



AGENDA

PLANNING & ZONING COMMISSION

REGULAR MEETING

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

PUBLIC LIBRARY ANNEX, CIVIC CENTER

404 NORTH MAIN STREET

1. CALL TO ORDER

2. 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.

3. 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:

3.I. October 25, 2021 Minutes.

Documents:

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

4. NEW BUSINESS

- 4.I. Project # 202101706: 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, 2013 And Making This Amendment A Part Of Said Official Zoning Map To Wit: To Rezone Land From "C-3" Highway Commercial District To "A" Multiple Family Residential District Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 11943, Located Along The Westside Of Roy Rivers Rd, South Of Lee Dildy Dr.. (ELGIN BUSINESS PARK II, BLK B, LOT 4, 5.0300), 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.PDF](#)

- 4.II. Project # 202000053: A Final Plat For "Harvest Ridge Section 1" Located On Parcels Of Land Known By The Travis County Appraisal District As Parcels 358761 & 358752 And The Bastrop County Appraisal District As Parcels R15672 & R15378, Located Near The Intersection Of Open Sky Tr. And County Line Road On The Eastside Of County Line Road Or A Total Of 155 Lots On 44.44 Acres Of Land.

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

Documents:

[COMBINED PACKET.PDF](#)

- 4.III. Project # 202101721: A Preliminary Plat For "Elgin Business Park Phase III" Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 11943, Located Adjacent To Roy Rivers Rd. And The Railroad Tracks, For A Total Of 12 Lots On 75.95 Acres Of Land.

- A. Staff Presentation
- B. Applicant Presentation
- C. Open Public Hearing

- D. Close Public Hearing
- E. Discussion
- F. Consideration

Documents:

[COMBINED PACKET.PDF](#)

4.IV. Project # 202101722: A Final Plat For "Elgin Business Park Phase III" Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 11943, Located Adjacent To Roy Rivers Rd. And The Railroad Tracks, For A Total Of 12 Lots On 75.95 Acres Of Land.

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

Documents:

[COMBINED PACKET.PDF](#)

4.V. ELECTION OF CHAIR AND VICE CHAIR FOR 2022.

Documents:

[ELECTION OF OFFICERS.PDF](#)

5. OLD BUSINESS

5.I. An Ordinance Adding Chapter 48 Site Development, Revised Code Of Ordinances, City Of Elgin, Texas 2013 Repealing All Other Ordinances And Parts Of Ordinances In Conflict Therewith; And Providing For A Savings Clause.

- A. Staff Presentation.
- B. Discussion.
- C. Recommendation.

Documents:

[COMBINED PACKET.PDF](#)

5.II. An Ordinance Amending Chapter 44, Vegetation, Article II Landscaping, Division 3 General Requirements And Standards; And Providing For A Savings Clause And Repealing Conflicting Ordinances Or Resolutions.

A. Staff Presentation.

B. Discussion.

C. Recommendation.

Documents:

[COMBINED PACKET.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, OCTOBER 25, 2021**

CALL TO ORDER – ROLL CALL: The Chair called the meeting to order at 6:32 P.M. at the Studio/Activity Room, Elgin Parks & Recreation Center located at 361 N. Hwy 95, Elgin, TX U.S.A.

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

COMMISSION ABSENT: None.

STAFF PRESENT: David Harrell, Development Services Director; Melissa Lipiec, Secretary; Beau Perry & Derek Klenke, TRC Engineers (3rd Party City Engineers).

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

CONSENT AGENDA

1. September 27, 2021, Minutes.

Scott Mackay moved that the Commission approve the consent agenda, Brian Lundgren seconded the motion. The motion passed unanimously with a vote of seven (7) for and zero (0) against.

NEW BUSINESS

1. Project #: 202101343: A preliminary plat for “Elm Creek Northwest” located on a parcel of land known by the Travis County Appraisal District as Parcel 248253, located west of Elm Creek North development along U.S. Highway 290 on 623 lots on 175.78 acres of land.
 - A. Staff Presentation – David Harrell read his staff report into the record.
 - B. Applicant Presentation – Tim Holland c/o BGE Inc, applicant, indicated to the Commission that the County does not have regulations on lot sizes, the Commission had approved the original older portion of Elm Creek in 2002, he indicated that the original concept plan and preliminary plat for both Elm Creek North and Elm Creek NW were submitted to and approved by the City and that these are grandfathered in his opinion.
 - C. Open Public Hearing – The public hearing was opened at 6:43 P.M. with no members of the public to speak on the item.
 - D. Close Public Hearing – The public hearing was closed at 6:43 P.M.
 - E. Discussion – The Commission discussed with City Staff along with the applicant the current subdivision requirements, previous subdivision requirements, annexation along U.S. Hwy 290 of one (1) foot on either side of right-of-way, sewer capacity regarding Brickston (Development), Novinger Development Agreement in relation to lot sizes, shot clock (State law regarding hearing of plats), number of subdivision accesses, likelihood of annexing Municipal Utility District, arterial system in subdivision, lack of interconnectivity with Brickston, seeking potential legal input regarding approval, and the potential of tabling the item.

NEW BUSINESS (Cont.)

- F. Consideration – Scott Mackey made a motion to deny the item, seconded by David Lanford. The motion failed by a vote of three (3) to four (4). On a second motion Jason Tatum made a motion to approve the item, seconded by Dorothy McCarther. The motion passed by a vote of four (4) to three (3).
- 2. An Ordinance Adding Chapter 48 Site Development, Revised Code of Ordinances, City of Elgin, Texas 2013 repealing all other ordinances and parts of ordinances in conflict therewith; and providing for a savings clause.
 - A. Staff Presentation – David Harrell indicated most of the new Code was borrowed from the Subdivision Code and those portions should not be covered in detail within the presentation. However, there were green highlights covering portions of the Code which was entirely new which he would like to go over in detail. The Chair allowed for this type of presentation.
 - B. Open Public Hearing – The public hearing was opened at 7:46 P.M. with no members of the public to speak on the item.
 - C. Close Public Hearing – The public hearing was closed at 7:46 P.M.
 - D. Discussion – There was no discussion on this item.
 - E. Recommendation – Scott Mackey made a motion to table the item until the next month, seconded by Brian Lundgren. The motion passed unanimously by a vote of seven (7) to zero (0). Mr. Harrell asked the individual Commission members email comments and concerns directly to him and not to include any other members in the email.
 - 3. An Ordinance Amending Chapter 44 Vegetation, Article I In General, Division I Generally; Chapter 44, Vegetation, Article II Landscaping, Division 3 General Requirements and Standards; and providing for a savings clause and repealing conflicting ordinances or resolutions.
 - A. Staff Presentation – David Harrell indicated that the purpose of the Code change is not to prohibit the use of above ground hose irrigation but to modify it for certain items. Beau Perry offered input regarding functionality of the proposed changes regarding vegetation.
 - B. Open Public Hearing – The public hearing was opened at 7:54 P.M. with no members of the public to speak on the item.
 - C. Close Public Hearing – The public hearing was closed at 7:54 P.M.
 - D. Discussion – The Commission discussed with City Staff the proposed changes regarding new versus existing developments, incentivizing lower water requirements regarding vegetation, and minimum vegetation requirements.
 - E. Recommendation – Ronnie Creppon made a motion to recommend approval with elimination of “newly installed” from the proposed changes, seconded by Jason Tatum, this was partially voted on and then the motion was rescinded by Ronnie Creppon, the original maker of the motion, during the vote. Scott Mackay made a motion to table the item until next month with comments to be provided to Staff Advisor, seconded by David Lanford. The motion passed unanimously by a vote of seven (7) to zero (0).

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

The meeting was adjourned by the Chair at 8:12 P.M.

Antonio Prete, Chair

ATTEST: _____
Melissa Lipiec, Secretary

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



Development Service Department

STAFF REPORT

Project #: 202101587

Rezoning from C-3 to A

Date: November 8, 2021

Applicant: Paravel Capital LLC

Representative: SAME

Hearing Dates: Planning & Zoning Commission – November 22, 2021
City Council – December 7, 2021

Location: BCAD Parcel #11943 (located along the westside of Roy Rivers Rd, south of Lee Dildy Dr.)

APPLICATION SUMMARY

Recommendation by the Planning & Zoning Commission and consideration by the City Council of a rezoning of 5.03 acres of land located along the westside of Roy Rivers Rd, south of Lee Dildy Dr. The proposal is to change the zoning from “C-3” Highway Commercial District to “A” Multiple Family Residential District to allow for the building of a proposed garden style multi-family community.

DEPARTMENT COMMENTS

This rezoning is contiguous to a parcel of land that was rezoned to “A” by the Council on October 12th. This previous rezoning was filed by the applicant of this rezoning. The applicant has been working with the City Economic Development Department regarding the selling and proposed development of the property. The parcel itself is in the Elgin Business Park and within the Tax Increment Revitalization Zone (TIRZ). This area has additional development requirements through the Elgin Business Park (Parks) Development Standards that are governed by the Parks Development Review Board (DRB) and must be approved through this DRB. This includes items such as site development, landscaping, architecture, setbacks, buffers, lighting, signage that are above and some are more stringent than City Code standards. Their Development Standards also gives their DRB wide latitude to impose conditions on these standards. These are powers that the Commission and Council do not have without a separate approved Development Agreement.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Mixed-Use Land Use category. This category’s primary land usage is multifamily residential (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for multifamily 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 are subtractions of the commercial uses, and the additional permitted uses would be allowed with proposed rezoning request.

C-3 District (existing)	A District (proposed)
All 104 allowed Commercial Uses	
	Multiple-Family Dwellings & Garden Apts.
	Detached single-family dwelling.
	Garage Apartments.
	Duplex.
	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 regularly used for housing and sleeping.
	Public Park and playground
	Library.
	Growing of farm products.
	Municipal use
	Telephone exchanges.
	Home occupations.
	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 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.
	Zero-Lot Line two-family dwelling.

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

	C-3 (existing)	A (proposed)
Height	50'	50'
Front Setback	25'	25'
Side Setback	0'	10' when side has no openings; otherwise 12' + 1' for each 15' in

		length.
Rear Setback	10'	Same as side yard.
Lot Width	None	None
Lot Area	None	None
Impervious Cover on Lot	None.	None

Although the rezoning itself will dramatically change the uses associated with the lot, Staff has no issues or concerns because these additional uses will not affect the neighboring development which will consist of commercial and industrial uses. Also, the City's Economic Development Commission controls the sell of the land which directly controls what "type" of commercial or industrial uses develop next to it. Also, the additional development regulations of the Elgin Business Park and the approval authority through its DRB will mitigate any additional negative impacts to the higher classification of residential zoning. Finally, there is a contiguous parcel of land that has been rezoned to "A".

Based on the information within the packet, staff has no issues or concerns.

This is a staff analysis of the requested specific use 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.
2. Ordinance.
3. Staff Added Comprehensive Plan Exhibits.
4. Staff Added Zoning Map.
5. Applicant Proposed Landscape Buffer.

Attachment 1

Application

NON-PDD REZONING APPLICATION

Date: 10/14/21

SITE INFORMATION

Project Address: N/A

Parcel Identification Number (if no address): 11943

APPLICANT

Name: Paravel Capital, LLC

Postal Address: 1509 Old West 38th St. Ste. 3 Austin, TX 78731

E-Mail Address: cthigpen@paravelcap.com; Phone Number: (512) 934-8923

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.

	<u>Curtis Thigpen</u>	<u>10/14/21</u>
Signature	Printed Name	Date

Project Description:

Seeking a rezonig from C-3 to A in order to build 2-3 story surface parked garden style
multi-family community of up to 26 units an acre.



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



(512) 281-0119



www.elgintx.com

Agent Authorization Form

Property Legal Description: Elgin Business Park II, BLK B, LOT 4, 5.030 ACRES

Parcel Size: Approximately 5.03 acres

Parcel ID: 11943

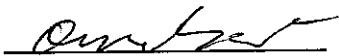
I hereby certify that I am the owner of the property referenced above (the "Property"). I am respectfully requesting processing and approval of the zoning application referenced below.

I authorize Paravel Capital, LLC (the "Applicant") to act on my behalf in the submission of the Non-PDD Rezoning Application to the City of Elgin, Texas to rezone the Property to a multifamily zoning targeting a 2-3 story surface parked garden style multifamily community with up to 26 units per acre.

Authorization by Owner:

Elgin EDC

Name: DWEN ROCK

Signature: 

Title: DIRECTOR EDC

Date: 10/14/21

Attachment 2

Ordinance

ORDINANCE NO. 2021-12-07-??

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, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS “A” MULTIPLE FAMILY RESIDENTIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 5.03 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO 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 “C-3” Highway Commercial District to “A” Multiple Family Residential 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 November 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 Residential District, and

WHEREAS, on December 7, 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 "C-3" Highway Commercial District to "A" Multiple Family Residential 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 7th day of December 2021.

Ron M. Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary

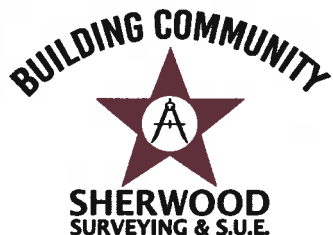


Exhibit "A"

📍 P.O. BOX 992 | 6477 FM 311, SPRING BRANCH, TX 78070
🔗 WWW.SHERWOODSURVEYING.COM
🔵 TBPELS FIRM #10044200

5.03 ACRE TRACT
LOT 4, BLOCK B PH II

FN NO. 21TRC001
SEPTEMBER 13, 2021

FIELDNOTE DESCRIPTION

BEING A 5.03 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, BEING LOT 4, BLOCK "B", FINAL PLAT FOR ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 6, SLIDE 116A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, SAID 5.03 ACRE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND ½ INCH IRON ROD IN THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD (90' R.O.W.), BEING THE NORTHEASTERLY CORNER OF LOT 1, BLOCK "A", ELGIN BUSINESS PARK III, A SUBDIVISION OF RECORD IN CABINET 6, SLIDES 116B-117B, OF SAID PLAT RECORDS, SAME BEING THE SOUTHEASTERLY CORNER OF SAID LOT 4 AND HEREOF;

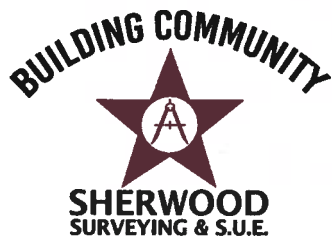
THENCE, N 62° 49' 54" W, LEAVING THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, ALONG THE COMMON BOUNDARY LINE OF SAID LOT 1, BLOCK "A" AND SAID LOT 4, A DISTANCE OF 373.45 FEET TO A FOUND ½ INCH IRON ROD IN THE EASTERLY LINE OF THAT CERTAIN 60 ACRE TRACT CONVEYED TO SHERRI MARSHALL RIVERS BY DEED OF RECORD IN DOCUMENT NO. 201509108 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, FOR THE SOUTHWESTERLY CORNER OF SAID LOT 4 AND HEREOF;

THENCE, N 24° 46' 03" E, ALONG THE COMMON BOUNDARY LINE OF SAID 60 ACRE TRACT AND SAID LOT 4, A DISTANCE OF 531.16 FEET TO A FOUND ½ INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP FOR THE SOUTHWESTERLY CORNER OF LOT 3, BLOCK "B" ELGIN BUSINESS PARK II, BEING THE NORTHWESTERLY CORNER OF SAID LOT 4 AND HEREOF;

THENCE, S 63° 27' 37" E, ALONG THE COMMON BOUNDARY LINE OF SAID LOT 3 AND SAID LOT 4, A DISTANCE OF 523.17 FEET TO A FOUND ½ INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP IN THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, BEING THE SOUTHEASTERLY CORNER OF SAID LOT 3, BLOCK "B", SAME BEING THE NORTHEASTERLY CORNER OF SAID LOT 4, BLOCK "B" AND HEREOF;

THENCE, ALONG THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, THE FOLLOWING COURSES:

SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 565.00 FEET, A CENTRAL ANGLE OF 39° 17' 51", AN ARC LENGTH OF 387.52 FEET AND A CHORD BEARING S 46° 47' 12" W, A DISTANCE OF



379.97 FEET TO A FOUND ½ INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP;

S 27° 08' 17" W, A DISTANCE OF 178.52 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 5.03 ACRES OF LAND, MORE OR LESS.

I, MELISSA T. HINTON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

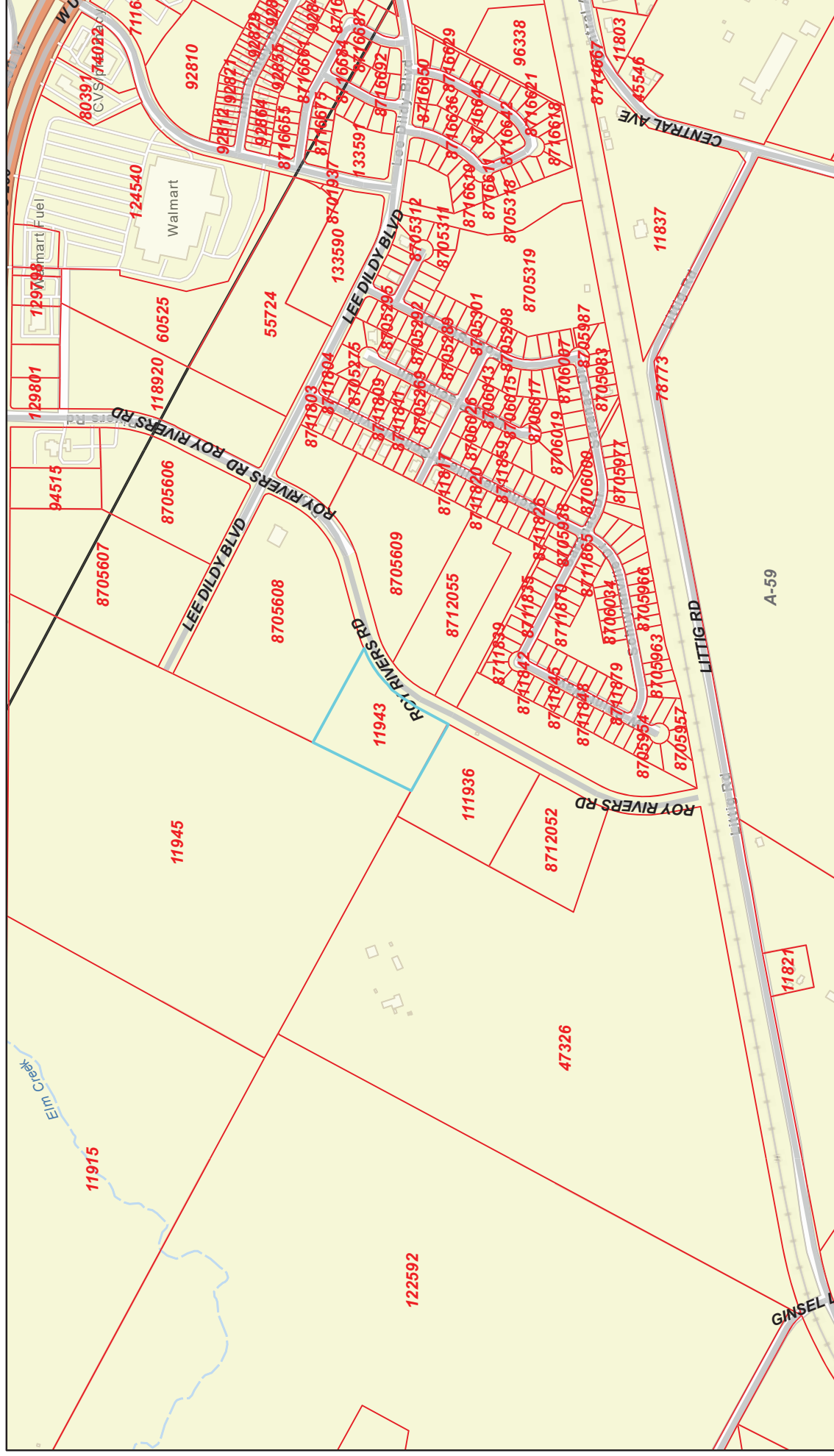
A SURVEY EXHIBIT WAS PREPARED ON THIS SAME DATE. BASIS OF BEARING IS NAD 83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE.

Melissa T. Hinton 9/13/2021

MELISSA T. HINTON DATE
R.P.L.S. #6521 STATE OF TEXAS



Exhibit A



11/7/2021, 10:21:58 PM

Abstracts

Parcels

Bastrop Roads

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Esri Community Maps Contributors, Baylor University, City of Austin, Texas
Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin,
SafeGraph, INCREMENT P, METINASA, USGS, EPA, NPS, US Census
Bureau, USDA

Bastrop County Appraisal District, BIS Consulting - www.bisconsulting.com

Attachment 3

Staff Added Comprehensive Plan Exhibits



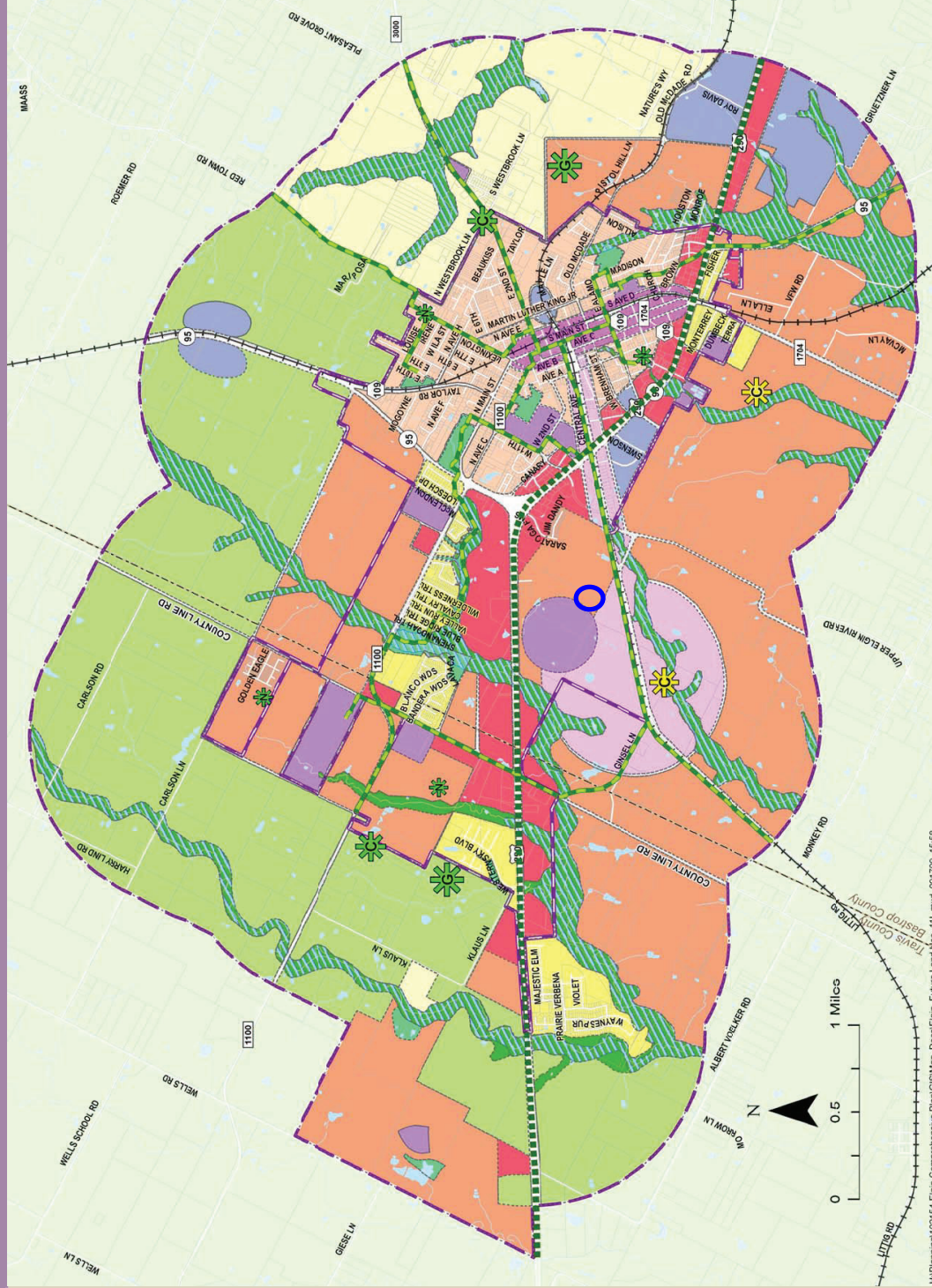
Exhibit 4.4: Future Land Use and Development Plan

- 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\GIS\Map_Docs\Elgin_Future Land Use_11L.mxd 09/17/09 15:58
Source: Wilbur Smith Associates, Inc., 2009.

