

Staff Report – Planning & Zoning Item



Date: December 18, 2018
Case No.: Z-18-16
Request: PD-R to Amended PD-R for Building Colors
Applicant: Carol Cook/CMA
Owner: Raul Chio/Walmart Real Estate Business Trust (R.E.B.T.)

Agenda Item

Z-18-16 Hold a public hearing and consider a zoning change from Planned Development Retail District to amended Planned Development Retail District to revise the site plan/architectural details regarding building colors for the Walmart Retail Center on a 24.687 acre tract located at 2604 N. Main Street, near the northwest corner of Main Street and Sparta Road.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Current Zoning

Planned Development-Retail

Proposed Zoning

Amended Planned Development-Retail for
Revision in Building Colors

Future Land Use Map (FLUM) Designation: Commercial/Retail; and Lifestyle Center

Design Standards Type Area: 5 - Primarily retail, commercial, and mixes uses.

Case Summary

This property was rezoned to a Planned Development – Retail District to allow construction of a general retail store (Walmart) in October 2003. The final plat and site plan were approved in February 2004, and included specific language regarding the building colors. Walmart wishes to change the color scheme of the building exterior from the brown/earth tones to the blue/gray color hues. An amendment to the PD site plan is requested to accommodate this change.

Project Analysis and Discussion

This property and several others in this vicinity are zoned a Planned Development District with some areas Retail/Commercial. Several retail centers are nearby including the following:

Murphy Oil USA, Taco Bell, retail center with Papa John's Pizza and UPS, Spa de Miel Nail Salon, office building undergoing redevelopment, retail center will Dollar Tree and Cato, Taqueria Mexicano Grill, Legacy Landing Apartments, Goodwill Center, Goodyear Auto Service, Dossman Funeral Home, Belton Small Animal Clinic, Belton Eye Care Center, HEB Plus and retail center with Papa Murphy's Pizza.

The PD-Retail Zoning that was approved for this site in 2003 included the following conditions:

- a. Use of the property shall conform to all respects of the Retail district and shall allow other associated and related uses.
- b. Development of the property shall conform to the Retail district and the Planned Development site plans and architectural plans, the approval of which will be deferred to the Preliminary Platting process on the property, or as requested by the applicant.**
- c. Landscaping, screening, parking, site circulation, signage, outside storage and other performance standards will be addressed in conjunction with site plan approval.
- d. Development of the out parcels will be subject to site plan approval.

The site plan included various architectural details including a color scheme of natural beige and green that blends with the surrounding trees on site. A monument sign that hints to a Chisholm Trail theme (flanked by wagon wheels) was also part of this plan.

Walmart wishes to change the building colors as part of their brand refreshing. They are implementing this color scheme across the country as stores come up for remodel, and have been in process of transitioning their stores for approximately two years. All new stores are using the blue/grey scheme unless not allowed by local jurisdictions. For general construction, the brown scheme is no longer being used. Information from Walmart indicates that most cities in Texas are moving to the blue/gray color scheme with the exception of Frisco.

Early this year, staff was presented with a request to replace the existing eternally lit monument signs with internally illuminated signs. Staff was unaware of the PD conditions at that time and allowed the replacement. Shortly thereafter when this mistake came to light, staff informed Walmart of the error and that future sign replacement would be required to comply with the original PD site plan conditions.

In 2003/2004 when the site plan was approved, the brown/beige colors were proposed to blend with the existing trees and provide a more natural development character, partly to minimize the visual impact of a new big box store. While it is certainly subjective as to what may be considered appropriate today, 15 years later, it is staff's judgement the brown color scheme is preferred for the same reasons it was preferred in 2003/2004. Many of the surrounding developments have structures on site that also adhere to the more natural brown color scheme. Murphy Oil USA gas pumps were just reconstructed with a brown color scheme. Almost all of the surrounding structures previously identified have a brown/beige color scheme. The one exception is the office building just west of the nail salon on Sparta Road which is undergoing redevelopment and is currently a gray color. It does not appear that maintaining the brown

color scheme is a hardship for Walmart or that it would negatively impact the presence of this important retailer, and therefore, we recommend retaining the original brown color scheme.

Recommendation

While we recognize this is a judgment call, on balance we recommend disapproval of the requested amended Planned Development-Retail Zoning District to revise the site plan/architectural details regarding building colors for the Walmart Retail Center, and recommend retention of the originally approved standards.

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 owner's list
8. Existing elevation color scheme
9. Proposed elevation color scheme
10. PD Ordinance from 2003 rezoning
11. P&ZC/CC minutes from 2004 plat review

City of Belton
Request for a Zoning Change

To the City Council and the
Planning & Zoning Commission

Fee: \$250.00

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

Applicant: CMA/Carol Cook Phone Number: 817.877.0044
Mailing Address: 1300 W. Summit Avenue, Suite 300 City: Ft. Worth State: TX/76102
Email Address: ccook@cmarch.com

Owners Name: Walmart R.E.B.T./Raul Chio Phone Number: 479.204.8888
Mailing Address: _____ City: _____ State: _____
Email Address: 2001 SE 10th Street/Mail Stop 5520 / Bentonville AR 72716

Applicant's Interest in Property:

Remodel / architect

Legal Description of Property: Live Oak Village Lot 1A & Lot 1B Block 1, Block 001, Lot PT 1B, (1B, less NW tri & Strip OFF E), Acres 24.687

Is this property being simultaneously platted? no

Street Address: 2604 N. Main Street / Belton TX 76513

Zoning Change From PD to PD (no change) requesting amendment to PD

Signature of Applicant: Carol Cook Date: 11/15/18

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-18-16 Location

KINNEY DR
STILES DR
KNEESE DR

ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

LIVE OAK VILLAGE LOT 1A & LOT 1B
BLOCK 1, BLOCK 001, LOT PT 1B
ACRES 24.687


PROPERTY OWNER:

WAL-MART REAL ESTATE
BUSINESS TRUST

ADDRESS/LOCATION:

2604 N Main St

LEGEND

 Z_18_16

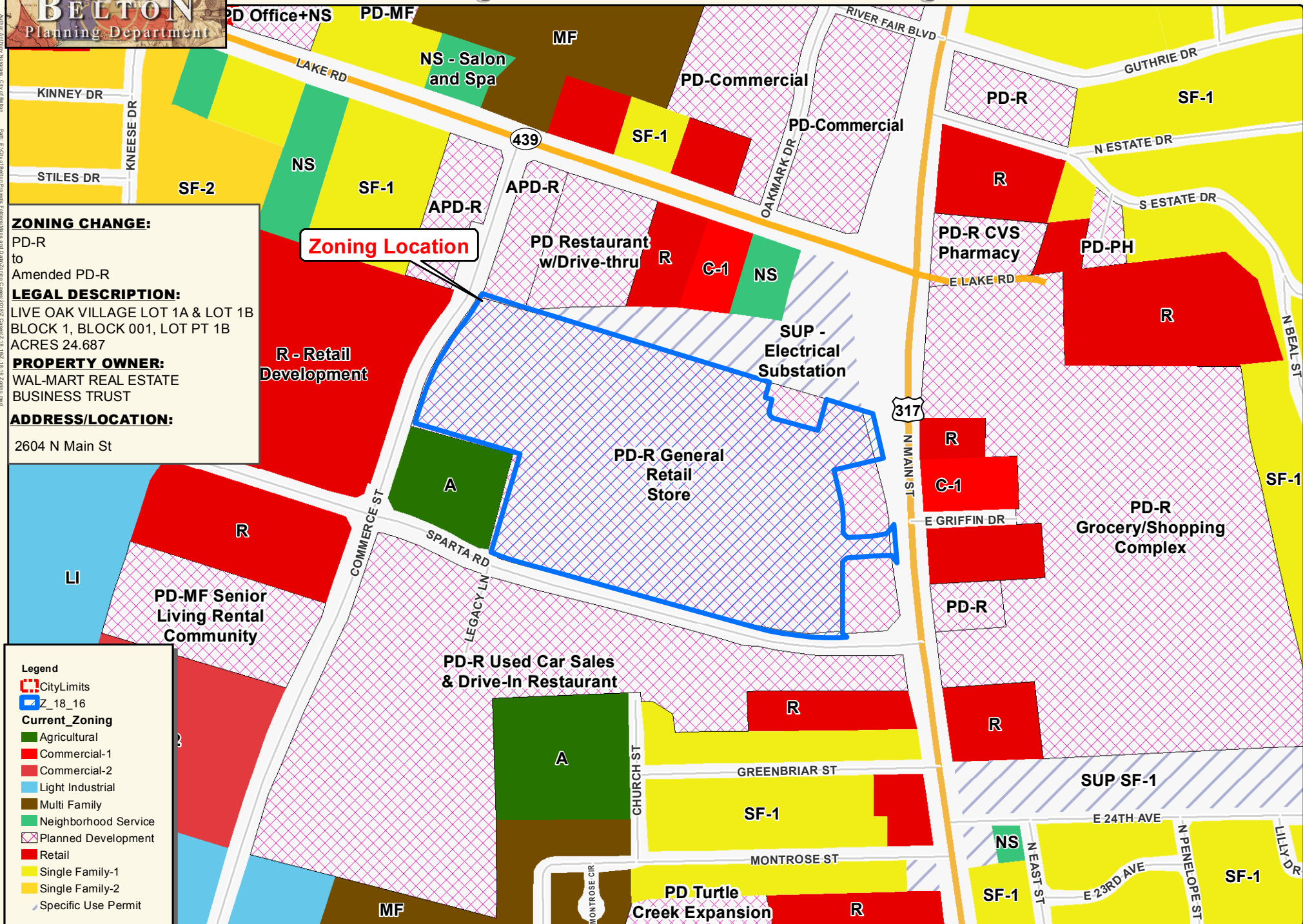


0 165 330 660
Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

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Zoning Case # Z-18-16 Aerial

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to
Amended PD-R

LEGAL DESCRIPTION:

LIVE OAK VILLAGE LOT 1A & LOT 1B
BLOCK 1, BLOCK 001, LOT PT 1B
ACRES 24.687


PROPERTY OWNER:

WAL-MART REAL ESTATE
BUSINESS TRUST

ADDRESS/LOCATION:

2604 N Main St

LEGEND

 Z_18_16

0 100 200 400
Feet



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BUSINESS TRUST

ADDRESS/LOCATION:

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Legend

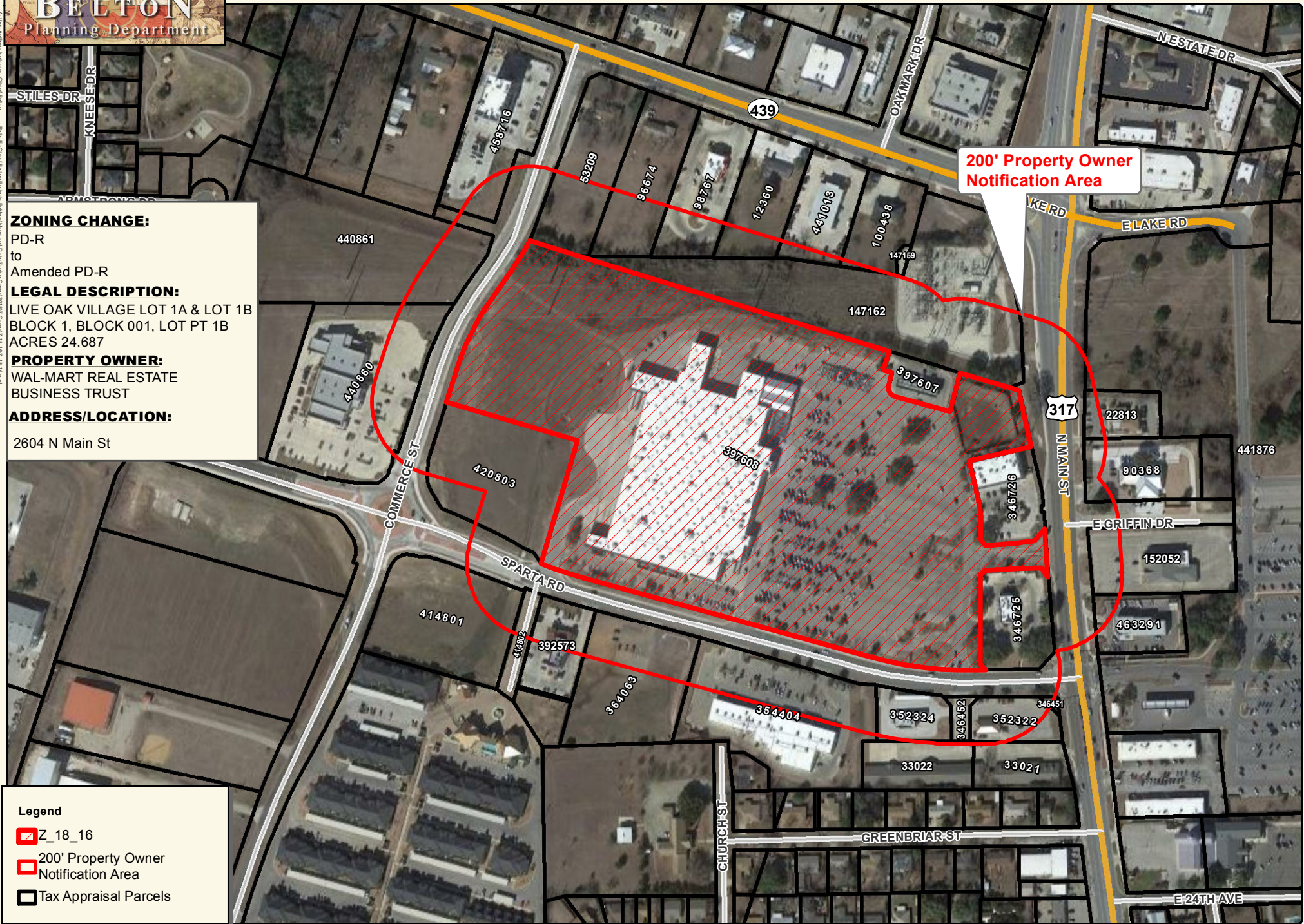
- ▣ Z_18_16
- ▭ 200' Property Owner Notification Area
- Tax Appraisal Parcels

Map Date: 11/16/2018 Aerial Imagery Date: 2018

0 130 260 520 Feet



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CMA / CAROL COOK,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 24.687 ACRES, 2604 NORTH MAIN STREET,
FROM A(N) PLANNED DEVELOPMENT – RETAIL ZONING DISTRICT,
TO A(N) AMENDED PLANNED DEVELOPMENT – RETAIL TO REVISE BUILDING COLORS FOR WALMART RETAIL
CENTER 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, December 18, 2018**, 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, January 8, 2019**, 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**

90368	346725	98767
2607 INVESTMENTS LLC	AUSTACO II REAL ESTATE PARTNERS LTD	BELTON CHICKEN LLC
2607 N MAIN ST	425 ROUND ROCK WEST STE 105	632 IVY ANN DR
BELTON, TX 76513	ROUND ROCK, TX 78681	WOODWAY, TX 76712-3551
346726	458716	96674
BELTON CORNERS LP	BELTON SKYLINE LLC	BONNER PROPERTIES LLC
7880 SAN FELIPE STE 120	500 N LOOP 121	718 CHATHAM RD
HOUSTON, TX 77063	BELTON, TX 76513	BELTON, TX 76513-6706
346451	346452	152052
CITY OF BELTON	CITY OF BELTON	DOSSMAN, HUMPHREY & MORTON
PO BOX 120	PO BOX 120	PO BOX 239
BELTON, TX 76513-0120	BELTON, TX 76513-0120	BELTON, TX 76513-0239
12360	33021	33022
DUSEK, BRAD	ELLIS, QUINCY A III	ELLIS, QUINCY A III
8311 FM 2086	639 CR 322	639 CR 322
TEMPLE, TX 76501	LOHN, TX 76852	LOHN, TX 76852
364063	392573	100438
FL RESTAURANTS INC	FL RESTAURANTS INC	HARPER, BARRY D
261 SPARTA RD	261 SPARTA RD	1415 MILL CREEK DR
BELTON, TX 76513-1424	BELTON, TX 76513-1424	SALADO, TX 76571
440860	441876	53209
HEART OF TEXAS GOODWILL INDUSTRIES	HEB GROCERY COMPANY LP	HURT, ANN
1700 S NEW RD	PO BOX 839999	4 N EBBTIDE LN
WACO, TX 76711-1749	SAN ANTONIO, TX 78283-3999	BELTON, TX 76513-6338
441013	352324	397607
MCGUIRE TIRE LLC	MORRIS VENTURES PARTNERS IIA LLC	MURPHY OIL USA INC
9220 POISON OAK RD	2027 S 61ST ST, STE 100 A	200 E PEACH ST
TEMPLE, TX 76502-5484	TEMPLE, TX 76504	EL DORADO, AR 71730-5836
352322	147159	147162
NGUYEN, DIEN V	ONCOR ELECTRIC DELIVERY	ONCOR ELECTRIC DELIVERY
101 SPARTA RD	PO BOX 139100	PO BOX 139100
BELTON, TX 76513-1423	DALLAS, TX 75313	DALLAS, TX 75313
414801	420803	440861
POTTS, ROBERT ROY ETAL	POTTS, ROBERT ROY ETAL	POTTS, ROBERT ROY ETAL
3212 RIVER PLACE DR	3212 RIVER PLACE DR	3212 RIVER PLACE DR
BELTON, TX 76513-1016	BELTON, TX 76513-1016	BELTON, TX 76513-1016
414802	463291	354404
RAM CONSTRUCTION COMPANY LTD	RUDISILL PROPERTIES LLC	SFP POOL THREE SHOPPING CENTERS LP
1109 INDUSTRIAL PARK RD	4123 OLD TYLER RD	17800 N LAUREL PARK DR STE 200C
BELTON, TX 76513-1972	NACOGDOCHES, TX 75964	LIVONIA, MI 48152-3985

