

Minutes of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton  
333 Water Street  
Tuesday, April 21, 2020

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The Planning and Zoning Commission met at 5:30 P.M. in a virtual session via Zoom meeting due to the COVID-19 Public Health Emergency that has been declared by Governor Greg Abbott, Bell County Judge David Blackburn and Belton Mayor Marion Grayson. The following members were present: Chair Brett Baggerly, Allison Turner, Dave Covington, Luke Potts, David Jarratt, Quinton Locklin and Zach Krueger. Stephanie O'Banion arrived shortly after 6:07 p.m. and Ty Hendrick was absent. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Tina Moore, Planning Clerk Laura Livingston, and IT Director Chris Brown.

**Pledge of Allegiance – Chair Brett Baggerly led all present.**  
**Invocation – Quinton Locklin gave the Invocation.**

**1. Call To Order.**

Chair Baggerly called the meeting to order at 5:30 P.M.

**2. Public comments. (Audio 1:17)**

Chair Baggerly asked if anyone from the public would like to speak. With no one requesting to speak, Chair Baggerly closed the public comment period.

**3. Consider approval of minutes from previous meeting. (Audio 1:52)**

Mr. Covington made a motion to approve the minutes from March 17, 2020 meeting, seconded by Ms. Turner. The motion passed unanimously with 7 ayes, 0 nays.

**4. Z-20-07 Hold a public hearing and consider a zoning change on approximately 3.0 acres located at 3050 W. Hwy 190 Service Road and 1174 S. Wheat Road, near the northwest corner of the intersection of US190/I-14 and Wheat Road, as follows:**

- a) 1.142 ac from Agricultural District to Commercial – 2**
- b) 1.90 ac from Agricultural District to Retail (Audio 2:30)**

Ms. Maxwell presented the staff report. (Exhibit A).

Chair Baggerly opened the public hearing; with no one requesting to speak, the public hearing was closed.

Mr. Potts made a motion to approve Z-20-07 as recommended by staff. Mr. Covington seconded the motion. The motion was approved with 7 ayes, 0 nays.

5. **Z-20-08 Hold a public hearing and consider a zoning change from Commercial Highway District to Planned Development (Single Family - 3) District on James M. Wilson's Addition, Lot 1, Block 1, located at 1001 S. Walker Street, on the west side of Walker Street, between Avenues J and K. (Audio 7:48)**

Ms. Maxwell presented the staff report. (Exhibit B)

Chair Baggerly opened the public hearing; with no one requesting to speak, the public hearing was closed.

Mr. Potts made a motion to approve Z-20-08 as recommended by staff. Ms. Turner seconded the motion. The motion was approved with 7 ayes, 0 nays.

6. **P-20-13 Consider a final plat of James M. Wilson's Addition, Replat No. 1, being a replat of James M. Wilson's Addition, Lot 1, Block 1, comprising 0.45 acre, located at 1001 S. Walker Street, on the west side of Walker Street, between Avenues J and K. (Audio 13:51)**

Ms. Maxwell presented the staff report. (Exhibit C)

Mr. Covington made a motion to approve P-20-13 as recommended by staff. Mr. Krueger seconded the motion. The motion was approved with 7 ayes, 0 nays.

7. **P-20-14 Consider a preliminary plat of Connell Subdivision, comprising 6.226 acres, located along an extension of Huey Drive, on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing. (Audio 16:24)**

Ms. Maxwell presented the staff report. (Exhibit D)

Mr. Potts asked about the proposed development agreement between the developer and the City. He asked if it is standard procedure for the City to reimburse the developer for the increased size of the water lines. Mr. Listi and Ms. Maxwell confirmed that this agreement is standard when called for by the City's Master Plans. These agreements do not typically come before the P&Z Commission but go straight to City Council, due to funding, Ms. Maxwell said. (Audio 22:26)

Ms. Lina Chtay, representing Belton Engineering (the applicant's engineer), was on the virtual meeting call and stated she was available to answer any questions. With no questions, Chair Baggerly entertained a motion.

Mr. Covington made a motion to approve P-20-14 as recommended by staff. Mr. Jarratt seconded the motion. The motion was approved with 7 ayes, 0 nays.

8. **P-20-15 Consider a final plat of Haun Hollow Addition, comprising 6.097 acres, located on the north side of US 190/1-14, between Pearl Street and Connell Street. (Audio 25:10)**

Ms. Maxwell presented the staff report. (Exhibit E)

Mr. Covington asked about access from U.S. Highway 190 Service Road from Lot 2. Ms. Maxwell said TxDOT has control over the access points so this location is subject to TxDOT review.

Mr. Ace Reneau, representing Mitchell & Associates (the applicant's engineer), was on the virtual meeting call and stated the connection to Davis Street, if requested in the future, would likely be denied by TxDOT. (Audio 31:17)

Mr. Covington said he agreed with Staff's recommendation to disapprove the sidewalk variance request. Mr. Reneau said the request came from the purchaser and not from the property owner or their client.

Mr. Covington made a motion to approve P-20-15 as recommended by staff, including disapproval of the sidewalk variance request. Mr. Locklin seconded the motion. The motion was approved with 7 ayes, 0 nays.

9. **P-20-16 Consider a final plat of Sebek First, comprising 3.0 acres, located at 2828 W. Amity Road, Salado, TX, on the north side of Amity Road, east of Lark Trail, in Belton's ETJ.** (Audio 33:38)

Ms. Maxwell presented the staff report. (Exhibit F)

Mr. Krueger made a motion to approve P-20-16 as recommended by staff. Mr. Locklin seconded the motion. The motion was approved with 7 ayes, 0 nays.