Traditional Neighborhood Development

General Description: Traditional Neighborhood Development (TND) is intended to bring the character and form of Elgin's older neighborhoods (the Central Elgin Neighborhood category) to newly developing areas of the community. Key characteristics include a grid pattern of streets with pedestrian and bicycle amenities, homes that have front porches rather than front garages, a compatible mix of housing types and land uses, and high quality landscaping and building materials.

Transect Zone: General Urban (T4)

Primary Land Use: Single Family Residential

Supporting Land Uses: Attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities. Accessory dwellings or "granny flats" are encouraged with appropriate regulations regarding lot coverage, height, and parking.

Residential Densities: Approximately 5 units per acre.

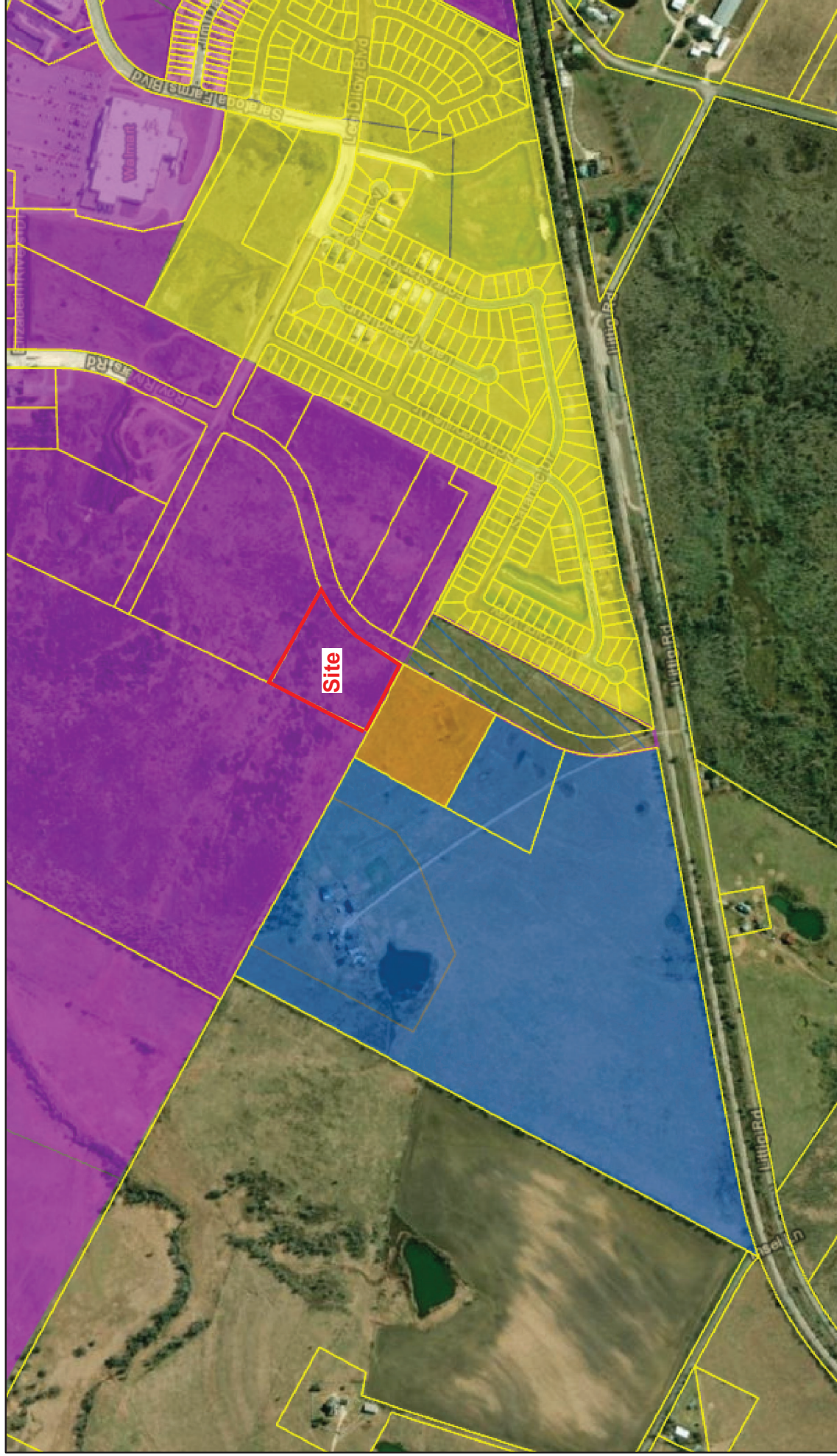
Form and Character: TND areas should be built according to a traditional grid or modified grid street pattern without the use of cul-de-sacs to promote connectivity and walkability. Homes should address the street directly with garages placed to the side or preferably the rear of the home with access from an alley or lane. Front porches should be incorporated into most homes to promote community and neighborly interaction. Buildings are typically two to three stories tall with shallow to medium setbacks that allow landscaping, while also maintaining a close connection to the street and sidewalk. Lot and home sizes vary to offer a wider range of housing choice and affordability than is typically provided in conventional subdivisions. High quality building materials and landscaping should be used to enhance the overall character of development.

Parks and Open Space: Neighborhood parks should be interspersed regularly to ensure all residents have access to park space. Smaller pocket parks, playgrounds, and greens may also be provided. Sidewalks and bike trails should provide connections to parks and playgrounds within or outside of the neighborhood. Floodplains and existing vegetated areas should be preserved and incorporated into neighborhoods as open space amenities and natural buffers from surrounding development. However, floodplains should not be used to meet the active recreation needs of the community because construction of park facilities is limited in these areas.



Attachment 4
Staff Added Zoning Map

Zoning Map



11/7/2021, 10:05:00 PM

Bastrop Parcels July 2021

Zoning

A - Multiple Family Residential District

C3 - Highway Commercial District

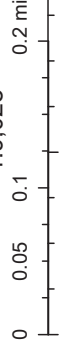
I - General Industrial District

I, C3 - Highway Commercial/General Industrial District

R1 - Single Family

R2 - Single Family & Garage Apartment District

1:9,028

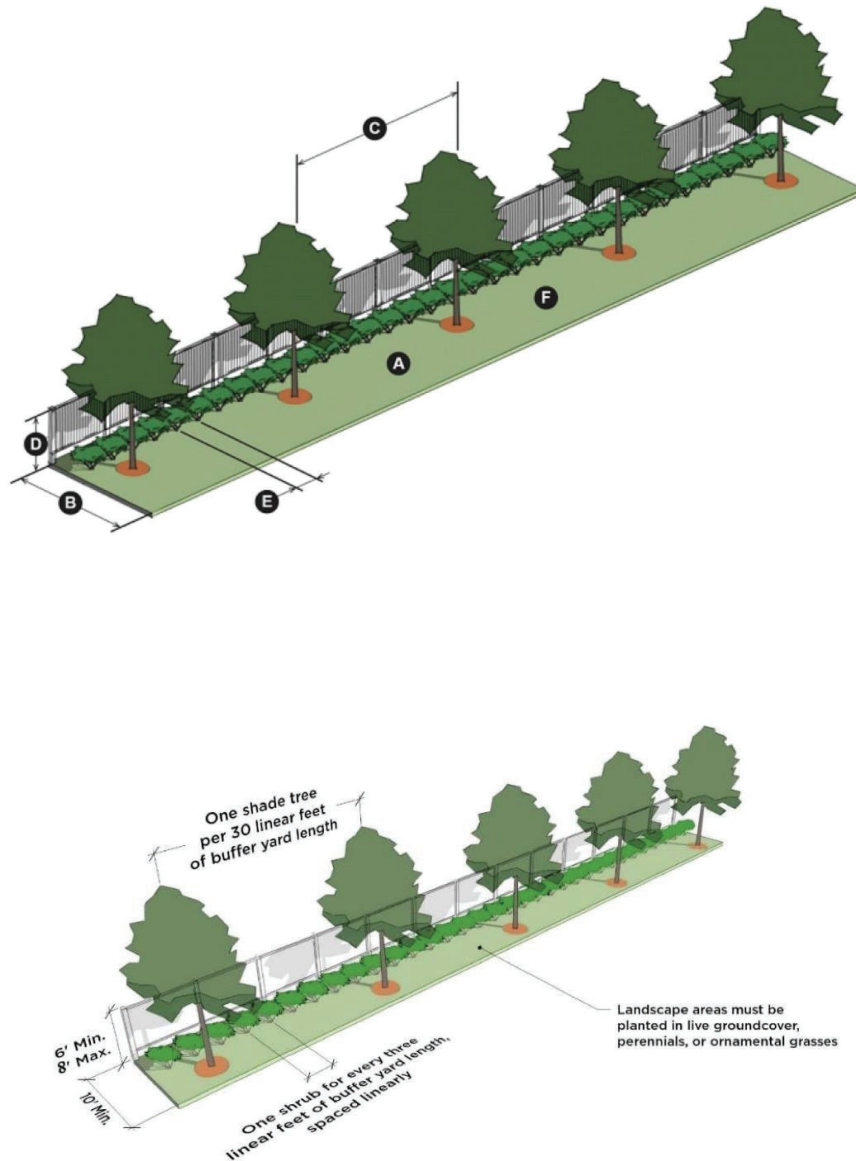


Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Attachment 5
Applicant Proposed
Landscaping Buffer

Exhibit A:

- Developer to provide sufficient buffer to adjacent industrial properties using a combination of 6 – 8' fencing, shade trees, and shrubbery



Disclaimer: This is a proposal; this could be changed or may be entirely different than seen at this time. This proposal cannot be conditionally approved for the rezoning. Ultimately, the Design Review Board (DRB) for the Elgin Development Corporation (EDC) will determine the landscaping and buffering standards in accordance with Section 5.2.4 Elgin Business Park Development Standards



Development Services Department

STAFF REPORT

Harvest Ridge Section 1 Final Plat

File Number: 202000053

Date: November 8, 2021

Applicant: Adam Berry c/o BGE, Inc.

Representative: SAME

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

Location: TCAD Parcels 358752 & 358761; BCAD Parcel R15378 & R15672; located near the intersection of Open Sky Tr. & County Line Rd. on the eastside of County Line Rd.

APPLICATION SUMMARY

Consideration of a final plat for Harvest Ridge Section 1 which consists of 153 lots (147 single family lots, 1 amenity & open space lot, 1 drainage lot, 1 drainage detention pond, 1 parkland and open space lot, and 2 open space/landscape lots) within 5 blocks.

DEPARTMENT COMMENTS

This parcel is within the City's extraterritorial jurisdiction and is within Bastrop and Travis Counties. A preliminary plat for the entire Harvest Ridge Subdivision (1,158 total single-family lots) was approved on October 28, 2019, by the Commission. This Final Plat will be the first final plat of several that will occur over time. In review of the final plat layout, it generally matches the approved preliminary plat with the only changes as noted below:

1. Increase in open space between Final Plat lots 6- 9 (see preliminary plat Lots 6-9).
2. Addition of 1.02-acre drainage lot between Lots 9 – 45 (see preliminary plat Lots 9-27 & 1 -16).
3. Removal of right-of-way connecting Peppergrass Subdivision (see between preliminary plat Lots 27 & 1). This was removed in the Peppergrass Subdivision.
4. Reduction in number of lots between Lots 46-58 due to new open space (see between Lots 17 -31 Preliminary Plat).
5. Modification in lot layout at Lots 58 & 60 (see Preliminary Plat Lot 31 & 32).
6. Reduction in right-of-way width from 52 feet to 46 feet (allowed per Development and Consent Agreement).
7. Reduction in number of lots between Lots 20 – 37 due to an alley no longer being called a Lot (see between Preliminary Plat Lots 29 – 30).

STAFF ANALYSIS

Based on the information provided by the applicant, which is included with the packet, review of the approved preliminary plat, review of applicable City Codes, and review of the Harvest Ridge Development Agreements, Staff believes there are no issues or concerns with approving the request, including the changes between the Preliminary and Final Plats. 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 (applicable pages to Final Plat only).
3. Proposed Final Plat.

Attachment 1

Application

FINAL PLAT APPLICATION

Date: 1-21-2020

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): R358761 Travis & R15378 Bastrop

APPLICANT

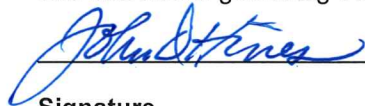
Name: John D Hines, PE

Postal Address: Dannenbaum Engineering Co Austin LLC

3409 Executive Center Dr, Suite 129 Austin TX 78731

E-Mail Address: John.Hines@dannenbaum.com; Phone Number: (512)427-3237

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

John D. Hines

Printed Name

1-21-2020

Date

Project Description:

Proposed final plat for Section 1 of Harvest Ridge subdivision. Consisting of 148 SF lots,

1 open space residential lot, landscape, detention pond/drainage, public ROW, private alleys,

and standard subdivision easements for utilities.

FOR OFFICE USE ONLY

Completeness Review Denied ____; Approved ____ Date _____

Completeness Review Denied ____; Approved ____ Date _____



310 North Main Street

P.O. Box 591

Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

Owner Authorization Form

February 3, 2021

Site Development Plan Authority

Re: Site Development Plan Application
~~Harvest Ridge Amenity Center~~
Elgin, Texas

Harvest Ridge All Phases Platist Plan

I, *Adam Boenig*, *Vice President* of Clayton Properties Group, Inc., do hereby make and/or authorize J. Adam Berry, to represent Clayton Properties Group, Inc. for submittal and subsequent processing of the Subdivision Construction Plans application for all Sections of Harvest Ridge.

Sincerely,



Clayton Properties Group, Inc.
6700 Vaught Ranch Road, Suite #200
Austin, TX 78730

Attachment 2
Approved Preliminary Plat
(applicable pages to Final Plat only)

STATE OF TEXAS
BASTROP AND TRAVIS COUNTIES
ALTESSA M.U.D. DESCRIPTION
283.115 ACRES

ALTESSA MUNICIPAL UTILITY DISTRICT
POLITICAL SUBDIVISION DESCRIPTION

DESCRIPTION OF 283.115 ACRES TRACT OF LAND, SITUATED IN THE THOMAS CHRISTIAN SURVEY, ABSTRACT NOS. 20 AND 2296, IN BASTROP AND TRAVIS COUNTIES, TEXAS, BEING ALL OF THAT CERTAIN 234.215 ACRES TRACT OF LAND DESCRIBED IN A WARRANTY DEED FROM EUGENE R. KANAK, KANAK, AND WIFE, JUDY A. KANAK TO THE EUGENE R. AND JUDY A. KANAK LIVING TRUST, EUGENE R. KANAK AND JUDY A. KANAK, CO-TRUSTEES, OF RECORD IN VOLUME 920, PAGE 713 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND VOLUME 13223, PAGE 668 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALSO, ALL OF THAT CERTAIN 48.820 ACRES DEED TO RUSSELL FRANKLIN KANAK OF RECORD IN VOLUME 725, PAGE 633 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, AND IN VOLUME 1558, PAGE 144, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 283.115 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 48.820 ACRE TRACT, BEING ALSO THE NORTHWEST CORNER OF SAID 234.215 ACRE TRACT AND BEING ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A VARIABLE WIDTH RIGHT-OF-WAY;

THENCE, N 27°08'47" E, WITH THE EAST RIGHT-OF-WAY OF COUNTY LINE ROAD AND THE WEST LINE OF SAID 234.215 ACRE TRACT, FOR A DISTANCE OF 708.88 FEET TO THE SOUTHWEST CORNER THAT CERTAIN 10.00 ACRE TRACT OF LAND DESCRIBED IN A DEED TO CLYDE T. LUNDGREN AND BETTY S. LUNDGREN OF RECORD IN VOLUME 7619, PAGE 44 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING AN ANGLE CORNER OF SAID 234.215 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, S 62°51'29" E, DEPARTING THE EAST RIGHT-OF-WAY OF COUNTY LINE ROAD, WITH THE SOUTH LINE OF SAID 10.00 ACRE TRACT, FOR A DISTANCE OF 476.51 FEET TO THE SOUTHEAST CORNER SAID 10.00 ACRE TRACT, AND BEING AN INTERIOR ANGLE CORNER OF SAID 234.215 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, N 27°08'45" E WITH THE EAST LINE OF SAID 10.00 ACRE TRACT AND THE WEST LINE OF SAID 234.215 ACRE TRACT, AT A DISTANCE OF 914.67 FEET PASSING THE NORTHWEST CORNER OF SAID 10.00 ACRE TRACT AND THE SOUTHEAST CORNER OF THAT CERTAIN 4.737 ACRE TRACT OF LAND DESCRIBED IN A DEED TO CLYDE T. LUNDGREN AND BETTY S. LUNDGREN DATED 01/28/1974, TO THE POINT OF BEGINNING OF THE PLAT OF THIS COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 1,347.72 FEET TO THE NORTHEAST CORNER OF SAID ACRE TRACT, BEING ALSO ON THE SOUTH LINE OF THAT CERTAIN 147.144 ACRE TRACT OF LAND DESCRIBED IN A DEED TO RSM REAL ESTATE, LP, OF RECORD IN DOCUMENT NO. 201414715 OF THE PUBLIC RECORDS OF THIS COUNTY, TEXAS, TO THE POINT OF BEGINNING OF THE NORTHWEST CORNER OF SAID 234.215 ACRE TRACT AND THE HEREIN DESCRIBED TRACT.

INENCE, S 62°53'48" E WITH THE SOUTH LINE OF SAID 147.144 ACRE TRACT AND THE NORTH LINE OF SAID 234.215 ACRE TRACT, AT A DISTANCE OF 3,092.44 FEET PASSING A 1-INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID 147.144 ACRE TRACT AND THE SOUTHWEST CORNER OF THAT CERTAIN 139.923 ACRES TRACT OF LAND DESCRIBED IN A DEED TO ROGER AND KATHLEEN M. WATKINS, DATED 07/27/77, THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 3,832.13 FEET TO THE IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 234.215 ACRES TRACT AND THE HEREIN DESCRIBED TRACT, AND BEING THE NORTHWEST CORNER OF THAT CERTAIN 421.58 ACRES TRACT DESCRIBED IN A DEED TO ROGER AND KATHLEEN WATKINS, DATED 07/27/77, VOLUME 647, PAGE 728 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS.

THENCE, S 27°35'48" W WITH THE WEST LINE OF SAID 42.156 ACRE TRACT AND THE EAST LINE OF SAID 234.215 ACRE TRACT, AT A DISTANCE OF 1,298.23 FEET PASSING A 5/8-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID 42.156 ACRE TRACT AND THE NORTHWEST CORNER OF THE CEMETARY 66.936 ACRE TRACT OF LAND DESCRIBED IN A DEED TO JIM V. AND KATHLEEN E. MOORE, BY SAID DEED, IN RECORD IN THE PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, FOR A TOTAL DISTANCE OF 2,036.79 FEET TO THE SOUTHEAST CORNER OF SAID 234.215 ACRE TRACT AND THE HEREIN DESCRIBED TRACT, AND BEING THE SAME CORNER OF SAID 234.215 ACRE TRACT, AND BEING THE SAME CORNER OF SAID DEED TO THE CYNTHIA AND SHELDOY RAY JOHNSON JUNT LIVING TRUST OF RECORD IN PUBLIC RECORD NUMBER 201810089 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS;

THENCE, N 63°06'30" W, WITH THE NORTH LINE OF SAID 67 ACRE TRACT AND THE SOUTH LINE OF SAID 234.215 ACRE TRACT, FOR A DISTANCE OF 3,290.74 FEET TO THE NORTHWEST CORNER OF SAID 67 ACRE TRACT, BEING ALSO THE NORTHEAST CORNER OF SAID 48,820 ACRE TRACT AND BEING THE AN ANGLE POINT ON THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT;

THENCE, S 27°10'16" W, DEPARTING THE SOUTH LINE OF SAID 234.288 ACRE TRACT, AND WITH THE EAST LINE OF SAID 48.820 ACRE TRACT AND THE WEST LINE OF SAID 67 ACRE TRACT, FOR A DISTANCE OF 1065.40 FEET TO A 1/2" IRON ROD FOUND AND BEING THE NORTHEAST CORNER OF THAT CERTAIN 3.006 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO FAUSTO C. MARTINEZ AND MARIA SAUCEDO OF RECORD IN DOCUMENT NO. 201108993, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS;

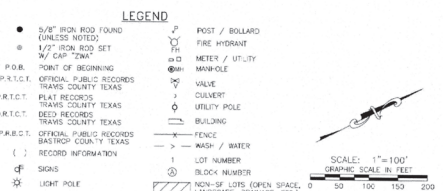
THENCE, N 62°50'09" W, WITH THE NORTH LINE OF SAID 3.006 ACRE TRACT FOR A DISTANCE OF 2008.67 FEET TO A 1/2" IRON FOUND ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY LINE ROAD AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, N 27°32'17" E, WITH THE EAST RIGHT-OF-WAY OF COUNTY LINE ROAD AND BEING THE WEST LINE OF SAID 48.820 FOR A DISTANCE OF 1055.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 283.115 ACRES OF LAND.

THE DESCRIPTION IS BASED ON THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD83 (93) HARN U.S. SURVEY FEET.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, AND DOES NOT REFLECT THE RESULTS OF AN ON-THE-GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

ACREAGE(S) SHOWN HEREON ARE CALLED FOR ON THE RECORDED INSTRUMENT(S) CITED HEREIN.



PRELIMINARY PLAN - SHEET 4



REVISIONS			5 OF 17
NO.	DATE	DESCRIPTION	
			SHEET NO. DEC JOB NUMBER 5108-01



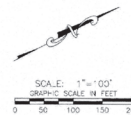
SCALE: 1"=120'
GRAPHIC SCALE IN FEET

9 OF 17

SHEET NO.

DEC JOB NUMBER

5108-01



NOTES:

1. WATER TO BE PROVIDED BY AQUA WATER SUPPLY CORP. (IN AQUA CCN).
2. WATER LINE EXTENSION REQUIRED AND DESCRIBED WITHIN FEASIBILITY STUDY DATED DECEMBER 15, 2017 AND REVISED DECEMBER 28, 2017.

FLOODPLAIN FEMA PANEL
#48021C0075E DATED
JANUARY 19, 2006

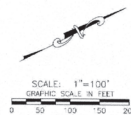
ALTESSA RANCH
PRELIMINARY PLAT

WATER DISTRIBUTION PLAN - SHEET 4

[illegible]

13 OF 17

SHEET NO.
DEC JOB NUMBER
5108-01



 PROPOSED MANHOLE
 PROPOSED 12" WASTEWATER MAIN
 PROPOSED FLOW DIRECTION

[illegible]

SHEET NO.
DEC JOB NUMBER
5108-01

Attachment 3
Proposed Final Plat



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

November 9, 2021

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

RE: Harvest Ridge Section 1 – Final Plat Review

Dear Mr. Harrell:

TRC has reviewed the following documents listed below submitted on November 8, 2021 by BGE, Inc. (BGE):

1. Final plat, dated October 2020.
2. Other documents submitted as reference for the final plat: Comment Response Letter.

Our review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances and the Development and Consent Agreement between Brohn Homes, Altessa Municipal Utility District and the City of Elgin.

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.

