



CITY OF BELTON

**City Council Meeting Agenda
Tuesday, March 27, 2018 - 5:30 p.m.
Wright Room, Harris Community Center
401 N. Alexander, Belton, Texas**

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led Director of IT Chris Brown.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Councilmember Paul Sanderford.

"Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."

Invocation. The Invocation will be given by Steve Cannon, Director of JAIL Ministry.

1. Call to order.
2. Public Comments.

Citizens who desire to address the Council on any matter may register to do so prior to this meeting and speak during this item. Forms are located on the table outside of the south side entry to the meeting room. Please state your name and address for the record, and limit your comments to three minutes. Also, please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda.

3. Proclamations: National Cleaning for a Reason Week – April 18-24, 2018

Consent Agenda

Items 4-5 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be

removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. Consider the minutes of the March 13, 2018, City Council Meeting.
5. Consider a resolution appointing election officers for the May 5, 2018, General Election.

Planning and Zoning Items

6. Hold a public hearing and consider the following zone changes on property located south of FM 439 and west of Dunn's Canyon Road:

Tract 1: 2.149 acres from Patio Homes to Single Family-2

Tract 2: 2.721 acres from Single Family-2 to Patio Homes

Tract 3: 14.060 acres from Planned Development Single Family-1 Patio Homes to Single Family-2

7. Hold a public hearing and consider the following zone changes on property located on the north side of W. Avenue D, west of Mitchell Street:

Tract 1: 1.550 acres of land at 1001 W. Avenue D from Neighborhood Service and Specific Use Permit-5 for City Yard to Planned Development Neighborhood Service to allow for an event center

Tract 2: 3.394 acres from Specific Use Permit-5 for City Yard to Single Family-3

8. Hold a public hearing and consider a zoning change from Agriculture and Planned Development Commercial-1 to Planned Development Commercial-1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.
9. Hold a public hearing and consider a zoning change from Planned Development Retail to Amended Planned Development Retail (Signage) on a 2.121 acre tract of land at 127 Lake Road, located at the southwest corner of Lake Road (FM439) and Commerce Street, west of Main Street (SH317).
10. Consider a final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton.

Work Session

11. Conduct a work session on Belton Water Tank Number 3 graphics.

Executive Session

12. Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, for a deliberation regarding real property.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.



CITY OF BELTON

OFFICE OF THE CITY MANAGER

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3. Proclamations: National Cleaning for a Reason Week – April 18-24, 2018

Holly Moore, owner of Maids and Moore, along with Summer Carothers-Abram, Rebecca Rodriguez and Caralisa Ratliff will be present to receive the proclamation.

Consent Agenda

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4. Consider the minutes of the March 13, 2018, City Council Meeting.

A copy of the minutes is enclosed. Recommend approval.

5. Consider a resolution appointing election officers for the May 5, 2018, General Election.

See Staff Report from City Clerk Amy Casey. Recommend adoption of the resolution appointing election officers for the May 5th General Election.

Planning and Zoning Items

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Tract 2: 2.721 acres from Single Family-2 to Patio Homes

Tract 3: 14.060 acres from Planned Development Single Family-1 Patio Homes to Single Family-2

See Staff Report from Director of Planning Cheryl Maxwell. At its meeting on March 20, 2018, the Planning and Zoning Commission unanimously recommended approval, and Staff concurs.

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**Tract 2: 3.394 acres from Specific Use Permit-5 for City Yard to Single Family-
3**

See Staff Report from Director of Planning Cheryl Maxwell. At its meeting on March 20, 2018, the Planning and Zoning Commission voted 4-4 on a motion to disapprove the proposed Planned Development Neighborhood Service District to allow for an event center. A tie vote fails to move the item forward to Council, and a motion to approve the PD was not offered. P&ZC unanimously recommended approval of

Neighborhood Service on the 1.550 acres of land, and Single Family-3 on the 3.394 acres of land, and Staff concurs.

8. **Hold a public hearing and consider a zoning change from Agriculture and Planned Development Commercial 1 to Planned Development Commercial 1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.**

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See Staff Report from Director of Planning Cheryl Maxwell. At its meeting on March 20, 2018, the Planning and Zoning Commission unanimously recommended approval, and Staff concurs.

Work Session

11. **Conduct a work session on Belton Water Tank Number 3 graphics.**

Director of Public Works Angellia Points will make a presentation on the graphics options for Belton Water Tank Number 3.

Executive Session

12. Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, for a deliberation regarding real property.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

Office of the Mayor



PROCLAMATION

WHEREAS, Cleaning for a Reason is a non-profit foundation that provides free professional house cleaning to women undergoing treatment for any type of cancer. Cleaning for a Reason matches cancer patients with cleaning companies who are willing to donate their time and services; and

WHEREAS, cancer is very real and affects so many, so a simple house cleaning can be of great assistance to cancer patients and allow these women to focus on their health, while the foundation focuses on patients' homes during this time of need. For the patients and their families, this service is invaluable; and,

WHEREAS, Cleaning for a Reason has more than 1,000 volunteer cleaning companies and continues to grow every year as more companies participate. Together they improve the lives of women stricken with cancer. There are millions of women battling cancer who do not have the resources to hire an outside service to clean during this difficult time; and,

WHEREAS, Cleaning for a Reason must continue to help women battle cancer and give back to the communities by making a difference in the lives of these women. A donation of any size is always greatly appreciated by Cleaning for a Reason in order to make this mission possible.

NOW THEREFORE, I, Marion Grayson, Mayor, on behalf of the City Council of the City of Belton, do hereby proclaim April 18-24, 2018, as

NATIONAL CLEANING FOR A REASON WEEK

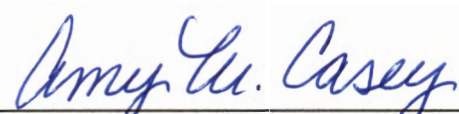
in the City of Belton, and I encourage the citizens of Belton to join with me in recognizing the contributions of Cleaning for a Reason, and express appreciation for their commitment to free house cleanings for women undergoing cancer treatment in the hope of achieving optimum health and easing the stress of not only cancer patients, but also their family members who often become the main caregivers.

IN WITNESS THEREOF, I have hereunto set my hand, and have caused the Official Seal of the City of Belton, Texas, to be affixed this the 27th day of March, 2018.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

Belton City Council Meeting
March 13, 2018 – 5:30 P.M.

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Dan Kirkley, Guy O'Banion and John R. Holmes, Sr. Councilmember Paul Sanderford was absent. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Chris Brown, Matt Bates, Paul Romer, Bob van Til, Kim Kroll, Angellia Points, Bruce Pritchard, Cynthia Hernandez, Judy Garrett, Cheryl Maxwell, Jen Wesley, Daniel Aguirre, Allen Fields, Susan Allamon and Charlotte Walker.

The Pledge of Allegiance to the U.S. Flag was led by CVB/Tourism Manager Judy Garrett, the Pledge of Allegiance to the Texas Flag was led by Mayor Marion Grayson, and the Invocation was given by Rebecca Fox-Nuelle, Pastor of First Presbyterian Church.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:32 p.m.
2. **Public Comments.** There were none.
3. **Recognize David Brallier, Juan Martinez and Daniel Londenberq for their efforts in thwarting an attempted kidnapping.**

Assistant City Manager/Chief of Police Gene Ellis explained that on January 9, 2018, three good Samaritans thwarted the attempted kidnapping of a woman in the parking lot near BCYC. He said had it not been for these three heroes, the victim would have been kidnapped by a violent criminal. They saved the victim's life with their heroic act. The Belton Police Department presented each of them with a Lifesaving Medal.

Consent Agenda

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4. **Consider minutes of previous meetings:**
 - A. **February 27, 2018, City Council Workshop Meeting**
 - B. **February 27, 2018, City Council Meeting**
5. **Consider a resolution approving a reduction in rates charged by Atmos Energy Corporation, Mid-Tex Division, and authorizing consent to a reduction in rates charged by Atmos Pipeline Texas, related to the reduction in the Federal Corporation tax rate.**

Upon a motion by Mayor Pro Tem Craig Pearson, and a second by Councilmember John R. Holmes, Sr., the Consent Agenda including the following captioned resolution was unanimously approved by a vote of 6-0.

RESOLUTION NO. 2018-08-R

A RESOLUTION BY THE CITY OF BELTON, TEXAS (“CITY”), APPROVING A REDUCTION IN RATES CHARGED BY ATMOS ENERGY CORPORATION, MID-TEX DIVISION (“ATMOS”) AND AUTHORIZING CONSENT TO A REDUCTION IN RATES CHARGED BY ATMOS PIPELINE TEXAS (“APT”), ALL RELATED TO THE REDUCTION IN THE FEDERAL CORPORATE TAX RATE; FINDING THE REDUCTION IN ATMOS’ RATES TO BE JUST AND REASONABLE; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THE RESOLUTION TO THE COMPANY AND SPECIAL COUNSEL.

Regular Agenda

6. A. **Receive a report on operations of the Belton Christian Youth Center (BCYC); and**
- B. **Consider amendments to the lease agreement between BCYC and the City.**

Mayor Grayson announced that she would be abstaining from this item and turned control of the meeting to Mayor Pro Tem Pearson.

Director of Parks and Recreation Matt Bates introduced BCYC Community Relations Coordinator Cheyenne Vansa. Ms. Vansa provided an update to the Council on the progress of the Belton Christian Youth Center, which the board and Staff have worked towards the past several months. BCYC’s enrollment in many of their programs is at capacity, and some of their sports programs are at record numbers. Ms. Vansa also spoke of some of the exciting events that will be happening in the near future at BCYC.

Mr. Bates said the City of Belton entered into a 50-year ground lease in 1998 with the Belton Christian Youth Center to occupy a portion of Confederate Park. The principal purpose was to construct and operate a youth center. Since 1998, the original BCYC building was built, along with a major addition authorized in 2007, and other minor lease amendments followed, including site plan changes for playground additions. He explained that this year, BCYC is proposing to make three (3) amendments to the current lease agreement including:

- Change BCYC’s physical address to 385 IH-35 Service Rd, Belton TX 76513.

- Install approximately 465 feet of 4' high Black Vinyl Chain-link fence around the playground, swing set, and play area located on the southern portion of the premises.
- Assume the responsibility of Landscape Maintenance located inside the proposed fenced area (approximately 0.8 acres).

Mr. Bates said that BCYC has requested to install this fence for added security during their daily daycare/charter school/after school operations. BCYC will be purchasing the materials required for the fence, along with being responsible for installation. In addition, as stated in the original lease agreement, BCYC is responsible for the maintenance and repair of all structures that are located inside the BCYC premises. Both parties have agreed that BCYC will take over the landscape maintenance (roughly 0.8 acres) inside the fenced area since accessibility with Parks and Rec mowers will be restricted, and the area is now less accessible to the public during BCYC's hours of operation. The City will continue to maintain the remaining 16 acres of parkland located adjacent to the Center.

Councilmember Holmes asked where the entrance gates would be located. Mr. Bates showed the locations on the overhead diagram. Mr. Holmes asked if there will be weekend access for the public. Mr. Bates explained that anytime BCYC is not in operation, the playground is accessible to the public. He added that there will not be locks on the gates.

Mr. Holmes asked if there is still a Charter School in operation at BCYC. Ms. Vansa said that Nolan Creek Charter School currently has 77 students enrolled. They are expecting 150 students next year. She explained that Nolan Creek uses the back building only, and there will be gate access to the building that will be utilized by Staff and students. Councilmember Leigh asked what grades the school has. Ms. Vansa said that currently the school offers Kindergarten through 5th Grade.

Councilmember Holmes asked how long the lease lasts. Mr. Bates said it is a 50-year lease. The school is allowed 279 students at maximum capacity. He added that Nolan Creek Charter School actually has a lease with BCYC, and he thinks there is a 5-year lease term. Mr. Holmes said, "There are a lot of uses over there." Mr. Bates said there is a daycare, a school and a large gym.

Mayor Pro Tem Pearson asked if the buildings are used during the weekend. Ms. Vansa said that the gym is used for their sports offerings, and they are also about to offer indoor soccer. They also rent the gym to the public when the facilities are not in use.

Councilmember Leigh said the City needs to be cognizant of the fact that the charter school is competing with Belton ISD in providing education. He cautioned that the Council needs to carefully consider any future increase in the authorized number of

students in the charter school recognizing the approved maximum. He said that the school is on City property, and the City is not authorized to offer education.

Upon a motion by Councilmember Leigh, and a second by Councilmember Holmes, Item #6 was approved by a vote of 5-0-1 with Mayor Grayson abstaining.

Mayor Grayson resumed control of the meeting.

7. **Receive a report from Aaron Farmer of Retail Coach regarding Belton's Retail Development Strategy.**

City Manager Sam Listi said that the Retail Coach was hired in 2017 to develop Belton's Retail Development Strategy. He introduced Aaron Farmer of the Retail Coach who reported on the work that has been done in developing the retail strategy for Belton (see Exhibit "A").

Mayor Grayson asked what the retailers and developers are saying about Belton. Mr. Farmer said the biggest hurdle is retailers have stores in Temple and Harker Heights and, as a result, they don't see the need to locate an additional store in Belton.

Councilmember Leigh asked what areas are developers/retailers most interested in. Mr. Farmer said the hottest sites are on IH-35 and the greater WalMart area. He said that Judy Garrett is working on the downtown area, and on a local/regional level, there seems to be a lot of interest in downtown.

Mayor Grayson said that Belton is most likely to attract the unique types of businesses instead of the big box retailers. Mr. Farmer said that Belton is prime for experiential retail. Austin has some of this type of retail and stated The Domain was a good example. He said that along the Interstate, Belton is still prime for national retail. He agreed with Mayor Grayson that Belton needs a good mix of national, local and experiential retail development.

Councilmember O'Banion said that he goes to Harker Heights and Temple, but that does not mean that people in Belton necessarily want to go to those towns. He added that just because there is a store/restaurant in the neighboring cities, that does not mean that one won't do well in Belton.

Mayor Pro Tem Pearson asked if there have been any retailers relocate into the Belton area in the first year of the contract with The Retail Coach. Mr. Farmer said no. Mr. Farmer reminded Council what he had stated at the beginning of the project, that most businesses will take 18-24 months to get something started.

No action was required by the Council on this item.

8. **Receive a presentation on the Comprehensive Annual Financial Report for Fiscal Year 2017.**

Kristy Davis of Jaynes, Reitmeier, Boyd & Therrell presented the City's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2017. Her presentation is attached as Exhibit "B."

Councilmember Holmes said the packet included a Financial Statement for the General Fund Debt Service and component unit. He asked what the component unit was. Ms. Davis replied the component unit is the Belton Economic Development Corporation.

Councilmember Leigh asked how Belton compares to like-sized cities. Ms. Davis said her firm audits several cities in the area, and they do some benchmarking and comparisons. She said that Belton is on the high side, meaning that Belton is doing well.

There was no action required by the Council on this item.

9. **Consider award of bid and authorizing the City Manager to execute a contract for the Sparta Road Pump Station Improvements Project, and any change orders associated with the contract, not to exceed the amount authorized under State law.**

Director of Public Works Angellia Points explained that the City of Belton currently operates two water pump stations to maintain water pressure for all of Belton's water system. The Sparta Road Pump Station was built in 2001, and it contains two variable frequency drive pumps which allow the pumps to ramp up and down as needed. Over time, the pump drives have required minor maintenance on the pump motor and the motor control center. The parts for the drives and motor control centers have been increasingly difficult to find due to the age of the equipment. Therefore, the City contracted with McCreary & Associates to provide an electrical design for the upgrades needed to the pump drives. The proposed improvements will lengthen the life of the drives and motor control centers, and allow for maintenance parts to be readily available. The improvements will also add an interlocked breaker and a docking station for a connection to a portable generator, if power were to fail at the pump station.

On February 27, 2018, four (4) bids were received for the construction of the pump station improvements. The bids are:

Contractor	Bid Amount
Wallace Controls & Electric, Meridian	\$183,311
T Morales Company, Florence	\$186,540
AC Electrical Services, Roger	\$188,000
R. K. Bass Electric, Harker Heights	\$214,385

Mrs. Points said that Staff and the Project Engineer with McCreary & Associates evaluated the bids and determined the low bidder, Wallace Controls & Electric, Inc., has the capability and experience to perform to the requirements of the contract.

She added that after the Notice to Proceed is issued, the contractor will be allowed up to five (5) months to complete the project. She said there should be no interruption to water service due to this project.

Funding for this project is allocated in the Water and Sewer Capital Project Fund.

Upon a motion by Councilmember Holmes, and a second by Councilmember O'Banion, item 9 was unanimously approved by a vote of 6-0.

10. Receive a report on the City's Stormwater Management Plan and Drainage Projects/Programs.

Director of Public Works Angellia Points provided an update on the City's Stormwater Management Plan and Drainage Projects/Programs as shown in Exhibit "C."

Councilmember Leigh said the City creates a plan, and works the plan. He said, "We have created an OODA loop. OODA stands for Observe, Orient, Decide and Act. If we are wanting to minimize discharge, are we measuring discharge? And if we are measuring it, are we actually minimizing it? If we have excess discharge in a development, are we identifying developments that we had a base rate based on engineering calculations to be X number of feet per minute, but it ends up being higher or lower?"

Mr. Leigh added that he sees a lot of planning and education, but sees very little in the way of measurement within the program. Mrs. Points said stormwater programs are very hard to measure. She explained that there are no flow meters at the discharge of detention ponds. There is not a lot of measurement within the stormwater program. She said that Public Works evaluates drainage issues as complaints are received. Mr. Leigh said, "The challenge is, you can't minimize if you can't measure." He said that there are ways to measure without having to be in attendance at each detention pond.

Mayor Grayson agreed with Mr. Leigh stating that the City needs to know if the program is working. She added that fees are charged to residents and developers, but if the City doesn't know if the program is working, it seems unfair. Councilmember O'Banion agreed. He said, "We don't know if we are over engineering development or under engineering development because we don't measure it."

Mr. Leigh suggested that Public Works record all the stormwater data that they collect, and provide Council with an annual report. Mr. O'Banion agreed that the Council needs data in order to help make decisions.

Councilmember Holmes asked about yard waste contamination control. "I'm a clean curb/gutter guy. My street has a lot of trees and collects lots of leaves. Do I just leave them to run down into the gutter?" Mrs. Points said this portion of the program

is mainly concerned with grass clippings blown into the street. She added that the street sweeper should pick up most of the leaves in the street.

Mrs. Points explained that when the City is prioritizing drainage projects, Staff utilizes the hierarchy that was adopted with the Drainage Strategic Plan. The hierarchy includes protection against loss of life, loss of structures, inundation of roadways, erosion to public and private improvements, nuisances, and “not in my backyard” issues.

There are three crewmembers in the Drainage Department. Mrs. Points reviewed drainage projects that have been completed.

Points explained that Item #11 will address one of the two problem areas, Mesquite Road. The other area is Liberty Hill which is considered the number one priority. However, there is some downstream development proposed that has caused the Staff to delay this project to determine what exactly will be needed with this development.

Mrs. Points summarized drainage issues including (not in any certain order):

- Red Rock area
- Shirttail Bend low water crossing
- 4th/Blair/Beal
- Turtle Creek Maintenance
- Beal/27th/26th/24th
- 7th and Wells
- Taylor’s Valley Road
- Mitchell Branch east of Connell
- Herrington/Miller Street
- Brenda Lane

No Council action was required on this item.

11. Consider authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick and Associates Engineers for the design of the Mesquite Road Drainage Improvements.

Director of Public Works Angellia Points explained that the drainage culverts under Mesquite Road within the city limits of Belton are failing, causing a drainage issue. The existing two 24” reinforced concrete culverts are undersized, which causes the stormwater in large rain events to flow over the roadway. Mesquite Road is the only point of access for the approximately 25 properties in the Mesquite Road and Mesquite Lane area.

Staff worked with KPA to complete a preliminary engineering report to determine the improvements needed to alleviate the issue. Mrs. Points said the area is delineated

as Floodplain Zone A per the 2008 FEMA map. Multiple options were explored in order to improve the stormwater conveyance at the crossing. Drainage calculations for the 25-year and 100-year storm events showed the peak water surface elevations decreased when four 6-foot by 3-foot concrete box culverts were modeled. Using four box culverts also contains the stormwater water surface elevation to below the roadway.

Mrs. Points added that the design will also include widening Mesquite Road to its designated classification: a minor collector. Between TxDOT ROW and just west of the culvert crossings, Mesquite Road is proposed to be widened from its existing 18' of pavement to 37' wide, back-of-curb to back-of-curb, with a right-of-way of 60'. The current right-of-way width is between 32' and 37'. Additional right-of-way will need to be obtained during the design process.

Because Mesquite Road is the only means of ingress/egress, a temporary detour and low culvert crossing will be constructed prior to beginning construction of the permanent structure. The detour will be used while the entire crossing is reconstructed. Mrs. Points stated the engineering services will cost \$52,900, and that funding will come from the Drainage Capital Projects fund.

Mayor Grayson and others stated that it was a good idea to go ahead and widen Mesquite Road. City Manager Sam Listi added that it will be an important road for access to the new school site.

Upon a motion by Councilmember Leigh, and a second by Mayor Pro Tem Pearson, item 11 was unanimously approved by a vote of 6-0.

Executive Session

At 7:11 p.m., the Mayor announced the Council would go into Executive Session for the following items:

12. **Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.076, Deliberation Regarding Security Devices or Security Audits.**
13. **Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, for a deliberation regarding real property.**

The Mayor reopened the meeting at 8:17 p.m., and there being no further business, the meeting was adjourned.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

EXHIBIT "A"



Belton, Texas

Retail Economic Development Plan (Update)

March 2018



Phase 1 and 2 Research and Community Core Analysis

The Retail Trade Area is the geographical area from which a community's retailers derive a majority (85%) of their business.

Retail Trade Areas

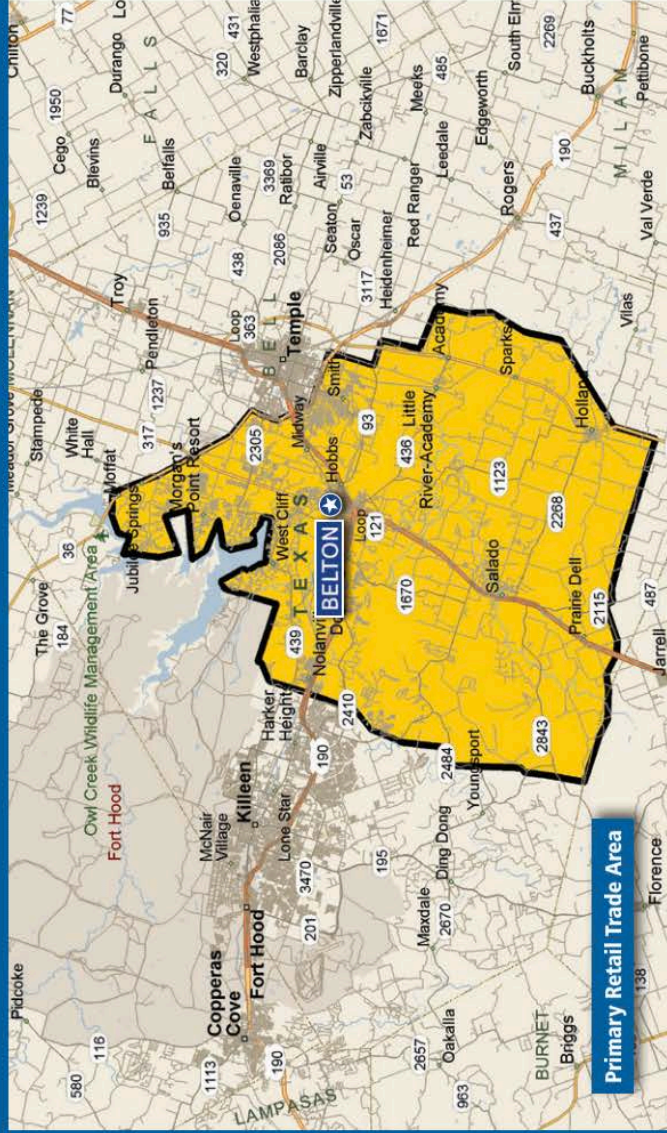
A map showing a geographical area with a blue overlay. The blue area is labeled "RETAIL TRADE AREA" in large, light blue, sans-serif capital letters. Within this blue area, there are two green-shaded regions. The upper green region is labeled "Primary RTA" in white, sans-serif capital letters. The lower green region is labeled "Secondary RTA" in white, sans-serif capital letters. The background map shows various roads, including highways 280, 121, 405, and 375, and several towns including Mustang, Celina, Prosper, and Plover. The map is tilted slightly to the right.

