

## Agenda Information Sheet:

**Planning and Zoning Commission Meeting Date:**

**March 30, 2017**

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**Public Notice Description:**

Consideration, discussion, and possible action on a request for amendments to the Pecan Park Residential PD (Planned Development) Zoning Classification (Ordinance #2015-15) regarding setbacks, parking requirements and a minor PD amendment process.

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**Item Summary:**

**Owner:** DM Pecan Park Associates LTD  
**Zoning:** PP-PD, Pecan Park Residential PD (Ord. #2015-15; Attachment 2)  
**Land Use Plan:** Neighborhood Residential, Transitional Residential  
**Legal Description:** 204.576 acres of the Mozea Rousseau Survey, Abstract 56

**Request:**

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. 2015-15) 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 amendment to the PD in the future.

**Background:**

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).

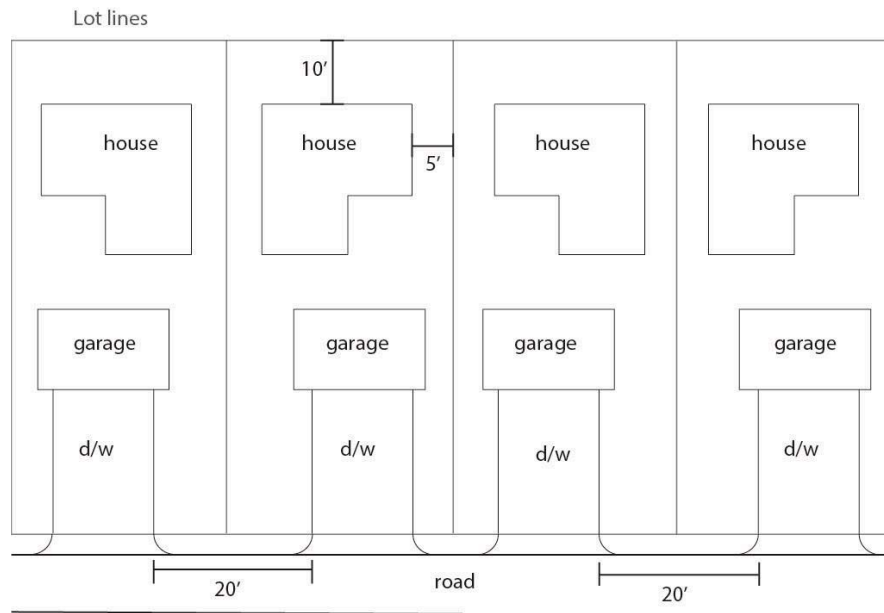
The Pecan Park development is included in four different Planned Development zoning documents.

- 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 (Attachment 4).

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. See the illustration below.



*Not To Scale*

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.

**Comments:** 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 Recommendations:** 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 PD-PH 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.

**City Contact:**

Wesley Brandon, P.E., Director of Planning and Engineering  
Planning and Development Department

**Attachments**

Attachment 1: Location Map

Attachment 2: Pecan Park Residential PD Ord #2015-15.

Attachment 3: Applicant's Request

Attachment 4: Housing Type Example

**NOTICE OF PUBLIC HEARINGS  
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

Dear Property Owner:

The **Planning and Zoning Commission** will conduct a public hearing on **Thursday, March 30, 2017 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, April 11, 2017 at 6:30 p.m.** and have a second reading **Tuesday, April 25, 2017 at 6:30 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop**, to consider amendments to the Pecan Park Residential PD (Planned Development) (Ordinance No. 2015-15) regarding setbacks and parking requirements located in the city limits of Bastrop, Texas.

Applicant: DM Pecan Park Associates LTD

Legal Description: Pecan Park Residential PD being 204.576 acres

**PLEASE SEE ATTACHED LOCATION MAP**

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 (512) 332-8840 any time prior to the public hearings.

-----X-----  
X PROPERTY OWNER'S RESPONSE X

As a property owner within 200': (please check  one)

- I am in favor the request.
- I have no objection to the request.
- I am opposed to the request.

Property Owner Name: Jo Ann Cartrell  
Property Address: 1871 Pecan Park Road, Bastrop  
Mailing Address: P.O. Box 213

