

Minutes of the meeting of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton  
333 Water Street  
Tuesday, February 20, 2018

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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, Michael Pressley, David Jarratt, Ty Hendrick, Dave Covington, Lewis Simms, Stephanie O'Banion and David Fuller. The following member was absent: Rae Schmuck. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Kelly Trietsch, Director of IT Chris Brown, Director of Public Works Angellia Points, IT Specialist Ryan Brown and Planning Clerk Laura Livingston.

**Pledge of Allegiance** – Chair Brett Baggerly 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. Swear-in new voting members.**

New P&ZC member Stephanie O'Banion was sworn-in as a new voting member.

**3. Minutes from the previous Planning and Zoning Commission meeting.**

Mr. Jarratt made a motion to approve the minutes from January 16, 2018, seconded by Mr. Hendrick. The motion passed unanimously with 8 ayes, 0 nays.

**4. Hold a public hearing on the City's revised Design Manual and consider a recommendation to the City Council.**

Director of Public Works Angellia Points presented a staff report (Exhibit A).

Chair Baggerly welcomed those who attended the meeting and noted that the speaking time is limited to three minutes each. He then opened the public hearing and invited those to the podium who wished to speak.

Mr. Marty Janczak, 12 North 5<sup>th</sup> Street, Temple, represents the Temple Area Building Association (TABA). TABA representatives were privileged to be a part of the stakeholder meetings that occurred last spring and, as one can tell from the timeline, the last meeting was June 22, 2017. We've continued to evolve in the process and the Design Manual has continued to evolve and be modified and he believed the last draft was published in January. We would comment that all proposed changes are certainly noble goals, but now as before the question is can we afford them? We as the builder/developer community that I represent, or you as the city, because there are costs that are going to be involved with that. The costs of development in the private sector are pretty easily calculated and driven by the profit motive. Will there be work, or not? And that becomes pretty evident early on. In the case of the cost of the City, it's taxpayer dollars and cost of construction and the long-term maintenance to occur. Mr. Janczak gave a couple quick examples to point that out. One of the requirements is that all water lines above 12-inch be ductile pipe. That's fine, Mr. Janczak

said. Sometimes, very few of the times, he thought, the builder/developer puts in pipes of that size sometimes they do in Three Creeks. The most part cities build transmission lines. Is it really necessary to have ductile pipe at 12 inch? Many of the modern products such as C205 plastic pipe exceed the specifications of ductile pipe if a problem occurs with that pipe it's going to be at the joint, it's not going to be in the barrel of the pipe, the point is it's going to cost taxpayers more dollars to put in ductile pipe than perhaps a PVC style pipe. A second quick example is the auxiliary power plants for sewer lift stations. Those have to have maintenance. From personal experience, if they don't run at least once a week they're not going to run when you need them to, Mr. Janczak said. While they can have automatic main cycles to start, but what's it going to cost and how long its going to take to change the oil to change the filter, how long the fuel life going to be, what will you have to do to replace that; these are all going to be budget line items in the maintenance budget that we have to talk about. If there has been, we're not aware of it, of any cost benefit analysis that has been accomplished on the city's side of it. We as TABA recommend that we have more analysis and stakeholder input to this process. We have come a long way. We appreciate being able to work with the staff and we appreciate being included but we recommend to you that we continue to work this issue and come together and as a united group to you and the Council and particularly with the financial perspective of the taxpayer view of things.

Mr. Jason Carothers, 50 South Wheat Road, representing Carothers Executive Homes, said he was speaking on behalf of housing costs in Belton compared with other neighboring cities. We have been developing in Belton since 2004 with our main development being Dawson Ranch. Anyone sitting on the Council or P&Z is aware of that name, we have had multiple phases from Phase 1 to Phase 7 or 8. Each year and each new design guideline, effects costs. We never had any new cost where our costs were lowered. With that said, houses that we are in now compared to a couple Phases ago, three to four years, cost in there is probably \$20,000-\$25,000 difference for the same house, the same size lot, everything equal, that's how much costs have risen. We can take those same plans and build them in the City of Temple, where some of the guidelines are not as restrictive. Things are laid out a little bit differently, the topography, same house comparable city to city will average \$8,000-\$10,000 less than the City of Belton. What I'm concerned about with all the permits we have pulled and the pace we have been going, with any increases in fees and regulations we're going to eliminate more and more buyers with each one of those. There are all kinds of stats for every \$1,000 would be disqualify to buy a house. I won't get into all that, but we have produced all those numbers to Staff. I have given my personal time and staff time of my company to work on these committees. We're asking for more time to do that. We feel we can get a proposal that's all workable and I don't think we're at that point where we need to proceed and go forward. There needs to be more work to make sure. The main thing is as a city, I think we all want to see good, steady growth and we compare what is really necessary for new guidelines to go by, see those failures, accomplish those in a very cost-effective way. We have willing people that are participating, we just need more time to work with it and make sure it's most cost effective to make sure we protect homebuyers that are interested in Belton to buy new construction.

Mr. Jared Bryan, 50 South Wheat Road, representing Carothers Development/Quadruple Bogey Development, said he would echo what Mr. Jason Carothers and Mr. Marty Janczak said. He said he would keep it simple because he can't understand the complex engineering talk, but what he does know is sometimes he wants to drive a Cadillac Escalade but he can't afford a Cadillac Escalade. The Chevrolet Suburban will work and the wheels keep spinning and sometimes maybe there's a more expensive option that may be better, it's not realistic for the overall goal of the City. I think we all share in the goal of the City to grow at a managed pace. I don't want to see us make some changes that look really good on paper, looks really good in engineering schematics, but it doesn't work in the marketplace and slow down the growth of Belton.

Mr. Josh Welch, 3000 Illinois Avenue, Suite 100, Killeen, representing WB Development, that developed Three Creeks near Stillhouse Dam. Both himself, WB Development and the engineering firm Yalgo Engineering with Mr. Scott Brooks have been involved in several different stakeholder meetings in multiple cities throughout this area. The only thing he would add is that we have been involved in stakeholder meetings where we haven't gone out and didn't draw out the whole process necessarily with the last one in June and we have had some more revisions that we haven't had time to go with staff to go through and talk through that we would like the opportunity to do. We worked with other cities pretty well, that when we know of issues and know where the problems they are seeing in newer type of development when we sit down with staff we have typically been able to do a pretty good job most of the time to come up with solutions that are economical, feasible and meet the intentions of what the city is needing and we're able to do it to fit into a marketplace and still be able to continue operate. Killeen, several years ago – this is just Mr. Welch's personal experience – they passed some updates to some ordinances that was not agreed upon with the development community, they just pushed it through and those factors as well as some others but mainly it's because of things that were done either Staff or the City Council over there and their permit numbers are now about half of what they were five to six years ago. We would like to be able to keep doing business in Belton like we are; keep things rolling. So we would echo what they have said, that we would be able to go through some more stakeholder meetings with Staff and hopefully iron out some of these issues so that we can present something to you that we're all on board with that us and Staff can come before you and say we agree on all this; we would like this to move forward and we'd like the opportunity to do that.

