



AGENDA

PLANNING & ZONING COMMISSION

REGULAR MEETING

MONDAY, FEBRUARY 22, 2021, 6:30 P.M.

PUBLIC LIBRARY ANNEX, CIVIC CENTER

404 NORTH MAIN STREET

1. CALL TO ORDER
2. CONSENT AGENDA

All matters listed below are to be considered routine by the Commission and will be enacted in one motion. There will not be separate discussion on the items. If discussion is desired, that items can be removed from the consent agenda and will be considered separately as a new business item.

<!--[if !supportLists]-->1. Consider approval of the following Minutes:

2.I. January 25, 2021 Minutes

Documents:

[JANUARY 25, 2021 MINUTES.PDF](#)

3. PUBLIC COMMENTS FOR NON-AGENDA RELATED ITEMS

Individuals may request to speak on items not on the agenda. Speaker comments are limited to

three (3) minutes and no formal action can be taken. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Commissioner, Staff, or others.

4. NEW BUSINESS

- 4.I. Project #: 202001015: A Final Plat For "Eagles Landing Phase II" Located On Parcels Of Land Known By The Travis County Appraisal District As Parcel 576925, Located Adjacent To The Eagles Landing Phase I And Carlson Ln. For A Total Of 128 Lots On 27.49 Acres Of Land.

- A. Staff Presentation
- B. Applicant Presentation
- C. Open Public Hearing
- D. Close Public Hearing
- E. Discussion
- F. Consideration

Documents:

[COMBINED PACKET FOR EAGLES LANDING II FINAL PLAT.PDF](#)

- 4.II. Project #: 202100169: An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances City Of Elgin, Texas, 2020 And Making This Amendment A Part Of Said Official Zoning Map To Wit: To Rezone From "R-1" Single Family District To "A" Multiple Family District For Lots 40A (0.3182 Acres) And 40B (0.6356 Acres) Ashby Subdivision, Both Properties Being A Total Of 0.9538 Acres Said Tracts Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

- A. Staff Presentation
- B. Applicant Presentation
- C. Open Public Hearing
- D. Close Public Hearing
- E. Discussion
- F. Recommendation

Documents:

[COMBINED PACKET FOR REZONING AT 1212 AND 1214 MAIN ST..PDF](#)

5. WORKSHOP

- 5.I. Discussion And Potential Direction Regarding Food Trailers.

Documents:

[CITY LETTERHEAD.PDF](#)

6. ANNOUNCEMENTS

7. ADJOURNMENT

The Commission may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code. The Commission will return to an open session for possible discussion and action as a result of the Executive Session.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide a forty-eight (48) hour notice when feasible.

Para informacion en espanol favor de llamar (512) 281-0119. Servicios de traduccion disponible en la reunion.

MINUTES
CITY OF ELGIN PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, JANUARY 25, 2021

CALL TO ORDER: The Vice-Chair called the meeting to order at 6:30 P.M. at the Library Annex (Civic Center) located at 404 N. Main St., Elgin, TX, U.S.A.

COMMISSION PRESENT: Vice-Chair Brian Lundgren, Jason Tatum, Ronnie Creppon, Dorothy McCarther, and David Lanford.

COMMISSION ABSENT: Chair Antonio Prete and Gilbert Rangel.

STAFF PRESENT: David Harrell, Development Services Director; Melissa Lipiec, Secretary; Beau Perry, City Engineer and Joe Cohan of TRC Companies.

PUBLIC COMMENT FOR NON-AGENDA RELATED ITEMS: No members of the public were present to speak on this item.

CONSENT AGENDA

1. December 21, 2020 Minutes.

Jason Tatum moved that the Commission approve the consent agenda. Ronnie Creppon seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against on roll call vote.

NEW BUSINESS

1. Project #: 201900797: A preliminary plat for “Trinity Ranch Phase 1” located on parcels of land known by the Bastrop County Appraisal District as Parcels 11949 & 99527, located adjacent to Upper Elgin River Road and south of the Elgin Business Park. for a total of 483 lots on 106.42 acres of land.
 - A. Staff Presentation – David Harrell conducted a power-point presentation of the staff report. David Lanford asked if the County had provided comments on this plat. He also expressed concern about only one way in and one way out of this phase of the subdivision. He stated that he would like to see the second exit included in this phase rather than a later phase. There was discussion regarding the Traffic Impact Analysis (TIA) and lot size. David Lanford requested that the Development Services Director keep the Commission informed of the status of the TIA approval.
 - B. Applicant Presentation – Derek Pampe, Vice President of Harris & Straub and Tim Holland of BGE Engineering had no presentation but were present to answer any questions.
 - C. Open Public Hearing – The public hearing was opened at 6:51 P.M. There were no members of the public present to offer comments.
 - D. Close Public Hearing – The public hearing was closed at 6:51 P.M.
 - E. Discussion – Discussion handled in subsection A, no additional comments.

- F. Consideration –Jason Tatum moved that the Commission approve the preliminary plat with the condition that the City, Bastrop County, and TXDOT approves the Traffic Impact Analysis. David Lanford seconded the motion. The motion passed unanimously with a vote of five (5) for and zero (0) against on a roll call vote.

ANNOUNCEMENTS

David Harrell announced that the next meeting will be held on February 22nd and there will be a rezoning request and a final plat on that agenda.

ADJOURNMENT

The meeting was adjourned at 6:55 P.M.

Brian Lundgren, Vice-Chair

ATTEST: _____
Melissa Lipiec, Secretary

On a motion by _____, seconded by _____
the foregoing instrument was passed and approved on this 22nd day of February 2021.



Development Services Department

STAFF REPORT

Final Plat for Eagles Landing Phase II

File Number: 20201015

Date: February 9, 2021

Applicant: Chris Reed c/o Doucet & Associates, Inc.