RETAIL TRADE AREA

Primary RTA

Secondary RTA

Retail Market Profile 2017



Contact Information

Judy Garrett, CVB & Tourism Manager
 City of Belton
 412 East Central Avenue
 P.O. Box 120
 Belton, Texas 76513
 Phone 254.933.5849
 jgarrett@belontexas.gov
 www.belontexas.gov

May 2017. All information furnished is from sources deemed reliable and is submitted subject to errors, omissions, change of terms and/or conditions. Prepared by The Retail Coach, LLC, a national retail consulting and market research firm. 800.851.0962.

Population

	2000	2010	2017 ESTIMATE	2022 PROJECTION
Primary Retail Trade Area	61,299	82,533	91,901	99,214

Income

	2017 ESTIMATE
Average Household	\$84,251
Median Household	\$62,997
Per Capita	\$32,913

Educational Attainment

	2017 ESTIMATE
Graduate or Professional	12.07%
Bachelor's Degree	18.88%
Associate Degree	8.32%
Some College, No Degree	23.61%
High School Graduate	26.54%
Some High School, No Degree	6.44%
Less than 9th Grade	4.15%

Race Distribution

	2017 ESTIMATE
White	75.74%
Black or African American	9.38%
American Indian/Alaskan	0.73%
Asian	2.56%
Native Hawaiian/Islander	0.19%
Other Race	7.78%
Two or More Races	3.61%
Hispanic or Latino (of any race)	21.85%

Age

GROUPS	2017 ESTIMATE
9 Years and Under	13.89%
10-17 Years	10.90%
18-24 Years	10.20%
25-34 Years	13.42%
35-44 Years	12.14%
45-54 Years	11.93%
55-64 Years	11.95%
65 Years and Over	15.56%
DISTRIBUTION	2017 ESTIMATE
Median Age	36.3
Average Age	38.1

Demographic Reports



TheRetailer

PRIMARY RETAIL TRADE AREA • DEMOGRAPHIC PROFILE Belton, Texas

Prepared for
City of Belton
May 2017



PRIMARY RETAIL TRADE AREA • DEMOGRAPHIC PROFILE Belton, Texas

DESCRIPTION	DATA	%	DESCRIPTION	DATA	%
Population			2017 Est. Hisp. or Latino Pop by Single-Class. Race		
2022 Projection	99,214		White Alone	10,637	53.97%
2017 Estimate	91,901		Black or African American Alone	387	1.93%
2010 Census	82,533		American Indian and Alaska Native Alone	293	1.46%
2000 Census	61,299		Asian Alone	82	0.41%
			Native Hawaiian and Other Pacific Islander Alone	42	0.21%
Growth 2017 - 2022		7.96%	Some Other Race Alone	7,095	35.34%
Growth 2010 - 2017		11.35%	Two or More Races	1,342	6.68%
Growth 2000 - 2010		34.64%			
			2017 Est. Pop by Race, Asian Alone, by Category		
2017 Est. Population by Single-Classification Race			Chinese, except Taiwanese	2,354	
White Alone	91,901		Filipino	98	4.15%
Black or African American Alone	69,607	75.74%	Japanese	209	8.86%
Amer. Indian and Alaska Native Alone	8,622	9.38%	Asian Indian	134	5.71%
Asian Alone	672	0.73%	Korean	718	30.51%
	2,354	2.56%	Vietnamese	476	20.21%
Native Hawaiian and Other Pac. Isl. Alone	171	0.19%	Cambodian	269	11.42%
Some Other Race Alone	7153	7.78%	Hmong	0	0.00%
Two or More Races	3,322	3.61%	Laotian	7	0.31%
			Thai	5	0.21%
2017 Est. Population by Hispanic or Latino Origin			All Other Asian Races including 2+ Category	24	1.04%
Not Hispanic or Latino	91,901			414	17.58%
Hispanic or Latino	71,823	78.15%			
Mexican	20,078	21.85%			
Puerto Rican	16,660	82.98%			
Cuban	1,166	5.81%			
All Other Hispanic or Latino	109	0.54%			
	2,142	10.67%			

DESCRIPTION	POTENTIAL SALES	ACTUAL SALES	LEAKAGE/SURPLUS
Total Retail Sales Incl Eating and Drinking Places	\$1,820,375,848	\$340,379,919	\$1,479,995,929
Motor Vehicle and Parts Dealers			
Automotive Dealers	\$405,883,079.94	\$18,839,297.00	\$387,043,782.94
Other Motor Vehicle Dealers	\$349,341,688.50	\$4,589,112.00	\$344,752,576.50
Automotive Parts/Accsrs, Tire Stores	\$22,698,379.90	\$2,678,288.00	\$20,020,091.90
	\$33,843,011.54	\$11,571,897.00	\$22,271,114.54
Furniture and Home Furnishings Stores			
Furniture Stores	\$41,412,344.00	\$1,860,442.00	\$39,551,902.00
Home Furnishing Stores	\$23,801,974.68	\$520,573.00	\$23,281,401.68
	\$17,610,369.32	\$1,339,869.00	\$16,270,500.32
Electronics and Appliance Stores			
Appliances, TVs, Electronics Stores	\$65,619,548.42	\$8,316,896.00	\$57,302,652.42
Household Appliances Stores	\$32,809,774.21	\$6,180,003.00	\$26,629,771.21
Electronics Stores	\$4,227,482.40	\$1,356,890.00	\$2,870,592.40
	\$28,582,291.81	\$780,003.00	\$27,802,288.81
Building Material, Garden Equip Stores			
Building Material and Supply Dealers	\$179,792,701.20	\$22,261,410.00	\$157,531,291.20
Home Centers	\$165,045,519.54	\$21,368,139.00	\$143,677,380.54
Paint and Wallpaper Stores	\$64,013,013.81	\$4,851,763.00	\$59,161,250.81
Hardware Stores	\$4,588,093.25	\$758,361.00	\$3,829,732.25
Other Building Materials Dealers	\$15,181,108.32	\$1,509,168.00	\$13,671,940.32
Building Materials, Lumberyards	\$81,263,304.16	\$14,248,847.00	\$67,014,457.16
Lawn, Garden Equipment, Supplies Stores	\$30,319,520.09	\$3,047,297.00	\$27,272,223.09
Outdoor Power Equipment Stores	\$14,747,181.66	\$893,271.00	\$13,853,910.66
Nursery and Garden Centers	\$2,179,360.78	\$595,900.00	\$1,583,460.78
	\$12,567,820.88	\$297,371.00	\$12,270,449.88

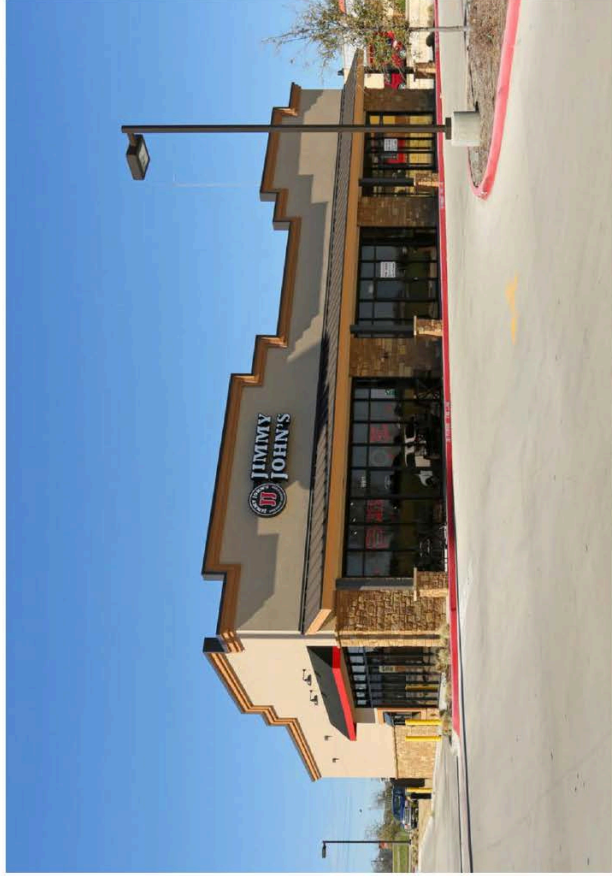
Description		Potential Sales	Actual Sales	Leakage/Surplus
Food and Beverage Stores		\$229,853,323.39	\$62,975,043.00	\$166,878,280.39
	Grocery Stores	\$209,112,963.19	\$61,165,574.00	\$147,947,389.19
Supermarkets, Grocery (Ex Conv) Stores		\$192,100,317.06	\$58,181,698.00	\$133,918,619.06
	Convenience Stores	\$17,012,646.13	\$2,983,876.00	\$14,028,770.13
Specialty Food Stores		\$9,008,408.30	\$72,324.00	\$8,936,084.30
	Beer, Wine and Liquor Stores	\$11,731,951.91	\$1,737,145.00	\$9,994,806.91
Health and Personal Care Stores				
		\$112,257,271.79	\$17,370,345.00	\$94,886,926.79
Pharmacies and Drug Stores		\$89,531,213.13	\$16,523,175.00	\$73,008,038.13
	Cosmetics, Beauty Supplies, Perfume Stores	\$11,085,894.13	\$0.00	\$11,085,894.13
Optical Goods Stores		\$3,618,713.81	\$711,111.00	\$2,907,602.81
	Other Health and Personal Care Stores	\$8,021,450.72	\$136,059.00	\$7,885,391.72
Gasoline Stations				
		\$140,167,197.91	\$27,373,098.00	\$112,794,099.91
Gasoline Stations With Conv Stores		\$76,354,965.65	\$20,545,481.00	\$55,809,484.65
	Other Gasoline Stations	\$63,812,232.25	\$6,827,617.00	\$56,984,615.25
Clothing and Clothing Accessories Stores				
		\$78,827,387.41	\$6,410,614.00	\$72,416,773.41
Clothing Stores		\$57,803,259.01	\$5,564,380.00	\$52,238,879.01
	Men's Clothing Stores	\$2,260,310.54	\$0.00	\$2,260,310.54
Women's Clothing Stores		\$12,457,317.50	\$3,410,529.00	\$9,046,788.50
	Childrens, Infants Clothing Stores	\$2,735,265.44	\$0.00	\$2,735,265.44
Family Clothing Stores		\$32,674,275.79	\$1,558,734.00	\$31,115,541.79
	Clothing Accessories Stores	\$2,975,463.79	\$82,268.00	\$2,893,195.79
Other Clothing Stores		\$4,700,625.95	\$512,849.00	\$4,187,776.95
	Shoe Stores	\$11,707,919.61	\$0.00	\$11,707,919.61
Jewelry, Luggage, Leather Goods Stores		\$9,316,208.79	\$846,234.00	\$8,469,974.79
	Jewelry Stores	\$8,449,723.11	\$846,234.00	\$7,603,489.11
Luggage and Leather Goods Stores		\$866,485.69	\$0.00	\$866,485.69

DESCRIPTION	POTENTIAL SALES	ACTUAL SALES	LEAKAGE/SURPLUS
Sporting Goods, Hobby, Book, Music Stores	\$36,183,062.47	\$1,927,610.00	\$34,255,452.47
Sportng Goods, Hobby, Musical Inst Stores	\$30,699,403.39	\$919,133.00	\$29,780,270.39
Sporting Goods Stores	\$21,942,808.02	\$0.00	\$21,942,808.02
Hobby, Toys and Games Stores	\$6,000,254.90	\$844,564.00	\$5,155,690.90
Sew/Needlework/Piece Goods Stores	\$1,115,819.92	\$74,569.00	\$1,041,250.92
Musical Instrument and Supplies Stores	\$1,640,520.55	\$0.00	\$1,640,520.55
Book, Periodical and Music Stores	\$5,483,659.08	\$1,008,477.00	\$4,475,182.08
Book Stores and News Dealers	\$5,483,659.08	\$1,008,477.00	\$4,475,182.08
Book Stores	\$4,895,392.44	\$1,008,477.00	\$3,886,915.44
News Dealers and Newsstands	\$588,266.64	\$0.00	\$588,266.64
General Merchandise Stores	\$206,514,922.47	\$113,728,232.00	\$92,786,690.47
Department Stores Excl Leased Depts	\$135,429,562.66	\$107,015,749.00	\$28,413,813.66
Other General Merchandise Stores	\$71,085,359.81	\$6,712,483.00	\$64,372,876.81
Miscellaneous Store Retailers	\$46,055,868.09	\$5,929,314.00	\$40,126,554.09
Florists	\$2,155,641.64	\$396,088.00	\$1,759,553.64
Office Supplies, Stationery, Gift Stores	\$15,890,222.50	\$378,275.00	\$15,511,947.50
Office Supplies and Stationery Stores	\$9,015,764.68	\$189,125.00	\$8,826,639.68
Gift, Novelty and Souvenir Stores	\$6,874,457.82	\$189,150.00	\$6,685,307.82
Used Merchandise Stores	\$7,116,869.47	\$622,810.00	\$6,494,059.47
Other Miscellaneous Store Retailers	\$20,893,134.47	\$4,532,141.00	\$16,360,993.47
Non-Store Retailers	\$81,147,379.59	\$4,781,035.00	\$76,366,344.59

DESCRIPTION	POTENTIAL SALES	ACTUAL SALES	LEAKAGE/SURPLUS
Foodservice and Drinking Places	\$196,661,761.63	\$48,606,583.00	\$148,055,178.63
Special Foodservices	\$11,832,048.43	\$961,473.00	\$10,870,575.43
Drinking Places -Alcoholic Beverages	\$6,530,215.15	\$578,245.00	\$5,951,970.15
Full Service Restaurants	\$87,394,259.59	\$13,345,025.00	\$74,049,234.59
Limited Service Eating Places	\$80,803,205.62	\$32,464,283.00	\$48,338,922.62
Cafeterias, Grill Buffets, and Buffets	\$3,313,094.13	\$0.00	\$3,313,094.13
Snack and Non-alcoholic Beverage Bars	\$6,788,938.71	\$1,257,557.00	\$5,531,381.71



LEASE SPACE AVAILABLE | 1,000 Sq Ft 203 N IH 35 Belton, Texas 76513



AVAILABLE SPACE
1,000 Sq Ft

RATES | NNN & PRICE
\$22/SF/YR

PROPERTY INFORMATION

- Located directly off of IH 35
- Great location and visibility
- Retailers in close proximity include Jimmy John's, Burger King, and Starbucks

DEMOGRAPHICS

Variable	Community	Primary RTA
2017 Population	19,605	91,901
Average HH Income	\$71,949	\$84,251
Median Age	31.7	36.3

* RTA – Retail Trade Area; the geographic area from which retailers derive approximately 80-85% of their business.

CONTACT

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jgarrett@beltontexas.gov
254.721.3180



TheRetailCoach® P.O. Box 7272 | Tupelo, MS 38802 | 800.851.0962 | www.theretailcoach.net

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LEASE SPACE AVAILABLE | Multiple Spaces

Belton Oak Village, Belton, Texas



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AVAILABLE SPACE

Multiple Spaces

RATES | NNN & PRICE
\$12-\$13/SF/YR

PROPERTY INFORMATION

- 1/8 mile from Walmart and HEB Plus
- Traffic counts on Main St. -21,000 VPD
- Excellent visibility, access and signage

DEMOGRAPHICS

Variable	Community	Primary RTA
2017 Population	19,605	91,901
Average HH Income	\$71,949	\$84,251
Median Age	31.7	36.3

* RTA – Retail Trade Area; the geographic area from which retailers derive approximately 80-85% of their business.

Phase 3 – Urban (Downtown) Retail Revitalization

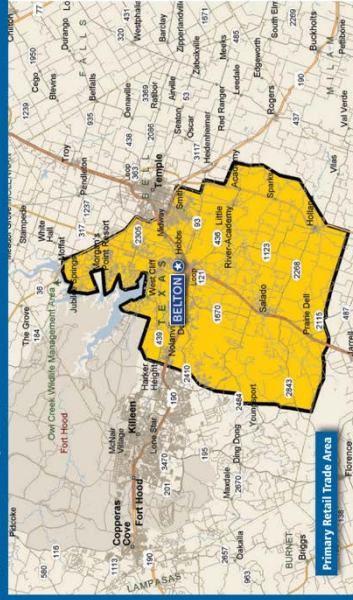
March 13 – Downtown Retail Workshop

- Distribution of Reports
- Tips on how to be success in today's retail market
- Understanding the Belton Consumer

Phase 4 – Marketing and Branding

Retail Market Profile Flier

Retail Market Profile 2017



Contact Information
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 www.beltontexas.gov

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Population

Primary Retail Trade Area	2000	2010	2017 ESTIMATE	2032 PROJECTION
	41,239	82,531	91,300	99,114

Income

	2017 ESTIMATE
Average Household	\$24,231
Median Household	\$42,997
Per Capita	\$32,913

Educational Attainment

	2017 ESTIMATE
Graduate or Professional	12.07%
Bachelor's Degree	18.88%
Associate Degree	8.37%
Some College, No Degree	23.61%
High School Graduate	26.54%
Some High School, No Degree	6.44%
Less than 9th Grade	4.15%

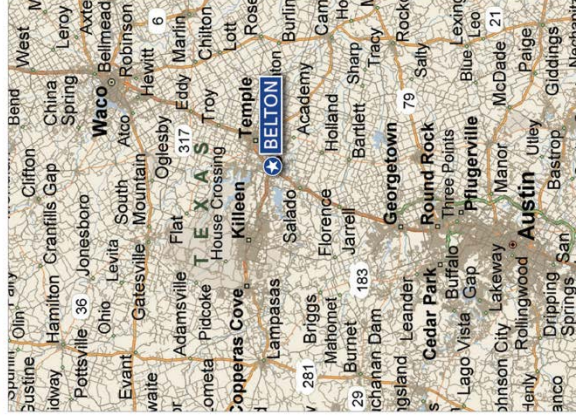
Race Distribution

	2017 ESTIMATE
White	75.74%
Black or African American	9.38%
American Indian/Alaskan	0.73%
Asian	2.56%
Native Hawaiian/Islander	0.19%
Other Race	7.78%
Two or More Races	3.61%
Hispanic or Latino (of any race)	21.85%

Age

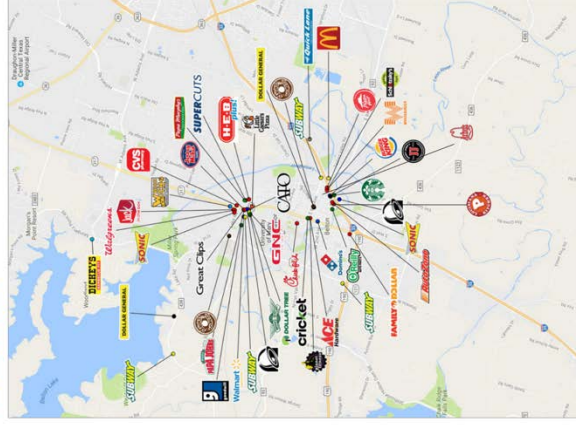
Age Groups	2017 ESTIMATE
9 Years and Under	13.89%
10-17 Years	10.95%
18-24 Years	10.35%
25-34 Years	13.42%
35-44 Years	12.14%
45-54 Years	11.93%
55-64 Years	11.95%
65 Years and Over	15.54%
DISTRIBUTION	2017 ESTIMATE
Median Age	36.3
Average Age	38.1

LOCATION MAP



Information provided is for illustrative purposes only and is deemed to be current as of the date of this document. Data sources used may include: CIB, ACS, Census, Regional, Statistical, 2007 and/or Microsoft Corporation.

