

**Planning & Zoning Commission**  
Bastrop City Hall City Council Chambers  
1311 Chestnut Street  
Bastrop, TX 78602  
(512) 332-8840



---

## **Agenda – May 31, 2018 at 6:00 P.M.**

---

*City of Bastrop Planning and Zoning Commission meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.*

---

**1. CALL TO ORDER**

**2. CITIZEN COMMENTS**

*Comments will be heard from the audience on any topic not listed on the agenda, not to exceed three (3) minutes in length. To address the Commission, please submit a fully completed request card to the Commission Secretary prior to the beginning of the meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Commission cannot discuss issues raised or make any decision at this time. Issues may be referred to City Staff for research and possible future action.*

*To address the Commission concerning any item on the agenda, please submit a fully completed request card to the Commission Secretary prior to the consideration of that item.*

**3. ITEMS FOR INDIVIDUAL CONSIDERATION**

- 3A. Consider action to approve meeting minutes from the April 26, 2018 Planning & Zoning Commission Regular Meeting.
- 3B. Consider action to recommend approval of The Colony MUD 1A, Section 3, Phase A and B Preliminary Plat being 100.289 acres out of the Jose Manuel Bangs Survey, Abstract 5, located east of FM 969 within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas and forward to City Council for consideration at their next meeting.
- 3C. Public Hearing and consider action to recommend approval of a Conditional Use Permit to allow a brewery, distillery and winery use on 0.046 acres of Building Block 3 West of Water Street (809 Main Street), an area zoned HMS, Historic Main Street, and (0.184 acres of Building Block 3 West of Water Street (705 Pine Street), an area zoned DMU,

Downtown Mixed Use, within the city limits of Bastrop and forward to City Council for consideration at their next meeting.

- 3D. Public Hearing and consider action to recommend approval of a rezone for the northeast corner of SH 95 and Chestnut Street to C-1, Commercial 1, consisting of Lots 1 & 2 of the Lee-Jackson & Fowler Subdivision (1.717 acres) currently Form-based Code Character Zone CMU, Commercial Mixed Use, and 0.398 acres of Bastrop Town Tract Abstract 11 and 2.046 acres of Building Block 12 East of Water Street currently C-2, Commercial 2, within the city limits of Bastrop, and forward to City Council for consideration at their next meeting.
- 3E. Public Hearing and consider action to recommend approval of a subdivision variance to waive the requirement of Section 5.20 – Streets, to improve or post fiscal surety for the construction of 50 percent of C.P. Johnson Lane, between Farm Street and Fairview Cemetery and forward to City Council for consideration at their next meeting.

#### 4. UPDATES

- 4A. Update on the Draft Subdivision Ordinance.
- 4B. Update on the Draft Mobile Food Vendor Ordinance.

#### 5. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, [www.cityofbastrop.org](http://www.cityofbastrop.org) and said Notice was posted on the following date and time: May 25, 2018, at 12:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary

# Planning and Zoning Commission Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, April 26, 2018 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

## 1. CALL TO ORDER

Debbie Moore called the meeting to order at 6:00 p.m.

Debbie Moore	Present
Patrick Connell	Present
Dianna Rose	Present
Cynthia Meyer	Present
Alyssa Halle-Schramm	Present
Matthew Lassen	Present
Sue Ann Fruge	Absent
Richard Gartman	Present
Cheryl Lee	Present

## 2. CITIZEN COMMENTS

There were no citizen comments.

## 3. ITEMS FOR INDIVIDUAL CONSIDERATION

### 3A. Consider action to approve meeting minutes from the March 29, 2018 Planning & Zoning Commission Regular Meeting.

Patrick Connell made a motion to approve the meeting minutes from the February 22, 2018 Planning & Zoning Commission Regular Meeting. Richard Gartman seconded the motion and the motion carried unanimously.

### 3B. Public Hearing and consider action to recommend approval of a Conditional Use Permit to allow a 120-foot water standpipe to exceed the 35-foot maximum height allowance at 113 Tahitian Drive, Lot A of Tahitian Village, Unit 1, an area zoned C-2, Commercial-2, within the city limits of Bastrop, and forward to the next City Council Meeting.

Jennifer Bills presented to the Commission the information that was given in the staff report and gave a PowerPoint presentation.

The Commission made the following comments on the proposed CUP for the Standpipe:

Do houses destroyed by an Act of God have to be rebuilt with historic standards?

- The applicant stated the standpipe would be painted either sky blue or white to provide the least obtrusive visual effect.

# Bastrop Planning & Zoning Commission

## Meeting Minutes

- The Commission requested that the tower be labeled with identifying information, such as “Welcome to Bastrop” as the tower will be on the eastern edge of the city along Highway 71. They asked that this follow the same criteria that is being applied to other water towers.
- The Commission asked if the addition of this facility would enable the BCWCID #2 to provide fire flow to Tahitian Drive. The applicant stated this would be a first step towards greater capacity.

The Applicant stated that they would be amendable to additional considerations the Commission or Council might make.

Richard Gartman to allow a 120-foot water standpipe to exceed the 35-foot maximum height allowance at 113 Tahitian Drive, Lot A of Tahitian Village, Unit 1, an area zoned C-2, Commercial-2, within the city limits of Bastrop, and forward to the next City Council Meeting. Cynthia Meyer seconded the motion and the motion carried unanimously.

#### **4. WORKSHOP**

##### **4A. Discussion and update on the Draft Subdivision Ordinance**

Jennifer Bills stated the Commission had an upcoming Joint Meeting with City Council on May 10, 2018 to discuss the Ordinance.

##### **4B. Discussion on the Digital Billboards.**

Jennifer Bills gave a PowerPoint presentation on Digital Billboards.

The Commission made the comments on digital billboards:

- Could billboards be turned off or left on one image at night?
- Would like for a substantial number of static billboards be taken down for every digital billboard allowed.
- Concerned about the light output and brightness.
- Could they be used for emergency messages?
- Does the allowance of digital billboards match the long-term vision for Bastrop?

#### **5. ADJOURNMENT**

Cynthia Meyer made a motion to adjourn at 7:40 pm. Patrick Connell seconded the motion, and the motion carried unanimously.

---

Debbie Moore, Chair

---

Patrick Connell, Vice Chair

**MEETING DATE:** May 31, 2018

**ITEM:** 3B

**TITLE:**

Consider action to recommend approval of The Colony MUD 1A, Section 3, Phase A and B Preliminary Plat being 100.289 acres out of the Jose Manuel Bangs Survey, Abstract 5, located east of FM 969 within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas and forward to City Council for consideration at their next meeting.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: East of FM 969 and west of the Colorado River (Attachment 1)  
 Total Acreage: 100.289 acres  
 Legal Description: 100.289 acres of the Jose Manuel Bangs Survey, Abstract 5

Property Owner: Rick Neff/Hunt Communities Bastrop, L.L.C.  
 Agent Contact: Christine Methvin, Carlson, Brigance, and Doering, Inc.

Existing Use: Vacant/Undeveloped  
 Existing Zoning: None. Extra-Territorial Jurisdiction, The Colony MUD  
 Adopted Plan: Second Amendment to the Colony MUD Consent Agreement  
 Future Land Use: Neighborhood Residential

**BACKGROUND/HISTORY:**

The applicant has submitted a new Preliminary Plat for The Colony MUD 1A, Section 3, Phases A and B. The plat is creating 231 single-family detached lots, and 11 associated landscape/drainage/open space lots (Exhibit A). The proposed single-family lots follow the lot standards adopted in the Consent Agreement.

Lot Standard	Minimum Dimensions (feet)	Lot Size (square feet)
Colony - S	50 ft. by 110 ft.	6,000

The subdivision will have 17.588 acres of right-of-way that will be maintained by the MUD with nine new residential (50' ROW) streets and one collector (100' ROW) that serve the subdivision.

Traffic Impact and Streets

The Preliminary Plat proposes to extend Sam Houston Drive, an arterial street, westward from its intersection with FM 969, which will provide the main access into the development. Local streets connecting to Sam Houston Drive will serve the proposed residential lots and provide access into the adjacent undeveloped property to the south and to the adjacent developed property to the north. Sidewalks will also be built within the development, which will ultimately connect to the existing neighborhood trail system.

A traffic impact analysis (TIA) for the overall development of The Colony Subdivision has been

previously approved by the City, and the Preliminary Plat is consistent with the recommendations of that analysis. Improvements along FM 969 are proposed to be built with the previous section and include items such as turning and deceleration lanes. Provisions for a future traffic signal will also be provided.

#### Utilities

Water service (domestic and fire) will be provided by The Colony MUD via water line extensions from existing infrastructure located near FM 969. These lines will be designed according to the City's construction standards, as well as the Texas Commission on Environmental Quality's (TCEQ) requirements.

Wastewater collection and treatment will also be provided by The Colony MUD and will require the installation of a wastewater lift station.

#### Drainage

Stormwater runoff generated within the property will be routed through an underground storm sewer network, which will then flow eastward to the Colorado River.

The proposed drainage system will be designed with a sufficient capacity to route flows from a 100-year design storm to the Colorado River. Due to the property's proximity to the river, stormwater detention is not required.

#### **PUBLIC NOTIFICATION:**

Notifications were mailed to eight adjacent property owners on May 11, 2018 (Attachment 2). At the time of this report, no comments have been received.

#### **POLICY EXPLANATION:**

Preliminary Plats are reviewed by the Planning & Zoning Commission and a recommendation is provided. The plat and P&Z report are then forwarded to City Council for final approval.

#### Compliance with 2036 Comprehensive Plan:

Future Land Use Plan - Neighborhood Residential: The Neighborhood Residential character area is for single-family residential subdivision development, associated amenities such as parks, trails, open spaces and public uses such as schools, fire stations, and more.

*This plat complies with the Future Land Use Plan, which shows Neighborhood Residential in this area. The plat includes 231 single-family lots that will provide 231 single-family detached units. There are also seven common lots that provide open space, drainage and landscaped areas and four lots of park space for this plat.*

Objective 2.1.2: Exercise greater influence on development patterns and character in the Bastrop ETJ.

*The City of Bastrop has a Consent Agreement with the Colony Municipal Utility District that allows the city to agree to specific land uses and development standards, even though the development is not within the city limits. This allows the city to ensure the quality of development and future sustainability.*

Goal 4.1.1 Provide a greater diversity of housing options in Bastrop while protecting the character of the City's existing neighborhoods.

*Through the Consent Agreement, the Colony MUD development includes four different single-family lot standards and two multi-family standards. This plat falls into the Colony*

- S, 6,000 square foot category, which is a bit smaller, but roughly equivalent to the Bastrop Zoning Ordinance Single-Family 7. These lots will allow for smaller lot sizes, providing a single-family detached home without as much yard area to maintain.

### Local Government Code

Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

*Bastrop adopted subdivision regulations in 1981. The Code of Ordinances, Chapter 10 – Subdivisions outlines the requirements for plats within the Bastrop city limits and Extra Territorial Jurisdiction (ETJ).*

### Section 212.004 Plat Required

- (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

*The applicant has proposed subdividing an undeveloped 100.289-acre tract into 231 single-family lots. Public improvements within the subdivision (streets, drainage, and other utilities) will be dedicated to the Colony Municipal Utility District upon their completion.*

### Sec. 212.010. Standards for Approval

- (a) The municipal authority responsible for approving plats shall approve a plat if:
  - (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

*The preliminary plat conforms to the Future Land Use Plan, which is designated Neighborhood Residential for this area.*

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

*A traffic impact analysis (TIA) for the overall development of The Colony Subdivision has been previously approved by the City, and the plat is consistent with the recommendations of that analysis. Improvements along FM 969 are proposed to be built with the previous section and include items such as turning and deceleration lanes. Provisions for a future traffic signal will also be provided.*

- (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

*Before the Final Plat can be approved, the City Engineer must approve the Public Improvement Construction Plan. Required improvements and bonds will be furnished before the recordation of the Final Plat.*

- (4) it conforms to any rules adopted under Section 212.002.

