

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



Agenda – April 26, 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 Commission 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 March 29, 2018 Planning & Zoning Commission Regular Meeting.
- 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.

4. WORKSHOP

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

4C. Discussion on future policy to allow existing site billboards to convert to digital.

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 and said Notice was posted on the following date and time: Friday, April 20, 2018 at 9:00 a.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, March 29, 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 | Absent |
| 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 February 22, 2018 Planning & Zoning Commission Regular Meeting and the March 6, 2018 Special Meeting.

Patrick Connell made a motion to approve the meeting minutes from the February 22, 2018 Planning & Zoning Commission Regular Meeting and the March 6, 2018 Special Meeting. Cheryl Lee seconded the motion and the motion carried unanimously.

3B. Public Hearing and consider action to recommend approval of amendments to Chapter 14 of the Bastrop Code of Ordinances, Article 14.03 - "Historic Landmark Preservation" to City Council.

Jennifer Bills presented to the Commission the proposed changes in the Historic Landmark Preservation Ordinance.

The Commission asked the following questions and made comments on the proposed ordinance update:

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

- o No. Infill and rebuilding standards will be in the future Design Standards. They cover general compatibility (size, height, setbacks) with the area not strict building design.

Planning and Zoning Commission Meeting Minutes

Do window replacements need Certificates of Appropriateness?

- Not if they are replaced with the same style of window.

The incentive should be greater.

- The refund is more of an acknowledgement of the property and funds to maintain the historic nature.

Patrick Connell made a motion to recommend approval of amendments to Chapter 14 of the Bastrop Code of Ordinances, Article 14.03 - "Historic Landmark Preservation" to City Council. Richard Gartman seconded the motion and the motion carried unanimously.

4. WORKSHOP

4A. Discussion and update on the Draft Subdivision Ordinance

The Commission adjourned from their Regular Session and convened into the Workshop Session.

Dave Gattis updated the Commission on the status of the Draft Subdivision Ordinance.

Discussion commenced between Staff and the Commission regarding the content of the proposed Subdivision Ordinance and asked a definition to be included for "legal lots".

4B. Discussion on the Draft Mobile Food Vendor Ordinance.

Jennifer Bills presented to the Commission the language for the Draft Mobile Food Vendor Ordinance.

The Commission worked with Staff on edits for the proposed language in the Mobile Food Vendor Ordinance.

The asked Staff further analyze the electrical standards for the ordinance, paved surface requirements and see if alternative materials would be acceptable, the plumbing standards for the ordinance, and the implication of alcohol being served at mobile food vendor sites.

The Commission adjourned from their Workshop Session and reconvened into their Regular Session.

5. ADJOURNMENT

Patrick Connell made a motion to adjourn at 7:25 pm. Cynthia Meyer seconded the motion, and the motion carried unanimously.

Debbie Moore, Chair

Patrick Connell, Vice Chair

PLANNING & ZONING STAFF REPORT



MEETING DATE: April 26, 2018

ITEM: 3B

TITLE:

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 and forward to the next City Council meeting.

STAFF REPRESENTATIVE:

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

ITEM DETAILS:

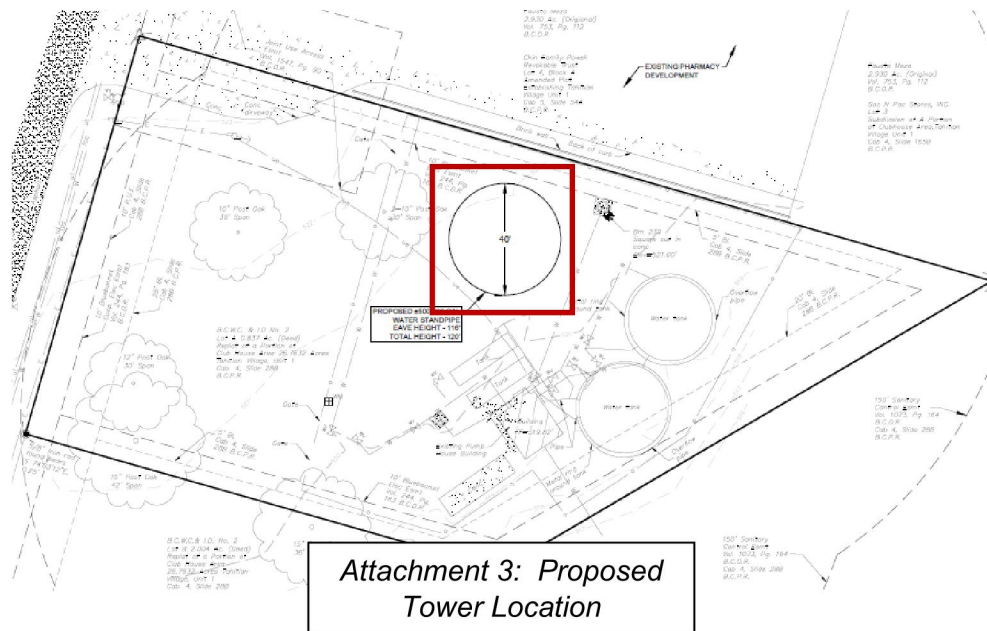
Site Address: 113 Tahitian Drive (Attachment 1)
Total Acreage: 0.837 acres
Legal Description: Lot A of Tahitian Village, Unit 1

Property Owner: Bastrop County Water Control and Improvement District #2
Agent Contact: Jim Ouellet, P.E.

Existing Use: Bastrop County WCID #2 Water well, tanks, and pump station
Existing Zoning: C-2, Commercial 2
Future Land Use: Transitional Residential

BACKGROUND/HISTORY:

Bastrop County Water Control and Improvement District #2 is requesting a Conditional Use Permit to construct a new water standpipe at their existing facility located at 113 Tahitian Drive. The site is the WCID #2's Water Plant No. 1, which contains an existing water well, pump station, and ground storage tanks (Attachment 2).



Attachment 3: Proposed Tower Location

The new 500,000-gallon standpipe will be 120 feet in height with a diameter of 40 feet. The standpipe is needed to add additional capacity and pressure to the water system and provide better service for the water customers in the Bastrop County WCID #2 area.

Attachment 4: Example of a standpipe



The site is zoned Commercial-2. The approximate location of the standpipe is on the north side of the property and will be setback a minimum of 10 feet from the north property line.



Proposed Standpipe Location and Surrounding Area

The Commercial-2 district has a maximum height of 35 feet. Chapter 14 of the Code of Ordinances allows heights over 35 feet with a Conditional Use Permit.

POLICY EXPLANATION:

The purpose of conditional uses is to allow certain uses in districts that under most 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;

The existing lot is already in use as a water well and storage location. Standpipes and water towers are necessary elements of a water system to serve development and are usually placed near existing development.

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

Water standpipe/Elevated Water Storage is a permitted use of the Commercial-2 district.

3. The nature of the use is reasonable;

Standpipes are a reasonable and necessary use to provide adequate water availability.

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

5.

The existing 150-foot Sanitary Control Easement for the existing well will remain and will not be increased. No negative impacts of the standpipe are anticipated.

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

Additional criteria are detailed below.

Chapter 14, Section 43.4 Special Height Regulations includes several conditions that apply to the proposed water standpipe.

43.4 - SPECIAL HEIGHT REGULATIONS:

- B. Increasing Maximum Height. The maximum height of buildings and structures may be increased above the maximum height allowed in the base zoning district by **conditional use permit, as provided in Section 33, Conditional Use Permits**, for those buildings and structures located in nonresidential districts, and those buildings and facilities occupied by a church, political subdivision, or utility company in any zoning district.

