

Minutes of the meeting of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, March 21, 2017

The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair John Holmes, Jason Morgan, Mat Naegele, Brett Baggerly, Rae Schmuck, Eloise Lundgren and Frank Minosky. The following staff members were present: Director of Planning, Erin Smith, and Planning Clerk, Laura Livingston. The following members were absent: Joel Berryman and Ben Pamplin.

Pledge of Allegiance – Mr. Minosky led all present.

Invocation – Chair Holmes gave the Invocation.

1. Call To Order.

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

2. Minutes from the previous Planning and Zoning meeting.

Mr. Minosky made a motion to approve the minutes from February 21, 2017. Mr. Baggerly seconded the motion to approve the minutes with 7 ayes, 0 nays.

3. Z-17-03 Hold a public hearing and consider a zoning change from Specific Use Permit-5 for City Yard to Neighborhood Service Zoning District on a 1.12 acre tract of land, located on the north side of West Avenue D and between Marshall Drive and Mitchell Street.

Ms. Smith presented the staff report.

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

Chair Holmes asked if fencing is required. Ms. Smith said yes, screening will be required on the eastern side adjacent to the single-family homes when development is proposed. A subdivision plat is also required and construction of a 5-foot wide sidewalk along the frontage of the property adjacent to Avenue D. Staff will also review parking and landscape plans with the applicant when a development is proposed.

Mr. Naegele made the motion to approve Z-17-04. Ms. Schmuck seconded the motion, which was approved unanimously with 7 ayes, 0 nays.

4. Z-17-04 Hold a public hearing and consider a zoning change from Agriculture to Commercial-1 Zoning District for a proposed swimming pool and spa sales business on a 1.818 acre tract of land, located on the south side of US Highway 190/Interstate 14, east of Dogridge Road and west of FM 1670.

Ms. Smith presented the staff report.

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

Mr. Minosky made the motion to approve Z-17-04. Ms. Schmuck seconded the motion, which was approved unanimously with 7 ayes, 0 nays.

5. **Z-17-05 Hold a public hearing and consider a zoning change from Agricultural, Commercial-2, and Planned Development Retail to a Planned Development Retail Zoning District for proposed mini-storage on a 17.72 acre tract of land, located on the east side of FM 1670, north of Village Hill Road and south of Brenda Lane and US Highway 190/Interstate 14.**

Ms. Smith presented the staff report.

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

Mr. Morgan reviewed the map of the three properties. He asked the applicant's surveyor, Mr. Ronald Carroll, 3103 Sweetwater Cove, Belton, if there is a reason to include the southernmost property in the zoning change request since no development is proposed at this time. Mr. Morgan stated he is asking this question since screening is required between single family homes and retail uses. Mr. Carroll said it was discussed with Ms. Smith and they believed it would be best to rezone all of the property at one time. Mr. Morgan asked Ms. Smith if screening is required between single family homes and retail development? Ms. Smith explained that screening is required between low-intensity and high-intensity land uses, which can be accomplished by planting evergreen landscaping or constructing a privacy fence, for example. Mr. Fritsch said the development proposed at this time is 500 feet away from the single-family homes. Mr. Morgan asked why would the southernmost property be included in the rezoning because when construction plans are brought forward, screening will be required? Mr. Fritsch said he doesn't have a problem building a 6-foot tall cedar privacy fence.

Chair Holmes asked if there was any outside storage on this property? Mr. Fritsch said he temporarily moved the RVs close to FM 1670 until he completes construction in that location. There will be covered boat and RV storage area as a part of this development. Mr. Fritsch said the current RV storage is temporary. The chain link fence along FM 1670 is also temporary and used to secure the RV's. Ms. Smith said the fence was not permitted and will have to be removed.

Chair Holmes asked about access for fire personnel into this development. Ms. Smith asked if Mr. Fritsch will provide another entrance? Mr. Carroll said there is an existing second entrance to the north and TxDOT has approved the location.