397608

WAL-MART REAL ESTATE BUSINESS TRUST

PO BOX 8050

BENTONVILLE, AR 72712-8055

22813

WEAVER, RICHARD ETUX SHEILA

PO BOX 359

BELTON, TX 76513-0359

SUPERINTENDENT
DR. SUSAN KINCANNON
BELTON I.S.D.
P O BOX 269
BELTON TEXAS 76513

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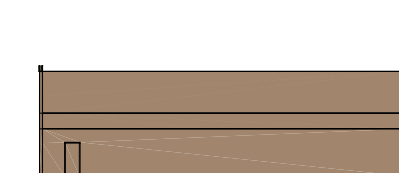
1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

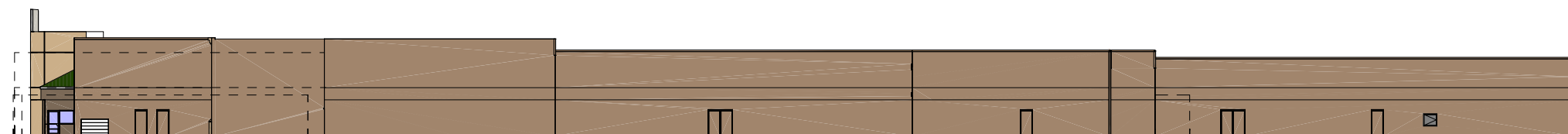
**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**



VESTIBULE SIDE ELEVATION



SEASONAL SHOP ELEVATION



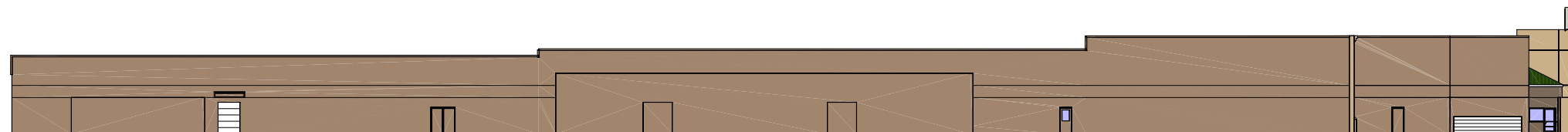
RIGHT ELEVATION



RECEIVING-GR
ELEVATION



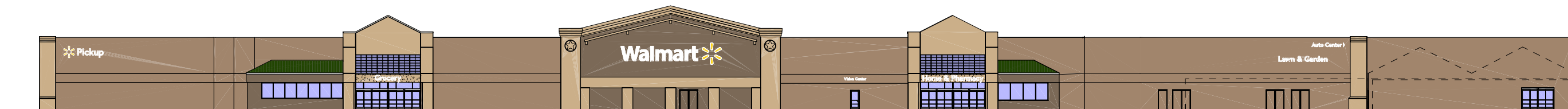
AUTO CENTER ELEVATION



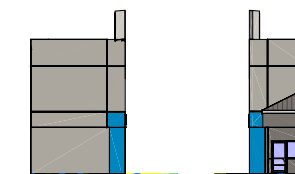
LEFT ELEVATION



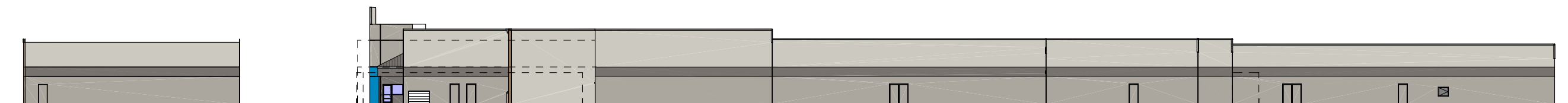
REAR ELEVATION



FRONT ELEVATION



VESTIBULE SIDE ELEVATION



SEASONAL SHOP ELEVATION

RIGHT ELEVATION



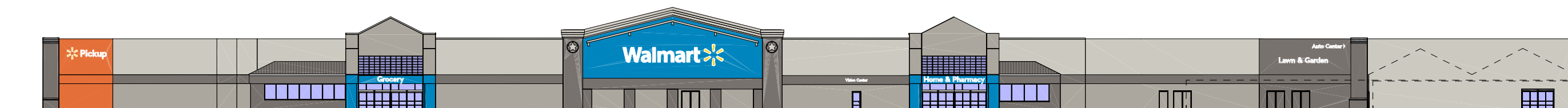
RECEIVING-GR
ELEVATION

AUTO CENTER ELEVATION

LEFT ELEVATION



REAR ELEVATION



FRONT ELEVATION

ORDINANCE NO. 2003-40

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL, RETAIL AND MULTI-FAMILY ZONING DISTRICTS TO PLANNED DEVELOPMENT-RETAIL ZONING DISTRICT TO ALLOW CONSTRUCTION OF A GENERAL RETAIL STORE.

WHEREAS, Robert Potts, Patricia Wilson and John Potts, owners of the following described property have presented their petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 21st day of October, 2003, at 5:00 p.m. for hearing and adoption, said district being described as follows:

27.621 acres in the M. F. Connell Survey, Abstract #6, and the James Bennett Survey, Abstract #71, Belton, Texas

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 28th day of October, 2003, at 5:30 p.m. at the Police & Courts Building and due notice of said hearing was given as required by ordinances and by law; and

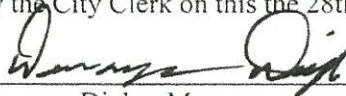
WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from Agricultural, Retail and Multi-Family Zoning Districts to Planned Development-Retail Zoning District to allow construction of a general retail store and that the Zoning Ordinance of the City of Belton be and is hereby amended, subject to the following conditions:

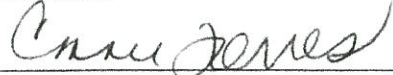
- a. Use of the property shall conform to all respects of the Retail district and shall allow other associated and related uses.
- b. Development of the property shall conform to the Retail district and the Planned Development site plans and architectural plans, the approval of which will be deferred to the Preliminary Platting process on the property, or as requested by the applicant.
- c. Landscaping, screening, parking, site circulation, signage, outside storage and other performance standards will be addressed in conjunction with site plan approval.
- d. Development of the out parcels will be subject to site plan approval.

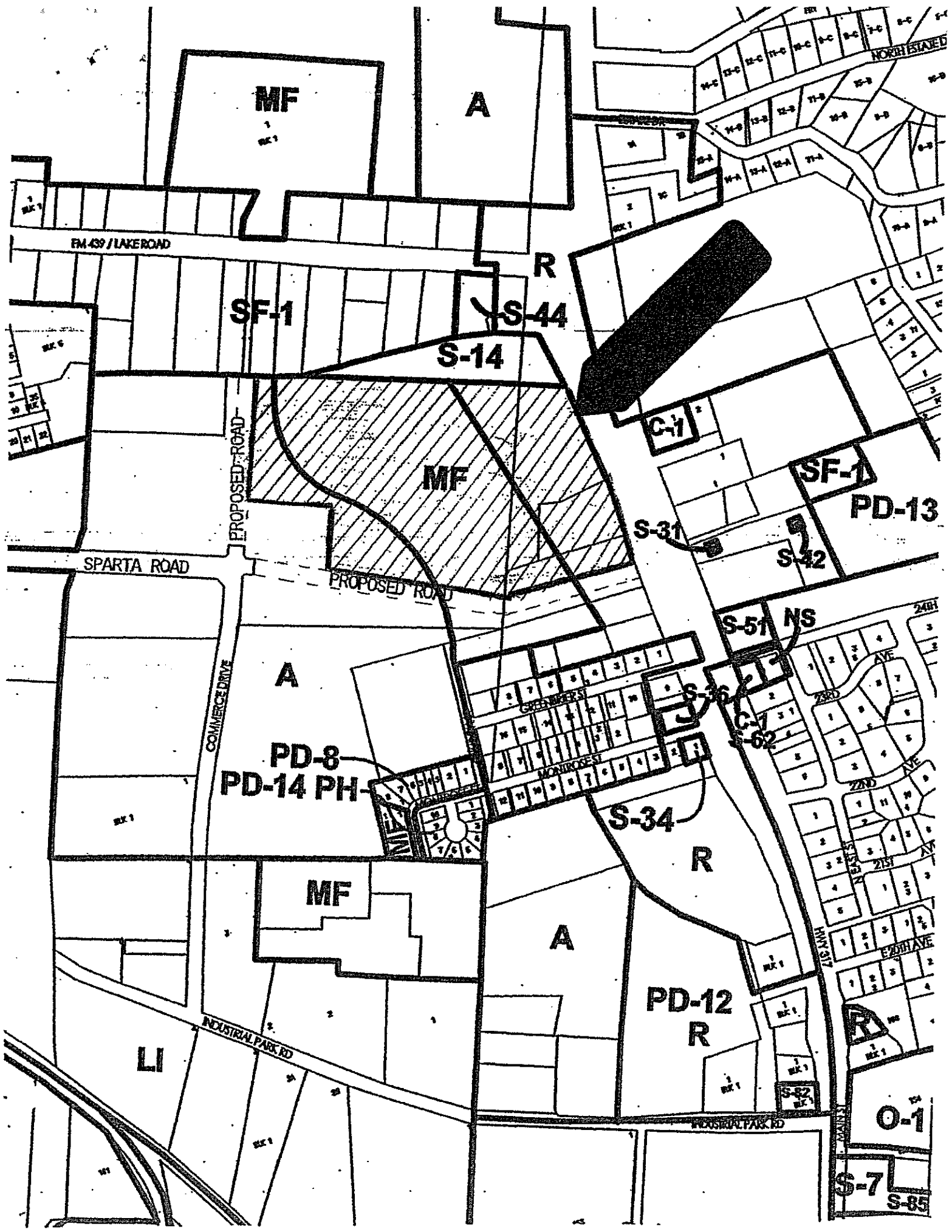
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 28th day of October, 2003, by a vote of 7 ayes and 0 nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 28th day of October, 2003.


Dwayne Digby, Mayor

ATTEST:


Connie Torres, City Clerk



With no further discussion, Mr. Peebles made a motion the Commission recommend the City Council approve the Final Plat as drawn with the four provisions established by the Staff. Ms. Lastovica seconded the motion and it was approved unanimously.

6. **P-04-09: Consider recommending to the City Council a Final Plat for 27.621 acres, M. F. Connell Survey, Abstract #6 and John Bennett Survey, Abstract #71, at the corner of Sparta Road and N. Main Street, to create a three-lot commercial subdivision, the Live Oak Village Addition.**

The Chair asked the Director of Development Services for the Staff recommendation. Mr. Morris noted that in October 2003, the City Council approved the rezoning of a 27.621-acre tract of land located at the northwest corner of N. Main Street and the Sparta Road extension. Ordinance 2003-40 approved the base zoning of Planned Development-Retail and deferred review of the specific site development plan to the platting phase of the project.

Elements submitted for consideration through this application include Final Plat, Site Plan, Storm Drainage Plan, Landscape and Irrigation Plan, Natural Resource Protection and Preservation Plan, and overall Site Construction Plans. Also submitted are Architectural Elements including building elevations and the monument signs. The results of our internal review are presented in these three areas: Final Plat, Site Plan and Architectural Details.

FINAL PLAT

The proposed Live Oak Village Addition is a 27.621-acre development consisting of one block and three lots. Lot 1 is 25.489 acres; Lot 2 is 1.174 acres; and Lot 3 is 9.958 acres. Lot 1 is the site of the new Wal-Mart Super Center. Lots 2 and 3 are out parcels. A review of the plat submittal found no deficiencies. The associated construction plans for the development comply with all requirements of the City of Belton Subdivision Ordinance.

SITE PLAN

The site plan for Lot 1 proposed the overall layout for the development of the new center. The main building will be approximately 185,000 square feet in size and will be oriented to N. Main Street. Site access will be from one right-in/right-out only drive from N. Main Street and two access drives from Sparta Road. A separate truck access drive will be located at the far west side of the site, generally reserved for deliveries.

The controlled access to the site has created a need to devise an efficient on-site circulation system. The design engineers developed an internal loop road that will distribute traffic throughout the site in a safe manner. Additionally, the extensive use of existing trees as landscape beds and traffic islands have broken the parking areas into a logical and directed traffic and pedestrian friendly arrangement. In addition to existing trees, additional trees and landscape beds also break up the "sea of asphalt" typical of big box retail development.

Sidewalks will be installed along both public roadway frontages. Lighting for the parking areas have been designed to illuminate the walkways at night.

As the out parcels develop, individual site plans will be required as part of the building permit process. Development of the out parcels will be held to the same standard as the main lot, requiring preservation of existing trees, monument signage and creative design of buildings.

ARCHITECTURAL DETAILS

The architects have submitted elevations of the proposed main building. The color scheme includes natural beige and green that blends with the surrounding existing trees on site. The roofline uses a facade that appears to be a pitched roof, not a flat roof typical of the big box. The overall appearance of the building is intended to have a street front feel that is appealing to the eye and the customer.

The architects have also submitted a design for a monument sign that hints to a Chisholm Trail theme. The sign will be approximately 8 feet in height. No pole-mounted signs will be allowed in the addition. This includes the out parcels when they develop.

This submittal is an extremely large, complex and comprehensive plan set. Overall, this submittal is one of the most complete and well prepared any community could receive. All questions posed by Staff to the owner's representatives, engineers, architects, etc. have been answered and any necessary corrections or revisions prepared.

Staff recommends approval of the Final Plat of Live Oak Village Addition, approval of the site plan and approval of the building and sign package.

The Chair recognized Mr. Don Craig of Adams Consulting Engineers, Inc., representatives of Wal-Mart in this matter. Mr. Craig stated Wal-Mart employs an arborist, Mr. Steve Clark of Tennessee, to survey the sites and decide which trees can be preserved for the landscape. He works with John Murphy, a landscape architect. Once they decide on which trees to preserve, they will do aeration and irrigation for the tree and make sure the tree survives the construction process where many things are dangerous to the trees. They want to insure the investment in tree preservation is protected.

They did a traffic study on the site to be sure the access will be safe and adequate. They plan to construct a turning lane on Main Street. This entrance will be a right turn in or a right turn out only; no left turns will be permitted. Traffic going left will exit or enter from Sparta Road and have the traffic light to help them get onto Main Street. Much of this plan involves the intersection of Main Street with Lake Road (FM 439) just to the north. TxDOT has approved the traffic study.

The architects have worked closely with the City's Staff to decide on colors for the building, and screening devices for parts of the building like the truck docks that are less attractive, but wholly necessary. The signage is designed to bring a "Chisholm Trail" feel to the area with monument signs flanked by wagon wheels.

The Chair asked if the gas sales area would be opened when the store opens. Mr. Craig replied that they are independently owned, but they usually try to open them together. Currently they plan to send the plans out for bids on April 27. This should have the building completed in February 2005. At that point the builder turns the store over to Wal-Mart to begin stocking. This usually takes from thirty to forty-five days until a grand opening.

Ms. Lastovica asked if the Staff was satisfied about the seasonal outdoor displays? Mr. Morris stated that Wal-Mart originally proposed to use some of the parking area for display at certain times of the year. They have pulled that area back toward the building and added a fenced area with a canopy covering. The parking was increased so the number of parking spaces required will be available when the displays are out; in the seasons when displays are not out, they will have more parking than required available for the customers.

With no further discussion, Mr. Pearson made a motion the Commission recommend the City Council approve the Final Plat, Site Plan and Architectural Details. Mr. Peebles seconded the motion and it was approved unanimously.

6. Receive draft of Parks Master Plan Update.

The Chair recognized Mr. Andrew Allemand, Support Services Coordinator, who stated that he is the Staff liaison for the Parks Board. During the last two years the Parks Board and Staff have been conducting a comprehensive update of the Parks Master Plan. The Texas Department of Wildlife requires a Master Plan for the Park System to be adopted every five years and enhanced or updated every two years. This update will cover the years 2004 to 2009.

The first thing they did was an inventory of the parks. The Parks Board and other interested citizens took a tour of each park and discussed the improvements we would like to do to each one. Then they began to get public input from public meetings in conjunction with the Parks Board meetings the first Monday of every month. A focus group was then formed to conduct a need assessment which resulted in the foundation of the recommendations in Chapter VII of this report.

Some of the major items recommended were:

1. Develop a park in the southeastern Belton. The only park in that area is the park on S. Wall Street which is small and does not serve the area.

and will utilize on-site septic systems. Water will be provided by the 439 Water Supply Corporation. This property was annexed at the request of the Bradshaws last year. The submittal complies with the requirements of the City's Subdivision Ordinance, subject to the following:

- a. The design engineer shall provide additional detail for the berm and berm openings.
- b. Add a plat note stating that only Lot 2A will be allowed direct access to FM 439.
- c. Add a plat note that prohibits disturbance or alteration of the berm and openings that are part of the storm water drainage plan
- d. Identify the limits of ponding, behind the berm, for the 100-year storm event and restrict construction in this area.

Mr. Morris indicated the Planning & Zoning Commission recommended approval unanimously. Councilmember Covington inquired about access, and Mr. Morris stated only Lot 2A will have access to FM 439 – all other lots will come off of side streets or a new cul de sac. Upon motion by Councilmember Covington, seconded by Councilmember Stanford, the Council unanimously approved the final plat.

P-04-09: Consider a Final Plat, Site Plan, and associated elements for 27.621 acres, M. F. Connell Survey, Abstract #6 and John Bennett Survey, Abstract #71, located at the northwest corner of Sparta Road and N. Main Street, to create a three-lot commercial subdivision, the Live Oak Village Addition.