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

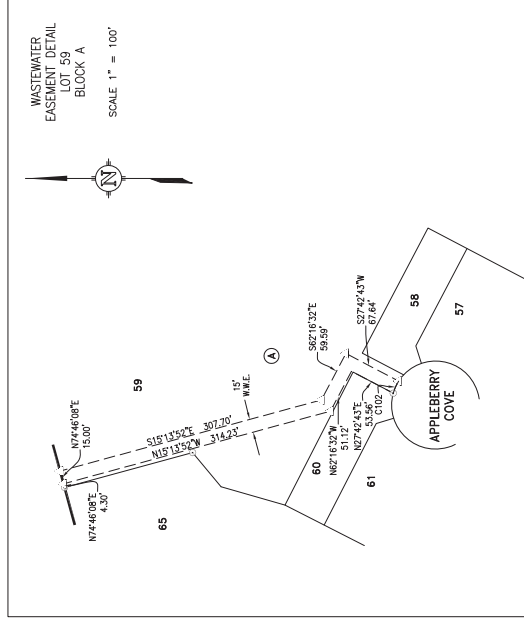
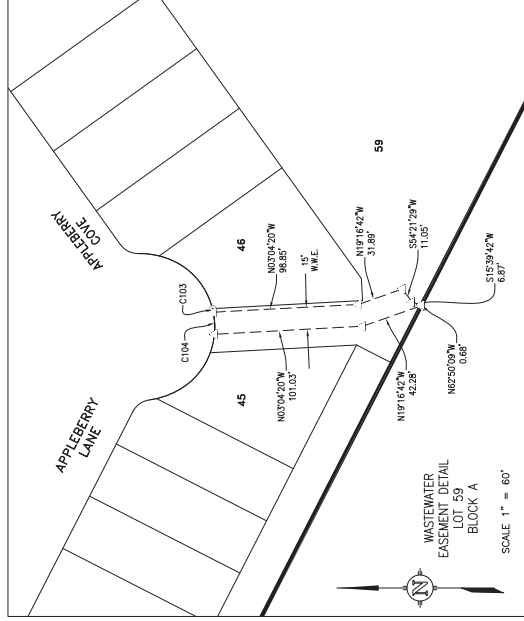
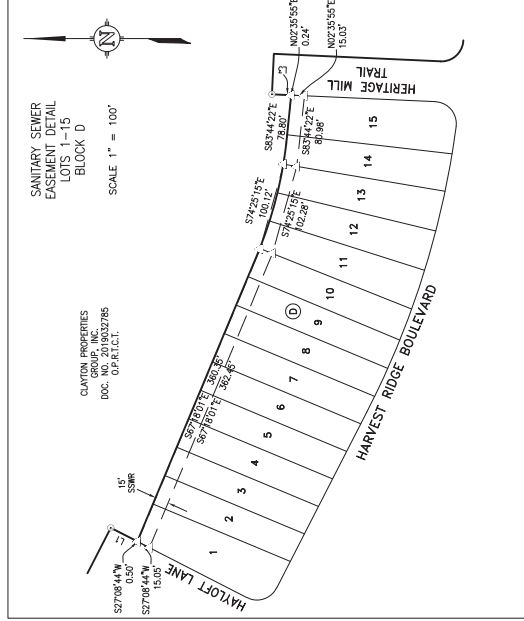
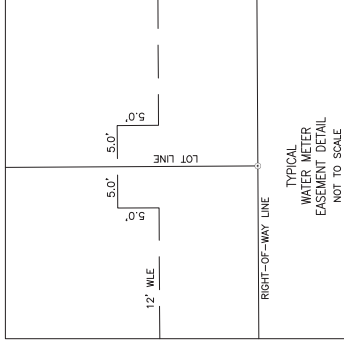
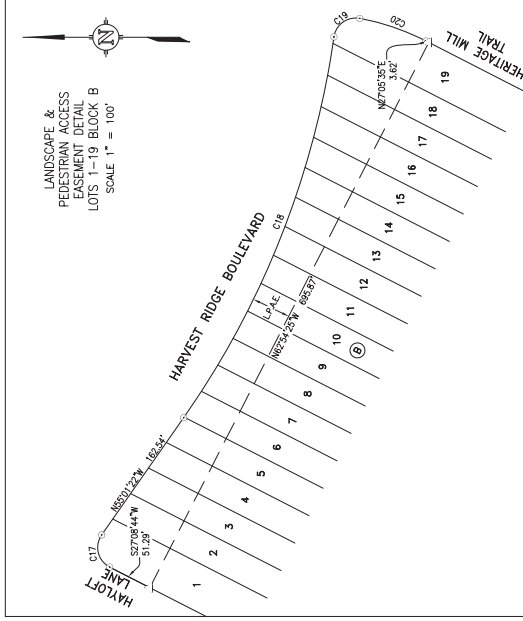
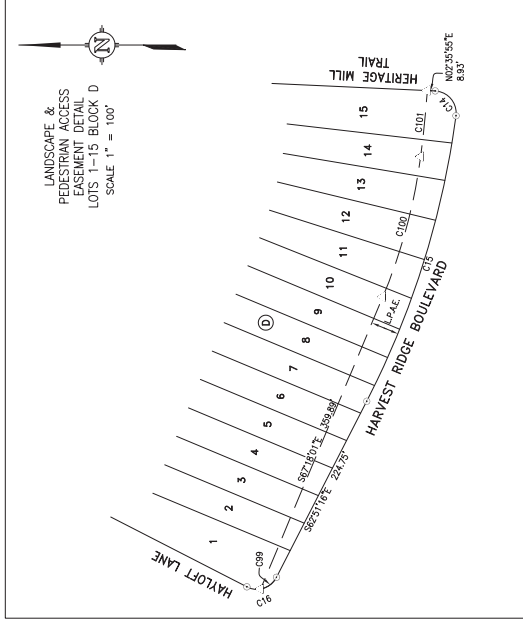
Sincerely,

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

K. Beau Perry, P.E.
Vice President

cc: Mr. J. Adam Berry, P.E., Project Manager, BGE, Inc.

HARVEST RIDGE SUBDIVISION SECTION ONE



PROJECT: HARVEST RIDGE SECTION ONE
JOB NUMBER: 1063-06
DATE: JUNE, 2021
SCALE: 1" = 100'
SURVEYOR: ZAMORA
TECHNICIAN: SEGURA
DRAWING: HARVEST RIDGE SECT 1063
FIELD NOTES:
PARTY CHIEF:
FIELD BOOKS:

ZWA

Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10082700
4025 South Loop West, Suite 7000
Houston, Texas 77060
Telephone: (512) 295-6201 • Fax: (512) 295-6091

BGE

BGE, INC.
101 W. LOUIS HENNA BLVD., SUITE 400
AUSTIN, TX 78728
TBP Registration No. F-1046
TEL: 512-879-0400 www.bgeinc.com

HARVEST RIDGE SUBDIVISION SECTION ONE FINAL PLAT

STATE OF TEXAS,
COUNTY OF TRAVIS.

KNOW ALL MEN BY THESE PRESENTS, THAT CLAYTON PROPERTIES GROUP, INC., DBA, "BROWN HOMES", BEING OWNER OF THAT CERTAIN 44.439 ACRES OF LAND OUT OF THE THOMAS CHRISTIAN SURVEY ABSTRACT NO. 2246 AND THE THOMAS CHRISTIAN SURVEY ABSTRACT NO. 20, SITUATED IN BASTROP COUNTY, TEXAS AND TRAVIS COUNTY, TEXAS, AS COMVEYED TO CLAYTON PROPERTIES GROUP, INC., BY DEED RECORDED IN DOCUMENT NUMBERS 201807699 AND 201903261 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS AND DOCUMENT NUMBER 2019032782 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID 44.439 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED INSTRUMENT ENTITLED:

HARVEST RIDGE SUBDIVISION SECTION ONE

AND DOES HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND THIS THE _____ DAY OF _____, 2021, A.D.

ADAM BOENIG, VICE PRESIDENT
CLAYTON PROPERTIES GROUP, INC.,
DBA, "BROWN HOMES",
6720 VAUGHN RANCH ROAD, SUITE 200
AUSTIN, TEXAS 78750

STATE OF TEXAS,
COUNTY OF TRAVIS.

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ADAM BOENIG, VICE PRESIDENT OF CLAYTON PROPERTIES GROUP, INC., DBA, "BROWN HOMES", KNOWN TO ME BY HIS PRESENTED IDENTIFICATION, WHO HAS ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2021, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ELGIN, TEXAS, ON THIS THE _____ DAY OF _____, 2020, A.D.

CHAIRPERSON _____ SECRETARY _____

STATE OF TEXAS,
COUNTY OF BASTROP.

I, ROSE PETSCH, CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF

AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2021, A.D. AT _____ O'CLOCK

____M., AND DULY RECORDED ON THE _____ DAY OF _____, 2021, A.D. AT _____ O'CLOCK ____M., IN THE PLAT RECORDS

OF BASTROP COUNTY, TEXAS, IN DOCUMENT NUMBER _____

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE _____ DAY OF _____, 2021, A.D.

ROSE PETSCH, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY: _____

FILED FOR RECORD AT _____ O'CLOCK ____M., THIS THE _____ DAY OF _____, 2021, A.D.

_____, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY: _____

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TRAVIS §

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE.

ON THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK, ____M., AND DULY RECORDED

THIS THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK, ____M., IN THE OFFICIAL

PUBLIC RECORDS OF SAID COUNTY IN INSTRUMENT NO. _____

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT THE COUNTY COURT OF SAID COUNTY, AT MY OFFICE IN GEORGETOWN, TEXAS, THE DATE LAST SHOWN ABOVE WRITTEN.

OF TRAVIS COUNTY, TEXAS

BY: _____ DEPUTY

PROJECT: HARVEST RDGE
SECTION ONE

JOB NUMBER: 1063-06

DATE: JUNE, 2021

SCALE: 1" = 100'

SURVEYOR: ZAMORA

TECHNICIAN: SEGURA

DRAWING: HARVEST RIDGE SECT 0106

FIELDNOTES:

PARTYCHIEF:

FIELDBOOKS:



Zamora, L.L.C.

Professional Land Surveyors

Texas Firm No. 00892700

4025 South Loop 4 • Buckle, Texas 78600

Telephone: (512) 295-6201 • Fax (512) 295-6091



BGE, INC.

101 W. LOUIS HENNA BLVD., SUITE 400

AUSTIN, TX 78728

TBPE Registration No. F-1046

TEL: 512-879-0400 www.bgeinc.com

HARVEST RIDGE SUBDIVISION SECTION ONE

GENERAL NOTES

1. FINAL PLAT IS IN GENERAL CONFORMANCE WITH THE PRELIMINARY PLAT.
2. ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER. APPROVAL OF THIS PLAT BY THE CITY OF ELGIN DOES NOT REMOVE THESE RESPONSIBILITIES.
3. NO PORTION OF THIS SUBDIVISION IS LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE OR CONTRIBUTING ZONE.
4. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF ELGIN'S CORPORATE CITY LIMITS, ONLY FOR THE LIMITED PURPOSE SET FORTH IN CITY OF ELGIN ORDINANCE NO. 2021-05-18-13, WITHIN BASTROP COUNTY AND TRAVIS COUNTY.
5. THIS PROJECT IS LOCATED IN THE LOWER COLORADO-CUMMINS WATERSHED WHICH IS CLASSIFIED AS A SUBURBAN WATER SUPPLY WATERSHED.
6. THIS SUBDIVISION LIES WITHIN THE ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOOD PLAIN) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 484530510H, EFFECTIVE DATE SEPTEMBER 26, 2008 AND IN ZONE "A" (AREAS SUBJECT TO INUNDATION BY THE 1-PERCENT-ANNUAL-CHANCE FLOOD EVENT) OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 480210075E, EFFECTIVE DATE JANUARY 19, 2006.
7. THIS SUBDIVISION IS IN AND SERVED BY AQUA WATER SUPPLY CORPORATION CON FOR WATER SERVICE.
8. THE SUBDIVISION IS LOCATED WITHIN THE CITY OF ELGIN'S WASTEWATER CON. ALTESSA MUD WILL PROVIDE RETAIL WASTEWATER SERVICE TO THE SUBDIVISION PURSUANT TO A WASTEWATER SERVICE AGREEMENT WITH THE CITY OF ELGIN APPROVED IN CITY OF ELGIN RESOLUTION NO. 2020-12-19-60.
9. NO DWELLING STRUCTURE MAY BE OCCUPIED UNTIL SUCH TIME AS WATER AND WASTEWATER CONNECTIONS ARE FULLY OPERATIONAL.
10. PUBLIC UTILITY EASEMENTS ARE TO BE USED FOR UTILITY SERVICE, INCLUDING TELECOMMUNICATION, GAS, AND ELECTRICITY PROVIDED TO LOTS WITHIN THIS SUBDIVISION AND THE OVERALL HARVEST RIDGE DEVELOPMENT ONLY. PUE'S ARE NOT ALLOWED FOR PASS-THRU OR PRIMARY MAINS SERVING OUTSIDE DEVELOPMENT, UNLESS AGREED UPON IN WRITING WITH THE DEVELOPER/OWNER (CLAYTON PROPERTIES GROUP, INC.).
11. ALL ELECTRICAL, TELEPHONE, CABLE TELEVISION, GAS, AND SIMILAR UTILITY SERVICE LINES SHALL BE PLACED UNDERGROUND, SUCH LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE REGULATIONS AND REQUIREMENTS ESTABLISHED BY EACH UTILITY OR SERVICE COMPANY, AS APPLICABLE, AND CITY ORDINANCE.
12. NO FENCING SHALL BE PLACED IN THE AQUA EASEMENT ALONG HARVEST RIDGE BOULEVARD AND SHALL NOT RESTRICT ACCESS TO AQUA WATER METERS.
13. NO STRUCTURES OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN OR OVER THE UTILITY EASEMENTS EXCEPT: UTILITIES, GROSS, LANDSCAPING, AND OTHER STRUCTURES THAT DO NOT RESTRICT ACCESS TO METERS OR THAT DO NOT REQUIRE THE REMOVAL OF METERS OR THE CONSTRUCTION OF ANY REPLACING ANY OBSTRUCTIONS, PAVING OR PLANTING THAT IS REMOVED DURING THE COURSE OF MAINTAINING, CONSTRUCTING, OR RECONSTRUCTING ANY UTILITIES.
14. LOTS 28 AND 59, BLOCK A WILL BE CONVEYED TO ALTESSA MUD AND SHALL BE MAINTAINED BY ALTESSA MUD OR A HOMEOWNERS ASSOCIATION.

APPROVED BY:

AQUA WATER SUPPLY CORPORATION _____ DATE _____

STATE OF TEXAS
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BASTROP

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2021, BY CLIFF KESSLER, PRESIDENT OF THE BOARD OF DIRECTORS OF AQUA WATER SUPPLY CORPORATION, A TEXAS NONPROFIT CORPORATION, ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC, STATE OF TEXAS _____

STATE OF TEXAS:
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BASTROP AND TRAVIS.

I, J. ADAM BERRY, P.E., 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.

ENGINEERING BY: J. ADAM BERRY, P.E. NO. 120743 _____ DATE: _____
BEE, INC.
101 W. LOUIS HENNA BLVD., SUITE 400
AUSTIN, TEXAS 78728

STATE OF TEXAS:
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BASTROP AND TRAVIS.

THAT I, G. ENEE ZAMORA, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS.

SURVEYED BY: G. ENEE ZAMORA _____ DATE: _____
ZAMORA, LLC
1425 LOOP 4 SOUTH
BUDA, TX 78610

HARVEST RIDGE SUBDIVISION SECTION ONE FINAL PLAT

SHEET
4
OF
4
ZWA PLAT No.
1063-06



Development Services Department

STAFF REPORT

Preliminary Plat for Elgin Business Park III

File Number: 202101721

Date: November 8, 2021

Applicant: Derek Klenke c/o TRC.

Representative: SAME

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

Location: Bastrop Co. Appraisal District Parcels 47326.

APPLICATION SUMMARY

Consideration of a preliminary plat for Elgin Business Park III which consists of twelve (12) lots (eleven of which are for development, and one is for detention) on one (1) block. These lots will exist on a seventy-five (75) acre site with lots meant for industrial development, since the site has "I" General Industrial Zoning. All developable lots are between five (5) and six (6) acres in size. A future arterial (90' wide) right-of-way will go through the middle so all lots have right-of-way access.

DEPARTMENT COMMENTS

This project is being undertaken by the City Economic Development Department through TRC Companies Inc. which is our City engineering firm. Currently this Dept. is in the process of working with potential developers to purchase and develop some of the future lots.

STAFF ANALYSIS

Staff has reviewed the Preliminary Plat and it meets City Code of Ordinances. Based on the information within the packet, staff has no issues or concerns. The Commission may approve, approve with conditions, or deny the request

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application.
2. Proposed Preliminary Plat.
3. TRC Approval Letter.

Attachment 1

Application

CONTACT INFORMATION

Contact Name: Derek Klenke, P.E.

Contact Role (e.g. owner, agent, developer): Agent

Contact Phone: 734-274-1828; **Contact E-Mail:** DKlenke@trccompanies.com

I, the undersigned, request a pre-application meeting for the purpose of discussing a proposed project in general terms. I have provided the information requested in this form and understand that this meeting does not constitute City review for the purposes of approval or permit issuance. A licensed professional engineer should be consulted independently by the applicant regarding potential utility, drainage, and floodplain impact issues prior to making any decisions regarding real estate or other business transactions.

Upon submittal of the appropriate application(s), additional comments from City staff should be expected in addition to those that were discussed in this meeting.

Furthermore, I understand that this meeting is not a development permit application and does not constitute the first in a series of permits or projects for this proposed project. Plans shall be prepared in accordance with the City Code, as well as any international, federal, state, or local codes incorporated or referenced therein.

Furthermore, Staff reserves the right to request another pre-application meeting if there has been longer than two (2) weeks since this meeting and applicable application packet being submitted to City.

  9/30/2021

Contact Signature

Date

FOR OFFICE USE ONLY

Application Received Date: _____

Yes: _____

No: _____

Meeting Conducted

Date: _____

Reason for Not Conducting Meeting: _____

Staff Signature: _____



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



(512) 281-0119



www.elgintx.com

PRELIMINARY PLAT APPLICATION

Date: _____

New _____ Modification _____

Modification of _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: Derek Klenke (Owner's Agent)
 Postal Address: 505 East Huntland Drive, Ste. 250
Austin, TX 78752

 E-Mail Address: DKlenke@trccompanies.com; Phone Number: 734-274-1828

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.



 Digitally signed by Derek
 Klenke
 Date: 2021.09.30
 13:56:15-05'00'

Derek Klenke
9/30/2021

Signature

Printed Name

Date

Project Description:

This project consists of re-platting Elgin Business Park III, by creating Lots 4-14, a detention pond, and newly proposed R.O.W. within the Elgin Business Park III.


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


(512) 281-0119



www.elgintx.com

September 27, 2021

Derek Klenke, PE
TRC Engineers, Inc
505 East Huntland Drive
Suite 250
Austin, TX 78752



RE: Agent Authorization Form

To Whom it May Concern:

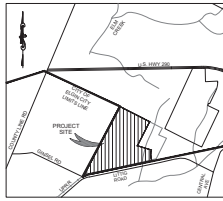
I, Owen Rock, Director of Elgin Economic Development Corporation owner of Lot 3, Block A and Replat of Lot 2, Elgin Business Park III, a subdivision in Bastrop County and 75.95 acres of land, out of the ELIZABETH STANDIFER SURVEY, Abstract No. 59, Bastrop County, Texas do hereby authorize Derek Klenke, PE of TRC Companies, Inc. to represent and act on behalf of the above named entity for the purpose of preparing and submitting all application to the City of Elgin.

Sincerely,

A handwritten signature in purple ink, appearing to read "Owen Rock".

Owen Rock
Director
Elgin Economic Development Corp
310 N. Main Street
Elgin, TX 78621

Attachment 2
Preliminary Plat



STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS THAT OWEN ROCK, DIRECTOR OF ECONOMIC DEVELOPMENT, BEING OWNER OF THAT CERTAIN 75.95 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, DOES HEREBY SUBMIT THIS PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III

AND DOES HEREBY DEDICATE TO THE PUBLIC, THE USE OF THIS STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

OWEN ROCK
DIRECTOR OF ECONOMIC DEVELOPMENT
310 N. MAIN ST.
ELGIN, TEXAS 78021

STATE OF TEXAS
COUNTY OF BASTROP

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LEARNER _____ DATE _____

BY _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THIS PRELIMINARY PLAT WAS APPROVED BY THE CITY OF ELGIN PLANNING AND ZONING COMMISSION ON THIS _____ DAY OF _____, 20____, A.D.

PLANNING AND ZONING COMMISSION, CITY OF ELGIN, TEXAS

CHAIRPERSON _____ SECRETARY _____

STATE OF TEXAS
COUNTY OF BASTROP

1. **BOOK DESIGN:** CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____.

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

_____, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY DEPUTY _____, CLERK OF BASTROP COUNTY, TEXAS

FILED FOR RECORD AT _____ O'CLOCK _____ M. THIS THE _____ DAY OF _____, 20____, A.D.

_____, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY DEPUTY _____, CLERK OF BASTROP COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MELISSA T. HINTON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PLACED BY ME OR BY PERSONS UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS.

SURVEYED BY _____ DATE _____

MELISSA T. HINTON
REGISTERED PROFESSIONAL LAND SURVEYOR #6521
SHERWOOD SURVEYING & S.U.E., LLC
P.O. BOX 862
SPRING BRANCH, TEXAS 78070

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

STATE OF TEXAS
COUNTY OF BASTROP

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEERING BY _____ DATE _____

DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712

PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III

OWNER:
OWEN ROCK
DIRECTOR OF ECONOMIC DEVELOPMENT
310 N. MAIN ST.
ELGIN, TEXAS 78021

SURVEYOR:
MELISSA T. HINTON
REGISTERED PROFESSIONAL LAND SURVEYOR #6521
SHERWOOD SURVEYING & S.U.E., LLC
6477 FM 311
SPRING BRANCH, TEXAS 78070
(830) 228-5448

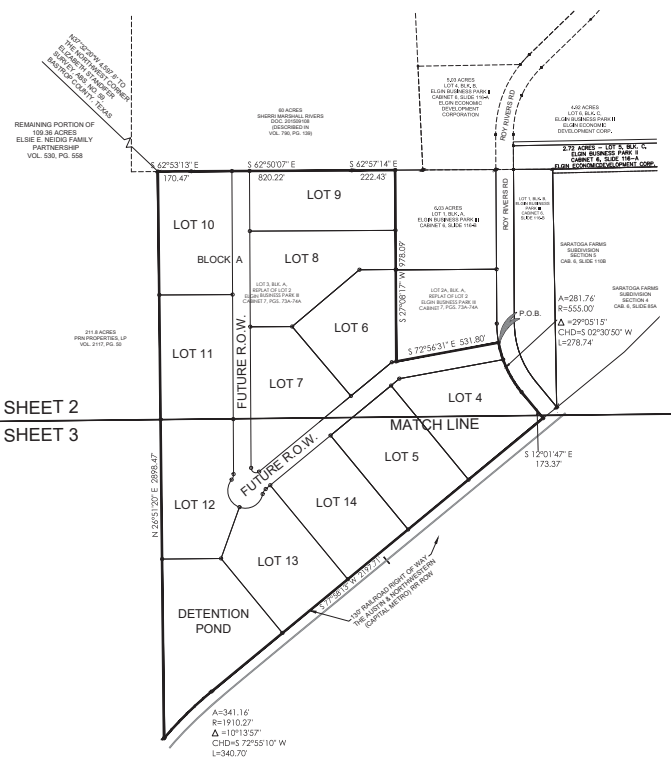
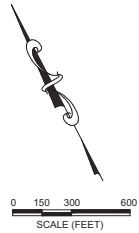
ENGINEER:
DEREK KLENKE, P.E.
THE ENGINEERS, INC.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712
(512) 329-6080

TOTAL ACREAGE: 75.95
SURVEY: ELIZABETH STANDIFER SURVEY, ABSTRACT 59

TOTAL NO. OF COMMERCIAL LOTS: 11
TOTAL NO. OF BLOCKS: 1

F.E.M.A. MAP NO. 4802 IC 0075 E
BASTROP COUNTY, TEXAS DATED JANUARY 19, 2006

LINEAR FOOTAGE OF FUTURE RIGHT-OF-WAY
3,087'



SHEET 2
SHEET 3

BEING A 75.95 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, SAID 75.95 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND 1/4 INCH IRON ROD WITH "SHERWOOD SURVEYING" CAP SITUATED IN THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, MARKING THE SOUTHEASTERN CORNER OF LOT 2A, BLOCK "A" OF SAID ELGIN BUSINESS PARK II AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, COMMON WITH THE EASTERN LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES:

SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 553.0 FEET, A CENTRAL ANGLE OF 29° 00' 15", AN ARC LENGTH OF 281.74 FEET AND A CHORD BEARING S 02° 30' 50" W, A DISTANCE OF 278.74 FEET TO A FOUND 1/4 INCH IRON ROD WITH "SHERWOOD SURVEYING" CAP AT THE END OF CURVE;
S 12° 01' 47" E, A DISTANCE OF 173.37 FEET TO A FOUND 1/4 INCH IRON ROD WITH "SHERWOOD SURVEYING" CAP, MARKING THE SOUTHEASTERN CORNER HEREOF;
THENCE, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 3, COMMON WITH THE NORTHERLY RIGHT OF WAY LINE OF THE 130' RAILROAD RIGHT OF WAY OF THE AUSTIN & NORTHWESTERN (CAPITAL METRO) RAILROAD, THE FOLLOWING COURSES AND DISTANCES:
S 77° 58' 13" W, DISTANCE OF 219.71 TO A FOUND 1/4 INCH IRON ROD WITH CAP "RPLS 4428" AT A POINT OF CURVATURE OF A CURVE TO THE LEFT;

SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1910.27 FEET, A CENTRAL ANGLE OF 10° 13' 57", AN ARC LENGTH OF 341.14 FEET AND A CHORD BEARING S 72° 55' 10" W, A DISTANCE OF 340.70 FEET TO A FOUND 1/4 INCH IRON ROD WITH BUZZED CAP AT THE END OF CURVE, MARKING THE SOUTHWESTERN CORNER OF SAID LOT 3 AND HEREOF, FROM WHICH A FOUND MAG NAIL IN CONCRETE PIPE BEARS S 30° 01' 14" W, A DISTANCE OF 2.35 FEET;

THENCE, N 25° 51' 20" E, ALONG THE WESTERLY LINE OF SAID LOT 3 COMMON WITH THE EASTERN BOUNDARY LINE OF THAT 211.8 ACRE TRACT CONVEYED TO FM PROPERTIES, LP BY DEED OF RECORD IN VOLUME 2117, PAGE 50 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A DISTANCE OF 288.47 FEET TO A FOUND 5/8 INCH IRON ROD IN THE SOUTHERLY BOUNDARY LINE OF THAT 40 ACRE TRACT CONVEYED TO SHERB MARSHALL RIVERS BY DOCUMENT NO. 201509108 OF SAID OFFICIAL PUBLIC RECORDS, MARKING THE NORTHEASTERN CORNER OF SAID 211.8 ACRE TRACT AND BEING THE NORTHEASTERN CORNER OF SAID LOT 3 AND HEREOF;

THENCE, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID 40 ACRE TRACT, COMMON WITH THE NORTHERLY LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES:

S 42° 53' 13" E, A DISTANCE OF 170.47 FEET TO A FOUND 1/4 INCH IRON ROD WITH "RPLS 4428" CAP AT AN ANGLE POINT;
S 42° 50' 07" E, A DISTANCE OF 820.22 FEET TO A FOUND 1/4 INCH IRON ROD WITH BUZZED "RPLS 4428" CAP AT AN ANGLE POINT;

S 42° 57' 14" E, A DISTANCE OF 222.43 FEET TO A FOUND 1/4 INCH IRON ROD WITH "SHERWOOD SURVEYING" CAP SITUATED IN THE WESTERLY LINE OF LOT 1, BLOCK "A" OF SAID ELGIN BUSINESS PARK II, MARKING THE NORTHEASTERN CORNER OF SAID LOT 3 AND THE NORTHEASTERN CORNER OF SAID LOT 1, FOR THE NORTHEASTERN CORNER HEREOF;

THENCE, S 27° 08' 17" W, ALONG THE EASTERN BOUNDARY LINE OF SAID LOT 3, COMMON WITH THE WESTERLY BOUNDARY LINES OF SAID LOT 1 AND SAID LOT 2A, A DISTANCE OF 778.09 FEET TO A FOUND 1/4 INCH IRON ROD WITH "SHERWOOD SURVEYING" CAP, MARKING AN INTERIOR CORNER OF SAID LOT 3 AND THE SOUTHWESTERN CORNER OF SAID LOT 2A;

THENCE, S 72° 58' 31" E, A DISTANCE OF 331.80 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 75.95 ACRES OF LAND, MORE OR LESS.