Representative: SAME

Hearing Dates: Planning & Zoning Commission – February 22, 2021

Location: Travis Co. Appraisal District 576925, located adjacent to Eagles Landing Phase I and Carlson Ln.

APPLICATION SUMMARY

Consideration of a final plat for Eagles Landing Phase II which consists of a 128 single family home lots within eight (8) designated blocks.

DEVELOPMENT SERVICES DEPARTMENT COMMENTS

A preliminary plat was originally approved by the Commission on February 27, 2017, with an expiration on February 27, 2020. On February 19, 2020, the applicant petitioned the City for a one (1) year extension of the originally approved preliminary plat. On May 18, 2020, the Commission approved a one (1) year extension which expires on February 27, 2021.

In review of the proposed final plat, it closely matches the approved preliminary plat. The only change between the two (2) occurs in the southeast corner at a cul-de-sac (see attachments 2-3). On the original preliminary plat there was to be a detention pond. It has been removed from the final plat and three (3) additional single family lots created in its place. The reason for the removal involves the development of the neighboring Homestead Estates Unit 1 development. It was determined by TRC, this pond was no longer needed due to that development.

STAFF ANALYSIS

Based on the information provided by the applicant which is included with the packet, including the change between the preliminary and final plat as noted in the report, staff believes there are no issues or concerns with approving the request. The Commission may approve, approve with conditions, or deny the request.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Approved Preliminary Plat.
3. Final Plat.

Attachment 1

Application

FINAL PLAT APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: _____

Postal Address: _____

E-Mail Address: _____; **Phone Number:** _____

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Signature	Printed Name	Date
-----------	--------------	------

Project Description:



Attachment 2
Approved Preliminary Plat

Attachment 3

Final Plat



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

January 24, 2021

Mr. David Harrell, Development Services Director
City of Elgin
310 N. Main St.
Elgin, Texas 78621

RE: Eagles Landing Phase 2 – Final Plat Review

Dear Mr. Harrell:

TRC has reviewed the following documents listed below submitted on January 15, 2021 by Doucet and Associates (DA):

1. Final Plat dated January 14, 2021.
2. Other supporting documents submitted with the final plat: Comment response letter and street name email exchange.

Our review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances.

As TRC did not provide the detailed design of the submitted documents, TRC and the City of Elgin must rely on the adequacy of the Registered Professional Land Surveyor and Registered Professional Engineer that prepared the documents and all responsibility for the surveying, engineering design and submitted documents shall remain with the Registered Professional Land Surveyor and Registered Professional Engineer.

Please note the approval of the final plat is contingent upon providing documentation that the Address Management Services Department approves the road names "Tawny Eagles Court", "Nesting Grounds Court", "Isidors Eagle Way", "Booted Eagle Pass", "Birds of Prey Court", and "Eagles Claw Way".

If you have any questions regarding this information, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Beau Perry".

K. Beau Perry, P.E.
Vice President

cc: Mr. Christopher A. Reid, P.E., Doucet & Associates, Inc.

From: [Richard Pham](#)
To: [Perdomo, Jorge](#)
Cc: [Chris Reid](#)
Subject: RE: Reserving Street Names
Date: Tuesday, January 19, 2021 9:29:32 AM
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)

Thank you!

Best regards,

Richard Pham, E.I.T.
Engineer Associate III



O: 512.953.7645
D: 512.806.0307
C: 832.282.3813

From: Perdomo, Jorge <Jorge.Perdomo@austintexas.gov>
Sent: Tuesday, January 19, 2021 9:10 AM
To: Richard Pham <rpham@doucetengineers.com>
Subject: Re: Reserving Street Names

The following are Reserved for your project:

- Birds of Prey Court
- Nesting Grounds Court
- Tawny Eagles Court
- Isidors Eagle Way
- Eagles Claw Way
- Booted Eagle Pass

best,

Jorge Perdomo

CTM Basemapping

IT Geospatial Analyst

Jorge.Perdomo@austintexas.gov

512-974-1620



From: Richard Pham <rpham@doucetengineers.com>

Sent: Monday, January 18, 2021 4:08 PM

To: Perdomo, Jorge <Jorge.Perdomo@austintexas.gov>

Cc: Chris Reid <creid@doucetengineers.com>

Subject: RE: Reserving Street Names

Good afternoon Jorge,

I just wanted to check with you if you have everything you need for our street name reservations?

Also, when can we expect the requested street names to be reserved?

Thank you.

Best regards,

Richard Pham, E.I.T.
Engineer Associate III



O: 512.953.7645

D: 512.806.0307

C: 832.282.3813

From: Richard Pham

Sent: Wednesday, January 13, 2021 9:52 AM

To: Perdomo, Jorge <Jorge.Perdomo@austintexas.gov>

Cc: Chris Reid <creid@doucetengineers.com>

Subject: RE: Reserving Street Names

Good morning Jorge,

Please see the attached draft plat consisting of the proposed street names.

FINAL PLAT OF
EAGLES LANDING PHASE 2

BEING 27.48 ACRES OF LAND, MORE OR LESS, OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT NUMBER 618, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 27.49 ACRE TRACT, AS CONVEYED TO TACK DEVELOPMENT, LTD. IN A SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2018100865, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY (O.P.R.T.C.T.), TEXAS, SAID 27.48 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "SURVICON INC" FOUND FOR THE EAST CORNER OF SAID 27.49 ACRE TRACT, SAME BEING THE INTERSECTION OF LOT 26, BLOCK E, PHASE ONE OF EAGLES LANDING AS PER PLAT RECORDED IN TRAVIS COUNTY, TEXAS, DOCUMENT NUMBER 2018100865 (O.P.R.T.C.T.), AND IN THE SOUTHWEST RIGHT-OF-WAY LINE OF CARLSON LANE, A CALLED 50 FOOT RIGHT-OF-WAY, PER SAID PLAT;

