

City of Bastrop



Agenda Information Sheet:

Planning and Zoning Commission Meeting Date:
ZO 11-08

October 27, 2011
Agenda Item #7

Public Notice Description:

Public Hearing, consideration and possible recommendation to City Council on a requested rezoning change from AOS, Agriculture Open Space, to MF-2, Multi-Family Dwelling-2 for +/-11.20 acres within the Mozea Rousseau Survey, A-56, located south of Childers Drive within the City limits of Bastrop, Texas.

Item Summary:

Owner: DM Pecan Park Associates, LTD, Duke McDowell
Applicant: Lynn Alderson, Alderson Group
Location: Between Perkins Street and Childers Drive
Utilities: City water, sewer, and Bluebonnet electric
Zoning: AOS, Agriculture Open Space
Land Use Plan: Agricultural/Rural

Background/Request:

The 11.20 acres, located primarily behind Walmart the west of the terminus of Childers Drive. The property is currently vacant and is used agriculturally. The property is located adjacent to residentially zoned property. The tract currently has no street frontage. Future access could be gained from the extension of Childers Drive, but is not currently constructed. City Council has approved an amendment to the Thoroughfare Plan to have a collector level street that is proposed to extend from the proposed Schaffer Boulevard (HWY 71 by Wendy's) and extend through the owners remaining tract to connect to Childers Drive.

The Pecan Park Final Plat was approved by City Council in November 2005, but has never been recorded. The 2005 plat designates this property as part of a "reserve tract" which could be re-subdivided in the future once the plat is recorded. The property owner is currently working with Staff to either record his "approved but not recorded" Final Plat or replat the entire property.

This property was previously part of a 37.54 acre rezoning request in September 2008 for MF-2 that was denied by City Council. The owners/applicants do not have a particular layout in mind, but hope MF-2 will allow flexibility. Staff feels this area would be more suited for a Planned Development District (PD) which would provide more flexibility or a lesser zoning district perhaps MF-1, Multiple-Family -1 or SFA, Single Family Attached.

MF-2, Multiple – Family -2 District would allow a density of up to twenty-five (25) dwelling units per acre. The principal permitted land uses include low-rise multiple-family dwellings and garden apartments. This district should be located adjacent to a major thoroughfare and serve as a buffer between retail/commercial development or heavy automobile traffic and medium or low density residential development.

Permitted uses are Multiple-Family Dwellings greater than two units per building.

Aerial of are to be Rezoned to MF-2 = 11.20 acres



Proposal:

The owner/applicant is requesting a zoning change to MF-2, Multiple-Family-2 District. Staff has not seen a proposed layout or design of the proposed development.

The east/adjacent 26.25 acre property is under a separate zoning request for MF-1.

The following chart depicts general residential uses and identifies which uses are allowed within the zoning districts. I have highlighted MF-2.

