

# **Planning & Zoning Meeting**

Monday, June 13, 2022 at 6:00 PM 102 W. Bailey Street, Ponder, TX 76259

## NOTICE

THE PLANNING & ZONING COMMISSION FOR THE TOWN OF PONDER, TEXAS, WILL HOLD A REGULAR SESSION P&Z MEETING AT 6:00 P.M. ON June 13, 2022, IN PONDER TOWN HALL, AT 102 W. BAILEY STREET, PONDER.

#### **REGULAR SESSION AGENDA**

#### **CALL TO ORDER**

#### **ROLL CALL**

**OPEN FORUM FOR CITIZEN INPUT** (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

This is a time for the public to address the P & Z Commission on any subject. However, the Texas Open Meetings Act prohibits the P & Z Commission from discussing issues which the public has not been given seventy-two (72) hours' notice. Issues raised may be referred to Town Staff for research and possible future action.

#### **CONSENT AGENDA**

Consider and act on approval of minutes from the April 11, 2022 Planning & Zoning Meeting.

## **ITEMS OF BUSINESS**

Consider and act on approval of the Sonic Site Plan – Lot 2 Block 2 Merrifield Estates First Section Addition.

### **ADJOURN**

#### **CERTIFICATION**

I hereby certify that the above notice was posted on the bulletin board at the Ponder Town Hall at 102 W. Bailey Street, Ponder, Texas on the 10th day of June, 2022, at 11:00 a.m.

# Carolyn Farmer, Planning & Zoning Director

If you plan to attend this public meeting and you have a disability that requires special arrangements at the meeting, please contact our office at 940-479-7009. Reasonable accommodations will be made to assist your needs.

## THE TOWN OF PONDER, TEXAS U.S.A.

102 W BAILEY ST, PONDER, TEXAS 76259 940-479-2396

## MINUTES FROM PLANNING & ZONING MEETING HELD APRIL 11, 2022

#### CALL TO ORDER

➤ Chairperson Staci Johnson called the meeting to order at 5:43 pm.

#### **ROLL CALL**

➤ Planning & Zoning Commission members present were Staci Johnson, John Estes, Crystal Ramsey, and Lisa Fisher.

**OPEN FORUM FOR CITIZEN INPUT** (Please limit to 5 minutes per person and if you wish to speak on a particular agenda item, please list the agenda item next to your name).

No one signed up to speak.

#### **CONSENT AGENDA**

- 1. Approval of minutes from the Planning & Zoning meeting held January 5, 2022.
- Member Lisa Fisher motioned to approve the January 5, 2022 meeting minutes.
- Member John Estes seconded.
- Motion passed, minutes approved with 4 Ayes, 0 Nays, 0 Abstentions.

#### **ITEMS OF BUSINESS**

- 2. Consider and act on approval of a Preliminary Plat for the Meadow View Acres Addition Lots 1 4, being a portion of a tract of land situated in the J.N. Sanderson Survey, Abstract No. 1680, Town of Ponder ETJ, Denton County, Texas, Linda French Owner. Town Engineer, George Belcheff recommends conditional approval subject to resolution of listed deficiencies and subject to final approval of Town Engineer, as stated in his review letter dated March 29, 2022.
  - Member John Estes motioned to conditionally approve the Meadow View Acres Addition Plat according to the recommendation from Town Engineer, George Belcheff in his review letter dated March 29, 2022, (Attached in full)
  - Member Crystal Ramsey seconded.
  - Motion passed, Plat conditionally approved with 4 Ayes, 0 Nays, 0 Abstentions.

#### **ADJOURN**

- Member Lisa Fisher motioned to adjourn
- Member Crystal Ramsey seconded
- Motion passed, meeting adjourned at 5:45 pm with 4 Ayes, 0 Nays, 0 Abstentions

APPROVED:		
Matthew Poole, Mayor	Date	
ATTEST:		
Carolyn Farmer Planning & Zoning Director		

## Belcheff & Associates, Inc.

Municipal Engineering & Management TBPE Reg. No. F-368

> 3575 Lone Star Circle, Ste. 124 Fort Worth, Texas 76177

May 25, 2022

## Via e-mail to cfarmer@pondertx.com

Matthew Poole, Mayor Staci Johnson, Chair, Planning & Zoning Commission Town of Ponder 102 W Bailey St Ponder, TX 76259

## Re: Site Plan – Lot 2 Block 2 Merrifield Estates First Section Addition (Sonic and Retail)

## Dear Mayor Poole:

The Town has received a Site Plan submittal from Owner/Developer Richard Irvin, Inc., Grapevine, Texas, represented by Walter Nelson and Assoc., Arlington, Texas. The application proposes to develop an existing platted 1.760-acre lot located adjacent to FM 156 within the Town.

This letter provides comment on the Site Plan received May 4, 2022, with respect to the Town's Development Ordinances.

<u>Location</u> – west side of FM 156 and south of King George, within Ponder Corporate Limits (City)

## Comprehensive Plan – Proposed Use – Restaurant and Retail

- 1. Future Land Use Plan Commercial
- 2. Thoroughfare Plan
  - a) FM 156 P5U- no additional ROW proposed or required
- 3. Sewer Master Plan no additional sewer lines proposed or required
  - a) service to be provided via existing 8" collector at east boundary to lift station
  - b) future 15" to replace the existing 8" and 3" force main/lift station
- 4. Water Master Plan
  - a) Existing 3" waterline at east side of lot (adjacent to FM 156) <u>inadequate for service/fire protection</u>
  - b) Future 12" waterline at east side of lot <u>required w/. additional offsite extension(s)</u> to connect/loop; must include additional 10' Ponder water utility easement by dedication via separate instrument

## **Zoning** – C-2 (Commercial District - General)

- 1. C-2 (Commercial District General)
  - a) Restaurant w/. drive-through (south ½ of lot) allowed

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## b) Retail shops (north ½ of lot) – allowed

