

Board of Adjustment

The Board of Adjustment met Thursday, June 14, 2012 at 6:30 p.m. in the City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Chairman Dan Hays-Clark called the meeting to order at 6:30 p.m.

2. Roll call.

Blas Coy	- present
Michael Gibbons	- present
Dan Hays-Clark	- present
Debra Thorne-Francis	- present
Clifford Wright	- present
Drew Pickle	- present

3. Oath of Office for new BOA Alternate.

J. Drew Pickle was introduced and welcomed to the Board of Adjustment as an alternate member and it was discussed Mr. Pickle may sit on the dais but would not vote on this evening's meeting items so he could get a feel for this Board's procedures. Mr. Pickle was then sworn in with the Oath of Office given by Melissa McCollum.

4. Consideration and approval of the December 7, 2011 meeting minutes.

Blas Coy made a motion to approve the minutes of December 7, 2011.
Seconded by Debra Thorne-Francis and the motion passed unanimously.

5. Public Hearing. Case BOAV12:01: The Board of Adjustment will Convene a Public Hearing on a variance request as follows:

Variance to Zoning Ordinance Section 21.6.O to not require covered parking for each complex for at least fifty percent (50%) of the units. The subject property consists of 2.99 acres, a re-subdivision of Lots 7A-1B and 7A-1C, Block A of West Commercial, Section One in the city limits of Bastrop, Texas.

Melissa McCollum addressed the Board stating in their packets in reference to the property owner petitions; there was an error in printing. She stated 9 adjacent property owner notifications were mailed and two responses were received; both responses are in favor of this request. Copies of the correct property owner petitions were given to the Board at this meeting.

Melissa stated this variance request has been broken into two separate requests, one for the parking and one for the pool variance. She stated the 2.99 acres, comprising two lots from the Resubdivision of Bastrop West Commercial, Section One, being Lots 7A-1c-A and 7A-1b-A are currently vacant. She stated both lots will be combined to house age 55+ senior independent living community. The proposed development will offer affordable housing to senior citizens and the total number of units constructed will be 72 units, and that each phase will consist of 36 units.

Melissa stated the applicant is proposing to have 25% of the required parking under cover in which the requirements state they are to provide covered parking for at least fifty percent (50%) of the units. The applicants stated to her that covered parking in the front of the building would not be aesthetically pleasing and they plan to do extensive landscaping in front, which would be more pleasing and appropriate. She stated if the variance is approved the applicant will continue with site development and building permits to construct the 42 foot apartment buildings. Utilities are available, and any extensions that might be required as part construction will be at the owner/applicants expense.

Clifford Wright brought to our attention the date on the staff report and asked that the year be corrected. Dan Hays-Clark asked Melissa if the Board would be approving these variance requests for both Phase One and Phase Two, and she answered that yes we would.

Daniel Scalise with Martin Riley Associates Architects addressed the Board stating to install shade structures for 50% of the parking units will not give the desired aesthetic appeal that both the City of Bastrop and the applicants would desire. He stated the intend to provide a covered port au cochere for driving under and dropping off as well as a 3-story building that will shade parking next to the building. Mr. Scalise stated they are proposing to compromise to reduce the amount of covered parking required to 25% of the provided parking spaces stating this would allow them to place covered parking along the west property line away from the building and this would not compromise the aesthetics of the property.

Several discussions were held between the Board, applicant and staff regarding natural shade on the east side of proposed building and southeast corner, main entrance, driveway access, traffic impact on Old Austin Highway, tenant and visitor parking. In phase one, there will be 55 parking spaces for 36 units; 11

one-bedroom and 25 two-bedrooms. It was noted not all tenants will have two vehicles and this is an age restricted type of residence.

Staff found the property owner is only constructing 72 units for ages 55+ and has prominent frontage along Old Austin Highway and will reduce the covered parking requirements to 25% and move to the sides of the building so as to keep a desired aesthetic appeal. The property owner is not varying the entire covered parking requirement just reducing the ratio of covered parking. The property will also be providing a covered port au cohere for dropping off residents and visitors. All covered parking will meet building code requirements. This variance will not be detrimental to the public health. This area is appropriately zoned and will follow the site development and permitting process. This property is unique in that it will infill this area of Old Austin Highway with additional housing for Seniors age 55+.

Dan Hays-Clark closed the public hearing.

Clifford Wright made a motion to approve the variance based upon staff findings as stated above. Seconded by Debra Thorne-Francis and the motion passed unanimously by all members voting in favor of granting this variance.

6. Public Hearing. Case BOAV12:02: The Board of Adjustment will Convene a Public Hearing on a variance request as follows:

Variance to Zoning Ordinance Section 21.6.Q to not require a swimming pool for each complex. The subject property consists of 2.99 acres, a re-subdivision of Lots 7A-1B and 7A-1C, Block A of Bastrop West Commercial, Section One in the city limits of Bastrop, Texas.

Melissa addressed the Board stating we were consistent in placing the incorrect date on this staff report as well and the correction is noted in our meeting minutes. She stated the applicant is applying for variance to zoning ordinance Section 21.6.Q which the requirement states each complex shall have a swimming pool.

Daniel Scalise addressed the Board stating the residents will have a number of other recreational facilities to use that are more in line with the development population. He stated this is a senior development the facilities will include a library, billiards room, computer center, fitness center, picnic pavilion and gazebo and will provide alternate physical outlets for the residents.

Discussions were held between the Board, staff and the applicant regarding pool size requirements, which there are none in our ordinance, and limiting the

number of pools in Bastrop. Staff stated if we were at Stage 3 Drought Conditions, swimming pools will not be allowed to be filled.

Staff found the property owner is only constructing 72 units for ages 55+ and providing additional amenities such as library, billiards, computer center, fitness center and picnic and gazebo areas that these residents will enjoy. The property owner is not varying the open space requirements and amenities, but asking to include alternative amenities that his residents will enjoy. This area is appropriately zoned and will follow the site development and permitting process.

Dan Hays-Clark closed the public hearing.

Debra Thorne-Francis made a motion to approve this variance based on staff's findings as stated above. Seconded by Clifford Wright and the motion passed unanimously by all Board members voting in favor to grant this variance.

7. Director's Report.

Melissa McCollum addressed the Board with an update on decomposed granite driveways and Council has again asked that Planning and Zoning Commission review this ordinance at their next meeting. For this reason, the previous decomposed granite driveway variance has not been brought back to this Board.

Melissa also gave a brief synopsis of the events that happened on the accessory structure located at 1401 Pecan Street and it came to be rebuilt vs. remodeled.

She stated there will be a BOA meeting on Wednesday, July 11, 2012 and Blas Coy stated he will be out of town. Drew Pickle stated he can make this meeting.

Melissa stated the Council has approved the new Ethics Ordinance and each Board member was given a copy. She briefly discussed this ordinance. The Board requested a paper copy of the current updated sign ordinance be mailed to them for insertion into their BOA manuals as well as an emailed copy.

8. Adjourn.

Board Member Blas Coy made a motion to adjourn. Seconded by Michael Gibbons and the meeting adjourned at 7:25 p.m.



Dan Hays-Clark, Board of Adjustment Chair