

**Belton City Council Meeting
March 27, 2018 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Dan Kirkley, Paul Sanderford, Guy O'Banion and John R. Holmes, Sr. Staff present included Sam Listi, John Messer, Amy Casey, Brandon Bozon, Chris Brown, Matt Bates, Paul Romer, Bob van Til, Kim Kroll, Angellia Points, Bruce Pritchard, Judy Garrett, Cheryl Maxwell, Jen Wesley and Kelly Trietsch.

The Pledge of Allegiance to the U.S. Flag was led by Director of IT Chris Brown, the Pledge of Allegiance to the Texas Flag was led by Councilmember Paul Sanderford, and the Invocation was given by Steve Cannon, Director of JAIL Ministry.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:33 p.m.
2. **Public Comments.** There were none.
3. **Proclamations: National Cleaning for a Reason Week – April 18-24, 2018.**

Mayor Grayson presented the proclamation to Holly Moore, owner of Maids and Moore, along with Summer Carothers-Abram and Rebecca Rodriguez. Ms. Rodriguez explained that National Cleaning for a Reason provides free cleaning services for women who are undergoing cancer treatments.

Consent Agenda

Items 4-5 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. **Consider minutes of the March 13, 2018, City Council Meeting.**
5. **Consider a resolution appointing election officers for the May 5, 2018, General Election.**

Upon a motion by Councilmember Dan Kirkley, and a second by Councilmember John Holmes, Sr., the Consent Agenda including the following captioned resolution was unanimously approved by a vote of 7-0.

RESOLUTION NO. 2018-09-R

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS,
APPOINTING ELECTION OFFICERS FOR CITY GENERAL ELECTION.**

Planning and Zoning Items

Mayor Marion Grayson announced that she would be abstaining from Item #6. She turned control of the meeting over to Mayor Pro Tem Craig Pearson.

6. **Hold a public hearing and consider the following zone changes on property located south of FM 439 and west of Dunn's Canyon Road:**

A. Tract 1: 2.149 acres from Patio Homes to Single Family-2

B. Tract 2: 2.721 acres from Single Family-2 to Patio Homes

C. Tract 3: 14.060 acres from Planned Development Single Family-1 Patio Homes to Single Family-2

Director of Planning Cheryl Maxwell said this property was rezoned in May 2004, and platted as Dawson Ridge Addition in January 2017. The plat was never recorded, but is being revised and will be resubmitted for Planning Commission and City Council approval. Due to the changes in the proposed development design, zoning changes are needed to accommodate the relocation of different housing types and uses.

Tract 1 is located south of the platted boundaries of Regatta Oaks Subdivision and Arbor Heights and is currently zoned Patio Homes. This tract is proposed for Single Family-2 zoning and development.

Tract 2 is located southwest of the intersection of Spring Canyon Road and Chisholm Trail Parkway, and is currently zoned Single Family-2. The reconfigured lots are proposed for Patio Home zoning.

Tract 3 consists of Lots 1-5 of Dawson Ranch-Regatta Oaks HOA Addition Amended Plat, currently zoned PD SF1 Patio Homes. Lot 1 is owned by the City and will be the site of a City water tank. A portion of this property has been sold to the applicant for residential development. The reconfigured lots are proposed for SF 2 zoning.

Mrs. Maxwell said the surrounding properties in this area are zoned single family residential, and the use of this property will be single family residential. Changes in zoning are requested to accommodate proposed changes in the lot layout and location of housing type. Patio homes are proposed in certain areas to allow essentially "zero lot line" housing. She added that the revised plat will reflect the revised lot layout, and is anticipated to move forward for Planning Commission/City Council approval in April.

The Planning and Zoning Commission met on March 20, 2018, and unanimously recommended approval of the zoning changes, and Staff concurs with their recommendation.

Councilmember David K. Leigh said he was happy to see land being returned to taxable, developable land.

Mayor Pro Tem Pearson opened the public hearing. Seeing no one wishing to speak, he closed the public hearing.

Upon a motion by Councilmember Leigh, and a second by Councilmember Guy O'Banion, Item #6, including the following captioned ordinances, was approved by a vote of 6-0-1 with Mayor Grayson abstaining.

ORDINANCE NO. 2018-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PATIO HOMES TO SINGLE FAMILY-2 ZONING DISTRICT ON A 2.149 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

ORDINANCE NO. 2018-05

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 TO PATIO HOMES ZONING DISTRICT ON A 2.721 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT SINGLE FAMILY-1 PATIO HOMES TO SINGLE FAMILY-2 ZONING DISTRICT ON A 13.855 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

Mayor Grayson resumed control of the meeting.

7. Hold a public hearing and consider the following zone changes on property located on the north side of W. Avenue D, west of Mitchell Street:
 - A. Tract 1: 1.550 acres of land at 1001 W. Avenue D from Neighborhood Service and Specific Use Permit-5 for City Yard to Planned Development Neighborhood Service to allow for an event center
 - B. Tract 2: 3.394 acres from Specific Use Permit-5 for City Yard to Single Family-3

Director of Planning Cheryl Maxwell explained that the two tracts in this request were previously owned by the City and used by the Public Works Department. The

property was bid and sold in 2014 as the City's Public Works Department relocated to the current FM 436 (Holland Road) site, formerly occupied by TxDOT.

Tract 1 is zoned Neighborhood Service with a Specific Use Permit for a City Yard. A large vacant building, approximately 5,000 sq. ft., is currently located on site. The applicant wishes to remodel and add-on to the existing building converting it to an event center for small scale gatherings to include wedding receptions, family reunions, graduation parties, birthday parties, etc. Mrs. Maxwell stated this use is not specifically identified in the zoning ordinance, so a planned development district is proposed with a base zoning of neighborhood service, with the additional use of an event center allowed. She reviewed all the allowable uses in a Neighborhood Service Zoning District.

Tract 2 is also zoned SUP for a City Yard. The applicant proposes to develop a residential subdivision and is requesting Single Family-3 zoning.

Maxwell said the surrounding properties are developed with single family homes. Saddle Creek Subdivision is located to the west, zoned Single Family-3. Properties to the north, east, and south are zoned Single Family-2 with Conservation and Revitalization Overlay zoning.

Tract 1 is currently zoned Neighborhood Service. The proposed Planned Development District will retain the existing zoning with the additional use of an event center; all uses currently allowed will continue to be allowed. The event center will include associated uses such as outdoor venues and limited on-premise consumption of alcohol in conjunction with food catering services, provided a) beer/wine only sales are less than 75% revenue from alcohol; or b) all alcoholic beverage sales are less than 50% revenue from alcohol.

Most of the surrounding properties have the Conservation and Revitalization Overlay (CRO). The CRO allows a mixture of residential and some commercial or other nonresidential uses nearby. Per the Zoning Ordinance, it presents the opportunity for different residential developments and compatible selected services and retail that are needed for the comfort, economy, and convenience of the neighborhood. Therefore, the NS Zoning District appears to be appropriate in this vicinity.

A subdivision plat for Tract 1 consisting of 1.109 acres was approved administratively last year. This plat is being revised to include an additional 0.441 acres for a total of 1.550. Sidewalk was required and has not yet been provided. Mrs. Maxwell stated that prior to obtaining a building permit, the applicant will provide a detailed site plan for the event center addressing the following design standard requirements with the building permit: building materials; tree preservation and landscaping requirements; screening; dumpster requirements; lighting; signage; and parking.

Tract 2 will be platted as a residential subdivision, and the lots and development will be required to observe all area requirements for the SF3 Zoning District.

Mrs. Maxwell further explained that Staff recommended approval of the requested zoning changes for both tracts to the Planning and Zoning Commission at their meeting on March 20, 2018. At that meeting, several concerns from neighborhood residents were raised with regard to the rezoning of Tract 1 to allow for an events center. These concerns included parking overflow onto Avenue D, potential noise issues with outside events, and the serving of alcohol. A motion to deny the zoning change was split with four votes in favor and four in opposition by the Planning and Zoning Commission. Another motion was made to rezone the portion of Tract 1 that was not currently NS, to NS so this designation covered the entire tract. This motion passed unanimously. Additionally, the proposal for SF-3 zoning on Tract 2 was unanimously recommended by the P&ZC.

Councilmember O'Banion asked, "What is the purpose of zoning the property to Neighborhood Service if that is not what the applicant requested?" Mrs. Maxwell explained that the property is currently zoned for a City yard with a Specific Use Permit since it is the former site of the Public Works Department. She added that this is a cleanup zoning. Mr. O'Banion said, "So if they want to do something different with the property, then they apply for a zoning change again?" Mrs. Maxwell stated, "Correct."