10. **Hold a public hearing and consider amendments to various sections of the Subdivision Ordinance related to sidewalks, street standards/improvements, parkland dedication, fire protection, administrative plats, replat procedures, subdivision plat deadlines, and provisions for securing letter of credit to guarantee infrastructure improvements.** (Audio 37:54)

Ms. Maxwell provided background information on the amendments and a summary of key revisions. (Exhibit G)

Ms. O'Banion joined the virtual meeting.

Chair Baggerly opened the public hearing; with no one from the public requesting to speak, he closed the public hearing.

The Commission, Ms. Maxwell and Mr. Listi discussed the proposed changes in Exhibit G. Mr. Potts expressed concern with deleting reference to the Planning Commission and replacing with reference to the City Council for plat approval authority in various sections of the Subdivision Ordinance seemed incomplete. Staff agreed to revise this to clarify that plats require Planning Commission review and recommendation before proceeding to the City Council for approval.

Commissioner Potts stated he was uncomfortable moving forward with the proposed amendments as a whole without addressing the Perimeter Street Improvement requirement, and that this would be his reason for not voting in favor of the proposed amendments. Staff confirmed a commitment to develop proposed revisions addressing this issue by September 30, 2020, and revisions to the sidewalk policy by December 31, 2020.

Mr. Marty Janczak, Director of Governmental Affairs for the Temple Area Builder's Association, and Cynthia Hernandez, the executive director of the Belton Economic Development Corporation, were attending the virtual meeting and provided comments. (1:08:32)

Mr. Jarratt made a motion to approve the amendments with the recommendations made during the meeting regarding clarifying the role of the Planning Commission in plat reviews and approvals. Ms. O'Banion seconded the motion. The motion was approved with 7 ayes, and 1 nay. Mr. Potts cast the dissenting vote.

With no further business, the meeting was adjourned at 6:45 p.m. (Audio ends at 1:11:38)



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Chair, Planning and Zoning Commission



## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** Z-20-07  
**Request:** Agricultural to Commercial-2 and Retail Districts  
**Applicant:** Jennifer Ryken, Turley Assoc.  
**Owner:** John Riccardi

### **Agenda Item**

Z-20-07 Hold a public hearing and consider a zoning change on approximately 3.0 acres located at 3050 W. Hwy 190 Service Road and 1174 S. Wheat Road, near the northwest corner of the intersection of US 190/I-14 and Wheat Road, as follows:

- a) 1.142 ac from Agricultural District to Commercial – 2
- b) 1.90 ac from Agricultural District to Retail

**Originating Department:** Planning Department – Cheryl Maxwell, Director of Planning

**Current Zoning:** Agricultural      **Proposed Zoning:** Commercial - 2 and Retail

**Future Land Use Map (FLUM) Designation:** Commercial/Retail with Commercial Corridor Overlay transitioning to Lifestyle Center to the west.

**Design Standards Type Area 4:** Primary intersections and cross roads of the I-35 and I-14 (US 190) corridors; nodes projected for commercial, retail, and neighborhood service uses with a higher standard, as they are gateways to other areas.

### **Background/Case Summary**

This property was annexed into the city limits in 2002 and assigned the Agricultural Zoning District at that time. International Motors is operating under a grandfathered status on the tract with US 190 frontage. The property owner wishes to rezone this property to Commercial – 2 District so the existing use of the property (auto repair business) complies with zoning regulations, and is requesting Retail District for the second tract with Wheat Road frontage for future retail uses.

### **Project Analysis and Discussion**

There are two properties in this request, both under the same ownership. International Motors Auto Repair Service is located on the tract with US 190/I-14 frontage, and the tract with Wheat Road frontage is undeveloped. A narrow strip of undeveloped land is located to the north,



## Exhibit A

zoned Single Family – 2 District, and adjoins Sendero Estates Subdivision, which is undergoing residential development to the northwest; north of this is Chisholm Trail Elementary School, zoned Agricultural District. Little Valley Auto Ranch's Texas Exports is located on the east side of Wheat Road, zoned Agricultural District and Belton Economic Development Corporation's Business Park is located north of this along Digby Road, zoned Light Industrial District. Cross Fit gym is located on the northwest corner of Wheat Road and US 190, zoned Commercial – 2 District in August 2019. BCI--Bell Contractors is located on the adjacent property to the west, zoned Agricultural District. Property on the south side of US 190/I-14 in this vicinity is undeveloped or used residentially and is zoned Agricultural District.

### Land Use Table/Allowable Uses

The requested Retail and C-2 Zoning Districts, will allow any of the uses identified below:

- **Retail District:** Any use permitted in the Office and NS Districts
- Restaurant; alcoholic beverages for on-premise consumption associated with food sales
- Off-Road Vehicle sales
- Auto, motorcycle, and off-road vehicle servicing/repair;
- Furniture and appliance store
- Food or grocery store; convenience store with gas sales; discount or department store
- Drug store or pharmacy
- Church; schools
- Clinic; nursing home
- Office uses
  
- **Commercial – 2 District:** Any use permitted in the Retail and C-1 Districts
- Commercial amusement (indoor or outdoor)
- Auto sales new or used; auto servicing/repair; body repair and painting
- Motorcycle and off road vehicle sales, servicing, and repair
- Hotel/motel; hospital; funeral home
- Auto parking lot or garage
- Boat sales
- Car wash
- Furniture manufacture/upholstery, carpentry, cabinet, painting, plumbing, welding shops
- Commercial and wholesale dry cleaning
- Flea market (indoor)
- Equipment, tractor, trailer and truck sales and rental
- Lumber yard; home improvement center; nursery and plant sales (outdoor storage)
- Manufactured or mobile home sales; portable building sales
- Veterinarian with outside kennels
- Mini storage warehouses
- Open or outside storage uses—**MUST BE SCREENED**

Vehicles undergoing repair services are currently kept outside on this property, behind a chain link fence for security. No screening is currently proposed. The applicant has been advised

## **Exhibit A**

that further development of this site, such as additional buildings or major expansion of existing buildings, will necessitate improvements to include an improved surface for the vehicle storage area in the back and screening from public view.

