Meeting Minutes

The City of Bastrop Planning and Zoning Commission met Thursday, March 31, 2016 at 6:00 p.m. in the Bastrop City Council Chambers, 1311 Chestnut Street, Bastrop, Texas.

1. Call to order.

Lisa Patterson called the meeting to order at 6:00 p.m.

2. Roll call and confirmation of a quorum of Commission members.

Richard Kindred	Present
David Bragg	Present
Lisa Patterson	Present
Bryan Whitten	Present
Tish Winston	Absent
Connie Schroeder	Absent
William Ennis	Present
Debbie Moore	Absent

3. Citizen comments.

There were no citizen comments.

4. Consider, discuss and/or approve the Planning and Zoning Commission meeting minutes of January 28, 2016 .

Bill Ennis noted that there were not enough Commission members present that had attended the January 28, 2016 meeting to approve the minutes, and recommended the minutes be tabled until the next meeting.

Brayn Whitten made a motion to table the January 28, 2016 meeting minutes until the next meeting. David Bragg seconded the motion and the motion carried unanimously.

5. PP: 16-02: Discussion and possible action on a recommendation to the City Council regarding the Preliminary Plat for Woodrun Subdivision, Section Two, Phase I, II, III, and IV being +/- 84.987 acres located within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ).

Melissa McCollum addressed the Commission stating in regards to the Preliminary Plat for Woodrun Subdivision, Section Two, Phase I, II, III and IV being +/-84.897 acres out of the Stephen F. Austin Survey Abstract No. 3 within Area A the City of Bastrop, Texas, One Mile Extra Territorial Jurisdiction (ETJ), the City Council had granted a variance to the Subdivision Ordinance, Chapter 10, Rural Subdivision Design Requirements Section 6.110.4 Lot Size, to allow the lots to be a minimum of one (1) acre in size within Sections 2 and 3 of Woodrun Subdivision.

Section 6.110.4 Lot Size

Rural Subdivision shall be designed to provide an average lot size of two (2) acres excluding streets and public lots or tracts with a minimum area of one (1) acre per each lot located outside the boundary of flood plain or drainage easements. In no case can more than fifteen (15) percent of the total number of

lots in the rural subdivision be less than one and one-half (1.5) acres each. (Ordinance 2000-33 adopted 9/26/00)

Mrs. McCollum stated the Woodrun Subdivision, Section 1 was platted and developed in accordance with Bastrop County Subdivision requirements. Section 1 was platted in 1998 and consists of 47 single family residential lots with a minimum lot size of 1 acre. Sections 2 and 3 were included in a master development plan prepared at that time.The subdivision plat for Section 1 and the master development plan was in accordance with Bastrop County requirements using the 1 acre minimum lot size.

The subdivision is now located within the 1 mile Extra Territorial Jurisdiction (ETJ). Per the City's Inter-Local Agreement with Bastrop County the remainder of the tract, Section 2 and 3, must be platted in accordance with the City of Bastrop Subdivision requirements. The developer is proposing to develop raw land within Woodrun Section 2 in four phases. The ultimate build-out of Section 2 will consist of sixty-two (62) residential lots, along with supporting roadway and utility infrastructure.

Mrs. McCollum concluded her presentation stating Staff supports the request for approval of the Preliminary Plat. City staff has reviewed the Preliminary Plat and determined that it appears to conform to the applicable City of Bastrop Subdivision regulations. At the time of the staff report twenty-two (22) surrounding property owner notifications had been mailed a notification on March 7, 2016, and at th time creating the packet had received two (2) responses in favor. Staff recommends approval of the Preliminary Plat for Woodrun Subdivision, Section Two, Phase I, II, III and IV being +/-84.897 acres out of the Stephen F. Austin Survey Abstract No. 3 within Area A the City of Bastrop, Texas, One Mile Extra Territorial Jurisdiction (ETJ).

The Commission stated going forward, when being asked to review subdivisions, they are strongly in favor of the Planning Department purchase the Traffic Impact Analysis software, for the purpose of the Commission being able to study in adnavce how new subdivision will affect the current infrastructure.

David Bragg made a motion to recommend approval to City Council for the Preliminary Plat for the Woodrun Subdivision, Section Two, Phase I, II, III, and IV being +/-84.987 acres located within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ). Bill Ennis seconded the motion and the motion carried unanimously.

