

## Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, March 30, 2017 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

### 1. Call to order.

Lisa Patterson called the meeting to order at 6:00 p.m.

### 3. Introduction of and comments from the new Commission members and Impact Fee Advisory Fee member, Diana Rose, Cynthia Meyer, Alyssa Halle-Schramm and Dawn Kana.

- a. Administer Oath of Office for new Planning and Zoning Commission member, Diana Rose.
- b. Administer Oath of Office for new Planning and Zoning Commission member, Cynthia Meyer.
- c. Administer Oath of Office for new Planning and Zoning Commission member, Alyssa Halle-Schramm.
- d. Administer Oath of Office for new Fee Advisory Committee member, Dawn Kana.

Wesley Brandon administrated the oath of office for the new commission members Alyssa Halle-Schramm, Cynthia Meyer, and Diana Rose.

### 2. Roll call and confirmation of a quorum of Commission members.

Richard Kindred	Present
Patrick Connell	Present
Lisa Patterson	Present
Bryan Whitten	Present
Tish Winston	Absent
Debbie Moore	Present
Diana Rose	Present
Cynthia Meyer	Present
Alyssa Halle-Schramm	Present

### 5. Nomination of a new Vice-Chair and Secretary.

Lisa Patterson opened up the floor for nominations for Vice-Chair.

Richard Kindred made a motion to nominate Debbie Moore for the position of Vice-Chair of the Planning and Zoning Commission. Bryan Whitten seconded the motion and the motion carried unanimously.

Bryan Whitten made a motion to close the nominations and elect Debbie Moore to the position of Vice-Chair of the Planning and Zoning Commission by acclamation. Patrick Connell seconded the motion and the motion carried unanimously.

Lisa Patterson opened up the floor for nominations of Secretary.

Debbie Moore made a motion to nominate Richard Kindred for the position of Secretary of the Planning and Zoning Commission. Bryan Whitten seconded the motion and the motion carried unanimously.

Bryan Whitten made a motion to close the nominations and elect Richard Kindred to the position of Secretary for the Planning and Zoning Commission by acclamation. Patrick Connell seconded the motion and the motion carried unanimously.

- 4. Citizen comments. *(During this time, persons may address the Planning and Zoning Commission on any issue not otherwise listed on this Agenda. Please observe the time limit of three (3) minutes for general citizen comments. In accordance with the State of Texas Open Meeting Act, the Commission may not comment, deliberate or take action on such citizen comments/statements during this meeting, except as authorized by Section 551.042, Texas Government Code.)***

There were no citizens comments.

- 6. Consider, discuss and/or approve the Planning and Zoning Commission meeting minutes of January 26, 2017.**

Patrick Connell stated for the record he would like to amend the minutes to reflect the “it does not increase the number of units permitted on-site”.

Debbie Moore made a motion to approve the minutes as amended. Richard Kindred seconded the motion and the motion carried unanimously with Alyssa Halle-Schramm, Cynthia Meyer and Diana Rose abstaining from the vote.

- 7. Public Hearing: Discussion and possible action on a request for a CUP, Conditional Use Permit, to allow a church administration building to be constructed at 1208 Water Street, situated on an 0.44 acre tract, being a portion of Farm Lot 1, East of Main Street, an area currently zoned N, Neighborhood, within the city limits of Bastrop.**

Wesley Brandon addressed the Commission and stated the Applicant, First United Methodist Church, is applying for a Conditional Use Permit to allow a church administration building to be constructed at 1208 Water Street, situated on 0.44 acre tract, being a portion of Farm Lot 1, East of Main Street, an area zoned N, Neighborhood, within the city limits of Bastrop.

Wesley Brandon presented to the Commission in the packet the subject property includes the vacant parcel located at the corner of Beech and Water Street, and the applicant would construct a new church administration building on the site.

The new church administration building meet all requirements as outlined in the Form Based Code, and Chapters 3 and 14 of the Code of Ordinances.

The church is proposing a 1,869 sq. ft. single story frame and brick veneer building facility that will house their administration staff of four to six people. Currently, the church has an adequate amount of off-street parking. The parking lot and alleyway parking located on the property is adjacent to this parcel. A Site Development Plan will need to be submitted and approved prior to building/construction.

