Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
August 17, 2015

CALL TO ORDER
Chairman Holly Girgin called the meeting to order at 6:00 p.m.

ATTENDANCE
Commission: Chairman Holly Girgin, Commissioners Sally Davila, Tim McDonough, Chris Christensen, Ryan Finn, Chuck Crate, Larry Thompson and Mayor Jeff Davis.

Staff: Jay Leipzig, Community & Economic Director, Jennifer Dutcher, Community Development Secretary, Zach Matteo, City Engineer and Kate Glowacki, Asst. City Engineer.

Absent: Councilman Tim Savage and Robert Cooper, City Planner

MINUTES
Commissioner Christensen moved to approve the minutes of the August 3, 2015 Planning Commission meeting. Commissioner Thompson seconded the motion. All members present voted in favor and the motion carried.

DISCUSSION
Mr. Leipzig introduced Zach Matteo, City Engineer and Kate Glowacki, Assistant City Engineer. Mr. Matteo presented the Commission with the consideration of a text amendment to the Unified Development Code regarding Right of Way permits. Mr. Matteo stated Public Works has an obligation to permit work within a right of way; previously fees included a $5 right of way permit, a $200 cash deposit and a $5,000 surety bond. At the March 3, 2014 Planning Commission meeting changes were approved to the Unified Development Code including the removal of the requirement of a $5,000 surety bond and the $200 cash bond for excavations less than or equal to 12" in depth. Since the March 3, 2014 amendment, Public Works is struggling to get residents and contractors to call in for inspections so that staff may verify the work was done correctly. Mr. Matteo continued to say Public Works is requesting to reinstate the $200 cash bond for excavation less than a foot, to help encourage the homeowner and contractors to call for inspections thus finalizing the permit. After a property passes the inspection, the $200 cash bond will be refunded. Commissioner Christensen questioned if this process has any effect on the cost share program. Mr. Matteo stated this change typically does not affect the cost share program as they are two separate policies. Commissioner Finn asked if a permit is pulled and no inspections are requested does the City keep the $200 cash bond? Mr. Matteo verified this was correct, that typically the contractor would front the $200 deposit which would motivate them to call for the final inspection. Commissioner Crate questioned the justification of the $5000 surety bond for excavations. Mr. Matteo responded the surety bond is to protect the City if the utilities are cut during the excavation process. The City would then have the bond to make sure all necessary repairs are made.

Chairman Girgin opened the public hearing at 6:07 p.m., asking if anyone was present to speak. With no public input, the public hearing closed at 6:08 p.m.

Mayor Davis moved to approve the text amendment to the Unified Development Code for Right of Way permits, seconded by Commissioner Christensen.

When a vote was taken, the following was recorded, **Ayes: 8** –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson and Mayor Jeff Davis.
Absent: 1 –Councilman Tim Savage
The motion carried.

Mr. Leipzig welcomed the Texas Roadhouse Development Team, Randi Lefko and Cas Patykiewicz as he presented the staff report for the Texas Roadhouse Final Plat. Mr. Leipzig cited the development as a 2.28-acre, dine-in restaurant development, located on the west side of Peculiar Drive, directly north of Cunningham Industrial Parkway. Mr. Leipzig continued to say the Planning Commission approved the request for a zone change for this site from M-1 to C-2 on May 13, 2015 with final acceptance by the City Council anticipated during the upcoming August 25th meeting. The site will consist of a 7,163-square foot dine-in restaurant with a lounge and dining area. The City's future land use map identifies this area as commercial/retail. Ingress and egress to the development will be from Peculiar Drive. Staff finds the final plat to be in accordance with Section 35-36 of the Belton Unified Development Code, therefore, supports a recommendation to approve the Final Plat. Mr. Leipzig stated a 25' access easement and utilities are noted on the plat.

Commissioner Christensen moved to approve the Final Plat for Texas Roadhouse, seconded by Commissioner Finn.

When a vote was taken, the following was recorded, **Ayes: 8** –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson and Mayor Jeff Davis.
Absent: 1 –Councilman Tim Savage.
The motion carried.

Mr. Leipzig presented the Final Development Plan for Texas Roadhouse citing it as a 99,214-square feet / 2.28-acre site with existing zoning and land use as C-2 / General Commercial. Mr. Leipzig indicated the surrounding zonings are North: C-2 Commercial-Retail, East: I-49, South and West: M-1 Industrial. The parking ratio for this project is 1:50-square feet, which equates to no less than 143-parking spaces. The site will provide for 172 parking spaces including six (6) handicap stalls. The restaurant will utilize three (3) wall signs which will be visible from Cunningham, Peculiar Drive and I-49. Mr. Leipzig indicated the development team has submitted a detailed sign package and is proposing a pole sign in the near future. Mr. Leipzig continued to list over staff's comments for the Final Development plan noting that the development team has acknowledged all comments. Staff's recommendation is to approve #FDP15-13, final development plan approval for the Texas Roadhouse restaurant, located on the west side of Peculiar Drive and directly north of Cunningham Parkway. Mayor Davis questioned how much we can anticipate in making annually. Mr. Leipzig stated they anticipate sales exceeding over $4.5 million, making a sufficient impact. Mayor Davis noted 62,000 cars travel I-49 on a normal weekend and over 124,000 on a holiday weekend; we can anticipate a lot of people to our city.

Commissioner Christensen moved to approve the Final Development Plan for Texas Roadhouse Case #FDP15-13, seconded by Commissioner Thompson.

When a vote was taken, the following was recorded, **Ayes: 8** –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson and Mayor Jeff Davis.
Absent: 1 –Councilman Tim Savage.
The motion carried.

Mr. Leipzig continued with the Director's report indicating the Texas Roadhouse Rezoning, Final Plat and Final Development Plan will go before the city council on August 25th and be under full construction by the first week of November. Mr. Leipzig said the Planning Commission meeting on September 21st will be a very busy meeting as staff will be presenting a discussion of the CIP (Capital Improvement Plan) for the first review; Carnegie Village Final Plat and Final Development Plan; a home daycare Special Use Permit application for 307 Apple Valley Parkway; a public hearing notice for the UDC Text Amendment for resolution of fines (this item was postponed in July); and a Special Use Permit from Rick Dawson with Heart and Hand. Staff would like to make a proposal to bring in KC Rim Shop to revoke the Special Use Permit for their location. Commissioner McDonough stated this is a reflection of code enforcement across the city. If we don't enforce the code, then it doesn't matter what we say. Mr. Leipzig stated the new city attorney starts tomorrow and we will have a fresh perspective on this issue. Mayor Davis indicated the city is checking into a different code concept and expressed the need for strong documentation as we are working on bringing something down the pipe. Commissioner Crate questioned the status of the North Scott Corridor plan. Mr. Leipzig responded that we have a proposal to waive all permit and impact fees; this program is called the quick start program. Ideally, the first 5 applications with a minimum of a $500,000 development would receive a waiver of all permit and impact fees, including sewer and water. Mayor Davis stated this could possibly impact Carriage Works.
Mr. Leipzig made mention that the Menards construction plans have been received. This project is estimated as a $7 million project and the total project including the out lots is estimated at $93 million.
Mr. Leipzig continued to say the future land use committee (Commissioner Christensen, Crate, Chairman Girgin and Mayor Davis) will meet on Monday August 24th at noon. Official invites will be delivered closer to the meeting date.

ADJORNMENT
Commissioner McDonough moved to adjourn the meeting. The motion was seconded by Commissioner Finn. All members present voted in favor and the meeting adjourned at 6:40 p.m.

Jennifer Dutcher
Community Development Secretary