Mr. Morris indicated this item pertains to the Wal-Mart Supercenter site. The proposed Live Oak Village Addition is a 27.621-acre development consisting of one block and three lots (Lot 1-25.489 acres; Lot 2-1.174 acres; and Lot 3-9.958 acres). Lot 1 is the site of the new Wal-Mart Super Center, and Lots 2 and 3 are retail out parcels. A review of the plat submittal found no deficiencies, and the associated construction plans comply with all requirements of the City's Subdivision Ordinance.

Mr. Morris indicated the site plan for Lot 1 proposes the overall layout for the development of the new center, and reviewed the following details:

- Main building will be approximately 185,000 square feet and oriented to N. Main Street.
- Site access will be from one right-in/right-out only drive from N. Main Street, and two access drives from Sparta Road.
- A separate truck access drive will be located at the far west side of the site for deliveries.
- Controlled access to the site created a need for an efficient on-site circulation system. The design engineers developed an internal loop road that will distribute traffic throughout the site in a safe manner.
- The extensive use of existing trees as landscape beds and traffic islands have broken the parking areas into a logical and directed traffic and pedestrian friendly arrangement. In addition to preservation of existing trees, additional trees and landscape beds also break up the "sea of asphalt" typical of big box retail development.
- Sidewalks will be installed along both public roadway frontages in accordance with the plan recently approved by the Council.
- Lighting for parking areas has been designed to illuminate the walkways at night.
- As out parcels develop, individual site plans will be required as part of the building permit process. Development of the out parcels will be held to the same standard as the main lot, requiring preservation of existing trees, monument signage and creative design of buildings. Detailed site plan review by the Planning & Zoning Commission and City Council will only be required if a proposal departs from these standards.

Mr. Morris reviewed the following architectural elements:

- Elevations of the proposed main building have been submitted.
- Color scheme includes natural beige and green that blends with surrounding trees on site.
- The roofline uses a facade that appears to be a pitched roof, not a flat roof typical of the big box. The overall appearance of the building is intended to have a street front feel appealing to the eye and customers.
- A design for a monument sign that hints to a Chisholm Trail theme has been submitted. The sign will be approximately 8' in height, and no pole-mounted signs will be allowed in the addition.

Mr. Morris commented he feels this submittal is one of the most complete and well prepared any community could receive. All questions posed by Staff to the owner's representatives, engineers, architects, etc., have been answered and any necessary corrections or revisions prepared. The Planning & Zoning Commission unanimously recommended approval of the final

plat, site plan, and building and sign package of Live Oak Village Addition, and he concurred. Mr. Morris then introduced Don Craig of Adams Engineering, representing the applicant.

Councilmember Dominguez asked how the development would impact the drainage problem in the Beal Street area. The City Manager indicated the City is currently studying the issue, but everything that Wal-Mart will generate will be contained on site to the pre-development storm condition, though it does ultimately feed across Main Street into the Beal Street area. Councilmember Stanford also expressed concern as he owns property in this area. Mr. Craig indicated there will be two ponds proposed on the Wal-Mart site to detain drainage. The pond behind the building will take the water from the building roof, and the front pond in the north corner of the property will take the water from the parking lot. He explained Wal-Mart will be detaining water on site, so there will be essentially no more water coming off the site than what was there before development.

The City Manager introduced Monty Clark, Beach Engineers, who gave an update on the Beal Street drainage study. He explained the study will be broken down into three phases to address drainage issues from Beal Street to the Leon River due to cost elements. Councilmember Dominguez asked how these improvements will be funded, and the City Manager indicated they will be phased to keep up with development, so as not to overwhelm the City. Funds remaining from the storm drainage certificates of obligation issue could be used initially, but the City will have to find other funding sources in the future.

Councilmember Covington made a motion to approve the final plat, site plan, and associated elements as recommended. The motion was seconded by Councilmember Stanford and carried unanimously.

The City Manager asked Mr. Craig to give a schedule on the development. He indicated the store will go out to bid March 15, 2004, a 30-45 day bid process. Construction time varies between eight-nine months. Possession of the store is planned for February 15, 2005 to avoid interruption of holiday sales with the existing store. This is a 30-45 day process and then on one night, the existing store will close down and the new store will open the next day, never ceasing operation. Approximately 30-45 days later, the grand opening will occur.

Consider authorizing the City Manager to execute a contract with TTG Utilities for the Miller Heights Trunk Sewer and Lift Station Improvements project, in the not to exceed amount of \$1,044,697.95.

The City Manager presented background information on the project:

- Capital Improvement Plan (CIP) bond project recommended to extend and upgrade capacity of sewer service from several blocks east of IH-35 (Miller Street vicinity) westward to W. Loop 121.
- Project approved in Certificates of Obligation (CO) bond funding authorized by Council 10/8/02 for sewer, water, and storm drainage projects.
- The total bond amount for this project was \$1,528,635, comprised of:
 - \$1,200,000: City of Belton CO
 - \$ 328,635: Development Corporation of Belton CO
- Temporary construction and permanent utility easements have been secured along the route as needed, with a few in final stages of negotiation at this time.

Mack Parker, RPK Engineers, the design engineer for the project, reviewed the design process and bid results:

- Original project budget amount \$1,019,600.
- Base Bid amount \$888,049.20.
 - The Base Bid took into account some changes in the original project scope, including:
 - a) Project length was increased from 9,500' linear feet to 10,425' linear feet.
 - b) The westernmost 1,500' section was not included in this bid at this time, pending future development decisions.
- Add Alternate A bid amount \$71,016.00.
 - The project team recommended adding an upgraded sewer line along Pearl Street to eliminate flow under IH-35 in a pipe of substandard size and alignment. This component would be required in the near future, and was included to assess the opportunity for its funding at this time. It adds 840' to the project length.
- Add Alternate B bid amount \$85,632.75.

Staff Report – Planning & Zoning Item



Date: December 18, 2018
Case No.: Z-18-17
Request: Agricultural to Multi Family
Owner/Applicant: Todd Scott - KDAVEO, LLC

Agenda Item

Z-18-17 Hold a public hearing and consider a zoning change from Agricultural District to Multi Family District on a 24.801 acre tract located at 1051 W. Avenue O, on the south side of W. Avenue O, between S. Loop 121 and Connell Street, west of existing Laila Lane.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Current Zoning

Agricultural District

Proposed Zoning

Multi Family District

Future Land Use Map (FLUM) Designation: Primarily residential with commercial/retail uses along Avenue O frontage.

Design Standards Type Area: 9 & 2.

9 – (Majority of area) – Projected to be a mixture of uses taking into consideration context and the Loop 121 corridor.

2 – (Along Avenue O frontage) – Projected to be primarily commercial highway frontage uses with opportunities for mixed uses, hotels, restaurants, new car dealerships, multi-story office, and other similar commercial uses.

Case Summary

This property is the proposed site of a senior living complex to include duplexes for rent, an assisted living facility, and an amenity center. This property is being included as part of a five-lot subdivision, City Lights Addition, and will comprise Lots 1 – 3 of Block 1. The plat will include extensions of Laila Lane westward, and Southwest Parkway northward. The alignment of Southwest Parkway will be revised slightly; a Thoroughfare Plan amendment is proposed to accommodate this change. The subdivision preliminary plat and Thoroughfare Plan amendment are also on this meeting's agenda.

Project Analysis and Discussion

A senior living complex is proposed for development on this site. This property is currently zoned Agricultural District and is undeveloped except for a single residence and an accessory storage building. The applicant also owns adjacent properties to the west and south, which are zoned agricultural and are undeveloped at this time. These properties will be developed at a later date and may include a single family residential development. All of the applicant's properties in this vicinity are being platted as City Lights Addition, which is also on this meeting's agenda. Other property to the south is zoned Two-Family District and is undeveloped except for a personal wireless service facility, i.e. cell tower. Adjacent property to the east is zoned Planned Development – Two Family District, and is the site of Southwood Hills, Phase II, currently undergoing development for duplexes. Also to the east is a tract zoned Agricultural, currently used residentially.

The owner is proposing to develop 60 duplexes, or 120 units which will be available for rent to seniors aged 62+, and is applying for a 221(d)(4) financing program through the US Department of Housing and Urban Development (HUD). A proposed site plan has been provided and is included as an attachment. The proposed units will be one story with half of the units designed as 1 bath/1 bedroom and half as 2 bath/2 bedrooms, each with a one-car garage and one driveway, to provide the required two parking spaces per unit. The assisted living facility will include 60 total residents, with 24 in the assisted living section and 36 in memory care. The proposed amenity center will be available for residents of either the assisted living center or the duplex community and will include a business center, game room, indoor gym, coffee café, outdoor sport court, dog park, community garden, walking track and resting gazebo, outdoor BBQ area and outdoor gathering area with a fireplace. The duplexes and amenity center will be located on Block 1, Lot 3 of proposed City Lights Addition. The assisted living center will be located on Block 1, Lot 1. Proposed use for Block 1, Lot 2 has not yet been determined.

The requested Multi Family Zoning District allows the proposed duplex use and associated community center/recreational facilities, as well as an assisted living facility or nursing home. This zoning district also allows detached single family dwellings and a traditional apartment complex.

Area requirements for the requested Multi Family Zoning District include a maximum density of 18 dwelling units per acre. The proposed density for the duplex development is 8 dwelling units per acre. Maximum lot coverage is 40%; a 10' separation is required between buildings without openings and 15' between buildings with openings and when adjacent to a side street; a 20' rear yard is required. In addition to the required two parking space per unit, the applicant is providing 32 off street parking spaces throughout the duplex development, and 27 spaces at the amenity center. The preliminary site plan for the duplex community satisfies these requirements. A detailed review will occur in conjunction with the building permit. We have not reviewed a site plan for the assisted living facility; this will also occur in conjunction with the building permit review. Subdivision plat approval is required prior to issuing any building permits.

The FLUM identifies this area as proposed for residential use with commercial/retail development along the Avenue O frontage. The Multi Family Zoning District is considered appropriate for either the residential or commercial/retail land use category. There are a variety of residential uses in this general area to include duplexes and detached single family homes. The requested Multi Family Zoning District is consistent with the FLUM, compatible with existing uses, and appears to be reasonable in this location.

Recommendation

Recommend approval of zoning change from Agricultural District to Multi Family District.

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 owner's list
8. Field notes
9. Proposed site plan for duplex development
10. Conceptual master plan

City of Belton
Request for a Zoning Change

To the City Council and the
Planning & Zoning Commission

Fee: \$250.00

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

Applicant: KDAVEO, LLC Phone Number: 254-541-4548
Mailing Address: 1432 Overlook Ridge Dr. City: Belton State: TX
Email Address: todd@rileyscotthomes.com

Owners Name: KDAVEO, LLC Phone Number: 254-541-4548
Mailing Address: 1432 Overlook Ridge Dr. City: Belton State: TX
Email Address: todd@rileyscotthomes.com

Applicant's Interest in Property:
Owner


Legal Description of Property:

24.801 Acres Jasper P Wallace Survey, Ab.No. 906, being portions 7.6
acre tract No. 201700051873 and 37.561 acres no. 201700051871.

Is this property being simultaneously platted? yes

Street Address: 1051 W. Avenue O, Belton TX

Zoning Change From AG to MF

Signature of Applicant:  Date: 11/15/18

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-18-17 Location

ZONING CHANGE:

Ag
to
MF

LEGAL DESCRIPTION:

Jasper P Wallace Survey
PTS 7.6 Acre Tract and 37.561 Acres
ACRES 24.801


PROPERTY OWNER:

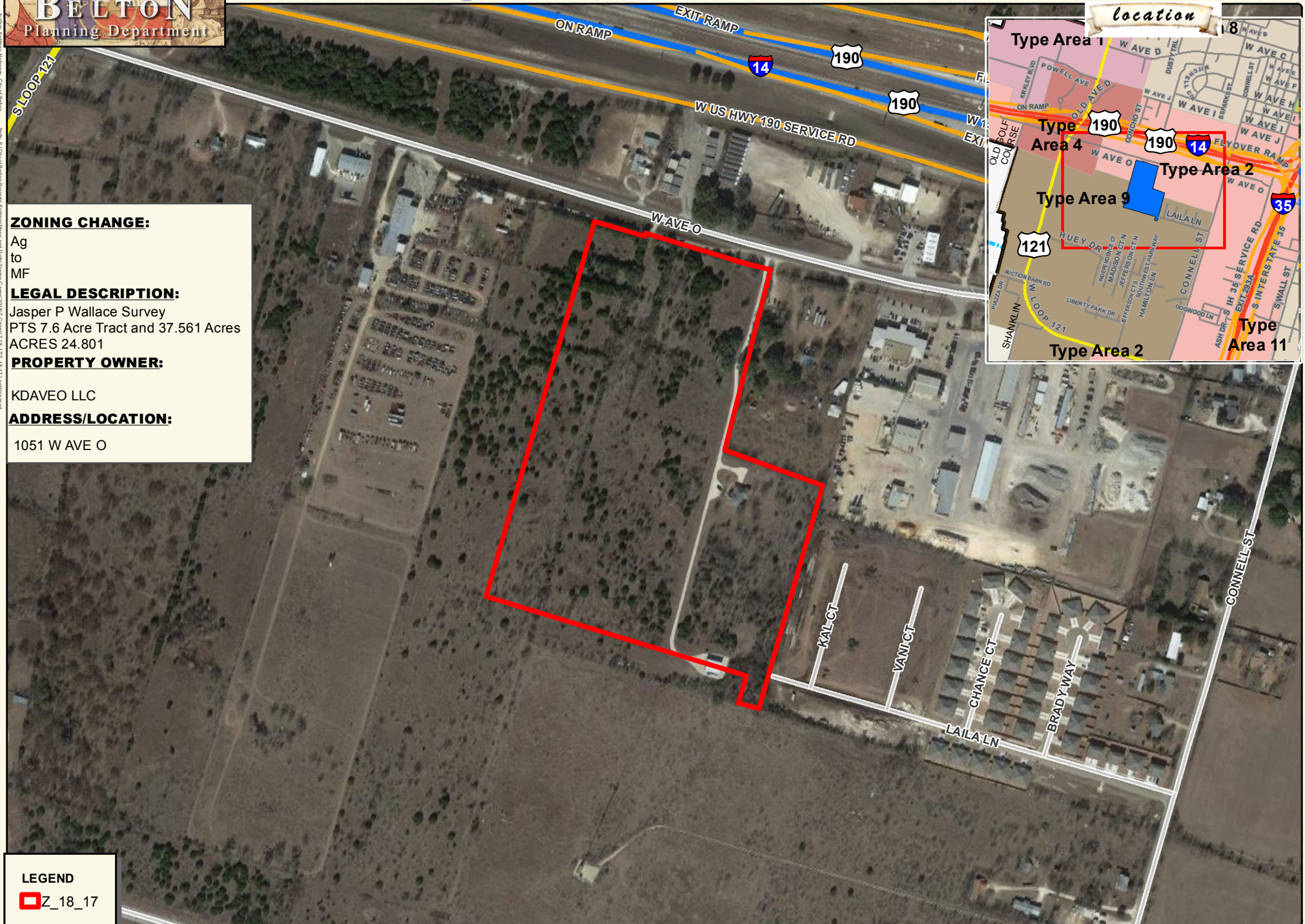
KDAVEO LLC

ADDRESS/LOCATION:

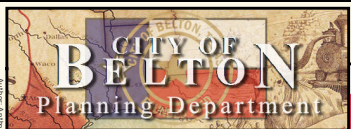
1051 W AVE O

LEGEND

 Z_18_17



Zoning Case # Z-18-17 Zoning



Author: Anthony Hargrave, City of Belton
 Page: 6 City of Belton Project: Redevelopment and Rezoning Case Z-18-17 Z-18-17 Zoning and

ZONING CHANGE:
 Ag
 to
 MF

LEGAL DESCRIPTION:
 Jasper P Wallace Survey
 PTS 7.6 Acre Tract and 37.561 Acres
 ACRES 24.801

PROPERTY OWNER:
 KDAVEO LLC

ADDRESS/LOCATION:
 1051 W AVE O

Zoning Location

- Legend**
- City Limits
 - Z-18-17
 - Current_Zoning**
 - Agricultural
 - Commercial Highway
 - Commercial-1
 - Commercial-2
 - Light Industrial
 - Neighborhood Service
 - Office-2
 - Planned Development
 - Retail
 - Single Family-2
 - Two Family

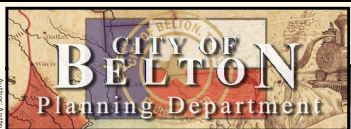


Map Date: 11/16/2018



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Zoning Case # Z-18-17 Aerial



ZONING CHANGE:

Ag
to
MF

LEGAL DESCRIPTION:

Jasper P Wallace Survey
PTS 7.6 Acre Tract and 37.561 Acres
ACRES 24.801


PROPERTY OWNER:

KDAVEO LLC

ADDRESS/LOCATION:

1051 W AVE O

LEGEND

 Z_18_17

Map Date: 11/16/2018 Aerial Imagery Date: 2018

0 100 200 400
Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Zoning Case # Z-18-17

**200' Property Owner
Notification Area**

ZONING CHANGE:

Ag
to
MF

LEGAL DESCRIPTION:

Jasper P Wallace Survey
PTS 7.6 Acre Tract and 37.561 Acres
ACRES 24.801

PROPERTY OWNER:

KDAVEO LLC

ADDRESS/LOCATION:

1051 W AVE O

Legend

- ☒ Z_18_17
- ☐ 200' Property Owner Notification Area
- ☐ Tax Appraisal Parcels

8443	20550	354395
BELL COUNTY	CITY OF BELTON	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
PO BOX 768	PO BOX 120	1432 OVERLOOK RIDGE DR
BELTON, TX 76513-0768	BELTON, TX 76513-0120	BELTON, TX 76513
467726	478891	478892
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478893	478894	478895
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478896	478897	478898
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478899	478900	478901
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478902	478903	478904
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478905	478906	478907
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478908	478913	478914
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478915	478916	104983
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	EDANBRA DEVELOPMENT L C
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1113 S 33RD ST
BELTON, TX 76513	BELTON, TX 76513	TEMPLE, TX 76504-5237
239403	239404	13917
GREGORY FAMILY TRUST	GREGORY FAMILY TRUST	KDAVEO LLC
1517 SHADY GROVE LN	1517 SHADY GROVE LN	5201 WILDFLOWER LN
BELTON, TX 76513	BELTON, TX 76513	TEMPLE, TX 76502

58302

KEATON, CHARLES P

5500 LOOKOUT RIDGE DR

MARBLE FALLS, TX 78654-3684

467728

KEATON, CHARLES P

5500 LOOKOUT RIDGE DR

MARBLE FALLS, TX 78654-3684

19270

KLINGLER, SANDRA D

14436 LEWELLEN CEMETERY RD

TROY, TX 76579-3219

72056

MCNAMARA, JOE A JR

806 W AVENUE O

BELTON, TX 76513-4121

125060

SMITH, JIMMY WAYNE

1101 W AVE O

BELTON, TX 76513

SUPERINTENDENT

DR. SUSAN KINCANNON

BELTON I.S.D.