Height, Area and Setback Regulations	SF-1 (adjoins west boundary)	MF (ad- joins north boundary)	C-1 (adjoins south boundary)	C-2	Compliance?
Maximum height (feet)				50	TBD w/. building permit
Minimum lot area (square feet)	21,780			B – 21780	Yes
Minimum front yard setback (feet)				B-NA	Yes
Minimum side yard set- back (feet) <sup>D</sup>				B – NA	Yes
Minimum rear yard set- back (feet)	30			B-30'	Yes (accessory bldgs. at 10')
Minimum lot width (feet)	75			B – 75	Yes
Minimum lot depth (feet)	120			B – 120	Yes
Maximum lot coverage (%)	35			B-35	No – requires Variance
Minimum living area (square feet)				NA	NA

- A. Total lot area shall not be less than 9,000 SF, or 1,500 SF per dwelling unit, whichever is greater. A maximum of 25 units may be constructed per acre.
- B. None required, except where nonresidential use abuts a residential or agricultural lot, in which case the requirements shall be the same as the adjoining residential zone and shall comply with visibility and parking requirements as provided within this chapter.
- C. At the most extruding point of the outside wall excluding the overhang only.
- D. If the lot size is greater than 15,000 square feet, then the side yard adjacent to the street setback will be 25 feet. If the lot size is less than 15,000 square feet, then the side yard adjacent to the street setback will be 15 feet. Key lot setbacks will be 25 feet with 2 front yards.

## **Submittal Analysis**

The referenced site is currently a 1.760 acre platted lot of record as of 1972. No development is known to have occurred prior to this proposal.

Submittal information indicates that the proposed uses (Restaurant with drive-up window i.e. Sonic and Retail strip center/shops) will conform to the existing zoning subject to building permit evaluation at time of application.

Current data indicates that the Town does not an have adequate water distribution system in the immediate area to serve projected demands (potable uses and fire flows) of the proposed development. To meet such demands, certain water system extensions are necessary, both onsite and off. The development should be responsible for an 8" waterline along the east side of the lot and for fire hydrant(s) at locations required by fire code. Offsite, this line should be extended to connect to an existing 8"/10" line north at King George, and be looped to the existing 3" line at the southeast corner of the lot.

The Town's Master Water System Plan indicates that these proposed line extensions should be upsized to 12" lines, which would require Town participation. Preferred routing is as shown on the attached exhibit. An *additional 10' water utility* easement will be required (by separate instrument).

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Onsite (or nearby) fire hydrants/fire department connections/emergency vehicle access routing (fire lanes) should be shown on the Site Plan, *subject to Town Fire Marshal* concurrence.

The existing 8" sewer line at the east side of the lot (adjacent to FM 156) should have sufficient capacity for typical wastewater discharges expected from the proposed uses. However, this line flows to an existing lift station/3" force main that appears to be nearing its capacity. The Town's Master Sewer Plan indicates that a future 15" sewer line will replace the 8" main and 3" force main within the 15" utility easement along the east property line at FM 156. Care should be taken to strategically plan and locate site improvements (signage, landscaping, etc.) within this area, which would suggest removal of a proposed pole light and deferral of a sidewalk and/or extensive landscaping

The included drainage study indicates a sizable drainage area must flow through the site. The Applicants Engineer has indicated design intent that may be acceptable to the Town subject to further study when detailed site engineering is provided with a building permit application *subject to Town Engineer approval*.

Access to the site is via a proposed single drive to FM 156. Spacing for this drive will not meet Town (300') nor TxDOT (360') spacing requirements from existing drives. However, as the lot was existing prior to adoption of current limitations, it should be entitled to one access point as proposed. Dedication of a common access easement across the lot (by separate instrument) should help manage access to the development as well as lessen possible traffic conflicts caused by vehicle turning movements. It is recommended that the Town support an access drive permit request to TxDOT with a *variance* if the Town approves a Site Plan for the site. (*Reference Variance Request Application*) The drive spacing will also require a *variance* from the Town's ZBA which would be supportable as noted above.

Masonry screening is not proposed adjacent to the residential use to the west. Applicant has requested a *variance* to waive this requirement in lieu of a wood fence for the west boundary. (*Reference Variance Request Application*) It is suggested that a high level wood fence with partial live screening be approved in lieu of a required masonry material.

A second *variance* has been requested to waive the requirement for masonry screening at the north boundary (current residential use) as they are expecting that this lot will be redeveloped as commercial. (*Reference Variance Request Application*) It is suggested that this screening be deferred to future development (i.e. retail/Site Plan amendment).

The submittal packet includes a conceptual Landscaping Plan with several concerns with respect to Section 154.41:

- 1. Parking areas do not appear to provide a minimum of 10% of gross area devoted to living landscaping
- 2. Lack of planter islands
- 3. Inadequate tree plantings
- 4. Inadequate screening of interior parking areas from adjacent properties

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5. landscaping berms if no live plants or trees

Since these issues appear to be limited more to the retail area of the Site Plan, it may be advisable for the applicant to only include the proposed Sonic area with this application. An approved site plan can be amended in the future to accommodate the retail side.

Sufficient information has not been provided to evaluate signage or outdoor lighting for glare and/or adjacent property trespass but may be deferred to building permit review.

Please note that a *Development Agreement* is required for proposed public improvements.