Mayor Grayson opened the public hearing. Seeing no one wishing to speak, she closed the public hearing.

Councilmember Leigh said that he had attended the Planning and Zoning meeting, and there was good discussion on this item. He said there was some concern that if the zoning was disapproved, the applicant would have to apply for a zoning change again anyway. So, the Planning and Zoning Commission decided to clean up the zoning by making all of Tract 1 Neighborhood Service which allows for a fairly broad range of uses (but will not allow the event center).

Upon a motion by Mayor Pro Tem Pearson, and a second by Councilmember Leigh, Item #7, including the following captioned ordinance, was approved by a vote of 7-0.

ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD TO NEIGHBORHOOD SERVICE ZONING DISTRICT ON A 1.550 ACRE TRACT, AND FROM SPECIFIC USE PERMIT-5 FOR CITY YARD TO SINGLE FAMILY-3 ZONING DISTRICT ON A 3.394 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 8 DESIGN STANDARDS.

- 8. Hold a public hearing and consider a zoning change from Agriculture and Planned Development Commercial 1 to Planned Development Commercial 1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.**

Director of Planning Cheryl Maxwell stated that the applicant has submitted this request for a zoning change to allow for an RV park on 17.4 acres with future commercial uses on the remaining 4.3 acres fronting along I-35. The Planned Development Commercial-1 proposal will allow for various commercial uses as well as the RV park.

Mrs. Maxwell said that the property to the north is the proposed site of Pro Star Rental and was rezoned to Commercial-2 District in October 2017. Property to the south is undeveloped with split zoning—mostly Light Industrial with Commercial Highway along the I-35 frontage. Property to the east is undeveloped and zoned Agricultural. To the west is I-35; property along the southbound I-35 frontage road consists of undeveloped land, residential uses, Sunbelt RV Center, Belton RV Park, and Bell County Expo Center with Commercial Highway, Agricultural, and Planned Development zoning.

The RV park must comply with the City Code of Ordinances Chapter 19, Recreational Vehicle Parks. The number of RV spots proposed is 215, which gives a density of 12.35 units/acre. This is below the maximum density allowed which is 20 units/acre. Private streets require a minimum width of 20 feet, and the applicant is proposing widths of 30 feet. Parkland/open space of 1.4 acres (8.02%) is proposed, meeting the minimum requirement of 8% open space.

Maxwell explained that access to the RV park is proposed from the I-35 frontage road and must be approved by TxDOT. A second entrance is proposed from a future extension of Capital Way. ROW dedication, perimeter street improvements, sidewalks, extension of utilities, etc. will be addressed with the required subdivision plat, and approval of a subdivision plat and detailed site plan will be required prior to issuing a building permit.

An RV Park is only allowed within the parameters of a Planned Development District. This allows the Planning Commission and City Council to exercise discretion and judgment in determining the appropriateness of this use at specified locations.

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the zoning change with the conditions outlined in the letter to the applicant's engineer, and Staff concurs with their recommendation.

Mayor Grayson opened the public hearing. Seeing no one wishing to speak, she closed the public hearing.

Councilmember Leigh stated that the zoning is consistent with other zoning in the area. He added that he is getting a little concerned with the lack of clarity regarding the length of stay by RV Park residents. He said that the RV Parks are consistent with the Expo Center events, and there is definitely a need for these facilities, but he does have a concern that there are two of these now as you enter into Belton. The Expo Center events need these type of facilities, but he believes that the current RV Park Ordinance needs to be updated. Mr. Listi agreed that changes to the ordinance

are needed, and said that Staff will bring a revised ordinance to Council in the near future.

Councilmember Holmes commented that the RV Park is very dense.

Upon a motion by Councilmember Kirkley and a second by Councilmember Sanderford, Item #8, including the following captioned ordinance, was approved by a vote of 7-0.

ORDINANCE NO. 2018-08

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL AND PLANNED DEVELOPMENT COMMERCIAL-1 TO PLANNED DEVELOPMENT COMMERCIAL-1 FOR AN RV PARK ZONING DISTRICT ON A 21.757 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

Councilmember David K. Leigh announced that he would be abstaining from Item #9.

9. **Hold a public hearing and consider a zoning change from Planned Development Retail to Amended Planned Development Retail (Signage) on a 2.121 acre tract of land at 127 Lake Road, located at the southwest corner of Lake Road (FM439) and Commerce Street, west of Main Street (SH317).**

Director of Planning Cheryl Maxwell said the applicant has submitted this request for an amended PD to address proposed signage. The applicant has constructed a 3-story building which has multiple lease spaces. The City's Sign Ordinance does not provide clarity with regard to multi-story buildings with multiple tenants. As a result, an amended PD is requested to approve a Master Signage Plan for this site.

The PD-Retail Zoning that was approved for this site in 2014 included the following provision for signage: Sign Standards shall conform to Ordinance 2008-11. No wall signage is permitted on the western elevation until the property to the west develops into an office or retail use. Mrs. Maxwell said the applicant is requesting modification to the zoning ordinance requirements for both monument and wall signs.

Monument Sign: A free-standing monument sign is allowed in the Retail Zoning District with a maximum 40 square feet area; maximum 5' height; minimum 5' setback; maximum 1 per lot. Permitted area is inclusive of the sign base and sign structure. Sign face cannot exceed 50% of the overall sign structure.

A drainage easement and retaining wall are located along the perimeter of this property along Commerce Street and Lake Road. A 58" (4.8 ft.) high wrought iron fence runs along the inside edge of these features for safety purposes. With the fencing in place, a sign with a maximum height of 5' would have limited visibility. Due to the layout of the parking, landscaping, driveway/circulation, etc., locations for

placing a monument sign for visibility along both street frontages are limited. A monument sign could be placed on the outside edge of the drainage easement but that would be located at the property line, instead of observing the minimum required 5' setback.

Mrs. Maxwell explained that the applicant proposes to place the monument sign at the northeast corner of the property just inside the edge of the drainage easement and fence, and extend the height of the base 58" (approximately 5') to clear the fence for visibility. The proposed overall height of the monument sign at this location is 10' instead of 5'. The face of the sign is proposed at approximately 40 sq. ft.; however, the total sign area, base and structure, will be approximately 90 sq. ft. which exceeds the maximum 40 sq. ft. area allowed.

Given the existing conditions on this site, the proposal appears to be reasonable. Staff supports the proposed master signage plan with modifications to the Zoning Ordinance to allow 1) a monument sign at a maximum 10' height located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence for visibility; and 2) a maximum 90 sq. ft. total area (sign base and structure).

Other features of the monument sign are as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

Wall Sign: In the Retail Zoning District, wall signs are allowed based on a maximum area of 1 square foot per linear foot of primary façade. Calculation of wall signage is based upon a builder's primary entrance and building façade (Ref 38.18 C). Lots fronting on two or more streets are allowed to use the longest street frontage in the allowable allocation to be identified by the Master Signage Plan (Ref 38.17 D). Once the maximum allowed sign area is determined, the signage may be placed on any face of the building, except those directly adjacent to, and within 100' of a residential property line within a residential zoning district.

The dimensions of the applicant's building are 115' along Commerce Street and 68' along Lake Road. Going with the longest street frontage, a maximum 115 square feet of signage is allowed for this building (not 115 + 68). These requirements are generally applied to a one story building; application of this requirement to a multi-story building with multiple tenants is not addressed in the current code.

There are currently three lease spaces on the first floor; three on the second floor; and one on the third. There is flexibility in the layout, so this may change. The applicant wishes to provide tenants with wall signage, as well as on the monument sign.

Mrs. Maxwell explained that applying the current sign code allocations to the long building side of 115', and a sign area allowance of $115' \times 3 = 345$ sq. ft., which may

be distributed as determined appropriate among the three floors and three available sides. This appears to be a reasonable interpretation of the current code. No signage is allowed on the west-facing wall since it is adjacent to residential property in a residential zoning district at this time.

The size of the existing and proposed signage ranges from approximately 20 sq. ft. to 50 sq. ft. This averages 35 sq. ft./sign. An allowance of 345 sq. ft. would accommodate approximately 10 signs at 35 sq. ft. each. Mrs. Maxwell said the applicant feels this allocation would accommodate the existing tenants, but is concerned about future needs. Therefore, he would like to increase the allotment to accommodate 12 signs at 35 sq. ft. each, for a total of 420 sq. ft.

Maxwell stated that the decision in this case will help guide future discussions on signs, and may suggest the need for a code amendment for signage in similar developments in the future. She said that two possible approaches were discussed with the Planning and Zoning Commission.