P O BOX 269

BELTON TEXAS 76513

QUICK INC.

LAND SURVEYING

Office Address: 3303 Shell Rd. Suite 4, Georgetown, Texas 78628
Phone: 512-915-4950

FIELD NOTES FOR A 24.801 ACRE TRACT OF LAND:

BEING A 24.801 ACRE TRACT OF LAND, LOCATED IN THE JASPER P. WALLACE SURVEY, ABSTRACT NO. 906, BELL COUNTY, TEXAS, SAID 24.801 ACRE TRACT, BEING A PORTION OF THAT CALLED 7.76 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 201700051873, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND BEING A PORTION OF A CERTAIN 37.561 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 201700051871, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS; SAID 24.801 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with a blue "Quick Inc. RPLS 6447" plastic cap located in the south right-of-way line of West Ave. O (HWY 190), being an angle point in a northeast line of said 37.561 acre tract, and being the northwest corner of the herein described tract of land;

Thence, with the south right-of-way of West Ave. O (HWY 190), the northeast and northwest lines of said 37.561 acre tract, the following four (4) courses and distances:

- 1. S 73° 34' 22" E, a distance of 176.46', to a concrete Texas Department of Transportation monument located for an interior corner of the herein described tract of land;**
- 2. N 16° 03' 53" E, a distance of 10.00', to a 1/2" iron rod with a blue "Quick Inc. RPLS 6447" plastic cap located for an exterior corner of the herein described tract of land;**
- 3. S 73° 11' 13" E, a distance of 308.30', to a concrete Texas Department of Transportation monument located for the beginning of a curve to the left of the herein described tract of land;**
- 4. with said curve to the left containing a radius of 2234.60', a central angle of 001°59'19", a chord bearing S 74° 48' 32" E, a chord distance of 77.56', and a **curve length of 77.56'**, to a 1/2" iron rod with a blue "Quick Inc. RPLS 6447" plastic cap set at the northwest corner of a said 7.76 acre tract, and being an angle point of the herein described tract of land;**
- 5. Thence, continuing with the south right-of-way line of West Ave. O (HWY 190), a northeast line of said 7.76 acre tract, S 74° 31' 58" E, a distance of 51.50', to a point in**

the south right-of-way line of West Ave. O (HWY 190), being the most northerly northeast corner of said 7.76 acre tract, the northwest corner of a called 5.27 acre tract of land recorded in Volume 2020, Page 95, Official Public Records, Bell County, Texas, and being the most northerly northeast corner of the herein described tract of land;

6. **Thence**, departing the south right-of-way line of West Ave. O (HWY 190), with a southeast line of said 7.76 acre tract, the west line of said 5.27 acre tract, **S 14° 18' 01" W**, a distance of **624.75'**, to a point for an interior corner of said 7.76 acre tract, being the southwest corner of said 5.27 acre tract, and being an interior corner of the herein described tract of land;
7. **Thence**, with a northeast line of said 7.76 acre tract, the south line of said 5.27 acre tract, **S 70° 04' 19" E**, a distance of **349.97'**, to a 1/2" iron rod located for the most easterly northeast corner of said 7.76 acre tract, being the southeast corner of said 5.27 acre tract, being in the west line of a called 20.000 acre tract of land recorded in Volume 1999, Page 439, Official Public Records, Bell County, Texas, and being the most easterly northeast corner of the herein described tract of land;
8. **Thence**, with a southeast line of said 7.76 acre tract, the west line of said 20.000 acre tract, **S 15° 58' 00" W**, a distance of **780.17'**, to a 5/8" iron rod with a blue "Quick Inc RPLS 6447" plastic cap set for the southeast corner of said 7.76 acre tract, being the southwest corner of a called Lot 13, Block 3, of Southwood Hills Phase Two, recorded in the plat of records in Plat Year 2017, Plat No. 158, Plat Records, Bell County, Texas, being in the north line of the remaining portion of a called 48.35 acre tract of land recorded in Volume 943, Page 573, Official Public Records, Bell County, Texas, and being the southeast corner of the herein described tract of land;
9. **Thence**, with the south line of said 7.76 acre tract, the north line of the remainder of said 48.35 acre tract, **N 73° 26' 59" W**, a distance of **70.00'**, to a point in the south line of said 7.76 acre tract, the north line of the remainder of said 48.35 acre tract, and being an exterior corner of the herein described tract of land;

Thence, across said 7.76 acre tract and said 37.561 acre tract, the following three (3) courses and distances:

10. **N 16° 02' 15" E**, a distance of **95.43'**, to a point for an interior corner of the herein described tract of land;
11. **N 73° 06' 30" W**, a distance of **913.99'**, to a point for the southwest corner of the herein described tract of land;

12. N 16° 05' 00" E, a distance of 1312.42', to the POINT OF BEGINNING containing 24.801 acres of land.

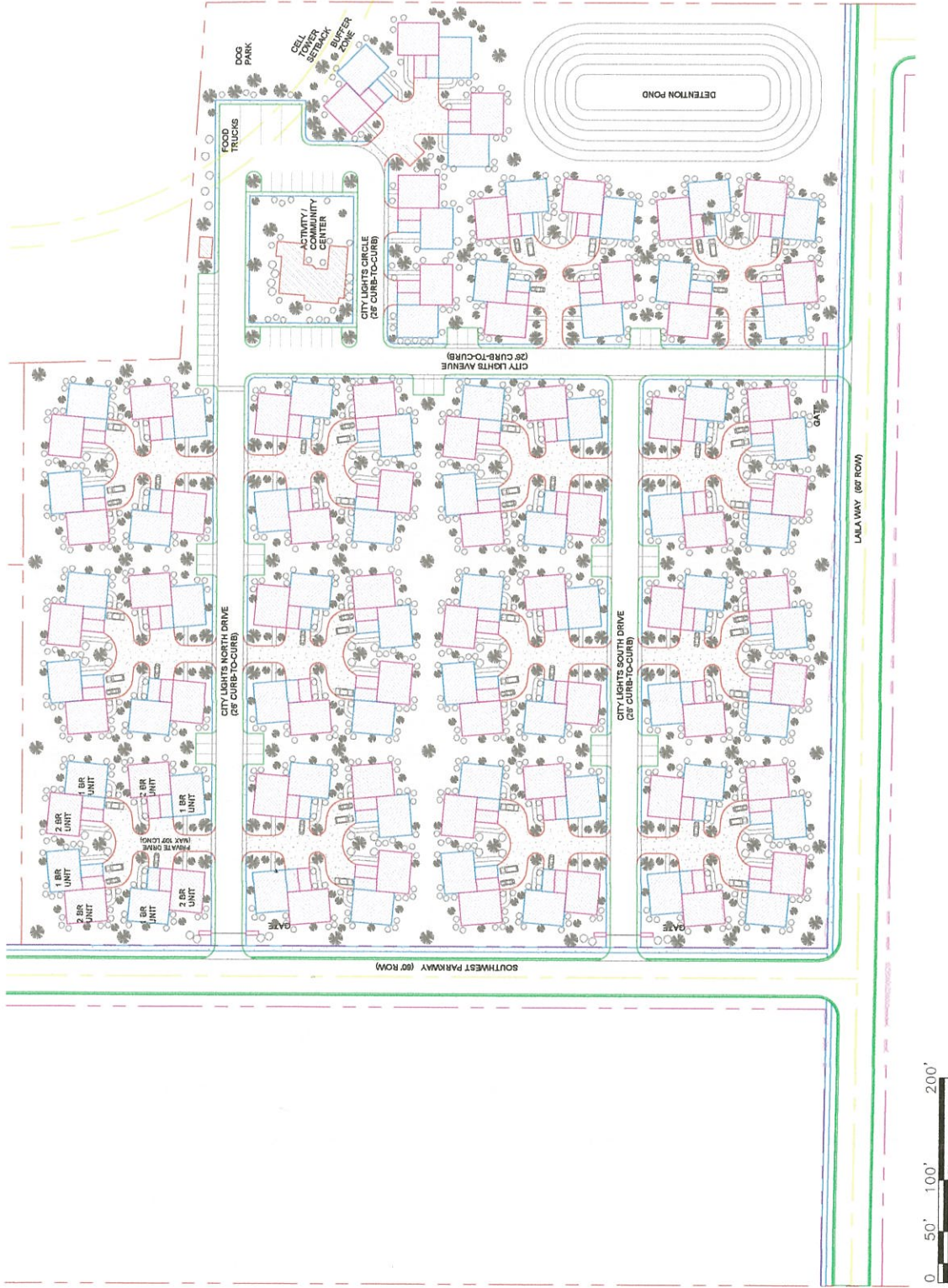


A handwritten signature in red ink, appearing to read "Travis L. Quicksall", written over a horizontal line.

Travis L. Quicksall Date: 11/15/2018

RPLS #6447

Job #17-2287 Rezoning



NOT FOR CONSTRUCTION

CITY LIGHTS

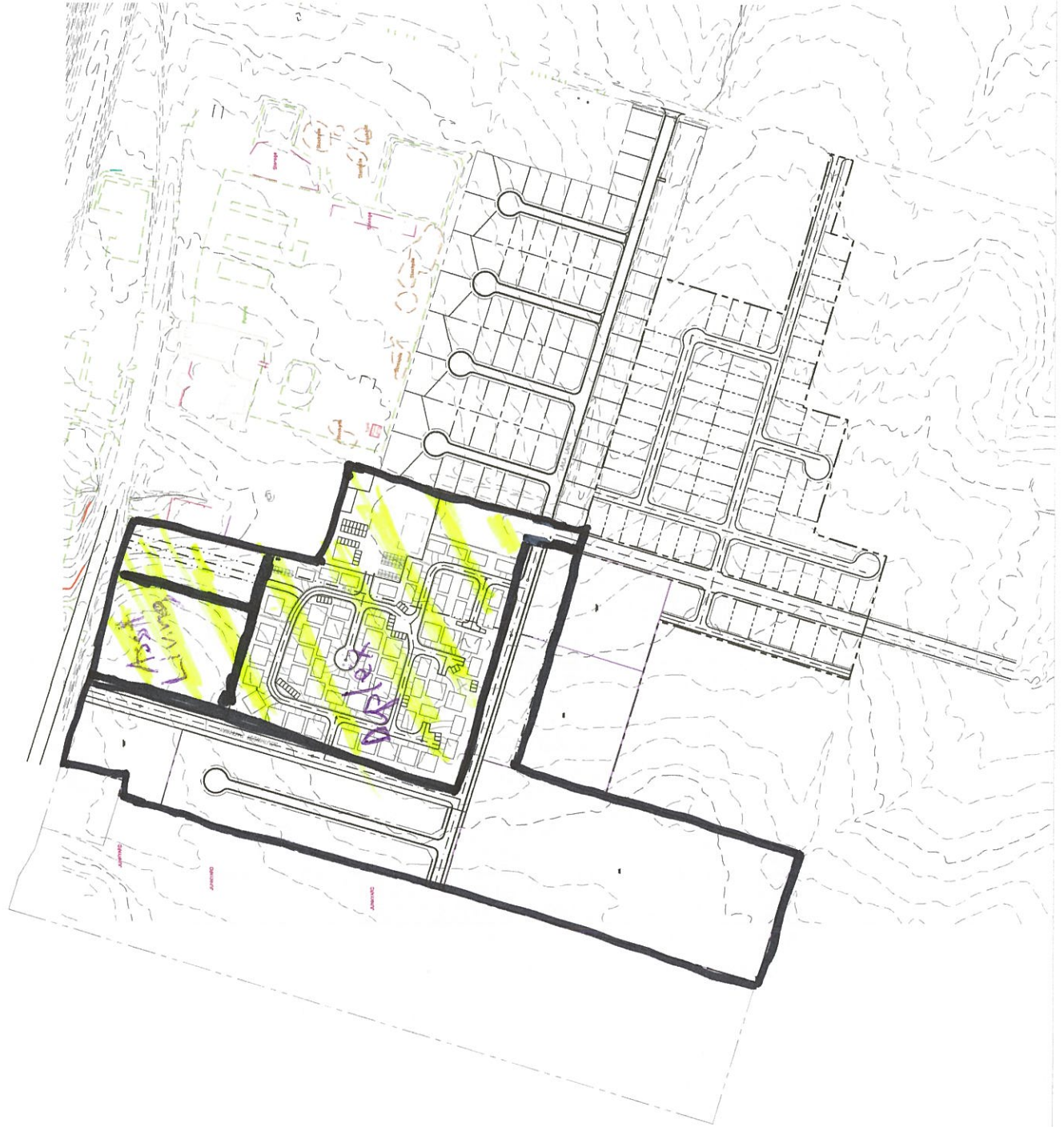
BELTON, TX

11/19/2018

SITE PLAN -- Duplex Development

18377

Conceptual Master Plan



SOUTHWOOD HILLS- PHASE 1 & 2
SOUTHWOOD HILLS- PHASE 3 & 4
CITY LIGHTS ASSISTED LIVING



Zoning boundary

SCALE: 1" = 150'

Staff Report – Planning & Zoning Item



Agenda Item

Hold a public hearing and consider an ordinance amending the Thoroughfare Plan Map to relocate a portion of the proposed extension of Southwest Parkway, north of Laila Lane, located between S. Loop 121 and Connell Street.

Originating Department

Planning – Cheryl Maxwell, Planning Director

Summary Information

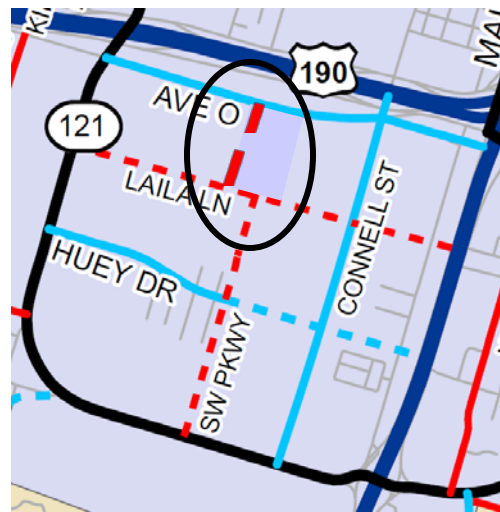
Belton's Thoroughfare Plan is a long range plan that identifies the location and type of roadway facilities that are needed to meet projected long-term growth within the area. The current Thoroughfare Plan was last updated in 2015.

Several properties within the South Loop 121, I-14, I-35 boundary are undergoing development. A new project, City Lights Addition, proposes to extend Southwest Parkway northward from an extension of Laila Lane. The future alignment shown on the current Thoroughfare Plan map shows Southwest Parkway extending northward in a straight line from Loop 121 to Avenue O. The proposed new alignment keeps this path northward to the Laila Lane intersection where it will then stop and then jog approximately 925' to the west, where it will then continue northward to Avenue O. See exhibits below:

Current Alignment



Proposed Revision



The change in alignment is supported by the City Lights developer and is requested to accommodate traffic anticipated as a result of this development. With 120 duplexes proposed, and a 60 bed assisted living facility, collector streets will be needed to provide adequate circulation. We are not aware of any development plans along the current alignment of Southwest Parkway. It currently would run along the west side of the Bell County complex where the 9-1-1 Dispatch Center is located, and along the east side of a 5 acre tract that is currently used residentially. Bell County Judge John Burrows previously expressed opposition to the current alignment on the Plan due to security concerns for the Bell County Center.

Notice of the proposed change to the Thoroughfare Plan map and public hearing was printed in the December 6, 2018 edition of the Belton Journal. Notices were also mailed to property owners in the vicinity of both the current and proposed alignment projected north of Laila Lane.

NOTE: The map that was sent to the property owners showed the proposed new alignment along the western property line of the City Lights Addition plat boundary. This is not correct. The alignment is slightly to the east and will be completely contained within the City Lights Addition property. A corrected map has been prepared and included as an attachment.