Site plan elements. A site plan shall be accurately and legibly drawn to scale with dimensions and shall show:

- 9. Areas to be landscaped including type, location and quantity of all plant material used for landscaping, and the type, location and height of fences or screening and the plantings around them
  - a) may not be in compliance with 154.41)
- 10. Public and private sidewalks Not Provided (sidewalk not recommended within public access easement adjacent to FM 156 due to future sewer line construction)
- 16. Emergency access easements *indeterminate* (should be confirmed with Town Fire Marshal)
- 19. Existing or proposed fire hydrant locations *Not Provided (should show as confirmed with Town Fire Marshal)*
- 20. Existing or proposed easements Not Provided (10' public access easement for sidewalk if required and 10' public water easement)
- 21. Location of all signs, auditory speakers and lighting *Not Provided (should remove light pole from proposed 10' water utility easement; light trespass study may be deferred to building permit/site construction plans*
- 22. Other information considered essential by the Planning and Zoning Commission or Town Council *TBD*

## <u>Town Engineer's Recommendation – </u>

If the that the Town is inclined to approve the Site Plan, the following conditions are suggested:

- 1. Maximum lot coverage should be limited to 35%
- 2. Water system improvements completed prior to occupancy

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- 3. Fire hydrant locations and emergency access routing shown with Fire Marshal concurrence
- 4. Dedication of 10' water utility easement
- 5. Dedication of common access easement
- 6. Dedication of public access easement with deferral of sidewalk for no more than five years from occupancy
- 7. Removal of light pole(s) from easement areas
- 8. Acknowledgement of limited landscaping within easement areas adjacent to FM 156
- 9. Removal of "Future Retail" from Site Plan (for eventual consideration with future Site Plan amendment)
- 10. Deferral of Landscape Plan approval to be compliant with Section 154.41 to Building Permit
- 11. Deferral of signage and outdoor lighting approval compliance to Building Permit
- 12. Variances required
  - a. approval of one access drive to FM 156 with dedication of common access easement
  - b. 8' Cedar (board-on-board) screening fence for full length west property line with partial Nellie R Stevens live screening (as shown on Landscape Plan) in lieu of masonry screening
  - c. Deferral of north property line screening to future site development/permitting Sincerely,

o/s

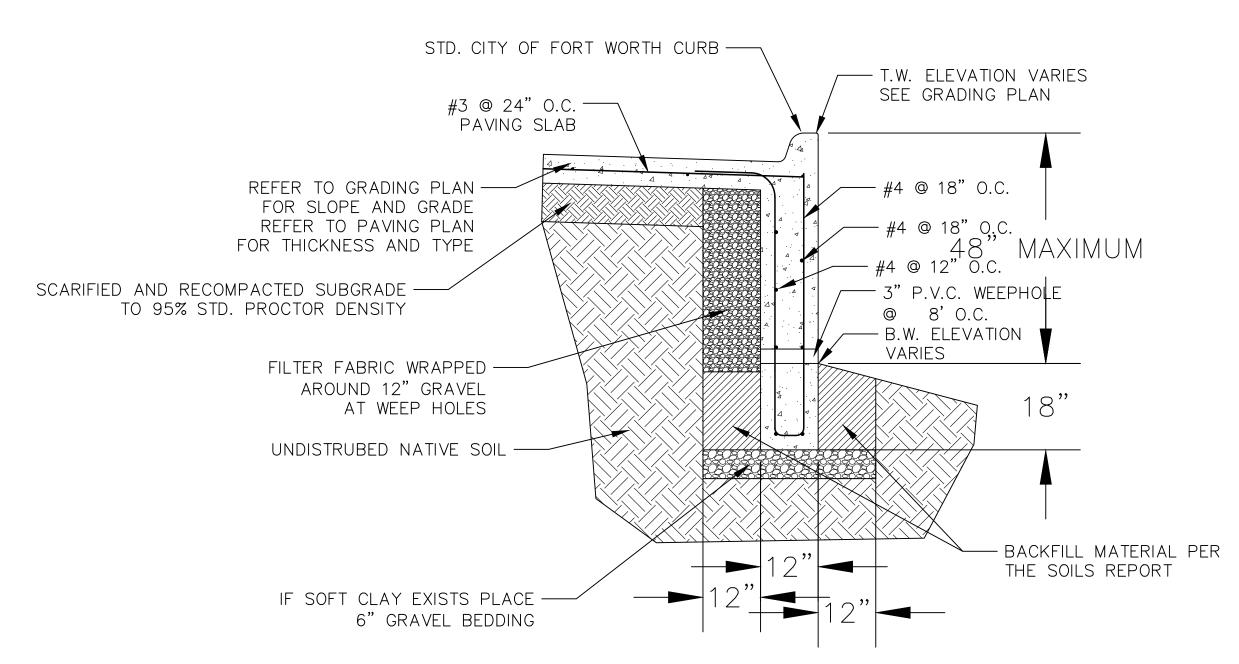
George Belcheff, P.E. Town Engineer for Ponder