Phone (optional): \_\_\_\_\_  
Email (optional): \_\_\_\_\_

Property Owner's Signature: Jo Ann Cartrell  
Comments: (Optional) \_\_\_\_\_

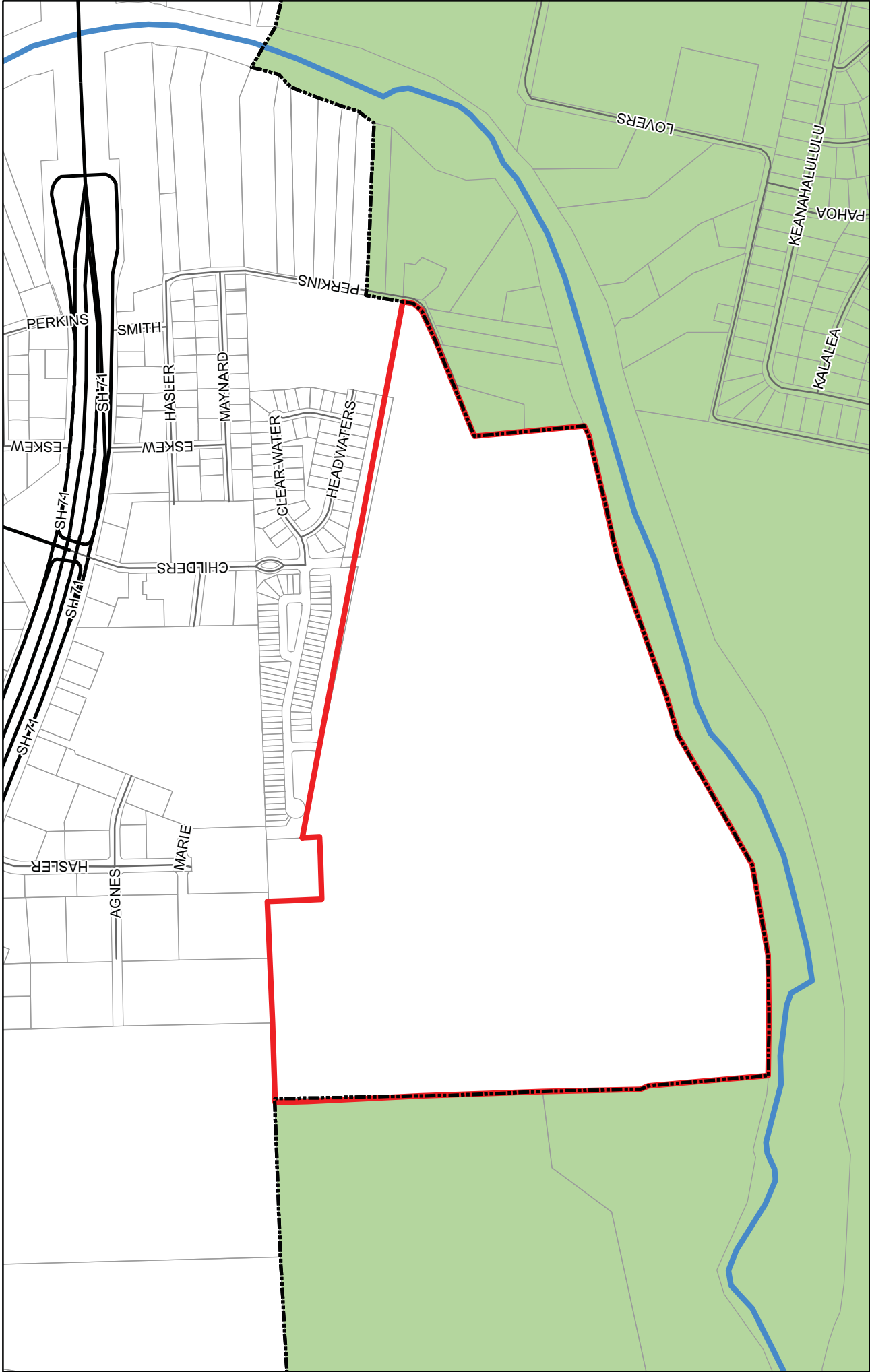
Please provide reply to:  
Planning and Development Department  
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602 or via fax (512) 332-8829  
Re: Amendment to the Pecan Park Residential Planned Development, notices mailed March 20, 2017

**RECEIVED**

MAR 17 2017

By Je





Date: 3/23/2017  
 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 or merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness, usefulness or any such errors, omissions, or any other inaccuracies that may not infringe upon privately owned rights.

# Location Map Pecan Park Residential PD

- Legend**
- Pecan Park Residential PD Boundary
  - Area Ord. 2015-15
  - Parcels
  - City Limits
  - ETJ



**ORDINANCE NO. ORD – 2015 - 15**

**AN ORDINANCE GRANTING A ZONE CHANGE FROM SF7, SINGLE FAMILY RESIDENTIAL AND A/OS –AGRICULTURAL/OPEN SPACE TO PD, RESIDENTIAL PLANNED DEVELOPMENT FOR APPROXIMATELY 204.576 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NO. 56 LOCATED AT THE TERMINUS OF CHILDERS DRIVE WITHIN THE CITY LIMITS OF BASTROP, TEXAS AS PART OF THE OVERALL PECAN PARK CONCEPTUAL PLAN; SETTING OUT CONDITIONS AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, DM Pecan Park Associates, LTD, Duke McDowell (hereinafter referred to as “Applicant”) submitted a request for a zone change from SF7, Single Family Residential and A/OS – Agricultural/Open Space to PD, Residential Planned Development for approximately 204.576 acres situated in the Mozea Rousseau Survey, Abstract 56, located at the terminus of Childers Drive within the City limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

**WHEREAS**, a copy of the Metes and Bounds Survey and location map is attached hereto as Exhibit “A” (the “Property”); and

**WHEREAS**, the Property is currently zoned as SF7, Single Family Residential and A/OS – Agricultural/Open Space; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on July 30, 2015; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission has recommended a PD, Residential Planned Development zoning designation for the Property, See Exhibit A-1; and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on August 11, 2015 to consider the Applicant’s request to rezone the Property to PD, Residential Planned Development; 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 that it is in the public interest to approve the rezoning of the Property, which is currently zoned as SF7, Single Family Residential and A/OS – Agricultural/Open Space, to a new designation of PD, Residential Planned Development.

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

Part 1: The Property, situated in Mozea Rousseau Survey, Abstract No. 56 located at the terminus of Childers Drive within the city limits of Bastrop, Texas as more particularly shown and described on attachments Exhibit “A” and “A-1”, shall be and is hereby rezoned from its prior designation of SF7, Single Family Residential and A/OS – Agricultural/Open Space to a new zoning designation of PD, Residential Planned Development.

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

Part 3: The Zoning Ordinance standards should be amended as follows:

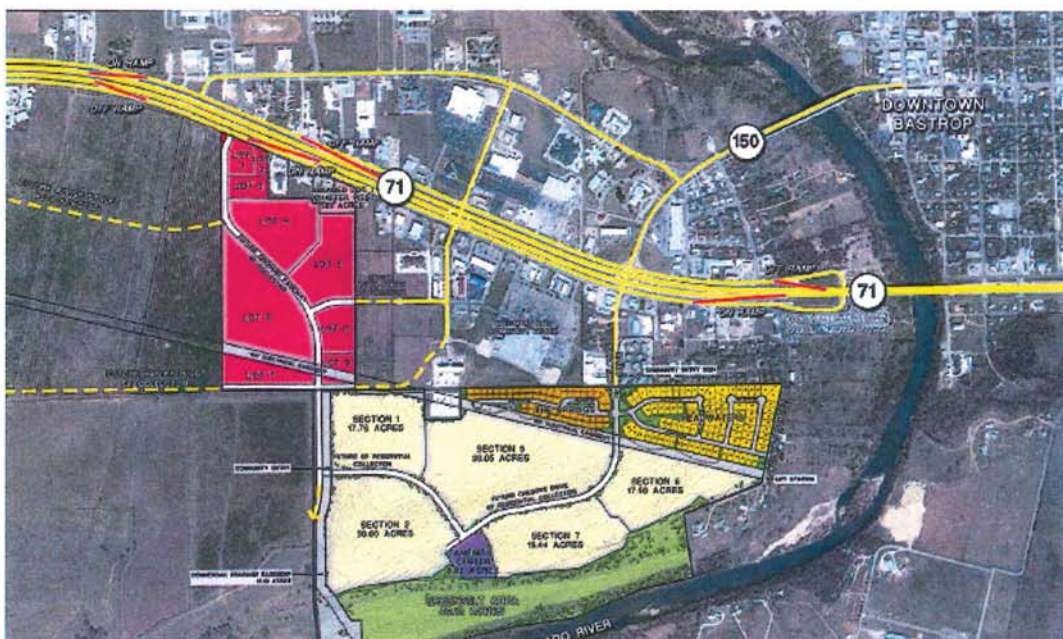
<u>District</u>	<u>Min. Lot Area</u>	<u>Min. Dwelling Unit Size</u>	<u>Min. Lot Width</u>	<u>Min. Lot Depth</u>	<u>Min. Front Yard</u>	<u>Min. Interior Side Yard</u>	<u>Min. Side when two-story &amp; adj. SF Zone</u>	<u>Min. Ext. Yard (See Sec.43.3)</u>	<u>Min. Rear Yard</u>	<u>Min. Rear when two-story &amp; Adj. SF Zone</u>	<u>Max. Height of Build</u>	<u>Max. Lot Coverage by Build</u>
PD-SFE	8,400 sq. ft.	1,800 sq.ft.	70'	120'	20'-25'	10'		15'	20'		2.5 stories 35'	60%
PD-SFG (Sec 5)	7,800 sq. ft.	1,000 sq. ft.	65'	120'	20'-25'	7.5'		15'	15'		2.5 stories 35'	60%
PD-SFS	6,000 sq. ft.	1,200 sq. ft.	50'	120'	20'-25'	5'		15'	15'		2.5 stories 35'	75%
PD SFA (Sec 4)	4,000 sq. ft.	1,200 sq. ft.	34'	120'	20' - 25'	5'		10'	20'		2.5 stories 35'	70%
PD PH Not Allowed in Section 6	4,600 sq. ft.	1,000 sq. ft.	40'	115'	20' - 25'	5'		10'	15'		2.5 stories 35'	75%
PD SFC Not Allowed in Section 6	1 acres	900 sq. ft.	75'	100''	15' - 20'	10'		10'	10'		2.5 stories 35'	75%



- **PD-SFE – Single Family Estate** – Larger lots, minimum lot size 70' x 120', minimum home size 1,800 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least twenty feet (20') apart, ten feet (10') from the property line. 25% maximum acreage
- **PD-SFG – Single Family Grand** – Traditional lots, minimum lot size 65' x 120', home size 1,000 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least fifteen feet (15') apart, seven and one-half feet (7.5') from the property line. 30% maximum acreage
- **PD-SFS – Single Family Select** – Traditional lots, minimum lot size 50' x 120', home size 1,200 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 45% maximum acreage
- **PD-SFA – Single Family Attached Housing** – Townhome style lots, minimum lot size 34' x 120', home size 1,200 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 25% maximum acreage
- **PD-PH – Patio Home** - minimum lot size 40' x 115', home size 1,000 square feet; staggered 20'-25' front building setbacks, Homes in these areas shall be at least ten feet (10') apart, five feet (5') from the property line. 30% maximum acreage (Not allowed in Section 6)
- **PD-SFC – Single Family Condominium** –Cluster type housing, areas that will provide a variety of housing styles, minimum lot size one (1) acre, minimum unit size 900 square feet; staggered 20'-25' front building setbacks, Minimum rear setback from any adjacent residential will be fifteen feet (15'). Minimum side setback from an adjacent building will be ten feet (10'). 15% maximum acreage (Not allowed in Section 6)

Other-Use Categories –

- **PD-CA** – Use for Public & Private Parks, Trail Systems, Public Utility Services, Drainage Channels, Roadways, Private Community Amenity Areas that may be accompanied by retail, food, and beverage, and accessory uses, which will meet site development permitting in the City of Bastrop.



Standards for all homes in the residential areas will meet the criteria:

- **C,C&Rs** - Other regulations and restrictions will be established by the Development's C,C,& R's and Design Guideline Standards that will be created for each section. Those Design Guideline Standards will include provisions for limiting house plan elevations, building street setbacks, home exterior selections and uniform standards for landscaping
- **Exterior Masonry Requirements** - Minimum Masonry Requirements will be set at 75%. Masonry includes: brick, stone, stucco, and hardiplank,
- **Landscaping** - Use of drought-resistant landscaping or water-conserving techniques in the Development is encouraged. Xeriscaping will be allowed in certain instances in the common areas and at residences in accordance with that certain Xeriscaping Policy set forth in the Development Area's Declaration and each area's Design Guidelines. All landscapes and landscaping must be approved by the Developer prior to installation. To further help conserve water, large expansive areas of natural grass and vegetation shall not be required to be irrigated. The use of drip irrigation is encouraged.
- **Front Setbacks** - All of these Land Use Districts will be allowed to have staggered, 20' - 25' building setbacks to help achieve aesthetically pleasing street view. All front setbacks will be measured from the property line or right-of-way. At minimum, there must be a front building setback change (between the allowed 20'-25') on every fourth lot.
- **Maximum Lot Coverage** - The percentage determined by dividing (a) the gross area of the lot (in square feet) by (b) the footprint of the main building; and any swimming pools surface area including decks.
- **Utilities** - All utilities shall be provided separately to each lot so that each unit will be individually metered
- **Site Plans** - A site plan will be submitted at time of home development within a section of the Development
- **Recreational vehicles** - Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling purposes and will be hidden from public view.
- **Fencing** - Electrical Fencing and barbed wire is prohibited as perimeter fencing. Only 6' Cedar, Wrought Iron or masonry fencing will be allowed.
- **Yard Storage Facilities** - Open storage is prohibited (except for materials for the resident's personal use or consumption (i.e. firewood, gardening materials, etc.)
- **Side Entry Garages** - Single-family homes with side entry garages where lot frontage is only to one street (not a corner lot) shall have a minimum of twenty-five feet (25') from the garage door to the side property line for maneuvering.

