

Z-16-07

501 East Avenue I

Staff Report – Planning & Zoning Item



Date: June 21, 2016
Case No.: Z-16-07
Request: CH to C-1
Applicant: Neil Bufkin

Agenda Item

Z-16-07 Hold a public hearing and consider a zoning change from Commercial Highway to Commercial-1 Zoning District for a minor auto repair shop at 501 East Avenue I, a 0.33 acre tract of land, located on the southeast corner of South Beal Street and East Avenue I.

Originating Department

Planning – Erin Smith, Director of Planning

Case Summary

The applicant has submitted this request for a zone change to Commercial-1 to allow for a minor auto repair shop. To the north are single family homes zoned Commercial Highway and Baird & Hunter Electric; to the east and south are single family homes zoned Commercial Highway; and to the west is L&N Auto Sales.

Current Zoning

Commercial Highway

Proposed Zoning

Commercial-1

Design Standards Type Area : 2 Recommended Type Area: 2

This property is in the identified Type Area 2 in the Design Standards. If approved, a Commercial-1 District use would be required to comply with all the Design Standards for Type Area 2.

Land Use Table/Allowable Uses

The Commercial-1 Zoning District with the Specific Use Permit will allow for mini-storage warehouses. The uses allowed in the base Commercial-1 Zoning District include:

- Any use permitted in the Retail District (i.e. Gasoline or service station)
- Auto sales
- Consumer repair services
- Food sales

- Home improvement Center with outside storage
- Hotel or motel
- Pawn Shop
- Trailer Rental
- Tool and Light Equipment Rental
- Wholesale club or department store

Project Analysis and Discussion

This vacant property is 0.33 acres and is currently zoned Commercial Highway. The applicant is proposing a zoning change to Commercial-1 to allow for a minor auto repair shop. The applicant owns L&N Auto Sales located directly west of this property. The applicant would like to construct a building to complete minor repair services to the vehicles for resale at the L&N Auto Sales lot. The applicant is also proposing to have a paint booth for touch-ups needed to the vehicles for resale, but the principal use will be minor vehicle repair.

In 2009, the applicant rezoned the L&N Auto Sales property to Commercial Highway with a Specific Use Permit for a full service auto repair, wrecker service, and caretaker's quarters in the existing residence. At that time, the applicant planned to have the minor auto repair service at the L&N Auto Sales location. The business has grown since 2009 and the auto sales lot is fully utilized, so the applicant purchased this property due to the close proximity to L&N Auto Sales. The applicant stated that only vehicles for resale at the L&N Auto Sales lot will receive service at this minor auto repair shop.

Transitions will be needed to the east until such time that the existing residential property converts to a business use. Staff recommends construction of a 6 feet tall wooden or metal fence. If a metal fence is installed, recommend it contain a baked-on color. The vehicles scheduled for repair should be screened from public view.

After careful review of the City's Design Standards and the applicability of this use among surrounding properties, this requested zone change appears to be reasonable in this location.

Recommendation

Recommend approval of zone change from Commercial Highway to Commercial-1 Zoning District for a minor auto repair shop, with development regulated under the Design Standards for Type Area 2 standards as follows:

1. The allowable uses of the property shall conform to the Commercial-1 Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

- a. Site Development Standards
 - b. Building Design Standards
 - c. Landscape Design Standards
3. Sign Standards shall conform to Ordinance 2008-11.
4. A 6 feet tall metal (with baked-color) or solid wooden fence shall be constructed along the eastern property line to provide screening between this use and the adjacent single family residence.
5. All outside storage of repair vehicles will be screened from public view.

Attachments:

1. Zoning application
2. Property Location Map
3. Zoning map
4. Zoning notice to owner's
5. Property owner's list

City of Belton
Request for Zoning Change

To the City Council and the
Planning and Zoning Commission
Fee: \$250.00

Date Received: Date Due: Deadline for a zoning change request is the last business day of the month.

Applicant: Phone Number:

Mailing Address: City: State:

Email Address:

Owners Name: Phone Number:

Mailing Address: City: State:

Email Address:

Applicant's Interest in Property:

Legal Description of Property:

Is this property being simultaneously platted?

Street Address:

Zoning changing from: to:

Signature of Applicant  Date

Signature of Owner (if not applicant) _____ Date _____

Checklist for Zoning Items to be submitted with application:

- ☒ Signed Application
- ☒ Fees Paid
- ☒ Complete Legal Description of the property to be re-zoned
- ☒ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot of irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-16-07 Location

ZONING CHANGE:

Commercial Highway
to Commercial-1

LEGAL DESCRIPTION:

LEE, BLOCK 016,
LOT PT BLK,
(W 110' OF N 126' OF BLK)
ENHANCED LIFE EST,


PROPERTY OWNER:

BIGHAM, SANDRA J

ADDRESS/LOCATION:

501 W Ave I

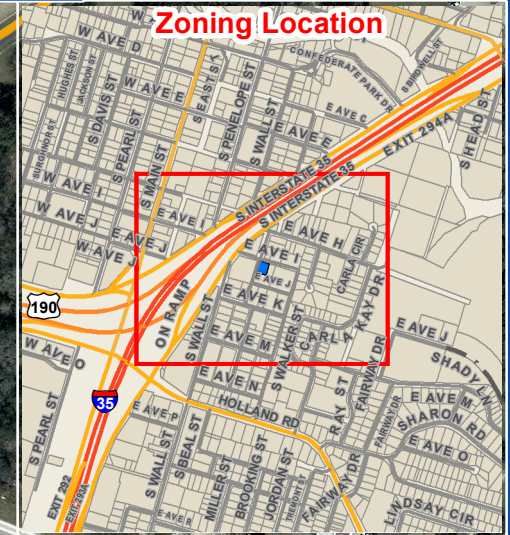
LEGEND

 Z_16_07



0 70 140 280
Feet

Zoning Location



For informational purposes only. Boundaries are approximate and not legally binding.

Zoning Case # Z-16-07 Zoning

ZONING CHANGE:

Commercial Highway
to Commercial-1

LEGAL DESCRIPTION:

LEE, BLOCK 016,
LOT PT BLK,
(W 110' OF N 126' OF BLK),
ENHANCED LIFE EST,

PROPERTY OWNER:

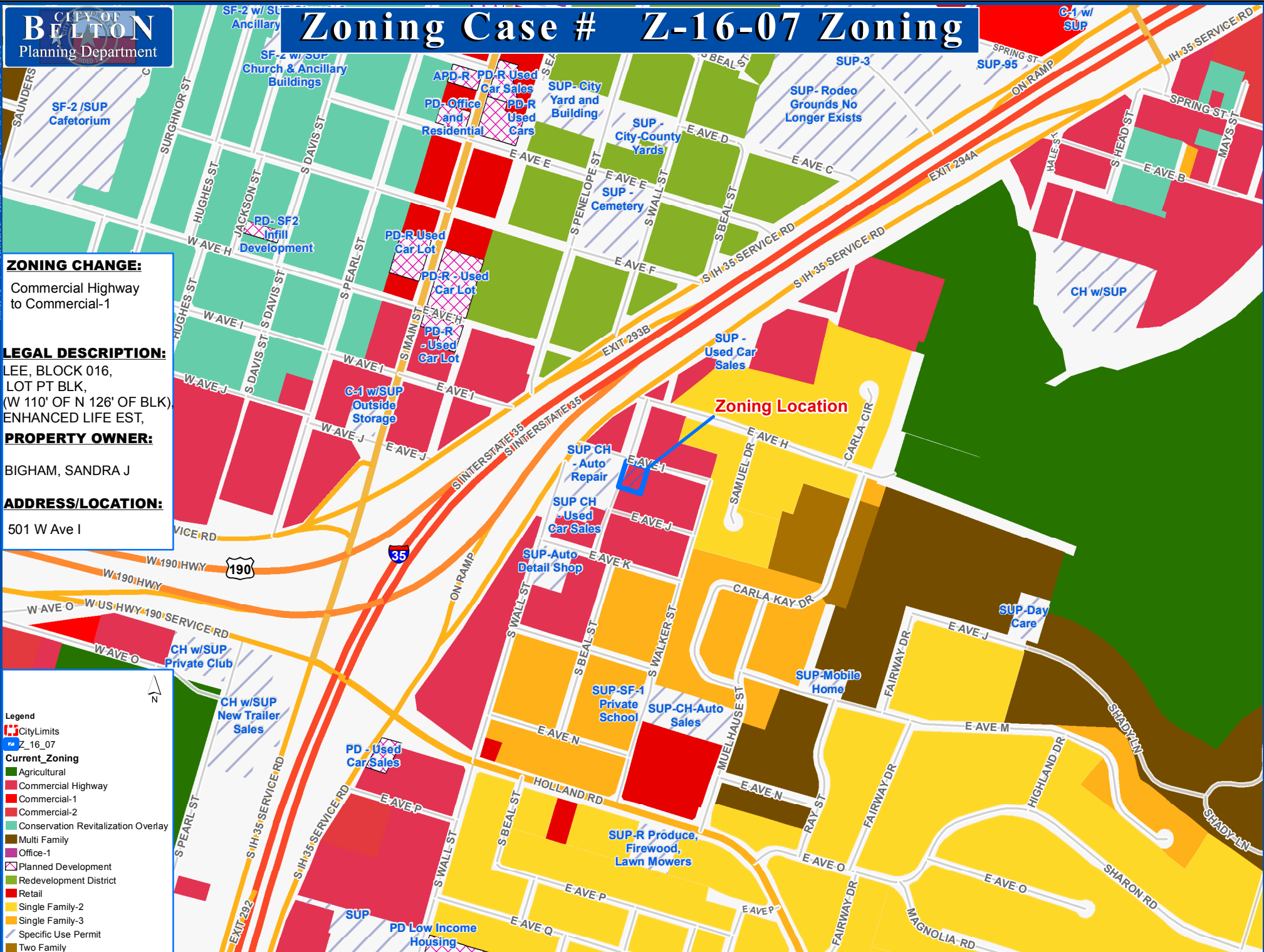
BIGHAM, SANDRA J

ADDRESS/LOCATION:

501 W Ave I

Legend

- City Limits
- Z-16-07
- Current Zoning**
 - Agricultural
 - Commercial Highway
 - Commercial-1
 - Commercial-2
 - Conservation Revitalization Overlay
 - Multi Family
 - Office-1
 - Planned Development
 - Redevelopment District
 - Retail
 - Single Family-2
 - Single Family-3
 - Specific Use Permit
 - Two Family



0 162.5 325 650 Feet

For informational purposes only. Boundaries are approximate and not legally binding.

Zoning Case # Z-16-07 Aerial

ZONING CHANGE:

Commercial Highway
to Commercial-1

LEGAL DESCRIPTION:

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LOT PT BLK,
(W 110' OF N 126' OF BLK),
ENHANCED LIFE EST,


PROPERTY OWNER:

BIGHAM, SANDRA J

ADDRESS/LOCATION:

501 W Ave I

LEGEND

 Z_16_07



0 15 30 60
Feet

For informational purposes only. Boundaries are approximate and not legally binding.

Zoning Case # Z-16-07

ZONING CHANGE:

Commercial Highway
to Commercial-1

LEGAL DESCRIPTION:

LEE, BLOCK 016,
LOT PT BLK,
(W 110' OF N 126' OF BLK)
ENHANCED LIFE EST,




PROPERTY OWNER:

BIGHAM, SANDRA J

ADDRESS/LOCATION:

501 W Ave I

Legend

-  Z_16_07
-  200' Property Owner Notification Area
-  Tax Appraisal Parcels



0 45 90 180
Feet

For informational purposes only. Boundaries are approximate and not legally binding.

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: NEIL BUFKIN,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 501 EAST AVENUE I,
FROM A(N) COMMERCIAL HIGHWAY ZONING DISTRICT,
TO A(N) COMMERCIAL-1 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, June 21, 2016** IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, June 28, 2016**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

3476	5142	5143
JOHNSON, CATHY LUCKY	BAIRD & HUNTER ELECTRIC	BAIRD & HUNTER ELECTRIC
502 E AVENUE I	PO BOX 875	PO BOX 875
BELTON, TX 76513-3904	BELTON, TX 76513-0875	BELTON, TX 76513-0875
17649	44934	61441
CARRASCO, RANDY DELGADO	HALE, CORDELIA	BUFKIN, NEIL
2010A S 15TH ST	1028 S WALL ST	2033 SOUTHWINDS DR
TEMPLE, TX 76504-7305	BELTON, TX 76513-3949	LORENA, TX 76655-3736
63012	66503	76503
PARKINSON, JACK DAVID	LUCKY, LAVETA P	GONZALEZ, ANDRES
2813 STRATFORD DR	202 E MOUNT VERNON ST	PO BOX 653
TEMPLE, TX 76502	MABANK, TX 75147-2343	ROGERS, TX 76569-0653
76511	96835	97543
GUERRERO, ANDREA	BUFKIN, NEIL	JACK-O-LANTERN LTD
611 HOLLAND RD	2033 SOUTHWINDS DR	PO BOX 1786
BELTON, TX 76513	LORENA, TX 76655-3736	BELTON, TX 76513-5786
97544	97765	102728
REGIAN, FRANK ETUX NETTIE	LUNA, JESSE ETAL	BUFKIN, NEIL M
504 E AVENUE I	504 E AVENUE J	2033 SOUTHWINDS DR
BELTON, TX 76513-3904	BELTON, TX 76513-3906	LORENA, TX 76655-3736
105137	118061	402240
JACK-O-LANTERN LTD	WALL STREET PROPERTIES LLC	KILLEEN MAJESTIC HOMES INC
PO BOX 1786	1020 SOUTH WALL STREET	PO BOX 340
BELTON, TX 76513-5786	BELTON, TX 76513-2052	TROY, TX 76579-0340
SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513		

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(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 6/15/16 SIGNATURE: Neil Bufkin

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. BOX 120
BELTON, TEXAS 76513
254-933-5812**

96835	102728	61441
BUFKIN, NEIL	BUFKIN, NEIL M	BUFKIN, NEIL
2033 SOUTHWINDS DR	2033 SOUTHWINDS DR	2033 SOUTHWINDS DR
LORENA, TX 76655-3736	LORENA, TX 76655-3736	LORENA, TX 76655-3736

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2. _____
3. _____

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DATE: 6/15/16 SIGNATURE: Neil Bufkin

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. BOX 120
BELTON, TEXAS 76513
254-933-5812**

118061
WALL STREET PROPERTIES LLC
1020 SOUTH WALL STREET
BELTON, TX 76513-2052

Z-16-08

East 6th Avenue

Staff Report – Planning & Zoning Item



Date: June 21, 2016
Case No.: Z-16-08
Request: HI to LI
Applicant: City of Belton

Agenda Item

Z-16-08 Hold a public hearing and consider a zoning change from Heavy Industrial to Light Industrial on a 36.326 acre tract of land, located on the north side of East 6th Avenue/FM 93, south of Taylors Valley Road, and east of Interstate Highway 35.