USE CHART ZONING ORDINANCE CITY OF BASTROP, TEXAS																						
	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CT	C-1	C-2	IP	LI	PD	MHO	
X = Permitted in District; = Prohibited in District; C = May be allowed with a Conditional Use Permit																						
Primary Residential Uses Sec. 36.2																						
Bed and Breakfast Inn or Facility	X	C	C	C	C	C	C	X	X		X	X	X	X	X	X	X				X	
Boarding or Rooming House								X	X		X	X	X	X							X	
Community Home (per State Statue)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CT	C-1	C-2	IP	LI	PD	MHO	
Fraternity or Sorority House								X	X		X	X	X	X								
Housing for the Elderly/Senior								X	X		X	X	X	X							X	
Manufactured/HUD-Code Mobile Home	C	C	C	C	C					X											X	X
Manufactured Home Park										X											X	X
Mobile Home Subdivision										X											X	X
Multiple Family Dwelling (Apartment)									X		X	X	X	X							X	
Multiple Family Dwelling (Quadrplex)								X	X		X	X	X	X								
Patio Home (Zero Lot Line Dwelling)																					X	
Single Family Dwelling Attached						C	X	X	X					X							X	
Single Family Dwelling Detached		X	X	X	X	X	X	X	X	X				X	X						X	X
Two Family Dwelling (Duplex)						X	X	X	X												X	
Accessory and Incidental Uses Sec. 36.3																						
Accessory Building (Residential) +240 s.f. -	X	C	C	C	C	C	C	C	X		X	X	X	X	X	X	X	X	X	X	X	X
Accessory Building (Residential) -240 s.f.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Accessory Building Non Residential (Bus/Ind)											X	X	X	X	X	X	X	X	X	X	X	X
Caretaker's or Guard's Residence	X	C						X	X		X	X	X	X	X	X	X	X	X	X	X	X
Garage/Accessory Dwelling (See Sec 40.4)	X	X	C	C	C	C	C	X	X		X	X	X	X	X	X	X	X	X	X	X	X
Home Occupation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Off street Parking Incidental to Main Use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Swimming Instruction as Home Occupation	C	C	C	C	C	C	C	C	C	C	X	X	X	X	X	X	X	X	X	X	X	C
Swimming Pool (Private)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Temp Field Office/Const. Yard or Office Subject to Permit issued by Building Official																						
Tennis Court (Lighted)	C	C							C		X	X	X	X	X	X	X	X	X	X	X	C
Tennis Court (Private)(No Lights)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Surrounding Zoning and Land Uses:

Location	Zoning	Future Land Use Plan
North (Commercial)	C-2, Commercial	Retail/Office
South (Vacant, same owner)	SF-7, Residential	Agricultural/Rural
East (Vacant, same owner)	AOS, Agricultural Open Space	Agricultural/Rural
West (Vacant, same owner)	SF-7, Residential	Agricultural/Rural

Comprehensive Plan Conformance:

The City's comprehensive plan, adopted by Bastrop City Council on May 8, 2001, serves as a guide for land use policy decisions to be made by the City. State law requires that zoning regulations are in conformance with the City's Comprehensive Plan. The Land Use chapter of the Comprehensive Plan establishes land use policy priorities and goals for the City's future development. In establishing these policies, the Comprehensive Plan divides the community into various land use categories.

The Subject Tract is designated on the future Land Use Plan map as Agricultural/Rural Development.

Agriculture and Rural Development (Beige)

Cultivated cropland, orchards/vineyards, pasture and sparsely populated areas that are still distinct from more urbanized areas

In General

- Potential negative land use impacts (noise, odor, pollution, excessive light, traffic, etc.) should be considered and minimized.
- Neighboring land uses should not detract from the enjoyment or value of properties.
- Transportation access and circulation should be provided for uses that generate large numbers of trips. Pedestrian and bicycle access should be addressed where appropriate.
- Compatibility with existing uses should be maintained. Well planned, mixed uses which are compatible are to be encouraged.
- Floodplain areas should not be encroached upon by future development unless there is compliance with stringent floodplain management practices. These areas should be used for parks or recreational or related purposes, or for agricultural uses.
- Environmentally sensitive areas should be protected, including wildlife habitat areas and topographically constrained areas within the floodplain.

Residential

- Schools, parks and community facilities should be located close to or within residential neighborhoods.
- Residential areas should not be next to industrial areas.
- Houses should have direct access to residential streets but not to primary streets.
- Houses should not be adjacent to major highways.
- Residential and commercial areas may be adjacent if separated by a buffer.
- Neighborhoods should be buffered from primary streets.
- Residential developments should include adequate area for parks and recreation facilities, schools and churches.
- Manufactured homes should be located at appropriate sites within the city where there are similar homes.

Other General Observations

In addition to the zoning recommendations above, the following observations are also provided for the City's consideration:

- The City should use its zoning and regulatory authority to influence development types, site design (building placement and bulk, parking, landscaping, etc.) and aesthetics at “gateway” locations into Bastrop.
- Zoning regulations should be carefully applied along proposed new roadways depicted on the Bastrop Thoroughfare Plan to regulate development intensity, promote aesthetic quality, and manage access effectively to protect the long-term traffic capacity and safety of Bastrop’s principal roadways.
- The 2020 Land Use Plan includes recommended but generalized future land use for the City’s primary growth area to the west of the current city limits. The future land use plan should serve as initial guidance for more detailed land use planning as these areas are considered for potential annexation, whereupon the City’s zoning regulations would be applied to these areas for the first time.