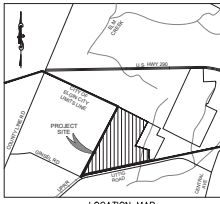
REVISION	DATE

LEGEND	
●	1/4" DIAMETER IRON PINS FOUND
○	1/4" DIAMETER IRON PINS SET WITH "SHERWOOD SURVEYING"
—	CHANGING EASEMENT
P.O.B.	POINT OF BEGINNING
P.U.C.	PUBLIC UTILITY EASEMENT
W.E.C.	WATER UTILITY EASEMENT
C.M.P.	CORRODED METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINE
---	SURVEY LINE
---	EXTENSION OF RIGHT-OF-WAY
---	EASEMENT LINE
---	PROPOSED WATERWAY LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN

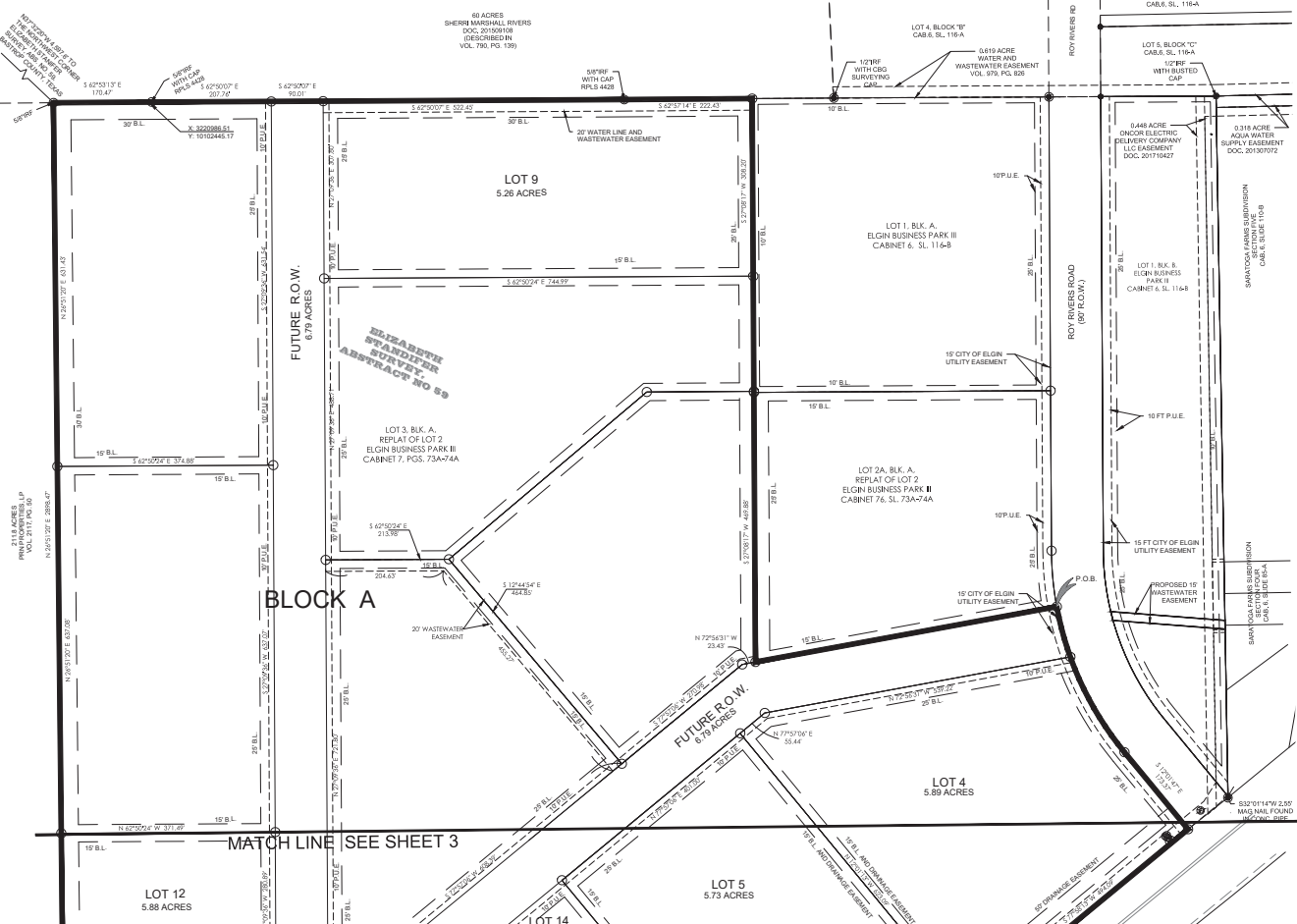
BLOCK A	ACRES
LOT 4	5.89 AC
LOT 5	5.73 AC
LOT 6	5.90 AC
LOT 7	5.42 AC
LOT 8	5.98 AC
LOT 9	5.96 AC
LOT 10	5.46 AC
LOT 11	5.46 AC
LOT 12	5.88 AC
LOT 13	5.80 AC
LOT 14	5.72 AC
FUTURE R.O.W.	6.79 AC
DETENTION POND	7.86 AC
TOTAL	75.95 AC



PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



0 50 100 200
SCALE (FEET)
1" = 100'



MATCH LINE SEE SHEET 3

REVISION	DATE

LEGEND

- 1/2" DIAMETER IRON PINE COUDES
- 1/2" DIAMETER IRON PINE SET WITH YELLOW CAP STAMPED SHERWOOD SURVEYING
- BUILDING SETBACK LINE
- EASEMENT
- P.O.B. POINT OF BEGINNING
- P.U.E. PUBLIC UTILITY EASEMENT
- W.W.E. WASTEWATER EASEMENT
- C.W.P. CORRUGATED METAL PIPE
- RIGHT-OF-WAY
- LOT LINES
- SURVEY LINE
- CENTERLINE OF RIGHT-OF-WAY
- EASEMENT LINES
- PROPOSED WASTEWATER LINE
- PROPOSED WATER LINE
- PROPOSED STORM DRAIN

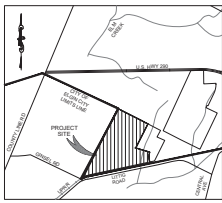
LINE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	154.51	90.01	98°21'27"	N 87°39'49" E	136.23
C2	30.74	45.00	39°07'39"	N 89°21'05" E	30.14
C3	30.74	45.00	39°07'39"	S 44°25'19" W	30.14
C4	170.93	90.01	108°48'46"	S 11°34'53" W	146.38
C5	56.38	25.00	129°12'30"	N 37°26'39" W	45.17

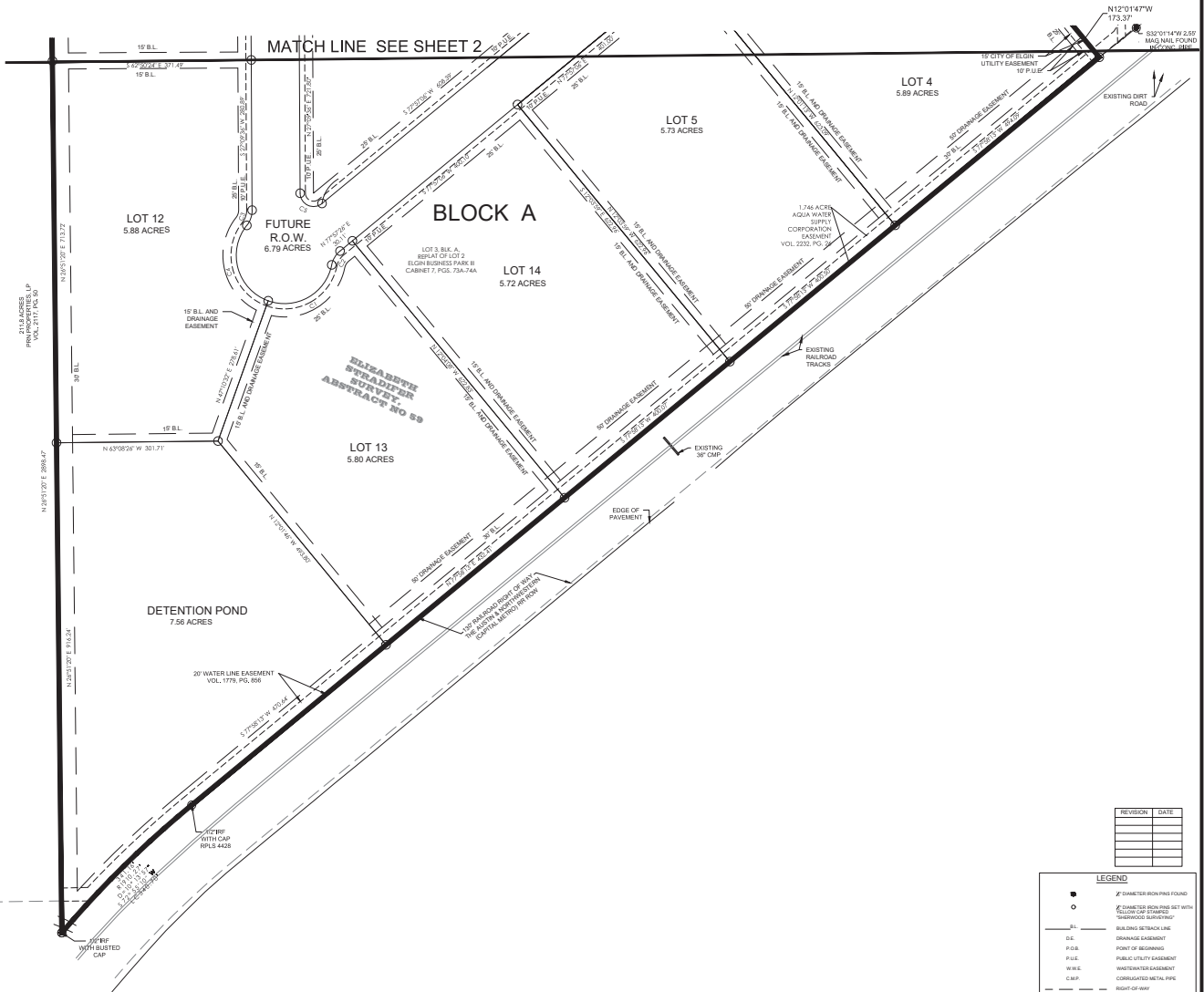


505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX
78752 T.B.P.E. FIRM REGISTRATION # F-8632
(512) 329 - 6086





PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



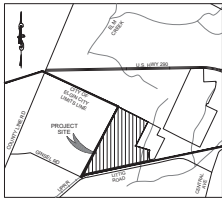
REVISION	DATE

LEGEND	
●	1/2" DIAMETER IRON PILING FOUND
○	1/2" DIAMETER IRON PILING SET WITH YELLOW CAP STAMPED THERMOLOC SURVEYING
---	BUILDING SETBACK LINE
---	DRAINAGE EASEMENT
---	POINT OF BEGINNING
---	PUBLIC UTILITY EASEMENT
---	WATER EASEMENT
---	CONCRETE METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINES
---	BUILDING LINE
---	CENTERLINE OF RIGHT-OF-WAY
---	EASEMENT LINES
---	PROPOSED WASTEWATER LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN

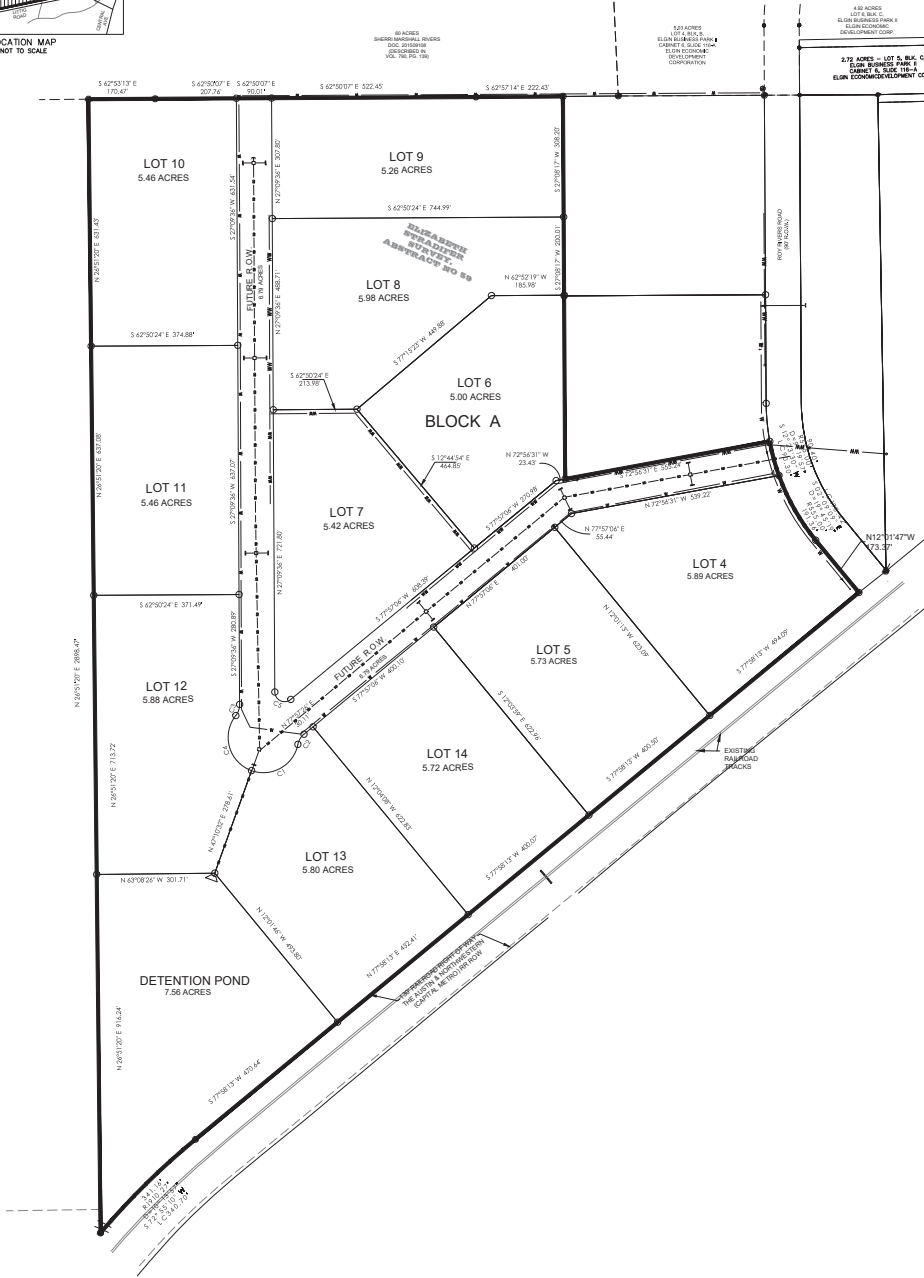
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	154.51	90.01	98°21'22"	N 87°59'49" E	136.23
C2	30.74	45.00	39°07'59"	N 08°20'05" E	30.14
C3	30.74	45.00	39°07'59"	S 46°23'19" W	30.14
C4	170.93	90.01	108°48'46"	S 11°34'55" W	146.38
C5	56.38	25.00	129°12'30"	N 37°26'39" W	45.17



SHERWOOD SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
8477 FM 311, P.O. BOX 682, TIPSIS SPRING, TEXAS 78070
SPRING BRANCH, TEXAS 78070
PHONE (832) 228-5788 FAX (832) 888-2170



PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



REVISION	DATE

LEGEND	
	12\" DIAMETER IRON PIPES FOUND
	6\" DIAMETER IRON PIPES NOT FOUND
	BUILDING FOOTPRINT
	BUILDING SETBACK LINE
	POINT OF BEGINNING
	PUBLIC UTILITY EASEMENT
	WATER UTILITY EASEMENT
	CORRUGATED METAL PIPE
	RIGHT-OF-WAY
	LOT LINES
	SURVEY LINE
	CENTERLINE OF RIGHT-OF-WAY
	EASEMENT LINES
	PROPOSED WASTEWATER LINE
	PROPOSED WATER LINE
	PROPOSED STORM DRAIN

LINE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	154.51	90.01	98°21'22\"/>	N 87°59'49\"/>
C2	30.74	45.00	39°02'59\"/>	N 08°20'03\"/>
C3	30.74	45.00	39°07'59\"/>	S 46°22'19\"/>
C4	170.93	90.01	108°48'46\"/>	S 11°34'55\"/>
C5	56.38	25.00	129°12'30\"/>	N 37°26'39\"/>



505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX 78752 T.B.P.E. FIRM REGISTRATION # F-8632 (512) 559-6080

SHERWOOD SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
8477 FM 311, P.O. BOX 682, TIGER, TX 75781
SPRING BRANCH, TEXAS 78070
PHONE (832) 228-5788 FAX (832) 888-2170

Attachment 3
TRC Approval Letter



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

November 1, 2021

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

RE: Elgin Business Park III – Phase III Preliminary Plat Review

Dear Mr. Harrell:

A review has been conducted for the following documents listed below submitted on October 19, 2021 by TRC Engineers, Inc (TRC):

1. Preliminary Plat dated September 29, 2021.
2. Other supporting documents submitted with the preliminary plat: Agent Authorization Letter, Preliminary Plat Application signed, Environmental Site Assessment, title commitment and deed.

The review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances and the Elgin Business Park III Development Standards.

The City of Elgin must rely on the adequacy of the Registered Professional Land Surveyor and Design Engineer that prepared the documents and all responsibility for the survey and submitted documents shall remain with the Registered Professional Land Surveyor and Design Engineer.

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



Development Services Department

STAFF REPORT

Elgin Business Park Phase III Final Plat

File Number: 202101722

Date: November 8, 2021

Applicant: Derek Klenke c/o TRC.

Representative: SAME

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

Location: BCAD Parcel 47326.

APPLICATION SUMMARY

Consideration of a final plat for Elgin Business Park III which consists of twelve (12) lots (eleven of which are for development, and one is for detention) on one (1) block. These lots will exist on a seventy-five (75) acre site with lots meant for industrial development, since the site has "I" General Industrial Zoning. All developable lots are between five (5) and six (6) acres in size. A future arterial (90' wide) right-of-way will go through the middle so all lots have right-of-way access.

DEPARTMENT COMMENTS

A preliminary plat for Elgin Business Park Phase III is on tonight's agenda. If approved by the Commission, then the Preliminary Plat has been approved and the Final Plat can be heard. If this Preliminary Plat has not been approved by the Commission, then the Final Plat cannot be considered tonight. This Final Plat matches exactly the earlier proposed Preliminary Plat.

This project is being undertaken by the City Economic Development Department through TRC Companies Inc. which is our City engineering firm. Currently this Dept. is in the process of working with potential developers to purchase and develop some of the future lots.

STAFF ANALYSIS

Based on the information provided by the applicant which is included with the packet which includes the Preliminary Plat and has been reviewed to City Code, 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. Proposed Final Plat.

Attachment 1

Application

CONTACT INFORMATION

Contact Name: Derek Klenke, P.E.

Contact Role (e.g. owner, agent, developer): Agent

Contact Phone: 734-274-1828; **Contact E-Mail:** DKlenke@trccompanies.com

I, the undersigned, request a pre-application meeting for the purpose of discussing a proposed project in general terms. I have provided the information requested in this form and understand that this meeting does not constitute City review for the purposes of approval or permit issuance. A licensed professional engineer should be consulted independently by the applicant regarding potential utility, drainage, and floodplain impact issues prior to making any decisions regarding real estate or other business transactions.

Upon submittal of the appropriate application(s), additional comments from City staff should be expected in addition to those that were discussed in this meeting.

Furthermore, I understand that this meeting is not a development permit application and does not constitute the first in a series of permits or projects for this proposed project. Plans shall be prepared in accordance with the City Code, as well as any international, federal, state, or local codes incorporated or referenced therein.

Furthermore, Staff reserves the right to request another pre-application meeting if there has been longer than two (2) weeks since this meeting and applicable application packet being submitted to City.



Digitally signed by Derek Klenke
Date: 2021.09.30 13:53:15-05'00'

9/30/2021

Contact Signature

Date

FOR OFFICE USE ONLY

Application Received Date: _____

Yes: _____

No: _____

Meeting Conducted Date: _____

Reason for Not Conducting Meeting: _____

Staff Signature: _____



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



(512) 281-5724



www.elgintx.com

FINAL PLAT APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: Derek Klenke (Owner's Agent)

Postal Address: 505 East Huntland Drive, Ste. 250
Austin, TX 78752

E-Mail Address: DKlenke@trccompanies.com; Phone Number: 734-274-1828

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.




Digitally signed by Derek Klenke
 Date: 2021.09.30 13:54:05-05'00'

Derek Klenke

9/30/2021

Signature

Printed Name

Date

Project Description:

This project consists of re-platting Elgin Business Park III, by creating Lots 4-14, a detention pond, and newly proposed R.O.W. within the Elgin Business Park III.



