

ORDINANCE NO. 2025-02-04-04

AN ORDINANCE AMENDING THE OFFICIAL 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 APPROXIMATELY 0.9960 ACRES OF LAND FROM “I” GENERAL INDUSTRIAL DISTRICT TO “C-2” GENERAL COMMERCIAL DISTRICT, LOCATED ON A PARCEL OF LAND KNOWN BY THE BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL NUMBER 84627 (ELGIN BUSINESS PARK, LOT 2) LOCATED ON THE CORNER OF SWENSON BOULEVARD AND DILDY DRIVE, SAID TRACT BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit “A” attached hereto and incorporated herein, from I General Industrial District; and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on January 27, 2025; and

WHEREAS, the Planning and Zoning Commission has offered their input on the proposed change to the Official Zoning Map; and

WHEREAS, on February 4, 2025, after proper notification, the City Council held a public hearing on the requested change; 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 ORDANED BY THE COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, 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 classified as C-2 General Commercial 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A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.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 4th day of February 2024.


THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

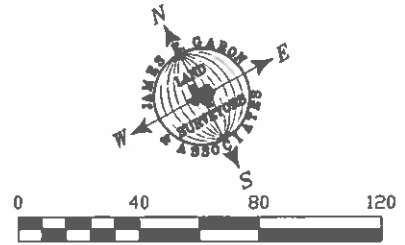
ATTEST:


PEYTON STANDIFER, City Secretary



EXHIBIT "A"

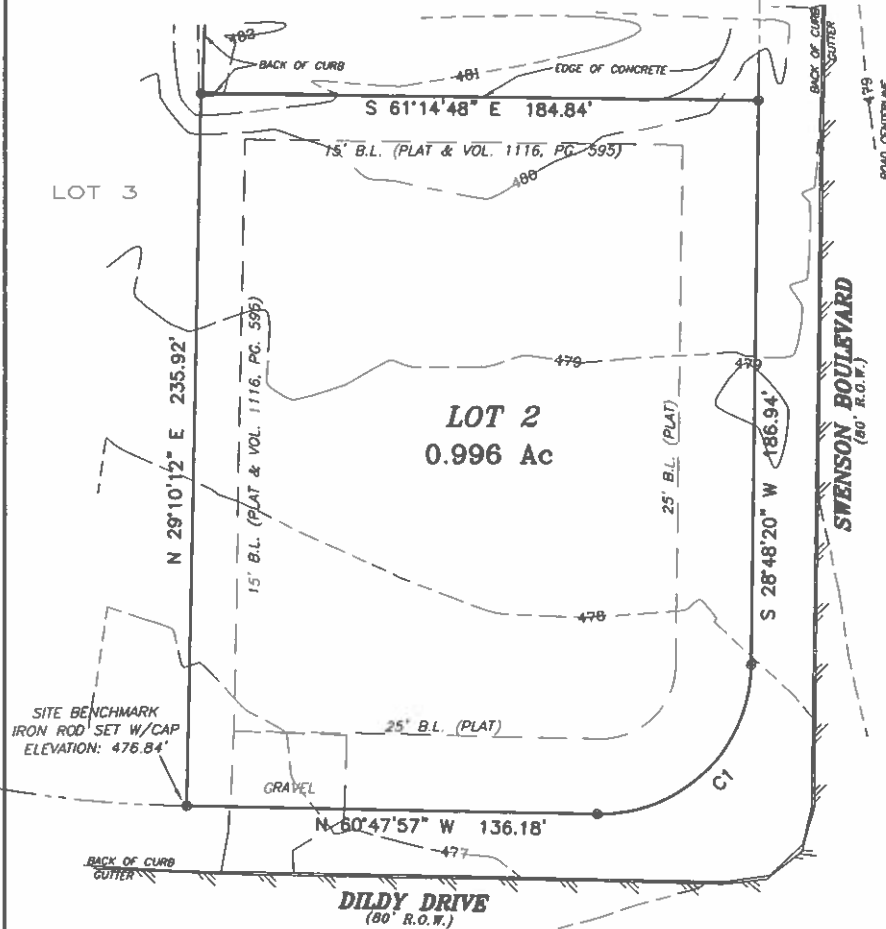
CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	49.94	178.81	170.69	S 73°51'09" W



BEARINGS SHOWN ARE GRID NORTH BASED ON GPS OBSERVATIONS FOR TEXAS STATE PLANE COORDINATE SYSTEM "CENTRAL ZONE" NAD83.

LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP
- ⊙ STAMPED J.E. GARON RPLS 4303
- ⊙ 1/2" PIPE FOUND (UNLESS NOTED)
- ⊙ IRON ROD W/CAP FOUND
- P.U.E. PUBLIC UTILITY EASEMENT
- B.L. BUILDING LINE
- (R.C.) RESTRICTIVE COVENANTS



SCHEDULE B ITEMS:

- 10(h) SUBJECT TO 25' BUILDING LINE(S) ADJACENT TO ANY ROAD, PLAT CABINET NO. 3, PG. 188-A & PLAT CABINET NO. 4, PG. 20-A, P.R.B.C.T.
- 10(i) NOT SUBJECT TO 35' BUILDING LINE(S) ALONG ANY STREET, AS RECORDED IN VOL. 1116, PG. 595, O.P.R.B.C.T.; WAS CHANGED TO 25' BUILDING LINE(S), AS RECORDED IN VOL. 1130, PG. 169, O.R.B.C.T.
- 10(j) SUBJECT TO 15' BUILDING LINE(S), AS RECORDED IN VOL. 1098, PG. 8 & VOL. 1116, PG. 595, O.R.B.C.T.
- 10(k) NOT SUBJECT TO 25' BUILDING LINE(S), AS RECORDED IN VOL. 1098, PG. 8 & VOL. 1116, PG. 595, O.R.B.C.T.

TO THE OWNERS, LIENHOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X" AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0075E EFFECTIVE JANUARY 19, 2006.



James E. Garon

DECEMBER 10, 2024

JAMES E. GARON & ASSOC.
LAND SURVEYORS & CIVIL ENGINEERS
Firm Reg. #10058400 & F-20385
185 McAllister Road
Bastrop, Texas 78602
(512) 303-4185
jgaron@austin.rr.com
www.jamesegarson.com

REFERENCE: TRUENORTHBUILDERS LLC & ASSIGNEE G.F. NO.: 2441898-ELG
ADDRESS: DILDY DRIVE & SWENSON BLVD, ELGIN TEXAS
LEGAL DESCRIPTION: LOT 2, ELGIN BUSINESS PARK, PLAT CABINET NO. 3, PAGE 188-A & PLAT CABINET NO. 4, PAGE 20-A, PLAT RECORDS OF BASTROP COUNTY TEXAS
FIELD BOOK: B-742/10
FILE: S:\Counties\Bastrop\City of Elgin\Elgin Business Park\01124.dwg



Development Services Department

STAFF REPORT

Rezoning from "I" General Industrial District to "C-2" General Commercial District

Project #202400092

Date: January 21, 2025
Applicant: Joshua A. Baran
Hearing Date: Planning and Zoning Commission: January 27, 2025
City Council: February 4, 2025
Location: Bastrop County Appraisal District Parcel number 84627, located at the corner of Dildy Drive and Swenson Boulevard in the Elgin Business Park.

APPLICATION SUMMARY

Recommendation by the Planning and Zoning Commission and consideration of the City Council of a rezoning of approximately 1 acre of land (a change to the official zoning map). The proposal is to change the zoning on the undeveloped lot from I – General Industrial District to C-2 – General Commercial District.

DEPARTMENT COMMENTS

The current zoning on the undeveloped lot which is located in the Elgin Business Park is I General Industrial District. Per [Sec. 46-439](#) the General Industrial District is intended primarily for the conduct of manufacturing, assembling and fabrication; the applicant wishes to develop the lot and construct an automobile fueling station and convenience store with attached restaurant and associated parking lot and fuel pumps and canopy in that location which requires a zoning of C-2 and that is the reason the zoning change is being sought.

The Elgin Business Park was zoned I General Industrial District twenty-five years ago via Ordinance No. 99-04-27-07 with the intention of creating an Industrial Park. The current industrial uses include furniture manufacturing (One Point Solutions), fabrication (All States Casters), food products processing and packing (Teddy V. Patisserie) and Public Utility service yard (City of Elgin Public Works and Utility Departments and Bastrop County Road and Bridge Warehouse). Over the years, a number of non-industrial uses have been allowed such as city and county business offices, shared office space, hardware store, feed store, trailer rental, and automobile service which are all either C-1 or C-2 uses.

When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. Below is a comparison between the allowed uses and area requirements of the General Industrial and C-2 General Commercial Zoning Districts. The uses in **red text** would no longer be allowed should the zoning change to C-2 be granted. The uses in C-1 are also allowed in the C-2 zoning district.