Mr. Scott Brooks, 3000 Illinois Avenue, Suite 100, representing Yalgo Engineering, said he's not going to repeat what Mr. Welch said before him because he agrees with most of it, almost all of it. First of all, Mr. Brooks said he wanted to commend City Staff for working with us throughout this process to come up with something that is workable. Mr. Brooks said he doesn't think they are quite there yet, but we're very, very close. We're making good progress, but the proposed standards that are out there right now are not quite there. I found a few typographical errors, which are going to cause some confusion. Some of the requirements have gone through the stakeholder meeting have changed since then and the stakeholder group has not met again to discuss. Some of them are vague, such as a new requirement for fire hydrant testing. All it says is that fire hydrants have to be tested after they are built, there's not specifications what standard is going to be used for the testing or even what is going to be tested...The color of the paint on the fire hydrant? The flow of the fire hydrant? None of that is in the standards. It just says it needs to be tested. Those are the kinds of things that Mr. Brooks said he believes make the Design Manual not quite ready for primetime as they say. Working together collaboratively with the stakeholder group and staff we can come up with a better product for you and Council. Mr. Brooks reiterated the cost involved with some of these changes. As Mr. Janczak pointed out, some of the costs would be taken on by the developers which is passed down to their customers, the homebuyers. Some of the costs would be the taxpayers paying for capital improvement products that the City pays for. Mr. Brooks said he has a list of some of the major items that are all "cost adders." The chip seal requirement; the testing that's required and the problem with that is base material doesn't accept water from the surface very easily. If it starts to dry out the only way to get water back into it is to tear it all up, mix water in and then re-lay it and re-compact it. It's a very expensive process. So that being an option is not really a cost-effective option either. I'm not sure that we have a lot of failures that this will solve currently. The ductile pipe 12 inches; the access roads for the lift stations and the off-site sewer mains, the standard that is being applied for the pavement of those access road is for a very large number of truck axle repetitions, the lift station road doesn't see a lot of traffic. Designed to be residential standard and doesn't need to, lift stations and sewer lines, concrete pile up channels in regards to a 10-year event or a trickle event, Mr. Brooks

said. One unintended consequence of having more concrete is you lose the environmental effects of the cleaning of vegetation. So, about every 10 years you would have an event that would clean things up, if you had a trickle channel once every two years it would be cleaned up. A change in the way storm water runoff is calculated in the new manual, but it's a method that was adopted in Austin and other cities have used because Austin uses it but it's not necessary because it's over conservative. It's going to cause every storm water device in the City to go up in cost. What is the financial impact to the taxpayers and the developers and the homebuyers. There's also a tree protection change and stakeholders suggested adding some language to make sure it was only trees to be protected and that wasn't put in there, the way it reads right now it says all trees have to be protected as anyone who does development knows sometimes trees can't be protected. If the City is putting a street in, it's dangerous to have trees in the middle of the street. The last thing Mr. Brooks wanted to point out, is the minimum slope for water lines, one of the new requirement 0.1 percent. That's going to be a very difficult thing to do; the reason he's been told it's been asked for so water lines can be drained for service. Sewer lines, unlike water lines, always run downhill. Water lines are under pressure so they can go uphill, downhill to follow the contours of the Earth by putting in a minimum slope requirement it's going to be a lot harder to install those. If the water lines are structured like sewer lines you will get water lines that are 20 feet deep. Mr. Brooks said he's concerned about the cost.

John Howe, 7353 West Adams, Temple, representing Omega Builders, said they are currently building homes in River Place and the Bluffs at Dunn's Hollow. First of all, he said, thank you for allowing us to have input though he's not going to be as detailed as Mr. Brooks was in his comments. From a building standpoint, we're concerned about affordability and therefore even when they look at the homes we build custom, what are the have-to-haves and the nice-to-haves and our buyers do that. So, when they look around, where do they want to live, what can they afford, the neighborhood, so Mr. Howe said he sees himself representing the homebuyers and the people who want to live in each community where they build: Georgetown, College Station, Bryan, Temple and Belton. A side story: In College Station when they started building 3.5 years ago, a lot was running for about \$43,000 and we're getting close to that here in Belton right now for a 60-foot lot. Three and a half years later that same lot actually shrunk from 60 feet to 50 feet and is costing \$70,000. All of these additional requirements, they are really nice, some of them are not needed. What Mr. Howe would implore is what do we have to have? What is truly broken? What's not working? Let's address that and separate the nice-to-haves on the other side and see what are the must-haves, the safety issues, etcetera, performance failures, what are the costs and see if there are some creative ways to solve the problem. Right now, we're looking at immigration issues and workforce/labor issues. We have problems getting trades on job sites, trying to call pavers, plumbers, framers, but labor costs are going up, material costs are going up, lumber, costs are going up every quarter. Whatever you can do to prevent costs in the early stages, which is your lot as a homebuilder, carries throughout the whole project so you finance it, you pay commissions on it. The homes we started building, again just as an example, in College Station, were \$240,000 for a starter home. Today, that same house is running \$305,000. A \$25,000 lot increase and so the price increased, it reaches a point where the ratio doesn't work anymore and the size of the house must increase, the amenities must increase and everything spirals up. That's the caution point. There are real numbers to support that. Yes, we're all in the business of making money but I want to make sure we can still sell to buyers who still want to move into this beautiful community and customers who want to bring their businesses here.

Chair Baggerly closed the public hearing and opened it up to the Commission for discussion. He said the P&ZC is looking to do one of three things: recommend moving this to City Council, suggest alterations, or tabling this to another date.

Mr. Fuller said his concern is the cost. When he was younger, looking for a home that he could afford, so that needs to be looked at and he hasn't seen at any cost analysis so before they get too far they need to take a look at that. Mr. Jarratt said the consistent thing he has heard is there is good interaction between Staff and representative groups and I agree if we're going to make a recommendation for the City Council to entertain a plan, a cost benefit analysis would be useful.

Mr. Covington asked Ms. Points when was the last stakeholder meeting? Ms. Points said in the summer, June 2017. Mr. Covington asked if there have been significant revisions since then? Ms. Points said a lot of the revisions that we have made were because of those stakeholder meetings, so yes, to address those comments. Ms. Points said they did not delay it to make more revisions, but due to the actions of the Council, annexation, budget – things that were of high importance.

Chair Baggerly said he heard a lot of general comments about more analysis needed. Mr. Brooks had some specific suggestions that Ms. Points could touch on, such as the fire hydrant testing. Ms. Points said that does need to be clarified and that would be fire hydrant testing based on flow, so it is confirmed that it meets our fire flow requirements. Ms. Points said she can definitely make the revisions. She believes the document is in great shape and, with anything, as you get going with it and say wouldn't it be nice to have this clarified, we can do that through the process, through addendums. Ms. Points said she would definitely like to see those typos that you've noticed written down please so she may give them back to KPA.

Ms. Points said she can definitely clarify the Tree Protection section and she said that was her fault that was missed.