Recommendation

1. Conduct a public hearing;
2. Recommend approval of proposed revision to the city Thoroughfare Plan Map.

Attachments

Notice to property owners

Property owners list

Corrected Map of Thoroughfare Plan Options for Southwest Parkway

**CITY OF BELTON, TEXAS
NOTICE OF PUBLIC HEARING
ON PROPOSED AMENDMENT
TO THE THOROUGHFARE PLAN MAP**

The Planning & Zoning Commission will conduct a meeting at 5:30 P.M., Tuesday, December 18, 2018 at the Harris Community Center, 401 N. Alexander Street, Belton, Texas, to discuss and consider an amendment to the Thoroughfare Plan as follows:

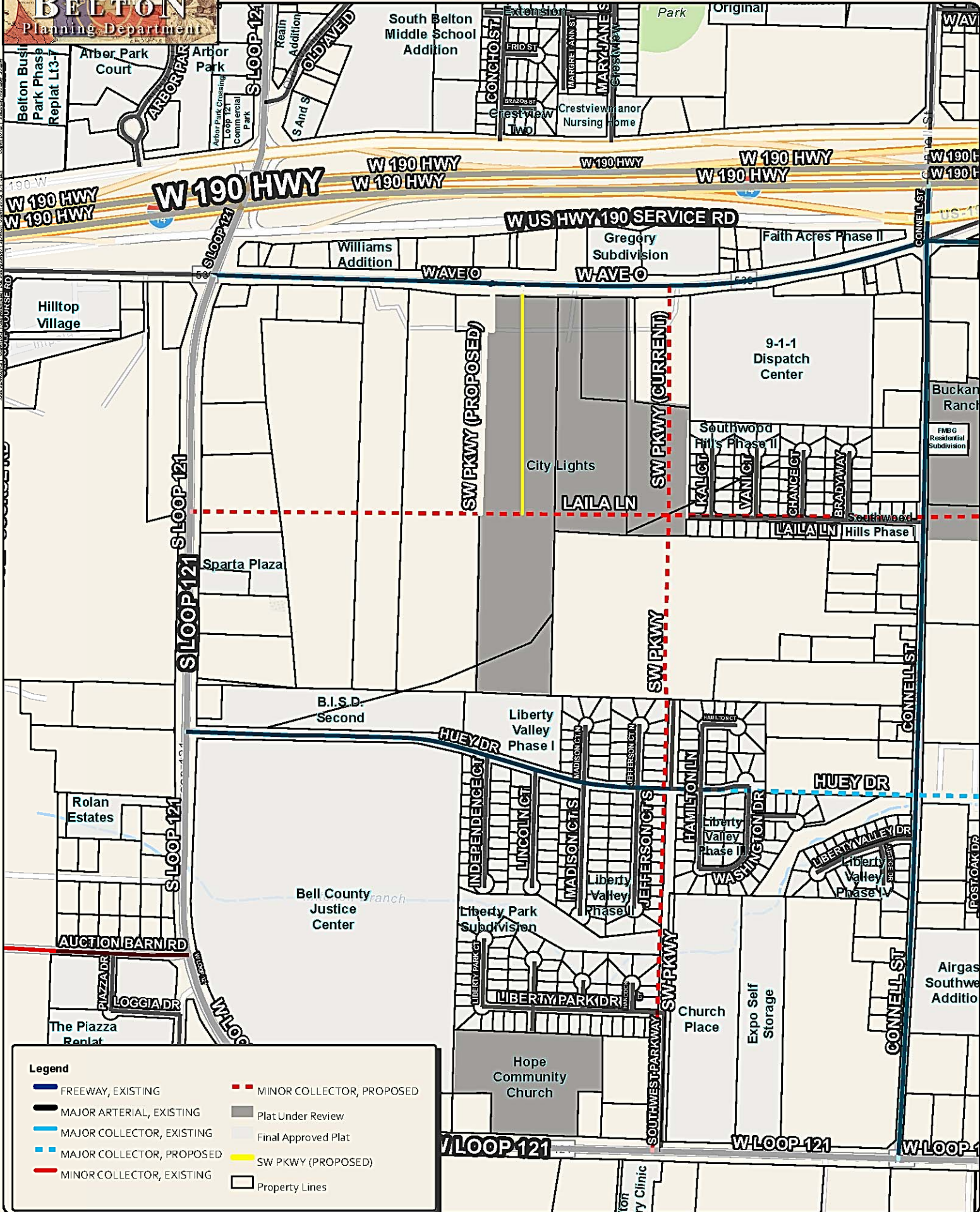
Hold a public hearing and consider an ordinance amending the Thoroughfare Plan Map to relocate a portion of the proposed extension of Southwest Parkway, north of Laila Lane, located between S. Loop 121 and Connell Street.

Information regarding this possible amendment is on file for public examination in the Planning Department in City Hall, 333 Water Street, Belton, Texas.

Items recommended by the Planning and Zoning Commission will be forwarded to the City Council for consideration and approval at its meeting at 5:30 P.M., Tuesday, January 8, 2019 at the Harris Community Center, 401 N. Alexander Street, Belton, Texas.

If you require interpreter services for the deaf or hearing impaired, please contact the City Clerk at City Hall at least 48 hours in advance, at 254-933-5817.

8443	354395	467726
BELL COUNTY	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
PO BOX 768	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513-0768	BELTON, TX 76513	BELTON, TX 76513
478900	478901	478902
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478903	478904	478905
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478906	478907	478908
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
478915	478916	13917
CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC	KDAVEO LLC
1432 OVERLOOK RIDGE DR	1432 OVERLOOK RIDGE DR	5201 WILDFLOWER LN
BELTON, TX 76513	BELTON, TX 76513	TEMPLE, TX 76502
13920	58302	467728
KDAVEO LLC	KEATON, CHARLES P	KEATON, CHARLES P
5201 WILDFLOWER LN	5500 LOOKOUT RIDGE DR	5500 LOOKOUT RIDGE DR
TEMPLE, TX 76502	MARBLE FALLS, TX 78654-3684	MARBLE FALLS, TX 78654-3684
19270	467732	72056
KLINGLER, SANDRA D	MCNAMARA, JOE A	MCNAMARA, JOE A JR
14436 LEWELLEN CEMETERY RD	1202 W AVENUE O	806 W AVENUE O
TROY, TX 76579-3219	BELTON, TX 76513-4127	BELTON, TX 76513-4121



Staff Report – Planning & Zoning Item



Date: December 18, 2018
Case No.: P-18-27 City Lights Addition
Request: Preliminary Plat
Applicant/Owner: Todd Scott - KDAVEO, LLC

Agenda Item

P-18-27 Consider a preliminary plat of City Lights Addition, comprising 45.352 acres, located on the south side of W. Avenue O, between S. Loop 121 and Connell Street, west of Laila Lane.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Current Zoning

Agricultural District

Proposed Zoning

Multi Family District

Future Land Use Map (FLUM) Designation: Primarily residential with commercial/retail uses along Avenue O frontage.

Design Standards Type Area: 9 & 2.

9 – (Majority of area) – Projected to be a mixture of uses taking into consideration context and the Loop 121 corridor.

2 – (Along Avenue O frontage) – Projected to be primarily commercial highway frontage uses with opportunities for mixed uses, hotels, restaurants, new car dealerships, multi-story office, and other similar commercial uses.

Case Summary

This property is the proposed site of a senior living complex to include duplexes for rent, an assisted living facility, and an amenity center. A zoning change from Agricultural District to Multi Family District is needed to accommodate the proposed uses and is on this meeting's agenda. This development will include extensions of Laila Lane westward, and Southwest Parkway northward. The alignment of Southwest Parkway will be revised slightly; a Thoroughfare Plan amendment is proposed to accommodate this change, which is also on this meeting's agenda.

Project Analysis and Discussion

This plat includes 45.352 acres and proposes a total of 5 lots. The lots range in size from 2.057 acres to 15.517 acres. A senior living duplex community and amenity center is proposed for development on Block 1, Lot 3, consisting of 15.517 acres. An assisted living center is proposed on Block 1, Lot 1, consisting of 4.001 acres. Proposed use of the remaining lots has not yet been determined.

The owner is proposing to develop 60 duplexes, or 120 units which will be available for rent to seniors aged 62+, and is applying for a 221(d)(4) financing program through the US Department of Housing and Urban Development (HUD). The proposed units will be one story with half of the units designed as 1 bath/1 bedroom and half as 2 bath/2 bedrooms, each with a one-car garage and one driveway, to provide the required two parking spaces per unit. In addition to the required two parking space per unit, the applicant is providing 32 off street parking spaces throughout the duplex development, and 27 spaces at the amenity center. The assisted living facility will include 60 total residents, with 24 in the assisted living section and 36 in memory care. The proposed amenity center will be available for residents of either the assisted living center or the duplex community and will include a business center, game room, indoor gym, coffee café, outdoor sport court, dog park, community garden, walking track and resting gazebo, outdoor BBQ area and outdoor gathering area with a fireplace. Please refer to Zoning Case Z-18-17 for more details regarding the proposed use of the property.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision plat.

Streets: One entrance to the duplex development on Block 3, Lot 1 is proposed from Laila Lane, and two entrances are proposed from Southwest Parkway. Laila Lane and Southwest Parkway are minor collectors on the city's Thoroughfare Plan map. Minor collectors require a minimum ROW width of 60'. Laila Lane will be extended westward from its current termination point as part of this development and will be constructed with a 37' pavement width with curb and gutter within a 70' ROW. A portion of Southwest Parkway will be construction to connect with the current alignment as shown on the Thoroughfare Plan south of Laila Lane. A Thoroughfare Plan amendment is under consideration to adjust the alignment of Southwest Parkway north of Laila Lane where it will connect to Avenue O. These segments of Southwest Parkway will be constructed with a 37' pavement width with curb and gutter within a 70' ROW.

West Avenue O is a major collector on the city's Thoroughfare Plan map. Major collectors require a minimum ROW width of 80'. There is currently approximately 155' of ROW; no additional ROW is needed. Existing pavement width of Avenue O in this vicinity is approximately 42'; there is no curb/gutter but instead a bar-ditch drainage system. The City Public Works Director has determined that no perimeter street improvements are needed for Avenue O.

Sidewalks: Per the city's Subdivision Ordinance, a 5' wide sidewalk is required along both sides of collector streets and the subdivision side of collector streets. Therefore, a 5' wide

sidewalk is required along both sides of Laila Lane and Southwest Parkway, and the south side of W. Avenue O.

Water: An existing 8" water line runs along the south side of West Avenue O. There is also an 8" waterline stubbed out at the end of the existing termination of Laila Lane. The applicant will be connecting these two lines with an 8" water main that will be extended along the new sections of Southwest Parkway and Laila Lane. The 8" line satisfies minimum requirements for fire protection.

Sewer: An existing 8" sewer line runs along Laila Lane, east of this property. The applicant proposes to tie into this line and extend an 8" line throughout the subdivision and along the extension of Laila Lane westward. The developer's engineer will confirm the existing 8" along Laila and existing 10" in Connell can handle the projected sewer flows.

Drainage: Pre and post-drainage maps have been provided. On-site detention pond(s) will be required to address drainage needs and will be privately owned and maintained. Detailed plans and the drainage report will be reviewed with the final plat and site plan.

Parkland Dedication/Fees: The parkland fee is \$200 per residential unit. For 120 dwelling units, the fee equates to \$24,000. These funds will be used to develop the city park near the Liberty Valley development, which is within a one-mile radius of this subdivision.

Conclusion: We have reviewed the plat and find it acceptable as a preliminary plat, subject to all conditions identified in the city's letter to the applicant dated December 14, 2018.

Recommendation

Recommend approval of the preliminary plat of City Lights Addition, subject to the following:

- 1) all items addressed in city's December 14, 2018 letter to the applicant;
- 2) approval of zoning change to Multi-Family District; and
- 3) approval of revision to the Thoroughfare Plan map to adjust alignment of Southwest Parkway.

Attachments

1. Preliminary Plat Application
2. Preliminary Plat
3. Location Map
4. Rezoning boundary map
5. Thoroughfare Plan map with proposed amendment
6. City letter to applicant dated December 14, 2018

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 Fees due \$ 265
- ☐ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department by the 15th day of the month ahead of the next month's P&Z meeting.)

Applicant: KDAVEO, LLC Phone: 254-541-4548
Mailing Address: 1432 Overlook Ridge Dr. Belton, TX 76513
Email Address: todd@rileyscotthomes.com

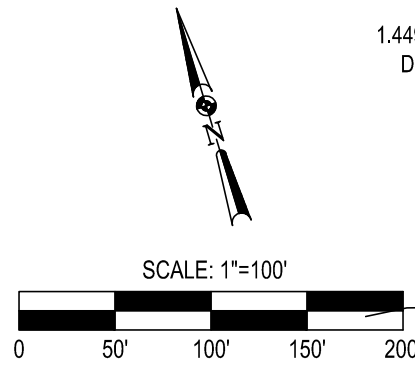
Owner: KDAVEO, LLC Phone: 254-541-4548
Mailing Address: 1432 Overlook Ridge Dr. Belton, TX 76513
Email Address: todd@rileyscotthomes.com

Current Description of Property:

Lot: _____ Block: _____ Subdivision: _____
Acres: 45.352 Survey: Jasper P. Wallace Survey
Abstract #: 906 Street Address: 1051 W. Avenue O, Belton Texas
Frontage in Feet: 834 Depth in Feet: Variable

Does Zoning comply with proposed use? No Current Zoning: A
Name of proposed subdivision: City Lights
Number of Lots: 5 Fee: \$ 265

Signature of Applicant:  Date: 11/15/18
Signature of Owner:  Date: 11/15/18



GARTH, SAM G III
1.449 ACRES (PER APPRAISAL DISTRICT)
DEED INFORMATION NOT LOCATED

EDANBRA DEVELOPMENT LC
REMAINDER OF A 40' STRIP, 0.158 ACRES
DESCRIBED IN VOLUME 3339, PAGE 339
OFFICIAL PUBLIC RECORDS

CITY OF BELTON
CALLED 0.975 ACRES
VOLUME 862, PAGE 65
DEED RECORDS

SMITH, JIMMY WAYNE
CALLED 1.268 ACRES
DOCUMENT NO. 20170030210
OFFICIAL PUBLIC RECORDS
DESCRIBED IN VOLUME 1560,
PAGE 325
DEED RECORDS

0.849 ACRE "PARCEL NO. 36"
STATE OF TEXAS
VOLUME 1779, PAGE 383
DEED RECORDS

GREGORY FAMILY TRUST
LOT 1, BLOCK 1
GREGORY SUBDIVISION
CABINET C, SLIDE 261 D
PLAT RECORDS

GREGORY FAMILY TRUST
LOT 2, BLOCK 1
GREGORY SUBDIVISION
CABINET C, SLIDE 261 D
PLAT RECORDS

LOTS - 5
BLOCKS - 3
RIGHT-OF-WAY DEDICATION (4.165 ACRES)
AREA - 45.350 ACRES

FLOOD NOTE
ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR
BELL COUNTY, TEXAS, MAP NUMBER 48027C04E, EFFECTIVE DATE SEPTEMBER 26, 2003, THIS
PROPERTY IS IN FLOOD ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 100
YEAR FLOOD PLAIN, THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP IS
FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT
NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE
SOURCES OF SMALL SIZE OR ALL PLANNED FEATURES OUTSIDE SPECIAL FLOOD HAZARD
AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES
LOCATED THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA
IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERBODIES OR CHANNEL
CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE
SURVEYOR.

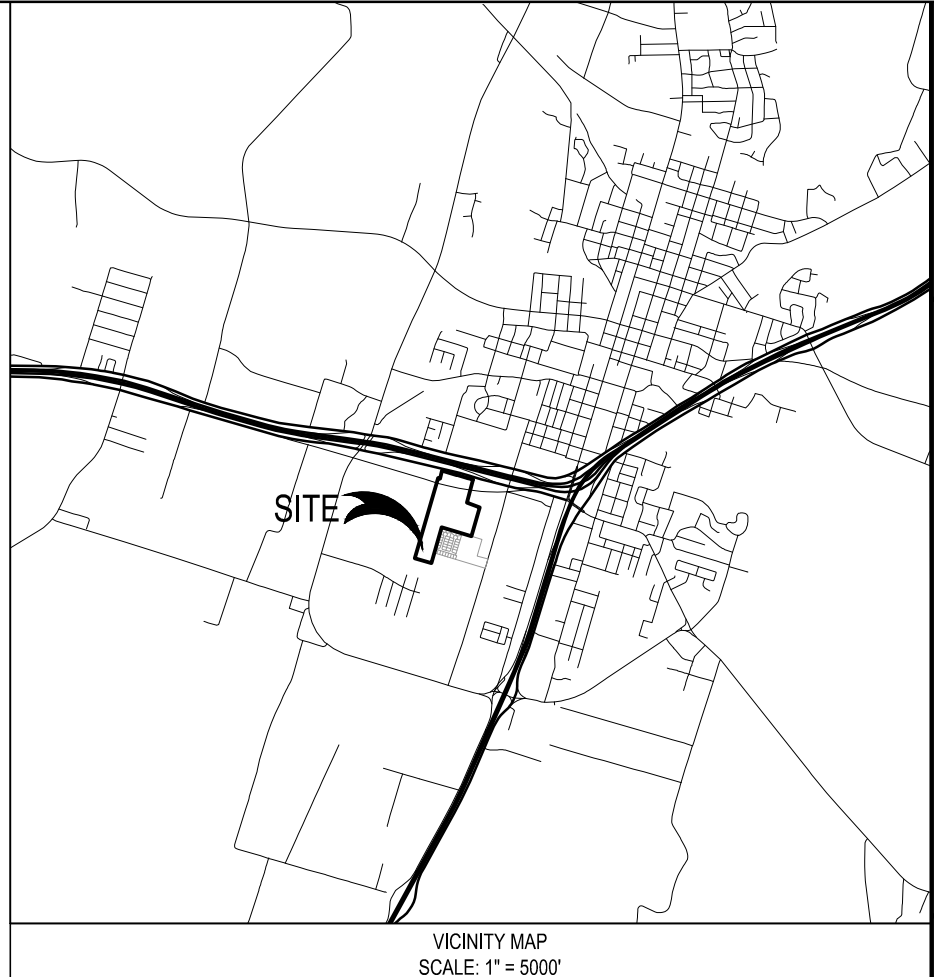
LEGEND

- POB
POINT OF BEGINNING
PROPERTY CORNER
U.E.
UTILITY EASEMENT
B.S.L.
BUILDING SETBACK LINE

NOTE:
1. ONLY BLOCK AND PHASE BOUNDARIES ARE SHOWN MONUMENTED ON THIS PLAT.
ALL LOT CORNERS ARE TO BE SET PRIOR TO RECORDING OF THE PLAT.