*The preliminary plat complies with the requirements of the adopted Subdivision Ordinance and Consent Agreement.*

Code of Ordinances Chapter 10 – Subdivisions

∞ Section 4.10 – Standard Procedure – Preliminary Plat

4.10.1. The subdivider shall submit a preliminary plat of the entire area being subdivided. Prior to the plat being placed before the Commission for consideration, the plat must be accepted as administratively complete by the Director of Planning and Development. A plat that contains the detailed information set forth in paragraphs 4.10.1 and 4.10.2 is considered administratively complete.

*Planning and Engineering staff have reviewed The Colony MUD 1A, Section 3, Phase A and B Preliminary Plat for compliance with subdivision and utility standards and have deemed the plat administratively complete.*

**STAFF RECOMMENDATION:**

Consider action to recommend approval of The Colony MUD 1A, Section 3, Phase A and B Preliminary Plat being 100.289 acres out of the Jose Manuel Bangs Survey, Abstract 5, located east of FM 969 within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas and forward to City Council for consideration at their next meeting.

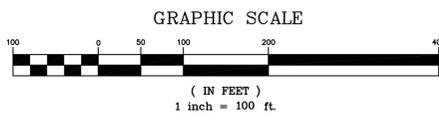
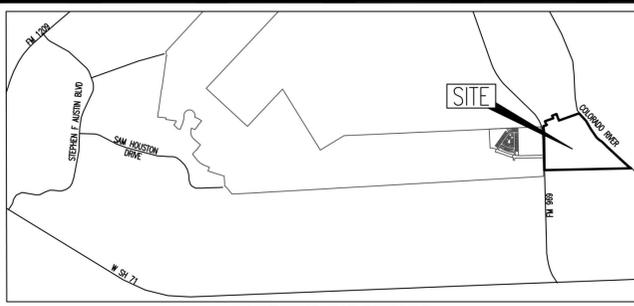
**ATTACHMENTS:**

Exhibit A: Preliminary Plat

Attachment 1: Location Map

Attachment 2: Surrounding Property Notification

# THE PRELIMINARY PLAT OF THE COLONY MUD 1A SECTION 3, PHASE A AND B



- SCALE: 1" = 100'
- LEGEND
- 1/2" CAPPED IRON ROD SET
  - 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
  - BL LOT NUMBER
  - B.L. BUILDING SETBACK LINE
  - P.U.E. PUBLIC UTILITY EASEMENT
  - D.E. DRAINAGE EASEMENT
  - W.W.E. WASTEWATER EASEMENT
  - L.S.E. LANDSCAPE EASEMENT
  - - - APPROXIMATE FEMA 100 YEAR FLOODPLAIN

Line #	Length	Direction
L1	34.39	N69°44'13"W
L2	143.52	S51°36'48"E
L3	99.93	S55°51'31"E
L4	120.11	S59°12'57"E
L5	31.37	S15°47'40"E
L6	24.73	S01°52'00"E
L7	45.78	S21°47'56"E
L8	59.49	S01°52'00"E
L9	50.84	S88°08'00"W
L10	82.08	S88°08'00"W
L11	41.75	S21°47'56"E
L12	42.97	N01°05'31"E
L13	47.01	N01°05'31"E
L14	31.37	S15°47'40"E
L15	54.83	S04°53'25"E
L16	28.77	S79°08'00"W
L17	20.39	S79°08'00"W
L18	24.73	S01°52'00"E
L19	24.73	S01°52'00"E
L20	32.52	N01°10'53"W
L21	38.41	S08°18'57"E
L22	32.39	N01°10'53"W
L23	66.51	S81°31'45"W
L24	67.94	S08°18'57"E
L25	15.83	N01°38'09"W
L26	38.63	S08°18'57"E
L27	61.78	N00°47'59"E
L28	27.03	S46°31'18"E
L29	59.14	S44°14'59"W
L30	12.08	S44°14'59"W
L31	3.82	S01°52'00"E
L32	40.00	S18°20'30"W
L33	39.73	S01°52'00"E
L34	48.11	N88°40'40"E
L35	70.34	S43°40'47"E
L36	75.00	S89°14'44"W
L37	70.00	S89°14'44"W
L38	77.30	S89°14'44"W
L39	62.70	S89°14'44"W
L40	33.74	S51°15'49"W
L41	98.44	S51°15'49"W
L42	36.86	S51°15'49"W
L43	67.79	S09°37'00"W
L44	95.97	S09°37'00"W
L45	103.25	S00°47'59"W
L46	75.00	S08°01'40"E
L47	75.00	N08°01'40"E
L48	75.00	N08°01'40"E
L49	66.20	N09°37'00"E
L50	73.57	N09°37'00"E
L51	23.99	N09°37'00"E
L52	66.20	N09°37'00"E
L53	61.78	N00°47'59"E
L54	41.48	N00°47'59"E
L55	23.99	N09°37'00"E
L56	73.57	N09°37'00"E
L57	21.85	N51°15'49"E
L58	73.59	N51°15'49"E
L59	73.59	N51°15'49"E
L60	73.59	N51°15'49"E
L61	70.00	N69°14'44"E
L62	70.00	N69°14'44"E
L63	70.00	N69°14'44"E
L64	75.00	N69°14'44"E
L65	75.00	N69°14'44"E
L66	0.95	N08°18'57"W
L67	16.30	N01°19'20"W
L68	62.94	N01°19'20"W
L69	78.76	N01°19'20"W
L70	3.70	N01°19'20"W
L71	31.73	N21°38'09"W
L72	31.70	S01°19'20"E
L73	65.00	S01°19'20"E
L74	65.00	S01°19'20"E
L75	37.56	S34°53'47"W
L76	79.98	N56°06'45"E
L77	40.52	N34°48'27"W
L78	40.52	N21°52'56"W
L79	10.19	N39°50'15"E
L80	68.16	S08°18'57"E
L81	38.22	N79°26'22"W

SHEET NO. 1 OF 3

Carlson, Brigrance & Doering, Inc.

FIRM ID #3791 REG. # 10024900

Civil Engineering Surveying  
5501 West William Cannon Austin, Texas 78749  
Phone No. (512) 280-5160 Fax No. (512) 280-5165

F.E.M.A. MAP NO. 48021 C 0215E & 48021 C 0355E  
BASTROP COUNTY, TEXAS DATED: JANUARY 19, 2006

PATH-J:\4967\SURVEY\PRELIMINARY PLAT-COLONY MUD 1A EAST PHASE A AND 2

# THE PRELIMINARY PLAT OF THE COLONY MUD 1A SECTION 3, PHASE A AND B

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

**LEGEND**

- 1/2" CAPPED IRON ROD SET
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 2 LOT NUMBER
- B.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- W.W.E. WASTEWATER EASEMENT
- L.S.E. LANDSCAPE EASEMENT
- - - APPROXIMATE FEMA 100 YEAR FLOODPLAIN

SCALE: 1" = 100'

**FLOOD PLAIN NOTE:**

A PORTION OF THIS TRACT LIES WITHIN A DESIGNATED FLOOD HAZARD AREA, AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION MAP NO. 48021 C 0215E AND 48021 C 0355E, FOR BASTROP COUNTY TEXAS, DATED JANUARY 19, 2006. COMMUNITY NUMBER 481193.

**GENERAL NOTES:**

1. ALL SUBDIVISION PERMITS SHALL CONFORM TO THE CITY OF BASTROP CODE OF ORDINANCES, CONSTRUCTION STANDARDS, AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
2. CONSTRUCTION PLANS AND SPECIFICATIONS FOR ALL SUBDIVISION IMPROVEMENTS SHALL BE REVIEWED AND ACCEPTED BY THE CITY OF BASTROP PRIOR TO ANY CONSTRUCTION WITHIN THE SUBDIVISION.
3. EROSION AND SEDIMENTATION CONTROLS CONSTRUCTED WITH THE SUBDIVISION ORDINANCE OF THE CITY OF BASTROP ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT.
4. ALL WORK, INCLUDING SIGNS, SHALL COMPLY WITH THE CITY OF BASTROP ORDINANCES AND THE CONSENT AGREEMENT FOR THE COLONY MUD NUMBER 1A AND SUBSEQUENT AMENDMENT.
5. THE CITY WILL PERFORM A FINAL INSPECTION OF INFRASTRUCTURE, BUT THE CITY WILL NOT "ACCEPT" THE INFRASTRUCTURE, ALSO, FINANCIAL ASSURANCE WILL NOT BE REQUIRED PRIOR TO THE PRELIMINARY PLAT BEING RECORDED, SINCE THE PRELIMINARY PLAT WILL NOT BE RECORDED.
6. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES SOLE RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF BASTROP. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PRELIMINARY PLAT VACATION OR RE-PLATING MAY BE REQUIRED, AT THE OWNERS SOLE EXPENSE, IF PLANS TO CONSTRUCT SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS. BE REVIEWED AND ACCEPTED BY THE CITY OF BASTROP PRIOR TO ANY CONSTRUCTION WITHIN THE SUBDIVISION.
7. BY APPROVING THIS PRELIMINARY PLAT, THE CITY OF BASTROP ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO THE CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS AND/OR CERTIFICATE OF OCCUPANCY.
8. NO LOT OR STRUCTURE SHALL BE OCCUPIED PRIOR TO THE APPLICANT SUBMITTING TO THE CITY OF BASTROP DOCUMENTATION OF SUBDIVISION/SITE REGISTRATION WITH THE TEXAS DEPARTMENT OF LICENSING AND REGULATIONS (TDLR) AND PROVIDE DOCUMENTATION OF REVIEW AND COMPLIANCE OF THE SUBDIVISION CONSTRUCTION PLANS WITH TEXAS ARCHITECTURAL BARRIERS ACT (TABA).
9. WATER IS PROVIDED BY THE COLONY MUD 1A.
10. WASTEWATER SERVICE IS PROVIDED BY THE COLONY MUD 1A.
11. ELECTRIC SERVICE WILL BE PROVIDED BY BLUEBONNET ELECTRIC.
12. GAS SERVICE WILL BE PROVIDED BY CENTER POINT ENERGY.
13. CABLE SERVICE IS PROVIDED BY THE TIME WARNER CABLE.
14. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE APPROVED WATER DISTRIBUTION AND WASTEWATER COLLECTION FACILITIES.
15. WASTEWATER AND WATER SYSTEMS SHALL CONFORM TO TCEQ (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY) REQUIREMENTS.
16. DEVELOPER/OWNER SHALL BE SOLELY RESPONSIBLE FOR ALL RELOCATIONS AND MODIFICATIONS TO EXISTING UTILITIES.
17. FLOOD WARNING: THE DEGREE OF FLOOD WATER PROTECTION REQUIRED BY THE CITY OF BASTROP FLOOD DAMAGE PREVENTION ORDINANCE IS CONSIDERED REASONABLE FOR THE REGULATORY PURPOSES AND IS BASED ON SCIENTIFIC AND ENGINEERING CONSIDERATIONS. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. ACCEPTANCE OF THIS PRELIMINARY PLAT BY THE CITY COUNCIL DOES NOT IMPLY THAT LAND OUTSIDE OF THE AREA OF SPECIAL FLOOD HAZARDS OR USES PERMITTED IN SUCH AREAS WILL BE FREE FROM FLOODING OR FLOOD DAMAGES. NEITHER SHALL ACCEPTANCE OF THIS PRELIMINARY PLAT CREATE LIABILITY ON THE PART OF THE CITY OF BASTROP OR ANY OFFICIAL OR EMPLOYEE THEREOF FOR ANY FLOOD DAMAGES THAT RESULT FROM RELIANCE ON THE INFORMATION CONTAINED WITHIN THIS PRELIMINARY PLAT OR ANY ADMINISTRATION DECISION LAWFULLY MADE HEREUNDER.
18. ALL DRAINAGE EASEMENTS, STORM WATER FACILITIES / FEATURE SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS OR HER ASSIGNS.
19. ALL EASEMENTS OF RECORD AS INDICATED ON THE MOST RECENT TITLE RUN DATED: 12-01-2016, CONDUCTED BY THIS TITLE INSURANCE COMPANY, TITLE COMMITMENT #. NO. 421005324 ISSUED BY CHICAGO TITLE INSURANCE COMPANY FOR THIS PROPERTY ARE SHOWN ON THIS PRELIMINARY PLAT.
20. TEMPORARY OR PERMANENT EASEMENTS ARE TO BE PROVIDED AS REQUIRED AT THE CITY'S SOLE DISCRETION FOR OFF-SITE WATER, WASTEWATER AND DRAINAGE IMPROVEMENTS.
21. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO ALL EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
22. IT IS THE RESPONSIBILITY OF EACH RESIDENTIAL BUILDER TO DESIGN AND CONSTRUCT A SUITABLE GRADING AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER WITHOUT PONDING IN OR AROUND THE LOT, FROM ITS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
23. PUBLIC UTILITY AND DRAINAGE EASEMENTS WERE SHOWN HEREON ARE INTENDED TO INDICATE AND EASEMENT FOR CONSTRUCTION, OPERATIONS AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE WAYS, INCLUDING BUT NOT LIMITED TO SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES AND NATURAL GAS LINES.
24. EVIDENCE OF A MANDATORY OWNER'S ASSOCIATIONS RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS MUST BE SUBMITTED PRIOR TO THE RECORDING OF THE FINAL PLAT.
25. ALL RIGHT-OF-WAYS IN SECTION 3 WILL BE PRIVATE.

