

## ORDINANCE 2022-21

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING THE PEARL RIVER ZONING CONCEPT SCHEME, CHANGING THE ZONING FOR 26.902 ACRES FROM P2 RURAL TO P4 MIX AND 29.718 ACRES TO P5 CORE OUT OF THE NANCY BLAKEY SURVEY, AND ESTABLISHING A CONCEPT PLAN ON 74.974 ACRES, WITH 10% CIVIC SPACE REQUIRED DURING DEVELOPMENT, LOCATED EAST OF FM 969 AND NORTH OF SH 71, WITHIN THE CITY LIMITS OF BASTROP, TEXAS, AS SHOWN IN EXHIBITS A & B, PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY AND ENFORCEMENT, PROPER NOTICE AND MEETING; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bastrop, Texas (City) is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, on or about June 13, 2022, the applicant, PRC 01 Bastrop, LLC submitted a request for zoning modifications; and,

**WHEREAS**, City Council has reviewed the request for zoning modifications, and finds the request to be reasonable and proper under the circumstances; and,

**WHEREAS**, the City Staff has reviewed the request for zoning modifications, and finds it to be justifiable based upon the Future Land Use Designation for this Property is Industry, which allows for a wide range of commercial and retail uses; and

**WHEREAS**, the 74.974 acres of the Nancy Blakey Survey, Abstract 98 were annexed into the city limits of Bastrop on September 13, 2022, with the default zoning of P2 Rural, as established in the Bastrop Building Block (B<sup>3</sup>) Code, Section 2.3.003 "Zoning Upon Annexation"; and

**WHEREAS**, in accordance with Texas Local Government Code Chapter 211, public notice was given, and a public hearing was held before the City of Bastrop Planning and Zoning Commission (P&Z) on July 28, 2022, which made a unanimous recommendation by a vote of 6-0 for approval of the rezoning request; and

**WHEREAS**, in accordance with Texas Local Government Code Chapter 211, public notice was given, and a public hearing was held before the City Council regarding the requested zoning modification; and

**WHEREAS**, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that are for good

government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, after consideration of public input received at the hearing on August 23, 2022, the information provided by the Applicants, and all other information presented, City Council finds that it necessary and proper to enact this Ordinance.

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

**Section 1:** The Property, 26.902 acres out of land out of the Nancy Blakey Survey is rezoned from P2 Rural to P4 Mix and 29.718 acres out of land out of the Nancy Blakey Survey is rezoned from P2 Rural to P5 Core and a Concept Plan is established, requiring the provision of the 10% Civic Space requirement at final plat, either through the dedication of parkland/open space, or through rezoning, located east of FM 969 and north of SH 71, within the City Limits of Bastrop, Texas as more particularly shown on Exhibits A & B.

**Section 2:** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**Section 3:** All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 4:** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

**Section 5:** The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance. Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

**Section 6:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**Section 7:** This Ordinance shall be effective immediately upon passage and publication.