Staff supports the Conditional Use Permit. The use will comply with all other area regulations, including setbacks and lot coverage and will have no detrimental impacts on adjacent property.

Staff recommends approval of the Conditional Use Permit to build the an administrative building at 1208 Water Street situated on an 0.44 acre tract, being a portion of Farm Lot 1, East of Main Street, an area currently zoned N, Neighborhood, within the city limits of Bastrop.

1. Construction shall be in conformance with the City of Bastrop regulations, and a Site Development Plan will be approved before development starts.
2. All necessary permits for the proposed development shall be acquired prior to construction of the church administration building on the subject property.
3. A Building Permit shall be applied for and secured within one (1) year from the date the Conditional Use Permit is granted (second reading of the ordinance).

Ten (10) adjacent property owner notifications were mailed 3/15/2017, and three had been received with two opposed and one with no objection to the proposed request.

Wesley Brandon emphasized in his presentation to the Commission the rear elevation would actually be facing the street, but that he had emphasized to the applicant that it would have to meet the same façade criteria for all front facing facades in the Form Based Code.

Wesley Bandon stated the Applicant had also conveyed the Staff the would be incorporating the entire block into one large lot in their subdivision plat prior to the Site Development process.

The Commission emphasized the wanted the Applicant to design this as closely as possible to have the look and feel of a residential structure.

The Commission asked if this would be spot zoning. Wesley Brandon replied no because the request from the applicant is not to change the zoning of property, but instead a request to allow a special use on the property. He also stated the benefit of the Conditional Use Permit is that it also leaves room for the Commission to place conditions on the property if needed, and if the church wanted to make a modification or change to the layout of the site, they would have to come back before the Commission to get permission for that modification to their site plan in the future.

Lisa Patterson opened up the hearing for public comments.

Martha Harris, a resident of 1304 Water Street, addressed the Commission and stated her concern with granting a CUP for the administrative building request was the unknown potential of what would happen in the future by allowing this use. She also stated she preferred if at all possible the lot remained a residential use.

Discussion commenced between Staff and the Commission.

The Commission stated they wanted to hear form the applicant in regards to the application before making any official recommendations so they could get a greater understanding of their plan for the property.

Lisa Patterson closed the public hearing.

Debbie Moore made a motion to table the request for a CUP, Conditional Use Permit, to allow a church administration building to be constructed at 1208 Water Street, situated on an 0.44 acre tract, being a portion of Farm Lot 1, East of Main Street, an area currently zoned N, Neighborhood, within the city limits of Bastrop. Cynthia Meyer seconded the motion and the motion carried 8 to 0 with Bryan Whitten recusing himself.

**10. The Planning and Zoning Commission will adjourn from the Regular Planning and Zoning Commission Session and convene into a Workshop Session of the Impact Fees Advisory Committee to discuss the City of Bastrop's current and/or future Impact Fees, including, but not limited to matters pertaining to the following:**

- a) **The amendment updating land use assumptions, capital improvements plan and impact fees.**

The Planning and Zoning Commission adjourned from their Regular Session and convened in the Workshop Session as the Impact Fee Advisory Committee.

Nelisa Heddin, the Consultant for the Tap and Impact Fee updates, presented to the Commission the updates regarding the Tap and Impact Fees for the City of Bastrop.

Discussion commenced between Staff, the Consultant and the Commission.

Lisa Patterson stated considering the current infrastructure challenges that the city has she would be comfortable making a recommendation to adopt the 50% ad valorem tax credit rate for the Impact Fee, and was also interested in seeing if the Commission could make a recommendation to Council to have annual review of the Tap and Impact Fees. The Consultant stated that would be permissible to recommend.

The Commission decided that the month of June would be the month they recommend to Council there be an annual review of the Tap and Impact Fees.

**11. The Impact Fee Advisory Committee will close its Workshop Session and reconvene into the Regular Session of the Impact Fee Advisory Committee to take any necessary actions(s) related to the Workshop.**

The Impact Fee Advisory Committee adjourned from their Workshop Session and reconvened into the Regular Session of the Impact Fee Advisory Committee Meeting.