Option A is based upon the linear frontage of each lease space, and Option B is based upon an overall allocation for the entire building, based on the longest building side, to be distributed as appropriate. Mrs. Maxwell summarized these as follows:

Option A: This is based on our current code and method of allocating signage area for lease space on a single floor. Each tenant is allowed 1 sq. ft. of signage for each linear foot of frontage. For example, 50 feet of frontage allows the tenant 50 sq. ft. of signage. This would be applied to each tenant on each of the floors. If the tenant has space fronting on two sides, they may place the sign on either side, or split the allocation and place on both sides.

Option B: This is based on current code but is more general. Regardless of the number of tenants or lease space, the building as a whole is allocated signage based on the linear feet of the longest frontage. For this building, the longest side is 115', so 115 sq. ft. of signage is allowed, multiplied by 3 to accommodate each story, for a total of 345 sq. ft. This may be distributed as the owner desires. In this case, the applicant feels current needs are satisfied by this, but would like an additional 75 sq. ft. for a total of 420 sq. ft. to address future needs of additional tenants.

Given the uniqueness of the situation, the Planning and Zoning Commission, at its meeting on March 20, 2018, concurred with Option B. After review of the City's Sign Standards as written, and the questionable applicability with regard to the needs of a multi-story building, Mrs. Maxwell said the Staff supports an amendment to the PD to allow a maximum 420 sq. ft. of wall signage for the entire building, limited to a maximum of 12 signs.

Mayor Grayson opened the public hearing. Mr. David K. Leigh, 500 Loop 121, representing Belton Skyline, presented the request for signs for the building. He said

the current sign ordinance is not sufficient to address the needs of a multi-story building. His presentation is attached as Exhibit "A."

Seeing no one else wishing to speak, Mayor Grayson closed the public hearing.

Councilmember O'Banion asked if 12 was the maximum number of signs allowed. Mrs. Maxwell said yes. He asked if the fourth side will be allowed to have additional signs when the residential zoning is rezoned to commercial or something similar. Mrs. Maxwell said that 12 signs is the limit whether there are three sides or four sides used. Councilmember Kirkley asked if the applicant could come back and request more in the future. Mrs. Maxwell said yes, and she clarified that there was also a maximum of 420 sq. ft. regardless of the number of signs.

Councilmember Holmes expressed concern wanting to ensure that all signage applications are treated consistently referencing the new NAPA store. Mrs. Maxwell said that the calculations are similarly applied using linear frontage, but the signage allowed also depends on the zoning district for each property. Councilmember Kirkley said that the ordinance is a good, strong ordinance, but agreed that sometimes small changes are needed along the way to maintain the beauty of Belton. City Manager Sam Listi said that some changes have been made in the height of signs along the interstate as well as other minor changes.

Upon a motion by Councilmember Kirkley, and a second by Councilmember O'Banion, Item #9, including the following captioned ordinance, was approved by a vote of 6-0-1 with Councilmember Leigh abstaining.

ORDINANCE NO. 2018-09

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT RETAIL TO AMENDED PLANNED DEVELOPMENT RETAIL (SIGNAGE) ZONING DISTRICT ON A 2.121 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 5 DESIGN STANDARDS.

Councilmember David K. Leigh returned to the meeting.

10. Consider a final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton.

Director of Planning Cheryl Maxwell said that this 1-lot subdivision is proposed as the Pro Star Rental Addition. She summarized the subdivision ordinance requirements as they apply to this subdivision plat.

Water: This property will be served by the existing 12" water line on the east side of the tract. No extension is required by the applicant.

Sewer: The proposed South Belton Sewer Project sewer lines are located on the far eastern edge of the property. However, due to topography, the sewer line along the eastern edge of the property is a force main. A service line, especially unpressurized, cannot tie into the force main. There is a gravity sewer line 1,300 feet northeast of the proposed building on this property, but the fall between the building and the gravity line is not great enough to allow for gravity flow. Therefore, the applicant must either install a septic system or install a grinder pump and private force main to connect to the gravity line approximately 1,300 feet away. Because the limited number of bathrooms and sinks will have a minimal contribution to sewer flows, Staff determined a septic tank for location is acceptable and a letter to this effect has been provided by the Bell County Public Health District.

Drainage: Drainage calculations have been reviewed and a detention pond will be needed. The location and details of the detention pond will be provided with the building plans and can be accommodated on site.

Streets: Access from the I-35 frontage road is proposed on the north side of the property. The Thoroughfare Plan identifies a future southern roadway extension of Capital Way along the eastern perimeter of this proposed plat. Capital Way is shown as a major collector which requires 80 feet of ROW. Typically, when a plat is proposed, the developer is required to dedicate one-half of the needed ROW for the length of the subdivision frontage. However, in this case, the seller, is retaining a strip of land +/- 60' wide along the eastern edge of the property (1.549 acres) as an access easement for tracts farther south, and also for City of Belton utilities. This easement mirrors the ROW needs for future alignment of Capital Way. The applicant does not own or control this 60' easement and is therefore not able to dedicate this land. We have discussed this with the seller and advised the requirement for future ROW dedication for Capital Way extension.

Maxwell said that with regard to this plat, Staff is assuming the 60' easement will be conveyed to the City for ROW purposes at some point in the future in conjunction with future subdivision platting. Therefore, an additional 20' ROW will be needed, split between this tract and the property to the east when it develops. This results in a 10' ROW dedication needed from this property.

According to the Subdivision Ordinance, the developer is required to contribute one half the total cost of paving (18.5 feet), curb and gutter, and a 5' wide sidewalk for the portion of Capital Way adjacent to this plat. The estimated cost of the applicant's contribution is \$21,900.90 for the 140' of frontage. City Staff finds the estimate acceptable and recommends the applicant escrow the cost of construction for the required perimeter street improvements. When other properties are submitted for final platting, perimeter street improvement obligations will apply and be secured.

Sidewalks: The Subdivision Ordinance also requires the developer to construct a 6' wide sidewalk along the subdivision side of arterial streets, in this case, the northbound I-35 frontage road. The applicant has the option of either incorporating the sidewalk into the construction plans or placing the funds for future construction in

an escrow account with the city. The applicant has chosen to incorporate the sidewalk into the construction plans.

Mrs. Maxwell said that the Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the final plat of Pro Star Rental, subject to the conditions outlined in the City's Letter to the Applicant and Engineer dated March 16, 2018. Staff concurs with their recommendation.

Councilmember O'Banion asked if there will be an entrance/exit at the rear of the property. Mrs. Maxwell said access is only being proposed on the north side of the property along the IH-35 service road. She said the applicant would like another access point onto Capital Way once it is constructed, but at this time that is not possible. Mr. O'Banion asked how many acres are included in the property, and Mrs. Maxwell stated that it was approximately ten acres.

Mayor Grayson asked, "Didn't we require the RV Park to have an access on Tollbridge Road?" Mr. Listi said that was required because the road existed. In this case, Capital Way does not exist in the area behind the property. He added that Staff will continue to work with the property owners to obtain the needed right-of-way, but at this time there isn't a street that can provide access to the rear of the property.

Mr. O'Banion said that with a detention pond required on the property, and the need for a large amount of storage space for the equipment, there may not be room for semis to maneuver within the property.

Councilmember Sanderford said that as he understands it, there is no road at the back of the property. Additionally, TxDOT is very stingy with their road access, so this may be all that the applicant can do at this time.

Mr. Listi said that Staff has met with property owners and made it clear that as they plat, they will be required to provide right-of-way and perimeter street improvements for the Capital Way extension. Unfortunately, in this case, the applicant doesn't control that piece of property. He is providing everything he can from his property toward the right-of-way and perimeter street improvement funding needed.

Mr. O'Banion said that this is the first time he has seen this plat. He is concerned that access will be an issue, but since the Council hasn't seen a site layout, he doesn't know how the flow will work. He said, "I don't know the solution to the problem, or even if it's our place to say during final platting. We've yet to see a plan or a layout as to what that's going to look like."

City Attorney John Messer said there might be a possibility for cross access when the RV Park is platted. Councilmember Leigh said that he would have a hard time approving a final plat that didn't show two access points.

Mrs. Maxwell reminded the Council that the applicant has met all the requirements for approval of the final plat. She added that Staff could work with the applicant to see if cross access is a possibility. TxDOT will not grant another access point because of the location of the exit ramp from IH-35.

Mayor Grayson asked if the applicant was okay with one access. Mrs. Maxwell stated that they were. Will Cisco of Turley Associates stated that although it is not ideal, and he understand the Council's concern, the applicant feels that it is adequate. He added that the site plan will be reviewed for safety issues during the building permit stage.

Mayor Pro Tem Pearson said he doesn't believe that requiring two access points is addressed in the City's Building Standards. Mr. Listi said that it is always Staff's goal to get two. Councilmember Kirkley said if the Fire Marshal approves it, then he would be comfortable with it.