Mr. Hendrick asked about the generator at the lift stations. Would a portable generator be more practical? No sir, it will not, Ms. Points said. Ms. Points said because that's what we have at now and it is not sufficient. We have 17 lift stations in the City of Belton and if one portable generator is not enough. Ms. Points said there are four people in the sewer department. We have looked at that recommendation extensively. We are planning for almost a worst-case scenario. If we get a catastrophic event come through town and we have an ice storm, one portable generator will not do it. Ms. Points said she has first-hand experience with this. Unfortunately, the City had to shut down three lift stations last Sunday night to do a tie in to the force main overnight, and shut down the Miller Heights lift station, and we have one hour to drain it all the way until they hit the high-water line. One hour is definitely not enough. We would have had an overflow situation had that not been a controlled shutdown. With a controlled shutdown at the Pecan lift station and they had about five hours. We had a controlled shutdown at the Belton Main lift station they had four hours. Ms. Points said she needs that back-up power in order to let that sewer flow to the treatment plant so they can avoid back-ups.

Mr. Hendrick asked about the shelf life of gasoline. Ms. Points said they have the option of gas or diesel. Ms. Points said they run the generators once a week and test the automatic transfer switches and all sorts of tests once a week. Another modification made in this process was to decrease the fuel storage from a 48-hour run time to 16 hours, Ms. Points said. We understand it's a maintenance item to run these generators but Ms. Points said in her mind it's 100 percent worth it because I know I can provide that service to the citizens of Belton.

Mr. Simms asked if there have been any studies done on the City side of the financial impact it will have and on the maintenance side how much money it will save you and what that will do to real estate in the area. Ms. Points said there has not been and that's the simple answer. Ms. Points said it's a very complicated analysis to run. One way we could do that is take a proposed subdivision and

compare it to the new standards. Every subdivision is very different, what do they need for water, for sewer, what is the layout, how does the drainage get taken care of. The simple answer is, no, an analysis has not been done. Ms. Points said that a lot of these items in the Design Manual are already being done now. There are very few things that she would call “changes,” and she listed some of the items. She said she does recognize there are some changes that could increase and maybe even decrease costs but with your direction and from City Manager Sam Listi we can do some sort of analysis. Mr. Simms asked how changes have been implemented if Design Manual hasn’t been adopted. Ms. Points said a lot of them are common sense engineering practices so a lot of them are being done at our request and developer sees it as worth it as well.

Mr. Hendrick asked about using waterlines with the minimum slope of 0.1 percent and is that a change that is being implemented now? Ms. Points said no, we have not. It came from a previous Public Works Director and it does have some merit to not have all waterlines at 0 percent basically because whenever we have a water main break we want to be able to drain the line quickly. That is one of the items Ms. Points said she would consider in the category of “nice-to-have,” and she would certainly be willing to cut that from the Design Manual. Mr. Simms asked if there is any kind of common sense practice that can be applied to the 0.1 percent slope; how would the City realistically implement that? Ms. Points said the common-sense approach is to implement a minimum waterline depth so it does follow the contours of the land and that is in the proposed Design Manual now, Ms. Points said.

Mr. Hendricks said in Ms. Points opening presentation she said the access road going from 12 to 10 feet wide and the asphalt along the creeks he thought because of erosion. What if a lift station is not close to a creek, Mr. Hendricks asked? What if it’s in an area that would not be as susceptible to erosion? Is something besides asphalt that can be used that would be more practical? Ms. Points said she absolutely must have the access roads to lift stations be asphalt because city staff do access those lift stations once a week for maintenance. If Mr. Hendricks is referring to manholes, Ms. Points said maybe there is another alternative and if it’s not near a creek she would want some thought put into is it going to erode out? Is the drainage coming across that area? Ms. Points said she believed he was asking about using gravel roads. Will that gravel road eventually wash away? Ms. Points said she looks at it as a day-to-day because she does oversee maintenance and it’s OK for the City to maintain an asphalt road versus gravel because weeds will grow and it can wash away. Ms. Points said her recommendation would be asphalt and they did reduce from 12 feet to 10 feet to cut some costs. Chair Baggerly clarified that Ms. Points said the roads are accessed once a week? Ms. Points said yes to the lift stations, the manholes are not accessed that often. Ms. Points said they are implementing some things in the sewer department to create a sewer crew to do a yearly flushing of all manholes that has not been done in the past but we’re changing that as much as we can with a four-man crew. We want all of Belton sewer to be flushed so we can prevent overflows, Ms. Points said.

Mr. Fuller said the common denominator is that there needs to be more discussion. He thinks everyone could find some common ground if they had more time. Mr. Fuller said he thought that a joint meeting of City Council and P&ZC might be a good idea and another stakeholder meeting so they can get caught up to date, since the last meeting was in June. Ms. Points deferred to Mr. Listi.

Mr. Listi said they are open to whatever PZ&C might want to recommend, obviously we have been through a number of reviews and a lot of compromises on both sides as we have gone through this process. We certainly would like to move the item on to City Council for consideration, Mr. Listi said when P&ZC is ready. As Ms. Points has indicated, he said, there has been quite a bit of thought and review and certainly on the timing question, as we have not met since June, but again that was

not to take any extra time other than the fact we had a lot of other things going on with annexation and the budget during last fall. We're certainly open to whatever recommendation P&ZC would like to make to move this item along, if not tonight, then we certainly can try to reply to the specifics that have been identified tonight, and come back to you as soon as possible. We could circulate those revisions out to the development community and then come back. Mr. Listi said they anticipate a public hearing before the City Council, once P&ZC makes a recommendation to the Council. Again, there probably will never be unanimity in terms of the standards we're proposing. Our goal, as Ms. Points says, is certainly not to make it so Belton can't be developed. We're interested in quality development, and first-class development, and we want to stay competitive and that's always a challenge, there's always a tension point on that. But there certainly are cost implications to a number of the items we discussed tonight, as far as the street maintenance long term, the street conditions and there has been a lot of discussion and all of those have implications now and later, to the extent the standards are upgraded will certainly extend the life of those items. Everything that is built... water, sewer, streets, storm drainage...all become a public responsibility down the line so as soon as that time period of development is over and all the houses are occupied that becomes our responsibility. Ms. Points is challenged to try to balance these interests and bring the development standards to you that make sense and that are manageable in cost and we certainly appreciate everyone's concern about costs. But at some point, we need to determine what the standards are going to be and move those along, Mr. Listi said. We certainly could debate this for an indefinite time period, but we believe there has been good, solid interchange, a lot of give and take on both sides and, within a reasonable amount of time, we would like to send it to City Council.

Mr. Pressley asked if most of these items are being done now anyway, what would it matter if we had a delay and had another meeting to get everyone on common ground and go over it? Mr. Listi said he didn't think another meeting is going to make a whole lot of difference. We have been at this two to three years going through the revisions and the interaction back and forth. We're certainly not opposed to another meeting, Mr. Listi said. We did get some concrete items tonight and we certainly can make those revisions. We can sit down one more time with the development community and say here's the proposed revisions and here's where we are and get any final revisions and then come back to you and after any final outcome after that, hopefully, in the next month or so bring it back to you. Hopefully at that point, secure a recommendation from P&ZC to move forward to City Council, and again that's not the end of it. We will have another public hearing at City Council. In the interest of the community P&ZC makes whatever decisions you are going to make, resolve those items and take to City Council and establish what our standards are going to be.