Attached: Site Plan Application dated 11/1/2021

Site Plan with supporting sheets Application for Variance(s) -3

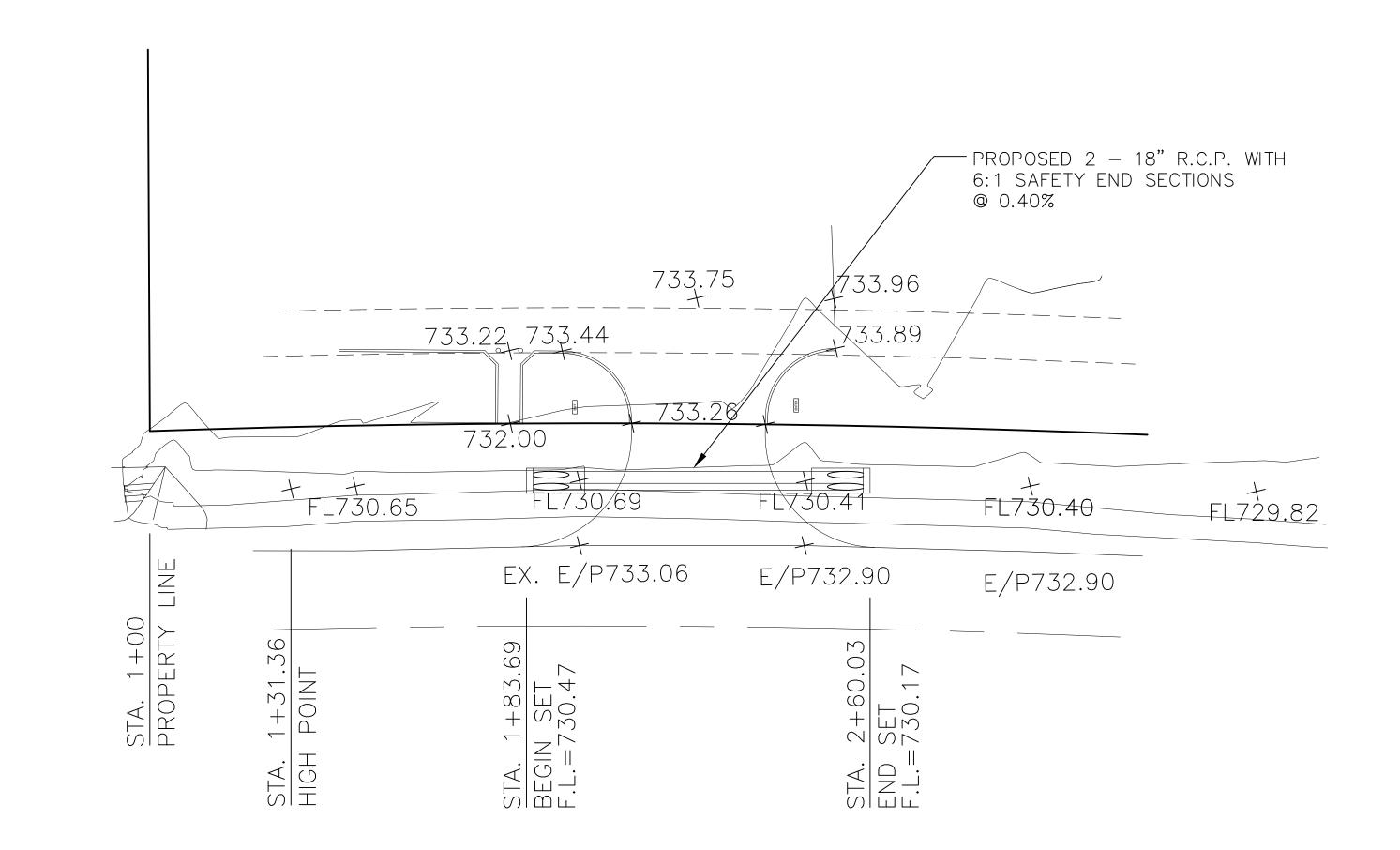
Conceptual offsite water system alignment plan

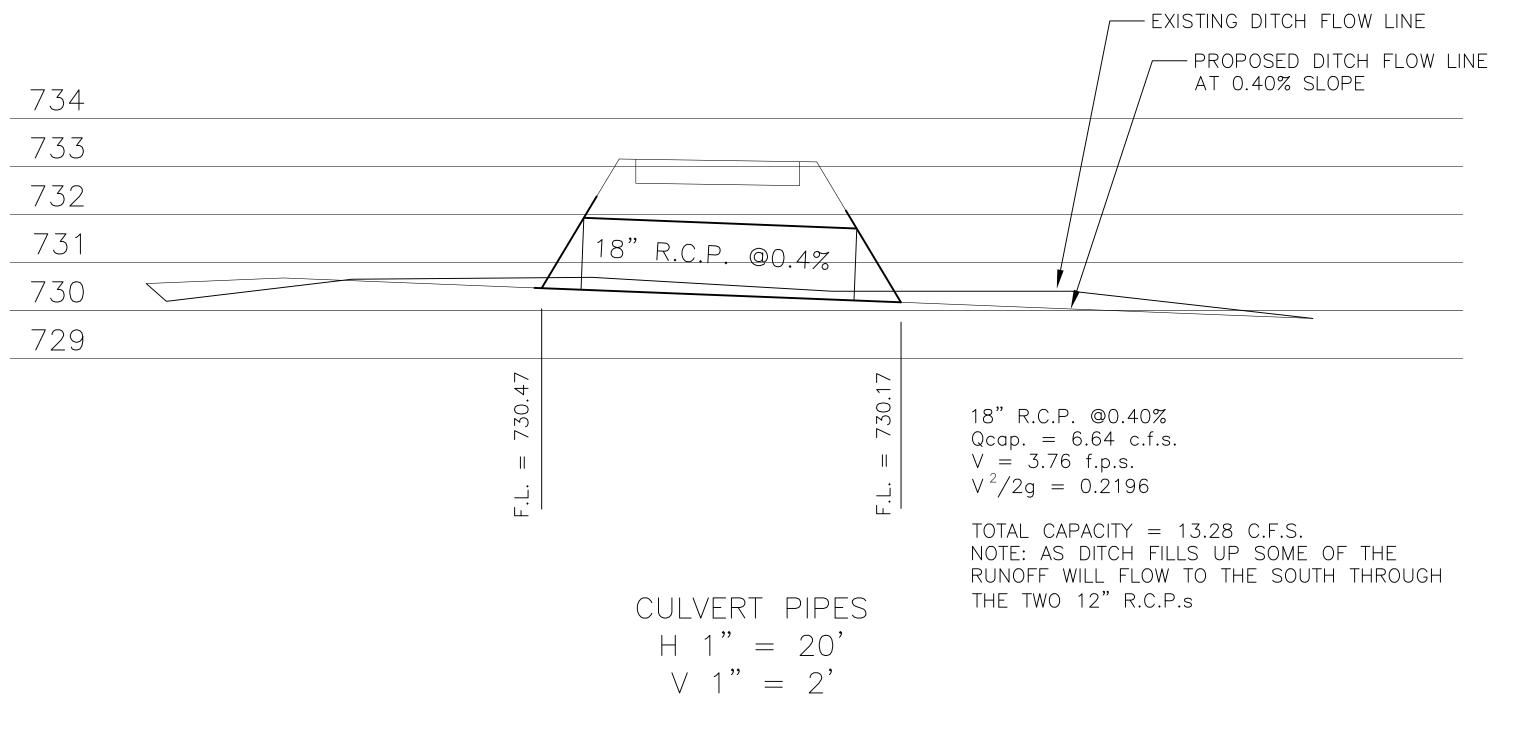
cc: Planning & Zoning Commission/Town Council Members via meeting packets
Sheri Clearman, Town Secretary via e-mail
Gary Morris, Director of Public Works via e-mail
Carolyn Farmer, Planning & Zoning Director via e-mail
Applicant/Engineer/Surveyor