THENCE, WITH THE NORTHEAST LINE OF SAID 27.49 ACRE TRACT, THE NORTHWEST LINE OF BLOCK E, AND THE NORTHWEST RIGHT-OF-WAY OF MARTIAL EAGLE DRIVE, A 50 FOOT RIGHT OF WAY AS PER SAID PHASE 1, EAGLE'S LANDING PLAT, THE FOLLOWING THIRTEEN (13) COURSES AND DISTANCES:

- 1.527715'19", A DISTANCE OF 303.64 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SURVICON INC";
- 2.582444'4", A DISTANCE OF 90.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SURVICON INC";
- 3.527715'16", A DISTANCE OF 50.00 FEET TO A 5/8-INCH IRON ROD AND THE BEGINNING OF A CURVE TO THE RIGHT, 4" THENCE WITH SAID CURVE TO THE RIGHT, DEFINED BY AN ARC LENGTH OF 3142 FEET, A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S17°44'44"E, FOR A DISTANCE OF 28.28 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SURVICON INC";
- 5.527715'16", A DISTANCE OF 210.00 FEET TO A 5/8-INCH IRON ROD AND THE BEGINNING OF A CURVE TO THE RIGHT, 6" THENCE WITH SAID CURVE TO THE RIGHT, DEFINED BY AN ARC LENGTH OF 3142 FEET, A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S72°15'16"W, FOR A DISTANCE OF 28.28 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "CARTER & BURGESS";
- 8.527715'16", A DISTANCE OF 70.00 FEET TO A 5/8-INCH IRON ROD AND THE BEGINNING OF A CURVE TO THE RIGHT, 8" THENCE WITH SAID CURVE TO THE RIGHT, DEFINED BY AN ARC LENGTH OF 31.10 FEET, A RADIUS OF 19.98 FEET, A DELTA ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S16°12'22"E, FOR A DISTANCE OF 28.06 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "CARTER & BURGESS";
- 9.527715'13", A DISTANCE OF 210.32 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "CARTER & BURGESS" AND THE BEGINNING OF A CURVE TO THE RIGHT,
10. THENCE WITH SAID CURVE TO THE RIGHT, DEFINED BY AN ARC LENGTH OF 3142 FEET, A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S72°15'16"W, FOR A DISTANCE OF 28.28 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "CARTER & BURGESS";
- 11.527715'16", A DISTANCE OF 50.00 FEET TO A 5/8-INCH IRON ROD,
- 12.582444'4", A DISTANCE OF 90.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "SURVICON INC"; AND
- 13.527715'14", A DISTANCE OF 384.80 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "CARTER & BURGESS" FOR THE SOUTH CORNER OF SAID 27.49 ACRE TRACT, AND THE WEST CORNER OF LOT 48, BLOCK B OF PHASE 1, EAGLE'S LANDING PLAT, SAME BEING IN THE NORTHEAST LINE OF A CALLED 120.001 ACRES, DESCRIBED TO LG HOMES-TEXAS, LLC, A TEXAS LIMITED LIABILITY COMPANY, AS RECORDED IN DOCUMENT NUMBER 2018093369 O.P.R.T.C.T.;
- THENCE, N62°42'42"W, WITH THE COMMON LINE OF 28.49 ACRE TRACT AND SAID 120.001 ACRE TRACT, A DISTANCE OF 810.03 FEET TO THE NORTHEAST CORNER OF SAID 28.49 ACRE TRACT, DESCRIBED TO HADEN FAMILY LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, AS RECORDED IN DOCUMENT NUMBER 2018007465 O.P.R.T.C.T.;
- THENCE, CONTINUING WITH THE COMMON LINE OF SAID 27.49 ACRE TRACT AND SAID 35.94 ACRE TRACT, THE FOLLOWING FIVE (5) COURSES AND DISTANCES:
 - 1.N277°08'E, A DISTANCE OF 288.87 FEET TO A 5/8-INCH IRON ROD FOUND,
 - 2.N6271°59'W, A DISTANCE OF 160.20 FEET TO A 5/8-INCH IRON ROD FOUND,
 - 3.N2718°10'E, A DISTANCE OF 670.03 FEET TO A 5/8-INCH IRON ROD FOUND,
 - 4.S82°45'08"E, A DISTANCE OF 159.71 FEET, TO A 1/2-INCH IRON ROD FOUND, AND
 - 5.N277°04'E, A DISTANCE OF 297.75 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 27.49 ACRE TRACT, SAME BEING IN THE NORTHEAST CORNER OF SAID 35.94 ACRE TRACT, SAME BEING IN THE SOUTHWEST RIGHT-OF-WAY OF SAID CARLSON LANE;
- THENCE, S63°07'41"E, WITH THE COMMON LINE OF SAID 27.49 ACRE TRACT AND THE SOUTH RIGHT-OF-WAY OF SAID CARLSON LANE, A DISTANCE OF 809.68 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN AND CONTAINING 27.48 ACRES.

OWNER'S CERTIFICATION
STATE OF TEXAS
COUNTY OF TRAVIS

KNOWN ALL MEN BY THESE PRESENTS, THAT TACK DEVELOPMENT LTD., BEING THE OWNER OF A CALLED 27.49 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2018100865, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SITUATED IN THE HENRY MARTIN SURVEY, SECTION 65, ABSTRACT 518 OF TRAVIS COUNTY, TEXAS,

DO HEREBY SUBVIDUE SAID 27.49 ACRES AS SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS

EAGLES LANDING PHASE 2

AND DO HEREBY DEDICATE ALL ADDITIONAL ROW, STREETS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, AND OTHER OPEN SPACES TO PUBLIC USE, OR WHEN THE SUBDIVIDOR HAS MADE PROVISION FOR PERPETUAL MAINTENANCE THEREOF, TO THE INHABITANTS OF THE SUBDIVISION.