Mr. Covington asked if there would be two public hearings at City Council? No, one, Mr. Listi said.

Ms. O'Banion asked Mr. Listi if he thought some cost analysis could be put together for P&ZC review; she heard two different requests for the taxpayer and for the developer. Mr. Listi said it's challenging, but we certainly can give it some thought and see what we can do, Mr. Listi said, looking at a cost comparison. However, we can do it in a concrete fashion, we can try to do that, Mr. Listi said. Ms. O'Banion said she's the last one to the party, so she doesn't want to make everyone back up so if everyone else is unanimously on board, she certainly did not want to hold up the situation but she would like to understand a little more what drove us to this point.

Mr. Covington said, you all know that costs never go down, they only go in one direction and that's up from a development standpoint, from the builder standpoint, from the homebuyer's standpoint, from city maintenance standpoint. So, I agree it would be nice to know what the costs look like in the future, but I also understand you can't compare development that has been done to development that is being done to a development that who knows where it's going to be and what the topography

is going to be like. Cost analysis would be fantastic, Mr. Covington said, but I think it's going to be difficult like Mr. Listi said to really nail that down. Certainly, there are some easy revisions that have been brought up tonight that Ms. Points can handle. Mr. Covington said in his opinion, the water line issue that is probably something, at first glance, that can be changed if we're just following the topography. Mr. Covington said he doesn't want it to get bottlenecked at P&ZC and he believes we have received some valuable feedback from the development community and there are some changes that can be made and get this thing passed onto Council. Mr. Covington said he didn't think waiting around for some, ambiguous at best, cost analysis is going to be as helpful as it will be confusing.

Mr. Simms said he agrees with the majority of Mr. Covington's assessment. but he's a little concerned that there is no input on the financial impact this would have, at all, in terms of how it impacts the City, the taxpayers, the builders and developers. Mr. Simms said he's almost priced out of Belton in terms of purchasing a home so he's a little sensitive to real estate costs. As a taxpayer, he believes the dollars should be spent responsibly and if that means there are things we can do to improve development reasonably and respectfully that ultimately increases the longevity of our developments and ease the taxpayer burden then absolutely we should adopt it. But it's a little concerning to me to get to a point we're looking at adopting it and we have no perspective there even with some understanding, and if it's a 1:1 comparison of future development since we have several going on here in Belton right now. Mr. Simms said he doesn't think they have to do massive financial undertaking of trying to calculate every single cost associated with every aspect of every change but there clearly are some here that are of higher concern than others to the developers. Mr. Simms said he's not necessarily sharing their concerns but it's only because of a lack of understanding.

Mr. Listi said let us take a little time and work with Ms. Points to hopefully come back to you at the next meeting and try to respond to the concrete items that were identified tonight. If there are others, we would like those in writing, Mr. Listi said, and anything submitted by the end of this week could be considered. We would like concrete recommendations that we can address, he said. We will try to do what we can, with some limited financial analysis, to try to come up with a cost comparison. Again, it's just a point in time estimate, but certainly we can identify what the current cost to the proposed might be. If desirable, we can certainly sit down one more time, Mr. Listi said, with the development community; that might stretch us into the two-month time period and then come back to you with any revisions and report from Ms. Points and, hopefully, at that point P&ZC will have a comfort level that would allow the item to proceed to City Council.

Chair Baggerly said he agrees with Mr. Listi and to table the item to the scheduled March 20, 2018 P&ZC meeting.

**5. P-18-02 Consider a final plat of Dolores Estates, an 8.98 acre tract of land located east of IH-35 on the south side of Decker Road in the ETJ of the City of Belton.**

Ms. Maxwell presented the staff report. (Exhibit B)

Mr. Covington made a motion to approved P-18-02, a final plat of Dolores Estates, as recommended by staff, including variances for the perimeter street improvements, sidewalk, fire hydrants, and parkland dedication/fee; motion was seconded by Mr. Fuller. The motion passed unanimously with 8 ayes, 0 nays.

**6. P-18-03 Consider a preliminary plat of Taylor Subdivision, a 34.535 acre tract of land located west of IH-35 on the east side of FM 1670, south of West Amity Road in the ETJ of the City of Belton.**

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

Ms. O'Banion asked how much ETJ is between Belton and Salado High School; where does our ETJ end? Ms. Maxwell said it's just south of FM 2484. Ms. O'Banion said so we would be able to influence future development potentially on other properties in that area? Ms. Maxwell said all along the east side of FM 1670, it may just barely encompass part of the area of FM 2484, but definitely to 2484. Mr. Hendrick asked for clarification regarding the ETJ along 1670. Ms. Maxwell said the east side is Belton, the west side is Salado; the sidewalk would be going along the east side of FM 1670.

Chair Baggerly said sidewalks are often a contentious issue and nobody wants to be first but he thinks it's something that needs to be considered seriously for this development because there will be a lot more development on that stretch. Ms. O'Banion asked if we're able to influence the development in our ETJ. Mr. Covington jokingly asked if they could go back and reconsider the Meadows plat so they can do sidewalks too. Ms. Maxwell said that is not possible now, and clarified that the situation was a little different since the school wasn't there at that time, but you never really know what's coming. Now we have two residential subdivisions, setting a pattern where there could be other future development.

Mr. Covington said he recalled that the northeast corner of this plat is going to be for a detention pond. Ms. Maxwell said they don't have any of the details yet with the preliminary plat but it will come with the final plat. Mr. Covington asked if the applicant is in the audience and could respond to the Commission's questions. He asked if there was a possibility to use that area for parkland? Ms. Lina Chtay, 106 East Street, representing Belton Engineering, said there is only enough room for a detention pond. Mr. Covington questioned if there was any room for a playground in that area? Ms. Chtay said we can certainly look at that when we do the final plat. Mr. Covington said in Texas, a detention pond makes a pretty good football field for 11 months out of the year for the neighborhood kids. Even if it was more simplistic than a playground but make it look like a place to hang out before it starts raining.

Mr. Covington said on the two commercial lots, TxDOT is granting access to the southern one but not the northern one so the northern one will have access from Holland Drive, correct? Ms. Maxwell said yes. Mr. Covington said this may be for the final plat but he's concerned with the traffic coming in and out of FM 1670 so you don't have traffic coming out into another turn. Ms. Maxwell asked if the applicant has looked at that to which Mr. Randy Taylor, 3492 FM 2484, Salado described the layout that will give 20 feet in front of those lots so the driveway would be at least that far back. Mr. Fuller said that's a pretty good point on those lots with the entry near the highway when you're trying to get into the subdivision and he can imagine the people buying homes there might have difficulty getting in and out.