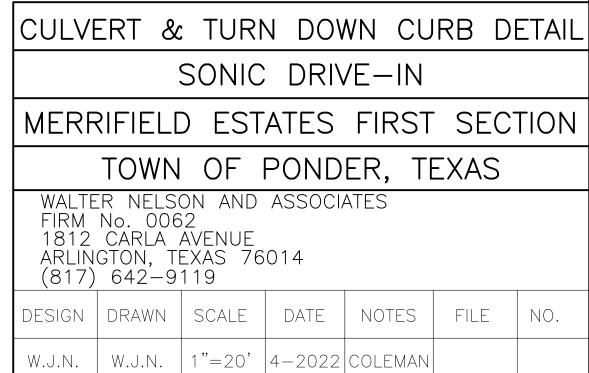


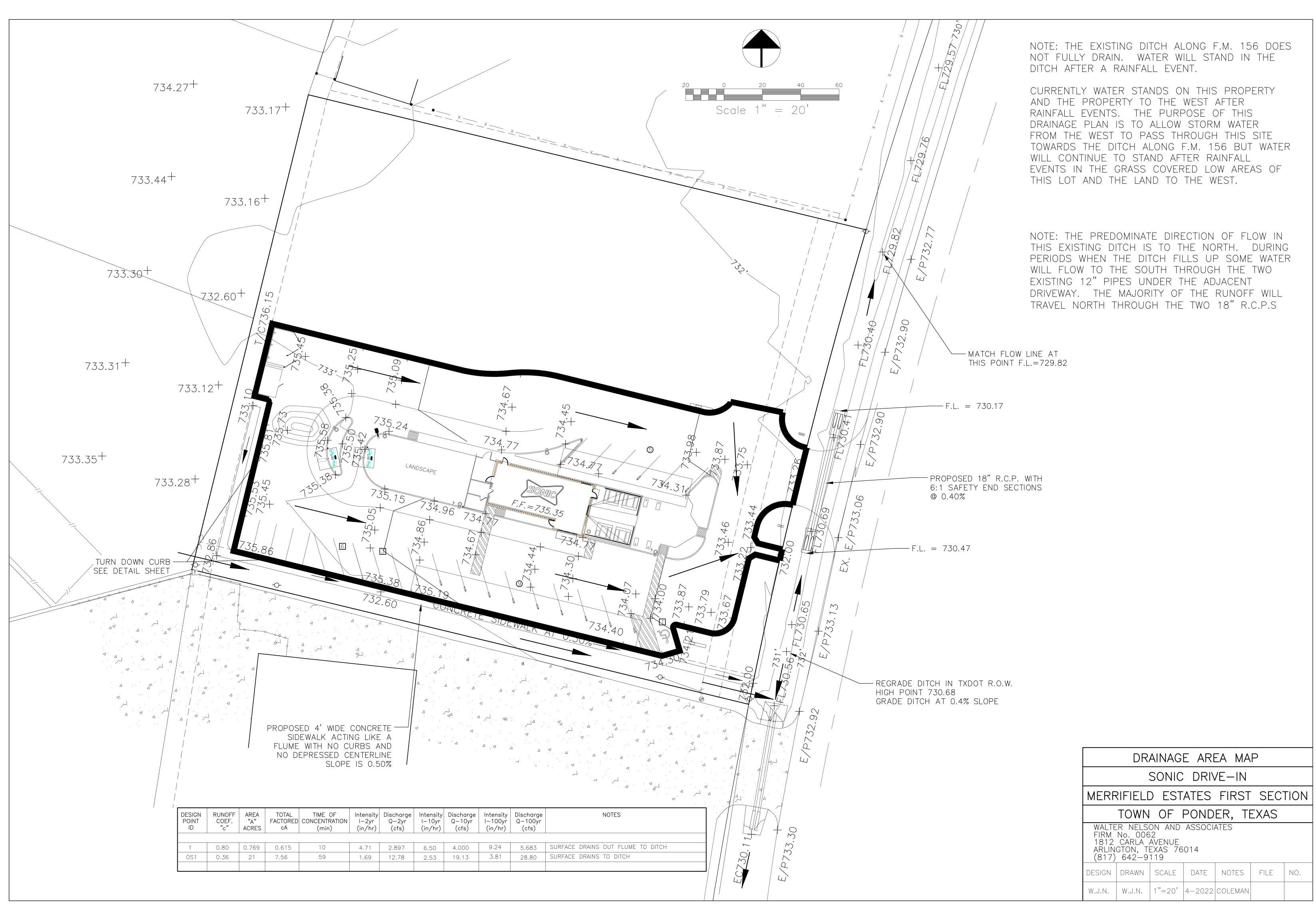
- 1. THE MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS SHALL BE 3,500 P.S.I. AND SHALL COMPLY WITH ACI 318.
- 2. REINFORCING STEEL SHALL COMPLY WITH ASTM A615 AND SHALL HAVE A YIELD STRENGTH OF 60,000 P.S.I.
- 3. BACKFILLING AGAINST REINFORCED RETAINING WALL/CURB SHALL NOT BE PERMITTED UNTIL CONCRETE HAS REACHED IT'S 28 DAY STRENGTH. CARE SHALL BE TAKEN TO AVOID EXERTING LARGE IMPACT FORCES ON THE RETAINING WALL.