- **Roofs** - All residential structures shall have roof slopes with a minimum of 3:12 pitch
- **Road Standards** -Cul-de-sac shall comply with the current Fire Code adopted by the City of Bastrop Distances are measured from centerline of the intersecting street to the center of the bulb of the Cul-de-sac. Turnarounds shall have a minimum pavement diameter of ninety-six (96) feet. Hammerhead turnarounds may be permitted if approved by the Fire Department.
- **Roadway Improvements** – Brick or stone pavers will be allowed across paved roadway services to create an aesthetically pleasing look for the area roadways and to promote additional safety control of roadway traffic speeds.
- **Condominium Areas** - Condominium areas will have the flexibility to have private roadways, gated entrances, twenty-six (26) foot wide streets and street design configurations that will benefit the overall intended look for those areas. Walkway paths would be allowed rather than sidewalks along the roadways. A Site Development Plan will be submitted.
- **Guest Parking** - Shared Guest Parking will be provided in the following Land Use District; PD-SFA, PD-PH, and PD-SFC.

Part 4: 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.

Part 5: 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 11th day of August 2015.

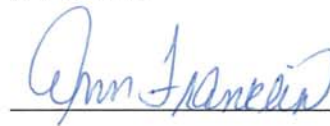
READ and APPROVED on the Second Reading on the 25<sup>th</sup> day of August 2015.

**APPROVED:**



**Kenneth W. Kesselus, Mayor**  
Mayor

**ATTEST:**



**Ann Franklin**  
City Secretary

# Exhibit A

## HEARITIGE SURVEYING, CO.

TIM. D. HEARITIGE  
727 West Point Loop  
West Point, Texas 78963

Registered Professional Land Surveyor No. 5036  
Licenced State Land Surveyor  
Phone (979)242-3485

July 20, 2004

FIELD NOTE DESCRIPTION OF 242.006 ACRES OF LAND OUT OF THE MOZEA ROUSSEAU SURVEY, ABSTRACT NO. 56, IN BASTROP COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (282.1 ACRE) TRACT OF LAND CONVEYED TO K.G. SCHAEFER IN A DEED AS RECORDED IN VOLUME 100 PAGE 376 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS, AND ALSO BEING A PORTION OF THOSE TRACTS OF LAND CONVEYED TO FRANCES SCHAEFER BUCKHAULTS IN A WILL AS RECORDED IN VOLUME 82 PAGE 483 OF THE PROBATE RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (16.007 ACRE) TRACT OF LAND CONVEYED TO JULIA JEAN RABENSBURG AND CARL G. RABENSBURG IN A DEED AS RECORDED IN VOLUME 658 PAGE 429 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND ALL OF THAT CERTAIN (1.012 ACRE) TRACT OF LAND CONVEYED TO CARL G. RABENSBURG AND JULIE S. RABENSBURG IN A DEED AS RECORDED IN VOLUME 555 PAGE 138 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND ALSO ALL OF THAT CERTAIN (5.134 ACRE) TRACT OF LAND CONVEYED TO JULIE S. RABENSBURG AND CARL G. RABENSBURG IN A DEED AS RECORDED IN VOLUME 818 PAGE 508 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (20.000 ACRE) TRACT OF LAND CONVEYED TO CARL G. RABENSBURG, JR. IN A CONTRACT OF SALE AND PURCHASE AS DESCRIBED AND RECORDED IN VOLUME 332 PAGE 547 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (6.500 ACRE) TRACT OF LAND CONVEYED TO LYNN MARIE OUALLINE IN A DEED AS RECORDED IN VOLUME 831 PAGE 246 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN (1.500 ACRE) TRACT OF LAND CONVEYED TO JULIE JEAN RABENSBURG AND LYNN MARIE OUALLINE, AS TRUSTEES FOR JAMIE LYNN MARTIN IN A DEED AS RECORDED IN VOLUME 329 PAGE 579 OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the base of a fence corner post, being at the most southeasterly corner of that certain (100 acre) tract of land conveyed to K.G. Schaefer in a deed as recorded in Volume 100 Page 376 of the Deed Records of Bastrop County, Texas, and also being in the northerly line of that certain (282.1 acre) tract conveyed to K.G. Schaefer in the same deed, said tracts being a portion of those tracts of land conveyed to Frances Schaefer Buckhaults in a will as recorded in Volume 82 Page 483 of the Probate Records of Bastrop County, Texas, said iron rod also being the southwesterly corner of that certain (17.516 acre) tract of land conveyed to the Merle Arnold Prokop, jr. Revocable Living Trust, dated November 22, 1991 in a deed as recorded in Volume 617 Page 308 of the Official Records of Bastrop County, Texas, and also being for the most northeasterly corner of that certain (16.007 acre) tract of land conveyed to Julie Jean Rabensburg and Carl G. Rabensburg in a deed as recorded in Volume 658 Page 429 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Prokop tract N 89 deg. 37' 52" E 387.06 feet to a ¾" iron pipe found at the most southwesterly corner of Lot 3 of the Beck, NHP, and Prokop Subdivision, Section One, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 3 Slide 191B of the Plat Records of Bastrop County, Texas,

THENCE, with southerly line of said Lot 3, N 89 deg. 32' 41" E 322.40 feet to a capped ½" iron rod found at the most northwesterly corner of that certain (2.798 acre) tract of land conveyed to the Lower Colorado River Authority (L.C.R.A.) in a deed as recorded in Volume 1132 Page 490 of the Official Records of Bastrop County, Texas,