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



(512) 281-5724



www.elgintx.com

September 27, 2021

Derek Klenke, PE
TRC Engineers, Inc
505 East Huntland Drive
Suite 250
Austin, TX 78752



RE: Agent Authorization Form

To Whom it May Concern:

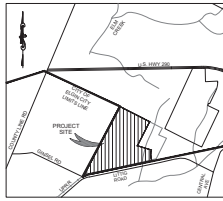
I, Owen Rock, Director of Elgin Economic Development Corporation owner of Lot 3, Block A and Replat of Lot 2, Elgin Business Park III, a subdivision in Bastrop County and 75.95 acres of land, out of the ELIZABETH STANDIFER SURVEY, Abstract No. 59, Bastrop County, Texas do hereby authorize Derek Klenke, PE of TRC Companies, Inc. to represent and act on behalf of the above named entity for the purpose of preparing and submitting all application to the City of Elgin.

Sincerely,

A handwritten signature in purple ink, appearing to read "Owen Rock".

Owen Rock
Director
Elgin Economic Development Corp
310 N. Main Street
Elgin, TX 78621

Attachment 2
Approved Preliminary Plat



STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS THAT OWEN ROCK, DIRECTOR OF ECONOMIC DEVELOPMENT, BEING OWNER OF THAT CERTAIN 75.95 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 75.95 ACRES OF LAND, IN ACCORDANCE WITH THE MAP OF PLAT, TO BE KNOWN AS PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III

AND DOES HEREBY DEDICATE TO THE PUBLIC, THE USE OF THIS STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

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

OWEN ROCK
DIRECTOR OF ECONOMIC DEVELOPMENT
310 N. MAIN ST.
ELGIN, TEXAS 78021

STATE OF TEXAS
COUNTY OF BASTROP

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

LEARNER _____ DATE _____
BY _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THIS PRELIMINARY PLAT WAS APPROVED BY THE CITY OF ELGIN PLANNING AND ZONING COMMISSION ON THIS _____ DAY OF _____, 20____ A.D.

PLANNING AND ZONING COMMISSION, CITY OF ELGIN, TEXAS

COMMISSIONER _____ SECRETARY _____

STATE OF TEXAS
COUNTY OF BASTROP

1. **BOOK DESIGN** CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____ A.D., AT _____ O'CLOCK _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____, 20____ A.D., AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____.

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

_____, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY DEPUTY _____, CLERK OF BASTROP COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MELISSA T. HINTON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PERSONALLY PLACED BY ME OR MY PERSONAL SUPERVISOR, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS.

SURVEYED BY:
MELISSA T. HINTON
REGISTERED PROFESSIONAL LAND SURVEYOR #6521
SHERWOOD SURVEYING & S.U.E., LLC
P.O. BOX 862
SPRING BRANCH, TEXAS 78070

STATE OF TEXAS
COUNTY OF BASTROP

1. I, MELISSA T. HINTON, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT IS TRUE AND CORRECT, AND THAT I AM A duly licensed and qualified professional land surveyor in the State of Texas.

ENGINEER BY:
DEREK KLENKE, P.E.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TX 78712

NOTES

1. SIDEWALKS 6' IN WIDTH ARE REQUIRED ALONG BOTH SIDES OF ROY RIVERS RD.

2. BUILDING SETBACK DISTANCES ARE IN ACCORDANCE WITH THOSE SPECIFIED IN THE ELGIN BUSINESS PARK DEVELOPMENT STANDARDS. SEE SECTION 4.2.1 SETBACK YARDS.

3. A 10' PLU IS HEREBY DEDICATED ADJACENT TO A 15' CITY OF ELGIN UTILITY EASEMENT AND PARALLEL WITH ALL THE STREETS IN THIS SUBDIVISION.

4. THE PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III CONFORMS TO THE CITY OF ELGIN CODE OF ORDINANCES AND THE ELGIN BUSINESS PARK II DEVELOPMENT STANDARDS.

FLOOD PLAIN NOTE: NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION RATE MAP NO. 48021-015, E, FOR BASTROP COUNTY TEXAS, DATED JANUARY 19, 2006.

BLOCK A	ACRES
LOT 4	5.89 AC
LOT 5	5.73 AC
LOT 6	5.90 AC
LOT 7	5.42 AC
LOT 8	5.98 AC
LOT 9	5.96 AC
LOT 10	5.46 AC
LOT 11	5.46 AC
LOT 12	5.88 AC
LOT 13	5.80 AC
LOT 14	5.72 AC
FUTURE R.O.W.	6.79 AC
DETENTION POND	7.86 AC
TOTAL	75.95 AC

OWNER:
OWEN ROCK
DIRECTOR OF ECONOMIC DEVELOPMENT
310 N. MAIN ST.
ELGIN, TEXAS 78021

SURVEYOR:
MELISSA T. HINTON
REGISTERED PROFESSIONAL LAND SURVEYOR #6521
SHERWOOD SURVEYING & S.U.E., LLC
6477 FM 311
SPRING BRANCH, TEXAS 78070
(830) 228-5446

ENGINEER:
DEREK KLENKE, P.E.
TDC ENGINEERS, INC.
505 E. HUNTLAND BLVD., SUITE 250
AUSTIN, TEXAS 78712
(512) 329-6080

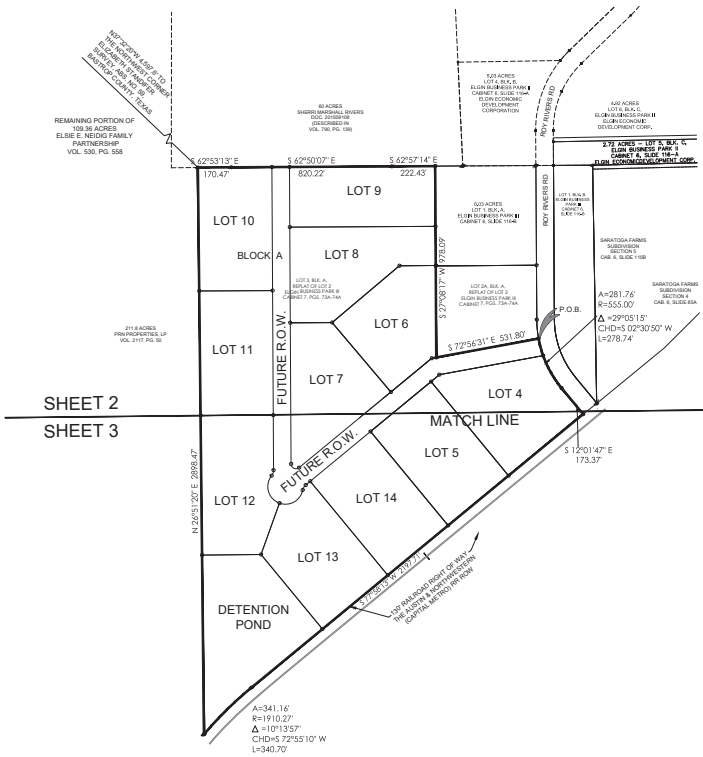
TOTAL ACREAGE: 75.95
SURVEY: ELIZABETH STANDIFER SURVEY, ABSTRACT 59

TOTAL NO. OF COMMERCIAL LOTS: 11
TOTAL NO. OF BLOCKS: 1

F.E.M.A. MAP NO. 48021-015 E
BASTROP COUNTY, TEXAS DATED JANUARY 19, 2006

LINEAR FOOTAGE OF FUTURE RIGHT-OF-WAY
3,087'

PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



BEING A 75.95 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, SAID 75.95 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND 1/4 INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP SITUATED IN THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, MARKING THE SOUTHEASTERN CORNER OF LOT 2A, BLOCK "A" OF SAID ELGIN BUSINESS PARK II AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WESTERLY RIGHT OF WAY LINE OF ROY RIVERS ROAD, COMMON WITH THE EASTERLY LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES:

SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 553.0 FEET, A CENTRAL ANGLE OF 29° 00' 15", AN ARC LENGTH OF 281.74 FEET AND A CHORD BEARING S 02° 30' 50" W, A DISTANCE OF 278.74 FEET TO A FOUND 1/4 INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP AT THE END OF CURVE;

S 12° 01' 47" E, A DISTANCE OF 173.37 FEET TO A FOUND 1/4 INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP, MARKING THE SOUTHEASTERN CORNER HEREOF;

THENCE, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 3, COMMON WITH THE NORTHERLY RIGHT OF WAY LINE OF THE 130' RAILROAD RIGHT OF WAY OF THE AUSTIN & NORTHWESTERN (CAPITAL METRO) RAILROAD, THE FOLLOWING COURSES AND DISTANCES:

S 77° 58' 13" W, DISTANCE OF 219.71 TO A FOUND 1/4 INCH IRON ROD WITH CAP "RPLS 4428" AT A POINT OF CURVATURE OF A CURVE TO THE LEFT;

SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 1910.27 FEET, A CENTRAL ANGLE OF 10° 13' 57", AN ARC LENGTH OF 341.14 FEET AND A CHORD BEARING S 72° 55' 10" W, A DISTANCE OF 340.70 FEET TO A FOUND 1/4 INCH IRON ROD WITH BUZDED CAP AT THE END OF CURVE, MARKING THE SOUTHWESTERN CORNER OF SAID LOT 3 AND HEREOF, FROM WHICH A FOUND MAG NAIL IN CONCRETE PIPE BEARS S 30° 01' 14" W, A DISTANCE OF 2.35 FEET;

THENCE, N 25° 51' 20" E, ALONG THE WESTERLY LINE OF SAID LOT 3 COMMON WITH THE EASTERLY BOUNDARY LINE OF THAT 211.8 ACRE TRACT CONVEYED TO FM PROPERTIES, LP BY DEED OF RECORD IN VOLUME 2117, PAGE 50 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A DISTANCE OF 288.47 FEET TO A FOUND 5/8 INCH IRON ROD IN THE SOUTHERLY BOUNDARY LINE OF THAT 40 ACRE TRACT CONVEYED TO SHERB MARSHALL RIVERS BY DOCUMENT NO. 201509108 OF SAID OFFICIAL PUBLIC RECORDS, MARKING THE NORTHEASTERN CORNER OF SAID 211.8 ACRE TRACT AND BEING THE NORTHWESTERN CORNER OF SAID LOT 3 AND HEREOF;

THENCE, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID 40 ACRE TRACT, COMMON WITH THE NORTHERLY LINE OF SAID LOT 3, THE FOLLOWING COURSES AND DISTANCES:

S 42° 53' 13" E, A DISTANCE OF 170.47 FEET TO A FOUND 1/4 INCH IRON ROD WITH "RPLS 4428" CAP AT AN ANGLE POINT;

S 42° 50' 07" E, A DISTANCE OF 820.22 FEET TO A FOUND 1/4 INCH IRON ROD WITH BUZDED "RPLS 4428" CAP AT AN ANGLE POINT;

S 42° 57' 14" E, A DISTANCE OF 222.43 TO A FOUND 1/4 INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP SITUATED IN THE WESTERLY LINE OF LOT 1, BLOCK "A" OF SAID ELGIN BUSINESS PARK II, MARKING THE NORTHEASTERN CORNER OF SAID LOT 3 AND THE NORTHWESTERN CORNER OF SAID LOT 1, FOR THE NORTHEASTERN CORNER HEREOF;

THENCE, S 27° 08' 17" W, ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 3, COMMON WITH THE WESTERLY BOUNDARY LINES OF SAID LOT 1 AND SAID LOT 2A, A DISTANCE OF 778.09 FEET TO A FOUND 1/4 INCH IRON ROD WITH YELLOW "SHERWOOD SURVEYING" CAP, MARKING AN INTERIOR CORNER OF SAID LOT 3 AND THE SOUTHWESTERN CORNER OF SAID LOT 2A;

THENCE, S 72° 58' 31" E, A DISTANCE OF 331.80 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 75.95 ACRES OF LAND, MORE OR LESS.

REVISION	DATE

LEGEND	
●	1/4" DIAMETER IRON PINS FOUND
○	1/4" DIAMETER IRON PINS SET WITH YELLOW CAP (SHERB MARSHALL "SHERWOOD SURVEYING")
—	CHANGING EASEMENT
P.O.B.	POINT OF BEGINNING
P.U.C.	PUBLIC UTILITY EASEMENT
W.E.C.	WATER UTILITY EASEMENT
C.M.P.	CORRODED METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINE
---	SURVEY LINE
---	EXTENSION OF RIGHT-OF-WAY
---	EASEMENT LINE
---	PROPOSED WATERWAY LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN

BEING A 75.95 ACRE TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK II, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS.

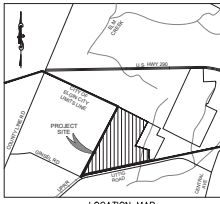


505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX
78712, T.B.C.E. TIM REGISTRATION # T-8632
(512) 329-6080

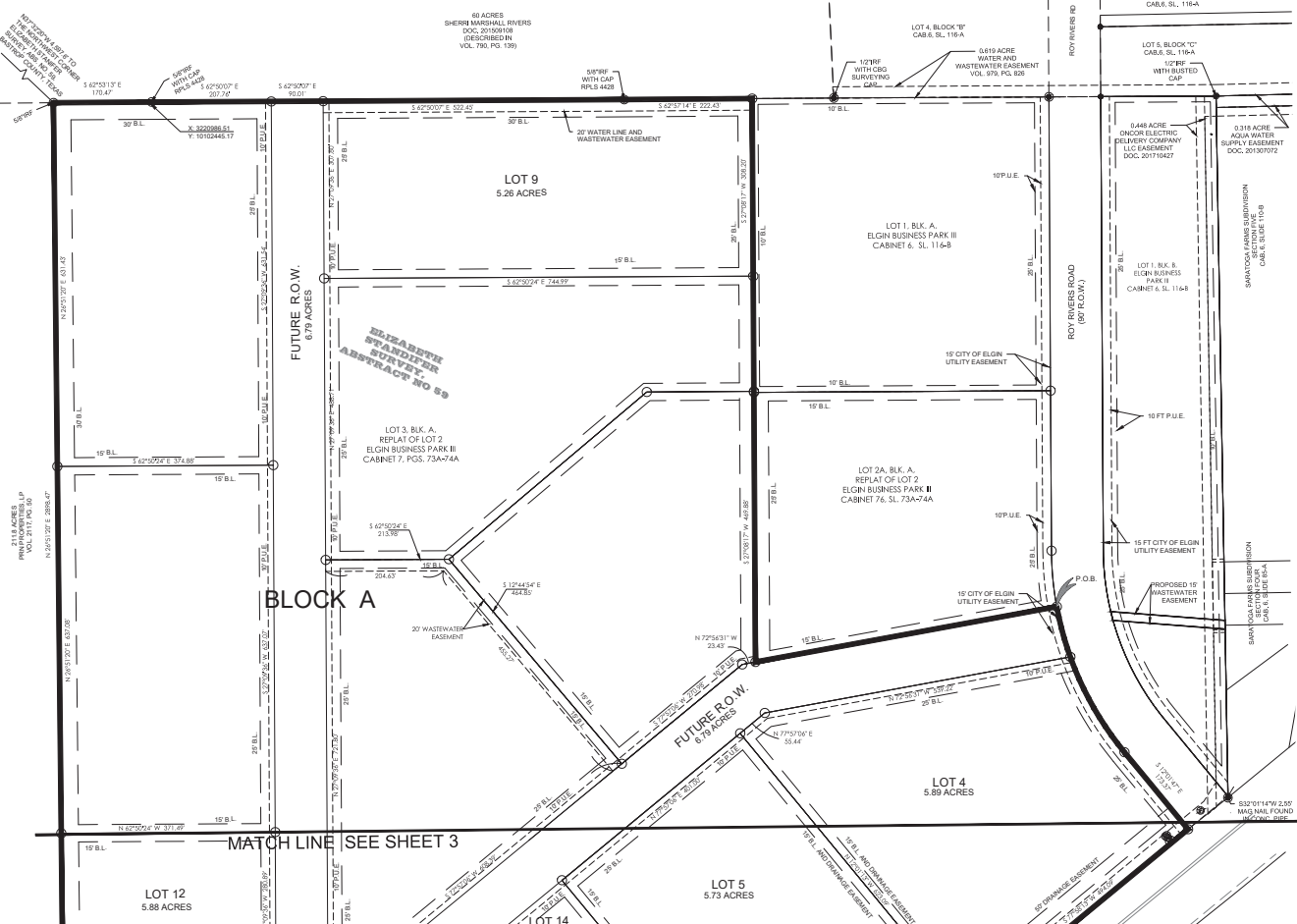


4777 FM 311, P.O. BOX 862 T.B.P.S. FIRM#10044200
SPRING BRANCH, TEXAS 78070
PHONE (830) 228-5788 FAX (830) 886-2170
JOB #: 21TRC001 DATE: SEPTEMBER 26, 2021 SHEET 1 OF 4

PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



0 50 100 200
SCALE (FEET)
1" = 100'



MATCH LINE SEE SHEET 3

REVISION	DATE

LEGEND

- 6" DIAMETER IRON PINE COGARD
- 6" DIAMETER COUPLES SET WITH YELLOW CAP STAMPED SHERWOOD SURVEYING
- BUILDING SETBACK LINE
- EASEMENT
- P.O.B. POINT OF BEGINNING
- P.U.E. PUBLIC UTILITY EASEMENT
- W.W.E. WASTEWATER EASEMENT
- C.W.P. CORRUGATED METAL PIPE
- RIGHT-OF-WAY
- LOT LINES
- SURVEY LINE
- CENTERLINE OF RIGHT-OF-WAY
- EASEMENT LINES
- PROPOSED WASTEWATER LINE
- PROPOSED WATER LINE
- PROPOSED STORM DRAIN

LINE TABLE

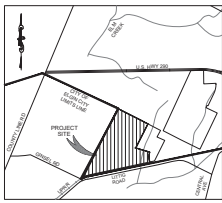
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C-1	154.51	90.01	98°21'27"	N 87°39'49" E	136.23
C-2	30.74	45.00	39°07'39"	N 89°21'05" E	30.14
C-3	30.74	45.00	39°07'39"	S 44°25'19" W	30.14
C-4	170.93	90.01	108°48'46"	S 11°34'53" W	146.38
C-5	56.38	25.00	129°12'30"	N 37°26'39" W	45.17



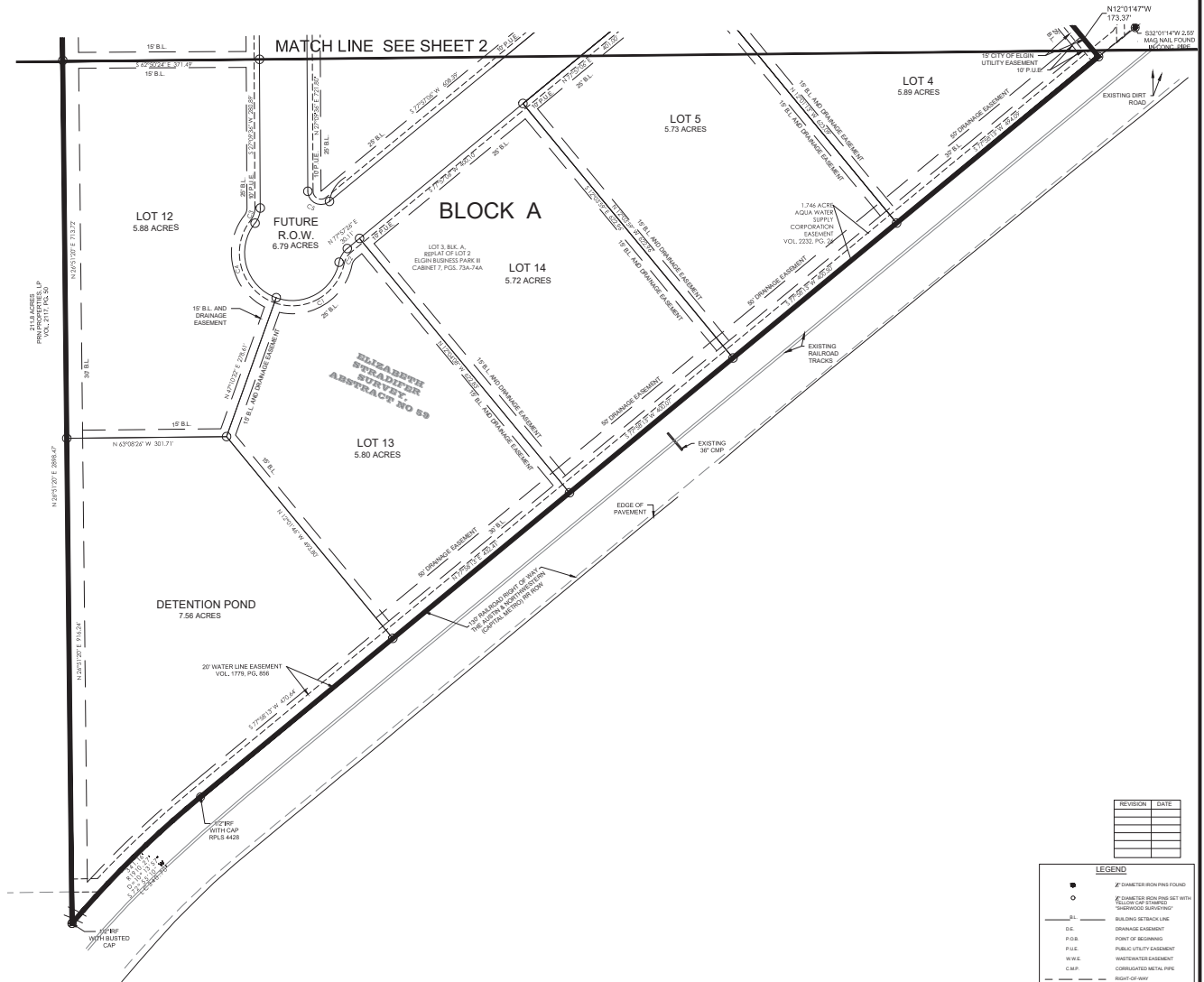
505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX
78752 T.B.P.E. FIRM REGISTRATION # F-8632
(512) 329 - 6086



JOB #: 21TRC001 DATE: SEPTEMBER 26, 2021 SHEET 2 OF 4



PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



REVISION	DATE

LEGEND	
●	1/2" DIAMETER IRON PILING FOUND
○	1/2" DIAMETER IRON PILING SET WITH YELLOW CAP STAMPED 'THERMOCO SURVEYING'
---	BUILDING SETBACK LINE
D.E.	DRAINAGE EASEMENT
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
W.W.E.	WASTEWATER EASEMENT
C.W.P.	CORRODED METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINES
---	BOUNDARY LINE
---	CENTERLINE OF RIGHT-OF-WAY
---	EASEMENT LINES
---	PROPOSED WASTEWATER LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN

LINE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	154.51	90.01	98°21'22"	N 87°59'49" E
C2	30.74	45.00	39°07'59"	N 80°23'05" E
C3	30.74	45.00	39°07'59"	S 46°23'19" W
C4	170.93	90.01	108°48'46"	S 11°34'55" W
C5	56.38	25.00	129°12'30"	N 37°26'39" W

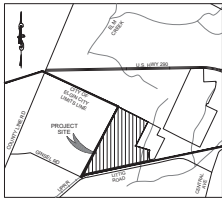


505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX
78752 T.B.P.E. FIRM REGISTRATION # F-8632
(512) 559 - 6080