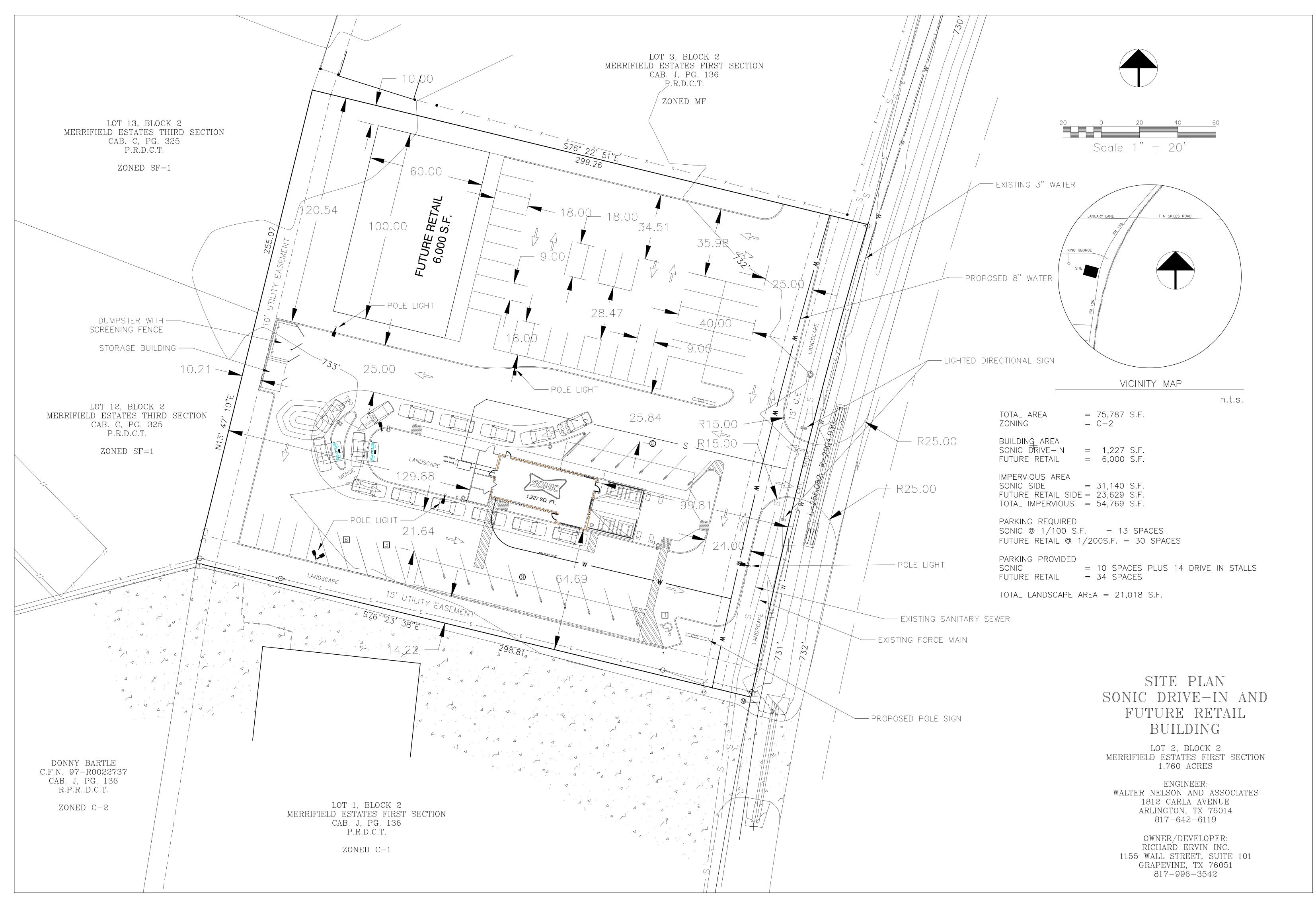
TURN DOWN CURB DETAIL NOT TO SCALE

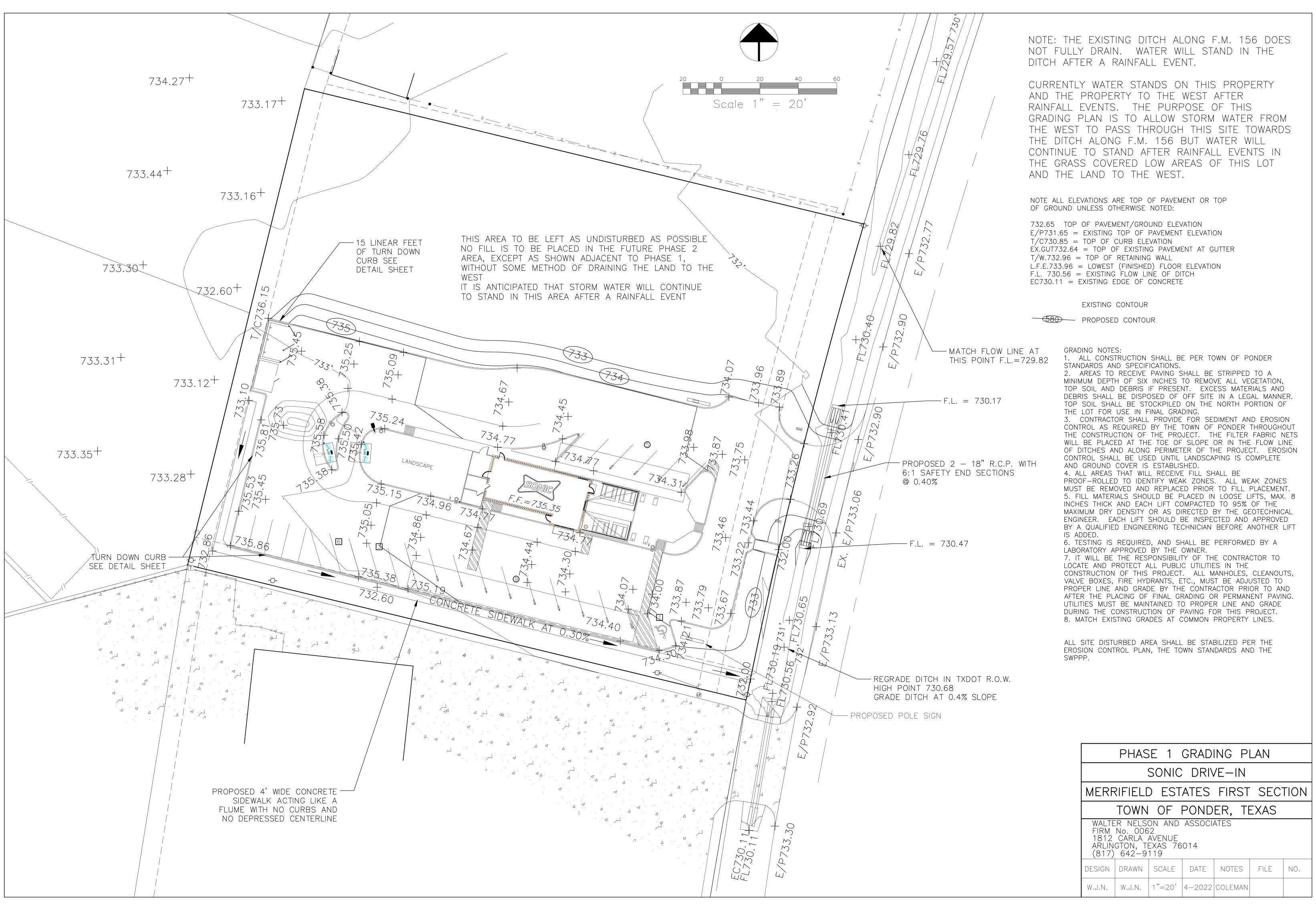


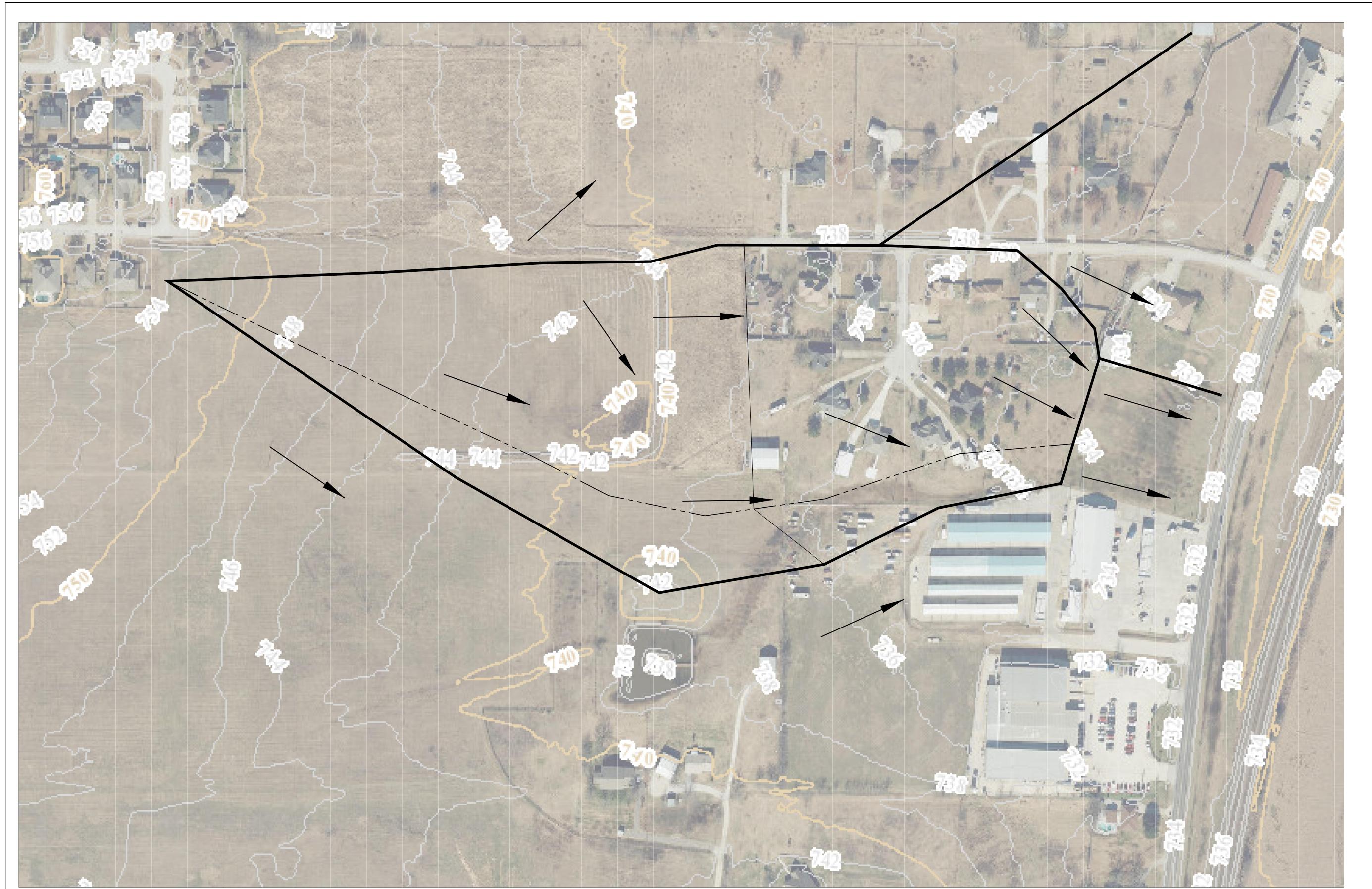


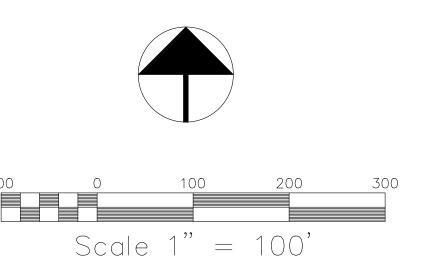












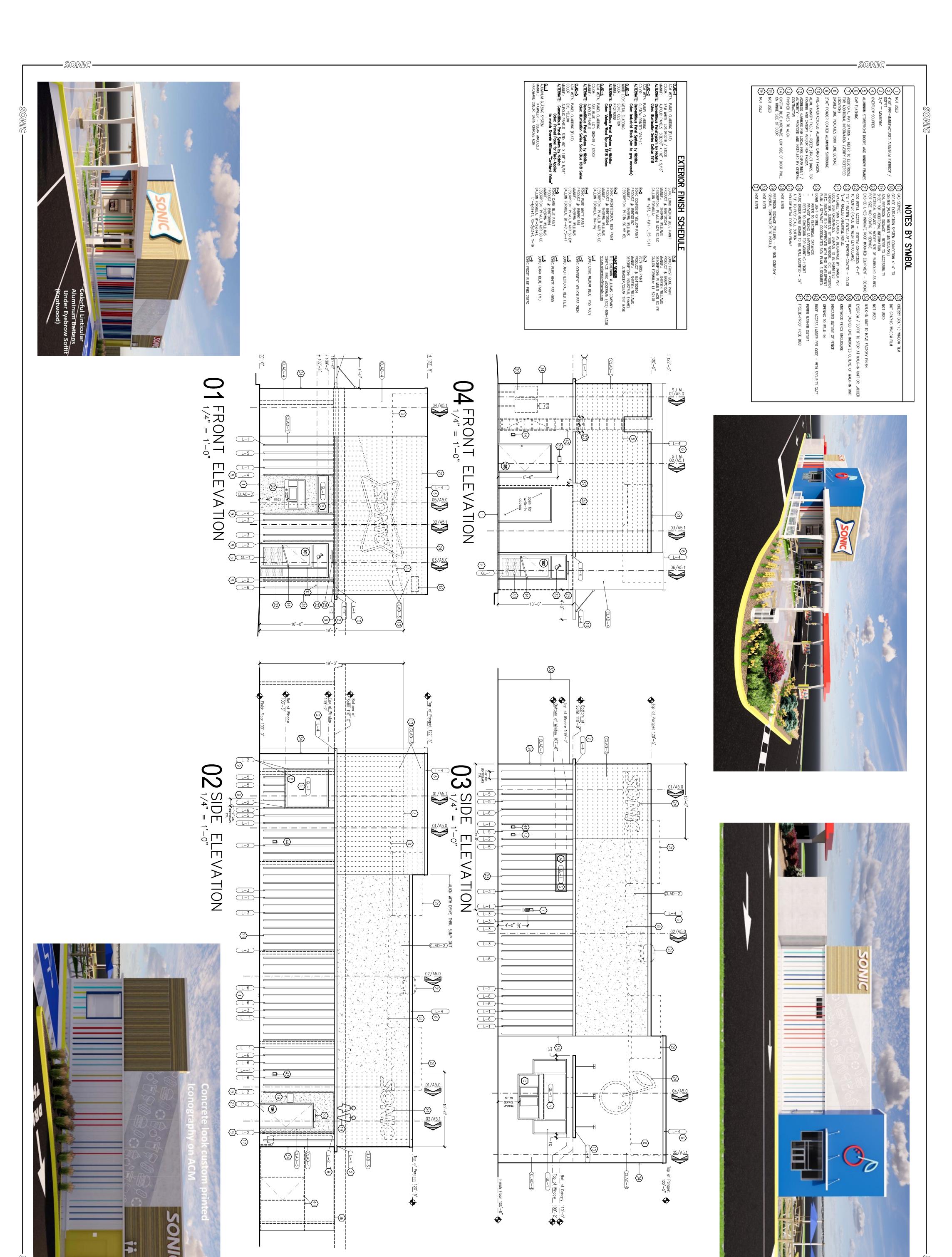
OFFSITE DRAINAGE AREA = 20.97 ACRES
DRAINAGE AREA - OS1
TRAVEL DISTANCE = 2029 FEET
HIGH ELEVATION = 754
LOW ELEVATION = 733
AVERAGE SLOPE = 1.03%
C FACTOR CALCULATIONS
9 ACRES @ c=0.45
12 ACRES @ c=0.30
COMPOSITE C = 0.36

 $Tc=1.8(1.1-C)D^{0.5}/S^{1/3}$ 

