

Planning and Zoning Commission

September 15, 2022

Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, September 15, 2022 at 6:00 p.m. in the Council Chambers located at 1311 Chestnut Street, Bastrop, Texas 78602.

1. CALL TO ORDER

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

Commissioners:

Debbie Moore	Present
Cynthia Meyer	Absent
Ishmael Harris	Present
Pablo Serna	Present
Carrie Caylor	Absent
Scott Long	Present
Judah Ross	Present
Patrice Parsons	Present

Staff Present:

Jennifer Bills, Director of Planning
Keehren Baah, Assistant Director of Planning
Nicole Peterson, Planning Technician

2. ANNOUNCEMENTS

Introduction – Keehren Baah, Assistant Director of Planning and Development.

Keehren Baah introduced herself to Commissioners.

3. CITIZEN COMMENTS

There were no citizen comments.

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- 4A. Consider action to appoint a Planning & Zoning Commission member as it's representative on the Historic Landmark Commission (HLC).

Jennifer Bills presented to Commissioners the action to appoint a Planning and Zoning Commission member as a representative on the Historical Landmark Commission. Ishmael Harris made a motion to appoint Patrice Parsons as the representative for HLC. Judah Ross seconded the motion and the motion carried unanimously.

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- 4B. Hold public hearing and consider action on a subdivision variance from the B³ Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

Jennifer Bills presented to Commissioners the subdivision variance from the B³ Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas.

She stated that there is only one way in and out of the Piney Ridge Subdivision and the first fire code for this area was adopted back in 1978 when the subdivision was first created. The current fire code states that you need more than one way in and out when there are more than 30 units/lots.

Discussion commenced between Staff and Commissioners over the following topics:

1. Is there a plan to connect any of the roads for another entrance/exit in the future?
 - No, not at this time. The closest road would be Mesquite which would have to go through a private property to connect the roads.
2. Commissioners asked the Fire Chief what he thinks of the applicant's request?
 - The Fire Chief stated that the design of this subdivision is set up similar to Tahitian and that its part of the Mitigation Plan. When there is talk about adopting the Wildlife Urban Interface Code, this is an area that would be looked at first. The issue is this land was developed before the codes, but the goal is to not make it worse.

Martha Miles, owner of 112 Post Oak Rim shared her concern over wanting to build a home for her son since her husband died. Believes this whole thing is political nonsense and says that it doesn't make any sense how two more cars or people are going to make that big of an impact and would like a more logical reason as to why she cannot build her house. Ms. Miles stated the city needs to look at planning as it come and arises.

Tara Ferguson, resident at 213 Hidden Springs shared the land is only a few acres shy of being a one-acre lot. She understands the Fire hazard but wanted to know if it would meet the one acre if they would be allowed to build? She feels the main concern is there is only one way in and one way out but stated this is a cul-de-sac and those are everywhere.

Fire Chief, Andres Rosales stated subdividing the lot is what triggered the variance. The one acre is more specific to the septic and does not have anything to do with the egress or ingress.

Director of Planning, Jennifer Bills stated if the lot is already platted then she could build on it but since she is wanting to subdivide the lot into two lots and two houses is why there is a need for a variance.

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Discussion commenced between Staff and Commissioners over the following topics:

1. Are there any other lots in this subdivision under an acre?
 - Yes, there are about 30 lots under an acre.
2. Will they be allowed to build on those lots?
 - Yes, they will be allowed to build since they are not subdividing the lots.
3. Will they be able to get septic on those lots?
 - No, but anything that is .50 an acre or more is grandfathered.
4. If the lots were still an acre, we would be dealing with an egress issue?
 - Yes, there would still be a variance because of the egress.
5. With this replat all the new codes and regulations apply?
 - Yes, if the applicant did not replat then the new codes and regulations would not apply.
6. Is there a plan to move the infrastructure towards this area?
 - We do not have anything in the Capital Improvement Plan to upgrade the area at this time.
7. If the applicant were to stay with the current plat, would they be able to do two units on one septic?
 - Yes, I believe they are allowed up to three units on one septic.
8. How many lots are not on the City's system?
 - Most of the lots in this subdivision are on septic but others are either on Water Control Improvement District or the City.
9. Residence from this subdivision will get a denial if they try to subdivide?
 - Yes, any new subdivision where they are trying to replat will be denied.
10. If the applicant does not replat and builds two homes on one septic, they wouldn't have any issues?
 - Yes, that is correct.
11. If they don't replat does that still affect the egress or ingress problem?
 - Yes, because the number of people can still expand. However, the fire code does not allow you to go back on what they consider grandfathered properties. All the City can regulate are changes that are significant enough to cause those changes.

Debbie Moore opened the public hearing at 6:30 p.m.

There were no comments or questions from citizens.

Debbie Moore closed the public hearing at 6:30 p.m.

Pablo Serna made a motion to deny the subdivision variance from the B³ Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acres in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A. Scott Long seconded the motion and the motion carried unanimously.

- 4C. Hold public hearing and consider action on a replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A.

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Jennifer Bills presented to Commissioners the replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas.

Debbie Moore opened the public hearing at 6:42 p.m.

There were no comments or questions from citizens.

Debbie Moore closed the public hearing at 6:42 p.m.

The Commissioners wanted to make a statement letting the residents know that they are aware a lot of things were done before the development was there but moving forward if they do not follow the code, they will end up in situations like these. The Planning and Zoning takes their jobs very seriously when it comes to protecting the citizens of the City and their safety.

Pablo Serna made a motion to deny the replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A. Scott Long seconded the motion and the motion carried unanimously.

5. ADJOURNMENT

Pablo Serna made a motion to adjourn at 6:45 p.m. Ishmael Harris seconded the motion, and the motion carried unanimously.

Debbie Moore, Chair

Pablo Serna, Vice-Chair