THENCE, with the bounds of the L.C.R.A. tract, S 00 deg. 26' 02" E 325.06 feet to a capped iron rod found, N 89 deg. 34' 02" E 374.92 feet to a capped iron rod found, and N 00 deg. 25' 55" W 324.98 feet to a capped ½" iron rod found in the southerly line of Lot 1, Block A, of Bastrop West Commercial, Section 3, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet 3 Slide 110A of the Plat Records of Bastrop County, Texas,

THENCE, with the southerly line of said Lot 1, Block A, N 88 deg. 48' 06" E 75.62 feet to a ½" iron rod found at the southwesterly corner of Lot 1, of Bastrop West Commercial, Section 2, a subdivision in Bastrop County, Texas, according to the map or plat thereof, recorded in Cabinet 2 Slide 377B of the Plat Records of Bastrop County, Texas,

## Exhibit A

Page 2  
242.006 acres

THENCE, with the southerly line of said Lot 1, N 89 deg. 37' 24" E 1186.72 feet to a 3/4" iron pipe found at the base of a fence corner post, being at the most southwesterly corner of that certain (0.947 acre-Lot 1) tract of land conveyed to the Utley Cattle Limited Partnership in a deed as recorded in Volume 1012 Page 907 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of said Cattle tract, N 89 deg. 34' 36" E 322.83 feet to a 1/2" iron rod found at the southwesterly terminus of Childers Drive,

THENCE, N 89 deg. 33' 34" E, passing at or about 50' the southeasterly terminus of Childers Drive, and being the southwesterly corner of that certain (4.096 acre) tract of land conveyed to FM Partners, VII in a deed as recorded in Volume 400 Page 353 of the Official Records of Bastrop County, Texas, and continuing on the same course, with the southerly line of the Partners tract, and passing the most southwesterly corner of that certain (0.512 acre) tract of land conveyed to Olen Russell Jenkins and Mary Jo Jenkins in a deed as recorded in Volume 275 Page 839 of the Official Records of Bastrop County, Texas, at or about 410.55 feet, and continuing on the same course another 186 feet for a total distance of 596.55 feet to a 1/2" iron rod found at the southwesterly corner of that certain (130' X 120') tract of land conveyed to Victor Juarez, Jr. and Mary Ann Juarez in a deed as recorded in Volume 257 Page 737 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Juarez tract, N 89 deg. 26' 57" E 131.02 feet to a 1/2" iron rod found at the most southwesterly corner of that certain (80' X 120') tract of land conveyed to John P. Calhoun and Rose A. Calhoun in a deed as recorded in Volume 277 Page 769 of the Deed Records of Bastrop County, Texas,

THENCE, with the southerly line of the Calhoun tract, N 89 deg. 52' 01" E, passing the southwesterly corner of that certain (80' X 120') tract of land conveyed to Robert L. Miller, Sr. and Robert L. Miller, Jr. in a deed as recorded in Volume 306 Page 593 of the Official Records of Bastrop County, Texas, at or about 80' and continuing on the same course, and passing southwesterly corner of that certain (94' X 120') tract of land conveyed to Theresia Brenner Roberts in a deed as recorded in Volume 256 Page 870 of the Official Records of Bastrop County, Texas, at or about 80', and continuing on that same course, and passing the most southwesterly corner of that certain (94.3' X 120') tract of land conveyed to Ray Barron in a deed as recorded in Volume 289 Page 550 of the Official Records of Bastrop County, Texas, at or about 94', and continuing on the same course and passing the most southwesterly corner of that certain (80' X 120') tract of land conveyed to Terry Jackson and Kay Jackson in a deed as recorded in Volume 346 Page 774 of the Official Records of Bastrop County, Texas, at or about 94.3', and continuing on the same course, and passing the most southwesterly corner of that certain (0.304 acre) tract of land conveyed to Forrest D. Wilson and Kimberly K. Wilson in a deed as recorded in Volume 1244 Page 467 of the Official Records of Bastrop County, Texas, at or about 80', and continuing on the same course another 50.35 feet for a total distance of 478.65 feet to a 1/2" iron rod found at the most northwesterly corner of that certain (20.000 acre) tract of land conveyed to Carl G. Rabensburg, jr. in a Contract of Sale and Purchase as described and recorded in Volume 332 Page 547 of the Official Records of Bastrop County, Texas,

THENCE, with the southerly line of the Wilson tract, N 89 deg. 14' 29" E, passing the southwesterly corner of that certain (0.2749 acre) tract of land conveyed to Debra L. Perry and Douglas L. Perry in a deed as recorded in Volume 1250 Page 763 of the Official Records of Bastrop County, Texas at or about 60' and continuing on the same course another 99.62 feet for a total distance of 159.62 feet to a 1/2" iron rod found at the most southwesterly corner of that certain (0.241 acre) tract of land conveyed to Ed Lowden in a deed as recorded in Volume 164 Page 209 of the Deed Records of Bastrop County, Texas,

THENCE, with the southerly line of the Lowden tract, N 89 deg. 15' 43" E, passing the southwesterly corner of that certain (0.241 acre) tract of land conveyed to E. W. Baker in a deed as recorded in Volume 166 Page 654 of the Deed Records of Bastrop County, Texas, at or about 87.56 feet, and continuing on the same course, and passing the southwesterly corner of that certain (0.390 acre) tract of land conveyed to Mary S. Weatherford in a deed at or about another 87.56 feet, and passing the southwesterly corner of the Lowden (0.241 acre) tract at or about another 118 feet, in all a total distance of 380.31 feet to a 1/2" iron rod found in the westerly right-of-way line of Perkins Street, being for the most northwesterly corner of this tract,

THENCE, with the westerly right-of-way line of Perkins Street (as found fenced and used on the ground, and as described in the Rabensburg (20.000 acre) description) S 12 deg. 18' 11" W 1044.05 feet to a 60d nail found at the base of a fence corner post, being at an angle in the right-of-way line of Perkins Street, and being at the most southeasterly corner of this tract,