### **Area & Setback Requirements**

Minimum area and setback requirements for the requested Retail and Commercial – 2 Zoning Districts are summarized below:

#### **Retail:**

Lot Area:	7,000 sq. ft.	Front Yard Setback:	25'
Lot Width:	60'	Rear Yard Setback:	20'
Lot Depth:	n/a'	Side Yard Setback:	25'

#### **Commercial - 2:**

Lot Area:	5,000 sq. ft.	Front Yard Setback:	20'
Lot Width:	50'	Rear Yard Setback:	15'
Lot Depth:	100'	Side Yard Setback:	15'/20' adjacent to street

The properties proposed for rezoning each comprise over one acre and exceed the minimum area requirements for the Retail and C-2 Zoning Districts. No new buildings are proposed at this time, but should any be constructed, they must comply with these setback requirements and requirements for a certificate of occupancy to include all applicable building and fire codes, requirements for parking, signage, etc. and utility requirements. The applicant has filed a subdivision plat to reconfigure the existing tracts so they match the rezoning boundaries. We anticipate this plat being presented to the Planning Commission and City Council for approval during May.

### **Future Land Use Map**

The Future Land Use Map (FLUM) identifies this area as projected for retail and commercial use, with a commercial corridor overlay along I-14, and a projected Lifestyle Center westward centered along the intersection of US 190/I-14 and FM 1670/future Lake to Lake Road. The requested Retail and C-2 Zoning District is consistent with the FLUM and retail/commercial uses expected along a major corridor, and appears to be reasonable in this location.

### **Recommendation**

We recommend approval of the requested zoning change from Agricultural Zoning District to Retail and C-2 Districts.

### **Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo

## **Exhibit A**

5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Owner notification list
8. Field notes and drawing of Zoning Plan





## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** Z-20-08  
**Request:** Commercial Highway to PD (SF3) District  
**Applicant:** Ronald Carroll Surveyors, Inc.  
**Owner:** David Cockrum

### **Agenda Item**

Z-20-08 Hold a public hearing and consider a zoning change from Commercial Highway District to Planned Development (Single Family - 3) District on James M. Wilson's Addition, Lot 1, Block 1, located at 1001 S. Walker Street, on the west side of Walker Street, between Avenues J and K.

**Originating Department:** Planning Department – Cheryl Maxwell, Director of Planning

**Current Zoning:** Commercial Highway      **Proposed Zoning:** PD (SF3)

**Future Land Use Map (FLUM) Designation:** Mixed Use Center at IH-35/FM 436 intersection, transitioning outward to residential use.

### **Design Standards Type Areas 2 & 11:**

Type Area 2: Areas along I-35 and US 190/I-14 corridors; projected for primarily commercial highway frontage uses with opportunities for mixed uses.

Type Area 11: Generally southeast Belton area; projected for primarily single family residential use in this southeast residential core area.

**Thoroughfare Plan Map:** Minor arterial roadway projected to extend across the southeast corner of this property, providing connection from I-35 to FM 93.

### **Background/Case Summary**

A single family home is located on this property that the owner has recently remodeled. The owner now wishes to divide this lot into 3 lots for residential use. The resulting lots will not satisfy the area requirements for the Commercial Highway Zoning District or intended uses in this zoning district, so Single Family 3 (SF3) District is requested. A Planned Development (PD) is proposed to allow a reduction in lot area for two of the lots, since they are just under the minimum required 5,000 sq. ft. A subdivision plat has been submitted and is also on this meeting's agenda.

## **Project Analysis and Discussion**

This area is residentially developed with detached single family homes. This property, and the properties to the north and west are zoned CH District. Properties to the south and east are zoned SF3, with properties to the northeast zoned SF2. The homes along the west side of Walker Street are generally older homes with newer homes along the east side of Walker.

## **Land Uses/Area and Setback Requirements**

The SF3 Zoning District allows detached single family homes; no attached single family, duplex, multi family, or business/commercial uses are allowed. Area and setback requirements are summarized below:

### **SF3**

- |                           |                                      |
|---------------------------|--------------------------------------|
| • Lot Area: 5,000 sq. ft. | • Front Yard: 25'                    |
| • Lot Width: 50'          | • Rear Yard: 20'                     |
| • Lot Depth: 90'          | • Side Yard: 5'; 15' from street ROW |

The three proposed lots satisfy all area requirements except the minimum lot area; Lots 1B and 1C are slightly below the minimum 5,000 sq. ft. observing approximately 4,980 sq. ft. The proposed PD will allow this slight reduction in lot area. Lot 1A will observe a 25' front yard setback along Avenue J, with a 15' side yard setback along Walker Street to accommodate an existing structure; therefore, all setback requirements are satisfied, but a variance is needed to the key lot requirement, and is requested by the applicant. The proposed PD includes this variance to allow Lot 1A to observe a 15' setback along Walker Street instead of 25' to match the 25' setback on Lot 1B. Staff supports the requested variance.