EXISTING RETAIL



Retailer and Developer Recruitment



TheRetailCoach®



RETAIL FEASIBILITY STUDY
Belton, Texas

Prepared for
City of Belton
June 2017





TheRetailCoach®

DEVELOPER FEASIBILITY STUDY
Belton, Texas

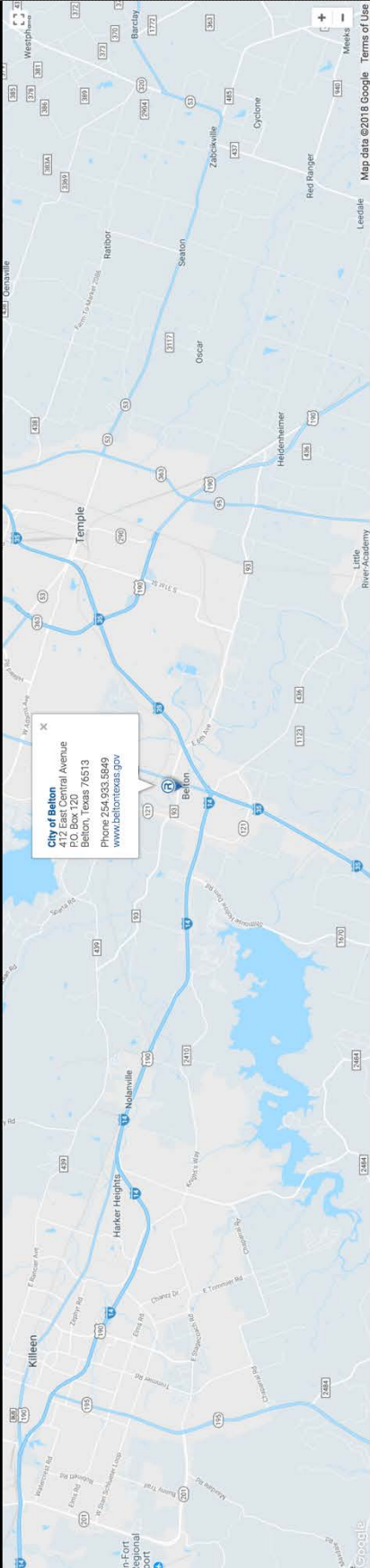
Prepared for
City of Belton
June 2017



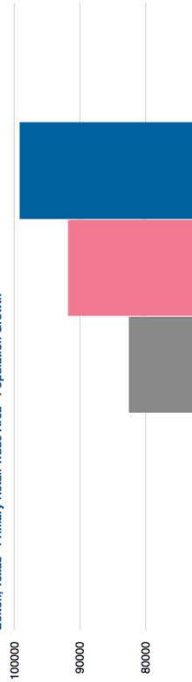
Phase 5 – GIS Data Platform

BELTON, TEXAS – COMMUNITY RETAIL DASHBOARD

Powered by The Retail Coach



Belton, Texas - Primary Retail Trade Area - Population Growth



RETAIL SALES/LEAKAGE

POTENTIAL

\$1,820,375,848

ESTIMATED ACTUAL

\$340,379,919

\$0,000,000,000

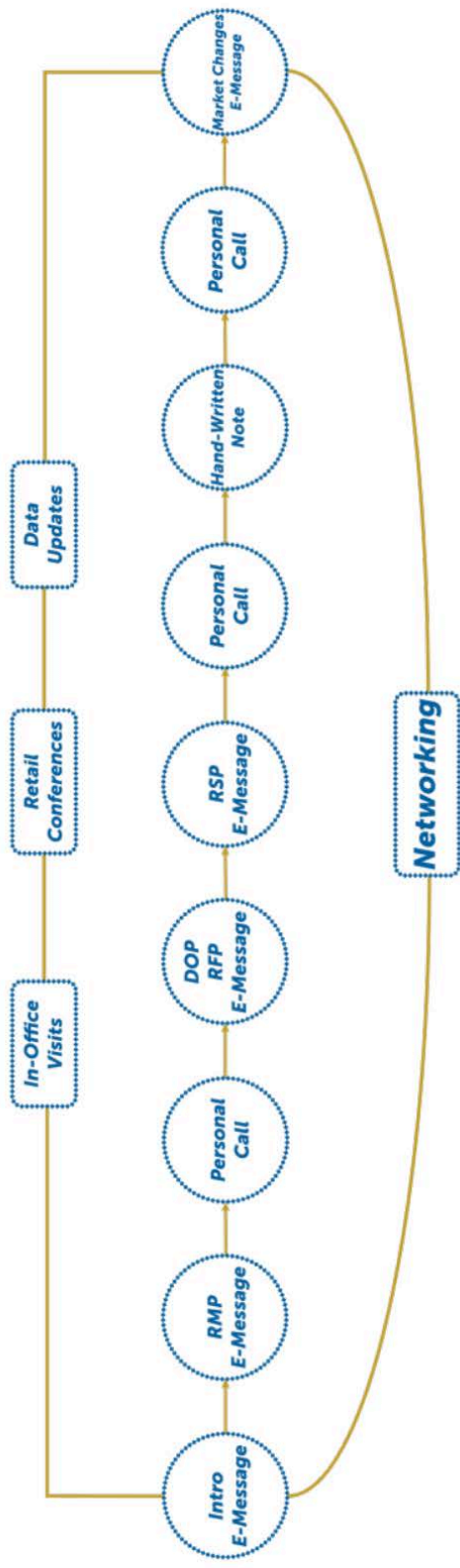
TOTAL RETAIL OPPORTUNITY



Data-driven Retail Website with: Available Sites, a Dashboard, and Geo-Retail Interactive Mapping

Phase 6 and 7 – Retailer and Developer Recruitment

Retail/Developer Recruitment Process



Retailer Recruitment Tracking Spreadsheet

Belton Texas Retail Recruitment Tracking

File

Edit

View

Insert

Format

Tools

Table

Add-ons

Help

11

B

I

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A

See new changes

SHARE

Editing

1

2

3

4

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6

7

Chili's Mr. Greg Bracchi (Title) Principal, EDGE Realty Partners 5950 Berkshire Lane Suite 700 Dallas TX 75225 United States Tel: (214) 545-6907 Fax: (214) 545-6905 Email: gbracchi@edge-re.com Web: edge-re.com	"Regarding Chili's, they are doing a few deals but only focused on some of their top priorities. Belton isn't on that list right now." – Greg (6/7/17)	
Chipotle Mexican Grill Samuel Chee/Real Estate Manager 1408 N Riverfront BLVD #191 Dallas, Texas 75207 214-649-9971 schee@chipotle.com Broker CBRE Darrell Hernandez 214-252-1117	Met at ICSC Met Samuel Chee- Chipotle Representative and Andrew Barnes, with CBRE Loved presentation and are planning to come in for a site visit.	Judy

Developer Recruitment Tracking Spreadsheet

BeltonDeveloperList (3)										
Q										
General										
Conditional Formatting										
Format as Table										
Cell Styles										
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(972) 233-5300										
H27										
2	Aqualand Development	103 E 5th St, Suite 204	Austin	TX	78701	(512) 382-1876	matt@aqualanddevelopment.com	www.aqualanddevelopment.com		
3	Armstrong Development Properties, Inc.	222 W. Las Colinas Blvd., Suite 1610	Irving	TX	75039	(972) 869-8055	rhendrix@agoc.com	www.avgpartners.com		
4	AVG Partners	3220 Audley St	Houston	TX	77098	(713) 807-8902	greg@cbd-tx.com	www.bakerkatz.com		
5	Baker Katz, LLC	3700 Buffalo Speedway, Ste 1020	Houston	TX	77098	(713) 629-2100	jaker@bakerkatz.com	www.callbertcompanies.com		
6	Caliber Companies	14301 Caliber Drive	Oklahoma City	OK	73134	(405) 702-1570	tucker@catellus.com	www.catellus.com		
7	Catellus Development Corporation	4550 Mueller Blvd	Austin	TX	78723	(512) 703-9204	jim@coniferre.com	www.corinthproperties.com		
8	Conifer Real Estate, Inc	260 Miron Drive, Suite 108	Southlake	TX	76092	(817) 552-7778	frank@corinthprop.com			
9	Corinth Properties	4645 North Central Expwy., Ste 200	Dallas	TX	75205	(214) 219-5616	doug@dhkdev.com			
10	DHK Development Inc.	5005 Riverway Ste 160	Houston	TX	77056	(713) 761-0033	david@doradodev.com			
11	Dorado Development Co., LLC	12500 Network Blvd., Suite 103	San Antonio	TX	78249	(210) 732-5335	rowoodbury@sbcglobal.net			
12	DWC Commercial Properties, L.C.	P.O. Box 797424	Dallas	TX	75379	(972) 960-1550	rainer@excelcommercial.com			
13	Excel Commercial Real Estate	6363 Woodway Ste 950	Houston	TX	77057	(713) 458-5151	bfrankel@sbcglobal.net			
14	Frankel Development Group Inc	6130 Annopolis Street	Houston	TX	77005	(713) 661-0440	mduda@fritzduda.com			
15	Fritz Duda Company	13355 Noel Road, Suite 1315	Dallas	TX	75240	(972) 934-2244	granados@gfrdevelopment.com	www.ge-development.com		
16	GFR Development Services LLC	9100 IH 10 West, Suite 205	San Antonio	TX	(210) 593-9100	(210) 592-9101	john@ge-development.com	www.falcongroup.info		
17	Greenway Enterprises Inc.	1313 Hardage Ln	Colleyville	TX	76034	(817) 442-5320	glen@gfirst.net	www.hermansenlanddevelopment.com		
18	GT First Development	2511 Reva Dr.	Houston	TX	77019	(713) 899-0043	mlitch@hermansenlanddevelopment.com	www.houstoncomdev.com		
19	Hermansen Land Development, Inc.	5944 Luther Lane, Suite 725	Dallas	TX	75225	(214) 373-4202	mhooks@ironwoodre.com	www.jabilipp.com		
20	Houston Commercial Development	1525 Lakeville Drive, Suite 232	Kingwood	TX	77339	(713) 609-9200	abillipp@jabilipp.com	jacksonshaw.com		
21	Ironwood Real Estate	207 San Jacinto Blvd., Suite 300	Austin	TX	78701	(512) 477-2225	jridnour@jacksonshaw.com	www.jl.com		
22	J.A. Billip Company	6925 Portwest Drive, Ste 130	Houston	TX	77024	(713) 426-5050	barry.haydon@am.jl.com	www.klein-equities.com		
23	Jackson-Shaw	4890 Alpha Road Ste 100	Dallas	TX	75244	(972) 628-7423	david@hardestyrealty.net	www.lockardonline.com		
24	Jefco Development	2001 Ross Avenue, Ste 4601	Dallas	TX	75201	(214) 891-3225	michael@mallickgroup.com	www.mallickgroup.com		
25	JLL	1703 W 5th St #850	Austin	TX	78703	(512) 225-2700	matt@maloufinvestments.com	www.margauxrealty.com		
26	Klein Equities	6602 Spring Cypress Road	Spring	TX	77379	(281) 374-9392	dsilverman@margauxrealty.com	meansknaus.com		
27	Lockard Development, Inc.	14228 Midway Road, Suite 204	Dallas	TX	75244	(972) 233-5300	nowak@meansknaus.com	www.merritt-capital.com		
28	Mallick Group	3715 Camp Bowie Blvd.	Fort Worth	TX	76107	(817) 763-0700	marshall@merritt-capital.com	www.n3realestate.com		
29	Malouf Interests, Inc.	3811 Turtle Creek Blvd Ste 1800	Dallas	TX	75219	(214) 219-4900	rparks@morancap.com	www.newquest.com		
30	Margaux Development Company	14801 Quorum Drive Ste 160	Dallas	TX	75254	(972) 980-9806	jDavidson@n3realestate.com	www.pcdltd.com		
31	Means Knaus Partners	2000 West Loop South, Suite 1920	Houston	TX	77027	(313) 966-3138	salvis@newquest.com	www.puredvco.com		
32	Merritt Capital Partners	8235 Douglas Ave Ste 1030	Dallas	TX	75225	(214) 987-9808	scott@northstarpropertiesinc.com	www.rubiconrealty.com		
33	Moran Capital, LLC	2828 Routh Street, Suite 500	Dallas	TX	75201	(214) 520-9000	ro@puredvco.com	www.rubiconrealty.com		
34	N3 Real Estate	620 E. Southlake Blvd.	Southlake	TX	76092	(817) 348-8748	lenn@pcdltd.com	sandlersouthwest.com		
35	NewQuest Properties	8827 W. Sam Houston Pkwy N, Ste 200	Houston	TX	77040	(281) 477-4300	ro@puredvco.com			
36	Northstar Properties, Inc.	4200 S. Hulen Street, Suite 525	Fort Worth	TX	76109	(817) 336-8700	lenn@pcdltd.com			
37	Planned Community Developers	15958 City Walk #250	Sugar Land	TX	77479	(281) 242-2000	ro@puredvco.com			
38	Pure Development Company, LLC	PO Box 92454	Southlake	TX	76092	(214) 365-2747	lenn@pcdltd.com			
39	Rland Properties	P.O. Box 69	Colleyville	TX	76034	(817) 571-9800	lenn@pcdltd.com			
40	Rubicon Realty Group	3281 Rocky Creek Drive, Suite 100	Missouri City	TX	77459	(281) 313-0000	lenn@pcdltd.com			
41	Sandies Southwest Corp	Brenton Park Financial Ctr-E Tower, 5405 Kinross Dr.	Piano	TX	75093	(972) 816-1602	ro@puredvco.com			

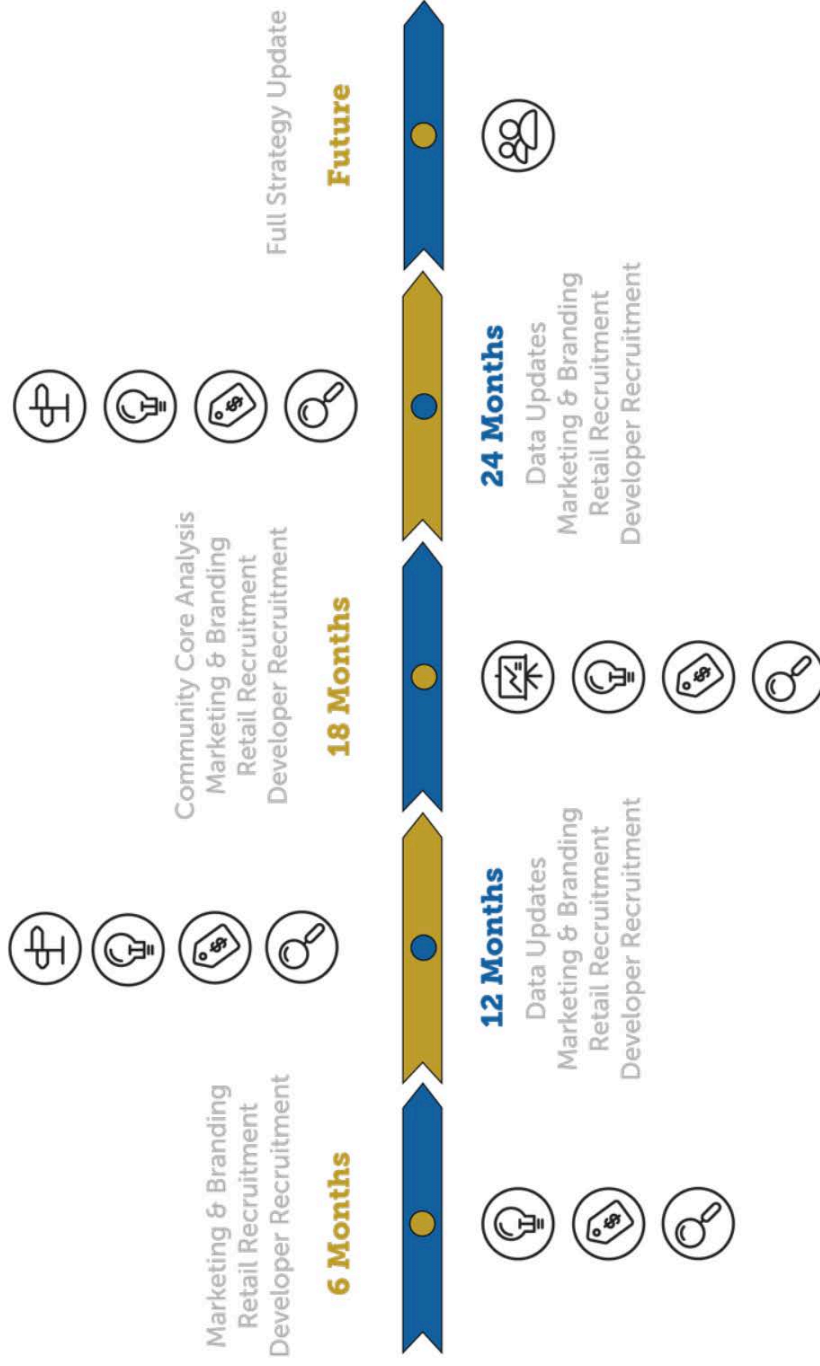
2017 Retail Trade Shows

- ICSC Deal Making Dallas – November 2017
- Retail Live Austin – August 2017



Phase 8 – Retail Action Plan

Action Plan



Next Steps

- Continued retailer/restaurant/developer recruitment
- Representation at retail conferences
- Continued Site Identification and Marketing

2018/2019 Retail Trade Shows

- Retail Live Austin – August 2018
- ICSC Red River States – January 2019





www.theretailcoach.net
afarmer@theretailcoach.net

AUSTIN, TX
Ph. 662.231.0608

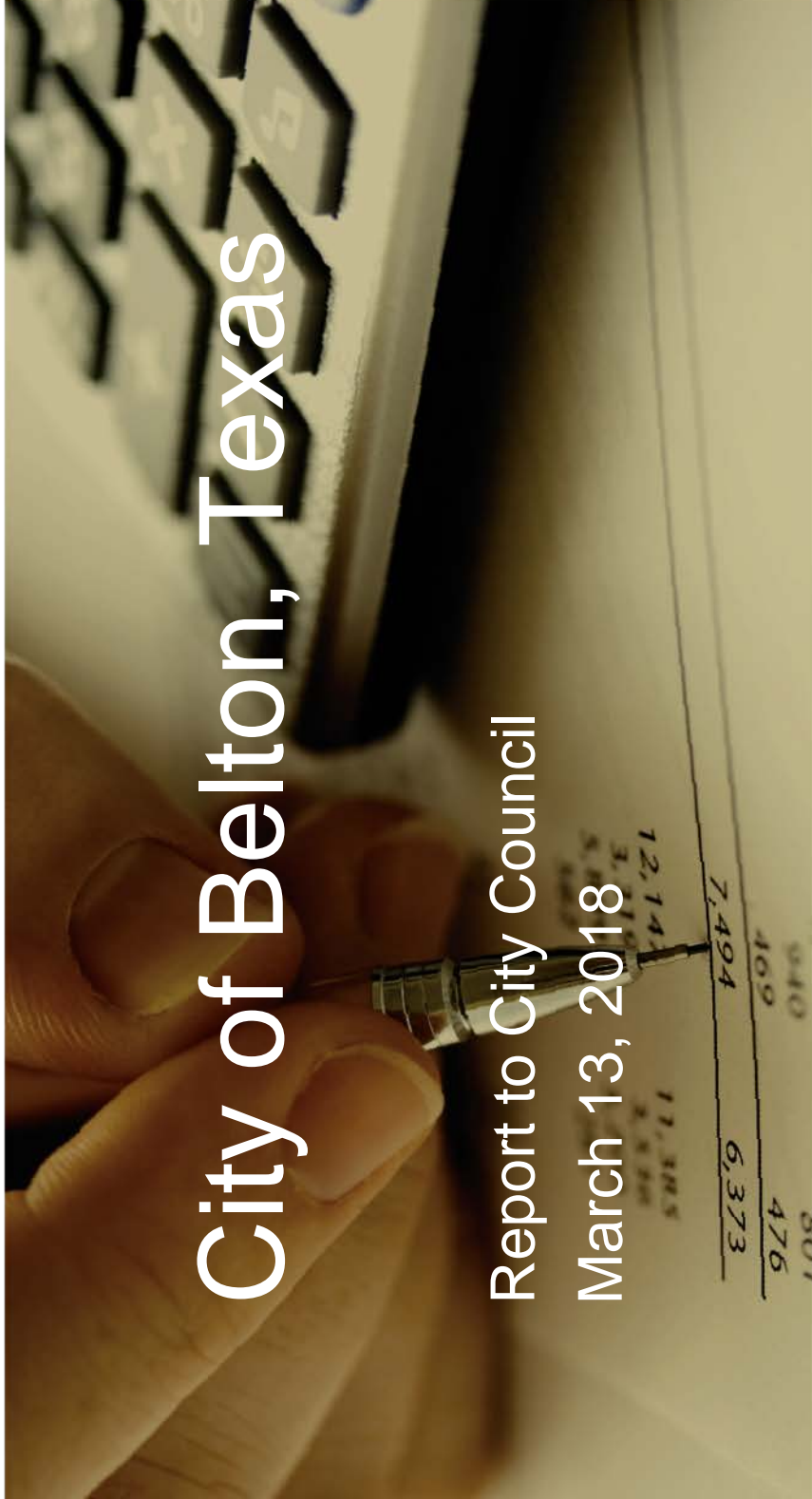
Aaron Farmer 662.231.0608



City of Belton, Texas

Report to City Council

March 13, 2018



Audit Scope and Results

Introductory Section

Financial Section

Independent Auditor's Report

Management's Discussion and Analysis

Basic Financial Statements

- Government-wide financial statements
- Fund financial statements
- Notes to Financial Statements

Required Supplementary Information

Combining and Individual Fund Statements and Schedules

Statistical Section

Audit Scope and Results

The financial statements are the responsibility of management.

Our responsibility is to conduct an audit of those financial statements in accordance with generally accepted auditing standards, and express opinions on those financial statements based on our audit.

Plan and perform audit to provide reasonable assurance that financial statements are free of material misstatement. Procedures selected depend on the auditor's judgment, and include:

- Obtaining and examining evidence, on a test basis, supporting the amounts and disclosures in the financial statements
- Evaluating accounting principles used and reasonableness of estimates made by management
- Evaluating the overall financial statement presentation

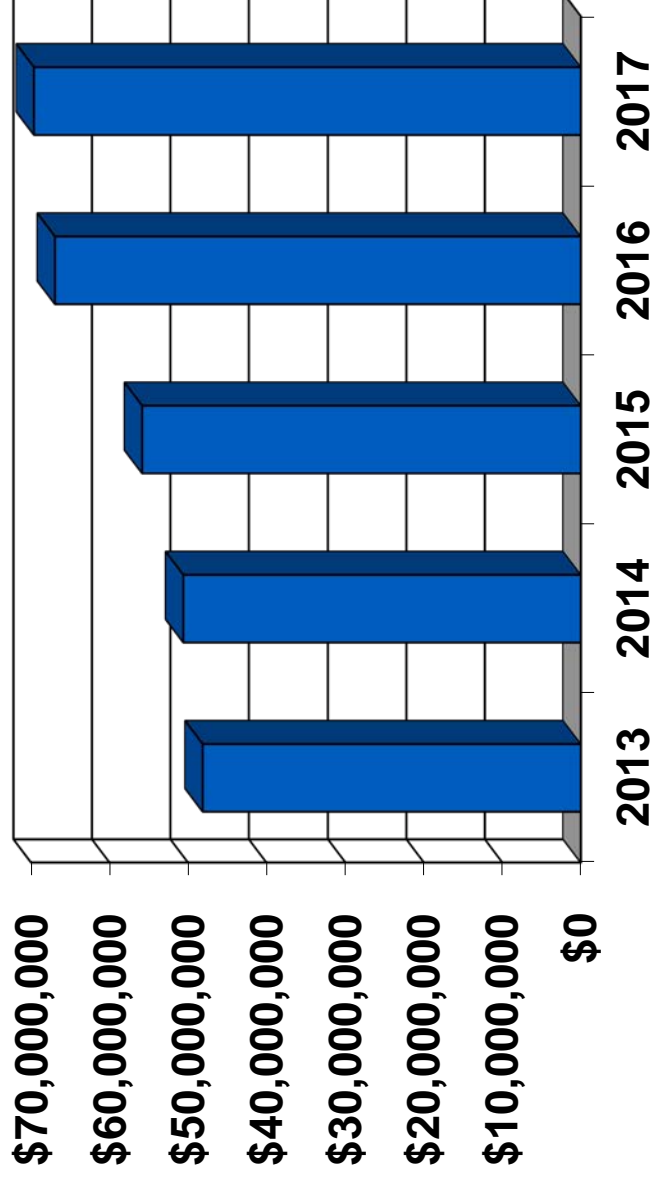
Audit Scope and Results

As a result of our audit procedures, in our opinion, . . .

. . . the financial statements do present fairly, in all material respects, the financial position at September 30, 2017, and the changes in financial position and cash flows for the year then ended . . .

Total Net Position

Government-Wide Financial Statements



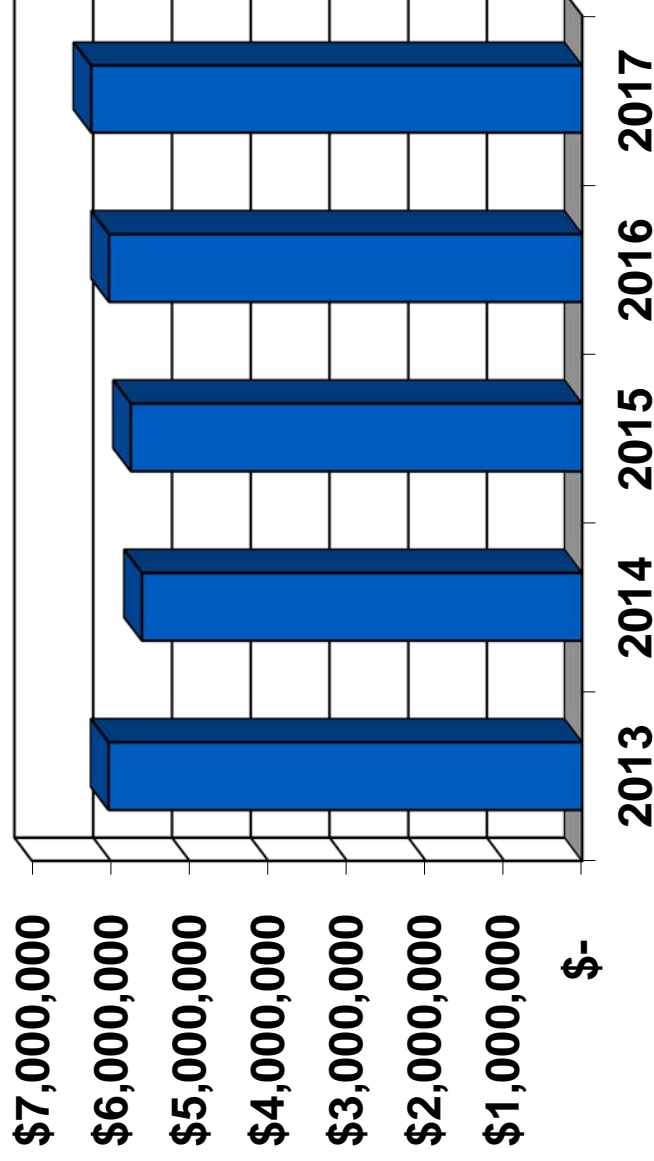
Changes in Fund Balance

General Fund

	2017	2016
Revenues	\$ 13,432,568	12,975,826
Expenditures	(12,308,240)	(12,044,134)
Excess of revenues over expenditures	1,124,328	931,692
Other financing sources (uses)	(898,923)	(653,930)
Net change in fund balance	\$ 225,405	277,762

Total Fund Balance

General Fund



Unrestricted Fund Balance

General Fund

Nonspendable	\$	4,409
Restricted		278,501
Assigned		860,578
Unassigned		5,104,032
Total	\$	6,247,520

Unrestricted fund balance (last two categories) totals
\$5,766,742 or 48% of 2016 expenditures
(approximately 5.8 months of expenditures)

Operating Results

Proprietary Funds

	2017	2016
Operating revenue	\$ 8,246,690	7,276,735
Operating expenses	(7,478,686)	(6,671,050)
Operating income	768,004	605,685
Nonoperating rev (exp)	(411,228)	(383,249)
Contributions and transfers	2,521,291	8,279,034
Change in net position	\$ 2,878,067	8,501,470

Compliance and Internal Control

Compliance with laws and regulations is the responsibility of management.