Bryan Whitten made a recommendation to Council that the Impact Fees be adjusted as set-forth in the Consultant's report at the 50% ad valorem tax credit rate and the Impact Fee Advisory Committee be authorized to meet on an annual basis, preferably in June, to monitor the Impact Fees, growth, revenues and costs to ensure that no adjustments are needed. Richard Kindred seconded the motion and the motion carried unanimously.

**12. The Impact Fees Advisory Committee will adjourn its Regular Session and reconvene into the Regular Session of the Planning and Zoning Commission.**

The Impact Fee Advisory Committee adjourned from their Regular Session and the Planning and Zoning Commission reconvened back into their Regular Session.

**8. Public Hearing: Discussion and possible action on a request for a Vacation of the Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1 as recorded May 31, 1994 in Cabinet 2, Page 379-A in the Bastrop County, Texas plat records. The lot to be vacated is 0.516 acres within the city limits of Bastrop, Texas.**

Lisa Patterson opened the Public Hearing.

Wesley Brandon presented the following information to the Commission in the packet, the Applicant, Olson Surveying, was requesting to vacate the Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1 as recorded May 31, 1994 in Cabinet 2, Page 379-A in the Bastrop County, Texas plat records. The lot to be vacated is +/- 0.516 acres within the city limits of Bastrop, Texas.

The Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1, being +/- 0.516 acres is currently platted as one lot, which is now vacant. The Resubdivision in 1994 combined two lots within the original subdivision into one lot. On the north side was a single family home that was destroyed in a fire. The south side was never developed. The current property owner would like to return the property to its original configuration of two lots as recorded in the final plat

for Tahitian Village, Unit 1 on August 14, 1972 in the Plat Records Volume 2 on pages 40 thru 47, of Bastrop County, Texas.

Vacating plats, must follow the Texas Local Government Code, Section 212.013 and through this process, a plat can be vacated if it follows the same procedures of the original plat.

Staff supports the vacation request, because it complies with the Texas Local Government Code, and the property is not developed.

Twelve (12) adjacent property owner notifications were mailed on March 6, 2017, which own property within 200 feet of the Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1. One property notification has been received with no objection to the request.

Staff recommends approval of the request to vacate the Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1 located within the city limits of Bastrop Texas, as recorded May 31, 1994 in Cabinet 2, Page 379-A in the Bastrop County, Texas plat records.

There were no comments from the public.

Lisa Patterson closed the Public Hearing.

Patrick Connell made a motion to recommend approval to Council a request for a Vacation of the Resubdivision of Lots 1-522 and 1-523, Block 19, Tahitian Village, Unit 1 as recorded May 31, 1994 in Cabinet 2, Page 379-A in the Bastrop County, Texas plat records. The lot to be vacated is 0.516 acres within the city limits of Bastrop, Texas. Richard Kindred seconded the motion and the motion carried unanimously.

**9. Public Hearing: Discussion and possible action on a request for an Amendment to the Pecan Park Residential PD (Planned Development) Zoning (Ordinance No. 2015-15) regarding setbacks, parking requirements and future minor amendments.**

Lisa Patterson opened the Public Hearing.

Wesley Brandon presented the following information to the Commission in the packet the Applicant, DM Pecan Park Associates LTD, were requesting amendments to the Pecan Park Residential PD (Planned Development) Zoning Classification (Ordinance #2015-15) regarding setbacks, parking requirements and a minor PD amendment process.

DM Pecan Park Associates LTD, would like to propose some modifications/changes to the existing Pecan Park Residential PD (Planned Development) zoning district (Ordinance No. 201515) regarding setbacks, parking requirements and a minor amendment process for future modifications (Attachment 3).

1. Reduce the rear setback for the Patio Homes—PD-PH (40 foot lots) and Single Family Select—PD-SFS (50 foot lots), from 15 feet to 10 feet.
2. Remove the off-street guest parking requirement for the Patio Homes.
3. Include an administrative process to approve minor amendments to the PD in the future.

Representatives from DM Pecan Park Associates LTD, developers of Pecan Park, would like to receive recommendation for approval of the proposed modifications to both the Pecan Park Residential Planned Development (PD).



The Pecan Park development is included in four different Planned Development zoning documents.

