



# STAFF REPORT

**MEETING DATE:** January 26, 2023

**TITLE:**

Consider action to approve Bastrop Grove Section 3 Lots 9-19 Preliminary Plat, being 18.265 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of SH 71 and east of SH 304, within the city limits of Bastrop, Texas, as shown in Exhibit A.

**STAFF REPRESENTATIVE:**

Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

**ITEM DETAILS:**

Site Address: South of SH 71 and east of SH 304 (Attachment 1)  
Total Acreage: 18.265 acres  
Legal Description: 18.265 acres of the Nancy Blakey Survey, Abstract No. 98  
  
Property Owner: Douglas MacMahon, 71 Retail Partners, LP  
Agent Contact: Matt Synatschk, Carlson, Brigrance, and Doering, Inc.  
  
Existing Use: Vacant/Undeveloped  
Existing Zoning: P5 Core (Previously C-1 Commercial)  
Special Agreement: Bastrop Grove Settlement Agreement January 2023  
Future Land Use: General Commercial

**BACKGROUND/HISTORY:**

The applicant has submitted a Preliminary Plat application for Bastrop Grove Section 3 Lot 9-19 (Exhibit A). This section was previously preliminary platted in 2017 as one lot (Lot 9). This new preliminary plat includes 11 commercial lots, extending a new street Orr Drive from State Highway 71 south to 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 of preliminary platting in 2017, 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

A traffic impact analysis (TIA) was conducted at the time of development of Section 1 in the subdivision, which includes Ascension Seton. The TIA included assumptions of uses and trips for the entire subdivision and the public street improvements needed to safely accommodate those trips. The as each lot is platted and developed, the trips generated will be reviewed against the TIA triggers for additional improvements required by the Texas Department of Transportation. The existing driveway with a deceleration lane from eastbound SH 71 will be dedicated as a 50-foot right-of-way and Orr Drive will be extended to connect SH 71 to Agnes Street. Additional

access easements between the lots will provide internal circulation to the development.

#### Utilities

Water service (domestic and fire) will be provided by the City of Bastrop by tapping into an existing line along SH 304 and extend the public line east through the site, and then extend two lines south, one through an easement and one along Orr Drive, to connect to the existing line on Agnes Streets. 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 Agnes Street on the southeast corner on the property.

#### Drainage

Stormwater runoff generated within the property will be routed through an open ditch system on the southern boundary of the property, which continues an open ditch flowing to the east 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:**

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

#### Compliance with 2036 Comprehensive Plan:

Future Land Use Plan – General Commercial: The General Commercial character area supports local and regional businesses that rely on heavy traffic volumes and the visibility that is associated with being located near major roadways. General Commercial developments typically involve varying development intensities, from smaller locally owned shops to big box retailers. These areas are predominantly auto-oriented, with large accessory parking areas. While General Commercial development will continue to be auto-oriented, improved street-side and parking lot landscaping, buffers, appropriately designed and scaled signage, bicycle and pedestrian accommodations, higher quality building materials, and access management techniques (e.g., limited access points and inter-parcel connectivity) will help to improve overall development quality and appearance.

*This plat complies with the Future Land Use Plan, which shows General Commercial in this area. 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 eleven 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 preliminary plat conforms to the Future Land Use Plan, which is designated General Commercial 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;

*A traffic impact analysis (TIA) for the overall development of the nine-lot Bastrop Grove Subdivision has been previously approved by the City and TXDOT and the plat is consistent with the recommendations of that analysis. Improvements along SH 71 were built with a previous section and included items such as turning and deceleration lanes. Provisions for additional turning and deceleration lanes and improvements to SH 304 will be required in future development phases.*

- (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 Settlement Agreement and Bastrop Code of Ordinances Chapter 10 – Subdivision in effect at the time of the Preliminary Plat submittal. This was established in a 2023 Settlement Agreement.*

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 Drainage Plan, Preliminary Infrastructure Plan, Preliminary Plat, Public Improvement Plan, Public Improvement Plan Agreement and a Final Plat.*

- Section 1.3.002 Preliminary Plat

*The Preliminary Drainage Plan to determine drainage requirements was approved by the City Engineer on December 1, 2022.*

*The Preliminary Infrastructure Plan for the feasibility of the construction of the subdivision improvements was approved by the City Engineer on January 12, 2023.*

- Section 1.3.004 Plat Requirements

*The Development Review Committee reviewed the Preliminary Plat for Bastrop Grove Section 3 Lot 9-19 for compliance with subdivision and utility standards and deemed the plat administratively complete on January 12, 2023. The Planning Director recommends approval.*

**RECOMMENDATION:**

Consider action to approve Bastrop Grove Section 3 Lot 9-19 Preliminary Plat, being 18.265 acres out of the Nancy Blakey Survey, Abstract No. 98, located south of SH 71, within the city limits of Bastrop, Texas, as shown in Exhibit A.

**ATTACHMENTS:**

- Exhibit A: Bastrop Grove Section 3 Lot 9-19 Preliminary Plat
- Attachment 1: Location Map

