

Minutes of the meeting of the
Planning and Zoning Commission (P&ZC)
City of Belton
333 Water Street
Tuesday, October 17, 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 Brett Baggerly, Joel Berryman, Dave Covington, Michael Pressley, Lewis Simms, David Jarratt, Rae Schmuck, and David Fuller. The following member was absent: Ben Pamplin. The following staff members were present: Director of Planning, Erin Smith, City Manager, Sam Listi, Planner, Kelly Trietsch, and Planning Clerk, Laura Livingston.

Pledge of Allegiance – Ms. Rae Schmuck led all present.

Invocation – Mr. Covington gave the Invocation.

1. Call To Order.

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

2. Minutes from the previous Planning and Zoning Commission meeting.

Mr. Covington made a motion to approve the minutes from September 19, 2017. Mr. Jarratt seconded the motion to approve the minutes with 7 ayes, 0 nays. Mr. Lewis Simms arrived at 5:33 p.m. after the minutes were approved.

3. Z-17-14 Hold a public hearing and consider a zoning change from Planned Development Commercial-1 to Commercial-2 Zoning District for equipment rentals on a 10 acre tract of land, located on the east side of South Interstate Highway 35, south of Grove Road.

Ms. Smith presented the staff report (Exhibit A).

Chair Baggerly opened the public hearing. The applicant Mr. Jeb Jones, 3606 Jill Circle, Tyler, was present to answer any questions. With no one else requesting to speak, Chair Baggerly closed the public hearing.

Mr. Covington asked if the zoning south of this property will remain zoned Planned Development-Commercial-1? Ms. Smith said yes, it will remain zoned PD C-1. The applicant is not acquiring the property to the south. In earlier meetings, they discussed potentially rezoning the entire property; however, the applicant is not purchasing the southern portion. The applicant is proposing to rezone the northern 10-acre portion of the property he is purchasing. Since the property to the south will maintain a Planned Development zoning, a rezoning will be required prior to development.

Mr. Jarratt asked if there will be a requirement to extend Capital Way? Ms. Smith said that will be discussed when the plat is presented to P&Z and City Council. Capital Way is shown on the City's Thoroughfare Plan to extend south along the eastern portion of this property. Staff has met with the applicant and discussed the requirement for right-of-way dedication and collector street construction for portion of Capital Way adjacent to this property.

Mr. Schmuck made the motion to approve Z-17-14, a zoning change from Planned Development Commercial-1 to Commercial-2 Zoning District for equipment rentals on a 10-acre tract of land,

located on the east side of South Interstate Highway 35, south of Grove Road. Mr. Berryman seconded the motion, which was approved unanimously with 8 ayes, 0 nays.

4. Z-17-15 Hold a public hearing and consider a zoning change from Agricultural to Two Family Zoning District for the construction of duplexes on a 24.995 acre tract of land, located on the west side of Connell Street, north of Huey Drive and south of Laila Lane.

Ms. Smith presented the staff report (Exhibit B). Ms. Smith requested that the Commission allow the applicant, Mr. Todd Scott, to give a short presentation.

Mr. Jarratt told Chairman Baggerly he will abstain from consideration and voting on this agenda item.