6. **PP: 16-03: Discussion and possible action on a recommendation to the City Council regarding the Preliminary Plat for XS Ranch – River Camp, Section 1 being +/-251.03 acres located within Area A of the City of Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).**

Melissa McCollum addressed the Commission regarding the Preliminary Plat for XS Ranch River Camp, Section 1 located north of the Colorado River and southwest of CR 157 within Area A of the City of Bastrop, Texas, Extra Territorial Jurisdiction (ETJ).

Mrs. McCollum stated this property is located within the XS Ranch Subdivision north of the Colorado River and southwest of CR 157. The developer, XS Ranch Fund VI, LP, is proposing to develop raw land that will consist of 752 residential lots. The development will include streets, one (1) school lot, one (1) commercial lot, three (3) club house lots, four (4) open space lots, ten (10) open space/drainage easement public utility easement lots, five (5) drainage lake lots, one (1) lift station lot, fourteen (14) lift station/public utility easement lots and eleven (11) reserved lots. The subdivision will be developed in accordance with the Development Agreement, as amended and approved by City Council.

Mrs. MccCollum stated Staff supports the request for approval of the Preliminary Plat. City staff has reviewed the Preliminary Plat and determined that it appears to conform to the approved Development Agreement for the XS Ranch, as well as applicable City of Bastrop regulations. At the time of the packet ten (10) surrounding property owner notifications were mailed on March 3, 2016, and at the time of the packet had not received any responses.

Staff recommends approval of the Preliminary Plat for XS Ranch River Camp, Section 1 located north of the Colorado River and southwest of CR157 within Area A of the City of Bastrop, Texas Extra Territorial Jurisdiction (ETJ).

The Developer address the Commission and gave a break down of the different sections, type of lots that would be offered in each section, and the general styles of the residential models that would be located in each section.

The Developer and the Commission went into discussion regarding the layout of the development, the connections that would be available to the development, the different lot layouts and housing types going into the development, how to calculate the different sizes of the los on the plat, and the different ways traffic could potentially end up going as the development goes forward.

David Bragg asked the developer at what point would the residents of XS Ranch have an alternative way to access the development, instead of all access being centered off of FM 969 with some additional access at Sayers Road. The Developer responded there would be a connection made with Sayers Road to connect to Highway 95, along with another connection that will connect to Hgihway 95 by FM 1441. Wesley Brandon stated this would happen once about 5,100 lots had been completed, but until then they would have two connections, one being at FM 969 and another at Sayers Road. David Bragg pointed out that would be taking the equivilant of the entire population of Bastrop and putting it onto FM 969, and asked if the TIA accounted for that. Melissa McCollum stated the TIA takes the position that the traffic will be able to be appropriately handled once the additional connections had been complete.

Richard Kindred asked for key points of the development agreement. Wesley Bandon stated the key points were the land-use, the way the property is developed in terms of how it is regulated, the rules that the city applies to the development, pakland dedication, utilities, school sites, and commercial and office sites.

Bill Ennis made a recommendation that going forward when the Commission is reviewing subdivisions with development agreements, they be informed so they have the opportunity to come to the Planning and Development offices and get a copy. Lisa Patterson asked the Commission get copies of all critical documents regarding XS Ranch.

Wesley Brnadon presented to the Commission the details regarding the drainage and utility plans for XS Ranch.

Bryan Whitten made a motion to recommend approval to City Council regarding the Preliminary Plat for XS Ranch – River Camp, Section 1 being +/-251.03 acres located within Area A of the City of Bastrop, Texas, Extra Territorial Jurisdiction (ETJ). Bill Ennis seconded the motion and the motion carried four to one, with Bryan Whiten, Bill Ennis, Lisa Patterson, and Richard Kindred in favor, and David Bragg opposed. He made the following statement for the record: I do not approve and I need the record that not approving to reflect two things, number one I've never seen the Development Agreement, and I cannot approve something I've never seen and number two I cannot believe that the equivalent of the population of the City of Bastrop can empty onto 969 and create a horrendous problem and until I'm satisfied that the City Council has considered that and decided it's okay through this development agreement, I cannot support it.

7. **Workshop Session: The Planning and Zoning Commission will adjourn from the Regular Session and convene into a Workshop Session to discuss the following:**
   a) Tattoo/Permanent Makeup within the City Limits

The Commission adjourned from their regular session and convened into Workshop Session.