Originating Department

Planning – Erin Smith, Director of Planning

Case Summary

This is a City-initiated proposal to rezone this property from Heavy Industrial to Light Industrial, in conjunction with redevelopment of the former Rockwool property. The principal reason is to provide for compatible commercial and light industrial uses along FM 93 (East 6th Avenue), at the entrance to the City at Council's recommendation. Permitted Heavy Industrial uses, in contrast to Light Industrial uses, are listed in the attached Zoning Ordinance excerpts, as well as Specific Use Permit opportunities.

The City has submitted this request for a zone change to provide for light industrial development. To the north are APAC Texas Inc. and ECS Environmental Solutions; to the northeast are Belco Manufacturing, Tarco of Texas, and American Spincast; to the west is the Belton Police Department outdoor shooting range; and to the south is the Temple-Belton Wastewater Treatment Plant (TBWWTP).

Current Zoning

Heavy Industrial

Proposed Zoning

Light Industrial

Design Standards Type Area: 10

Recommended Type Area: 10

This property is in Type Area 10 in the Design Standards. If approved, a Light Industrial District use would be required to comply with all the Design Standards for Type Area 10.

Land Use Table/Allowable Uses

The Light Industrial Zoning District allows the following land uses, and would accommodate this request:

- Apparel and other products assembled from finished textiles
- Contractor's yard
- Electronic products manufacturing
- Facilities for the manufacturing, fabrication, processing or assembly of products provided that such facilities are completely enclosed and provided that no effects from noise, smoke, glare, vibration, fumes or other environmental factors are measurable at the property line.
- Farm implement manufacturing
- Industrial and manufacturing plants including the processing or assembling of parts for production or finished equipment where the process of manufacturing or treatment of materials is such that no dust, odor, gas, smoke or noise is emitted and not more than twenty percent (20%) of the lot or tract is used for the open storage of products, materials, or equipment
- Newspaper printing
- Plastic products manufacture, but not including the processing of raw materials
- Sporting and athletic equipment manufacture

A number of uses would also be possible with consideration of a Specific Use Permit.

Some Heavy Industrial uses that would not be allowed if this zone change is approved are:

- Fat Rendering
- Fertilizer Manufacturing
- Meat Packing Plant
- Petroleum Refining/Storage
- Smelting
- Stockyards
- Wrecking Yards

Project Analysis and Discussion

This property is located amidst other industrial uses. The applicant is proposing this zone change to allow for light industrial development. The Future Land Use Plan identifies this area as Heavy Industrial and it is staff's judgment that heavy and light industrial uses are compatible.

This property is a portion of the former 100-acre Rockwool Industries, Inc. site, a mineral wool insulation manufacturing plant that operated on site from 1950 to 1987. The EPA has put remedies in place to protect public health and the environment. The EPA gave a Superfund Redevelopment planning grant to the City of Belton to support the site's return to

beneficial use. The environmental remedies have been completed and this property may now be developed in compliance with EPA and TCEQ conditions.

The Belton Economic Development Corporation (BEDC) will acquire this 36.326 acre site and market the property for industrial development. The ECS Environmental Solutions property is located directly north of this site in the rezoning proposal. BEDC staff have been working with the owner regarding possible purchase of the northern 5 acres of this property for a parking lot expansion. ECS Environmental Solutions is an industrial use that develops, designs and manufactures equipment for the treatment of odorous compounds in air-streams. This zoning change will not affect the proposed parking lot expansion.

After careful review of the City's Design Standards and the applicability of this use among surrounding properties, this proposed zone change appears to be reasonable in this location.

Recommendation

Recommend approval of zone change from Heavy Industrial to Light Industrial District with development regulated under the Design Standards for Type Area 10 standards as follows:

1. The allowable uses of the property shall conform to the Light Industrial Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 10 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards discussed above
 - b. Building Design Standards
 - c. Landscape Design Standards
3. Sign Standards shall conform to Ordinance 2008-11.
4. A subdivision plat is required.

Attachments:

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Property owners list
8. Light Industrial and Heavy Industrial District Zoning Ordinance Standards
9. SUP, Specific Use Permit Standards Allowable in the Light Industrial District

City of Belton
Request for a Zoning Change

**To The City Council and the
Planning and Zoning Commission**

Fee: \$250.00

Date Received: 5/25/16 Date Due: 5/31/16 Deadline for a zoning change request is the last business day of the month.

Applicant: City of Belton Phone Number: 254-933-5816
Mailing Address: P.O. Box 120 City: Belton State: TX
Email Address: esmith@beltontexas.gov

Owners Name: same as above Phone Number: _____
Mailing Address: _____ City: _____ State: _____
Email Address: _____

Applicant's Interest in Property:

Legal Description of Property:

O.T. Tyler Survey, Abstract No. 2036.326 acres

Is this property being simultaneously platted? no

Street Address: n/a

Zoning Change From HI to LI

Signature of Applicant: Ein Smith Date: 5/25/16

Signature of Owner (if not applicant): _____ Date: _____

Checklist for Zoning Items to be submitted with application:

- ☐ Signed Application
- ☐ Fees Paid
- ☐ Complete Legal Description of the property to be re-zoned
- ☐ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-16-08 Location

ZONING CHANGE:

Heavy Industrial
to
Light Industrial

LEGAL DESCRIPTION:

A0020BC O T TYLER,
ACRES 36.326


PROPERTY OWNER:

CITY OF BELTON TRUSTEE

ADDRESS/LOCATION:

E 6th Ave

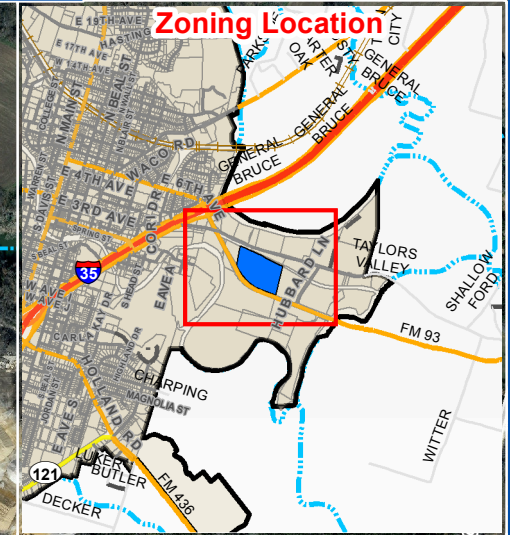
LEGEND

 Z_16_08



0 140 280 560
Feet

Zoning Location



For informational purposes only. Boundaries are approximate and not legally binding.

Zoning Case # Z-16-08 Zoning

ZONING CHANGE:

Heavy Industrial
to
Light Industrial

LEGAL DESCRIPTION:

A0020BC O T TYLER,
ACRES 36.326

PROPERTY OWNER:

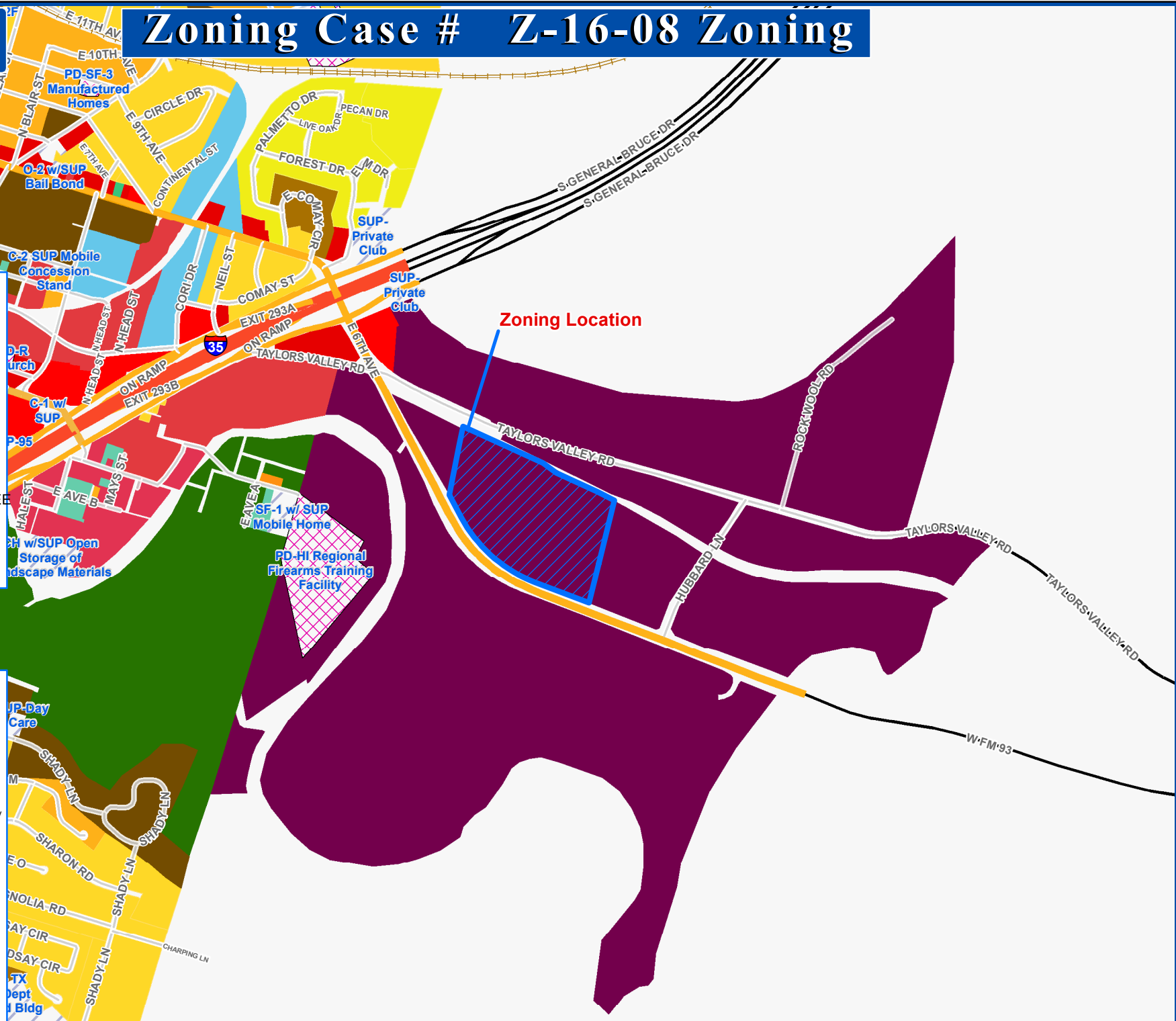
CITY OF BELTON TRUSTEE

ADDRESS/LOCATION:

E 6th Ave

Legend

- Z_16_08
- Current_Zoning**
- Agricultural
- Central Business District
- Commercial Highway
- Commercial-1
- Commercial-2
- Conservation Revitalization Overlay
- Heavy Industrial
- Light Industrial
- Mobile Home
- Multi Family
- Neighborhood Service
- Office-1
- Planned Development
- Redevelopment District
- Retail
- Single Family-1
- Single Family-2
- Single Family-3
- Specific Use Permit
- Two Family



Zoning Case # Z-16-08 Aerial

ZONING CHANGE:

Heavy Industrial
to
Light Industrial

LEGAL DESCRIPTION:

A0020BC O T TYLER,
ACRES 36.326


PROPERTY OWNER:

CITY OF BELTON TRUSTEE

ADDRESS/LOCATION:

E 6th Ave

LEGEND

 Z_16_08



0 70 140 280
Feet

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ZONING CHANGE:

Heavy Industrial
to
Light Industrial

LEGAL DESCRIPTION:

A0020BC O T TYLER,
ACRES 36.326

PROPERTY OWNER:




CITY OF BELTON TRUSTEE

ADDRESS/LOCATION:

E FM 93

200' Property Owner
Notification Area

Legend

-  Z_16_08
-  200' Property Owner Notification Area
-  Tax Appraisal Parcels



0 125 250 500
Feet

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**NOTICE OF APPLICATION
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THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CITY OF BELTON,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 36.326 ACRES, EAST 6TH AVENUE,
FROM A(N) HEAVY INDUSTRIAL ZONING DISTRICT,
TO A(N) LIGHT INDUSTRIAL ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, June 21, 2016** IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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circle one

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1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

8016	52436	71208
BELL CO COLORED CEMETERY ASSN	SMA FAMILY LIMITED PARTNERSHIP	BELL MM ENTERPRISES LLC
719 E 10TH AVE	908 CRESCENT DR	9060 W FM 93
BELTON, TX 76513-2737	BELTON, TX 76513-6722	BELTON, TX 76513-8322
100106	100107	100108
CITY OF BELTON TRUSTEE	SMA FAMILY LIMITED PARTNERSHIP	CITY OF BELTON TRUSTEE
PO BOX 120	908 CRESCENT DR	PO BOX 120
BELTON, TX 76513-0120	BELTON, TX 76513-6722	BELTON, TX 76513-0120
171401	346700	396788
CITY OF BELTON & CITY OF TEMPLE	SMA FAMILY LTD	RATLIFF READY-MIX LP
2 N MAIN ST	908 CRESCENT DR	7901 FISH POND RD STE 1
TEMPLE, TX 76501-7659	BELTON, TX 76513-6722	WACO, TX 76710-1013
399310	460599	460600
BELCO MANUFACTURING COMPANY INC	CITY OF BELTON TRUSTEE	CITY OF TEMPLE ETAL
2303 E TAYLOR'S VALLEY RD	PO BOX 120	2 N MAIN ST
BELTON, TX 76513	BELTON, TX 76513-0120	TEMPLE, TX 76501-7659
SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513		

SECTION 27 LI - LIGHT INDUSTRIAL DISTRICT

27.1 GENERAL PURPOSE AND DESCRIPTION:

The LI, Light Industrial District is intended primarily for the conduct of light manufacturing, assembling and fabrication, and for warehousing, wholesaling and service operations that do not depend upon frequent customer or client visits. Such uses to require accessibility to major highways, rail lines or other means of transportation.