Mr. Covington said we had a similar discussion a couple months ago about the roundabout in Three Creeks so you don't have two different traffic patterns. Mr. Jarratt said the good news on this side the highway drive access is on the highway outbound lane side. If we were in Britain or Australia we would have a problem, Mr. Jarratt said, but we're good here because that is the outbound lane where there is access to the northern commercial lot. Mr. Covington said he is thinking of someone going out of the northern commercial lot and then going back into the subdivision and maybe somebody is making a left-hand turn. Mr. Fuller said you might lose one lot to keep all the cars in the neighborhood and not backed out onto the main traffic access. Mr. Covington said he didn't think you would have to lose a lot because it looked like you would have

250 feet of road. Mr. Covington recommended the entrance a little bit to the east of that commercial lot. Mr. Listi said it will be finalized before the final plat comes back and there will probably be 80 to 100 feet distance from the intersection before the driveway so you have several cars stacking room before the driveway that will allow turning in, turning out. Mr. Listi said they will work with the applicant on that for the final plat.

Mr. Covington asked if there's been a cost assessment on sidewalks? Ms. Chtay said it costs about \$23,000.

Mr. Covington made a motion to approved P-18-03, a preliminary plat of Taylor Subdivision, as recommended by staff, including variances for the water pressure and parkland dedication/fee, access limitation along Hollow Drive for Lot 1, Block 1, and application of the sidewalk requirement with funds placed in an escrow account; motion was seconded by Mr. Simms. The motion passed unanimously with 8 ayes, 0 nays.

**7. P-18-05 Consider a preliminary plat of the Heart of Texas RV Resort Addition, a 12.0 acre tract of land, located on the east side of South Interstate Highway 35, extending to Toll Bridge Road and approximately 0.45 miles south of Shanklin Road in the city limits of Belton.**

Ms. Maxwell presented the staff report. (Exhibit D)

Chair Baggerly said he understood the applicants came to an agreement just today on the street option. The applicant, Mr. Jerry Fisher, said they had come to an agreement. When he spoke to Mr. Listi originally, he had thought there was no reason to remove the base that is already there on Toll Bridge Road and that they would just add new asphalt and add base at the end of the road. Ms. Points advised she recommends the base be removed, he said, even on the existing road, to get an even compacted street across so we agreed to that. Chair Baggerly said it looks like we have covered a lot of the issues. We have, Mr. Fisher said, we have come a long way.

Mr. Jarratt made a motion to approve P-18-05, a preliminary plat of the Heart of Texas RV Resort Addition, as recommended by staff, including provision of 14" water line with city reimbursement for costs over 8" line, provision of perimeter street improvement section per City Recommended Option 1, ROW dedication to achieve 30' from center of current ROW, and variance for extension of sanitary sewer conditioned on providing connection to each RV site for future sewer connection; motion was seconded by Mr. Simms. The motion passed unanimously with 8 ayes, 0 nays.

With no further business, the meeting was adjourned at 6:52 P.M.

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Chair, Planning and Zoning Commission

# MEMO



Date: February 16, 2018

To: Chair Brett Baggerly and Planning & Zoning Commissioners

Cc: Angellia Points, Cheryl Maxwell, Kelly Treitsch

From: Sam A. Listi, City Manager

RE: Revised Design Manual Presentation to P&ZC

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Public Works Director, Angellia Points, will present an overview of the City's Revised Design Manual for consideration by the P&ZC at your meeting on February 20<sup>th</sup>, in conjunction with the Commissions' called public hearing. Please see attached Powerpoint presentation. Based on the importance of this document in the design of subdivisions considered by P&ZC, and Planning Commission consideration in 2002 which is referenced in the attached Ordinance when the Manual was originally adopted, the City Council requested Commission input on this document as it moves through the public involvement process. The 2002 Ordinance is attached.

Following Mrs. Points' overview presentation at your February 20<sup>th</sup> meeting, we recommend the Planning Commission conduct a formal public hearing on the Design Manual, seeking input from interested individuals and groups. Notification occurred by newspaper publication, by direct email contact from Mrs. Points (see email and notification list), and through social media. The process we suggest for the public hearing includes the following:

- Chair opens Public Hearing;
- Chair invites public comment – verbal or written;
- Planning Commission may seek clarifications from staff;
- When public comments are completed/received, Chair closes public hearing; and
- Planning Commission may deliberate, ask staff questions, and determine how it wants to proceed to develop a recommendation to Council.

If the P&ZC appears ready to make a recommendation to City Council, the P&ZC Chair opens floor for a motion/second which may include modifications to the Design Manual as proposed.

If discussion among Board members indicates P&ZC needs more information, clarification or a response to specific points made at the public hearing, a motion to table action to the March 20,

2018 P&ZC meeting may be appropriate. At that time, staff will return to address issues raised with the goal for P&ZC to be in a position to finalize its recommendation at that time.

Once the P&ZC finalizes its recommendation on the Design Manual – either on February 20<sup>th</sup> or March 20<sup>th</sup> – we will schedule a public hearing for the next available City Council meeting, allowing public input on the Design Manual before the Belton City Council.

If you have any questions, please contact me at (254) 933-5818 or Cheryl Maxwell at (254) 933-5816.

Thanks for your input on this important matter.

**Attachments**

- Design Manual Powerpoint
- 2002 Ordinance
- Public Hearing Notice
- Letter to Interested Parties
- Notification List

## Staff Report – Planning & Zoning Item



**Date:** February 20, 2018  
**Case No.:** P-18-02 – Dolores Estates  
**Request:** Final Plat  
**Applicant:** All County Surveying  
**Owner:** Enrique Jimenez and Alberto Jimenez

### Agenda Item

P-18-02 Consider a final plat of Dolores Estates, an 8.98 acre tract of land located east of IH-35 on the south side of Decker Road in the ETJ of the City of Belton.

### Originating Department

Planning – Cheryl Maxwell, Director of Planning

### Case Summary

This is a 2-lot subdivision proposed for residential use.

### Project Analysis and Discussion

This property is located in the ETJ of the City of Belton, so there is no zoning. The Future Land Use Map shows this area as residential and there is currently a residence on Lot 1 and two on Lot 2. Each lot comprises 4.490 acres, and observes a 25' front yard setback. A 15' wide access easement runs along the dividing property line (7.5' on each side) to provide access to the residence at the rear of Lot 2.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision plat.

Water: The owners are proposing a combination of public supply and private water wells to meet their water needs. This property is located within the Armstrong Water Supply Corporation (WSC) CCN. They have provided a letter confirming their ability to serve this subdivision. The residence on Lot 2 near Decker Road is currently served by Armstrong WSC. The water line along Decker Road is a 4" line and cannot support a fire hydrant; therefore, a variance is requested and supported by staff. There are two water wells registered with Clearwater Underground Water Conservation District on the property. The owners are required to contact Clearwater if any changes in groundwater use are desired.

Sewer: There is no sanitary sewer service available to this property. Septic systems are proposed and tentatively approved; placement will be subject to review by the Bell County Public Health District.

Drainage: The city is not responsible for draining along Decker Road, since it is outside the city limits. There is an existing culvert under the driveway entrance to this subdivision. No additional drainage improvements are needed.