Industrial Zoning District	C-1 Neighborhood Shopping District	C-2 General Commercial District
Bottling works	Antique shop	Any use permitted in C-1
Book bindery	Appliance shop	Amusement enterprises
Candy manufacturing	Arts school, gallery or museum	Advertising signs or structures
Engraving plant	Artist's materials, supply studio	Ambulance service, office or garage
Electrical equipment assembly	Automobile parking lot	Automobile retail gasoline service station

Electronic equipment assembly and manufacture	Baby shop	Bakery
Food products processing and packing	Bakery goods store	Bathhouse
Furniture Manufacturing	Bank	Boat sales
Instrument and meter manufacturing	Barbershop	Billiard hall
Jewelry and watch manufacturing	Beauty shop	Bus terminal
Laundry and cleaning establishment	Book or stationary store	Cleaning plant, commercial laundry or dry cleaning
Leather goods fabrication	Camera shop	Clothing or apparel store
Optical goods manufacturing	Candy store	Commercial school or hall
Paper products manufacturing wholesale or warehousing enterprise	Catering establishment	Café
Building material sales yard and lumberyard, including the sale of rock, sand, gravel and the like as an incidental part of the main business	Cleaning, pressing, laundry collection agency	Department store
Contractor's equipment storage yard or plant, or rental equipment commonly used by contractors	Curio or gift shop	Hotel
Freighting or trucking yard or terminal	Drug store or fountain	Feed and fuel store
Oil field equipment storage yard	Dry goods store	Frozen food locker
Public utility service yard or electrical receiving yard; provided, however, that all yard operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the use is located; provided, however, that screening shall not be required in excess of seven feet in height.	Dairy products or ice cream store	Furniture repair and upholstery
The following uses when conducted within a completely enclosed building:		
(1) The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;	Delicatessen	Funeral parlor or mortuary
(2) The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: Bond, cellophane, canvas, cloth, cork feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn and paint not employing a boiling process;	Dress Shop	Golf course, miniature or practice range
(3) The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;	Florist shop, greenhouse, nursery	Heating, ventilating or plumbing supplies, sales and service
(4) The manufacture and maintenance of electric and neon signs, commercial advertising structure, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like;	Furniture store	Interior decorating store
(5) Manufacture of musical instruments, toys, novelties and rubber and metal stamps;	Grocery store or supermarket	Ice Storage locker plant, or storage house for food
(6) Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing;	Hardware store	Key shop
(7) Machine shop;	Jewelry or notion store	Laboratories, testing and experimental
(8) Foundry casting lightweight nonferrous metal not causing noxious fumes or odors;	Lodge hall	Laundry
(9) Assembly of electrical appliances,	Meat market	Leather goods shop

electronic instruments and devices, radios and phonographs, including the manufacturing of small parts only, such as coils, condensers, transformers, crystal holders and the like;		
(10) Buildings, structures and uses accessory and customarily incidental to any of the uses in this subsection.	Medical facility	Museums
(c) The uses permitted under this section shall be conducted in such a manner that no noxious odor, fumes or dust will be emitted beyond the property line of the lot on which the use is located.	Messenger or telegraph service	Novelty club
	Musical instrument sales	Novelty shop
	Newspaper or magazine sales	Nursery or garden supply store
	Office business	Outdoor advertising signs
	Optometrists sales and service	Pawn shop
	Photographer studio	Pet shop
	Pharmacy	Printing plant
	Radio and television sales and service	Recreation center
	Restaurant	Research laboratories
	Self-service laundry or dry cleaning	Restaurant
	Sewing machine sales, instruction	Sign painting shop
	Sporting goods sales	Hospital for small animals
	Shoe repair shop	Sporting goods store
	Tailor shop	Stocks and bonds broker
	Toy store	Storage warehouse
	Variety store	Sale of beer for off-premises consumption
		Theater
		Toy store
		Travel store
		Travel trailer park
		Used automobile sales
		Wholesale distributing center
	Accessory buildings and uses customarily incidental to the uses set forth in this section.	Buildings, structures, and uses accessory and customarily incidental to any of the uses set forth in this subsection (a), provided that there shall be no manufacture, processing, or compounding of products other than such as are customarily incidental and essential to retail establishments.
		Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration or traffic than those listed in this subsection (a).
		No article or material stored or offered for sale in connection with uses permitted under this section shall be stored or displayed outside of a building unless it is so screened by permanent ornamental walls, fences or planting that it cannot be seen from adjoining streets or lots when viewed by a person standing on ground level; provided, however, that no screening in excess of seven feet in height shall be required.
(d) A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use.	A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use. No material or goods offered for sale or stored in connection with the uses previously listed shall be displayed or stored outside of a building.	A building used for any of the previously listed uses may not have more than 40 percent of its floor area devoted to purposes incidental to the primary use.

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

	I General Industrial District	C-2 General Commercial District
Maximum Building size	None	None
Height	90 feet	50 feet
Front Setback	No minimum or maximum	Same as Multiple Family Residential District (25 feet)
Side Setback	25 feet if adjoining a dwelling district	10 feet
Rear Setback	30 feet minimum	Same as side yard

The Elgin Business Park is managed by the Elgin Economic Development Corporation (EDC) and they have reviewed the proposed development plan and zoning change request and are in favor of granting the zoning change. Staff has no issues with the requested zoning change.

As required, a public hearing notice was published in the January 8, 2025, edition of the Elgin Courier. A sign was placed on the property and a total of six letters (attachment #5) were sent to property owners within 200' of the lot.

Vicinity Map