Councilmember Leigh said there are 3-4 possibilities to get cross access, but it may require the applicant to purchase additional land in order to get that access. Mr. Listi said that the Council can table the item, and Staff can work with the applicant to see if an additional access can be achieved.

Councilmember Paul Sanderford said, "I'm confused. I'm not aware that there is a request for a variance in this application." Mr. Listi said that there is not a requirement for the second access for this plat.

City Attorney John Messer said that the same issue exists for the RV Park where zoning was approved at tonight's meeting. Mr. O'Banion said, "But that was zoning, and this is final plat." Mrs. Maxwell said, in her opinion, the issues raised should be addressed with the site plan during the building permit stage. She doesn't believe that these issues are appropriate discussion for a final plat approval. Mr. Messer said, "What they've submitted, they've met the requirements for a final plat." Mr. O'Banion said he understands, but asked, "Are we doing anyone a favor by pushing it [access issues] down the road? Are we going to tell them when they submit their site plan, or when the Fire Marshal is reviewing, 'Hey, this isn't going to work.'" Councilmember Leigh said that if they have met the requirements of the plat, then it is incumbent upon the Council to allow them to plat it. However, he added, "We should probably wave that flag pretty strong... 'Beware, there is a dead end potential here.'"

Councilmember O'Banion said that brings up a good question. "When do we wave that flag to these people?" Mrs. Maxwell said that the Staff goes through a comprehensive review with the developer noting all the requirements and issues with the project. Mr. O'Banion asked, "When is the appropriate time for Council to raise these issues?" Mr. Leigh said that from his experience, this usually occurs between the platting and building permit stages." He added that the City needs to do a better job of consistently applying the requirements.

Mr. Listi explained that the Council needs to satisfy themselves that the applicant has met the requirements for a final plat as submitted. Then, the City needs to rely on the building permit process to see the layout and ensure that it provides for the needed circulation within the site.

Mayor Pro Tem Pearson said that Staff provides the developers with all the information they need to make informed decisions on whichever direction they decide to go. He added that he wants to make sure that the developers know that Council is looking for two ways in and two ways out as well as cross access. "If our ordinances don't clearly specify that now, then we [need to amend them.]" City Attorney John Messer said that the plat may be approved now, but someone could come along and build something that doesn't require two access points. Councilmember O'Banion asked, "So when does that come up?" "During the building permit stage," answered Mr. Listi. Mayor Grayson responded, "So unless Staff mentions cross access, it's not ever happening." Mr. Messer said, "Y'all get to decide when it gets done." "That's my question that nobody's answered," said Mr. O'Banion, "when do we decide that it has to have cross access?" "Do we need to do an overlay zoning that requires cross access in certain areas?" asked Mr. Leigh. Mr. Kirkley stated that cross access is a good thing, but he thinks it would be very restrictive, and in some areas, it would just not be possible.

"I still have not had my question answered," said Mr. O'Banion. "When do you make the decision and who makes it... or do we not have any say in it? If we don't have any say in it, if it is strictly Staff's decision when we are going to require cross access, then tell me that." Mr. Listi replied, "I don't think there's one answer. Mr. Leigh said, "If we want Council to have a say on cross access, specifically, then we need an ordinance and set a policy to direct Staff to do that. Right now, there is no legal direction to Staff to require that, other than the safety and building permit stage."

Mayor Pro Tem Pearson said there is not a reason to disapprove the final plat, and Staff seems to understand Council's concerns.

Upon a motion by Mayor Pro Tem Pearson, and a second by Councilmember Kirkley, item #10 was unanimously approved by a vote of 7-0.

Councilmember O'Banion asked, "Does the City have the legal right to come back and say you have to have a secondary access? If we don't have that right, then what do we need to do to have that right? Again, when do we make the decision, and can we even make the decision?" Mr. Leigh said the City needs to put an ordinance in place before construction begins. Mr. Listi said Staff would work on these issues and bring it back before Council soon.

Work Session

11. Conduct a work session on Belton Water Tank Number 3 graphics.

Director of Public Works Angellia explained that the proposed Belton Water Tank graphics would need to be selected in order to obtain bids for the construction of the tank project. She provided the Council with several options as shown in Exhibit "B".

Councilmember Leigh asked where would the water tower graphics be visible. Ginger Tolbert of KPA Engineers said that it should be visible from most of the major roads in the area as well as the surrounding neighborhood. "How critical is it to make a decision now until we know where it is most visible?" asked Mr. Leigh. Mrs. Tolbert explained that it is best to have the design or designs selected in order to place in the bid packet. She added that it was possible to have an alternate included in the bid packet which is where the City will receive the best pricing.

Councilmember Leigh suggested that a colorful image like that on the Belton Dam mural be considered as an alternate since it is close to Lake Belton. He added that it is an opportunity for branding. Mrs. Tolbert stated that the more colors added, the higher the cost.

Mr. Leigh expressed that he liked the City of La Porte's water tower graphics. Mayor Grayson asked Staff to return with additional options including basic graphics as well as some more mural type alternates.

Executive Session

At 7:04 p.m., the Mayor announced the Council would go into Executive Session for the following item:


12. **Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, for a deliberation regarding real property.**

The Mayor reopened the meeting at 8:22 p.m., and there being no further business, the meeting was adjourned.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

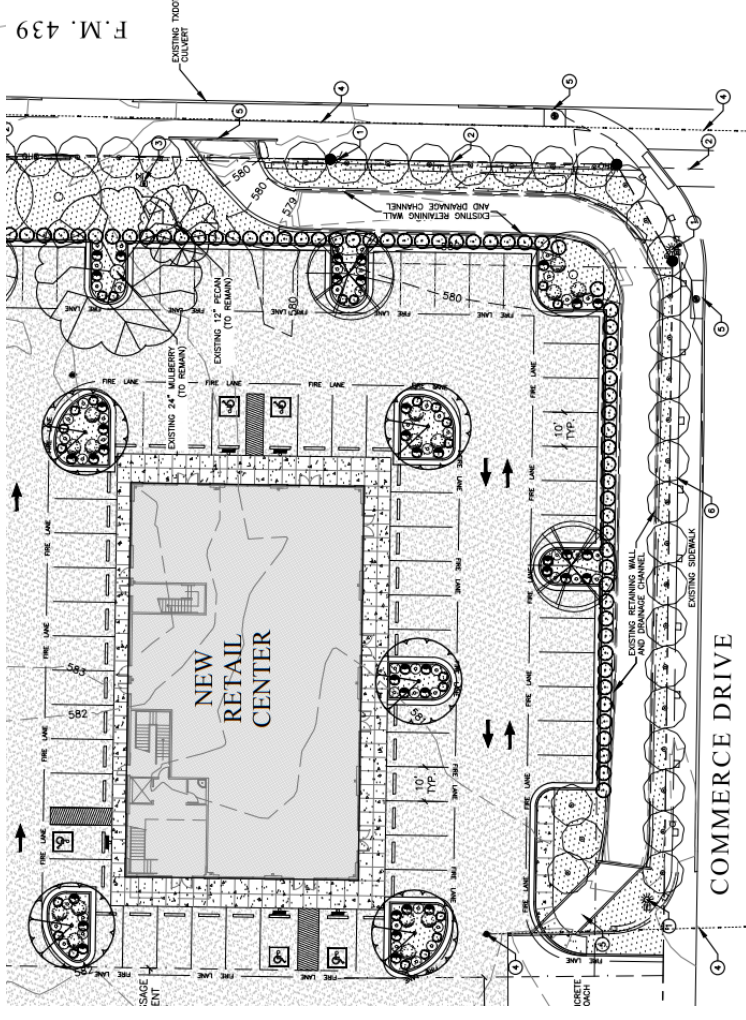
127 Lake Rd Sign Proposal

Submitted by Stephanie Covington on behalf of Belton Skyline

Current Code Allowance

1 SF of signage allowed/ 1 linear ft. primary façade

- ▶ In the Retail Zoning District, wall signs are allowed based on a maximum area of 1 square foot per linear foot of primary façade (e.g. 100 linear feet of frontage allows maximum signage of 100 square feet). Calculation of wall signage is based upon a builder's primary entrance and building façade (Ref 38.18 C). Lots fronting on two or more streets are allowed to calculate the longest street frontage into the allowable allocation to be identified by the Master Signage Plan (Ref 38.17 D). Once the allocation is determined, the signage may be placed on any face of the building except those directly adjacent to, and within 100' of a residential property line within a residential zoning district.



Commerce Frontage - 115 linear ft.