2. ALL UTILITY PROVIDERS, INCLUDING ELECTRIC, TELEPHONE, GAS, RURAL WATER
SUPPLY CORPORATIONS, AND CABLE TELEVISION, HAVE BEEN PROVIDED THE
OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSED SUBDIVISION.

3. LOTS WILL OBSERVE ALL REQUIRED SETBACKS PER THE CITY'S ZONING
ORDINANCE.



KLINGER, SANDRA
CALLED 1.06 ACRES
VOLUME 3359, PAGE 745
OFFICIAL PUBLIC RECORDS

LOT 1
BLOCK 1
4.001 ACRES

LOT 2
BLOCK 1
2.056 ACRES

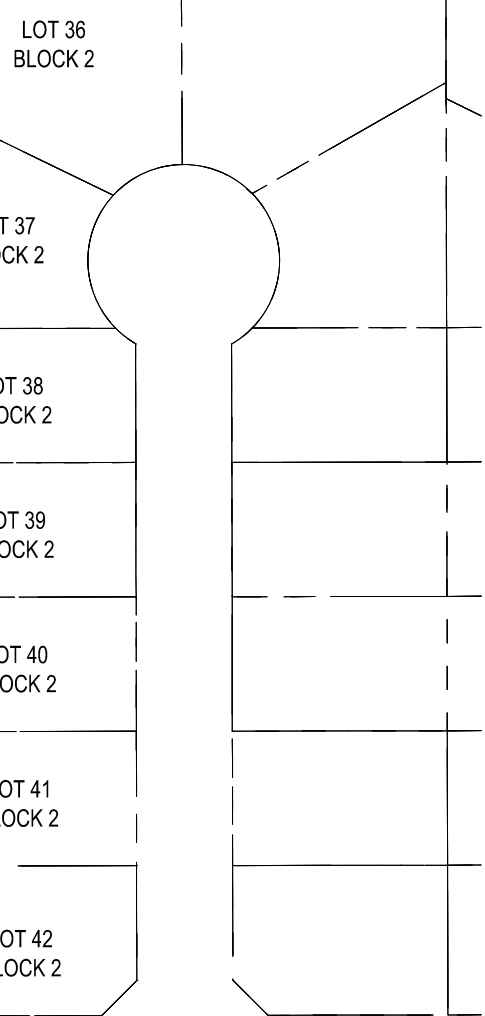
MCNAMARA, JOE
CALLED 5.27 ACRES
VOLUME 2020, PAGE 95
OFFICIAL PUBLIC RECORDS

MCNAMARA, JOE
CALLED 24.91 ACRES
VOLUME 1801, PAGE 361
OFFICIAL PUBLIC RECORDS

LOT 1
BLOCK 2
7.194 ACRES

LOT 3
BLOCK 1
15.411 ACRES

CHARLES L. KEATON
REMAINDER OF CALLED 48.35 ACRES
VOLUME 943, PAGE 573
OFFICIAL PUBLIC RECORDS



STATE OF TEXAS
COUNTY OF BELL

"APPROVED FOR PREPARATION OF FINAL PLAT"

CHAIRMAN, PLANNING & ZONING COMMISSION DATE

STATE OF TEXAS
COUNTY OF BELL

"APPROVED FOR PREPARATION OF FINAL PLAT"

MAYOR, CITY COUNCIL DATE

STATE OF TEXAS
COUNTY OF BELL

BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED
HEREIN AS CITY LIGHTS, A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS, AND WHOSE NAME IS
SUBSCRIBED HERETO, HEREBY DEDICATE THE USE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS,
WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS
SUBDIVISION.

BY: TODD SCOTT
FOR: KDAVEO LLC

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, 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 _____, 2018.

NOTARY PUBLIC, STATE OF TEXAS



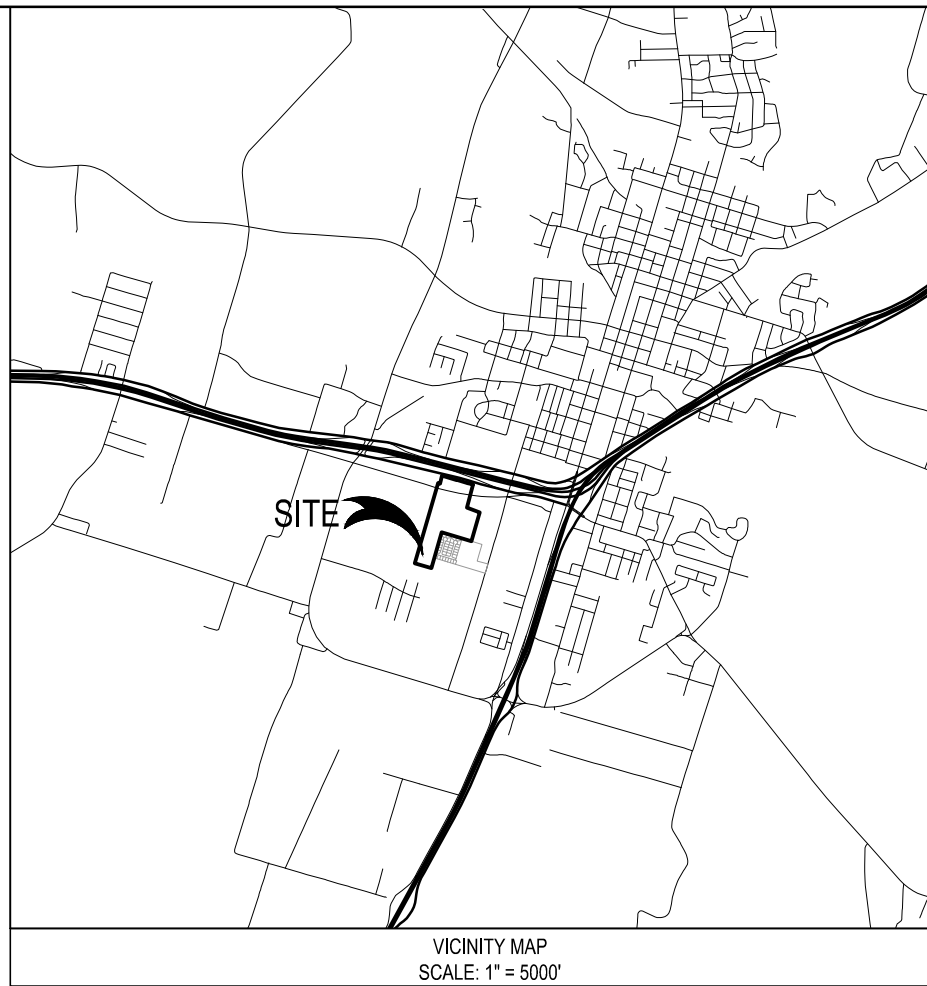
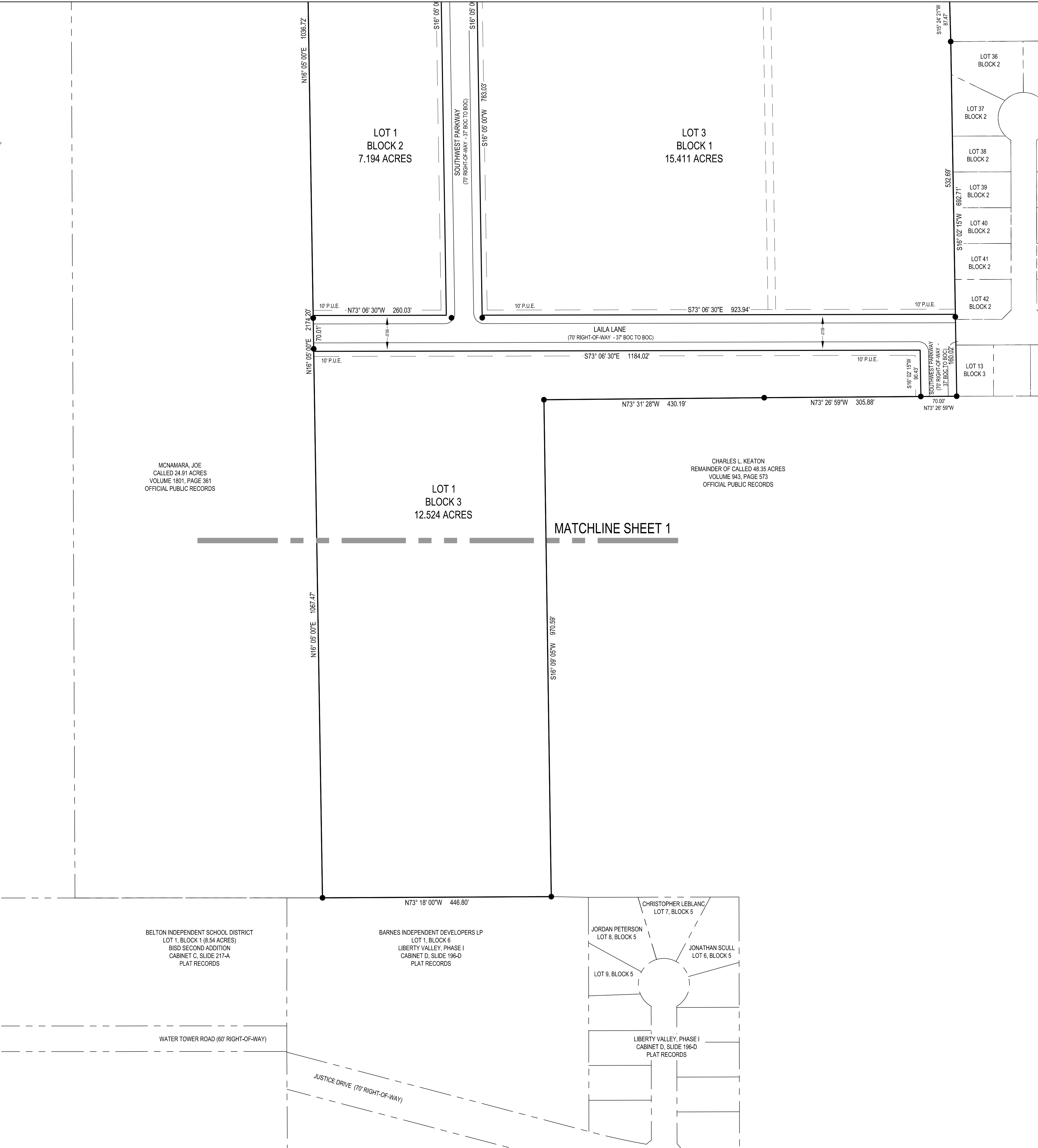
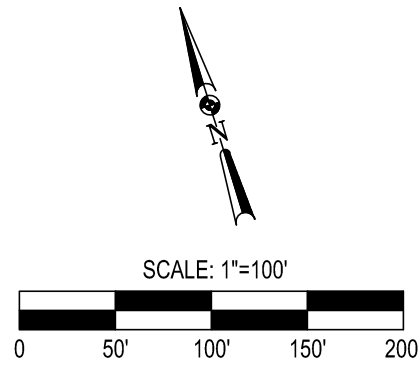
KNOW ALL MEN BY THESE PRESENTS:
THAT I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE
SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON SHALL BE PROPERLY PLACED,
UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF
BELTON, TEXAS.

TRAVIS L. QUICKSALL, RPLS
REGISTRATION NO. 6447



PRELIMINARY PLAT
CITY LIGHTS
BELTON, TEXAS

JOB NO. 172287
DATE DECEMBER 14, 2018
DRAWN C.L.G.
CHECKED T.L.G.
SHEET 1 OF 2

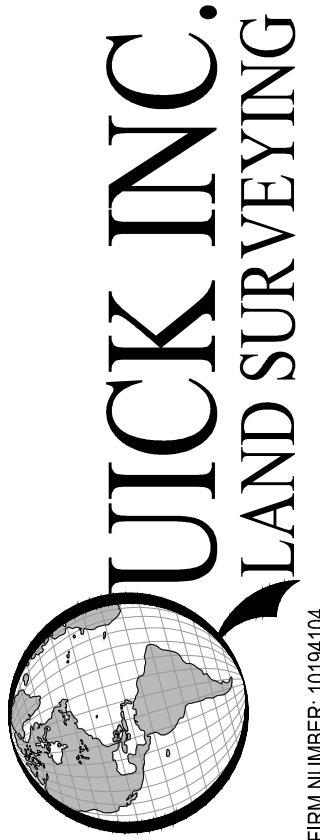


LOTS - 5
BLOCKS - 3
RIGHT-OF-WAY DEDICATION (3.606 ACRES)
AREA - 45.352 ACRES

FLOOD NOTE:
ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BELL COUNTY, TEXAS, MAP NUMBER 48020000E, EFFECTIVE DATE SEPTEMBER 26, 2006, THIS PROPERTY LIES IN ZONE X, WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOOD PLAIN. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED THEREON WILL BE FREE FROM LOSING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

LEGEND
POB POINT OF BEGINNING
● PROPERTY CORNER
U.E. UTILITY EASEMENT
B.S.L. BUILDING SETBACK LINE

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QUICK INC.
LAND SURVEYING
FIRM NUMBER: 0194104
OFFICE: 4500 SHELL ROAD, SUITE 100, GEORGETOWN, TX 78626 PHONE: 512-945-1883
MAILING ADDRESS: 4500 WILLIAMS DR, SUITE 240, BOX 12A, GEORGETOWN, TX 78603

PRELIMINARY PLAT
CITY LIGHTS
BELTON, TEXAS

JOB NO. 172287
DATE DECEMBER 2018
DRAWN C.L.G.
CHECKED T.L.G.
SHEET 2 OF 2

P-18-27 LOCATION - CITY LIGHTS

PD-C1 PD-R
Mixed Use

SUP-CH Mobile
Home Sales

SUP-Private
Club

PD C-1
Volunteer
Fire Dept.

PROPOSED PLAT:

Preliminary Plat
City Lights
45.352 Acres

PROPERTY OWNER:

KDAVEO LLC

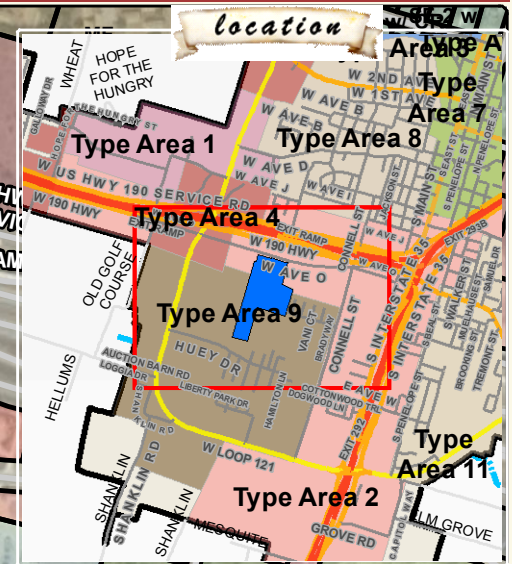
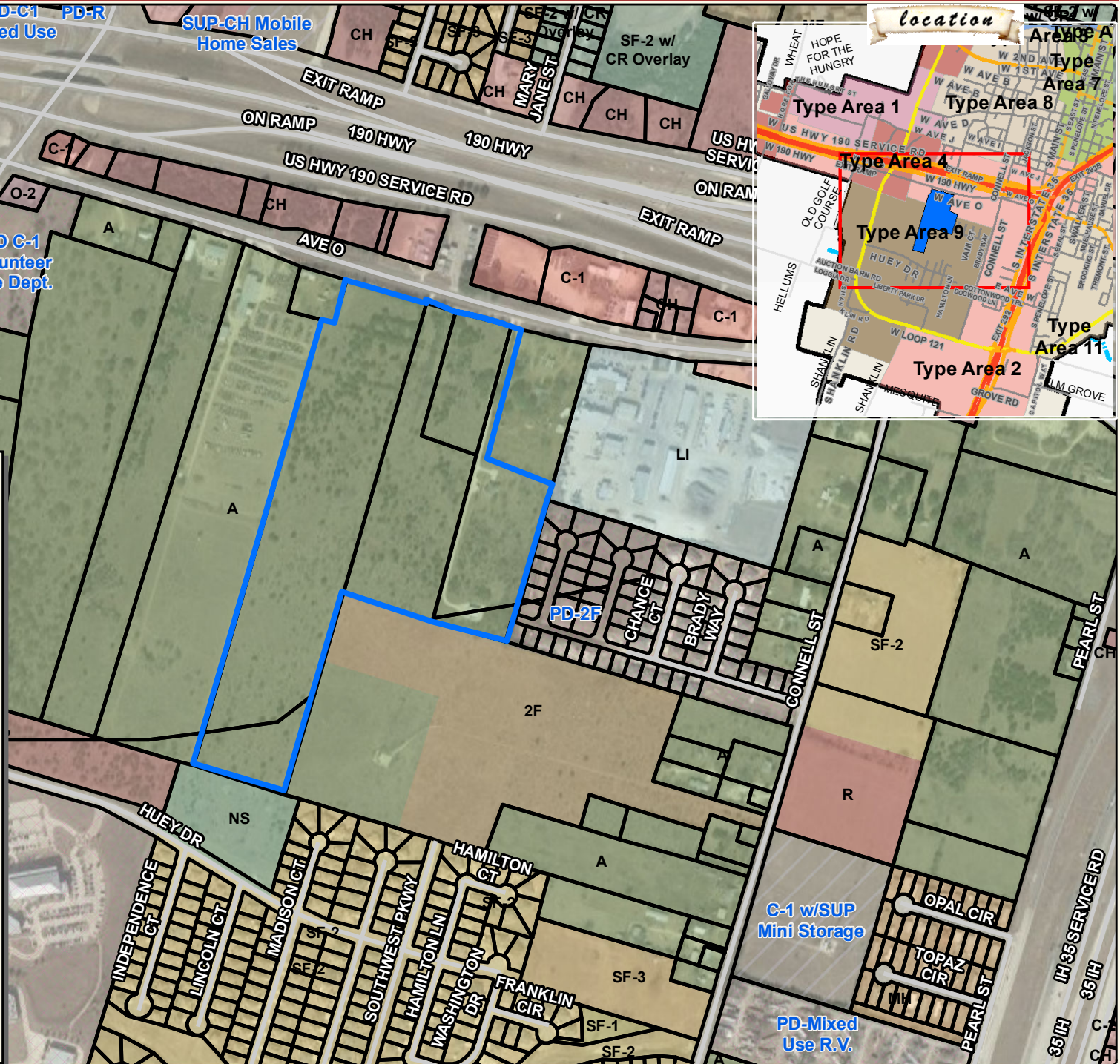
LEGEND

P-18-27

City Limits

Zoning

- Agricultural
- Commercial Highway
- Commercial-1
- Commercial-2
- Conservation Revitalization Overlay
- Light Industrial
- Mobile Home
- Multi Family
- Neighborhood Service
- Office-2
- Planned Development
- Retail
- Single Family-1
- Single Family-2
- Single Family-3
- Specific Use Permit
- Two Family



Staff Report – Planning & Zoning Item



Date: December 18, 2018
Case No.: P-18-27 City Lights Addition
Request: Preliminary Plat
Applicant/Owner: Todd Scott - KDAVEO, LLC

Agenda Item

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sidewalk is required along both sides of Laila Lane and Southwest Parkway, and the south side of W. Avenue O.