Future Land Use Designation:

The Comprehensive Plan also establishes a future Land Use Plan map that distributes the various land use districts throughout the City’s planning area. While the future Land Use Plan map is not intended to be a parcel specific mandate for how land is developed, it is the primary guide for the City in evaluating development proposals. When a development proposal differs from the future Land Use Plan, it is the responsibility of the City to determine whether the proposal is in keeping with the general goals and objectives of the Comprehensive Plan.

The Subject Tract is designated on the future Land Use Plan map as Agriculture and Rural Development. If the Planning and Zoning Commission and City Council find that the requested zoning MF-2, Multi Family- 2 is appropriate, the Planning and Zoning Commission and City Council should take the necessary steps to update to the future Land Use Plan map during the annual amendment process to change the land use designation of the Subject Property to Apartments (or more appropriate district), the adjacent neighboring use category, that is most appropriate to those use allowed in the zoning district for the Subject Tract.

Comments: Six (6) adjacent property owner notifications were mailed 10/12/2011. No public comments have been received.

Staff Basis of Denial: Staff does not support the zoning change, because the current/adopted land use plan identifies this area as Agricultural/Rural and currently the tract does not have appropriate street access. This property could meet the intent of the zoning district to have access to a thoroughfare and serve as a buffer between retail/commercial developments, but access is not provided at this time. Staff feels this tract would work better as PD, MF-1, or SFA. This property is currently situated between the adjacent SF-7 and C-2 zoning districts. As the property currently stands, MF-2 does not seem to work with the surrounding zoning districts and lack of street network. Also, the Future Land Use Plan will need to be updated, prior to a change in the zoning district.

City Contact:

Melissa M. McCollum, AICP, LEED AP - Director
 Planning and Development

Attachments:

Letter from property owner request and surrounding property owner responses.



September 30, 2011

Yvonne Pritchard
City of Bastrop Planning Department
1311 Chestnut Street
Bastrop, Texas 78602

RE: Change in Zoning for 11.20 Acres known as Pecan Park

Dear Ms. Pritchard:

Please find the attached a formal application for zoning change for an 11.20 acre property fronting on Childers Drive in the City Limits of Bastrop, Texas. The property is currently undeveloped and zoned Agricultural/ Open Space (A/O). The request is for an up zoning to Multi-Family Dwelling-2 (MF-2).

The subject property is described as follows:

Being an 11.20 acre tract of land out of the Mozea Rousseau Survey,
Abstract No. 56, in Bastrop County Texas as recorded in volume 1482
page 70 of the Official Records of Bastrop County, Texas.

A copy of metes and bounds for this tract has been included with this submittal. Should you have any questions or require additional information please contact my office. Thank you for your assistance with this application.