STATE OF TEXAS )  
COUNTY OF TRAVIS ) KNOW ALL MEN BY THESE PRESENTS:

I, DOUGLAS R. RUMMEL, JR., P.E. DO HEREBY CERTIFY THAT THE STREETS AND DRAINAGE DESIGN, AS SHOWN HEREON, COMPLIES WITH THE SUBDIVISION REGULATIONS FOR THE CITY OF BASTROP, AND THAT THE 100 YEAR FLOOD PLAIN IS AS SHOWN AND WILL BE CONTAINED WITHIN THE DRAINAGE EASEMENT AND OR DRAINAGE RIGHT-OF-WAY, AS SHOWN HEREON.

ENGINEERING BY: DOUGLAS R. RUMMEL, JR., P.E. NO. 97387  
CARLSON, BRIGANCE & DOERING, INC.  
5501 WEST WILLIAM CANNON DRIVE  
AUSTIN, TEXAS 78749



STATE OF TEXAS )  
COUNTY OF TRAVIS ) KNOW ALL MEN BY THESE PRESENTS:

THAT I, AARON V. THOMASON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATION OF THE CITY OF BASTROP, COUNTY, TEXAS. ALL EASEMENTS OF RECORD HAVE BEEN IDENTIFIED ON THIS PLAT TO THE BEST OF MY KNOWLEDGE.

SURVEYED BY: AARON V. THOMASON ~ R.P.L.S. NO. 6214  
CARLSON, BRIGANCE & DOERING, INC.  
5501 WEST WILLIAM CANNON DRIVE  
AUSTIN, TEXAS 78749



**FIELD NOTES**

BEING ALL OF THAT CERTAIN 100.289 ACRE TRACT OF LAND OUT OF THE JOSE MANUEL BANGS, ABSTRACT NO. 5, SITUATED IN BASTROP COUNTY, TEXAS, BEING A PORTION OF A 238.002 ACRE TRACT OF LAND, BEING MORE PARTICULARLY DESCRIBED AS A 123.943 ACRE TRACT BEING CALLED TRACT 2 CONVEYED TO HUNT COMMUNITIES BASTROP, L.L.C., RECORDED IN DOCUMENT NUMBER 201617588, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS (O.P.R.B.C.T.X.), SAID 100.289 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at an iron rod found for the southwestern corner of said Tract 2, also being the northwestern corner of that certain 322.788 acre tract of land conveyed to Lloyd F. Ketha, and also being in the eastern right-of-way line of FM 969 (right-of-way varies), for the **POINT OF BEGINNING** for the herein described tract,

**THENCE**, with the common boundary line of said Tract 2 and said F.M. 969, the following two (2) courses and distances, numbered 1 and 2,

1. N01°19'20"W, a distance of 1452.55 feet to a calculated point, at a point of curvature for a curve to the left, and
2. With said curve to the left, having a radius of 60.00 feet, an arc length of 191.29 feet, and whose chord bears N05°01'30"W, a distance of 191.15 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",

**THENCE**, leaving said common boundary line and crossing said Tract 2, the following seven (7) courses and distances, numbered 1 through 7,

1. N69°14'44"E, a distance of 118.55 feet to a 1/2" iron rod set stamped "CBD SETSTONE", at a point of curvature for a curve to the right,
2. With said curve to the right, having a radius of 60.00 feet, an arc length of 16.12 feet, and whose chord bears N11°34'09"E, a distance of 16.08 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
3. N69°44'13"W, a distance of 34.39 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
4. N20°45'16"W, a distance of 118.80 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
5. N69°14'44"E, a distance of 334.16 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
6. N21°38'09"W, a distance of 104.26 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", and
7. N68°21'51"E, a distance of 170.00 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", being in an eastern boundary line of said Tract 2, also being in the southwestern boundary line of that certain 5.233 acre tract of land conveyed to Andy L. and Janace M. Isbell in Volume 1086, Page 544 (O.P.R.B.C.T.X.),

**THENCE**, with the common boundary line of said Tract 2 and said 5.233 acre tract, the following two (2) courses and distances, numbered 1 and 2,

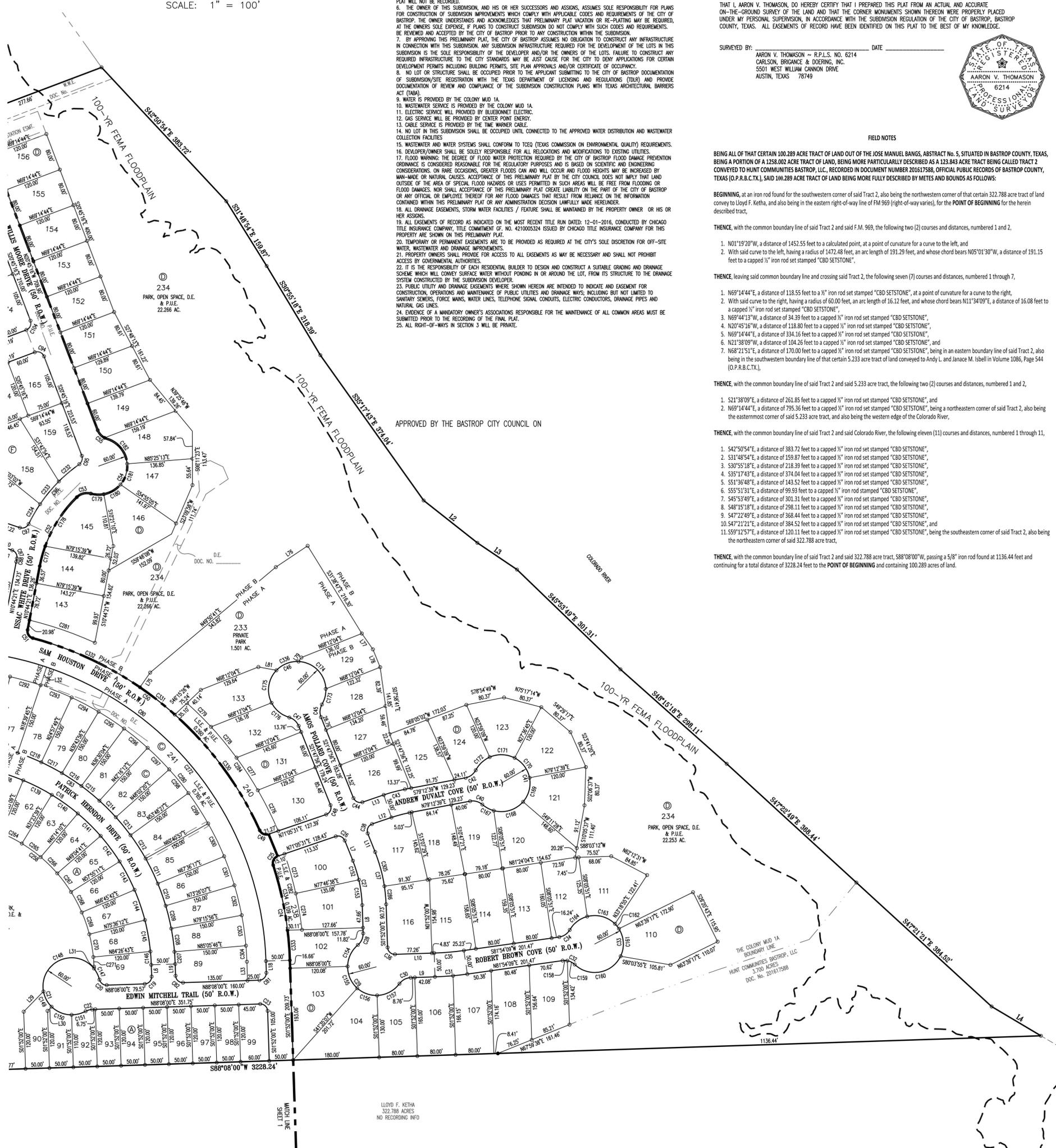
1. S21°38'09"E, a distance of 261.85 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", and
2. N69°14'44"E, a distance of 795.36 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", being a northeastern corner of said Tract 2, also being the easternmost corner of said 5.233 acre tract, and also being the western edge of the Colorado River,

**THENCE**, with the common boundary line of said Tract 2 and said Colorado River, the following eleven (11) courses and distances, numbered 1 through 11,

1. S42°50'54"E, a distance of 383.72 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
2. S31°48'54"E, a distance of 159.87 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
3. S30°55'18"E, a distance of 218.39 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
4. S35°17'43"E, a distance of 374.04 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
5. S51°36'48"E, a distance of 143.52 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
6. S55°51'31"E, a distance of 99.93 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
7. S45°53'49"E, a distance of 301.31 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
8. S48°15'18"E, a distance of 298.11 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
9. S47°22'49"E, a distance of 368.44 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE",
10. S47°21'21"E, a distance of 384.52 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", and
11. S59°12'57"E, a distance of 120.11 feet to a capped 1/2" iron rod set stamped "CBD SETSTONE", being the southeastern corner of said Tract 2, also being the northeastern corner of said 322.788 acre tract,

**THENCE**, with the common boundary line of said Tract 2 and said 322.788 acre tract, S88°08'00"W, passing a 5/8" iron rod found at 1136.44 feet and continuing for a total distance of 3228.24 feet to the **POINT OF BEGINNING** and containing 100.289 acres of land.

