

Minutes of the meeting of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, February 17, 2015

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 Larry Guess, Brett Baggerly, Rae Schmuck, Mat Naegele, Joel Berryman, John Holmes, Eloise Lundgren, and Ben Pamplin. The following Staff members were present: Planning Director, Erin Newcomer, City Manager, Sam Listi, Public Information Officer, Paul Romer, and Planning Clerk, Laura Livingston. Nick Rabroker arrived at 5:34 P.M. John Holmes left at 6:21 P.M.

Pledge of Allegiance – Mat Naegele led all present.

Invocation – Eloise Lundgren gave the Invocation.

1. Call To Order.

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

2. Minutes from the previous Planning and Zoning meeting.

Mr. Holmes made a motion to approve the minutes. Ms. Schmuck seconded the motion and the minutes were approved unanimously with 8 ayes, 0 nays.

Chair Guess asked if the commission had any issues with moving Item 6, the Workshop, to the first item on the agenda. Hearing none, Item 6 was moved.

3. Hold a workshop to discuss P&ZC meeting schedule, time, and frequency.

Ms. Newcomer discussed conducting two P&ZC meetings, on the 1st and 3rd Tuesday each month, to allow more time for professional development. A second meeting will reduce the large number of items on the P&ZC agenda by dispersing the items between two meetings. The zoning change requests will remain on the 3rd Tuesday agenda and a majority of the items on the 1st Tuesday agenda will be plats.

The consensus of the group was to remain on a monthly schedule (3rd Tuesday), with special meeting dates or earlier meeting times for workshops and training.

4. P-15-04 Hold a public hearing and consider a re-plat for River Place Estates, Phase VIII, a 7.294 acre tract, located east and south of River Place Drive and north of FM439/Lake Road.

Ms. Newcomer presented the staff report.

Chair Guess opened the public hearing on P-15-04 and asked if anyone would like to speak on this proposed re-plat. Hearing none, the public hearing was closed.

Mr. Berryman asked if the lift station will remain. Ms. Newcomer answered the lift station will remain in that location and there is an existing sewer line that these proposed lots will tie into.

Chair Guess asked for a motion on item P-15-04.

Mr. Holmes made a motion to recommend the re-plat to City Council as proposed. Mr. Baggerly seconded the motion and it was approved unanimously with 9 ayes, 0 nays.

5. Consider the following requests:

- a) **Z-15-06 Hold a public hearing and consider a zoning change from Planned Development Single Family-1 and Patio Home District to Single Family-2 Zoning District on a 56.884 acre tract of land and Patio Home Zoning District on a 2.149 acre tract of land, comprising a total of 59.033 acres of land proposed as Dawson Ridge Addition, located north of Sparta Road, south of Lake Road/FM 439, and west of the existing Dawson Ranch subdivisions.**
- b) **P-15-06 Consider a preliminary plat for Dawson Ridge, a 59.033 acre tract of land, located north of Sparta Road, south of Lake Road/FM 439, and west of the existing Dawson Ranch subdivision.**

Ms. Newcomer presented the staff reports.

Chair Guess opened the public hearing on Z-15-06 and asked if anyone would like to speak on this zoning request change.

Gerald Clanton, 3300 Schooner Cove, stated he is concerned about the increase in traffic that may develop in this area with only three access points. He did not know until he arrived that there will be 129 houses built in this area which will create a tremendous traffic problem for the two streets (Spring Canyon and Canyon Heights) that connect with FM 439. Something needs to be done about the traffic before this zoning change request is approved. There is a lot of traffic there now, coming down Dunn's Canyon, but this will create even more traffic. From the map he received, there does not seem to be a way to create access from the northwest corner of this addition to FM 439. He could not find FM 439 on the map and was having trouble trying to determine exactly what the request was. This is a major concern for him, particularly for young families with kids. There are a lot of young families in that area and there are complaints already about traffic flow on Spring Canyon Drive. Mr. Clanton asked what is going to be in the buffer area on the map?

Ms. Newcomer stated it is a requirement to notify all property owners within 200' of the proposed zoning change and the buffer area identifies the properties that require notification. The properties within this 200' buffer area will not change.

Mr. Clanton stated he understands why the developer wants smaller lots because he can make more money, but in the end that may reduce property values in the neighborhoods around this area. What are the prices of the homes to be built? He feels that is an important factor and maybe the Commission should know that before they approve this request. Until we know what is going to be built there, we won't know what kind of impact it's going to have on the existing neighborhood.