27.2 PERMITTED USES:

1. Apparel and other products assembled from finished textiles
2. Bakery, commercial
3. Book bindery
4. Bottling works
5. Bus station or terminal
6. Candy manufacturing
7. Carting, express, hauling or storage yard (trucking company)
8. Contractor's yard
9. Cosmetic manufacturer
10. Drugs and pharmaceutical products manufacturing
11. Electrical transmission lines and substations or generating plant
12. Electronic products manufacturing
13. Facilities for the manufacturing, fabrication, processing or assembly of products provided that such facilities are completely enclosed and provided that no effects from noise, smoke, glare, vibration, fumes or other environmental factors are measurable at the property line.
14. Farm implement manufacturing
15. Fur goods manufacture, but not including tanning or dyeing.
16. General warehousing activities (including convenience storage or "mini" warehouse)
17. Glass products from previously manufactured glass
18. Household appliance products assembly and manufacture from prefabricated parts

19. Housing prefabrication
20. Industrial and manufacturing plants including the processing or assembling of parts for production or finished equipment where the process of manufacturing or treatment of materials is such that no dust, odor, gas, smoke or noise is emitted and not more than twenty percent (20%) of the lot or tract is used for the open storage of products, materials, or equipment
21. Industrialized housing, modular and mobile home manufacturing or housing prefabrication parts manufacture
22. Milk depot, dairy
23. Municipally owned structures and uses
24. Musical instruments assembly and manufacture
25. Newspaper printing
26. Outdoor drive-in theater
27. Plastic products manufacture, but not including the processing of raw materials
28. Railroad team track or spur
29. Rodeo grounds
30. Shoe manufacturing
31. Sporting and athletic equipment manufacture
32. Testing, research and scientific laboratories
33. Tire retreading or capping
34. Veterinarian clinic (with outside kennels)
35. Such uses as may be permitted under provisions of Specific Use Permits, Section 33

27.3 HEIGHT REGULATIONS:

Maximum Height: Thirty-five feet (35'), or two (2) stories

27.4 AREA REGULATIONS:

A. Size of Yards:

1. Minimum Front Yard - Twenty-five feet (25')
2. Minimum Side Yard - Twenty feet (20')

3. Minimum Rear Yard - Twenty feet (20')
 4. Additional - For structures requiring railroad access, setback requirements from the centerline of the railroad right-of-way shall be in accordance with applicable State law.
- B. Size of Lot:
1. Minimum Lot Area - Seven thousand, two hundred (7,200) square feet
 2. Minimum Lot Width - Sixty feet (60')
 3. Minimum Lot Depth - one hundred feet (100')
- C. Maximum Lot Coverage: N/A
- D. Parking Regulations: As established by Section 34 , Off Street Parking and Loading Requirements
- F. Other Regulations: As established by sections 35, 36, 37, 38, 39, 40 and 41

SECTION 28 HI - HEAVY INDUSTRIAL

28.1 GENERAL PURPOSE AND DESCRIPTION:

The HI, Heavy Industrial District is established to accommodate those manufacturing, assembly and fabrication processes with operation characteristics typically not compatible with other less intensive operations. Residential uses are not compatible with the HI District. The District should have convenient access to high volume thoroughfares. Rail access is also highly desirable.

28.2 PERMITTED USES:

1. Acetylene and other gasses manufacture
2. Brick kiln or tile plant
3. Cement, lime, gypsum or plaster of Paris manufacture
4. Concrete or asphalt batch plant
5. Distillation of bones and glue manufacture
6. Fat rendering and fertilizer manufacture
7. Gravel or soil storage
8. Meat packing plant
9. Paper or pump manufacture
10. Petroleum or gas well or drilling
11. Petroleum or its products, refining or bulk tank storage
12. Refinery or chemical plant
13. Smelting of tin, copper, zinc or iron ones, and other metals
14. Stockyards or slaughter of animals including tanning of hides
15. Wrecking yards, salvage yards, reclamation of products, and junkyards but only on the condition that the premises upon which such activities are conducted are behind the front building and are wholly enclosed within a building or by a solid fence not less than eight feet (8') in height
16. Such uses as may be permitted under provisions of Specific Use Permits, Section 33

28.3 HEIGHT REGULATIONS

Maximum Height - Sixty feet (60') or three (3) stories

28.4 AREA REGULATIONS:

A. Size of Yards:

1. Minimum Front Yard - Twenty-five feet (25')
2. Minimum Side Yard - None, unless adjacent to a residential district or openings are provided (either doors or windows), then a sixty-foot (60') rear setback shall be observed.
3. Minimum Rear Yard - None, unless adjacent to a residential district or openings are provided (either doors or windows), then a sixty foot (60') rear setback shall be observed.
4. For structures requiring railroad access, setback requirements from the centerline of the railroad right-of-way shall be in accordance with applicable State laws.

B. Size of Lot:

1. Minimum Lot Area: Fifteen thousand (15,000) square feet minimum
2. Minimum Lot Width: Seventy-five feet (75')
3. Minimum Lot Depth: N/A

C. Maximum Lot Coverage: In no case shall more than fifty percent (50%) of the lot area be covered by the main building and accessory buildings.

D. Floor Area Ratio: Maximum F.A.R., 1.0 to 1 (See Illustration #1)

E. Parking Regulations: As established by Section 34, Off Street Parking and Loading Requirements

F. Other Regulations: As established by Sections 35, 36, 37, 38, 39, 40 and 41

28.5 COMPLIANCE WITH STATE LAWS AND FEDERAL LAWS

No uses shall be allowed which are prohibited by State law or which operate in excess of State or National environmental or pollution standards as determined by the U.S. Environmental Protection Agency, Texas Air Control Board, Texas State Department of Health, or the Texas Water Quality Control Board, as the case may be.

SECTION 33 SUP OR S - SPECIFIC USE PERMITS

33.1 SPECIFIC USES:

The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendation from the Planning and Zoning Commission that the uses are in general conformance with the Comprehensive Plan and general objectives of the City and containing such requirements and safeguards as are necessary to protect adjoining property, authorize application and shall be accompanied by a site plan (see Section 32.4, B) drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and locations of buildings and the uses to be permitted; location and instruction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200'). The Planning and Zoning Commission or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

33.2 SPECIFIC USE PERMIT REGULATIONS:

- A. In recommending that a Specific Use Permit for the premises under consideration be granted, the Planning and Zoning Commission shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alley and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures and compatibility of buildings. The Planning and Zoning Commission and City Council shall consider the following criteria in determining the validity of the SUP request.
 - 1. Is the use harmonious and compatible with surrounding existing uses or proposed uses?
 - 2. Are the activities requested by the applicant normally associated with the requested use?
 - 3. Is the nature of the use reasonable?
 - 4. Has any impact on the surrounding area been mitigated?
- B. In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the Certificate of Occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.

- C. No Specific Use Permit shall be granted unless the applicant, owner and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Planning and Zoning Commission and City Council.
- D. If required, a building permit shall be applied for and secured within six (6) months from the time of granting the Specific Use Permit, provided however, that the City Council may authorize an extension of this time upon recommendation by the Planning and Zoning Commission. After six (6) months from the date of approval has elapsed, the Planning and Zoning Commission and City Council may review the site plan for continued validity. If the site plan is determined invalid, the property owner(s) must submit a new or revised site plan for approval prior to any construction or application for building permit for the area designated for the Specific Use Permit.
- E. No building, premise, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless a separate Specific Use Permit is granted for such enlargement, modification, structural alteration or change.
- F. The Board of Adjustment shall not have jurisdiction to hear, review, reverse or modify any decision, determination, or ruling with respect to the specific land use designated by any Specific Use Permit.
- G. When the City Council authorizes granting of a Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by an "S" designation.

33.3 USE REGULATIONS:

A building or premise used for any of the following purposes shall be permitted by Specific Use Permit only. Uses listed below, which are already allowed by right in a District (as listed under "Permitted Uses"), shall not be required to have a Specific Use Permit.

33.14 LI - LIGHT INDUSTRIAL

1. Airport, heliport or helistop
2. Manufacturing of acetylene and other gases
3. Brick kiln or tile plant
4. Cemetery
5. Coal, coke or wood yard
6. Concrete or asphalt batching plant
7. Drive-in theater
8. Electric substation, transmission line and other public use utility
9. Flea market (outdoors)
10. Gravel, sandstone or petroleum extraction
11. Gun club or shooting range
12. Lumber mill (for processing raw materials)
13. Other mining activities
14. Petroleum products storage
15. Petroleum or gas well
16. Planing mill
17. Printing plant
18. Race track, horse or dog
19. Sexually oriented uses (adult bookstores, adult motion pictures, and nude modeling or photography studios)

P-16-18

93 Quarters Place

Staff Report – Planning & Zoning Item



Date: June 21, 2016
Case No.: P-16-18
Request: Replat
Applicant: Belton Engineering

Agenda Item

P-16-18 Hold a public hearing and consider a re-plat for 93 Quarters Place, a 0.576 acre tract of land, located on the southwest corner of West 2nd Avenue and Alexander Street.

Originating Department

Planning – Erin Smith, Director of Planning

Case Summary

This is a 3-lot subdivision for the construction of two new duplexes.

Project Analysis and Discussion

This is a 3-lot subdivision plat proposed as 93 Quarters Place subdivision. This property is zoned Single Family-2 Zoning District with a Conservation and Revitalization Overlay. The Conservation and Revitalization Overlay District allows single family, duplex, and patio homes. There is an existing house on proposed Lot 1 and proposed Lots 2 and 3 are currently vacant. The applicant would like to construct new duplexes on the two vacant lots that are compatible with this neighborhood. The existing house and proposed duplexes are required to comply with the Single Family-2 Zoning District area requirements. The Single Family-2 District requires a minimum lot area of 7,500 square feet, minimum lot width of 60 feet, and minimum lot depth of 100 feet. The proposed lots all comply with the Single Family-2 area requirements in all respects. The existing house on proposed Lot 1 complies with the Single Family-2 Zoning District setback requirements as well.

TXDOT has also reviewed the plat and stated that only one driveway is permitted on FM 93/West 2nd Avenue. The existing house has a driveway access to Alexander Street. Lot 3 will have driveway access to FM 93/West 2nd Avenue and Lot 2 will be required to have driveway access to Alexander Street. TXDOT will review the driveway request on FM 93/West 2nd Avenue and the City of Belton will review the driveway request on Alexander Street.

According to the Subdivision Ordinance, any residential subdivision within the City of Belton, or within the City's extraterritorial jurisdiction, is required to set aside and dedicate to the public sufficient and suitable lands for the purpose of parkland and/or make a financial

contribution for the acquisition and development of such parkland for each dwelling unit proposed. These requirements may be satisfied through parkland dedication or payment of fees-in-lieu of required parkland or a combination of the two. This subdivision requires parkland dedication of 0.04 acres or \$800 parkland fee for the additional lot. An \$800 parkland fee could be readily used at nearby parks.

City staff have reviewed the plat and find it acceptable, subject to conditions contained in the letter to the applicant's engineer.

Recommendation

Recommend approval of a replat for 93 Quarters Place, a 0.576 acre tract of land, located on the southwest corner of West 2nd Avenue and Alexander Street, subject to:

1. Park fee of \$800 in lieu of land dedication in satisfaction of the developer's obligation for 4 additional units.
2. Letter to the Applicant's Engineer dated June 8, 2016.

Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. Letter to the Applicant's Engineer dated June 8, 2016

City of Belton
Request for Subdivision Plat
To the City Council and the
Planning and Zoning Commission

Application is hereby made to the City Council for the following:

- ☐ Preliminary Subdivision
- ☐ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Fees Due \$ 259.00

Date Received: Date Due: (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Belton Engineering Inc

Phone Number: 254-731-5600

Mailing Address: 106 N. East Street, Belton, Texas 76513

Email Address: lchtay@beltonengineers.com

Owner: KJ Hsia

Phone Number: 925-523-1566

Mailing Address: Pleasanton, CA 94566

Email Address: khsia624@gmail.com

Current Description of Property:

Lot: part of LOT 4 Block: 2 Subdivision: McFarland Addition

Acres: 0.576 Survey: M.H. Connell

Abstract Number: 6 Street Address: 111 Alexander Street, Belton, Texas

Frontage in Feet: 317.4 Depth in Feet: 144.8

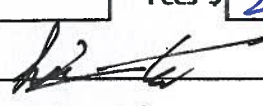
Does Zoning comply with proposed use?

☒ Yes ☐ No

Current Zoning: CR

Name of Proposed subdivision: 93 Quarters Place

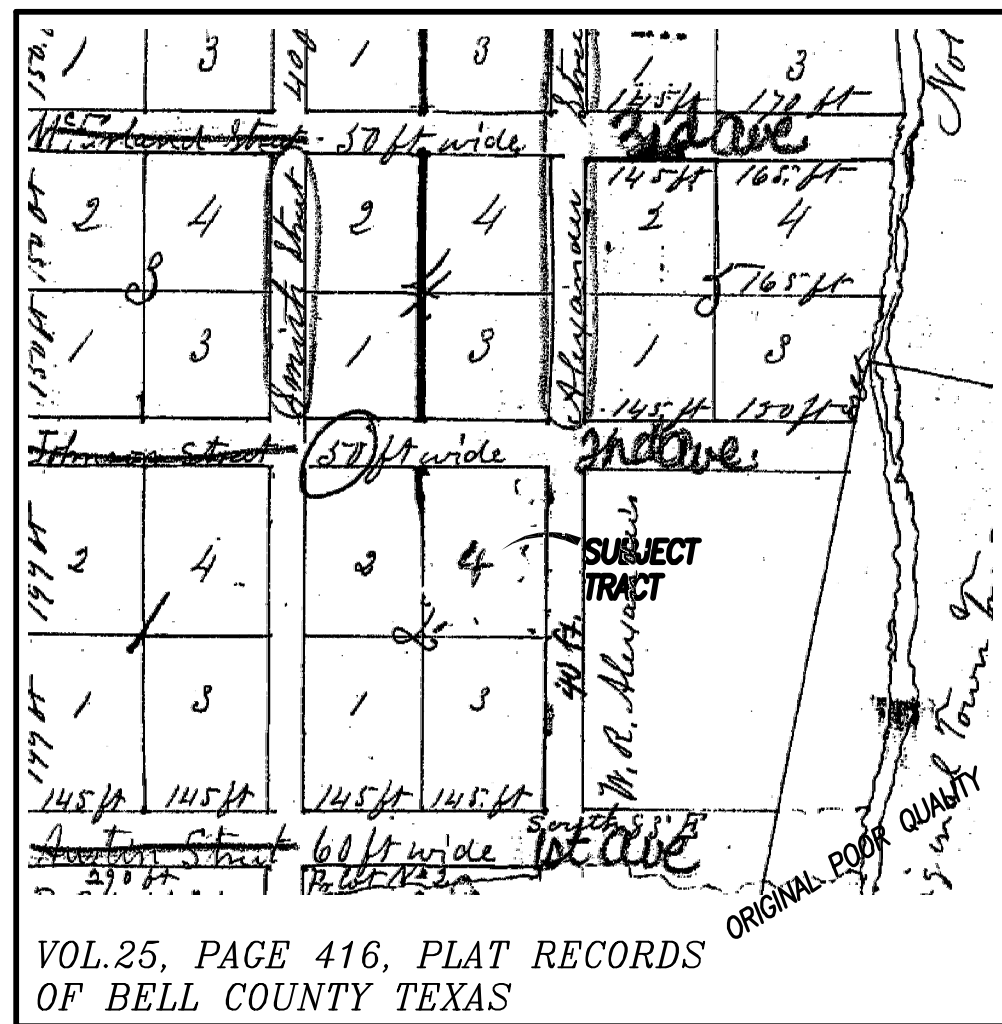
Number of Lots: 3 Fees \$ 259.00

Signature of Applicant: 

Date: 04-13-16

Signature of Owner: 

Date: 04-13-16



ORIGINAL LOT CONFIGURATION
PART OF LOT 4, BLOCK 2, MCFARLAND ADDITION



STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.


