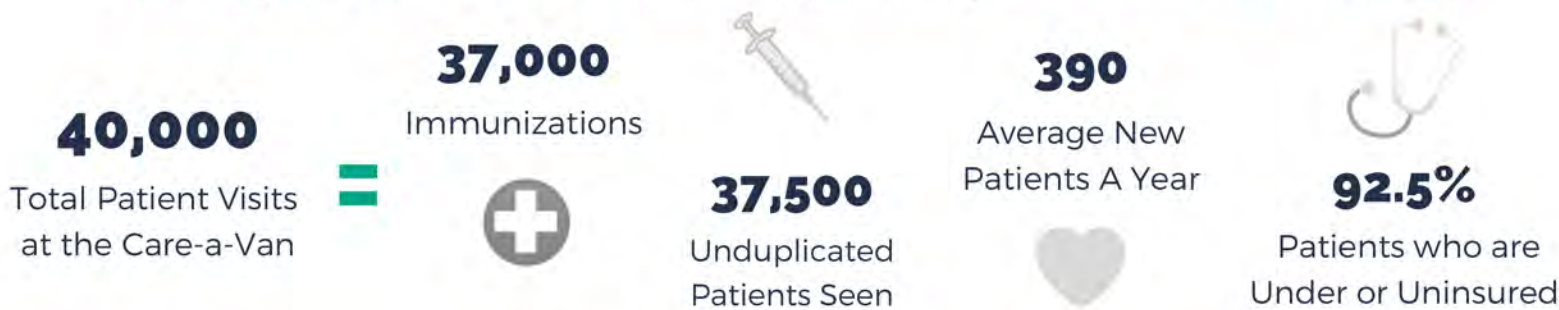
COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None. Discretion of the Council.

LIST OF SUPPORTING DOCUMENTS: City of Lockhart Care-a-Van Impact 2023

For 20 years, contributions from members of this community have sustained a distinct, dedicated healthcare program for the growing population of vulnerable youth in Caldwell County. Over the last 20 years, the Care-A-Van has provided thousands of children access to great care. This invaluable mission relies on the mobility of the program bringing care directly to children ensuring access to anyone who needs it.

Over 20 years the Care-a-Van team has provided pediatric healthcare through:



THE NUMBERS ABOVE ARE APPROXIMATES

THE HISTORY

The first pediatric mobile medical clinical in Caldwell County began in 2003. The goal was to be a bridge for children with immediate medical needs eventually linking them to a primary care provider (PCP). But, due to a persistent lack of resources – **especially a shortage of PCPs who accept CHIP/Medicaid** – the van quickly became THE medical home for thousands.

Each week the Children's Care-a-Van parks near schools and churches for patient visits. Children receive immunizations, well and sick visits, and most recently, telehealth. Ongoing care has been available despite challenges like the COVID-19 pandemic, due to accessible clinic space in Lockhart and Luling; and continues now, as we work towards purchasing a new van providing care through community partnerships and Ascension clinics.

Thank you for allowing us to care for the children of this community for the last 20 years!

WHY IS THE VAN IMPORTANT TO THIS COMMUNITY

4,000:1

There are 4,000 residents to 1 PCP in Caldwell County (1,640:1 average in Texas)

20%

A 20% Increase in van patients who are under or uninsured over the past 4 years

2.6%

Kindergartens in Lockhart ISD have a 2.6% higher immunization rate than other Texas schools

1.5X

Caldwell County children lack insurance at a 1.5X higher rate than children in Texas.

LOOKING AHEAD- THE NEW VAN

As the van has aged, it has been out of service for repairs more frequently and for longer stretches resulting in being immobile almost 50% of this year. While the clinical team continues to see patients at local Ascension Seton clinics, the lack of mobility makes it difficult to provide convenient care. The mobility of this program is what makes it unique - ensuring that no family has to choose between care and other priorities. Our goal is to replace our current van so that it can reliably provide services across the community. \$416,000 is the estimated cost for a replacement van - a large goal but one that can be accomplished with the support of our community.



You're Invited!

SATURDAY, SEPTEMBER 30 at 6PM

Join us to celebrate 20 years of service of the Children's Care-A-Van. Enjoy dinner, drinks, great company and help support our new van!

at ZEDLER MILL

1170 S. Laurel Ave., Luling, TX 78648

Interested in joining us for the Color Me Happy 20th Anniversary Celebration?

**Contact Lauren Schumann for more details
lschumann@ascension.org**

We are so grateful for your partnership, which is truly changing the lives of so many families that we care for in our community.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discussion and/or action regarding update on TxDOT/SH 142 Corridor Study and possible partnership for signal/traffic modifications at the intersection of SH142 and Mockingbird Lane.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: At the December 13, 2022 Growth Planning Meeting, TxDOT outlined short- and long-term projects with respect to SH 142. The short-term goal was pavement repair and overlay on SH 142 from US 183 to Borchert loop and the long-term goal would be for a Feasibility Study of the SH 142 corridor. However, the corridor study was not scheduled at that time, nor was funding appropriated.

As a result of the information we received from TxDOT regarding improvements to SH 142, staff have continued to work with TxDOT and the City Engineer to expedite improvements along the SH142 corridor. On August 1, 2023, council was presented with a Preliminary Engineering Service Agreement for a corridor study on SH142. During that presentation, the scope of work, goals for the project, budget and schedule were discussed. This item was for discussion only and was to collect feedback from the discussion.

Since August 1, staff has consulted with TxDOT to discuss the potential of partnering with TxDOT for a collaboration to make improvements to the intersection of SH 142 and Mockingbird Lane. During the joint growth planning meetings, comments were made about the bottlenecks during times of peak traffic. Many improvements have recently been made along the SH142 corridor as a result of the requirement for developments to make necessary traffic improvements to mitigate findings from their development's Traffic Impact Analysis (TIA), but the intersection of SH 142/Mockingbird was outside of these scopes of work.

SH 142/Mockingbird Lane Current Conditions

- 80' right-of-way dedication
- 2-lane traffic on each road
- Signal Cycle Length: 60 Seconds
- Delay: 14.0 seconds
- Actuated-Coordination Signal
- Level of Service: B (April 2021)

Traffic Impact Analysis Findings

City of Lockhart, Texas

Council Agenda Item Cover Sheet

- Information based on TIA for the Hansford Subdivision (April 2023)
- 2025 Buildout Level of Service: B
- Delay: 18.3 seconds
- Expected Added Delay: 4.3 seconds
- The TIA only accounts for the current conditions plus the buildout for the development.
- The TIA used a 2.89% year-over-year growth rate. In 2023, the Road Impact Fee Report lists 4.25% as the potential growth rate.

Level of Service (LOS) is an A-F rating system and is most commonly used to describe the operating conditions of a roadway based on factors such as speed, maneuverability, safety and what is often measured-delay. LOS delays differ for stop controlled intersections and signalized controlled intersections. Signalized intersections typically can expect longer delays and the LOS delay tolerance is reflected in the grading.

If the City were to decide to partner with TxDOT, the City would enter into an Advance Funding Agreement(AFA) similar to the North Blanco Street Bridge and Truck Route projects. Currently, there is an 80' ROW on SH142, which could accommodate widening the pavement to a single 12' driving lane on each direction on SH142 (one eastbound and one westbound) and one 12' center turning lane on SH142 (three lanes total). Additional improvements needed would be reestablishing the pedestrian crosswalks, stormdrain modifications, permanent traffic signal installation with arm-masts and the relocation of utility conflicts. TxDOT believes that they could handle the engineering and design for the project if the City decides to partner, but the City would have to fund the construction if it is decided to expedite this improvement. TxDOT would also handle the bidding on the project, conduct construction inspections on the improvements, and produce the as-built plans for the project. TxDOT's participation on this project has an approximate value of \$180,000-200,000 if the City were to take on the design and bidding for the project. No probable cost has been established at this time, but TxDOT notified us that the estimated construction cost would be close to \$1,000,000. This would be the expected City participation if the City were to expedite an improvement at Mockingbird/SH142.

SH142 is scheduled for repaving in late 2024, TxDOT is willing to postpone the resurfacing project and possibly bundle this improvement to save money on the improvement. TxDOT has asked that a decision be made regarding the potential collaboration on the intersection so they may determine when repaving SH142 will take place and if that project will need to be placed in another bidding cycle. If the City proceeds with an AFA for the project, the SH142 improvements would not be expected until late 2025/early 2026.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

Funds Required:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION: December 13, 2022 and January 12, 2023 -

Growth Planning Meetings

August 1, 2023 - Discussion regarding engineering services for a SH142 Corridor Study

STAFF RECOMMENDATION/REQUESTED MOTION: Staff requested Council's feedback.

LIST OF SUPPORTING DOCUMENTS: (2023-07-26) SH142 CORRIDOR STUDY, 2023-07-26_Lockhart SH 142 Corridor Study

CITY OF LOCKHART, TX
SH 142 CORRIDOR
STUDY
AREA LIMITS



SH 130

SH 142

US 183

TRC
TRC ENGINEERS, INC.
505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX 78752
T.B.P.E. FIRM REGISTRATION # F-8632
(512) 454 - 8716



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

July 26, 2023

Mr. Steven Lewis, City Manager
City of Lockhart
P.O. Box 239
Lockhart, Texas 78644

RE: San Antonio Street (SH 142) Corridor Study and Preliminary Engineering Engineering Services Agreement

Dear Mr. Lewis:

TRC Engineering, Inc. (TRC) has prepared this proposal and scope of services for the Lockhart San Antonio Street (SH142) Corridor Study and Preliminary Engineering for the City of Lockhart (City).

BACKGROUND

Based on projected growth, the City has identified the need to study the widening of San Antonio St (SH142) from SH130 to US183. The corridor study will be developed to satisfy TxDOT criteria, proposed development needs, and in coordination with landowners, TxDOT, Caldwell County, and any other stakeholders, as applicable. Consequently, up to three (3) alternatives are to be considered by the proposed Design Consultant Team of TRC and its subconsultant, Binkley and Barfield. The study should address the following major topics: Short- and Long-Range Planning, Safety, Property and Impacts and Cost.

SCOPE OF WORK

Project Coordination

Project coordination is a crucial component in achieving TRC's goal of meeting or exceeding the City of Lockhart's expectations for this project. Continuous coordination between the project team and the City will help keep the project in-line with the City's goals, on schedule, and within budget. This coordination will include:

- a. Progress Reports and Invoices
- b. The TRC project team shall review the project schedule and prepare monthly progress reports for review by the City's Project Manager. Invoices for all work completed during the period will be submitted monthly (with a progress report) for work performed by the TRC project team. Monthly progress reports shall include:
 - Activities, ongoing or completed, during the reporting period.
 - Activities planned for the following month.
 - Problems encountered.

c. Project Schedule

The high-level project schedule will be developed and shall include identified tasks, milestones, public involvement, and submittal deadlines. The project schedule shall be approximately six (6) months. The schedule shall be updated quarterly.

d. Kick-Off Meeting

The purpose of the Kick-off Meeting is to assemble members of the City and consulting staffs to make sure the direction and coordination of the project is well understood. The Kick-off meeting may be held virtually.

The following topics will be reviewed at the meeting:

- Introductions of City staff and Consultants
- Reporting relationships and contact information
- Goals and Objectives of the Study
- Scope and data needs/availability
- Schedule, budget, and deliverables
- Public outreach program

e. Progress Meetings

The TRC project team shall conduct up to three (3) progress meetings with appropriate City staff to facilitate data collection, coordination, and in-progress reviews. The meetings will be held virtually but may be at City offices if required by the agenda. The TRC team will present its findings and recommendations at these progress meetings and seek input from the City prior to moving forward with the public meeting.

f. Quality Control Quality Assurance

For each deliverable, the TRC project team, including its subconsultant, Binkley and Barfield, shall perform quality assurance quality control (QA/QC) reviews of all deliverables, the TRC project team shall provide documentation that the QA/ QC reviews were performed by qualified staff.

g. Project Coordination Deliverables:

- Meeting minutes for each meeting attended; PDF format.
- Documentation of QA/QC reviews.
- Project Schedule, PDF format.
- Monthly Progress Report, PDF format.

Data Collection

- a. The TRC project team shall obtain appropriate data to document existing conditions as well as any proposed plans along the project limits. The TRC project team shall:
 - Meet with TxDOT and City of Lockhart to establish initial work tasks consistent with TxDOT Project Development
 - Interview major stakeholders impacted by the Corridor Study
- b. Data collection includes:
 - Design data from record drawings of existing facility including County, City, and TxDOT plans where applicable.
 - Roadway inventory information, including the number of lanes, speed limits, pavement widths and ROW widths.
 - Corridor Studies, recent Master Transportation Plan (MTP) updates, and proposed roadway plans in the area.
 - Previously prepared drainage studies, FEMA Maps
 - Adjacent land uses
 - Right-of-way
 - Field review of existing conditions including verification of land use, environmental setting, location of existing driveways, lane configuration assignment, and existing pedestrian and bicycle facilities
 - Peak Hour Turning Movement Counts at the following intersections:
 - Texas 130 SBFR
 - Texas 130 NBFR
 - Borchert Drive
 - Mockingbird Lane
 - Stueve Lane
 - San Jacinto Street
 - Orange/Navidad
 - Medina/Magnolia
 - Blanco
 - US 183
 - Two bidirectional traffic volume classification counts
 - AADT from TxDOT traffic count stations along SH 142
 - Crash Records Information System (CRIS) data will be collected for this work authorization.
 - Existing land use in study area to support traffic projections based on growth rates. Obtain current information about approved development plans and City of Lockhart future land use plans within the project area.

Develop Base Map

- a. The TRC project team will prepare a base map to include:
 - Project base map (property lines, easements, alignments)
 - Typical sections
 - Existing ROW
 - Preliminary drainage area maps
 - Preliminary environmental constrain map
- b. The TRC project team shall obtain existing ROW and property information from as-built plans and from Caldwell County appraisal District tax records to prepare base map depicting the compiled information.

Analyze Existing Conditions

Using collected data and base map, the TRC project team shall develop an overall analysis of the existing conditions in order to identify and develop the proposed improvements.

- a. The analysis of the existing conditions shall include:
 - Existing typical section
 - Existing ROW limits, driveways, and property lines
 - Existing bicycle and pedestrian accommodations
- b. Traffic Analysis - Traffic Projections
 - The TRC project team shall hold a methodology meeting with the City and participating stakeholders to discuss traffic projection methodology to support the development of schematics and the environmental process. After the methodology meeting, the TRC project team shall prepare and submit for approval to the City a methodology memorandum with the projection of traffic volumes within the study corridor for the opening and 25-year horizon. The methodology memo shall include a summary of the traffic methodology and assumptions to evaluate traffic demand and future demographics. The TRC project team shall utilize the existing traffic data, land use/development information, and any additional information from CAMPO/the City to determine the future year traffic projection.
- c. Traffic Analysis - Crash Analysis
 - A high-level crash analysis for five years of crashes along the corridor will be included with the traffic projections when assessing the proposed conceptual corridor.

- Utilizing crash data from CRIS, a high-level crash analysis for five years of crashes for the overall corridor will be considered when assessing the overall proposed conceptual corridor. The analysis will include the identification of any trends in the crash data and provide potential counter measures and recommendations for further consideration.

d. Traffic Analysis – Traffic Operation Analysis

- Intersection Capacity Analysis

The TRC project team will analyze observed traffic volumes and perform intersection capacity analysis for the study intersections. Additionally, the Engineer will analyze the study intersections with the projected traffic volumes based on the existing roadway configuration for comparison purposes, as a “No-Build” scenario. The Engineer will document patterns and observations in the traffic analysis report along with the level of service analysis. The Engineer will review the data and provide recommendations for potential improvements and changes to the intersection layouts.

- Turn Lane Analysis

The TRC project team will evaluate the need for auxiliary lanes based on TxDOT requirements. The operations of the proposed turned lanes will be evaluated and documented to ensure no issues are anticipated.

Identify and Analyze Three Build Alternatives

The TRC project team shall identify and analyze up to three (3) build alternatives along the corridor which might include segmentation of the corridor into three zones. Alternatives must consider avoiding or minimizing potential environmental issues of concern, structural impediments. The Feasibility Study goals to identify build alternatives that would improve roadway operation, improve safety, circulation, and mobility in the area. The TRC project team shall consider the following in the analysis to optimize the design:

- The most efficient use of the existing and proposed ROW
- Roadway and intersection geometry, sight distance, roadside safety, and appurtenances
- Construction costs to include ROW.

a. Alternatives Development and Diagrammatic Schematic

The TRC project team shall develop diagram schematics for the two alternatives. The diagram schematics shall be plan view for all two alternatives and the profile view for the recommended alternative.

The diagram schematic shall contain the following design elements:

- Vicinity map.
- Design speed.
- The existing and proposed ROW and property information.
- Existing and proposed typical sections.
- Roadway alignment, pavement edges, face of curb, lane lines, and shoulder lines.
- The proposed structure locations, retaining walls, and profile.
- Bicycle and pedestrian accommodations.
- Direction of traffic flow described by directional arrows.
- Preliminary construction costs of proposed improvements.

b. Develop Existing and Proposed Typical Sections

The TRC project team shall develop existing and proposed typical sections that depicts the number and type of lanes, shoulders, median width, curb offsets, border width, clear zone widths, and ROW limits.

c. Bicycle and Pedestrian Accommodations

The TRC project team shall consider inclusion of bicycles and pedestrian facilities. Public input when applicable, as well as local and planning organization reports concerning bicycles and pedestrian accommodations must be considered.

d. Preliminary Cost Estimate

The TRC project team shall prepare preliminary planning level cost estimates for the three (3) build alternatives, including costs of construction. Current State unit bid prices shall be used in the preparation of the estimate.

e. Environmental Constraints Map

To support the alternatives analysis, The TRC project team will use readily available online resources to map environmental constraints. For natural, social, biological, and physical resources considered, the area of investigation ("study area") will extend 1500 feet from the existing and proposed roadway centerline but would also include the area(s) proposed for floodplain mitigation. This task includes desktop data collection using GIS to compile geospatial information from multiple sources, task also include:

- Compile information on community resources (utilities, pipelines, cemeteries, religious facilities, day-care centers, parks, first responders, hospitals, and the like), and possible displacements within the alignments.
- Use the Potential Archeological Liability Map (PALM) and recorded sites locational data obtained from the Texas Historical Commission Sites Atlas

(THC) to identify historic buildings and archeological resources within 500 feet of the proposed study corridor. For this feasibility study, the Area of Potential Effect (APE) would be defined by this 500-foot buffer area. Historians would consult THC's Texas Historic Sites and Archeological Sites Atlases to identify potential cultural resources sites in the vicinity of the proposed project.

- Listed Historic Structures/Districts and eligible structures identified within the Lockhart Downtown Project will be displayed and buildings of potential historic age. A survey by an architectural historian of the corridor to identify historic-age structures will not be completed.
- Collect relevant environmental data from public sources considering endangered species; migratory birds; the location, presence, and relative health of biological and natural ecosystems.
- Compile National Wetlands Inventory (NWI) maps, National Hydrography Dataset (NHD), and floodplain data to identify potential wetlands, waters of the United States, and floodplains within or along the project corridor.
- Collect information from the Texas Commission on Environmental Quality (TCEQ), U.S. Environmental Protection Agency (EPA), CAMPO, and the Railroad Commission of Texas (RRC) online datasets and websites concerning the location and status of potentially registered or recorded hazardous materials and/or hazardous waste sites within 500 feet of the corridor and in the area of proposed floodplain mitigation.
- Collect Texas Natural Diversity Dataset (TxNDD) and U.S. Fish and Wildlife (USFWS) Information, Planning, and Conservation System (IPaC) Webpage to collect county lists of threatened and endangered species, and project-specific official species lists.

f. Alternatives Evaluation and Analysis

The TRC project team shall evaluate up to three (3) alternatives based on the following factors:

- Impacts to ROW, access, and cost.
- Considering the purpose and need and the public involvement, identify potential issues of concern, environmental conditions or other constraints, possible avoidance of mitigation measures, and the appropriate documentation of the alternative's evaluation process and results.
- Public and stakeholder comments to determine community needs, goals, and interest as determined through the public involvement process conducted with interested local, state, and federal agencies and the local stakeholders including area residents.

The TRC project team shall document the evaluation process leading to the recommendation of a preferred alternative.

The TRC team shall break down the long-term preferred alternative into short and mid-term proposed improvements and provide cost estimates for these additional two options.

Preparation of Feasibility Report

The TRC project team shall prepare a feasibility report summarizing the results of all studies completed as a part of this project. The report shall include a final discussion of the design criteria, public and agency involvement issues and environmental constraints encountered, alternatives investigated, and a preliminary cost estimate and basis of estimate.

a. Feasibility Studies Deliverables

In conjunction with the performance of the foregoing services, the TRC project team shall provide the following draft and final documents and associated electronic files:

- Draft copy of the Diagram Schematic layouts (1 inch = 100 feet) of the recommended alternative.
- Final copy of the Diagram Schematic layouts (1 inch = 100 feet) of the recommended alternative.
- Draft copy of the TRC project team Summary Report
- Final copy of the Engineering Summary Report
- Electronic files shall be furnished to the City

Community Outreach Support and Public Engagement

The TRC project team shall assist the City with two (2) Public Meetings, to present the alternatives and the recommended alternative. There will be up to four (4) stakeholder meetings that the TRC project team shall attend. Stakeholders will include TxDOT, Caldwell County and potentially others. In addition, the Team will provide two (2) updates to City Council, one after each Public Meeting.

a. Public Meetings

The TRC project team shall prepare and submit draft schematic roll plot and typical section board to the City for review and comment. The TRC project team shall prepare final schematic roll plot and typical section board based on comments received from the City and shall bring copies of final schematic roll plot and typical section board to the Public Meeting. The TRC project team shall:

- Arrange coordination meetings with the City to discuss and review the materials to be used prior to the public meeting.
- Arrange one dress rehearsal meeting for each public meeting with the City to present all exhibits and other materials to be used prior to the public meeting.
- Provide four (4) personnel to staff the meetings.

The City will coordinate the location and other preparations for the public meeting and outreach activities.

b. Stakeholder Meetings

The TRC project team shall participate in up to four (4) stakeholder meetings or Meeting with Affected Property Owners (MAPO) located within or near the project study area. The TRC project team shall prepare a memorandum documenting each meeting.

c. Council Meetings

- Provide Project updates to the City's Public Information Officer for addition to the City's website during the 6-month Project Schedule. (Maximum 2 updates)
- Provide Council updates in-person during the 6-month Project Schedule. Council updates will be coordinated with the City's Public Information Officer for website updates for the project. (Maximum 2 Council meetings)

ASSUMPTIONS

1. City to provide Public Involvement activities not listed in the scope above.
2. Field investigations for the Environmental Constraints Map will be reconnaissance-level and limited to accessible public ROW and/or properties on which the City coordinates right-of-entry.

EXCLUSIONS

1. TxDOT LGPP coordination and approval.
2. No geotechnical investigation will be included in this scope of services.
3. No field surveying will be performed for this effort.
4. Does not include wetland/WOTUS delineations.
5. Does not include a habitat assessment for federally- or state-listed species.
6. Does not include an ASTM Standard Phase I Environmental Site Assessment or hazardous materials database search. Phase I ESAs and Phase II investigations related to parcel acquisitions which will be completed once the alignment is finalized.
7. Does not include presence/absence surveys for threatened and endangered species.
8. Does not include preparation of NEPA documentation or technical report.
9. Does not include preparation of a Section 404 permit application or coordination with the USACE.

10. Does not include cultural resource surveys.

11. Does not include a survey by an architectural historian of the corridor to identify historic-age structures.

COMPENSATION FOR SERVICES

TRC will provide the professional engineering services as outlined herein for a total fee as follows:

Data Collection	\$ 64,387
Base Map Development	\$ 20,554
Analyzing Existing Conditions	\$ 29,119
Development of three Build Alternatives	\$ 92,722
Community Outreach Support and Public Engagement	\$ 54,103
Feasibility Report Development	\$ 138,899
Total:	\$ 399,784

This lump sum fee includes labor and material costs associated with the Scope of Work identified above. These services will be performed under the terms and conditions of our previously executed Master Services Agreement with the City of Lockhart.

TRC's fee above is based on a continuous flow of work. Any delays or restrictions, caused by customer or customer's sub consultants, which result in idle-time or inefficiencies, could be cause for additional compensation.

Changes in scope, including additional scenarios or modification to the scenarios identified above will be evaluated for additional services and/or materials cost through a formal change order process, which results in approval of the additional cost prior to executing the additional work.

Fees for services quoted in this Letter of Agreement are valid for a period of time not to exceed 60 days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. Please review this SOW and, upon acceptance, sign in the space provided below, returning a copy for our files.

CITY OF LOCKHART

TRC ENGINEERS, Inc.

By: _____
Steven Lewis
City Manager

By:  _____
William Wachel, P.E.
Deputy Director



City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discussion and/or action to consider a request by Martin Spellerberg for a determination of eligibility for a Tax Abatement (TA-23-01) pursuant to Chapter 28 “Historic Districts and Landmarks”, Division 2 “Tax Abatement”, of the Lockhart Code of Ordinances, for exterior and interior improvements to a commercial building in the Historic District, located at 103 South Main Street.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Kevin Waller

ACTION REQUESTED: Consensus

BACKGROUND/SUMMARY/DISCUSSION:

Division 2 of the Historic Districts and Landmarks Ordinance provides for tax abatements to mitigate the cost of eligible improvements to structures that are within a historic district or that are a City-designated historic landmark. The owner of a commercial building within the Historic District located at 103 South Main Street has applied for a tax abatement for both exterior and interior improvements to the building, including a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration application must be considered by the Commission along with the Tax Abatement application. Two Certificates for Alteration were approved by the Commission for the overall project, one on July 19, 2023, and the other on August 16, 2023. The Tax Abatement application was recommended for approval at the Commission’s September 6, 2023 meeting.

PROJECT SCHEDULE (if applicable): According to the applicant, the project improvements will commence in September 2023, to conclude in December 2023.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

City of Lockhart, Texas

Council Agenda Item Cover Sheet

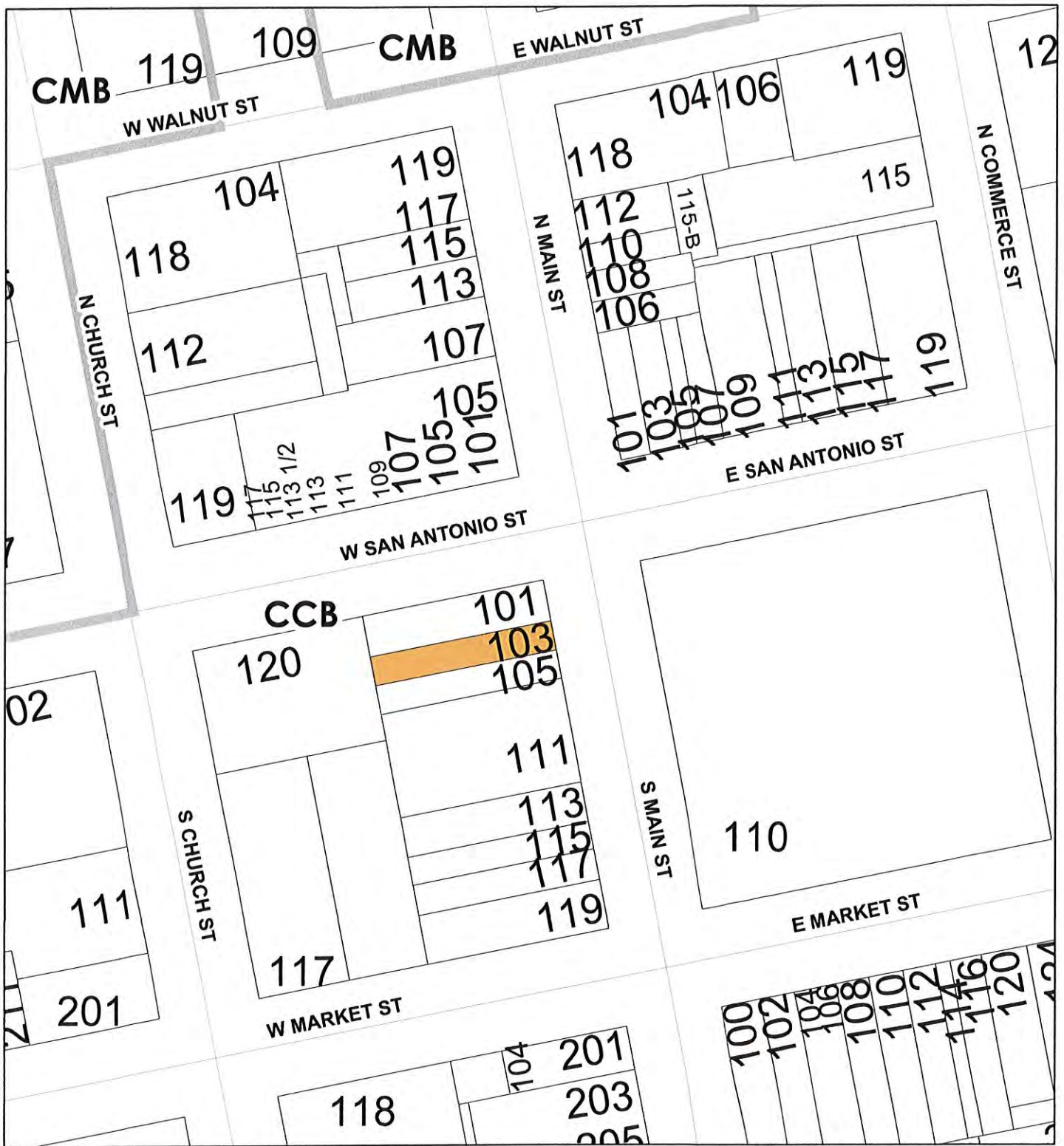
The tax abatement applies only to City property taxes, and it cannot exceed the owner's total out-of-pocket cost of the improvements. The most recent estimate of the total cost is **\$145,400.00**. For the first five years of the abatement period, 100 percent of the City taxes are waived. After a reappraisal, 50 percent of the taxes can be waived each year for an additional consecutive five-year period. The estimated City property taxes for the subject property in 2023 are \$2,013.28; even if the maximum allowed amount is waived each year over the ten-year period, the total abatement will not exceed the owner's out-of-pocket expenses.

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission voted 5-0 at their September 6, 2023 meeting to recommend that the City Council determine that the proposed improvements are ELIGIBLE for a tax abatement.

STAFF RECOMMENDATION/REQUESTED MOTION: The Historical Preservation Officer has determined that the submitted tax abatement application meets the guidelines set forth in Section 28-22 "Application for Tax Abatement", and recommends that the proposed improvements at 103 South Main Street be determined ELIGIBLE for a tax abatement as provided in Chapter 28, Division 2, of the Lockhart Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: Map, Staff Report, Application Materials (City Council), Chapter 28, Division 2- Tax Abatement (City Council), Tax Abatement Handout 4-28-2020, Tax Abatement Agreement (103 S. Main St.)



TA-23-01

103 S MAIN ST

MULTIPLE IMPROVEMENTS



Subject Property



Zoning Boundary

scale 1" = 100'

CASE SUMMARY

STAFF: Kevin Waller, Historical Preservation Officer/Senior Planner *KW* CASE NUMBER: TA-23-01
REPORT DATE: September 1, 2023 [Updated September 12, 2023]
HISTORICAL PRESERVATION COMMISSION DATE: September 6, 2023
CITY COUNCIL DATE: September 19, 2023
APPLICANT'S REQUEST: Various interior improvements, new HVAC unit on roof, new window on rear building façade, re-pitching of the roof, and roof replacement with a different material
STAFF RECOMMENDATION: **Approval**
SUGGESTED CONDITIONS: None
HISTORICAL PRESERVATION COMMISSION RECOMMENDATION: **Approval**

BACKGROUND DATA

APPLICANT: Martin Spellerberg
OWNER: Spellerberg Associates, LLC, c/o Martin Spellerberg
SITE LOCATION: 103 S. Main St.
LEGAL DESCRIPTION: Part of Lot 4, Block 19, Original Town of Lockhart
EXISTING USE OF PROPERTY: Commercial
PROPOSED USE OF PROPERTY: Same as above
ZONING CLASSIFICATION: CCB (Commercial Central Business)

ANALYSIS OF ISSUES

PROJECT DESCRIPTION: The applicant proposes both exterior and interior improvements to an existing commercial building in the Historic District, and has requested a Tax Abatement for municipal taxes with the attached application. The improvements were initially approved by the Commission through two Certificates for Alteration, one on July 19, 2023 (CFA-23-25), and the other on August 16, 2023 (CFA-23-28). A portion of the improvements includes a new window on the rear façade of the building, the re-pitching of the roof, and replacement of the roof with a different material. The window will replace an exhaust fan within what appears to be a historic window opening at the center of the second story at the rear façade, to include a wooden casement with a single pane of glass. The roof will be re-pitched in a low spot near the center of the building to correct a standing water issue. Currently, the roof is composed of an ethylene propylene diene monomer (EPDM) rubber material, which is proposed to be replaced with a white thermoplastic polyolefin (TPO) material. Additional improvements will include repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. The existing and proposed HVAC roof units will not be visible from a public street. Section 28-10 of the Historic Districts and Landmarks Ordinance excludes work that is considered "Ordinary Maintenance" from the requirements for a Certificate for Alteration. Although some of the above improvements are considered ordinary maintenance, all improvements for which a tax abatement application is submitted require a review and certificate for alteration by the Commission (Section 28-21(b)). A Tax Abatement application must first be considered by the Historical Preservation Commission for a recommendation to the City Council, which will in turn make a determination of eligibility for the tax abatement. In addition, a Certificate for Alteration application must be considered

by the Commission along with the Tax Abatement application. Two Certificates for Alteration were approved by the Commission for the project as noted above, and the Tax Abatement application was recommended for approval at the Commission's September 6 meeting.

COMPATIBILITY: The proposed improvements will enhance the building's appearance and will not have adverse impacts on the Courthouse Square.

COMPLIANCE WITH STANDARDS: Two Certificates for Alteration have been approved by the Commission for the proposed improvements, as discussed above, and the Commission has also recommended approval of the tax abatement. Staff has determined that the submitted tax abatement application meets the guidelines set forth in Section 28-22. A complete copy of the application packet, a copy of Chapter 28, Division 2 (Tax Abatement), and a summary of the tax abatement review procedure are included with your agenda packet materials.

ALTERNATIVES: None necessary.

Spellerberg Associates

Art Studios at 103 S Main St

Work To Be Done

Part 1 – Demolition

- Remove all carpet and foam underlay (except in one room on the first floor)
- Reset or remove protruding nail heads

Upstairs

Front

- Demolish drop ceiling
- Demolish duct chase/cabinet in front room
- Remove shelving from cubbies

Back

- Remove the existing exhaust fan with motor and louver and set aside;
- Demolish the existing ¾ inch plywood shelving and store for reuse;
- Demolish existing particleboard, sheetrock and metal stud shelving unit located in the middle of the room;
- Demolish existing sheetrock duct chase;
- Remove debris;

Downstairs

- Remove certain ceiling fixtures;
- Remove certain partitions;
- Remove existing stainless-steel sink and cabinet at the hand-washing station below stairs. Asbestos abatement by specialized firm;
- Demolish damaged ceiling tiles and rail in the rear entry hall

Spellerberg Associates

Art Studios at 103 S Main St

Part 2 – Roof

- Remove the existing sheet rubber roofing material;
- Remove the existing roof hatch. Repair hole;
- Repair roof deck as required;
- Re-pitch roof from front to back;
- Install new thermal insulation above existing roof deck;
- Install new roof hatch, which will be a manufactured product with frame included.
- Install new TPO roof membrane;

Part 3 – Carpentry/Construction

Upstairs

- Repair the floor as required;

Front

- Extend partition wall to new ceiling height;
- Use 2x4 with ¾-inch plywood to reconstruct the supply air duct chase along South wall

Rear

- Leave existing ceiling rafters exposed;
- Construct studio spaces using new 2x4 partition walls. Install OSB 7/16" thickness on both sides of each partition wall. Attach the new partitions to existing 2x6 frame where possible;
- Reconstruct the supply air duct chase along the South wall. Meet code requirements. Use ¾-inch plywood if allowed, other non-combustible material if required.
- Frame the existing opening in the back (West) wall. Install a wooden casement window approximately 57 inches wide by 80 inches tall. Install window seals and trim to prevent entrance of air and water.