1. In addition to the conditional use standards, the Planning and Zoning Commission and City Council shall consider, but not be limited to, the following factors when determining the maximum height:
 - a. Preservation of views of landmark buildings, significant open spaces, vistas or water bodies.
 - b. Access to light and air of surrounding properties.
 - c. Shadowing of residential properties or significant public spaces.
 - d. Height, bulk and scale relationships with surrounding uses and structures.
 - i. Type and amount of separation between surrounding uses and structures (e.g. separation by only a property line, by an alley or street, or by other physical features such as grade changes).
 - ii. Use of architectural style, details (such as roof lines or fenestration), color or materials that derive from the less intensive surrounding uses and structures.
 - iii. Creative use of landscaping or other screening.
 - iv. Location of features on-site to facilitate transition, such as locating open space on the property edge so the building or structure is farther from lower intensity development.
 - v. Articulation of the building's facades vertically or horizontally in intervals that conform to existing structures or platting pattern.
 - vi. Reducing the bulk of the building's upper floors.
 - vii. Limiting the length of, or otherwise modifying, facades.
 - e. Treating topographic conditions in ways that minimize impacts on neighboring development, such as by using a rockery rather than a retaining wall to give a more human scale to a project, or stepping a project down a hillside.
 - f. Relationship of windows, doors, exterior stairways, exterior balconies, sundecks, etc. with the privacy of neighbors.
2. Fire related standards:
 - a. Fire flow is adequate.
 - b. Buildings or structures over two (2) stories in height shall be in compliance with four (4) story fire code requirements for commercial fire suppression systems.

The existing site is already used for water pumping and storage. The standpipe will be a passive use and the main impact to the surrounding is visual. The height is such that additional landscaping and screening will not provide any effective visual improvement and there is no change to the architectural structure that will make any improvement; however, paint/material color of the standpipe can be considered. At street level, existing trees and shrubs help screen the site from pedestrians and vehicles. The standpipe will be separated from the northern property by at least 10 feet to the property line as well as parking lot on the other side of the property line. Shadowing and blocked access to light and air will be minimal due to the narrowness of the tower compared to a building, as well as the fact that WCID #2 owns most of the surrounding site. The tower's location has minimal impact on Tahitian Village vistas across valleys and ravines.

The standpipe does not require any commercial fire suppression system.

PUBLIC COMMENTS:

Eleven adjacent property owner notifications were mailed on April 6, 2018. At the time of this report, one responses with no objection, as long as the increase in height does not increase the

non-build radius around the well. There is a 150-foot Sanitary Control Easement around the existing well and that easement will not be changed (Attachment 5).

RECOMMENDATION:

Hold a 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 and forward to the next City Council 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).

ATTACHMENTS:

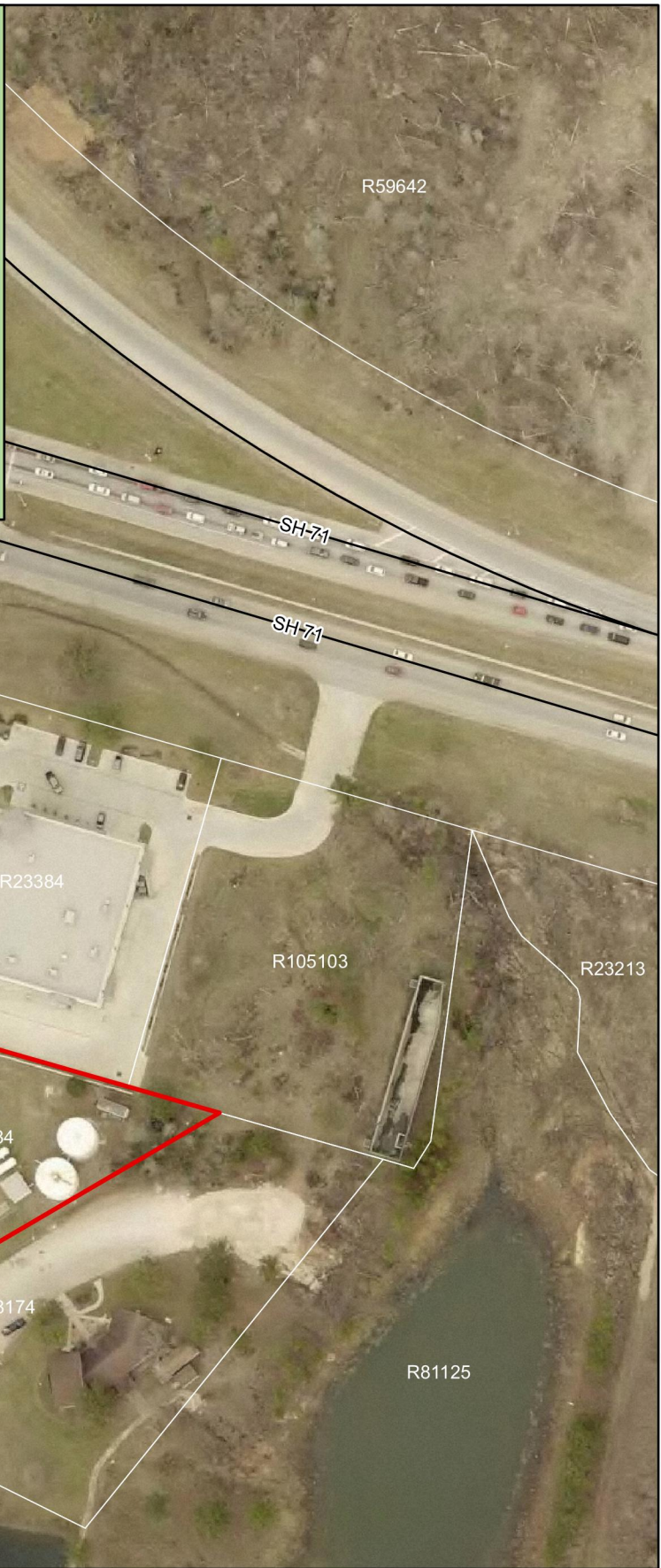
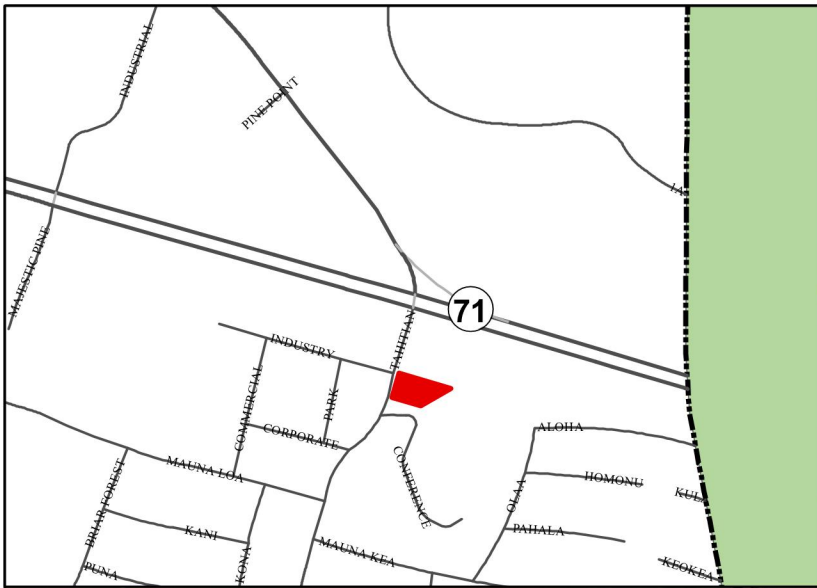
Attachment 1: Property Location Map

Attachment 2: Letter from Applicant

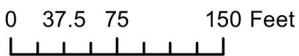
Attachment 3: Proposed Standpipe Location

Attachment 4: Example of a Standpipe

Attachment 5: Surrounding Property Owners' Responses



Location Map
 Conditional Use Permit
 113 Tahitian Drive
 BCWCID#2 Water Standpipe



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: 4/4/2018

Attachment 2



BEFCO ENGINEERING, INC.
Consulting Engineering/Land Surveying
P.O. BOX 615 485 NORTH JEFFERSON
LA GRANGE, TEXAS 78945-0615
979 / 968-6474 FAX 979 / 968-3056
www.befcoengineering.com E-mail: office@befcoengineering.com
Texas Registered Engineering Firm F-2011 Texas Licensed Surveying Firm #10001700