IN WITNESS WHEREOF, TACK DEVELOPMENT, LTD., HAVE CAUSED THESE PRESENTS TO BE

WITNESS MY HAND THIS THE _____ DAY OF _____, 20____ A.D.

TM TIMMERMAN, PRESIDENT
TACK DEVELOPMENT, LTD.
10000 W. HENRY MARTIN LANE, SUITE 100
HUTTO, TX 78643

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE OWNER OF THE FOREGOING INSTRUMENT, AND HAS ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY FOR THE PURPOSED AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20____ A.D.

NOTARY PUBLIC, STATE OF TEXAS _____ MY COMMISSION EXPIRES: _____

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, CHRISTOPHER A. REDD, PE, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLIES WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF ELGIN, TEXAS

SIGNATURE AND SEAL OF LICENSED PROFESSIONAL ENGINEER
CHRISTOPHER A. REDD, PE
TEXAS REGISTRATION NO. 81546
CREDENCEENGINEERS.COM

THE STATE OF TEXAS
KNOWN ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS

I, GARRETT CAVALLOLO, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ORIGINAL SURVEY OF THE LAND HEREIN DESCRIBED, AND THAT THE CORNER MONUMENTS SHOWN THEREIN WERE PROPERLY PLACED UNDER MY SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS

GARRETT CAVALLOLO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6714
DOUCET & ASSOCIATES
CAVALLOLO@DOUCETENGINEERS.COM

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DIBEAUWOB, CLERK OF COUNTY COURT WITH AND FOR THE COUNTY OF ELGIN, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WAS FILED FOR RECORD IN MY OFFICE ON _____ DAY OF _____, 20____, AND WAS DULY RECORDED ON THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M., PLAT RECORDS OF SAID COUNTY AND SITE IN DOCUMENT NUMBER _____, IN THE _____ SECTION _____, _____ TOWNSHIP _____, _____ RANGE _____, _____ MERIDIAN _____, _____ COUNTY AND STATE OF TEXAS. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY SEAL OF THE COUNTY COURT OF SAID COUNTIES, AT MY OFFICE IN AUSTIN, TEXAS THE LAST DATE WRITTEN ABOVE

BY: _____
DANA DIBEAUWOB,
CLERK OF COUNTY COURT
TRAVIS COUNTY, TEXAS

BY: _____
DEPUTY

NOTES:

1. PROPERTY OWNERS SHALL PROVIDE ACCESS TO DRAINAGE EASEMENTS AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
2. PRIOR TO CONSTRUCTION ON ANY LOT IN THE SUBDIVISION, DRAINAGE PLANS SHALL BE UNDEVELOPED STATUS BY FILING OR OTHER APPROVED METHODS.
3. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY CITY OF ELGIN.
4. THIS SUBDIVISION IS LOCATED IN THE MILBARGER CREEK WATERSHED.
5. EROSION/ SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION.
6. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR THE PROTECTION OF THE SUBDIVISION FROM EROSION AND SEDIMENTATION, AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATING MAY BE REQUIRED, AT THE OWNERS RISK, IF EROSION PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
7. FOR A MINIMUM TRAVEL DISTANCE OF 25 FEET FROM THE ROADWAY EDGE, DRIVEWAY GRADERS MAY EXCEED 14% ONLY WITH THE SPECIFIC WRITTEN APPROVAL FROM THE CITY OF ELGIN.
8. THE LANDOWNER DEVELOPER WILL SERVE EACH LOT WITH WATER & WASTEWATER FROM THE CITY OF ELGIN.
9. WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF ELGIN AND STATE HEALTH DEPARTMENTS.
10. NO PORTION OF THIS TRACT IS LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
11. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION OR ASSIGNS.
12. ALL STREETS ARE TO BE DEDICATED FOR PUBLIC USE.
13. MUNICIPAL JURISDICTION: THIS FINAL PLAT BOUNDARY LIES WHOLLY WITHIN THE CITY OF ELGIN FULL PURPOSE JURISDICTION.
14. THERE ARE NO CEMETERY SITES WITHIN THIS FINAL PLAT.
15. THOSE LOTS DESIGNATED AS COMMON AREA/HOA LOTS WILL BE DEDICATED TO AND MAINTAINED BY HOME OWNERS ASSOCIATION OR ITS ASSIGNS.
16. THIS FINAL PLAT CONFORMS WITH THE APPROVED PRELIMINARY PLAT DATED MARCH 3, 2017.
17. TEN (10) FOOT PUBLIC UTILITY EASEMENT (PUE) IS HEREBY DEDICATED ADJACENT TO ALL INTERIOR STREET ROW ON ALL LOTS, UNLESS OTHERWISE NOTED.
18. THIS PROPERTY SHALL BE IN ACCORDANCE WITH R-3 ZONING: SINGLE FAMILY, DUPLEX, AND MOBILE HOME/INDUSTRIALIZED.

NUMBER	REVISION	DATE

DA DOUCET & ASSOCIATES
Civil Engineering - Planning - Geospatial

7401 B. Highway 77, Suite 110
Austin, Texas 78735, Phone: (512)-583-2400
www.doucetandassociates.com
D&A P&E Firm No.: 50105800
D&A P&E Firm No.: 501387



Development Service Department

STAFF REPORT

Rezoning from “R-1” Single Family District to “A” Multiple Family District

Project #: 202100169

Date: February 12, 2021

Applicant: Liyan Bao & Anna Bao

Representative: SAME

Hearing Dates: Planning & Zoning Commission – February 22, 2021
City Council – March 9, 2021

Location: Lots 40A (0.3182 acres) and 40B (0.6356 acres) Ashby Subdivision
also known as 1212 & 1214 Main St.

APPLICATION SUMMARY

Recommendation of a rezoning of 0.9538 acres of land located (a change to the official zoning map). The proposal is to change the zoning from “R-1” Single Family District to “A” Multiple Family District to develop the two (2) parcels into multi-family housing.

