

**ORDINANCE NO. 2016-02 R**

**Revised/Approved to Correct Scrivener's Errors JULY 26, 2016**

**AN ORDINANCE GRANTING A ZONE CHANGE FROM SF9, SINGLE FAMILY RESIDENTIAL-9 AND A/OS – AGRICULTURAL/OPEN SPACE TO PD, RESIDENTIAL PLANNED DEVELOPMENT FOR APPROXIMATELY 90.91 ACRES WITHIN A11 BASTROP TOWN TRACT, LOCATED NORTH OF THE RAILROAD TRACTS ON THE NORTHWEST CORNER OF RIVERWOOD/HAWTHORNE AND CARTER STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS AS PART OF THE PINEY CREEK BEND; SETTING OUT CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, David Singleton, Southwest Land Services (hereinafter referred to as “Applicant”) submitted a request for a zone change from SF9, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 90.91 acres situated in the A11 Bastrop Town Tract, located north of the railroad tracks on the northwest corner of Riverwood/Hawthorne and Carter Street within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

**WHEREAS**, a copy of the Metes and Bounds Survey and location map is attached hereto as Exhibit “A” (the “Property”); and

**WHEREAS**, the Property is currently zoned as SF9, Single Family Residential and A/OS – Agricultural/Open Space; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on December 3, 2015; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission has recommended a PD, Residential Planned Development zoning designation for the Property, See Exhibit A-1, Exhibit B and Exhibit C; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on January 12, 2016 to consider the Applicant’s request to rezone the Property to PD, Residential Planned Development; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property, which is currently zoned as SF9,

Single Family Residential and A/OS – Agricultural/Open Space, to a new designation of PD, Residential Planned Development.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP THAT:**

Part 1: The Property, situated in A11 Bastrop Town Tract, located north of the railroad tracks on the northwest corner of Riverwood/Hawthorne and Carter Street within the City limits of Bastrop, Texas, as more particularly shown and described on attachments Exhibit “A”, shall be and is hereby rezoned from its prior designation of SF9, Single Family Residential and A/OS – Agricultural/Open Space to a new zoning designation of PD, Residential Planned Development.

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

Part 3: The Zoning Ordinance standards should be amended as follows:

Piney Creek Bend has been designed to create a walkable, pedestrian friendly neighborhood. The PD standards are shown in **Exhibit A-1**. The contents of this PD further explain and illustrate the overall appearance and function desired for this community. A Land Use Plan (**Exhibit B**) and Conceptual Lot Layout (**Exhibit C**) are attached to illustrate the general community vision and design. The Conceptual Lot Layout depicts a mix of residential products and open space areas that are contemplated within the community. The final Development shall not exceed a total of 170 residential lots.

Proposed Lot Size

District	Min. Lot Area	Min. Dwelling Unit Size	Min. Lot Width	Min. Lot Depth	Min. Front Yard	Min. Interior Side Yard	Min. Ext. Yard (See Sec.43.3)	Min. Rear Yard	Max. Height of Build	Max. Lot Coverage by Build
PD*** URBAN 50'	6,000 sq. ft.	1000 sq. ft.	50'	110'*	20'	7.5	15'***	15'	2.5 stories 35'	50%
PD**** SUB-URBAN 60'	7,200 sq. ft.	1200 sq. ft.	60'	120'*	20'	7.5'	15'***	15'	2.5 stories 35'	50%

\* A maximum of 10% of the lots may be less than the required depth due to the geometry of a cul-de-sac or other geographic feature.

\*\* Corner lots shall be ten feet (10') wider to provide for the additional side setback.

\*\*\* Minimum of 50 lots but no more than 60% of the total single-family lot count

\*\*\*\* Minimum of 50 lots but no less than 40% of the single-family lot count

To allow architectural consistency with locally prevalent and regionally appropriate architectural styles, roof pitches lower than 4:12 will be allowed within the PD.

- **Urban 5** (Single-Family Residential Detached) – 6,000 sf. lots Minimum of 50 lots but no more than 60% of the total single-family lot count.
- **Suburban 6** (Single-Family Residential Detached) – 7,200 sf. lots Minimum of 50 lots but no less than 40% of the single-family lot count.

Total residential lot layout shall not exceed 170 lots.

Other-Use Categories –

### **Trails and Parkland**

A substantial portion of the site will be dedicated as parkland/open space and development of the site will include a trail system tying back into the sidewalks creating a network of pedestrian ways within the community that can ultimately be connected to and become a critical link in the regional trail system envisioned by the City. A proposed Land Use Plan with a schematic layout of proposed trails is shown on attached Exhibit B. Parkland and Open Space will be a minimum of 25 acres.

### **Garage / Parking Standards**

All garage and parking standards established in the City of Bastrop Code of Zoning Ordinances shall apply.

### **Fencing**

All lots that back onto parks or floodplain areas shall utilize 6 foot, wrought iron or decorative tubular metal view fencing.

### **Flag Lots**

In order to provide a legal lot for the detention ponds [if necessary] within the Piney Creek Bend subdivision, the minimum flag lot width shall be fifteen (15) feet. This provision shall not apply to residential lots.

Part 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: This ordinance shall take effect upon the date of final passage noted below and all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas. and shall remain in force for a period of up to ten (10) years, with the possibility of an extension to be granted by the City, at the written request of the Developer, if at the end of the original ten (10) year Term the Developer has successfully completed a minimum of sixty percent 60% of the construction of the required infrastructure and residential structures in the Development, as shown on the Piney Creek Bend- Conceptual Lot Layout, [see Exhibit C] final Site Plan, that has been approved and accepted by the City.



READ and ACKNOWLEDGED on First Reading on the 12<sup>th</sup> day of January 2016.

READ and APPROVED on the Second Reading on the 16<sup>th</sup> day of February 2016.

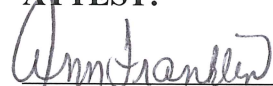
REVISED and APPROVED, by consent, to correct scrivener's errors on the 26th day of July 2016.

**APPROVED:**



**Ken Kesselus, Mayor**

**ATTEST:**



**Ann Franklin, City Secretary**