

Minutes of the meeting of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, October 18, 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, Mat Naegele, Brett Baggerly, Eloise Lundgren, Rae Schmuck and Frank Minosky. The following staff members were present: Director of Planning, Erin Smith and Planning Clerk, Laura Livingston. Members Joel Berryman, Ben Pamplin and Jason Morgan were absent.

Pledge of Allegiance – Mr. Frank Minosky led all present.

Invocation – Chair 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.

Ms. Eloise Lundgren made a motion to approve the minutes from September 20, 2016. Ms. Rae Schmuck seconded the motion and the minutes were approved unanimously with 6 ayes, 0 nays.

3. Z-16-15 Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5th and East 6th Avenues.

Ms. Smith presented the staff report.

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

Ms. Schmuck asked the proposed use in terms of what's included in Neighborhood Services. Ms. Smith said this zoning includes businesses that are compatible with the neighborhood and do not generate a large amount of traffic or noise. Ms. Smith said some of the uses are listed in the staff report, such as child care, beauty shop and antique shop, for example.

Mr. Naegele asked the owner's intent for the property. Ms. Smith said they are uncertain of the specific use at this time, but that it likely will be for office use.

Chair Holmes asked about fencing. Ms. Smith said she didn't see any issues. Mr. Baggerly asked if this is a "Sears catalog house." The applicant Ms. Bethany Rosebrock, 618 N. Wall St., said she had heard it is a "Sears house," though she's not certain.

Mr. Minosky made the motion to approve a Z-16-15. Mr. Naegele seconded the motion, which was approved unanimously with 6 ayes, 0 nays.

4. Z-16-16 Hold a public hearing and consider a zoning change from Agricultural to Light Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land, located east of South Interstate 35 and south of Grove Road.

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. Naegele asked if the location to the south is still proposed to become an RV park? Ms. Smith said the applicant stated they do not plan to move forward with a RV park.

Mr. Minosky asked about tree mitigation and what will be done about the trees that have already been removed? Ms. Smith spoke with the contractor who stated the trees removed did not meet the heritage tree size requirement; therefore, replacement is not required. She said it's difficult to know since the trees have been removed, which is why she is requiring a tree survey of the undeveloped portion so there is record of the existing trees in that area.

Mr. Baggerly asked if there is recourse the City can invoke in a case such as this. Ms. Smith said yes, the City can issue penalties if the proper permits are not pulled.

Chair Holmes asked if there are any drainage issues? Ms. Smith stated a drainage study is being developed for City staff review.

Mr. Minosky said it appears the City is playing catch-up with the property, to which Ms. Smith said it is occurring a bit after-the-fact since no permit was requested, but the City is still requiring building permit fees for work they have completed. The City is not proposing fees for the trees that have been removed, Ms. Smith said. Mr. Minosky asked why the City is not requiring a building permit, to which Ms. Smith said the City is requiring plans for staff review, then building permits will be issued.

Ms. Schmuck made the motion to approve Z-16-16. Mr. Morgan seconded the motion, which was approved unanimously with 6 ayes, 0 nays.

5. P-16-29 Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855 feet south of FM 93, and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek.

Ms. Smith presented the staff report.

Chair Holmes asked is this business would supply concrete for Interstate 35. Mr. Sam Walker, representing Eckermann Engineering, 8 Park Place, Lampasas, said there has been a buy-out of a local concrete company, and others are looking to take over some of the smaller projects in this

area. Chair Holmes clarified his question and asked if the concrete trucks would be heading to I-35 from this site. Mr. Walker said yes, though they will be heading in many different directions. Mr. Walker said they plan to enhance the driveway for safety purposes, and have submitted plans to TxDOT for permitting, and lighting will be added to the intersection. He described the elevation at the entrance and said that drivers will be able to clearly see the concrete trucks.

Chair Holmes asked how long the temporary status will remain? Mr. Walker said it is still being discussed, but TexMix will likely take two years to complete the plans for the permanent concrete batch plant. Mr. Baggerly asked about dust mitigation. Mr. Walker said multiple ideas have been discussed with no solution quite yet. A strong all-weather surface is needed to support the concrete trucks and they plan to pave the entry on FM 93 immediately. They are still looking into dust mitigation. Mr. Walker said City staff have been great to work with. Chair Holmes asked about the environmental oversight by TCEQ (Texas Commission on Environmental Quality). Mr. Walker said TCEQ monitors air quality of concrete plants, so when they are batching and mixing they are not allowed to release particulates into the air. Additionally, they must file for approval of an air quality permit through the Environmental Protection Agency and TCEQ.

Ms. Lundgren asked what would happen if the concrete batch plant is not approved? Mr. Walker said the plat would still be recorded, but the concrete batch plant would not be constructed.

Chair Holmes asked how it may affect Nolan Creek? Mr. Walker said there is not a TCEQ permit that governs this, but an environmental group in Austin is working on those plans. Typically, a concrete plant will collect water in a retention facility with space for overflow in a large storm event and much of the water is reused. He said there is strict testing as required by the state.

Chair Holmes recalled the “Rockwall days” when the wind would carry the particles from the insulation manufacturer. Mr. Walker said the location of the development would be downhill in a cornfield and there is another 300 feet of trees from the concrete batch plant to Nolan Creek.

Mr. Naegele made the motion to approve P-16-29. Ms. Lundgren the motion subject to conditions outlined by the Director of Planning, which was approved unanimously with 6 ayes, 0 nays.

With no further business, the meeting was adjourned at 6:02 P.M.

Chair, Planning and Zoning Commission