

Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, January 26, 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 6:03 p.m.

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	Present
William Ennis	Present
Debbie Moore	Present
Diana Rose	Absent

Bill Ennis addressed the Commission and Staff from the dais and stated effective immediately he would be resigning from the Commission because of his candidacy for City Council.

Lisa Patterson stated for the record there was also another vacancy on the Planning and Zoning Commission due to Connie Schroeder's candidacy for mayor.

3. Citizen comments.

There were no citizen comments.

4. Consider, discuss and/or approve the Planning and Zoning Commission meeting minutes of November 10, 2016.

Patrick Connell made a motion to recommend approval of the November 10, 2016 meetings minutes. Bryan Whitten seconded the motion and the motion carried unanimously.

5. Presentation from Tom Bevans in regards to the Piney Creek Development.

Tom Bevans made a presentation to the Planning and Zoning Commission in regards to the Piney Creek Bend property located off of Carter Street. He asked if the Commission would be in favor of a more dense development at this location. The Commission responded they would not be able to support a recommendation for a more dense development, and stated there was an intensive process that had already been undertaken for the kind of development would be suitable for that area.

6. CUP16-02: Public Hearing: Discussion and possible action on a request for a CUP, Conditional Use Permit, for Section 43.4. B Special Height Regulations to all for a structure of three (3) stories, being approximately 43.9 feet to be to be situated on an +/-11.328 acre tract, being all of that certain tract or parcel of land out of and a part of the Nancy Blakey Survey Abstract Number 98, located on Home Depot Way, approximately 300' west of its intersection with FM 304, within the city limits of Bastrop, Texas, currently zoned Hx-MR

in the Hunters Crossing Planned Development, being the equivalent of MF-2, Multi-Family-2, in the Code of Ordinances.

Wesley Brandon presented the following facts in the packet to the Commission the +/-11.328 acre tract from Section 9A of the Hunters Crossing Planned Development, being all of that certain tract or parcel of land out of and a part of the Nancy Blakey Survey Abstract Number 98, is currently vacant. This tract will be combined to house the future Hunters Crossing Apartments. The proposed development is privately-funded, and will offer market-rate apartments. The property is currently zoned Hx-MR in the Hunters Crossing Planned Development, and under Section 301 – Hx-MR District it states the following:

The Hx-MR District (i.e. Sections 3E, 5B, 9A and 9B) can be developed using any one or two of the five (5) following districts, in any single section, in compliance with the City of Bastrop Code of Ordinances:

1. SF-7 (Chapter 14, Section 17) and SF-7 as amended by this PD (section 300.52)
2. 2F (Chapter 14, Section 18)
3. SFA (Chapter 14, Section 19)
4. MF-1 (Chapter 14, Section 20)
5. MF-2 (Chapter 14, Section 21)

The applicant will be utilizing the MF-2 zoning designation for the construction of this project. In accordance with Section 43.4 Code of Ordinance requirements, they are requesting a Conditional Use Permit (CUP) under the exception of 43.4B Special Height Regulations which allows the maximum height of a structure to increase above the maximum height (35 feet and or two and one half (2 ½ stories)) in the base zoning district, CUP and additional factors outlined in 43.4.B1.

If the Conditional Use Permit (CUP) is approved the applicant will continue with the land development process, including filling a subdivision plat, site development and building permits to construct the 44 foot apartment buildings. City utility services are available, and any extensions that might be required as part of construction will be at the owner/applicants expense. The development of the site will be required to comply with all other city regulations related to land development.

The proposed building is 44 feet and contains three stories. The building will be required to have fire sprinkler systems.

Wesley Brandon stated the property is proposed to be the Hunters Crossing Apartments, will be privately-funded, offer market-rate apartments and have a total of 182 apartment units ranging from one to three bedrooms. The project will fill in the vacant property next to Hunters Crossing Retail Center (east), Hunters Crossing residential subdivision (south) and Hunters Crossing commercial development (north). The proposed buildings will range from 2 to 3 stories in height, up to a maximum height of 44 feet tall. This exceeds the height limitation by 9 feet. This property must also go through the Site Development Process.

He stated based on staff's review and understanding of the project, the proposed multi-family development is a harmonious and a compatible transition between the Hunters Crossing residential subdivision and Hunters Crossing commercial development, and also has a compatible height, bulk and scale relationship with surrounding uses and structures. The proposed buildings would exceed the current height restrictions by approximately 9 feet allowed in this base zoning.

Wesley Brandon stated in regards to the drainage the adjacent regional stormwater management system within the Hunters Crossing subdivision has been designed and built to accommodate storm-water runoff from the proposed development. All subsequent design plans must incorporate the

drainage criteria according to the approved drainage study for Hunters Crossing. Additional reports and information regarding factors such as traffic impacts may also be required.

He informed the Commission that twenty nine (29) adjacent property owner notifications were mailed on January 9, 2017, as well as public notification published in the local newspaper on January 12, 2017. At the time of the report, twenty-three (20) notifications had been received indicating two (2) in favor and twenty (20) opposed the CUP request. One notification provided no opinion.

