



# STAFF REPORT

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**MEETING DATE:** May 20, 2024

**TITLE:**

Public hearing, consideration, and possible action on Resolution No. R-2024-0006 regarding an application for variances from the BEDC's Sixth Amended Protective Covenants for the Bastrop Business and Industrial Park, submitted by Acutronic.

**AGENDA ITEM SUBMITTED BY:**

Sylvia Carrillo-Trevino, ICMA-CM, CPM

**BACKGROUND/HISTORY:**

At the special meeting on May 8, 2024, the BEDC board voted to extend the Acutronic inspection period to allow them the opportunity to complete their due diligence with all of the utility providers. Since that time, staff has also worked with Acutronic to review site plans and other requests for compliance with the protective covenants governing the business park. Items in their site plan and performance agreement are in conflict with the parks protective covenants and as such, Acutronic has requested variances to the following covenants:

1. Allow construction of improvements using steel, glass, metal siding, and masonry. Section C.2(a) Building Design and Materials - limits structures in "Area A" to Masonry only.
2. Remove commencement and completion date requirements set forth. (To match performance agreement as amended)
3. Allow multiple principal / primary buildings on the subject lot. Section E.4 and Section E.7 restrict the number of principal and/or primary buildings per lot to one (1)
4. Remove side yard setback between primary/principal buildings. Section E.3 requires side yard setbacks on principal buildings. Intent should be only with respect to property line boundaries.
5. Allow driveway placement shown on Land Use Plan. Section I prohibits driveways within 50' of intersections.
6. Allow the erection and placement within easement areas of non-permanent improvements for employee break and recreational use, including, without limitation, picnic tables and outdoor furniture, sand volleyball courts, walking trails and landscape elements. Section N requires BEDC approval for the above.

7. Allow the use and storage on the property of liquids and materials as enumerated in the list provided by Acutronic.

Section Q.7 requires BEDC approval for the above.

A public hearing is required to amend the protective covenants.

**FISCAL IMPACT:**

NA

**RECOMMENDATION:**

Hold a public hearing to amend the protective covenants and grant the variance request.

**ATTACHMENTS:**

1. Variance application
2. Protective Covenants to the Park