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# Belcheff & Associates, Inc.

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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.

**Location** – 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) – *inadequate for service/fire protection*
  - b) Future 12” waterline at east side of lot – *required w/. additional offsite extension(s) 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*

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

<u>Height, Area and Setback Regulations</u>	<i>SF-1 (adjoins west boundary)</i>	<i>MF (adjoins north boundary)</i>	<i>C-1 (adjoins south boundary)</i>	<i>C-2</i>	<i>Compliance?</i>
Maximum height (feet)				50	<i>TBD w/. building permit</i>
Minimum lot area (square feet)	21,780			B – 21780	Yes
Minimum front yard setback (feet)				B – NA	Yes
Minimum side yard setback (feet) <sup>D</sup>				B – NA	Yes
Minimum rear yard setback (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>B – 35</b>	<i>No – requires Variance</i>
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 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).

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

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*

**Town Engineer's Recommendation –**

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