Downstairs

- Repair floorboards as needed; Install ¼-inch Masonite, stapled or screwed to existing subfloor.
- Replace sink at the hand-washing station with a free-standing 20-gallon mop sink in the same location
- Frame studio spaces with new partition walls using wood 2x4 frames. Install OSB 7/16" thickness to cover existing walls and new partition walls.
- Smooth the texture of one particular partition wall.

Spellerberg Associates

Art Studios at 103 S Main St

Part 4 – Electrical

- All electrical work shall comply with NFPA 70, National Electrical Code (NEC) or the current Code approved by the City of Lockhart.
- Retain existing 150-amp main breaker and service entrance.

Electrical for HVAC

- As the existing panel will not support the additional HVAC needs, we will install a sub-panel which can accommodate the new mini-split.
- Retain existing Federal Pacific panels and existing operable Federal Pacific circuit breakers;
- Add new Square-D, QO or equivalent panel with bolt-on circuit breakers as needed

Outlets, Fixtures, Etc.

- Install two new 120-volt, 20-amp duplex outlets in each of the eight partitioned studio spaces. Locate the outlets high on the wall.
- Replace fluorescent lamps throughout with LED
- Install wired smoke/carbon dioxide detectors
- Repair, replace and install new emergency signage and lighting

Part 5 – HVAC

- Repair or replace the rooftop mounting brackets for AC units as needed

4-ton Central system (Serving Downstairs)

- Install a new 4-ton roof-top condensing unit and gas-electric air handling unit/furnace;
- Install new roof penetrations;
- Retain and rework the existing filter grill and return air plenum;
- Build a new raised platform for the horizontal-mounted air handling unit to provide a slope of not less than 1/8" per foot for the condensate drain line, the drain line shall be a minimum 3/4" diameter PVC pipe with provision for flushing and clean-out;
- Rework existing supply ducting to connect to existing supply air ducting;
- Rebuild duct chase with plywood if allowed by code, or non-combustible material if required.
- Reuse and reinsulate existing copper refrigerant lines when possible, replace with larger ones if required.
- Retain existing thermostat, relocate to new position.

Spellerberg Associates

Art Studios at 103 S Main St

2.5-ton Central system (Serving Upstairs Front)

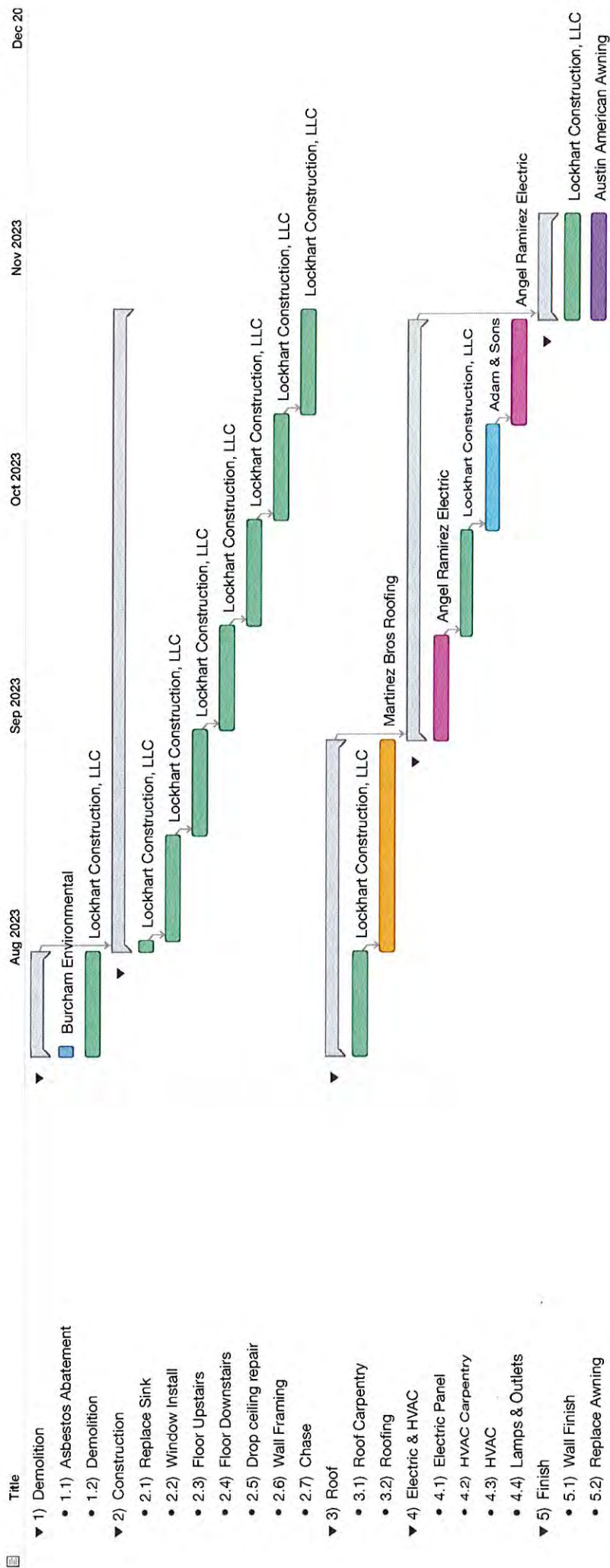
- Retain existing 2 ½ ton unit
- Move the external unit to a new location on the roof. Install new roof penetrations.
- Remediate Settlement trap Red Tag issue
- Remediate vent pipe Red Tag issue
- Replace ducting

New 2-ton Mini Split (Serving Upstairs Rear)

- Mini Split system with cassettes

Condensate Run-off

- Consolidate condensate run-off from all three HVAC systems into one line 3/4" PVC line
- Penetrate floor at a location along the South wall
- Run line across the ceiling above hallway ceiling tiles, down the sink wall and tie into the PVC sink drain.
- Approximately 46' of PVC drain line.



Spellerberg Associates

Art Studios at 103 S Main St

Budget Estimate

Roofing	\$45,000-59,900
<i>Martinez Bros. Roofing, Lockhart</i>	
Construction/Carpentry	\$26,900-35,800
<i>Lockhart Construction, LLC, Lockhart</i>	
HVAC	\$12,600-16,800
<i>Adam & Sons, Lockhart</i>	
Electrician	\$10,200-13,500
<i>Angel Ramirez Electric, Lockhart</i>	
Architectural Design	\$3,000-4,000
<i>A. M. Smith, Lockhart</i>	
Awning	\$2,200-2,900
<i>Austin American Awning, Lockhart</i>	
Asbestos Removal	\$1,500-2,000
<i>Burcham Environmental Services, LLC, Wimberley</i>	
Misc. Supplies	\$7,400-9,800
Permits & Fees	<u>\$500-700</u>
Total	\$109,300-145,400

Spellerberg Associates

Art Studios at 103 S Main St

Addendum to City of Lockhart Historic Property Preservation Tax Abatement Application

Question 4. Current assessed property value:

- \$335,210

Question 5. Estimated property value upon completion:

- \$335,210

Question 7. Description of Current Use:

Spellerberg Projects Art Gallery & Studios. We are located at 103 S Main St, Lockhart, on the Square, in the Historic District. We have operated an art gallery in the building's storefront since 2016. Exhibitions rotate monthly, with gallery hours on Saturdays and First Fridays.

Behind the gallery, we offer artist studios and private offices for rent to artists and community organizations. This project will optimize the studio spaces.

- There will be eight studios. These will be semi-private cubicles, each about 100 square feet. Each studio can be occupied by either one or two artists.
- There will be two private offices. Offices are approximately 275 square feet each.

In addition to their designated cubicles and offices, tenants have access to two common areas:

- The 1st floor "Artist's Lounge," in the center of the building, with couches and a kitchenette. This will encourage social interaction, community, and the exchange of creative ideas.
- The 2nd floor "Flex Space." This space may be used by tenants for meetings, workshops, photo shoots, etc.

Tenants share the 1st floor restroom.

Spellerberg Associates

Art Studios at 103 S Main St

This is a project of **Spellerberg Associates LLC**, founded in Austin in 2015. Our primary business is offering digital consulting services to museums in the United States. Current clients include the Andy Warhol Museum, Pittsburgh; the Akron Art Museum, Ohio; the Contemporary at Blue Star, San Antonio; the Museum of Contemporary Photography, Chicago; the Rubin Museum, New York; the Terra Foundation for American Art, Chicago; and others.

Martin Spellerberg, owner, is a digital designer, developer and consultant with over twenty years of experience. He is a thought leader who regularly speaks at industry conferences and publishes in peer-reviewed publications. He directs a network of freelance contractors to provide solutions for clients across the United States. He is currently pursuing a Masters of Business Administration degree from Texas State University, San Marcos.

[illegible]

PLAT OF CITY OF LOS ANGELES
SUBMITTED IN VOL. 9, PAGE 11
OF THE DEED RECORDS

WILSON 2378 SO. FULTON
DR. A. BLOOMING, IL 61801
STENOGRAPHIC CITIZENS-LEADER
AET & 2000
VOL. 423, PG. 434

BETTERS WORTH & ASSOCIATES, INC.
1111 EAST MOUNTAIN STREET, SEGUIN, TEXAS 78155
PH: 833.379.5532 FX: 830.379.5533
email: betterstheworthassociates.com
ENGINEERING FIRM NO. F-11751
SURVEYING FIRM NO. F-101287

THE PLAY REPRESENTS THE RESULTS OF AN
ON THE GROUND SURVEY MADE UNDER MY
SUPERVISION. EXCEPT AS SHOWN, THESE ARE
NOT PHOTOGRAPHS, ILLUSTRATIONS OR VISUAL
AID MATERIALS ATTACHED TO THE REPORT.
CORRESPONDING FIELD INFORMATION AND DATE

OF THE

every day they judge and even

5

✓

RECEIVED

§ 87(2)(b) of the Freedom of Information Law

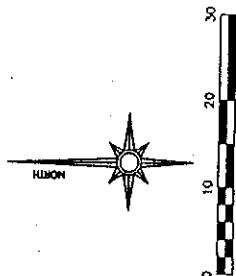
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STATISTICS WILL BE USED TO:

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Page 233 of 378



PROPERTY APPRAISAL INFORMATION 2023
SPELLERBERG ASSOCS LLC
6312 WOODHUE DR
AUSTIN TX 78745-3734

OWNER ID
212739

OWNERSHIP
100.00%

Ref ID2: R16942
Map ID 01-801

refID1: A
3000000-019-004-70

31TUS 103 S MAIN ST LOCKHART, TX 78644

GENERAL

UTILITIES	LAST APPR.	EAGLE
TOPOGRAPHY	LAST APPR. YR	2020
ROAD ACCESS	LAST INSP. DATE	01/04/2023
ZONING	NEXT INSP. DATE	
	HD & CCB	

MA2
114
STC

LECTRO STUDIO/SPELLBERG PROJECT
GALLERY

BUILDING PERMITS

ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL
01/01/2010	0000	0000	00	00000000

SALE DT	PRICE	GRANTOR	DEED INFO
04/21/2015	*****	GITZ PROPERTIES	WDVL 2015-003398
03/19/2014	*****	GITZDANNER STESWD	141221
07/12/2005	*****	BLOMERTH TODD & WD	053433

SUBD: SLKT		NBHD:1602		123.00%		
#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT
	MA	MAIN AREA	C	CG3/CM	1,276.0	
	MA2	MAIN AREA SE	C		1,276.0	
	MA2	MAIN AREA SE	C		1,144.0	
	STG	ATTACHED STO	C		1,144.0	
	Op	COVERED PORC	C		1,176.0	
1	COMMERCIAL		STCD: F1		<u>5,016.0</u>	
LECTORIO/ISPELBERG PROJECT GALLERY						

IMPROVEMENT INFORMATION

COMP	ADJ	ADJ VALUE
100%	0.75	75.310
100%	0.75	66.270
100%	0.75	59.420
100%	0.75	27.010
100%	0.75	2.080
		<u>230.090</u>

IMPROVEMENT FEATURES

Construction Style	1	F	0
Foundation	1	S	0
Exterior Wall	1	B	0
Roof Style	1	G	0
Heating/Cooling	1	C	0
			0

SUBD: SLKT

CLAS	TABLE	SC	HS
101	COMMERCIAL	1	N

SUBD: SLKT
 L# DESCRIPTION
 100 COMMERCIAL
 Comment: LOT SIZE PER DEED SFT
 NBHD: 1602
 100.00%

LAND INFORMATION		IRR Wells: 0	Capacity: 0
<u>DIMENSIONS</u>	<u>UNIT PRICE</u>	<u>GROSS VALUE</u>	<u>ADJ MASS ADJ VAL SRC</u>
2.378 00 SQ	21 95	52 200	1 00 A

IRR Acres: 0	Oil Wells: 0
MKT VAL	AG APPLY
52 200	NO
AG CLASS	AG TABLE
AG UNIT	PRC
AG VALUE	0.00

Oil Wells. 0

TAX RECEIPT

11/04/2022 01:20PM

Caldwell County Appraisal District
211 Bufkin Ln.
P.O. Box 900
Lockhart, TX 78644

Receipt Number
1157033

Date Posted 11/04/2022
Payment Type P
Payment Code Full
Total Paid \$5,311.18

PAID BY:

SPELLERBERG ASSOCS LLC
6312 WOODHUE DR
AUSTIN, TX 78745-3734

Property ID	Geo					Legal Acres	Owner Name and Address				
16942	0300000-019-004-70					0.0000	SPELLERBERG ASSOCS LLC 6312 WOODHUE DR AUSTIN, TX 78745-3734				
Legal Description											
O T. LOCKHART, BLOCK 19, LOT PT 4											
Situs	DBA Name										
103 S MAIN ST LOCKHART, TX 78644											
Entity	Year	Rate	Taxable Value	Stmt #	Void	Original Tax	Discnts	P&I	Att Fees	Overage Amount Pd	
Farm to Market Road	2022	0.00010	230,100	40451	N	0.23	0.00	0.00	0.00	0.23	
Plum Creek											
Underground Water	2022	0.01590	230,100	40451	N	36.59	0.00	0.00	0.00	36.59	
Lockhart ISD	2022	1.12230	230,100	40451	N	2,582.41	0.00	0.00	0.00	2,582.41	
Plum Creek Conservation District											
District	2022	0.01620	230,100	40451	N	37.28	0.00	0.00	0.00	37.28	
City of Lockhart	2022	0.60060	230,100	40451	N	1,381.98	0.00	0.00	0.00	1,381.98	
Caldwell County	2022	0.55310	230,100	40451	N	1,272.69	0.00	0.00	0.00	1,272.69	
										5,311.18	
Balance Due As Of 11/04/2022: .00											

Tender	Details	Description	Amount
Check	1375		5311.18
			5311.18

Operator Batch
ROCIOC 9655 (11012022RC)

Total Paid
5,311.18

TEXAS HISTORICAL COMMISSION

real places telling real stories

August 21, 2019

Martin Coleman Spellerberg
Spellerberg Associates LLC
6312 Woodhue Dr.
Austin, TX 78745-373

PROPERTY: 103 S. Main Street, Lockhart, Caldwell County
PROJECT NUMBER: THPTC-0506-19-082
APPLICATION: Part A
DECISION: Building Certified Historic

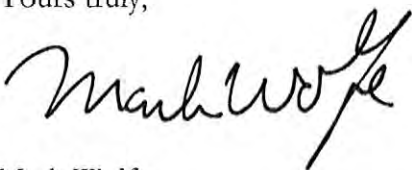
Dear Mr. Spellerberg,

The Texas Historical Commission (THC) has reviewed your Texas Historic Preservation Tax Credit (THPTC) Application, Part A: Evaluation of Significance, for the above-named property, which corresponds with Federal Rehabilitation Tax Credit project #40551. This letter represents the official determination of the Executive Director of the THC. THC received notification of the National Park Service's review of your Part 1 application on August 5, 2019 and, as such, has determined that the property listed above is a certified historic structure for the purposes of the THPTC program.

Congratulations on completing the first part of your tax credit application. If you have not done so already, the next step in the application process is submission of the Part B – Description of Rehabilitation. Note that the Part B should be submitted as early as possible in the course of the project. Our reviewers are available to consult with you on your planned work to ensure compliance with program requirements and the Secretary of Interior's Standards for Rehabilitation.

Thank you for your interest in the cultural heritage of Texas, and we look forward to working with you on this project. **If you have any questions concerning our review of the Part A application, please contact Greg Smith at greg.smith@thc.texas.gov, or at 512-463-6013. If we can be of assistance regarding further steps in the application process or to communicate with your tax credit project reviewer, please contact Kylie Woodlock at kylie.woodlock@thc.texas.gov, or at 512-475-0129.**

Yours truly,



Mark Wolfe,
State Historic Preservation Officer
Executive Director, Texas Historical Commission



TEXAS HISTORICAL COMMISSION

Received

MAY 28 2019

Texas Historic Preservation Tax Credit Application Part A: Evaluation of Significance

Division of Architectural

Read instructions carefully before completing application. No certification will be made unless a completed, signed application form has been received. Type or print clearly in black ink. If additional space is needed, attach blank sheets. Please submit only **one** copy of this application and supporting materials. Please do not use spiral binding, binders or folders to submit your application. You may submit your application in person, via courier service or U.S. Mail. E-mailed or faxed applications will not be accepted.
Note: If you wish to participate in the Federal program, you must submit the appropriate Federal application(s) to the THC. Visit www.nps.gov/tps to download applications.

Please Check One: ☒ State and Federal Application ☐ State Only Application

Property Name: 103 S. Main Street

Property Address: 103 S. Main Street Lockhart Caldwell 78644-2740
Street City County Zip Code

Historic Designation (select all that apply)	
☐ Individually listed on the National Register of Historic Places	☒ Contributing resource in existing National Register District
☐ Individually listed as a Recorded Texas Historic Landmark	☐ Contributing resource in certified Local Historic District
☐ Individually listed as a State Antiquities Landmark	Name of district: _____
☐ This is a preliminary request for individual determination of eligibility for the National Register of Historic Places	☐ This is a preliminary request for a property outside the Area or Period of Significance of an existing district

Applicant			Project Contact		
Name Martin Coleman Spellerberg			Name		
Organization Spellerberg Associates LLC			Organization		
Address 6312 Woodhue Dr			Address		
City Austin	State Texas	Zip 78745-373	City	State	Zip
Telephone 737-333-9760	Email marty@spellerberg.org		Telephone	Email	
Property Owner 1			Property Owner 2		
Name Martin Coleman Spellerberg			Name		
Organization Spellerberg Associates LLC			Organization		
Address 6312 Woodhue Dr			Address		
City Austin	State Texas	Zip 78745-373	City	State	Zip
Telephone 737-333-9760	Email marty@spellerberg.org		Telephone	Email	

THC Official Use Only

THPTC -0504- 19 - 082

The Texas Historical Commission has reviewed Part A for the above-named property and has determined that the property:

☐ is currently listed individually on the National Register, or as a State Antiquities Landmark or Recorded Texas Historic Landmark.
Date of listing _____ Name as listed _____

☒ contributes to the significance of a district or functionally-related complex listed in the National Register.
Date of listing 1978 Name as listed Caldwell County Courthouse Historic District

☐ does not contribute to the significance of the above-named district or property.

Preliminary determinations of eligibility:

- ☐ appears to meet the National Register Criteria for Evaluation or criteria for approval as a SAL or RTHL, and will likely be listed as such if nominated according to official procedures.
- ☐ does not appear to meet the criteria for individual listing in the National Register or as a SAL or RTHL.
- ☐ appears to contribute to the significance of a potential historic district, which will likely be listed if duly nominated.
- ☐ appears to contribute to the significance of a registered historic district if the period or area of significance as currently documented in NPS/THC records is expanded.
- ☐ does not appear to qualify as a certified historic structure.
- ☐ cannot be evaluated because insufficient information has been provided.

Mark Wolfe
Texas Historical Commission Authorized Signature

8/23/19
Date

National Register



Caldwell County Courthouse Historic District

Reference Number: 78002902

Resource Type: District

Address: Courthouse Sq. and environs

City: Lockhart

County: Caldwell

State: TEXAS

Certification Date: 19780103

Multi Resource Name:

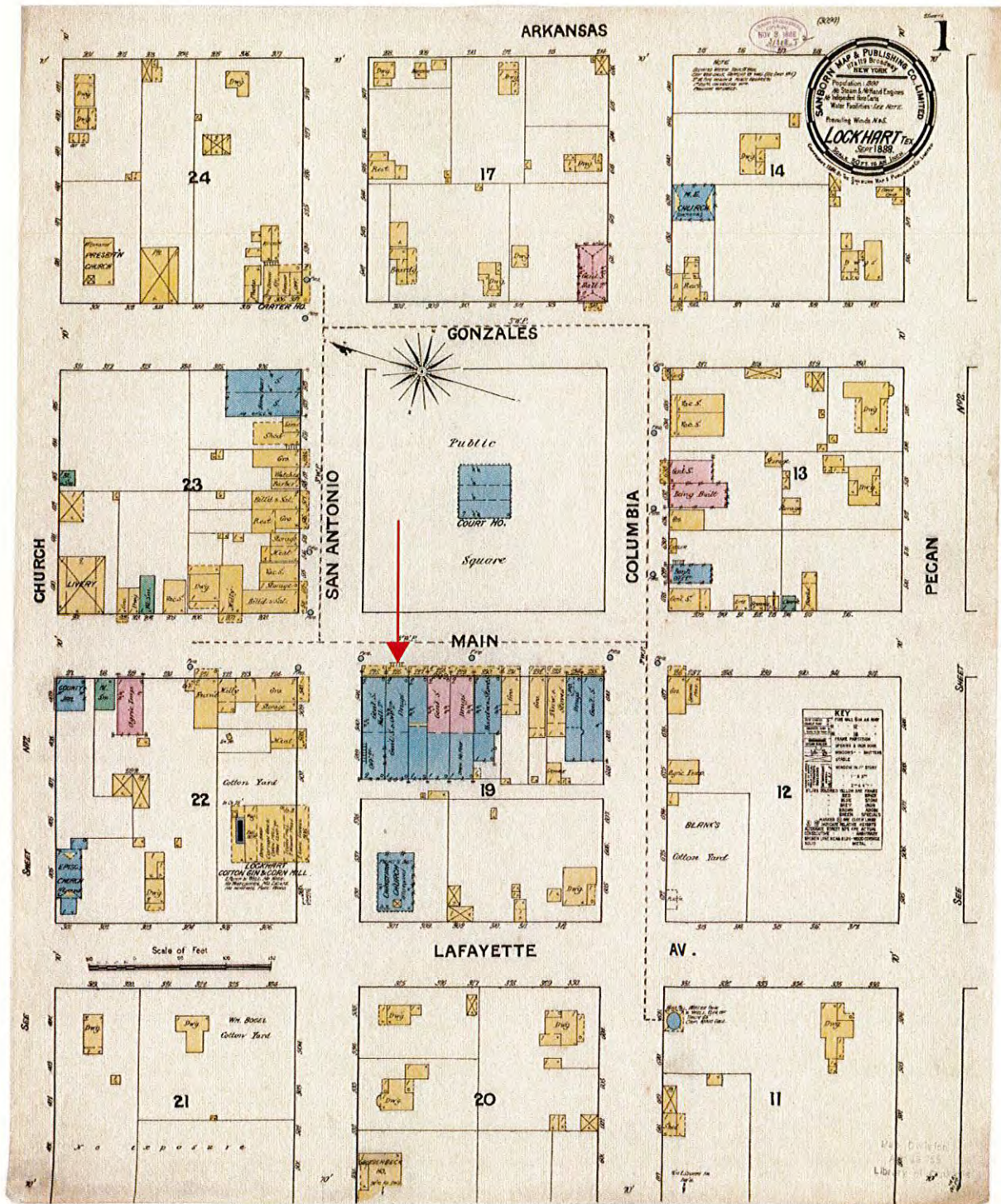
of Contributing Buildings: 67

of Contributing Objects: 0

of Contributing Sites: 0

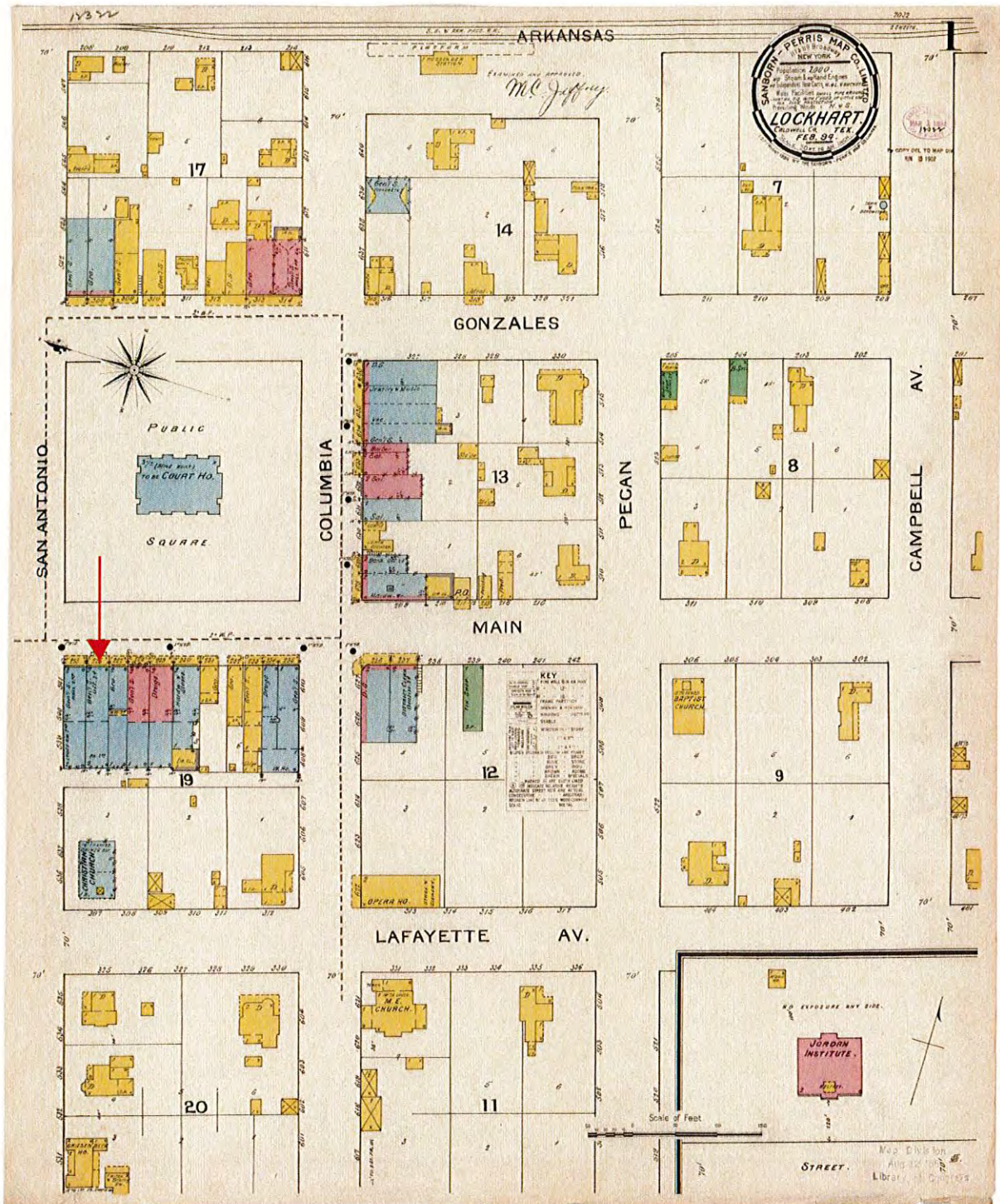
of Contributing Structures: 0

Sanborn Map, Lockhart, 1888



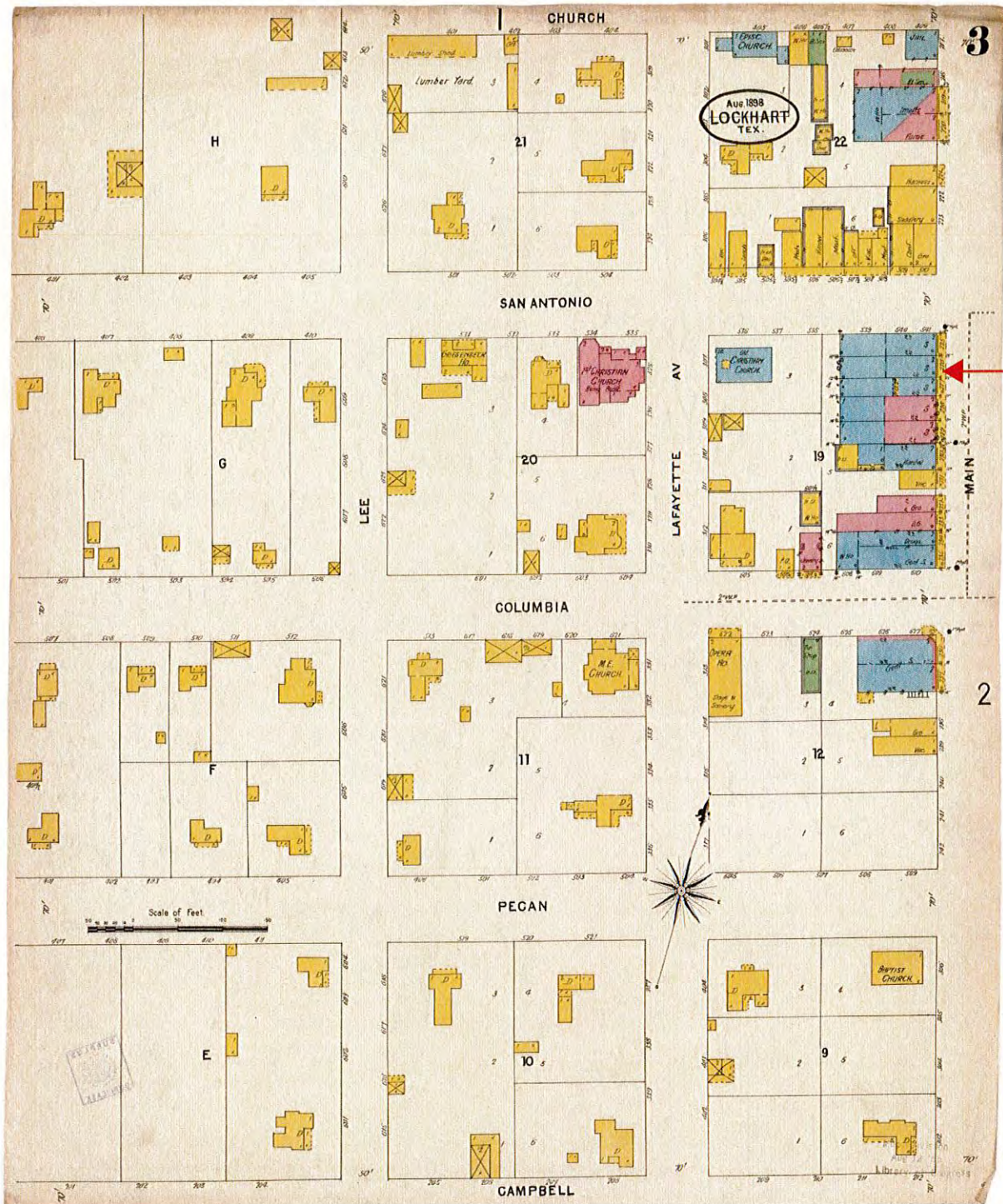
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1894



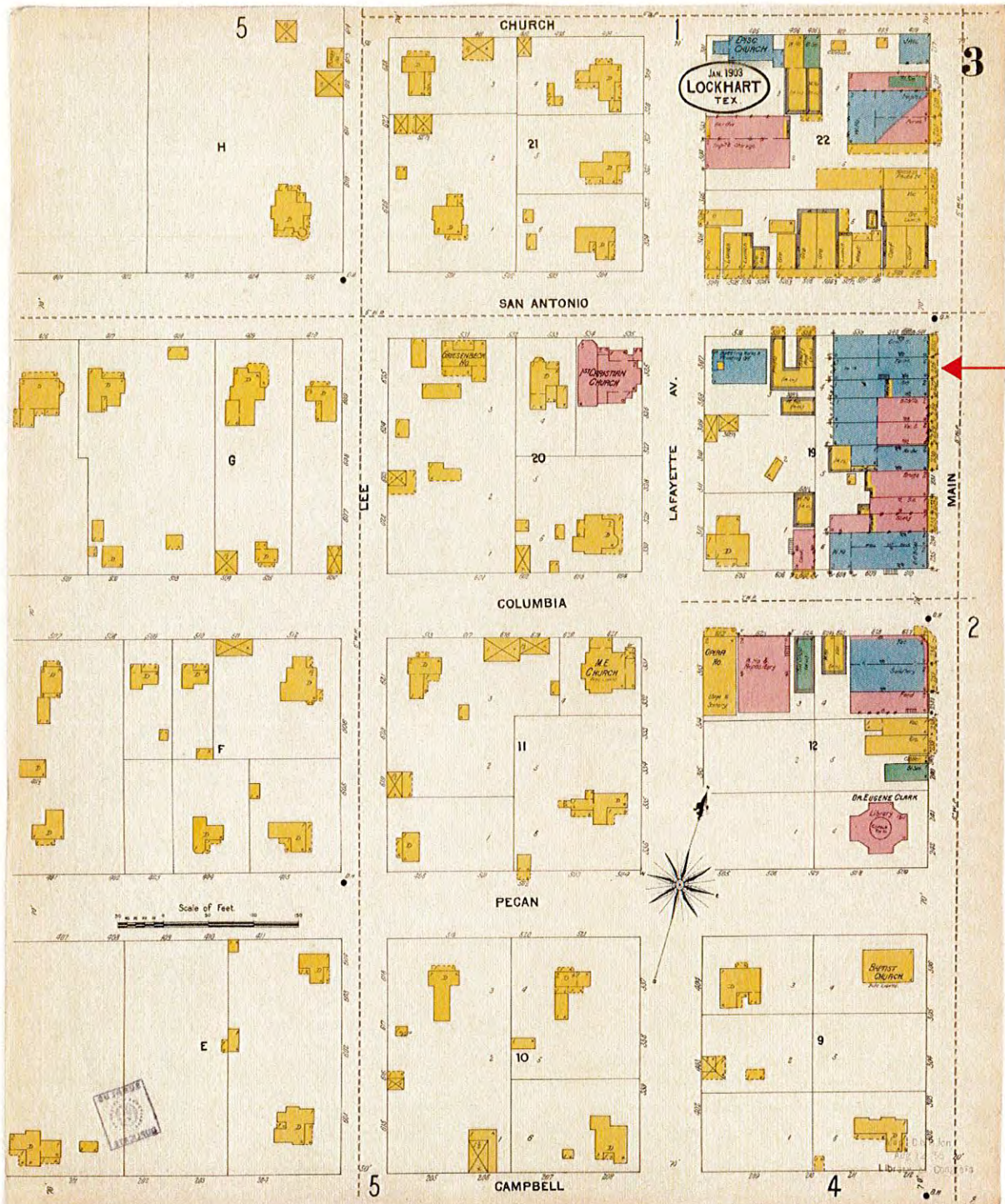
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1898