Mr. Scott said he's been before the P&Z Commission presenting similar projects. He said his purpose is to show what he's proposing, but also back it up with the evidence of what they have done. Cross Plains Holding & Development Company have constructed duplexes for about seven years now. They started in Temple with 100 units, then added 40 units on Old Waco Road. With each development they have done, he commonly hears at P&Z meetings that duplex neighborhoods will decrease property values, that there's going to be crime, that we're going to have low-income renters, because a lot of people have a stigma around duplexes as low-income rentals. Mr. Scott said he wants to show what they really have is more like an apartment complex. The project will be done under the Cross Plains Development Company, which is Mr. Scott and a partner, a neurologist and longtime real estate developer. He and Mr. Scott will own all of the buildings. There is a Property Owner Association (POA) that is created for their developments which is filed with the plat. The POA maintains the duplexes like an apartment complex. The POA waters the yards every other day and mow the yards once a week. All of the fences are cedar privacy fences with steel posts, so we have a long-term quality product. The estimated value of this project to the City is about \$18 million. In Phase I and II, the buildings constructed are 3-bedroom, 2-baths appraised at \$198,000 per building. We also have 3-bedroom, 3-bathrooms that appraise at \$240,000 per building. Mr. Scott said that's a higher appraised value than anything in that market out there where they are building. Mr. Scott said they are going to improve the property values of what is in that general market around the Expo Center. Mr. Scott showed photos of duplexes constructed off 205 Loop in Temple five years ago. Mr. Scott said they try to make their buildings look like a house with bump-outs on the garages, separating the doors to where it looks much more like a house. They have fully sodded lots in the front and back yards. The lots all have irrigation systems that are maintained by an external landscaping company. The buildings are maintained by the POA. As Ms. Smith stated, the City requires each unit to provide two off-street parking spaces. As one can see with most of their duplexes, they generally will construct three to four parking spaces per side because we don't like our streets jammed up with people parking on them. Mr. Scott showed more photos from the Temple project and also photos from Cameron Park where they did not construct garages. They took a poll of renters and they responded they would rather have \$100 less rent and not have a garage. In the case of Belton, we do garages because that is what's required. Mr. Scott said the duplexes without garages have parking spots for four vehicles per side. Mr. Scott said he took those photos last week and the buildings were built 2.5 years ago, which he said shows the level of maintenance and upkeep. He went on to show Phase I on Connell Road, showing a one-story building and a two-story building, which is a 3-bedroom, 3-bathroom. Here's what matters, Mr. Scott said: What are these duplexes going to look like in five years? What are these duplexes going to look like in 10 years? We went above and beyond. These buildings are 100 percent masonry with stone on the front and brick on three sides, so there is no siding on these to deteriorate over time. There is continuous maintenance of the landscaping and the buildings, and evidence of high-quality street construction. They received

their one-year notification from the City of Belton Public Works Department stating their streets look wonderful. We've done an exceptional job building the streets and infrastructure. The neighborhoods are attracting quality tenants. Spradley Property Management manages the properties and every one of the renters gets a credit check and a background check. We don't take felons, we don't take criminals and we don't take people with terrible credit who are going to come in, trash the place and leave. That's evidenced by the fact we are getting \$1,150 per side in rent. We're attracting a high-quality tenant. This is the future of Belton with the east side of Connell Road planning for future commercial and retail and a commercial corridor down Loop 121 to attract restaurants. What attracts Bush's Chicken and what attracts Stripes is that the average yearly income in our houses is \$60,000 to \$65,000 which houses several nurses, medical students, and hospital residents. What attracts retailers is higher than the national median income with high-density population within a mile of where a retailer is wanting to go. This is a great example of a duplex neighborhood they constructed after five years - rose bushes, crape myrtles, and lawns are all well-maintained. There are single-family neighborhoods adjacent to the duplex neighborhoods they have constructed. What you won't see are yards without grass, without mowing, without maintenance, without improvements, with shingles blown off, with fences falling over, masonite siding, and yards not being maintained. Bottom-line is we have a track record, this isn't our first duplex development, this is our fourth duplex development. Mr. Scott said we have a system that works and we can produce a quality product that improves the tax base in the community and attracts retailers and other commercial businesses, as well as other high-quality residential development around us.

Chair Baggerly opened the public hearing. Mr. Edward Hayes, 336 Hamilton Court, lives on the south side of the development that's being discussed. He told Mr. Scott that was a good presentation. The map they received showed the shaded area that would be developed and the 200 feet property owner notification is not a part of it, correct? Ms. Smith said, correct. Mr. Hayes asked if those areas would remain Agricultural? Mr. Scott said yes, they will remain zoned Agricultural because they belong to other owners. Ms. Smith said the 200 feet is the notification boundary. What you see on the map on the screen is what's being proposed for rezoning, she said. Mr. Hayes asked if Mr. Scott would be developing Southwest Parkway within this development? Mr. Scott said yes. Will Mr. Scott develop a road from Connell Street? Mr. Scott said yes. Mr. Hayes asked if that would be an access road to this development? Mr. Scott said Southwest Parkway will tie into Laila Lane. They discussed where the traffic would flow in and out of the neighborhood. Mr. Hayes asked if Mr. Scott would provide more details regarding the Property Owners Association? Mr. Scott said there are two business partners at this time. It takes a super-majority vote to even change the rent. That's what can happen in a duplex neighborhood is someone gets in a bind and drops rent, then the whole thing goes with it. That can't happen with the way the POA is set up.