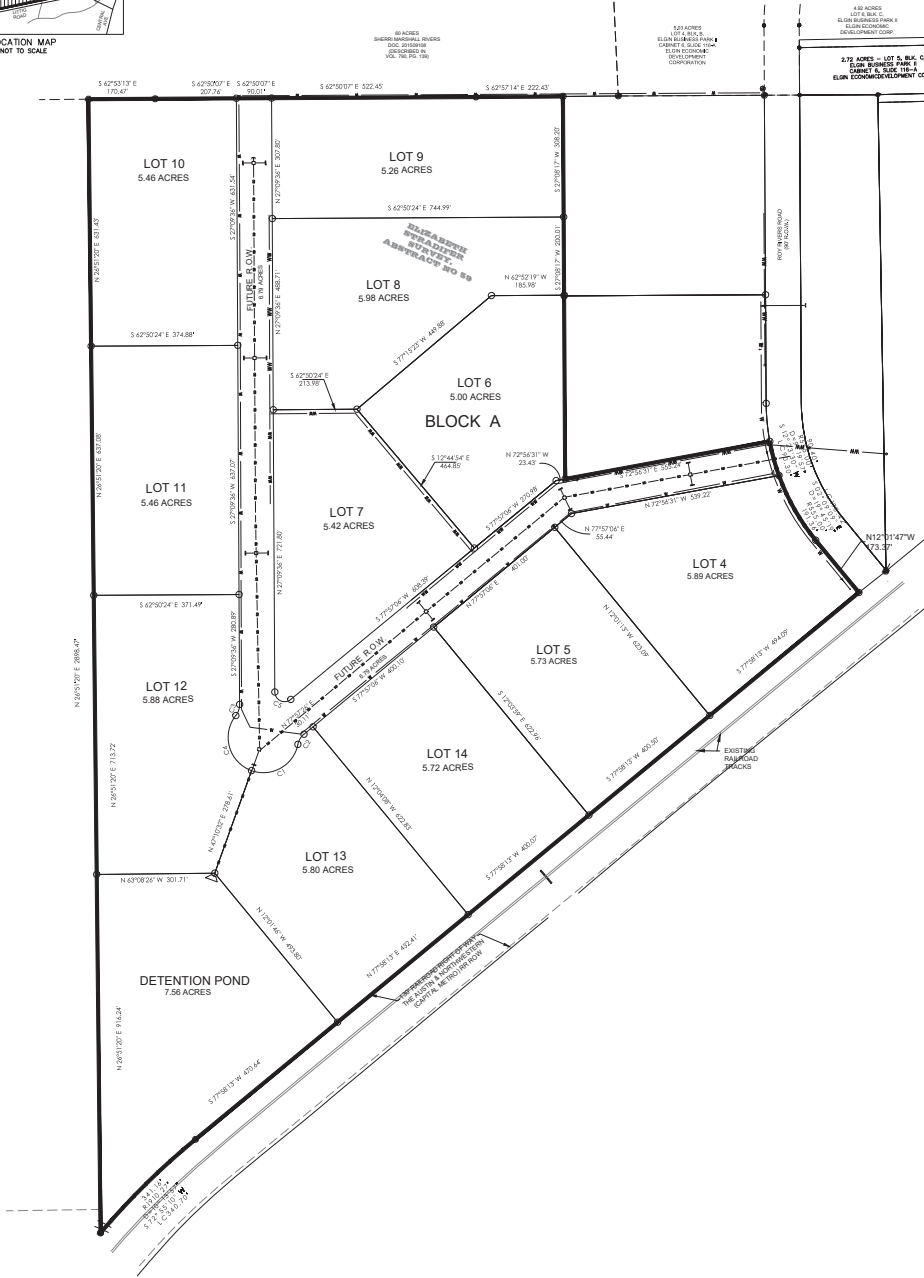


8477 FM 311, P.O. BOX 682, TIPSIS SPRING, TEXAS 78070
SPRING BRANCH, TEXAS 78070
PHONE (830) 228-5788 FAX (830) 888-2170

JOB #: 21TRC001 DATE: SEPTEMBER 26, 2021 SHEET 3 OF 4



PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III



REVISION	DATE

LEGEND	
●	1/2" DIAMETER IRON PILING FOUND
○	1/2" DIAMETER IRON PILING SET WITH YELLOW CAP STAMPED SHERWOOD SURVEYING
---	BUILDING SETBACK LINE
D.C.	DRAINAGE EASEMENT
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
W.W.E.	WASTEWATER EASEMENT
C.W.P.	CORROGATED METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINES
---	BOUNDARY LINE
---	CENTERLINE OF RIGHT-OF-WAY
---	EASEMENT LINES
---	PROPOSED WASTEWATER LINE
---	PROPOSED WATER LINE
---	PROPOSED STORM DRAIN

LINE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	154.51	90.01	98°21'22"	N 87°59'49" E
C2	30.74	45.00	39°02'59"	N 08°20'03" E
C3	30.74	45.00	39°07'59"	S 46°22'19" W
C4	170.93	90.01	108°48'46"	S 11°34'55" W
C5	56.38	25.00	129°12'30"	N 37°26'39" W



505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX 78752 T.B.P.E. FIRM REGISTRATION # F-8632 (512) 559 - 6080

SHERWOOD SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
8477 FM 311, P.O. BOX 082, TIGER, TX 75781
SPRING BRANCH, TEXAS 78070
PHONE (830) 228-5788 FAX (830) 888-2170

Attachment 3
Proposed Final Plat



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

November 1, 2021

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

RE: Elgin Business Park III – Phase III Final Plat Review

Dear Mr. Harrell:

A review has been conducted for the following documents listed below submitted on October 19, 2021 by TRC Engineers, Inc (TRC):

1. Final Plat dated September 29, 2021.
2. Other supporting documents submitted with the final plat: Agent Authorization Letter, Final Plat Application signed, title commitment and deed.

The review finds that these documents have been prepared in general conformance with the City of Elgin's Code of Ordinances and the Elgin Business Park III Development Standards.

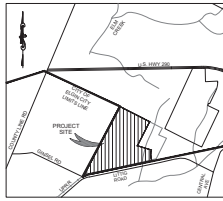
The City of Elgin must rely on the adequacy of the Registered Professional Land Surveyor and Design Engineer that prepared the documents and all responsibility for the survey and submitted documents shall remain with the Registered Professional Land Surveyor and Design Engineer.

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



LOCATION MAP
NOT TO SCALE

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS THAT OWEN ROCK, DIRECTOR OF ECONOMIC DEVELOPMENT, BEING OWNER OF THAT CERTAIN 75.95 ACRES TRACT OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59, LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, SAME BEING ALL OF LOT 3, BLOCK "A", REPLAT OF LOT 2, BLOCK A, ELGIN BUSINESS PARK III, SUBDIVISION OF RECORD IN CABINET 7, SLIDES 73A-74A OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 75.95 ACRES OF LAND, IN ACCORDANCE WITH THE MAP OF PLAT, TO BE KNOWN AS FINAL PLAT OF ELGIN BUSINESS PARK III PHASE III.

AND DOES HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

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

OWEN ROCK
DIRECTOR OF ECONOMIC DEVELOPMENT
310 N. MAIN ST.
ELGIN, TEXAS 78021

STATE OF TEXAS
COUNTY OF BASTROP

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGES TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

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

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

THIS FINAL PLAT WAS APPROVED BY THE CITY OF ELGIN PLANNING AND ZONING COMMISSION ON THIS _____ DAY OF _____, 20____, A.D.
PLANNING AND ZONING COMMISSION, CITY OF ELGIN, TEXAS

CITY CLERK _____ SECRETARY _____

STATE OF TEXAS
COUNTY OF BASTROP

1. **BOOK DESCRIPTION** CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK _____ M. AND ONLY RECORDED ON THE _____ DAY OF _____, 20____, A.D., AT _____ O'CLOCK _____ M. IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____.

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

_____, COUNTY CLERK, BASTROP COUNTY, TEXAS

BY DEPUTY _____, CLERK OF BASTROP COUNTY, TEXAS

BY DEPUTY _____, CLERK OF BASTROP COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BASTROP

KNOW ALL MEN BY THESE PRESENTS THAT I, MELISSA T. HINTON, REGISTERED PROFESSIONAL LAND SURVEYOR #6521, SHERWOOD SURVEYING & S.U.E., LLC, P.O. BOX 862, SPRING BRANCH, TEXAS 78070, DO HEREBY CERTIFY THAT I PREPARED THIS FINAL PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PLACED BY ME OR BY PERSONS UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS.

SURVEYED BY _____ DATE _____

MELISSA T. HINTON
REGISTERED PROFESSIONAL LAND SURVEYOR #6521
SHERWOOD SURVEYING & S.U.E., LLC
P.O. BOX 862
SPRING BRANCH, TEXAS 78070

STATE OF TEXAS
COUNTY OF BASTROP

DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS FINAL PLAT CONFORMS WITH THE SUBDIVISION REGULATIONS AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF ELGIN, TEXAS.

ENGINEERED BY _____ DATE _____

DEREK KLENKE, P.E.
TDC ENGINEERS, INC.
505 E. HUNT LAND BLVD., SUITE 250
AUSTIN, TEXAS 78752

NOTES:

1. SIDEWALKS 6' IN WIDTH ARE REQUIRED ALONG BOTH SIDES OF ROY RIVERS RD.

2. BUILDING SETBACK DISTANCES ARE IN ACCORDANCE WITH THOSE SPECIFIED IN THE ELGIN BUSINESS PARK DEVELOPMENT STANDARDS. SEE SECTION 4.2.1 SETBACK YARDS.

3. A 10' PLU.E. IS HEREBY DEDICATED ADJACENT TO A 15' CITY OF ELGIN UTILITY EASEMENT AND PARALLEL WITH ALL THE STREETS IN THIS SUBDIVISION.

4. THE FINAL PLAT OF ELGIN BUSINESS PARK III PHASE III CONFORMS TO THE CITY OF ELGIN CODE OF ORDINANCES AND THE ELGIN BUSINESS PARK III DEVELOPMENT STANDARDS.

5. THE FINAL PLAT OF ELGIN BUSINESS PARK III PHASE III CONFORMS TO THE APPROVED PRELIMINARY PLAT OF ELGIN BUSINESS PARK III PHASE III.

6. FLOOD PLAIN NOTE: NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION RATE MAP NO. 4802C 0075 E, FOR BASTROP COUNTY TEXAS, DATED JANUARY 19, 2006.

7. DETENTION POND: 7.56 AC.

8. TOTAL: 75.95 AC.

9. LOT 1: 5.88 AC.

10. LOT 2: 5.73 AC.

11. LOT 3: 5.90 AC.

12. LOT 4: 5.88 AC.

13. LOT 5: 5.88 AC.

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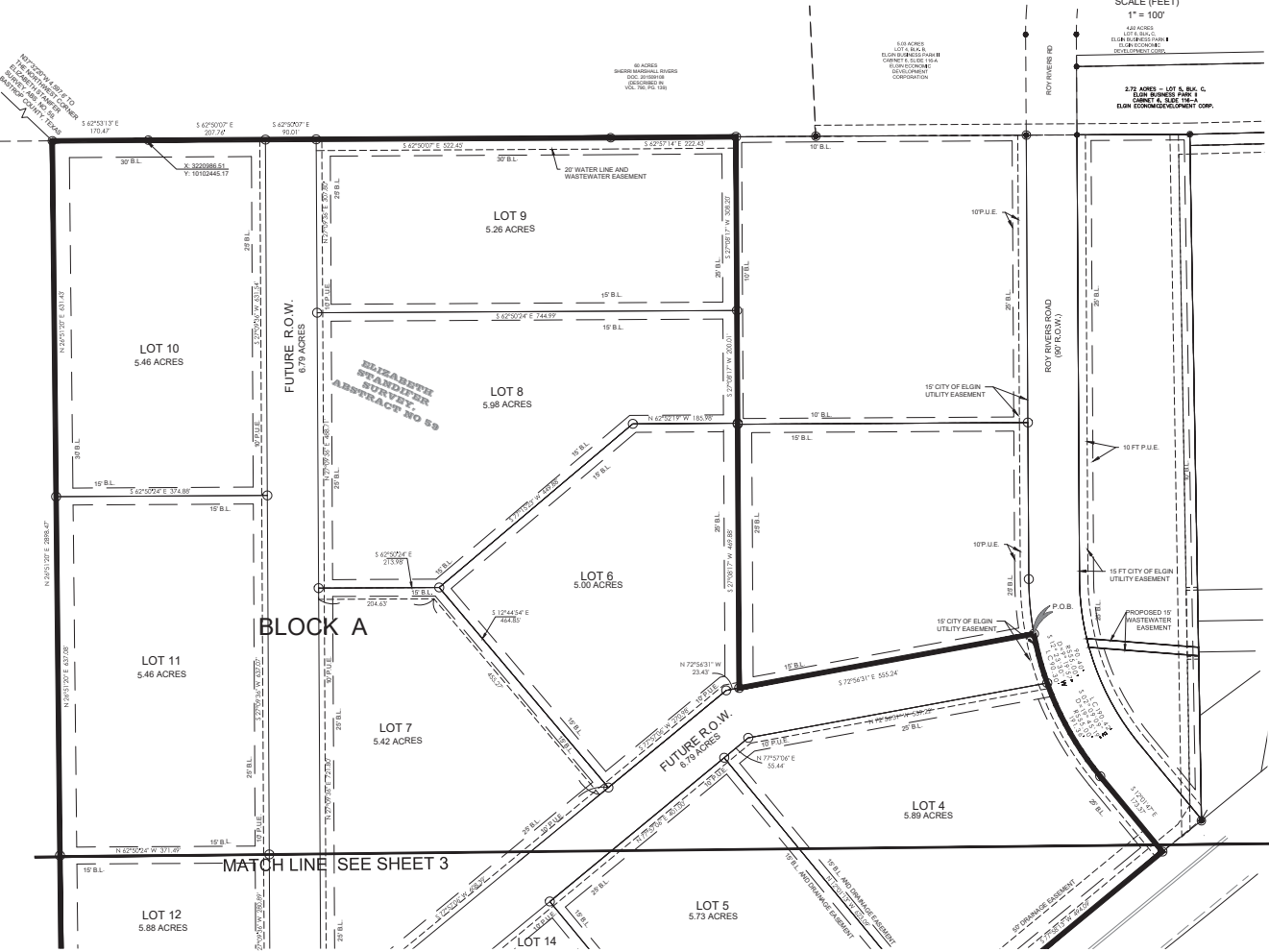
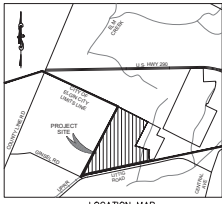
202. LOT 194: 5.88 AC.

203. LOT 195: 5.88 AC.

204. LOT 196: 5.88 AC.

205. LOT 197: 5.88 AC.

FINAL PLAT OF ELGIN BUSINESS PARK III PHASE III



REVISION	DATE

LEGEND	
●	8" DIAMETER IRON PINE COGARD
○	8" DIAMETER COUGARD SET WITH YELLOW CAP STAMPED SHERWOOD SURVEYING
---	BUILDING SETBACK LINE
---	EASEMENT
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
W.W.E.	WASTEWATER EASEMENT
C.W.P.	CORROGATED METAL PIPE
---	RIGHT-OF-WAY
---	LOT LINES
---	BOUNDARY LINE
---	CENTRAL LINE OF RIGHT-OF-WAY
---	EASEMENT LINES

LINE TABLE				
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	154.51	90.01	98°21'22"	N 87°59'49" E
C2	30.74	45.00	39°07'39"	N 89°21'05" E
C3	30.74	45.00	39°07'39"	S 46°25'19" W
C4	170.93	90.01	108°48'46"	S 11°34'53" W
C5	56.38	25.00	129°12'30"	N 37°26'39" W



505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX 78752 T.B.P.E. FIRM REGISTRATION # F-8632 (512) 329 - 6086



SHERWOOD SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
8477 FM 511, P.O. BOX 862, TSPS FIRM#1044250
SPRING BRANCH, TEXAS 78070
PHONE (832) 228-9788 FAX (832) 885-2170

JOB #: 21TRC01

DATE: SEPTEMBER 26, 2021

SHEET 2 OF 3



**SHERWOOD
SURVEYING & S.U.E.**
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
6477 FM 311, P.O. BOX 992 TELPLS FIRM#10044200
SPRING BRANCH, TEXAS 78070
PHONE (830) 228-5788 FAX (830) 885-2170



November 8, 2021

Planning & Zoning Commission:

RE: Election of Chair and Vice-Chair for 2022.

This is for the election of officers for 2022. All that needs to be done is the item opened by the Chair and nominations can begin. Nominations do not need a second and can just be voted upon once they are made, if desired by the Commission. It is up to that person to decide if they wish to serve in the position after the voting. If not, another nomination must be made and the same format followed in each instance.



Development Services Department

STAFF REPORT

Addition of Ch. 48, City Code regarding Site Development.

Date: November 8, 2021

Hearing Dates: Planning & Zoning Commission – November 22, 2021
City Council – November 16, 2021

REQUEST SUMMARY

City Staff is requesting a new addition to the City Code. This will address site development of lots that are all other uses other than single family and two-family lots. (i.e., development of a large site that are manufactured home, multi-family, commercial, or industrial in nature). Most Texas cities have a separate Code that deals with this type of development; however, we are lacking these standards. As the City continues to develop single family residential subdivisions, there will be more sites that will develop as commercial and industrial. These proposed regulations provide base regulations regarding regulatory authority, application processes, timeframes, and development standards for this new commercial and industrial development.

Most of the regulations within the proposed Site Development Code were pulled from Chapter 36, Subdivision Regulations. Site Development and Subdivision standards are mostly similar concerning base regulations. The language, although pulled from the Subdivision Code, has been changed to reflect a Site Development standard. Anything highlighted in yellow is reflective of newly written Code that was not pulled from the Subdivision Regulations.

ATTACHMENT(S)

Additional information is provided through attached exhibit(s).

1. Proposed Ordinance with Exhibit “A”.

ORDINANCE NO. 2021-12-07-??

AN ORDINANCE ADDING CHAPTER 48 SITE DEVELOPMENT, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS 2013 REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to add certain regulations regarding site development; and

WHEREAS, City staff has determined that the proposed amendments provide consistency with other sections of the Code; and

WHEREAS, City staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

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

I.

That Chapter 48, Revised Code of Ordinances, City of Elgin, Texas, is hereby added as shown in Exhibit “A”.

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 (1st) reading this the 7th day of December 2021.

Ron M. Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary

EXHIBIT “A”

CHAPTER 48 – SITE DEVELOPMENTS

ARTICLE I. – IN GENERAL

Sec. 48-1. – Authority.

- (a) This Article is adopted under the authority of the state Constitution and laws and any other authority provided by law, or as such statutes may be amended.
- (b) Regulation of the development of the land and the attachment of reasonable conditions to development of the land is an exercise of valid police power delegated by the state to the city.

Sec. 48-2. – Purpose and Intent.

- (a) The purpose of these regulations is to provide for orderly, safe, and healthful development to promote the health, safety, and general welfare of the community.
- (b) The system of improvements on a site, water and wastewater services, other utilities, drainage, public facilities, and community amenities determines in large measure the quality of life enjoyed by the residents of the community. Health, safety, economy, amenities, environmental sensitivity, and convenience are all factors which influence and determine a community's quality of life and character. A community's quality of life is of public interest. Consequently, the development of land, as it affects a community's quality of life, is an activity whose regulation is a valid function of municipal government.
- (c) These regulations are designed and intended to achieve the following purposes, and shall be administered to:
 - (1) To establish rules and procedures for the orderly planning and development of commercial sites and residential sites involving more than two (2) dwelling units in a building;
 - (2) To provide for a permit separate and distinct from the building permit so that site issues such as drainage, landscaping, lighting, traffic control, driveways, streets, access, utilities, and internal circulation may be resolved;
 - (3) Harmoniously relate the development of the various sites to the existing community and facilitate the future development of adjoining tracts;
 - (4) Provide that the cost of improvements to minimum standards which primarily benefit the tract of land being developed be borne by the owner or developers of the tract, and that the cost of improvements to minimum standards which primarily benefit the whole community be borne by the whole community;
 - (5) Provide the most attractive relationship between the land as developed and the circulation of traffic throughout the site and area, having regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the proposed development, and to provide for the proper location and width of streets, driveways, and building lines;

EXHIBIT “A”

- (6) Prevent pollution of the air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard both surface and groundwater supplies; and to encourage the wise use and management of natural resources throughout the municipality to preserve the integrity, stability, and beauty of the community and the value of the land;
 - (7) Preserve the natural beauty and topography of the municipality and ensure appropriate development regarding these natural features;
 - (8) Establish adequate and accurate records of land development;
 - (9) Ensure that public or private facilities are available and will have a sufficient capacity to serve proposed development;
 - (10) Standardize the procedure and requirements for developing property and submitting plans for review and approval;
 - (11) Protect and provide for the public health, safety and general welfare of the community;
 - (12) Protect the character and the social and economic stability of all parts of the community and encourage the orderly and beneficial development of all parts of the community;
 - (13) Protect and conserve the value of land throughout the community and the value of buildings and improvements upon the land;
 - (14) Guide public and private policy and action in providing adequate and efficient transportation systems, public utilities, and other public amenities and facilities;
 - (15) Encourage the development of a stable, prospering economic environment; and
 - (16) To provide city staff with procedures for the review and approval of site development.
- (e) Site development should be of a quality to carry out the purpose and spirit of the policies expressed in the Comprehensive Plan and in this Ordinance.

Sec. 48-3. – Jurisdiction.

- (a) All land located within the corporate limits of the city.
- (b) Within the extraterritorial jurisdiction as permitted by State law or which has been approved by the Council through an agreement not prohibited by State law.

Sec. 48-4. – Definitions.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning. Words not defined in this Section shall have the meaning prescribed in Merriam Webster's Collegiate Dictionary, Eleventh (11th) Edition. Words used in the present tense include the future tense. Words used in the plural number include the singular, and words in the singular include the plural. The word “shall” is always mandatory. The word “may” is optional. The word “herein” means in this Ordinance. The word “regulations” means the provisions of any applicable ordinance, rule, regulation, or policy. The word “person” means any human being or legal entity

EXHIBIT “A”

and includes a corporation, a partnership, and an incorporated or unincorporated association. The words “used or occupied” as applied to any land or building shall be construed to include the words intended, arranged, or designed to be used or occupied.

Abutting: Adjacent; joining at a boundary.

Access: Means a way of approaching or entering a property.

Administrator: See *Site Development Administrator*.

Alley: Means a minor right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

Applicant: Means a person applying for application approval under this Chapter.

As-builts: Means a set of certified construction plans specifying how the public improvements required for the site development application were constructed. These must be sealed by a professional engineer registered in this State.

Building: Means any structure intended for shelter, housing or enclosure for persons, animals, or chattel.

Building official: The person or entity designated by the city or appointed to perform the duties and responsibilities set forth in Chapter 6, City Code.

Building permit: Means a permit issued by the City which is required prior to commencing construction, “finish-out,” or reconstruction or modification of a structure.

Building setback line: A line beyond which a building must be set back from the property line in accordance with the zoning code.

Buffer zone: Means a vegetated area adjacent to a creek, river, or natural drainageway.

Business days: The number of City working days specified, excluding Saturday, Sunday, a legal City holiday, and days where the City Hall has been ordered closed by the City Manager, Mayor, or City Council.

Calendar days: The number of days specified in a yearly calendar, unless the last day falls on Saturday, Sunday, legal City holiday, or days where the City Hall has been ordered closed by the City Manager, Mayor, or City Council.

Caliper: Means the diameter of a tree measured at diameter breast height (dbh).

Certificate of completion: Documentation provided by the applicant’s State licensed engineer certifying the development has been built in accordance with the approved as-builts plans.

Certificate of occupancy: A written certificate issued by the building official authorizing use and occupancy of a structure upon the satisfactory completion of any work or operations authorized by the city’s building permit or other permit or same in occupancy.

City: Means the City of Elgin, Texas.

City limits: See *Corporate Limits*

EXHIBIT “A”

City engineer: Means a duly qualified and licensed engineer under the provisions of the Texas Engineering Registration Act hired by the city to plan review and inspect items within the Chapter. In the event the city does not have an engineer, his duties herein shall be performed by the Administrator with recommendations of consulting engineers as needed.

Comprehensive plan: Means the overall development plan for the community which has been officially adopted by Council and updated from time to time to provide long-range development policies including all specified individual elements thereof.

(City) construction standards: Means a library of City-approved drawings and technical data representing typical drainage, transportation, erosion and sedimentation control, utility appurtenances, and other items to be constructed for City approval within a development.

Contiguous: Means adjacent property whose property lines are shared or are separated by only an access strip, street, alley, easement, or right-of-way.

Corporate limits: Means within the incorporated boundaries of the City.

Council: The City Council of the City.

County: Means, with respect to land located in Bastrop County, Bastrop County, Texas; and, with respect to land located within Travis County, Travis County, Texas; and, with respect to land located within Williamson County, Williamson County, Texas.

Dedication: Means the grant of an interest in property for public use.

Design storm: Means a probable rainfall event the frequency of which is specified in periods of years and which is used to design drainage facilities and determine flood elevations.

Department: Shall mean the City Development Services Department.

Developer: An individual, partnership, corporation, or governmental entity undertaking the improvement of land and other activities covered by this Article.

Development: Any manmade change in improved and unimproved real estate, including but not limited to buildings, utilities, access, roads or other structures, mining, dredging, filling, grading, clearing or removing vegetation, paving, deposit of refuse, deposit of waste, deposit of fill, or excavation for the purpose of constructing permanent structures on the real estate; development does not include lawn and yard care, including mowing of tall weeds and grass, gardening, tree care and maintenance, removal of trees or other vegetation damaged by natural forces, and ranching and farming shall not constitute development. Utility, drainage, and street repair, and any construction maintenance and installation which does not require land disturbance or result in additional impervious cover shall also not constitute development.