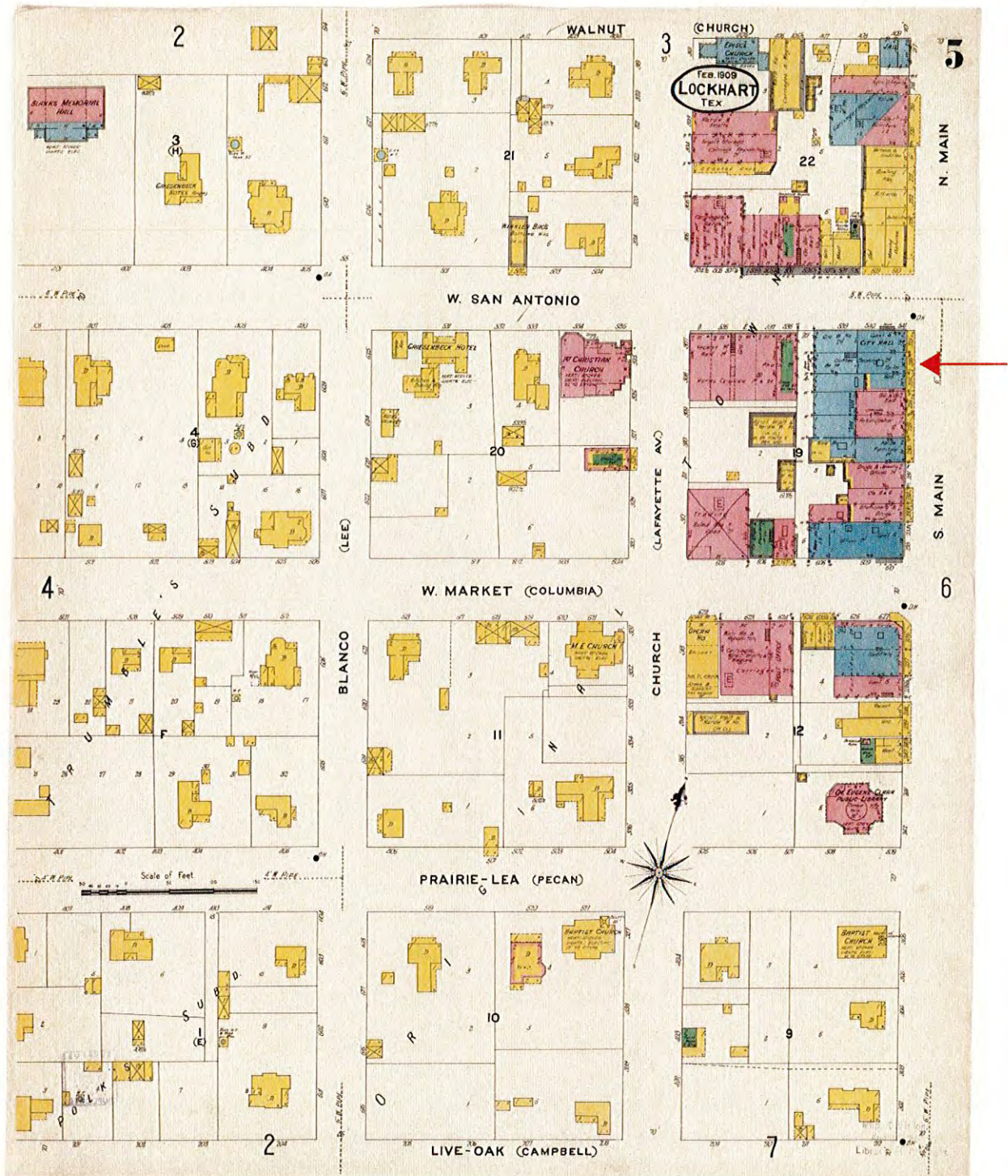
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1903



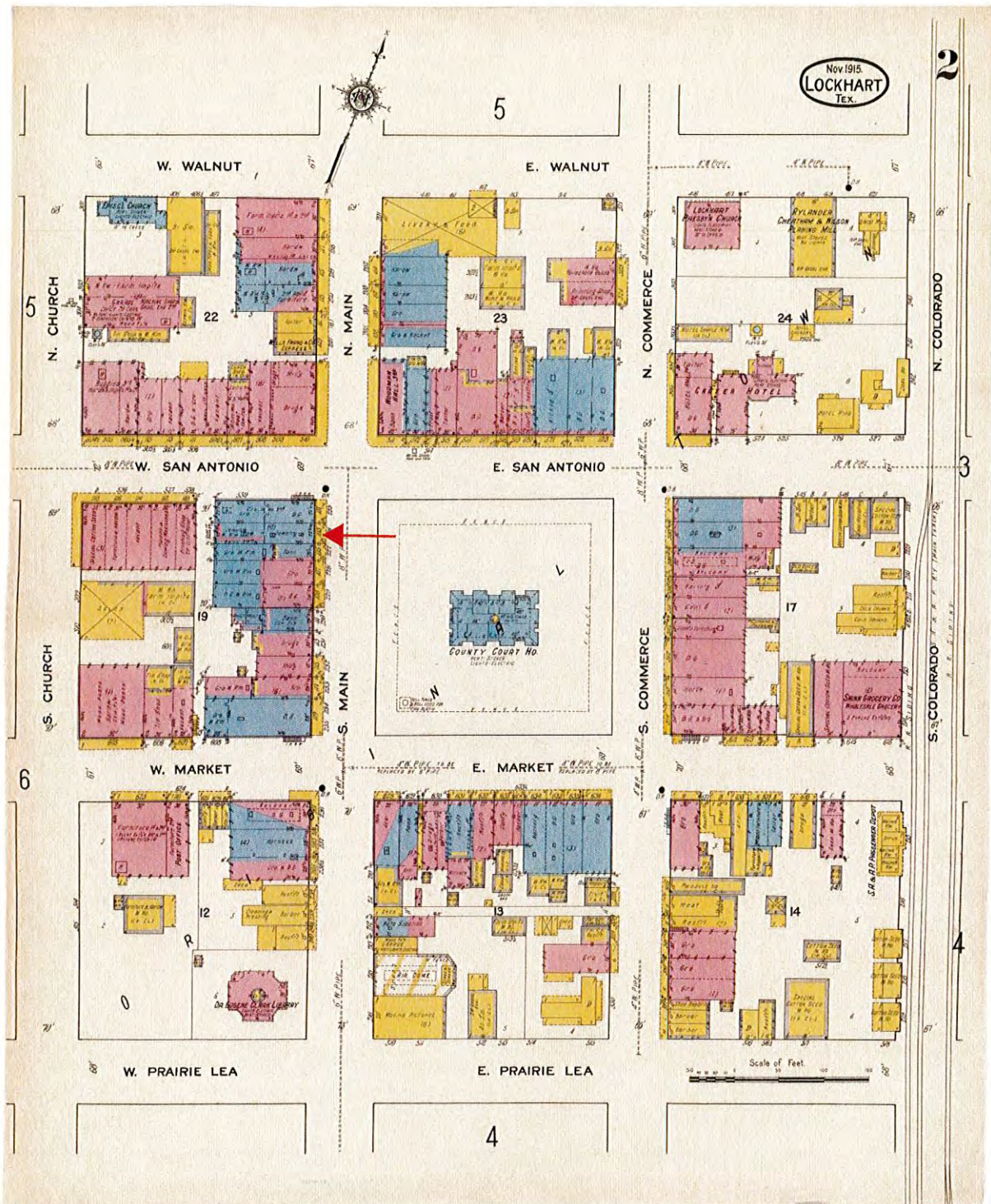
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1909



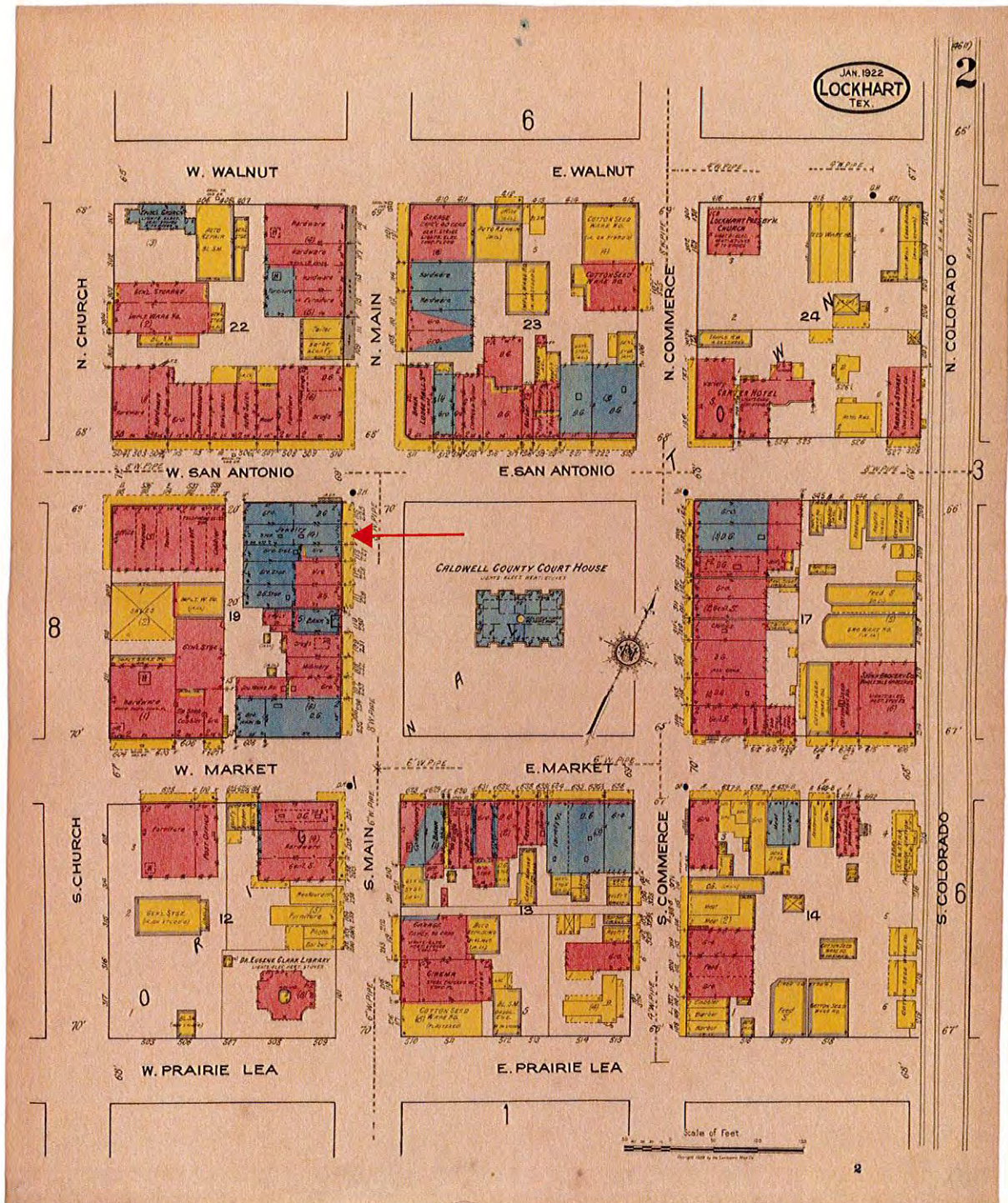
Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1915



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Sanborn Map, Lockhart, 1922



Original located at the Dolph Briscoe Center for American History, University of Texas at Austin

Historical Photo #1



The Star Building-Lockhart National Bank, 1903-1915

Photo shows railing around balcony

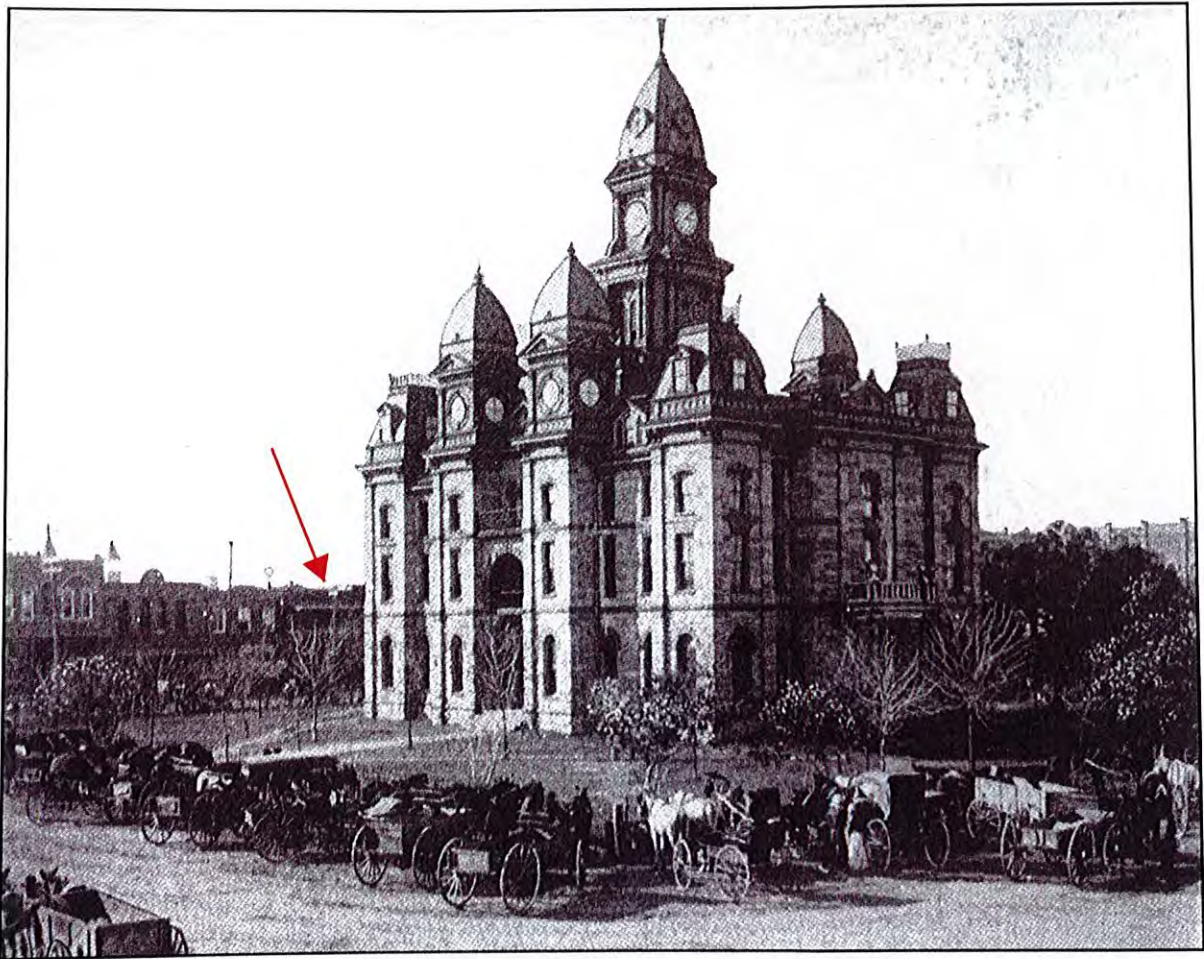
Photo taken between 1902 and 1924 when Lockhart National Bank was located at 101 E. San Antonio Street (Withers, pp. 6, 9)

Sources:

Historical Caldwell County, where roots intertwine, pg. 426, Briscoe F 392 C2 H577Reagan, Ronda A., "Lockhart: Images of America", page 27

A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, Lockhart Post Register, inside cover

Historical Photo #2



County Courthouse looking Northwest, 1905-1909

Source: A Pictorial History: Remembering Lockhart's first 150 years, page 11

Historical Photo #3



Winter scene, 1909

Source: Reagan, Ronda A., "Lockhart: Images of America", page 43

Original source: Caldwell County History Center

Historical Photo #4

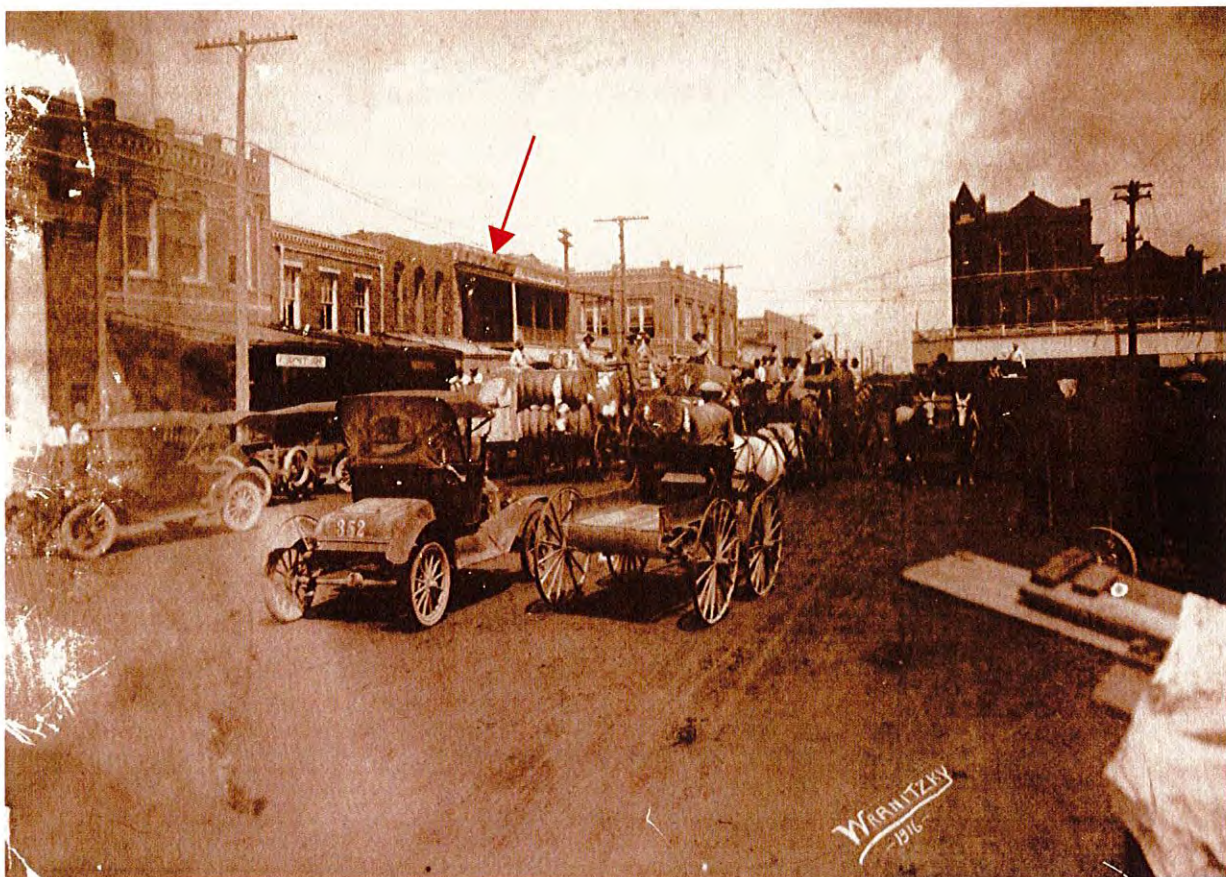


West side of Square, looking south, W. H. Lewis & Co., 1915-1925
Shows roofed balcony

Sources:

Historical Lockhart, then and now by Zona Adams Withers, page 10, Briscoe F394 L78 W573
A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 25

Historical Photo #5



Northwest Corner of Square, Wranitzky Bros. 1916

Sources:

Reagan, Ronda A., "Lockhart: Images of America", page 30

A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 43

Original Source: Gerry and Conrad Ohlendorf Collection

Historical Photo #6

on the corner here is now the County Tax Office (County)



This view is of the northwest corner of the town square.

Aerial view, 1921-1923

Source #1: Reagan, Ronda A., "Lockhart: Images of America", page 64

Original source: Eugene Clark Library

Historical Photo #7

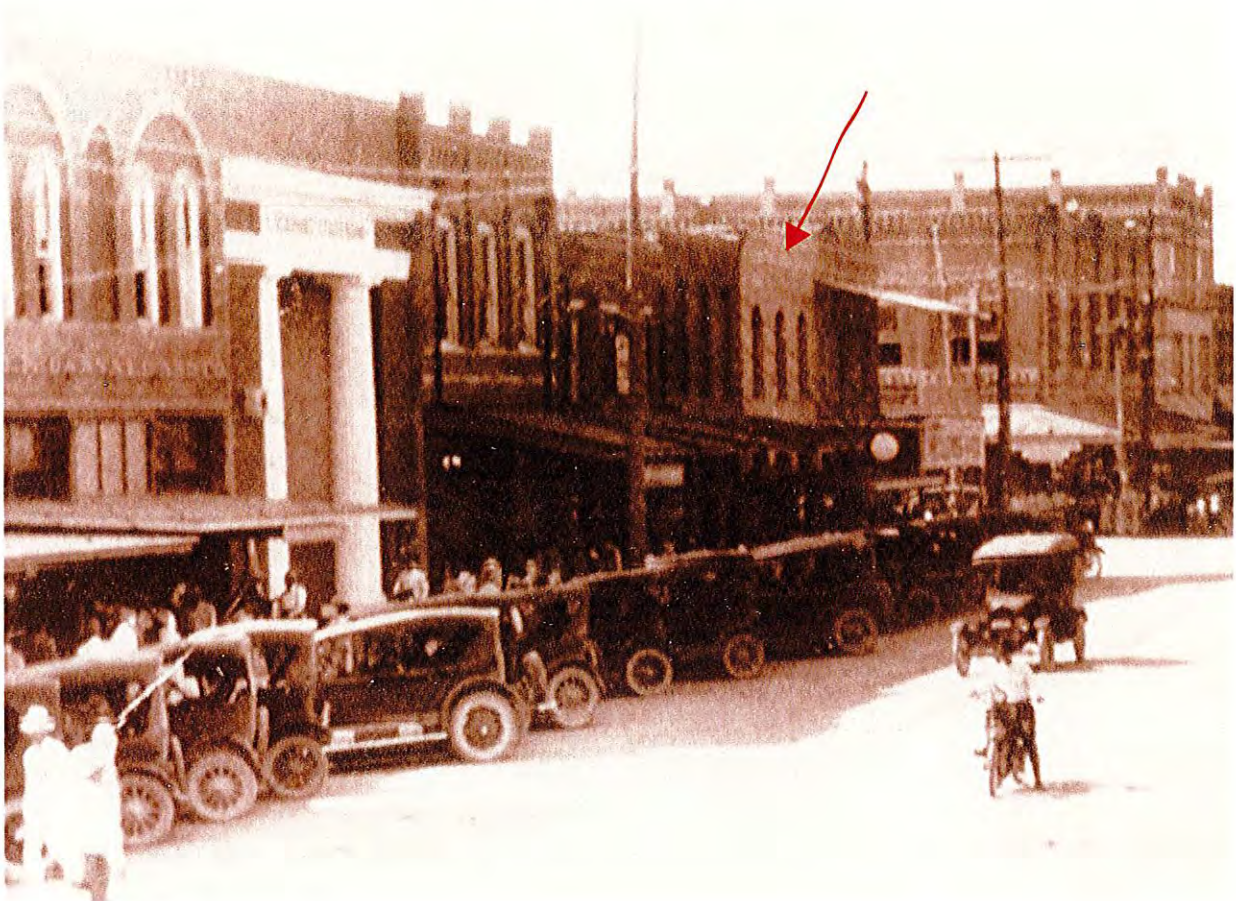


November 1923 Confederate Monument unveiled on the Courthouse lawn.

Confederate Monument, 1923

Source: A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 52

Historical Photo #8



Bank Pillars and Parked Cars: Stone front, without balcony, 1922-1923

Source: A Pictorial History: Remembering Lockhart's first 150 years, 1852-2002, page 62

Historical Photo #9

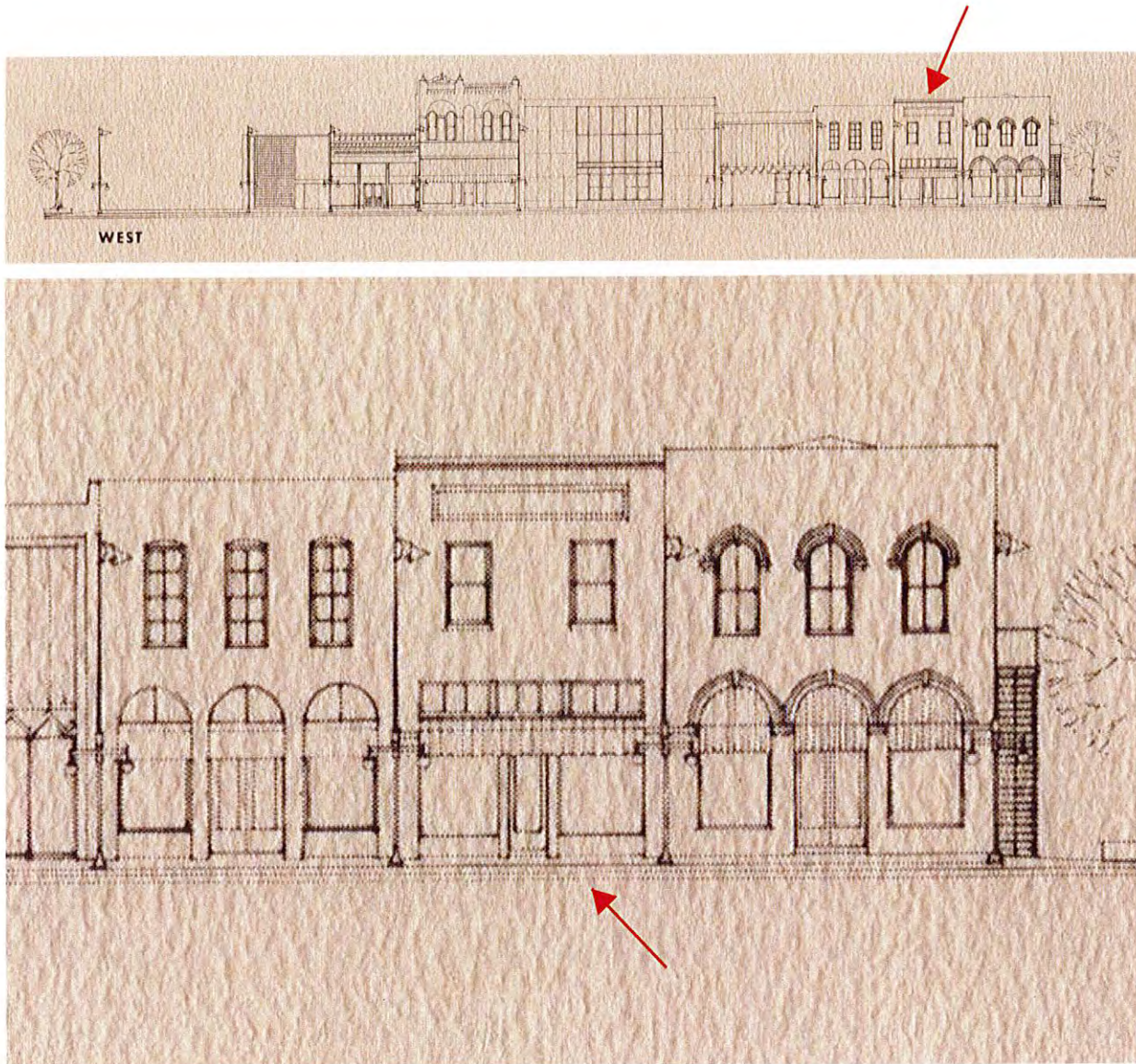


Parade Float, 1948

Source #1: Reagan, Ronda A., "Lockhart: Images of America", page 124

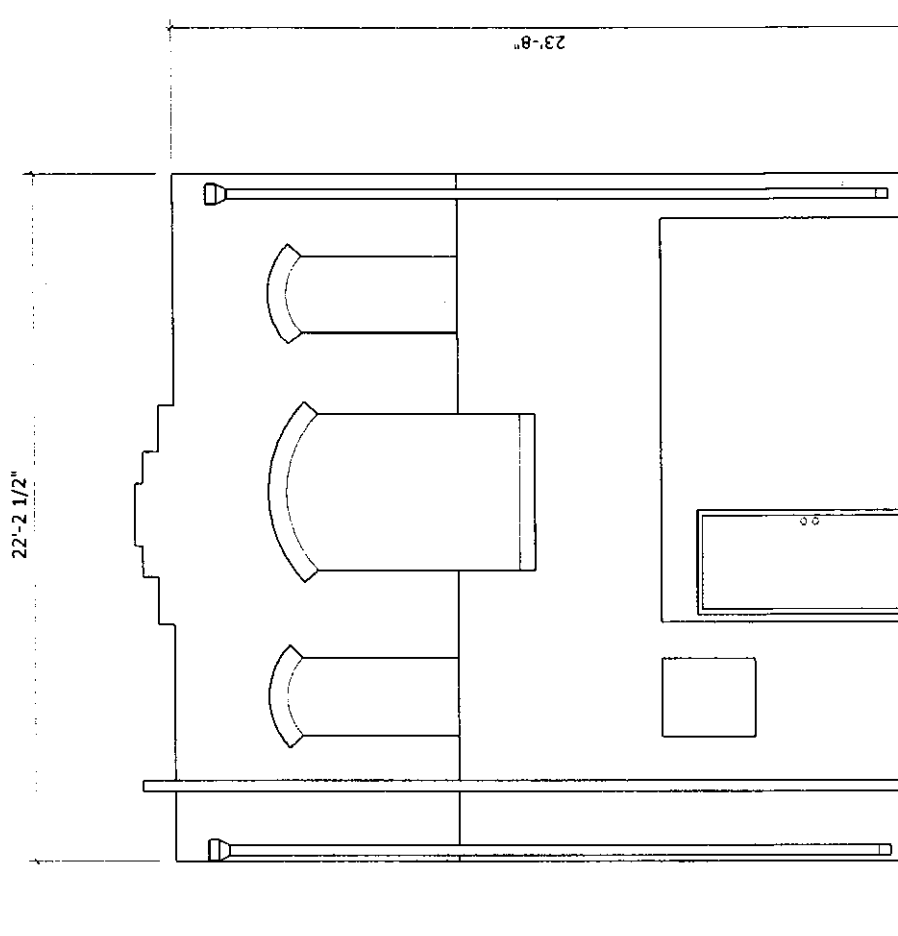
Original Source: Eugene Clark Library

Historical Photo #10

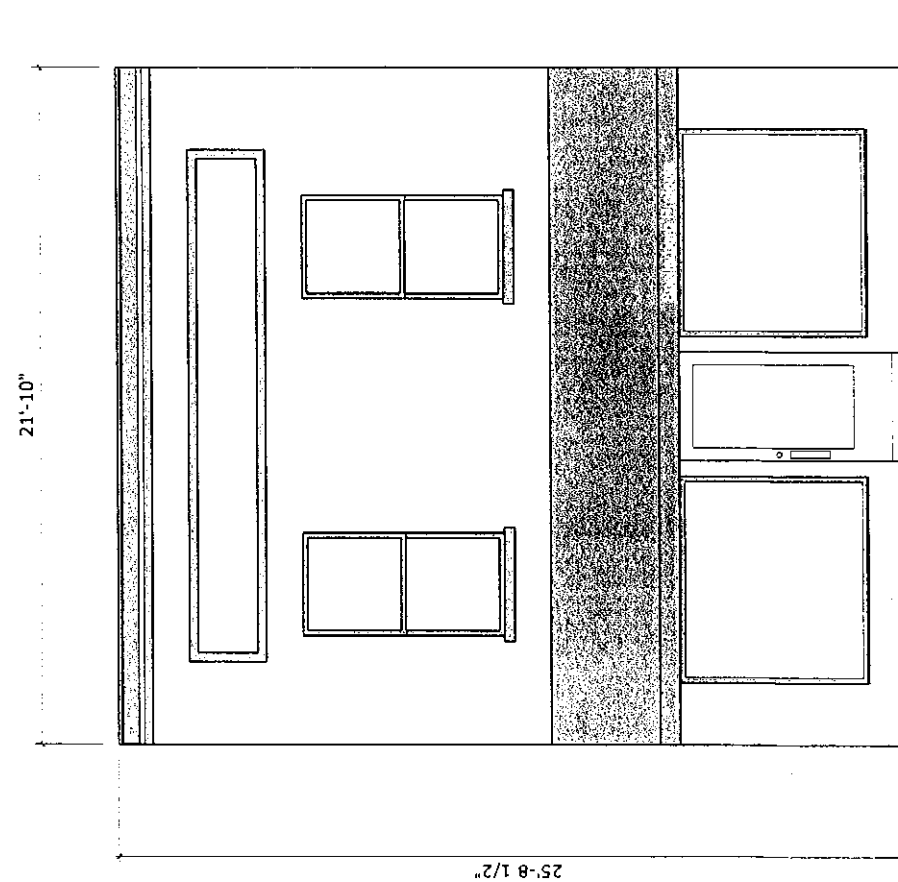


Sketch of buildings facing Square, 1968

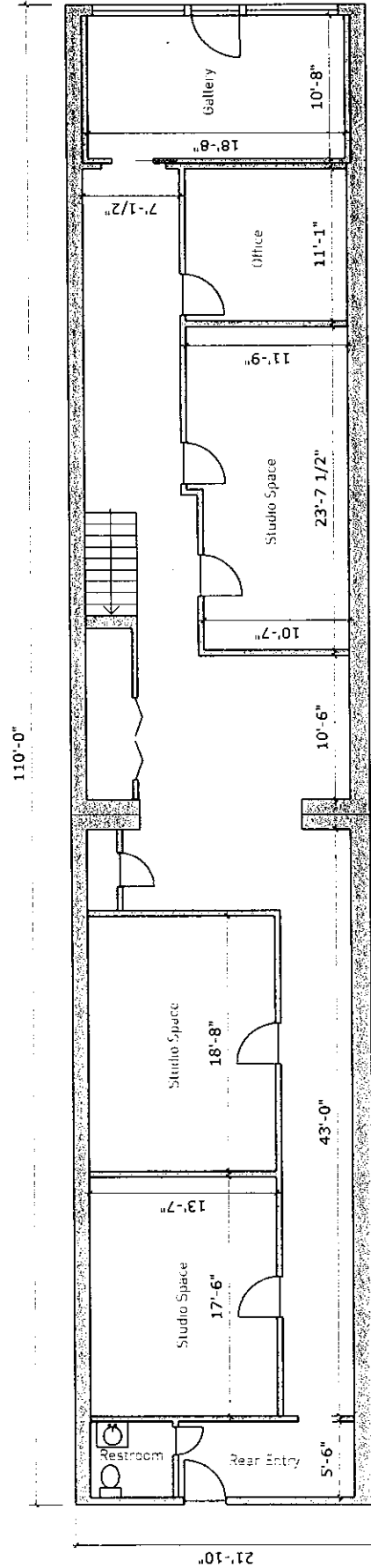
Source: Courthouse Square, Lockhart, Texas by Garland Anderson, 1968, pg. 10.