## **Future Land Use Map/Thoroughfare Plan**

The Future Land Use Map (FLUM) projects mixed uses at the I-35/FM 436 intersection, with residential uses transitioning outward from this node. The requested SF3 base zoning district is on the outer edge of the mixed use node and is consistent with the FLUM, existing residential zoning and residential uses in this vicinity, and appears to be reasonable in this location.

The City Thoroughfare Plan projects a minor arterial roadway in this vicinity, connecting I-35 with FM 93. City staff does not believe the current alignment to be reasonable, given the existing residential uses in the pathway, and will recommend an amendment in the future to realign this roadway. The recommended alignment will likely be farther north; however a more detailed review is needed to evaluate whether this connection is actually needed and if so, the best route for the roadway.

## **Recommendation**

We recommend approval of the requested zoning change from Commercial Highway District to Planned Development (SF3) District, subject to the following conditions:



## **Exhibit B**

1. The use of the property shall conform to the Single Family – 3 Zoning District in all respects.
2. The development of the property shall conform to the Single Family – 3 Zoning District and all applicable Type Area 11 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, except as noted below:
  - a. Reduction in the minimum lot area from 5,000 sq. ft. to approximately 4,980 sq. ft. is allowed for Lots 1B and 1C.
  - b. Waiver of the key lot requirement for Lot 1A to allow a 15' setback along Walker Street instead of 25' to match the 25' setback on Lot 1B.
3. A final subdivision plat is required before a building permit may be issued for Lots 1B and 1C.

### **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. Owner notification list
8. Proposed subdivision plat



## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** P-20-13 James M. Wilson's  
Addn. Replat No. 1  
**Request:** Final Plat  
**Applicant:** Ronald Carroll Surveyors, Inc.  
**Owner:** David Cockrum

### Agenda Item

P-20-13 Consider a final plat of James M. Wilson's Addition, Replat No. 1, being a replat of James M. Wilson's Addition, Lot 1, Block 1, comprising 0.45 acre, located at 1001 S. Walker Street, on the west side of Walker Street, between Avenues J and K.

**Originating Department:** Planning – Cheryl Maxwell, Director of Planning

**Current Zoning:** Commercial Highway (CH); rezoning request to Planned Development (Single Family 3) Zoning District on this meeting's agenda.

### Case Summary

This replat proposes 3 lots for residential use. This replat is not considered a residential replat because the current CH Zoning District does not limit use to residential, and there are no known covenants or restrictions limiting use of this property to one or two family residential use; therefore, public hearing and notice to surrounding property owners are not required.

The proposed lots do not satisfy area requirements for the CH Zoning District or intended uses in this zoning district, so approval of this plat is contingent on approval of a zoning change to Planned Development (Single Family 3) District, and is also on this meeting's agenda.

### Project Analysis and Discussion

This replat comprises approximately 0.45 acre. Rezoning to PD (SF3) is requested. Below is a summary of the requirements for the SF3 base zoning district:

#### **SF3**

- Lot Area: 5,000 sq. ft.
- Lot Width: 50'
- Lot Depth: 90'
- Front Yard: 25'
- Rear Yard: 20'
- Side Yard: 5'; 15' from street ROW

The three proposed lots satisfy all area requirements for the SF3 District except the minimum lot area; Lots 1B and 1C are slightly below the minimum 5,000 sq. ft. observing approximately



## Exhibit C

4,980 sq. ft. The proposed PD zoning will allow this slight reduction in lot area. Lot 1A will observe a 25' front yard setback along Avenue J, with a 15' side yard setback along Walker Street to accommodate an existing structure; therefore, all setback requirements are satisfied, but a variance is needed to the key lot requirement, and is requested by the applicant. The proposed PD includes this variance to allow Lot 1A to observe a 15' setback along Walker Street instead of 25' to match the 25' setback on Lot 1B. Staff supports the requested variance.

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

**Water/Sewer:** There is an existing 6" water line and an 8" sewer line along Walker Street, available for tapping to provide service to these lots; therefore, no utility extensions are needed, and existing fire hydrant locations are satisfactory.

**ROW/Streets/Sidewalks/Drainage:** The City Thoroughfare Plan projects a minor arterial roadway in this vicinity, connecting I-35 with FM 93, with alignment crossing through the southern edge of this property. City staff does not believe the current alignment to be reasonable, given the existing residential uses in the pathway, and will recommend an amendment in the future to realign this roadway. The recommended alignment will likely be farther north; however a more detailed review is needed to evaluate whether this connection is actually needed, and if so, the best route for the roadway.

The adjacent streets—Walker Street, Avenue J, and Avenue K—are existing as local streets, each with a 40' ROW. City standards require a minimum ROW of 50' for local streets. The applicant is required to dedicate half of the ROW deficit, which in this case would be a 5' ROW dedication. A variance is requested, and supported by staff, since this plat is proposing only 3 lots for infill development.

Regarding perimeter street improvements, the Subdivision Ordinance requires the developer to contribute one-half the total cost of paving with curb and gutter for the portion of roadway adjacent to this plat. In this case, there are three adjacent roadways—Walker Street, Avenue J, and Avenue K. The pavement width for these three roads is approximately 24' for Walker Street, 18' for Avenue J, and 13' for Avenue K. A minimum pavement width of 31' is required for local streets. The applicant is requesting a variance to this requirement. Section 502.01.H.2.b.1)a) of the Subdivision Ordinance allows waiver of this requirement for single family developments not exceeding 3 lots, and the proposed development meets this criteria. Therefore, we support the requested variance.