Sincerely,

Lynn Alderson, P.E.
Principal

Cc: Duke McDowell-DM Pecan Park Associates, LTD

RECEIVED
OCT 03 2011

BY

11.20 ACRES
AOS to MF2

RECEIVED
OCT 03 2011



LCRA CORP
C/O LOWER COLORADO RIVER
AUTHORITY
R89454
3700 LAKE AUSTIN BLVD
AUSTIN, TX 78703

JAYAVENKAT LTD
R36991
137 COLONY CT
BASTROP, TX 78602

SOFT Hotels LLC (O0199738)
R28878
3120 Montopolis Dr
Austin, TX 78744

JAYAVENKAT LTD (O0008342)
R103281
137 COLONY CT
BASTROP, TX 78602

WAL-MART (O0132089)
R26372
REAL ESTATE BUSSS TRUST #1042
PROPERTY TAX # 0555
PO BOX 8050
BENTONVILLE, AR 72712-8050

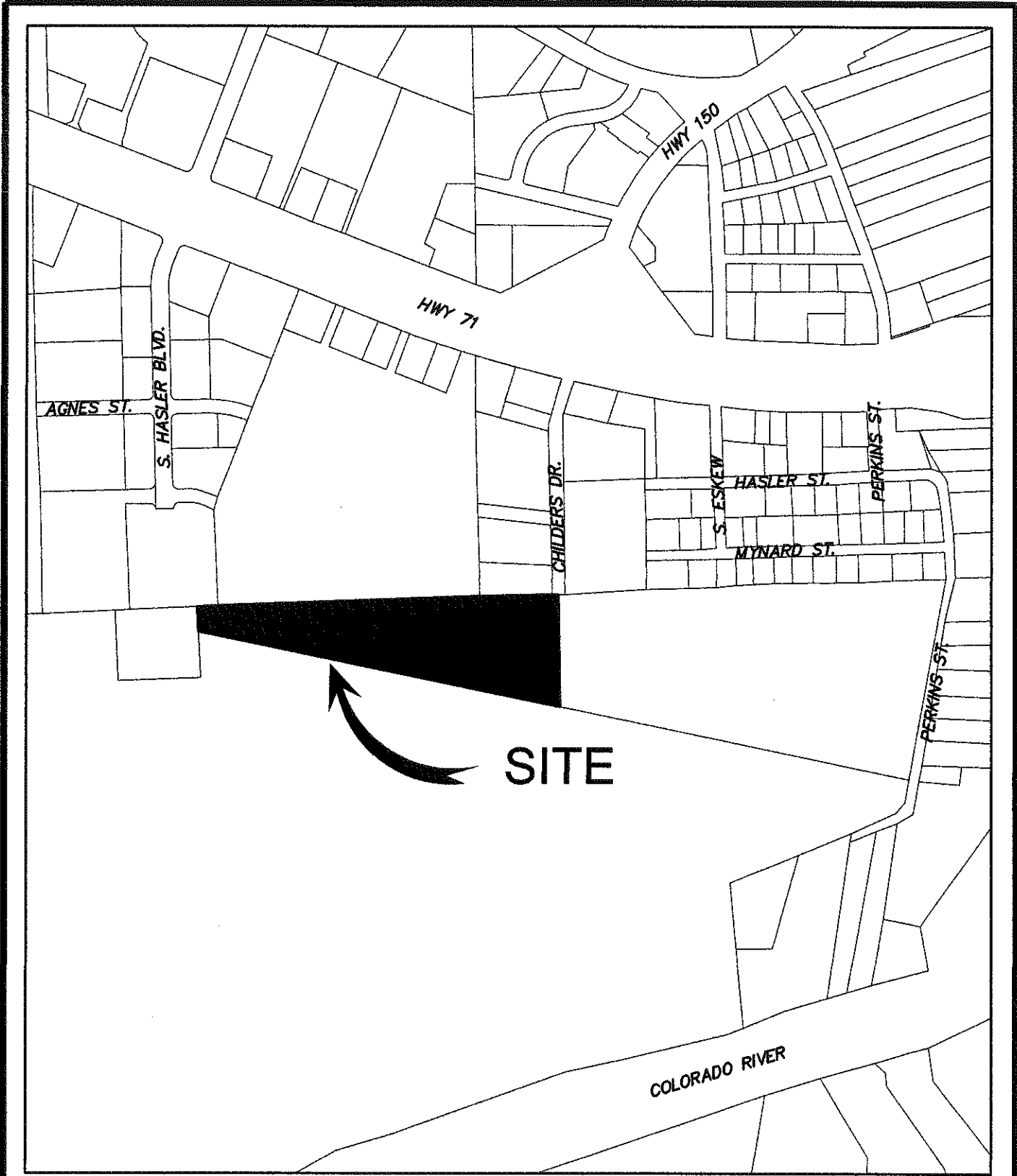
202 Childers Lane LLC (O0210719)
R422295
P.O. Box 17205
Richmond, VA 23226

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 Dripping Springs, TX 78620
 (512) 364-0989

TEXAS REGISTERED
 ENGINEERING FIRM
 7-11804

OCT 08 2011

Pecan Park

11.20 AC Zoning Area

Bastrop, Texas 78602

EXHIBIT

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October 2011