Streets: The Thoroughfare Plan identifies Decker Road as a minor collector street with a required ROW width of 60'. Current ROW is 40'. The owners are satisfying their requirement to dedicate half of what is needed by including a 10' ROW dedication on the plat. The north side of Decker Road has the opportunity for additional development and completion of needed ROW when platted.

Regarding perimeter street improvements, the Subdivision Ordinance requires the developer to contribute one half the total cost of paving with curb and gutter for the portion of roadway adjacent to this plat., in this case, Decker Road. An exception to this requirement is requested. The Subdivision Ordinance allows waiver of this requirement for single family developments not exceeding 3 lots. Staff supports the requested variance.

Sidewalks: The Subdivision Ordinance requires the developer to construct and install a 5 feet wide sidewalk along the subdivision side of collector streets. Since Decker Road is a minor collector, a 5-foot wide sidewalk along the southern side of Decker Road is required. A variance to this requirement is requested. Staff concurs with the variance request due to the following factors: this development consists of only two large lots with existing residential development so there is no additional impact to the area; there are currently no sidewalks along this roadway to connect with and the limited amount of ROW at this time would make it difficult to construct sidewalks; the property is currently in the city's ETJ and improvements to this roadway, including sidewalks, are not scheduled; the county is not requiring sidewalks.

Parkland Dedication/Fee: Residential subdivisions are required to dedicate suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. One acre for each 100 new dwelling units projected is required. With only two lots the dedication would be 0.02 acres, which is considerably short of the minimum two acres desired for dedication. The fee in lieu of dedication is \$200/lot which would be \$400 for this subdivision. A variance to the parkland dedication/fee is requested. Staff concurs with the variance request since there are no plans to develop a public park in this vicinity at this time and these two lots are large with ample open space available on each to satisfy the needs of the lot owners.

Conclusion: We have reviewed the final plat and find it acceptable, subject to conditions contained in the letter to the applicant. Since this proposed subdivision is located in Belton's ETJ, the Bell County Engineer's Office has reviewed this plat and provided comments which are being addressed. After Council action, this plat will be taken to Bell County Commissioners Court for approval.

### **Recommendation**

Recommend approval of the final plat of Dolores Estates subject to the following:

1. Decker Road perimeter street improvements variance (Recommended)
2. Decker Road sidewalk variance (Recommended)
3. Fire Hydrant variance (Recommended)
4. Parkland dedication/fee variance (Recommended)
5. City's Letter to Applicant dated

**Attachments**

1. Final Plat Application
2. Final Plat
3. Location Map
4. City's Letter to Applicant dated February 16, 2018
5. Variance Requests

## Staff Report – Planning & Zoning Item



**Date:** February 20, 2018  
**Case No.:** P-18-03 – Taylor Subdivision  
**Request:** Preliminary Plat  
**Applicant:** Belton Engineering  
**Owner/Developer:** Randy Taylor

### Agenda Item

P-18-03 Consider a preliminary plat of Taylor Subdivision, a 34.535 acre tract of land located west of IH-35 on the east side of FM 1670, south of Amity Road in the ETJ of the City of Belton.

### Originating Department

Planning – Cheryl Maxwell, Director of Planning

### Case Summary

This is a 49-lot subdivision—47 lots are proposed for single family residential development, and two lots are proposed for commercial development.

### Project Analysis and Discussion

This property is located in Belton's ETJ so there is no zoning. The Future Land Use Map shows this area as residential and there are currently several residential developments in this area. The final plat of Meadows Subdivision was recently approved, and that development will be located just to the north of this property. This is a primarily residential subdivision, containing 47 residential lots and two commercial lots with frontage on FM 1670. Access to the residential lots is provided off of FM 1670 via proposed road Hollow Drive. Local streets connect with Hollow Drive creating a loop within the development. All of the proposed residential lots are over 0.50 acre in size and satisfy area requirements for Single Family One zoning and development if located inside the city limits. The two commercial lots are both approximately 2.5 acres in size and access is proposed directly from FM 1670.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision plat.

Water: This property is located within the Salado Water Supply Corporation (SWSC) CCN. An existing 6-inch water line runs along the west side of FM 1670. The applicant proposes to tap this line and construct an 8-inch line throughout the subdivision. A letter is required from SWSC with final plat submission confirming their ability and willingness to serve this subdivision.

The City of Belton Fire Code requires a minimum water pressure of 20 psi, or 1,000 gpm for fire hydrants. The existing water pressure is 45 psi, or 900 gpm. The developer is requesting a variance to this requirement and staff supports the request.

Sewer: No sanitary sewer is available to serve this subdivision. Individual septic systems are proposed on the lots. All of the proposed lots are over 0.50 acres in size. An approval letter is required with final plat submission from the Bell County Public Health District.

Drainage: Drainage is proposed to be detained on-site in the vicinity of Block 1, Lot 14 at the northeast corner of this property and will be maintained by the subdivision's home owners association. Detailed drainage calculations will be required with the final plat submission.

Streets: With 120' of ROW available, no ROW dedication is needed for FM 1670. FM 1670 is a TxDOT roadway; therefore, the requirement for perimeter street improvements is not applicable. TxDOT approval is required for driveway permits to the commercial lots from FM 1670. TxDOT has approved access for the entrance roadway, Hollow Drive, and the southern commercial lot; however, access to the northern commercial lot was not granted. Access to this lot will have to be via Hollow Drive. The internal roads in this subdivision will be constructed as local streets with a 31' pavement width within a 50' wide ROW with curb and gutter. TxDOT is also requesting a

Sidewalks: The Subdivision Ordinance requires the developer to construct and install a 6-foot wide sidewalk along the subdivision side of arterial roadways. Since FM 1670 is a minor arterial, the developer is required to install a 6-foot wide sidewalk along the eastern side of FM 1670. The Subdivision Ordinance also states that sidewalks shall be required and shall be installed by the subdivision developer on streets adjacent to all schools. There is a Montessori School along the west side of FM 1670, approximately 0.6 mile south of this subdivision. This currently serves pre-school aged children but they plan to expand to elementary age in the next three years.

The developer is requesting a variance to this requirement since there are no sidewalks with which to connect and Bell County does not require sidewalks. A variance to this requirement was granted to The Meadows Subdivision for these reasons; however, at that time, the Montessori school was not in its current location. Staff feels this requirement should be carefully evaluated. Points to consider include the following:

- This area is undergoing significant residential development, so if sidewalks are provided with future development, then the opportunity for a connected sidewalk system will increase;
- Salado High School is located just west of the intersection of FM 1670 and FM 2484 to the south, so in the future, there could very well be several students living along FM 1670 that would be traveling to the school;
- There is a Montessori School on the west side of FM 1670 south of this subdivision; this was not in existence in this location until January this year;

- Residents have the ability to walk along local streets, but may choose to walk along FM 1670 if a safe path is provided;
- The KTMPO Regional Thoroughfare and Pedestrian/Bicycle Plan shows future bicycle/pedestrian improvements along FM 1670.