Problem/Proposal

- ▶ Current code does not account for a multi-storied structure.
- ▶ 115 SF of wall signage does not allow for appropriate signage for a multi-tenant, multi-storied structure.
- ▶ Original interpretation of the code suggested that both frontages (Lake and Commerce) could be considered as frontage in the SF calculations. This would allow 115 (Commerce) + 68 (Lake). However, the city later explained that 115 SF was all the code allowed for this structure.
- ▶ We present that a reasonable extrapolation of the current code to accommodate a multi-tenant, multi-storied structure would be to multiply the current code by the number of stories.
 - ▶ Original Interpretation: $115 + 68 = 183 \times 3 \text{ stories} = 549$
 - ▶ Current Interpretation: $115 \text{ SF} \times 3 \text{ stories} = 345 \text{ SF}$
- ▶ As a compromise, we request 420 SF of wall signage for the building with a max amount of signs less than or equal to 12.

Existing (Permitted and Installed) Signage First Floor

- ▶ Commerce Drive - 115SF allowed
 - ▶ Texas Title - 19.12 SF
 - ▶ J'Neely's - 19.77 SF
 - ▶ Youphoria - 27.87 SF
 - ▶ J'Neely's - 19.77 SF
 - ▶ Total existing signs: 86.53 SF

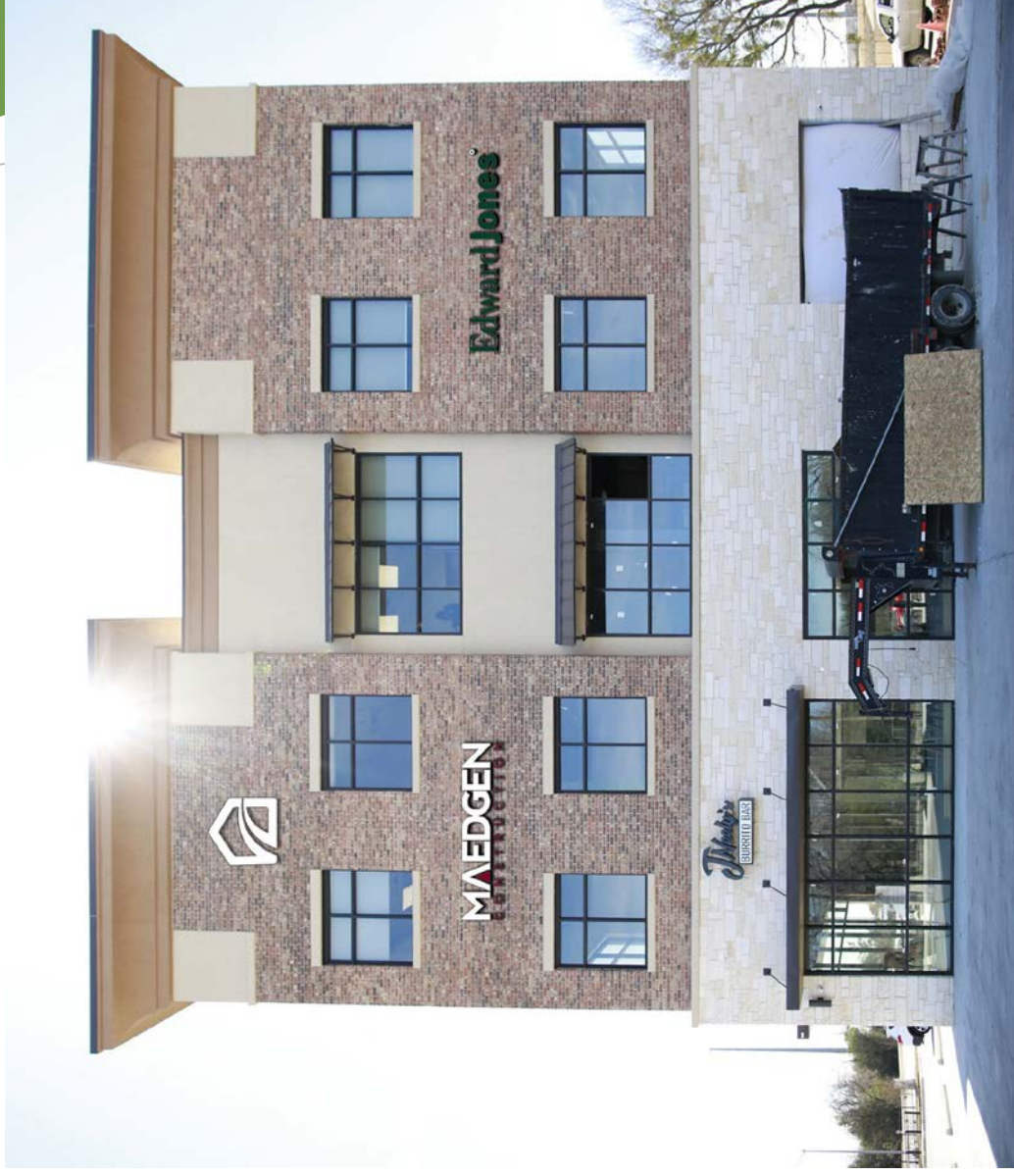
Example Future Signage Locations - Bldg Entrance

- ▶ Fairway Icon or full logo - 50 SF
- ▶ Second Floor Tenant Icon - 40SF
- ▶ Entrance Sign (Over Arc) - 40SF



Example Future Signs - Lake Rd Frontage

- ▶ Fairway Icon or full logo
 - ▶ Est size = 50 SF
- ▶ Edward Jones
 - ▶ Est. size = 40 SF
- ▶ Maedgen Construction
 - ▶ Est size = 40 SF
- ▶ (Existing) J'Neely
 - ▶ 20 SF



Proposed Future Signs - Commerce Frontage

- ▶ Existing
 - ▶ Texas Title - 19.12 SF
 - ▶ J'Neely's - 19.77 SF
 - ▶ Youphoria - 27.87 SF
 - ▶ Total Current SF of signage: 66.76 SF
- ▶ Proposed Additions
 - ▶ Future first floor tenant
 - ▶ Second floor tenants or third floor tenant