Mike Murphy, 3203 Canyon Heights Road, stated the traffic is going to be an issue. There are not many houses on Canyon Heights Road right now and it is difficult to make a left hand turn onto FM 439 since it is a two lane roadway in this area. Traffic is moving in both directions constantly and people are swerving if you stop to wait for oncoming traffic. There are no sidewalks on Canyon Heights Road and we have several young families with children in this area. This proposal will create a large amount of housing and traffic that is going to be traveling down both roads (Spring Canyon Road and Canyon Heights Road) and that needs to be addressed. FM 439 is going to have to be widened and traffic lights may need to be installed. Canyon Heights Road is not in good condition and is not going to handle that additional traffic. Why is his property included in the 200' buffer? If you look on the other side no other property is included in the buffer. What restrictions are now placed on him because his property is in the 200' buffer?

Ms. Newcomer stated there are no additional restrictions. The 200' buffer area is just a notification requirement.

Mr. Murphy asked if there is a minimum square footage requirement for the proposed houses. He realizes the builder can build whatever he wants, but isn't there some kind some consideration for the enduring properties?

Chair Guess stated that when the public hearing is closed, some of the questions raised will be answered.

Estella Murray, 3210 Canyon Heights stated she is located in Phase Two of the nearby development. When she bought her home there was a minimum 2,000 square foot requirement to build in that area. How many additional houses will it be changing from Single Family-1 to Single Family-2? Traffic on Canyon Heights and FM 439 is a large concern and she is afraid of getting hit every time she turns onto FM 439 from this roadway. Additional houses built in this area different from what was initially planned when she purchased her home, is a concern in regard to sewage. She can see with each house built, problems occur with drainage on her property. She is also concerned that her property value will decrease with the inclusion of smaller homes planned in this area.

Delpha Potter, 3532 Canyon Heights, stated the traffic on this road will be horrendous if these homes are built. Several families who live in this area, not just along Canyon Heights, but Spring Canyon as well, will have no place to walk and will be required to walk in the middle of the road since there are no sidewalks. Dogs running up and down the streets are going to get run over. It is just going to be dangerous if there is not some kind of consideration about that. There doesn't seem to be any consideration for the current residents in this area. They bought their home 6 years ago because it was out toward the edge of town with green space. It is a neighborhood in all the connotations of that word. Personally she does not like all the additions going in. We are destroying the trees that help us and it is going to reduce the property values. Their property is going to back up to some of the proposed housing. She does not see a purpose of putting that many houses in that small of a space. It's not going to serve anything other than to make the builder more money and it is certainly not going to help us residents.

Willinda Butler, 3302 Spring Canyon Road, stated she moved here from Michigan about 7 years ago. She chose Regatta Oaks as the area she wanted to live in because it was family-oriented and very friendly. Living on Spring Canyon Road for the last 4 years has become a nightmare, as many before her have said. The traffic is horrendous in this area. Every dump truck, building truck, and other types of trucks used to build those houses travels down Spring Canyon Road, day after day, all doing business. It is a lot of traffic for this area. It does not seem that the builders are going down FM 439 and taking Dunn's Canyon, they are constantly coming down Spring Canyon Road for the last 3 or 4 years. Now she is hearing that she is going to have to endure more years of that as these homes are being built. She does not like it, it seems like they could go on the other side of where they are going to build the homes. This does not affect the people on the cul-de-sacs as much as her home which is located is on the main thoroughfare. Having to endure 3 or more years of that is going to be horrible.

Ronald Parker, 2606 Sparta Road, stated he had just spoke with Mr. Bryan and he showed him a map of the proposed Single Family-2, which is 7,500 square feet. 10,000 square feet is less the quarter of an acre, so when you get to 7,500 square feet, there are even smaller lots. Mr. Parker's concern is the more houses in this area, the tighter they are, will result in more people and crime. He does not care how minute the increase in homes are this will increase crime, and that's a fact. The homes will be in close proximity to one

another and if one catches fire he thinks it will be an issue out there, the fire may jump from house to house, tree to tree. His last concern is not the traffic it's the love of the dollar. This developer is going to make plenty of money with a 10,000 square foot lot. The City is going to make plenty of money from property taxes. If you reduce the zoning to allow for more housing; it's more money for them, more money for the city. He just wishes we could get away from chasing that dollar. Everyone is going to be alright, we don't have to cram that many people in 56 acres.