Given these considerations, we feel there is a basis to support application of the sidewalk requirement, and suggest funds be placed in an escrow account with the city. If the funds are not expended within 9 years, the funds will be returned with any interest that has been earned. The applicant is preparing a cost estimate.

Parkland Dedication/Fees: This subdivision is proposed to contain 47 residential lots; therefore, a dedication of 0.47 acres of parkland or a \$9,400 fee-in-lieu of land dedication is required. The developer is requesting a variance to the parkland requirements. The lots in this subdivision are 0.50 acre and larger, which provides open space on each lot for the residents. This subdivision is located quite far outside the Belton City limits and is not close to any existing City parks. The Parks Master Plan does not identify any future parkland in this area. Compliance with the ordinance would result in escrowing \$9,400 for up to 10 years to give the City allowable time to determine where in the vicinity these neighborhood park funds might be used. Staff concurs with the developer's request for a variance, but encourages the development of an HOA-owned neighborhood park for the residents in the subdivision.

Conclusion: We have reviewed the plat and find it acceptable as a preliminary plat, subject to conditions contained in the letter to the applicant. Since this proposed subdivision is located in Belton's ETJ, the Bell County Engineer's Office has reviewed this plat and made comments that are being addressed. After Council action, this plat will be taken to Bell County Commissioners Court for approval.

### **Recommendation**

Recommend approval of the preliminary plat of the Taylor Subdivision subject to the following:

1. Water pressure variance (Recommended)
2. Parkland requirement variance. (Recommended)
3. City's Letter to Applicant's Engineer dated February 16, 2018
4. Evaluation of provision of funds in escrow for the FM 1670 sidewalk

FM 1670 sidewalk variance request is not recommended at this time.

### **Attachments**

1. Preliminary Plat Application
2. Preliminary Plat
3. Location Map
4. City's Letter to Applicant's Engineer dated February 16, 2018
5. Variance Requests

## Staff Report – Planning & Zoning Item



**Date:** February 20, 2018  
**Case No.:** P-18-05 – Heart of Texas RV Resort  
**Request:** Preliminary Plat  
**Applicant:** Jerry Fisher/Turley and Associates

### Agenda Item

P-18-05 Consider a preliminary plat for the Heart of Texas RV Resort Addition, a 12.0 acre tract of land, located on the east side of South Interstate Highway 35, extending to Toll Bridge Road and approximately 0.45 miles south of Shanklin Road in the city limits of Belton.

### Originating Department

Planning – Cheryl Maxwell, Director of Planning  
 Administration – Sam Listi, City Manager

### Case Summary

This is a 1-lot subdivision plat proposed for a Recreational Vehicle (RV) park. This plat was presented to the P&ZC on September 19, 2017, and to the City Council on September 26, 2017, and was disapproved by both bodies. P&ZC and City Council minutes are attached for those meetings. Lack of compliance with required infrastructure items was the cause of the previous disapprovals. The applicant has resubmitted the preliminary plat and proposes: a) to provide a water line extension; b) continues to request a variance on the sewer line extension; and c) has modified his proposal for perimeter street requirements, but would still require a variance as currently proposed.

### Project Analysis and Discussion

This is a 1-lot subdivision plat proposed as the Heart of Texas RV Resort Addition. This property is zoned Planned Development Commercial Highway Zoning District for a Recreational Vehicle (RV) park, approved on May 9, 2017. This property is directly adjacent to both IH-35 (west) and Toll Bridge Road (east). The Commercial Highway Zoning District requires a minimum lot area of 7,200 square feet and a minimum lot width of 60 feet, and complies with the Commercial Highway Zoning District area requirements in all respects.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision.

### Water

There is a 14" waterline that stubs out onto this property. According to the City's water and wastewater extension policy, the developer is required to extend the utilities to and through their property. The applicant has agreed to extend a 14" waterline from the existing 14" waterline stub-

out just south of his property along IH-35 to his northern property boundary. An 8" waterline is required to serve this property. In order to facilitate future connections, we will recommend a development agreement to the City Council proposing to utilize City funds, to oversize the waterline from an 8" to a 14", if this plat is approved. According to the cost estimate completed by the applicant's engineer, the cost difference between an 8" and 14" waterline is \$31,420.

### **Sewer/On-Site Disposal**

The City's IH-35 sewer line extension project is proposed to extend a 12" sewer line approximately 1,000 linear feet to the north of the northern property line. City staff previously recommended the developer extend an 8" sewer line to serve this proposed development and the City proposed to fund the cost to oversize the sewer line to from an 8" to a 14". The applicant's engineer submitted a letter requesting a variance to the sewer extension requirements. The variance is based on Section 19-79 - Sanitary Waste, of the Code of Ordinances, which states the following:

- a. Any RV park boundary line located within two hundred (200) feet of a sanitary sewer main will be required to tap onto the main (site exceeds this distance).
- b. It is recommended, but not mandatory, that each RV site be provided with a sewer connection.
- c. It is mandatory that an acceptable sanitary waste station, approved by the building official, shall be provided for each one hundred (100) RV sites or parts thereof not equipped with individual sewer connections. The sanitary waste station must be connected to the city's sanitary sewer line if distance requirements as set forth in (a) above are in effect.

The applicant is proposing to install an on-site disposal system to serve the RV park's 100 units, and has stated the development will be designed to connect to the sewer when available. We recommend each RV site be designed to drain to the future sewer line when it is constructed adjacent to their property in the future. A letter has been provided from the Bell County Public Health District allowing on-site disposal. (The cost to extend an 8" sewer line 1,800 linear feet is \$296,786, so 800 linear feet is estimated to be \$131,905). We recommend approval of this variance request since even with the future extension of City's proposed sewer line, it will end 1,000' north of this site, with provision of the connection for each RV site noted above.

### **Perimeter Street Requirements**

Here is the City's Subdivision Ordinance requirement on Perimeter Streets in its entirety:

#### **Section 502: Street Standards and Policy**

##### **H. Perimeter Streets**

1. General – Partial or half streets may be provided where the Planning and Zoning Commission feel a street should be located along a property line. Wherever a half street has already been provided adjacent to an area to be subdivided, the other remaining portion of the street shall be platted with such subdivision. Where part of a street is being dedicated along a common property line, the first dedication shall be one-half of the proposed street right-of-way.

2. Unimproved Perimeter Streets Adjacent to Subdivisions and Development Lots.

- a. The term "unimproved street" shall mean a public thoroughfare without paved curb and gutter which affords access by vehicles and pedestrians to abutting. The term "unimproved street" shall mean a public thoroughfare property.
- b. Upon any land being subdivided or otherwise developed in an area adjacent to existing unimproved streets (excluding State or Federal highways), the developer shall bear half the total cost of paving (up to 18.5 feet width) and installing curb and gutter for all such unimproved perimeter streets adjacent to the area being subdivided or otherwise developed provided, however, that the Planning and Zoning Commission may either waive or postpone this requirement in the manner as set forth below.