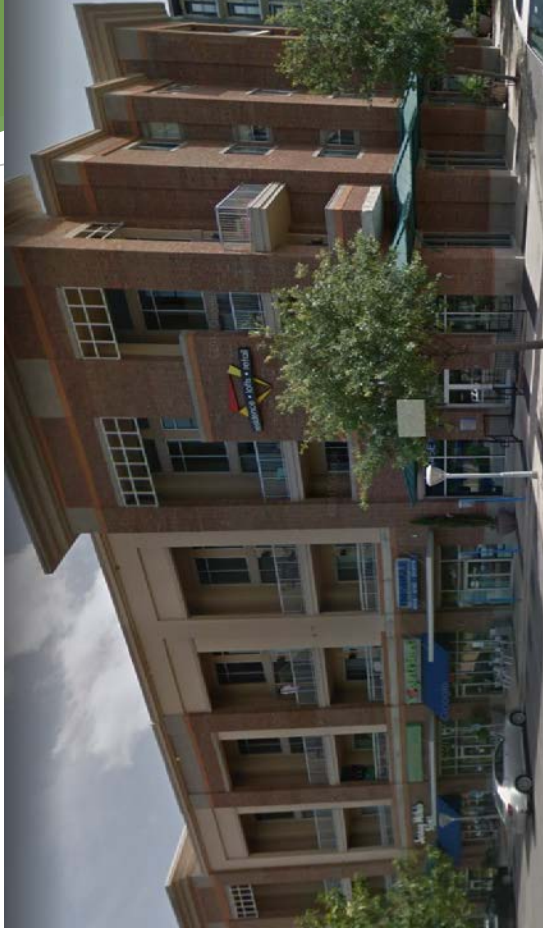
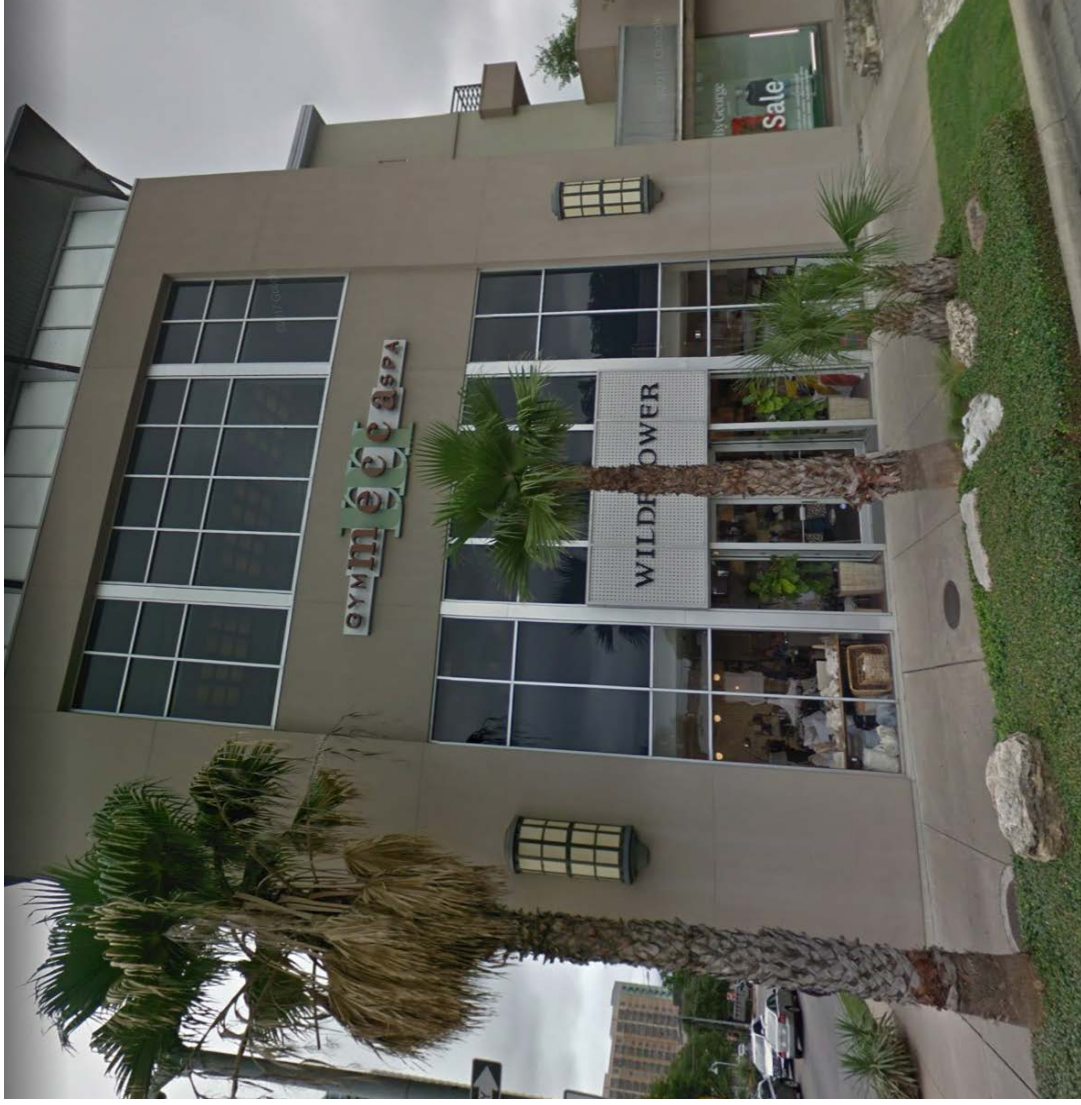
OR



OR



Examples of Similar Bldg Signage seen in other cities

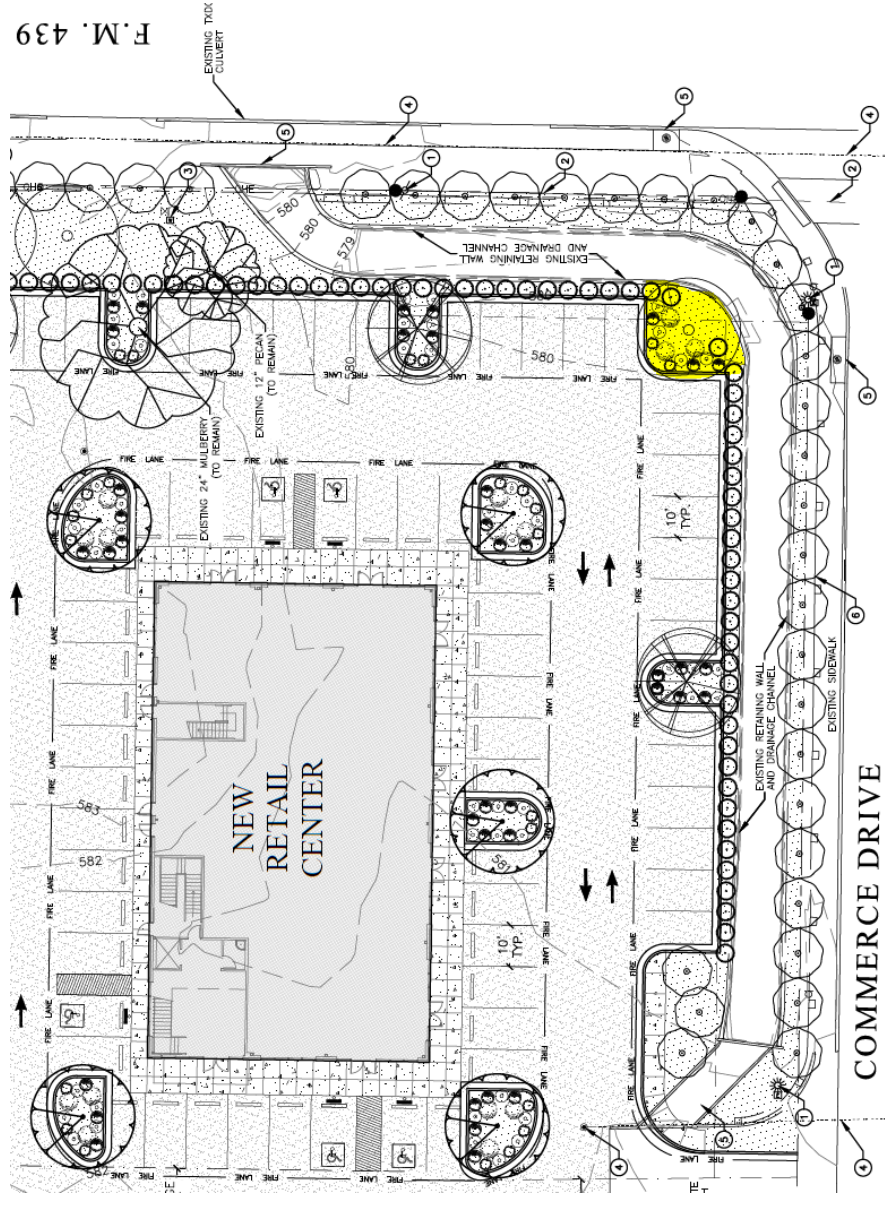


We want to keep it clean and classy while providing adequate tenant signage. We don't want signs all over the building!



Monument Sign

- Possible Locations - Located approx. 30 ft from Commerce and 30 ft from Lake Rd.



Monument Sign Variance Needed

- ▶ Current code allows for 40 SF of sign area, 5' maximum height.
 - ▶ However, city fence is 58" (4.8 ft) high at its tallest. So, signs would need to start at 5' high to be visible.