Marcus Voltin, 3209 Canyon Heights, stated his main concern is the traffic on FM 439 and it's not just his problem, it's everyone's problem in the City that uses FM 439. FM 439 is a two lane road with a 55mph speed limit in this area and there are only two entrances. Every time he stops to make a left hand turn, he's looking into his rearview mirror, waiting for someone to rear end him. There are 18 wheelers and gravel trucks coming from Nolanville and there's a need for a left hand turn lane. To put that density, with a dozen houses on Canyon Heights and four times that right behind there, and the only entrance that every one of those people are going to utilize is Canyon Heights Road to make a left or right hand turn off of FM 439. He knows this is probably a state road and not within the City's jurisdiction, but those traffic issues are a fatality waiting to happen. It's a 55mph speed limit and people are at a dead stop waiting to turn onto FM 439.

Grady Brown, 3502 Spinnaker Lane, stated he concurs with the comments on traffic but feels that this is a byproduct of the decision the Commission is forced to make tonight. It was kindly mentioned in the prayer tonight the stewardship you have as a Planning and Zoning Commission. It's your job to control the value and quality of life as a City and he would like to commend them on what has been done so far. He is a new resident who just moved to Belton in July from Las Colinas in Irving. He had seen zero lot line construction in areas he lived in previously and moved away from that. He has found it most enjoyable to find a home with a half-acre lot, a forest in the back yard and neighbors that talk to you and bring your trash cans in on Saturday when you forget those types of things. There was a zoning assigned to this area to begin with and that zoning was an assessment of the type of city this wants to be which is one of low density, is what he heard in the initial comments in this hearing. What you are being asked to approve is something that is not quite within that qualification of low density. He would consider SF-2 to be medium density. It is not an SF-3 zoning, but it is certainly a far difference then the type of lots he is living in and the surrounding homes in his neighborhood. Part of the reason he decided to buy a home in Belton, instead of Temple or Salado, is because it offered the quality of life he is interested in having. It's the Commission's job to make decisions based on quality of life, not what is going to bring in the most tax dollars to the City, although that is important, to maintain that quality of life and not certainly to benefit the pockets of the builder. He is familiar with those homes. He has looked at plenty of them. He looked at Dawson Ranch and personally he would not have ever bought a home in that subdivision because he felt like he was going right back to Dallas with neighbors looking at him through his window. He strongly suggests the P&ZC looks at why that original zoning was there and consider what the true benefit of changing that zoning is. His experience in doing public hearings for variances or zoning changes is that you have to illustrate a hardship that the original zoning or ordinance was causing to the specific end user that is requesting that variance. Unless you have a hardship illustrated, then really there is no reason to approve a change. The original zoning plan for this community was established based on a master plan and several meetings and hearings like this. Those decisions were based on sound judgment and now it is coming back after the fact change it. What's different today than when the original master plan was completed that would justify making a change from that original plan? You have heard the deterrent as to what that issue is going to be. To him it is the quality of life of the community you are effecting by allowing more space.

Jared Bryan, Carothers Development, 11783 Bonnie Lane, Morgan's Point, Texas, stated he would like to address some of the comments. The original master plan called for about 646 to 650 homes in the Dawson Ranch area that develops along Chisholm Trail Parkway. This is the last section of land that was in that master plan and the total build-out will be 420 lots. The density has been reduced by 200 homes. The reason they are requesting a SF-2 zoning as opposed to the current Planned Development SF-1, are the lot widths like in the previous sections of Dawson Ranch. They require 65 to 85 varying lot widths for better views on the streets, so this it is not cookie cutter area. They do want the quality of life and feel that it does help sell homes, and that's what they strive for. Approximately 90 to 95 percent of the lots are actually conforming to the SF-1 requirements and over the 10,000 square feet. The issue is the other 10 percent of those lots. The smallest lot on the plat is 8,000 square feet, larger than the minimum square footage in SF-2. Some lots are over 1 acre. He knows that price ranges on these homes shouldn't weigh in on the decision, but these homes will be consistent with everything they have done in the previous phases of Dawson Ranch, such as the last two plats known as Dawson Ranch, Phase V and Highland Estates, Phase II, which have already been approved. Those homes have actually increased in value roughly 5% each year and the bottom price on these homes will be about \$220,000. He agrees that something needs to be done about the traffic on FM 439. He gets scared everyday turning in there. It is something that needs to be looked at and hopefully the City and the State can work together on that. The Thoroughfare Plan identifies Spring Canyon Road as a collector street and we are following that Plan. The reason they shrunk the pavement of Chisholm Trail Parkway from Spring Canyon to Canyon Heights, is because if you continue to a wide Chisholm Trail Parkway, it will promote more traffic to travel on Canyon Heights Road and they do not think that is where they should be directing traffic. They think the collector, as the Thoroughfare Plan shows, should be where traffic goes in and out of the subdivision. Some people will use Canyon Heights Road as the path of least resistance, but in their opinion designing it as a local street will help that.