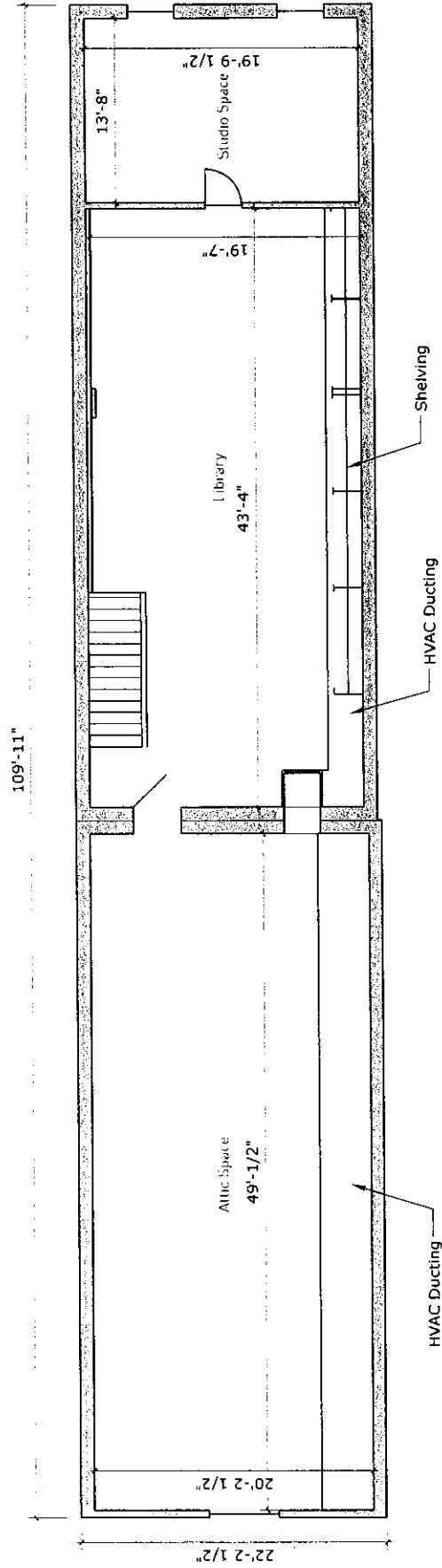
Existing West Elevation (Rear)



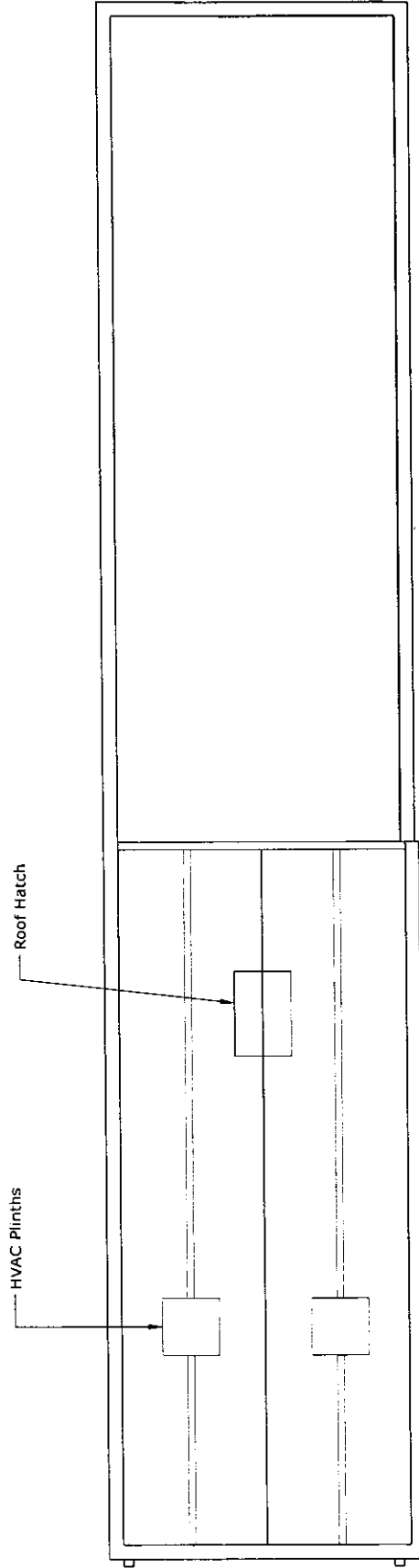
Existing East Elevation (Front)



Existing Ground Floor Plan

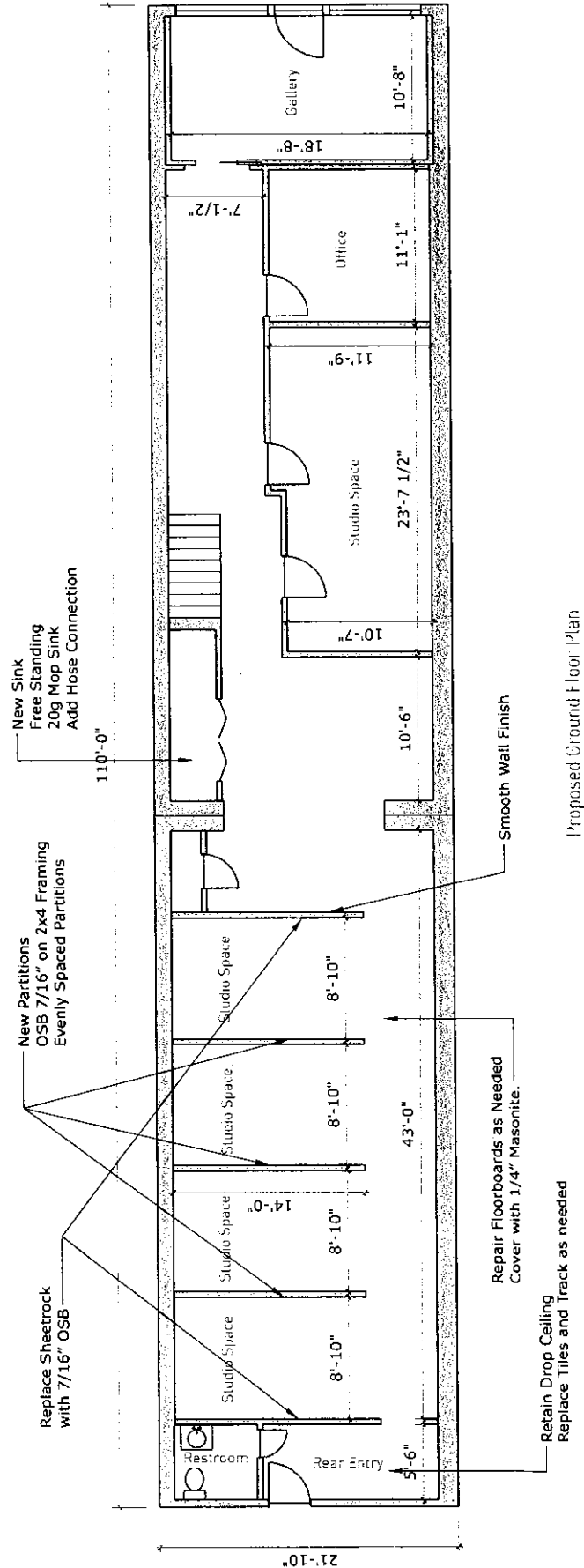


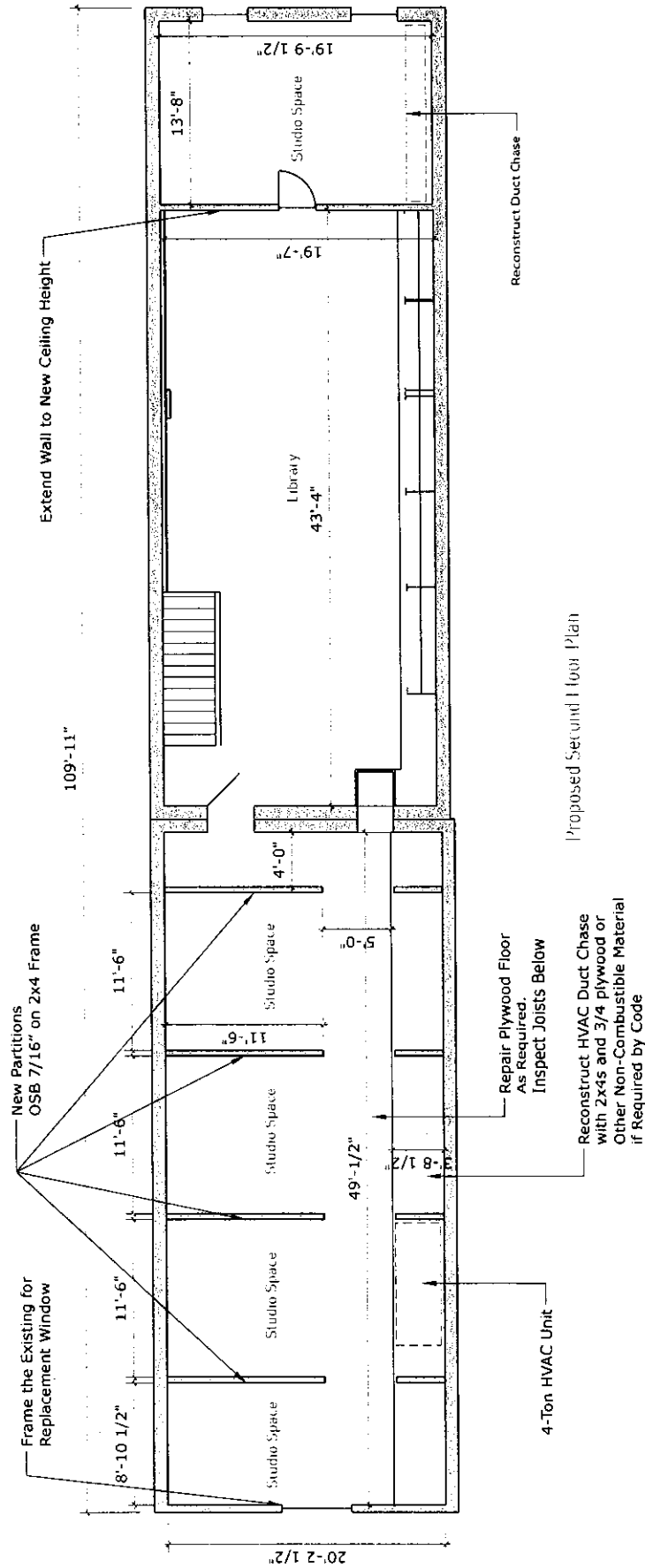
Existing Second Floor Plan



Existing Roof Plan

A M SMITH



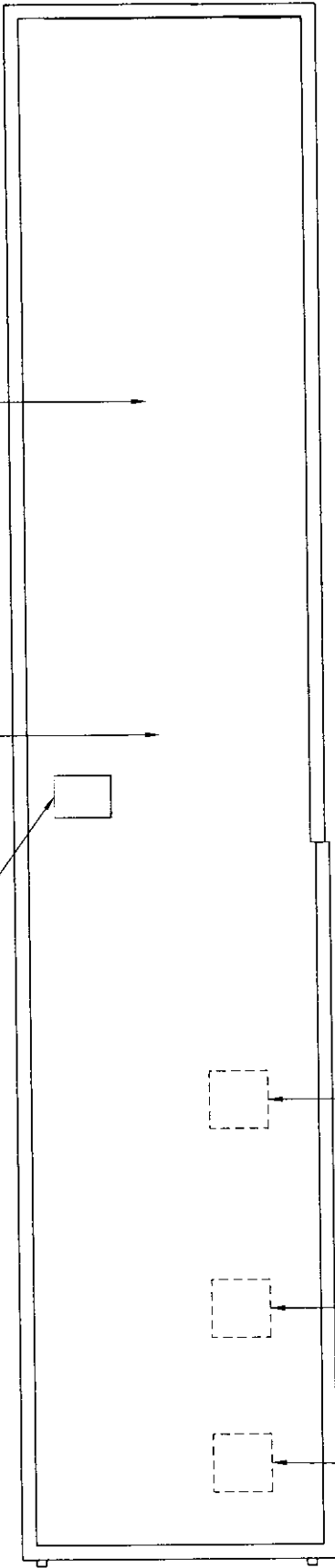


Re-slope Roof from Front to Back (E to W)

Install New Roof
Hatch Spec TBD

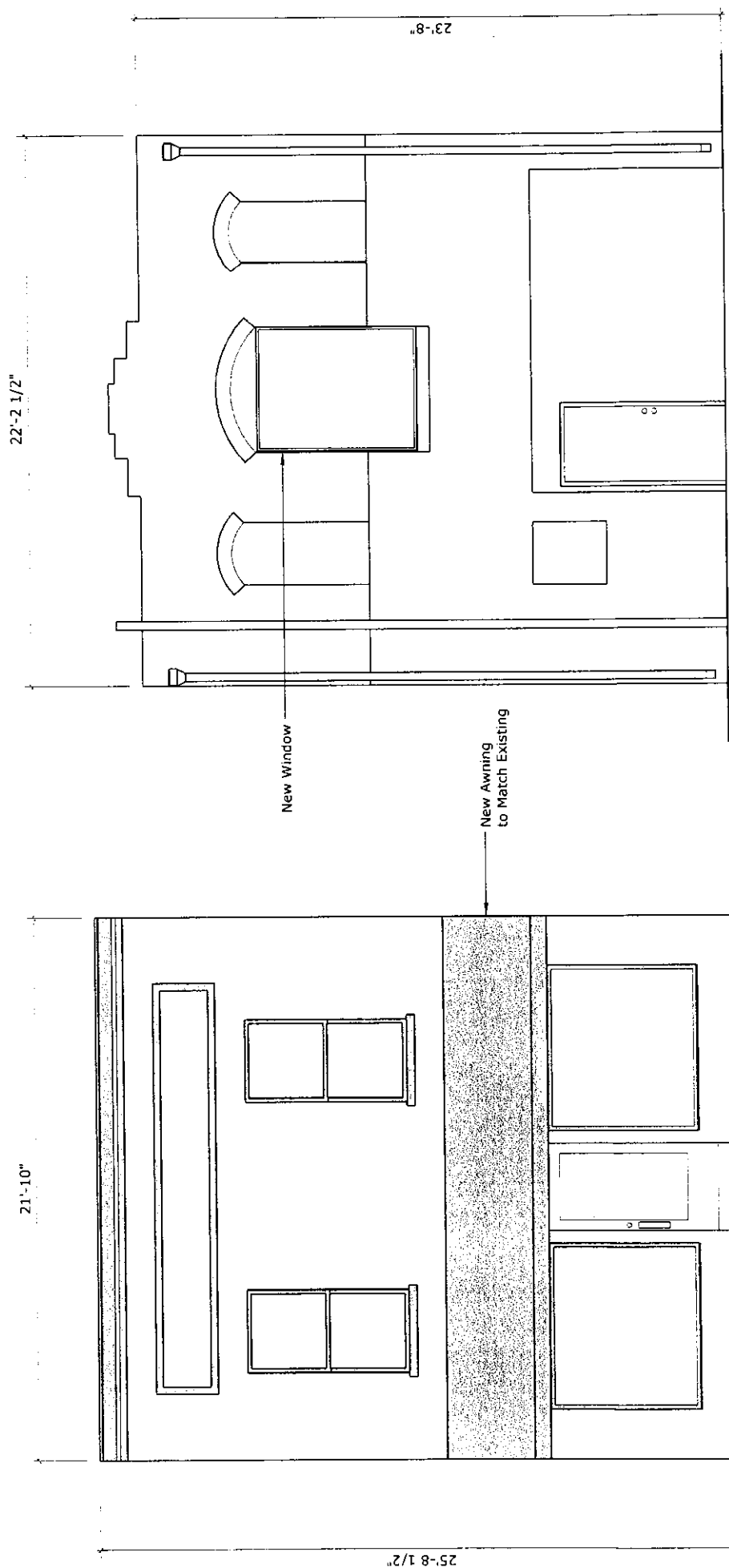
Install New Thermal Insulation
Above Roof Deck

Install New TPO Membrane



Proposed Roof Plan

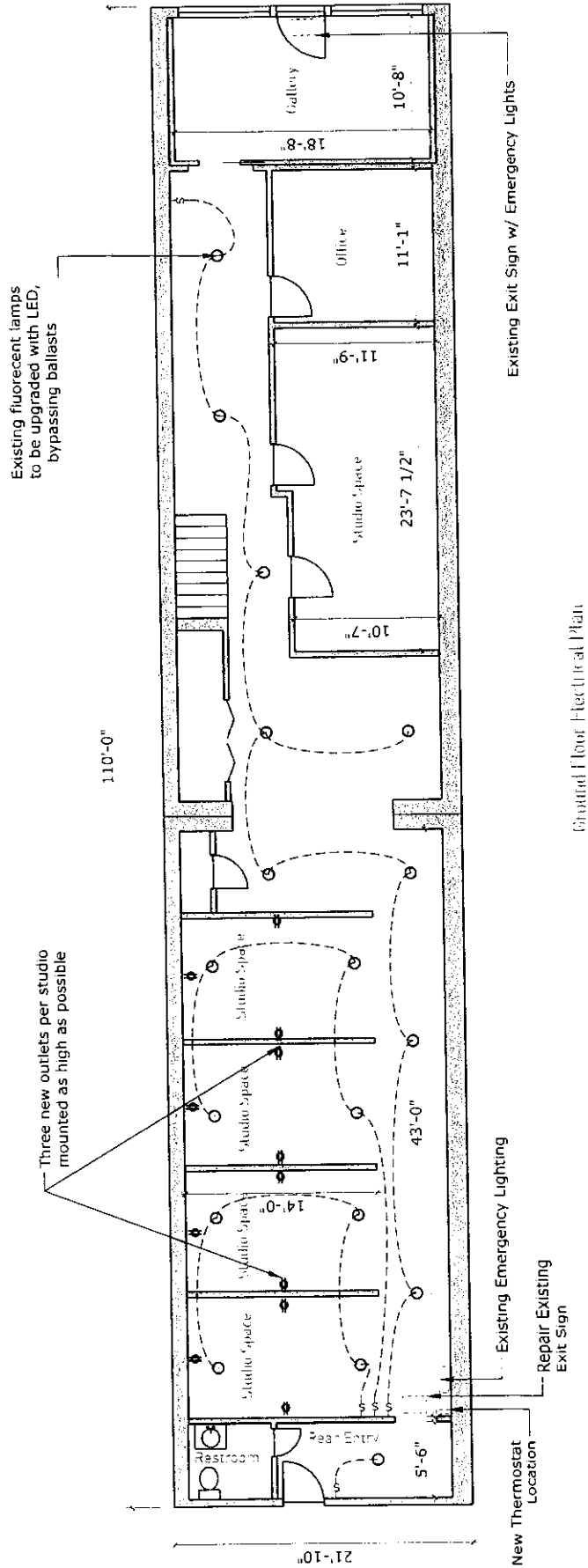
A M SMITH



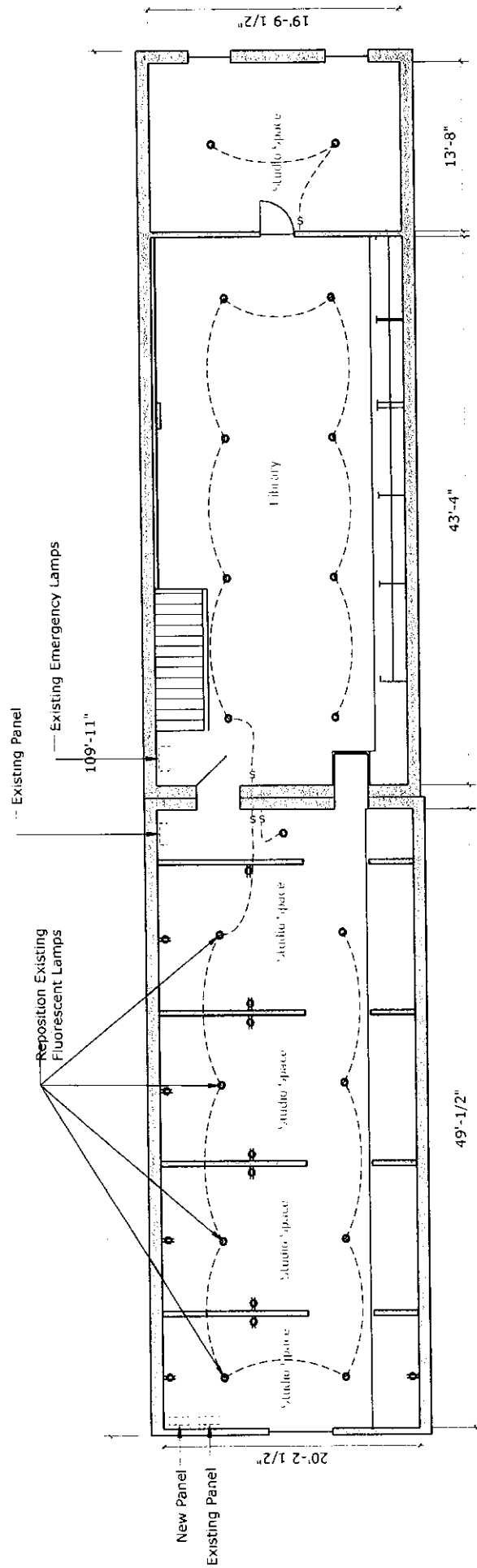
Proposed East Elevation (Front)

Proposed West Elevation (Rear)

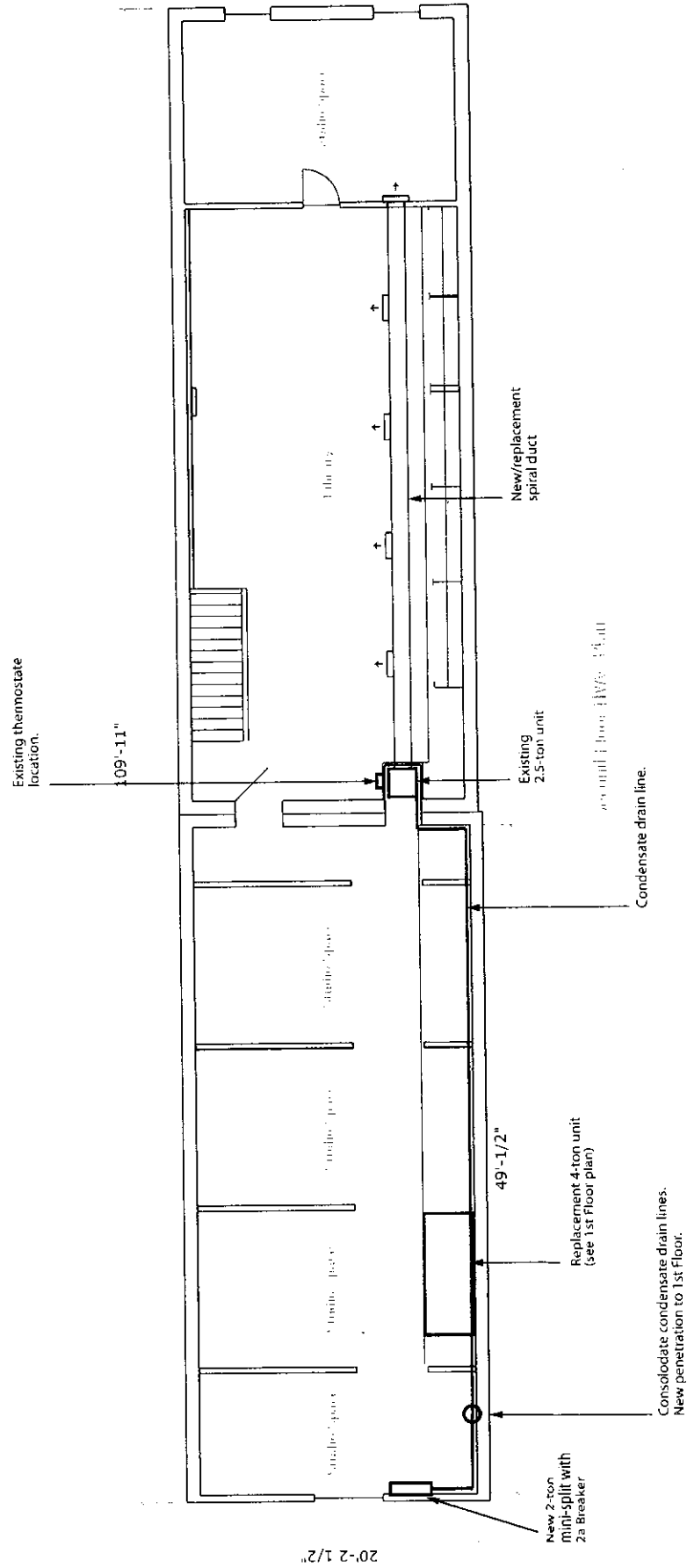
- Replace fluorescent lamps throughout
- Repair emergency lighting (exit of building)
- Add wired smoke & carbon monoxide detectors per code
- Add additional emergency lighting & exit signage per code

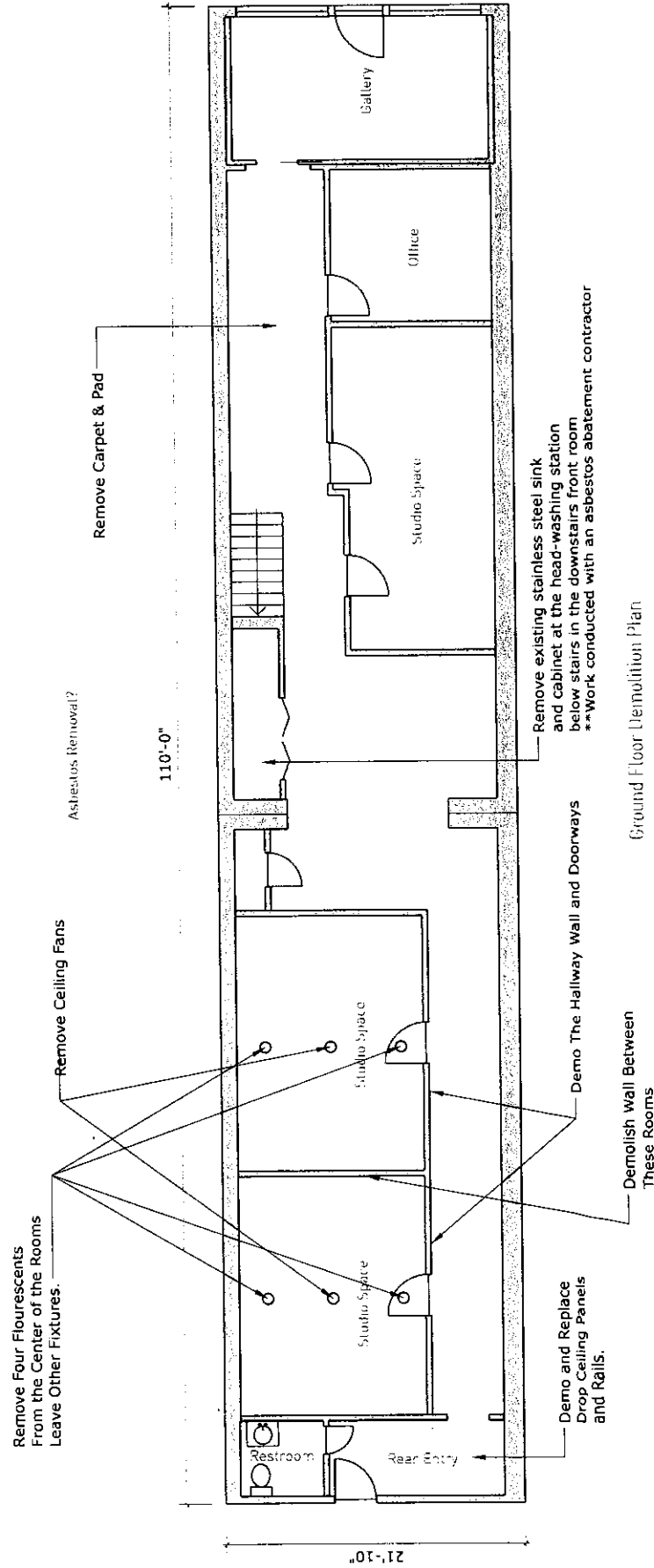


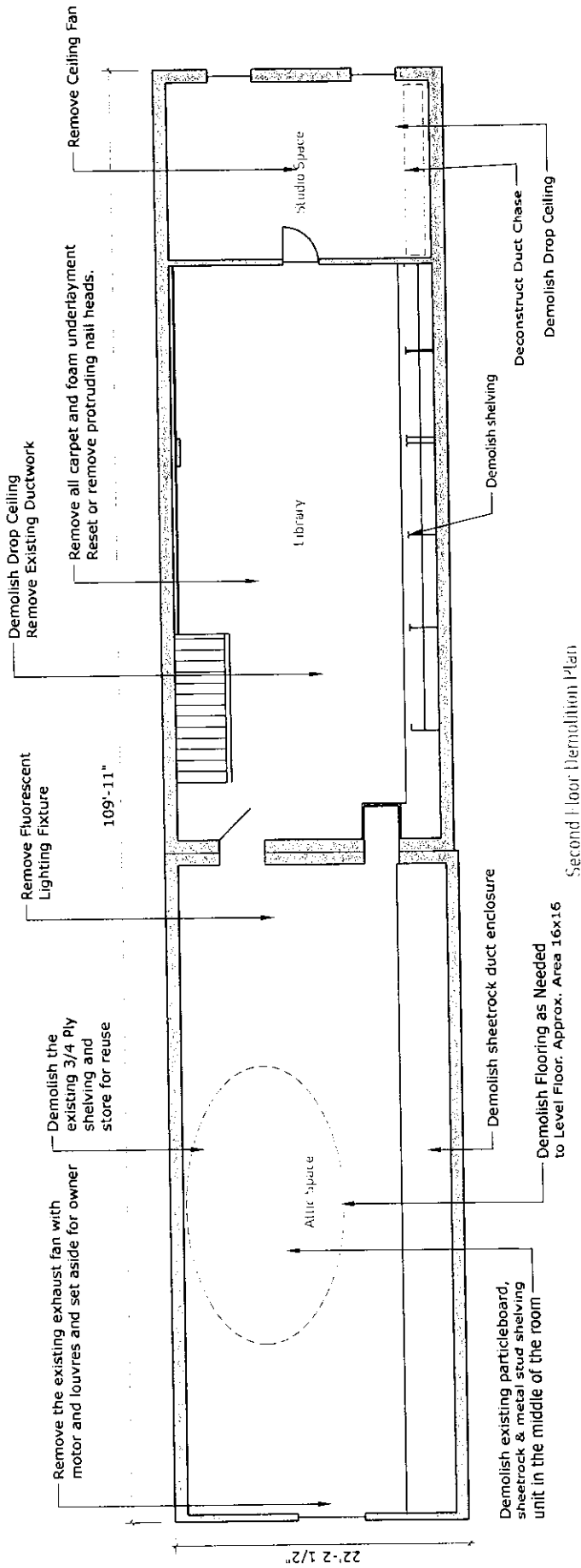
- Replace fluorescent lamps throughout
- Replace emergency lighting exit of building
- Add wired smoke & carbon monoxide detectors per code
- Add additional emergency lighting & exit signage per code



Second Floor Electrical Plan







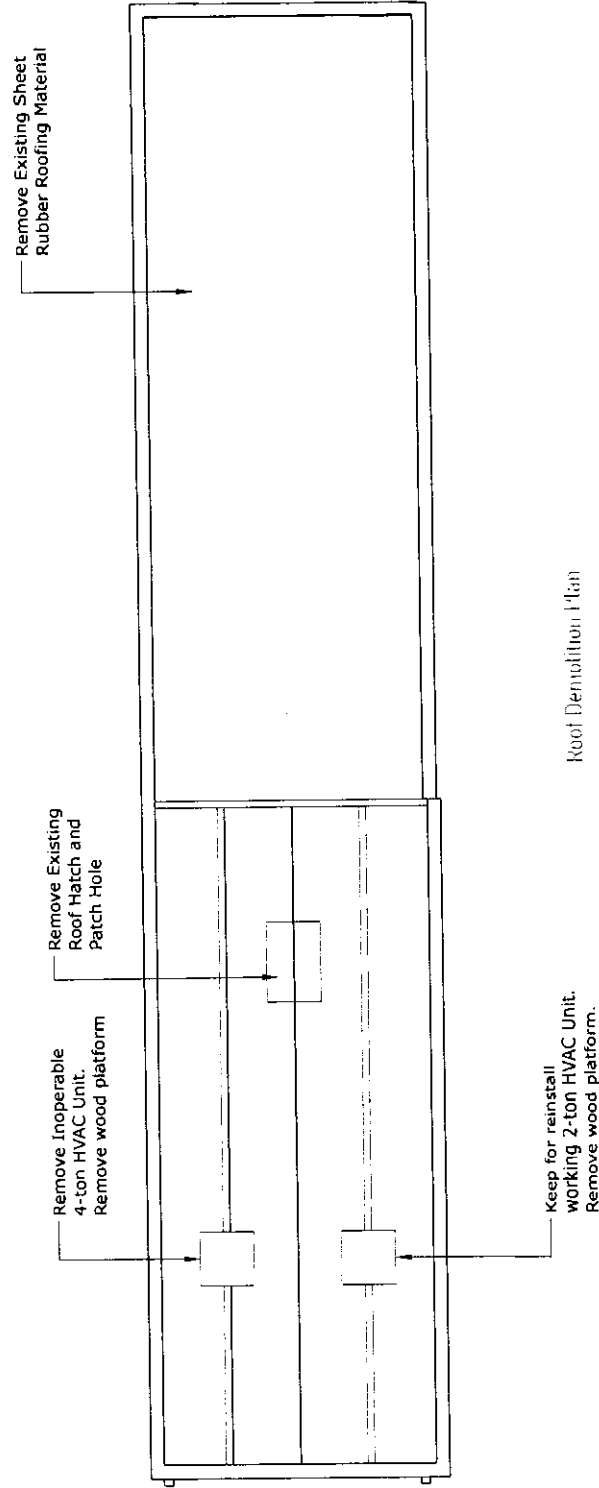
A. M. SMITH

06/23/2023

Spellerberg Projects Gallery - 103 S Main St - Lockhart, TX - Remodel and Updates

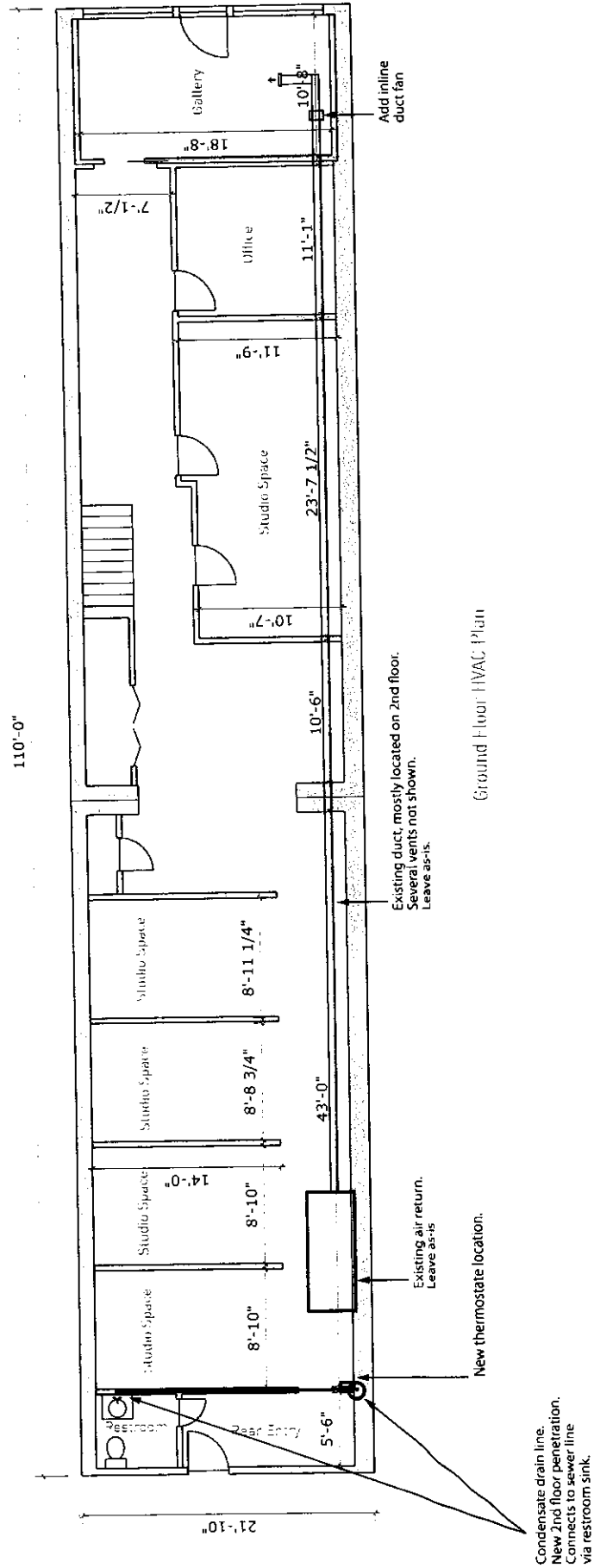
Drawing 13

311 S Guadalupe, Lockhart, TX 78644 512 785-8695



Roof Demolition Plan

A M SMITH





HISTORIC PROPERTY PRESERVATION TAX ABATEMENT APPLICATION

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

APPLICANT / PROPERTY OWNER

Martin Spellerberg, Owner
NAME: Spellerberg Associates LLC
DAY-TIME TELEPHONE: 737-333-9760
E-MAIL: marty@spellerberg.org

MAILING ADDRESS: 6312 Woodhue Dr, Austin TX 78745

PROPERTY

ADDRESS: 103 S Main St, Lockhart TX 78644

LEGAL DESCRIPTION (IF PLATTED): Part of Lot 4, Block 12, Original Town of Lockhart

SIZE: 2,378 SQUARE FEET OR 0.055 ACRE(S)

ZONING CLASSIFICATION: Commercial (CCB)

HISTORICAL SIGNIFICANCE

BUILDER/ARCHITECT (IF KNOWN): _____

DATE OF ORIGINAL CONSTRUCTION (IF KNOWN): ca. 1888

CITY, STATE, OR NATIONAL HISTORIC DESIGNATION(S) (IF ANY): Building Certified Historic, Texas Historical Commission

HISTORICAL NAME(S) OF BUILDING(S) (IF KNOWN): _____

PROPERTY OWNER AUTHORIZATION

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.