DEPARTMENT COMMENTS

Presently there is a four (4) unit multi-family development located on 1212 Main St. and there is a vacant single-family home located at 1214 Main St. This rezoning would allow for the potential continuation and development of additional multifamily development.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Central Elgin Land Use category. This category’s primary land usage is single family residential (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for multi-family as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There is no additional subtraction of uses but an addition of uses with the proposed rezoning request as shown with **green** text.

“R-1” District	“A” District
	Multi-family Dwellings & Garden Apartments.
	Garage Apartments.
	Zero Lot Line Two Family Dwelling.
Detached single-family dwelling.	Detached single-family dwelling.
Churches, but not including revival tents or arbors.	Churches, but not including revival tents or arbors.
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms	Public school offering general educational courses the same as ordinarily given in public schools and

regularly used for housing and sleeping.	having no rooms regularly used for housing and sleeping.
Public park and playground.	Public park and playground
Library.	Library.
Growing of farm products.	Growing of farm products.
Municipal use	Municipal use
Telephone exchanges.	Telephone exchanges.
Home occupations.	Home occupations.
Transportation and utility easements, alleys and rights-of-way	Transportation and utility easements, alleys and rights-of-way
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.

Below is a list of zoning standards for each zoning category, changes are highlighted in yellow between zoning categories:

	R-1 (exist. zoning)	A (proposed zoning)
Height	2.5 stories or 35 feet	50 feet.
Front Setback	25 feet; garage at 25 feet	25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	10 feet when no openings on façade; otherwise, 12 feet + 1 foot for each 15 feet in length.
Rear Setback	10 feet	For multi-family same as side yard except when backing up then residential property then backyard must have a depth of 50 feet; otherwise no rear setback for other uses.
Lot Width	75 feet	None
Lot Area	9,000 sq. ft.	None
Impervious Cover on Lot	45% interior; 50% corner	None

Based on the information within the packet, staff has issues and concerns regarding the proposal. The proposed rezoning will allow for multi-family dwellings which is not a primary land use or supporting land use under the Central Elgin Neighborhoods Land Use Category as shown in Exhibit 4.4 Future Land Use and Development Plan (see attachment 3). Therefore, the underlying proposed zoning will conflict with the current land use map. This will allow for a land use pattern and zoning that is not along the Main Street corridor based on the applicants desire to use the property as multi-family (see attachment 1).

Also, staff has issues and concerns regarding the differences in heights between the proposed multiple family district zoning and the present single family district zoning. To allow the rezoning would increase the maximum height from thirty-five (35) feet and two (2) stories to fifty (50) feet and no story limit. Future buildings could be fifteen (15) feet taller than presently allowed if new building were to occur in an established neighborhood.

This is a staff analysis of the requested zoning change and is not to be considered as a staff recommendation to the Commission/Council. The Commission/Council in their analysis of the evidence presented in this packet or from other sources can make their own decision.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application & Applicant Narrative.
2. Proposed Ordinance.
3. Staff Added Comprehensive Plan Info.
4. Staff Added Zoning Map.
5. Applicant Surveys.

Attachment 1

Application & Applicant Narrative

NON-PDD REZONING APPLICATION

Date: 01/13/2021

SITE INFORMATION

Project Address: 1212 and 1214 N Main Street, Elgin TX78621

Parcel Identification Number (if no address): LOT 40B and 40A, ASHBY SUBDIVISION

APPLICANT

Name: Liyan Bao, Anna Bao

Postal Address: 9623 Vista View Drive, Austin TX78750

E-Mail Address: baomark@yahoo.com; Phone Number: 8327987862

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Liyan Bao Anna Bao Digitally signed by Liyan Bao Anna Bao
Date: 2021.01.13 13:08:17 -06'00'

Liyan Bao, Anna Bao

01/13/2021

Signature

Printed Name

Date

Project Description:

Please see attached narrative.



310 North Main Street
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

This application is for rezoning to A zoning for physical address 1212 N Main Street, Elgin TX78621 (LOT 40B, Ashby subdivision) and 1214 N Main Street, Elgin TX78621 (LOT 40A, ASHBY SUBDIVISION).

The house located at 1212 N Main Street, Elgin TX78621 (LOT 40B, Ashby subdivision) is currently zoned as single family home, and it has about 5860 sqft living space. It is too big for a common single family, so the owner is seeking to rezone this into a A zoning to divide the house into a fourplex or more multi-family units to make it more functional and usable. There is an existing entry\exit from the public street, but there will be more reserved parking spots developed for each unit after the rezoning is approved. The development schedule is to start around 03/01/2021 and finish by 7/31/2021.

The lot located at 1214 N Main Street, Elgin TX78621 (LOT 40A, ASHBY SUBDIVISION) is currently zoned as single family home, and it has a one-story frame residence of about 600sqft. The house is very, very old and the owner want to demolish the house. Then the owner want to build a two-story building for a fourplex. The two-story building will be of about 20ft*50ft as the base floor and about 20ft in height. There will be an outside stairway to access the second floor units. There is an existing entry\exit from the public street, but there will be more parking spots developed. This is an application for rezoning to A zoning. The development schedule is to start around 03/01/2021 and finish by 02/28/2022.

Attachment 2
Proposed Ordinance

ORDINANCE NO. 2021-03-09-??

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2020 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM “R-1” SINGLE FAMILY DISTRICT TO “A” MULTIPLE FAMILY DISTRICT FOR LOTS 40A (0.3182 ACRES) AND 40B (0.6356 ACRES) ASHBY SUBDIVISION, BOTH PROPERTIES BEING A TOTAL OF 0.9538 ACRES SAID TRACT BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from R-1 Single Family Dwelling District to A Multiple Family District, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on February 22, 2021, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" is A Multiple Family District, and

WHEREAS, on March 9, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

WHEREAS, the City Council determines that the zoning provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from R-1 Single Family Dwelling District to A Multiple Family District.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first reading this the 9th day of March 2021.

