

# City Council discusses terms for subdivision, restaurant development agreements

BY DAVID LOWE  
DISPATCH RECORD

The Lampasas City Council voted Monday to pay part of the infrastructure costs for a potential subdivision and outlined the terms the city should offer in a development agreement for a proposed Burger King.

In a unanimous vote, the council set forth development agreement terms for Brodie Estates, a proposed subdivision where more than 20 residential lots are planned. The development site is on 6.7 acres along the east side of Brown Street, south of the intersection of Brown and Cloud streets. The property is behind Springs Oaks Nursing and Rehabilitation.

The Brodie Estates developer is Lampasas company S2M2 Inc. Company representatives Stephen McDonald and Chris Harrison – who served on the City Council until 2017 – attended Monday's meeting with their engineer, Sam Walker, to discuss the subdivision they plan to build.

## SUBDIVISION PROPOSAL

S2M2 proposed to divide the 6.7 acres into 22 residential lots and one lot reserved for a detention pond to catch storm runoff. The pond is not necessary for the subdivision, the developers and their engineer said, but they said it would improve drainage in the surrounding area.

The pond is estimated to cost \$135,000, and McDonald said if he has it built, he will forego \$75,000 he could have made had he turned the pond site into three residential lots.

As a result, he asked the city to spend \$105,000 on the pond – half of what he said it would cost S2M2 if the company sacrifices potential buildable space to create a drainage pond.

Council members, however, said that cost is too high to justify for what they said would be minimal drainage improvements in the area. The council's motion called for no city payment toward a detention pond.

Consequently, McDonald said instead of proceeding with the drainage pond plan, he will use the land that would have been the pond site to add three more homes – for a total of 25 in the subdivision. Walker told the council that because of other methods to be used to handle drainage, the Brodie Estates houses will be protected, and downstream areas will see no adverse drainage effects, even without the pond.

Although the council decided not to share in the cost of a drainage pond, it voted unanimously for the city to pay the estimated \$24,500 cost of extending electricity to the subdivision. City policy is to provide electrical transformers at no charge for developments, city officials said.

Eventual revenue from the subdivision is expected to enable the city to recoup the \$24,500 in 2.2 years, according to a report from Assistant City Manager Gary Cox.

Another stipulation in the council's motion was that the city will pay a portion of the cost of looping an 8-inch-diameter water line to Cloud Street – if the city can obtain the easement needed from another property owner to create the loop.

An 8-inch-diameter line will feed into the subdivision from Brown Street, but the developer proposed a 6-inch



The former Texaco station at 404 N. Key Ave. has been demolished to prepare for Burger King construction. The Lampasas City Council is seeking an agreement to specify what the developer and the city will spend on various infrastructure items – including in the alley to the west of the future restaurant.

line to serve the two cul-de-sacs inside Brodie Estates. Cox elaborated in a phone interview Wednesday. To allow for a water loop, the line within the subdivision would have to be 8 inches wide, the assistant city manager said.

If the city can get the easement needed for the water line loop, the city will pay the difference between what a 6-inch-diameter water line would have cost and what an 8-inch-diameter line will cost, Cox said. If the loop comes to fruition, the city would pay for however many linear feet are needed to extend the water line from Cloud Street to the closest property line of Brodie Estates, Cox said.

To obtain the benefits the city is offering in the development agreement, S2M2 must complete the subdivision within four years.

The company will spend at least \$538,000 in utility and roadway infrastructure for the subdivision, according to the city's draft economic development incentive agreement.

## BURGER KING

On the Burger King item, the council did not take a formal vote, but it did give Cox direction on what cost-sharing terms to offer the developer of the restaurant.

As with Brodie Estates, the council said the city should pay to extend electricity to the site. For the restaurant project, electrical extension costs will be about \$15,000, City Manager Finley deGraffenried said.

The Burger King developers plan to pave part of the alley off North Key Avenue between West Avenue C and West Avenue D. Water and sewer lines under the alley are old and deteriorating, Cox said, so city staff members have recommended replacing the lines before part of the alley is paved. That will prevent future disruption to the proposed restaurant and to nearby properties, Cox said.