We conducted audit procedures over the City's compliance with the Public Funds Investment Act and state competitive bidding requirements and found no instances of noncompliance.

Compliance and Internal Control

Considered internal controls to design audit procedures, but not to express opinion on the effectiveness of controls.

No material weaknesses or significant deficiencies reported.

JAYNES, REITMEIER, BOYD & THERRELL, P.C.



City of Belton, Texas

Report to City Council

March 13, 2018



Certified Public
Accountants

Item No. 10 Stormwater & Drainage Updates

EXHIBIT "C"



Overview

Stormwater Management

- TCEQ Requirement; managed and enforced by the City
- MS4 Requirements
- Best Management Practices
- Stormwater Ordinance
- Nolan Creek Flood Protection Study

Drainage Capital Projects

- Strategic Drainage Plan
- Master Planning
- Prioritization
- Funding

Stormwater Management

TCEQ
MS4
Best Management Practices
Stormwater Ordinance
Flood Protection Study

Purpose of Stormwater Management

- Under the Texas Pollutant Discharge Elimination System (TPDES) General Permit, Cities are required to obtain a stormwater discharge permit (MS4), develop a 5-year stormwater management plan, and provide annual reports.
- TCEQ's Municipal Separate Storm Sewer System (MS4) General Permit. Belton's MS4 permit expires on December 13, 2018, which we will apply to renew.
- Purpose: Reduce the discharge of pollutants to Waters of the United States to the Maximum Extent Practicable in order to protect water quality.

Best Management Practices

1. Public Education – Social media, flyers to specific businesses, etc.
2. Illicit Discharge Detection and Elimination – Develop program and guidelines to detect and eliminate harmful discharges by training employees and working with customers to correct the issue.
3. Construction Site Runoff Control
 - Enforce stormwater erosion control measures during construction.
4. Post-construction Stormwater Management – Address runoff from new developments by plan review and enforcement of erosion control measures.
5. Pollution Prevention and Good Housekeeping for City Operations – Implement an operations and maintenance program to preventing/reducing runoff.

Best Management Practices

Years 1 – 3 Completed Examples

- Educated residents by social media and businesses with flyers
- Diligent and thorough plan review for stormwater management
- Continuous street sweeping to remove debris from roadway
- GIS stormwater infrastructure
- Implemented a work order system to track complaints or concerns
- Minimized sewer overflows
- Installed signs at the City's detention areas to bring attention to safety
- Adopted Strategic Drainage Plan

Year 4 To-Do List

- Adopt drainage revisions in proposed design manual
- Develop a business recognition program
- Employee training in stormwater control and maintenance
- Develop stormwater ordinance regarding stormwater protection (including grass clippings in roadways), construction runoff, illicit discharges, maintenance agreements, etc.
- Flyers, brochures, information in water bills
- Misc. operations and maintenance standard operating procedures for municipal stormwater activities

Stormwater Ordinance

- Belton currently does not have a stormwater ordinance.
- However, a stormwater master plan was adopted and the City operates under a MS4 permit, which gives the City authority to enforce stormwater quality activities.
- A new stormwater ordinance is in development. It will mirror typical practices in area cities and include the following:
 - Erosion and sediment control
 - Post construction stormwater control
 - Illicit Discharges
 - Yard waste contamination control

Nolan Creek Flood Protection Study & Early Warning System Update

- May 2016 – Council supported CTCOG’s application to TWDB for a Flood Protection Grant for the Nolan Creek Watershed. Belton’s cost share was \$12,578, with other area cities along Nolan Creek participating.
- Purpose: Develop base flood map, identification of flood enhancement to early warning systems and flood response strategies, develop models, evaluate flood mitigation alternatives, prepare implementation plan and phasing, prepare the final report.
- Stakeholders meet quarterly to discuss the study. Two public meetings were held in August 2017. Staff met with the engineers to discuss a variety of drainage issues, concerns, and the flood monitoring system.
- Final report is expected in early 2019.

Drainage Capital Projects

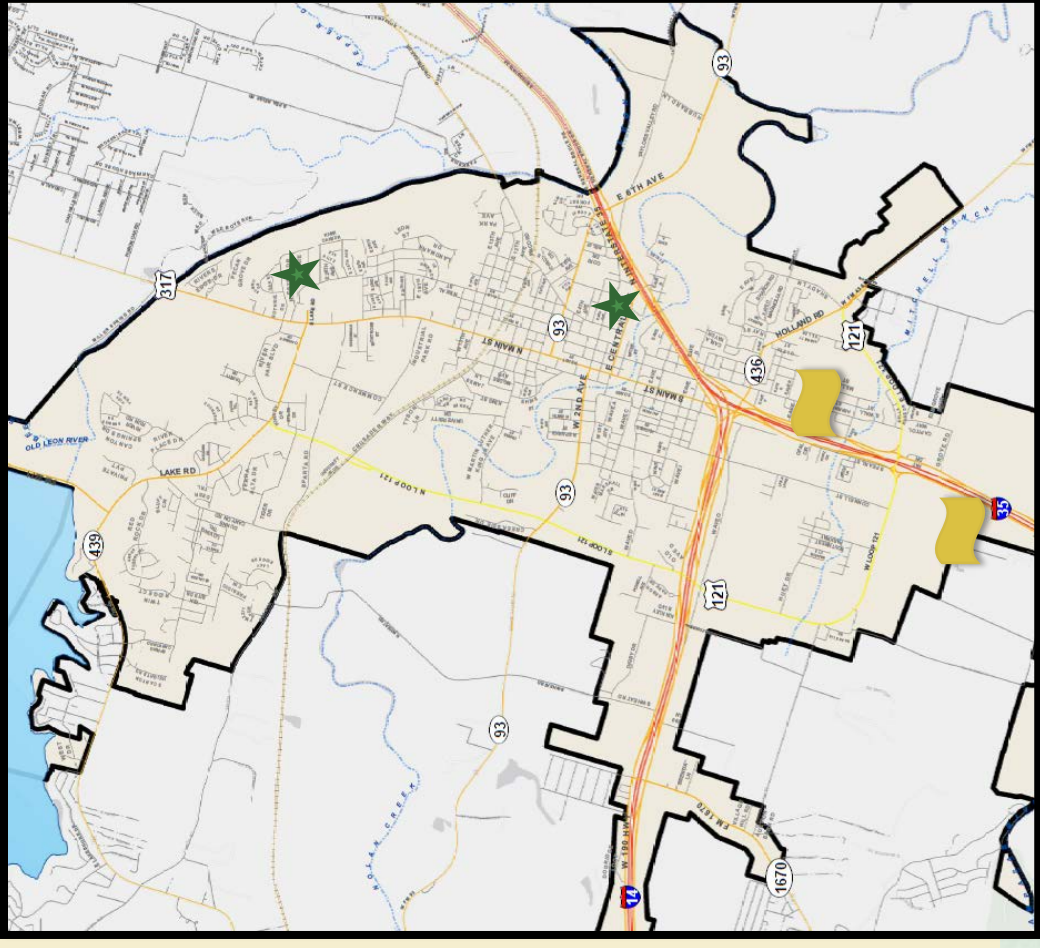
Strategic Drainage Plan
Master Planning
Prioritization
Funding

Strategic Drainage Plan and Prioritization

- Adopted on July 11, 2017
- Purpose: To protect the welfare and safety of citizens and visitors, provide orderly, acceptable development of existing drainage basins, develop drainage management policies that meet regulations, assist the development community with info and guidance during development, organize drainage project priorities for capital improvement programs over the long term in accordance with this hierarchy of priorities.
 1. Loss of Life.
 2. Loss of residential or non-residential buildings, structures, utilities, improvements or other personal physical investments.
 3. Inundation of roadways proper and inundation of roadways at stream crossings that could cause vehicular/pedestrian accidents or that prevent emergency equipment access/response to accidents or disaster events.
 4. Erosion to public or private improvements or property which cause an array of maintenance issues.
 5. Nuisance stormwater runoff or flooding.
 6. Citizen complaints that are considered “not in my back yard” issues.

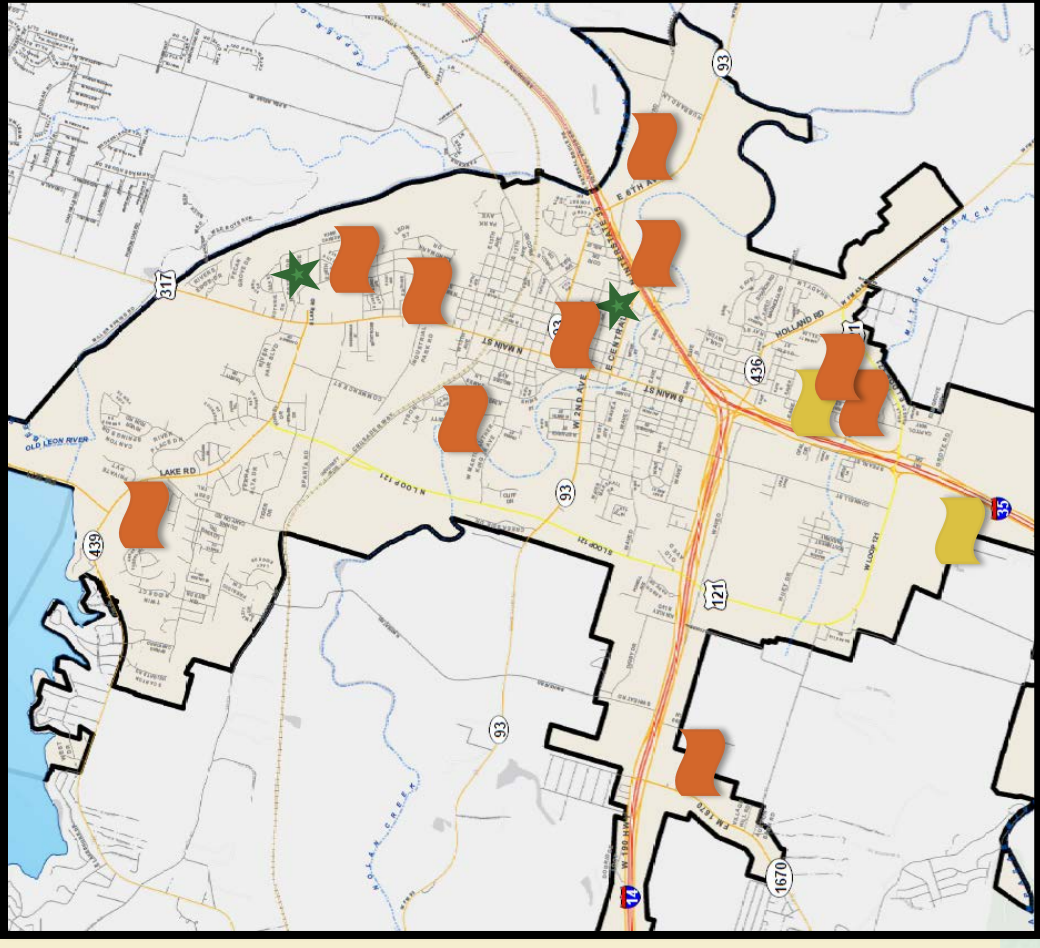
Planned Drainage Projects and Status

- Done: Estate Drive Culvert Replacement, 2nd and Muelhouse Concrete Wall Replacement
- Mesquite Road Culvert Replacement and Street Widening: Preliminary study done; KPA design services proposed in the following agenda item
- Liberty Hill Drainage Improvements: Study and design pending downstream development activity to determine best course of action



Planned Drainage Projects and Status

- Red Rock Drainage Improvements:
Preliminary design completed
- Shirttale Bend
- 4th/Blair/Beal
- Turtle Creek Maintenance
- Beal/27th/26th/24th
- 7th and Wells
- Taylor's Valley Road
- Mitchell Branch east of Connell
- Herrington/Miller Street
- Brenda Lane

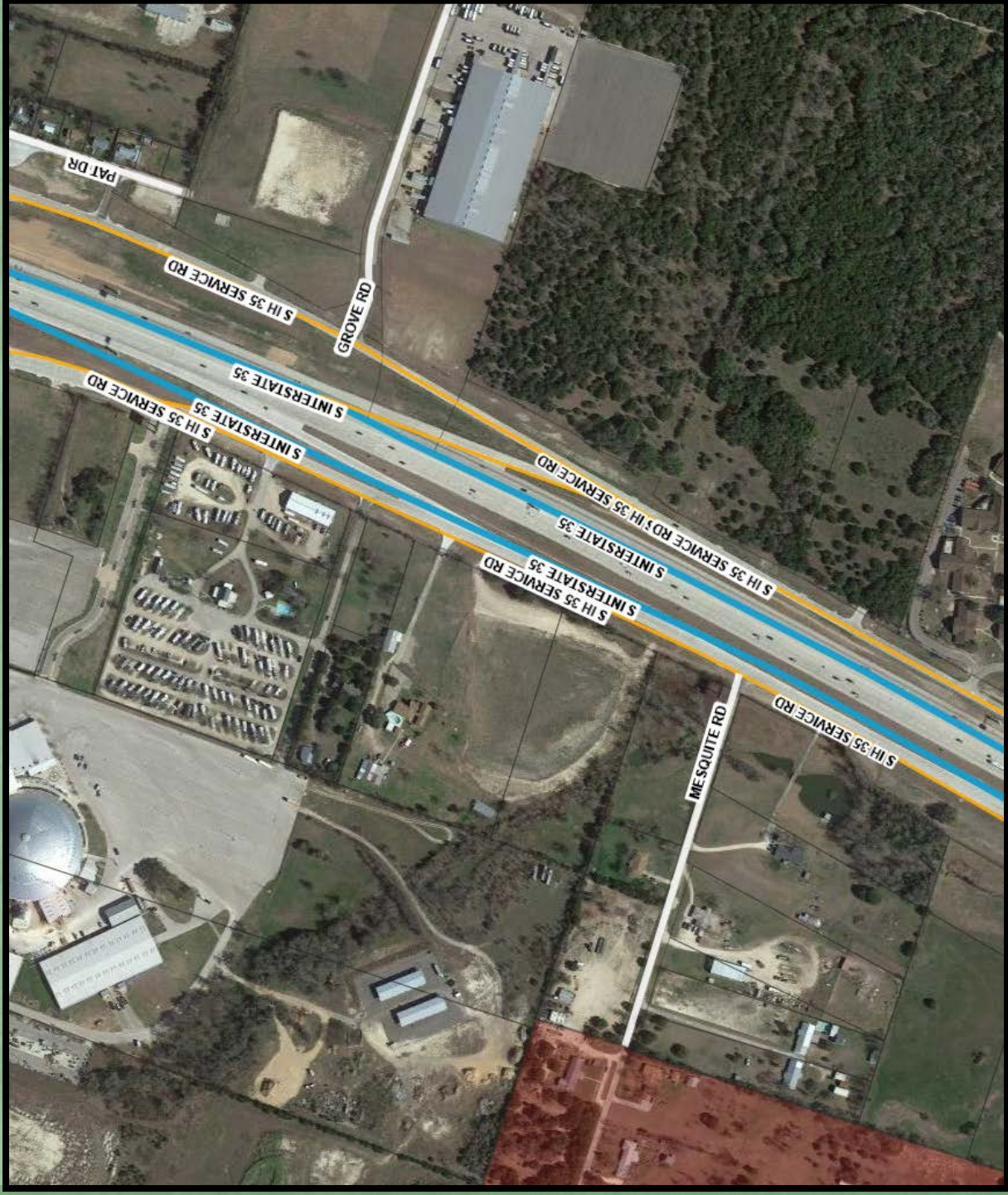


Project Priorities and Funding

1. Liberty Hill Drainage Project = Pending downstream development; Costs unknown.
2. Mesquite Road Drainage Improvements = \$400,000 Design & Construction.
3. Shirtale Bend – Possibly evaluated in Nolan Creek Flood Protection Study.
4. 4th/Beal/Blair Drainage Issues.
5. Herrington and Miller Street, Red Rock Drainage Improvements, 7th and Wells, Brenda Lane, Beal at 24th through 27th, Mitchell Branch Study, Taylor's Valley, and Turtle Creek.

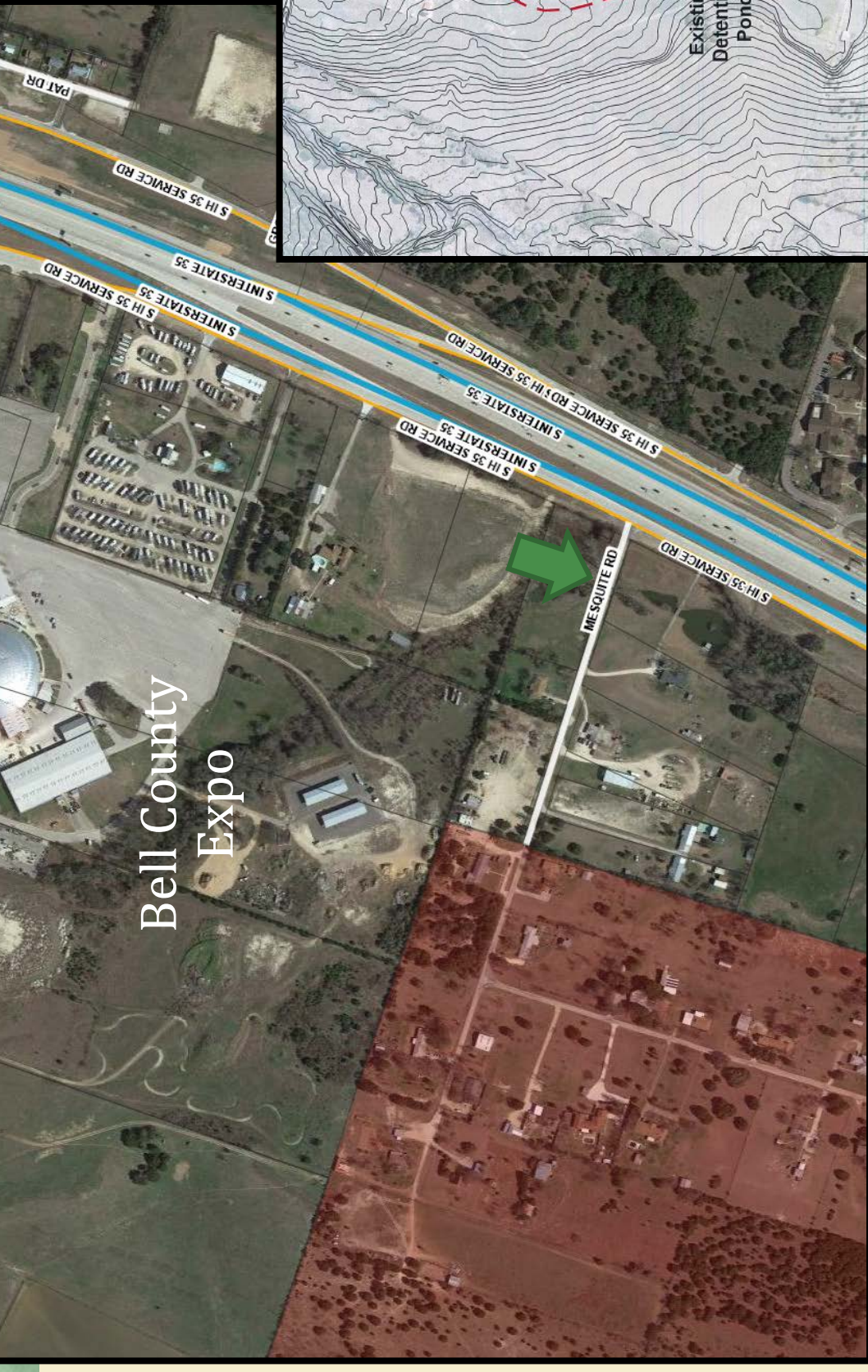
Item No. 11 Mesquite Road Drainage Improvements Project