Water: An existing 8" water line runs along the south side of West Avenue O. There is also an 8" waterline stubbed out at the end of the existing termination of Laila Lane. The applicant will be connecting these two lines with an 8" water main that will be extended along the new sections of Southwest Parkway and Laila Lane. The 8" line satisfies minimum requirements for fire protection.

Sewer: An existing 8" sewer line runs along Laila Lane, east of this property. The applicant proposes to tie into this line and extend an 8" line throughout the subdivision and along the extension of Laila Lane westward. The developer's engineer will confirm the existing 8" along Laila and existing 10" in Connell can handle the projected sewer flows.

Drainage: Pre and post-drainage maps have been provided. On-site detention pond(s) will be required to address drainage needs and will be privately owned and maintained. Detailed plans and the drainage report will be reviewed with the final plat and site plan.

Parkland Dedication/Fees: The parkland fee is \$200 per residential unit. For 120 dwelling units, the fee equates to \$24,000. These funds will be used to develop the city park near the Liberty Valley development, which is within a one-mile radius of this subdivision.

Conclusion: We have reviewed the plat and find it acceptable as a preliminary plat, subject to all conditions identified in the city's letter to the applicant dated December 14, 2018.

Recommendation

Recommend approval of the preliminary plat of City Lights Addition, subject to the following:

- 1) all items addressed in city's December 14, 2018 letter to the applicant;
- 2) approval of zoning change to Multi-Family District; and
- 3) approval of revision to the Thoroughfare Plan map to adjust alignment of Southwest Parkway.

Attachments

1. Preliminary Plat Application
2. Preliminary Plat
3. Location Map
4. Rezoning boundary map
5. Thoroughfare Plan map with proposed amendment
6. City letter to applicant dated December 14, 2018

Zoning Case # Z-18-17

Author: Anthony Rodriguez, City of Belton
Page: 1 City of Belton Project Information and Planning Case Z-18-17

ZONING CHANGE:

Ag
to
MF

LEGAL DESCRIPTION:

Jasper P Wallace Survey
PTS 7.6 Acre Tract and 37.561 Acres
ACRES 24.801

PROPERTY OWNER:

KDAVEO LLC

ADDRESS/LOCATION:

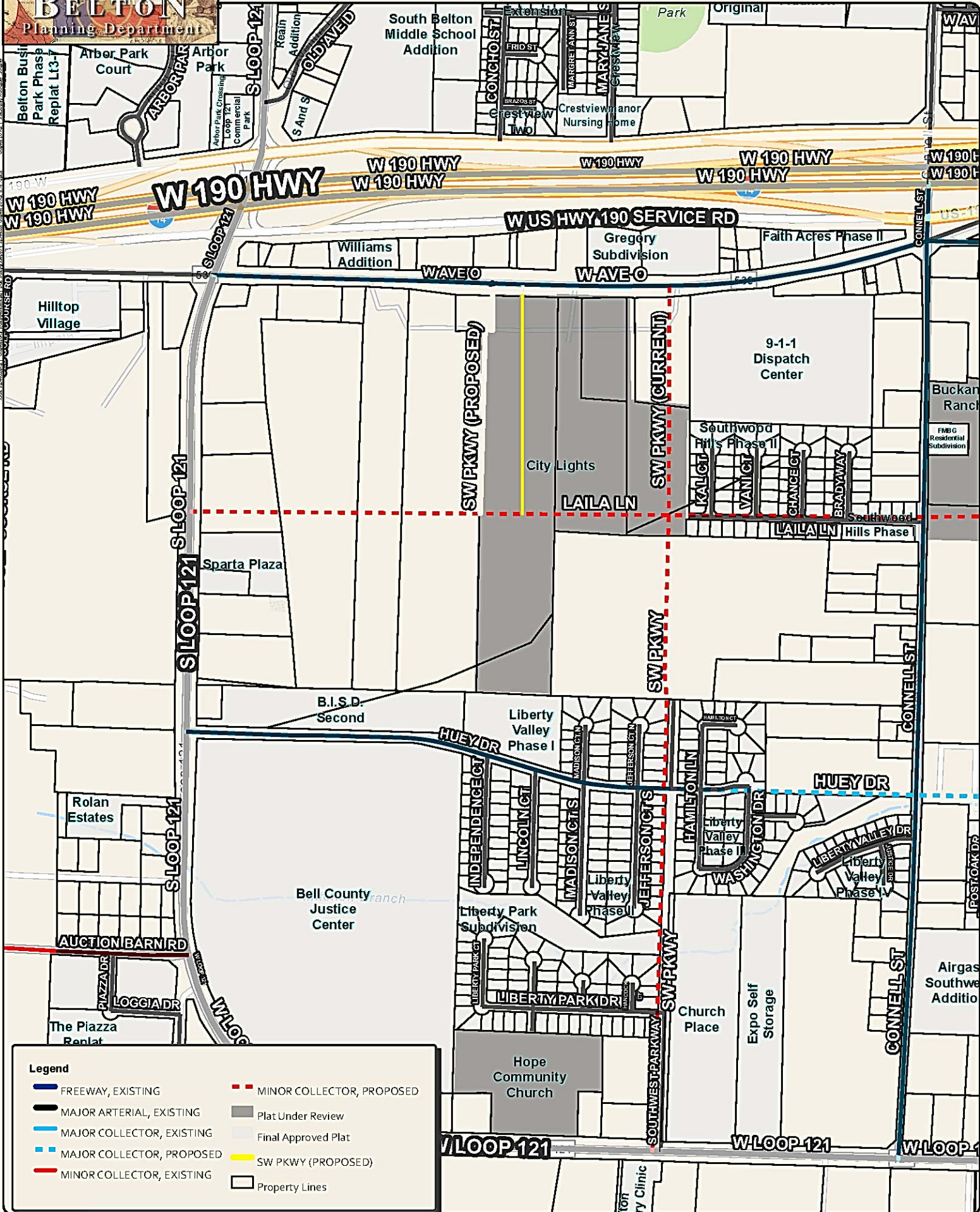
1051 W AVE O

**200' Property Owner
Notification Area**

Legend

- ☒ Z_18_17
- ☐ 200' Property Owner Notification Area
- ☐ Tax Appraisal Parcels







City of Belton

Planning Department

December 14, 2018

Applicant: TRAVIS QUICKSALL / KDAVEO, LLC - TODD SCOTT

**Date Submitted: 11-15-18
12-7-18
12-13-18**

Project: CITY LIGHTS PRELIMINARY PLAT

Location: 1051 W. AVENUE O / 45.352 ACRES

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

PLANNING – Cheryl Maxwell – CMaxwell@BeltonTexas.gov:

All comments addressed.

PUBLIC WORKS/KPA – Angellia Points, APoints@BeltonTexas.gov:

Provide the cutbacks in the ROW as requested.

BUILDING OFFICIAL – Bruce Ebbert, BEbbert@BeltonTexas.gov:

No Comments at this time.

FIRE DEPT – Jeff Booker, JBooker@BeltonTexas.gov:

No comments at this time.

POLICE DEPT – Chief Gene Ellis, GEllis@BeltonTexas.gov:

No comments at this time.

GIS – Kelly Atkinson – Katkinson@BeltonTexas.gov:

No further comments.

Outside Utility Provider Comments

- ☐ **Oncor:**
- ☐ **AT&T:**
- ☐ **Atmos Energy:**
- ☐ **Charter Communications:**
- ☐ **Grande Communications:**
- ☐ **Spectrum (Time Warner):**
- ☐ **USPS:**
- ☐ **Clearwater UCD:**
- ☐ **TXDOT:**

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.

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 \$ 384.75
CK # 2226

Date Received: 10-15 Date Due: 10-15 (All plans are to be returned to the Planning Department by the 15th day of the month ahead of the next month's P&Z meeting.)

Applicant: Charles C. Lucko Phone: (254)-778-2272
Mailing Address: 4330 S. 5th Street Temple, TX 76502
Email Address: chuck@allcounty-surveying.com

Owner: Todd Mantz Phone: (254)-939-1853
Mailing Address: 2802 Capitol Way Belton, TX 76513
Email Address: todd@usa-capitol.com

Current Description of Property:

Lot: 1 Block: 1 Subdivision: South Loop Industrial Park
Acres: 13.475 Survey: M. F. Connell
Abstract #: 6 Street Address: _____
Frontage in Feet: 1130.13' Depth in Feet: 520.36'

Does Zoning comply with proposed use? yes Current Zoning: LI
Name of proposed subdivision: South Loop Industrial Park Phase II
Number of Lots: 1 Fee: \$ _____

Signature of Applicant: Charles C. Lucko Date: 10.15.2018
Signature of Owner: Todd Mantz Date: Oct 15, 2018

City of Belton
Request for Subdivision Plat
to the City Council and the
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Signature of Owner: Todd Mantz Date: Oct 15, 2018

FINAL PLAT of
**SOUTHLOOP INDUSTRIAL
PARK PHASE II**

Being 13.475 ACRES, within the city of Belton, Bell County,
Texas, being a replat of LOT 1, BLOCK 1, SOUTHLOOP
INDUSTRIAL PARK, according to the plat of record in
Cabinet A, Slide 118-A, Plat Records of Bell County, Texas.

STATE OF TEXAS
COUNTY OF BELL

CSC GROUP, L.P., OWNER OF THE 13.475 ACRE TRACT OF LAND SHOWN ON THIS PLAT, AND
DESIGNATED HEREIN AS **SOUTHLOOP INDUSTRIAL PARK PHASE II**, WITHIN THE CITY OF BELTON, BELL
COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATES 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.

CSC GROUP, L.P.
2802 CAPITOL WAY, BELTON, TX 76513

BY:

TODD ALLEN MANTZ, GENERAL PARTNER

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED TODD ALLEN
MANTZ, 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 _____, 2018.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF **SOUTHLOOP INDUSTRIAL PARK
PHASE II** AN ADDITION WITHIN THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS THE _____ DAY OF _____, 2018, BY THE PLANNING AND ZONING COMMISSION OF
THE CITY OF BELTON, TEXAS.

CHAIRMAN SECRETARY

SAID SUBDIVISION LIES WITHIN THE CITY OF BELTON, BELL COUNTY, TEXAS, AND SHALL BE SUBJECT
TO ALL REQUIREMENTS OF THE PLATTING ORDINANCE OF THE CITY OF BELTON, TEXAS.

WITNESS MY HAND AND SEAL THIS THE _____ DAY OF _____, 2018.

CITY CLERK

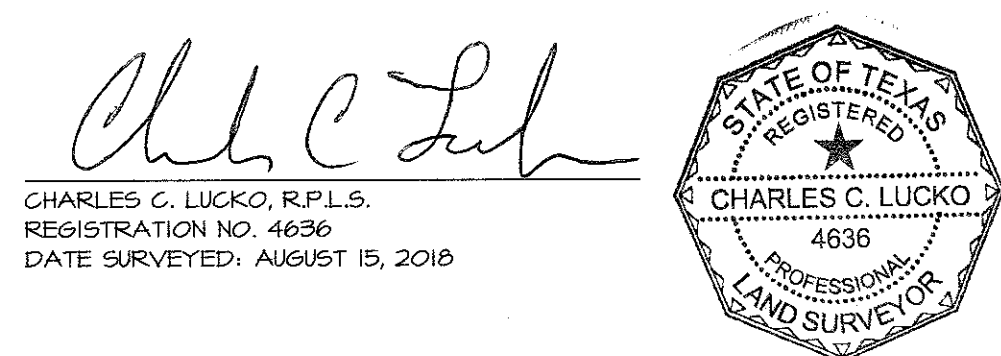
STATE OF TEXAS
COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF **SOUTHLOOP INDUSTRIAL PARK
PHASE II**, AN ADDITION WITHIN THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS THE _____ DAY OF _____, 2018, BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

MAYOR SECRETARY

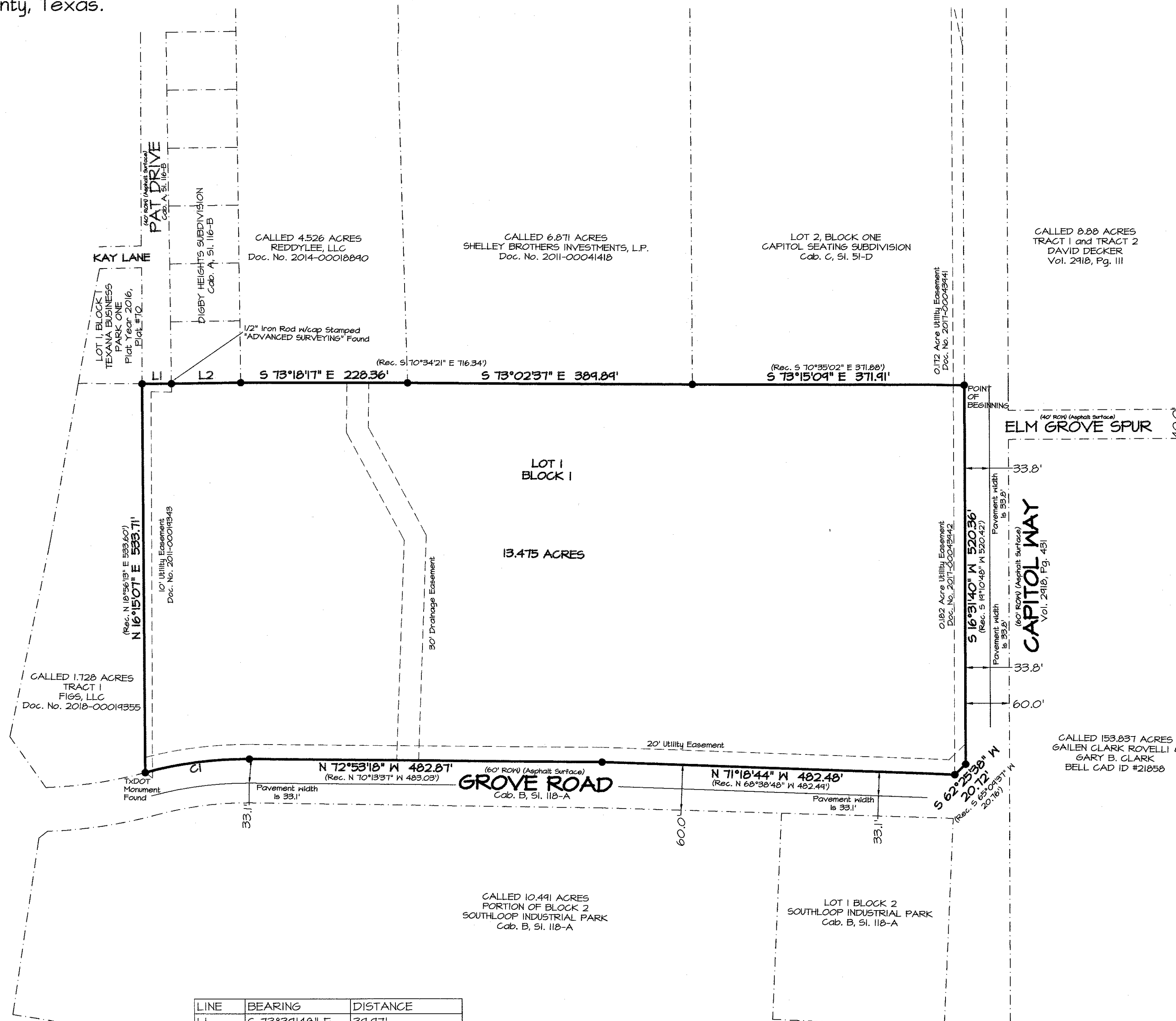
STATE OF TEXAS
COUNTY OF BELL

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.P.L.S.
REGISTRATION NO. 4636
DATE SURVEYED: AUGUST 15, 2018