**READ & ACKNOWLEDGE** on First Reading on this the 23rd day of August 2022.

**READ & ADOPTED** on Second Reading on this the 13th day of September 2022.


**APPROVED:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney  
Rezzin Pullum, Assistant City Attorney

PEARL RIVER

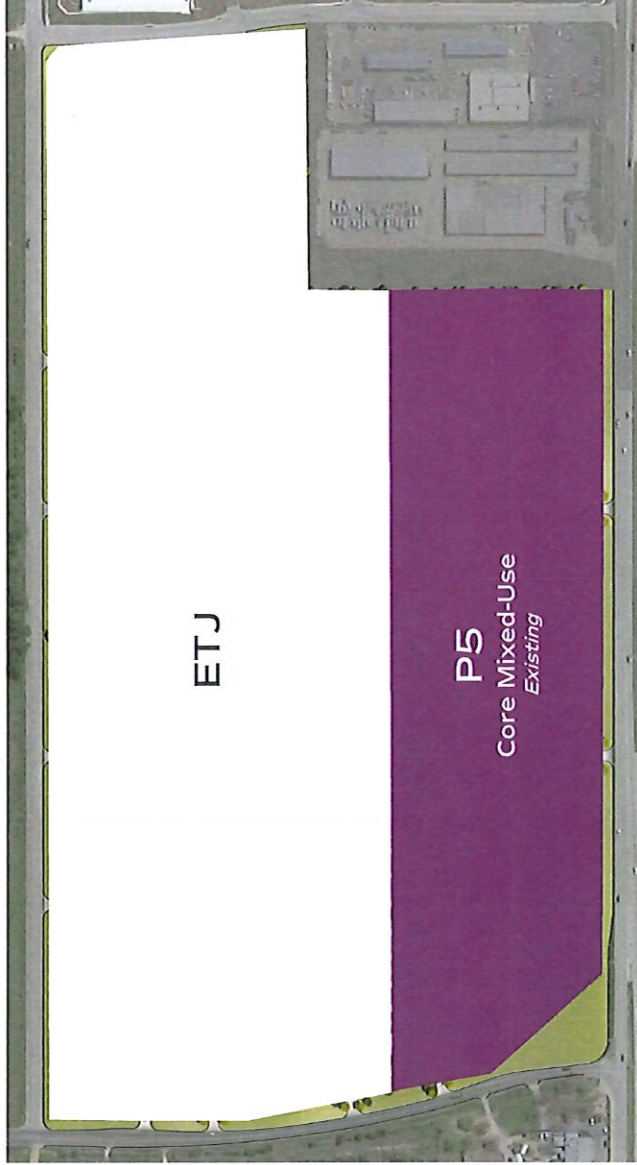
# Entitlements

ANNEXATION & P5 CORE MIXED-USE ZONING

+/- 10%

Civic Space

PER B3 CODE TO BE IDENTIFIED WHEN THE PROPERTY IS PLATTED



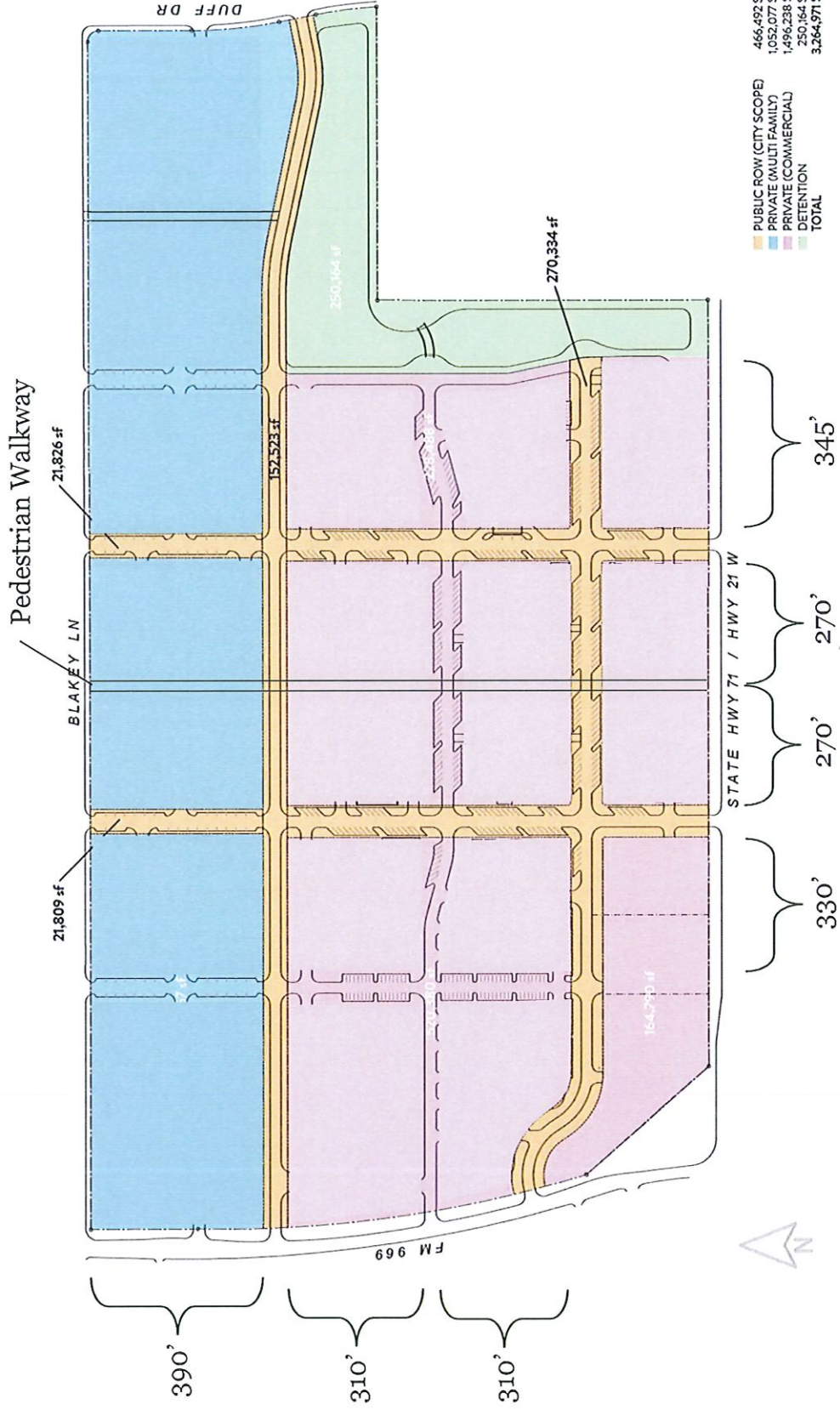
Existing Zoning



Requested Zoning

PEARL RIVER

# Block Dimensions





**A METES AND BOUNDS  
DESCRIPTION OF A  
56.620 ACRE TRACT OF LAND**

BEING a 56.620 acre (2,466,385 square feet) tract of land situated in the Nancy Blakey Survey, Abstract 98, Bastrop County, Texas; and being a portion of a tract called "Reserve" on the plat of Lone Star Storage Subdivision, recorded in Cabinet 4, Page 163-A of the Official Public Records of Bastrop County, also being a portion of that certain 74.974 acre tract described in instrument to PRC 01 Bastrop, LLC, recorded in Document No. 202200112 of the Official Public Records of Bastrop County; and being more particularly described by metes and bounds as follows:

COMMENCING, at a "TXDOT" Concrete Monument found marking the southwest corner end of a cutback at the intersection northerly right-of-way line of State Highway 71 (300' right-of-way wide) and the easterly right-of-way line of Farm to Market Road 969 (80' right-of-way wide), and marking the southern-most southwest corner of the herein described tract;

THENCE, in a northwesterly direction along a said Farm to Market Road 969, the following four (4) courses and distances.

1. North 43°37'41" West, 370.98 feet to a "TXDOT" Concrete Monument found for corner;
2. in a northerly direction along a non-tangent curve to the right, having a radius of 2824.79 feet, a chord North 17°41'54" West, 146.68 feet, a central angle of 2°58'32", and an arc length of 146.69 feet to a POINT OF BEGINNING and southwest corner of the herein described tract;
