



STAFF REPORT

MEETING DATE: June 28, 2022

TITLE:

Consider action to approve the second reading of Ordinance No. 2022-15 of the City Council of the City of Bastrop, Texas, approving the Burleson Crossing East Zoning Concept Scheme, changing the zoning for 12.95 acres out of the Nancy Blakey Survey Abstract 98, from P2 Rural to P5 Core and establishing warrants on 19.81 acres, located east of Edward Burleson Lane and north of State Highway 71, within the city limits of Bastrop, Texas, as shown in Exhibits A, B, and C, providing for findings of fact, adoption, repealer, severability and enforcement, proper notice and meeting; and establishing an effective date.

STAFF REPRESENTATIVE:

Jennifer C. Bills, Director of Planning & Development

BACKGROUND:

The applicant has submitted an application for a Zoning Concept Scheme for Burleson Crossing East that was presented to the Planning & Zoning Commission and to City Council by Planning Staff. On May 24th at City Council, the applicant gave a presentation with a revised concept site plan and warrant list that differed from what was reviewed by P&Z and in the packet. Planning Staff presented an ordinance at the June 14, 2022, meeting based on the warrants as submitted through the review process, not the May 24th presentation. At the June 14, 2022, the applicant provided their own warrant request list for City Council consideration. The City Council tabled the item and instructed Planning and Legal Staff to review the new version for review and bring back to the next meeting. With the June 14th list as provided by the applicant as the starting point, Staff and the applicant's representatives have worked to create an ordinance and exhibits for second reading.

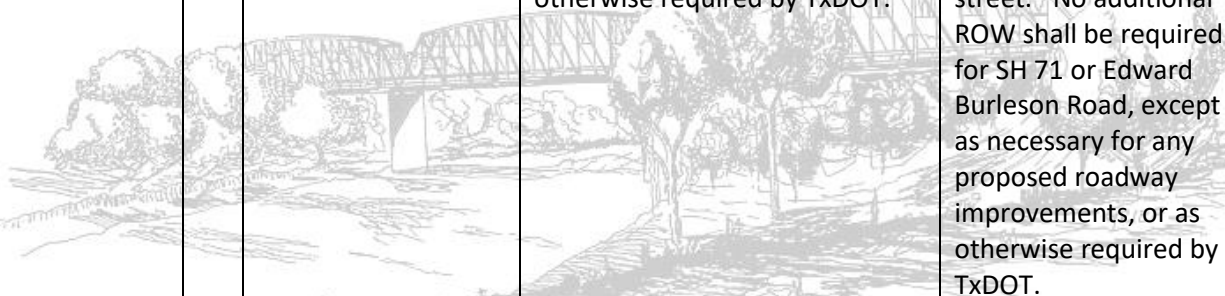
After working with the applicant Planning Staff has identified two unresolved differences between the ordinance language and six unresolved differences on the warrants on Exhibit B.

At the last meeting instruction was given to provide the concept site plan as an ordinance exhibit to ensure the development will be a retail shopping center. A description of retail was added to the ordinance for clarity. Below are the unresolved differences between Version 1 (Staff submitted) and Version 2 (Applicant submitted) of Ordinance 2022-15 and Exhibit B:

Staff Submitted	Applicant
The Concept Plan depicts a general layout of what is intended to be constructed and the warrants are to apply only to plans for a retail shopping center.	The Concept Plan depicts a general layout of what is intended to be constructed and the warrants are to apply only to plans for a retail shopping center with a hotel.
Retail is defined to mean the sale of goods to the public, usually in stores, for use or consumption by the ultimate consumer. Retail shall not include the operation of outdoor storage, automotive sales and services, warehousing, ministorage, call centers, or multifamily residences.	Retail is defined to mean the sale of goods to the public, usually in stores, for use or consumption by the ultimate consumer. Retail shall not include the operation of outdoor storage (except as an accessory use), automotive sales and services , warehousing (except as an accessory use), ministorage, call centers, or multifamily residences.