Ms. Debra Hayes, 336 Hamilton Court, asked for the rent amount? Mr. Scott began to answer when Chair Baggerly informed him of the rules of the public hearing and that it wasn't a time for him to respond to questions necessarily. Ms. Hayes said to be honest she is not very happy with this situation. When her and her husband bought the property, after living their two years they were wrongly told that the man who owned the property behind them would not sell because the people who bought their house had tried to buy the property, apparently. However, the man refused to sell. She said she likes her neighborhood the way it is, with horses and cows back there. Ms. Hayes said she's seen duplexes before and she said she knows what can happen to duplexes, granted she's not familiar with duplexes in Belton because they are from El Paso. Anytime she has seen duplexes her impression is that they fall apart and you get a lot of low-income people there, then crime and drugs, and right now they have a very good community. They have no crime that she is aware of, which is one of the reasons that they moved there. She doesn't see the need for so many duplexes. She would

prefer single-family homes because then you don't have people coming and going. Instead there are families who have more stake in their property.

Ms. Frances Brown, 1051 West Avenue O, owns five properties that are adjacent to this property along the north and west sides. She and her family have no objections to this development. They have seen the duplexes on South Connell Street, they are beautiful homes and they have no objection to this development.

Ms. Pauline Farinha, 344 Hamilton Court, asked the rental cost? Mr. Scott answered \$1,150 per side for the 3-bedroom, 2-bathrooms; \$1,100 per side for the 2-bedroom, 2-bathrooms; and almost \$1,300 per side for the 3-bedroom, 3-bathrooms. Ms. Farinha asked the purchase cost of the complete unit? Mr. Scott said they do not sell them; they build them and keep them just like a big apartment complex. With no one else requesting to speak, Chair Baggerly closed the public hearing.

Chair Baggerly asked Mr. Scott if he wanted to address any unanswered questions. Mr. Scott said on the issue of crime, the building superintendent lives in the neighborhood and there is a daily police patrol since they're listed on the crime watch circuit. They do this in all of their neighborhoods as an additional safety measure.

Mr. Covington said he didn't have any objections to this. He thinks the product being produced is reasonable and nice, and it doesn't scare him. Ms. Schmuck said it doesn't scare her either. Mr. Covington said it goes along with what exists around the area. Mr. Fuller said a Property Owners Association attached to the neighborhood provides an added benefit.

Mr. Berryman made the motion to approve item Z-17-15, a zoning change from Agricultural to Two Family Zoning District for the construction of duplexes on a 24.995 acre tract of land, located on the west side of Connell Street, north of Huey Drive and south of Laila Lane. Mr. Covington seconded the motion to approve. The item was approved 8 ayes, 0 nays.

Mr. Covington explained to the public the process of P&Z's recommendation to City Council which will also open a public hearing at its meeting, Oct. 24.

5. P-17-23 Consider a final plat for Southwood Hills, Phase II, an 8.799 acre tract of land, located on the west side of Connell Street, 0.35 miles south of West Highway 190/Interstate 14.

Ms. Smith presented the staff report (Exhibit C).

Mr. Jarratt abstained from discussion and voting. Chair Baggerly asked if there is an opportunity to utilize the parkland money somewhere nearby? Ms. Smith said yes, there is parkland that was dedicated within a mile, according to the Subdivision Ordinance, in Liberty Valley Phase III, just south of this property. Mr. Scott said they will propose parkland dedication in Phase III since there will be an odd corner that isn't going to allow for lots. Mr. Scott said they will have a couple acres that they really can't get streets to, so that's going to end up being a pretty decent sized park. Ms. Smith said we can evaluate that when the preliminary and final plats are proposed for Phase III, pending City Council consideration of this zoning change request.

Mr. Simms asked Ms. Smith about some reservations that City Council voiced. Ms. Smith said during preliminary plat consideration, the Council expressed concern with potential on-street parking on Laila Lane. Ms. Smith said she mentioned this to acknowledge that the City always has the ability to stripe curbs for "no parking," if that does become an issue.

Mr. Covington made a motion approve P-17-23. Ms. Schmuck seconded the motion, which was approved 7 ayes, 0 nays.

Ms. Smith made some announcements. The next scheduled P&Z meeting is set for the third Tuesday in November, which is November 21st, the same day there is a special called City Council meeting. Ms. Smith proposed rescheduling it to November 22nd or November 23rd. With Thanksgiving falling on November 23rd, it was discussed that Monday, November 20th might be a better option. Ms. Smith stated staff will evaluate and Ms. Livingston will notify the Commission of the date.

Ms. Smith also notified the Commission of her resignation since she accepted a new job. Her final day with the City of Belton is December 1st.

With no further business, the meeting was adjourned at 6:05 P.M.

Chair, Planning and Zoning Commission