BRUCE LANE BRYAN, R.P.L.S. NO. 4249

STATE OF TEXAS
COUNTY OF BELL

K.J. HSE, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS 93 QUARTERS PLACE, A SUBDIVISION IN THE CITY OF BELTON, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

K.J. HSE, OWNER AND WIFE I LU

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2016 BY K.J. HSE,
AND WIFE, I LU, OWNERS.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF 93 QUARTERS PLACE TO THE CITY OF BELTON, TEXAS, WAS APPROVED THIS _____ DAY OF _____, 2016 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.

CHAIRMAN

SECRETARY

STATE OF TEXAS
COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF 93 QUARTERS PLACE TO THE CITY OF BELTON, TEXAS, WAS APPROVED THIS _____ DAY OF _____, 2016 BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

MAYOR

SECRETARY

STATE OF TEXAS
COUNTY OF BELL

SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF BELTON, TEXAS.

WITNESS MY HAND THIS _____ DAY OF _____, 2016.

CITY CLERK

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS _____ DAY OF _____, 2016.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FILED FOR RECORD THIS _____ DAY OF _____, 2016, PLAT DOCUMENT NO. _____,
PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

FINAL PLAT OF:
93 QUARTERS PLACE
 3 LOTS, 1 BLOCK 0.576 ACRES

A REPLAT OF A PART OF LOT 4, BLOCK 2, McFARLAND ESTATES
OUT OF THE M.H.CONNELL SURVEY, ABSTRACT #6, BELL COUNTY TEXAS
A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY TEXAS



0.576 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE
FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

SURVEYORS NOTES:

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, 93 ADJUSTMENT.

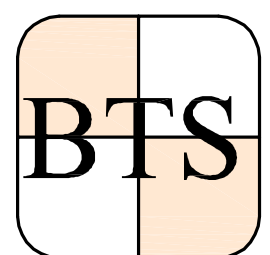
2. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F.I.R.M. PANEL NO. 48027C0340E, EFFECTIVE DATE SEPTEMBER 26, 2008, LOCATED IN ZONE "X" (UNSHADED).

3. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES".

FINAL PLAT

93 QUARTERS PLACE

BRYAN TECHNICAL SERVICES, INC.



911 NORTH MAIN
TAYLOR, TX 767574

FIRM No. 10128500
surveying@austin.rr.com

PHONE: (512) 352-9090
FAX: (512) 352-9091

NO.	DATE	REVISIONS	BY
1			
2			
3			
DRAWN BY: DvMOJICA		CHECKED BY: BLB	
SCALE: 1" = 40'		APPROVED BY: BLB	
PROJECT NO. 16-006		DATE: MAY 13, 2016	

HSIA, K J ETUX I LU

Proposed 93 Quarters Place

P-16-18

0 185 370 740 Feet

For informational purposes only. Boundaries are approximate and not legally binding.

P-16-18 | 93 Quarters Place

PROPOSED PLAT:

Final Plat
93 Quarters Place
0.576 Acres

PROPERTY OWNER:

HSIA, K J ETUX I LU


Proposed 93 Quarters Place

W 2ND AVE

N SMITH ST

ALEXANDER ST

Legend

 P-16-18



0 15 30 60
Feet

For informational purposes only. Boundaries are approximate and not legally binding.



City of Belton

Planning Department

June 8, 2016

Applicant: KJ Hsia / Belton Engineering Inc.

Date Submitted: 06-02-16

Project: 93 Quarters Place – Final Plat

Location: 0.576 Acres, 111 Alexander Street, Belton, Texas 76513

Please address these comments from the City of Belton following review of your submittal.

*****Please comment back in red under the comments submitted on this sheet.*****

Public Works/KPA:

1. Please change the utility easement to a dedicated City of Belton Utility Easement.
2. The sewer main needs to be a 6-inch and must be extended across the entire property with a 6-inch cleanout installed at the end. Please provide a detail for the cleanout.
3. The 4-inch sewer service needs to be shown if this location is known. This must be placed where it does not end up in the driveway, in a place that it can be easily damaged or where it cannot be serviced.
4. Note for the developer/home builder: The new water service and meter may not be placed in the driveway or in a place that it can be easily damaged.

Note: Acceptance by the City of Belton of a plat, zoning change, conceptual drawing, construction drawing, or other development submittal complying with City of Belton minimum standards for drainage does not provide approval beyond what the City may authorize. Approval is limited, and this approval does not limit any obligations you may have under applicable state statutes, such as the Texas Water Code, or federal statutes. You should consult with your own professionals as you continue to pursue this development project.

P-16-19

Eddy Tanner Addition

Staff Report – Planning & Zoning Item



Date: June 21, 2016
Case No.: P-16-19
Request: Preliminary/Final Plat
Applicant: All County Surveying

Agenda Item

P-16-19 Consider a preliminary/final plat for the Eddy Tanner Addition, a 3.689 acre tract of land, located on the north side of East 6th Avenue, east of Waco Road, at the intersection of East 6th Avenue and Cori Drive.

Originating Department

Planning – Erin Smith, Director of Planning

Case Summary

This is a 2-lot subdivision for the construction of a retail store.

Project Analysis and Discussion

This is a 2-lot subdivision plat proposed as the Eddy Tanner Addition. Proposed Lot 1 is 1.021 acres and zoned Retail and proposed Lot 2 is 2.668 acres and zoned Light Industrial. Lot 1 is proposed for a new retail development and Lot 2 contains the existing Tanner Roofing business. The Retail Zoning District requires a front and side yard setback of 25 feet and a rear yard setback of 20 feet. The Light Industrial Zoning District requires a front yard setback of 25 feet and a side and rear yard setback of 20 feet. Proposed Lot 1 complies with the Retail District standards and proposed Lot 2 complies with the Light Industrial District standards in all respects.

TXDOT has also reviewed the plat and stated that one improved driveway is permitted for proposed Lot 1 on FM 93/East 6th Avenue. TXDOT recommends aligning the new driveway directly with Cori Drive to the south. Proposed Lot 2 contains an existing driveway that is currently utilized for the Tanner Roofing business. Proposed Lot 1 was rezoned in 2013 from Light Industrial to Retail. In the 2013 rezoning staff report and in previous meetings with the applicant, it was stated that this property is required to have a shared driveway and public access easement for circulation between these lots. The applicant has objected to this requirement and has provided a note indicating he will not comply with this requirement. Therefore, no public access easement is shown on this proposed plat. The driveway constructed for the Tanner Roofing business is the proposed shared driveway for both businesses and, in addition, TXDOT is allowing an additional driveway access to Lot 1. City staff has encouraged access connections to the adjoining properties to achieve meaningful

access management on busy roadways such as Lake Road, FM 93, Main Street, and many others. Most properties along Lake Road have provided cross access connections to adjoining properties as they convert from single family to office and retail uses. When the CVS and Cefco were proposed for development on North Main Street, staff worked diligently with the applicant's engineer to ensure interior cross access connections were created, which has resulted in cross access connections extending from Guthrie Drive to Lake Road, and through HEB to Sparta Road. These cross access connections alleviate congestion on these busy roadways. The cross access connection on North Main Street is incredibly successful in reducing on street congestion and providing interior access to signalized intersections at Lake Road and Sparta Road. The May 25th letter to the applicant's engineer states that a shared driveway and public access easement for circulation between these lots is needed and acknowledges in previous P&ZC/Council reports for rezoning. On June 13th, the property owner submitted a letter requesting a variance to this request stating they do not wish to provide cross access connections between the Tanner Roofing business and new retail store.

City staff reviewed the plat and we do not consider it acceptable for approval at this time since no access easement for cross connections is provided.

If the Planning and Zoning Commission finds this plat acceptable without an access easement for cross connections, recommend the applicant comply with the conditions contained in the letter to the applicant's engineer dated May 25, 2016.

Recommendation

Recommend disapproval of preliminary/final plat for the Eddy Tanner Addition, a 3.689 acre tract of land, located on the north side of East 6th Avenue, east of Waco Road, at the intersection of East 6th Avenue and Cori Drive.

Attachments

1. Preliminary/Final Plat Application
2. Preliminary/Final Plat
3. Location Map
4. Note from the Applicant
5. Letter to the Applicant's Engineer dated May 25, 2016

Excerpt from the November 19, 2013 Staff Report:

A shared entrance is proposed for the existing business to the east and Family Dollar Store off East 6th Avenue. The shared entrance will eliminate the need for two separate driveways. Staff will require an approval letter from TxDOT for the proposed entrance. The proposed site plan does not show circulation around the building for future connectivity to the east and north. This will need to be rectified on the site plan, and the plat will need to contain public access easements that shows this circulation.

City of Belton
Request for Subdivision Plat
To the City Council and the
Planning and Zoning Commission

Application is hereby made to the City Council for the following:

- ☐ Preliminary Subdivision
- ☒ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Fees Due \$ 256.00

Date Received: Date Due: (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Phone Number:

Mailing Address:

Email Address:

Owner: Phone Number:

Mailing Address:

Email Address:

Current Description of Property:

Lot: Block: Subdivision:

Acres: Survey:

Abstract Number: Street Address:

Frontage In Feet: Depth in Feet:

Does Zoning comply with proposed use?

☒ Yes ☐ No

Current Zoning:

Name of Proposed subdivision:

Number of Lots: Fees \$

Signature of Applicant:

Date:

Signature of Owner:

Date:

FINAL PLAT OF
EDDY TANNER ADDITION
a subdivision in the City of Belton, Bell County, Texas.

Being 3.689 ACRES, situated in the M. F. CONNELL SURVEY, ABSTRACT 6, Bell County, Texas, embracing all of a called 3.691 Acre tract conveyed to Don M. Miller in Document No. 2004-00040867, Official Public Records of Real Property, Bell County, Texas.

This plat accompanies a metes and bounds description of the herein shown 3.689 acre tract.

STATE OF TEXAS
COUNTY OF BELL

AUDREY EDWARD TANNER and SHENDOLYN DIANE TANNER, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS EDDY TANNER ADDITION, A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

AUDREY EDWARD TANNER

SHENDOLYN DIANE TANNER

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED AUDREY EDWARD TANNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED SHENDOLYN DIANE TANNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF EDDY TANNER ADDITION, AN ADDITION WITHIN THE CITY LIMITS OF THE CITY OF BELTON, BELL COUNTY, TEXAS, MEETS THE REQUIREMENTS FOR AN ADMINISTRATIVE PLAT AND WAS APPROVED THIS THE _____ DAY OF _____, 2016.

By:

STATE OF TEXAS
COUNTY OF BELL

SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF BELTON.

WITNESS MY HAND THIS _____ DAY OF _____, 2016.

CITY CLERK

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE _____ DAY OF _____, 2016.

BY: BELL COUNTY TAX APPRAISAL DISTRICT

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

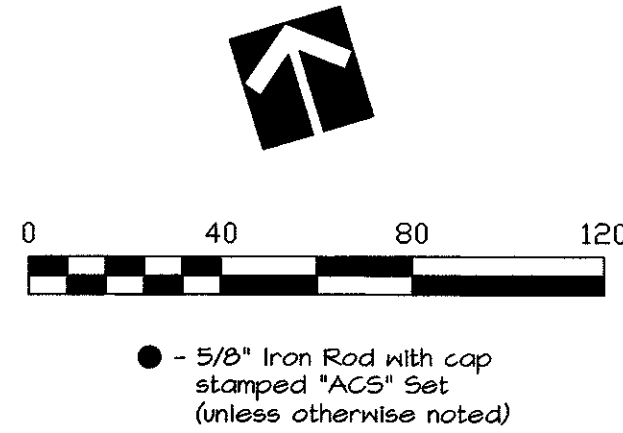


CHARLES C. LUCKO, R.L.S.
REGISTRATION NO. 4636

DATE SURVEYED: MARCH 14, 2016

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 156. The theta angle at City Monument No. 156 is 01° 24' 09". The combined correction factor (CCF) is 0.999857. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City Monument No. 156 to the southwest corner of said 3.689 Acre tract is N 46° 42' 16" W 25.25 feet. Published City coordinates for project reference point 156 are N = 10360304.18 E = 5144218.98

Based upon what can be scaled from the graphics shown on FEMA Flood Insurance Rate Map (FIRM), Map No. 48027C0340E, effective date September 26, 2008, a portion of the above shown property appears within the "Special Flood Hazard Area", and appears to be situated in Zone AE, as shown hereon. This Flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.



LINE	BEARING	DISTANCE
L1	S 14° 44' 23" E	34.13'
L2	S 44° 41' 09" E	53.31'

CALLLED 10.47 ACRES
LYLE C. MEIER
Vol. 5804, Pg. 857

AT & S F RAILROAD
(80' Wide)
(Railroad Tracks removed)
N 32° 36' 19" E 711.49'

20' Building Line

S 73° 07' 37" E 112.26'

LOT 1
1.021 ACRE

239.00'

N 73° 05' 49" W 469.67'

EAST 6th AVENUE
PUBLIC MAINTAINED ROADWAY
Vol. 1030, Pg. 469

1/2" Iron Rod Found

S 04° 55' 23" E 118.66'