3. in a northerly direction continuing along a tangent curve to the right, having a radius of 2824.79 feet, a chord North 08°36'51" West, 746.83 feet, a central angle of 15°11'33", and an arc length of 749.02 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner;
4. North 02°26'48" West, 243.14 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE, North 87°41'49" East, 2687.44 feet departing the westerly right-of-way line of said Farm to Market Road 969 and along the southerly line of Blakey Lane "North Road Segment II" recorded in Volume 1799, Page 356 of the Official Public Records of Bastrop County, to a 1/2-inch iron rod with plastic cap stamped "KHA" set marking the northwest end of a right-of-way cutback curve at the intersection with the westerly line of Duff Drive (60' wide right-of-way) recorded in Cabinet 5, Page 145A of the Amended Plat of Lots 1, 2, and 3, Block A, Burleson Crossing;

THENCE, along westerly line of said Duff Drive, the following five (5) courses and distances;

1. in a southeasterly direction along a non-tangent curve to the right, having a radius of 25.00 feet, a chord South 47°18'11" East, 35.36 feet, a central angle of 90°00'54", and an arc length of 39.28 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for a point of curvature;
2. South 02°18'11" East, 211.62 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner;
3. in a southerly direction along a tangent curve to the left, having a radius of 1030.00 feet, a chord of South 07°52'45" East, 200.16 feet, a central angle of 11°09'07", and an arc length of 200.48 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for point of tangency;
4. South 13°27'19" East, 85.21 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for a point of curvature;
5. in a southerly direction along a tangent curve to the right, having a radius of 970.00 feet, a chord of South 09°19'29" East, 139.73 feet, a central angle of 08°15'40", and an arc length of 139.86 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner marking the northwest corner of Lot 1 of a said Lonestar Storage Subdivision;