APPROVED BY THE BASTROP CITY COUNCIL ON



LLOYD F. KETHA  
322.788 ACRES  
NO RECORDING INFO

**SHEET NO. 2 OF 3**

**Carlson, Brigance & Doering, Inc.**  
FIRM ID #F3791    REG. # 10024900

Civil Engineering 5501 West William Cannon Phone No. (512) 280-5160	Surveying Austin, Texas 78749 Fax No. (512) 280-5165
---	--

THE PRELIMINARY PLAT OF  
**THE COLONY MUD 1A**  
**SECTION 3, PHASE A AND B**

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	191.29	1472.48	N05°01'30"W	191.15	95.78	726°36'
C2	16.12	60.00	N11°34'09"E	16.08	8.11	152°35'
C3	164.18	650.00	N81°28'30"E	163.75	82.53	142°28'20"
C4	23.56	15.00	N67°47'40"W	21.21	15.00	90°00'00"
C5	23.56	15.00	N29°12'20"E	21.21	15.00	90°00'00"
C6	27.40	30.00	S79°37'46"E	26.46	14.74	52°19'48"
C7	188.69	60.00	S36°28'30"W	120.00	36573.58	180°11'17"
C8	27.40	30.00	N27°29'14"W	26.46	14.74	52°19'48"
C9	27.40	30.00	N24°50'34"E	26.46	14.74	52°19'48"
C10	204.38	60.00	S46°34'31"E	118.95	450.69	195°09'50"
C11	27.40	30.00	S61°59'15"W	26.44	14.73	52°17'31"
C12	27.40	30.00	N65°42'05"W	26.46	14.74	52°19'48"
C13	298.10	60.00	N01°52'00"W	73.33	46.32	284°39'37"
C14	27.40	30.00	N61°58'06"E	26.46	14.74	52°19'48"
C15	22.77	15.00	S48°22'42"E	20.85	14.23	86°58'35"
C16	61.85	325.00	N10°20'32"W	61.76	31.02	105°41'15"
C17	23.56	15.00	S28°12'20"W	21.21	15.00	90°00'00"
C18	789.04	435.00	N53°49'50"W	685.23	556.05	103°55'41"
C19	23.56	15.00	N43°08'00"E	21.21	15.00	90°00'00"
C20	20.54	15.00	S52°38'51"E	18.97	12.24	78°26'18"
C21	299.24	60.00	S23°41'51"W	72.43	45.42	285°44'54"
C22	14.30	30.00	S74°28'42"W	14.16	7.29	27°18'37"
C23	23.56	15.00	N46°52'00"W	21.21	15.00	90°00'00"
C24	203.55	725.00	N09°54'35"W	202.88	102.45	160°51'11"
C25	23.31	15.00	S26°34'10"W	21.04	14.75	89°02'41"
C26	22.81	15.00	N65°21'12"W	20.67	14.26	87°06'33"
C27	95.67	275.00	N11°49'58"W	95.19	48.32	195°55'56"
C28	27.40	30.00	N24°17'50"E	26.46	14.74	52°19'48"

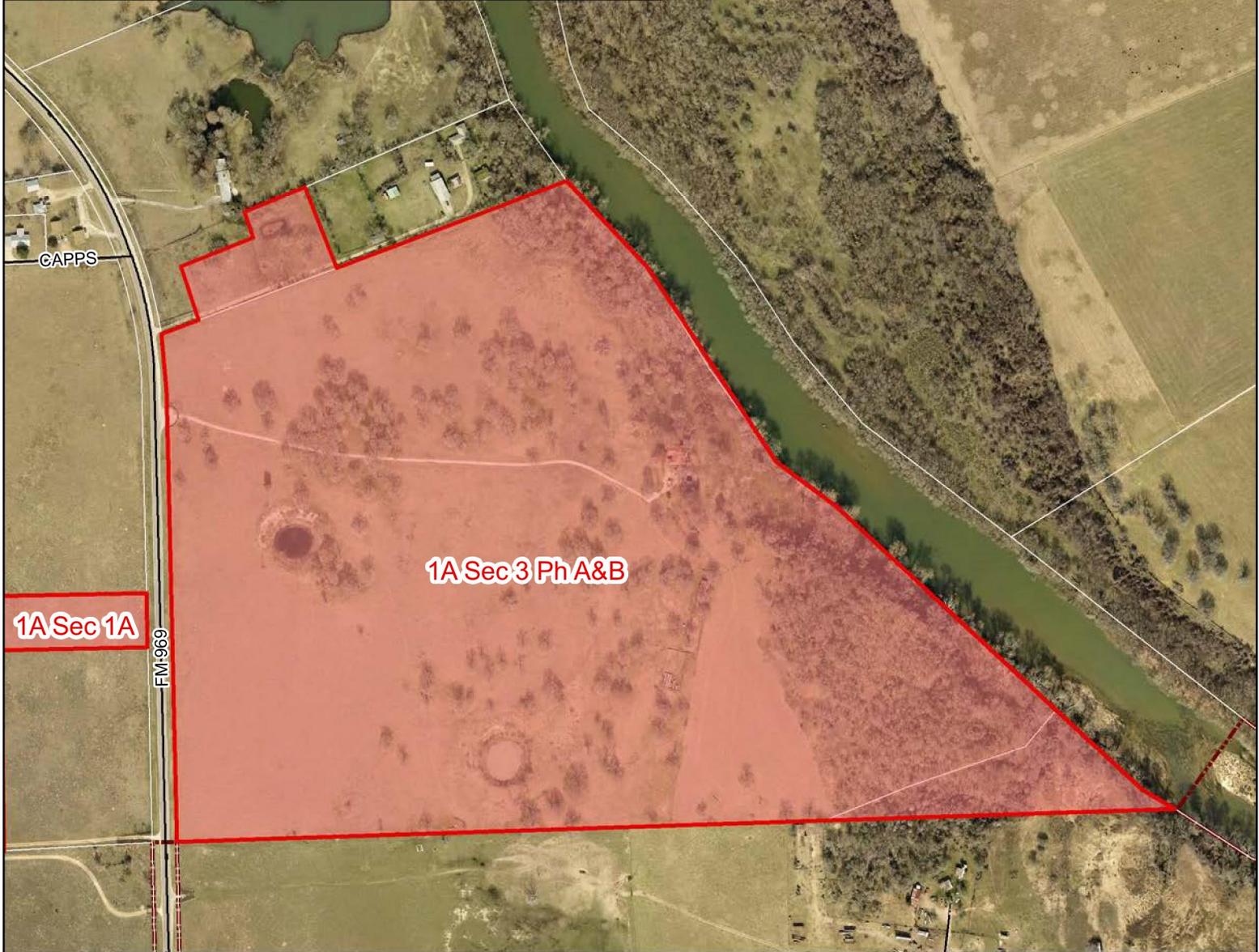
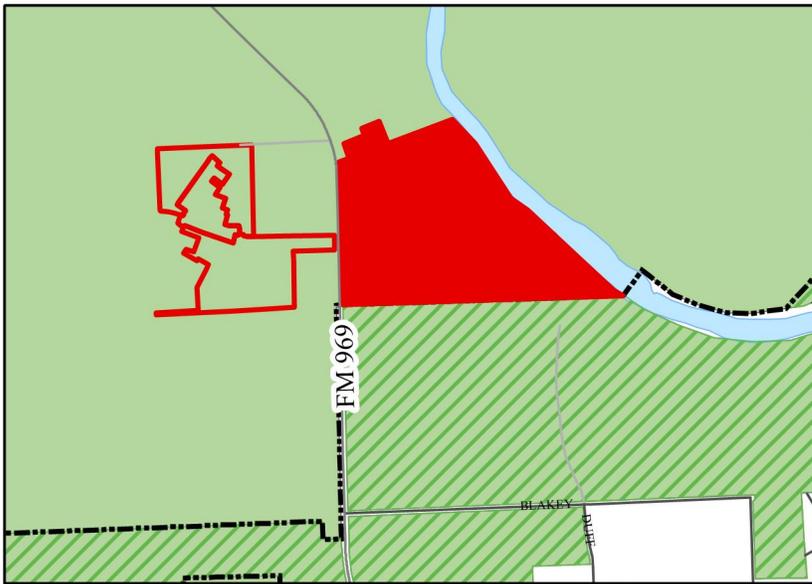
Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C29	203.85	60.00	S48°52'00"E	119.02	466.43	194°39'37"
C30	27.40	30.00	S61°58'06"W	26.46	14.74	52°19'48"
C31	67.97	625.00	N85°01'05"E	67.94	34.02	81°31'51"
C32	27.40	30.00	N71°55'57"W	26.46	14.74	52°19'48"
C33	298.10	60.00	N08°05'51"W	73.33	46.32	284°39'37"
C34	27.40	30.00	N55°44'15"E	26.46	14.74	52°19'48"
C35	62.53	575.00	N85°01'05"E	62.50	31.30	81°31'51"
C36	23.56	15.00	S46°52'00"E	21.21	15.00	90°00'00"
C37	113.06	325.00	N11°49'58"W	112.49	57.11	195°55'56"
C38	24.32	15.00	S24°38'48"W	21.74	15.78	92°53'27"
C39	38.97	275.00	S75°09'05"W	38.93	19.52	87°06'08"
C40	27.40	30.00	N74°37'27"W	26.46	14.74	52°19'48"
C41	298.10	60.00	N10°47'21"W	73.33	46.32	284°39'37"
C42	27.40	30.00	N53°02'44"E	26.46	14.74	52°19'48"
C43	46.05	325.00	S75°09'05"W	46.01	23.06	87°06'08"
C44	22.81	15.00	S62°11'12"E	20.67	14.26	87°06'33"
C45	27.40	30.00	S04°21'58"W	26.46	14.74	52°19'48"
C46	298.10	60.00	S88°12'04"W	73.33	46.32	284°39'37"
C47	27.40	30.00	N47°57'50"W	26.46	14.74	52°19'48"
C48	24.32	15.00	N24°38'48"E	21.74	15.78	92°53'27"
C49	22.19	15.00	S86°31'53"E	20.22	13.69	84°45'13"
C50	644.17	725.00	N49°36'30"W	623.19	345.09	50°54'29"
C51	22.46	15.00	S32°06'42"E	20.42	13.94	85°48'05"
C52	167.08	275.00	S28°08'40"W	164.52	86.21	34°48'38"
C53	31.55	30.00	S76°40'51"W	30.12	17.41	60°15'44"
C54	187.34	60.00	N16°21'49"E	119.99	629.58	178°53'47"
C55	27.40	30.00	S46°55'10"E	26.46	14.74	52°19'48"
C56	23.56	15.00	N24°14'44"E	21.21	15.00	90°00'00"

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C57	23.33	15.00	S66°11'43"E	21.05	14.77	89°07'06"
C58	23.79	15.00	N23°48'17"E	21.38	15.23	90°52'54"
C59	27.40	30.00	S84°35'22"E	26.46	14.74	52°19'48"
C60	204.77	60.00	S23°48'17"W	118.90	436.67	195°32'30"
C61	27.40	30.00	N47°48'04"W	26.46	14.74	52°19'48"
C62	97.50	275.00	N11°28'45"W	96.99	49.27	201°8'49"
C63	27.40	30.00	N24°50'34"E	26.46	14.74	52°19'48"
C64	211.33	60.00	S49°53'48"E	117.83	311.45	201°48'32"
C65	27.40	30.00	S55°21'51"W	26.46	14.74	52°19'48"
C66	22.56	15.00	N52°23'05"W	20.49	14.03	86°10'20"
C67	22.65	15.00	N30°57'12"E	20.56	14.11	86°30'15"
C68	138.92	550.00	N81°28'30"E	138.55	69.83	142°28'20"
C69	23.56	15.00	N67°47'40"W	21.21	15.00	90°00'00"
C70	52.34	275.00	N10°20'32"W	52.26	26.25	105°41'15"
C71	22.00	15.00	N37°07'18"E	20.08	13.51	84°01'25"
C72	25.13	15.00	S74°42'05"E	22.29	16.65	95°58'35"
C73	298.10	60.00	S105°20'00"E	73.33	46.32	284°39'37"
C74	27.40	30.00	S52°58'08"W	26.46	14.74	52°19'48"
C75	25.13	15.00	N52°52'42"W	22.29	16.65	95°58'35"
C76	24.35	15.00	N41°37'18"E	21.77	15.81	83°01'25"
C77	23.70	15.00	S46°35'40"E	21.31	15.14	90°32'39"
C78	19.77	15.00	S36°26'30"W	18.37	11.62	75°31'40"
C79	23.56	15.00	S28°12'20"W	21.21	15.00	90°00'00"
C80	1224.37	675.00	N53°49'50"W	1063.29	862.84	103°55'41"
C81	23.56	15.00	N43°08'00"E	21.21	15.00	90°00'00"
C82	23.56	15.00	S46°52'00"E	21.21	15.00	90°00'00"
C83	879.73	485.00	N53°49'50"W	763.99	619.97	103°55'41"
C84	23.56	15.00	S67°47'40"E	21.21	15.00	90°00'00"