LOT 2, BLOCK 1
RIVER FOREST ADDITION
Cab. A, Sl. 271-C

LOT 1, BLOCK 1
RIVER FOREST ADDITION
Cab. A, Sl. 271-C

DON CAMERON and
BILLIE CAMERON
Vol. 6038, Pg. 291

CALLLED 0.204 ACRE
JOHNNY WAYNE BANNISTER
and CHERIE JAN BANNISTER
Vol. 6100, Pg. 849

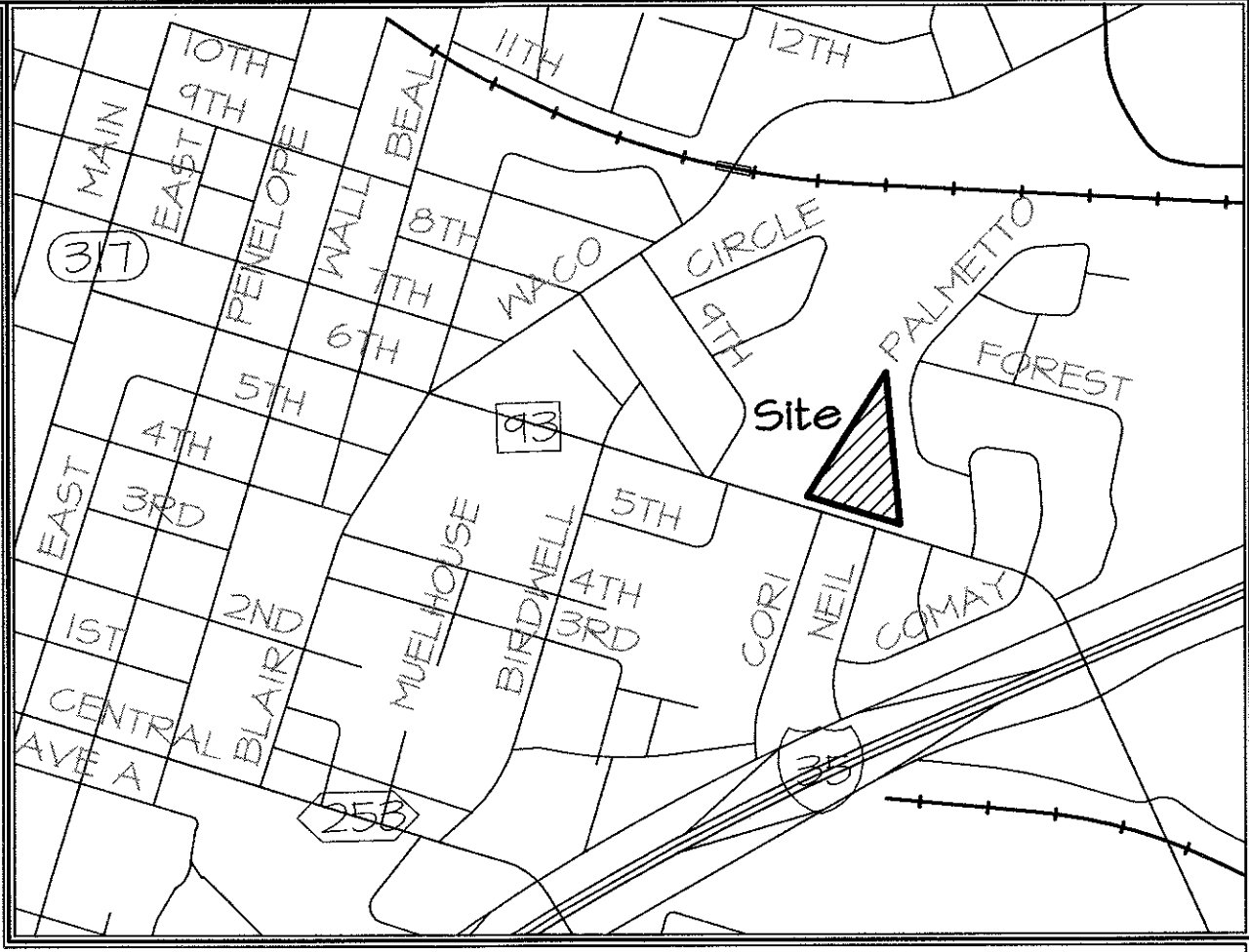
JOHNNY R. GARZA and
SANDRA E. GARZA
Doc. No. 2010-00012553

GARLAND WENTRICK and
JANICE WENTRICK, TRUSTEES
Vol. 4584, Pg. 199

S 09° 04' 40" E 925.25'

SHENDOLYN D. WHITEHEAD
Doc. No. 2007-00040150

CALLLED 0.858 ACRE
LCCG INVESTMENTS, LLC
Doc. No. 2011-00024312



VICINITY MAP - Not to Scale

1/2" Iron Rod Found

10' Utility Easement

25' Building Line

10' ROW (Asphalt Surface)

RECORDATION INFORMATION:

FILED FOR RECORD THIS _____ DAY OF _____, 2016.

IN YEAR _____, PLAT # _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

FINAL PLAT OF
EDDY TANNER ADDITION
a subdivision in the City of Belton, Bell County, Texas.

1303 South 21st Street
Temple, Texas 76504
254-778-2272 Killeen 254-634-4636
Fax 254-774-7608
Tx. Firm Lic. No. 10023600

ALL COUNTY SURVEYING, INC.

Plot date: 05-05-2016

Job No: 150012
Date: 03-14-2016
Scale: 1" = 40'
Drawing No: 150012.3
Drawn By: SLN
Checked By: CCL

Copyright 2016 All County Surveying, Inc.

P-16-19 Eddy Tanner Addition

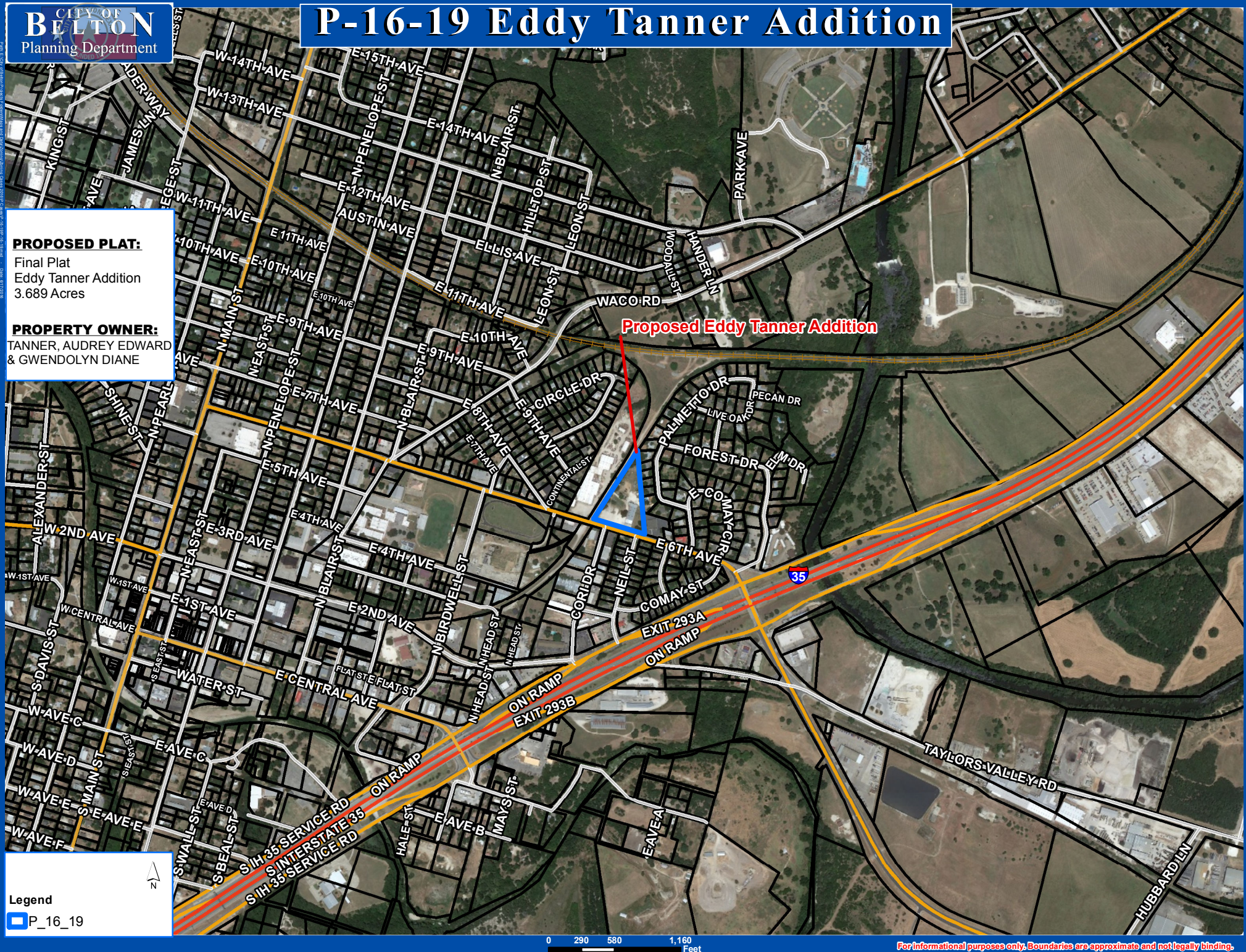
PROPOSED PLAT:

Final Plat
Eddy Tanner Addition
3.689 Acres

PROPERTY OWNER:

TANNER, AUDREY EDWARD
& GWENDOLYN DIANE

Proposed Eddy Tanner Addition



P-16-19 Eddy Tanner Addition

PROPOSED PLAT:


Final Plat
Eddy Tanner Addition
3.689 Acres

PROPERTY OWNER:

TANNER, AUDREY EDWARD
& GWENDOLYN DIANE

Proposed Eddy Tanner Addition

Legend

 P_16_19

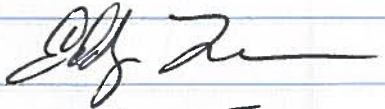


0 80 160 320
Feet

For informational purposes only. Boundaries are approximate and not legally binding.

Monday, June 13, 2016

To Whom it may concern, The parking lots
on my lots at 1000 East 6th and 1100 East 6th
will not be connected


Eddy TANNER



City of Belton

Planning Department

May 25, 2016

Applicant: Eddy Tanner / All County Surveying

Date Submitted: 05-12-16

Project: Eddy Tanner Addition – Final Plat

Location: 3.689 Acres, 1100 East 6th Avenue, Belton, Texas 76513

Please address these comments from the City of Belton following review of your submittal.

*****Please comment back in red under the comments submitted on this sheet.*****

Planning:

1. The rezoning of this property in 2013 states the plat is required to have a shared driveway and public access easement for circulation between these lots; however, there is no public access easement shown on this proposed plat. The shared access driveway has been constructed and I believe it intersects the two lots. Please submit a site plan with the proposed building on Lot 1 and the proposed and existing driveway locations for staff review to determine where the public access easement should be located.
2. Does development of Lot 1 require extension of municipal utilities? If so, the plat will need to go before the P&ZC and Council for consideration. If no extensions are needed, proceed as an administrative plat and include the Director of Planning signature block on the plat.
3. Lot 1 is currently zoned Retail and requires a 25' side yard setback. It is currently shown as a 20' side yard setback for this lot. Please revise.
4. Please include all setbacks on the plat. Lot 1 is missing the rear yard and eastern side yard setbacks. Lot 2 is missing the western side yard setback.
5. What are the setbacks of the existing building on Lot 2? Does the existing building meet the LI required setbacks?
6. The Belton Thoroughfare Plan identifies East 6th Avenue/FM 93 as an arterial roadway. According to Section 503, Sidewalk Standards and Policy, of the Subdivision Ordinance a 6 feet wide sidewalk is required along East 6th Avenue/FM 93 extending the frontage length of Lots 1 and 2 in conjunction with this plat request.

Public Works/KPA:

By some instrument, such as a Quit Claim Deed, prepared by the City of Belton, Audrey Edward Tanner and Gwendolyn Diane Tanner should relinquish any and all rights held of the existing AT&SF Railroad right-of-way and/or ownership if and when the AT&SF Railway ever abandons the right-of-way/ownership of the parcel adjacent to the proposed Final Plat of the Eddy Tanner Addition and using the selected instrument to assign those rights/ownership to the City of Belton, Texas. This parcel could be used as a future thoroughfare connection, hike & bike trail, drainage conveyance or utility extension.

Building Official:

No comments.

Fire Department:

No comments.

Police Department:

No comments.

GIS:

Label "Point of Beginning".

TxDOT:

There shall be no change to existing access and there shall be no additional access from FM 93.

Note: Acceptance by the City of Belton of a plat, zoning change, conceptual drawing, construction drawing, or other development submittal complying with City of Belton minimum standards for drainage does not provide approval beyond what the City may authorize. Approval is limited, and this approval does not limit any obligations you may have under applicable state statutes, such as the Texas Water Code, or federal statutes. You should consult with your own professionals as you continue to pursue this development project.

Section VI

**Tree Protection,
Preservation and
Mitigation**

Staff Report – Planning & Zoning Item



Agenda Item

Hold a public hearing and consider an amendment to Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards in the Zoning Ordinance, regarding the heritage tree replacement fee and ratio inches.

Originating Department

Planning – Erin Smith, Director of Planning

Summary Information

According to Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards, removal of a heritage tree requires a 3:1 replacement. When it is determined by the City that mitigation for heritage tree removal by replanting trees on site is not feasible, an applicant is required to provide payment of \$50 per diameter inch of Belton Heritage Tree removed for replanting elsewhere. The following is a list of tree species with heritage tree recognition (sizes vary due to tree species):

- American Elm - 38" DBH
- Bald Cypress - 34" DBH
- Bur Oak - 32" DBH
- Cedar Elm - 25" DBH
- Live Oak - 36" DBH
- Mexican Sycamore - 37" DBH
- Monterrey (Mexican White) Oak - 28" DBH
- Pecan - 34" DBH
- Post Oak - 24" DBH
- Shumard Red Oak - 21" DBH

The 2009 Design Standards required a tree replacement fee of \$200 per diameter inch for removal of a heritage tree. Replacement in 2009 was triggered for all trees on the list over 30 inches regardless of tree species. Copperas Cove, Harker Heights, and Killeen have no tree mitigation requirements. The City of Temple I-35 corridor overlay district seeks trees in the floodplain to be protected or a contribution of \$100 per caliper-inch fee is recommended; however, there are no other tree replacement requirements.

Staff presented tree mitigation recommendations to Council on March 8th for possible future consideration, given the changes from 2009 to present – \$200 to \$50 per diameter inch – and questions raised about the current replacement ratio of 3:1. At this

meeting, Council recommended researching the City of Flower Mound. The table below summarizes the landscape requirements for Belton and Flower Mound.

Belton	Flower Mound
Protected Trees: 8 inches and above Protected Trees (SF & MF): 20 inches and above Heritage Trees: See list	Protected Trees: 6 inches to 12 inches Specimen Trees: 13 inches and above Historic Trees: Designated by the Town Council
Site Clearing Permit Fee: No permit fee.	Tree Removal Permit Fee: No permit fee unless tree removal request for more than 10 protected trees or 4 specimen trees, then the permit fee is \$1,000.
Permit Reviewed and Approved by: Director of Planning	Permit Reviewed by: Tree Preservation and Enforcement Officer Tree Removal Permit Approved By: a) Protected Tree Removal: Tree Preservation and Enforcement Officer b) Specimen or Historic Tree Removal: Environmental Conservation Commission and Town Council
Tree Removal a) Protected Trees: 50% of the protected trees shall remain. If more than 50% removed, each replacement tree must be a minimum of 3 inches caliper and a minimum of 10 feet in height. <ol style="list-style-type: none"> 1) Each replacement tree shall be planted on the same subdivision or development. If replacement trees are unable to survive, the owner of the site can: <ul style="list-style-type: none"> • Make a cash payment into the tree fund; or • Plant trees on public property. b) Heritage Trees: 3:1 replacement or \$50 per diameter inch for heritage trees.	Tree Removal a) Protected Trees: <ol style="list-style-type: none"> 1) Tree replacement is 1.5 times that of the tree removed. 2) Tree removal permit is \$100.00 per tree not to exceed \$2,000.00 per permit application. b) Specimen Trees: <ol style="list-style-type: none"> 1) Tree replacement is 2 times that of the tree removed. 2) Tree removal permit is \$250.00 per tree. c) Historic Trees: <ol style="list-style-type: none"> 1) Tree replacement is 2.5 times that of the tree removed. 2) Tree removal permit is \$250.00 per tree.