Earlier this month, the council voted for the city to pay for the engineering required for the utility lines engineering – a cost of \$8,000 – if a development agreement is finalized with the Burger King developer. On Monday, the council directed Cox to offer for the city to pay half the cost of replacing the water and sewer lines in the alley.

Although the exact line replacement cost will not be known until engineering is complete, Cox estimated

it will take about \$42,000 total to remove the old lines and install new ones. If that total is correct, the city's share would be \$21,000.

## OTHER ITEMS

In other matters at Monday's meeting, the council voted unanimously to:

- engage Singleton, Clark & Company to perform Lampasas' 2019 fiscal year audit. The cost will be \$28,000 – which is \$600 more than the firm charged Lampasas the previous year.

- approve the Lampasas County Chamber of Commerce's second-quarter report and reimburse the chamber \$12,321 for a portion of the organization's expenses.

- give the chamber \$2,718 of hotel occupancy tax funds for the July 12-13 barbecue cookoff during Spring Ho.
- give the chamber \$1,400 of hotel-motel tax funds to help pay for the Toughest 10K in Texas, 5K and 1 Mile Run on July 13 during Spring Ho.

- approve the closure of Western Avenue at Second and Third streets from 10:30 a.m. to noon on July 6. The temporary street closure is intended to ensure the safety of participants in a celebration at the historic Keystone Star Hotel.

The event will include a flag raising ceremony to commemorate the signing of the Declaration of Independence, recognition of those working to restore the building and tours of the historic site.

During a presentation near the beginning of the council's regular session, Dana Braccia of the Texas Library Association presented the association's Branding Iron Award to the Lampasas Public Library. The library received the award in the Special Event category for its Painted Chair fundraiser.

On hand for the presentation were Library Director Shanda Subia and Assistant Librarian Emily Stone, along with Library Advisory Board members Susan Browder, Sheryl Hausmann and Ruth Martin.

## COLLECTION STATION AND USE OF DUMPSTERS

During a workshop session discussion item, Councilman Mike White called for reducing the fee for disposing of construction debris at the Citizen Collection Station, located at 201 Brown St. Although White said the fee – which is \$20 for Lampasas

residents – should be cut in half, he said the city could increase the appliance disposal fee. For Lampasas residents, that charge is \$1 per appliance.

White said he thinks the collection station will lose money, but he said he would rather have that with a reasonable fee structure so people are not tempted to dump brush or other materials on the side of county roads.

Illegal dumping – including near or in dumpsters people are not authorized to use – remains a problem throughout the city, Cox said. Officials reminded the public that people may not use dumpsters on other people's property – or on city property. Dumpsters at parks or other city-owned sites are only for the municipal departments that operate the facilities – or for residents who are cleaning

up after renting the facilities – Cox said.



Dana Braccia, left, of the Texas Library Association presents a 2019 Branding Iron Award to the Lampasas Public Library – represented by Director Shanda Subia, center, and Assistant Librarian Emily Stone.



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**Lampasas Dispatch Record**

## Atmos Energy to oversee controlled flaring in June

Atmos Energy crews and contractors will oversee a controlled natural gas flaring June 4-12 in Lampasas County.

The controlled flaring will begin at approximately 7:30 a.m. and last until approximately 8 p.m. The location of the flaring will be on the south side of County Road 2711 and east of FM 1047.

The company will perform

routine inspection and testing on a section of natural gas pipeline in the area as part of normal maintenance operations.

"Flaring" is a standard industry practice to safely burn natural gas that must be removed from a section of pipeline so employees can work on the pipe. People in the area will notice a large, controlled flame and moderate noise for

approximately eight hours each day.

Lampasas County emergency dispatch officers, sheriff's department and county officials have been advised of the flaring, Atmos officials said.

For an informational video explaining why Atmos Energy performs flaring operations visit <https://www.atmosenergy.com/safety/elements-natural-gas>