

TO: Paul A. Hofmann, City Manager
From: Jennifer C. Bills, Director of Planning & Development
Date: June 20, 2022
Subject: Bastrop Colorado Bend Comprehensive Plan Future Land Use Map Amendment



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ITEM DETAILS:

Site Address: West of Lovers Lane (Attachment 1)
Total Acreage: 312.591 +/- acres
Legal Description: 546.364 +/- acres of land out of the Stephen F. Austin Survey, Abstract 2

Property Owner: Alton Butler, Bastrop Colorado Bend, LLC
Agent Contact: Matt Synatschk, Carlson, Brigance, and Doering, Inc.

Existing Use: Vacant/Undeveloped
Existing Zoning: None. Extra-Territorial Jurisdiction
Adopted Plan: June 22, 2021, Development Agreement
Existing Future Land Use Category: Rural Residential
Proposed Future Land Use Category: Industry

BACKGROUND/HISTORY:

The Colorado Bend development is a proposed 546.364 +/- acre development with a mix of land uses and development types that support a primary use as a film studio. The site is currently located within the City's Statutory Extraterritorial Jurisdiction, but the applicant has requested the annexation and rezoning of 312.591 +/- of the total tract for the first phase of development.

This tract is bordered on the west by the Colorado River. As a property that is mostly within the 100-year and 500-year flood plain, the Future Land Use Plan envisioned the best use for this property to be low-density residential. Taken as a single development, this property also has limited access to the west without the construction of bridges over the Colorado River.

The applicant is requesting a change to the Comprehensive Plan Future Land Use to Industry which would allow a future Employment Center Place Type zoning. This would allow for the development of a multi-faceted film studio facility which would include production facilities, sound stages, backlots, storage, and other ancillary spaces. Lodging, restaurants, event spaces, and recreational facilities would all support the film studio use. As the current annexation only covers a portion of the entire development, the Future Land Use Map amendment reflects changing the Character Area to Industry on the current annexation area (Exhibit A). The remainder of the property (233.773 +/- acres) would remain as Rural Residential until the next annexation request.

The 2036 Comprehensive Plan was adopted on November 22, 2016. The Comprehensive Plan is used to establish City Council policy for managing the future development of private and public land within the city limits and ETJ. Part of this plan is recognizing that development conditions and trends do change over time, so City Council has the ability to amend the Comprehensive Plan through public hearings.

Chapter 5, Land Use & Community Image, established 10 Character Areas on the Future Land Use Map that area used as the guiding document to determine changes to the zoning map and implementation development through the Bastrop Building Block (B³) Code standards. The 2036 Comprehensive Plan is available here: https://www.cityofbastrop.org/page/plan.long_range.

A Development Agreement was approved by the City Council on June 22, 2021 that laid out the process for the owner to annex the development in phases in order to build out the infrastructure and site incrementally. This amendment is listed as one of the development steps within the approved agreement.

POLICY EXPLANATION:

Comprehensive Plan Amendments are regulated under Section 213 of the Texas Local Government Code.

Sec. 213.003. Adoption of Amendment of Comprehensive Plan

(a) A comprehensive plan may be adopted or **amended** by ordinance following:

(1) a hearing at which the public is given the opportunity to give testimony and present written evidence; and

A public hearing was held on January 27, 2022 at the Planning & Zoning Commission meeting and a public hearing was held on February 22, 2022 at the City Council meeting.

(2) review by the municipality's planning commission or department, if one exists.

The Planning & Zoning Commission voted to recommendation the amendment by a vote of 3-2. A minimum vote of 5 affirmative votes is required to make a report to city Council, so no recommendation was made.

(b) A municipality may establish, in its charter or by ordinance, procedures for adopting and amending a comprehensive plan.

Amendments to the Comprehensive Plan are adopted by ordinance following the requirements of the City Charter.

A published notice for the public hearings was placed in the Bastrop Advertiser on January 8th and sent mailed notices to 61 property owners within 200 feet of the property (Attachment 3). At the time of this report, three responses to the project have been received, 2 opposed and 1 no objection (Attachment 4).

RECOMMENDATION:

Consider action to approve the first reading of Ordinance 2022-05 of the City Council of the City of Bastrop, Texas, amending the Comprehensive Plan by changing the Future Land Use designation from Rural Residential to Industry for Bastrop Colorado Bend, LLP for 312.591 +/- acres of land out of the Stephen F. Austin Survey Abstract 2, to the west of Lovers Lane, located within the city limits of the City of Bastrop, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting and move to the July 12, 2022 Regular Agenda.