



# STAFF REPORT

**MEETING DATE:** April 27, 2023

**TITLE:**

Consider action to approve Bastrop Grove Section 5 Final Plat, being 25.865 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of Agnes Street and east of State Highway 304, within the city limits of Bastrop, Texas, as shown in Exhibit A.

**STAFF REPRESENTATIVE:**

Keehren Baah, Assistant Director of Development Service

**ITEM DETAILS:**

Site Address: South of Agnes Street and east of State Highway 304 (Attachment 1)  
Total Acreage: 25.865 acres  
Legal Description: 25.865 acres of the Nancy Blakey Survey, Abstract No. 98  
Property Owner: Douglas MacMahon, 71 Retail Partners, LP  
Agent Contact: Taunia Halcomb, Carlson, Brigance, and Doering, Inc.  
Existing Use: Vacant/Undeveloped  
Existing Zoning: P5 Core (previously GR General Retail)  
Special Agreement: Bastrop Grove Settlement Agreement January 2023  
Future Land Use: Transitional Residential

**BACKGROUND/HISTORY:**

The applicant has submitted a Final Plat application for Bastrop Grove Section 5 (Exhibit A). The plat includes 16 commercial lots. Driveway access to this tract will be provided from the existing streets Cattail Lane, Greenleaf Fisk Drive, and Agnes Street. (Attachment 1). The proposed plat is following standards established in a 2023 Settlement Agreement that largely uses grandfathered subdivision standards in the Bastrop Code of Ordinances Chapter 10 and zoning standards in Chapter 14 in effect at the time in 2019, prior to B<sup>3</sup> Code adoption, some B<sup>3</sup> Code standards, such as the P-5 height allowance of up to 5 feet are allowed in the Agreement.

Traffic Impact and Streets

No TIA was completed for this section. Per the Settlement Agreement, each lot will be required to provide a prorated share of \$450,000 which will go towards the construction of the southern lanes of Agnes Street. The developer is not required to build any streets as a part of this development. Driveway access to SH 304 is permitted by TXDOT and the applicant will be required to go through their process to secure future driveways.

Utilities

Water service (domestic and fire) will be provided by the City of Bastrop by tapping into an existing line along the north side of Agnes Street and installing new lines along the south side of Agnes

Street and along the rear of the lots fronting SH 304 in a public utility easement to connect to the existing line on Greenleaf Fisk Drive. A Preliminary Infrastructure Plan was approved by the City Engineer.

Wastewater collection and treatment will also be provided by the City of Bastrop by tapping into the existing lines along Bullhead Road, Cattail Lane and Greenleaf Fisk Drive to run down the rear of the lots.

#### Drainage

Stormwater runoff generated within the property will be routed through underground storm sewer, that feeds into the large drainage channel that flows south to discharge into the Colorado River. The drainage plan is using the updated rainfall totals of Atlas 14. A Preliminary Drainage Plan has been reviewed and approved by the City Engineer.

#### **POLICY EXPLANATION:**

Final Plats are reviewed and approved by the Planning & Zoning Commission.

#### Compliance with 2036 Comprehensive Plan:

Future Land Use Plan – Transitional Residential Commercial: The Transitional Residential character area is for lands to be developed with higher densities and a variety of housing types. The character area supports high density single-family detached, single-family attached (duplexes, triplexes, townhouses) and multifamily (apartments), and institutional residential uses such as nursing homes and assisted living facilities. Variation in form, scale, and density is allowed but appropriate transitions must be provided between land uses. In some cases, Transitional Residential uses may be included as part of a larger planned development within areas otherwise designated as Neighborhood Residential. Likewise, Transitional Residential character areas may also include associated amenities such as parks, trails, open spaces, and public uses such as schools, fire stations, and more.

*This plat complies with the Future Land Use Plan, which shows Transitional Residential in this area as the retail/commercial/office sites provide for an appropriate transition from State Highway 304 and Agnes Street to the medium density residential neighborhood for Bastrop Grove Section 4. The plat proposes a non-residential lot with managed public access. Sidewalks and landscaping will be required at the time of site development planning.*

#### Local Government Code

Sec. 212.002. Rules.

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

*Bastrop adopted subdivision regulations in 1981. The B<sup>3</sup> Code, Chapter 1: Subdivision outlines the process and requirements for plats within the Bastrop city limits and Extra Territorial Jurisdiction (ETJ). The B<sup>3</sup> Code replaced Bastrop Code of Ordinances Chapter 10, which previously addressed subdivision requirements.*

Section 212.004 Plat Required

- (a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

*The applicant has proposed subdividing an undeveloped tract into sixteen commercial lots.*

Sec. 212.010. Standards for Approval

- (a) The municipal authority responsible for approving plats shall approve a plat if:
- (1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

*The final plat conforms to the Future Land Use Plan, which is designated Transitional Residential for this area.*

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

*No TIA was completed for this section. Per the Settlement Agreement, each lot will be required to provide a prorated share of \$450,000 which will go towards the construction of the southern lanes of Agnes Street. The developer is not required to build any streets as a part of this development. Public water and wastewater lines will be extended to serve the lots. Underground storm sewer will be installed for drainage.*

- (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

*A fiscal guarantee will be provided for the construction and maintenance of the infrastructure improvements before any final plats can be recorded.*

- (4) it conforms to any rules adopted under Section 212.002.

*The plat complies with the requirements of the Bastrop Code of Ordinances Chapter 10 – Subdivision in effect at the time of the Final Plat submittal. This was established in the grandfathering determination.*

B<sup>3</sup> Code – Chapter 1: Subdivisions

- Section 1.3.001 Standard Procedure - Platting

*Any subdivision requiring the extension of public infrastructure or of more than four lots require the approval of a Preliminary Plat, Public Improvement Plan, and a Final Plat.*

- Section 1.3.002 Preliminary Plat and Section 1.3.003 Final Plat  
*The Preliminary Plat was approved by the Planning and Zoning Commission on January 26, 2023.*

*The Final Drainage Plan to determine drainage requirements is pending approval by the City Engineer.*

*The Preliminary Infrastructure Plan for the feasibility of the construction of the subdivision improvements was approved by the City Engineer on January 19, 2023.*

- Section 1.3.004 Plat Requirements  
*The Development Review Committee reviewed the Final Plat for Bastrop Grove Section 5 for compliance with subdivision and utility standards and deemed the plat administratively complete. The Planning Assistant Director recommends approval.*

**RECOMMENDATION:**

Consider action to approve Bastrop Grove Section 5 Final Plat, being 25.865 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of Agnes Street and east of State Highway 304, within the city limits of Bastrop, Texas, as shown in Exhibit A.

**ATTACHMENTS:**

- Exhibit A: Bastrop Grove Section 5 Final Plat
- Attachment 1: Location Map

