



CITY OF BELTON

Planning & Zoning Commission Meeting
Tuesday, August 18, 2020 - 5:30 p.m.
Harris Community Center
401 N. Alexander, Belton, Texas

**PLEASE NOTE: FACE COVERINGS WILL BE REQUIRED
WHERE SOCIAL DISTANCING CANNOT BE MAINTAINED.**

Pledge of Allegiance to the U.S. Flag
Invocation

AGENDA

1. Call to order.
2. Public comments.
3. Consider approval of minutes from previous meeting.
4. P-20-22 Consider a final 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.
5. P-20-23 Consider a final plat of The Ridge at Belle Meadows Phase III, comprising 7.080 acres, located on the south side of W. Avenue O, between S. Loop 121 and Connell Street, south of the Laila Lane extension.
6. P-20-24 Consider a final plat of The Ridge at Belle Meadows Phase IV, comprising 5.910 acres, located on the south side of W. Avenue O, between S. Loop 121 and Connell Street, along an extension of Southwest Parkway.
7. Conduct workshop to consider amendments to Subdivision Ordinance Section 502—Street Standards and Policy—Perimeter Streets.

If interpreter services for the deaf or hearing impaired are required, please contact the City Clerk at (254) 933-5817 at least 48 hours in advance.

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

The Planning and Zoning Commission met at 5:30 P.M. at the Harris Community Center, 401 North Alexander Street. The following members were present: Dave Covington, Luke Potts, David Jarratt, Ty Hendrick, Stephanie O'Banion, Allison Turner, Zach Krueger and Quinton Locklin. Chair Brett Baggerly was absent. The following staff members were present: Director of Planning Cheryl Maxwell, Planner Tina Moore, Planning Clerk Laura Livingston, and IT Specialist Ryan Brown.

Pledge of Allegiance – Board member Quinton Locklin led all present.

Invocation – Luke Potts gave the Invocation.

1. Call To Order.

Mr. Dave Covington chaired the meeting and called the meeting to order at 5:30 P.M.

2. Public comments. (Audio 00:53)

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

3. Consider approval of minutes from previous meeting. (Audio 1:02)

Mr. Jarratt made a motion to approve the minutes from June 16, 2020 meeting, seconded by Mr. Hendrick. The motion passed unanimously with 8 ayes, 0 nays.

4. Hold a public hearing and consider an ordinance amending Section 27, Light Industrial District, to allow the following as permitted uses: (Audio 1:24)

- a. Office, Professional and General Administrative**
- b. Office Showroom/Warehouse**

Ms. Maxwell presented the staff report. (Exhibit A). NOTE: Staff report and presentation stated that any use allowed in the Light Industrial (LI) District is allowed in the Heavy Industrial (HI) District. However, this is not correct—uses allowed in the LI District are not allowed in the HI District.

Mr. Covington opened the public hearing, and with no one from the public present, the public hearing was closed.

Under the assumption that LI District uses are allowed in the HI District, the Commission discussed the pros and cons of office use in the HI Zoning District. The majority of comments did not favor extending office uses to the HI District. (Audio 16:30)

Ms. O'Banion made a motion to approve P-20-20 to amend Section 27, Light Industrial District to allow office uses but excluding office use in the Heavy Industrial District. Mr. Krueger seconded the motion. The motion was approved with 8 ayes, 0 nays.

- 5. P-20-20 Consider a final plat of Chick Addition, Phase VIII, comprising 13.79 acres, located along an extension of Saint John Street, on the west side of Lark Trail, south of W. Amity Road, in Belton's ETJ. (Audio 21:10)**

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

With no questions from the board, Mr. Hendrick made a motion to approve P-20-20 as recommended by staff. Ms. Turner seconded the motion. The motion was approved with 8 ayes, 0 nays.

With no further business, the meeting was adjourned 5:57 p.m. (Audio ends at 27:13)

Chair, Planning and Zoning Commission



Staff Report – Planning & Zoning Item

Agenda Item

Hold a public hearing and consider an ordinance amending Section 27, Light Industrial District, to allow the following as permitted uses:

- a. Office, Professional and General Administrative; and
- b. Office Showroom/Warehouse.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Summary Information

The City of Belton Zoning Ordinance generally follows a pyramid type zoning standard for non-residential uses, allowing more restrictive uses in a less restrictive district. This standard applies to Office—1 (O1), Office—2 (O2), Neighborhood Service (NS), Retail (R), Commercial—1 (C1), and Commercial—2 (C2). In the C2 District, all of the uses that are permitted in the more restrictive zoning districts are allowed, from O1 to C1. This pyramid zoning stops with the C-2 District and essentially resets with the industrial zoning districts, which are listed below:

IP—Industrial Park
LI—Light Industrial
HI—Heavy Industrial

O1 – C2 District uses are not allowed in the industrial districts, except office uses, which are only allowed in the IP District. Generally, all of the uses allowed in the IP District are allowed in the LI District, except for office uses. Uses allowed in the LI District are also allowed in the HI District.

Recently, we had discussions with Belton Economic Development Corporation (BEDC) regarding future plans for the Belton Business Park, which is largely zoned LI District. It was their understanding that office uses are allowed in the LI District, and some lots are currently developed with offices, to include Clearwater Underground Water Conservation District, CGI, and Milo Technologies.

We researched zoning ordinances for several nearby cities to include Copperas Cove, Georgetown, Harker Heights, Killeen, Round Rock, Temple, and Waco. Most of these cities allow office use in the industrial districts, with the pyramid zoning continuing all the way to the

Exhibit A

HI District. Taking this into consideration, along with the fact that Office use is allowed in the IP District, we believe it appropriate to add Office use to the LI and HI Districts.

Our Zoning Ordinance defines Office and Office Warehouse as the following:

Office, Professional and General Administrative: A room or group of rooms used for the provision of executive, management or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering and business offices of public utilities, organizations and associations but excluding medical offices.

Office Showroom/Warehouse: An establishment with a minimum of seventy-five percent (75%) of its total floor area devoted to storage and warehousing but not accessible to the general public. The remaining area may include retail and wholesale sales area, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

We propose to add these uses as defined above to the LI and HI Zoning Districts.

Recommendation

Hold a public hearing and recommend approval of an ordinance as follows:

Amend Section 27, Light Industrial Zoning District, to allow the following as permitted uses:

- a. Office, Professional and General Administrative; and
- b. Office Showroom/Warehouse.



Staff Report – Planning & Zoning Item

Date: July 21, 2020
Case No.: P-20-20 Chick Addition, Ph VIII
Request: Final Plat
Applicant/Owner: Darin Chick

Agenda Item

P-20-20 Consider a final plat of Chick Addition, Phase VIII, comprising 13.79 acres, located along an extension of Saint John Street, on the west side of Lark Trail, south of W. Amity Road, in Belton's ETJ.