THENCE, with the northerly right-of-way line of Perkins Street S 68 deg. 40' 21" W 863.76 feet to a 1/2" iron rod set at the most northwesterly corner of that certain (1.626 acre) tract of land conveyed to Lynn Schaefer Oualline in a deed as recorded in Volume 421 Page 607 of the Official Records of Bastrop County, Texas,

# Exhibit A

Page 3  
242.006 acres

THENCE, with the westerly line of the Oualline (1.626 acre) tract, S 07 deg. 34' 14" E, passing a 1/2" iron rod set at the most southwesterly corner of the Oualline (1.626 acre) tract at 286.78 feet, and continuing on the same course another 365.40 feet, for a total distance of 652.18 feet to a point on the low bank of the Colorado River, being for the most southeasterly corner of this tract,

THENCE, with the low bank of the Colorado River, S 73 deg. 46' 04" W 53.45 feet to a point at the most southeasterly corner of that certain (6.500 acre) tract of land conveyed to Lynn Schaefer Oualline in a deed as recorded in Volume 831 Page 246 of the Official Records of Bastrop County, Texas,

THENCE, with the low bank of the Colorado River S 77 deg. 26' 05" W 481.30 feet to a point for the most southerly corner of the Oualline (6.500 acre) tract and being for the most southerly corner of this tract,

THENCE, with the low bank of the Colorado River the following six (6) general courses:

- 1) S 67 deg. 28' 34" W 753.29 feet,
- 2) S 81 deg. 36' 16" W 670.03 feet,
- 3) S 77 deg. 41' 19" W 346.22 feet,
- 4) S 71 deg. 49' 38" W 506.08 feet,
- 5) S 76 deg. 00' 10" W 638.98 feet,
- 6) S 85 deg. 52' 23" W 554.84 feet to a point on the low bank of the Colorado River where the fence between the Schaefer (282.10 acre) tract and that certain (94.00 acre) tract of land conveyed to Jo Ann Griesenbeck Cantrell in a deed as recorded in Volume 445 Page 684 of the Official Records of Bastrop County, Texas, being for the most southwesterly corner of this tract,

THENCE, with the fence between the Schaefer (282.1 acre) tract and the Cantrell tract, N 03 deg. 10' 00" W 418.69 feet, and N 05 deg. 54' 13" W 313.26 feet to a capped 1/2" iron rod found at the most southwesterly corner of that certain (5.134 acre) tract of land conveyed to Julie S. Rabensburg and Carl G. Rabensburg in a deed as recorded in Volume 818 Page 508 of the Official Records of Bastrop County, Texas,

THENCE, with the westerly line of the Rabensburg (5.134 acre) tract, N 00 deg. 30' 49" E 781.27 feet to a 1/2" iron rod found in the concrete around a fence corner post at the most southwesterly corner of that certain (1.012 acre) tract, conveyed to Carl G. Rabensburg and Julie S. Rabensburg in a deed as recorded in Volume 555 Page 138 of the Official Records of Bastrop County, Texas,

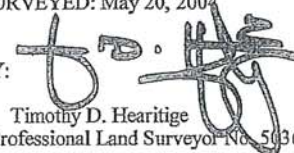
THENCE, with the westerly line of the Rabensburg (1.012 acre) tract of land N 00 deg. 12' 05" W 350.02 feet to a capped 1/2" iron rod found at the most westerly southwest corner of the Rabensburg (16.007 acre) tract,

THENCE, with the westerly line of the Rabensburg (16.007 acre) tract, N 00 deg. 25' 59" E 1016.05 feet to a 1/2" iron rod found at the base of a fence corner post, being in the southerly line of the Schaefer (100 acre) tract of land, and being for the most northwesterly corner of this tract,

THENCE, with the northerly line of the Rabensburg (16.007 acre) tract, N 89 deg. 26' 27" E 444.41 feet to the PLACE OF BEGINNING, in all containing 242.006 acres of land.

SURVEYED: May 20, 2004

BY:



Timothy D. Hearitige  
Registered Professional Land Surveyor No. 5036



see accompanying map no. B 120002



# Exhibit A

## CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING  
ROBERT C. STEUBING OWNER  
517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 581-4345 • FAX (512) 581-4360

### **EXHIBIT "A"**

#### **LEGAL DESCRIPTION**

**BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF THE FOLLOWING TWO (2) TRACTS OF LAND: 1) TRACT A-1: 189.952 ACRE TRACT OF LAND DESCRIBED TO DM PECAN PARK ASSOCIATES, LTD., IN THAT CERTAIN SPECIAL WARRANTY DEED AS RECORDED IN VOLUME 1482, PAGE 70, OFFICIAL RECORDS BASTRO COUNTY, TEXAS, 2) TRACT B-1: 20.019 ACRE TRACT OF LAND DESCRIBED TO DM PECAN PARK ASSOCIATES LTD., IN THAT SAME SPECIAL WARRANTY DEED RECORDED IN VOLUME 1482, PAGE 70, OF THE OFFICIAL RECORDS OF BASTROP COUNTY, TEXAS, SAID 37.43 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a one-half inch iron rod found on the west line of Perkins Street for the southeast corner of that tract of land described to Edward Maurice Lowden and Genarose Lowden in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 254, Page 313, of the Deed Records of Bastrop County, Texas and the northeast corner of said 20.019 acre tract of land, same being the northeast corner of the herein described 37.43 acre tract of land;

**THENCE** South  $12^{\circ}18'11''$  West, along the common dividing line of said Perkins Street and said 20.019 acre tract of land, a distance of 903.51 feet to a calculated point at the intersection of the east line of said 20.019 acre tract of land with the north line of that certain 100 foot Easement described to LCRA Transmission Services Corporation as recorded in Volume C, Page 477, of the Official Records of Bastrop County, Texas for the southeast corner of the herein described 37.43 acre tract of land and from this point a five-eighths capped iron rod found for the most southeasterly corner of the said 20.019 acre tract of land bears South  $12^{\circ}18'11''$  West, a distance of 140.42 feet;