Chair Guess asked if anyone else would like to speak on this zoning change request. Hearing none, the public hearing was closed.

Mr. Baggerly asked if there was any information about FM 439 and future improvements. Ms. Newcomer stated she believes it is on the long range 2040 Metropolitan Transportation Plan; however, there is no funding at this time.

Mr. Holmes asked about the road at the back (south) of the development. Mr. Bryan stated that is a shared private drive with an access easement for those property owners.

Mr. Naegele stated on the Thoroughfare Plan it showed a road on the west boundary of this property. Ms. Newcomer stated that collector street is no longer a component of the proposed Thoroughfare Plan update. That was eliminated from the draft Thoroughfare Plan due to steep slopes in that area. Spring Canyon Road will now be the collector in that area that will eventually extend to Sparta Road and ultimately to US 190, pending Council approval of the proposed Thoroughfare Plan update.

Mr. Berryman asked if the City has a plan to slow traffic down along Spring Canyon Road. Ms. Newcomer stated this issue will be best addressed by Public Works. Perhaps a bump-out or modern traffic calming mechanism will help decrease high speeds, to where the road is not straight. Spring Canyon Road will extend to Sparta Road and that may divert a majority of the traffic to travel south.

Mr. Pamplin asked if there is a time frame for the extension of Spring Canyon Road to Sparta Road. Ms. Newcomer stated staff will have to work with Bell County, but there is not a specific time frame at this time. Through subdivision platting, right-of-way will be obtained for the extension of this roadway.

Mr. Naegele asked if the land is available for ROW between Spring Canyon and Sparta Road. Ms. Newcomer stated the developer has done a really good job aligning the roadway with what the developer is calling Old Sparta Road. We have not seen an easement document for Old Sparta, but the developer has stated it does in fact exist.

Chair Guess asked for a motion on item Z-15-06.

Mr. Rabroker made a motion to deny the zoning change to City Council as proposed. Motion died for lack of a second motion.

Mr. Pamplin made a motion to approve the zoning change to City Council as proposed. Mr. Naegele seconded the motion and it was approved with 7 ayes, 2 nays with Mr. Rabroker and Ms. Schmuck voting in opposition.

Mr. Holmes left the meeting at 6:15 P.M.

Chair Guess asked for a motion on item P-15-06.

Mr. Berryman made a motion to recommend the preliminary plat to City Council as conditioned. Mr. Pamplin seconded the motion and it was approved with 6 ayes, 2 nays with Mr. Rabroker and Ms. Schmuck voting in opposition.

6. P-15-07 Consider a preliminary plat for Hubbard Branch, a 137.397 acre tract of land, located along the north side of FM 436/Holland Road, east of Loop 121, in Belton's Extra Territorial Jurisdiction (ETJ).

Ms. Newcomer presented the staff report.

Mr. Berryman expressed concern with the suitability of the proposed parkland. Ms. Newcomer stated staff has reviewed a few different renditions that the developer has proposed for parkland. Staff did not feel the proposed area is suitable for parkland due to slopes shown on the topography map. Once a survey is completed in this area, staff will have a better idea of the actual slopes. In conversations with the developer, they have stated it is a fairly flat area.

Mr. Berryman asked if there is a sidewalk proposed along FM 436. Ms. Newcomer answered an 8' wide concrete sidewalk is proposed along FM 436 extending the length of the subdivision.

Mr. Berryman asked if the sidewalk will be included in the developer's parkland requirements. Ms. Newcomer answered the developer has proposed this as one component of alternate parkland, but it is along an arterial road, so a 6' wide sidewalk would have been required. The developer is proposing to build an 8' wide sidewalk.

Chair Guess stated this is a preliminary plat and there are still many issues to address. Ms. Newcomer stated this is the layout and expressed confidence the subdivision will work, as conditioned.

Mr. Pamplin made a motion to recommend the preliminary plat to City Council as conditioned. Mr. Berryman seconded the motion and it was approved unanimously with 8 ayes, 0 nays.

With no further business, the meeting was adjourned at 6:31 P.M.