Ron M. Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary

Attachment 3

Staff Added Comprehensive Plan Info.



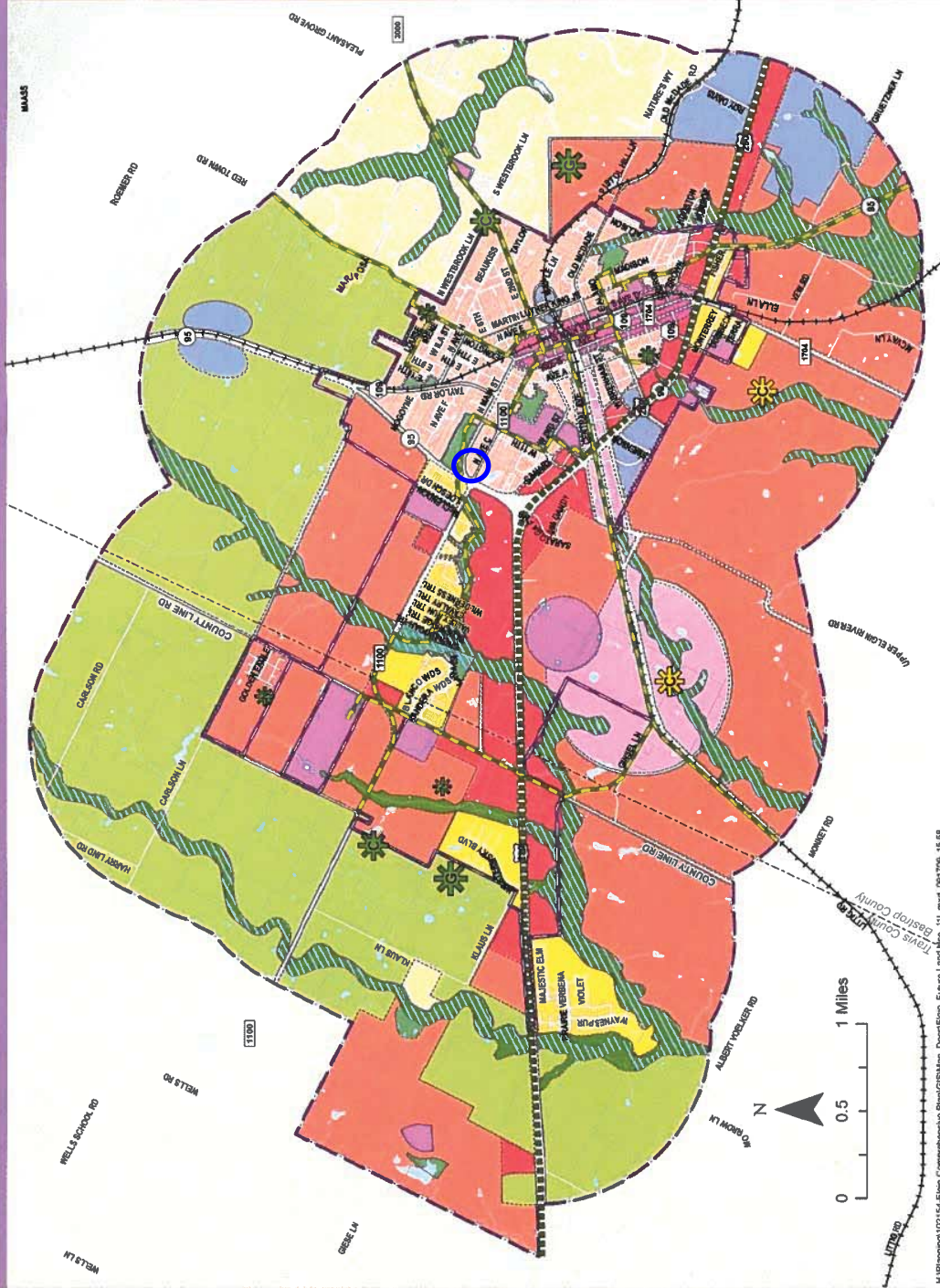
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GISMap_Doc\Elgin_Future Land Use_11.mxd 09/17/09 15:58
Source: Wilbur Smith Associates, Inc., 2009.



Central Elgin Neighborhoods

General Description: This area includes Elgin’s existing historic neighborhoods surrounding the Main Street area, which are characterized by a variety of housing styles built throughout the decades. This diversity of housing style and character, along with slight variations in lot size give these neighborhoods a unique feel not often found in newer subdivisions. As growth occurs in the area, older homes will likely be renovated and vacant lots will be developed. This should be encouraged provided that new development and renovations are sensitive to the surrounding context by maintaining a similar urban form, character, and neighborhood use.

Transect Zone: General Urban (T4)

Primary Land Use: Single family residential

Supporting Land Uses: Public and semi-public uses such as schools, churches, libraries, parks, and community centers are integrated with residential uses. Neighborhood-scale retail and home occupations are appropriate if the scale and character of the building fits with the surrounding area and negative impacts such as traffic, parking, lighting, and signage are mitigated through appropriate design and buffering. Accessory dwellings (also referred to as granny flats, garage apartments, carriage houses, etc.) should be allowed with appropriate regulations regarding lot coverage, height, and parking. These dwelling types provide an affordable option for renters as well as extra income for the homeowner.

Residential Densities: Approximately 4 units per acre.

Form and Character: The City’s traditional grid street pattern provides the basic foundation for this area’s urban form. As such, the area is very walkable with good connectivity. Homes generally have garages at the rear or side of the home rather than the front. Some existing homes have small accessory dwellings, or “granny flats”, over the garages that provide additional housing options in the neighborhood. Buildings are typically one or two stories tall with ample setbacks and landscaping to create a sense of space and privacy between buildings. Homes in these neighborhoods represent a variety of architectural styles, colors, and building materials. This diversity, along with variations in building and lot size add to the unique character in the area.

