

**ORDINANCE 2017-27**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN INDOOR COMMERCIAL AMUSEMENT USE, FOR LOT 2 OF HUNTER'S CROSSING SUBDIVISION, SECTION 2-A, LOCATED AT 201 HUNTER'S CROSSING BOULEVARD, SUITE 14, WITHIN THE CITY LIMITS OF BASTROP, TEXAS; PROVIDING A SEVERABILITY CLAUSE, SETTING OUT CONDITIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Deborah Brunn & Rachel Bailey (hereinafter referred to as "Applicant") submitted a request on behalf of the property owner for a Conditional Use Permit (CUP) to allow an Indoor Commercial Amusement use for an indoor playground in Lot 2 of Hunter's Crossing Subdivision, Section 2-A, 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 Hunter's Crossing Planned Development, Zone Hx-C, Commercial; and

**WHEREAS**, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of a public hearing for the Conditional Use Permit given to all property owners located within two hundred (200) feet of the Property; and

**WHEREAS**, after notice was posted in the paper and public hearing held, the Planning and Zoning Commission, voted unanimously to recommend approval to City Council; and

**WHEREAS**, the City Council of the City of Bastrop held a public hearing on the Conditional Use Permit on October 10, 2017 to consider the Applicant's request for an indoor playground; 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 by a majority vote of all members that it is in the public interest to approve the CUP.

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

**Section 1:** The Property, situated in Lot 2 of Hunter's Crossing Subdivision, Section 2-A, located at 201 Hunter's Crossing Boulevard Suite 14, within the city limits

of Bastrop, Texas as more particularly shown and described on attachments Exhibit "A", shall be and is hereby approved with the following conditions to:

1. Construction shall be in conformance with all City of Bastrop regulations.
2. All necessary permits for the proposed development shall be acquired prior to occupying the building.
3. A Building Permit shall be applied for and secured within one year from the date the Conditional Use Permit is granted (second reading of the ordinance).
4. No building, premise, or land used under a Conditional Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Conditional Use Permit is granted for such enlargement, modification, structural alteration, or change.

**Section 2:** The City Manager and/or their designees are hereby authorized and directed to make the necessary changes to all records of the City of Bastrop to reflect this change.

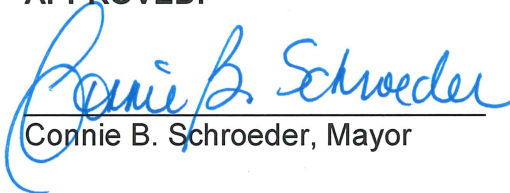
**Section 3:** If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 4:** 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 10<sup>th</sup> day of October 2017.

READ and APPROVED on the Second Reading on the 24<sup>th</sup> day of October 2017.

**APPROVED:**

  
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Connie B. Schroeder, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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





- Property
- City Boundary
- Non-Annex Areas (DAs)
- ETJ Areas**
- Statutory (1-mi)
- Area A
- Area B

**Exhibit A**  
**Location Map**  
**Conditional Use Permit**  
**201 Hunters Crossing Blvd Ste 14**  
**R95378**

1 inch = 200 feet

Date: 9/7/2017

**N** 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 assume 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.