**THENCE** North  $76^{\circ}30'36''$  West, through said and severing from said 20.019 acre tract of land and said 189.952 acre tract of land, a same being along the north line of said LCRA 100 foot transmission easement a distance of 3226.86 feet to a calculated point on the east line of that certain 2.798 acre tract of land described to Transmission Services Corporation as recorded in Volume 1182, Page 90, of the Official Records of Bastrop County, Texas for the southwest corner of the herein described 37.43 acre tract of land and from this point a capped iron rod found bears South  $00^{\circ}23'34''$  East, a distance of 219.79 feet for the southeast corner of the said LCRA 2.798 acre tract of land;

**THENCE** North  $00^{\circ}23'34''$  West, along the common dividing line of said 2.798 acre tract of land and said 189.952 acre tract of land, a distance of 105.13 feet to a capped iron rod found on the common dividing line of said 189.952 acre tract of land and Lot 1, Block A, Bastrop West Commercial, Section 3, a subdivision in Bastrop County, Texas, according to the plat recorded in Plat Cabinet 3, Page 110A, of the Plat Records of Bastrop County, Texas, same being the northeast corner of the said LCRA 2.798 acre tract of land;

**THENCE** along a portion of the north line of the said Tract A-1: 189.952 acre tract of land, along the north line of the said Tract B-1: 20.019 acre tract of land and along the south line of the following eighteen (18) tracts of land: 1) The said Lot 1, Block A, Bastrop West Commercial, Section 3, 2) Lot 1, Bastrop West Commercial, Section 2, a subdivision in Bastrop County, Texas, according to the plat recorded in Plat Cabinet 2, Page 377B, of the Plat Records of Bastrop County, Texas, 3) That called 0.948 acre tract of land described to Jayavenkat, LTD., in that certain General Warranty deed a recorded in Volume 1809, Page 474, Official Records of Bastrop County, Texas, 4) Terminus of Childers Drive, a street in the City of Bastrop, Bastrop County, Texas, 5) That called 4.095 acre tract of land described to Arbors At Bastrop Apartments LP as recorded in Volume 1795, Page 178, Official Records of Bastrop County, Texas, 6) That called 0.512 acre tract of land described to Olen Russell Jenkins and wife, Mary Jo Jenkins in that certain Assumption Deed as recorded in Volume 275, Page 839, Official Records of Bastrop County, Texas, 7) That  $130' \times 120'$  tract of land described to Victor Juarez, Jr. and wife, Mary Juarez in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 257, Page 737, Official Records Bastrop County, Texas, 8) That  $80' \times 120'$  tract of land described to John P. Calhoun and wife, Rosa A. Calhoun in that certain Warranty Deed With



# Exhibit A

## CENTRAL TEXAS SURVEYING

PROFESSIONAL LAND SURVEYING  
ROBERT C. STEUBING OWNER

517 BARTSCH LANE • RED ROCK, TEXAS 78662 • PHONE (512) 581-4345 • FAX (512) 581-4360

**(BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS)**

Vendor's Lien as recorded in Volume 277, Page 769, Deed Records Bastrop County, Texas, 9) That 80' x 120' tract of land described to Robert L. Miller Sr. and Robert L. Miller Jr., in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 306, Page 593, Official Records Bastrop County, Texas; 10) That 94' x 120' tract of land described to Theresia Brenner Roberts in that certain Warranty Deed With Vendor's Lien as recorded in Volume 256, Page 870, Official Records Bastrop County, Texas, 11) That 94.3' x 120' tract of land described to Ray Barron in that certain Quitclaim Deed as recorded in Volume 289, Page 550, Deed Records Bastrop County, Texas, 12) That 80' x 120' tract of land described to Terry Jackson and wife, Kay Jackson in that certain Assumption Deed as recorded in Volume 346, Page 774, Official Records Bastrop County, Texas, 13) That called 0.304 acre tract of land described to Forrest D. Wilson and Kimberly K. Wilson in that certain General Warranty Deed With Vendor's Lien in Favor of Third Party as recorded in Volume 1244, Page 467, Official Records Bastrop County, Texas, Official Records Bastrop County, Texas, 14) That called 0.2749 acre tract of land described to Khalil Younes in that certain General Warranty Deed With Vendor's Lien as recorded in Volume 1628, Page 350, Official Records of Bastrop County, Texas, 15) That called 0.241 acre tract of land described to Ed Lowden in that certain Warranty Deed as recorded in Volume 164, Page 209, Deed Records Bastrop County, Texas, 16) That called 0.241 acre tract of land described to E. W. Baker in that certain Warranty Deed as recorded in Volume 166, Page 654, Deed Records Bastrop County, Texas, 17) That called 0.390 acre tract of land described to Mary S. Weatherford in that certain Warranty Deed as recorded in Volume 224, Page 402, Deed Records Bastrop County, Texas, 18) The said 0.241 acre tract of land described to Edward Maurice Lowden and Generosa Lowden in the said General Warranty Deed With Vendor's Lien as recorded in said Volume 254, Page 313, Official Records Bastrop County, Texas, the following eight (8) courses:

- 1) North 88°50'27" East, a distance of 75.62 feet to a point for the southeast corner of the said Lot 1, Block A, Bastrop West Commercial, Section 3, same being the southwest corner of the said Lot 1, Bastrop West Commercial, Section 2;
- 2) North 89°38'48" East, a distance of 1186.65 feet to a three-quarter inch inside diameter pipe found for the southeast corner of the said Lot 1, Bastrop West Commercial, Section 2, and the southwest corner of the said Jayavenkat, Ltd., tract of land;
- 3) North 89°35'48" East, a distance of 322.84 feet to a one-half inch iron rod found for the southeast corner of the said Jayavenkat, Ltd., tract of land and the terminus of and intersection of the west line of the said Childers Drive with the north line of the said Tract A-1: 189.952 acre tract of land;
- 4) North 89°33'37" East, passing at a distance of 50.29 feet a five-eighths inch iron rod found at the terminus of and intersection of the east line of the said Childers Drive with the north line of the said Tract A-1: 189.952 acre tract of land, same being the southwest corner of the said Arbors At Bastrop Apartments tract of land, continuing for a **Total Distance** of 596.44 feet to a one-half inch iron rod found for the southeast corner of the said Jenkins tract of land and the southwest corner of the said Juarez tract of land;
- 5) North 89°28'07" East, a distance of 131.08 feet to a one-half inch iron rod found for the southeast corner of the said Juarez tract of land and the southwest corner of the said Calhoun tract of land;
- 6) North 89°52'13" East, a distance of 478.68 feet to a one-half inch iron rod found for the northeast corner of the said Tract A-1: 189.952 acre tract of land, same being the northwest corner of the said Tract B-1: 20.019 acre tract of land and a point on the south line of the said Wilson tract of land;
- 7) North 89°14'39" East, a distance of 159.57 feet to a one-half inch bar found for the southwest corner of the said Lowden tract of land and the southeast corner of the said Younes tract of land;
- 8) North 89°16'43" East, a distance of 380.31 to the POINT OF BEGINNING, and containing 37.43 acres of land, more or less, within these metes and bounds.