Professional Services for Design

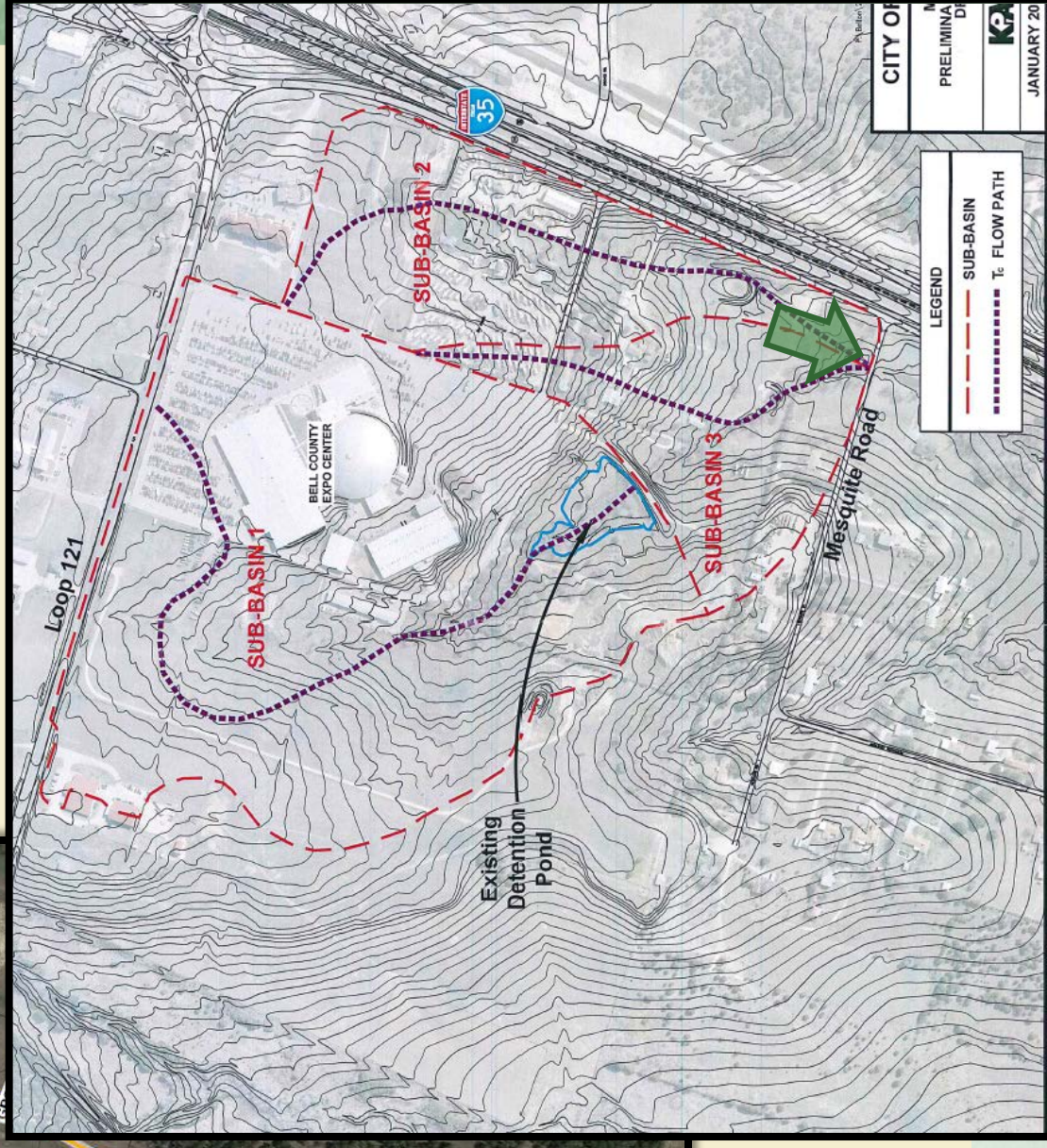


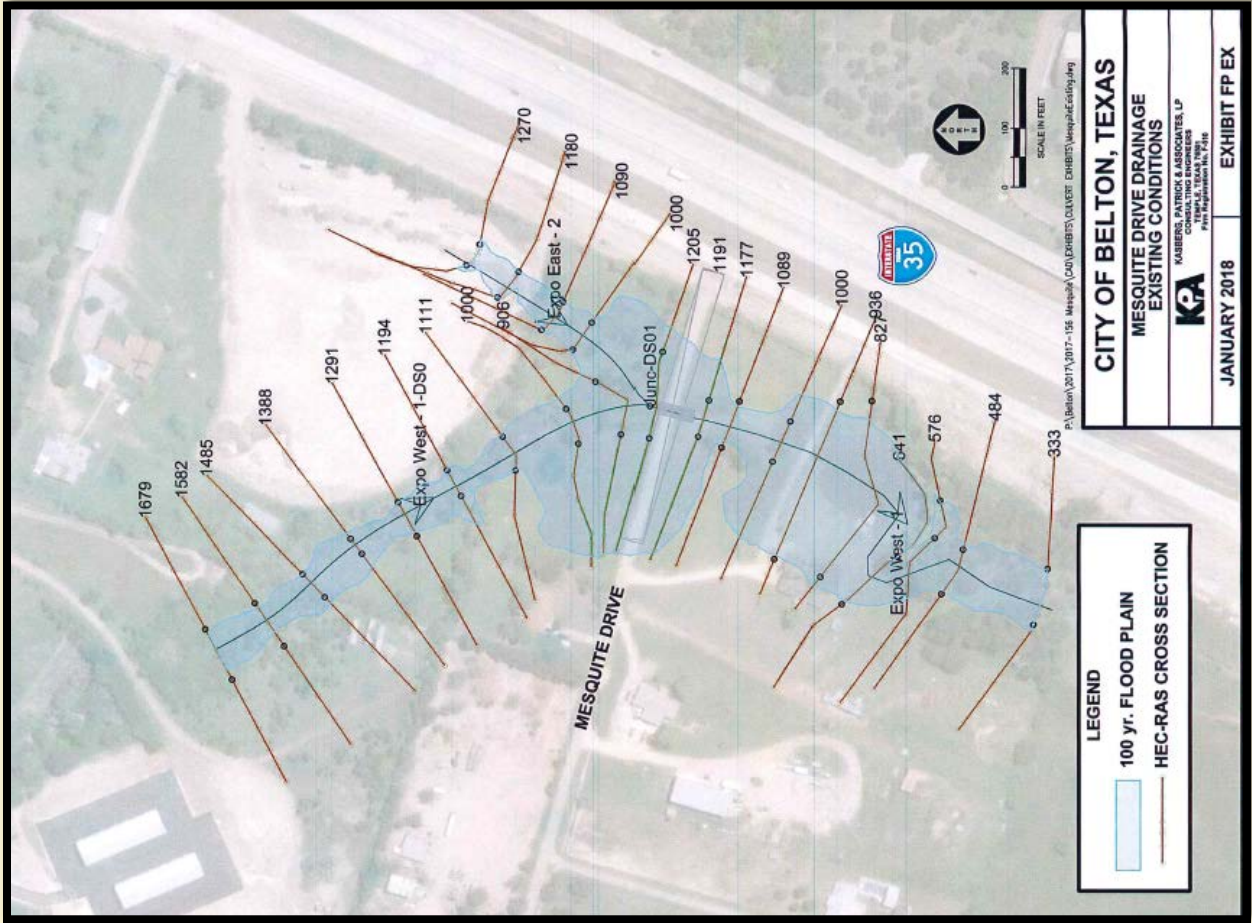
Status of Mesquite Road Project

- Identified as a project due to flooding concerns upstream and deterioration of the roadway.
- Staff worked with KPA to study the crossing to determine what size culverts needed to pass the stormwater. KPA completed a preliminary design and analysis.
- Today's Action: Consider approving a professional services contract with KPA to design the culvert crossing and widened roadway.

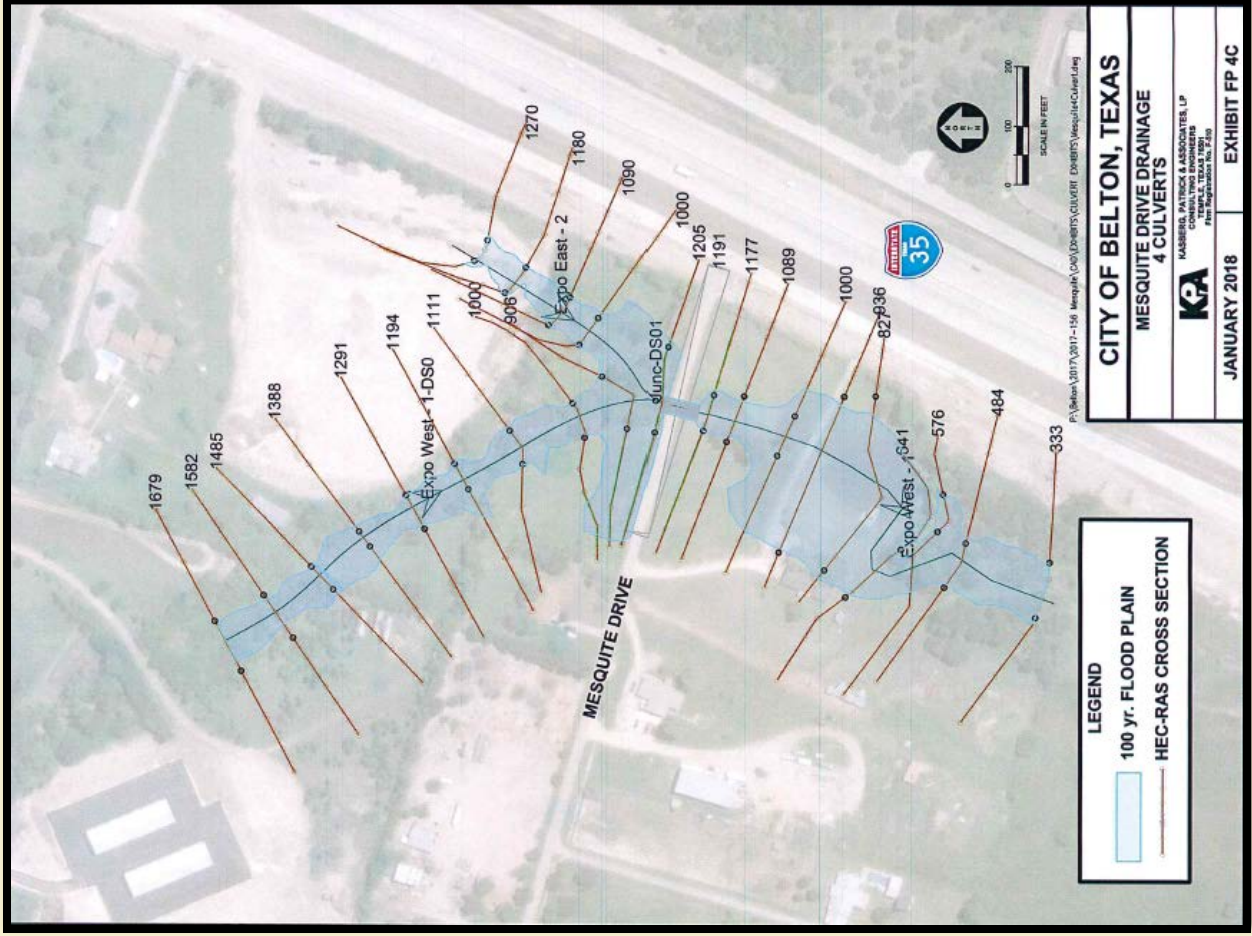


Bell County
Expo





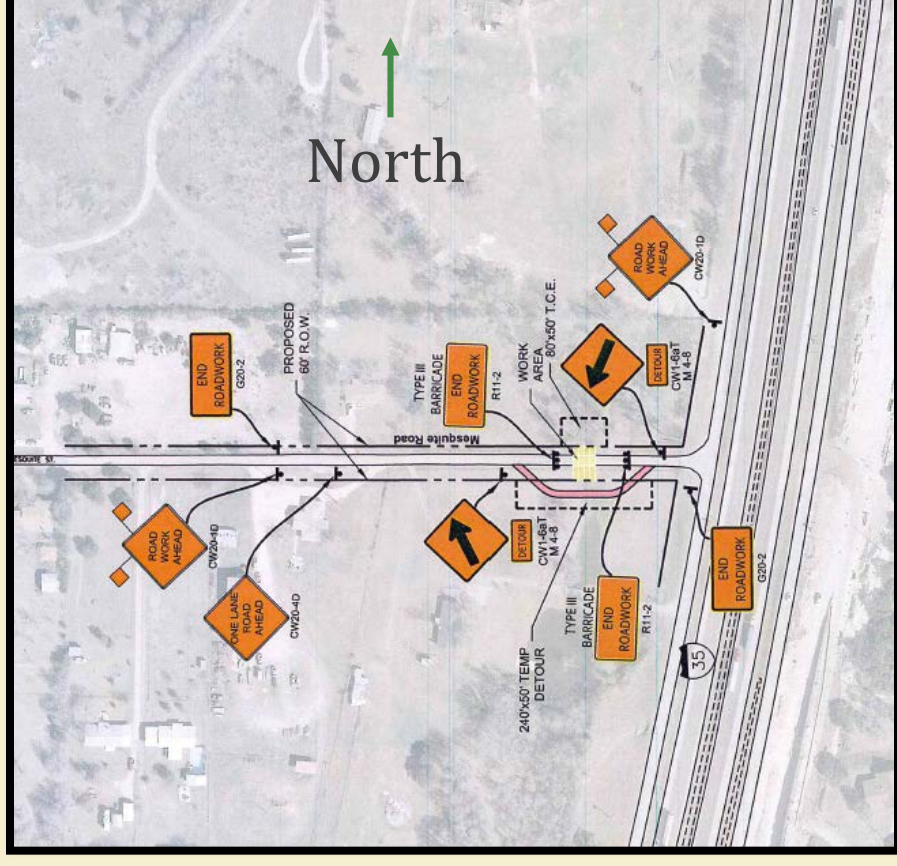
Existing Conditions



Proposed Conditions

Scope of the Project

- Design a detour road either to the south or to the north of Mesquite Road
- Design four 6' by 3' concrete box culverts
- Widen Mesquite Road from TxDOT ROW to just west of the culvert crossings
- ROW and Easement field notes
- Bid Phase
- KPA Scope of Services = \$52,900
- Estimated construction costs = \$350,000-\$375,000



Schedule and Recommendation

- Task I – Field survey, geotechnical investigation, easement field notes
- Task II – Design the project (30%, 60%, 95% stages)
- Task III – TxDOT and Federal permitting process
- Task IV – Bid Phase Services, if & when we proceed with bidding
- Total time = 150 days (5 months)

Recommendation: Recommend authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick and Associates for professional engineering services for the Mesquite Road Drainage Improvement Project in the amount of \$52,900.

Staff Report – City Council Agenda Item



Agenda Item #5

Consider a resolution appointing election officers for the May 5, 2018, General Election.

Originating Department

Administration – Amy M. Casey, City Clerk

Summary Information

The City's general election will be held on May 5, 2018, to elect a Mayor and two (2) persons to serve on the City Council. In accordance with the election code, the City Council appoints election officers, and we are recommending the appointment of Fred Wahlen to serve as Presiding Judge, and Ellis Hutchison to serve as Alternate Presiding Judge.

State law designates the City Secretary as the Early Voting Clerk in municipal elections, and deputies may be appointed to assist in conducting early voting, to include employees of the City. We are recommending the appointment of Rae Schmuck, Michelle Garcia, and Bob van Til to serve as Deputy Early Voting Clerks for this election.

Early voting will be conducted April 23rd to April 27th (Monday through Friday, 8:00 a.m. until 5:00 p.m.), with two 12-hour days on April 30th and May 1st (7:00 a.m. until 7:00 p.m.) at City Hall. The City will conduct Election Day at the Harris Community Center, with polls open from 7:00 a.m. until 7:00 p.m.

Fiscal Impact

Amount: Approximately \$1250 in wages for election workers

Budgeted: ☒ Yes ☐ No

Funding Source(s): General Fund, City Council Election Expenses

Recommendation

Recommend approval of the resolution.

Attachments

Proposed resolution

RESOLUTION NO. 2018-09-R

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS,
APPOINTING ELECTION OFFICERS FOR CITY GENERAL ELECTION.**

WHEREAS, this City Council has ordered a General Election to be held in the City of Belton, Texas on May 5, 2018; and

WHEREAS, it is hereby found and determined that it is necessary and appropriate to appoint officers to conduct said election;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
BELTON, TEXAS:**

Section 1. Findings. The statements contained in the preamble of this Resolution are true and correct and adopted as findings of fact and operative provisions hereof.

Section 2. Election Officers Appointed. The following named persons are hereby appointed to serve as officers for said election:

(a) Deputy Early Voting Clerks:

Rae Schmuck, 2200 Legacy Lane #511, Belton, Texas
Michelle Garcia, City of Belton, Texas
Bob van Til, City of Belton, Texas

(b) Officers to serve on Election Day:

Presiding Judge: Fred Wahler, 415 E. 22nd Avenue, Belton, Texas
Alternate Presiding Judge: Ellis Hutchison, 4732 Stone Oak Drive, Belton, Texas
Presiding Judge, Early Voting Ballot Board: Fred Wahler, 415 E. 22nd Avenue, Belton, Texas

(c) The Presiding Judge shall appoint not less than two nor more than four qualified Clerks to serve and assist in holding said elections; provided that if the Presiding Judge herein appointed actually serves, the Alternate Presiding Judge shall be one of the Clerks.

PASSED, APPROVED AND EFFECTIVE this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Date: March 27, 2018
Case No.: Z-18-04
Request: PH to SF2; SF2 to PH; PD SF1 PH to SF2
Applicant: Quadruple Bogey Development, Inc.

Agenda Item #6

Hold a public hearing and consider the following zoning changes on property located south of FM 439 and west of Dunn's Canyon Road:

Tract 1: 2.149 acres from Patio Homes to Single Family 2
Tract 2: 2.721 acres from Single Family 2 to Patio Homes
Tract 3: 14.060 acres from Planned Development Single Family 1 Patio Homes to Single Family 2

Originating Department

Planning Department – Cheryl Maxwell, Director of Planning

Current Zoning

Patio Home
Single Family 2
Planned Development
(Single Family 1 with Patio Homes)

Proposed Zoning

Single Family 2
Patio Home
Single Family 2

Future Land Use Map (FLUM) Designation: Primarily Residential

Design Standards Type Area: 14

This property is located within Design Standards Type Area 14 with desired growth and development identified as primarily single lot residential developments. If approved, the residential uses would be required to comply with all the Design Standards for Type Area 14.

Case Summary

This property was rezoned in May, 2004 and platted as Dawson Ridge Addition in January, 2017. The plat was never recorded, but is being revised and will be resubmitted for Planning Commission and City Council approval. Due to the changes in the proposed development

design, zoning changes are needed to accommodate the relocation of different housing types and uses.

Tract 1 is located south of the platted boundaries of Regatta Oaks Subdivision and Arbor Heights and is currently zoned Patio Homes. This tract is proposed for Single Family 2 zoning and development.

Tract 2 is located southwest of the intersection of Spring Canyon Road and Chisholm Trail Parkway, and is currently zoned Single Family 2. The reconfigured lots are proposed for Patio Home zoning.

Tract 3 consists of Lots 1 – 5 of Dawson Ranch—Regatta Oaks HOA Addition Amended Plat, currently zoned PD SF1 Patio Homes. Lot 1 is owned by the city and will be the site of a city water tank. A portion of this property has been sold to the applicant for residential development. The reconfigured lots are proposed for SF 2 zoning.

The surrounding properties in this area are zoned single family residential. Properties to the north, east and west are developed with single family homes zoned SF1, PD SF1, and PD SF2. These include the Regatta Oaks, Canyon Heights Estates, and Dawson Ranch subdivisions. A City of Belton sewer lift station is located at the south end of South Canyon Heights Road. Properties to the south are undeveloped and zoned SF2 and will be part of the subdivision plat.

Project Analysis and Discussion

The use of this property will remain single family residential. Changes in zoning are requested to accommodate proposed changes in the lot layout and location of housing type. Patio homes are proposed in certain areas to allow essentially “zero lot line” housing. The residential use is consistent with the FLUM which identifies this area as residential.

The revised plat will reflect the revised lot layout, and is anticipated to move forward for Planning Commission/City Council approval in April.

After careful review of the applicability of these proposed zone changes in relation to surrounding properties, these requests appear to be reasonable in this location.

Recommendation

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the zoning changes below; staff concurs with their recommendation.

Tract 1: 2.149 acres from Patio Homes to Single Family 2

Tract 2: 2.721 acres from Single Family 2 to Patio Homes

Tract 3: 13.855* acres from Planned Development Single Family 1 Patio Homes to
Single Family 2

*NOTE: The original application for Tract 3 showed 14.060 acres; however, once the field notes were finalized, the acreage totaled 13.855 acres. This change is reflected in the ordinance.

Attachments:

Zoning application

Property Location Map

Zoning map

Aerial photo

Map with zoning notice boundary (200')

Zoning notice to owners

Owner notification list

P&Z Minutes Excerpt

Ordinances

City of Belton
Request for a Zoning Change

To the City Council and the
Planning & Zoning Commission

Fee: \$250.00

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Quadruple Bogey Development Inc. Phone Number: 254-939-5100
Mailing Address: 50 South Wheat Road City: Belton State: TX
Email Address: jared@carotherstx.com

Owners Name: JT Carothers Holdings LLC Phone Number: 254-939-5100
Mailing Address: 50 South Wheat Road City: Belton State: TX
Email Address: jason@carotherstx.com

Applicant's Interest in Property:
Developer

Legal Description of Property: 2.721 acres of land situated within the Christopher Cruise Survey, Abstract No. 166, Bel County, Texas being part of the remainder of that certain tract of land designated Tract Two called to contain 62.77 acres of land described in deed to JT Carothers Holdings, LC and filed for record Dec. 23, 2013 in the Real Property Records of Bell County, Texas (RPR) in Document 2013-00052964. Said tract of land was surveyed on the ground by R.P. RPLS 4540 on November 9, 2014.

Is this property being simultaneously platted? Yes

Street Address: Chisholm Trail Parkway

Zoning Change From _____ to _____

Signature of Applicant:  Date: 2-8-18

Signature of Owner (if not applicant): _____ Date: _____

Checklist for Zoning Items to be submitted with application:

- ☐ Signed Application
- ☐ Fees Paid
- ☐ Complete Legal Description of the property to be re-zoned
- ☐ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-18-04 Location

ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

LEGEND



Proposed Water Tower



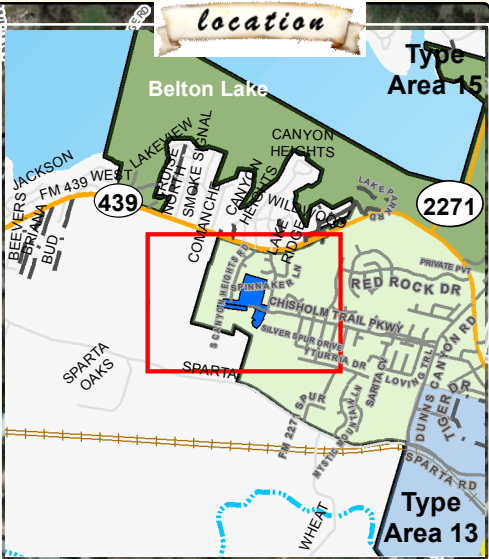
Tract 1: PH to SF-2



Tract 2: SF-2 to PH



Tract 3: PD-SF-1, PH to SF-2

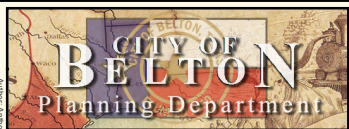


0 200 400 800 Feet



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Zoning Case # Z-18-04 Zoning



ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

Zoning Location

PD-SF1
Patio Homes

PD-SF1
Patio Homes
PH

PD SF-1

PD SF-1

SF-2

PD-SF1
Patio Homes

PD-SF-2

Legend



Proposed Water Tower



City Limits



Tract 1: PH to SF-2



Tract 2: SF-2 to PH



Tract 3: PD-SF-1, PH to SF-2

Current_Zoning



Agricultural



Patio Home



Planned Development



Single Family-1



Single Family-2

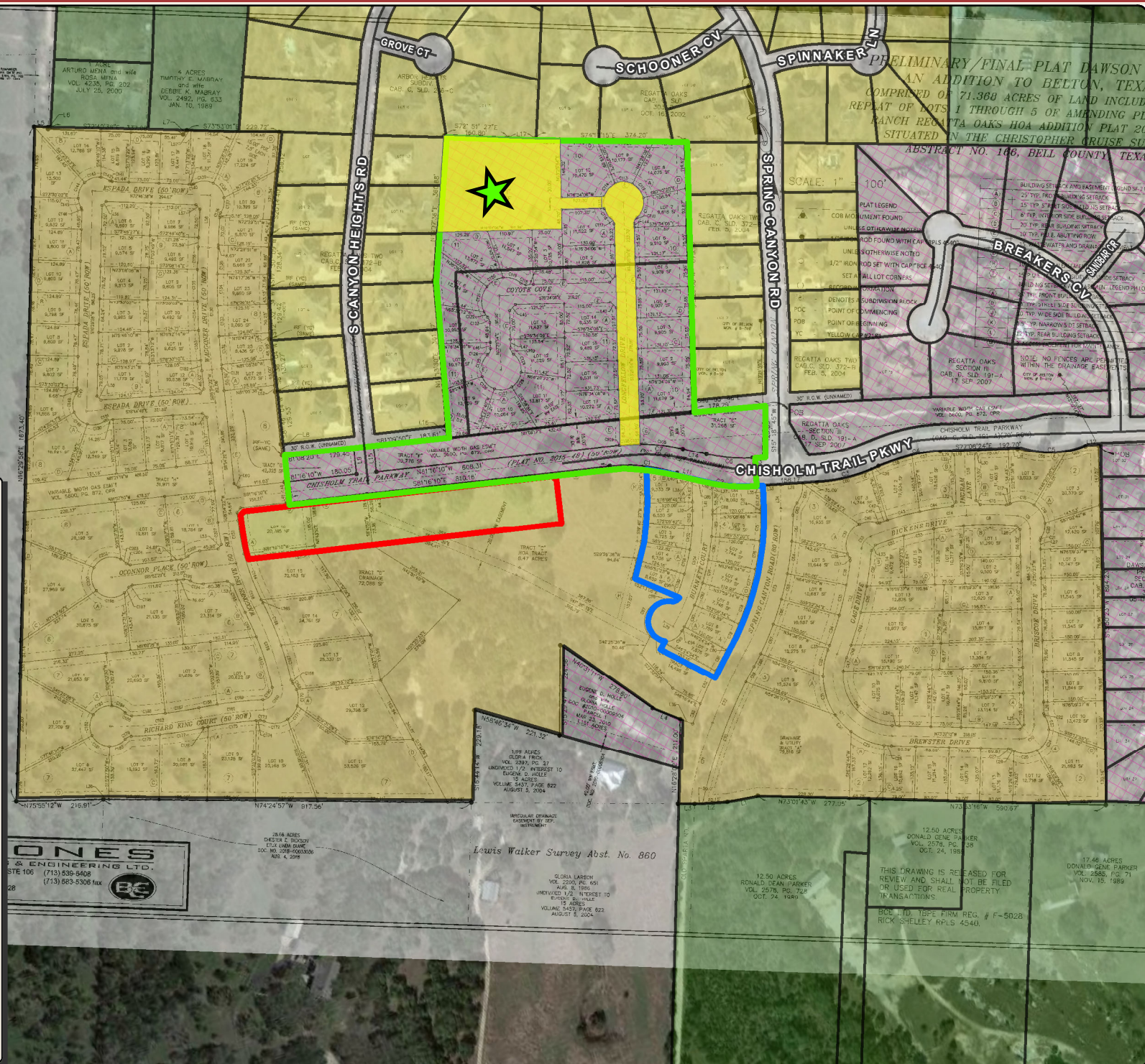
Map Date: 3/15/2018

0 150 300 600 Feet

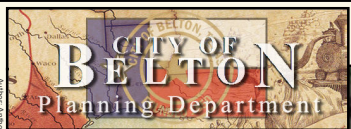


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DAWSON RIDGE ZONING



Zoning Case # Z-18-04 Aerial



ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

LEGEND



Proposed Water Tower



Tract 1: PH to SF-2



Tract 2: SF-2 to PH



Tract 3: PD-SF-1, PH to SF-2

Map Date: 3/15/2018 Aerial Imagery Date: 2017

0 100 200 400 Feet



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Zoning Case # Z-18-04

ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:


CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

**200' Property Owner
Notification Area**

Legend

-  Tract 1: PH to SF-2
-  Tract 2: SF-2 to PH
-  Tract 3: PD-SF-1, PH to SF-2
-  200' Property Owner Notification Area
-  Tax Appraisal Parcels



**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 1: 2.149 ACRES, CHISHOLM TRAIL PARKWAY,
FROM A(N) PATIO HOME ZONING DISTRICT,
TO A(N) Single Family-2 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 2: 2.721 ACRES, CHISHOLM TRAIL PARKWAY,
FROM A(N) SINGLE FAMILY-2 ZONING DISTRICT,
TO A(N) Patio Home ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 3: 14.060 ACRES, CHISHOLM TRAIL PARKWAY,
FROM A(N) PLANNED DEVELOPMENT SINGLE FAMILY-1, PATIO HOME ZONING DISTRICT,
TO A(N) Single Family-2 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

346655	346646	346647
ALSTON, STEVEN J ETUX REBECCA J	BOETTCHER, MATTHEW W ETUX NANCY A	BOWEN, RUBY C ETVIR ANTHONY A
3202 CANYON HEIGHTS RD	3207 SPRING CANYON RD	3209 SPRING CANYON RD
BELTON, TX 76513-2596	BELTON, TX 76513-2595	BELTON, TX 76513-2595
346641	232130	107624
BROWN, RANDALL W ETUX KATHY A	BUCKLEY, CLIFFORD JAMES II ETUX BRANDY	CAROTHERS, JT HOLDINGS LLC
3202 SPRING CANYON RD	3208 GROVE CT	50 S WHEAT RD
BELTON, TX 76513-2597	BELTON, TX 76513-2536	BELTON, TX 76513
460916	460918	460919
CITY OF BELTON	CITY OF BELTON	CITY OF BELTON
PO BOX 120	PO BOX 120	PO BOX 120
BELTON, TX 76513-0120	BELTON, TX 76513-0120	BELTON, TX 76513-0120
460920	318345	318346
CITY OF BELTON	CLANTON, GERALD W ETUX FLORINE E	CLEMONS, RONALD J ETUX ANNE M
PO BOX 120	3300 SCHOONER	3302 SCHOONER
BELTON, TX 76513-0120	BELTON, TX 76513-2587	BELTON, TX 76513-2587
318343	318347	421316
GRAHAM, LINZY R ETAL	HICKMAN, WILLIAM MARSHALL ETUX KYONG CHO	HOLLE, EUGENE D & GLORIA M
3303 SCHOONER CV	3304 SCHOONER CV	2820 SPARTA RD
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
346644	346657	346643
JONES, RAYFORD E ETUX GLORIA J	KEENER, IDA W ETVIR BENNIE	LIGHT, JAMES R ETUX LINDA A
3203 SPRING CANYON RD	3206 CANYON HEIGHTS RD	3201 SPRING CANYON RD
BELTON, TX 76513-2595	BELTON, TX 76513-2596	BELTON, TX 76513-2595
232129	346642	232131
LUNCEFORD, KENNETH A ETUX AZUSENA R	LUNDBERG, ROBERT W ETUX ALICIA H	MARTIN, RAYMOND E ETUX DEBORAH S
3209 GROVE CT	3200 SPRING CANYON RD	3200 GROVE CT
BELTON, TX 76513	BELTON, TX 76513-2597	BELTON, TX 76513-2536
346654	346658	346659
MASTERS, RALPH T ETUX BRENDA GRACE	MEYER, KEVIN ETUX MICHELLE	MURRAY, ESTELLA L
3200 CANYON HEIGHTS RD	3208 CANYON HEIGHTS RD	3210 CANYON HEIGHTS RD
BELTON, TX 76513-2596	BELTON, TX 76513	BELTON, TX 76513-2596
346656	460917	468096
NGUYEN, THOMAS H & MARIE M	REGATTA OAKS/DAWSON RANCH HOA	REGATTA RIDGE LLC
3204 CANYON HEIGHTS RD	2400 S 57TH	1206 W AVE A
BELTON, TX 76513-2596	TEMPLE, TX 76504	TEMPLE, TX 76504-4168
318344	318348	346652
RICKS, MARY ANN ETVIR CHARLES H HAM III	SIMPSON, ANTONIA G ETUX JEWEL E BROWN	STEELE MURPHY, JANET
3920 DUBOSE DR	3247 SPRING CANYON RD	3203 CANYON HEIGHTS RD
COLUMBIA, SC 29204-4229	BELTON, TX 76513-2595	BELTON, TX 76513-2598

318342

STEEVES, WILFRED L & KAY C

3305 SCHOONER

BELTON, TX 76513-2587

SUPERINTENDENT
DR. SUSAN KINCANNON
BELTON I.S.D.
P O BOX 269
BELTON TEXAS 76513

346653

VILLA, RICARDO H ETUX KAREN G

3201 CANYON HEIGHTS RD

BELTON, TX 76513

346645

WAGGERMAN, BRIAN D ETUX MARGOT MARIA

3205 SPRING CANYON RD

BELTON, TX 76513-2595

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

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, Lewis Simms, Stephanie O'Banion, Rae Schmuck and David Fuller. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Kelly Trietsch, IT Specialist Ryan Brown and Planning Clerk Laura Livingston.

Pledge of Allegiance – Chair Brett Baggerly led all present.

Invocation – Ms. Schmuck gave the Invocation.

3. Z-18-04 Hold a public hearing and consider the following zone changes on property located south of FM 439 and west of Dunn's Canyon Road:

Tract 1:	2.149 acres from Patio Homes to Single Family 2
Tract 2:	2.721 acres from Single Family 2 to Patio Homes
Tract 3:	14.060 acres from Planned Development Single Family 1 Patio Homes to Single Family 2

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

Chair Baggerly opened the public hearing. Ralph Masters, 3200 Canyon Heights Road, asked about Tract 1 and Tract 2; how are they going to get in there? Will Canyon Heights Road be extended and will Chisolm Trail cut into it? He said he's curious what is being recommended. Ms. Maxwell said there is a proposal to extend Chisolm Trail Drive westward. There will be access to these lots and another driveway that comes down as well. Mr. Masters said he and his neighbors would love to see a cul-de-sac at the end of Canyon Heights because of the volume of drivers who use their yards – and not their driveways – to make a U-turn. With no one else requesting to speak, Chair Baggerly closed the public hearing.

Mr. Simms said he is in favor of the transition, and the transition of a larger plot to single family lots is more congruent with the area.

Chair Baggerly asked why the plat was never recorded in 2004? Ms. Maxwell said the plat was approved in 2017 and the rezoning occurred in 2004. Mr. Hendrick asked if they would be connecting Chisholm Trail Parkway. Mr. Jared Bryan, 50 South Wheat Road, responded that in the previous plat, Chisholm Trail drops down from a collector to a local street right past Spring Canyon and ties back into Canyon Heights, mainly keeping that as neighborhood traffic. Mr. Hendrick asked for confirmation that if it connects, there wouldn't be a need for a turnaround like Mr. Masters was talking about? Ms. Maxwell said yes.

Mr. Hendrick made a motion to approve Z-18-04, with Ms. Schmuck seconding the motion. The motion passed unanimously with 8 ayes, 0 nays.

ORDINANCE NO. 2018-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PATIO HOMES TO SINGLE FAMILY-2 ZONING DISTRICT ON A 2.149 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

WHEREAS, JT Carothers Holdings, LLC, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

Chisholm Trail Parkway, 2.149 acres, Belton, Texas
(location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from a Patio Homes Zoning District to Single Family-2 Zoning District, in accordance with Section 11 – Single Family-2 Zoning District, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The allowable uses of the property shall conform to the Single Family-2 Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 14 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

Site Development Standards
Building Design Standards

Landscape Design Standards

3. Sign Standards shall conform to Ordinance 2008-11.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-18-04 Location

EXHIBIT "A"

ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

LEGEND

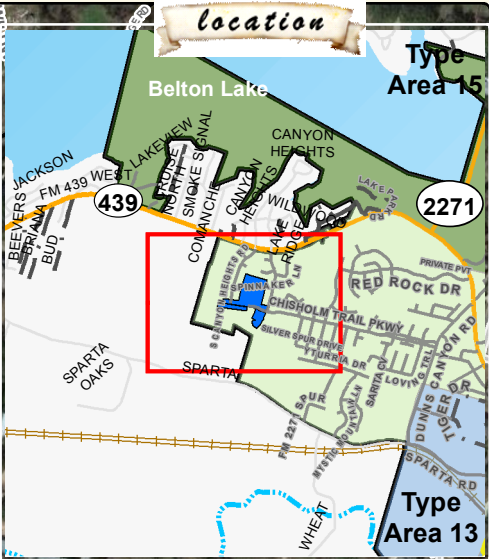


Proposed Water Tower

Tract 1: PH to SF-2

Tract 2: SF-2 to PH

Tract 3: PD-SF-1, PH to SF-2



0 200 400 800 Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

FIELD NOTES FOR REZONING
2.149 ACRES FROM PD-PH TO SF-2

FIELDNOTE DESCRIPTION for 2.149 acres of land designated situated within the Christopher Cruise Survey, Abstract No. 166, Bell County, Texas being part of the remainder of that certain tract of land designated Tract Two called to contain 62.77 acres of land described in deed to JT Carothers Holdings, LC, and filed for record Dec. 23, 2013 in the Real Property Records of Bell County, Texas (RPR) in Document 2013-00052964. Said tract of land was surveyed on the ground by R.P. Shelley RPLS 4540 on November 9, 2014 and is more particularly described as follows:

COMMENCING at a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at the southwest corner of the Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition filed for record on May 6, 2015 in Plat 2015-48 in the Plat Records of Bell County, Texas (PR);

THENCE crossing said Remainder (Doc. 2013-00052964) South 09° 22' 40" West for a distance of 10.00 feet to the POINT OF BEGINNING;

THENCE crossing said Remainder (Doc. 2013-00052964) for the following nine courses:

1. Parallel with and 10.00 feet south of the southerly line of said Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition South 81° 16' 10" East for a distance of 656.61 feet to a point for the northeast corner of this, said point bearing South 81° 16' 10" East a distance of 153.63 feet and North 08° 55' 52" East a distance of 10.00 feet to a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at the PC of a curve in said southerly line;
2. South 36° 16' 10" East for a distance of 14.14 feet to a corner of this;
3. South 08° 43' 50" West for a distance of 105.88 feet to a corner of this;
4. A distance of 3.96 feet along a curve to the right with a radius of 50.00 feet, a delta of 04° 32' 12", and a chord bearing South 55° 25' 43" West for a distance of 3.96 feet to a corner of this;
5. North 81° 16' 10" West for a distance of 781.33 feet to a corner of this;
6. A distance of 99.06 feet along a curve to the right with a radius of 575.00 feet, a delta of 09° 52' 17", and a chord bearing North 03° 56' 32" East for a distance of 98.94 feet to a corner of this;
7. North 08° 43' 50" East a distance of 10.00 feet to a corner of this;
8. North 53° 43' 50" East for a distance of 14.14 feet to a corner of this;

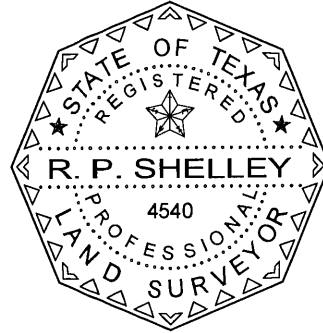
9. South $81^{\circ} 16' 10''$ East for a distance of 115.86 feet to the POINT OF BEGINNING.

NOTE – Bearings called out herein are based on the Texas Coordinate System, Central Zone, NAD 83 and referenced to the City of Belton, Bell County, Texas, published monuments and coordinate system. All distances are grid distances. There is this day made a plat to accompany this field note description.

Surveyed by:



R.P. Shelley, Texas Registered
Professional Land Surveyor No. 4540
Briones Consulting & Engineering Ltd.
4515 Briar Hollow Pl., Ste. 106
Houston, Texas 77027
TBPLS Firm No. 10194252
210 286 9077
rickshelley@gmail.com



ORDINANCE NO. 2018-05

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 TO PATIO HOMES ZONING DISTRICT ON A 2.721 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

WHEREAS, JT Carothers Holdings, LLC, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

Chisholm Trail Parkway, 2.721 acres, Belton, Texas
(location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from Single Family-2 Zoning District to a Patio Homes Zoning District, in accordance with Section 13 – Patio Homes Zoning District, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The allowable uses of the property shall conform to the Patio Homes Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 14 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

Site Development Standards
Building Design Standards
Landscape Design Standards

3. Sign Standards shall conform to Ordinance 2008-11.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-18-04 Location

EXHIBIT "A"

ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

ADDRESS/LOCATION:

Chisholm Trail Parkway

LEGEND



Proposed Water Tower



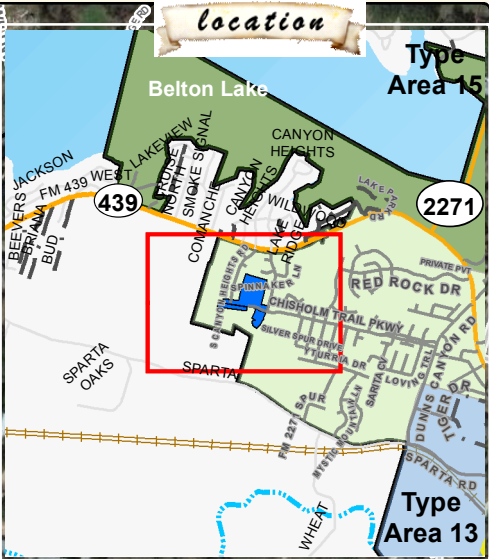
Tract 1: PH to SF-2



Tract 2: SF-2 to PH



Tract 3: PD-SF-1, PH to SF-2



0 200 400 800 Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

FIELD NOTES FOR REZONING
2.721 ACRES FROM SF-2 TO PD-PH

FIELDNOTE DESCRIPTION for 2.721 acres of land situated within the Christopher Cruise Survey, Abstract No. 166, Bel County, Texas being part of the remainder of that certain tract of land designated Tract Two called to contain 62.77 acres of land described in deed to JT Carothers Holdings, LC and filed for record Dec. 23, 2013 in the Real Property Records of Bell County, Texas (RPR) in Document 2013-00052964. Said tract of land was surveyed on the ground by R.P. RPLS 4540 on November 9, 2014 and is more particularly described as follows:

BEGINNING at a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at the southeast corner of the Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition, an addition to the City of Belton, Texas filed for record on May 6, 2015 in Plat 2015-48 in the Plat Records of Bell County, Texas (PR), same being the southwest corner of Regatta Oaks Section III, an addition to the City of Belton, Texas filed for record on September 17, 2007 in Cabinet D, Slide 191-A and lying in the northerly line of said remainder of JT Carothers Holdings, LC;

THENCE with the southerly line of said Regatta Oaks Section III, same being a northerly line of the said remainder of JT Carothers Holdings, LC, South 78° 30' 55" East for a distance of 15.17 feet to a point for the northeast corner of this;

THENCE crossing the said remainder of JT Carothers Holdings, LC for the following twelve courses:

1. South 13° 51' 14" West for a distance of 57.01 feet for a corner of this;
2. A distance of 367.52 feet along a curve to the right with a radius of 700.00 feet, a delta of 30° 04' 56", and a chord bearing South 28° 53' 42" West for a distance of 363.32 feet for a corner of this;
3. A distance of 76.15 feet along a curve to the left with a radius of 1329.87 feet, a delta of 03° 16' 51", and a chord bearing North 42° 17' 44" East for a distance of 76.14 feet for a corner of this;
4. North 47° 34' 21" West for a distance of 153.62 feet for a corner of this;
5. North 42° 25' 39" East for a distance of 24.10 feet for a corner of this;
6. A distance of 158.64 feet along a curve to the right with a radius of 50.00 feet, a delta of 181° 47' 26", and a chord bearing North 23° 41' 27" East for a distance of 99.99 feet for a corner of this;
7. A distance of 24.80 feet along a curve to the left with a radius of 20.00 feet, a delta of 71° 03' 06", and a chord bearing North 79° 03' 37" East for a distance of 23.24 feet for a corner of this;
8. North 52° 12' 50" West for a distance of 119.80 feet for a corner of this;
9. North 29° 26' 36" East for a distance of 94.64 feet for a corner of this;
10. North 20° 05' 27" East for a distance of 47.21 feet for a corner of this;
11. North 19° 16' 40" East for a distance of 49.59' feet for a corner of this;

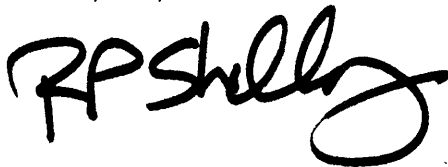
12. North 13° 51' 14" East for a distance of 91.60 feet to a point in the southerly line of said Amending Plat for a corner of this;

THENCE with the southerly line of said Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition, same being a northerly line of the said remainder of JT Carothers Holdings, LC for the following three courses:

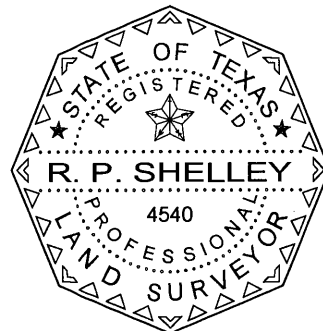
1. A distance of 85.35 feet along a curve to the right with a radius of 400.00 feet, a delta of 12° 13' 29", and a chord bearing South 63° 08' 50" East for a distance of 85.18 feet to a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at a point of tangency of said southerly line;
2. South 57° 02' 05" East for a distance of 46.60 feet to a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at a point of curvature of said southerly line;
3. A distance of 150.51 feet along a curve to the left with a radius of 362.46 feet, a delta of 23° 47' 31", and a chord bearing South 67° 42' 20" East for a distance of 149.43 feet to the POINT OF BEGINNING.

NOTE – Bearings called out herein are based on the Texas Coordinate System, Central Zone, NAD 83 and referenced to the City of Belton, Bell County, Texas, published monuments and coordinate system. All distances are grid distances. There is this day made a plat to accompany this field note description.

Surveyed by:



R.P. Shelley, Texas Registered Professional
Land Surveyor No. 4540
Briones Consulting & Engineering Ltd.
4515 Briar Hollow Pl., Ste. 106
Houston, Texas 77027
TBPLS Firm No. 10194252
210 286 9077
rickshelley@gmail.com



ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT SINGLE FAMILY-1 PATIO HOMES TO SINGLE FAMILY-2 ZONING DISTRICT ON A 13.855 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 14 DESIGN STANDARDS.