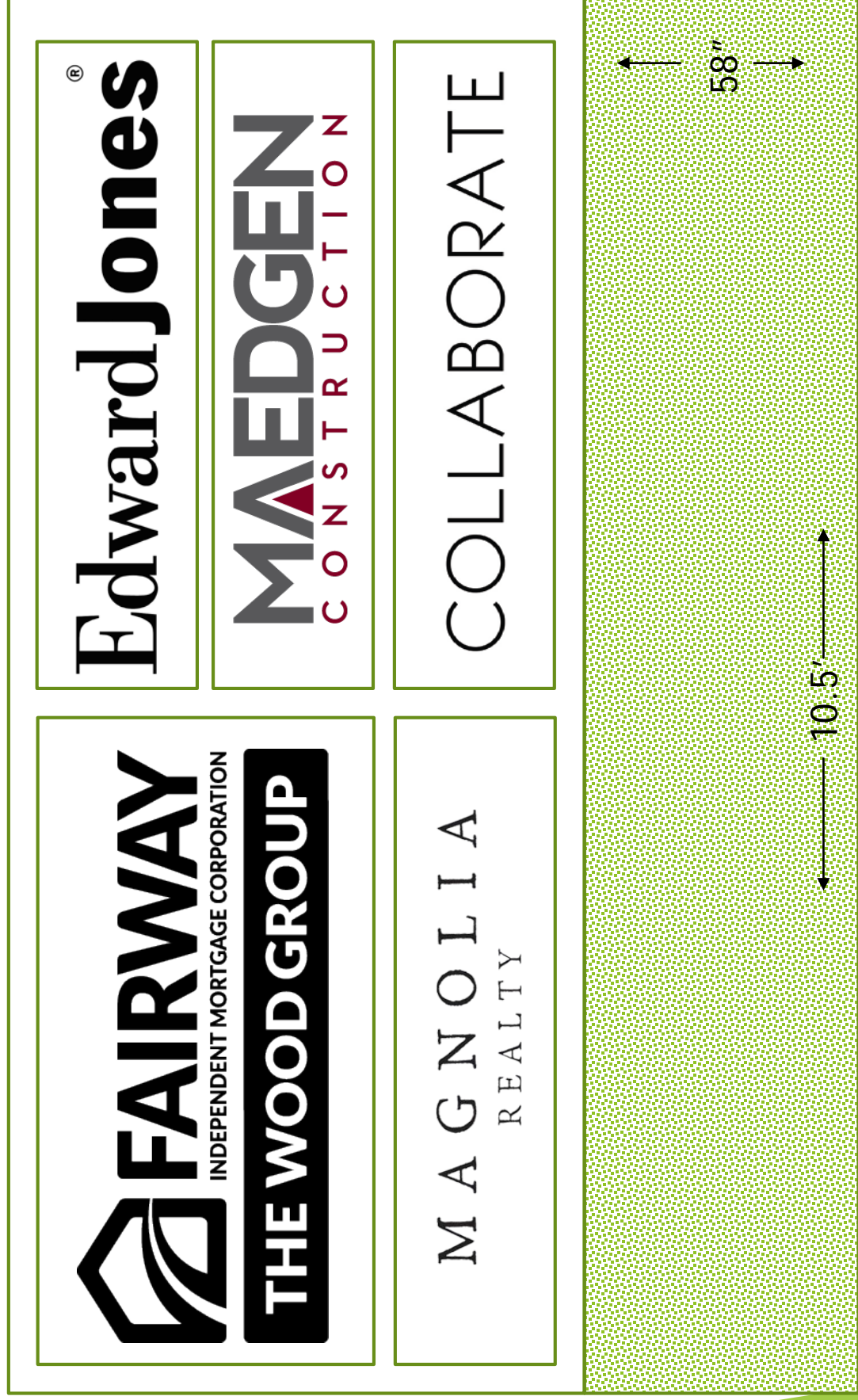


Monument Sign Variance Needed

- ▶ Monument sign needed to provide additional signage space for 2nd and 3rd floor tenants.
- ▶ Monument Material: Mimic building's brick/stucco combination.
- ▶ Sign Material: Dark background, white text, (or vice versa) no colors in logos to give uniform look. Different sized sign boxes based on rented SF for tenants.
- ▶ Example Concepts:



Sample Monument Dimensions - max of 90SF total.



Conclusions

- ▶ Variances Requested
 - ▶ Monument Sign: Request monument height allowance to be increased by 5' to allow for the monument to extend above City fencing. 40 SF of sign space (per current code) should be adequate. 90 SF Max total.
 - ▶ Additional Square Footage for Wall Signs
 - ▶ 420 SF for the building to be allocated for tenant signs at the landlord's discretion, with a max sign count quantity of 12.

NORTH BELTON ELEVATED STORAGE TANK

Graphics/Image Discussion

GOAL: Decide on the graphics concept to incorporate into the design.

EXHIBIT "B"