1) For the following listed developments, the Planning and Zoning Commission may waive the required improvements of an unimproved street by the developer after considering such factors as (1) the extent of existing and anticipated development in the area; (2) the amount of anticipated vehicular and pedestrian traffic; and (3) the current condition of the unimproved streets under consideration:

- a) Single family development not exceeding three (3) acres in size or three (3) lots.
- b) Industrial, Commercial, or Multi-Family development not exceeding three (3) acres in size.

2) In all developments, the Planning and Zoning Commission may postpone the required improvements of an unimproved street by the developer should it be determined that such improvements are not feasible or desirable at the time of development. If such improvements are postponed, the developer shall either:

- a) Post an approved performance bond acceptable to the City for one and one-half the current estimated cost of construction and enter into a written agreement with the City obligating the developer to pay for such costs.
- b) Place his pro-rata share (half the total cost of paving and installing curb and gutter for the unimproved street) in an escrow account with a Bell County bank acceptable to the City and enter into a written agreement obligating the developer to pay such pro-rata share. Said interest from such an escrow account shall be made payable to the City to offset inflationary costs of construction. If the funds are not used within none (9) years, the City shall hold a public hearing to show clear intent to improve the road within one year; if no such intent is shown, the funds and interest will be returned.

3) Any developer who builds one half the street and desires to provide ultimate drainage facilities for the whole street will be able to collect up to one-half of the cost of the drainage improvements when adjacent properties develop by signing an appropriate pro-rata agreement with the City of Belton.

Toll Bridge Road functions as a collector street and requires a total of 60 feet of ROW. Toll Bridge Road ROW ranges from 40 to 48 feet in width adjacent to this proposed subdivision. We recommend a ROW dedication of 30 feet from the center of the ROW, which will result in a ROW dedication of approximately 2 feet on the north side, 10 feet in the middle, and 4 feet on the south side from this property.

Toll Bridge Road is currently a rural street section with open drainage and no curb and gutter, essentially an unimproved street, based on our Subdivision Ordinance. Toll Bridge Road is functioning as a collector roadway parallel to Interstate 35 with only an 18' asphalt pavement width. According to the Subdivision Ordinance, the developer is required to contribute the total cost of paving and installing curb and gutter and sidewalk for the portion of Toll Bridge Road adjacent to this property for a distance of 18.5' from the center line. Originally, the applicant's engineer submitted a letter requesting a variance to the perimeter street improvement requirements, and stated that no access will be provided from this development to Toll Bridge Road. The perimeter street improvements to Toll Bridge Road are necessary to develop this property adequately and provide circulation for this development without causing a burden on adjacent properties or the public. The applicant's engineer has submitted a perimeter street cost estimate for the property frontage of 800 linear feet along Toll Bridge Road that identifies a cost of \$187,073.95. Staff previously recommended eliminating the sidewalk and curb and gutter in effort to reduce the cost burden on the applicant. The alternative cost estimate without sidewalks and curb and gutter is \$119,960. In the previous consideration, we recommended the applicant upgrade the street as recommended or contribute funding for the alternate perimeter street improvement requirements. If the developer does not contribute to perimeter street improvements, the cost to widen this roadway will fall to the taxpayers in the future. See attached estimates from Turley Associates.

### **Discussion**

The intent of the perimeter street improvement requirement is to achieve reconstruction and widening of a street, adjacent to developing property, in accordance with Belton's construction standards. A developer is responsible for his one-half street, 18.5' of a 37' street width and one side of curb and gutter and sidewalk. Theoretically, if done as development occurs on both sides of a developing street, a newly constructed street, 37' in width, would be the result. Toll Bridge Road is built as a County road section street, and is 18' in width. There is borrow ditch drainage and no curb and gutter so it is considered "unimproved" by the City's Subdivision Ordinance and requires reconstruction and widening in conjunction with platting.

The applicant sought alternatives to reduce the cost further, and several were discussed, but none was agreed to during the previous consideration of this plat:

1. Escrowing the \$119,960 for future construction by the City.
2. Providing a 2" overlay for existing Toll Bridge Road from Shanklin to the Toll Bridge Road bridge, a distance of 3,000'.
3. Reconstructing the required 18.5' pavement, excluding the curb and gutter and sidewalk.

With no final developer proposal for meeting perimeter street improvement requirement during the last consideration, the plat was disapproved by P&ZC and City Council.

The Developer's Proposal is reflected by the attached exhibit provided by Jennifer Ryken, Turley Associates. While it would extend the road a total 9.5' to achieve an 18.5' section from the center line of Toll Bridge Road, the proposed construction does not meet the City requirements for reconstruction. See summary below.

- Developer Street Proposal (See Exhibit)
  - Center cut street
  - 8" compacted subgrade on the new section (9.5') (Assumes subgrade means "City approved")
  - 2" HMAC (asphalt) overlay on entire 18.5' (Assumes 2" HMAC on existing 9')
  - Achieves a maintenance extension only
- City Recommended Alternative 1 (See Exhibit)
  - Center cut street
  - Remove 9" of existing pavement and set grade on new 9.5' extension
  - Add crushed limestone base material per City approved specs over entire 18.5' section (new and existing)
  - Add 2" HMAC asphalt overlay on entire 18.5' section
- City Recommended Alternative 2 (See Exhibit)
  - Center cut street
  - Mill 9" of existing pavement, compact and roll existing base/subgrade
  - Replace with a total 9" of HMAC (7" TYPE "B" and 2" TYPE C)

Either Alternative 1 or 2 above would be acceptable to the City because either satisfies the intent of the Subdivision Ordinance to reconstruct and widen the Toll Bridge Road pavement. The developer's proposal does not achieve that, providing only a maintenance treatment.

In summary, the applicant has agreed to extend the waterline in accordance with City policy, but has requested a variance to the extension of sewer which we support, with connection to each RV site. A variance would also be needed in relation to the perimeter street improvement requirements to serve this property, based on the Developer's Proposal.

### **Recommendation**

Recommend approval of preliminary plat for the Heart of Texas RV Resort Addition, a 12.0 acre tract of land, located on the east side of South Interstate Highway 35, extending to Toll Bridge Road and approximately 0.45 miles south of Shanklin Road, subject to these four essential conditions:

1. Provision of the 14" water line as discussed above with reimbursement by the City for costs over an 8". Construction Plans are required.
2. Approval of a variance for the extension of sanitary sewer service, given the 1,000' distance to proposed sewer, conditioned on providing connection to each RV site for future connection to sewer.
3. ROW dedication to achieve 30' from the center of the current ROW.
4. Provision of a suitable perimeter street improvement section, as recommended by the Director of Public Works, either Alternative 1 or 2 above.

We do not support the Developer's Street Proposal, which would require a variance approved by P&ZC and City Council.

**Attachments**

1. P&ZC Minutes from 09/19/17
2. City Council Minutes from 09/26/17
3. Preliminary Plat Application
4. Preliminary Plat
5. Location Map
6. Variance Letter
7. Utility and Street Cost Estimate
8. Letter from Bell County Sanitarian on Proposed Septic Tanks
9. Developer's Street Proposal
10. City Street Proposal Alternatives 1 and 2