IF THE APPLICATION IS NOT SUBMITTED BY THE PROPERTY OWNER OF RECORD, A LETTER AUTHORIZING THE APPLICANT TO ACT ON THE PROPERTY OWNER'S BEHALF IS REQUIRED, AND MUST BE SIGNED AND DATED BY THE PROPERTY OWNER. AN E-MAILED AUTHORIZATION FROM THE PROPERTY OWNER TO THE PLANNING DEPARTMENT IS ALSO ACCEPTABLE.

*PLEASE NOTE THAT A CERTIFICATE FOR ALTERATION MUST BE APPROVED BY THE HISTORICAL PRESERVATION COMMISSION, PRIOR TO APPROVAL OF THE REQUESTED TAX ABATEMENT.

SIGNATURE OF PROPERTY OWNER: M. Spellerberg

PRINTED NAME: Martin Spellerberg

DATE: Jun 26, 2023

SUBMITTAL REQUIREMENTS

1. AN AFFIDAVIT BY THE OWNER DESCRIBING THE HISTORIC SIGNIFICANCE OF THE STRUCTURE(S) IN NEED OF TAX RELIEF, INCLUDING ANY RELEVANT OR USEFUL INFORMATION REGARDING THE HISTORY OF THE STRUCTURE(S) (HISTORICAL PHOTOGRAPHS, NEWSPAPER ARTICLES, ARCHITECTURAL DRAWINGS, ETC.)
2. A PLAN AND DETAILED WRITTEN DESCRIPTION OF THE IMPROVEMENTS, ENHANCEMENT, REHABILITATION, AND/OR PRESERVATION ("WORK") FOR WHICH TAX ABATEMENT IS REQUESTED.
3. A SITE PLAN SHOWING THE TYPE, NUMBER, AND LOCATION OF ALL EXISTING IMPROVEMENTS ON THE PROPERTY (PRIMARY AND ACCESSORY BUILDINGS, FENCES, SIGNS, ETC.)
4. A COPY OF THE LAST PAID TAX RECEIPT, AN ITEMIZED STATEMENT OF THE CURRENT ASSESSED PROPERTY VALUE, AND A COPY OF THE PROPERTY'S CURRENT APPRAISAL CARD AND PROPERTY TAX RECORD ON FILE AT THE CALDWELL COUNTY APPRAISAL DISTRICT.
5. AN ITEMIZED STATEMENT OF COSTS FOR THE PROPOSED WORK AND ESTIMATED PROPERTY VALUE UPON COMPLETION.
6. A SCHEDULE OF THE ESTIMATED CONSTRUCTION TIME WITH START AND COMPLETION DATES OF THE PROPOSED WORK.
7. A DETAILED STATEMENT OF THE CURRENT AND PROPOSED USE FOR THE PROPERTY.
8. IF NOT PLATTED, A METES AND BOUNDS LEGAL DESCRIPTION OF THE PROPERTY.
9. **APPLICATION FEE OF \$125.00**, PAYABLE TO THE CITY OF LOCKHART.

OFFICE USE ONLY

CASE NUMBER: TA- 23 - 01 DATE SUBMITTED: 8/21/23

ACCEPTED BY: Kevin Waller RECEIPT NUMBER: R01243383

HISTORICAL PRESERVATION COMMISSION MEETING DATE: 9/6/23

HISTORICAL PRESERVATION COMMISSION RECOMMENDATION: 50 - Approval

CITY COUNCIL MEETING DATE: 9/19/23

CITY COUNCIL DECISION OF ELIGIBILITY: _____

APPLICANT SWORN STATEMENT OF COMPLETION — DATE SUBMITTED: _____

HISTORICAL PRESERVATION COMMISSION SITE INVESTIGATION DATE: Initial - 9/6/23

HISTORICAL PRESERVATION COMMISSION APPROVAL DATE: Final -

CITY NOTIFICATION TO APPRAISAL DISTRICT — DATE: _____

DIVISION 2. TAX ABATEMENT

Sec. 28-20. Tax abatement for preservation of historic properties.

Historical preservation contributes to the economic development, growth and expansion of a community. The following tax abatement program is designed to encourage historical preservation in the city and to provide guidelines, criteria, and procedures for such tax abatements consistent with stated policy, and incorporate the components, requirements and criteria included in sections 28-21 through 28-24.

(Code 1982, § 12.5-20; Ord. No. 93-19, pt. 20, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-21. General criteria and guidelines of tax abatement program.

(a) An historic landmark or a property in an historic district in need of tax relief to encourage improvement and preservation in accordance with the provisions of this chapter and which is improved, enhanced, rehabilitated, restored and/or preserved as certified by the commission may have a tax abatement granted, subject to the approval and conditions of the city.

(b) The enhancement qualifying for a tax abatement shall be either interior or exterior, or both, but shall require a review and certificate for alteration by the commission.

(c) Eligibility for a tax abatement shall not be limited as to zoning classification or use, but shall be subject to the property owner(s), tenant(s), and the city entering into a tax abatement agreement.

(d) A minimum threshold for qualification to participate shall be established based on a minimum cost of qualifying enhancement which equals or exceeds the minimum tax abatement allowed.

(e) The minimum tax abatement allowed shall be an amount equal to the previous two years of city taxes actually paid on the property. The city council may set a different minimum abatement.

(f) The total tax abatement shall not exceed the owner's and/or tenant's total out-of-pocket cost of the enhancement certified by the commission.

(g) The maximum tax abatement allowed shall be one of the following effected for a maximum term of ten years:

- (1) The qualified property may have no assessed value for City of Lockhart ad valorem taxation for a period of five tax years after the completion of the certified enhancement. Thereafter, the qualified property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period.
- (2) The property may receive an abatement of the city ad valorem taxation of the added value in the eligible property as determined by the increase in the assessed value in the property as a result of the improvements and preservation.

(h) Any tax abatement granted shall begin on the first day of the first tax year after verification of completion of the rehabilitation and/or preservation required for certification, provided that the building shall comply with the applicable zoning regulations for its use and location.

(i) Any property which receives a tax abatement shall be designated and zoned historic (H or HL) by the city council prior to verification. To qualify and receive the tax relief as specified in this section, the property must be zoned historic (H or HL) and be maintained in a minimal condition equal to the condition at the time of verification.

(j) The historical preservation officer shall inspect and verify to the tax authorities annually that the property qualifies for the scheduled tax abatement.

(k) The work which is certified for tax abatement must be completed within one year of the certification and agreement. The certified and/or verified tax abatement shall carry with the property. A property may be certified and verified for additional work and receive more than one tax abatement concurrently, but not to exceed the limits allowed by the tax abatement program.

(Code 1982, § 12.5-21; Ord. No. 93-19, pt. 21, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-22. Application for tax abatement.

(a) Application for an historic property preservation tax abatement pursuant to this section shall be filed with the city manager for review by the commission which will make a recommendation to the city council. Each application shall be signed and sworn to by the owner of the property and shall:

- (1) State the legal description and a map of the property proposed for certification;
- (2) Include an affidavit by the owner describing the historic significance of the structure in need of tax relief;
- (3) Include a plan and detailed written description of the improvements, enhancement, rehabilitation and/or preservation ("work") for which tax abatement is requested;
- (4) A list of the kind, number and location of all improvements to the property;
- (5) A copy of the last paid tax receipt and itemized statement of the current assessed property value;
- (6) Include an itemized statement of costs for the proposed work and estimated property value upon completion;
- (7) Include a schedule of the estimated construction time with start and completion dates of the proposed work;
- (8) Authorize the members of the commission, the city tax assessor-collector and city officials to visit and inspect the property proposed for certification;
- (9) Include a detailed statement of the current and proposed use and zoning for the property;

(10) Provide any additional information to the commission which the owner deems relevant or useful, such as the history of the structure; and

(11) Processing and appraisal fees may be required by the city at the time of application.

(b) Each application shall contain sufficient documentation confirming or supporting the information submitted therein. The approval of tax abatement will depend upon the quality of the information provided by the applicant.

(Code 1982, § 12.5-22; Ord. No. 93-19, pt. 22, 9-21-93)

Sec. 28-23. Certification for tax abatement.

Upon receipt of the sworn application, the commission shall make an investigation of the property and shall certify the facts to the city within 30 days along with the commission's documentation for approval or disapproval of the application for abatement. Upon receipt of the certified application for tax abatement as well as the recommendation of the commission, the city council shall within 30 days approve or disapprove eligibility of the property for tax relief pursuant to sections 28-21 through 28-24. In determining eligibility, the City of Lockhart shall first determine that the applicant is in compliance with all the requirements of these sections and the city Code. The certification for tax abatement for specified work shall be valid for one year. The city shall require the property owners, tenants and city enter into a tax abatement agreement which may set further conditions on the tax abatement authorized. The verification and subsequent tax abatement may carry with the property provided the conditions of the abatement are met and the city is in agreement.

(Code 1982, § 12.5-23; Ord. No. 93-19, pt. 23, 9-21-93; Ord. No. 2017-03, § I, 2-7-17)

Sec. 28-24. Verification for tax abatement.

Upon completion of the preservation and/or rehabilitation, the certified applicant shall submit a sworn statement of completion acknowledging that the enhancement and preservation work as certified by the commission is complete. The commission, upon receipt of the sworn statement of completion, but no later than 30 days thereafter, shall make an investigation of the property and shall approve or disapprove the fact that the property has been substantially completed as required for certification. If verification or completion shall be deemed unfavorable, the certified applicant shall be notified in writing, listing the work required to complete the preservation and/or rehabilitation in order to secure the tax abatement provided herein. If the verification of completion is favorable, the commission shall notify the City of Lockhart in writing of compliance. The city shall notify the tax authorities, and thereafter the tax assessor-collector shall provide the property with the tax abatement authorized by the agreement and program, provided the property is maintained in a minimal condition equal to the condition at the time of verification.

(Code 1982, § 12.5-24; Ord. No. 93-19, pt. 24, 9-21-93)



Historic Property Preservation Tax Abatement

The Tax Abatement Program encourages preservation of historic buildings in order to maintain and enhance the architectural character of Lockhart's downtown Historic District and individual properties designated as local Historic Landmarks.

General Information:

- The minimum tax abatement allowed shall be an amount equal to the previous two years of city taxes actually paid on the property.
- The total tax abatement shall not exceed the owner's and/or tenant's total out-of-pocket cost of the improvements.
- The tax abatement applies only to municipal taxes.
- The property owner must be current on property taxes prior to authorization of any tax abatement.
- In addition to the Tax Abatement Application, a Certificate for Alteration Application must be approved by the Historical Preservation Commission, prior to the Commission's approval of the tax abatement.
- The tax abatement may carry with the property.
- Both residential and non-residential properties are eligible.
- www.library.municode.com/tx/lockhart/codes/code_of_ordinances?nodeId=PTIICOR_C_H28HIDILA_S28-20TAABPRHIPR

Process Summary:

- 1) The *Historic Property Preservation Tax Abatement Application* shall be filed with the City Manager (Planning Department will coordinate) for review by the Historical Preservation Commission.
- 2) The Commission will make a recommendation to the City Council within 30 days.
- 3) The City Council will then issue a decision within 30 days of the Commission's recommendation.
- 4) The work must be completed within one year of certification and agreement.
- 5) Upon completion of the work, the applicant shall submit a sworn statement of completion.
- 6) The Commission will then have 30 days to inspect the property to determine its eligibility for tax abatement.
- 7) Once the property is found to be eligible, the City will direct the Caldwell County Appraisal District to apply the tax abatement.

TAX ABATEMENT AGREEMENT

THIS TAX ABATEMENT AGREEMENT is made and entered into as of the 19th day of September, 2023 (the “*Effective Date*”), by and between **Martin Spellerberg of Spellerberg Associates, LLC** (property owner), and the City of Lockhart, a Texas home rule city in Caldwell County, Texas, upon the terms and conditions set forth herein:

- A. The City Council of the City of Lockhart recognizes the importance of the preservation of historically significant structures within the city, and that historic preservation contributes to the economic development, growth, and expansion of a community.
- B. The expenses involved with the restoration and upkeep of said structures often exceeds that of newer structures.
- C. The City Council desires to encourage preservation of historically significant structures by providing the owners of said structures with property tax relief.
- D. The Historic Districts and Landmarks Ordinance, Lockhart Code of Ordinances, Sections 28-21, 28-22, 28-23, and 28-24 provide that upon application and approval by the City Council, the owner of property designated as a historic landmark or located within a historic district may receive an abatement on the municipal taxes assessed on the property.
- E. The said abatement being that the qualified property may have no assessed value for City of Lockhart ad valorem taxation for a period of five tax years after completion of the certified enhancement(s). Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period.
- F. The property may receive an abatement of the City ad valorem taxation of the added value in the eligible property as determined by the increase in the assessed value in the property as a result of the improvements and preservation.
- G. The minimum tax abatement allowed shall be an amount equal to the previous two years of City taxes actually paid on the property. The City Council may set a different minimum abatement.
- H. The total tax abatement shall not exceed the owner’s total out-of-pocket cost of the enhancement.
- I. The work which is certified for tax abatement must be completed within one year of the certification and agreement.

- J. The certified and/or verified tax abatement may carry with the property, provided the conditions of the abatement are met and the City is in agreement.
- K. Martin Spellerberg of Spellerberg Associates, LLC, owner of the property located at 103 South Main Street, Lockhart, Caldwell County, Texas, more fully described as Part of Lot 4, Block 19, Original Town of Lockhart, has applied for a tax abatement for both exterior and interior improvements to an existing commercial building in the Courthouse Square Historic District to include a new window on the rear façade of the building, the re-pitching of the roof, replacement of the roof with a different material, repairs to the roof deck as needed, a new roof hatch to replace that existing, a new HVAC installation on the roof, repair of the existing HVAC systems, replacement of the awning canvas with that of identical material and design, the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Mr. Spellerberg has met the requirements set forth in Sections 28-21, 28-22, and 28-23 of the Lockhart Code of Ordinances, including a determination of eligibility by the City Council at its September 19, 2023 Public Hearing. Section 28-24 addresses later steps in the process, including the property owner's submission of a sworn statement of completion, final investigation of the property by the Historical Preservation Commission, and the City's notification to the Caldwell County Appraisal District to apply the tax abatement accordingly.
- L. For the tax year beginning after the completion of the certified enhancement, and continuing for a total of five tax years, Martin Spellerberg is granted a 100% abatement of the municipal taxes assessed against the property located at 103 South Main Street. Thereafter, the property shall be reappraised and assessed at a 50 percent rate for an additional consecutive five-year period. In no event shall the total tax abatement exceed the total out-of-pocket cost of the enhancements certified by the Commission, the most recent estimate of which, documented by the owner, is **\$145,400.00**.

DATED AND EFFECTIVE as of the Effective Date first written above.

PROPERTY OWNER:

Spellerberg Associates, LLC

By: _____

Name: _____

Title: _____

CITY:

City of Lockhart, Texas

By: _____

Name: _____

Title: _____

Approved as to form:

Name: _____

Title: _____

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discussion and/or action to consider adoption of Ordinance 2023-20 amending Chapter 28, "Historic Districts and Landmarks", Section 28-11, "Certificate for alteration for historic landmarks or historic districts", subsection (c)(4), to require that all awnings and suspended canopies be considered through the Certificate for Alteration review procedures, without a "Pre-Approved" option.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Kevin Waller

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: During a previous Historical Preservation Commission meeting, members expressed a desire that all awnings and suspended canopies, no matter the design or materials used, require Commission review through the Certificate for Alteration review procedures, due to their impact and relevance to the downtown Historic District. Currently, certain types of awnings/canopies can be considered to be "pre-approved", which is an administrative Staff review that is not subject to the Commission's consideration. Section 28-11(c) of the Historic Districts and Landmarks Ordinance provides further details on the pre-approval process and is enclosed with your agenda packet materials, as well as subsection (4), which specifically addresses pre-approved awnings and suspended canopies. The Ordinance amendment would simply involve removing Section 28-11(c)(4), which would then remove the pre-approved option and effectively send all proposals through the Commission for review. The replacement of awnings/canopies with those of identical design and materials is considered ordinary maintenance, and would continue to be exempt from Commission review. Following consideration of the text amendment at the August 16, 2023 Commission meeting, the Commission made a formal recommendation at that meeting to approve the amendment to City Council.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION: The Historical Preservation Commission recommended at its August 16, 2023 meeting (5-0 vote) that Section 28-11(c)(4) be amended such that awnings and suspended canopies no longer contain a "pre-approved" provision, but that all awnings and suspended canopies must be considered by the Commission through the Certificate for Alteration review procedures.

STAFF RECOMMENDATION/REQUESTED MOTION: Staff recommends that the City Council adopt the Ordinance to amend Section 28-11(c)(4), Historic Districts and Landmarks, such that awnings and suspended canopies no longer contain a "pre-approved" provision, but that all awnings and suspended canopies must be considered by the Commission through the Certificate for Alteration review procedures.

LIST OF SUPPORTING DOCUMENTS: 2023-20 Awning Ordinance Amendment, 09-12-2023 Awning Memo to City Council, 08-16-2023 LHPC Minutes (see Agenda Item 5)

ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 28 "HISTORIC DISTRICTS AND LANDMARKS", OF THE CODE OF ORDINANCES, DIVISION 1 "HISTORIC DISTRICTS AND LANDMARKS REGULATIONS AND PROCEDURES", SECTION 28-11 "CERTIFICATE FOR ALTERATION FOR HISTORIC LANDMARKS OR HISTORIC DISTRICTS", SUBSECTION (C)(4); PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Lockhart Historical Preservation Commission reviews all proposed development, redevelopment, and alteration within the Courthouse Square Historic District and on properties identified as City-designated Historic Landmarks,

WHEREAS, The Lockhart Historical Preservation Commission has recommended that all new awnings and suspended canopies require Commission review and a Certificate for Alteration in the Courthouse Square Historic District and on properties identified as City-designated Historic Landmarks; and,

WHEREAS, Awning and suspended canopy proposals of certain materials and designs currently contain a "pre-approved", administrative review option, without the requirement for Commission review and a Certificate for Alteration,

WHEREAS, An Amendment to Chapter 28 "Historic Districts and Landmarks" Section 28-11(c)(4) is proposed to remove the "pre-approved" option for awnings and suspended canopies in the Historic District and on properties identified as City-designated Historic Landmarks,

WHEREAS, the City Council has determined that such amendment serves a public purpose and the Council desires to amend the Code of Ordinances accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. Chapter 28 "Historic Districts and Landmarks", Section 28-11 "Certificate for alteration for historic landmarks or historic districts", subsection (c), is hereby amended as follows, with all existing provisions not shown remaining unchanged:

~~(4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional~~

~~engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).~~

(5) (4) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or non-street side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

III. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

IV. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

V. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VI. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE NINETEENTH DAY OF SEPTEMBER, 2023.

CITY OF LOCKHART

Lew White
Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
Interim City Secretary

Monte Akers
City Attorney

TO: Lockhart City Council
FROM: Kevin Waller, Historical Preservation Officer / Senior Planner
SUBJECT: Awnings and Suspended Canopies
DATE: September 12, 2023

During a previous Historical Preservation Commission meeting, members expressed a desire that all awnings and suspended canopies, no matter the design or materials used, require Commission review through the Certificate for Alteration review procedures, due to their impact and relevance to the downtown Historic District. Currently, certain types of awnings/canopies can be considered to be “pre-approved”, which is an administrative Staff review that is not subject to the Commission’s consideration. Section 28-11(c) of the Historic Districts and Landmarks Ordinance provides further details on the pre-approval process and is enclosed with your agenda packet materials, as well as subsection (4), which specifically addresses pre-approved awnings and suspended canopies. The Ordinance amendment would simply involve removing Section 28-11(c)(4), which would remove the pre-approved option and effectively send all proposals through the Commission for review. The replacement of awnings/canopies with those of identical design and materials is considered ordinary maintenance, and would continue to be exempt from Commission review. Following consideration of the text amendment at the August 16, 2023 Commission meeting, the Commission made a formal recommendation at that meeting to approve the amendment to City Council.

Sec. 28-11. - Certificate for alteration for historic landmarks or historic districts.

(a) A certificate for alteration is required to carry out construction or relocation on property designated as historic (H and HL) if such construction will change the exterior architecture, design, finishes or outward appearance of a building, structure, object, site, area or district.

(b) A certificate for alteration (CFA) is not required for the following construction activities and work. However, no exempted construction shall involve the drilling, cutting, covering or painting of virgin or unpainted masonry and/or removal of same:

(1) Any interior or exterior construction activities, which do not make a physical change to the exterior elements, design features, finishes or appearance of the property designated historic.

(2) In-kind replacement or repair of any exterior element or for the ordinary maintenance of an historic landmark or property within an historic district as provided in [section 28-10](#).

(3) Exterior wood. Replacement of existing painted wood on the exterior of a building with a durable cementitious wood material is exempt if the material is painted and does not make a physical change to the exterior elements, design features, finishes or appearance of the property.

(4) Roofs. Replacement of existing roofing material with like or similar material and same design, slope and elevation is exempted. However, if the roof structure is clearly visible from a public street, replacement of existing roofing material with a different design, slope, elevation or material, such as replacing wood or slate roofing with metal roofing, does require a CFA approval by the commission, as provided in [section 28-12](#).

(5) Utility installations on the rear and/or alley side of buildings which do not abut or are not clearly visible from a public street and do not alter, damage or obscure the architectural design, fabric (composition) or appearance, as provided in subsection [28-11\(a\)](#) are exempted. Any such exempted utility work shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same.

(c) A certificate for alteration (CFA) may be "pre-approved" for the following construction activities and work. Any qualifying activities and work pre-approved by the commission shall be listed and described in a "Pre-Approved Certificate for Alteration Guideline" developed by the commission, maintained and published by the city. An application for a CFA for any construction or activity that is determined "pre-approved" shall be made by the owner as provided in subsection [28-12\(a\)](#) prior to conducting the work. The historical preservation officer (HPO) shall promptly review the application and determine if the construction or activity complies with the "pre-approved" criteria. The HPO has the authority to approve the CFA only for construction or activities, which qualify as "pre-approved." Any construction activity that qualifies as pre-approved as determined by the HPO does not require any further approval of the commission, and may proceed according to normal city policies and procedures. Any "pre-approved" construction or activity shall not involve the drilling, cutting, covering or painting of virgin or unpainted masonry or removal of same. Types of alterations included in the Pre-Approved Certificate for Alteration Guideline follow:

(1) Signs as provided for in "Pre-Approved Certificate for Alteration Guideline," signs that do not alter, damage or obscure a building's architectural design, historic fabric or appearance as otherwise provided in subsection [28-11\(a\)](#) are "pre-approved." No sign may be painted on a previously unpainted masonry wall. Business signs suspended from canopies over the public sidewalk or attached to the exterior of buildings may be "pre-approved," as provided in "Pre-Approved Certificate for Alteration Guideline." All signs shall comply with chapter 46 "Signs." Signs that are exempt and do not require a CFA include: Temporary banners suspended over streets and temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection [46-7\(15\)](#); and banner signs on private property as provided in chapter 46, subsection [46-10\(g\)](#).

(2) Window replacement may be "pre-approved" only as provided in the "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of existing windows with historically appropriate designed painted wood single or 2-over-2 divided-light windows matched to the size of the historic window openings may be "pre-approved." Any other type of window replacement or closure of windows requires CFA approval by the commission as provided in [section 28-12](#).

(3) Door replacement may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, the replacement of an existing front entry door with a historically appropriate designed wood door is "pre-approved." Replacement of a side or rear door with exterior grade, solid core, smooth slab doors is "pre-approved." Any other type of entry door replacement requires CFA approval by the commission as provided in [section 28-12](#).

~~(4) Awnings and suspended canopies that do not alter, damage or obscure the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#) may be "pre-approved" only as provided in "Pre-Approved Certificate for Alteration Guideline." Generally, a new awning or canopy or the replacement of an awning or canopy qualifies as "pre-approved" when constructed of an aluminum framework with a flame-retardant canvas covering or light-gauge metal tubing with standing seam metal roofing, installed without drilling or alteration to the existing formed masonry (e.g., brick). All CFA applications shall include a detailed design and attachment plan sealed by a professional engineer describing and attesting to all means of attachment and alteration to the building, masonry wall and/or surface. Any other type of new or replacement awning or canopy requires CFA approval by the commission as provided in [section 28-12](#).~~

~~(5)~~ (4) Exterior fire-safety stairs constructed to meet city codes which do not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#), may be "pre-approved" if located on the rear or non-street side of a building. The owner, designer and/or contractor are encouraged to meet with the Lockhart Historical Preservation Commission to discuss alternatives in location, placement and design prior to requesting an opinion or directive from the city fire marshal. Installation of exterior fire-safety stairs shall not alter or damage the architectural design, fabric (composition) or appearance as provided in subsection [28-11\(a\)](#).

(d) A certificate for alteration is not required for the following:

(1) Signs that are not visible from a public street;

(2) Signs that are indoors and visible through a window from a public street, except for signs painted or affixed to the inside of the window glass;

(3) Banners suspended over streets;

(4) Temporary signs on public rights-of-way or public property advertising noncommercial special events and festivities as provided in chapter 46, subsection [46-7](#)(15); or

(5) Banner signs on private property as provided in chapter 46, subsection [46-10](#)(g).

(e) The commission and historical preservation officer shall process each application for a certificate for alteration as expeditiously as possible.

(f) Special considerations and provisions shall be made for emergency repair of sudden, accidental, and unforeseen damage to buildings by acts of God or man which shall endanger a building, business, owner or the public. Immediate temporary repair of damage shall be encouraged with only notification of the historical preservation officer that such work is taking place. If a certificate for alteration is required for permanent repairs of damage which will change the exterior appearance of the building or structure, a special rapid review and approval may be requested. The historical preservation officer shall immediately contact the commission chairman for action.

(g) Special consideration and provisions shall be made for temporary alteration of the appearance of historic landmarks or property located in an historic district for a special event or occurrence (e.g., a movie, fundraiser, etc.). The commission may grant one certificate for alteration to the responsible organization to approve all of the temporary work anticipated, conditional upon the organization returning the property to its original condition. The commission shall require photographic documentation of existing conditions prior to issuance of the certificate for (temporary) alteration. An individual "permanent" certificate for alteration is required for each property which wishes to retain the "temporary" alterations after the special event.

(h) The commission and/or the historical preservation officer shall not unreasonably withhold any certificate for alteration.

(i) A certificate for alteration shall be obtained prior to the issuance of a city building permit, if such permit is required. A certificate shall not be issued in lieu of a required city building permit. Approval and issuance of a certificate for alteration by the commission qualifies as "other zoning action required to effect the issuance of a city building permit" as specified in the Lockhart Code, subsection [64-126](#)(b)(3), or as may be hereafter amended.

(Ord. No. 93-19, pt. 11, 9-21-93; Code 1982, § 12.5-11; Ord. No. 00-30, § I, 10-3-00; Ord. No. 2010-16, § II, 6-15-10; [Ord. No. 2020-13](#), § I, 5-19-20)

City of Lockhart
Historical Preservation Commission
August 16, 2023

MINUTES

Members Present: Christine Ohlendorf, Ronda Reagan, Kevin Thuerwaechter, John Lairsen, Ron Faulstich

Members Absent: Ray Ramsey, Michel Royal

Staff Present: Kevin Waller, Yvette Aguado, David Fowler

Public Present: Marty Spellerberg (Applicant, Agenda Item 4)

1. Call meeting to order. Chair Lairsen called the meeting to order at 5:31 p.m.
2. Citizen comments not related to an agenda item. None
3. Consider the minutes of the August 2, 2023, meeting.

Vice-Chair Reagan moved to approve the minutes as presented. Commissioner Faulstich seconded; the motion passed by a vote of 5-0.

4. CFA-23-28. Consider a request by Marty Spellerberg for approval of a Certificate for Alteration for various interior improvements and a new HVAC unit on the roof for a future Tax Abatement application on part of Lot 4, Block 19, Original Town of Lockhart, zoned CCB (Commercial Central Business) and located at 103 South Main Street.

Planning Staff Kevin Waller provided a brief overview of the proposal via PowerPoint presentation. He reported that the applicant proposes various interior improvements, as well as a new HVAC on the roof for the purposes of a future Tax Abatement application submission. The interior improvements include the reconfiguring of certain non-load bearing office partitions, electrical upgrades, the replacement of a sink on the first floor, and the removal of carpeting and certain areas of drop-ceiling. Staff recommends approval.

Applicant Martin Spellerberg, 6312 Woodhue Dr., Austin, Texas, came forward to discuss and answer questions from the Commission regarding the proposed improvements.

Discussion continued with Commission members and the applicant.

Vice-Chair Reagan moved to approve CFA-23-28 as presented. Commissioner Faulstich seconded, and the motion passed by a vote of 5-0.

5. Consider a text amendment to the Historic Districts and Landmarks Ordinance to require that all awnings be considered through the Certificate for Alteration review procedures, without a "Pre-approved" option.

Mr. Waller suggested that the Commission make a formal recommendation to City Council to approve the change and require that all awnings come before the Commission for approval with a Certificate for Alteration.

Vice-Chair Reagan moved to recommend that the City Council delete Section 28-11(c)(4), Historic Districts and Landmarks Ordinance, which removes the pre-approved option and requires that all awnings be subject to the Certificate for Alteration review procedures. Chair Lairsen seconded, and the motion passed by a vote of 5-0.

6. Continue discussion of a potential amendment to Chapter 60, Article II to address the trimming and pruning of protected trees, including an amendment to the definitions section (Section 60-28).

Mr. Waller reported that the Commission members had expressed a desire for a Historic Tree Preservation Ordinance, to ensure that large, ornate trees are not pruned in such a way that creates blight to the neighborhood. Staff reviewed and found that Section 60-28 (Definitions) currently addresses the pruning of protected trees in the definition of "removal", and Staff's position is that no Ordinance revisions are necessary. Staff does propose the amendment of Section 60-28, specifically the "tree" definition, to also include Class II trees as protected trees in addition to the Class I category, as that class is defined in the "Evaluation of Shade Trees" article.

Staff and Commission members entered discussion.

The Commission tabled this item to a future meeting by consensus, until the City Council addresses trees further.

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

Mr. Waller stated that the next regularly scheduled meeting would be held September 6, with one Tax Abatement application already submitted and one anticipated Certificate for Alteration application to be submitted by the deadline.

8. Adjournment.

Commissioner Faulstich moved to adjourn the meeting, and Commissioner Thuerwaechter seconded. The motion passed by a vote of 5-0, and the meeting adjourned at 6:16 p.m.

Approved: _____
(date)

Yvette Aguado, Recording Secretary

John Lairsen, Chairman

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Presentation and/or possible action regarding a progress report on the actions of the Housing and Development Committee

ORIGINATING DEPARTMENT AND CONTACT: Development Services - David Fowler

ACTION REQUESTED: Direction

BACKGROUND/SUMMARY/DISCUSSION: The Housing and Development Committee was formed following the joint sessions of City Council and the Planning and Zoning Committee held in December 2022 and January 2023 to discuss the impacts of and possible strategies to ameliorate the effects of the city's recent wave of residential growth. After the Mayor appointed the Committee members, the Committee met for the first time on February 27, 2023. At the first meeting, the Committee was presented an overview of the findings from the joint work sessions and discussed the possible policy strategies planning staff originally presented at the joint work sessions to address the city's growth issues. After discussing the potential policies, the Committee assigned long, medium, and short-range priorities for each action and assigned staff to return with drafts of the legislation at the next meeting.

The second meeting was held on April 26, 2023. At this meeting, the Committee reviewed drafts of the landscaping ordinance, residential anti-repetition requirements and draft fee schedule updates. The Committee directed staff to move the draft legislation forward with some revisions, while assigning a new round of revisions. Between this meeting and the next meeting, the landscaping ordinance, the first element of residential appearance standards, and the updated fee schedule were adopted. At the third meeting, held September 7, 2023, the Committee reviewed the new draft work products, including more advanced residential design standards and possible Planned Development code revisions, and assigned staff to complete the code updates by the end of the year. The members of the Committee decided that with the assignment of the upcoming work, the Committee's purpose was met, and recommended the committee did not need to meet again. As a result of these assignments, the design standards for residential districts and the PD revisions will be heard at public hearings before the Planning and Zoning Commission and City Council prior to adoption in the coming months.

During the time between the joint sessions and the present date, other relevant changes affecting the development process were also enacted.. In January 2023, several revisions to the subdivision ordinance were passed. These revisions resulted in greater requirements for park dedication, increased the required sidewalk width along major thoroughfares, increased perimeter screening requirements for subdivisions abutting major roads, and established "rough proportionality" language for roadway dedication. On May 2, 2023, new impact fee studies and assessments for roads and water/wastewater were adopted, bringing the city's impact fees within the range of other similarly-situated cities in Central Texas.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

PROJECT SCHEDULE (if applicable): The Committee met three times between February and September 2023. At its most recent meeting, the group recommended that it be disbanded to allow the City staff to complete the remaining tasks which the Committee had assigned.

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): The recent adoption of revised development fees should result in better coverage of the true costs of application processing and allow for allocation of general funds to cover other city initiatives. The recent increase in impact fees will allow for greater city investment in upgraded or expanded road and utility infrastructure. The adoption of proposed design elements and strengthened Planned Development requirements would be made with the aim of creating residential structures with greater aesthetic appeal, thereby potentially increasing long-term value.

PREVIOUS COUNCIL ACTION: Mayor White appointed the members of the Committee in January 2023. The group has forwarded the following items to Council, resulting in adoption:

1. A comprehensive update of fees, affecting the revenues of the Planning, Building and Public Works departments, adopted June 6 as resolution 2023-08 on June 6, 2023.
2. The City's first ever residential landscaping requirements, affecting most single-family and multifamily projects, adopted on June 20, 2023 as Ordinance 2023-11.
3. The City's first residential design standards, including the residential anti-repetition standards adopted as part of 2023-11 on June 20, 2023.

COMMITTEE/BOARD/COMMISSION ACTION: The Committee has directed staff regarding the work program stemming from the committee's responsibilities, while also reviewing the first drafts of the work products resulting from the committee's assignments.

STAFF RECOMMENDATION/REQUESTED MOTION: Completion of the Committee's assignments, resulting in the adoption of residential design requirements and Planned Development District ordinance revisions in late 2023.

LIST OF SUPPORTING DOCUMENTS: O-2023-11-Landscaping, R-2023-08, Proposed residential design elements and MF location--Updated 9-13-23, PDD City Code Redline 8-28-23, Lockhart Joint Workshop #2

ORDINANCE 2023-11

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCES, SECTION 64-2 "DEFINITIONS", TO DELETE OR REVISE EXISTING DEFINITIONS, AND TO ADD NEW DEFINITIONS RELATED TO TREES; AND TO REVISE SECTIONS 64-197, TO ADD NEW SECTIONS 64-197(h) "RESIDENTIAL LANDSCAPING REQUIREMENTS" AND 64-197(i) "RESIDENTIAL DESIGN"; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Sections 64-93(c)(3)(7) and 64-196(a) authorize the Planning and Zoning Commission to determinations of appropriate zoning or use; and,

WHEREAS, some land uses require clarification by deleting or revising existing definitions, or creating new standards for aspects of land uses that do not have defined standards; and,

WHEREAS, Chapter 64, Zoning, currently has no standards for residential landscaping and design; and,

WHEREAS, The Housing and Development Committee has expressed their desire to add landscaping and design standards for residential development to Chapter 64, Zoning; and,

WHEREAS, the Lockhart Planning and Zoning Commission held a public hearing on June 14, 2023, to consider proposed amendments to the applicable sections of Chapter 64 "Zoning", and voted to recommend said amendments; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and desires to amend the Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

- I. The foregoing recitals are approved and adopted herein for all purposes.
- II. Chapter 64 "Zoning", Section 64-2, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-2. Definitions.

Shade tree

A tree from a species which the Texas A&M Forest Service recommends for planting in Caldwell County which has a height at maturity of at least 30 feet.