Parks and Open Space: Community and neighborhood parks, as well as school playgrounds exist throughout the area and most homes are within the service area of existing park facilities. Vacant lots in the area provide additional opportunities for pocket parks or community gardens.

Attachment 4
Staff Added Zoning Map

ArcGIS Web Map



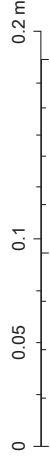
2/7/2021, 8:23:13 PM

Zoning

- R-1 Single Family
- R-2 Single Family and Garage Apartment District
- R-3 Single Family, Two-Family and Industrialized Housing District
- PDD Planned Development District
- A Multiple Family Residential District

- C-1 Neighborhood Shopping District
- C-2 General Commercial District
- C-3 Highway Commercial District
- I General Industrial District
- C-3, I Highway Commercial and General Industrial District
- Bastrop County Parcels

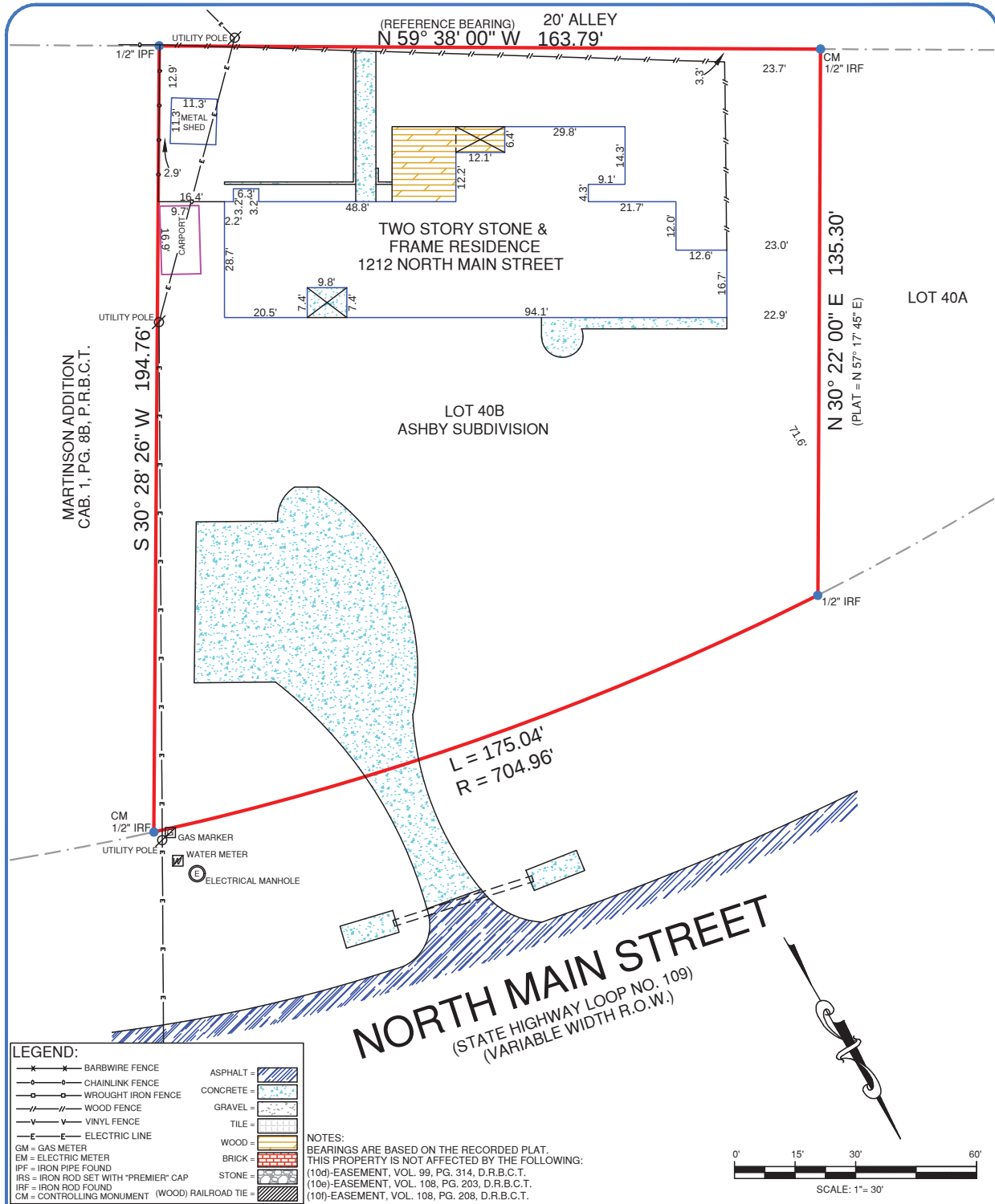
1:4,514



USDA FSA, GeoEye, Maxar, Esri, HERE, Garmin, IPC, TRC GIS, City of Elgin

Attachment 5

Applicant Surveys



LEGAL DESCRIPTION:
BEING LOT 40B, ASHBY SUBDIVISION, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET NO. 5, PAGE 30A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

GF. NO.	1943629-ARB
BORROWER	LIYAN BAO & ANNA BAO
TITLE CO.	INDEPENDENCE TITLE
TECH	TAG
FIELD	NP

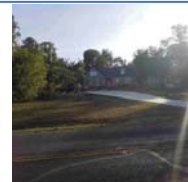
FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48021C0075 E, DATED JANUARY 19, 2006.

