

**ORDINANCE 2019-73**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, REZONING 1.866 ACRES OF BRADFORD SUBDIVISION, LOT 2 FRACTION FROM P-3 NEIGHBORHOOD, TO P-4 MIX, LOCATED AT 1903 MAIN STREET, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; INCLUDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Steve & Kerry Fossler (hereinafter referred to as “Property Owner”) submitted a request to 1.866 acres of Bradford Subdivision, Lot 2 Fraction, within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

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

**WHEREAS**, the Property is currently zoned as P-3 Neighborhood; and

**WHEREAS**, the Property Owner is requesting to be rezoned to P-4 Mix; and

**WHEREAS**, the Future Land Use Designation for this Property is The Neighborhood Residential character area is for single-family residential subdivision development, associated amenities such as parks, trails, open spaces, and public uses such as schools, fire stations, and in some instances, transitions between developments and adjacent character areas may include higher density housing types or neighborhood oriented commercial uses of limited scale; and

**WHEREAS**, pursuant to Texas Local Government Code Section 211, 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 November 21, 2019; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission motion to approve the request failed by a vote of three to four; and

**WHEREAS**, the City Council of the City of Bastrop held a public hearing on November 26, 2019 to consider the Property Owner’s request; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicants, and all other information presented, City Council finds by a vote of 5-0 that it is in the public interest to approve the rezoning.

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

**Section 1:** The Property, situated on 1.866 acres of Bradford Subdivision, Lot 2 Fraction, located 1903 Main Street, in the city limits of Bastrop, Texas as more particularly shown on attachment Exhibit A is rezoned to P-4 Mix.

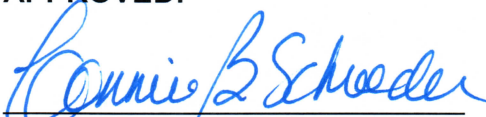
**Section 2:** If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 3:** This ordinance shall take effect upon the date of final passage noted below, or when 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.


**READ and ACKNOWLEDGED** on First Reading on the 26<sup>th</sup> day of November 2019.

**READ and APPROVED** on the Second Reading on the 10<sup>th</sup> day of December 2019.

**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

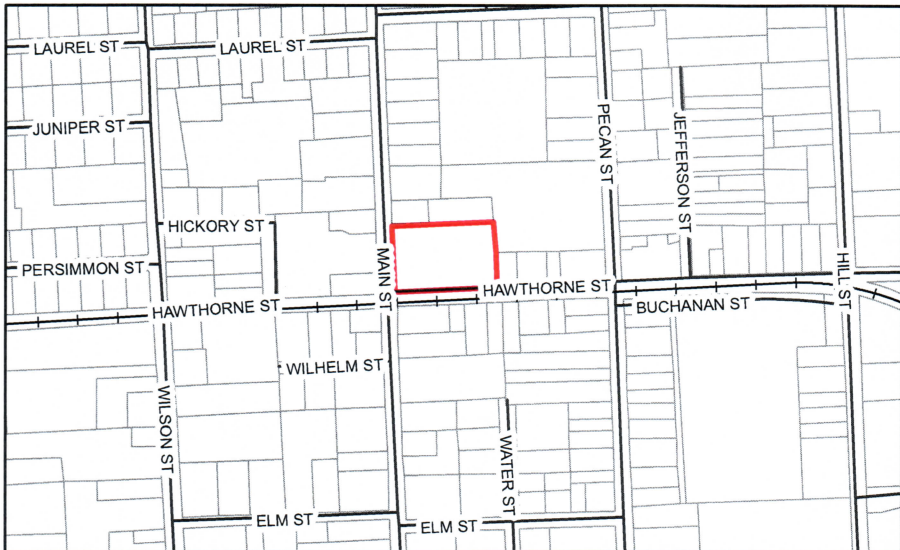
**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

# Exhibit A Location Map



## 1903 Cedar Street Rezone Request

Date: 11/12/2019

The accuracy and precision of this cartographic data is limited and should be used for information/planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.



1 inch = 104 feet