Ornamental Tree

A flowering tree from a species which the Texas A&M Forest Service recommends for planting in Caldwell County which is typically less than 30 feet in height at maturity.

III. Chapter 64 "Zoning", Section 64-197, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-197. Regulations common to one or more districts

(h) "Residential landscaping requirements

(1) Single-family residential Landscaping.

- a. All lots developed in the SF-1 development type must include three shade trees of a minimum 3 inches in caliper at planting.
- b. All lots developed in the SF-2, DF-1, DF-2, PH-1, and PH-2 development types must provide two shade trees per lot measuring at least three inches in caliper at planting.
- c. All townhouse or combined family developments in TH-1, TH-2, CF-1, or CF-2 development types must include a minimum of one shade tree of at least three inches caliper planted per residential unit in the development.
- d. An existing shade tree from a qualified species that are preserved in the process of developing a lot may be counted towards one tree required in a., b., or c., above.
- e. All lots in SF-1, SF-2, DF-1, DF-2, CF-1, CF-2, TH-1, and TH-2 development types must have a shrub bed at least 3 feet in depth covering at least 75% of the building's front façade not covered by driveway or sidewalk planted with at least 3 five-gallon shrubs and other flowering plants or native grasses planted in a mulch base.

(2) Multi-family residential landscaping.

- a. For the purposes of this section, multifamily consists of the MF-1, MF-2, CM-1, and CM-2 development types.
- b. A Shade tree of at least 3 inches caliper at planting must be provided for each 40 feet of public street frontage and along all property lines abutting RLD and RMD zoning districts.
- c. A continuous shrub buffer composed of shrubs of at least 5 gallons at planting with a mature height of at least 48" must be provided along all street frontages.
- d. Shrub beds at least 4 feet in depth with shrubs, tall grasses or flowers planted in a mulch base is required along each frontage of a residential building with a pedestrian entrance. At least one five-gallon shrub shall be planted for each five feet of shrub bed length. The shrub bed must cover at least 60 percent of the length of each building face having a pedestrian entrance.
- e. One shade tree of least three inches in caliper or two ornamental trees of at least six feet in height at planting must be planted for each 10 residential parking spaces provided within a multifamily development, exclusive of the shade trees required in b. and f., in this section. Each uncovered parking space must be within 80 feet of a shade tree.
- f. Four additional shade trees must be planted per multifamily building on the site. Two ornamental trees may be substituted for one required shade tree.
- g. Existing shade trees from qualified species that are preserved in the process of developing a site may be counted towards one shade tree required in b., d., and f., above.

(i) *Residential Design*

(1) Single Family Design.

- a. **Front Facades.** No single front facade of a home in the SF-1, SF-2, DF-1, PH-1, PH-2, DF-2, CF-1, or CF-2 development types may be duplicated within six (6) lots as measured along the curb line, or within three lots on the opposite side of the street. Mirror (reverse) images of a house façade count as the same house façade for the purposes of this requirement.

IV. **Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

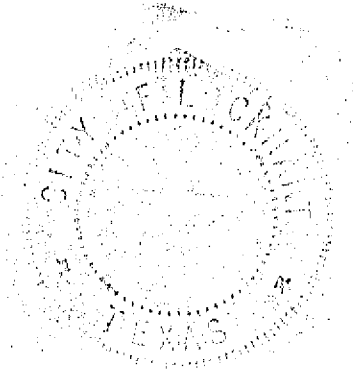
V. **Repealer:** That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. **Penalty:** Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. **Publication:** That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. **Effective Date.** That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 20th DAY OF JUNE, 2023.

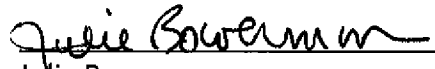


CITY OF LOCKHART

A handwritten signature in cursive script, reading "Lew White", written over a horizontal line.

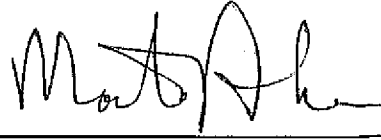
Lew White
Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Julie Bowermon", written over a horizontal line.

Julie Bowermon
Deputy City Secretary

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Monte Akers", written over a horizontal line.

Monte Akers
City Attorney

RESOLUTION NO. 2023-08

A RESOLUTION OF THE CITY COUNCIL OF LOCKHART TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO ESTABLISH NEW CATEGORIES OF FEES AND CHARGES; TO REVISE EXISTING RATES; TO RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; TO REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE

WHEREAS, the City Council has from time-to-time revised fees and charges based on need for additional funding to cover increased costs of services funded by said fees; and

WHEREAS, a single comprehensive schedule of development-related fees and charges facilitates administration of the multiplicity of fees collected by various departments in the City and provides a simpler and less complicated means of reviewing and adjusting rates as needed from time to time; and

WHEREAS, Development and building fees should adequately reflect the cost of services associated with providing the related services; and

WHEREAS, the current development and building fee revenues do not cover the cost of service, therefore, the citizens and taxpayers are left subsidizing the difference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS that:

SECTION 1. All fees and charges listed in EXHIBIT "A" attached hereto and incorporated herein for all purposes are hereby adopted.

SECTION 2. All fees and charges listed in EXHIBIT "A" shall be effective and valid beginning September 1, 2023.

SECTION 3. All fees authorized by the Code of Ordinances and referenced as "on file in the City Secretary's office" are shown in EXHIBIT "A" as incorporated herein.

SECTION 4. All ordinances, parts of ordinances or resolutions in conflict herewith are expressly repealed to the extent of such conflict.

SECTION 5. The invalidity of any section or provision of this Resolution shall not invalidate other sections or provisions thereof.

SECTION 6. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted, was posted and that such meeting was open to the public as required by law at all times during which this Resolution and

the subject matter hereof was discussed, considered , and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended and the Act

PASSED, ADOPTED, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THIS THE 6th DAY OF JUNE, 2023.



ATTEST:


Julie Bowermon,
Assistant City Secretary

CITY OF LOCKHART:


Lew White, Mayor
City of Lockhart

APPROVED AS TO FORM:

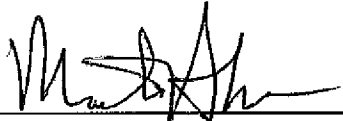

Monte Akers, City Attorney

EXHIBIT "A"

Schedule of development fees

Planning-related fees:

<u>Application</u>	<u>Fee amount</u>
Zoning Change	\$250 , plus \$150 per acre, maximum of \$10,000, plus additional \$1,000 for Planned Development District
Specific Use Permit	\$250, plus \$150 per acre, maximum of \$2,500
Zoning Variance/Special Exception	\$250, plus \$150 per acre, maximum \$2,500
PID/MUD/SUD/WCID consent agreement	\$10,000 minimum escrow plus professional fees
Zoning Verification letter	\$75
Voluntary Annexation	\$1,500
Preliminary Plat/development plat	\$1,500 plus \$100 per acre
Final plat/major replat/resubdivision	\$1,000 plus \$100 per acre
Amending/Minor Plat/Minor Replat	\$750 plus \$100 per acre
Family Transfer Exception	\$250
Subdivision Variance	\$750 per variance requested
Engineering plan review fee (Subdivisions and site plans)	\$1,000 plus \$250/acre, \$20,000 maximum
Plan Check Fee	50 percent of building permit fee amount
Sign Permit	\$100, plus \$1 per square foot
Traffic Impact Analysis	\$1,000 plus professional review fees
Fence Permit	\$50 residential, \$75 commercial
Certificate for Alteration/Historic Landmark	\$50
Historic Preservation Tax Abatement	\$200
Street/ Alley Abandonment	\$1,000
Tree removal permit	\$100 residential/\$200 commercial
Printouts of maps	\$5 per square foot
Public Improvement Inspections	\$1,000 per acre
Off-site utility extension review	\$1 per foot of utility extension, each utility assessed separately. Also applies to upsizing.

Building-related fees:

<u>Application</u>	<u>Fee Amount</u>
Residential Electric New construction	\$75
Residential Electrical Repair/Remodel	\$75
Electrical Meter Loop	\$75
Commercial Electrical Repair/Remodel	\$75
Commercial Electrical New Construction	\$75
Residential Plumbing repair/remodel	\$75
Residential Plumbing New Construction	\$75
Commercial plumbing repair/remodel	\$75
Commercial plumbing new construction	\$75, hotels multifamily and similar configurations, \$20/unit
Residential Mechanical Repair/Remodel	\$75
Residential Mechanical, New Construction	\$75
Commercial Mechanical Repair/Remodel	\$75
Commercial Mechanical New Construction	\$75, hotels multifamily and similar configurations, \$20/unit
New Construction--residential	\$0.45 per square foot
New construction—commercial	As approved in Resolution 2022-19
Residential Building Repair/Remodel	\$75
Residential Swimming Pool	\$125
Commercial Swimming Pool	\$150
Residential Duplex New Construction	\$0.40 per square foot
Residential Inspection Fee	\$75 in addition to permit fee
Permit Renewal Fee	\$75
Residential or Commercial Re-inspection	\$100

Building-related fees (continued):

<u>Application</u>	<u>Fee Amount</u>
Roof Permit	\$75
Demolition Permit	\$75
Moving Permit	\$75

Housing and Development Committee
Residential design and location language
September 2023

Proposed single-family residential design elements

Every residential building in the SF-1, SF-2 and DF-1, DF-2, PH-1, PH-2, CF,-1, and CF-2. development types must incorporate at least 4 of the design elements below.

1. Covered front porch of at least 80 square feet in area (min. 8' deep) with a railing at least 36" high except at entrance (may encroach front setback by four feet).
2. Upgraded garage doors, including an upgraded surface material such as wood grain, plus decorative features such as double doors, windows or decorative hardware.
3. Nearest front face of house set back least 5 feet further than front yard setback line.
4. Garage door that does not face the front yard setback or garage completely behind main structure.
5. Garage recessed at least 5 feet from front building face
6. Chimney or dormers visible from the front elevation. Chimneys must serve a working fireplace.
7. Decorative windows including transoms, bay windows, multi-pane windows (excluding the use of grills), shutters, or other similar window enhancements.
8. Rainwater harvesting system of 1,000 gallons or solar panels built as part of initial permitted construction, meeting building code requirements.
9. Enhanced pavement (brick/pave stone/stamped concrete/colored concrete) on non-sidewalk surfaces.
10. Incorporation of authentic stone or brick into at least 50% of three building elevations.

Multifamily regulations

- A. Multifamily location policy: Developments of the MF-2 development type greater than 5 acres in area must have frontage along, or direct driveway access to an arterial level street.
- B. Multifamily design (MF-1 and MF-2 development types)
 - 1. All buildings over 3 stories must provide an elevator.
 - 2. At least 5 percent of land area must be devoted to recreation space, including swimming pools, playgrounds, indoor exercise rooms, picnic areas, dog parks, and other outdoor amenities.
 - 3. All developments in the MF-1 and MF-2 development types must incorporate four of the following design elements:
 - a) Balconies at least 50 square feet in area on 50 percent of all living units.
 - b) Awnings over entryways to buildings and at least 25 percent of exterior windows.
 - c) At least 30 percent of parking spaces covered, with at least 20 percent of parking spaces in enclosed garages which provide electrical outlets sufficient to charge an electric vehicle.
 - d) No parking located within the front building setback.
 - e) Windows having decorative features such as multi-pane design, arches, or shutters
 - f) Use of dormers or other vertical offsets to attain vertical articulation.
 - g) Providing horizontal articulation of at least 4 feet for every 30 feet of building wall.
 - h) Only enclosed climate-controlled hallways and stairwells rather than open breezeways and stairwells.

8-28-2023

Chapter 64 – Zoning

Sec. 64-2. Definitions.

“[...]Patio home: A residential single-family detached development type where one side wall of the dwelling abuts the property line and has no doors, windows, or other openings, while the opposite side of the dwelling has a larger than normal side yard that typically contains a patio or courtyard. The exterior wall abutting the common side property line with an adjacent patio home faces the patio or courtyard of the adjacent patio home. This development type is also known as a zero-lot-line home or garden home.

Planned Development District: A type of master planned development that provides for a flexible combination of various development types in high-quality master planned districts. PDDs may be subject to special conditions and regulations as prescribed by the commission or council.

Principal structure: The primary building on a lot which by its design defines the use and character of the tract. See Figure 1 following this section. [...]

Sec. 64-166. Planned development district (PDD).

(a) Purpose: The PDD allows flexibility to the city development standards for development that fulfills the city comprehensive planning policies and is superior in quality to that allowable under the current standards. Planned Development Districts consist of a mix of land use types and public spaces planned and constructed as cohesive, context-sensitive, and consistent districts. Unless clearly stated in the ordinance creating the PDD district, the development project must comply with all applicable city regulations. PDD districts are intended to implement generally the goals and objectives of the city's comprehensive plan. PDD districts are also intended to ensure the compatibility of land uses, and to allow for the adjustment of changing demands to meet the current needs of the community by meeting one or more of the following purposes:

(1) To provide for a superior design of lots or buildings;

(2) To provide for increased recreation and/or open space opportunities for public use;

(3) To provide amenities or features that would be of special benefit to the property users or community;

(4) To protect or preserve natural amenities and environmental assets such as trees, creeks, ponds, floodplains, slopes, hills, viewsapes, and wildlife habitats;

- (5) To protect or preserve existing historical buildings, structures, features or places;
- (6) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; and
- (7) To meet or exceed the present standards of this article.
- (b) Development standards for each PDD shall be set forth in an ordinance granting the PDD and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, design, coverage, floor area ratio, parking, access, streetscaping, fencing/screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the City Council may deem appropriate.
- ~~(ca)~~ The planned development district, being a special form of subdivision, will adhere to the design, construction, platting, approval, and recording requirements of the city subdivision ordinance, chapter 52, except as modified below.
- ~~(db)~~ A preliminary development plan and a final development plan shall accompany the preliminary plat and the final plat, as appropriate. The development plan shall include, as a minimum, the following:
- (1) Proposed public and private rights-of-way and easements.
 - (2) Location of each proposed structure, exterior dimensions, number of stories, gross floor area, location of entrances and loading points thereto, walks, and parking facilities.
 - (3) Conceptual images of building elevations,
 - ~~(43)~~ Driving lanes, parking areas, loading areas, fire lanes, and service areas for both private and public use.
 - ~~(54)~~ All walks, malls, and open areas for use of tenants and visitors or for public use.
 - ~~(65)~~ Location and height of each screening wall, fence or planting area.
 - ~~(76)~~ Location, height and orientation of each sign. Compliance with the city sign ordinance, chapter 46, is required.
 - ~~(87)~~ Exterior lighting fixtures for areas, entrances and signs.
 - ~~(98)~~ A drainage plan providing location, details, appropriate elevations, finish floor elevations of proposed structures, slabs, and curbs not defining street lines. Any structures required to conform to the drainage and flood control ordinance, chapter 22, shall be shown. Any off-site facilities necessary to provide adequate drainage shall be shown along with any necessary structures and easements required.
- ~~(ee)~~ As most of the structures erected within a planned development district are not in fact constructed at the time of the construction of the infrastructure, detailed plans for such proposed structures will not be required to accompany such development plan.

Sec. 64-196. Establishment of zoning districts.

(p) *Planned development district (PDD)*. This district provides for a flexible combination of various development types in high-quality master planned districts in any area within the city as a specific use. PDDs may be subject to special conditions and regulations as prescribed by the commission or council. ~~provides for a combination of the various residential development types, which may include various commercial district types, or for commercial and industrial tracts within the same area. This district may be developed in any area within the city as a specific use and may be subject to special conditions and regulations as prescribed by the commission or council.~~ See [chapter 52](#), Code of Ordinances, [section 64-166](#) and [section 64-198](#).

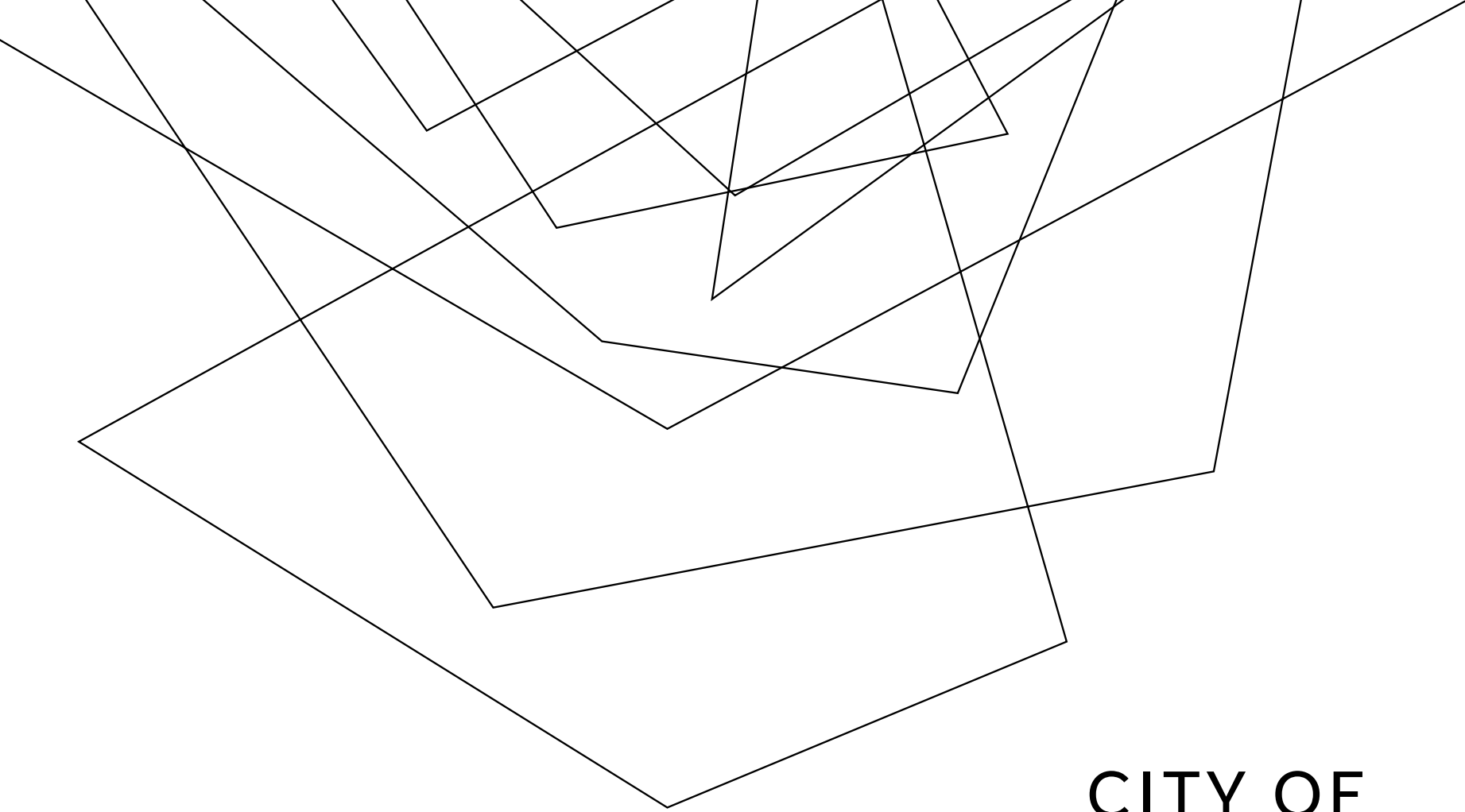
Sec. 64-199. Additional requirements for planned development district.

- (a) The minimum site area for a PDD is five acres.
- (b) To provide for the additional cost to the city for administration, review, and inspection of both the preliminary and the final development plans of a PDD, a separate fee which shall be established by the council, shall accompany such development plans.
- (c) In order to minimize the potential negative effects of partial completion of a PDD, the preliminary and final development plans shall each be divided into phases of development. Development phases shall be designed such that each shall constitute a completed unit and shall not require any other completed phase to allow development or use. Phases shall not divide lots, blocks, or street centerlines. Final plats shall be filed for record only for those phases completed.
- (d) The city may rezone in a manner deemed by the city to be most compatible any or all portions of those phases abandoned or not developed within the timeframe provided by the specific use permit. Failure to complete development within the specified time limit shall rescind and vacate such specific use permit.
- (e) Private streets, drives and easements shall be constructed to city standards, shall be maintained by the developer, owner, or an association, and shall grant a right-of-way to the city for use. Such streets, drives, and easements shall be shown on the subdivision plat as well as on the development plans and shall be so indicated. Deed restrictions shall delineate maintenance and repair responsibilities for private streets, drives, easements, and for all other common areas and facilities.
- (f) To ensure adequate streets, drives, parking and loading area within the PDD and to provide data concerning the effect of such traffic flow and upon the streets adjoining the PDD, a study of traffic density and flow shall be completed by an appropriate professional, at the expense of the developer, and submitted with both the preliminary and final development plans.
- (g) The requirements of this chapter and of the city subdivision ordinance are intended to be complimentary and to be fulfilled concurrently. When requirements of such ordinances

conflict, the commission, upon advice from the zoning administrator and the city engineer, shall determine which standard shall prevail.

- (h) The final development plan and the subdivision plat of a PDD are integral elements of the district designation. The use areas within the PDD are subject to adherence to the development plan. Any change in the final development plan shall be considered a zoning change.

DRAFT

Abstract geometric lines in black on a white background, forming various overlapping polygons and shapes.

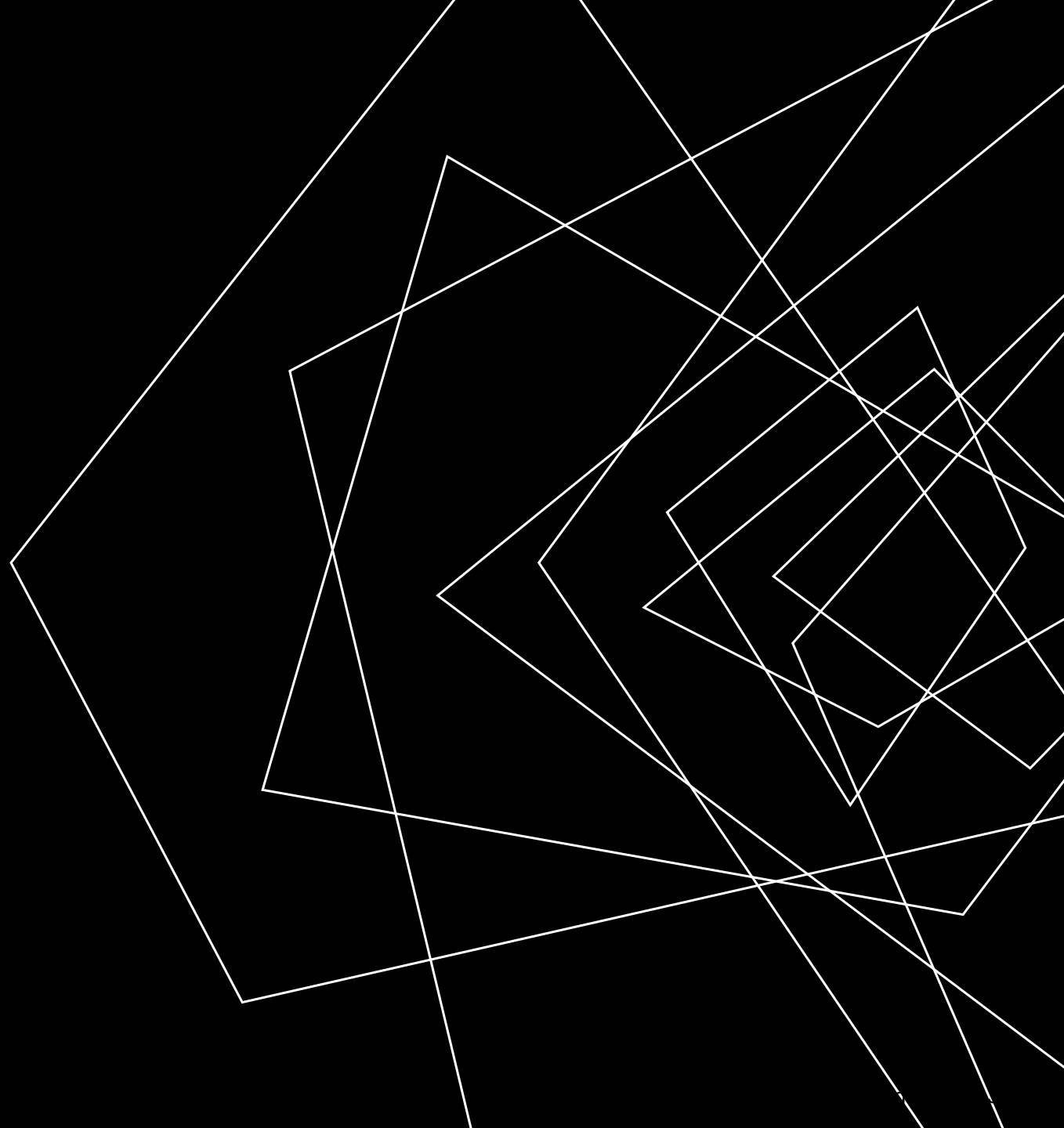
CITY OF LOCKHART

Growth Planning Workshop – Housing and Development

January 12, 2023—Council Chamber

AGENDA

1. Call to Order, City Council and Planning and Zoning Commission
2. Self-introductions
3. Presentation—David Fowler
4. Q & A
5. Next Steps

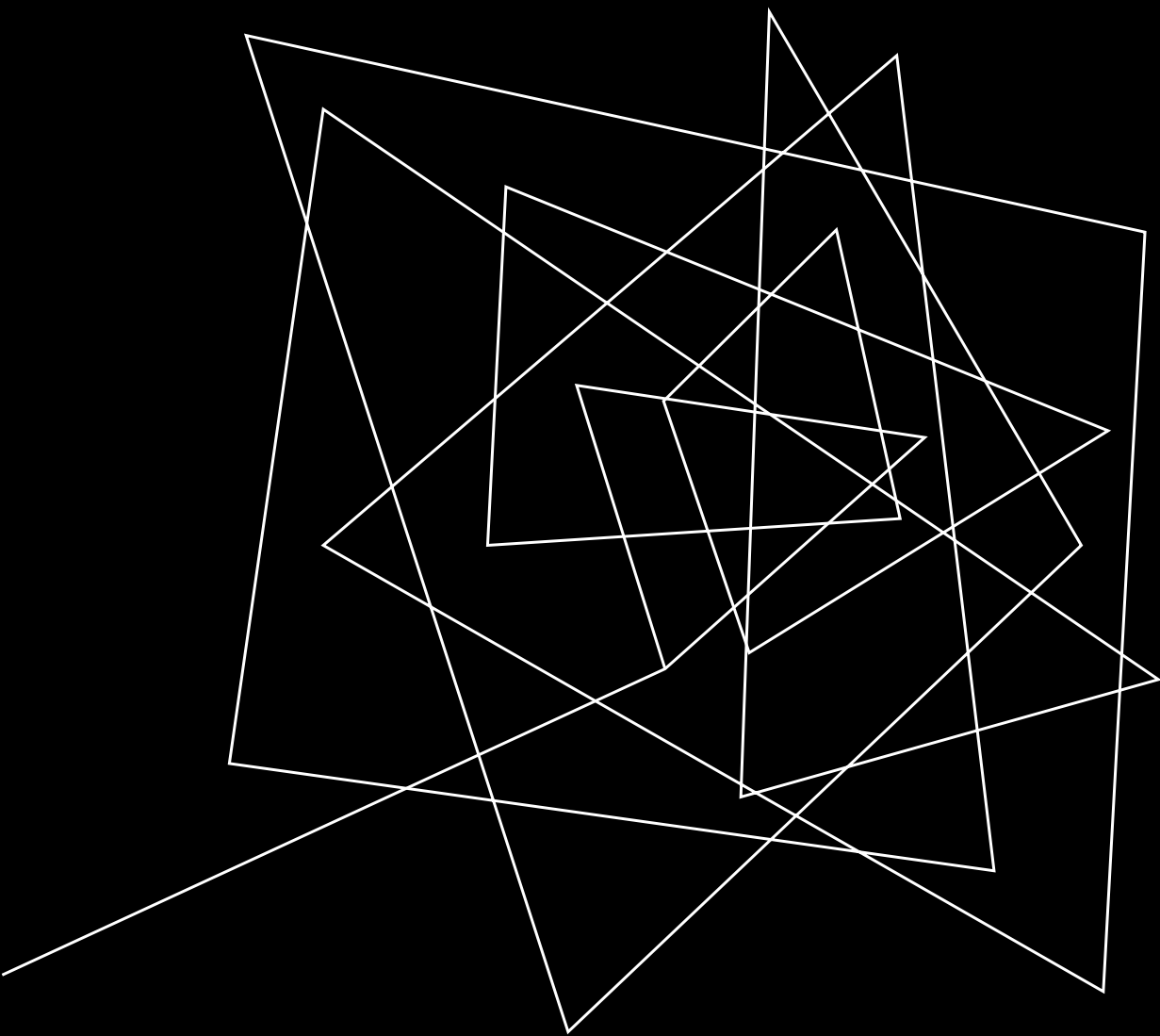


WHY WE'RE HAVING JOINT WORKSHOPS

- City has recently undergone period of unprecedented growth
- Desire to take stock of recent growth, assess future trends, and discuss possible approaches to shape future of Lockhart.

FIRST WORKSHOP, 12/13/2022

- Discussed recent growth's impacts on city infrastructure
- Discussed ability of water and wastewater to meet demands of future growth
- Discussed future roadway and intersection improvement needs, possibility of future funding with TxDOT



HOUSING

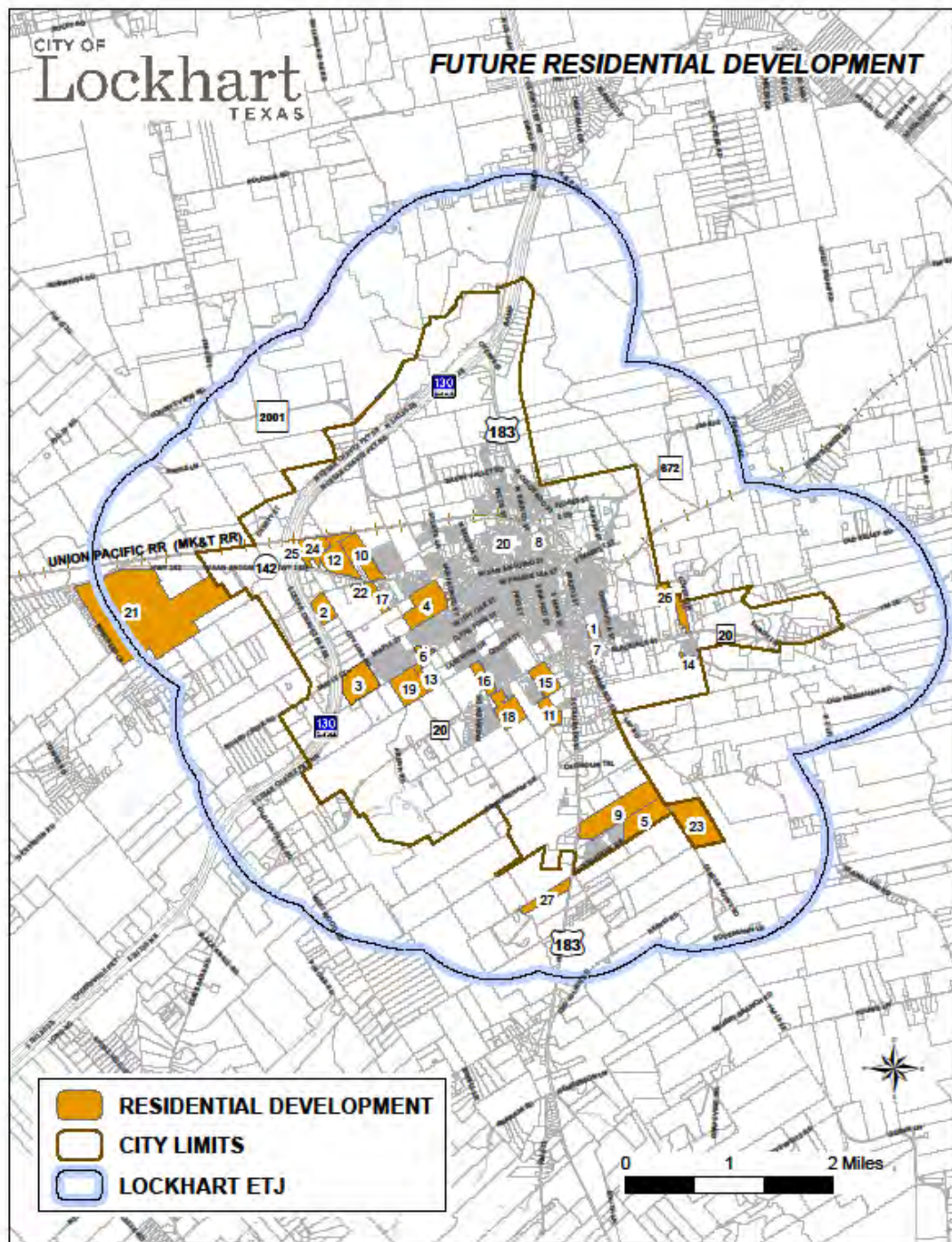
HOUSING IN LOCKHART

- Strong recent growth, with several projects currently underway

185 single-family residential permits through November 2022 (94 in all of 2021)

One permit for Multifamily projects in 2022, two in 2021

- Housing market is extremely tight
 - Very few houses for sale
 - Waiting list for several apartment types at local complexes
 - LISD recently explored building housing for district employees



CURRENT PROJECTS

In City (at least Preliminary Plat/SUP submitted)

2,967 single-family units

52 duplexes (104 units)

247 townhouses

244 condo units

228 senior housing units

1,142 approved apartment units

In ETJ

1,413 single-family lots in MUD, one other subdivision

In pipeline (No SUP submitted) ~ 2,000 apartment units

RECENT HOUSING TRENDS--REGIONAL

2021 Austin-Round Rock-Georgetown MSA: 50,907 total housing units permits permitted

24,486 single-family (48.1 %)

494 duplex (1 %)

285 3-4 plex (0.6 %)

26,642 multifamily (52.3 %)

Other metro areas in 2021:

San Antonio: 22,264 units (62.6 % single-family)

Dallas-Ft. Worth: 78,705 units (66.1 % single-family)

Houston: 69,263 units (76.1 % single-family)

Austin region in 2022 (through November):

41,197 units (47.1 % single-family, 51.69 % multifamily)

Source: US Census Bureau 2021-2022

RECENT HOUSING TRENDS

Why has balance of housing tipped towards multifamily in Austin Region?

- Rapid population growth in region, creating need for housing to be created quickly
- High land prices make multifamily only feasible product for well-located parcels
- High housing prices have put home ownership out of reach for large segments of the population
- Recent rise in interest rates has caused buyers in the Austin region to lose 36% of buying power in last two years.
- Rising construction costs making all types of housing more expensive

RECENT HOUSING TRENDS



In Lockhart:

- Median Household Income (2017-2021) \$64,633
- As of Friday, 1/6: No houses or sale for less than \$225,000. No 3-bedroom houses available for immediate sale under \$265,000
- Out of 56 houses listed on Realtor.com, only 9 existing houses under \$300,000

A screenshot of the Realtor.com website showing search results for Lockhart, TX. The search filters at the top indicate 78644, Lockhart, TX, with a price range of \$225,000 to \$300,000, 2+ bedrooms, and 2+ bathrooms. The results are sorted by 'Lowest Price'. The first listing is a 2-bedroom, 1-bath house for \$225,000. The second listing is a 3-bedroom, 2-bath house for \$242,590. The third listing is a 3-bedroom, 2.5-bath house for \$257,590. The fourth listing is a 3-bedroom, 2-bath house for \$260,590. The fifth listing is a 3-bedroom, 2-bath house for \$265,000. The sixth listing is a 3-bedroom, 2-bath house for \$279,990. The seventh listing is a 3-bedroom, 2-bath house for \$284,990. The eighth listing is a 3-bedroom, 2-bath house for \$289,990. The ninth listing is a 3-bedroom, 2-bath house for \$296,990. The tenth listing is a 3-bedroom, 2-bath house for \$296,990. The eleventh listing is a 3-bedroom, 2-bath house for \$296,990. The twelfth listing is a 3-bedroom, 2-bath house for \$296,990. Each listing includes a photo, price, and basic details like bedrooms, bathrooms, and square footage.