He stated staff has no objection to the Commission's approval of the Conditional Use Permit (CUP) to Section 43.4 Special Height Regulations for structures to increase maximum height buildings to allow the proposed 44 feet/3 story tall proposed Hunters Crossing apartments within the MF-2, Multi Family-2 district where two and one half (2 ½) stories or 35 feet is allowed. The proposed height is a compatible transition between the existing adjacent commercial and single family residential areas, and would meet the intent of the CUP requirements.

The Commission asked if the proposed use was something that was already allowable on that property. Wesley Brandon stated the property could currently be utilized to build apartments on it.

Robert Reetz, the representative for the applicant Howard Schain, addressed the Commission and stated the applicant has designed the site to not maximize the number of units that could potentially be placed on the property. He stated by going up to three stories there would be a reduction of impervious cover at the site.

Steven Jackson of B&A Architects presented to the Commission the details regarding the architectural details of the proposed apartments.

Rand Mason, a representative of the mortgage company for the proposed project gave a brief overview over the potential pricing of the apartments.

Rudy Orellana, a resident at 115 Steel Shot, addressed the Commission and stated he was not in favor of the apartments because he felt they would cause fire safety concerns, increased traffic, drainage issues, increase of crime, obstruction to privacy for the abutting property owners to the apartments, the number of property owners that were notified was only the minimum number required by state law, and property values would be negatively affected by the apartments.

Richard Gartman, a resident at 403 Hunting Lodge, addressed the Commission and stated he was not in favor of the apartments because he felt the buildings are not an appropriate development for this area.

Lisa Patterson closed the public hearing.

Discussion commenced between Staff and the Commission.

The Commission recognized that the issues for the traffic and drainage will have to be addressed and looked at closely by City Staff during the development process, but overall feels this will be a positive project, as long as it is developed correctly, for the community as a whole.

Brayn Whitten made a motion to recommend approval to City Council on a request for a CUP, Conditional Use Permit, for Section 43.4. B Special Height Regulations to all for a structure of three (3) stories, being approximately 43.9 feet to be situated on an +/-11.328 acre tract, being all of that certain tract or parcel of land out of and a part of the Nancy Blakey Survey Abstract Number 98, located on Home Depot Way, approximately 300' west of its intersection with FM 304, within the city

limits of Bastrop, Texas, currently zoned Hx-MR in the Hunters Crossing Planned Development, being the equivalent of MF-2, Multi-Family-2, in the Code of Ordinances. Tish Winston seconded the motion and the motion carried unanimously.

7. Workshop Session: The Planning and Zoning Commission will adjourn from the Regular Session and convene into a Workshop Session to discuss the following:

a. Amendment to the Sign Ordinance.

Wesley Brandon addressed the Commission stating the reason for this request was to address signage for properties situated along high-speed highway overpasses.

Wesley Brandon stated this topic had come to light during a recent signage appeal to City Council for an increased sign height for a business located along highway 71, located in the same area of where TXDOT is planning an overpass.

The Commission asked Staff in regards to this sign ordinance amendment, has the Council created a panel to review this sign ordinance amendment. Wesley Brandon stated he could look into seeing if a panel had in fact been created.

Discussion between Staff and the Commission commenced.

b. Bastrop County Inter Local Agreement.

Wesley Brandon addressed the Commission and stated the Texas Local Government Code requires the city and county have an inter local agreement, and the purpose of the agreement is so there is not two different places a developer has to go to get development standards. He stated within the agreement with the county it splits the ETJ into three different agreement areas the first area is the statutory ETJ called area "S", the second area is "Area A", and the third area is "Area B". He stated each area in the agreement has its own set of standards in regards to how to treat the division of land.

Discussion between Staff and the Commission commenced.

The Commission stated it seemed functionally it was still very much like the agreement that is currently in place. Wesley Brandon stated that was correct, and that it had also been approved by the Bastrop County Commissioners Court.

8. The Planning and Zoning Commission will adjourn the Workshop Session and reconvene into the Regular Session to discuss, consider and take any necessary action(s) related to the Workshop Session item posted above.

Debbie Moore made a motion in regards to the amendment to the sign ordinance stating the Planning and Zoning Commission is not predisposed to accept the amendment until a full review of the sign ordinance has been accomplished as directed by the City Council. Bryan Whitten seconded the motion and the motion carried unanimously.

Bryan Whitten made a motion in regards to the Bastrop County Inter Local Agreement stating upon the review of the Bastrop County Inter Local Agreement for subdivision review the Planning and Zoning Commission has had an opportunity to review the agreement and has no objections in its current form. Patrick Connell seconded the motion and the motion carried unanimously.

9. Director of Planning and Development Monthly Report.

Wesley Brandon stated final draft of the Comprehensive Plan had been received, and also noted the Planning Department would be having two new members joining the Department shortly.

The Commission asked Staff to include the election of a new Vice Chair and Secretary on the agenda.

10. Adjourn.

Tish Winston made a motion to adjourn the meeting at 7:43 p.m. Patrick Connell seconded the motion and the motion carried unanimously.

Lisa Patterson, Chair

, Vice Chair

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