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C85	24.56	15.00	S34°36'55"W	21.91	16.04	93°49'40"
C86	130.98	275.00	N84°49'34"W	129.75	66.76	271°27'22"
C87	21.77	15.00	N29°36'13"W	19.91	13.31	83°09'20"
C88	7.01	325.00	S11°21'24"W	7.01	3.50	114°07'00"
C89	23.04	15.00	N54°44'21"E	20.84	14.49	88°00'01"
C90	310.44	725.00	S86°28'21"W	308.08	157.64	24°32'02"
C91	24.48	15.00	S59°02'48"E	21.85	15.94	93°29'45"
C92	23.60	15.00	S53°23'36"E	21.24	15.04	90°09'16"
C93	304.58	225.00	S30°27'54"W	281.85	180.78	77°33'41"
C94	23.56	15.00	N65°45'16"W	21.21	15.00	90°00'00"
C95	19.78	15.00	N17°01'14"E	18.38	11.62	75°32'59"
C96	166.25	325.00	S40°08'28"W	164.44	84.98	29°18'30"
C97	21.82	15.00	N67°09'10"E	19.94	13.35	83°19'54"
C98	154.80	325.00	N84°49'34"W	153.34	78.89	271°27'22"
C99	23.60	15.00	S53°23'36"E	21.24	15.04	90°09'16"
C100	33.57	275.00	S04°49'09"E	33.56	16.80	6°59'37"
C101	115.23	325.00	N11°28'45"W	114.62	58.22	201°8'49"
C102	22.61	15.00	S21°21'23"W	20.53	14.08	86°22'14"
C103	23.56	15.00	N65°45'16"W	21.21	15.00	90°00'00"
C104	23.56	15.00	N24°14'44"E	21.21	15.00	90°00'00"
C105	372.27	275.00	S30°27'54"W	344.49	220.95	77°33'41"
C106	23.56	15.00	N36°36'24"E	21.18	14.96	89°50'42"
C107	25.43	15.00	S49°53'48"E	22.49	17.00	97°06'55"
C108	115.23	325.00	N11°28'45"W	114.62	58.22	201°8'49"
C109	23.79	15.00	S23°48'17"W	21.38	15.23	90°52'54"
C110	23.33	15.00	N66°11'43"W	21.05	14.77	89°07'06"
C111	97.50	275.00	N11°28'45"W	96.99	49.27	201°8'49"
C112	39.67	325.00	S04°49'09"E	39.65	19.86	6°59'37"

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C113	23.52	15.00	N36°36'24"E	21.18	14.96	89°50'42"
C114	20.31	60.00	N63°09'39"W	20.21	10.25	192°33'55"
C115	52.12	60.00	S82°15'23"W	50.50	27.83	49°46'19"
C116	38.53	60.00	S38°58'23"W	37.87	19.86	36°47'40"
C117	51.64	60.00	S04°04'44"E	50.06	27.54	49°18'34"
C118	26.09	60.00	S41°11'35"E	25.89	13.26	24°55'08"
C119	11.21	30.00	N09°22'52"E	11.14	5.67	21°24'24"
C120	16.19	30.00	N35°32'46"E	16.00	8.30	30°55'25"
C121	44.46	60.00	S29°46'48"W	43.45	23.31	42°27'20"
C122	57.65	60.00	S18°58'29"E	56.46	31.27	55°03'15"
C123	52.51	60.00	S71°34'27"E	50.85	28.07	50°08'41"
C124	49.75	60.00	N59°35'51"E	48.34	26.41	47°30'43"
C125	10.26	30.00	S45°38'34"W	10.21	5.18	19°36'09"
C126	17.12	30.00	S71°47'19"W	16.88	8.80	32°41'22"
C127	6.79	60.00	S42°46'42"E	6.79	3.40	62°02'02"
C128	54.98	60.00	S72°16'12"E	53.07	29.59	52°29'58"
C129	39.80	60.00	N62°28'45"E	39.07	20.66	38°00'07"
C130	38.07	60.00	N25°18'02"E	37.44	19.70	36°21'19"
C131	83.76	60.00	N32°52'11"W	81.21	43.33	79°59'08"
C132	51.63	60.00	S82°29'08"W	50.05	27.54	49°18'14"
C133	23.02	60.00	S46°49'07"W	22.93	11.68	22°01'49"
C134	22.67	435.00	S75°41'43"W	22.62	11.31	2°58'47"
C135	67.13	435.00	S81°36'22"W	67.06	33.63	8°50'31"
C136	67.13	435.00	N89°33'07"W	67.06	33.63	8°50'31"
C137	67.13	435.00	N89°42'37"W	67.06	33.63	8°50'31"
C138	67.13	435.00	N71°52'06"W	67.06	33.63	8°50'31"
C139	67.13	435.00	N63°01'36"W	67.06	33.63	8°50'31"
C140	67.13	435.00	N54°11'05"W	67.06	33.63	8°50'31"

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C141	67.13	435.00	N45°20'35"W	67.06	33.63	8°50'31"
C142	67.13	435.00	N36°30'04"W	67.06	33.63	8°50'31"
C143	67.13	435.00	N27°39'34"W	67.06	33.63	8°50'31"
C144	67.13	435.00	N18°49'03"W	67.06		



0 125 250 500 Feet

Location Map  
Preliminary Plat  
The Colony MUD  
1A Section 3 Phases A & B



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 5/11/2018

**Notice of Pending Subdivision Approval  
City of Bastrop  
Planning & Zoning Commission and City Council**



Dear Property Owner:

The **Planning & Zoning Commission** will hold a meeting **Thursday, May 31, 2018 at 6:00 p.m.** and the **City Council** will hold a meeting on **Tuesday, June 12, 2018 at 6:30 p.m.** in the **City Hall Council Chambers** located at **1311 Chestnut Street, Bastrop, Texas** to consider approval of The Colony MUD 1A, Section 3, Phase A and B Preliminary Plat being 100.289 acres out of the Jose Manuel Bangs Survey, A-5, located east of FM 969 within the Statutory Extra-Territorial Jurisdiction of Bastrop, Texas.

Owner/Applicant: Hunt Communities Bastrop, LLC/Rick Neff

Address: East of FM 969

Legal Description: 100.289 acres out of the Jose Manuel Bangs Survey, A-5

Number of Lots: 231 residential, 11 open space and easement lots

**The site location map and preliminary plat are attached for reference.**

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances Subdivision Regulations.

Property owners wishing to subdivide land must follow the rules within the City Subdivision Regulations, which can be read online at:

[https://library.municode.com/tx/bastrop/codes/code\\_of\\_ordinances?nodeId=CH10SU](https://library.municode.com/tx/bastrop/codes/code_of_ordinances?nodeId=CH10SU)

For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org), or visit the office at 1311 Chestnut Street, Bastrop, Texas.

**MEETING DATE:** May 31, 2018

**ITEM:** 3C

**TITLE:**

Public Hearing and consider action to recommend approval of a Conditional Use Permit to allow a brewery, distillery and winery use on 0.046 acres of Building Block 3 West of Water Street (809 Main Street), an area zoned HMS, Historic Main Street, and 0.184 acres of Building Block 3 West of Water Street (705 Pine Street), an area zoned DMU, Downtown Mixed Use, within the city limits of Bastrop and forward to City Council for consideration at their next meeting.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: 715 Pine Street and 809 Main Street (Attachment 1)  
Total Acreage: 0.644 acres  
Legal Description: 0.046 acres of Building Block 3 West of Water Street (809 Main Street) and 0.184 acres of Building Block 3 West of Water Street (705 Pine Street)

Property Owner: Thomas and Judi Hoover  
Applicant Contact: Stephen and Cheri Todee

Existing Use: Vacant Retail Commercial Building  
Existing Zoning: DMU, Downtown Mixed Use and HMS, Historic Main Street  
Future Land Use: Downtown Bastrop

**BACKGROUND/HISTORY:**

The Copper Shot Distillery is currently in business at 604 Chestnut Street. The applicant is looking to move to a bigger site to expand production and seating availability. (Attachment 2).

**POLICY EXPLANATION:**

The purpose of conditional uses is to allow certain uses in districts that under some circumstances would not be compatible with other permitted uses, but may be compatible if certain conditions and development restrictions are met. A Conditional Use Permit (CUP) is adopted by Ordinance, similar to a standard zoning request, with public hearings at Planning & Zoning Commission and City Council meetings, as well as two ordinance readings at separate City Council meetings.

Per Section 33.2 Conditional Use Permit Regulations, the Planning and Zoning Commission and City Council may consider the following for approval of a requested CUP:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;

*Small scale production businesses and assembly space is compatible with the surrounding uses of historic downtown offices, retail, and restaurants.*

2. The activities requested by the applicant are normally associated with the permitted uses in the base district;

*Small scale production businesses and assembly space is compatible with the Downtown Mixed Use and Historic Main Street zoning districts.*

3. The nature of the use is reasonable;

*Small retail breweries, distilleries and wineries are a reasonable size and scale use for the downtown.*

4. Any negative impact on the surrounding area has been mitigated;

*The production operations of the use will not produce any noxious emissions or noise. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.*

6. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

*No additional criteria are required.*

**PUBLIC COMMENTS:**

Property owner notifications were mailed to 18 adjacent property owners on May 11, 2018. At the time of this report, three responses in favor were received. (Attachment 4).

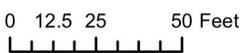
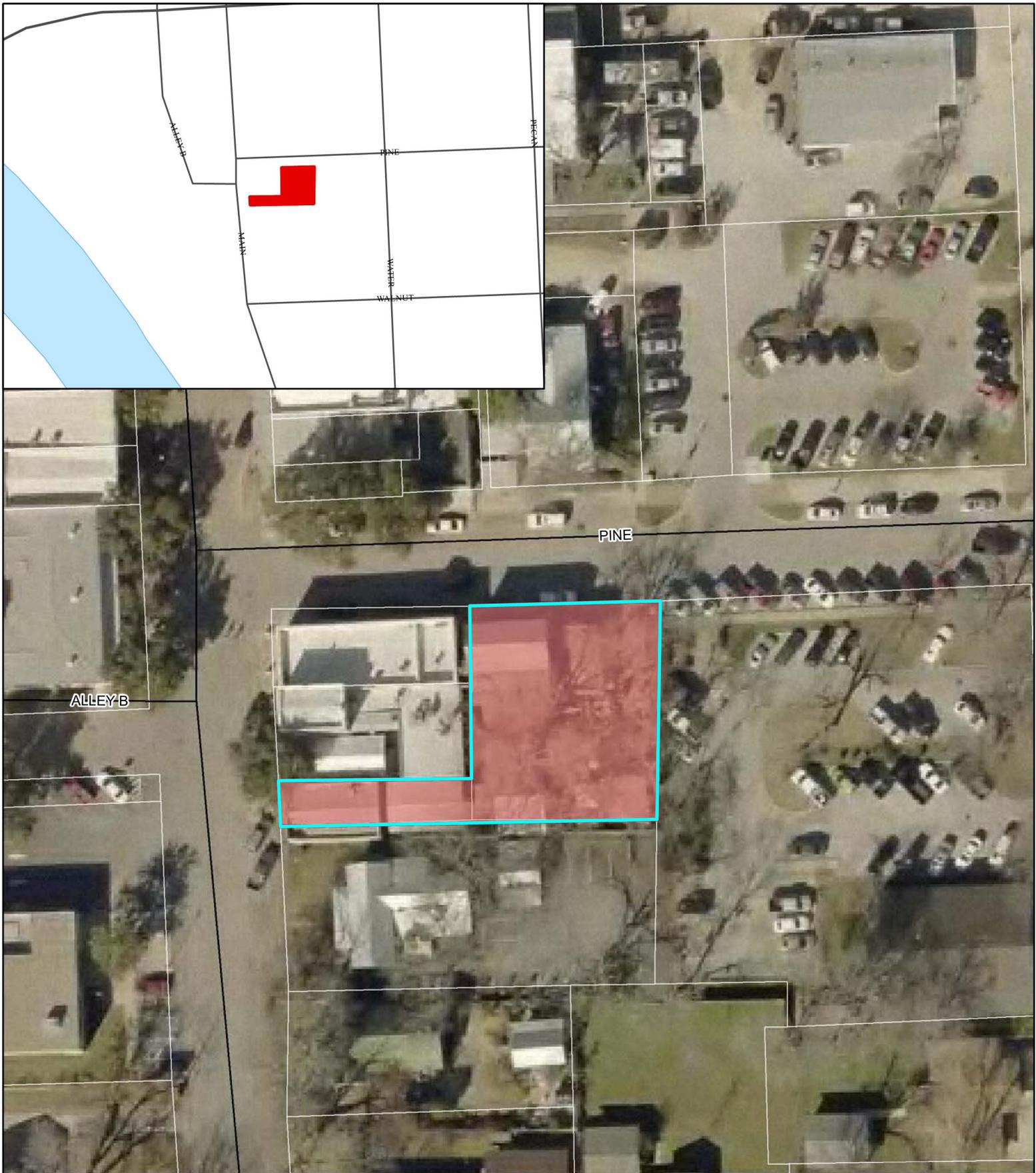
**RECOMMENDATION:**

Public Hearing and consider action to recommend approval of a Conditional Use Permit to allow a brewery, distillery and winery use on 0.046 acres of Building Block 3 West of Water Street (809 Main Street), an area zoned HMS, Historic Main Street, and (0.184 acres of Building Block 3 West of Water Street (705 Pine Street), an area zoned DMU, Downtown Mixed Use, within the city limits of Bastrop with the following conditions and forward to City Council for consideration at their next meeting.