RECENT HOUSING TRENDS—EXAMPLE HOUSE

- \$2,124 monthly payment required for \$299,000 house, assuming 20% down payment
- Payment would be 36% of pre-tax median income
- Industry standard is no more than 28% of income spent on mortgage.
- With 28% standard, income of \$90,992/year required to buy this house
- Remember, this also assumes buyer has funds for \$59,800 down payment.

Presented by:
IRENE YANEZ with Countywide Realty



[Virtual Tour](#) [2 / 23](#)

Veterans: Check 2023 VA Loan Requirements | What can you buy? (It's easy to find out)

For Sale

\$299,000 ↓ \$16K Est. **\$2,124/mo**

3 bed 2 bath 1,169 sqft 6,486 sqft lot

1517 Windridge Dr, Lockhart, TX 78644

Single Family
Property Type

76 Days
Time on realtor.com

\$256
Price per sqft

2 cars
Garage

2014
Year Built

Commute Time: [Add a commute](#)

This property has multiple listings: [Listing 1](#) | [Listing 2](#)

Monthly Payment

Costs for this home

[Edit](#)

Home price \$299,000

Monthly payment \$2,124

Loan 30-Year Fixed loan at 6.598%

Principal & Interest \$1,527

Property tax \$362

Home Insurance \$234

[Learn more](#)

HOA fees \$0

Mortgage Insurance \$0

Total due at close \$71,760

Down payment (20%) \$59,800

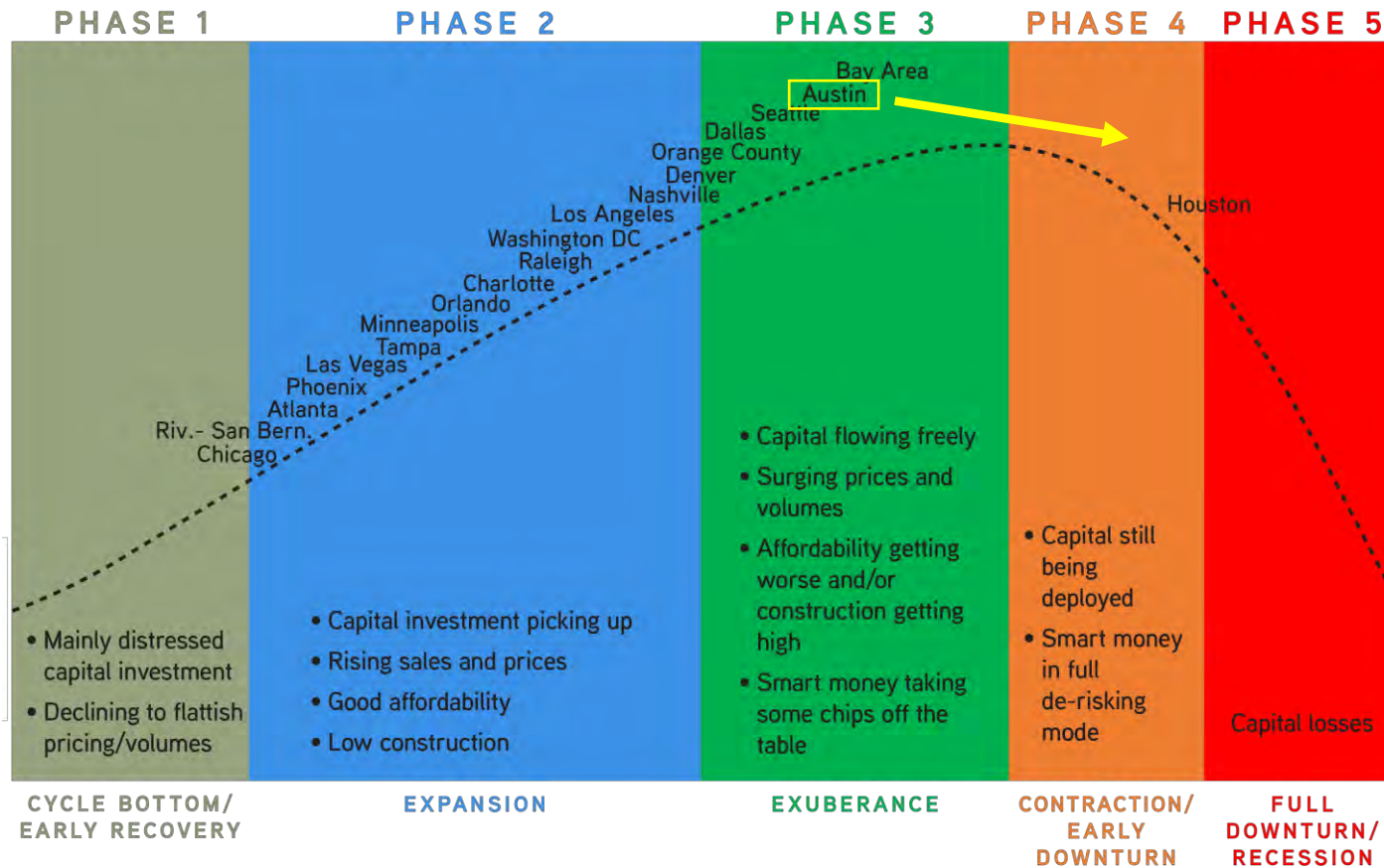
Estimated closing cost (4%) \$11,960

Apply veterans benefits



Confirm your budget with a lender

THE HOUSING MARKET CYCLE



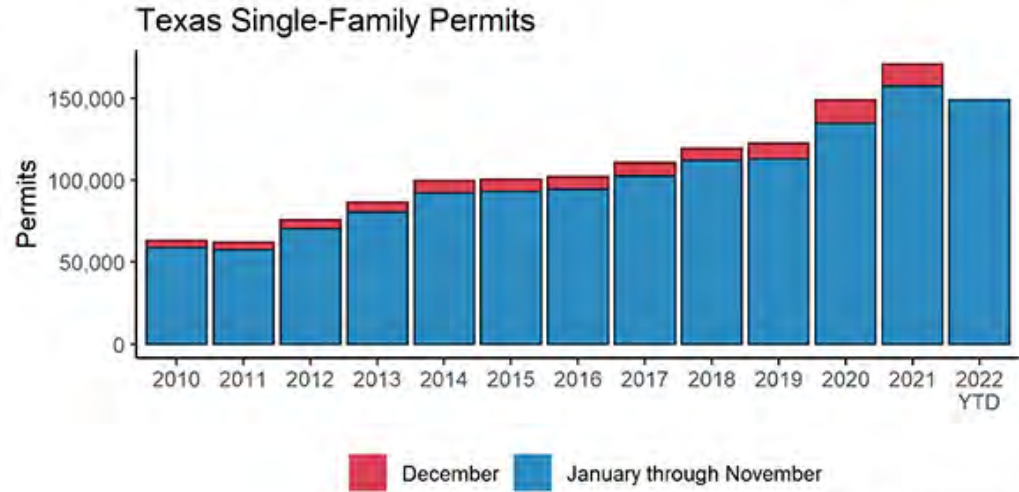
Austin region showing signs of lower levels of construction after recent boom

Downturn expected to make single-family supply even tighter, raise prices of all housing types

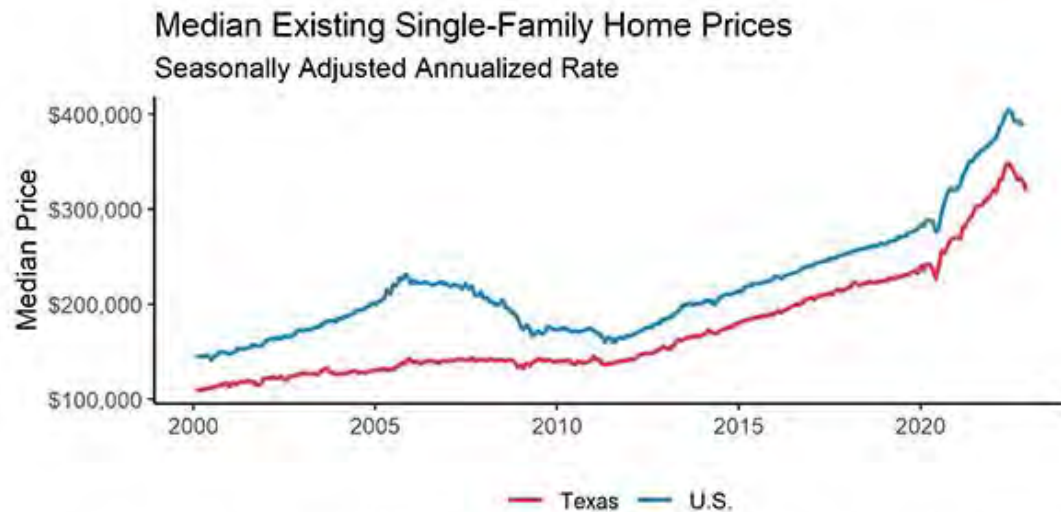
Increase in multifamily construction activity becomes more likely

Source: John Burns Real Estate Consulting, LLC (Pub: Sep-2016)

THE HOUSING MARKET CYCLE



Source: Texas Real Estate Research Center at Texas A&M University



Source: National Association of Realtors - Texas Real Estate Research Center at Texas A&M University



Source: National Association of Realtors - Texas Real Estate Research Center at Texas A&M University



Source: Texas Real Estate Research Center at Texas A&M University

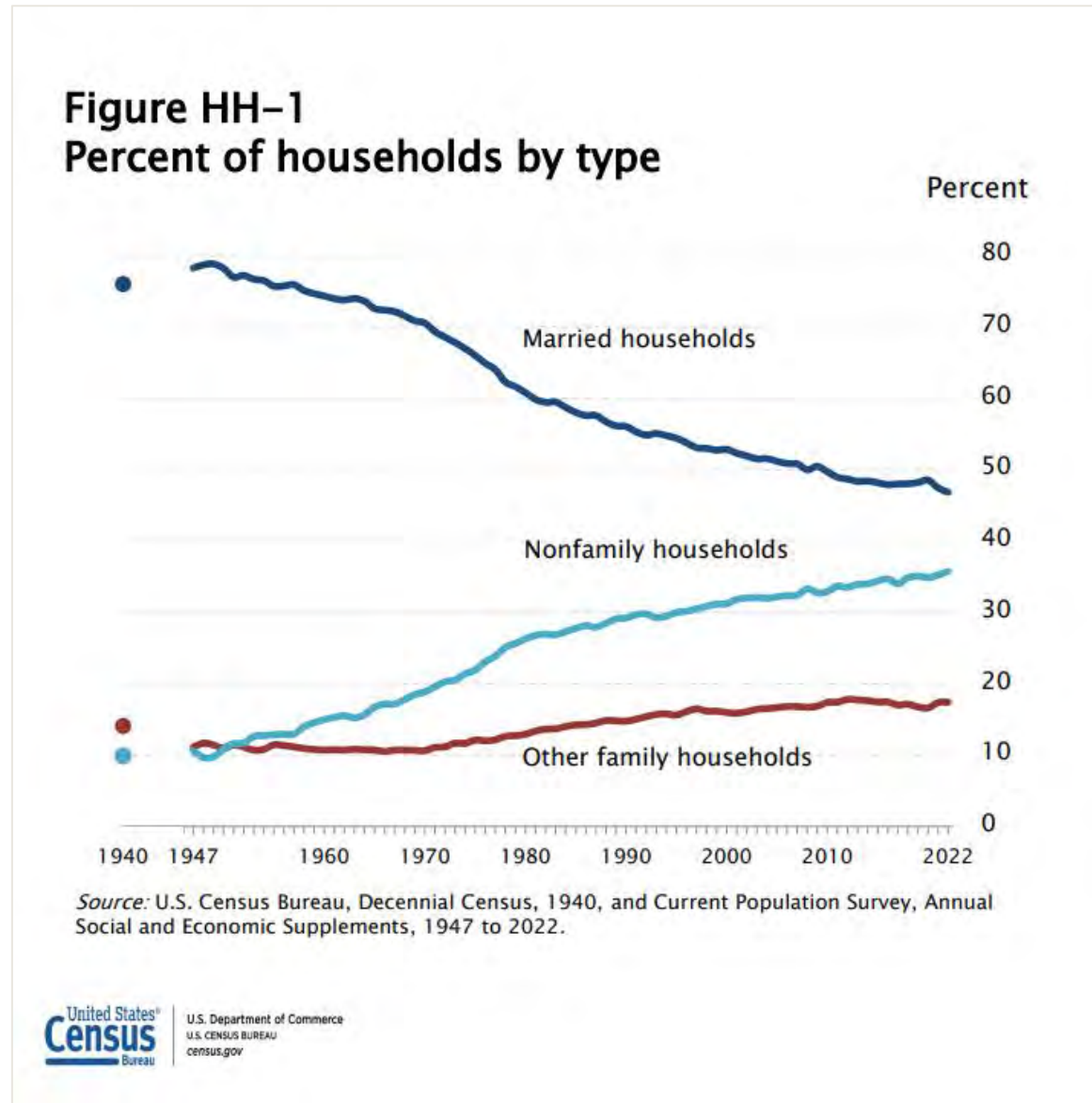
RECENT HOUSING TRENDS

Reasons for higher rates of multifamily construction, smaller single-family lots in Austin region:

- High cost of land
- High housing prices/interest rates
- Lower rates of family households (more single residents, elderly residents, roommates)
- Many members of the two youngest adult generations are pessimistic about being able to purchase a home

Related trend: Increasing trend of building single-family **rental** communities

HISTORIC CHANGES IN HOUSEHOLD TYPES



SINGLE-FAMILY HOUSING

Opportunities of single-family housing:

- Providing new residents a chance to live and invest in Lockhart
- Allows move-up opportunity, ability to live in new construction, for existing residents
- Creates tangible asset to potentially build wealth
- More housing units being built in Lockhart will help attract desired retail, larger health care facilities

SINGLE-FAMILY HOUSING

Challenges (local, regional and national):

- Trend towards smaller lots due to increasing land prices, interest rates, tighter development economics
- Lack of diversity in lot size and square footage of houses
- Large lot development rare except in higher-income areas or rural areas
- Lack of move-up housing opportunities due to price
- Most new neighborhoods built by large developers with standard products in many cities leading to local resident complaints about “cookie cutter” housing
- Dedication of streets and utilities creates perpetual maintenance responsibilities for city
- Single-family housing typically a net expense for cities (often does not break even).

SINGLE FAMILY HOUSING

Strategies to improve quality of new single-family housing developments:

- Enact design standards, including menu of required design elements
- Require greater variation of house designs, increase restrictions on repeating same house
- Add minimum landscaping standards, including minimum tree plantings and minimum caliper
- Increase park dedication requirements, greater specification of required amenities
- Shorten block length maximums, shorten cul-de-sac lengths
- Require greater connectivity between streets within subdivisions
- Require minimum number of entrances, street connections, stub streets, avoid single-entrance layouts
- Create or maintain enough RLD zoning to create move-up housing
- Raise development fees to cover costs
- Monitor short-term rentals to make sure not impacting housing supply

MULTI-FAMILY HOUSING

Opportunities:

- Provide opportunity to establish life in Lockhart
- Needed to provide workforce housing for teachers, city employees, industrial workers
- Provide alternative to single-family rentals, may provide incentive to renovate older houses
- Addition of apartment units brings population needed to attract additional retail and services
- Lower infrastructure burden compared to single-family—no streets or pipes to maintain within complexes

MULTI-FAMILY HOUSING

Challenges:

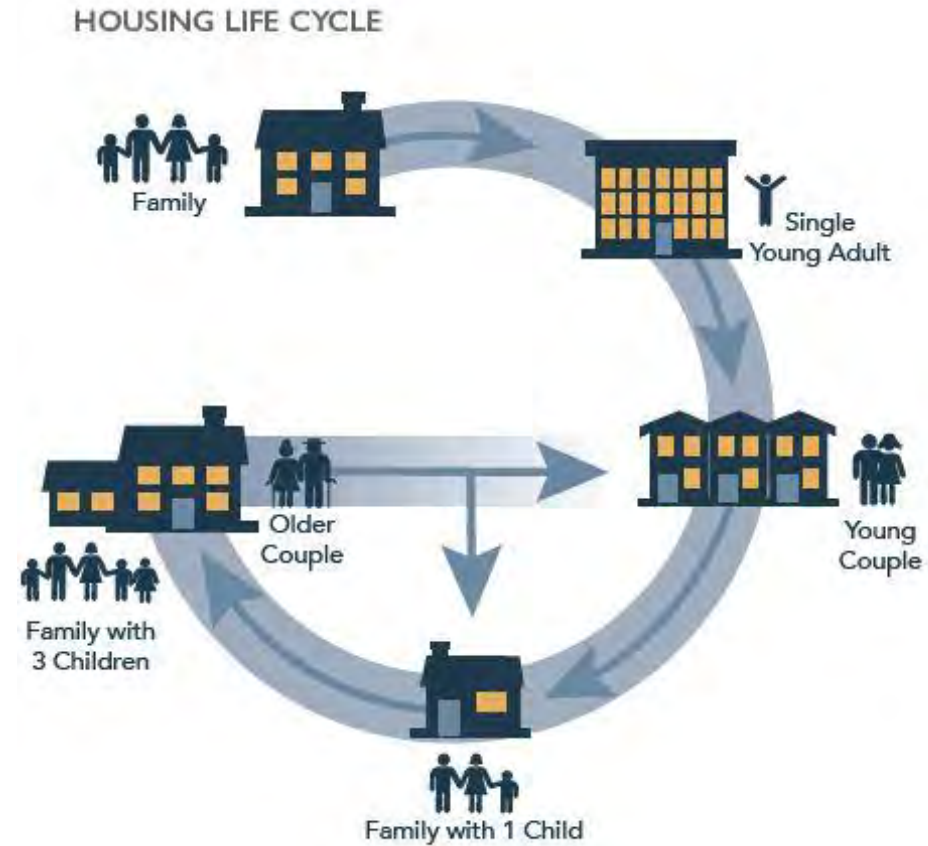
- Increased share of new construction due to land and construction costs, affordability issues
- Renters not building equity
- Less suitable for families with children—few 3+ bedroom units built
- Perception of residents as lower income, less tied to community
- Many existing apartment complexes are income-restricted (most new complexes are market rate)
- Historic negative image in comparison with single-family dwellings

MULTI FAMILY HOUSING

Strategies to improve quality of new multi-family housing:

- Enact architectural design standards, including options to enhance appearance
- Add minimum landscaping standards, including minimum tree plantings with minimum calipers
- Require some covered parking (provide options)
- Increase park dedication requirements, plus require minimum required on-site amenities
- Ensure equitable ratio of new single and multi-family in comparison to region
- Discourage MF-2 development (24 units/acre) away from arterial roads
- Avoid rezoning of commercial and industrial lands for multi-family
- Encourage moderate-density housing types for families (condos, townhouse, duplexes), not just MF-2
- Raise development fees to cover costs

HOUSING FOR ALL STAGES OF LIFE CYCLE



LIFE CYCLE HOUSING

To be a complete city for all stages of life, need to have full complement of housing:

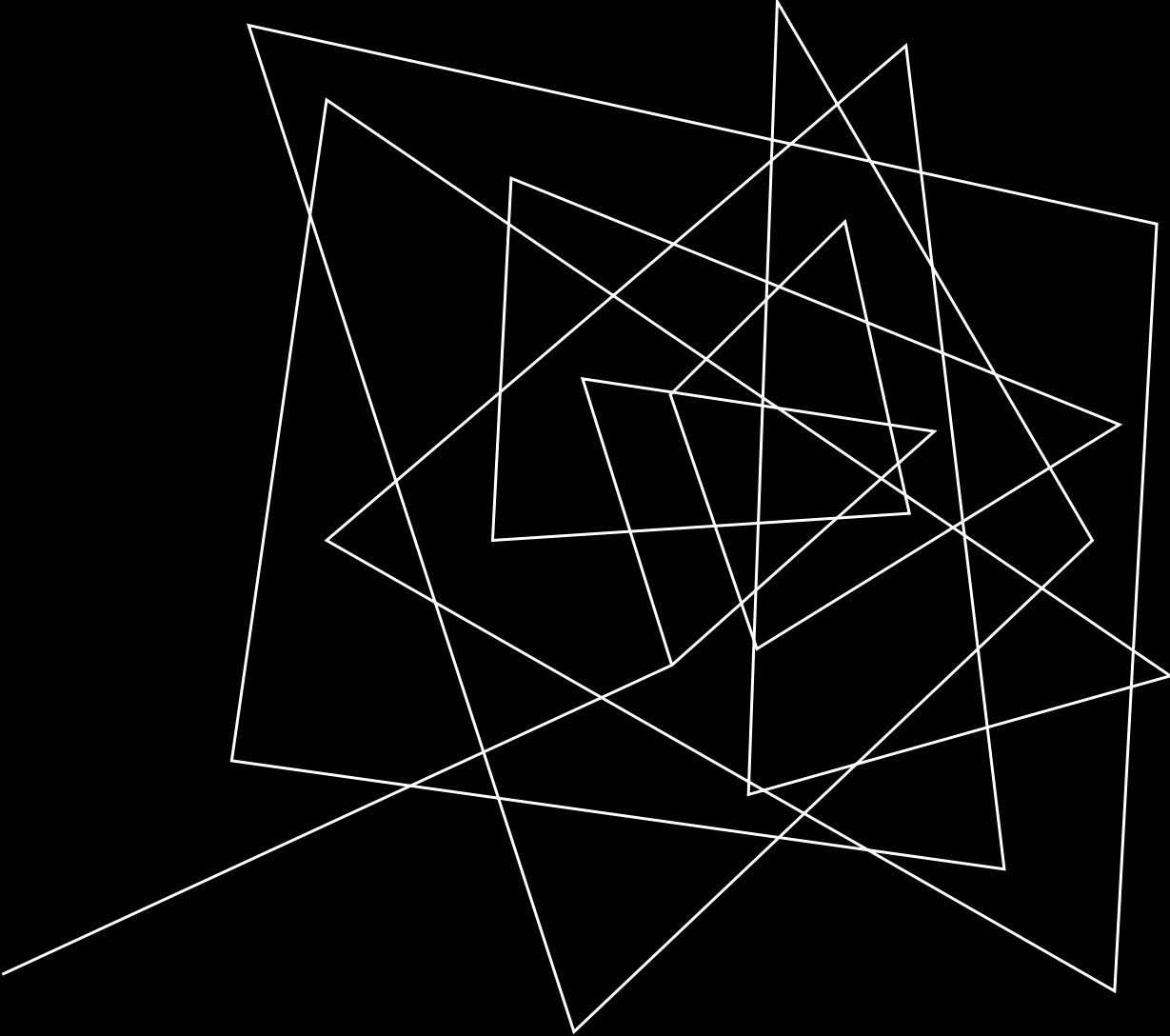
- Growing up: House or other 2-4 BR home with parents
- Young and/or single: Apartment, shared rental home, accessory dwelling unit
- Couple w/o kids: Small house, townhouse, duplex, condo/luxury apartment
- Couple with kids: 3+ BR Home (rental or own)
- Empty nester: House, may downsize to duplex, townhouse, condo, or move up to “trophy house”
- Widow/er: Smaller house, duplex, accessory dwelling, senior apartment,
- Elderly: Remain in house with assistance, duplex, senior apartment, assisted living, nursing home

LIFE CYCLE HOUSING

- Problem: Lockhart historically has built numerous types and sizes of housing, but newer developments are largely either single-family detached or dense multifamily.
- Need for more housing types to accommodate varying needs and tastes, as residents move through life

Missing Middle Housing is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood.





APPROACHES TO GROWTH AND FINANCIAL ISSUES

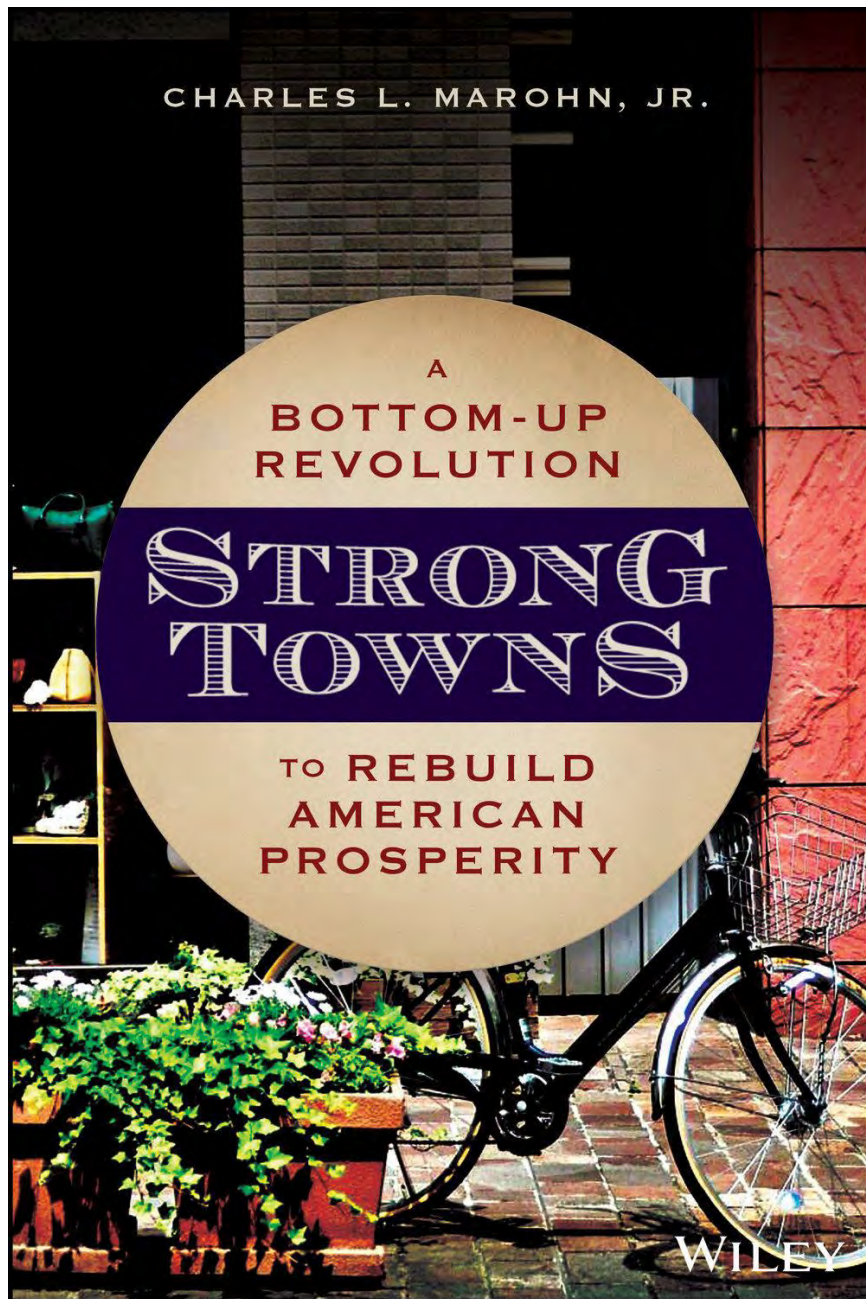
SMART GROWTH

Smart growth: Development that is environmentally sensitive, economically viable, community-oriented, and sustainable.

Smart growth focuses on the planning and layout of communities and the efficient use of land to maximize community goals and avoid wasteful sprawl.

Smart Growth Principles:

- Mixing Land Uses
- Employing compact building design
- Creating a range of housing opportunities and choices
- Creating walkable, bicycle-friendly neighborhoods
- Designing distinctive, attractive communities with a strong sense of place
- Preserving open space, farmland and critical environmental areas
- Directing development towards existing communities
- Providing a variety of transportation choices
- Making development decisions fair, predictable and cost-effective'
- Encouraging community and stakeholder participation



STRONG TOWNS

- Refinement of Smart Growth principles with enhanced focus on long-term fiscal well-being of cities
- Awareness of long-term liability of infrastructure dedicated to cities
- Urges compact development patterns to reduce fiscal liability per resident
- Warns against nonproductive uses of land such as excessive free parking
- Urges **value per acre** calculation instead of typical gross value per project or lot to determine impact on city's bottom line
- Make streets and development people-friendly, rather than car-oriented

VALUE PER ACRE: COMMERCIAL

Wal-Mart

Assessed value: \$8,811,825

Area: 21.7 acres

Value per acre: \$406,074



VALUE PER ACRE: COMMERCIAL

HEB

Assessed value: \$3,541,260

Area: 4.37 acres

Value per acre: \$810,357



VALUE PER ACRE: COMMERCIAL

Walgreens

Assessed Value: \$1,825,900

Area: 1.38 acres

Value per acre: \$1,323,116



VALUE PER ACRE: COMMERCIAL

Block 17 (13 properties)

Assessed value: \$4,245,750

Area: 1.35 acres

Value per acre: \$3,145,000



VALUE PER ACRE: RESIDENTIAL

The Stanton Apartments

Assessed value: \$10,213,620

Area: 7.16 acres

value per acre: \$1,426,483



VALUE PER ACRE: RESIDENTIAL

Sunchase Square Apartments

Assessed value: \$7,195,000

Area: 8.61 acres

Value per acre: \$835,656



VALUE PER ACRE: RESIDENTIAL

**O.T. Lockhart Block 1/Heppenstall
(19 lots)**

Assessed value: \$3,760,781

Area: 5.6 acres

Value per acre: \$675,139



VALUE PER ACRE: RESIDENTIAL

The Ridge (18 lots)

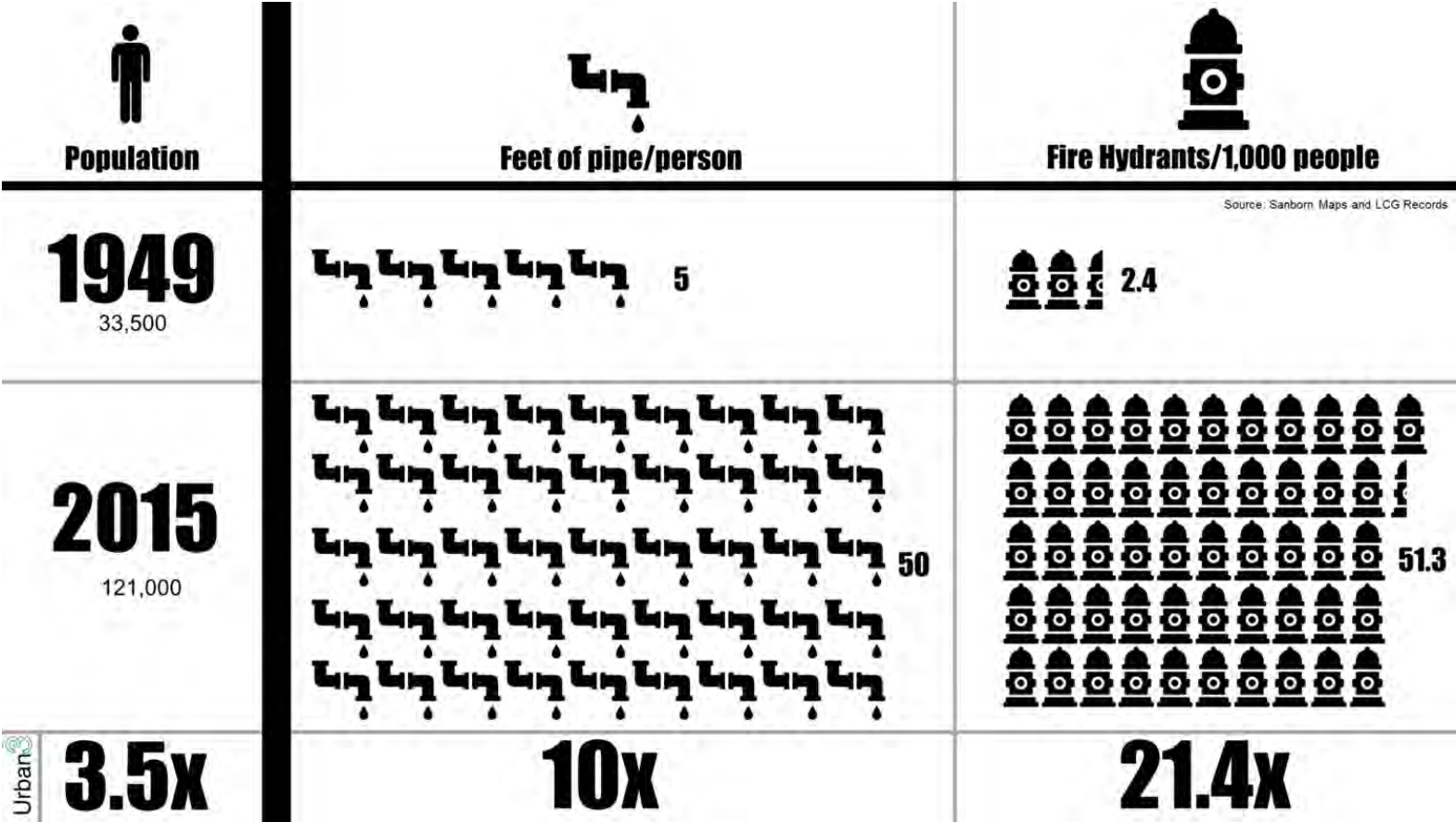
Assessed value \$7,504,424

Area: 60.3 acres

Value per acre: \$124,451



RESOURCE EFFICIENCY



RESOURCE EFFICIENCY

Your Median Household income



\$27,700



\$45,000

1.6x

Source: US Census Bureau and Stanford University adjusted to 2015 net present value.

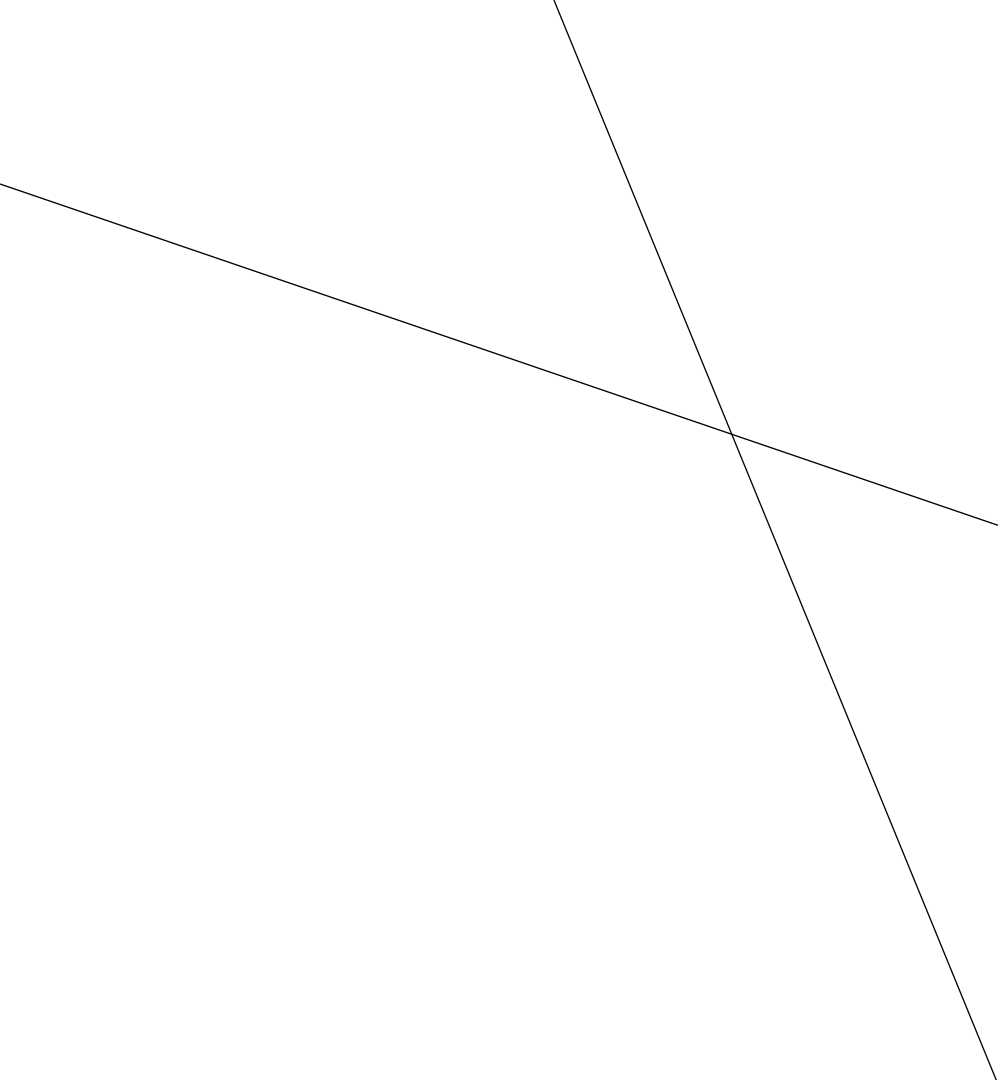
VALUE PER ACRE

Methods to maximize highest value per acre (and strengthen the bottom line):

- Prioritize creating value and revenue for city over other competing preferences
- Prioritize infill development, in areas where utilities and roads are already in place, over outward expansion of City infrastructure
- Work to make linear feet of streets/utility pipes per resident **decline** as city grows
- Avoid “pioneering” extensions of water and wastewater wherever possible, especially when using city funds
- Strengthen downtown development, possibly expanding area of Central Commercial District zoning/density
- Avoid requiring excessive parking if parking can be shared between neighboring uses
- Prioritize creation of value and creating memorable places over getting vehicles through quickly

OTHER ZONING/DEVELOPMENT ISSUES

- Heavy zoning change case traffic, many seemingly to “flip” property
- Three residential zones, but greater number of development types
- Separate zones for medium density single-family and Duplex, Townhouse, etc?
- Use of Planned Development Districts: good or bad?
- Prospect of MUDs, TIRZ, other financing types
- Development of “satellite” cities just outside of Lockhart. Adding to city or competing?



