

Minutes of the meeting of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, March 15, 2016

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, Rae Schmuck, Frank Minosky, Mat Naegele and Jason Morgan. The following staff members were present: Director of Planning, Erin Smith and Planning Clerk, Laura Livingston. Commission members Brett Baggerly, Ben Pamplin, Joel Berryman and Eloise Lundgren were absent.

Pledge of Allegiance – Rae Schmuck led all present.

Invocation – John 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. Frank Minosky made a motion to approve the minutes from February 16, 2016. Mr. Mat Naegele seconded the motion and the minutes were approved unanimously with 5 ayes, 0 nays.

3. Z-16-02 Hold a public hearing and consider a zoning change from Commercial Highway to Commercial-2 for an office warehouse on a 0.264 acre tract of land, located east of South Interstate Highway 35, west of Pat Drive, and north of Grove Road.

Ms. Smith presented the staff report.

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

Mr. Minosky made a motion to recommend approval of item Z-16-02, to change the zoning from Commercial Highway to Commercial-2 for an office warehouse on a 0.264 acre tract of land, located east of South Interstate Highway 35, west of Pat Drive, and north of Grove Road. Mr. Morgan seconded the motion. The zoning change was approved unanimously with 5 ayes, 0 nays.

4. Z-16-03 Hold a public hearing and consider a zoning change from Agricultural and Single Family-2 to Planned Development Commercial Highway Zoning District for an indoor firearms facility at 3360 West Highway 190 on a 2.22 acre tract of land, and from Agricultural to Commercial Highway Zoning District at 7140 West Highway 190 on a 2.81 acre tract of land, located on the north side of U.S. Highway 190, between Boxer Road and South Wheat Road.

Ms. Smith presented the staff report.

Chair Holmes opened the public hearing.

Aaron Ludwig, of Arizona representing Action Target, said the concern he continues to hear is whether the sounds of an indoor shooting range can be heard from outside the building. He said if you have ever been to an Action Target shooting range, he said he can assure you there is no sound outside of the building. He said it is not a traditional shooting range as sometimes seen in an industrial area. He gave an example of shooting ranges in Texas which share walls with a mattress store and a rental car facility. The shooting range proposed far exceeds any recommendation he normally would suggest, Mr. Ludwig said. He said no bullet has ever left any of his ranges, and with more than 100 shooting ranges under his belt, he's confident the noise outside will be akin to a typical commercial building.

With no one else requesting to speak, Chair Holmes closed the public hearing.

Mr. Jason Morgan said he appreciated the applicants and the City working together. He asked if this is one zoning request, or is it divided into two? Ms. Smith answered that the Commission could make separate motions if that's easier. Mr. Morgan asked the setback requirements for Commercial Highway zoning. Ms. Smith replied the front yard setback is 60 feet, and the side and rear yard setbacks are 20 feet. Mr. Morgan said there would be no screening from the neighborhood as required in the Planned Development zoning. Ms. Smith said screening is required in the Design Standards. Mr. Morgan asked if the Commission voted to rezone to Commercial Highway, would screening occur immediately or upon development? Ms. Smith answered, upon development. Ms. Smith suggested that the second zoning request change to Planned Development Commercial Highway, so future site development plans are required to go before the Commission and Council for review and approval.

Chair Holmes asked about the privacy fence along the back (northwestern side next to the single family lot). Ms. Smith said the masonry fence extends the length of the single family lot for screening purposes. Chair Holmes asked whether there is a sidewalk from the residential to the commercial area in the back of the lot. Ms. Smith said no, sidewalks are proposed on both sides of Sendero Estates Drive and a sidewalk network will be created to the proposed park and existing elementary school. Chair Holmes said his concern isn't the gun range use, but with continuity from commercial into residential and what could move into the area of Commercial Highway close to residents. Chair Holmes asked if City staff knew if there would be competitions at the gun range which he believed could affect traffic flow and encroach on the subdivision. Ms. Smith said the preliminary plat was approved in June 2014, which essentially is the layout of the development. She said the competition question would have to be answered by the applicant. She said they evaluated the uses and site to ensure there will be adequate parking. The builder informed Ms. Smith that they planned to install evergreen trees on the proposed Commercial Highway lot to the west.

Chair Holmes asked about the changes to this particular request from the last time the Commission reviewed it. Ms. Smith replied that the change is the request to rezone to Planned Development and

the applicant has submitted detailed plans that show the transition between the higher intensity commercial use and lower intensity residential lots.

Mr. Morgan asked about the separation of the two lots with red lines on the map. Ms. Smith explained there are two lots in this zoning request. Mr. Morgan said he preferred to re-zone the lots the same to Planned Development Commercial Highway.

Mr. Morgan made a motion to recommend approval of the zoning change of lot at 3360 West Highway 190 from Agricultural and Single Family-2 to Planned Development Commercial Highway Zoning District with the recommendation as presented by staff. Secondly, Mr. Morgan recommended approval of the zoning change from Agricultural and Single Family-2 to Planned Development Commercial Highway Zoning District at 7140 West Highway 190. Mr. Naegele seconded the motion, which passed with a vote of 4 ayes, 1 nay. Chair Holmes voted in opposition.

5. P-16-09 Consider a final plat for Mystic River, Phase II, a 10.071 acre tract of land, located east of North Main Street, west of the Leon River, and south of the existing Mystic River, Phase I, subdivision.

Ms. Smith presented the report.

Chair Holmes asked if there was a requirement to build a proposed access road if the homes are not built in the case of a housing downturn. Ms. Smith replied that this temporary road is for emergency access only until the next subdivision phase is proposed, then an adequate connection to Guthrie will be required.

Mr. Minosky asked about parkland. Ms. Smith said the developer is proposing to develop a trail system, swimming pool, pavilion, and green space in the future plat phase. Ms. Smith stated the developer is required to submit an overall preliminary plat for the entire remainder of the property that addresses parkland and street access and circulation. She said she wants the Commission to see the plans in its entirety to ensure it achieves the parkland requirements in the Subdivision Ordinance.

Mr. Minosky made the motion to approve the final plat for Mystic River, Phase II, a 10.071 acre tract of land, located east of North Main Street, west of the Leon River, and south of the existing Mystic River I, subdivision, as recommended by staff. Mr. Morgan seconded the motion, which was approved unanimously with 5 ayes, 0 nays.

6. P-16-10 Consider a final plat for Sendero Estates Subdivision, a 63.38 acre tract, located on the west side of Wheat Road, east of Boxer Road, and north of U.S. Highway 190.

Ms. Smith presented the report.

Mr. Morgan asked if Pointer Drive will extend to Boxer Road? Ms. Smith showed the map to the Commission and described that Pointer Drive will not extend to Boxer Road, but the proposed ROW for Pointer Road in this subdivision will make that possible if an extension is needed.

Chair Holmes asked if Bradford Drive could become an access road in the future? Ms. Smith said yes, it's a possibility since it terminates at the Lake to Lake Road ROW.

Mr. Naegele made the motion to approve the final plat for Sendero Estates Subdivision, a 63.38 acre tract, located on the west side of Wheat Road, east of Boxer Road, and north of U.S. Highway 190, as recommended by staff. Ms. Schmuck seconded the motion, which was approved with 4 ayes, 1 nay. Chair Holmes voted in opposition.

With no further business, the meeting was adjourned at 5:53 P.M.

Chair, Planning and Zoning Commission