March 23, 2018

City of Bastrop
Planning & Development Department
Mr. David Gattis, Interim Planning Director
1311 Chestnut Street
Bastrop, Texas 78602

RE: Project Description Letter
Conditional Use Permit
Water Standpipe at Water Plant No. 1
BCWCID #2

Mr. Gattis:

Bastrop County Water Control and Improvement District #2 (BCWCID #2) is the provider of water service for most of Tahitian Village located just east/southeast of the City of Bastrop. BCWCID #2 currently owns and operates an existing water plant (Water Plant No. 1) on approximately 0.83 acres at 113 Tahitian Drive. The existing plant site has existing ground storage tanks, pump station and hydropneumatic tanks. BCWCID #2 proposes to install a new approximate 500,000 gallon water standpipe to better serve its customer base.

The existing site is zoned Commercial – 2 (C-2) per the City of Bastrop zoning map. The C-2 zoning only allows for heights up to 35 feet. Per section 43.4 B., a conditional use permit can be applied for to allow for greater heights for improvements proposed by a utility company. The proposed water standpipe is a proposed bolted steel tank with an approximate eave height of 116 feet and total height of approximately 120 feet. Our proposed height is in excess of 35 feet and requires a conditional use permit approval.

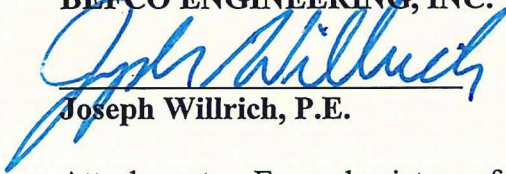
Following are additional items of consideration for this request:

1. The water standpipe will be similar in size and scope as many other elevated style water tanks owned and operated by the City of Bastrop and Aqua Water Supply Corporation.
2. All adjacent land uses are non residential and/or zoned non residential and will not have a negative impact on light, air or shadowing of adjacent properties.
3. Reference the attached picture for the style of standpipe tank proposed.
4. The tank is being located on an existing water plant site and is an appropriate location for the intended use. The tank site was selected due to the fact that it is at the highest

elevation in the system which is necessary to optimize storage capacity and fire protection.