# Exhibit A

## CENTRAL TEXAS SURVEYING

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**(BEING A 37.43 ACRE TRACT OF LAND OUT OF THE NORTHEAST CORNER OF PECAN PARK, A PROPOSED DEVELOPMENT, IN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NUMBER 56, IN THE CITY OF BASTROP, BASTROP COUNTY, TEXAS)**

**BASIS OF BEARINGS** for this survey is the east common dividing line of the said 20.019 acre tract of land and the said Perkins Streets between a one-half inch iron rod found for the northeast corner of said 20.019 acre tract of land and a five-eighths inch iron rod found for an exterior angle corner as South 12°18'11" West as per Volume 1482, Page 70, of the Official Records of Bastrop County, Texas.

I, Robert C. Steubing, a Registered Professional Land Surveyor, do hereby certify that the above survey was made upon the ground, under my supervision in February 2008 and is true and correct according to my best belief and knowledge.

  
Robert C. Steubing  
Registered Professional Land Surveyor  
State of Texas - No. 5548



04/10/08  
Date



Scale: 1" = 400'  
 North  
 Date: July 13, 2015

RESIDENTIAL PD  
 CONCEPTUAL PLAN  
 204.576 acres

RIVER'S BEND AT PECAN PARK  
 BASTROP, TEXAS

SEC Planning, LLC  
 Land Planning • Landscape Architecture • Community Planning  
 AUSTIN, TEXAS  
 www.secplanning.com



Areas Not Part of Re-zoning Request

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DM Pecan Park Associates, Ltd.  
1310 Ranch Road 620 South, Suite B-200  
Austin, Texas 78734  
Office (512) 263-2214

March 6, 2017

Mr. Wesley Brandon P.E.  
Director of Planning and Development  
Ms. Jennifer Bills, AICP, LEED AP  
Assistant Planning Director  
City of Bastrop Planning Department  
1311 Chestnut Street  
Bastrop, Texas 78602

Re: River's Bend at Pecan Park  
Amendment Request to Ordinance No. Ord. – 2015 - 15

Dear Mr. Brandon and Ms. Bills,

River's Bend at Pecan Park continues its success thanks to many factors starting with the City Council, P&Z, your staff and the excellent group of Builders that we have been able to work with in the subdivision. As we have discussed throughout this process, our hope is to attract the best builders that we can and to offer several different home product styles and price ranges to accommodate the housing needs of the City. In our attempt to facilitate that desire, it has become apparent to us that a few modifications to our Pecan Park Residential Zoning Ordinance would help us expand into additional, very attractive home styles and subdivision designs which will help make this a subdivision recognized as a quality asset for the City and a quality standard for future developments.

There are a few amendments that we would like to request to the current Ordinance. We feel they are reasonable and will help us provide more affordable housing, be a better fit for our new Bastrop residents and aid our Builders and improve the development of the project.

Our request can be summarized in a few paragraphs.

1. We request a modification to the rear setbacks for our 40' and 50' lots (Zoning Districts: Patio Home, "PD-PH" and Single Family Select, "PD-SFS"). Per the Ordinance, the rear setback is currently established at 15'. We request that the rear setback for both of those Districts be reduced to 10'. We have found that most surrounding central Texas cities have setbacks similar to our request. We have recently been approached by a successful quality builder who wants to build in our community. They have been very successful with a home design that has a center interior courtyard, which provides a nice alternative to the conventional style homes with the backyard area located behind the house. Although our lots are at a good 120' depth, considering the desired driveway depths, garage offsets, and desire for large well-landscaped interior courtyards, the current setback requirement makes their courtyard plan designs impossible to accomplish. Your approval of our request will help make their plans more workable, functional and aesthetically pleasing.



2. Per the current Ordinance, the Patio Home (PD-PH) areas are required to have shared guest parking. That additional parking would be located within the City's public street. We request that if our recorded Design Guidelines for a Patio Home Section requires, at minimum, that each home located within that Section must have an enclosed two-car garage, additional guest parking would not be required in that Section. We hope that you will agree that the 2-car enclosed garage requirement and the stipulated driveway depths required by the current Ordinance should provide adequate guest parking.
3. Regarding future Amendments to this Ordinance, due to the fact that the property comprises a significant land area and its development will occur in phases over a number of years, we request that minor amendments may be made to the Ordinance, administratively approved by the Director of the City's Planning Department. If there is any question of whether the amendment is minor, the issue shall be referred to the City Manager for final determination.

We sincerely appreciate your consideration for the above amendments to our current Zoning Ordinance. Please let us know if there is anything we can do to help expedite this request. It is of most importance that we receive a favorable and timely response.

Sincerely

Duke McDowell  
Owner/Manager  
D.M. Pecan Park Associates, LTD.

Attachments: Ordinance 2015 - 15 Area Boundary  
Sample Courtyard Home Site Plans and Floor Plans  
Aerial Depictions of Courtyard Homes  
Sample Front Elevations (40' Home Product)  
Sample Front Elevations (50' Home Product)  
Ordinance No. Ord. - 2015-15