No sidewalks are required with this plat since the adjacent streets are all local streets. Minimal impact, if any, is anticipated with the development of two additional lots for residential use; therefore, no drainage infrastructure is needed.

**Parkland Dedication/Fees:** The parkland fee requirement per Subdivision Ordinance Section 517 is \$200 per residential unit. The fee for the two additional lots totals \$400. The funds will be used in Carla Kay Park which is located approximately 0.15 mile away.



**Conclusion:** We have reviewed the replat and find it acceptable as a final plat. All conditions have been addressed as of April 14, 2020, subject to approval of requested variances.

**Recommendation**

Recommend approval of the final plat of James M. Wilson's Addition Replat No. 1, subject to the following conditions:

1. Approval of rezoning to PD (SF3) with variance to minimum lot area requirement for Lots 1B and 1C to allow approximately 4,980 sq. ft., and waiver of key lot requirement for Lot 1A to allow 15' setback along Walker Street;
2. Approval of variance to ROW dedication requirement for Walker Street, Avenue J, and Avenue K; and
3. Approval of variance to the perimeter street improvement requirement for Walker Street, Avenue J, and Avenue K.

**Attachments**

1. Final Plat Application
2. Final Plat
3. Location Map
4. Variance request
5. Administratively Complete Letter to the applicant dated April 14, 2020



## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** P-20-14 Connell Subdivision  
**Request:** Preliminary Plat  
**Applicant:** Belton Engineering  
**Owner:** Larry Guess

### Agenda Item

P-20-14 Consider a preliminary plat of Connell Subdivision, comprising 6.226 acres, located along an extension of Huey Drive, on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing.

**Originating Department:** Planning – Cheryl Maxwell, Director of Planning

**Current Zoning:** Single Family - 3 (SF3)

### Case Summary

This preliminary plat proposes 27 lots for single family residential use. Huey Drive will be extended as part of this development and will connect to Connell Street. This property is currently zoned SF3 District and is undeveloped. A development agreement is proposed to upsize the water line, widen Huey to 41' pavement width, and construct the portion of Huey Drive/sidewalk from the existing cul-de-sac to the western boundary of this subdivision. Details of the development agreement will be finalized with the final plat submittal.

### Project Analysis and Discussion

This plat includes approximately 6.226 acres zoned SF3 District. The proposed lots satisfy all area requirements for this zoning district. Below is a summary of these requirements.

#### SF1

- |                           |                                      |
|---------------------------|--------------------------------------|
| • Lot Area: 5,000 sq. ft. | • Front Yard: 25'                    |
| • Lot Width: 50'          | • Side Yard: 5'; 15' from street ROW |
| • Lot Depth: 90'          | • Rear Yard: 20'                     |

In addition to these requirements, a note is provided on the plat that any garage with entry from a side street must observe a minimum 20' side yard setback. Also, 1' non-access easement is provided along the Connell Street frontage, and along Huey Drive for the majority of the lots, except for Lots 18 – 20, Block 1, to limit vehicles backing onto Connell Street and Huey Drive, both designated as major collector streets on the City Thoroughfare Plan.



## Exhibit D

A variance is requested to the key lot requirement to allow Lot 17, Block 1, to observe a 15' setback along Huey Drive instead of 25', which is observed by the adjacent lot to the east, Lot 18. Staff supports the requested variance, since the buildable width on Lot 17 would be reduced to 33', if the 25' setback is observed, and it would be difficult to adjust the lot lines to allow more width on this lot.

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

**Water:** The applicant is connecting to an existing 12" water line west of this plat boundary and extending a 12" line along Huey Drive to connect to an existing 8" water line along Connell. An 8" line will also be extended along Blackhawk Loop. Additional fire hydrants will be provided on these lines as well. The applicant's obligation for water service to this subdivision is an 8" line; therefore, the city proposes to reimburse the applicant the cost for upsizing to a 12" line, which will be addressed in a development agreement with the final plat. The applicant has provided a cost estimate for upsizing the water line and it is accepted as the City's not-to-exceed cost share for this work, to be finalized with project bidding by the applicant.

**Sewer:** The applicant is connecting to an existing 10" sewer line along Connell Street and extending an 8" line to provide service to these lots.

**ROW/Streets:** Huey Drive and Connell Street are shown as major collector streets on the City's Thoroughfare Plan. This requires a minimum ROW width of 80'. Connell Street currently has approximately 60' ROW, a deficit of 20'. The applicant is dedicating 10' ROW on this plat which satisfies their obligation to provide 1/2 of the needed ROW. For Huey Drive, this roadway has been developed west of this plat boundary within a 70' ROW; therefore, 70' ROW dedication is required instead of 80' and is provided on the plat.

Connell Street is a perimeter street; therefore, the applicant is required to construct perimeter street improvements for Connell St, similar to what was constructed with Liberty Valley Phase IV, which is half the width of a 37' collector street –18.5' pavement; curb and gutter is not needed. The applicant will be constructing these improvements with the final plat.

Huey Drive west of this plat boundary is constructed with a 41' pavement width with curb and gutter. The applicant's obligation for this subdivision is 37' pavement width, with curb and gutter; therefore, the city proposes to reimburse the applicant the cost for widening this roadway to 41', which will be addressed in a development agreement with the final plat. The applicant has provided a cost estimate for widening this roadway and it is accepted as the City's not-to-exceed cost share for this work.