In most instances, a developer has chosen to remove a heritage tree and pay the fee-in-lieu of mitigation due to a lack of space needed on a site to plant the required number of trees. For example, if a 40" live oak tree is removed, the developer now has the

option to either replace the heritage tree with 120 inches of trees, in addition to the landscape requirements, or pay a \$2,000 fee-in-lieu of mitigation. To encourage heritage tree mitigation, staff recommends changing the tree mitigation fee to \$100.00 per diameter inch. In addition to changes to the tree mitigation fee, we recommend changing the 3:1 replacement to a 1:1 replacement to encourage the option to replace the trees instead of paying the fee.

Fiscal Impact

None.

Recommendation

Recommend approval of an amendment to Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards in the Zoning Ordinance, regarding the heritage tree replacement fee and ratio inches as follows:

1. Increase the tree replacement fee when triggered from \$50 to \$100 per diameter inch.
2. Reduce the tree replacement ratio when triggered from 3:1 to 1:1.

Attachments

Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards

Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards

VI.A.3.a. General requirements.

- VI.A.3.a.i. Except as otherwise provided, it is unlawful to remove a Belton Heritage Tree designated as such on a tree survey as required by Section VI - Tree Protection, Preservation, and Mitigation, without a Belton Heritage Tree removal permit.
- VI.A.3.a.ii. The location of all proposed buildings and improvements shall be oriented by the applicant, to the greatest extent in a manner which allows for the preservation of heritage trees.
- VI.A.3.a.iii. No heritage trees shall be removed unless specifically approved by the Planning Director.

VI.A.3.e. Mitigation by payment.

- VI.A.3.e.i. When it is determined by the City that mitigation for heritage tree removal by replanting trees on site is not feasible (i.e., planting capacity has been reached on site) an applicant, in lieu of replanting on site, shall provide payment of \$50.00 per diameter inch of Belton Heritage Tree removed into the city tree program or account for use by the city for the planting, pruning, irrigation, and other activities associated with trees on public property.
- VI.A.3.e.ii. If an applicant demonstrates to the City Council that removal of a heritage tree is the only feasible and appropriate alternative, and if the applicant chooses to mitigate by payment, the City Council may, in its sole discretion, reduce the payment per diameter inch that would otherwise be due.

VI.C.2.b. Tree Replacement Fee

- VI.C.2.b.i. Fees are based on the ratios in the table above. Payment is calculated as currently established or as hereafter adopted by resolution of the City Council from time to time.
- VI.C.2.b.ii. The tree replacement fee shall be tendered in the form of a cashier's check or other form of payment acceptable by the City, payable to the City.
- VI.C.2.b.iii. The cashier's check or other form of payment acceptable by the City shall be submitted to the Planning Director at the time of site plan approval; prior to subdivision construction plan acceptance; prior to plat recordation; or upon the tree removal permit approval, depending on the applicable review process.

Diameter of Existing Tree	Tree Replacement Ratio inches	Tree Replacement Fee (per inch)
BHT and larger	3.0	\$50.00

Section 41

**Screening, Fence and
Wall Standards**

Staff Report – Planning & Zoning Item



Agenda Item

Hold a public hearing and consider an amendment to Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance, regarding the maximum height of a fence within the front yard of a single family- duplex, or patio home.

Originating Department

Planning – Erin Smith, Director of Planning

Summary Information

According to Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance, the maximum height of a fence or wall in a required front yard of a single-family, duplex, or patio home may not exceed 3 feet. Staff has received several permit requests for 4 feet tall fences in the front yard. A majority of fencing sold at home improvement stores is 4 feet, 6 feet, and 8 feet tall. It is difficult to find fencing that is 3 feet tall. The table below summarizes area cities' maximum front yard fence height requirements.

Copperas Cove	No fences are allowed in the required front yard.
Salado	No fence or wall permitted in front yards of any SF residence that is adjacent to a public street.
Belton	3 feet maximum
Temple	<ul style="list-style-type: none">• 4 feet maximum.• Applies to SF 1&2.• If 3 feet or less it can be solid wood.• Higher than 3 feet must have open design with minimum 50 percent visibility and cannot impede visibility within 10 feet of curb or edge of pavement.
Killeen	<ul style="list-style-type: none">• 5 feet maximum.• Front yard fences higher than 4 feet cannot be solid wood and cannot be chain link.
Harker Heights	<ul style="list-style-type: none">• 5 feet maximum.• Applies to premises 5 acres or less and within the 25-foot setback.• Property that is 5 acres or larger can have a front yard fence higher than 5 feet.

The reason for the front yard fence height requirement is to achieve open space, attractive neighborhoods, and site visibility for drivers and pedestrians. There is a desire for personal fence design flexibility and the height of available fencing is often 4 feet and taller.

Staff recommends amending the current fence height requirements to allow a front yard fence not to exceed 4 feet above the grade of the adjacent property. Combinations of berms and fences shall not exceed 4 feet in height. Front yard fences are not permitted in the right-of-way or sight distance triangle areas. Any front yard fence that measures greater than 3 feet in height shall not be of an opaque character (e.g. solid wood).

Fiscal Impact

None.

Recommendation

Recommend approval of an amendment to Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance, regarding the maximum height of a fence within the front yard of a single family- duplex, or patio home.

Attachments

Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance

SECTION 41: SCREENING FENCE AND WALL STANDARDS

- H. In any residential district or along the common boundary between any residential and non-residential district where a wall, fence, or screening separation is erected, the following standards for height, location, and design shall be observed:
1. Any fence or wall located to the rear of the minimum required front yard line except as determined by the provisions of Section 35.2 shall not exceed eight feet (8') in height above the grade of the adjacent property.
 2. The maximum height of a fence or wall in a required front yard of a single-family, duplex, or patio home shall not exceed ~~thirty six inches (36")~~ four (4) feet above the grade of the adjacent property. Combinations of berms and fences shall not exceed ~~thirty six inches (36")~~ four (4) feet in height. Front yard fences are not permitted in the right-of-way or sight distance triangle areas. Any front yard fence that measures greater than three (3) feet in height shall not be of an opaque character (e.g. solid wood).
 3. Where a corner lot is platted with two front yards, and a house is constructed facing one of the front yards, the second front yard shall be deemed to be a side yard, which may be fenced in the same manner as any other side yard adjacent to a street, except that the fence shall be constructed on an angle beginning at the intersection of the building line with the lot line and ending at a point on the street right-of-way located a minimum of ten feet (10') from the lot line. (See Illustration 9.)

Section 502

**Street Standards and
Policy**

Staff Report – Planning & Zoning Item



Agenda Item

Hold a public hearing and consider an amendment to Section 502, Street Standards and Policy of the Subdivision Ordinance, regarding the maximum cul-de-sac length and means of access into a subdivision.

Originating Department

Planning – Erin Smith, Director of Planning

Summary Information

According to Section 502 (F), Cul-de-Sacs and Dead-End Streets, of the Subdivision Ordinance, the maximum length of a cul-de-sac or dead-end street with a permanent turnaround should usually not exceed six hundred feet (600'), except under unusual conditions with the approval of the Planning and Zoning Commission. The 2009 International Fire Code requires a second means of access when subdivisions contain more than 30 lots. Recently, multiple subdivision plats have requested a variance to the maximum cul-de-sac length requirement and to allow one means of access for subdivisions exceeding 30 lots. Due to the amount of variances requested and approved, staff began researching area cities' maximum cul-de-sac length and means of access requirements. The tables below summarize area cities' maximum cul-de-sac length and means of access requirements:

Killeen	Cul-de-sac streets shall be limited in length to 300 feet and shall provide a turnaround having an outside roadway diameter of at least 80 feet.
Salado	Cul-de-sacs can be no more than 600 feet in length.
Belton	Cul-de-sacs can be no more than 600 feet in length.
Copperas Cove	Cul-de-sacs can be no more than 600 feet in length. This minimum may be increased by the city engineer where conditions warrant. Dead-end streets cannot exceed 1,000 feet in length.
Harker Heights	For subdivisions with lots of less than 1 acre, cul-de-sac streets shall not exceed 800 feet in length. For single family subdivisions with lots greater than 1 acre, the length may not exceed 1,200 feet.
Temple	Cul-de-sacs can exceed 1,000 feet but intermediate turnarounds are required when it does.

Area Cities	Means of Access – Number of Lots
Belton	2 entrances – 30 lots
Copperas Cove	2 entrances – 30 lots
Harker Heights	2 entrances – 30 lots
Killeen	2 entrances – 50 lots
Salado	2 entrances – 50 lots
Temple	1 entrances – 1-75 lots 2 entrances – 76-150 lots 3 entrances – 151-300 lots N/A – 300 + lots

Staff presented maximum cul-de-sac length and means of access recommendations to Council for possible future adoption on March 8th. At this meeting, Council recommended that staff meet with BISD to determine if the buses travel on cul-de-sacs to pick up students. City staff met with BISD transportation department staff that provided valuable insight in regard to bus pick-up practice. TEA State Law requirements regarding walking distance to bus stops for elementary school students is ¼ mile (1,320 feet) and for middle and high school students is ½ mile (2,640 feet). The students must have a safe/clear walking path from the student's home to the bus stop. In most instances, the buses will not travel into a cul-de-sac and the students are picked-up/dropped-off where the cul-de-sac ties in with another street. At the March 8th meeting, Council also requested that staff provide a list of existing cul-de-sacs lengths and associated street widths in Belton. A table summarizing cul-de-sac lengths, street widths, and cul-de-sac radius in Belton is attached to this staff report.

Staff recommends changing the maximum cul-de-sac length to 1,000 feet. If the cul-de-sac exceeds 1,000 feet, construction of an intermediate turnaround is required, similar to the City of Temple requirements. We also recommend amending the City's Design Manual to include design criteria for cul-de-sacs. Attached is the City of Temple Design Criteria for cul-de-sacs which provides for intermediate turnarounds when the length of a cul-de-sac exceeds 1,000 feet.

Staff recommends changing the means of access requirements to the following:

- 1 entrance – 1-50 lots
- 2 entrances – 51-100 lots
- 3 entrances – 101 + lots

We recommend adding a means of access requirement to the Subdivision Ordinance so it may apply to Belton ETJ. There should also be a provision to allow a temporary emergency access road in the Subdivision Ordinance and Design Manual.

Fiscal Impact

None.

Recommendation

Recommend approval of an amendment to Section 502, Street Standards and Policy of the Subdivision Ordinance, regarding the maximum cul-de-sac length and means of access into a subdivision.

Attachments

1. Section 502 (F), Cul-de-Sacs and Dead-End Streets, of the Subdivision Ordinance
2. Examples of Cul-de-Sac Lengths in Belton
3. 2009 Fire Code Means of Access Requirements
4. City of Temple Cul-de-Sac Requirements and Means of Access Requirements

Section 502: Street Standards and Policy

F. Cul-de-Sacs and Dead-End Streets

1. The maximum length of a cul-de-sac or dead-end street with a permanent turnaround shall usually be six hundred feet (600'), except under unusual conditions with the approval of the Planning and Zoning Commission.
2. Turnarounds are to have a minimum right-of-way width of one hundred feet (100') and a minimum forty-foot (40') outside radius for single-family and two-family uses, and a minimum right-of-way width of one hundred twenty feet (120') and a minimum fifty-foot (50') outside radius for all other uses.
3. Temporary dead-end streets may be approved by the Planning and Zoning Commission if adequate, all-weather turnaround is provided. "Adequate, all-weather turnaround" is defined as a turnaround that is of sufficient size to accommodate fire and sanitation vehicles and is of a construction quality comparable to standard road cross-sections.

Examples of Cul-de-Sac Lengths in Belton

Location	Cul-de-Sac Length	Street Width	Radius
SW Belton			
Independence Court	760 feet	31	40
Lincoln Court	670 feet	31	40
Madison Court – S	760 feet	31	40
Madison Court – N	310 Feet	31	40
Jefferson Court – S	685 feet	31	40
Jefferson Court – N	330 feet	31	40
SE Belton			
Colette Court	500 feet	31	40
Carla Circle	375 feet	31	40
Samuel Drive	425 feet	31	40
Renee Spur	400 feet	34	45
Ellen Place	215 feet	28	38
East Avenue O	775 feet	31	40
East Avenue M	760 feet	27	40
West Central Belton			
Richardson Circle	200 feet	31	40
Dusty Trail	690 feet	29	40
Tumbleweed Drive	290 feet	29	40
Sage Brush Drive	210 feet	29	40
Point Court	150 feet	29	40
Cliff Drive	1,175 feet	29	40
Nolan Court	190 feet	29	40
Business Park			
Kennedy Court	630 feet	45	75
East Belton			
N. Wall Street (N of 15th)	345 feet	35	40
Hallmark Circle	635 feet	28	40
Atrium Circle	150 feet	28	40
River Oak Drive	430 feet	33	40
North Central Belton			
Neches Drive	615 feet	31	40
Pecos Trail	380 feet	30	40
Sundown Court	380 feet	30	40
Legend Oaks Blvd	1125 feet	27	40
West Belton			
Loving Cove	360 feet	31	40
Casawa Cove	350 feet	30	40
Matador Cove	340 feet	31	40
Pitchfork Circle	525 feet	29	40
Sarita Cove	540 feet	31	40
Remuda Court	465 feet	28	40

Location	Cul-de-sac Length	Street Width	Radius
West Belton Continued			
South Fork Circle	430 feet	29	39
Wildcatter Cove	145 feet	28	40
Greenhaven Drive	725 feet	28	39
Spring Creek Court	120 feet	28	39
De Leon Circle	410 feet	28	39
Breakers Cove	935 feet	28	39
Sanbar Circle	160 feet	28	38
Amber Forest Trail (2500 Block)	260 feet	27	43
Amber Forest Trail (3000-3100 Block)	760 feet	28	44
Twin Ridge Court	300 feet	28	39
Gardenbrook Trail	525 feet	28	39
Autumn Cove	250 feet	28	39
Spinnaker Lane	830 feet	28	44
Schooner Cove	340 feet	28	44
Genoa Cove	150 feet	27	44

2009 International Fire Code

APPENDIX D: FIRE APPARATUS ACCESS ROADS

ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units.

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or

D106.2 Projects having more than 200 dwelling units.

Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**48' RADIUS STANDARD
CUL-DE-SAC
(ROUND OR OFFSET TERMINAL)
250 MAXIMUM ADT
(25 DWELLING UNITS)**

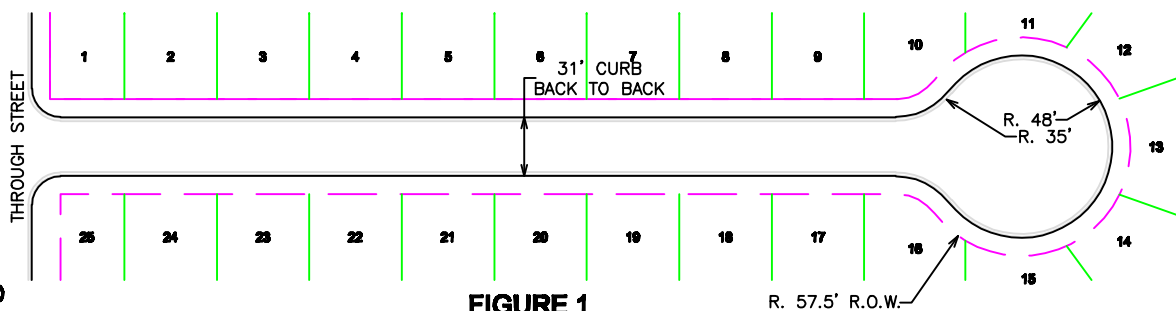


FIGURE 1

**44' RADIUS TEARDROP
CUL-DE-SAC
(TEARDROP TERMINAL)
210 MAXIMUM ADT
(21 DWELLING UNITS)**

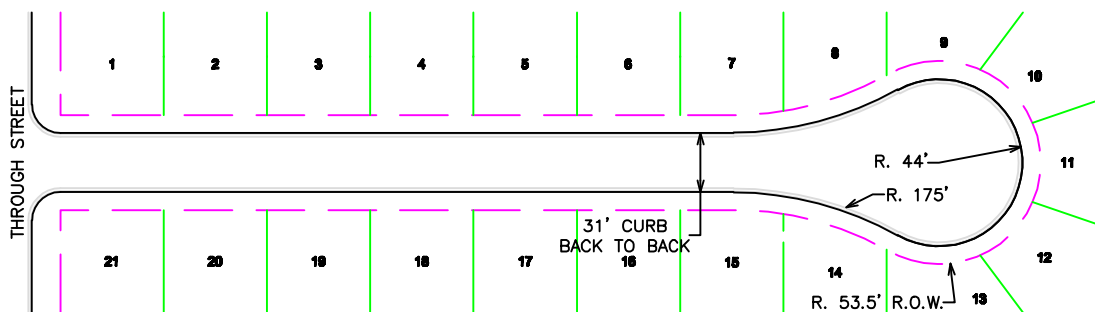


FIGURE 2

**42' RADIUS TEARDROP
CUL-DE-SAC
(TEARDROP TERMINAL)
170 MAXIMUM ADT
(17 DWELLING UNITS)**

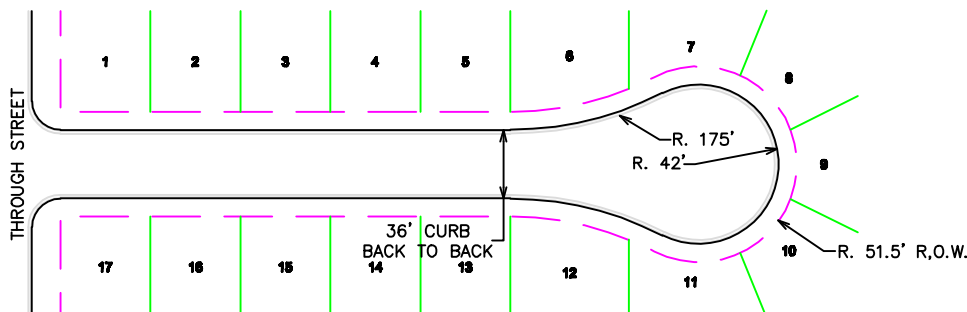


FIGURE 3

**42' RADIUS OFFSET
CUL-DE-SAC
(ROUND OR TEARDROP OFFSET TERMINAL)
120 MAXIMUM ADT
(12 DWELLING UNITS)**

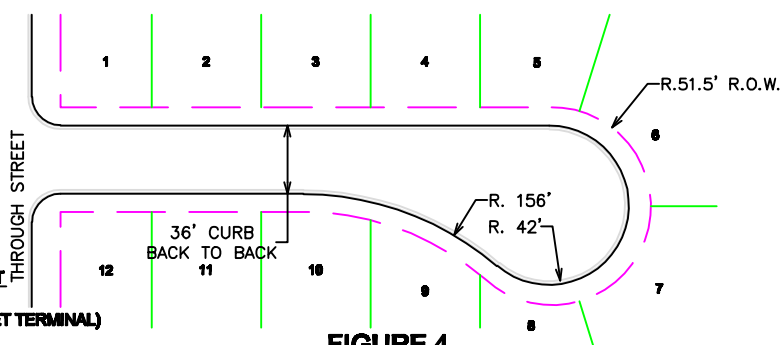


FIGURE 4

**40' RADIUS LOW DENSITY
CUL-DE-SAC
(ROUND OR TEARDROP TERMINAL)
70 MAXIMUM ADT
(7 DWELLING UNITS)**

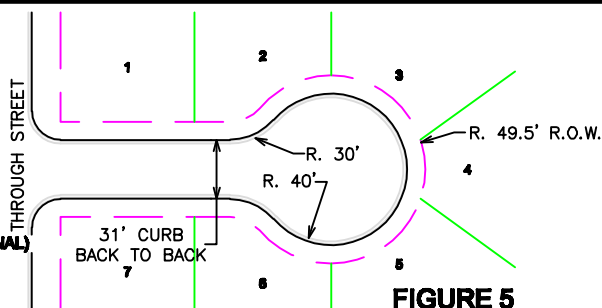


FIGURE 5

SHEET 1 OF 2



**CITY OF TEMPLE
ENGINEERING DEPARTMENT**

3210 E. Avenue H, Bldg. A

TEMPLE, TX 76701-0402

APPROVED BY: Michael C. Newman, P.E.

DEAS APPROVED DATE: 1 OCTOBER 2008

DRAWN BY: Chris Paul

FILE NAME: CULDESAC08.dwg

DESIGN CRITERIA-CUL-DE-SACS

**SCALE:
1"=100'**

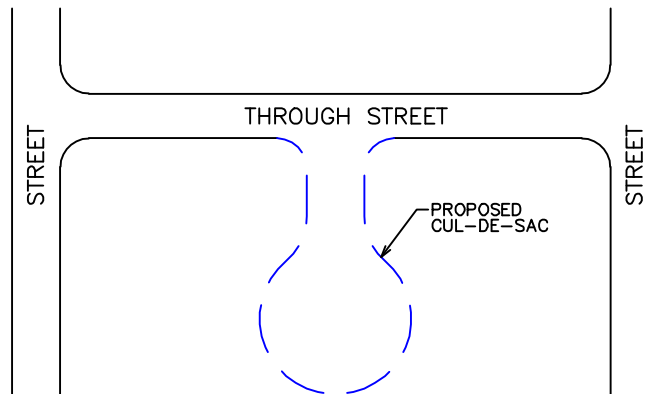


FIGURE 6
THROUGH STREET DIAGRAM

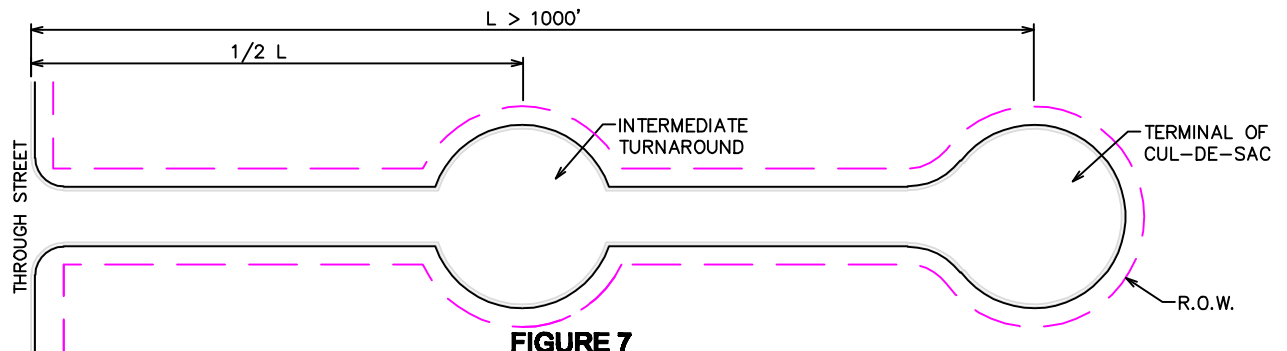


FIGURE 7
INTERMEDIATE TURNAROUND

GENERAL NOTES FOR ALL CUL-DE-SACS

1. A THROUGH STREET IS DEFINED AS A STREET THAT EXTENDS CONTINUOUSLY BETWEEN TWO OR MORE STREETS. (SEE FIG. 6)
2. PARKING SHALL NOT BE PERMITTED IN THE TERMINAL OF A CUL-DE-SAC WHEN DESIGNED PER FIGURES 2,3, OR 4 UNLESS SUCH CUL-DE-SAC'S ARE ALSO SERVED BY ALLEY'S OR DWELLINGS ARE PROTECTED WITH AN APPROVED, OPERATIONAL FIRE SPRINKLER SYSTEM.
3. WHEN EACH DWELLING ON A CUL-DE-SAC IS PROTECTED WITH AN APPROVED, OPERATIONAL FIRE SPRINKLER SYSTEM, THE CUL-DE-SAC MAY BE DESIGNED WITH A MINIMUM TERMINAL RADIUS OF 40'.
4. COMMERCIAL CUL-DE-SACS SHALL HAVE A MINIMUM 50' RADIUS AND 60' OF RIGHT OF WAY.
5. CUL-DE-SAC LOTS THAT ARE ACCESSIBLE BY ALLEYS MAY BE DESIGNED WITH A MINIMUM 40' TERMINAL RADIUS WITH EITHER A ROUND, TEARDROP, OR OFFSET TERMINAL.
6. INTERMEDIATE TURNAROUNDS ARE REQUIRED WHEN THE LENGTH OF A CUL-DE-SAC IS GREATER THAN 1000'. CONSIDERATION OF THE NUMBER OF INTERMEDIATE TURNAROUNDS SHALL BE BASED ON THE OVERALL LENGTH. (SEE FIG. 7)
7. THE PLANNING DIRECTOR MAY APPROVE UP TO A 15% INCREASE IN ADT'S WHEN OVERALL SUBDIVISION STREET DESIGN INCLUDES TRAFFIC ENHANCING DESIGN FEATURES SUCH AS: 1) STREET LAYOUT THAT PROMOTES ORDERLY AND CONVENIENT TRAFFIC FLOW 2) TRAFFIC CALMING FEATURES, OR 3) SUBDIVISION ENTRANCE DESIGN THAT FACILITATES EASE OF TRAFFIC FLOW AND ACCESS.
8. A FUTURE INTERSECTING STREET, THAT IS NOT A CUL-DE-SAC, MAY BE USED IN CALCULATING ADT'S FOR A CUL-DE-SAC, PROVIDED SUCH A FUTURE INTERSECTING STREET IS PART OF AN APPROVED PRELIMINARY OR FINAL PLAT.
9. CUL-DE-SAC'S DESIGNED TO COLLECTOR STREET WIDTH STANDARDS MAY BE DESIGNED WITH A MINIMUM 40' TURNAROUND RADIUS AND MAY BE EITHER ROUND, TEARDROP, OR OFFSET TERMINAL.
10. CONSIDERATION TO REDUCE RIGHT OF WAY IN CUL-DE-SAC WILL BE SUBJECT TO APPROVAL OF ENGINEERING DEPARTMENT. CITY STAFF MAY APPROVE ALTERNATIVE CUL-DE-SAC TERMINAL RIGHT OF WAY DESIGN TO PARTIALLY MITIGATE LOSS OF LAND RESULTING FROM INCREASED CUL-DE-SAC RADIUS REQUIREMENTS. ALTERNATIVE DESIGNS MUST PROVIDE CITY RIGHT OF WAY AT WATER AND WASTEWATER SERVICE POINTS ADEQUATE FOR CITY SERVICE ACCESS.
11. RADIUS ON INTERMEDIATE TURNAROUNDS SHALL BE THE SAME SIZE AS THE TERMINAL.

SHEET 2 OF 2

APPROVED BY: Michael C. Newman, P.E.

DESIGN APPROVED DATE: 1 OCTOBER 2008

DRAWN BY: Chris Peel

FILE NAME: CULDESACBldg.dwg



CITY OF TEMPLE
ENGINEERING DEPARTMENT

3210 E. Avenue H, Bldg. A

TEMPLE, TX 76801-8402

DESIGN CRITERIA-CUL-DE-SACS

SCALE:
1"=100'

THE FOLLOWING 'STANDARD' AND 'ALTERNATE' ENTRANCE STREET DESIGNS ARE TO BE USED WHEN DESIGNING TEMPLE RESIDENTIAL SUBDIVISIONS. ALTERNATE DESIGNS AFFORD INCREASED FLEXIBILITY AND MAY BE UTILIZED TO INCREASE THE RATIO OF LOTS TO ENTRANCE.

RESIDENTIAL SUBDIVISION ENTRANCE/ACCESS DESIGN STANDARDS

NUMBER OF LOTS	STANDARD DESIGN MINIMUM ENTRANCES (LOCAL OR COLLECTOR STREET) (FIGURES 1,2,3,or4)	ALTERNATE DESIGNS MINIMUM ENTRANCES (MINIMUM CUMULATIVE STREET WIDTH 41' CB/CB) (FIGURES 2,3,4,&5or6)
1-75	1	
76-150	2(b)	1(d)
151-300	3(b&c)	2(b,c,&d)
301+	N/A	3(a,b,c,&d)

Subdivision Street Entrance/Access Design Requirements maybe satisfied with a combination of standard or alternate designs in combination with access to other subdivisions, in accordance with the table above and figures 1-7.

Fire Sprinkler Subdivisions. When all dwelling units within a subdivision are served by approved fire sprinkler systems, multiple entrance access is not required to meet fire safety requirements

Street Width and Curb Radii are determined by respective street classifications.

(a) Subdivisions with more than 300 residential lots may be required to have more than three entrance/access streets (or provision for future street connections with adjacent property) to facilitate adequate traffic flow and safety.
The Planning Director may waive the requirement for more than three entrance access street design includes traffic-enhancing features such as: 1) street layout that promotes orderly and convenient traffic flow with local street to collector street to subdivision entrance/access 2) traffic calming features, 3) continuous left and right turn exit traffic lanes, 4) direct access to a multi-lane arterial street, arterial with center turn lane, boulevard, or acceleration/deceleration lanes to/from the entrance, 5) increased radii at entrance corners.

b) Second or Third Entrance Access required under this standard may be temporarily satisfied by the execution of a development agreement between the City and the developer and the subsequent dedication and construction of a "Temporary Emergency Vehicle Access" across a public lot or easement if the "access" is constructed in accordance with Figure 7.
The development agreement must, in addition to addressing construction standards for the "Temporary Emergency Vehicle Access" provide that the City shall maintain the temporary access paving and retain the right to access until such time as the "Temporary Emergency Vehicle Access" is replaced by a permanent subdivision entrance/access constructed in accordance with these standards and accepted by the City. The development agreement shall also provide that as a condition of acceptance of a "Temporary Emergency Vehicle Access" by the City, that the developer shall create a home owners association with responsibility for maintaining vegetation adjacent to the "Temporary Emergency Vehicle Access" or shall provide financial guaranty acceptable to the City Attorney.