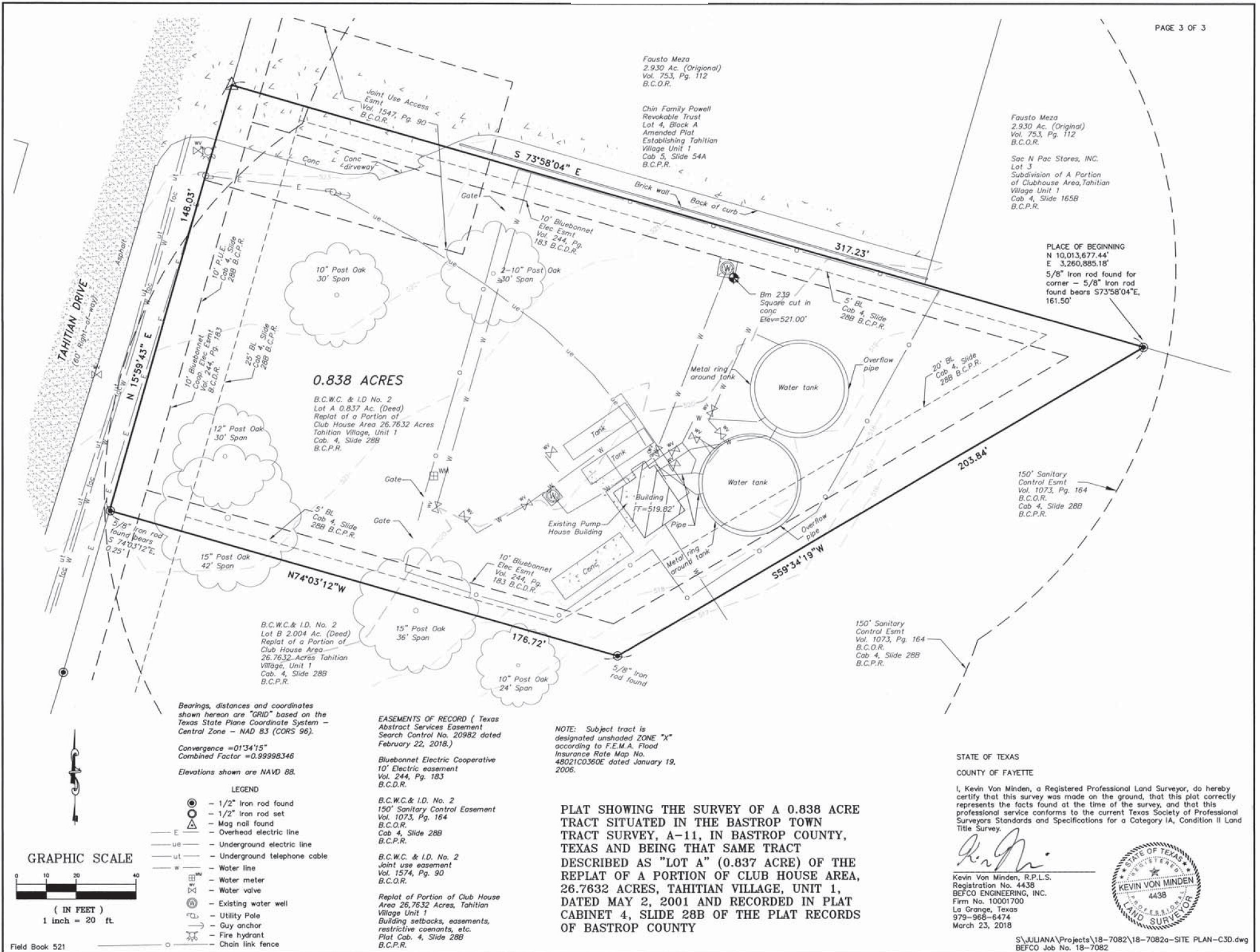
Based on the properties location, existing land use of a water plant site, adjacent zoning districts, adjacent uses, and the need to improve the water system, we feel the conditional use permit is a reasonable request. We look forward to working with you and your staff on this request. Please call me at 979-968-6474 if you need any further information or have any questions.

Very truly yours,
BEFCO ENGINEERING, INC.



Joseph Willrich, P.E.

Attachments: Example picture of tank
Aerial location map



Fausto Meza
2,930 Ac. (Original)
Vol. 753, Pg. 112
B.C.O.R.

Chin Family Powell
Revocable Trust
Lot 4, Block A
Amended Plat
Establishing Tahitian
Village Unit 1
Cab 5, Slide 54A
B.C.P.R.

Fausto Meza
2,930 Ac. (Original)
Vol. 753, Pg. 112
B.C.O.R.

Sac N Pac Stores, Inc.
Lot 3
Subdivision of A Portion of
Clubhouse Area, Tahitian
Village Unit 1
Cab 4, Slide 165B
B.C.P.R.

0.838 ACRES

B.C.W.C. & I.D. No. 2
Lot A 0.837 Ac. (Deed)
Replat of a Portion of
Club House Area 26.7632 Acres
Tahitian Village, Unit 1
Cab. 4, Slide 28B
B.C.P.R.

B.C.W.C. & I.D. No. 2
Lot B 2.004 Ac. (Deed)
Replat of a Portion of
Club House Area
26.7632 Acres Tahitian
Village, Unit 1
Cab. 4, Slide 28B
B.C.P.R.

Bearings, distances and coordinates
shown hereon are "GRID" based on the
Texas State Plane Coordinate System -
Central Zone - NAD 83 (CORS 96).

Convergence = 01°34'15"
Combined Factor = 0.99998346
Elevations shown are NAVD 88.