Huey Drive currently terminates approximately 80' west of this plat boundary. This subdivision has access from Connell Street; therefore, a connection to the existing segment of Huey Drive is not the applicant's obligation. The city proposes to reimburse the applicant the cost to extend Huey Drive westward from the plat boundary to the existing segment, connecting the roadway. This will be addressed in a development agreement with the final plat. The applicant has



## Exhibit D

provided a cost estimate for extending this roadway and it is accepted as the City's not-to-exceed cost share for this work.

Blackhawk Loop is proposed as a local street with 50' ROW, 31' pavement width, with curb and gutter.

**Sidewalks:** The Subdivision Ordinance Section 503 requires a 5' wide sidewalk along both sides of collector streets, in this case, Connell Street and Huey Drive, both designated as major collector streets on the City Thoroughfare Plan. As part of this development, the applicant is constructing a 5' sidewalk along the subdivision side of Connell Street, with an ADA crossing at Huey for future sidewalk construction.

With regard to Huey Drive, the applicant is requesting a variance to this requirement to reduce his obligation to a 5' sidewalk on only the north side of Huey Drive. A sidewalk appears to be needed on the north side to accommodate the pedestrian traffic anticipated with the 27 residential lots being added on the north side by this plat, and to connect to the existing sidewalk on north side of Huey west of this subdivision. However, a sidewalk also appears to be needed on the south side to provide safe access to the future city park—Liberty Valley Park—located on the south side of Huey Drive.

Given the fact that this development is all occurring on the north side of Huey Drive, staff supports the requested variance to require the applicant to provide a sidewalk only on the north side; this may be provided by the developer or, if deferring to the builder, a note is needed on the plat stating the builder is responsible for the sidewalk in conjunction with each building permit.

There is a gap between the existing sidewalk on Huey Drive to the west of this subdivision, and the plat boundary where the developer/builder is responsible for providing a sidewalk on the north side of Huey Drive. The City proposes to reimburse the applicant the cost to construct a 5' wide sidewalk for this section. This will be addressed in a development agreement with the final plat. The applicant has provided a cost estimate for extending this sidewalk with the roadway extension and it is accepted as the City's not-to-exceed cost share for this work.

While staff supports a sidewalk also on the south side of Huey, this is a situation where it does not seem reasonable for the applicant to bear this cost; therefore, the City will evaluate the need for a sidewalk on south side when the Liberty Valley Park is developed, and will consider identifying funds for the project accordingly in the future.

No sidewalk is required along Blackhawk Loop since it will be constructed as a local street.

**Drainage:** Pre and post-drainage plans and calculations have been provided and reviewed. No detention pond or drainage easements are proposed. Drainage plans will be finalized with the final plat review.

**Parkland Dedication/Fees:** The parkland fee requirement per Subdivision Ordinance Section 517 is \$200 per residential unit. For 27 lots, the requirement is \$5,400. These funds will be

## **Exhibit D**

used to develop Liberty Valley Park, which is located opposite these lots, on the south side of the Huey Drive extension.

**Conclusion:** We have reviewed the plat and find it acceptable as a preliminary plat. All conditions have been addressed as of April 14 2020, subject to approval of the requested variances.

With the final plat, a Development Agreement will be presented for the following:

- Oversizing water line from 8" to 12" along Huey Drive;
- Upsizing Huey pavement width from 37' to 41'; and
- Extending Huey Drive outside the plat boundary to connect to the existing Huey Drive to the west, along with construction of a 5' sidewalk on north side.

### **Recommendation**

Recommend approval of the preliminary plat of Connell Subdivision, subject to the conditions below:

1. Approval of variance to the key lot requirement to allow Lot 17, Block 1, to observe a 15' setback along Huey Drive instead of 25', which is observed by the adjacent lot to the east, Lot 18; and
2. Approval of variance to sidewalk requirement to require applicant to provide sidewalk only on the north side of Huey Drive.

### **Attachments**

1. Preliminary Plat Application
2. Preliminary Plat
3. Location Map
4. Variance request
5. Cost estimates for infrastructure extension and upgrades
6. Administratively complete letter to the applicant dated April 14, 2020





## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** P-20-15 Haun Hollow Addition  
**Request:** Final Plat  
**Applicant:** Mitchell & Assoc., Inc.  
**Owner:** Haun Investments LLC,  
I14 Tract ABC Series

### Agenda Item

P-20-15 Consider a final plat of Haun Hollow Addition, comprising 6.097 acres, located on the north side of US 190/I-14, between Pearl Street and Connell Street.

**Originating Department:** Planning – Cheryl Maxwell, Director of Planning

**Current Zoning:** Commercial Highway

### Case Summary

This plat proposes two lots for commercial development. Lot 1 comprises 4.381 acres, and Lot 2 comprises 1.715 acres. It is our understanding that a new 4,350 sq. ft. office building for the US Department of Agriculture is planned on the westernmost half of Lot 2; the site plan is in the early conceptual stage. Plans are uncertain at this time, but they may wish to replat this lot (Lot 2) into two lots in the future. Proposed use of Lot 1 is unknown at this time.

TxDOT has approved a 36' wide access easement, split between Lots 1 and 2, to provide access to these lots from US 190/I-14. The remaining frontage is covered by a non-access easement. A 30' wide passage easement is provided along the frontage of both lots to allow public cross access between the two lots and adjoining property to the east and west. This easement will be maintained by the Property Owners Association (POA).

### Project Analysis and Discussion

This property is zoned Commercial Highway District and the two lots satisfy all area requirements for this zoning district. Below is a summary of these requirements.