Ordinance #2013-05: Pecan Park Residential Section 5  
Ordinance #2015-08: Pecan Park Residential Section 4  
Ordinance #2015-14: Pecan Park Commercial  
Ordinance #2015-15: Pecan Park Residential Sections 1-3, Sections 6-7 and related amenities.

The requested amendments would apply only to Ord. #2015-15, for Sections 1, 2, 3, 6, and 7.

The reduced rear setback is being requested due to the housing style they are considering for the Patio Homes and Single Family Select lots. The house would be located closer to the rear lot line, with a detached garage in front to allow for an interior courtyard/patio.

The off-street guest parking requirement was included when the original housing style included a tandem garage, leaving only a single car-wide driveway. With this request, the guest parking would not be required when a side-by-side two car garage is included. Additionally, staff is requesting that the driveways must also be configured to leave 20 feet of on-street parking between each set of two lots.

The developer would like to include an allowance for a minor amendment process to allow for the Planning Director to administratively approve minor changes to standards in the Planned Development requirements. Staff recommends the following language be included:

“The Planning Director shall have the authority to administratively approve a minor amendment to the standards and requirements of the Planned Development. A minor amendment is one which: 1) does not increase the overall density and/or traffic impacts of the development; or 2) has no significant adverse impact upon neighboring properties, the public or persons who will occupy or use the proposed development. Changes in allowable uses will not be approved administratively. If there is any question of whether the amendment is minor, the issue shall be referred to the City Manager for final determination.”

Twenty-one (21) adjacent property owner notifications were mailed 3/09/2017. Two (2) public comments have been received in opposition to the requested Amendment at the time of doing this report. A notice ran in the Bastrop Advertiser on March 16, 2017. Responses from notifications are included in your packet and additional notices will be provided at the meeting.

Staff supports the proposed language modifications and changes to the Planned Development as presented in this report, to 1.) Reduce the rear setback for the PDPH and PD-SFS from 15 feet to 10 feet; 2.) Remove the guest parking requirement from the PD-PH uses; and 3.) Include a minor amendment process for future PD changes.

Duke McDowell, the developer of Pecan Park, approached the Commission and gave a presentation of the overall Site Plan of the Pecan Park Development. He stated he was requesting for an amendment to the set-backs to accommodate a new product type a builder had approached him to build in Pecan Park Residential Section.

Discussion commenced between Staff, the Applicant and the Commission in regards to the design of the proposed product type, set-backs, parking and administrative modification. The Commission stated overall they did not see this product type as what is needed in the City of Bastrop to meet the housing demand that's here, did not support creating on-street parking, and they were not in favor of granting administrative approval with such vague language outlining what the administrative modifications could or could not be.

Lisa Patterson closed the Public Hearing.

Patrick Connell made a motion to recommend denial of the request for Amendment to the Pecan Park Residential PD (Planned Development) Zoning (Ordinance No. 2015-15) regarding setbacks, parking requirements and future minor amendments. Alyssa Halle-Schramm seconded the motion and the motion carried 7 to 1 with Patrick Connell, Alyssa Halle-Schramm, Bryan Whitten, Debbie Moore, Lisa Patterson, Diana Rose, and Cynthia Meyer in favor of denying and Richard Kindred opposed to denying the proposed Pecan Park Planned Development Amendments.

**13. Director of Planning and Development update.**

Wesley Brandon addressed the Commission and stated in regards to the Zoning Board of Adjustments (ZBOA) and the Planning and Zoning Commission (P&Z) the difference is the ZBOA is a quasi-judicial board and the P&Z sets policy. Any appeals to the ZBOA goes to the District Court. He also stated that Council voted to combine the Municipal Sign Review Board and Zoning Board of Adjustments into one board and had supported the Planning and Zoning Commission recommendations to have a full review of the Sign Ordinance prior to adopting any amendments.

Wesley Brandon updated the Commission the action the Council had taken in regards to the Transportation Master Plan and informed them they had adopted the Transportation Master Plan.

Wesley Brandon introduced the new members of the Planning and Zoning Commission Staff Jennifer Bills the new Assistant Planning Director, and Allison Land the new Planner.

**14. Adjourn.**

Patrick Connell made a motion to adjourn at 7:50 pm. Debbie Moore seconded the motion and the motion carried unanimously.

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Lisa Patterson, Chair

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Debbie Moore, Vice Chair