1. Construction shall be in conformance with the City of Bastrop regulations.
2. All necessary permits for the proposed development shall be acquired prior to occupying the building.
3. A Building Permit shall be applied for and secured within one year from the date the Conditional Use Permit is granted (second reading of the ordinance).
4. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.

**ATTACHMENTS:**

Attachment 1: Property Location Map  
Attachment 2: Letter from Applicant  
Attachment 3: Conceptual Site Plan  
Attachment 4: Property Owner's Notification  
Attachment 5: Zoning Map



Location Map  
 Conditional Use Permit (CUP)  
 Portion of Building Block 3 West of Water St  
 705 Pine St and 809 Main St



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 5/11/2018



April 26, 2018

Planning/Zoning Commission and City Council,

Copper Shot Distillery would like to relocate its business to the "Tavern" at 809 Main Street across from Wells Fargo Bank. The building is already setup to accomodate our type of business and make the start up a lot easier for us. We wanted to take some time to clarify/remind what our business is allowed to do and how it will continue to operate.

We distill spirits and have a tasting room for customers to try our products. Copper Shot cannot sell more than two bottles per person every 30 days and is only allowed ½ oz tasting up to 2 oz served per person. So with that being said, " we are NOT a bar." The still we use is operated as small craft of only 100 gallons and yields 7-16 gallons of product per run depending on the proof that we run it at. Our still only runs 2 – 3 days a week. Our tasting room is open 7 days a week. Mon – Thur noon – 9:00 pm. Friday and Saturday 11:00 am – 10:00 pm. Sunday Noon – 5:00 pm (no bottle sales on Sunday) Our still is electric, no open flame or hazard.

Our operation at its max has never used more than 500 gallons of water in a week and 300 gallons of waste water going into the sewer system. The sewer water is grain free. Our grains are mostly corn and are picked up by a local farmer. We currently collect rain water off our building to subside water usage. We plan on installing a rain water collection at this new location as well.

This new location will greatly help our business with expansion and the downtown main street foot traffic. Thank you for your time and consideration in approving our conditional use permit, for the property.

Sincerely,

  
Stephen and Cheri Todee

Owners of Copper Shot Distillery Inc

Copper Shot Distillery Inc

Copper Shot Distillery will be manufacturing its own alcohol spirits. i.e. Vodka, Whiskey, moonshine  
A mixed beverage use permit is needed for the tasting room. Mixed Beverage taxes and sales tax are collected from this business to help contribute to the city.

## Conceptual Site Plan for Copper Shot Distillery

Relocating of Copper Shot Distillery to 809 Main Street building to be used as the tasting room, 960 sq.ft. The connecting back deck/patio, 570 sq.ft. The stable barn located 3 ft east of the back deck/patio at 705-~~D~~<sup>C</sup> Pine Street will be used as our distilling/bottling room. 440 sq.ft. A screened in perimeter made of 6' wooden panels will be enclosing the entire property per TABC, with an emergency fire exit. Entire facility will be closed off to all adjacent properties.

Property is currently applying for a Mixed Beverage Use Permit.

Parking for business – there is 2 open spaces in front of building on the street. Two public parking areas off of Pine/Water Street.

Means of ingress is double front doors off of Main Street. Means of egress is an exit thru the perimeter screen gate, that leads out to Pine Street.

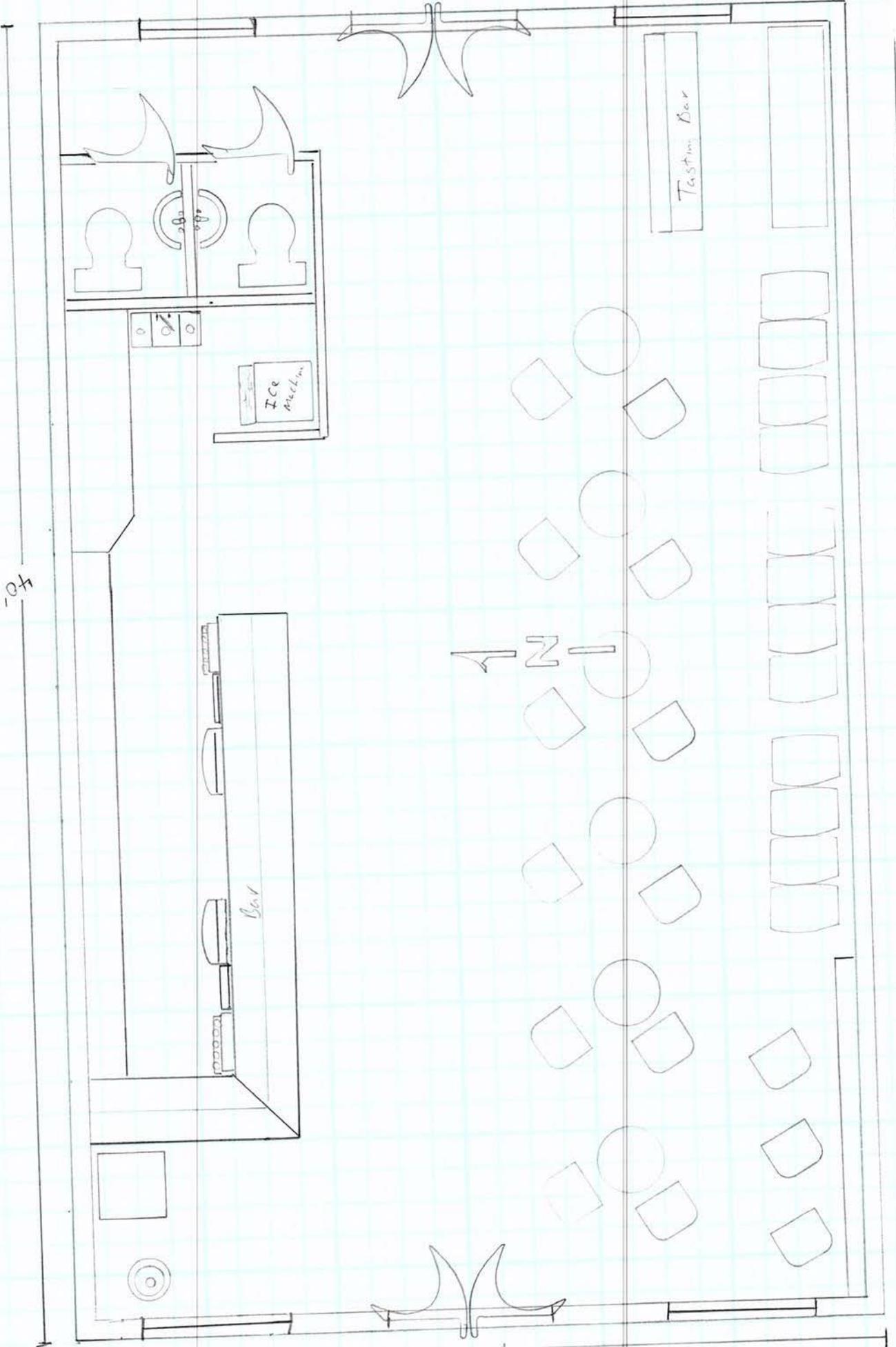
Visual screening – Bulk of Alcohol will be distilled and stored in the stable/barn located at 705-~~D~~<sup>C</sup> Pine St.

Bottles for sale and used for tastings will be present at 809 Main St.

Barrels will also be stored at 809 Main St.

Tasting Room

40'