DATE: 11/05/19 JOB NO.: 19-07564
FIELD: 11/04/19

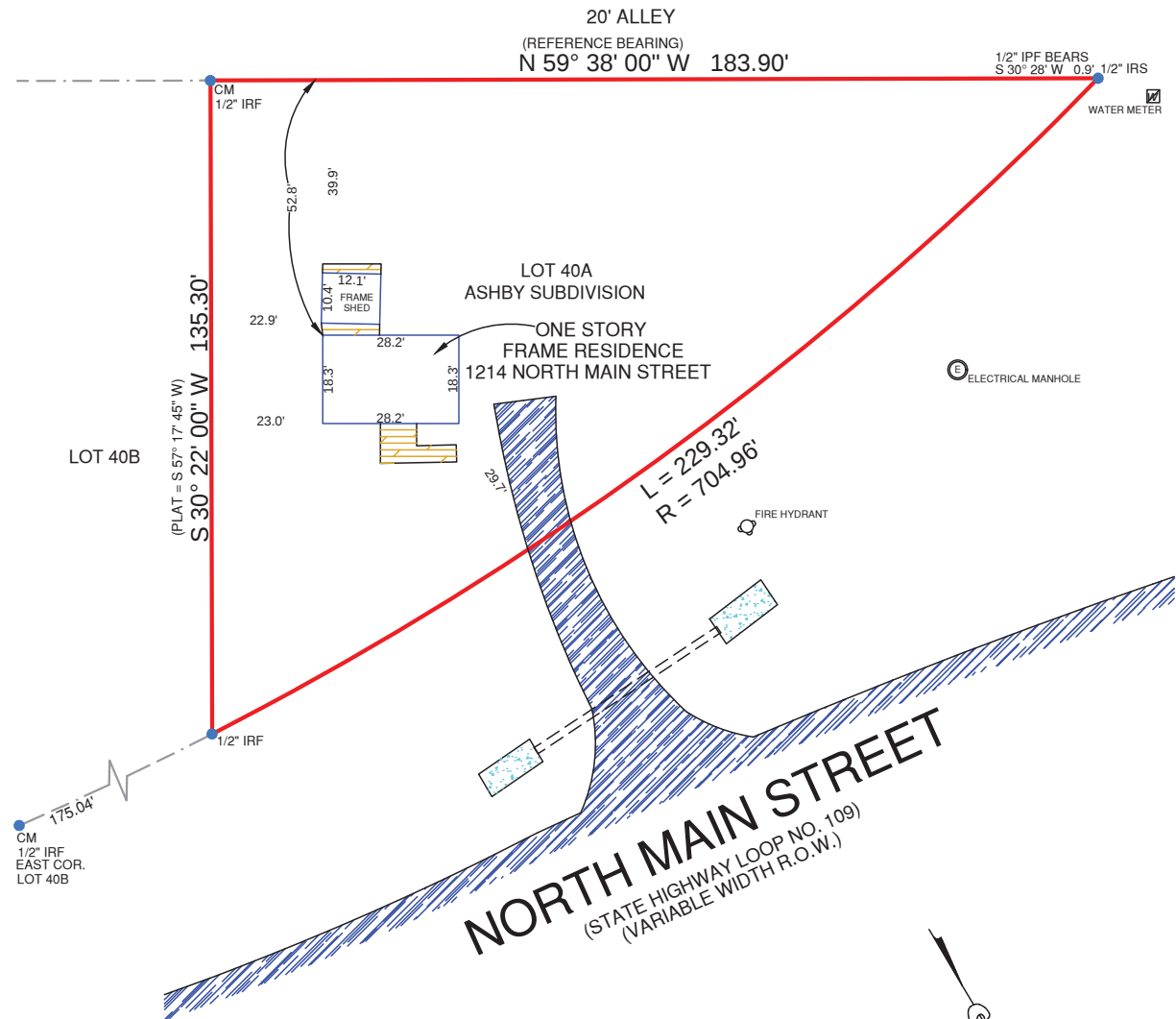
1212 NORTH MAIN STREET, ELGIN, TX 78621
LOT 40B, ASHBY SUBDIVISION



DATE: _____
ACCEPTED BY: _____

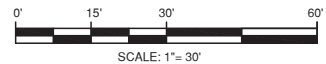


Premier
Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200



LEGEND:	
	BARBED WIRE FENCE
	CHAINLINK FENCE
	WROUGHT IRON FENCE
	WOOD FENCE
	VINYL FENCE
	ELECTRIC LINE
	GM = GAS METER
	EM = ELECTRIC METER
	IPF = IRON PIPE FOUND
	IRS = IRON ROD SET WITH "PREMIER" CAP
	IRF = IRON ROD FOUND
	CM = CONTROLLING MONUMENT (WOOD) RAILROAD TIE
	ASPHALT =
	CONCRETE =
	GRAVEL =
	TILE =
	WOOD =
	BRICK =
	STONE =
	WOOD RAILROAD TIE =

NOTES:
BEARINGS ARE BASED ON THE RECORDED PLAT.



LEGAL DESCRIPTION:
BEING LOT 40A, ASHBY SUBDIVISION, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET NO. 5, PAGE 30A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY A TITLE COMPANY. THERE MAY BE EASEMENTS AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON THAT ONLY A PROPER TITLE SEARCH WOULD REVEAL. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48021C0075 E, DATED JANUARY 19, 2006.

DATE: 11/05/19 JOB NO.: 19-07629
FIELD: 11/04/19



1214 NORTH MAIN STREET, ELGIN, TX 78621
LOT 40A, ASHBY SUBDIVISION



5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-892-0468 (F)
www.premiersurveying.com
premierorders@premiersurveying.com

DATE: _____
ACCEPTED BY: _____



Premier
Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200



RE: Workshop for “Discussion and potential direction regarding food trailers”

Planning & Zoning Commission:

At this time there will be no staff report, there will be a power-point at the February 22 meeting date regarding this item.

Respectfully,

David Harrell
Development Services Director.