WHEREAS, JT Carothers Holdings, LLC, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

Chisholm Trail Parkway, 13.855 acres, Belton, Texas
(location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from Planned Development Single Family-1 Patio Homes Zoning District to a Single Family-2 Zoning District, in accordance with Section 11 – Single Family-2 Zoning District, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The allowable uses of the property shall conform to the Single Family-2 Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 14 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

Site Development Standards
Building Design Standards
Landscape Design Standards

3. Sign Standards shall conform to Ordinance 2008-11.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-18-04 Location

EXHIBIT "A"

ZONING CHANGE:

Tract 1: PH to SF-2
Tract 2: SF-2 to PH
Tract 3: PD-SF-1, PH to SF-2

LEGAL DESCRIPTION:

A0166BC C CRUISE Survey


PROPERTY OWNER:


CAROTHERS, JT HOLDINGS LLC


ADDRESS/LOCATION:


Chisholm Trail Parkway

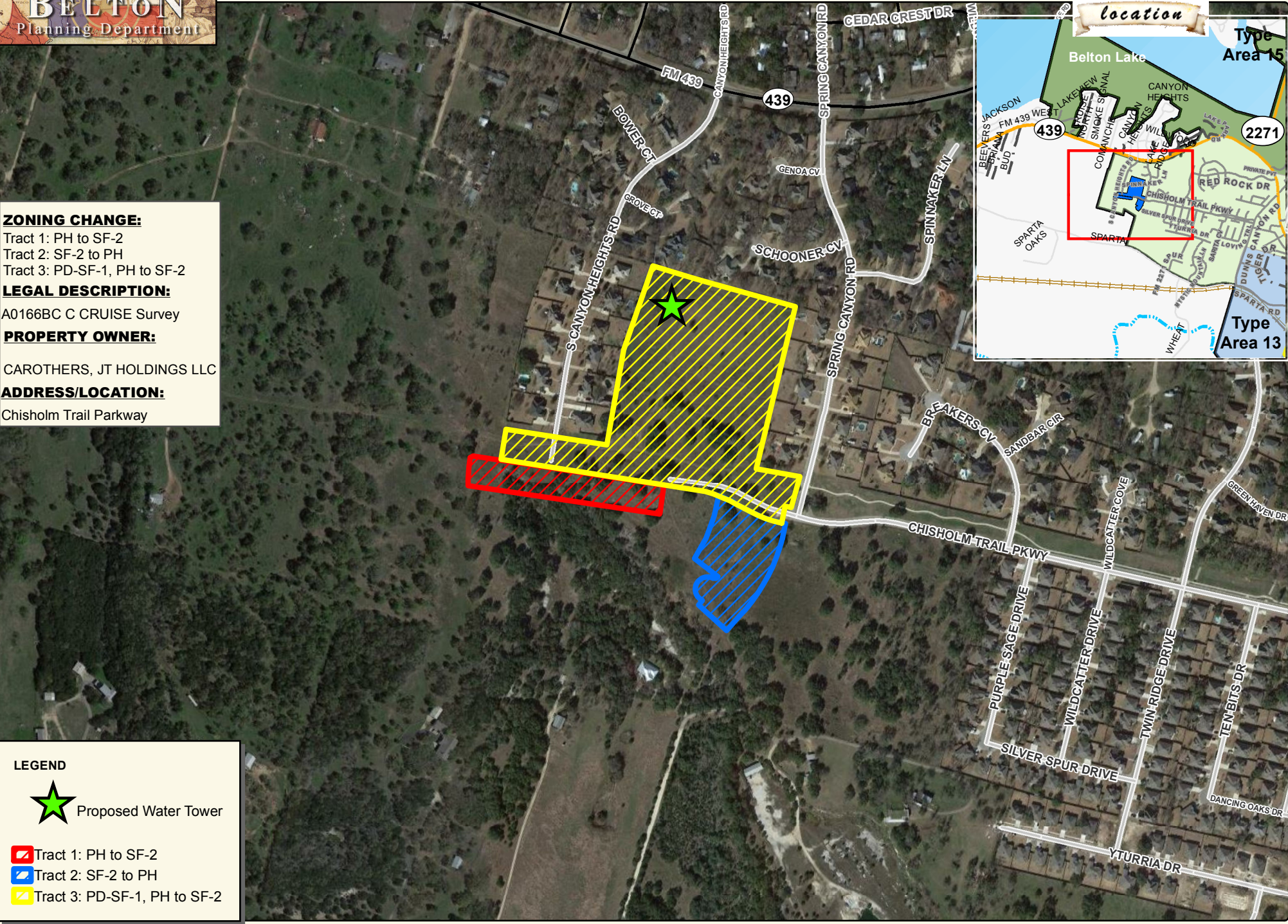
LEGEND

 Proposed Water Tower

 Tract 1: PH to SF-2

 Tract 2: SF-2 to PH

 Tract 3: PD-SF-1, PH to SF-2



FIELD NOTES FOR REZONING
2.721 ACRES FROM SF-2 TO PD-PH

FIELDNOTE DESCRIPTION for 2.721 acres of land situated within the Christopher Cruise Survey, Abstract No. 166, Bel County, Texas being part of the remainder of that certain tract of land designated Tract Two called to contain 62.77 acres of land described in deed to JT Carothers Holdings, LC and filed for record Dec. 23, 2013 in the Real Property Records of Bell County, Texas (RPR) in Document 2013-00052964. Said tract of land was surveyed on the ground by R.P. RPLS 4540 on November 9, 2014 and is more particularly described as follows:

BEGINNING at a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at the southeast corner of the Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition, an addition to the City of Belton, Texas filed for record on May 6, 2015 in Plat 2015-48 in the Plat Records of Bell County, Texas (PR), same being the southwest corner of Regatta Oaks Section III, an addition to the City of Belton, Texas filed for record on September 17, 2007 in Cabinet D, Slide 191-A and lying in the northerly line of said remainder of JT Carothers Holdings, LC;

THENCE with the southerly line of said Regatta Oaks Section III, same being a northerly line of the said remainder of JT Carothers Holdings, LC, South 78° 30' 55" East for a distance of 15.17 feet to a point for the northeast corner of this;

THENCE crossing the said remainder of JT Carothers Holdings, LC for the following twelve courses:

1. South 13° 51' 14" West for a distance of 57.01 feet for a corner of this;
2. A distance of 367.52 feet along a curve to the right with a radius of 700.00 feet, a delta of 30° 04' 56", and a chord bearing South 28° 53' 42" West for a distance of 363.32 feet for a corner of this;
3. A distance of 76.15 feet along a curve to the left with a radius of 1329.87 feet, a delta of 03° 16' 51", and a chord bearing North 42° 17' 44" East for a distance of 76.14 feet for a corner of this;
4. North 47° 34' 21" West for a distance of 153.62 feet for a corner of this;
5. North 42° 25' 39" East for a distance of 24.10 feet for a corner of this;
6. A distance of 158.64 feet along a curve to the right with a radius of 50.00 feet, a delta of 181° 47' 26", and a chord bearing North 23° 41' 27" East for a distance of 99.99 feet for a corner of this;
7. A distance of 24.80 feet along a curve to the left with a radius of 20.00 feet, a delta of 71° 03' 06", and a chord bearing North 79° 03' 37" East for a distance of 23.24 feet for a corner of this;
8. North 52° 12' 50" West for a distance of 119.80 feet for a corner of this;
9. North 29° 26' 36" East for a distance of 94.64 feet for a corner of this;
10. North 20° 05' 27" East for a distance of 47.21 feet for a corner of this;
11. North 19° 16' 40" East for a distance of 49.59' feet for a corner of this;

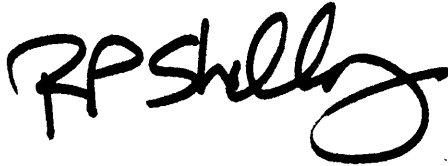
12. North 13° 51' 14" East for a distance of 91.60 feet to a point in the southerly line of said Amending Plat for a corner of this;

THENCE with the southerly line of said Amending Plat, Dawson Ranch-Regatta Oaks HOA Addition, same being a northerly line of the said remainder of JT Carothers Holdings, LC for the following three courses:

1. A distance of 85.35 feet along a curve to the right with a radius of 400.00 feet, a delta of 12° 13' 29", and a chord bearing South 63° 08' 50" East for a distance of 85.18 feet to a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at a point of tangency of said southerly line;
2. South 57° 02' 05" East for a distance of 46.60 feet to a 1/2" iron rod with a red cap marked "RPLS 4540" (same as record) found at a point of curvature of said southerly line;
3. A distance of 150.51 feet along a curve to the left with a radius of 362.46 feet, a delta of 23° 47' 31", and a chord bearing South 67° 42' 20" East for a distance of 149.43 feet to the POINT OF BEGINNING.

NOTE – Bearings called out herein are based on the Texas Coordinate System, Central Zone, NAD 83 and referenced to the City of Belton, Bell County, Texas, published monuments and coordinate system. All distances are grid distances. There is this day made a plat to accompany this field note description.

Surveyed by:



R.P. Shelley, Texas Registered Professional
Land Surveyor No. 4540
Briones Consulting & Engineering Ltd.
4515 Briar Hollow Pl., Ste. 106
Houston, Texas 77027
TBPLS Firm No. 10194252
210 286 9077
rickshelley@gmail.com



Staff Report – City Council Agenda Item



Date: March 27, 2018
Case No.: Z-18-02
Request: NS & SUP 5 to PD NS; SUP 5 to SF3
Applicant: Camden Enterprises, LLC

Agenda Item #7

Hold a public hearing and consider the following zone changes on property located on the north side of W. Avenue D, west of Mitchell Street:

Tract 1: 1.550 acres of land at 1001 W. Avenue D from Neighborhood Service and Specific Use Permit-5 for City Yard to Planned Development Neighborhood Service to allow for an event center

Tract 2: 3.394 acres from Specific Use Permit-5 for City Yard to Single Family 3

Originating Department

Planning Department – Cheryl Maxwell, Director of Planning

Current Zoning

NS & SUP 5
SUP 5

Proposed Zoning

PD NS
SF3

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Area: 8

This property is located within Design Standards Type Area 8 with desired growth and development identified as primarily single family residential with various multi-family housing located within. If approved, the proposed development would be required to comply with all the Design Standards for Type Area 8.

Case Summary

The two tracts in this request were previously owned by the City and used by the Public Works Department. The property was bid and sold in 2014 as the City's Public Works Department relocated to the current FM 436 (Holland Road) site, formerly occupied by TxDOT.

NOTE: Please see P&ZC section below and P&ZC minutes, for an update in regards to the discussion below which addresses the applicant's original request for an event center on Tract 1.

Tract 1 is zoned Neighborhood Service with a Specific Use Permit for a City Yard. A large vacant building, approximately 5,000 sq. ft., is currently located on site. The applicant wishes to remodel and add-on to the existing building converting it to an event center for small scale gatherings to include wedding receptions, family reunions, graduation parties, birthday parties, etc. This use is not specifically identified in the zoning ordinance so a planned development district is proposed with a base zoning of neighborhood service, with the additional use of an event center allowed.

Tract 2 is also zoned SUP for a City Yard. The applicant proposes to develop a residential subdivision and is requesting Single Family 3 zoning.

The surrounding properties are developed with single family homes. Saddle Creek Subdivision is located to the west, zoned Single family 3. Properties to the north, east, and south are zoned Single Family 2 with Conservation and Revitalization Overlay zoning.

Land Use Table/Allowable Uses

The Neighborhood Service Zoning District, proposed as the base district in the PD on the eastern tract (Tract 1), allows the following uses:

- Various shops: Antique, Bakery, Barber or Beauty, Book, Florist, Garden, Hobby, Personal Service
- Bank
- Church
- Clinic, medical or dental office
- Child care
- Drug store
- Food or convenience store
- Health studio/gym
- Medical or dental clinic, office, or lab
- Retail printing shop
- Laundromat or dry cleaning
- Photography or art studio
- Veterinarian office
- School, private or public
- Lodge or fraternal organization

Single Family 3 Zoning District, proposed on the western tract (Tract 2), allows detached single family homes on lots with minimum area of 5,000 sq. ft., with a 50' width and 90' length, 25' front yard, and 5' side yard.

Project Analysis and Discussion

The FLUM identifies this area as residential; the proposed SF3 zoning for Tract 2 is consistent with this. Tract 1 is currently zoned Neighborhood Service. The proposed Planned

Development District will retain the existing zoning with the additional use of an event center; all uses currently allowed will continue to be allowed. The event center will include associated uses such as outdoor venues and limited on-premise consumption of alcohol in conjunction with food catering services, provided a) beer/wine only sales are less than 75% revenue from alcohol; or b) all alcoholic beverage sales are less than 50% revenue from alcohol.

Most of the surrounding properties have the Conservation and Revitalization Overlay (CRO). The CRO allows a mixture of residential and some commercial or other nonresidential uses nearby. Per the Zoning Ordinance, it presents the opportunity for different residential developments and compatible selected services and retail that are needed for the comfort, economy, and convenience of the neighborhood. Therefore, the NS Zoning District appears to be appropriate in this vicinity.

A subdivision plat for Tract 1 consisting of 1.109 acres was approved administratively last year. This plat is being revised to include an additional 0.441 acres for a total of 1.550. Sidewalk was required and has not yet been provided. Prior to obtaining a building permit, the applicant will provide a detailed site plan for the event center addressing the following design standard requirements with the building permit: building materials; tree preservation and landscaping requirements; screening; dumpster requirements; lighting; signage; and parking.

Tract 2 will be platted as a residential subdivision and the lots and development will be required to observe all area requirements for the SF3 Zoning District.

P&ZC Meeting

Staff recommended approval of the requested zoning changes for both tracts to the Planning and Zoning Commission at their meeting on March 20, 2018. At that meeting, several concerns from neighborhood residents were raised with regard to the rezoning of Tract 1 to allow an event center. These concerns included parking overflow onto Avenue D, potential noise issues with outside events, and serving of alcohol. A motion to deny the zoning change was split with four votes in favor and four in opposition. Another motion was made to rezone the portion of Tract 1 that was not currently NS, to NS so this designation covered the entire tract. This motion passed unanimously. Also, the proposal for SF-3 zoning on Tract 2 was unanimously recommended.

Recommendation

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the zoning changes as noted below; Staff concurs with their recommendation.

Tract 1: From Neighborhood Service and Specific Use Permit-5 for City Yard to Neighborhood Service.

Tract 2: From Specific Use Permit – 5 for City Yard to Single Family-3.

Attachments:

Zoning application
Property Location Map
Zoning map
Aerial photo
Map with zoning notice boundary (200')
Zoning notice to owners
Owner notification list
Conceptual site plan
P&Z Minutes Excerpt
Ordinance

**City of Belton
Request for a Zoning Change**

**To the City Council and the
Planning & Zoning Commission**

Fee: \$250.00

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Camden Enterprises LLC Phone Number: 254-541-0103
Mailing Address: PO Box 1266 City: Belton State: TX
Email Address: wo@firelinedesignbuild.com

Owners Name: Dewain Fertsch Phone Number: 254-913-7891
Mailing Address: 14 E Central Ave 14 City: Temple State: TX
Email Address: 14tradesman@gmail.com

Applicant's Interest in Property:

Subdivision

Legal Description of Property:

ADDTBC James Bennett + AC165BC P Conrad 1 Acre 3.839

Is this property being simultaneously platted? yes
3.394 Acre Tract
From: SUP to SF-3

Street Address: 1001 W Ave D

Zoning Change From NS & SUP to PD-NS For an Event Center

Signature of Applicant: [Signature] Date: _____

Signature of Owner (if not applicant): [Signature] Date: March 2/12

Checklist for Zoning Items to be submitted with application:

- ☐ Signed Application
- ☐ Fees Paid
- ☐ Complete Legal Description of the property to be re-zoned
- ☐ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-18-02 Location

ZONING CHANGE:

SUP to SF-3
&
SUP & NS to PD-NS
For an Event Center

LEGAL DESCRIPTION:

A0071BC JAMES BENNETT &
A0165BC P CONRAD, 1,
ACRES 3.839


PROPERTY OWNER:

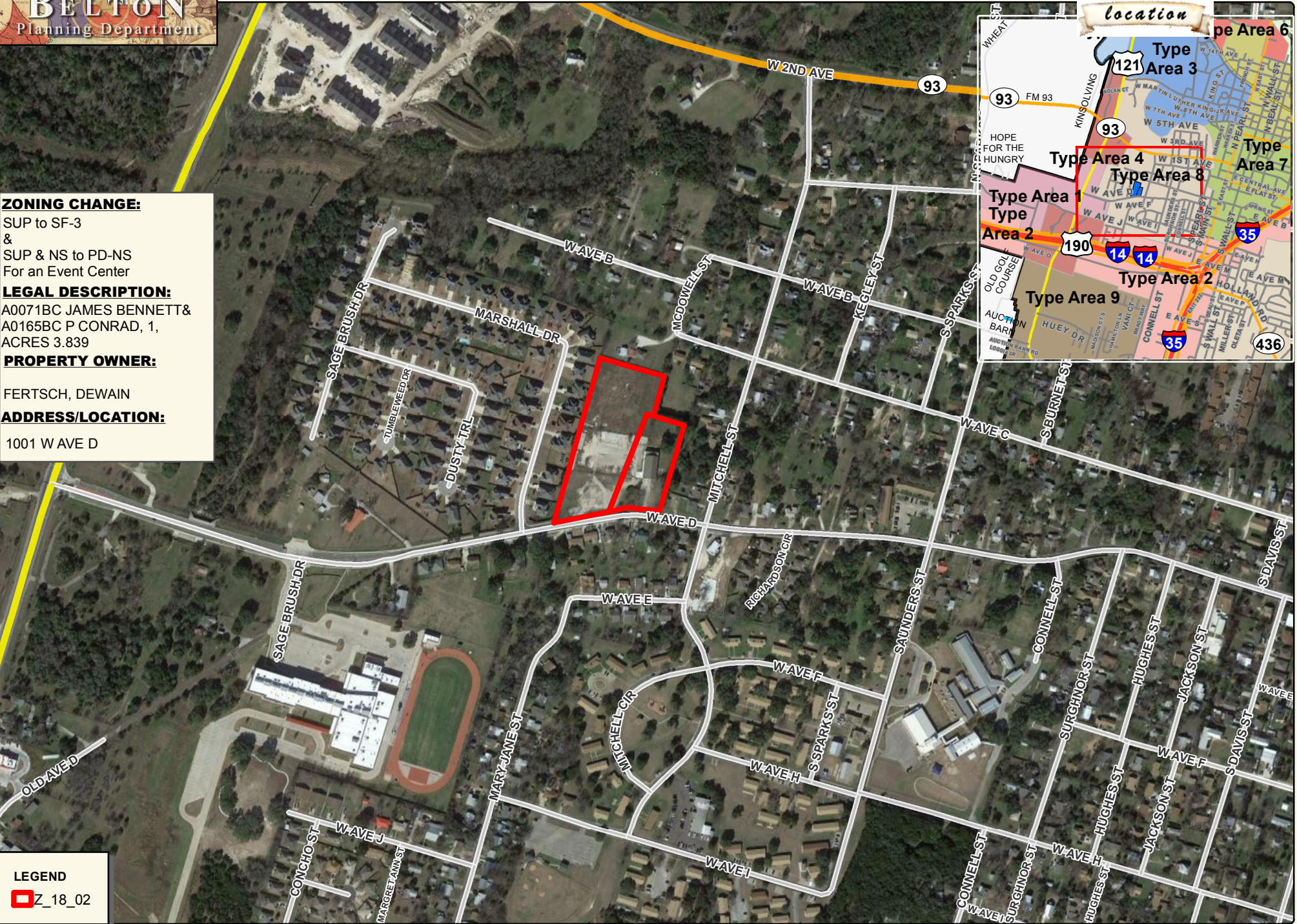
FERTSCH, DEWAIN

ADDRESS/LOCATION:

1001 W AVE D

LEGEND

 Z_18_02



0 200 400 800
Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

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Zoning Case # Z-18-02 Aerial

ZONING CHANGE:

SUP to SF-3
&
SUP & NS to PD-NS
For an Event Center

LEGAL DESCRIPTION:

A0071BC JAMES BENNETT &
A0165BC P CONRAD, 1,
ACRES 3.839


PROPERTY OWNER:

FERTSCH, DEWAIN

ADDRESS/LOCATION:

1001 W AVE D

LEGEND

 Z_18_02

0 55 110 220
Feet



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Zoning Case # Z-18-02

ZONING CHANGE:

SUP to SF-3
&
SUP & NS to PD-NS
For an Event Center

LEGAL DESCRIPTION:

A0071BC JAMES BENNETT &
A0165BC P CONRAD, 1,
ACRES 3.839





PROPERTY OWNER:

FERTSCH, DEWAIN

ADDRESS/LOCATION:

1001 W AVE D

Legend

-  SUP to SF-3
-  SUP & NS to PD-NS
-  200' Property Owner Notification Area
-  Tax Appraisal Parcels

Map Date: 3/1/2018 Aerial Imagery Date: 2017

0 80 160 320 Feet



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CORRECTION NOTICE
REVISED ACREAGE: From 1.417 to 1.550
NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1.550 ACRES, 1001 WEST AVENUE D,
FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3.394 ACRES, WEST AVENUE D,
FROM A(N) SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,
TO A(N) Single Family-3 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

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1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

64927	367511	367507
ACUNA, CIRO N & FRANCISCA H	AINSWORTH, AMANDA PAIGE SPECIAL NEEDS TRUST	ALBERTINI, SHANNAH N
910 W AVENUE C	PO BOX 8265	803 MARSHALL DR
BELTON, TX 76513-3356	WICHITA FALLS, TX 76307-8265	BELTON, TX 76513
40048	367536	71257
ALCOZER, GILBERT V JR ETUX RITA M	ALLAMON, JEREMY D ETUX SUSAN D	ARELLANO, RODULFO ETUX FRANCISCA
407 S MITCHELL ST	804 MARSHALL DR	1005 W AVENUE E
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513-3701
367535	367512	367514
ARMSTRONG, DAVID W II ETUX KELLY S	BATTLE, JAMES	BERGER, CODY G
806 MARSHALL DR	705 MARSHALL DR	701 MARSHALL DR
BELTON, TX 76513-3778	BELTON, TX 76513-3787	BELTON, TX 76513
19584	27432	367513
CHAVEZ, ELPIDIO F & PAULINE	DANIELS, GUSSIE L III ETUX JOAN MILES	DAVIS, KIM & SAMANTHA MORRISON
1007 W AVE E	9201 OAK HILLS DR	703 MARSHALL DR
BELTON, TX 76513-3701	TEMPLE, TX 76502-5271	BELTON, TX 76513-3787
102531	13779	367537
DONOSO, SAN JUANITA H	DRAKE, FRANCES J ETVIR BILLY J	EVANS, TODD & NARJIS SAFVI
603 MITCHELL ST	720 W 1ST AVE	2700 SPARTA LN
BELTON, TX 76513-3733	BELTON, TX 76513-3324	BELTON, TX 76513
367542	128358	20547
FALLON, SHANE M & CHARLENE C	FARR, SHELLI	FERTSCH, DEWAIN
704 MARSHALL DR	1102 W AVE D	14 EAST CENTRAL AVENUE 14
BELTON, TX 76513-3787	BELTON, TX 76513	TEMPLE, TX 76501
367505	62877	78138
FREGOSOALENCASTRO, ROSITA G ETVIR ALEJANDRO ARANGO-RAMIREZ	GALLEGOS, JUANA MORALES	GONZALES, MARY L
805 MARSHALL DR	1000 W AVENUE B	1011 W AVENUE E
BELTON, TX 76513	BELTON, TX 76513-3338	BELTON, TX 76513-3701
367516	367509	367510
GONZALES, RENE J	GORDON, DOUGLAS PAUL ETUX JESSICA NICOLE	GORDON, DOUGLAS PAUL ETUX JESSICA NICOLE
609 MARSHALL DR	709 MARSHALL DR	709 MARSHALL DR
BELTON, TX 76513-3786	BELTON, TX 76513-3787	BELTON, TX 76513-3787
44471	40608	367540
GUTIERREZ, MARY RODRIGUEZ	GUZMAN, JOSE JR	HALL, STEVEN
PO BOX 1761	1002 W AVENUE D	708 MARSHALL DR
BELTON, TX 76513-5761	BELTON, TX 76513-3746	BELTON, TX 76513
70603	367539	57834
HERNANDEZ, RENEE M	HUTCHENS, RACIE P ETVIR CHRISTOPHER	JIMENEZ, DIEGO ALBERTO
601 MITCHELL ST	710 MARSHALL DR	1006 W AVENUE C
BELTON, TX 76513-3733	BELTON, TX 76513	BELTON, TX 76513

3981	25422	98330
KELLEY, DINA SUE	LEIJA, MONICA	LOPEZ, JOSE ETUX MARIA
1008 W AVENUE D	1100 W AVENUE D	405 MITCHELL ST
BELTON, TX 76513-3746	BELTON, TX 76513-3748	BELTON, TX 76513-3311
34101	367517	68812
LOPEZ, JOSE O ETUX MARIA	MADRID, ARMANDO M	MARTINEZ, ESTHER
405 MITCHELL ST	607 MARSHALL DR	201 SHADOW OAKS
BELTON, TX 76513-3311	BELTON, TX 76513	CONROE, TX 77303
367541	367538	367515
MASKUNAS, JOHN J ETUX THERESA J	MCCLINTIC, MICHELLE M & CHARLES	MILES, ROSEANNE
706 MARSHALL DR	800 MARSHALL DR	611 MARSHALL
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
34834	48973	382585
MILLER, GARRY W ETUX JUDITH L	MORENO, MARTHA L	MORENO, MARTHA L
1001 W AVENUE E	8544 IGLESIA LN	8544 IGLESIA LN
BELTON, TX 76513-3701	TEMPLE, TX 76504-6058	TEMPLE, TX 76504-6058
14306	367508	129621
MUNGIA, SYLVIA	PARCHIM, WILLIAM K ETUX LINDA	PEREZ, OSCAR ETUX MARIA
503 MITCHELL ST	801 MARSHALL DR	1004 W AVE D
BELTON, TX 76513-3313	BELTON, TX 76513	BELTON, TX 76513
367543	367544	34510
RICHARDSON, CHARLES MOSS ETUX ABIGAIL R	RICHARDSON, CHARLES MOSS ETUX ABIGAIL R	ROBLES, JORGE E ETUX HILDA M
604 MARSHALL DR	604 MARSHALL DR	1000 W AVENUE D
BELTON, TX 76513-3786	BELTON, TX 76513-3786	BELTON, TX 76513-3746
34511	94466	113535
ROBLES, JORGE E ETUX HILDA M	RON'S ONE STOP INC	SANCHEZ, HECTOR MARTIN
1000 W AVENUE D	PO BOX 325	413 W GILLIS AVE
BELTON, TX 76513-3746	BELTON, TX 76513-0325	CAMERON, TX 76520
1574	1607	1608
SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER
PO BOX 112	PO BOX 112	PO BOX 112
BELTON, TX 76513-0112	BELTON, TX 76513-0112	BELTON, TX 76513-0112
1609	1610	14311
SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER	SOTO, PATRICIA
PO BOX 112	PO BOX 112	3813 TANGLEWILDE ST
BELTON, TX 76513-0112	BELTON, TX 76513-0112	HOUSTON, TX 77063-5180
367518	130671	48972
WHITE, OYINLOLA ETVIR LAWRENCE LEE	WINCHELL, KATE VIRGINIA	ZAVALA, ROSENDO ETUX BETTY
605 MARSHALL DR	1006 W AVE D	907 W AVE C
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513

130195

ZIMMERMAN, MARK ANDREW & DOUGLAS WAYNE
JOHNS

2303 FULLER LN

HARKER HEIGHTS, TX 76548-8704

477722

FERTSCH, DEWAIN

14 EAST CENTRAL AVENUE 14

TEMPLE, TX 76501

SUPERINTENDENT
DR. SUSAN KINCANNON
BELTON I.S.D.
P O BOX 269
BELTON TEXAS 76513

CORRECTION NOTICE
REVISED ACREAGE: From 1.417 to 1.550
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FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

AS AN INTERESTED PROPERTY OWNER, I ^{circle one} (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. Reasons on other sheet
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: Dina Sue Kelley

3981
KELLEY, DINA SUE
1008 W AVENUE D
BELTON, TX 76513-3746

PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1.417 ACRES, 1001 WEST AVENUE D,
FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

AS AN INTERESTED PROPERTY OWNER, I ^{circle one} (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. I do not want an event center or apartments/duplex across the street from me
2. due to noise and traffic. This is already an extremely busy street that has
3. small children playing and a school close by.