Development agreement: A voluntary contract between the City and a person who owns or controls property, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property.

Development density: Means the number of dwelling units per acre.

Development review committee (DRC): It is comprised of City staff members representing the various City departments and approved City third-party entities involved in the review and approval process for items in this Chapter.

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Diameter breast height (DBH): the area where a tree is at four and one-half (4½) feet above ground level; measurements shall be taken in inches. If the tree is a single trunk it is measured at DBH. If the tree splits into multiple trunks at DBH, each trunk is measured at the DBH for an amalgamated total. Any fractional numbers shall be dropped from the measurement.

Director (as denoted within the parkland standards): The Parks and Recreation Director

Drive aisle: a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls and/or move between developments.

Driveway: means any vehicular driving surface connecting a drive approach.

Driveway Approach: means a paved surface connecting the street to a front lot line.

Dwelling, single family: Means a detached or attached dwelling unit designed to be occupied by one family on one (1) lot, this definition shall include townhomes and patio homes. This definition shall not include condominiums.

Dwelling, two-family: Means attached dwelling units in one (1) building designed to be occupied by two (2) families living independently of each other on one (1) lot.

Dwelling, multiple family: Means three (3) or more attached dwelling units in one (1) building designed to be occupied by three (3) or more families living independently of each other on one (1) lot.

Dwelling unit: A unit providing complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement: A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, corporation, or another person or entity.

Engineer: A person duly authorized under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended, to practice the profession of engineering

Environment: Means the aggregate of social and physical conditions that influence the life of the individual and/or community.

Extraterritorial jurisdiction (ETJ): Means territory outside the corporate limits which is within the extraterritorial jurisdiction of the City as defined by State Statute, or which is subject to the City's authority due to an agreement with another municipality or property owner.

Fence: A physical barrier or enclosure consisting of wood, stone, brick, block, wire, metal, or similar material used as a boundary or means of protection or confinement, but not including a hedge or other vegetation

Filing date: Means the date that site development application is determined to be complete and are accepted for review by the City.

Frontage: Means the width of a lot or parcel abutting a public right-of-way measured at the property line.

Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.

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Floodplain: Means channel of a waterway and the adjacent land area subject to inundation during the design storm.

Grade: Means the slope of a road, street, other public way or utility line specified in terms of percent (%); the topographic relief of a parcel of land; the average elevation at ground level of the buildable area of a lot or parcel of land.

Grading: Means any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition.

Hardscape: The nonliving elements used in landscape, i.e., decorative walls, ledges, fountains, sculpture, stone paths.

Holding costs (as denoted in the parkland standards): Means all costs incidental to the respective tract of land borne by the respective landowner.

Improvements: Means any street, driveway, parking lot, alley, roadway, barricade, sidewalk, bikeway, pedestrian way, utilities, storm drainage network, parkland, landscaping, or other facility or portion thereof for which people will use and/or is necessary for the operation of the development.

Impervious cover: Means construction limiting the absorption of water by covering the natural land surface; this shall include, but not be limited to, all streets and pavement within the development.

Irrigation specialist: Means a duly qualified and licensed irrigation specialist under the provisions of State law who designs and maintains irrigation systems for vegetative environments.

Landscaping: Consists primarily of existing and introduced vegetation, as well as other related improvements to a lot including, but not limited to, forming and berming, irrigation systems, hardscape, landscape subsurface drainage systems, site furnishings, and nonstructural retaining walls.

Landscape architect: Means a duly qualified and licensed landscape architect under the provisions of State law who designs and maintains outdoor vegetative environments.

Living unit equivalent (LUE): An LUE is the typical flow that would be produced by a single-family residence.

Lot: A parcel of real property shown as a distinct and separate parcel on a plat, record of survey, parcel map, or subdivision map recorded in the office of the County Clerk; or a parcel of real property exempted from the requirement to plat under zoning or subdivision regulations.

Lot line: A line of record bounding a lot which divides one (1) lot from another lot or from a public or private street, right-of-way, or any other public space.

Major site development application: See *Site development application, major*.

Minor site development application: See *Site development application, minor*.

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Mixed Use: Means development on a lot consisting of both residential and non-residential uses together. This term does not differentiate between vertical mixed uses in a building or horizontal mixed uses on a lot.

Non-residential: All development not meeting the definitions of Dwelling, single family; Dwelling, two-family, or Dwelling, multiple family in this Section.

Official county records: Means, with respect to land located in Bastrop County, the Official Records of Bastrop County, Texas; and, with respect to land located within Travis County, the Official Records of Travis County, Texas; and, with respect to land located within Williamson County, the Official Records of Williamson County, Texas.

Off-site improvements: Means any required improvement which lies outside of the property being developed.

One hundred (100) year floodplain: Means that flood which has a probability of occurring once in a one hundred (100) year period or a one percent (1%) chance in any given year.

Patio home: A single-family dwelling on a separate lot with open space setbacks on three sides and a zero-lot line on one side.

Person: Any individual, association, firm, corporation, governmental agency, political subdivision, or other legal entity.

Plat: A map representing a tract of land, showing the boundaries and location of individual properties and streets in accordance with Chapter 212, Texas Local Government Code (TLGC), as amended.

Platted: See *Plat*.

Pre-construction meeting: A meeting between a developer, a developer's representatives, and the City held after approval of the construction plans for the purposes of exchanging information and identifying potential problems with the schedule and process of a proposed development.

Reciprocal access: Refers to connectivity between contiguous nonresidential or multifamily properties to allow for the connection of or access to drive lanes, fire lanes, driveways, or parking lots between such properties.

Residential: Refers to a lot where only *dwelling, multiple units* exist on the lot.

Retaining wall: A retaining wall is a structure that holds or retains soil behind it.

Site development administrator: The City Manager or the person designated by the City Manager to administer the regulations and provisions of this Chapter.

Site development application: Means the application, and any applicable drawings, plans, and specifications indicating the proposed location and design of improvements to be installed as site improvements. They shall be sealed by a professional engineer, landscape architect, or other professional, as necessary.

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Site development application, major: Project not meeting the definition of *Site development application, minor*.

Site development application, minor: Projects subject to this application which meet the following standards:

- (a) Development that does not significantly affect runoff quantities and drainage patterns to the satisfaction of the City Engineer, or
- (b) Does not relocate buildings by more than 25 horizontal feet, or
- (c) Does not add more than 1,000 square feet of impervious coverage, or
- (d) Construction of a fence or retaining wall that may obstruct or change the flow of water, or
- (e) Installation and modification of utilities and their associated facilities when this is the only proposed improvement(s), or
- (f) Installation and modification of landscaping plan or irrigation plan and their associated facilities when this is the only proposed improvement(s), or.
- (g) Relocation of any approved building square footages or parking areas due to the exercise of the power of eminent domain by the City.
- (h) Any error of measurements, acreage, dimensions, or other similar situation.
- (i) Any other minor site activity like those listed above as approved by the Administrator.

State: Means the State of Texas.

State Health Department: Means the Texas State Department of Health.

Street: Means any public or private right-of-way which affords the primary means of vehicular access to abutting property.

Street, arterial: Primarily provides circulation which continues, or is intended to continue, across the city and which serves to connect remote parts of the city and other municipalities. These may also be a principal connecting street with State or federal highways. These may be further sub-classified into major and minor.

Street, collector: Primarily provides circulation within neighborhoods, to carry traffic from local streets to arterial streets, or to carry traffic through or adjacent to commercial or industrial areas. These may be further sub-classified into major and minor.

Street, local: Primarily provides for access to abutting residential property. A local street does not include roadways that carry through traffic, but will generally be intersected frequently by *Street, collectors*.

Street, width: That distance within street right-of-way (ROW).

Structure: Means anything constructed or erected, the use of which requires location on the ground or which is attached to something having a location on the ground.

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Surveyor: A licensed State Land Surveyor or a Registered Public Surveyor, as authorized by State statute to practice the profession of surveying.

Townhome: A single-family attached dwelling with three (3) to no more than six (6) units, with each single unit extending from the ground to the roof and with each unit having individual outside access.

Traffic impact analysis (TIA): A study that provides information on the projected traffic generated by a proposed development, assesses the effect of the proposed development on a roadway(s) near the development, identifies a potential traffic operational problem(s) or concern(s) and recommends solutions/actions to address the problems/concerns and assesses the potential vehicular trips generated by other undeveloped sites in the established study boundary. These shall incorporate approvals from the necessary jurisdictions of connecting roadways (i.e. private roadway owner, City, neighboring City as applicable, County and State).

Tree: means any self-supporting woody plant species.

Tree, dripline: A point on the ground where water will drip off the widest-reaching branches of a tree.

Tree, heritage: Native tree(s), as defined by Texas A&M Forest Service, which are a minimum of twenty (20) caliper inches and greater. This shall not include any noxious or invasive species as defined by the State or any non-native species.

Tree, protection zone: A zone established around a tree whereby no construction, trimming, or fill activity can occur. This zone is a measurement from the diameter breast height of a tree trunk to the furthest drip line which forms a concentric circle around the tree based on this measurement (i.e. the furthest measurement from a trunk to drip line is twenty-five (25) feet, therefore a twenty-five (25) foot concentric circle from the trunk will be shown).

Tree, significant: Native tree(s), as defined by Texas A&M Forest Service, which are a minimum of ten (10) caliper inches to a maximum of nineteen (19) caliper inches. This shall not include any noxious or invasive species as defined by the State or any non-native species.

Tree, survey: means a scaled drawing accurately showing the location, caliper, and tree protection zone of trees in relation to the property boundaries.

Sec. 48-5 – Fees.

- (a) *Fees mandatory.* Fees shall be collected by the City at the time of the filing of an application and throughout the application process as described in this Article. No action shall be valid until such fees are paid.
- (b) *Refunding of fees.* No filing fees shall be refunded because any application is later withdrawn or disapproved. This shall not apply to any sidewalk-in-lieu fees or other similar fees.
- (c) The fees to be charged shall be established in the City's fee ordinance.

ARTICLE II. – APPLICATION STANDARDS

Sec. 48-6 – Application of Chapter.

EXHIBIT “A”

- (a) *Compliance required.* Any person who develops or causes to be developed a lot shall comply with this Chapter, unless otherwise exempted.
- (b) *Conflict of code provisions within Chapter.* If any provision of this Chapter conflicts with any other provision in this Chapter or any other provision in the code of ordinances, the most strict or restrictive provision shall apply. If a provision in this Chapter is not more restrictive but is different from any provision in this Chapter or the code of ordinances, the Administrator shall determine what provision should be followed.
- (c) *Conflict of code provisions with private restrictions.* This Chapter is not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.
- (d) *No approval of site development plan unless lot has been platted; exemptions.* A property must either be platted or exempt from platting before a site development plan shall be approved by the City.
- (e) *Lot to be developed in accordance with approved plan.* A lot for which a site development plan has been approved shall be developed in compliance with the approved site development plan.
- (f) *No issuance of building permits unless site development plans approved.* No building permit shall be issued for the construction of any building on a lot, unless site development plans have been approved by the City on that same lot.
- (g) *No issuance of a certificate of occupancy unless as-builts approved.* No Certificate of Occupancy for a building permit shall be issued unless as-builts are approved by the City and appropriate non-City entities.
- (h) *Site construction before site development plan approval prohibited, certain exceptions.* No construction shall take place before the site development plan has been approved by the City. In certain circumstances the City may approve early land clearing and grading associated with the project independent from the full approval at the City's discretion. The applicant assumes full risk associated with this early approval.
- (i) *Invalidation clause from court of competent jurisdiction.* If any provision of this chapter or the application of any provision to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Sec. 48-7. – Exceptions.

- (a) *Certain Land Uses.* Any lot in which development consists of a dwelling single family, or dwelling two family, or an accessory building to any such structure.
- (b) *Alteration or finish out of buildings in certain circumstances.* Alteration or finish-out of an existing building when the alteration or finish-out does not increase the square footage of the building or change the building footprint if the following applies:

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- (1) The use does not change, or if the use changes, the new use does not require more parking than is currently existing on the lot and no additional parking spaces, aisles or driveways are proposed; and
 - (2) The alteration, finish-out or change of use follows all applicable codes and regulations of the city; and
 - (3) The proposal does not increase the degree of any existing nonconforming use or nonconforming structure.
- (c) *Certain fences and retaining walls, exception of city engineer.* Construction of a fence or retaining wall, but no exception is granted by this subsection for construction of a retaining wall or for a fence that may obstruct or change the flow of water.
- (d) *Restoration of building in certain timeframe.* Substantial restoration that is commenced within a period of one (1) year of a building damaged by war, wind, fire, volcano, explosion, hurricane, earthquake, flood, tornado, riot, or similar act of god.
- (e) *As allowed by City:* Any improvements deemed as not meriting review through the Site Development Application process by the City, which improvements can be addressed through another means of permitting. If that permitting is necessary in accordance with established regulations.

ARTICLE III. – ENFORCEMENT & APPLICANT RESPONSABILITIES

Sec. 48-8 – Enforcement of Regulations.

- (a) *Code violation.* It is a violation of this code to construct on a lot without complying with the requirements of this Chapter.
- (b) *Parties liable for violations.* If a corporation is found to be in violation of this chapter, each of its officers, agents, and/or employees who were in any way responsible for such violation shall be individually and severally liable for penalties herein prescribed.
- (c) *Criminal penalty by court.* Any individual who intentionally, knowingly, recklessly, or criminally negligently violates any provision of this Chapter, is guilty of a class C misdemeanor and upon conviction shall be subject to a fine of not less than \$1.00 and not more than \$2,000.00. Each day of such violation may constitute a separate offense. Such penalty is cumulative and not exclusive of any other rights or remedies the City may have.
- (d) *Civil penalty by court.* In addition to the criminal penalties set out above, the City may institute a civil action, in law and or equity, in a court of competent jurisdiction against any individual who violates any provision of this Chapter; and the City may seek such equitable relief or monetary relieve that may be available under the statutes, common law, and constitutions of the State and federal governments.
- (e) *Other means of compliance.* In addition to the remedies set forth above, the City may enforce compliance with the requirements of this chapter by:
 - (1) Refusing to approve improvements;

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- (2) Withholding or suspending building permits or certificates of occupancy;
- (3) Not allowing connection to or disconnection of utility service; or
- (4) Issuing a stop work order.

Sec. 48-9 – Responsibility of Applicant.

Notwithstanding the approval of any item in this Chapter by the City, the developer and the professional that prepares and submits such items shall be and remain responsible for the adequacy of the design and nothing in this Chapter shall be deemed or construed to relieve or waive the responsibility of the developer or his/her engineer for or with respect to any item submitted in accordance with this Chapter.

Sec. 48-10 – Applicant to retain certain professionals.

- (a) *Responsibilities of engineer.* The applicant shall retain the services of an engineer, registered in the State, whose seal shall be placed on each sheet of the drawings, or cover sheet of studies, unless denoted below in subsection (b) -(d), and who shall be responsible for the design and inspection of the drainage, roads and streets, and sewer and water facilities within the subdivision. The services performed by the engineer shall be as designated in the most recent addition of the "Manual of Professional Practice - General Engineering Service," published by the state society of professional engineers, and shall include both design and inspection as defined therein.
- (b) *Responsibilities of landscape architect.* The applicant shall retain the services of a landscape architect, registered in the State, whose seal shall be placed on each sheet involving tree surveys, tree preservation, tree mitigation, tree planting, and any schematics of involving tree barriers, staking, root barriers, or any addition of fill within the drip lines of the trees and shall include both design and inspection as defined therein.
- (c) *Responsibilities of irrigation specialist.* The applicant shall retain the services of an irrigation specialist, registered in the State, whose seal shall be placed on each sheet involving irrigation of any preserved or installed trees, shrubs, and sod and shall include both design and inspection as defined therein.
- (d) *Responsibilities of other applicable specialists.* The applicant shall retain the services of other applicable specialist, registered in the State, whose seal shall be placed on each sheet involving items, including but not limited to, photometrics, environmental, hydrology, and fire. It shall also include both design and inspection as defined therein.

Sec. 48-11 – Approval of Site Development Infrastructure.

Approval of the site development infrastructure occurs only when the as-builts have been approved by the City, other applicable non-City entities, and a Certificate of Completion has been submitted by the project State licensed engineer. Signature of the document by the City and any other applicable non-City entities, along with the Certificate of Completion, constitutes completion and approval of the infrastructure.

Secs. 48-12 – 48-29. - Reserved.

ARTICLE IV. - PROCESSING PROCEDURE

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Sec. 48-30 – Pre application meeting.

- (a) *Required meeting.* A pre-application meeting is required prior to the submittal of the site development plan application, unless otherwise waived by the City.
- (b) *Recommended attendees.* Attendance should include the owner, the applicant, the applicant’s designated engineer, other professionals as required by the applicant, the Site Development Administrator, and any other members of the City staff as may be appropriate.
- (c) *Required items to be brought to meeting.* Plans and documentation must be brought to the meeting. Failure to provide this information or documentation at the time of meeting is grounds for cancelation and rescheduling.

Sec. 48-31 – Application standards.

- (a) *Applications required and determination of official filing date.* Requests for site development shall be sent to the City, in writing, on a form prescribed by the City. A complete application package must be filed with the City. A complete application package is as denoted below:
 - (1) Completion of a required pre-application meeting; and
 - (2) Fully complete and signed application form with the associated application packet; and
 - (3) All other certificates, plans, documents, and instruments required by this Chapter to be submitted with the application packet checklist and application instructions; and
 - (4) All associated filing fees, in accordance with the fee schedule, have been paid.

Sec. 48-32 – Format, Content, Documentation, and Certification of Application and Plans.

See Site Development Application Packet. The applicant is responsible for full completion of the Site Development Application Packet.

Sec. 48-33 – Completeness Review.

- (a) *Timeframe for review.* Once items have been submitted to the City, it shall have fourteen (14) calendar days to review for completeness.
- (b) *Determination of completeness and resubmittal by applicant.* Completeness shall be determined by the City reviewing and verifying items are present in accordance with the Site Development Application Packet. If the City determines the submittal compliant under this review, then it moves to a submittal review. If deemed noncompliant the applicant will be notified in writing of the reasons for noncompliance. This process repeats through subsections (a) and (b) until deemed complete by the City.
- (c) *Completeness review not regarded as official filing of application.* Submittal of the application for a completeness review is not regarded as an official filing of the application

Sec. 48-34 – Submittal Review.

After the application is determined complete through the completeness review it will go through the submittal review. This review is conducted by the Development Review Committee (DRC). Submittals shall be as outlined below:

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- (a) *First submittal.* The DRC shall review the submittal within thirty (30) calendar days of the compliant completeness review and submit comments to the applicant in writing by the end of this timeframe.
- (b) *Response of applicant; no timeframe or expiration of application.* The applicant shall address all individual comments from the DRC and resubmit back to the City. There is no maximum timeframe associated with resubmittal by the applicant. Also, there is no expiration date on the application within this Section.
- (c) *Additional submittals.* Shall follow the process established in subsection (a) and (b) until all DRC comments are addressed by the applicant to the satisfaction of the City.
- (d) *Submittal review determination regarded as official filing of application.* The start of the submittal review process under subsection (a) is regarded as the official filing date of the application.

Sec. 48-35 – DRC Review; Decision Options; Appeals.

- (a) *DRC review requirements.* The DRC shall review the application for consistency with the Comprehensive Plan, City Construction Standards Manual, other public plans, applicable professional manuals, State Statutes, State Administrative Code, City Ordinances, City Code, and then release comments and concerns to the applicant.
- (b) *Decision options.* The DRC shall approve if no other outstanding comments remain from the submittal review and deny if there are outstanding comments remaining from the submittal review.
- (c) *Appeals.* There shall be no appeals from a denial.

Sec. 48-36 – Approval Expiration.

- (a) The approval shall expire two (2) years after approval by the DRC, unless one (1) or more of the following events occur.
 - (1) *When building permits are required.* Building permits are issued prior to the expiration date and construction is commencing and diligently pursued to a certificate of occupancy. For purposes of this section, the term “diligently pursued” shall mean that activity towards completion of building construction as approved by the building permit and does not cease for more than thirty (30) consecutive calendar days and that substantial progress is being made. The Building Official will be responsible for making the determination of whether a building permit is being diligently pursued to completion and substantial progress is being made by the building permit applicant.
 - (2) *When no building permits are required.* When any required site work is commenced and diligently pursued towards a certificate of completion and as-builts. For purposes of this section, the term “diligently pursued” shall mean that activity towards completion of the development as approved and does not cease for more than thirty (30) consecutive calendar days and that substantial progress is being made. The Site Development Administrator will be responsible for making the determination of whether the project is being diligently pursued to completion and substantial progress is being made by the applicant.

Sec. 48-37 - Modification to Approved Plans:

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Any proposed changes to the approved plans shall require a modification to that approved plan. This must be approved by the City. Any modifications to plans may necessitate filing of another application, in which it must be approved before a plan modification can be approved by the City.

Sec. 48-38 - Pre-Construction Meeting.

- (a) *Required meeting.* A pre-construction meeting is required after City approval of site development plans, unless otherwise waived by the City.
- (b) *Attendance at meeting.* Attendance should include the owner, the applicant, the applicant's designated engineer, other professionals as required by the applicant, the Administrator and any other members of the City staff as may be appropriate.
- (c) *Required items at meeting.* Required items to be brought is in accordance with the City's agenda for the meeting. Failure to provide this information at the time of meeting is grounds for cancelation and rescheduling.
- (d) *Required time to construct or another meeting required.* Construction shall begin within ninety (90) days after the pre-construction meeting, if construction has not started within the ninety (90) day period then another preconstruction meeting shall be required prior to construction, unless otherwise waived by the City.

Sec. 48-39 – List of Inspections; Inspection of Improvements.

- (a) *Inspections list and inspections required.* The City shall inspect all necessary improvements to ensure compliance with the approved plans. A list of applicable inspections shall be more fully covered during the pre-construction meeting and through the City's permitting system.
- (b) *Setting up inspections, payment, and timeframes.* An applicant shall contact the City to set up any required inspections and pay any required fees. Any fees must be paid before the City will set up the inspection. The City shall inspect the improvement within three (3) business days of contact to the City.
- (c) *Right of entry and inspection.* The City shall have the right to enter upon the construction site for the purpose of conducting inspections. The City shall conduct inspections of the improvements during construction to ensure general conformity with plans and specifications as accepted. If the City finds upon inspection that any of the improvements have not been constructed in accordance with this Chapter or approved plans, then the applicant shall be responsible for making the necessary changes to ensure compliance.
- (d) *City response to inspection.* The City shall issue written approval or denial of an improvement. If denied a checklist will be created that lists all deficiencies to be corrected. The applicant will be responsible for rescheduling an inspection in accordance with subsection (c).
- (e) *Disclaimer and responsibility of applicant.* It is the responsibility of the applicant to request inspections when construction is complete or nearing completion to ensure that all work is in accordance with the approved site development plans. Inspection by the City, or a failure of the City to inspect construction as required herein, shall not in any way impair or diminish the obligation of the applicant to install improvements in accordance with the approved plan sets, applicable codes, City's Construction Standards Manual, to the standards of the City Engineer, or to the standards of the Site Development Administrator.

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Sec. 48-40 – As-Builts.

- (a) *Required.* After all inspections have been approved by the City, the applicant's State licensed engineer shall provide the As-builts as indicated in Site Development Application Packet.
- (b) *Signatories.* The City Engineer, Site Development Administrator, and other applicable non-City utilities must sign the plans for them to be approved by the City.
- (c) *Certificate of Completion.* To be provided along with the as-builts by the applicants State licensed engineer. This certification shall have the engineer's affixed seal.

Secs. 48-41 – 48-49. - Reserved.

ARTICLE V. – GENERAL DEVELOPMENT REQUIREMENTS AND STANDARDS.

DIVISION 1. – ROADWAY & UTILITY ADEQUACY STANDARDS.