(c) Future Street Access may satisfy additional entrance access requirements when a future street access is a component of an approved Preliminary or Final Plat.

(d) Residential Driveway access to Entrance Streets is not permitted.

NOTES:

1. ADT IS A REFERENCED TERM FROM THE TRIP GENERATION MANUAL PUBLISHED BY THE INSTITUTE OF TRANSPORTATION ENGINEERS. RESIDENTIAL LOT IS ASSUMED AT 10 ADT/DWELLING UNIT.
2. AN ENTRANCE ACCESS STREET IS A STREET THAT EXTENDS CONTINUOUSLY BETWEEN TWO OR MORE STREETS. WHEN THE ACCESS OF A PROPOSED SUBDIVISION IS FROM AN EXISTING LOCAL STREET, THE AVERAGE DAILY TRIPS ("ADT's") OF THE EXISTING SUBDIVISION MUST BE INCLUDED IN THE ADT CALCULATION FOR THE PROPOSED SUBDIVISION.

SHEET 1 OF 3

		CITY OF TEMPLE ENGINEERING DEPARTMENT	
		2210 E. Avenue H, Bldg. A TEMPLE, TX 76701-0402	
APPROVED BY: Michael C. Newman, P.E.	D&B APPROVED DATE: 1 OCTOBER 2008	DESIGN CRITERIA- RESIDENTIAL SUBDIVISION ENTRANCES	
DRAWN BY: Chris Peel	FILE NAME: SUBDIVENTRY.dwg	SCALE: 1"=100'	

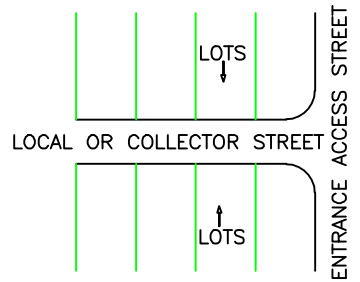


FIGURE 1
STANDARD ENTRANCE
(LOTS FACE ENTRANCE STREET)

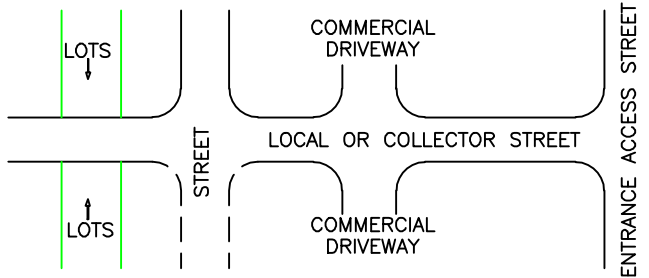


FIGURE 2
STANDARD ENTRANCE
(LOTS FACE ENTRANCE STREET AFTER INTERSECTION)

-----LINES DEPICT OPTIONAL STREET DESIGNS THAT
MAY WORK, SUBJECT TO OVERALL DESIGN COMPLIANCE
WITH CITY ORDINANCE OR DEVELOPMENT STANDARDS

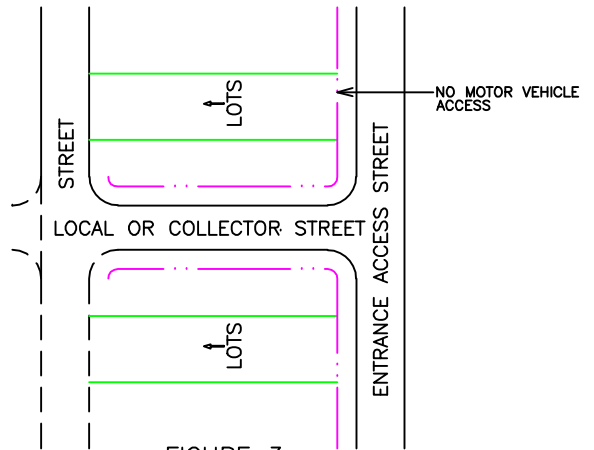


FIGURE 3
STANDARD ENTRANCE
(LOTS DO NOT FACE ENTRANCE STREET)

-----LINES DEPICT OPTIONAL STREET DESIGNS THAT
MAY WORK, SUBJECT TO OVERALL DESIGN COMPLIANCE
WITH CITY ORDINANCE OR DEVELOPMENT STANDARDS

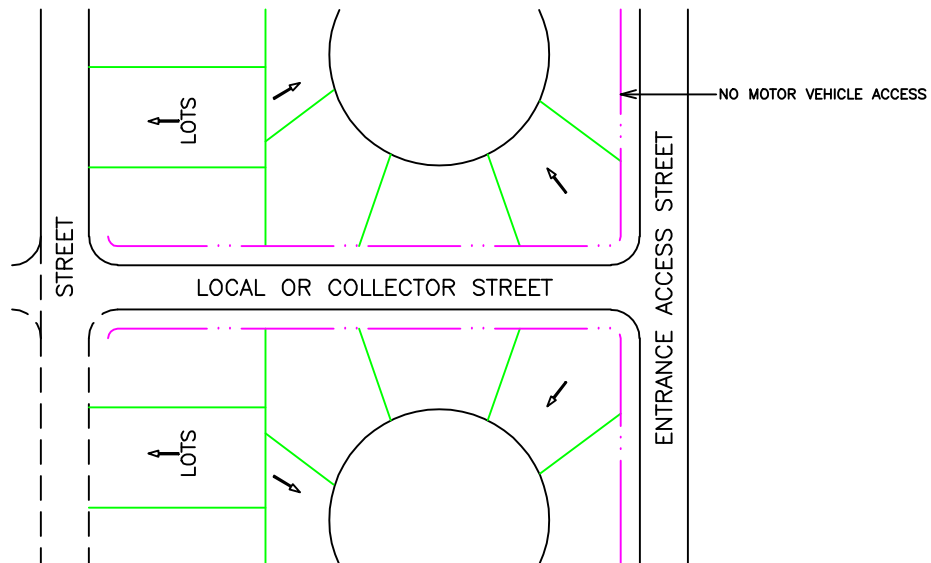


FIGURE 4
STANDARD ENTRANCE
(LOTS DO NOT FACE ENTRANCE STREET)

-----LINES DEPICT OPTIONAL STREET DESIGNS THAT
MAY WORK, SUBJECT TO OVERALL DESIGN COMPLIANCE
WITH CITY ORDINANCE OR DEVELOPMENT STANDARDS



NOTE:
THIS ALTERNATIVE IS THE
EQUIVALENT OF TWO
ENTRANCES.

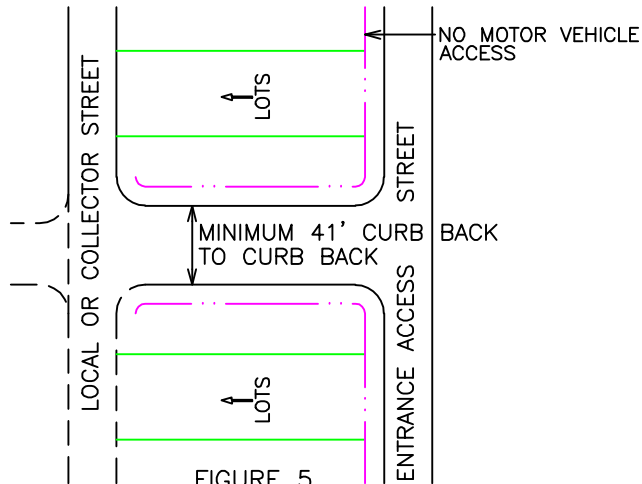


FIGURE 5
ALTERNATE ENTRANCE
MINIMUM 41' CB/CB

(LOTS DO NOT FACE ENTRANCE STREET)

-----LINES DEPICT OPTIONAL STREET DESIGNS THAT
MAY WORK, SUBJECT TO OVERALL DESIGN COMPLIANCE
WITH CITY ORDINANCE OR DEVELOPMENT STANDARDS

NOTE:
THIS ALTERNATIVE IS THE
EQUIVALENT OF TWO
ENTRANCES.

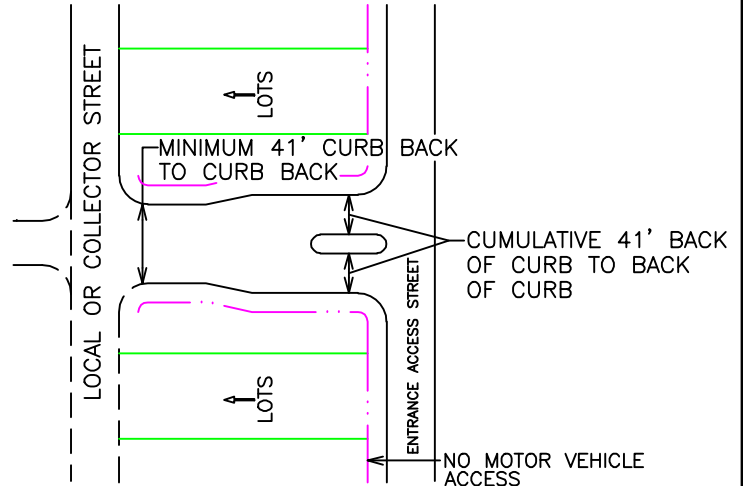


FIGURE 6
ALTERNATE ENTRANCE (BOULEVARD)
MINIMUM 41' CB/CB

(LOTS DO NOT FACE ENTRANCE STREET)

-----LINES DEPICT OPTIONAL STREET DESIGNS THAT
MAY WORK, SUBJECT TO OVERALL DESIGN COMPLIANCE
WITH CITY ORDINANCE OR DEVELOPMENT STANDARDS

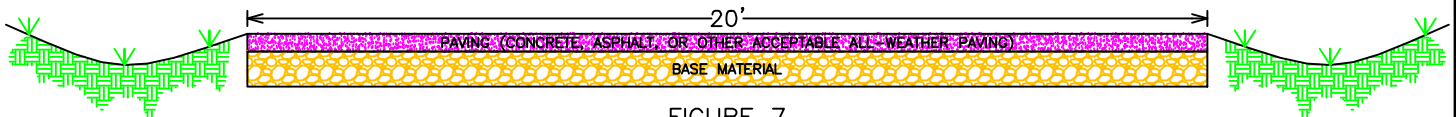


FIGURE 7
TEMPORARY EMERGENCY VEHICLE ACCESS DESIGN

MINIMUM PAVEMENT DESIGN BASED ON A GEOTECHNICAL REPORT RECOMMENDATION, MUST BE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 70,000 POUNDS, AND MEET STREET GRADE REQUIREMENTS OF THE MOVEABLE BARRICADES OR GATES, TO RESTRICT USE TO EMERGENCY VEHICLES, MAY BE INSTALLED WITH "NO PARKING FIRE LANE" SIGNS PER THE TEMPLE FIRE CODE.

Section 517

Requirements for

Pakland

Staff Report – Planning & Zoning Item



Agenda Item

Hold a public hearing and consider an amendment to Section 517, Requirements for Parkland, of the Subdivision Ordinance, regarding required parkland.

Originating Department

Planning – Erin Smith, Director of Planning

Summary Information

According to Section 517.01 Parkland Required, of the Subdivision Ordinance, any residential subdivision within the City of Belton, or within the City's extraterritorial jurisdiction, is required to set aside and dedicate to the public sufficient and suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. For example, a 50-lot subdivision may dedicate 0.50 acres or pay a \$10,000 fee-in-lieu of parkland dedication, at the developer's discretion.

In some instances a developer will request to pay a fee-in-lieu of parkland dedication. It is important to ensure residential subdivisions have neighborhood parks. Open spaces in neighborhoods are important because they serve numerous purposes including preservation of natural areas and resources, preservation of scenic views, greater resident access to open areas and recreation, public health benefits, and enhancement of the quality of new development.

The current parkland requirement states that the City only reserves the right to require the dedication of land for public park purposes when two or more acres of land would be required to satisfy the parkland dedication requirements. Staff recommends amending the current parkland requirements to provide Council with discretion in all circumstances when determining the need for satisfying application of the parkland requirement in new residential subdivisions. Staff recommends the following revisions to Section 517.01 Parkland Required, of the Subdivision Ordinance:

- A. Pursuant to this ordinance, it shall be required that a subdivider of any residential subdivision within the City of Belton, or within the City's extraterritorial jurisdiction, set aside and dedicate to the public sufficient and suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland, in accordance with the provisions of this Section and these regulations generally.

- B. All plats receiving subdivision approval shall conform to the requirements of this Section. To satisfy the provisions of this Ordinance, conformance with these requirements may be through Parkland dedication or payment of fees-in-lieu of required Parkland, or a combination of the two, at the exclusive discretion of the City Council.
- C. In the event the subdivider offers to dedicate land for a public park classification that is defined in the Comprehensive Plan and/or Parks and Recreation Master Plan which meets the design standards of these regulations, and that is two or more acres in size, the City shall accept the parkland dedication, unless Parkland needs have been previously satisfied in that area, if in the City's best interests.
- D. Where a subdivider proposes to pay an in-lieu-fee as provided for below, the Council may accept such payment as satisfying the parkland dedication requirements of this Code, except that the ~~Councility~~ reserves the exclusive right to require the dedication of land for public park purposes at its discretion in accordance with this Section when two or more acres of land would be required to satisfy the parkland dedication requirements of this Code.

Fiscal Impact

None.

Recommendation

Recommend approval of an amendment to Section 517, Requirements for Parkland, of the Subdivision Ordinance, regarding required parkland.

Attachments

Section 517.01 Parkland Required, of the Subdivision Ordinance

Section 517: Requirements for Parkland (Ordinance #2005-04)

517.01 Parkland Required

- A. Pursuant to this ordinance, it shall be required that a subdivider of any residential subdivision within the City of Belton, or within the City's extraterritorial jurisdiction, set aside and dedicate to the public sufficient and suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland, in accordance with the provisions of this Section and these regulations generally.
- B. All plats receiving subdivision approval shall conform to the requirements of this Section. To satisfy the provisions of this Ordinance, conformance with these requirements may be through Parkland dedication or payment of fees-in-lieu of required Parkland or a combination of the two.
- C. In the event the subdivider offers to dedicate land for a public park classification that is defined in the Comprehensive Plan and/or Parks and Recreation Master Plan which meets the design standards of these regulations, and that is two or more acres in size, the City shall accept the parkland dedication, unless Parkland needs have been previously satisfied in that area.
- D. Where a subdivider proposes to pay an in-lieu-fee as provided for below, the Council may accept such payment as satisfying the parkland dedication requirements of this Code, except that the City reserves the right to require the dedication of land for public park purposes in accordance with this Section when two or more acres of land would be required to satisfy the parkland dedication requirements of this Code.