THENCE, along the northwest boundary line of said Lot 1, the following two (2) courses and distances;

1. South 87°45'06" West, 663.82 feet to a 1/2-inch iron rod with plastic cap stamped "KHA" set for corner;
2. South 02°14'54" East, 330.32 feet to a point for corner;

THENCE, South 87°45'51" West, 2018.62 feet to the POINT OF BEGINNING, and containing 56.620 acres of land in Bastrop County, Texas. The basis of this description is the Texas State Plane Coordinate System, Central Zone (FIPS 4203) (NAD'83). All distances are on the Surface and shown in U.S. Survey Feet. The Combined Surface to Grid Scale Factor is 1.0000139976. This description was generated on 8/8/2022 at 5:40 PM, based on geometry in the drawing file K:\SNA\_Survey\069300300-PEARL RVR-BASTROP 75AC\DWG\Exhibits\56.620 AC - Pearl River Bastrop Core.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texas.



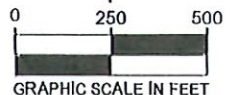
**EXHIBIT OF A  
56.620 ACRE  
NANCY BLAKEY SURVEY,  
ABSTRACT NO. 98  
BASTROP COUNTY, TEXAS**

JOHN G. MOSIER  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6330  
601 NW LOOP 410, SUITE 350  
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*John G. Mosier*  
8-9-22

<b>Kimley»Horn</b>		10101 Reunion Place, Suite 400 San Antonio, Texas 78216		FIRM # 10193973		Tel. No. (210) 541-9166 www.kimley-horn.com	
		Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	DJG	JGM	8/9/2022	069300300	1 OF 2		