Melissa McCollum addressed the Commission and stated the Amendment to the Zoning Ordinance, Chapter 14, would be to consider updating the zoning ordinance regarding tattoo, tattoo studios, and permenant makeup.

The City's zoning code limits tattoo or tattoo studios to industrial zoning classification with a Conditional Use Permit (CUP). Tattooing is regulated by the state and must get a state license. We have had some requests to have "makeup" tattoos as an accessory use to the "Barber shop/Hair Salon" primary use. Tattoo to add "permanent makeup" includes eyeliner, eyebrows. lip liner etc.

> Permanent Makeup, (ie. micropigmentation, permanent cosmetics, cosmetic tattooing, dermagraphics), combines art and science to produce long lasting cosmetic enhancements by tattooing pigments into the skin to accentuate the color and shape of eyes, brows and lips.

Currently our code will need to be amended to allow this as an accessory use to existing proposed barber shop/hair salon. Staff would like to discuss a possible approach and changes to the current use/code for Tattoo and Tattoo studios.

Current Code:

Section 36. Zoning Use Chart – Industrial Uses

Primary Industrial Uses	AOS	SF20	SF9	SF8	SF7	2F	SFA	MF1	MF2	MH	O	NS	GR	CBD	CF	CT	C-1	C-2	IP	LI	PD	MHO
Sexually Oriented Business (See [Sec.] 43.9)																			C			

SECTION 43 SUPPLEMENTAL REGULATIONS

43.9 USES CLASSIFIED AS SEXUALLY ORIENTED BUSINESS OR AS TATTOO STUDIO OR BODY PIERCING STUDIOS

A. General Regulations

On-premises advertisements, displays, or other promotional materials for sexually oriented business which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public places outside the business.

B. Location of Sexually Oriented Business or Body Piercing Studio or Tattoo Studio

1. A sexually oriented business shall not be located on any lot within five hundred feet (500') of any lot on which there is located another sexually oriented business. A body piercing studio or tattoo studio shall not be located on any lot Bastrop Code of Ordinances within five hundred feet (500') of any lot on which there is located another body piercing studio or tattoo studio.

2. A sexually oriented business or a body piercing studio or tattoo studio shall not be located on any lot within one thousand feet (1,000') of any lot on which there is located any school, church, public park or playground or licensed day-care center.
3. A sexually oriented business or a body piercing studio or tattoo studio shall not be located on any lot within five hundred (500') of any lot which is zoned or used for residential purposes.
4. For purposes of measuring a distance related to the location of a sexually oriented business, a tattoo studio or a body piercing studio, in relation to schools, churches, public parks, playgrounds, licensed day care centers, residential lots/properties and/or other sexually oriented businesses, tattoo studios or body piercing studios, the distance shall be determined by measuring the shortest possible distance between the property lines of properties involved, whether corner to corner, boundary to boundary, etc.

A-3 DEFINITIONS

270.1 TATTOO means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment.

270.2 TATTOO STUDIO means an establishment or facility in which tattooing is performed.

Disscussion commenced between Staff and the Commission regarding interdermal cosmetics also known as permennant makeup.

Linda Walker addressed the Commission stating she would be in favor of these changes, because she and her husband would like to open up a business that would be both an art studio and a tattoo studio combined together.

8. Adjourn from the Workshop Session.

The Commission adjourned from their Workshop session and reconvened back into their regular session.

The Commission recommending that Section 43 be amended to exclude Tattoos and Body Piercing from being included as part of the Sexually Oriented Bussinesses, Staff create another zoning classification for Tattoos and Body Piercings which would be permited in C-1 and C-2 by right, and amend the Salon and Barber Shop use to included Permenant Makeup as an incidential use these uses.

9. Director of Planning and Development report.

Mellissa McCollum gave an update on the Comprehensive Plan progress and stated the committee was back on track and hopefully would be getting Chapter 5 soon. She also stated that Staff would send the Commission the links to the Comprehensive Plan that have been submitted thus far.

Melissa McCollum also informed the Commission about the results from the SWOT Analysis from the Comprehensive Plan Town Hall Meeting.

David Bragg requested on the next agenda the Commission workshop cottage homes/ tiny houses.

The Commission requested a workshop in May regarding the XS Ranch Development.

10. Adjourn.

David Bragg made a motion to adjourn the meeting. Bryan Whitten seconded the motion and the meeting adjourned at 7:36 p.m.

Lisa Patterson, Chair

Bill Ennis, ~~Co-Chair~~ Vice Chair