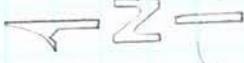
Main St →

447

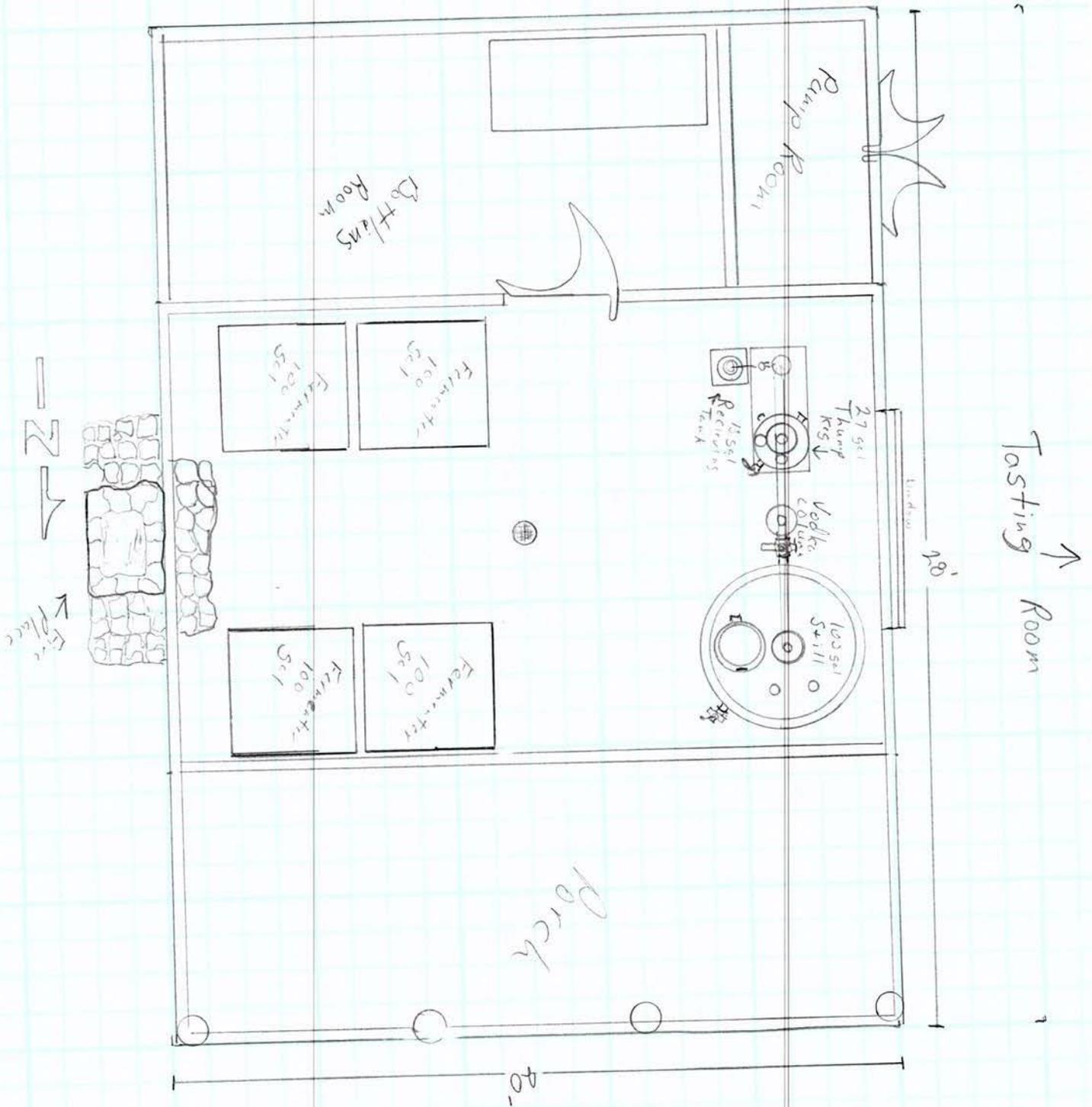
Tasting Bar

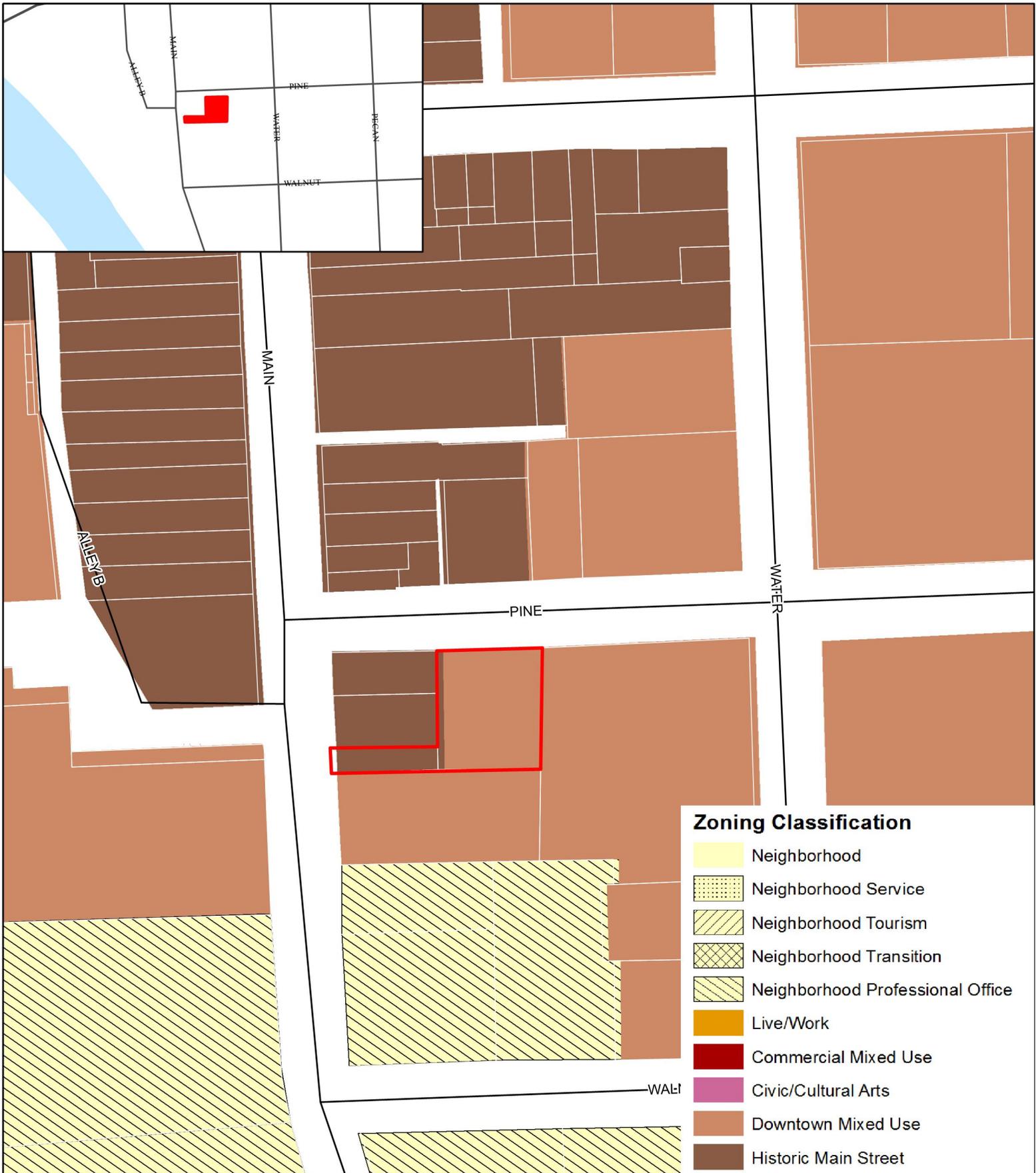
Ice Machine

Bar



# Still House





1 inch = 100 feet

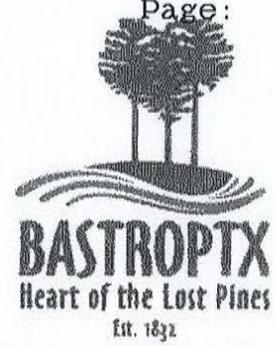
### Attachment 4 Zoning Map Conditional Use Permit Copper Shot Distillery



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 5/25/2018

Notice of Pending Conditional Use Permit Approval  
City of Bastrop  
Planning & Zoning Commission  
And City Council



Dear Property Owner:

The **Planning and Zoning Commission** will conduct a public hearing on **Thursday, May 31, 2018 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, June 12, 2018 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** on the request for a Conditional Use Permit to allow a distillery, brewery, distillery and winery use on Building Block 3 West of Water Street (0.046 acres), an area zoned HMS, Historic Main Street (809 Main Street), and Building Block 3 West of Water Street (0.184 acres), an area zoned DMU, Downtown Mixed Use (705 Pine Street) within the city limits of Bastrop.

Applicant/Owner: Cheri Todee/Tommy and Judith Hoover  
Address: 809 Main Street and 705 Pine Street  
Legal Description: Building Block 3 West of Water Street (0.046 acres) and Building Block 3 West of Water Street (0.184 acres)

**The site location map and a letter from the property owner is attached for reference.**

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org), or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

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

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

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

Property Owner Name: Frederic Taylor  
Property Address: 809 Main Street Bastrop, TX 78602  
Phone (optional): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Email (optional): \_\_\_\_\_  
Property Owner's Signature: [Signature]

Comments: (Optional)

**RECEIVED**

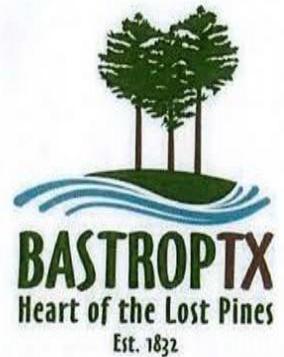
**MAY 14 2018**

By [Signature]

Please provide reply to the address below, via fax (512) 332-8829, or email: [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org)

PLANNING & DEVELOPMENT

Notice of Pending Conditional Use Permit Approval  
City of Bastrop  
Planning & Zoning Commission  
And City Council



Dear Property Owner:

The **Planning and Zoning Commission** will conduct a public hearing on **Thursday, May 31, 2018 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, June 12, 2018 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** on the request for a Conditional Use Permit to allow a distillery, brewery, distillery and winery use on Building Block 3 West of Water Street (0.046 acres), an area zoned HMS, Historic Main Street (809 Main Street), and Building Block 3 West of Water Street (0.184 acres), an area zoned DMU, Downtown Mixed Use (705 Pine Street) within the city limits of Bastrop.

Applicant/Owner: Cheri Todee/Tommy and Judith Hoover  
Address: 809 Main Street and 705 Pine Street  
Legal Description: Building Block 3 West of Water Street (0.046 acres) and Building Block 3 West of Water Street (0.184 acres)

**The site location map and a letter from the property owner is attached for reference.**

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org), or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

X

-----  
**PROPERTY OWNER'S RESPONSE**

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

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

RECEIVED

MAY 17 2018

Property Owner Name: Judith & Thomas Hoover BY [Signature]

Property Address: 705 Pine St + 601 Chestnut

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

Mailing Address: 1316 Wilson St

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

Property Owner's Signature: [Signature]

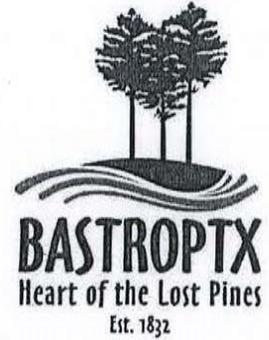
Comments: (Optional)

This business has operated at The Crossing for 15 months and is a very successful attraction and sales for revenue for Bastrop.

Please provide reply to the address below, via fax (512) 332-8829, or email: [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org)

PLANNING & DEVELOPMENT

Notice of Pending Conditional Use Permit Approval  
City of Bastrop  
Planning & Zoning Commission  
And City Council



Dear Property Owner:

The **Planning and Zoning Commission** will conduct a public hearing on **Thursday, May 31, 2018 at 6:00 p.m.** and the **City Council** will conduct a public hearing (first reading) **Tuesday, June 12, 2018 at 6:30 p.m.** in the **City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas** on the request for a Conditional Use Permit to allow a distillery, brewery, distillery and winery use on Building Block 3 West of Water Street (0.046 acres), an area zoned HMS, Historic Main Street (809 Main Street), and Building Block 3 West of Water Street (0.184 acres), an area zoned DMU, Downtown Mixed Use (705 Pine Street) within the city limits of Bastrop.

Applicant/Owner: Cheri Todee/Tommy and Judith Hoover  
Address: 809 Main Street and 705 Pine Street  
Legal Description: Building Block 3 West of Water Street (0.046 acres) and Building Block 3 West of Water Street (0.184 acres)

**The site location map and a letter from the property owner is attached for reference.**

As a property owner within 200 feet of the above referenced property, you are being notified of the upcoming meetings per the Bastrop Code of Ordinances CUP Regulations. For more information on this project, you can contact the Planning & Development offices at (512) 332-8840, [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org), or visit the office at 1311 Chestnut Street, Bastrop, Texas.

For additional information, please visit or call the Planning & Development offices.

X

-----  
**PROPERTY OWNER'S RESPONSE**

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

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

Property Owner Name: Joe Grady Tsch  
Property Address: 906 & 908 Main  
Phone (optional): 512  
Mailing Address: 906 main  
Email (optional): Joe @ tsch law corp  
Property Owner's Signature: [Signature]

Comments: (Optional)

RECEIVED

MAY 21 2018

By [Signature]

Please provide reply to the address below, via fax (512) 332-8829, or email: [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org)

PLANNING & DEVELOPMENT

**MEETING DATE:** May 31, 2018

**Item:** 3D

**TITLE:**

Public Hearing and consider action to recommend approval of a rezone for the northeast corner of SH 95 and Chestnut Street to C-1, Commercial 1, consisting of Lots 1 & 2 of the Lee-Jackson & Fowler Subdivision (1.717 acres) currently Form-based Code Character Zone CMU, Commercial Mixed Use, and 0.398 acres of Bastrop Town Tract Abstract 11 and 2.046 acres of Building Block 12 East of Water Street currently C-2, Commercial 2, within the city limits of Bastrop, and forward to City Council for consideration at their next meeting.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: Northeast corner of Chestnut and SH 95 (Attachment 6)  
Total Acreage: 4.22 acres  
Legal Description: Lots 1 & 2 of the Lee-Jackson & Fowler Subdivision (1.717 acres)  
0.398 acres of Bastrop Town Tract, Abstract 11  
2.046 acres of Building Block 12 East of Water Street

Property Owners: Bob Patterson; Marvin E & Anne P Beck  
Agent Contact: David Meyer, Jr./QuikTrip

Existing Use: Vacant/Undeveloped  
Existing Zoning: FBC - CMU, Form-based Code - Commercial Mixed Use (1.717 acres)  
C-2, Commercial 2 (2.44 acres)

Requested Zoning: C-1, Commercial 1  
Future Land Use: Neighborhood Commercial

**BACKGROUND/HISTORY:**

The applicant has applied to rezone the five tracts on the northeast corner of SH 95 and Chestnut Street to C-1, Commercial 1, with the intent to build a convenience store with fuel sales. Currently, two tracts are zoned CMU, Commercial Mixed Use in the Form-based Code, which was adopted in 2015. Prior to the FBC, the entire corner was zoned C-2, Commercial 2.

Fuel sales are allowed within the CMU district, but the applicant would like to use the development standards that allow for site layout requirements better suited for fuel sales. The C-1 district will accommodate this use, while providing a narrower list of by-right uses than C-2 zoning and is consistent with the Neighborhood Commercial Future Land Use Designation.