- LEGEND**
- - 1/2" Iron rod found
 - - 1/2" Iron rod set
 - ⊙ - Mag nail found
 - E — Overhead electric line
 - ue — Underground electric line
 - ut — Underground telephone cable
 - W — Water line
 - ⊕ — Water meter
 - ⊕ — Water valve
 - ⊕ — Existing water well
 - ⊕ — Utility Pole
 - ⊕ — Guy anchor
 - ⊕ — Fire hydrant
 - ⊕ — Chain link fence

**EASEMENTS OF RECORD (Texas
Abstract Services Easement
Search Control No. 20982 dated
February 22, 2018.)**

Bluebonnet Electric Cooperative
10' Electric easement
Vol. 244, Pg. 183
B.C.C.R.

B.C.W.C. & I.D. No. 2
150' Sanitary Control Easement
Vol. 1073, Pg. 164
B.C.O.R.
Cab 4, Slide 28B
B.C.P.R.

B.C.W.C. & I.D. No. 2
Joint use easement
Vol. 1574, Pg. 90
B.C.O.R.

Replat of Portion of Club House
Area 26.7632 Acres, Tahitian
Village Unit 1
Building setbacks, easements,
restrictive covenants, etc.
Plat Cab. 4, Slide 28B
B.C.P.R.

**NOTE: Subject tract is
designated unshaded ZONE "X"
according to F.E.M.A. Flood
Insurance Rate Map No.
48021C0360E dated January 19,
2006.**

**PLAT SHOWING THE SURVEY OF A 0.838 ACRE
TRACT SITUATED IN THE BASTROP TOWN
TRACT SURVEY, A-11, IN BASTROP COUNTY,
TEXAS AND BEING THAT SAME TRACT
DESCRIBED AS "LOT A" (0.837 ACRE) OF THE
REPLAT OF A PORTION OF CLUB HOUSE AREA,
26.7632 ACRES, TAHITIAN VILLAGE, UNIT 1,
DATED MAY 2, 2001 AND RECORDED IN PLAT
CABINET 4, SLIDE 28B OF THE PLAT RECORDS
OF BASTROP COUNTY**

STATE OF TEXAS
COUNTY OF FAYETTE

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby
certify that this survey was made on the ground, that this plat correctly
represents the facts found at the time of the survey, and that this
professional service conforms to the current Texas Society of Professional
Surveyors Standards and Specifications for a Category IA, Condition II Land
Title Survey.

Kevin Von Minden
Kevin Von Minden, R.P.L.S.
Registration No. 4438
BEFCO ENGINEERING, INC.
Firm No. 10001700
La Grange, Texas
979-968-6474
March 23, 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, April 26, 2018 at 6:00 p.m. and the City Council will conduct a public hearing (first reading) Tuesday, May 8, 2018 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas on the request for an ordinance to approve a Conditional Use Permit to allow a 120 foot water stand pipe 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.

Applicant: Bastrop County WCID #2
Address: 113 Tahitian Drive
Legal Description: Tahitian Village, Unit 1, Lot A (0.838 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, or visit the office at 1311 Chestnut Street, Bastrop, Texas.

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

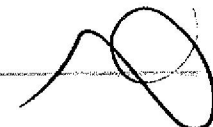
~~X~~-----
PROPERTY OWNER'S RESPONSE

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

APR 11 2018

By 

Property Owner Name: S&C N P&C
Property Address: 113 Tahitian Dr.
Phone (optional): 512 738 1288
Mailing Address: 1910 B Centerpoint Rd. San Marcos, TX 78666
Email (optional): blair.w @ s&c n p&c . com
Property Owner's Signature: Blair W. Wynn

Comments: (Optional)

As long as the increase in height does not increase the non build radius around the well. Please respond.

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

PLANNING & ZONING STAFF REPORT



MEETING DATE: April 26, 2018

ITEM: 4C

TITLE:

Discussion on future policy to allow existing site billboards to convert to digital.

STAFF REPRESENTATIVE:

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

ITEM DETAILS:

Staff is seeking feedback on the issue of allowing existing commercial billboards along the highways to convert to digital faces.