Mr. Minosky asked for clarification regarding the type of fencing proposed. Ms. Smith said the applicant will install a 6-foot tall privacy fence between this proposed development and the single family homes in conjunction with this building permit request, per the direction of the P&ZC. The

applicant will extend the wrought iron fence adjacent to FM 1670 in front of the proposed development. Ms. Smith asked the Commission if they would like the wrought iron fence to have masonry columns spaced every 50 linear feet. She stated that she did not recommend the installation of masonry columns in the staff report, since that would be inconsistent with the existing fence that does not have masonry columns. Mr. Fritsch said he thought it would look better if it was consistent with the existing wrought iron fence.

Mr. Morgan said the landscape plan appears to show new landscaping only in front of the future phase and if all three properties are being rezoned at once, would the landscape requirement apply to the entire rezoned area, including the existing phase and the future phase? Ms. Smith said landscape plans are reviewed with the construction plans proposed for new development, so the landscape requirements only apply to future phases. Mr. Morgan asked if landscaping is only required when the land is proposed for development? Ms. Smith said that is correct.

Mr. Morgan stated that about 10 masonry columns would be required for the more than 500 feet of fence in that area. Mr. Naegele asked if this is because the existing fence will be grandfathered? Ms. Smith said yes. Mr. Fritsch said he's not planning to construct a wrought iron fence north of the new construction. The new wrought iron fence will only be installed in front of the new construction along with landscaping.

Mr. Naegele said he's trying to understand the financial burden to the applicant and then also consider aesthetics, and it should be consistent. Mr. Fritsch said the new wrought iron fence with masonry columns would extend about 200 feet, totaling four columns every 50 feet, and he said it will look odd to have masonry columns on one portion of the fence.

Mr. Naegele made the motion to approve Z-17-05 and recommend installation of a 6-foot tall privacy fence along the southern property line and not require masonry columns on the newly constructed wrought iron fence along FM 1670. Mr. Minosky seconded the motion and it was approved unanimously with 7 ayes, 0 nays.

6. P-17-06 Consider a preliminary/final plat for III Creeks Storage Subdivision, a 23.57 acre tract of land, located on the east side of FM 1670, north of Village Hill Road and south of Brenda Lane and US Highway 190/Interstate 14.

Ms. Smith presented the staff report.

Mr. Carroll spoke in regard to the sidewalk variance request. He said the closest sidewalk he could find was 2 miles away at the Bell County Justice Center, which is conducive for that area. He said Mr. Tweedle with TxDOT is not too excited about this plan, but he can't speak for or against it. Plans will need to be submitted to TxDOT for review. Mr. Tweedle is concerned with the 60-mph highway and stated he does not want sidewalks near that highway. Mr. Carroll stated that Mr. Tweedle stated the sidewalks would be required to be installed along the power pole in the ROW. Due to the severity of the slope there. Mr. Carroll stated that that Mr. Tweedle will require a 1% to 2% grade and the area is currently 5% to 7%, so he doesn't believe it can be approved by TxDOT.

There are also drainage issues that they will have to contend with when building a sidewalk. Mr. Carroll said due to the grade and drop-off, some areas of the sidewalk will need handrails for safety purposes. Mr. Carroll asked the Commission if they could imagine a sidewalk on Loop 121 and MLK Drive on the steep slope? The sidewalk will eventually be eroded from drainage and a retaining wall for erosion cannot be constructed because it will cause another drainage issue. He said lastly, there is an underground fiber optic line in front of the power pole. Mr. Carroll said they're facing a lot of design issues with this sidewalk, and he doesn't believe a sidewalk is conducive along a highway.

Chair Holmes asked if there is a foot trail along there? Mr. Carroll said no sir, there is no pedestrian traffic traveling there. Mr. Minsky asked Ms. Smith if these issues have been presented to the City Engineer. Ms. Smith said she was provided this information that morning from Mr. Carroll and she sent it to the City Engineer to review TxDOT's responses and Mr. Carroll's responses. The City Engineer, Angellia Points, said TxDOT often requires the City to install a sidewalk along the back of the ROW. Ms. Smith said the sidewalk would be constructed in front of the utility poles and the guy wire would need to be moved in conjunction with the sidewalk construction. The next step is to complete a design to see how installation of a sidewalk can be achieved.