Exhibit B:

B3 Code Section	Description	Proposed Alternative - Staff	Proposed Alternative - Applicant
5.2.002(b)	Max block perimeter length of 1,320 ft	Allow 30' wide private drives without street trees and sidewalks, to be utilized as boundary of blocks rather than public streets, as shown on Concept Site Plan (Exhibit C).	Not required.
5.2.002(d)	20' wide midblock pedestrian walkway for blocks that exceed (b) and (c)	Provide alternate pedestrian connectivity throughout site with 6-foot designated sidewalks/ walkways from building to building and from buildings to public ROW's. Alternate pedestrian connectivity is not required to align with proposed public or private drives and can be obtained through 6-foot designated sidewalks/ walkways within medians between parking rows.	Provide alternate pedestrian connectivity throughout site with 6-foot sidewalks/walkways from building to building and from buildings to public ROW's. Alternate pedestrian connectivity is not required to align with proposed public or private drives and can be obtained through 6-foot sidewalks/walkways within medians between parking rows.

6.5.003 - A		Requires that front façade be at least 80% of the frontage width, requires the building to be located between 2'-15' from the ROW / Frontage	Building façade to frontage width ratio is not required. Buildings may be placed anywhere within the lot. All lots must have public or private street frontage minimum of 120 feet.	Building façade to frontage width ratio is not required. Buildings may be placed anywhere within the lot. All lots must have public or private street frontage minimum of 120 feet.
7.3.013(d)(1)		Requires an additional 7' of ROW on each side of a road if P5 is located on both sides of the road	ROW width for Wagon Wheel shall be 55'. ROW width for Blakey Lane shall be 80'. No additional ROW shall be required for SH 71, or Edward Burleson Road , except as necessary for any proposed roadway improvements, or as otherwise required by TxDOT.	ROW width for Wagon Wheel shall be 55'. ROW width for Blakey Lane shall be 80'. Edward Burleson was platted with a 10' ROW Reserve on the opposite side of the street. No additional ROW shall be required for SH 71 or Edward Burleson Road, except as necessary for any proposed roadway improvements, or as otherwise required by TxDOT.
7.4.002(a)		330' max block length, 1,320' max block perimeter	Allow 30' wide private drives without street trees and sidewalks, to be utilized as boundary of blocks rather than public streets, as shown on Concept Site Plan (Exhibit C).	Not Required.
2.3.003		Diagram 1.1 Public Frontage Diagram	Remove as a warrant.	Not Required

Included with this item is the Staff submitted Ordinance 2022-15 (Version 1) with Exhibit B (Version 1) and the Applicant submitted Ordinance 2022-15 (Version 2) with Exhibit B (Version 2).

For some additional clarification, the Exhibit C - Concept Site Plan submitted was not the version that was submitted for review and presented by Planning Staff, to the Planning & Zoning Commission on March 31, 2022, and to City Council on May 24, 2022 (Attachment 2).

PLANNING & ZONING COMMISSION RECOMMENDATION:

The Planning & Zoning Commission held a public hearing on March 31, 2022. The Commission voted 5-2 to recommend denial of the Zoning Concept Scheme. A vote of 4 out of 5 City Council members will be required to approve the zoning request.

DIRECTOR RECOMMENDATION:

Consider action to approve the Staff submitted Ordinance 2022-15 (Version 1) with Exhibit B (Version 1).

CITY COUNCIL ACTION:

On May 24, 2022, City Council held a public hearing and first reading and made the following approval by a vote of 5-0:

- Approve the Zoning Concept Scheme, changing the zoning from P2, Rural to P5 Core with the warrants approved as submitted by the applicant.

On June 14, 2022, City Council considered the second reading and made the following motion by a vote of 5-0:

- Table action of the second reading, with instruction to City Staff to work with the applicant on an ordinance that includes the concept site plan and the list of warrant.

ATTACHMENTS:

- Ordinance 2022-15 – Version 1
- Ordinance 2022-15 – Version 2
- Exhibit A: Legal Description
- Exhibit B: Warrants– Version 1
- Exhibit B: Warrants – Version 2
- Exhibit C: Concept Site Plan
- Attachment 1: Comparison of Warrant Requests
- Attachment 2: Concept Site Plan presented by Staff on March 31 and May 24
- June 14, 2022 Agenda Packet with previously presented information - <https://www.cityofbastrop.org/upload/page/0496/June%2014%202022%20Executed%20Packet.pdf>