Sec. 48-50. – Purpose and Intent

- (a) An adequate network of collector and arterial streets must support new development within the urban area.
- (b) Collector and arterial streets are an essential component of the City's street network and are necessary to accommodate the continuing growth and development of the City.
- (c) It is necessary and desirable to obtain rights-of-way for off-site, abutting, and internal collector and arterial streets to support new development at the time of planning.
- (d) There must be a rough proportionality between the traffic impacts created by a new development and requirements placed on the property owner to dedicate and improve off-site, abutting, and internal collector and arterial streets to City standards.
- (e) The City desires to assure both that development impacts are mitigated through contributions of collector and arterial street rights-of-ways and improvements and that a development project contribute not more than its fair share of collector and arterial street costs.
- (f) It is the City's intent to institute a procedure to assure that mandatory dedication of collector and arterial street rights-of-ways and construction requirements are proportional to the traffic demands created by a new development.

Sec. 48-51. – Minimum Road Standards

- (a) *Applicability and definition of “adjacent streets”.* All development shall provide for adequate roads to support proposed development through compliance with the following minimum standards governing dedication and improvement of internal and adjacent streets. For purposes of this section, “adjacent streets” shall include streets abutting the proposed development, whether located within the boundaries of another lot or within rights-of-way.

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- (b) *Standards and specifications.* The property owner shall dedicate and improve all required rights-of-way for internal and adjacent arterial and collector streets required by these regulations.
- (c) *Substandard street improvements.* Where an existing arterial or collector street does not meet the city's right-of-way or design standards abuts a proposed new development, the City may require the property owner to dedicate the right-of-way for a standard thoroughfare width, and to improve the street according to the dimensions and specifications in these regulations, depending on factors such as the impact of the development on the collector or arterial street, the timing of the development in relation to need for the thoroughfare, and the likelihood that adjoining property will develop in a timely manner.
- (d) *Capital improvement plan for roads.* A road improvement may be considered adequate if the required improvement is included, funded, and approved in the city's, county's, or state's capital improvement plan for roads, or if the improvement is included, funded, and approved in the city's, county's or state's capital improvement plans for roads, provided that the applicant agrees to phase development to conform to such scheduled improvement. This section shall not be construed to prevent the city from requiring dedication of rights-of-way for such roads, or from assigning trips to such roads in a traffic impact study to determine a development project's proportionate costs of improvements.
- (e) *Possible City participation in costs of improvement.* The City may participate in the costs of improvements required by this Chapter to achieve proportionality between the traffic impacts created by the proposed development and the obligation to provide adequate roadways. In such cases, the property owner shall be responsible for the entire initial costs of road improvements, including design costs. Reimbursement of the City's agreed share of the costs shall be made as funds become available. The construction of improvements and the provisions for participation in costs by the City shall be included in a development agreement. This is a voluntary process initiated between the city and the developer.

Sec. 48-52 – Traffic Impact Analysis (TIA).

- (a) *Submittal standards.* Every development that will generate traffic in excess of fifty (50) average daily trips shall be accompanied by a traffic impact analysis based the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, prepared in accordance with standard transportation engineering practices for purposes of determining the adequacy of the street network to serve the proposed development, and whether off-site road dedication and improvements should be made to mitigate the effects of the development proposed. If land uses for the development are not specified at the time of application, the daily trip generation rate shall be computed based upon the maximum land use intensity allowed for the development.
- (b) *Submission.* A TIA shall be submitted with the application. An updated TIA shall be submitted with each additional application or if a modification triggers an update to the TIA. The revision to the TIA shall be generally consistent with the initial TIA. The initial traffic impact analysis shall be updated whenever there is more intensive development.
- (c) *Determination.* The TIA shall determine the following:
 - (1) Trips to be generated by the proposed development;

EXHIBIT “A”

- (2) Assignment of such trips to the road network analyzed;
 - (3) The capacity of affected arterial and collector streets before and after the proposed development;
 - (4) Specific recommendations for arterial and collector street improvements (including but not limited to turn lanes, acceleration/deceleration lanes, additional lanes, controlled access) and traffic-control modifications needed to mitigate the traffic from the proposed development; and
 - (5) The development project's proportionate share of the costs of such improvements and modifications.
- (e) *Standards.*
- (1) The City Engineer shall determine the geographic area to be included in a TIA.
 - (2) A TIA must be performed under the supervision of a State licensed registered professional engineer.
 - (3) A TIA must describe the study methodology, the data used, and the study findings and provide recommendations based on the results.
 - (4) A TIA must be signed/sealed by a State registered professional engineer or other qualified individual responsible for the supervision of the study and preparation of the TIA.
 - (5) The TIA must meet the requirements of the City, County, and State for internal and adjoining arterials and collector streets. A scoping document shall be agreed upon by all parties prior to submitting the document. All parties, as applicable, must approve the document to consent approval by the City.
- (f) *Exceptions through a development agreement; approval of development agreement.* The city may allow a developer to negotiate payment of fees to offset roadway impacts through a development agreement instead of a TIA. This negotiation may include a fixed fee based on the linear footage of development along a roadway, fixed fee based on the number of lots in a development, fixed fee based on each peak hour trip that the proposed development will generate, fixed fee based on vehicle miles traveled (VMT) for each land use in the development, or any other means of measurement as agreed upon by the city and developer. This is a voluntary process initiated between the city and the developer. Any development agreement through this section must be approved by the council.
- (g) *Development agreement in place before plan or plat approval.* A development agreement through this section must be approved by the council before the City shall approve any proposed Site Development Plan.
- (h) Criteria for decisions regarding TIA.

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- (1) *City denial by overburden.* The city may deny a TIA if it demonstrates that a proposed development may overburden a private, city, county, or state arterial or collector system.
- (2) *City denial by reducing desirable operation levels of service or endangers public safety.* The city may deny a TIA if it demonstrates the projected traffic generated by the project, combining with the existing traffic, reduces the existing operating level of service on a private, city, county, or state arterial or collector system within the study area or endangers the public safety.
- (3) *City approval by mitigating adverse traffic conditions.* The applicant has satisfactorily mitigated any adverse traffic conditions on a private, city, county, or state arterial or collector system within the study area to the satisfaction of the city.
- (4) *City approval by proving insignificant effect on systems.* The projected additional traffic from a project has an insignificant effect on a private, city, county, or state arterial or collector system within the study area to the satisfaction of the city.

Sec. 48-53 – Placement of Traffic Improvements from Traffic Impact Analysis (TIA).

- (a) *Acceleration/deceleration lanes and/or turn lanes.* When required by the TIA, acceleration/deceleration lanes and/or turn lanes shall be provided as either on or off-site improvements for existing and/or proposed arterial or collector streets to the satisfaction of the city engineer.
- (b) *Reservation of additional right-of-way (ROW).* When required by the TIA, additional ROW shall be dedicated to the ROW owner if required to accommodate acceleration/deceleration lanes or turning lanes to the satisfaction of the city engineer.
- (c) *Signage and striping.* The developer shall design, install, and pay all costs for traffic control signs and pavement striping either onsite or offsite. Traffic control signs and pavement striping shall conform to the accepted construction plans and to the most recent edition of the Texas Manual on Uniform Traffic Control Devices (TMUTCD).
- (d) *Signalization.* The developer shall design, install, and pay all costs for providing any required traffic signalization system identified in an approved traffic impact analysis (TIA), including all related devices, conduits, wiring, and junction boxes, to the satisfaction of the city engineer.

Sec. 48-54 – Other Adequacy Facility Standards.

No site development application shall be approved if there are inadequate facilities, as determined by the City Engineer, to serve the proposed development. These facilities include but are not limited to on- and off-site water, wastewater, drainage, street, power, and communication facilities. The plans for improvements to provide adequate facilities shall be part of the site development application. Adequate facility improvements may include but are not limited to the extension of off-site water and wastewater lines, construction of off-site water storage, off-site lift stations, off-site drainage easements and improvements.

Sec. 48-55 - 48-69. - Reserved.

DIVISION 2 – TREE PRESERVATION STANDARDS.

EXHIBIT “A”

Sec. 48-70. – Purpose and Intent.

The tree preservation standards adopted herein are reasonable and necessary to preserve trees as an important public resource enhancing the quality of life and the general welfare of the city and enhancing its unique character and physical, historical, and aesthetic environment.

Sec. 48-71. – Tree Preservation Standards

The protection of significant and heritage trees, in general, shall be considered in the layout of streets, parking lots, driveways, drainage improvements, utilities and lots. The approval authority may call for the relocation of any improvement to save a significant or heritage tree as shown on a tree survey. Tree removal shown shall constitute the City's approval to remove a significant or heritage tree. Tree protection zones shall be shown on the plans for any preserved significant or heritage trees.

Sec. 48-72. – Mitigation of Removed Significant and Heritage Trees

The removal of heritage and significant trees shall require mitigation using the calculations and procedures defined below. Mitigation may be achieved through replacement trees planted on-site or payment-in-lieu of replacement trees. A payment-in-lieu can only be utilized when replacement is not possible or practical.

- (a) Mitigation shall be required at a 1:1 caliper inch basis for significant trees between ten (10) and fourteen (14) caliper inches and a removal fee per caliper inch.
- (b) Mitigation shall be required at a 2:1 caliper inch basis for significant trees that are between fifteen (15) caliper inches and nineteen (19) caliper inches and a removal fee per caliper inch.
- (c) Mitigation shall be required at a 3:1 caliper inch basis for heritage trees and a removal fee per caliper inch.
- (d) A payment-in-lieu of replacement trees in accordance with the fee schedule, the fee shall be per caliper inch of replacement tree.
- (e) Replacement trees shall be a minimum of two (2) caliper inches and identified by Texas A&M Forest Service as a native tree.

Sec. 48-73. – Tree Preservation

No significant or heritage trees shall be removed until a tree preservation plan has been approved by the City. Significant and heritage trees may be removed only in accordance with the approved tree preservation plan, and trees must be protected during construction activities on the property in accordance with the approved tree preservation plan.

Sec. 48-74 – 48.89. – Reserved.

DIVISION 3 – PARKLAND STANDARDS

Sec. 48-90. – Purpose and Intent.

The parkland standards adopted herein are reasonable and necessary to provide for suitable land or the ability to provide for suitable land for residents of the City and ETJ for open space, recreation, amenities, and improvements.

EXHIBIT “A”

Sec. 48-91. – Applicability and Exceptions.

- (a) *Applicability.* This Division shall be applicable for all residential development.
- (b) *Exceptions.* These standards shall not apply to any residential development with four (4) or less existing dwelling units on a lot or a proposal with four (4) or less dwelling units on a lot.
- (c) *Administration waiver.* The Administrator may waive subsection (b) if it is determined an applicant is abusing the exception standards.

Sec. 48-92. – Parkland Standards.

- (a) *Requirements.* The developer shall dedicate parkland or contribute fee-in-lieu or any combination thereof as determined by the City.
- (b) *Land Dedication.* Shall follow the standards below:
 - (1) *Responsibility.* An applicant shall provide for the parkland needs of its residents by the dedication of suitable land for park and recreational purposes.
 - (2) *Shown on approved plans and dedication statement.* The area to be dedicated must be shown on the site development plan and included in the dedication statement.
 - (3) *Providing deed and applicable standards.* Prior to application approval, the applicant shall provide by deed to the city all land required by this Division. The land itself must be free and clear of all mortgages and liens at the time of such conveyance. It shall not be encumbered with existing or proposed public utility easements or drainage channels that would unduly restrict the development of the site for recreational purposes.
 - (4) *Maximum dedication of parkland in a floodplain.* Land located in a floodplain shall not constitute more than fifty (50) percent.
 - (5) *Calculation of minimum parkland.* The amount of parkland required to be dedicated to the city is as determined by the following formula:

$$6 \times (\text{number of units}) \times (\text{residents per unit}) / 1,000 = \text{acres of parkland.}$$

In calculating the amount of parkland to be dedicated under this section, the number of residents in each dwelling unit is based on density as follows:

Dwelling Units Per Acre	Residents in Each Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

In calculating the amount of parkland to be dedicated under this section, density for a multifamily development is assumed to be the highest permitted in the zoning district, or if the property is not zoned or the zoning does not have a density, twenty-four (24) dwelling units per acre.

EXHIBIT “A”

In calculating the total any fraction must be rounded up to the nearest whole number (i.e. 2.01 = 3.00).

- (6) *Location of land dedication.* The specification and codes adopted by the city shall be used as a guide for location of park sites, including but not limited to the Comprehensive Plan and any adopted parks plan. All land intended for park purposes shall be inspected both on the application and in the field by the City. The decision on acceptance of parkland shall be made by the City based on a recommendation of the Parks and Recreation Advisory Board. This can be an on-site location or an off-site location. If this is to be an off-site location it shall follow park locations as denoted in the Comprehensive Plan or parks plan.
 - (7) *Credit for private park land and facilities.* There shall be no credits given under this Division for any private parks or facilities created independently of public parks and facilities.
 - (8) *Title insurance required.* Prior to City approving the application, the developer shall deliver to the city a title insurance policy with the city as the holder and covering the parkland being conveyed.
 - (9) *Dual park and storm drainage facility.* Use of parkland within the area of a storm drainage facility is prohibited.
- (c) *Fee-in-lieu.*
- (1) *Criteria for acceptance of fee-in-lieu.* The City shall allow for a fee-in-lieu in the following situations:
 - (A) If the parkland dedication is to be less than three (3) acres within the City limits, or
 - (B) If future parks are not indicated on the Comprehensive Plan, City park plans, or applicable County parks plan in and around the development and the applicant cannot purchase off-site land in accordance with subsection (A), then the City may allow as an option a fee-in-lieu of the dedication.
 - (C) The fee-in-lieu shall be paid prior to approval of the application.
 - (2) *Deposit of cash contributions.* All cash contributions are to be received by the City. The City shall deposit said funds into the park fund.
- (d) *Reservation of additional park land.* If the park plan, specification, or codes for the city specifies a larger amount of park land than the applicant may be required to dedicate, the land needed beyond the respective contribution may be reserved for subsequent acquisition by the City.
- (1) *Options for payment and to hold land.* The City may elect to hold such land by:
 - (A) Purchasing an option to buy the property for a period and at a price as agreed upon by the city and applicant.
 - (B) Indemnifying the owner of the land for all holding costs for a period of time, said costs and time period to be agreed upon by the City and applicant.

EXHIBIT “A”

- (C) If the City and applicant cannot agree then the City may elect to prohibit any development or improvement to the proposed park land for a period not to exceed twelve (12) months, during which time the City shall use reasonable and diligent efforts to acquire the necessary funds or financing to purchase the subject tract.
- (2) *No restriction on eminent domain.* No provision herein shall in any way be construed as a limitation of the City's authority to acquire park land by eminent domain.

Sec. 48-93. – Land Treatment on Land Dedicated for Parkland.

- (a) The applicant or developer shall not cause or allow any fill material or construction debris to be dumped on the land, or otherwise alter, damage, or impair the land, water, or vegetation on the park site, without written permission from the Director. The City may allow the applicant to dump fill material and take other respective actions specified in this subsection when such action would be beneficial to the park land.
- (b) The City will have the option to place the park land in a trust for use and leverage in funding as the park is developed. The city attorney shall be involved with the transfer of property to ensure the city has ownership but through the trust process does not lose the ownership of such property.

Sec. 48-94 – 48.109. – Reserved.

DIVISION 4 – DEVELOPMENT STANDARDS.

Sec. 48-110. Mandatory interconnectivity between sites.

- (a) *Vehicular interconnectivity element.* A site contiguous with another site shall provide drive aisle connections to the boundary of the site for connection to such contiguous site and shall provide an access easement to that site boundary from a public street to the satisfaction of the administrator.
- (b) *Non-vehicular interconnectivity element.* A site contiguous with another site shall provide non-vehicular connections, such as bicycle and/or pedestrian, to the boundary of the site for connection to such contiguous site and shall provide the access easements to that site boundary from a public street to the satisfaction of the administrator.
- (c) *Width of access easement and drive aisle or non-vehicular connection.* The access easement, drive aisle, and/or other non-vehicular connection shall maintain the same width in the development and neighboring development to the satisfaction of the administrator.
- (d) *Recording of necessary easements.* The developer shall record any legal documents, mutual access agreements, and provide documentation of existence before the city approves any site development plan.
- (e) *Exemptions to section.* Unless such connections are inappropriate as determined by the administrator, including but not limited to, topographic constraints, environmental constraints, and/or adjacent land uses that are incompatible for the purposes of mixing traffic, they may exempt the development from specific interconnectivity requirements.

Sec. 48-111. Driveways.

EXHIBIT “A”

- (a) *Location and spacing standards; exceptions.* Driveway approaches are permitted only arterial or collector streets; however, the driveways must have a minimum of two hundred (200) feet spacing between driveways on streets and from the street centerline at an intersection unless the city engineer determines that existing conditions or other governmental regulations makes this impossible.
- (b) *Opposite driveway approaches on opposite side of street to line up.* Where feasible, to the satisfaction of the city engineer and not in conflict with these regulations, proposed driveway access should align with existing driveway accesses or public streets on the opposite side of the road.
- (c) *Minimum width for non-residential uses and mixed-uses driveway accesses on city streets.* Driveway accesses on city streets shall be between thirty (30) feet and forty-five (45) feet in width.
- (d) *Minimum width for residential uses only driveway accesses on city streets.* Driveway accesses on city streets shall be between twenty-four (24) feet and thirty (30) feet in width.
- (e) *Angle of driveway accesses.* All access driveways shall be at ninety (90) degrees, or within a limit of plus or minus ten (10) degrees off ninety (90) degrees to the intersecting public street.
- (f) *Number of driveway accesses to street.* Driveway accesses to streets shall be by no more than two (2) driveway accesses for each four hundred (400) feet of lot frontage, or fraction thereof. Lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) street. Developer shall provide adequate access so that internal traffic management is provided and avoids unnecessary traffic spill out onto streets.
- (g) *Driveway entrance setback.* Driveway entrances shall be set back at least thirty-five (35) feet from the point of tangency of the curb at any intersecting street or to the satisfaction of the city engineer.
- (h) *Culvert sizes.* Adequate culverts shall be provided under driveways to prevent obstruction of drainage ways. The minimum size shall be as indicated in the city construction standards.
- (i) *Safe design for users.* All driveways shall be designed to provide safe vehicular entrance and exit without the necessity of backing out into a street to the satisfaction of the city engineer.
- (j) *Grade and slope.* Every driveway shall be at roadway grade level where the driveway intersects with the right-of-way. A negative slope of two (2) percent shall be required where there is no curb and gutter for a minimum of eight (8) feet or to the top of the culvert, and areas with curb and gutter, a positive grade will be allowed.
- (k) *Lack of driveway regulations on non-city owned right of way.* In situations where no driveway standards exist on non-city owned right-of-way, the applicable standards in this section will be used instead.

Sec. 48-112. – Application of Standards from Chapter 36 City Code.

EXHIBIT “A”

- (a) *Streets constructed within and/or adjacent to development.* If streets are constructed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.
- (b) *Alleys constructed within and/or adjacent to development.* If alleys are constructed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.
- (c) *Sidewalks constructed within and/or adjacent to development.* If sidewalks are constructed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.
- (d) *Easements placed within and/or adjacent to development.* If easements are placed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and to the satisfaction of the city engineer. The person shall record any legal documents and provide documentation of existence before the city approves any site development plan.
- (e) *Drainage and storm sewers within or adjacent to development.* Drainage and storm sewers placed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.
- (f) *Stormwater quality, riparian corridors, and environmental standards within or adjacent to development.* Stormwater quality, riparian corridors, and environmental standards placed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.
- (g) *Water, sanitary sewer systems, and flood regulations within or adjacent to development.* Water systems, sanitary sewer systems, and flood regulations placed within and/or adjacent to the proposed development, they shall follow standards mandated within chapter 36, city code and city construction standards to the satisfaction of the city engineer.

Sec. 48-113 – 48.199. – Reserved.



Development Services Department

STAFF REPORT

Amendment of Ch. 44, Vegetation.

Date: November 8, 2021

Hearing Dates: Planning & Zoning Commission – November 22, 2021
City Council – December 7, 2021

REQUEST SUMMARY

City Staff is requesting a modification to the Vegetation Code to allow for the continued use of an above ground hose system in more established residential lots that existed pre-June 1, 2019. Residential lots that were created June 1, 2019 and later will not have the option of an above ground hose system for watering. This change is a way to balance newer lots that are placing trees, shrubs, and sod on the entire lot versus more established parts of town that do not place vegetation entirely on a lot.

Presently the homebuilder in Homestead Estates have been using a residential hose system to manually water new plantings versus the homebuilder in Peppergrass where automatic irrigation is in use. Vegetation in Homestead Estates is in decline or dying versus the vegetation in Peppergrass. City Staff has observed this difference in vegetation survivability while doing landscape inspections. Typically, new plantings require more watering than normal due to the stresses on the plant being moved and to establish its root systems in the new soil.

Placement of an automatic irrigation system or above-drip irrigation system set on a timer is a method that reduces water waste, water can be equally dispersed on the site, and there is no manual labor to water the vegetation. With an above ground hose, it has no full control over where water is dispersed, and areas of a yard can be missed. Also, above ground hoses are more labor intensive as it manually must be taken to a location, be plugged in, moved around a yard, and must be placed back at a stored location.

For purposes of the future urban tree canopy and quality of life in our neighborhoods we must increase the chances of this vegetation surviving its initial planting and future growth and the easier method is to limit the hose system.

ATTACHMENT(S)

Additional information is provided through attached exhibit(s).

1. Proposed Ordinance.
2. Residential Subdivision Map.

Attachment 1
Proposed Ordinance

ORDINANCE NO. 2021-11-16-????

AN ORDINANCE AMENDING CHAPTER 44, VEGETATION, ARTICLE I IN GENERAL, DIVISION 3 GENERAL REQUIREMENTS AND STANDARDS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

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

I.

That Chapter 44 Vegetation, Article II Landscaping, Division 3 General Requirements and Standards, Code of Ordinances, City of Elgin, Texas, is hereby amended by modifying Section 44-83 – Irrigation; et seq., which shall read as follows:

Sec. 44-83. Irrigation.

All required landscape areas shall be irrigated by an approved irrigation system, including but not limited to an underground automatic system, above-drip irrigation system, or hose system (only allowed on residential ~~only~~ lots that existed before June 1, 2019). These systems shall adhere to manufacturer specifications and the rules and regulations established by the Texas Commission on Environmental Quality (TCEQ) or successor agency. In addition, an underground irrigation system must be designed by a landscape architect or irrigator licensed by the state. An underground irrigation system shall comply with the following guidelines:

- (1) Sprinkler head spacing shall be designed for head-to-head coverage and adjusted for prevailing winds. The system shall promote minimum runoff and minimum over spray onto non-irrigated areas (i.e., paving, walkways, buildings, and other impervious areas).
- (2) Sprinkler heads shall have matched precipitation rates within each control valve circuit.
- (3) Adjustable flow controls shall be required on circuit remote control valves. Pressure regulation components shall be required where static pressure exceeds the manufacturer's recommended operating range.
- (4) Valves and circuits shall be separated based on water use requirements, so that turf areas can be watered separately from trees, shrubs, and ground cover.
- (5) Serviceable check valves shall be required where elevation differentials may cause low head drainage adjacent to paving areas.
- (6) All automatic irrigation systems shall be equipped with an electronic controller capable of dual or multiple programming. Controllers shall have multiple cycle start capacity and a flexible calendar program, including the capability of being set to water every five days. All automatic irrigation systems shall be equipped with a rain and freeze sensor shut-off device.

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 Planning & Zoning Commission meeting at which this Ordinance was recommended 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.

- D. 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 this **7th** day of **December 2021**.

Ron M. Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary

Attachment 2
Residential Subdivision Map

RESIDENTIAL DEVELOPMENT PLANS ELGIN, TEXAS

Legend	
EXISTING SUBDIVISIONS	
COUNTY LINE	264 LOTS
CRESCENT VILLAGE APARTMENTS	152 UNITS
EAGLE'S LANDING PHASE 1	150 LOTS
ELGIN MEADOWS	92 LOTS
HOMESTEAD	475 LOTS
MUD #14 PHASE 1	683 LOTS
ROLLING MEADOWS	21 LOTS
SARATOGA FARMS	257 LOTS
SHENANDOAH	375 LOTS
WESTWIND	321 LOTS
SUBDIVISIONS UNDER CONSTRUCTION	
HARVEST RIDGE	1171 LOTS
EAGLE'S LANDING PHASE 2	125 LOTS
MUD 14	1108 LOTS
PEPPERGRASS	272 LOTS
TRINITY RANCH	1716 LOTS
PROPOSED SUBDIVISIONS	
BRICKSTON	2497 LOTS
EAGLE'S LANDING PHASE 3	125 LOTS
LONE WILLOW	1770 LOTS
STONE CREEK RANCH	260 LOTS
THE CROSSING	234 LOTS