Current Elevated Storage Tanks

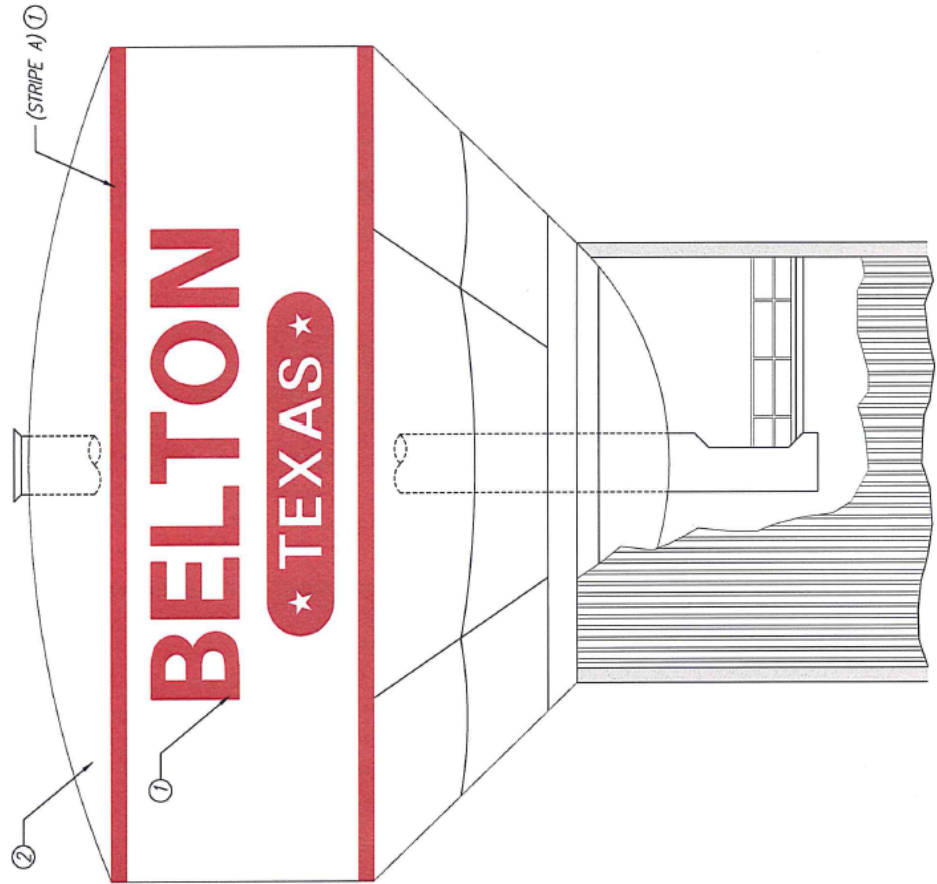


Loop 121

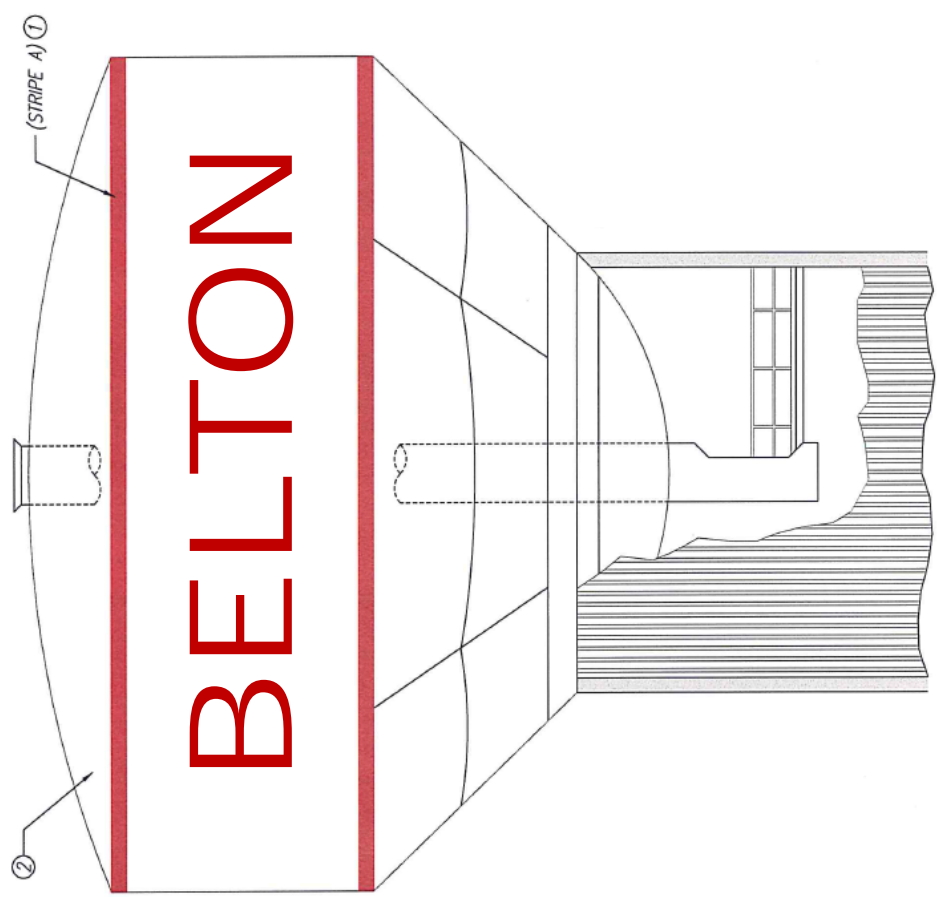


Miller Heights

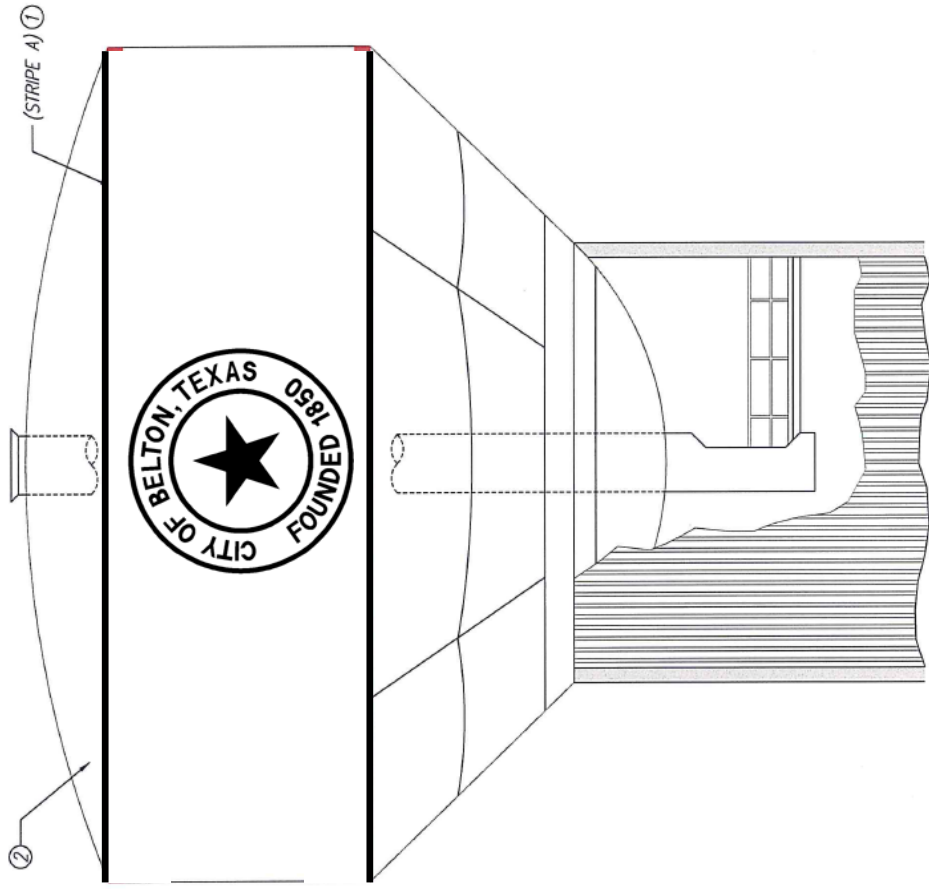
Graphic Options – Matches Existing Elevated Tanks



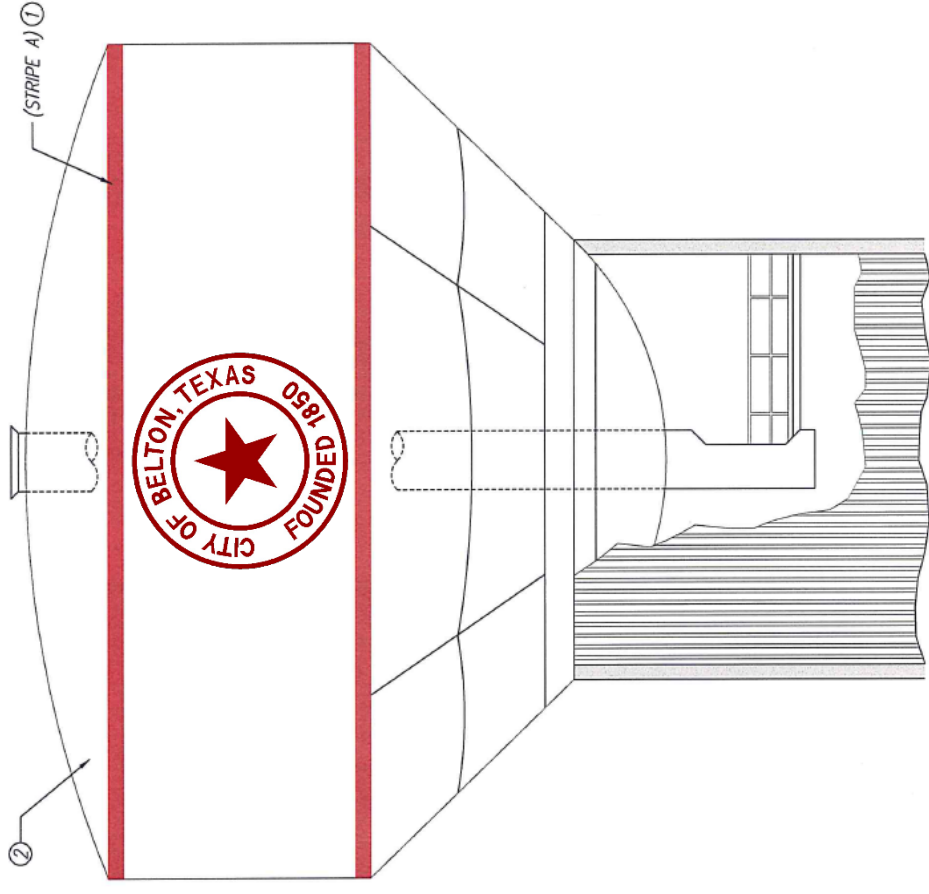
Option A – Matches Loop 121 Tank



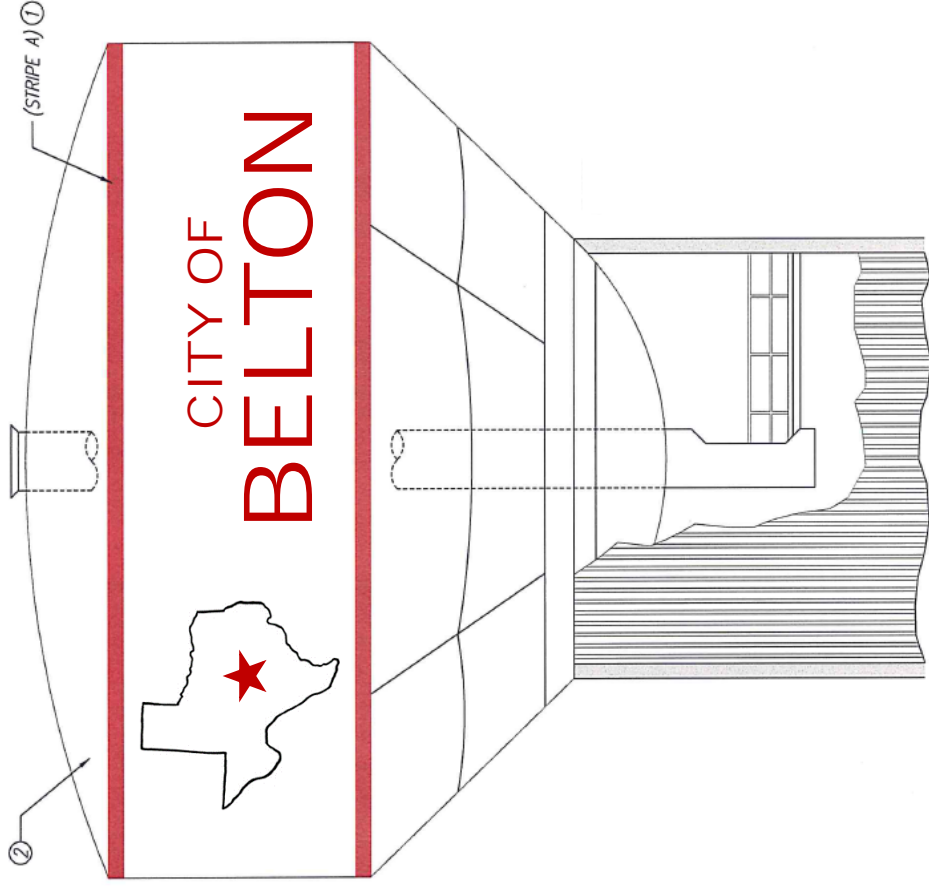
Option B – Matches Miller Heights Tank



Option C – Seal in Black



Option D – Seal in Red



Option E – Texas Outline

SCHEDULE

- Today's Discussion: Tank graphics
- Easement acquisition is nearly complete
 - Dawson Ridge plat in development
 - Dickson Ranch development agreement will be presented in April
- Finalize design drawings and specifications by May 1, 2018
- Bid waterline and tank separately (1 month)
- Bid award, construction phase (12 months)