Originating Department: Planning – Cheryl Maxwell, Director of Planning

Case Summary

This final plat proposes 14 lots for residential development, with 8 lots proposed for two-family use (duplex), and 6 lots proposed for detached single family use. This property is currently undeveloped. The preliminary plat for this subdivision was approved in March, 2020. This final plat is consistent with the approved preliminary plat.

Project Analysis and Discussion

This property is located in Belton's ETJ so zoning regulations are not applicable. This phase proposed for development is south of Chick Addition, Phase VII, along an extension of Saint John Street. The 6 lots proposed for single family use include 3 lots approximately 0.52 acre in size, and 3 lots ranging in size from 0.99 acre to 1.14 acre in size. The 3 larger lots have an electrical easement that runs along the rear 85' of these lots, which is the southern boundary of this subdivision. This results in approximately 0.52 acre of useable land for each lot. The 8 lots proposed for duplex use range in size from 0.76 acre to 0.99 acre. All lots will observe a 25' front yard setback, which is consistent with Bell County requirements.

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

Water: This property is located within the Salado Water Supply Corporation (SWSC) CCN. There is an existing 6" water main along Saint John Street to the north that the applicant will be extending throughout the subdivision to provide water supply to these lots. Fire hydrants will be provided throughout the subdivision as well. SWSC has confirmed they are able and willing to provide domestic water supply to this subdivision; however, the flow rate is 530 gpm, per a flow test conducted on April 10, 2020. Since this is less than the minimum 1,000 gpm required by Belton's Fire Code for fire protection, the applicant is requesting a variance.

Exhibit B

In our ETJ, we often consider this type of variance for subdivisions with 4 lots or less. In this case, 14 lots are proposed with 22 dwelling units. Fire hydrants will be provided and the SWSC system will provide a flow rate of 530 gpm in this vicinity. Although this is short of the minimum required 1,000 gpm flow, it will provide some measure of fire protection. A note has been placed on the plat stating the flow rate does not satisfy COB Fire Code requirements, notifying prospective lot owners of this deficiency. Staff supports the requested variance.

Sewer: No sanitary sewer is available to serve this subdivision. Septic systems are proposed, subject to approval by the Bell County Public Health District. The lots exceed the minimum 0.5 acre required for a septic system.

Drainage: Drainage plans and calculations have been provided and reviewed. Drainage easements are proposed to channel storm water to an off-site drainage tract consisting of 2.03 acres south of the plat boundary and includes a detention pond. All drainage easements and infrastructure are private and will be owned and maintained by the developer. A large portion of the area south of the plat boundary is also designated as a 100 year flood plain. Although the city reviews drainage plans, the city is not responsible for drainage since this property lies in Belton's ETJ, and will defer to Bell County and their requirements.

Streets/PSI/Sidewalks: This phase of the Chick development is accessed through local streets constructed with Phase VII with two access points along Lark Trail. The Phase VII plat consisted of 40 lots, 10 of which are for duplexes, resulting in 50 dwelling units. Perimeter Street Improvements (PSI) for Lark Trail, a collector street on the city's Thoroughfare Plan, was discussed in detail with Phase VII of this development in 2014 and 2015 and was waived due to the remote location of the subdivision and unlikelihood that improvements would occur within the 9 year term for escrowed funds, and the fact that the road is under Bell County maintenance until annexed by the city. An additional 22 dwelling units are proposed with Phase VIII. This phase will generate additional traffic along Lark Trail; however, the PSI requirement for Lark Trail was waived for Phase VII, and Lark Trail it is not a perimeter street for this phase, so this requirement is not applicable.

Saint John Street within Phase VII will be extended to provide access to this phase of the development. It will be constructed as a local street with 50' ROW, 31' pavement width, with curb and gutter, consistent with the existing street section. Saint Peter Loop will be constructed within this phase as a local street to these same standards. Phases VII and VIII together will accommodate 72 dwelling units. Section 502.01.J of the Subdivision Ordinance, requires 1 entrance for up to 50 lots and 2 entrances for 51 – 100 lots. The 2 access points via Lark Trail established with Phase VII satisfy the access requirements. Sidewalks are not required along local streets, or in the ETJ.

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. One acre for each 100 new dwelling units projected is required. With 22 dwelling units proposed, the dedication for this phase would be 0.22 acre, which is considerably short of the minimum two acres desired for dedication. The fee in lieu of dedication is \$200/dwelling unit which would be \$4,400 for this

Exhibit B

subdivision. A variance to this requirement was approved with the preliminary plat. Staff supports the requested variance since there are no plans to develop a public park in this vicinity at this time, and a considerable amount of open space is provided on these lots to satisfy the needs of the lot owners.

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, subject to conditions identified in the city letter dated July 8, 2020.

Recommendation

Recommend approval of the final plat of Chick Addition Phase VIII, subject to the following:

1. Approval of variance to water flow requirement for fire protection;
2. Approval of variance to the parkland dedication/fee requirement; and
3. City letter of outstanding conditions for plat approval dated July 8, 2020.

Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. Variance Request
5. City Letter to Applicant dated July 8, 2020

P&Z
Agenda Items
for
August 18, 2020
Meeting

Staff Report – Planning & Zoning Item



Date: August 18, 2020
Case No.: P-20-22 Connell Subdivision
Request: Final Plat
Applicant: Belton Engineering
Owner: Larry Guess

Agenda Item

P-20-22 Consider a final 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 final plat proposes 27 lots for single family residential use and is consistent with the preliminary plat that was approved in April, 2020. 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. The development agreement will be presented to the City Council in conjunction with this subdivision plat.

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.
- Lot Width: 50'
- Lot Depth: 90'
- Front Yard: 25'
- Side Yard: 5'; 15' from street ROW
- 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 into Connell Street and Huey Drive, both designated as major collector streets on the City Thoroughfare Plan.

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. This variance was approved with the preliminary plat.

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 the proposed development agreement. 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 ½ 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 along with the subdivision improvements.

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 of 27 lots has been determined to be essentially a local street, with a 31' 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 the proposed development agreement. 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, to be finalized with project bidding by the applicant.

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 design and

construction cost to extend Huey Drive westward from the plat boundary to the existing segment, connecting the roadway. This will be addressed in the proposed development agreement. The applicant has provided a cost estimate for extending this roadway 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.

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. This was discussed with the preliminary plat and was approved. Staff supports the requested variance as discussed below.

- 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 in the future 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; we understand the sidewalk will be provided by the developer in conjunction with the roadway improvements.
- 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 the proposed development agreement. 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 reviewed and approved. No detention ponds or drainage easements are proposed, but a culvert will be provided under Huey near its intersection with Connell, to channel storm water to Mitchell Branch, on the south side of Huey Drive.

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 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 final plat. All conditions have been addressed as of August 10, 2020, subject to approval of the requested variances.

A Development Agreement is proposed and will be presented to the City Council for consideration, for the following items:

- Oversizing water line from 8" to 12" along Huey Drive;
- Upsizing Huey pavement width from 31' 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 final 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 allow applicant to provide sidewalk only on the north side of Huey Drive instead of both sides.

Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. Variance request
5. Cost estimates for infrastructure extension and upgrades
6. Administratively complete letter to the applicant dated August 10, 2020.

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 \$ 331.00
- ☒ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)

Applicant: Belton Engineering Inc. Phone: 254-731-5600
Mailing Address: 106 N. East Street
Email Address: lchtay@beltonengineers.com

Owner: Larry Guess Phone: 254-718-2897
Mailing Address: 202 E Barton Ave. Temple, TX 76501
Email Address: lguess@hotmail.com

Current Description of Property:

Lot: n/a Block: n/a Subdivision: n/a
Acres: 6.226 Survey: JAMES P. WALLACE SURVEY
Abstract #: 906 Street Address: n/a
Frontage in Feet: 230 Depth in Feet: 890

Does Zoning comply with proposed use? yes Current Zoning: SF-3
Name of proposed subdivision: Connell Subdivision
Number of Lots: 27 Fee: \$ 331.00

Signature of Applicant: [Signature] Date: 05-05-20
Signature of Owner: Larry Guess Date: 05-05-20

NOTE: Variances to code requirements may be considered by P&ZC and City Council.

P-20-22 LOCATION - CONNELL SUBDIVISION



PROPOSED PLAT:
FINAL PLAT
CONNELL SUBDIVISION
6.226 ACRES

PROPERTY OWNER:
LARRY GUESS

- LEGEND**
- P_20_22 City Limits
 - Zoning**
 - Agricultural
 - Commercial-I-1
 - Mobile Home
 - Office-1
 - Planned Development
 - Single Family-1
 - Single Family-2
 - Single Family-3
 - Specific Use Permit



BELTON ENGINEERING, INC.
*Engineering * Design/Build * Planning*

JULY 20th, 2020

CITY OF BELTON TEXAS
Planning Director,
Attn: Cheryl Maxwell
333 Water Street
Belton, Texas 76513

Applicant: Belton Engineering Inc./ L. Guess
Date Submitted: May 17th, 2017
Project: CONNELL SUBDIVISION
Location: 6.2 Ac., HUEY DRIVE., Belton, TX 76513

Belton Engineering Inc., states the following for the record, in reference to the plat submittal of **CONNELL SUBDIVISION-Final Plat** Subdivision:

Applicant is requesting the following variance/exception(s) from the City of Belton:

1. That Lot 17, Block 1, to observe a 15' setback along Huey Drive instead of 25'.
2. That the sidewalk is to be constructed only on the north side of Huey Drive and is not be constructed along the south side of Huey Drive. Justification for request is that a) there is not an existing sidewalk to connect in to, at that location to the west, and b) it is strongly recommended that a sidewalk not be constructed adjacent to a major channel that carries over 805.0 C.F.S. at the 100yr. storm event.

Feel free to contact us at any time, in reference to this project, Office #254-731-5600, Mobile #254-289-7273.

Submitted,

BELTON ENGINEERING, INC.
As representative for L.Guess

CONNELL SUBDIVISION

CONNELL SUBDIVISION

CONSTRUCTION COST, OVERSIZE WATERLINE FROM 8" TO 12"

CONSTRUCTION COST ESTIMATE

ITEM NO.	DESCRIPTION	TOTAL UNITS	UNITS	COST/UNIT	TOTAL COST/ITEM
1.01	COST INCREASE TO INSTALL 12" WATERLINE INSTEAD OF 8"	945	L.F.	\$23.00	\$21,735.00
					\$21,735.0

CONNELL SUBDIVISION

CONSTRUCTION COST, WIDENING ROAD FROM 31' to 41'

CONSTRUCTION COST ESTIMATE

ITEM NO.	DESCRIPTION	TOTAL UNITS	UNITS	COST/UNIT	TOTAL COST/ITEM
1.01	EXCAVATION	332.5	C.Y.	\$3.60	\$1,197.00
1.02	H.M.A.C. (3" thick)	82.5	C.Y.	\$11.00	\$907.50
1.03	CRUSHED LIMESTONE BASE MATERIAL (11" THICK)	305	C.Y.	\$48.00	\$14,640.00
1.04	8" SUBBASE GENERAL FILL	222.5	C.Y.	\$2.00	\$445.00
1.05	8" COMPACT SUBGRADE	222.5	C.Y.	\$1.50	\$333.75
					\$17,523.3

CONNELL SUBDIVISION

CONNELL SUBDIVISION

CONSTRUCTION COST, EXTENSION TO HUEY

CONSTRUCTION COST ESTIMATE

ITEM NO.	DESCRIPTION	TOTAL UNITS	UNITS	COST/UNIT	TOTAL COST/ITEM
1.01	EXCAVATION	292	C.Y.	\$3.60	\$1,051.20
1.02	SAW-CUT AND REMOVE EXIST. CURB & PAVEMENT	85	L.F.	\$38.00	\$3,230.00
1.03	H.M.A.C. (3" thick)	31	C.Y.	\$11.00	\$341.00
1.04	CRUSHED LIMESTONE BASE MATERIAL (11" THICK)	125	C.Y.	\$48.00	\$6,000.00
1.05	8" SUBBASE GENERAL FILL	92	C.Y.	\$2.00	\$184.00
1.06	8" COMPACT SUBGRADE	92	C.Y.	\$1.50	\$138.00
1.07	24' CONCRETE CURB & GUTTER	184	L.F.	\$13.50	\$2,484.00
1.08	SIDEWALK (5'WIDE)	400	S.F.	\$6.50	\$2,600.00
					\$16,028.2

CONNELL SUBDIVISION

CONNELL SUBDIVISION

DESIGN COST, EXTENSION TO HUEY

ENGINEERING DESIGN SERVICE COST ESTIMATE

ITEM NO.	DESCRIPTION	TOTAL UNITS	UNITS	COST/UNIT	TOTAL COST
1.01	FIELD DATA COLLECTION (UTILITIES, TOPO, PWR.POLES, ETC)	76	L.F.	-	
1.02	UTILITY DESIGN EXT.	76	L.F.	-	
1.03	STREET DESIGN EXT.	76	L.F.	-	
1.04	SIDEWALK ONE SIDE DESIGN DETAIL	76	L.F.	-	
1.05	RECORD DRAWING(s)	76	L.F.	-	
1.06	ROUGH CUT STAKING	76	L.F.	-	
1.07	WATER, WASTEWATER STAKING	76	L.F.	-	
1.08	FINAL CURB AND GUTTER STAKING	76	L.F.	-	
LUMP SUM TOTAL					\$1,050.00



City of Belton

Planning Department

August 10, 2020

Project: CONNELL SUBDIVISION – FINAL PLAT
Applicant: LARRY GUESS – BELTON ENGINEERING

Date Submitted: 5-6-2020
7-13-20
7-20-20
8-10-20

Location: 2.662 ACRES and NWC CONNELL AND HUEY

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

****Development Review Committee (DRC) Determination of Plat Status:**

8/10/2020 - ADMINISTRATIVELY COMPLETE, subject to City Council Approval

PLANNING:

Staff will recommend approval of the final plat of Connell Subdivision, subject to the conditions below:

1. Approval of the following variances:
 - a. 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
 - b. Sidewalk requirement to allow applicant to provide sidewalk only on the north side of Huey Drive, instead of both sides.
2. Approval of attached Development Agreement is proposed and supported by staff. It will be presented to the City Council for consideration, for the following items:
 - a. Oversizing water line from 8" to 12" along Huey Drive;
 - b. Upsizing Huey pavement width from 31' to 41'; and
 - c. 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.