#### SF1

- |              |               |               |     |
|--------------|---------------|---------------|-----|
| • Lot Area:  | 7,200 sq. ft. | • Front Yard: | 60' |
| • Lot Width: | 60'           | • Side Yard:  | 20' |
| • Lot Depth: | 120'          | • Rear Yard:  | 20' |

Any new construction must comply with these setback requirements.



## **Exhibit E**

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

**Water/Sewer:** The applicant will be tying into an existing 8" water main north of this property, along Avenue J. An 8" public water line will be installed southward from Avenue J, along an extension of Davis Street ROW, to US 190/I-14, and then westward to the western edge of the plat boundary, where it will be available for future development to the west. Additional fire hydrants will be added per the Belton Fire Code.

The applicant will be connecting to an existing 6" sewer line north of this property along Avenue J and Davis Street and extending a private line. The applicant is installing a 6" private gravity sewer line along the US 190/I-14 frontage that will serve Lots 1 and 2. The applicant will also be installing a grinder pump and force main along the eastern plat boundary to send sewer to the manhole near the Avenue J and Davis Street intersection. The grinder pump and force main is necessary due to the topography in this area. All sewer infrastructure is private and will be owned and maintained by the POA.

**Drainage:** Since development plans are uncertain at this time, drainage plans and calculations will be reviewed in conjunction with the building permit.

**ROW/Streets:** The ROW for US 190/I-14 in this vicinity varies from approximately 513' to 741'. No additional ROW dedication is requested from TxDOT, and since this is a TxDOT roadway, the perimeter street improvement requirement is not applicable.

An extension of Davis Street south of Avenue J, to connect to US 190/I-14, has been evaluated with this plat. If extended, it would run along the eastern boundary of this plat, and ROW dedication and perimeter street improvements would be required. There appears to have been ROW dedicated for this roadway just north of this plat boundary; however, ownership and available ROW on the southern end, adjacent to this subdivision, is unclear. We believe the current north/south orientation of Pearl and Connell Streets provide for adequate circulation in this vicinity, and do not recommend the extension and development of Davis Street. The applicant is requesting a variance to the ROW dedication and perimeter street improvement requirement for Davis Street, and we support this request.

**Sidewalk:** The Subdivision Ordinance (Section 503) requires 6' wide sidewalks along arterial roadways. The applicant is responsible for providing a 6' sidewalk on the north side of US 190/I-14 and is requesting a variance to this requirement. We do not see a basis to support the variance request. The sidewalk requirement has been applied to other developments along the US 190/I-14 corridor to include Tractor Supply and the CrossFit Gym at Wheat Road. The majority of the US 190/I-14 frontage in this vicinity is undeveloped at this time, presenting an opportunity for future completion of a sidewalk network. Sidewalks are existing along Main Street to the east and there are several residential neighborhoods and South Belton Middle School located between Main Street and Loop 121, which would benefit from a safe pedestrian route.

## **Exhibit E**

There is a change in grade that will need to be addressed for the sidewalk to meet ADA requirements; however, there are options for designing the sidewalk, to include re-grading the area around and along the sidewalk, meandering the sidewalk to flatten out the slopes, or placing the sidewalk on private property in a public access easement instead of TxDOT ROW if the grade change is less on the private property.

**Conclusion:** We have reviewed the plat for Haun Hollow Addition and find it acceptable as a final plat. All conditions have been addressed as of April 14, 2020, subject to the requested variances.

### **Recommendation**

Recommend approval of the final plat of Haun Hollow Addition, subject to the following:

1. Approval of variance to the ROW dedication and perimeter street improvement requirements for Davis Street; and
2. Disapproval of variance to the sidewalk requirement along US 190/I-14; sidewalk required to be constructed in conjunction with building permits.

### **Attachments**

1. Final Plat Application
2. Final Plat
3. Location Map
4. Variance request
5. Administratively Complete Letter to the applicant dated April 14, 2020.





## Staff Report – Planning & Zoning Item

**Date:** April 21, 2020  
**Case No.:** P-20-16 Sebek First  
**Request:** Final Plat  
**Applicant:** Travis Quicksall  
Quick Inc. Land Surveying  
**Owner:** Mitchell and Keyla Sebek

### Agenda Item

P-20-16 Consider a final plat of Sebek First, comprising 3.0 acres, located at 2828 W. Amity Road, Salado, TX, on the north side of Amity Road, east of Lark Trail, in Belton's ETJ.

**Originating Department:** Planning – Cheryl Maxwell, Director of Planning

### Case Summary

This 3 acre one lot, one block subdivision is proposed for residential use, and is being subdivided out of a 13 acre tract. The owners of the 13 acre tract are selling these 3 acres with an existing house on site; no additional homes are proposed. This property is in Belton's ETJ, so zoning regulations are not applicable. Bell County requires a 25' front yard setback which is provided on the plat.

### Project Analysis and Discussion

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

**Water:** This property is located within the City of Belton Certificate of Convenience and Necessity (CCN). However, the existing residence on this property is currently provided domestic water service from Salado Water Supply Corporation (SWSC) via a 2" water line along Amity Road. There is uncertainty how this domestic service came about; however, no additional water meters from SWSC will be allowed within Belton's water CCN. The 2" line connects to an existing 6" water line with a fire hydrant; however, it is our understanding that this line does not provide the minimum 1,000 gpm water flow that is required for fire hydrants, per Belton's Fire Code. The City of Belton does not have any water lines in this vicinity and no plans to extend water service to this area in the near future. The applicant is requesting a variance to this requirement for fire protection, which we support, since this is only one lot with an existing residence. A note has been provided on the plat to inform future purchasers of the water limitation on this property for both domestic use and fire protection.