The five tracts will have go through the subdivision process to create one lot, which also necessitates bringing the area into one zoning district. Through the platting process, any street and utility improvements will be reviewed. Through the site development process, pedestrian access with sidewalks along SH 95 and Chestnut Street, front yard landscaping and parking lot screening will required.

**PUBLIC COMMENTS:**

Property owner notifications were sent to 16 adjacent property owners on May 11, 2018. At the time of this report, one response was received and is opposed to the rezoning. (Attachment 3)

**POLICY EXPLANATION:**

Staff recommends the amendment of the zoning district to C-1, Commercial 1. Moving to C-1 is a parallel shift/downzone from the CMU and C-2 districts that are already in place. Allowing C-1 will bring most of the corner under the same zoning district and allow the developer to use the standards of the C-1 district to arrange the site in a fashion that is conducive to a retail sales and service use.

The authority to establish zoning districts and a process for amending boundaries is outlined in the Texas Local Government Code Section 211. City zoning districts govern the use and development of land, buildings, and structures as a measure necessary to the orderly development of the community.

Texas Local Government Code

Sec. 211.006. PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES. (a) The governing body of a municipality wishing to exercise the authority relating to zoning regulations and zoning district boundaries shall establish procedures for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.

*Notice was published in the Bastrop Advertiser on May 5, 2017 and notice was sent to property owners within 200 feet of the property boundary.*

(b) In addition to the notice required by Subsection (a), a general-law municipality that does not have a zoning commission shall give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice under Section 211.007(c) if the municipality had a zoning commission. That notice must be given in the same manner as required for notice to property owners under Section 211.007(c). The governing body may not adopt the proposed change until after the 30th day after the date the notice required by this subsection is given.

*N/A. Bastrop is not a general-law municipality.*

(c) If the governing body of a home-rule municipality conducts a hearing under Subsection (a), the governing body may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by Subsection (a).

*The notice process was adopted in the Bastrop Code of Ordinances.*

(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

- (1) the area of the lots or land covered by the proposed change; or

(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.

*At the time of this report, no protest has been received.*

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied.

*If the Planning & Zoning Commission recommends denial of the zoning request, the City Council must have a minimum vote of 4 out of 5 members to approve the zoning request.*

#### City of Bastrop Code of Ordinances

Section 10 – Changes and Amendments to All Zoning Ordinances and Districts contains the process for amending the zoning map. Changes shall only be made:

A. To correct any error in the regulations or map.

*The existing zoning district was adopted through the appropriate process. The current owner wishes to develop these lots as a commercial use, which requires a zoning amendment to rezone the entire development area to the same zoning district.*

B. To recognize changed or changing conditions or circumstances in a particular locality.

*The applicant plans to plat five existing tracts into one, which would result in a split zoned tract. This rezoning request will move the area into one district.*

C. To recognize changes in technology, the style of living, or manner of conducting business.

*This does not apply. The request follows the existing development pattern in the area.*

D. To change the property to uses in accordance with the approved Comprehensive Plan.

*The requested zoning change to C-1 is consistent with the Future Land Use designation of Neighborhood Commercial shown in the Comprehensive Plan (Attachment 5).*

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.

*Primary permitted uses allowed by right within the C-1 district include many uses in the Recreational and Entertainment Uses, Educational, Institutional and Special Uses, Office and Professional Uses, and Retail and Service Uses categories, and some in the Automobile and Related Uses category, including convenience store with fuel. These uses are appropriate considering the surrounding development is primarily commercial and the property is adjacent to SH 95 and Chestnut Streets, which are both major collector streets.*

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.

*The proposed change is in accord and shall not adversely affect the existing public schools, streets, or utilities in the area. The area will be required to go through the subdivision process and any additional street or utility improvements needed to serve the development (if any) will be determined and required through that process.*

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances, which may make a substantial part of such vacant land unavailable for development.

*There is vacant land classified as commercial in the vicinity and elsewhere in the city. Some of the vacant residential land in the vicinity is hindered by lack of utility infrastructure (water, wastewater, and/or electric), which requires a longer platting process and increases the cost of development. Other vacant residential land in the vicinity is not for sale. East of SH 95, commercial development may be hindered by terrain challenges, lack of developed street or utility infrastructure, or requires additional regulation by the Lost Pines Habitat Conservation Plan (LPHCP). Retail sale and services that are allowed in commercial districts have a specific target area, and commercially zoned property south of 71 or on the west side of the city would not be affected by this property.*

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

*Over the last 10 years commercial tracts along SH 95 and Chestnut Street have been developed at a steady rate, with a gas station and new shopping center to the south at SH 95 and SH 71, additions to the restaurant and gas station across the street, and retail services along Chestnut.*

5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.

*The area is already zoned for commercial uses. This amendment would be a parallel shift/downzone from the current districts, so the change will not affect other areas designated for similar development.*

6. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

*None.*

**RECOMMENDATION:**

Public Hearing and consider action to recommend approval of a rezone for the northeast corner of SH 95 and Chestnut Street to C-1, Commercial 1, consisting of Lots 1 & 2 of the Lee-Jackson & Fowler Subdivision (1.717 acres) currently Form-based Code Character Zone CMU, Commercial Mixed Use, and 0.398 acres of Bastrop Town Tract Abstract 11 and 2.046 acres of Building Block 12 East of Water Street currently C-2, Commercial 2, within the city limits of Bastrop, and forward to City Council for consideration at their next meeting.

**ATTACHMENTS:**

Attachment 1: Location Map

Attachment 2: Letter from Applicant

Attachment 3: Surrounding Property Owners Notification

Attachment 4: Zoning Map

Attachment 5: Future Land Use Map

Attachment 6: Aerial Location Map



**QuikTrip® Corporation**

*AUSTIN DIVISION*  
1 Chisholm Trail Road  
Suite 450  
Round Rock, TX 78681  
(704) 604-3475

*David Meyer, Jr.*  
*Real Estate Project Manager*



April 30, 2018

City of Bastrop Planning and Zoning Commission

1311 Chestnut St,

Bastrop, Texas 78602

Attn: Planning and Zoning Commission

***RE: Zoning Explanation Letter***

To Whom It May Concern:

Please accept this letter as an appropriate explanation for the proposed zoning change of the tract of land, approximately 4.229 acres, at the NEC of Hwy 95 & Chestnut St, to be zoned from Commercial-2/Commercial Mixed Use to Commercial-1. The change in zoning was a recommendation from Planning Staff and is also to help provide uniformity in zoning for the entire 4.229 acre tract of land.

Please feel free to reach out to me directly with any questions you may have.

Respectfully,

David Meyer, Jr.  
Real Estate Project Manager- QuikTrip Corp.  
 **A Fortune 100 "Best Companies to Work For"**  
1 Chisholm Trail Road,  
Suite 450  
Round Rock, TX 78681  
(704) 604-3475 - Direct Line  
[dmeyerjr@quiktrip.com](mailto:dmeyerjr@quiktrip.com) - Email

-----  
**PROPERTY OWNER'S RESPONSE**

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

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

Property Owner Name: Carlton Harris  
Property Address: 1103 C. P. Johnson Ln.  
Phone (optional): \_\_\_\_\_  
Mailing Address: same  
Email (optional): \_\_\_\_\_  
Property Owner's Signature: CHH

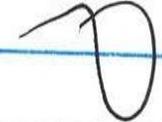
Comments: (Optional)

\_\_\_\_\_

\_\_\_\_\_

**RECEIVED**

**MAY 23 2018**

By 

Please provide reply to the address below, via fax (512) 332-8829, or email: [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org)

PLANNING & DEVELOPMENT

1311 Chestnut Street • PO Box 427 • Bastrop, Texas 78602 • 512.332.8840 • [www.cityofbastrop.org](http://www.cityofbastrop.org)







**MEETING DATE:** May 31, 2018

**ITEM:** 3E

**TITLE:**

Public Hearing and consider action to recommend approval of a subdivision variance to waive the requirement of Section 5.20 – Streets, to improve or post fiscal surety for the construction of 50 percent of C.P. Johnson Lane, between Farm Street and Fairview Cemetery and forward to City Council for consideration at their next meeting.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

**ITEM DETAILS:**

Site Address: 1706, 1708, 1712 Farm Street (Attachment 1)  
Total Acreage: 2.946 acres  
Legal Description: 2.946 acres of Farm Lot 67 East of Main Street

Property Owner\  
Applicant Contact: Ronald and Carole Reynolds

Existing Use: Single-Family Residential  
Existing Zoning: CMU, Commercial Mixed Use and MF-1, Multifamily 1  
Future Land Use: Rural Residential

**BACKGROUND/HISTORY:**

The property owner has filed a plat to officially subdivide three lots into three residential lots. There are currently three lots, and with the plat, the property boundaries will be revised. The area borders two dedicated rights-of-way, Farm Street and CP Johnson Lane. CP Johnson Lane adjacent to this plat is not improved. Per the Subdivision Ordinance, a subdivider is required to improve the portion of the ROW adjacent to their property, which requires the property owner to either build or provide fiscal surety for 50 percent of the road improvements. With subdivisions, each owner is responsible for their “proportional share.” The other half of the road improvements would be required of the property to the east, when it is developed. The property owner is requesting a subdivision variance, on the basis that they are not increasing the number of lots or intensity of use.

**POLICY EXPLANATION:**

Per Section 9 – Variance of the Subdivision Ordinance, when a subdivider can show that a provision of these regulations would cause necessary hardship if strictly adhered to, an where, because of some condition peculiar to the site, and when in the opinion of the City Council, a departure may be made without destroying the intent of such provisions the City Council may authorize a variance.

*C.P. Johnson Lane is a 32-foot wide unimproved right-of-way. The property owner will not be taking access off of the road, and the road currently dead-ends into the Fairview Cemetery. The number of lots will not be increasing with the subdivision, just reconfigured. Due to these reasons, the owner qualifies for a subdivision variance. The city will retain the ROW as an alternative access into the cemetery for maintenance use.*

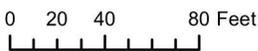
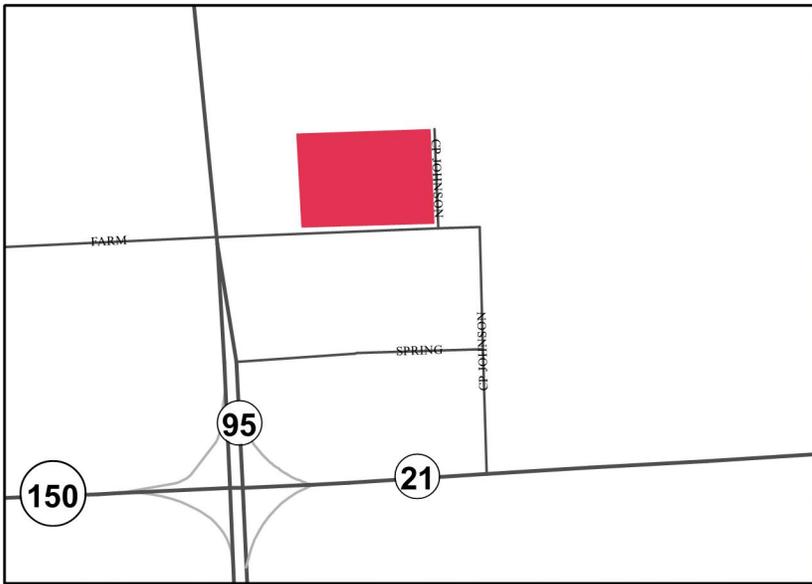
**RECOMMENDATION:**

Public Hearing and consider action to recommend approval of a subdivision variance to waive the requirement of Section 5.20 – Streets, to improve or post fiscal surety for the construction of 50 percent of C.P. Johnson Lane, between Farm Street and Fairview Cemetery and forward to City Council for consideration at their next meeting.

**ATTACHMENTS:**

Attachment 1: Location Map

Attachment 2: Farms End Final Plat (in review)



### Location Map Subdivision Variance Farms End Estates



The accuracy and precision of this cartographic data is limited and should be used for information /planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning, land use classification, or other classification set forth in local, state, or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness or usefulness of any such information, nor does it represent that its use would not infringe upon privately owned rights.

Date: 5/25/2018