NOTE: Parkland fee of \$5,400 is due at time of plat signatures.

PUBLIC WORKS/KPA:

No further comments.

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

No Comments.

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

No Comments.

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

No Comments.

GIS – James Gibson, JGibson@BeltonTexas.gov:

No 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.

Staff Report – Planning & Zoning Item



Date: August 18, 2020
Case No.: P-20-23
Request: The Ridge at Belle Meadows, Ph III
Applicant: Final Plat
Travis Quicksall, Quick Inc. Land
Surveying
Owner: Todd Scott - KDAVEO, LLC

Agenda Item

P-20-23 Consider a final plat of The Ridge at Belle Meadows Phase III, comprising 7.080 acres, located on the south side of W. Avenue O, between S. Loop 121 and Connell Street, south of the Laila Lane extension.

Originating Department: Planning – Cheryl Maxwell, Director of Planning

Current Zoning: Single Family – 3 District

Case Summary

This is the third phase of the Ridge at Belle Meadows development. Portions of this phase were included in the preliminary plats of City Lights Addition, approved in January, 2019, and West Avenue O Addition, approved in September, 2019. The two preliminary plats overlap in this vicinity. This phase proposes 32 residential lots for detached single family homes and two drainage tracts. This phase is generally consistent with the approved preliminary plat for West Avenue O Addition. The lots in this phase were included in a zoning change to Single Family – 3 District that was also approved in September, 2019.

Project Analysis and Discussion

This plat includes approximately 7.080 acres and is proposed for detached single family residential use. Below is a summary of the area requirements for the SF3 Zoning District assigned to this property.

SF3

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

The applicant is requesting a variance in the 25' front yard setback requirement to allow a 20' setback for those lots that have a depth under 120'. This is to accommodate proposed building plans that allow a larger back yard, and applies to the 17 lots in Block 6, on the west side of Dowdy Drive and south side of Ringo Road. The applicant received approval of this variance with the West Avenue O preliminary plat, and the final plats of Phases I and II for the lots fronting on Dowdy Drive; staff supports the request. This reduction in the front yard setback is shown on the plat.

A note is provided on the plat that any garage designed to be entered from the side yard facing a public street shall have a minimum setback of 20'. This will ensure there is adequate room to park a vehicle in the driveway to provide the required minimum of 4 parking spaces on site, i.e. 2 in the garage and 2 in the driveway.

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

Water/Sewer: The applicant will be connecting to existing water and sewer lines and extending an 8" water line and 8" sewer line throughout this phase. The 8" water line satisfies minimum requirements for fire protection and the proposed fire hydrant locations meet the city's fire code.

Streets/Sidewalks: This phase includes the construction of three local streets—Dowdy Drive, Friar Street, and Ringo Road. All will be constructed with a 31' pavement width with curb/gutter within a 50' ROW. Friar Street and Ringo Road end in cul-de-sacs, with stub outs provided to accommodate potential extension eastward. This segment of Dowdy Drive connects to the segment constructed with Phase II and ends with the connection to Ringo Road.

Per the city's Subdivision Ordinance Section 503, sidewalks are not required along local streets; therefore, no sidewalks are required with this phase.

Drainage: Drainage Tracts C and D are proposed with this phase. Tract C, a drainage channel comprising 0.046 acre, connects to the drainage channel developed with Phase II. Tract D comprises 0.346 acre and is proposed for a detention pond. These tracts will be privately owned and maintained.

Parkland Dedication/Fees: The parkland fee requirement per Subdivision Ordinance Section 517 is \$200 per residential unit or land dedication of 1 acre/100 dwelling units. The applicant proposes to pay the fee for the 32 single family lots, which totals \$6,400. 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 final plat. All review comments have been addressed and the plat is administratively complete as of August 13, 2020, subject to approval of the reduced front yard setback for the lots in Block 6.

Recommendation

We recommend approval of this final plat, subject to the following:

Approval of reduction in the front yard setback from 25' to 20' for Lots 7 – 23, Block 6.

Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. Variance request letter
5. August 13, 2020, "Administratively Complete" Letter to the applicant

Dowdy Drive,
Friar Street
Rings Road

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 \$ 346.00

Date Received: 07-07 Date Due: 07-06 (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: Travis Quicksall - Quick Inc. Land Surveying Phone: 512-915-4950

Mailing Address: 1430 N. Robertson Road, Salado, TX

Email Address: tquicksall@quick-inc.net

Owner: _____ Phone: _____

Mailing Address: _____

Email Address: _____

Current Description of Property:

Lot: _____ Block: _____ Subdivision: _____

Acres: 7.080 Survey: James P. Wallace Survey

Abstract #: 906 Street Address: HWY 190, Belton Texas

Frontage in Feet: VARIABLE Depth in Feet: Variable

Does Zoning comply with proposed use? Yes Current Zoning: SF-3

Name of proposed subdivision: The Ridge at Belle Meadows, Phase III

Number of Lots: 32 Fee: \$ 346.00

Signature of Applicant: Travis Quicksall  Digitally signed by Travis Quicksall
DN: cn=Travis Quicksall, o=Quick Inc., ou=Surveying, email=tquicksall@quick-inc.net, c=US Date: July 6, 2020

Signature of Owner: _____ Date: 7/6/20

P-20-23 LOCATION - THE RIDGE AT BELLE MEADOWS III



PROPOSED PLAT:

FINAL PLAT
THE RIDGE AT BELLE MEADOWS III
7.080 ACRES

PROPERTY OWNER:

TODD SCOTT/CLARK & FULLER

LEGEND

P_20_23
 City Limits

Zoning

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

PD CH Animal
Control
Facility

O-2 w/SUP

PD C-1

HUEYDR

INDEPENDENCE CT

LINCOLN CT

MADISON CT

JEFFERSON CT

SOUTHWEST PKWY

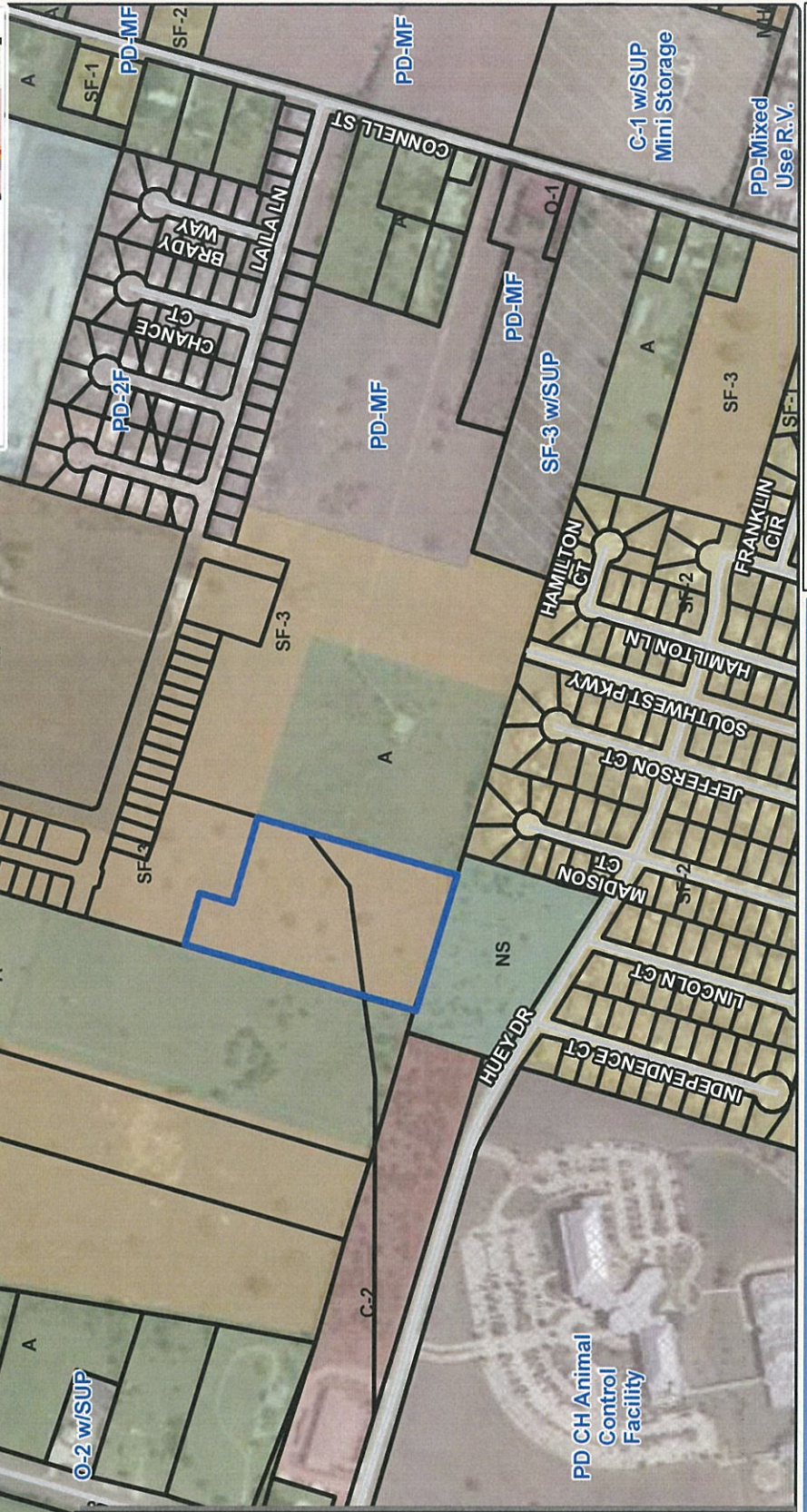
HAMILTON LN

0 2,500 5,000 Feet



Map Date: 8/11/2020 Aerial Imagery Date: 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.



Setback Variance Request:

KDAVEO, LLC is requesting a variance reduction to the front lot set back from 25' to 20' for Lots 7-23 Block 6, Ridge at Belle Meadows Phase 3.

Thank you,

Todd Scott.



City of Belton

Planning Department

August 13, 2020

Project: RIDGE AT BELLE MEADOWS PH. III

Applicant: TODD SCOTT, CLARK & FULLER & QUICK INC.

Date Submitted: 7-6-20

8-4-20

8-13-20

Location: 7.080 ACRES LOCATION: DOWDY DRIVE

****Development Review Committee (DRC) Determination of Plat Status:
8/13/2020 - ADMINISTRATIVELY COMPLETE, subject to City Council Approval**

PLANNING:

Staff will recommend approval of the final plat of The Ridge at Belle Meadows Phase III, subject to the condition below:

1. Approval of the reduction in the front yard setback requirement from 25' to 20' for lots 7 – 23 in Block 6.

NOTE: Parkland fee of \$6,400 is due at time of plat signatures.

PUBLIC WORKS/KPA:

No Comments.

BUILDING OFFICIAL:

No Comments.

FIRE DEPT:

No Comments.

POLICE DEPT:

No Comments.

GIS:

No 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.

Staff Report – Planning & Zoning Item



Date: August 18, 2020
Case No.: P-20-24
**The Ridge at Belle Meadows,
Phase IV**
Request: Final Plat
Applicant: Travis Quicksall, Quick Inc. Land
Surveying
Owner: Todd Scott - KDAVEO, LLC

Agenda Item

P-20-24 Consider a final plat of The Ridge at Belle Meadows Phase IV, comprising 5.910 acres, located on the south side of W. Avenue O, between S. Loop 121 and Connell Street, along an extension of Southwest Parkway.

Originating Department: Planning – Cheryl Maxwell, Director of Planning

Current Zoning: Single Family – 3 District

Case Summary

This is the fourth phase of the Ridge at Belle Meadows development, and was included in the preliminary plat of West Avenue O Addition, approved in September, 2019. This phase proposes 24 residential lots for detached single family homes and is consistent with the approved preliminary plat for West Avenue O Addition. Southwest Parkway will be extended as part of this phase. The lots in this phase were included in a zoning change to Single Family – 3 District that was also approved in September, 2019.

Project Analysis and Discussion

This plat includes approximately 5.910 acres and is proposed for detached single family residential use. Below is a summary of the area requirements for the SF3 Zoning District assigned to this property.

SF3

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

Notes are provided on the plat that any garage designed to be entered from the side yard facing a public street shall have a minimum setback of 20'. This will ensure there is adequate room to park a vehicle in the driveway to provide the required minimum of 4 parking spaces on site, i.e. 2 in the garage and 2 in the driveway. Access to Southwest Parkway, a minor collector street, is prohibited when the lot has frontage on both a collector and local street, to limit the number of driveways and vehicles backing onto the collector street. Both of these provisions apply only to corner lots.

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

Water/Sewer: The applicant will be connecting to existing water and sewer lines and extending an 8" water line and 8" sewer line throughout this phase. The 8" water line satisfies minimum requirements for fire protection and the proposed fire hydrant locations meet the city's fire code.

Streets/Sidewalks: This phase includes construction of a segment of Southwest Parkway from its current location, northward to Shelby Drive, which will be constructed with Phase II. Southwest Parkway is a minor collector street on the City's Thoroughfare Plane, and will be constructed with a 37' pavement width with curb and gutter, in a 70' wide ROW. A segment of Shrey Way will also be constructed with this phase, as a local street with a 31' pavement width with curb/gutter, within a 50' ROW.

A 5' wide sidewalk will be constructed along both sides of the collector street Southwest Parkway, per the city's Subdivision Ordinance Section 503. Sidewalks are not required along the local street Shrey Way.

Drainage: A detailed drainage report for this phase has been provided and drainage plans approved. No detention ponds or drainage easements are proposed with this phase; however, storm water will drain to the detention pond being constructed with Phase II, north of this plat boundary.

Parkland Dedication/Fees: The parkland fee requirement per Subdivision Ordinance Section 517 is \$200 per residential unit or land dedication of 1 acre/100 dwelling units. The applicant proposes to pay the fee for the 24 single family lots, which will total \$4,800. 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 final plat, subject to all items identified in the city's letter of conditions to the applicant dated August 12, 2020.

Recommendation

We recommend approval of this final plat, subject to the following:

- 1) All items addressed in city's August 12, 2020 letter of conditions to the applicant.

Attachments

1. Final Plat Application
2. Final Plat
3. Location Map
4. City letter of conditions to the applicant dated August 12, 2020

Southwest Parkway
Shrey Way

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 \$ 322.00
☒ Final Subdivision
☐ Administrative Plat
☐ Replat
☐ ETJ
☒ City Limits

Date Received: 07-07 Date Due: 07-06 (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: Travis Quicksall - Quick Inc. Land Surveying Phone: 512-915-4950
Mailing Address: 1430 N. Robertson Road, Salado, TX
Email Address: tquicksall@quick-inc.net

Owner: _____ Phone: _____
Mailing Address: _____
Email Address: _____

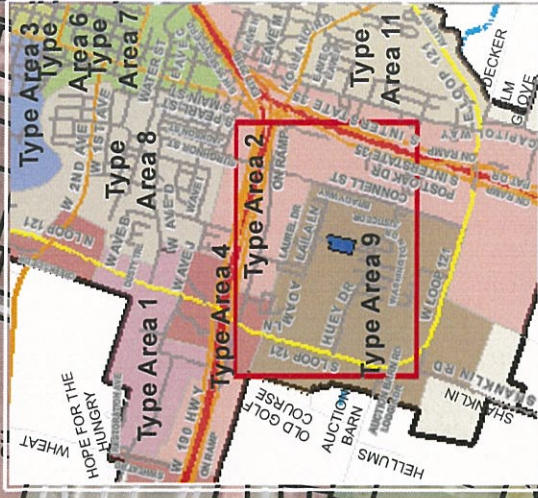
Current Description of Property:

Lot: _____ Block: _____ Subdivision: _____
Acres: 5.910 Survey: James P. Wallace Survey
Abstract #: 906 Street Address: HWY 190, Belton Texas
Frontage in Feet: VARIABLE Depth in Feet: Variable

Does Zoning comply with proposed use? Yes Current Zoning: SF-3
Name of proposed subdivision: The Ridge at Belle Meadows, Phase IV
Number of Lots: 24 Fee: \$ 322.00

Signature of Applicant: Travis Quicksall Date: July 6, 2020
Signature of Owner: [Signature] Date: 7/6/20

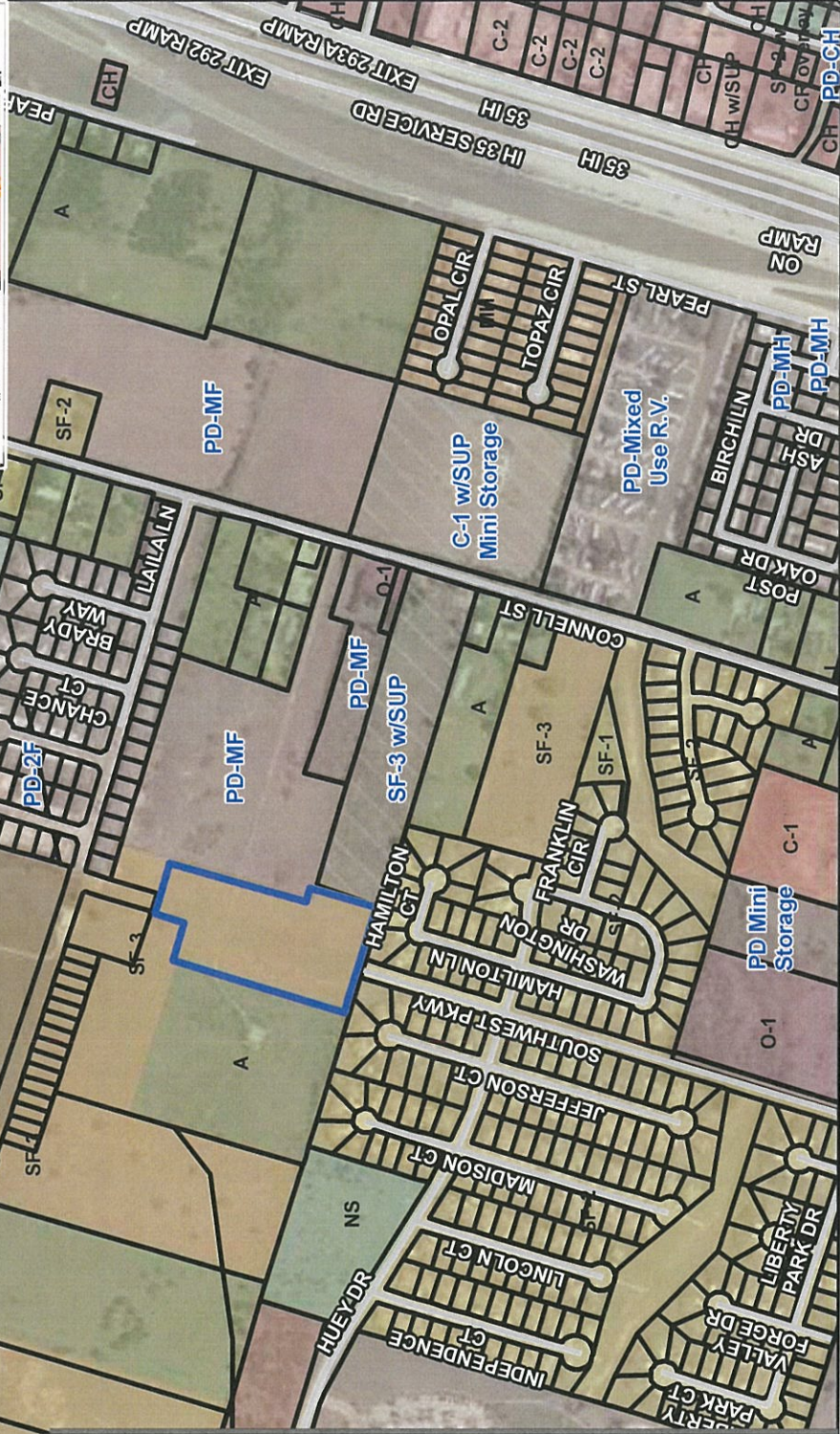
P-20-24 LOCATION - THE RIDGE AT BELLE MEADOWS IV



PROPOSED PLAT:
FINAL PLAT
THE RIDGE AT BELLE MEADOWS IV
5.910 ACRES

PROPERTY OWNER:
TODD SCOTT/ FULLER & CLARK

- LEGEND**
- P_20_24
 - City Limits
 - Zoning**
 - Agricultural
 - Commercial Highway
 - Commercial-1
 - Commercial-2
 - Conservation Revitalization Overlay
 - Light Industrial
 - Mobile Home
 - Multi Family
 - Neighborhood Service
 - Office-1
 - Office-2
 - Planned Development
 - Retail
 - Single Family-1
 - Single Family-2
 - Single Family-3
 - Specific Use Permit



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Map Date: 8/12/2020



City of Belton

Planning Department

August 12, 2020

Project: THE RIDGE AT BELLE MEADOWS PH. IV

Applicant: TODD SCOTT – QUICK INC. LAND SURVEYING, CLARK & FULLER

Date Submitted: 7-7-20

8-5-20

Location: 5.910 ACRES LOCATION: SOUTHWEST PARKWAY LOTS: 24

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

PLANNING:

1. Show setback lines for lots that are adjacent to this plat but outside the plat boundary, to ensure the setbacks are consistent for both phases.
2. In the notes for the Non-Access Easement, provide abbreviation (N.A.E.) to tie to the labels on the plat.
3. Is the developer constructing the sidewalk along Southwest Parkway, or the builder? If the builder, please add the following note to the plat: "The builder is responsible for constructing the sidewalk along Southwest Parkway for each lot, in conjunction with the building permit."
4. Parkland fee of \$200/lot for 24 lots = \$4,800, due at time of plat signatures.
5. Provide letter from surveyor confirming there are no protected trees on site.
6. We understand the same restrictive covenants for Phase I and II will apply to this phase. Please provide a copy of these showing their application to Phase IV.

PUBLIC WORKS/KPA:

1. The construction plans indicate that an offsite wastewater line will be constructed across the Teesh LLC property to the east. Inasmuch as the ROW of Shrey Way has yet to be dedicated through this property, a wastewater easement will need to be dedicated by separate instrument prior to approval for construction. Please provide a copy of the recorded easement and add recording number to plat.

BUILDING OFFICIAL:

No Comments.

FIRE DEPT:

No Comments.

POLICE DEPT:

No Comments.

GIS:

No Comments.

Outside Utility Provider Comments

☐ **Oncor:**

☐ **AT&T:**

☐

Atmos Energy:

- ☐ **Charter Communications:**
- ☐ **Grande Communications:**
- ☐ **Spectrum (Time Warner):**
- ☐ **USPS:**
- ☐ **Clearwater UCD:**
- ☐ **TXDOT:**

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**Workshop
Subdivision
Ordinance
Section 502**

E-MEMO



Date: August 14, 2020

To: Mayor Grayson & City Councilmembers
Chair Baggerly & P&ZC Members

Cc: Gene Ellis Angellia Points
Cheryl Maxwell Jeremy Allamon
Mike Rodgers John Messer

From: Sam A. Listi, City Manager

RE: P&ZC Work Session on Perimeter Street Improvement Requirements

Background

In April 2020, P&ZC recommended and Council approved a number of Subdivision Ordinance amendments to simplify plat processing, clarify code requirements, and update the standards for legislative changes. Two items were deferred for later consideration, Perimeter Street Improvement Requirements and Sidewalk Standards. At that time, we proposed to present recommendations for consideration in September for Perimeter Streets, and in December for Sidewalks. We have scheduled this initial work session with the P&ZC to share our findings on Perimeter Streets, while the analysis of our existing sidewalk inventory continues for presentation and discussion of City policy later in the year.

Belton's Current Perimeter Street Requirement

Please see Exhibit 1, Section 502.01 Street Standards and Policy, H. Perimeter Streets. As you recall, the City's current standard requires the following:

- Right of Way (ROW) Dedication in conformance with the Thoroughfare Plan;
- One-half the cost of paving (up to 18.5' width of a 37' collector street) for street and curb and gutter for street adjacent to subdivision;
- Requirement may be varied by Council based upon:
 - Affordable housing; and
 - Any development more than 3 acres in size.
- Requirement may be waived by staff for a plat that qualifies for administrative approval, given:
 - Limited development potential;
 - Amount of traffic; and
 - Current condition of unimproved streets under consideration.
- Requirement may be postponed by Council if determined improvement not feasible or desirable at this time, with posting of a bond or development agreement by developer.

Legal Question Raised About Belton's Requirement

There have been questions raised about the legality of Belton's ordinance on Perimeter Streets principally in its fairness as written. The objective is clear – a contribution to enhance the City's street system to support additional proposed adjacent development. Its application has been open to debate, given factors such as physical orientation of the property to the identified street and actual impact of the development to the street system. Variances have been requested and granted often, and development agreements have been used and remain available for negotiated settlements. While the current Belton standard is valid in establishing a legitimate responsibility for sharing the impact of development on an adjoining street, it could be improved by including language from court cases and Exhibit 2, Sec. 212.904, Texas Local Government Code (LGC), reflecting the "fairness" test. The "fairness" test includes a two-part test:

- a) Nexus - the standard applied must have a meaningful relationship to the proposed development; and
- b) Rough Proportionality - the standard applied must be roughly proportionate to the proposed development as approved by a professional engineer retained by the municipality.

The "fairness" test attempts to balance and link, as closely as possible, the new development impact with the anticipated contribution by the developer.

Possible Alternate Approaches

Crafting an alternative standard that has general application is challenging. Clearly, any change needs to meet the "fairness" test above. Georgetown offers a Purpose Statement worthy of consideration:

Sec. 12.09.010. - Purpose.

To ensure that development impacts are mitigated through specified constructed public improvements and/or financial contributions thereto and that such requirements are proportional to the traffic demands created by a new development. There must be a rough proportionality between the traffic impacts created by a new development and the associated impact requirements placed on the property owner.

One approach the City could pursue is the development of Transportation Impact Fees. Following a likely \$100,000± extensive City-wide consultant study, as well as twelve months of analysis, and the development of complex elements of current and future traffic demands, a development permit fee is established allocating projected cost impacts to each type of development on the adjoining street system.

Elements of an Impact Fee Analysis:

- Land Use Assumptions
- Impact Fee Service Zones
- Roadway Inventory
- Development of a Roadway CIP
- Define Maximum Cost Per Unit
- Land Use Equivalency Table (LUE)

While this is perhaps the most equitable approach, it is important for the P&ZC and City Council to determine if Transportation Impact Fees are appropriate for the community. If not, and if there is still a need for some development-induced and funded transportation system improvements, it is important to find a way to establish a reasonable approach that fairly allocates the impact when appropriate.

The most effective and most objective way to quantify the proportional impact of a proposed development on an adjoining street system prior to development is through a Traffic Impact Analysis, a TIA. Yet, a TIA may cost in the \$10,000 - \$20,000 range, and it seems important to determine when a TIA is needed and triggered – in other words, at what scale of development is this cost justified? The determination would focus on the appropriate scale of development. A possible framework for consideration includes the following oversimplified and hybrid approach, built from a review of numerous ordinances in nearby cities.

- 1) In small scale developments of up to 1,000 average daily trips, based on the Institute of Traffic Engineers (ITE) Trip Generation Manual (100 dwelling units equivalent at 10 trips per day), no TIA is required and the developer's contribution shall be limited to Street Right of Way (ROW) required by the City's Thoroughfare Plan.
- 2) In developments exceeding 1,000 average daily trips (100 dwelling units equivalent), a TIA is required to be performed at the developer's expense to determine impact to the area roadway network. ROW will be required, in conformance with the Thoroughfare Plan, as well as roadway improvements identified in the TIA, limited to the proportional impact of the development. This could be a turn lane, a road widening, or another approach to accommodate the development's direct and quantifiable traffic impact. An existing funded CIP by the City, County, or State or a federal project, may exempt the developer from a TIA and from any cost share in the project unless the development requires a change in the approved and funded plan (needed turn lane, for example).
- 3) In any development requiring a TIA (in 2 above) the developer may propose an alternative to a TIA, through a negotiated development agreement, to address anticipated traffic impacts. Reasonable consideration will be given in a timely manner to keep the project on a path to prompt development approval.

Conclusion

Recognizing these considerations will need further discussion, I would like to discuss these comments briefly with P&ZC on August 18th. Then, I'd like to propose a Stakeholder meeting in late August or early September for some dialogue on possible changes to Belton's Perimeter Street Improvement Requirements. The meeting could include P&ZC and City Council members, members of the development community, and City staff. I look forward to your comments and input on this matter, as well as the scheduling of a Stakeholder meeting. Please feel free to contact me. Thank you.

EXHIBIT 1 - Section 502.01 Street Standards and Policy
City of Belton, Texas

H. Perimeter Streets

1. General – Partial or half streets may be provided where the Planning and Zoning Commission and City Council determine a street should be located along a property line. Wherever a half street has already been provided adjacent to an area to be subdivided, the other remaining portion of the street shall be platted with such subdivision. Where part of a street is being dedicated along a common property line, the first dedication shall be one-half of the proposed street right-of-way.

2. Unimproved Perimeter Streets Adjacent to Subdivisions and Development Lots.

a. The term “unimproved street” shall mean a public street that does not meet the city’s current design standards or Thoroughfare Plan requirements, i.e. curb/gutter, pavement width, ROW.

b. City staff will evaluate perimeter street needs and evaluate when required improvements are needed. City staff will review the existing roadway conditions, curb and gutter, and drainage infrastructure to determine if the existing conditions are acceptable for current and near-term needs.

c. Upon any land being subdivided or otherwise developed in an area adjacent to existing unimproved streets (excluding State or Federal highways), the developer shall bear half the total cost of paving (up to 18.5 feet width) and installing curb and gutter for all such unimproved perimeter streets adjacent to the area being subdivided or otherwise developed.

d. A variance to this requirement may be considered by the City Council. The following conditions may provide a basis for granting such variance:

1) affordable housing (with appropriate documentation), or appropriate infill developments;

2) developments not exceeding three acres in size for any use to include residential, commercial or industrial.

e. City staff may waive this requirement for subdivision plats that qualify for administrative approval as defined in Section 304, after considering such factors as (1) the extent of existing and anticipated development in the area; (2) the amount of anticipated vehicular and pedestrian traffic; and (3) the current condition of the unimproved streets under consideration.

3. In all developments, the Planning and Zoning Commission and City Council may postpone the required improvements of an unimproved street by the developer should it be determined that such improvements are not feasible or desirable at the time of development. If such improvements are postponed, the developer shall either:

a. Post an approved performance bond acceptable to the City for one and one-half the current estimated cost of construction and enter into a written agreement with the City obligating the developer to pay for such costs.

b. Place his pro-rata share (half the total cost of paving and installing curb and gutter for the unimproved street) in an escrow account with a Bell County bank acceptable to the City and enter into a written agreement obligating the developer to pay such pro-rata share. Said interest from such an escrow account shall be made payable to the City to offset inflationary costs of construction. If the funds are not used within nine (9) years, the City shall hold a public hearing to show clear intent to improve the road within one year; if no such intent is shown, the funds and interest will be returned.

c. Any developer who builds one half the street and desires to provide ultimate drainage facilities for the whole street will be able to collect up to one-half of the cost of the drainage improvements when adjacent properties develop by signing an appropriate pro-rata agreement with the City of Belton.

I. Street Names – New streets shall be named so as to provide continuity of name with existing streets and to prevent conflict with identical or similar names in other parts of the City.

J. Private Streets – Private streets shall be allowed as permitted by the City Council.

K. Subdivision Street Access Standards (Amendment #2016-26)

1. Pursuant to this ordinance, any single family residential subdivision within the City of Belton or the City's extraterritorial jurisdiction shall provide the number of subdivision entrance/access streets in accordance with the table below:

Number of Lots	Minimum Entrances
1-50	1
51-100	2
101+	3

2. In cases where a future subdivision phase will be submitted within twelve (12) months from the date of Council action, a temporary vehicle access street may be constructed to serve as a second or third entrance. If a subdivision plat is not submitted within that time frame, the subdivider will be required to provide a permanent access/entrance street. L. Large Lot Subdivisions – If the lots in the proposed subdivision are large enough to suggest resubdivision in the future or if a part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from each resubdivision. M. Estate Subdivisions – For Estate Subdivision as herein defined two (2) acre lots with two hundred (200) feet or more frontage for single family use, a pavement width of twenty-four (24) feet without curbs is allowed in a seventy (70) feet right-of-way. Pavement quality must meet the minimum quality of the City of Belton standard specifications.

EXHIBIT 2 - TEXAS LOCAL GOVERNMENT CODE

Sec. 212.904. APPORTIONMENT OF MUNICIPAL INFRASTRUCTURE COSTS.

- a) If a municipality requires, including under an agreement under Chapter [242](#), as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter [1001](#), Occupations Code, and is retained by the municipality. The municipality's determination shall be completed within thirty days following the submission of the developer's application for determination under this subsection.
- b) A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality. At the appeal, the developer may present evidence and testimony under procedures adopted by the governing body. After hearing any testimony and reviewing the evidence, the governing body shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.
- c) A developer may appeal the determination of the governing body to a county or district court of the county in which the development project is located within 30 days of the final determination by the governing body.
- d) A municipality may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.
- e) A developer who prevails in an appeal under this section is entitled to applicable costs and to reasonable attorney's fees, including expert witness fees.
- f) This section does not diminish the authority or modify the procedures specified by Chapter [395](#).