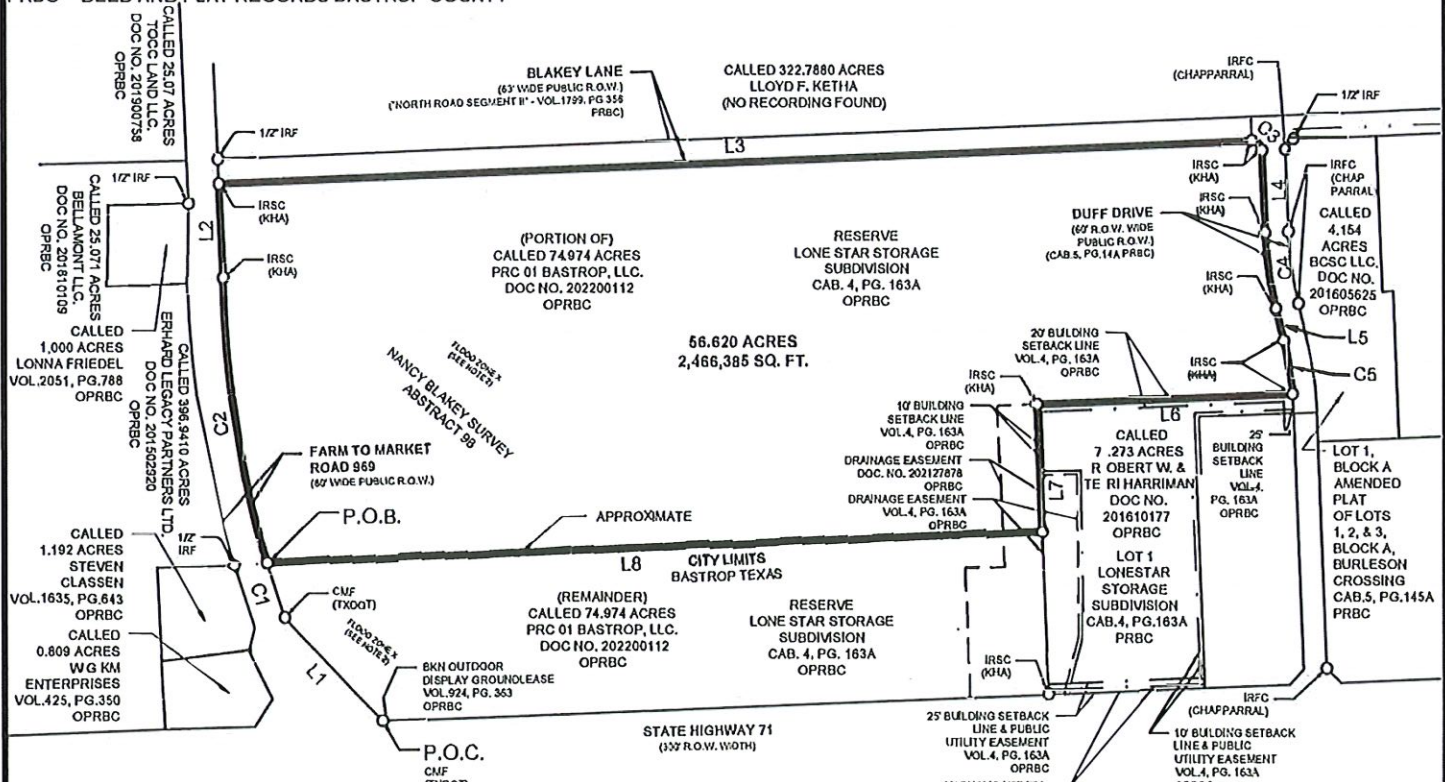


CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	2°58'32"	2824.79'	146.69'	N17°41'54"W	146.68'
C2	15°11'33"	2824.79'	749.02'	N08°36'51"W	746.83'
C3	90°00'54"	25.00'	39.28'	S47°18'11"E	35.36'
C4	11°09'07"	1030.00'	200.48'	S07°52'45"E	200.16'
C5	8°15'40"	970.00'	139.86'	S09°19'29"E	139.73'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N43°37'41"W	370.98'
L2	N02°26'48"W	243.14'
L3	N87°41'49"E	2687.44'
L4	S02°18'11"E	211.62'
L5	S13°27'19"E	85.21'
L6	S87°45'06"W	663.82'
L7	S02°14'54"E	330.32'
L8	S87°45'51"W	2018.62'

**LEGEND:**

- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- IRSC = 1/2" IRON ROD W/ "KHA" CAP SET
- 1/2" IRF = IRON ROD FOUND
- 1/2" IRFC = IRON ROD FOUND (W/CAP STAMPED "\_\_\_\_")
- CMF = CONCRETE MONUMENT FOUND
- CAB. = CABINET NUMBER
- DOC. = CABINET NUMBER
- PG. = PAGE
- OPRBC = OFFICIAL PUBLIC RECORDS BASTROP COUNTY
- PRBC = DEED AND PLAT RECORDS BASTROP COUNTY



GEODETIC NOTE: THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (FIPS 4203) (NAD'83), AS DETERMINED BY THE GLOBAL POSITIONING SYSTEM (GPS). ALL DISTANCES SHOWN HEREON ARE ON THE SURFACE. THE COMBINED GRID TO SURFACE SCALE FACTOR FOR THE PROJECT IS 1.0000139976. THE UNIT OF LINEAR MEASUREMENT IS U.S. SURVEY FEET.

CERTIFICATION: THIS IS A LEGAL DESCRIPTION BASED ON A FIELD SURVEY BY KIMLEY-HORN PERSONNEL. NO IMPROVEMENTS ARE SHOWN. ALL EXISTING EASEMENTS ARE NOT SHOWN. THIS IS NOT A LAND TITLE SURVEY. SEE THE SEPARATE LAND TITLE SURVEY UNDER JOB NUMBER 069300300 FOR ADDITIONAL INFORMATION.

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 REGISTERED PROFESSIONAL  
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*John G. Mosier*  
 8-9-22

**EXHIBIT OF A**  
**56.620 ACRE**  
 NANCY BLAKEY SURVEY,  
 ABSTRACT NO. 98  
 BASTROP COUNTY, TEXAS

**Kimley»Horn**

10101 Reunion Place, Suite 400 San Antonio, Texas 78216 FIRM # 10193973 Tel. No. (210) 541-9166 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 500'	DJG	JGM	8/9/2022	069300300	2 OF 2