Chapter 3 of the Code of Ordinances regulates signs within the city limits and the Statutory One-Mile Extra-Territorial Jurisdiction.

Per Section 36.20.009 – Prohibited signs and activities:

- (2) No new billboards shall be permitted by the city. No other off-premises signs, including advertising benches, shall be permitted, except as specifically authorized in this article;

Since billboards are not allowed, the existing billboards are considered “legal non-conforming signs.” As such, they are allowed to remain and continue use as long as the structure is maintained and the sign type and structure is not altered.

Billboards are off-site advertising signs that are typically owned by companies such as Lamar Advertising Company, Reagan Outdoor Advertising, Sign Ad Outdoor and several others within the Bastrop area.

The [Texas Administrative Code, Title 43, Part 1, Chapter 21, Subchapter I, Division 1](#) provides regulations of signs along Interstate and Primary Highways. This includes regulation of the maximum sign face area. Typical sign faces in Bastrop are 14 feet tall by 48 feet wide.

Staff has been approached with a proposal to remove multiple existing static billboards within the regulatory area to be replaced by an electronic sign face (on an existing structure) which changes the advertisement multiple times a day (Examples below).

Issues that staff is concerned about include how a digital billboard will comply with the Outdoor Lighting Standards (dark sky) and frequency of ad changes as a distraction to drivers.

Staff is looking for feedback and thoughts on this idea of electronic billboards.

Existing Static Billboard (day)



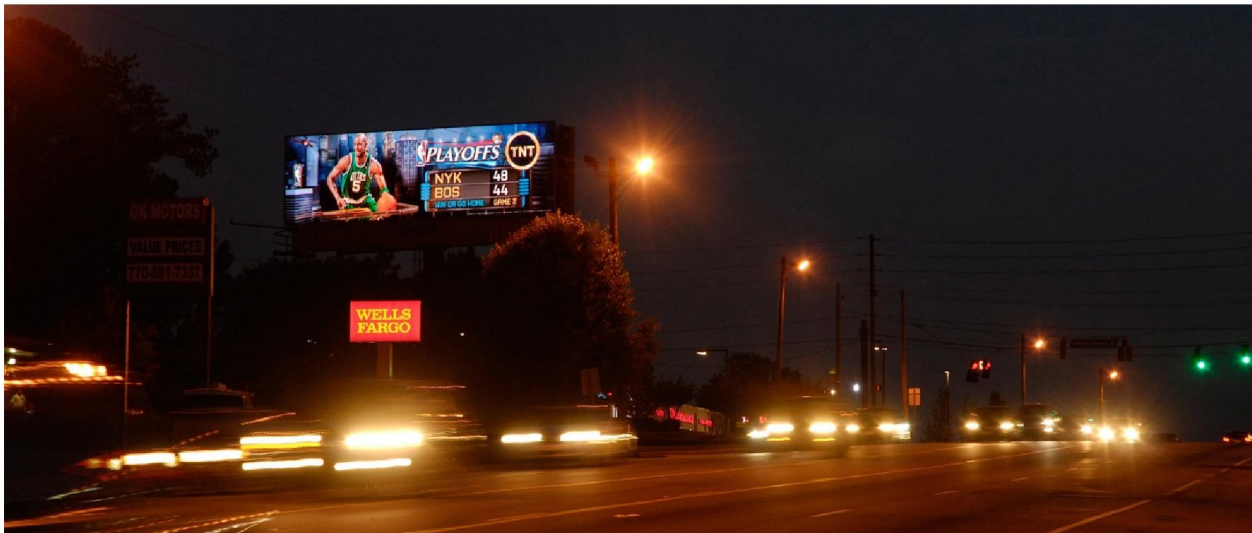
Existing Static Billboard (night)



Example of digital billboard (day)



Example of digital billboard (night)



ATTACHMENTS:

- Attachment 1: Property Location Map
- Attachment 2: Letter from Applicant
- Attachment 3: Proposed Standpipe Location
- Attachment 4: Example of a Standpipe
- Attachment 5: Surrounding Property Owners' Responses