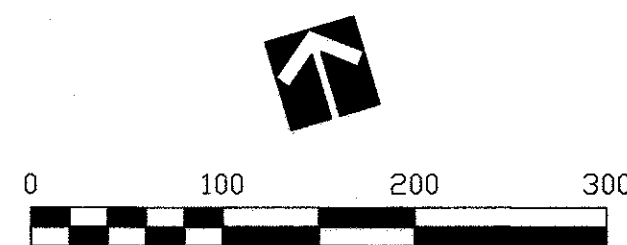
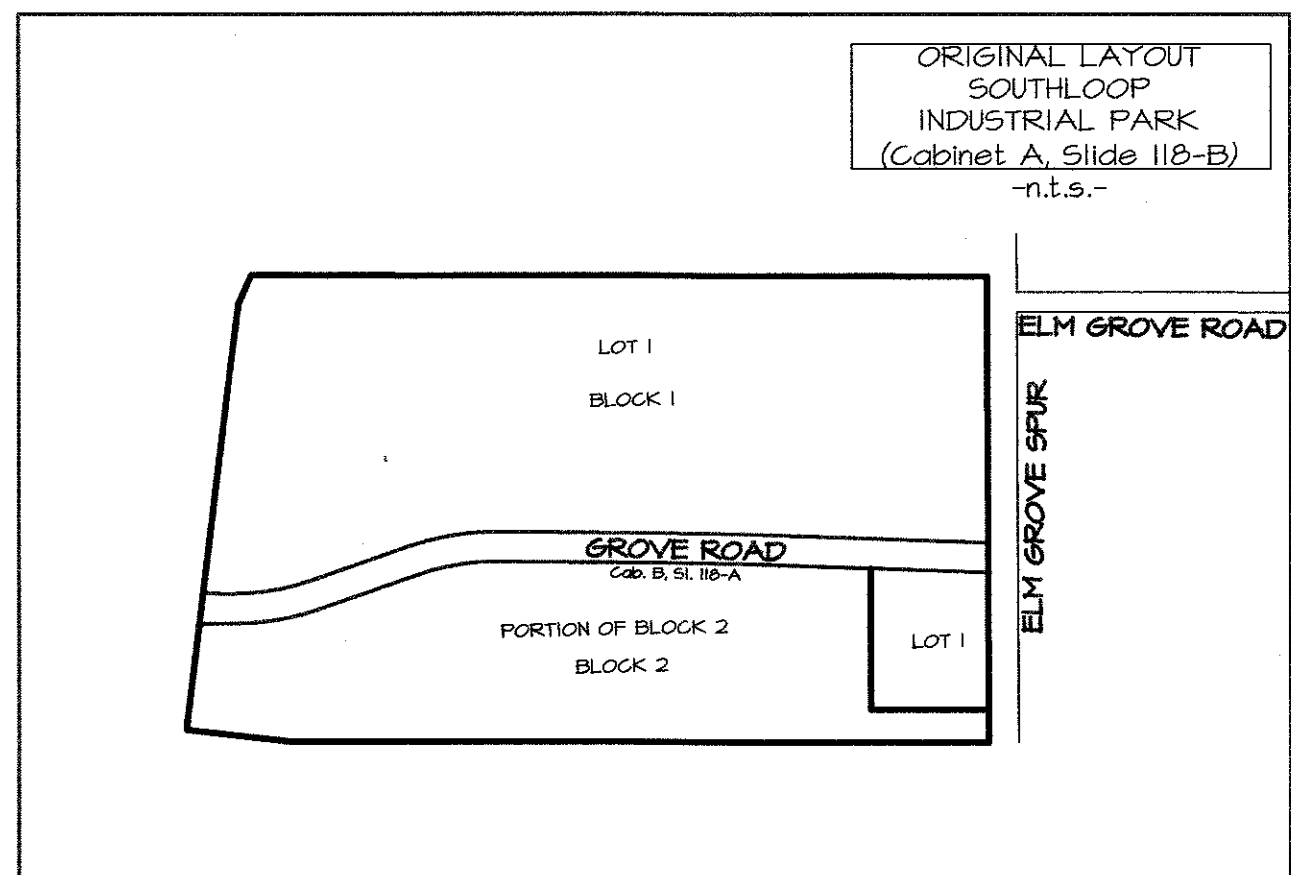
NORTH I.H. 35 FRONTAGE ROAD



LINE	BEARING	DISTANCE
L1	S 73°39'48\" E	34.91'
(Rec. S 70°33'46\" E 36.36')		
L2	S 74°12'41\" E	94.75'
(Rec. S 70°34'21\" E)		

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	RECORD ARC
C1	144.06'	530.00'	15°34'26\"	N 80°49'11\" N	143.62'	143.80'

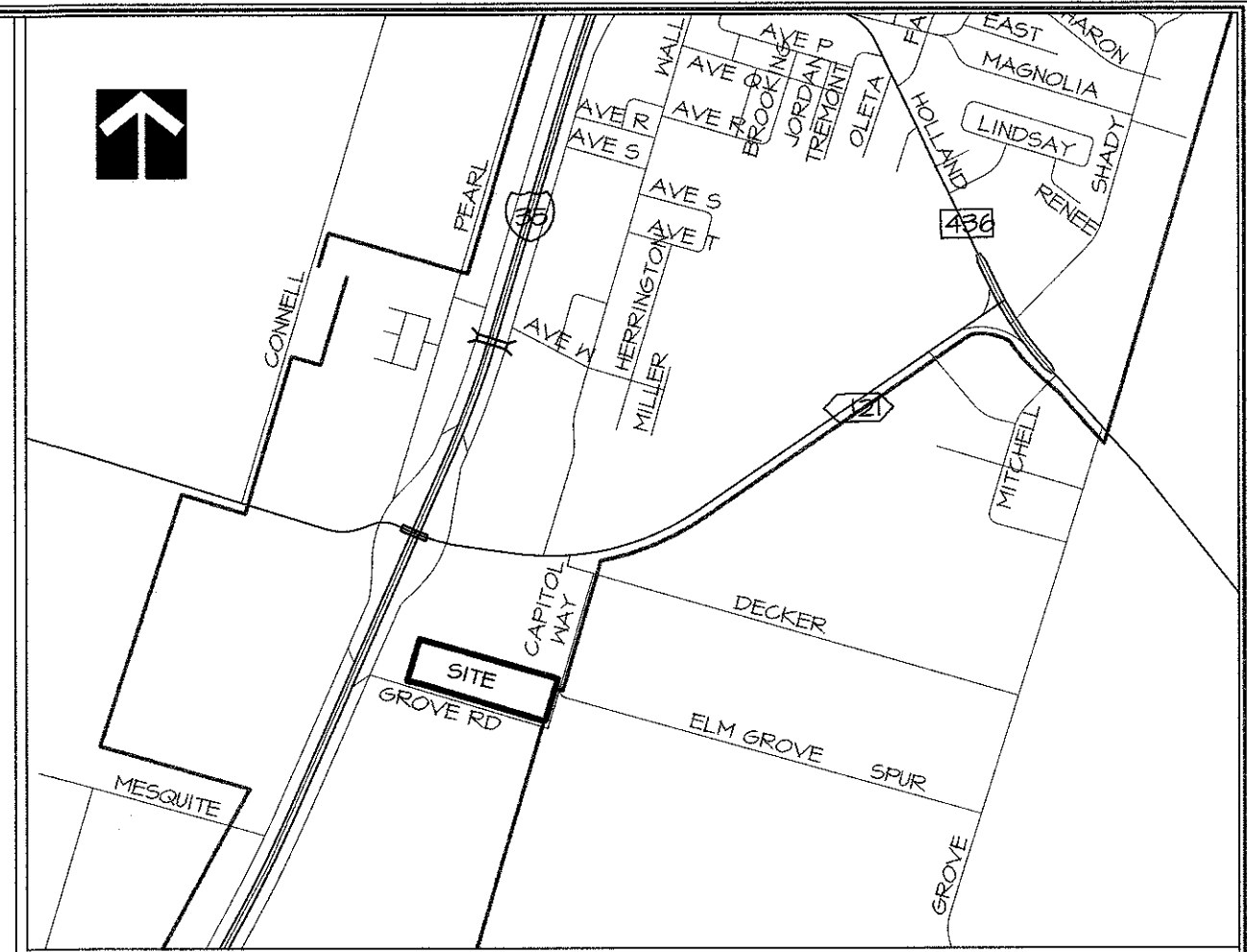
FILED FOR RECORD THIS _____ DAY OF _____, 2018.
IN YEAR _____, PLAT # _____, PLAT RECORDS OF BELL COUNTY, TEXAS.
DEDICATION INSTRUMENT # _____, OFFICIAL PUBLIC RECORDS OF
BELL COUNTY, TEXAS.



• 1/2\" Iron Rod Found
(unless otherwise noted)

NOTES:

1. Purpose of Replat is to plat an existing lot.
2. Setback lines will comply with city ordinance.
3. An existing 0.24 acre sewer line easement for an abandoned sewer line is present on the property, but can not be located by given description.



VICINITY MAP
- N.T.S. -

OWNER:
CSC GROUP, L.P.
2802 CAPITOL WAY
BELTON, TX 76513

LOTS - ONE (1)
BLOCKS - ONE (1)
AREA - 13.475 ACRES

Glennwater Underground Water Conservation District (GUWCD) District Rules based on Chapter 36 \"Texas Groundwater Code\" prevent the drilling of Exempt Wells for \"domestic use on tracts of land platted to less than 10 acres after March 1, 2004. Permitting of Wells on tracts less than 10 acres and greater than 2 acres is possible under district rules if the purpose is of the well meets the definition of beneficial use. Per District Rules and Chapter 36, all drilling of wells on tracts of land platted to less than 2 acres after March 1, 2004 is not possible. All current and future wells must meet the 100-ft setback requirement of all on-site septic systems, unless the well is constructed with an approved sanitary seal allowing setback from the on-site septic to be reduce to a minimum 50 feet.

GLENNWATER UNDERGROUND WATER CONSERVATION DISTRICT (GUWCD) CERTIFICATE

GUWCD is the regulatory authority for groundwater wells in Bell County and hereby certifies that this proposed subdivision has been evaluated for on-site groundwater production wells. In its current condition, the proposed subdivision meets our expectations described by District Policy and affirmed by District Staff.

By: Dirk Aaron
General Manager, GUWCD

DATE

This project is referenced to the City of Belton Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. B-4. The theta angle at City Monument No. B-4 is 01° 28' 22.88\". The combined correction factor (CCF) is 0.99988018. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. B-4 to the northeast corner of this 13.475 Acre tract is N 75°55'50\" E 1010.70 feet. Published City coordinates for project reference point B-4 are N = 10348584.136 E = 3142254.465.

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48021C0340E, dated September 26, 2008, the above shown property does not appear within the \"Special Flood Hazard Area\", and appears to be situated in Zone X. 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.

AFFIDAVIT:

The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this _____ day of _____, 2018 A.D.

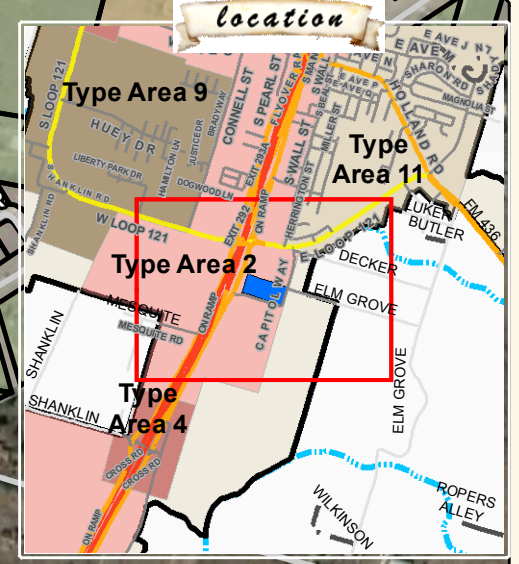
By: _____
Bell County Tax Appraisal District

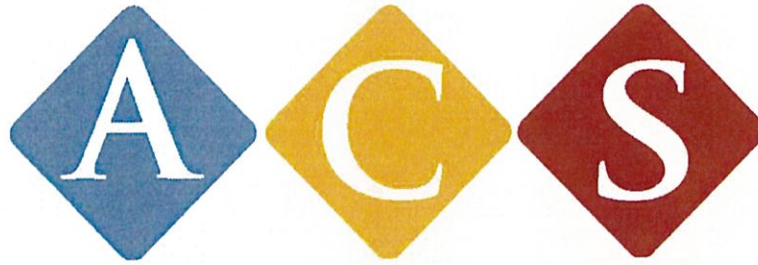
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Being 13.475 ACRES, within the city of Belton, Bell County, Texas, being a replat
of LOT 1, BLOCK 1, SOUTHLOOP INDUSTRIAL PARK, according to the plat of
record in Cabinet A, Slide 118-A, Plat Records of Bell County, Texas.

Plot Date: 04-20-2018
Survey completed: 08-16-2018
Scale: 1\" = 100'
Job No. 182012.2
Dwg No. 182012.2P
Drawn by JSM
Surveyor CCL #4636
Copyright 2018 All County Surveying, Inc.



P-18-26 LOCATION - SOUTHLOOP INDUSTRIAL PARK PH. II





ALL COUNTY SURVEYING, INC
TX Firm No. 10023600

November 20, 2018

City of Belton
333 Water Street
Belton, Texas 76513

**Re: Request for "Sidewalk Waiver" – SOUTHLOOP INDUSTRIAL PARK
PHASE II**

To: City of Belton Planning Department

This letter is in response to your "Post Design Review Committee Notes" (Post DRC Comments) response dated October 30, 2018.

We are working through the comments in the Post DRC Comments, and under the category of "Planning" it is hereby desired by applicant to be allowed a "Sidewalk Waiver", to the Subdivision Ordinance Section 503, "Sidewalk Standards and Policy (Amendment #2015-43)".

This area is developed and there are no sidewalks along Grove Road. A sidewalk in this proposed subdivision would be isolated and not adjoin any other sidewalks.

Thanks for granting this "UDC-provided" waiver, and as applicant, I wish to thank you in advance.

Respectfully,

Charles C. Lucko, RPLS
Pres, All County Surveying, Inc.



Opinion of Probable Cost - Southloop Sidewalk

Date: 12-13-18

Capitol Way - New Sidewalk Construction

Item Description

1. R.O.W. Preparation
2. Traffic Control Plan & Implementation
3. Storm Water Pollution Prevention Plan & Implementation
4. Reinforced Concrete Sidewalk
5. Curb Ramps

Unit	Unit Cost	Quantity	Total
STA.	\$ 50.00	5	\$ 250.00
L.S.	\$ 850.00	100%	\$ 850.00
L.S.	\$ 750.00	100%	\$ 750.00
S.Y.	\$ 45.00	294	\$ 13,230.00
EA.	\$ 1,150.00	3	\$ 3,450.00

SUBTOTAL \$ 18,530.00

Groves Road - New Sidewalk Construction

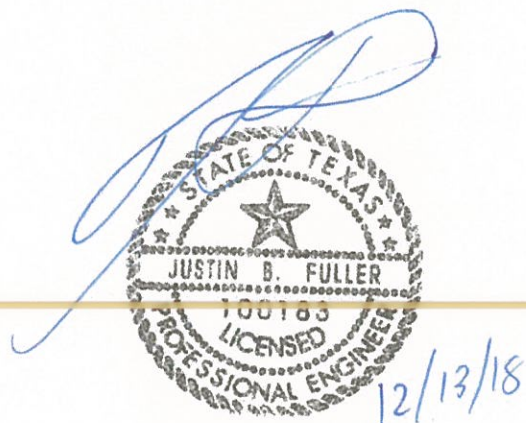
Item Description

1. R.O.W. Preparation
2. Traffic Control Plan & Implementation
3. Storm Water Pollution Prevention Plan & Implementation
4. Reinforced Concrete Sidewalk
5. Curb Ramps

Unit	Unit Cost	Quantity	Total
STA.	\$ 50.00	11	\$ 550.00
L.S.	\$ 850.00	100%	\$ 850.00
L.S.	\$ 750.00	100%	\$ 750.00
S.Y.	\$ 45.00	622	\$ 27,990.00
EA.	\$ 1,150.00	3	\$ 3,450.00

SUBTOTAL \$ 33,590.00

TOTAL \$ 52,120.00





City of Belton

Planning Department

December 14, 2018

Applicant: CHUCK LUCKO ACS, TODD MANTZ

Date Submitted 10-15-18

2nd Submittal: 11-08-18

3rd Submittal: 11-27-18

4th Submittal: 12-07-18

Project: SOUTHLOOP INDUSTRIAL PARK PHASE II

Location: 13.475 ACRES, GROVE ROAD

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

PLANNING – Cheryl Maxwell – CMaxwell@BeltonTexas.gov:

1. The Subdivision Ordinance requires 5' wide sidewalks along collector streets. This requirement is applicable for both Groves Road and Capitol Way. The requested variance will be presented to the P&ZC/CC for consideration. City staff does not support the variance request. If the sidewalk is required by the Council, the applicant is required to design the sidewalk and provide either a public access easement or additional ROW to accommodate the sidewalk at the southeast corner of this tract where there is an existing drainage structure on the property. The easement/ROW dedication is required with the plat. Sidewalk construction will occur with the building permit.
2. There is some confusion regarding the spelling of Grove(s) Road. We are researching this to confirm the correct spelling so the correct name may be placed on the plat.

PUBLIC WORKS/KPA – Angellia Points, APoints@BeltonTexas.gov:

The sewer line along Capitol is an 18". Please revise the utility/topo sheet.

BUILDING OFFICIAL – Bruce Ebbert, BEbbert@BeltonTexas.gov:

No comments at this time.

FIRE DEPT – Jeff Booker, JBooker@BeltonTexas.gov:

No comments at this time.

POLICE DEPT – Chief Gene Ellis, GEllis@BeltonTexas.gov:

No comments.

GIS – Anthony Notgrass, ANotgrass@BeltonTexas.gov:

No further comments.

Outside Utility Provider Comments

- ☐ **Oncor:**
- ☒ **AT&T:** Any relocation of ATT facilities will be done at the customer's expense.
- ☐ **Atmos Energy:**
- ☐ **Charter Communications:**
- ☐ **Grande Communications:**
- ☐ **Spectrum (Time Warner):**
- ☐ **USPS:**
- ☒ **Clearwater UCD:** Well on adjacent property 100' zone extend onto proposed plat area.
- ☐ **TXDOT:**

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.