

**ORDINANCE NO. 2015 - 08**

**AN ORDINANCE GRANTING A ZONE CHANGE FROM MF-2, MULTI-FAMILY DWELLING-2 TO PD, PLANNED DEVELOPMENT FOR APPROXIMATELY 11.02 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY, ABSTRACT NO. 56 LOCATED WEST OF THE TERMINUS OF CHILDERS DRIVE WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, DM Pecan Park Associates, LTD, Duke McDowell (hereinafter referred to as "Applicant") submitted a request for a zone change from MF-2, Multi-Family Dwelling-2 to PD, Planned Development for approximately 11.02 acre tract situated in the Mozea Rousseau Survey, Abstract 56, located west of the terminus of Childers Drive within the City limits of Bastrop, Texas, hereinafter referred to as "the Property"; and

**WHEREAS**, a copy of the Metes and Bounds Survey and location map is attached hereto as Exhibit "A" (the "Property"); and

**WHEREAS**, the Property is currently zoned as MF-2, Multi Family Dwelling-2; and

**WHEREAS**, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of the rezoning was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the rezoning request on May 28, 2015; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission has recommended a PD, Planned Development zoning designation for the Property; and

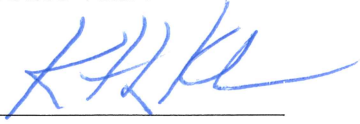
**WHEREAS**, pursuant to Section 10.4 of the City's Zoning Ordinance, notice of the rezoning request was given as required by the Ordinance, and the City Council of the City of Bastrop held a public hearing on the rezoning on June 9, 2015 to consider the Applicant's request to rezone the Property to PD, Planned Development; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds that it is in the public interest to approve the rezoning of the Property, which is currently zoned as MF-2, Multi-Family Dwelling-2, to a new designation of PD, Planned Development.

READ and ACKNOWLEDGED on First Reading on the 9<sup>th</sup> day of June 2015.

READ and APPROVED on the Second Reading on the 23<sup>rd</sup> day of June 2015.

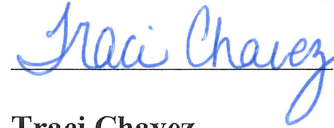
**APPROVED:**



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**Kenneth W. Kesselus**  
Mayor

**ATTEST:**



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**Traci Chavez**  
Interim City Secretary

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP THAT:**

Part 1: The Property, situated in Mozea Rousseau Survey, Abstract No. 56 west of the terminus of Childers Drive as more particularly shown and described on attached Exhibit “A”, shall be and is hereby rezoned from its prior designation of MF2, Multi-Family Dwelling-2 to a new zoning designation of PD, Planned Development.

Part 2: This ordinance shall take effect upon passage and in accordance with the laws of the State of Texas.

Part 3: Section 19, SFA - Single-Family Attached Residential District of the Zoning Ordinance standards should be amended as follows.

<u>District</u>	<u>Min. Lot Area</u>	<u>Min. Dwelling Unit Size</u>	<u>Min. Lot Width</u>	<u>Min. Lot Depth</u>	<u>Min. Front Yard</u>	<u>Min. Interi or Side Yard</u>	<u>Min. Side when two-story &amp; adj. SF Zone</u>	<u>Min. Ext. Yard (See Sec.43.3)</u>	<u>Min. Rear Yard</u>	<u>Min. Rear when two-story &amp; Adj. SF Zone</u>	<u>Max. Height of Build</u>	<u>Max. Lot Coverage by Build</u>
SFA Per Ord.	3,000 sq. ft.	1000 sq. ft.	25'	100'	25'	10'		15'	20'		2.5 stories 35'	70%
PD Prop.	4,000 sq. ft.	1200 sq. ft.	34'	120'	20' - 25'	5'		10'	20'		2.5 stories 35'	70%

- To allow five (5') feet side setback where ten (10') feet is normally required as shown in Exhibit “B”
- To allow ten (10') feet exterior side setbacks where fifteen (15') is normally required as shown in Exhibit “B”
- To allow varied front yard setbacks of twenty-five (25') feet and twenty (20') feet where twenty-five (25') is normally required as shown in Exhibit “B”

Part 4: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Part 5: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, Code of Ordinances, and the laws of the State of Texas.