SUMMARY

- Regional and national trends in housing economics have had enormous impacts on Lockhart
- Decisions regarding City housing policy should be made based upon a foundation of knowledge of demographic trends, financial impacts of various types of development, while still maintaining community character and values
- Comprehensive plan will provide biggest opportunity to discuss and refine policy approaches for Lockhart's next 20 years.

NEXT STEP: COMPREHENSIVE PLAN!

- RFQ released this week, responses due February 10.
- Planning process starting around April, depending upon consultant's availability
- Planning process: 1 year-18 months
- Major land use policy changes should be made after plan's adoption, but urgent items can be addressed during planning process.

QUESTIONS/DISCUSSION



THANK YOU

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discussion and/or action to consider Resolution 2023-14 naming the City of Lockhart's nominations for Directors of the Caldwell County Appraisal District for the 2024-2025 term.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart received a notice from the Caldwell County Appraisal District (CCAD) for nominations of up to five director positions for the 2024-2025 term. Nominations are to be submitted by written resolution by October 15, 2023. Qualifications are that a director must reside in the appraisal district for at least two years immediately preceding the date he or she takes office, and must not have delinquent property taxes. An employee of a taxing unit is not eligible to serve as a director unless the employee is also an elected official.

If the Council chooses to make a nomination(s) to the CCAD BOD, staff requests that nominees be named during the September 19th Council meeting. A Resolution is attached that will be amended to reflect the nominee(s) that will thereafter be submitted to the CCAD to place the City's nominee(s) on a ballot that the Council will vote on in the future. The City of Lockhart's previous nominees (Alfredo Munoz and Sally Daniel) remain on the CCAD Board of Directors.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: Council discussed nominations during the September 5, 2023 Council meeting.

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Council to make a nomination(s), if desired, that will be inserted on attached Resolution 2023-14 that will thereafter be provided to

City of Lockhart, Texas

Council Agenda Item Cover Sheet

the CCAD.

LIST OF SUPPORTING DOCUMENTS: History: Resolution 2021-16, Proposed Resolution 2023-14, August 10, 2023 letter regarding Nomination of Appraisal District Directors, List of current Board of Directors

RESOLUTION 2021-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS NAMING THE CITY OF LOCKHART'S NOMINEE(S) TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2022-2023 TERM

WHEREAS, the City of Lockhart is entitled to cast 436 votes to serve on the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City of Lockhart City Council has been notified and requested to make up to five nominations to the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City Council has duly considered the nominations and taken a vote in a public setting at a regular meeting of the City Council.

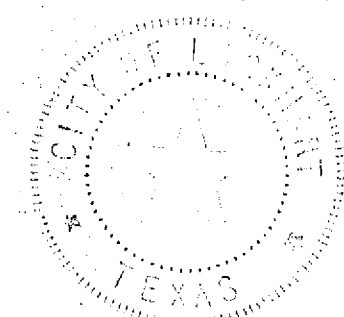
NOW, THEREFORE, BE IT RESOLVED THAT:

The Lockhart City Council hereby nominates the following to serve on the Caldwell County Appraisal District Board of Directors:

Alfredo Munoz
1201 Plum St.
Lockhart, TX 78644

Sally Daniel
113 E. San Antonio St. Apt A
Lockhart, TX 78644

This Resolution shall be in full force and effect immediately upon its passage, approval and adoption on this the 21st day of September 2021.



ATTEST:

Connie Constancio
Connie Constancio, TRMC
City Secretary

CITY OF LOCKHART

Lew White
Lew White, Mayor

APPROVED AS TO FORM:

Monte Akers
Monte Akers
City Attorney

RESOLUTION 2023-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS NAMING THE CITY OF LOCKHART'S NOMINEE(S) TO THE BOARD OF DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT FOR THE 2024-2025 TERM

WHEREAS, the City of Lockhart is entitled to cast 451 votes to serve on the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City of Lockhart City Council has been notified and requested to make up to five nominations to the Caldwell County Appraisal District Board of Directors; and,

WHEREAS, the City Council has duly considered the nominations and taken a vote in a public setting at a regular meeting of the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Lockhart City Council hereby nominates the following to serve on the Caldwell County Appraisal District Board of Directors:

This Resolution shall be in full force and effect immediately upon its passage, approval and adoption on this the 19th day of September 2023.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Bowermon
Assistant City Secretary

Monte Akers
City Attorney

Caldwell County Appraisal District

DATE: August 10, 2023
TO: Taxing Unit Presiding Officers
FROM: Shanna Ramzinski, Chief Appraiser
RE: Nomination of Appraisal District Directors

Dear Members:

Nominations for directors of the Caldwell County Appraisal District for the 2024-2025 term are to be submitted to the chief appraiser on or before **October 15, 2023**. Each taxing unit may nominate one candidate for each position to be filled. All five positions are available for selection, therefore, each unit may nominate up to five candidates.

A director must reside in the appraisal district for at least two years immediately preceding the date he or she takes office, and must not have delinquent property taxes. An employee of a taxing unit is not eligible to serve as a director unless the employee is also an elected official.

The presiding officer of the taxing unit submits the names and addresses of the nominees by written resolution to the chief appraiser by October 15, 2023. Names submitted after this date will not be listed on the ballot. The resolution must be adopted by majority vote of your taxing unit's governing body. Each unit will then receive a ballot before October 30, 2023.

Enclosed you will find the voting entitlement for each of the voting taxing units. Please submit nominees only at this time.

I have enclosed a document outlining the steps in the selection process and a copy of the Property Tax Code regarding eligibility

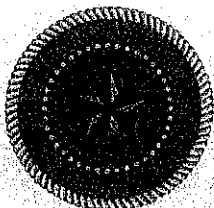
Please call on me if you have any questions about the selection process.

Sincerely,

Shanna Ramzinski

Shanna Ramzinski
Chief Appraiser

Encl; Vote allocation
Process letter
Tax Code §6.03



211 Bufkin Ln
P.O. Box 900
Lockhart, Texas 78644
United States

PHONE (512) 398-5550
FAX (512) 398-5551
E-MAIL general@caldwellcad.org
WEB SITE www.caldwellcad.org

CALDWELL COUNTY APPRAISAL DISTRICT VOTE ALLOCATION FOR BOARD OF DIRECTORS SELECTION 2024-2025 TERM

TAXING UNIT	2022 TAX LEVY	ALL LEVIES	Quotient	X 1000	= Product	X # Members	= VOTES	ROUNDED VOTES
CALDWELL COUNTY	\$24,032,242.99 /	\$78,245,137.88 =	0.3071404	X 1000 =	307.1	X 5	= 1535.7	1536
CITY LOCKHART	\$7,059,211.33 /	\$78,245,137.88 =	0.09021917	X 1000 =	90.2	X 5	= 451.1	451
CITY LULING	\$1,628,544.83 /	\$78,245,137.88 =	0.02081337	X 1000 =	20.8	X 5	= 104.1	104
CITY MARTINDALE	\$370,640.43 /	\$78,245,137.88 =	0.00473691	X 1000 =	4.7	X 5	= 23.7	24
CITY MUSTANG RIDGE	\$117,700.29 /	\$78,245,137.88 =	0.00150425	X 1000 =	1.5	X 5	= 7.5	8
CITY NIEDERWALD	\$53,784.92 /	\$78,245,137.88 =	0.00068739	X 1000 =	0.7	X 5	= 3.4	3
CITY OF SAN MARCOS	\$201,971.53 /	\$78,245,137.88 =	0.00258127	X 1000 =	2.6	X 5	= 12.9	13
CITY OF UHLAND	\$29,998.60 /	\$78,245,137.88 =	0.00038339	X 1000 =	0.4	X 5	= 1.9	2
LOCKHART ISD	\$31,092,500.44 /	\$78,245,137.88 =	0.39737294	X 1000 =	397.4	X 5	= 1986.9	1987
LULING ISD	\$6,949,638.72 /	\$78,245,137.88 =	0.08881879	X 1000 =	88.8	X 5	= 444.1	444
PRAIRIE LEA ISD	\$1,881,412.44 /	\$78,245,137.88 =	0.0240451	X 1000 =	24.0	X 5	= 120.2	120
HAYS ISD	\$1,068,659.36 /	\$78,245,137.88 =	0.01365784	X 1000 =	13.7	X 5	= 68.3	68
GONZALES ISD	\$510,092.08 /	\$78,245,137.88 =	0.00651915	X 1000 =	6.5	X 5	= 32.6	33
SAN MARCOS ISD	\$2,752,511.70 /	\$78,245,137.88 =	0.03517805	X 1000 =	35.2	X 5	= 175.9	176
WEALDER ISD	\$417,721.54 /	\$78,245,137.88 =	0.00533863	X 1000 =	5.3	X 5	= 26.7	27
AUSTIN COM COLLEGE	\$78,506.68 /	\$78,245,137.88 =	0.00100334	X 1000 =	1.0	X 5	= 5.0	5
TOTAL	\$78,245,137.88	\$78,245,137.88					5000	5001

* = Not including Plum Creek Conservation, Plum Creek Underground, Caldwell-Hays ESD1, Gonzales Underground, Caldwell ESD2, Caldwell ESD3, Caldwell ESD4, Bollinger MUD, Caldwell Co MUD 1, 2, 3, 4, Chisholm MUD 1, Cotton Center MUD 2, Caldwell Valley MUD 1

* = Only Levy within Caldwell County PTC 6.03d

STEPS IN THE VOTING PROCESS TO ELECT DIRECTORS OF THE CALDWELL COUNTY APPRAISAL DISTRICT

- 1 Chief appraiser delivers written notice of nominations process and voting entitlement before October 1, 2023 to:
 - County Judge
 - County Commissioners
 - Mayors
 - City Managers
 - City Secretaries (if no city manager)
 - School Board Presidents
 - School Superintendents
- 2 Governing body adopts resolution nominating from one to five candidates for directors.
- 3 Presiding officer of governing body submits the resolution naming the unit's nominees to the chief appraiser no later than October 15, 2023.
- 4 Chief Appraiser delivers ballot to the presiding officer of each governing body before October 30, 2023.
- 5 Governing body determines its vote by resolution and submits it to the chief appraiser no later than December 15, 2023.
- 6 Chief appraiser counts the votes, declares the five candidates who receive the most votes elected, and submits the results to the governing bodies and the candidates before December 31, 2023.

NOTES TO DECISIONS

Analysis

- Energy & Utilities Law
 - Oil, Gas & Mineral Interests
 - General Overview
- Evidence
 - Procedural Considerations
 - Burdens of Proof
 - General Overview
- Tax Law
 - State & Local Taxes
 - Real Property Tax
 - General Overview

ENERGY & UTILITIES LAW**Oil, Gas & Mineral Interests**

General Overview. — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

EVIDENCE**Procedural Considerations****Burdens of Proof**

General Overview. — Where a mineral lease crossed

county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

TAX LAW**State & Local Taxes****Real Property Tax**

General Overview. — Where a mineral lease crossed county lines, a county appraisal district incorrectly valued the minerals for purposes of ad valorem taxation by calculating the percentage of surface acres in the county and applying that percentage to the mineral interest; its burden under Tex. Tax Code Ann. § 21.01 to prove the situs of the taxable property allowed it to tax only minerals actually in the county, in accordance with the provisions of Tex. Const. art. VIII, § 11 and Tex. Const. art. VIII, § 20 for property to be assessed at fair market value in the county where situated, and of Tex. Tax Code Ann. § 6.01(a), (b) and Tex. Tax Code Ann. § 6.02(a) for an appraisal district in each county. *Devon Energy Prod., L.P. v. Hockley County Appraisal Dist.*, 178 S.W.3d 879, 169 Oil & Gas Rep. 78, 2005 Tex. App. LEXIS 9177 (Tex. App. Amarillo Nov. 3, 2005, no pet.).

ATTORNEY GENERAL OPINIONS

Jurisdiction.

Despite the enactment of House Bill 1010 by the Eightieth Legislature, an appraisal district operating in overlapping territory by operation of Tex. Tax Code Ann. § 6.02(b) retains authority to hear and determine pending corrective motions and taxpayer protests concerning property in that territory that relate to the 2007, or prior, tax year. 2008 Tex. Op. Att'y Gen. GA-0631, 2008 Tex. AG LEXIS 45.

Savings Clause.

After the 2007 legislation that altered the legal framework for

appraising property for ad valorem taxation in taxing units located in more than one county, an appraisal district is still responsible for litigation filed against it prior to January 1, 2008, and involving property that is no longer in its appraisal district; the general savings clause continues in effect relevant portions of Tex. Tax Code Ann. § 6.02, such that a taxing district has continuing authority to defend itself in the pending litigation, and a taxing unit has a continuing obligation to pay the related costs. 2008 Tex. Op. Att'y Gen. GA-0590, 2008 Tex. AG LEXIS 2.

Sec. 6.025. Overlapping Appraisal Districts; Joint Procedures [Repealed].

Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(3), effective January 1, 2008.

HISTORY: Enacted by Acts 1995, 74th Leg., ch. 186 (H.B. 623), § 1, effective January 1, 1996; am. Acts 1997, 75th Leg., ch. 1357 (H.B. 670), § 1, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 250 (H.B. 1037), § 1, 2, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 455 (H.B. 703), § 1, effective January 1, 2004; am. Acts 2003, 78th Leg., ch. 1041 (H.B. 1082), § 1, effective January 1, 2004.

ATTORNEY GENERAL OPINIONS

Overlapping Districts.

With respect to property lying in overlapping appraisal districts, section 6.025(d) of the Tax Code requires the chief appraiser of each of the overlapping districts to enter in the

appraisal records the lowest values, appraised and market, listed by any of the overlapping districts. 2004 Tex. Op. Att'y Gen. GA-0283.

Sec. 6.03. Board of Directors.

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under

Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

(b) Members of the board of directors other than a county assessor-collector serving as a nonvoting director serve two-year terms beginning on January 1 of even-numbered years.

(c) Members of the board of directors other than a county assessor-collector serving as a nonvoting director are appointed by vote of the governing bodies of the incorporated cities and towns, the school districts, the junior college districts, and, if entitled to vote, the conservation and reclamation districts that participate in the district and of the county. A governing body may cast all its votes for one candidate or distribute them among candidates for any number of directorships. Conservation and reclamation districts are not entitled to vote unless at least one conservation and reclamation district in the district delivers to the chief appraiser a written request to nominate and vote on the board of directors by June 1 of each odd-numbered year. On receipt of a request, the chief appraiser shall certify a list by June 15 of all eligible conservation and reclamation districts that are imposing taxes and that participate in the district.

(d) The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district.

(e) The chief appraiser shall calculate the number of votes to which each taxing unit other than a conservation and reclamation district is entitled and shall deliver written notice to each of those units of its voting entitlement before October 1 of each odd-numbered year. The chief appraiser shall deliver the notice:

(1) to the county judge and each commissioner of the county served by the appraisal district;

(2) to the presiding officer of the governing body of each city or town participating in the appraisal district, to the city manager of each city or town having a city manager, and to the city secretary or clerk, if there is one, of each city or town that does not have a city manager;

(3) to the presiding officer of the governing body of each school district participating in the district and to the superintendent of those school districts; and

(4) to the presiding officer of the governing body of each junior college district participating in the district and to the president, chancellor, or other chief executive officer of those junior college districts.

(f) The chief appraiser shall calculate the number of votes to which each conservation and reclamation district entitled to vote for district directors is entitled and shall deliver written notice to the presiding officer of each conservation and reclamation district of its voting entitlement and right to nominate a person to serve as a director of the district before July 1 of each odd-numbered year.

(g) Each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution adopted by its governing body one candidate for each position to be filled on the board of directors. The presiding officer of the governing body of the unit shall submit the names of the unit's nominees to the chief appraiser before October 15.

(h) Each conservation and reclamation district entitled to vote may nominate by resolution adopted by its governing body one candidate for the district's board of directors. The presiding officer of the conservation and reclamation district's governing body shall submit the name of the district's nominee to the chief appraiser before July 15 of each odd-numbered year. Before August 1, the chief appraiser shall prepare a nominating ballot, listing all the nominees of conservation and reclamation districts alphabetically by surname, and shall deliver a copy of the nominating ballot to the presiding officer of the board of directors of each district. The board of directors of each district shall determine its vote by resolution and submit it to the chief appraiser before August 15. The nominee on the ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district if the nominee received more than 10 percent of the votes entitled to be cast by all of the conservation and reclamation districts in the appraisal district, and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(i) If no nominee of the conservation and reclamation districts receives more than 10 percent of the votes entitled to be cast under Subsection (h), the chief appraiser, before September 1, shall notify the presiding officer of the board of directors of each conservation and reclamation district of the failure to select a nominee. Each conservation and reclamation district may submit a nominee by September 15 to the chief appraiser as provided by Subsection (h). The chief appraiser shall submit a second nominating ballot by October 1 to the conservation and reclamation districts as provided by Subsection (h). The conservation and reclamation districts shall submit their votes for nomination before October 15 as provided by Subsection (h). The nominee on the second nominating ballot with the most votes is the nominee of the conservation and reclamation districts in the appraisal district and shall be named on the ballot with the candidates nominated by the other taxing units. The chief appraiser shall resolve a tie vote by any method of chance.

(j) Before October 30, the chief appraiser shall prepare a ballot, listing the candidates whose names were timely submitted under Subsections (g) and, if applicable, (h) or (i) alphabetically according to the first letter in each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote.

(k) [Effective until January 1, 2022] The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(k) [Effective January 1, 2022] Except as provided by Subsection (k-1), the governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15. The chief appraiser shall count the votes, declare the five candidates who receive the largest cumulative vote totals elected, and submit the results before December 31 to the governing body of each taxing unit in the district and to the candidates. For purposes of determining the number of votes received by the candidates, the candidate receiving the most votes of the conservation and reclamation districts is considered to have received all of the votes cast by conservation and reclamation districts and the other candidates are considered not to have received any votes of the conservation and reclamation districts. The chief appraiser shall resolve a tie vote by any method of chance.

(k-1) [Effective January 1, 2022] This subsection applies only to an appraisal district established in a county with a population of 120,000 or more. The governing body of each taxing unit entitled to cast at least five percent of the total votes must determine its vote by resolution adopted at the first or second open meeting of the governing body that is held after the date the chief appraiser delivers the ballot to the presiding officer of the governing body. The governing body must submit its vote to the chief appraiser not later than the third day following the date the resolution is adopted.

(l) If a vacancy occurs on the board of directors other than a vacancy in the position held by a county assessor-collector serving as a nonvoting director, each taxing unit that is entitled to vote by this section may nominate by resolution adopted by its governing body a candidate to fill the vacancy. The unit shall submit the name of its nominee to the chief appraiser within 45 days after notification from the board of directors of the existence of the vacancy, and the chief appraiser shall prepare and deliver to the board of directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

(m) [Repealed by Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008.]

HISTORY: Enacted by Acts 1979, 66th Leg., ch. 841 (S.B. 621), § 1; am. Acts 1981, 67th Leg., 1st C.S., ch. 13 (H.B. 30), §§ 15, 167(a), effective January 1, 1982; am. Acts 1987, 70th Leg., ch. 59 (S.B. 469), § 1, effective September 1, 1987; am. Acts 1987, 70th Leg., ch. 270 (H.B. 268), § 1, effective August 31, 1987; am. Acts 1989, 71st Leg., ch. 1123 (H.B. 2301), § 2, effective January 1, 1990; am. Acts 1991, 72nd Leg., ch. 20 (S.B. 351), § 15, effective August 26, 1991; am. Acts 1991, 72nd Leg., ch. 371 (H.B. 864), § 1, effective September 1, 1991; am. Acts 1993, 73rd Leg., ch. 347 (S.B. 7), § 4.06, effective May 31, 1993; am. Acts 1997, 75th Leg., ch. 165 (S.B. 898), § 6.73, effective September 1, 1997; am. Acts 1997, 75th Leg., ch. 1039, § 2, effective January 1, 1998; am. Acts 1999, 76th Leg., ch. 705 (H.B. 834), § 1, effective January 1, 2000; am. Acts 2003, 78th Leg., ch. 629 (H.B. 2043), effective June 20, 2003; am. Acts 2007, 80th Leg., ch. 648 (H.B. 1010), § 5(4), effective January 1, 2008; am. Acts 2013, 83rd Leg., ch. 1161 (S.B. 359), § 1, effective June 14, 2013; am. Acts 2021, 87th Leg., ch. 644 (H.B. 988), § 3, effective January 1, 2022.

NOTES TO DECISIONS

Analysis

- Constitutional Law
 - Equal Protection
 - Scope of Protection
- Governments
 - Local Governments
 - Finance
- Tax Law
 - State & Local Taxes
 - Personal Property Tax
 - General Overview
 - Real Property Tax
 - Assessment & Valuation
 - General Overview

CONSTITUTIONAL LAW

Equal Protection

Scope of Protection. — Judgment that denied a municipal utility district's request to declare Tex. Tax Code Ann. § 6.03(c), (d), (f), (h), (i) unconstitutional was affirmed because a political subdivision did not have any equal protection rights; equal protection rights were vested in persons. *Colony Municipal Utility Dist. v. Appraisal Dist. of Denton County*, 626 S.W.2d 930,

1982 Tex. App. LEXIS 3784 (Tex. App. Fort Worth Jan. 13, 1982, no writ).

GOVERNMENTS

Local Governments

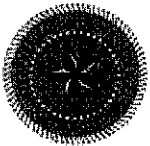
Finance. — Appraisal districts were created by statute and constituted political subdivisions of the State and constituted entities independent from the cities and counties within their borders; the McLennan County Appraisal District was neither a city nor a county for purposes of the constitutional provision. *Hoppenstein Props. v. McLennan County Appraisal Dist.*, No. 07-13-00035-CV, 2014 Tex. App. LEXIS 5413 (Tex. App. Amarillo May 20, 2014).

TAX LAW

State & Local Taxes

Personal Property Tax

General Overview. — Three-fourths of county taxing units was not authorized by Tex. Tax Code Ann. § 6.03 to change method of selecting board of director members for local tax appraisal district because state legislature provided a clear formula concerning voting entitlement. *Huffman v. Arlington*, 619 S.W.2d 425, 1981 Tex. App. LEXIS 3815 (Tex. Civ. App. Fort Worth June 18, 1981, no writ).



(<https://caldwellcad.org>)



(CURRENT)

Board of Directors

Board of Directors

Board Member	Location
Sally Daniel	Lockhart
Kathy Haigler	Dale
Alfredo Munoz	Lockhart
Linda Hinkle	Lockhart
Kayline Cabe	Dale

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: September 19, 2023

AGENDA ITEM CAPTION: Discussion and/or action to consider an interlocal agreement between the City and Caldwell County regarding EMS services.

ORIGINATING DEPARTMENT AND CONTACT: Administration - Steven Lewis

ACTION REQUESTED: Agreement

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart has contracted with the Seton Family of Hospitals for ambulance, personnel, and management services for operating EMS services for the City. That contract expires on September 30, 2023, and Seton has indicated that it does not intend to renew it. Earlier this year, Caldwell County received a petition for the creation of a new Emergency Services District No. 5, which, if approved by voters on November 7, 2023, would provide ambulance and EMS services for portions of Caldwell County and Lockhart. Even if ESD No. 5 is approved by voters in November, it will still take several months for the District to be fully funded. Therefore, pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, the County and the City are negotiating an Interlocal Agreement for the provision of emergency medical services, which contemplates that the parties will evenly split costs for such services during this interim period until ESD No. 5 is approved by voters.

The draft of the ILA will be provided once finalized.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:

Funds Required:

Account Number:

Funds Available:

Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: Staff respectfully recommends approval as presented.

City of Lockhart, Texas

**Council Agenda Item
Cover Sheet**

LIST OF SUPPORTING DOCUMENTS: .



Lockhart

T E X A S

2022-2023 Strategic Work Plan



The Strategic Planning Process

From January through April 2022, the City of Lockhart embarked on a strategic planning process to create strategic priorities for 2022-2023. The following is the process used to reach the conclusions for the plan:

The process kicked off with a preliminary Zoom between the City Manager, Steve Lewis, Mayor Lew White, and professional facilitator Alysia A. Cook, PCED, IOM with Opportunity Strategies LLC. The three met to review key issues facing the city, understand the programs and projects currently underway, and to prepare the process and format for the planning session.

On April 8, 2022, the City of Lockhart Management Team met at the Library for Part 1 of the Strategic Work Planning Session for 2022-2023.

On April 9, 2022, the City of Lockhart City Council and City Manager met at the Library for Part 2 of the Strategic Work Planning Session for 2022-2023.



Day One – Management Team

Day One began with City Manager Steve Lewis reviewing with the Management Team the City of Lockhart's accomplishments and success stories of 2021.

Following that, the City Manager and the facilitator shared some leadership concepts and considerations with the Lockhart Management Team. This led to some group discussions about the importance of continuous learning and leadership development.

The City Manager discussed with the participants that when goals are adopted by the City Council, they provide a positive impact for the Management Team in at least 4 different ways:

- a) Direction is clearly set by City Council
- b) Once that direction is established, differences can be discussed in a more open, less polarizing manner
- c) Saves time in decision making on projects/programs
- d) City Manager's recommendations can be better aligned with ultimate objectives

Mission of Lockhart Management Team

To promote and influence the alignment of organizational resources by focusing on:

- a) Organizational planning and issues
- b) Open communication with elected officials, staff, boards, commissions, and citizens
- c) Ensuring City of Lockhart is a leader in Central Texas regarding issues with community relevance
- d) Implementing programs that derive from the City Council and community's goals

Start – Stop – Continue

The facilitator then engaged the Management Team in a group exercise called *Start – Stop – Continue* which divides participants into small groups and has them offer feedback on what the City needs to start doing, stop doing, and continue doing.

These are individual manager recommendations and not necessarily agreed to by all managers or by City Council members. The responses are as follows:

Start

- Long-term capital planning
- Increasing non-emergency communications
- Administering annual customer service surveys that are statistically valid
- Developing recreation programs
- Indoor community recreation center
- City facilities and community infrastructure improvements
- New spaces for city facilities
- Modernize Human Resources policies including technology
- A vehicle acquisition fund
- Decreasing steps in the hiring process
- Staff planning for future growth
- Modernizing our contracts, best practices, attorney, etc. including reviewing for mutually beneficial language and avoiding one-sided contracts

Stop

- Ineffective/outdated contracts
- Thinking small
- Six-month probationary period for personnel
- Reconnecting customers after 10pm
- Providing free services (such as banners and road closures) and establish a fee schedule for these special requests
- Requiring utility inspections for every change of occupant

Continue

- Longevity pay
- Forward-looking planning for quality growth
- Law enforcement outreach with community
- Contracting (sending RFPs) for solid waste collection
- Supporting tourism
- Modernizing technology, e.g. paperless, Go Green
- Enhancing community investment
- Planning our wayfinding and signage
- Growing events that enhance overnight stays in Lockhart and maximize HOT \$ collections
- Economic growth including considering developing a 4th industrial park
- Striving for improved customer service
- Community engagement including public open houses and social media



Next, the Management Team embarked on a discussion around the following topics which also included some departmental reports on the status of various projects:

- Growth Trends
- Land Development
- Economic Development
- Service Delivery
- Workforce Development
- Long Range Financial Outlook

Following those discussions, the facilitator led the Management Team through a discussion of what they each thought should be the 2022-2023 goals City Council would establish the following day. She recorded those recommendations, then the group reached consensus on what would be put forth to the Council to consider.

The final decisions for 2022-2023 were made by City Council the following day and are listed below.

Day Two – City Council

Day Two began with City Manager Steve Lewis reviewing with City Council the City of Lockhart's accomplishments and success stories of 2021.

Expectations – City Council

Following that, the facilitator asked City Council to share any expectations for the day. Responses were as follows:

- TxDOT – Wayfinding and Signage
- Summerside Subdivision turn lane and traffic light
- Urgent Care facility
- Comprehensive mental health care for first responders
- Keeping City Staff wages competitive
- Need for an Assistant City Manager
- Need for a grantwriter
- Regional animal shelter
- Next industrial park and/or property

The following is the City of Lockhart 2022-2023 Strategic Work Plan.

City of Lockhart Vision:

- To be a first-class community that has maintained its integrity and sense of community characterized by livable neighborhoods and quality schools.
- To be a City that focuses on family by ensuring quality recreational and cultural activities, services, housing, economic, and educational opportunities that promote a well-rounded productive member of the community.
- To be a City that is friendly to visitors and future residents with a spirit of fellowship and cooperation by accommodating their needs and recognizing the wealth in cultural, ethnic and age diversity.
- To be a City committed to sustainability by diligently balancing community needs with available resources and managing growth in a smart and fiscally responsible manner.
- To be a City that celebrates and embraces its long and rich history by reinvesting in neighborhoods, preserving areas and buildings of historic significance and returning the Central Business District to an economically viable and lively activity center.
- To be a City recognized for the quality of its built environment and the integration of the natural landscape throughout the community.
- To be a City that ensures a good balance between residential, commercial, industrial, and public/institutional uses supported by quality infrastructure and transportation systems.
- To be a City known for its innovative solutions to managing growth, progressiveness of City government, and responsiveness to the needs of citizens and businesses.

Source: Lockhart 2020 Comprehensive Plan

Goal #1:

**City
Facilities**

Goal #2:

**Human Resources/
Staffing**

Goal #3:

**Parks &
Recreation**

Goal #4:

Infrastructure

Goal #5:

**Modernization &
Communications**

Goal #6:

**Development &
Quality of Life**

Goal #7:

**Revenue
Sustainability**

2022-2023 Goals:

Each of the following seven goals is guided by the values of diversity and inclusion. Diversity and inclusion are a tapestry that is woven through every goal, every service, and every program.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

- 1.1 Consider which facilities improvements should be funded by certificates of obligation vs. bonds
- 1.2 Begin plans to replace/update City Hall
- 1.3 Begin plans to replace/update Police/Fire/Training facilities
- 1.4 Begin plans to replace/update Maintenance/City Barn Utilities
- 1.5 Reclaim old space at the hospital
- 1.6 Lease additional space at the EDC building
- 1.7 Conduct a Facilities Study with architects and engineers
- 1.8 Consider Airport improvements (TxDOT Aviation) in the study

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

- 2.1 Hire ACM (Assistant City Manager) immediately
- 2.2 Hire City Manager Support Staff (Executive Assistant or Administrative Assistant)
- 2.3 Once new ACM is hired, assign him/her with developing a Staffing Plan
- 2.4 Once new ACM is hired, assign him/her with developing a Succession Plan
- 2.5 Consider adding additional staff city-wide as needed
- 2.6 Retain law enforcement officers by ensuring compensation competitiveness
- 2.7 Implement a formal EAP (Employee Assistance Program)
- 2.8 Secure a grantwriter (explore opportunities for hiring one vs. contractor)

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

- 3.1 Develop adult and youth programming that utilize existing facilities
- 3.2 Conduct successful outreach to sports leagues across Texas and neighboring states
- 3.3 Consider new Parks & Rec facilities such as pickleball, volleyball, and frisbee golf
- 3.4 Plan for and implement safety improvements of existing facilities
- 3.5 Plan for and implement aesthetic improvements of existing facilities
- 3.6 City Council requests to meet with Parks & Rec Director and City Manager to discuss ideas and brainstorm next steps in the Parks Plan including:
 - Work session, then tour Parks facilities with Parks & Rec Director
 - Discuss short-term vs. long-term Parks & Rec needs
 - Develop plan to survey citizens including bond exploration

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

- 4.1 Conduct public open houses to determine public wishes for Downtown
- 4.2 Council to approve a final Downtown Conceptual Design and authorize staff to implement
- 4.3 Consider an additional commercial district with retail and mixed-use offerings
- 4.4 Issue the RFP for a Comprehensive Plan update (hire firm by January 2023, then CIP (capital improvement plan) to follow
- 4.5 Explore downtown WiFi options including geofencing

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

- 5.1 PIO (Public Information Officer) to secure proposals for a new website design including:
 - Online forms and application portals (permitting, employment, variance requests, etc.)
 - Must be mobile responsive platform
 - Ensure ease of use and innovative utility of site
 - Include a portal to the Lockhart Economic Development Corporation website
- 5.2 Hire a consultant to 1) build a survey to ask the public what information they seek to find on the City of Lockhart website and 2) compare Lockhart website to other communities with high utilization of an innovative website
- 5.3 Streamline application processes of permits, developer proposals, engineering, employment, etc. to be placed on website (see 5.1)
- 5.4 Verify internet access at all City facilities



Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

- 6.1 Consider proposed sidewalk ordinance
- 6.2 Facilitate/incentivize more housing options including:
 - Rental housing options
 - Workforce housing options
 - Higher-income housing
 - Infill/revitalized housing within centers of commerce (existing or planned)
 - Senior/retiree housing
- 6.3 Continue to promote family-friendly events in Downtown
- 6.4 Encourage higher development standards (within state legislature constraints) to research modernization techniques and make recommendations to City Manager for consideration
- 6.5 Continue to implement Animal Control Audit recommendations
- 6.6 Continue to provide concerts on the square

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

- 7.1 Explore and increase film production permitting fees
- 7.2 Create and implement fees for banners, road closures, event special requests
- 7.3 Use grantwriter (see 2.8) to find and write grants that benefit the City of Lockhart and its residents
- 7.4 Conduct discussions between City Council and Staff regarding which items can/should be funded by certificates of obligation vs. bonds
- 7.5 Update/increase construction permit fees and impact fees
- 7.6 Explore a bond vote for the items proposed by Parks & Rec and Council from Goal #3
- 7.7 Explore the concept of a Community Foundation with community benefactor options including other communities who have successfully created and implemented a Community Foundation

City of Lockhart Leadership

The 2022 City Council and Management Team participating:

City Council:

Lew White, Mayor
Angie Gonzales-Sanchez, Mayor Pro-Tem
Brad Westmoreland, Councilmember At-Large
Juan Mendoza, Councilmember District 1
David Bryant, Councilmember District 2
Kara McGregor, Councilmember District 3
Jeffrey Michelson, Councilmember District 4

Management Team:

Steve Lewis, City Manager
Julie Bowermon, Director of Human Resources
Connie Constancio, City Secretary
Travis Hughes, Director of Parks & Recreation
Randy Jenkins, Fire Chief
Mike Kamerlander, Economic Development Director
Sean Kelley, Public Works Director
Pam Larison, Director of Finance
Bobby Leos, Electric Superintendent
Victoria Maranan, Public Information Officer
Bertha Martinez, Director of Library Services
Ernest Pedraza, Chief of Police





City of Lockhart

2020-2021 Strategic Priorities

Prepared by:

