

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, May 18, 2021

The Planning and Zoning Commission met at 5:30 P.M. at the Harris Community Center, 401 North Alexander Street. Commission members that were present: Chair Brett Baggerly, Vice Chair Dave Covington, Stephanie O'Banion, Zach Krueger, Ty Hendrick, Josh Knowles and Luke Potts. The following members were absent: Quinton Locklin and David Jarratt. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Laura Livingston and IT Specialist Alex Munger.

1. Call To Order.

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

Pledge of Allegiance – Commission Chair Brett Baggerly led all present.

Invocation – Commission Member Dave Covington gave the Invocation.

2. Public comments. (Audio 00:49)

Chair Baggerly opened the public comments portion of the meeting. With no one requesting to speak, the public comment portion of the meeting was closed.

3. Consider approval of minutes from previous meeting. (Audio 1:05)

Commission Member Mr. Covington made a motion to approve the minutes from the April 20, 2021 meeting, seconded by Commission Member Mr. Krueger. The motion passed unanimously with 7 ayes, 0 nays.

4. Z-21-02 Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) to Planned Development-Single Family-2 (PD-SF-2) on approximately 0.338 acres located at 514 E. Avenue R, located at the northwest corner of Miller Street and Avenue R, described as Charlie Miller Addition, Block 001, Lot Pt. 2. (Audio 1:40)

Staff Planner Ms. Moore presented the staff report (Exhibit A).

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

Chair Baggerly asked for a motion. Commission Member Mr. Covington made a motion to approve item Z-21-02 as recommended by Staff. Commission Member Mr. Hendrick seconded the motion. The motion was approved with 7 ayes, 0 nays.

5. Z-21-05 Hold a public hearing and consider a zoning change from Single Family-1 District to a Planned Development - Single Family-1 District (PD-SF-1) to allow for an alternative roof pitch on 6.011 acres located on East 25th Avenue, described as the Guess Dulany Subdivision, Block 1, Lots 1-11. (Audio 8:30)

Staff Planner Ms. Moore presented the staff report (Exhibit B).

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

Commission Member Mr. Potts made a motion to approve item Z-21-05 as recommended by Staff. Commission Member Mr. Hendrick seconded the motion. The motion was approved with 7 ayes, 0 nays.

- 6. Z-21-06 Hold a public hearing and consider a zoning change from Single Family-1 (SF-1) District to Multiple Family (MF) District on approximately 0.7551 acres located at 710 Shine Street and described as Belton Original, Block 131, Lot 7, Pt. 8, (S Pt. of 8), Tract C. (Audio 13:40)**

Staff Planner Ms. Moore presented the staff report (Exhibit C).

Chair Baggerly opened the public hearing.

The applicant, Mr. Edward Vallejo, 117 South Main Street B, McGregor, TX, spoke before the Commission. He said he thinks future use of the property is going to be multi-family housing. He said he would be most appreciative of an affirmative vote. With no one else requesting to speak, Chair Baggerly closed the public hearing.

Chair Baggerly asked for a motion. Commission Member Mr. Covington made a motion to approve item Z-21-06 as recommended by Staff. Commission Member Mr. O'Banion seconded the motion. The motion was approved with 7 ayes, 0 nays.

- 7. Conduct a work session to discuss residential use in Commercial Highway Zoning District. (Audio 20:46)**

Staff Planner Ms. Moore presented the staff report (Exhibit D).

- 8. Receive an update on administratively approved plats. (Audio 33:28)**

Ms. Moore provided an update on administratively approved plats (Exhibit E).

With no other city business, the Planning and Zoning Commission was adjourned at 6:04 p.m. (Audio ends at 34:15)



Chair, Planning and Zoning Commission



Staff Report – Planning & Zoning Item

Date: May 18, 2021
Case No.: Z-21-02
Request: SF-2 to PD- SF-2
Applicant/Owner: LWG Associates and
Kyle Bybee

Agenda Item

Z-21-02 Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) District to Planned Development - Single Family-2 (PD-SF-2) on approximately 0.338 acres located at 514 E. Avenue R, located at the northwest corner of Miller Street and East Avenue R, described as Charlie Miller Addition, Block 001, Lot Pt. 2.

Originating Department

Planning – Tina Moore, Planner

Current Zoning: Single Family-2 Residential District (SF-2)

Proposed Zoning: Planned Development - Single Family 2 Residential District

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Area 11: Area defined by Nolan Creek to the north, city limits to the south and east, and Wall Street to the west. Projected to be the southeast residential core of the city; primarily single family residential development with opportunities for retail and commercial areas along Holland Road (FM 436).

Background/Case Summary

This property is zoned Single Family-2 (SF-2) and is currently platted as part of the Charlie Miller Addition, block 1, lot part 2, which was approved in January 1953. The current home on this property was constructed in 2018.

An administrative subdivision plat was recently submitted requesting the division of this tract into two equal size lots to allow for the placement of another home north of the existing home. Each lot will consist of approximately 7,290 sq. ft. with an approximate depth of 82' and a width of 90', which does not meet the area requirements of the SF-2 zoning district. This zoning change to a Planned Development is to request for a reduction in the SF-2 minimum requirement to allow for an infill project. The approval for this administrative plat is pending the outcome of this requested zoning change.

Project Analysis and Discussion

Existing Conditions: This area contains a mixture of site built homes and mobile homes as well as undeveloped land. This property, and the adjacent properties, are zoned SF-2. A site built home is located on the properties to the north, south and east, and the property to the west is undeveloped. Other zonings in this vicinity include Planned Development Multi-family and Agricultural Districts.

Allowable Land Uses: The proposed PD-SF-2 Zoning District limits the use of this property to single family homes. No attached single family, duplex, multi-family, or business/commercial uses are permitted.

Area & Setback Requirements: Minimum area and setback requirements for the requested Zoning District are summarized below:

SF-2 Zoning Requirements		PD Conditions
Minimum Lot Area	7,500	Reduction to 7,200
Minimum Lot Width	60'	No changes proposed
Minimum Lot Depth	100'	Reduction to 80'
Front Yard Setbacks	25'	Reduction to 15' Lot 2 – E. Ave R 25' Lot 2 – Miller Street 25' Lot 1 – Miller Street
Rear Yard Setbacks	20'	Reduction to 15'
Side Yard Setbacks	6'/15' from street right of way	6'/15' from street right of way

The applicant is requesting a reduction in the minimum lot size, lot depth, and front and rear yard setbacks. The proposed minimum lot size will be reduced from 7,500 to 7,200 square feet. The proposed lot depth will be reduced from 100' to 80' for both lots in the proposed Miller Street Subdivision. Lot 2 of the proposed subdivision is a key lot and is required to meet a 25' front yard setback on both Miller Street and East Avenue R. The existing house has an approximate 15' front yard setback from East Avenue R; hence the request for a reduction from 25' to 15'. A rear setback reduction to 15' is requested for both lots due to the reduced lot depth. No changes are requested for the front yard setback from Miller Street and side yard setbacks. These changes seems reasonable for an infill development.

Future Land Use Map:

The FLUM identifies this general area for residential use and shows a mixture of uses including single family, two family, patio homes and multi-family homes. This is consistent with the Design Standards Type Area 11 assigned to this general area which projects single family residential use. The requested residential zoning district is compatible with the existing residential zoning and residential uses in this area. Therefore, the proposed PD-SF2 zoning district appears to be reasonable in this location.

Recommendation

Recommend approval of the requested zoning change from SF-2 to PD-SF-2 Zoning District subject to the conditions below:

1. The use of the property shall conform to the Single Family-2 Zoning District in all respects, except as follows:
 - a. A 7,200 minimum lot area is allowed.
 - b. A minimum depth of 80' is allowed.
 - c. A 15' rear yard setback is allowed.
 - d. A 15' front yard setback is allowed along East Avenue R for Lot 2.
2. A replat is required.

Attachments:

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Proposed Miller Street Subdivision plat
6. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list



Staff Report – Planning & Zoning Item

Date: May 18, 2021
Case No.: Z-21-05
Request: SF-1 to PD- SF-1
Applicant: Belton Engineering
Owner: LGGD Properties, LLC.

Agenda Item

Z-21-05 Hold a public hearing and consider a zoning change from Single Family Residential-1 District to a Planned Development – Single Family Residential-1 District to allow an alternative roof pitch on 6.011 acres located on East 25th Avenue, described as the Guess Dulany subdivision, Block 1, Lots 1-11.

Originating Department

Planning – Tina Moore, Planner

Current Zoning: Single Family Residential-1 District (SF-1)

Proposed Zoning: Planned Development – Single Family Residential-1 (PD-SF1)

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Area 14:

Type Area is currently and projected to be primarily single lot developments. This includes the former Leon Valley Golf Course, River Fair, Red Rock and Smith Dawson Ranch areas.

Background/Case Summary

The applicant requested a variance to the Exterior Building Design Standards to allow an alternative roof pitch to construct homes with a flat or shallow roof. Section IV.C.4, *Minimum Exterior Construction Standards*, of the Design Standards, in Section 7.1 of the Belton Zoning Ordinance requires Single Family and Duplex Residential structures to have a minimum roof pitch of 6:12, unless otherwise stated in the applicable Zoning District. A flat roof has a very low slope, between 1:4 to 1:2, so that water drains. Because of this low slope, the 2015 International Residential Code require different construction materials to ensure the roof stays watertight.

The Guess Dulany final plat was approved in March 2020.

Project Analysis and Discussion

Existing Conditions: The surrounding area to the east, west and north are zoned SF-1 and are developed with residential site built homes. Heritage Park is south and east of this subdivision and is zoned Agricultural.

Allowable Land Uses: The proposed zoning will not alter the permitted uses in the SF-1 Zoning District, which permits detached housing. The zoning regulations include minimum lot size and setback requirements will remain in place. These requirements will not be altered with this zoning change.

Future Land Use Map

The FLUM identifies this general area as a residential. The proposed use is consistent with the FLUM and adjacent zoning district. Therefore, the proposed PD-SF-1 zoning district appears to be reasonable.

Recommendation:

We recommend approval of the requested zoning change from SF-1 to PD-SF-1 Zoning District subject to the conditions below:

1. The use of the property shall conform to the SF-1 District in all aspects.
2. The development of the property shall conform to all applicable Type Area 14 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance with the exception of:
 - a. Section IV.C.4, *Minimum Exterior Construction Designs*, and requirements for a minimum roof pitch of 6:12 to allow for an alternative roof pitch that meets the requirement of the adopted International Residential Codes.

Attachments:

1. Zoning application and proposed home design
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list



Staff Report – Planning & Zoning Item

Date: May 18, 2021
Case No.: Z-21-06
Request: SF-1 to MF
Applicant/Owners: Edward C. Vallejo and
Carla E. Morris

Agenda Item

Z-21-06 Hold a public hearing and consider a zoning change from Single Family–1 (SF-1) District to Multiple Family (MF) District on approximately 0.7551 acres located at 710 Shine Street and described as Belton Original, Block 131, Lot 7, Pt. 8, (S Pt. of 8), Tract C.

Originating Department: Planning Department – Tina Moore - Planner

Current Zoning: Single Family District–1 (SF-1)

Proposed Zoning: Multi Family Residential District (MF)

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Areas 3: Central Northwest Belton generally encompassed by the following boundaries: Crusader Way to the North; Nolan Creek to the South; Hwy 317/Main Street to the East; and Loop 121 to the West including the incorporation of the University of Mary Hardin Baylor (UMHB) Campus.

The projected growth of this type area is primarily UMHB campus and has the potential to be developed as an Urban Infill creating pedestrian environments with tree lined streetscape, minimal building setbacks with new projects developing contextually with their surroundings.

Background/Case Summary

This application was initially submitted by a prospective buyer interested in developing an apartment complex on this vacant property and the adjacent western property zoned MF. Due to time constraints, the buyer withdrew from the application which is now being requested by the owner of the properties. The owner wishes to maximize the potential use of this property to help facilitate future sales. At this juncture, there are no development projects proposed.

This property is currently platted as Belton Original, Block 131, Lot 7, part 8, Tract C.

Project Analysis and Discussion

Existing Conditions: This property is currently undeveloped except for a dilapidated accessory structure. The properties to the south and east are zoned SF-1 and are developed with site built residences. The undeveloped property to the west, also owned by the applicant, is zoned MF. The properties north are also zoned MF and are developed with site built single family residences.

Land Use Table/Allowable Uses: The requested Multi Family Zoning District will allow any of the uses identified below:

- Apartments (and related facilities)
- Duplex and Single Family
- Family home
- Child care center
- Nursing home

Area & Setback Requirements: Minimum area and setback requirements for the requested Multi Family (MF) Zoning District are summarized below:

Multi Family

Lot Area:	10,000 sq ft; 2,420 sq ft/du (18 du/acre)	Front Yard: 25'
Lot Width:	80'	Rear Yard: 20'
Lot Depth:	120'	Side Yard: 8'/15' adjacent to street

The lot proposed for rezoning comprises approximately 32,892 sq. ft. and satisfies the area requirements. Due to topography and access limitations, the owner intends to consolidate this lot and the adjacent western lot prior to development. The consolidated lots will be approximately 2.8 acres which will allow a maximum of 50 units according to the current density requirements. A subdivision plat will be required for this lot, with or without the consolidation with the property to the west. Setback and density requirements will be reviewed in the future with the submittal of a site plan and building permit application.

Site Development: Some site development issues to be worked out prior to the issuance of a building permit have been identified and mentioned to the applicant. These include the developer's responsibility to extend a 6" sewer line to and through the property from its current termination point on Shine Street. Alternatively, a septic system may be considered, subject to Bell County Public Health Department and City's Public Works Department approvals. A 6" water line is available at the location; however, the line will need to be tested to see if it meets fire flow requirements. These issues will be addressed during the plat and site plan review.

Future Land Use Map

The Future Land Use Map (FLUM) identifies this area as projected for a single family residence but shows its proximity to multi-family and institutional land uses. The desired growth for

Exhibit C

Design Standards Type Area 3 is the expansion of the college campus. The proposed zoning change is compatible with the existing zoning and appears to be reasonable at this location. This appears to be an acceptable use as an infilled project development if the site plan and building design is sensitive to and compatible with the Shine Street neighborhood.

Recommendation

Recommend approval of the requested zoning change from Single Family-1 District to Multi-Family District; subject to the following conditions:

1. The use of the property shall conform to the Multi-Family Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 3 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance.
3. A final subdivision plat meeting the requirements of the adopted Subdivision Ordinance is required.

Attachments:

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200')



Staff Report – Planning and Zoning Commission

Agenda Item #7

Receive a staff presentation and discuss possible zoning amendment.

Originating Department

Planning – Tina Moore, Planner

Summary Information

The purpose of this item is to discuss and gather feedback for a potential zoning recommendation for existing residential uses in the Commercial Highway (CH) Zoning District.

Background

Residential properties are considered legal non-conforming within the CH zoning district. Existing residential uses are permitted and allowed to be expanded and remodeled. However, in case a fire destroys more than 60% of the reasonable value of the home, it cannot be reconstructed and must comply with the zoning requirements.

Staff was recently contacted by a property owner who owns a residential lot located in the Cameron Subdivision which consists of 11 residential lots within the CH Zoning District. While selling her property, the owner was notified by the loan underwriter that the home is a non-conforming use and could not be sold unless it was rezoned to allow reconstruction after a fire.

Possible solution

Discuss a zoning change to Planned Development - Commercial Highway (PD-CH) to permit residential uses for the entire Cameron Subdivision.

Administrative Plat Approvals					
<i>Date</i>	<i>Subdivision Name</i>	<i>Acreage / Location</i>	<i>No. of Lots</i>	<i>Description</i>	<i>Waivers</i>
4/15/2001	Magnolia First Baptist Addition	6.966 Acres; 2027 Connell Street	1	One block, one lot final plat to allow new church development. ROW dedication received	None