 $Tc=1.8(1.1-0.36)2029^{0.5}/1.03^{1/3}$ 

Tc = 59.4 minutes

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	Ol	FFSITE	DRA	INAGE	AREA	A MAF	)		
	SONIC DRIVE-IN								
	MERF	RIFIEL	) EST	ATES	FIRST	SEC	TIO		
	TOWN OF PONDER, TEXAS								
WALTER NELSON AND ASSOCIATES FIRM No. 0062 1812 CARLA AVENUE ARLINGTON, TEXAS 76014 (817) 642-9119									
	DESIGN	DRAWN	SCALE	DATE	NOTES	FILE	NO.		
	W.J.N.	W.J.N.	1"=100'	4-2022	COLEMAN				



**A2** 

SONIC DRIVE-IN STORE #XXXX F.M. 156 Ponder, TX EXTERIOR ELEVATIONS & SCHEDULES

SONIC CORP. 300 JOHNNY BENCH DR OKLAHOMA CITY, OK 73104 OFFICES: 405-225-5000 FAX: 405-225-5991 2021 AMERICA'S DRIVE—IN BRAND PROPERTIES LLC
THESE DRAWINGS ARE NOT TO BE USED FOR ANY PURPOSE
OTHER THAN BY THE DESIGNATED SONIC DRIVE—IN OWNER FOR
CONSTRUCTION OF THE DRIVE—IN AT THE SPECIFIED LOCATION.

/1//II AVANT DESIGN GROUP, INC. Firm Certificate of Authority CA01453 P.O. BOX 59226 DALLAS, TX 75229 214.556.3100

DATE ISSUES AND REVISIONS Submitted For City Design Review