Chair Holmes asked Ms. Smith how far out of town the City wants sidewalks to go along a 60 mph road? Are we encouraging people to walk in that area? Ms. Smith said they want to get pedestrians off the roadway. Ms. Smith said she's not very familiar with the foot traffic out there, but she is following the Subdivision Ordinance requirements for sidewalks. The sidewalks would be at the back of the ROW and away from the street pavement.

Mr. Fritsch said his facility is about a mile away from US 190/I-14 and about 1.5 miles to the Stillhouse Hollow dam. Ms. Smith said in regard to Mr. Carroll's statement about the closest sidewalks – there are sidewalks along Three Creeks Boulevard into the subdivision off FM 1670 and the City installed a 10-foot wide hike and bike trail along Wheat Road, north of US 190/I-14.

Ms. Schmuck asked as the city grows, won't there have to be sidewalks in that area? Ms. Smith said the City is encouraging sidewalks along collector and arterial streets for pedestrians.

Mr. Morgan said when you have an existing development and the City wants to start installing sidewalks for pedestrians, you have to start somewhere. As we've seen in the past, TxDOT may lower the speed of that road, which will mean more pedestrians in that area. Mr. Fritsch said one part of the equation is this area is located in Dogridge WSC, which he said is in limited supply, and there is no sewer. He said it will be difficult for a development to blossom in that area until there is sewer and adequate water.

Ms. Schmuck asked if the applicant chose not to install sidewalks now and at some point in time sidewalks were needed, would it fall to the taxpayers? Ms. Smith said yes, this cost would be shifted to the public. Ms. Schmuck said it is probably cheaper to do it now rather than later.

Ms. Lundgren asked if TxDOT has any plans to expand? Ms. Smith said not that she is aware of. FM 1670 is listed in the Metropolitan Transportation Plan to eventually be developed into a four-lane roadway with sidewalks on both sides, but there is no funding for this expansion at this time.

Mr. Minosky made the motion to approve P-17-06 with the staff recommendation to install 6-foot wide sidewalks along FM 1670. Mr. Baggerly seconded the motion, which was approved with 6 ayes and 1 nay with Mr. Holmes voting in opposition.

7. P-17-05 Consider a preliminary plat for Hope Community Church Addition, a 10.698 acre tract of land, located on the north side of Loop 121 and west of Southwest Parkway.

Ms. Smith presented the staff report.

Mr. Morgan made the motion to approve P-17-05. Ms. Lundgren seconded the motion, which was approved unanimously with 7 ayes, 0 nays.

8. Hold a public hearing and consider amendments to Section 103, Definitions and Section 302, Subdivision Procedures, of the Subdivision Ordinance.

Ms. Smith presented the staff report that included the following recommended amendments to Section 302 of the Subdivision Ordinance:

- Include both the P&ZC and City Council for plat approval.
- New plat submission deadline by the 15th day of the month prior to the next month's public meetings.
- The Planning and Zoning Commission must take final action on preliminary and final plats within thirty (30) days of the application being determined administratively complete by the Development Review Committee.
- A preliminary plat is valid for a period of 36 months and each final plat phase will extend the term of the preliminary plat an additional year from the date the last final plat phase was approved.
- An approved final plat must be recorded within 120 days after final approval.
- Change the number of final plat revised prints from 10 to a total of 5.

Ms. Smith also recommended an amendment to Section 103 of the Subdivision Ordinance to create a definition for Development Review Committee.

Mr. Naegele made the motion to approve this item as proposed. Ms. Lundgren seconded the motion and the item was approved with 7 ayes, 0 nays.

With no further business, the meeting was adjourned at 6:33 P.M.

Chair, Planning and Zoning Commission