**Sewer:** No sanitary sewer is available to serve this subdivision. A septic system is existing and allowed, subject to approval by the Bell County Public Health District.



## Exhibit F

**Drainage:** The city is not responsible for drainage since this property lies in Belton's ETJ, and will defer to Bell County and their requirements. With the existing residence on site and no additional homes proposed, no impact to drainage is anticipated with this subdivision.

**ROW/Streets/Sidewalks:** This subdivision has frontage on West Amity Road, which is designated a minor arterial on the City Thoroughfare Plan with 100' ROW, and transitions to a major collector west of Smith Dairy Road with 80' ROW. Currently there is approximately 50' of ROW existing for West Amity Road. Staff has reviewed ROW needs and believes 80' ROW is adequate for this roadway. Bell County has plans to widen this roadway and concurs with this recommendation; therefore, an additional 30' ROW is needed, which results in 15' ROW dedication for this property. The applicant has provided this on the plat.

Regarding perimeter street improvements, the Subdivision Ordinance requires the developer to contribute one-half the total cost of improvements (paving with curb and gutter) for the portion of roadway adjacent to this plat. Currently, West Amity Road has a pavement width of approximately 21' and no curb/gutter. The applicant is requesting a variance to this requirement. Subdivision Ordinance Section 502.01.H.2.b.1)a) allows waiver of this requirement for single family developments not exceeding 3 lots. In this case, 1 lot is proposed. This area is outside the city limits and under Bell County maintenance. The County has plans to widen this roadway and is not asking for property owner contributions with this plat. Therefore, we support the requested variance.

**Sidewalks:** The Subdivision Ordinance requires the developer to construct and install a 6-foot wide sidewalk along the subdivision side of arterial streets, and 5' along collector streets. This requirement is waived for West Amity Road since the plat is in the ETJ area and no entities have assumed responsibility for maintenance.

**Parkland Dedication/Fee:** Per Subdivision Ordinance Section 517, residential subdivisions are required to dedicate suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. Since the residence is existing and no additional dwelling units are proposed, the fee is not applicable.

**Conclusion:** Since this proposed subdivision is located in Belton's ETJ, the Bell County Engineer's Office has reviewed this plat and provided comments that have been addressed. After Council action, this plat will be taken to Bell County Commissioners Court for approval. We have reviewed the plat and find it acceptable as a final plat. All conditions have been addressed as of April 14, 2020, subject to approval of requested variances.

### **Recommendation**

Recommend approval of the final plat of Sebek First, subject to the following:

1. Approval of variance to water flow requirement for fire protection; and
2. Approval of variance to the perimeter street improvement requirement for West Amity Road.



## Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. Water service letters
5. Variance Request
6. Administratively Complete Letter to the applicant dated April 14, 2020



## Staff Report – Planning & Zoning Item

Date: April 21, 2020

### **Agenda Item #10**

Hold a public hearing and consider amendments to various sections of the Subdivision Ordinance related to sidewalks, street standards/improvements, parkland dedication, fire protection, administrative plats, replat procedures, subdivision plat deadlines, and provisions for securing letter of credit to guarantee infrastructure improvements.

### **Originating Department**

Planning – Cheryl Maxwell, Director of Planning

### **Background**

In the fall of 2018, we began a sunset review of the Sidewalk Standards and Policy (Section 503 of the Subdivision Ordinance), as required by Ordinance No. 2015-43, adopted in 2015. As part of the sidewalk sunset review, staff also looked at Street Standards and Policy (Section 502) and Requirements for Parkland (Section 517). Staff evaluated when requirements for sidewalks, perimeter street improvements (PSI), and parkland dedication/fees were applied or waived via a variance for all subdivision plats that were approved during FY 2016 – FY2018, and determined that most variances that were granted are related to replats or plats in our ETJ. Therefore, a common goal is to simplify the processing of plats to allow those that qualify for administrative approval to be processed as such even if variances to certain requirements are requested. Staff drafted proposed amendments addressing sections related to sidewalks, street standards, parkland, fire protection, and administrative plats and proceeded as summarized below:

- Proposed Subdivision Ordinance changes sent to TABA for review in January/February 2019.
- Stakeholder meeting held April 16, 2019.
- Public hearing held at P&ZC meeting June 18, 2019
- Public hearing held at P&ZC meeting July 16, 2019—Item tabled due to concerns with sidewalk policy.
- Joint workshop with P&ZC/CC on November 12, 2019—Primary discussion focused on sidewalk policy.
- Update to P&ZC on March 17, 2020, with plan to move forward with minor amendments, and bring recommendation on Street Standards and Sidewalk Policy later in the year.



**Proposed Amendments**

A summary of proposed amendments to the Subdivision Ordinance is included as Attachment A, along with a draft Subdivision Ordinance with mark-ups shown, as Attachment B.

Staff is not proposing any major changes to our current sidewalk policy, or the other Subdivision Ordinance Sections; most of the changes are intended to streamline the processing of plats. As noted in the March 17, 2020 P&ZC Update, staff will present a recommendation regarding Street Standards—Perimeter Street Improvements—by September 30, 2020, and a recommendation regarding sidewalks and hike/bike trails by December 31, 2020.

**Recommendation**

Hold a public hearing and recommend Subdivision Ordinance revisions as proposed.

**Attachments**

- A. Summary of Proposed Subdivision Ordinance Amendments, April 2020
- B. Draft Mark-Up of Proposed Subdivision Ordinance Amendments