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 3/10/18 SIGNATURE: Dina Sue Kelley

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

3981
KELLEY, DINA SUE
1008 W AVENUE D
BELTON, TX 76513-3746

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3.394 ACRES, WEST AVENUE D,
FROM A(N) SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,
TO A(N) Single Family-3 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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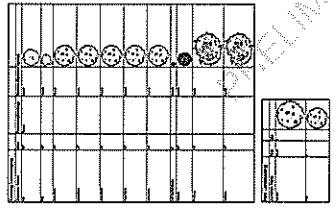
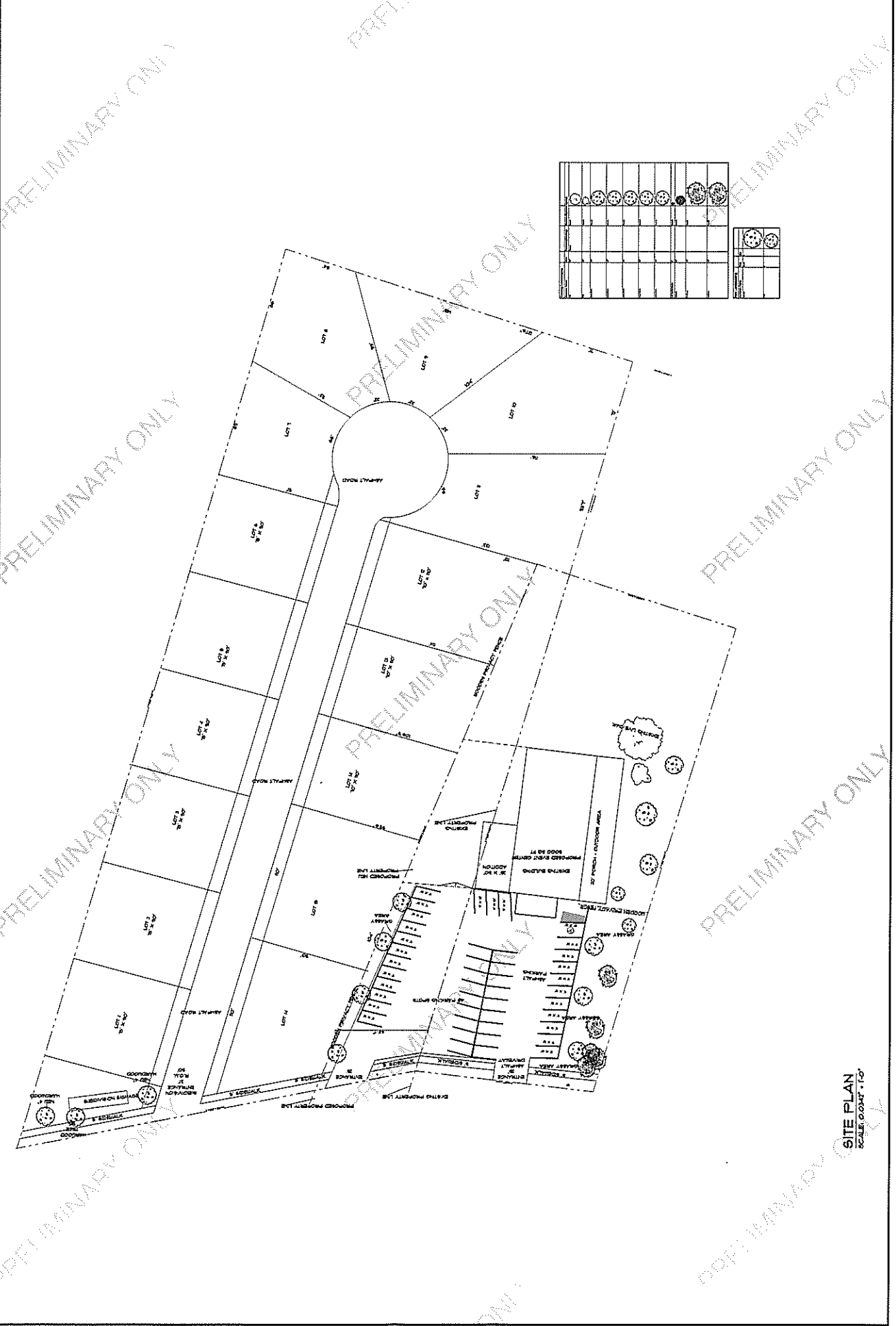
AS AN INTERESTED PROPERTY OWNER, I ^{circle one} (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. I do not want multiple houses with small yards directly across the street for
2. me. We already do not have a place for children to play. This will bring more
3. traffic to an already busy street. I do not want my property value to decrease.

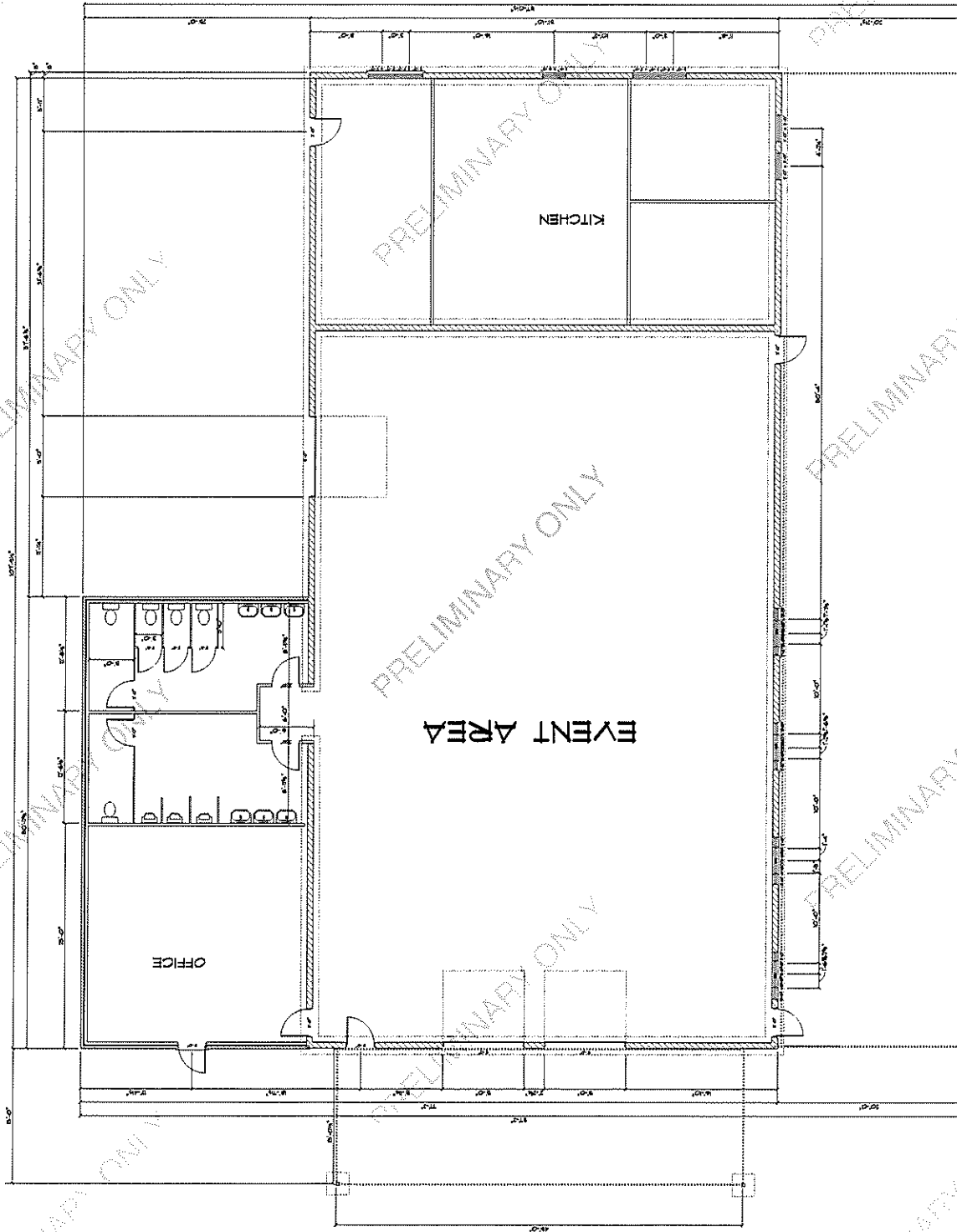
(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 3/10/18 SIGNATURE: Dana Sue Kelley

PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812

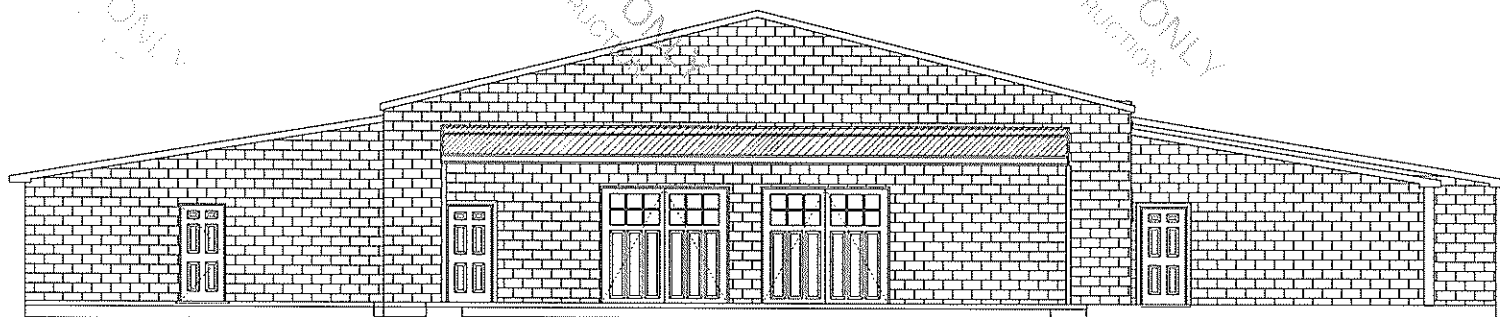


SITE PLAN
SCALE: 1" = 40'

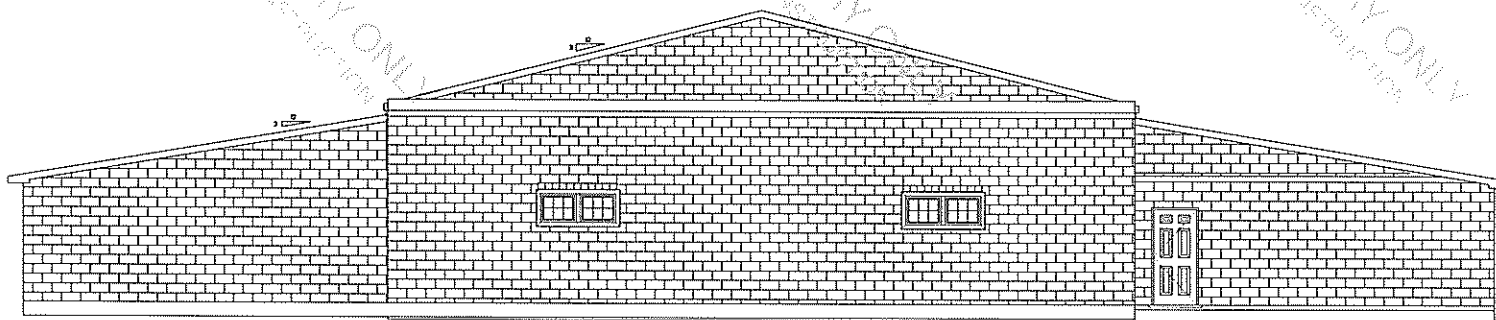


Building
SCALE 3/8" = 1'-0"

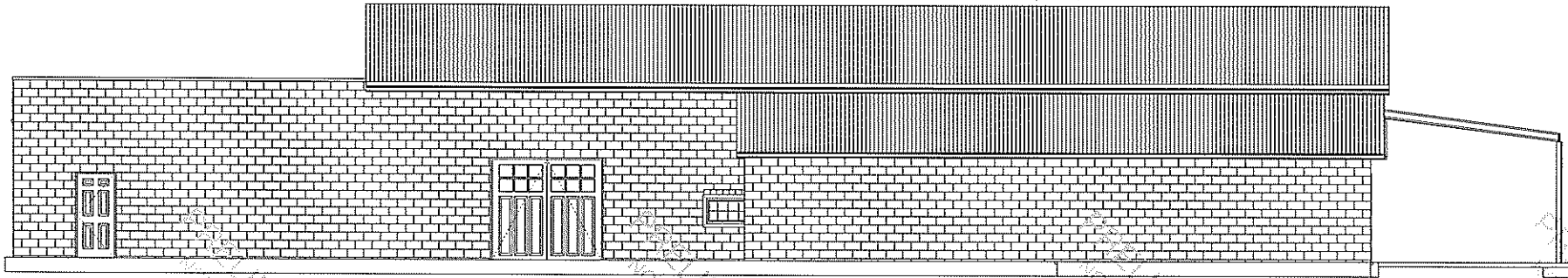
5'-0"
5'-2"



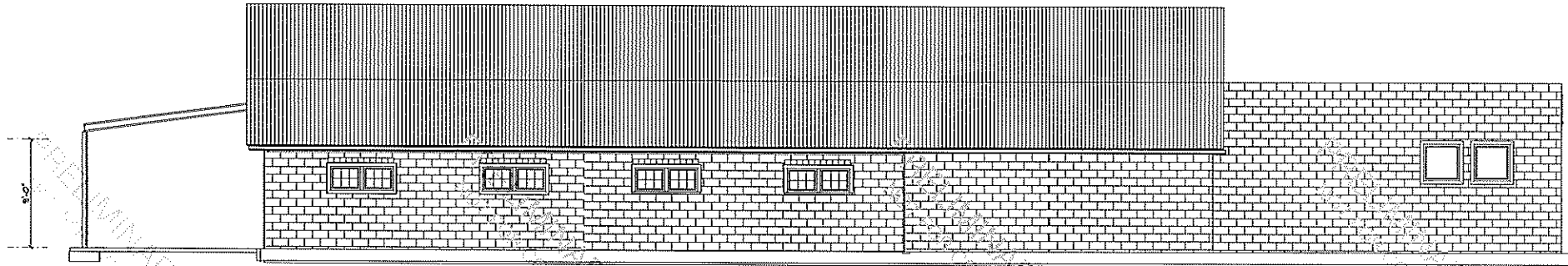
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

PHASE:	2 / 2	SCE ELEVATIONS
SQ. FOOTAGE:	60	60
SCALE: 1/4" = 1'-0"	DRAWN BY: ANLEY CANNON	DATE: Monday, February 05, 2018
PROJECT: 1818-1818	PROJECT: 1818-1818	PROJECT: 1818-1818
300 N. Park St.	300 N. Park St.	300 N. Park St.
BUTLER	BUTLER	BUTLER
TEXAS	TEXAS	TEXAS



FERTSCH
AVE C
BUTLER
TEXAS

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

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, Lewis Simms, Stephanie O'Banion, Rae Schmuck and David Fuller. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Kelly Trietsch, IT Specialist Ryan Brown and Planning Clerk Laura Livingston.

5. Z-18-02 Hold a public hearing and consider the following zone changes on property located on the north side of W. Avenue D, west of Mitchell Street:

- Tract 1: 1.550 acres of land at 1001 W. Avenue D from Neighborhood Service and Specific Use Permit - 5 for City Yard to Planned Development Neighborhood Service to allow for an event center**
- Tract 2: 3.394 acres from Specific Use Permit – 5 for City Yard to Single Family 3**

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

Chair Baggerly opened the public hearing. Mr. Diego Jimenez, 1006 West Avenue C, stated his property sits behind this tract to the north side. He asked how noisy it will be? He said they can already sit outside and hear bands nearby play music on Thursday evenings and asked how much more noise are they going to have in that area? He also said there is not a road that goes to the back and asked if they are going to have to construct a road there as an exit, or will they have a cul-de-sac to turnaround in the parking lot? Ms. Maxwell said it will be a turnaround. Mr. Jimenez' main concerns are the noise and how will drivers come in and out of that property?

Mr. Christopher Hutchens, 710 Marshall Drive, identified his home on the map. He knows the building on this site and sees it every day, but he does not agree with the alcohol consumption. He is about to retire from the Army. They have small children and other small children live in the area. He will not let his 11-year-old nephew out of his sight, and he has two daughters so to have alcohol consumption, even though he realizes it is for small events, is the wrong idea. He has dealt with 18-year-olds, 20-year-olds dealing with alcohol his entire career and the traffic that will go through his area alone. People are going to get confused, it is going to happen. There is no out in that neighborhood. It will be hard when people get lost and if there are drunk people driving, there are too many small children in the area to consider an event center especially with the allowance of alcohol consumption.

Ms. Mary Heaton, 707 Marshall Drive, said she moved to this home from Salado because Johnny's Steaks & Barbeque moved in her backyard. Now she is having to deal with this. She has a special needs child that cannot tolerate the noise which is the reason they moved there but she didn't think an outdoor concert venue would happen. She stated she didn't fight Johnny's because it was a two-story home and they needed a single-level home so that pushed them to move but she didn't want to move her daughter from the home she has known her whole life. She has cerebral palsy and she cannot tolerate the outdoor noise and music. In addition, the alcohol consumption and the traffic in the neighborhood is ridiculous. She said she just wants the Commission to know she doesn't want to fight it, but she would have to move her child from her home if it was approved.

Mr. John Maskunas, 706 Marshall Drive, said he really backs up his neighbors on their concerns, especially when alcohol is involved. He said they already face some traffic issues and car break-ins and asked where are these people going to park if there is an event center? He stated they're going to park on Avenue D and Marshall Drive, plus it will devalue their homes like crazy. Mr. Maskunas said he is all for Tract 2, provided the houses that are built there are compatible to others in their subdivision. He said a few years ago, they fought the same issue when a contractor came in and wanted to build substandard houses that would devalue property. He said he is all for new housing but the event center is the worst idea in all the history of worst ideas because it's going to cause some problems.

Mr. James Hibbler, 611 South Loop 121, said he's been driving up and down these streets for 70 years and it's gotten to where you can't hardly drive through Avenue D with all the trucks, everything from a three-ton flatbed. He said that on top of the hill near the new school, every house has five or six cars and they can't even get them on the curb. He said there isn't room and they need to do something about getting the ones that are on there, off.

Ms. Shelli Farr, 1102 West Avenue D, said she has all of the same parking problems and all of her neighbors park in the street so she can't see around to back out of her driveway. Whenever the school lets out between 3:30 and 4:30 p.m., about 25 to 30 children are walking down that street and they don't have the incentive to come down there. Their parents pick them up at that lot so the children can walk to their cars. She doesn't see how they can have alcohol consumption that close to the school. She guessed the City had already looked into that issue. She asked the City to please address the traffic and she didn't believe there are enough parking spots for an event center. People often park so close to your driveway it's hard to see and it becomes a hazard. Please consider all of these points, Ms. Farr said.

Mr. Dewaine Fertsch, 14 East Central Avenue, Suite 14, Temple, the applicant, said, he owns the property which he purchased from Todd Scott. When he bought the property he said he intended to incorporate the entire property, not as an event center but to use the whole thing. But when the City sold it to the developer that was already in the works as a single-family home set-up so he had no bearing on that decision. He asked what you do with a 5,000 square foot old armory other than just let it die sitting there. He said he can't figure out anything else to do with it. Mr. Fertsch said there will be a police officer there and there will be a bartender there and they have to regulate what goes on in there. You are required so many parking spots per square foot of that building and that has already been allotted and approved as far as parking. There should be plenty of parking. Mr. Fertsch said he tried to take some of the front of the property to allow for more parking but the City will not allow him because it interferes with the City's concept of single-family homes (on Tract 2). There used to be a circle drive and the plat showed the property line right down the middle of the drive so there was no way for him to drive his truck around the building because they had the property lines so close to the building. So, he paid \$3,500 to move over the property lines just so he could get more parking in there to accommodate the size of the building and to allow for the number of people who will park at the event center. When the outdoor events are considered, his example was setting up a bounce house or a couple sharing wedding vows under a nice oak tree in the back. A concert? No, Mr. Fertsch said. He said he's not a loud person and he can't even stand the radio. He said if anyone has questions, ask them.

Chair Baggerly said the open hearing is not the time for questions.

Mr. Fertsch said he's just trying to field them all. He said it is his property and he is trying to accommodate the city side and what they want but also try to utilize his property. The only other thing he could come up with is, he does handyman work, so he considered using it as a shop, but it's not allowed. There's limits to what he can use that building for, Mr. Fertsch said. And Mr. Fertsch said he needs to make money. He didn't buy it to let it sit or let it die. This is a retirement thing for him so he

doesn't plan on messing it up, he said. If anyone has problems, he wishes they would come to his front door and he will take care of the questions. He said he's "a neighbor person," and he knows nearly everybody on his block. Chair Baggerly closed the public hearing as no one else requested to speak.

Chair Baggerly said there are a lot of questions about parking. Ms. Maxwell said they have not approved the site plan yet. It was her understanding the plans have not been finalized. Mr. Fertsch said there is ample parking for the square footage of the building. Ms. Maxwell said all requirements would have to be satisfied with the final site plan review.

Chair Baggerly asked if there are areas of No Parking on Avenue D? Members of the audience discussed the parking. To address Mr. Jimenez's question about ingress and egress for Tract 2, Chair Baggerly asked Mr. Fertsch if there are 16 lots? Mr. Fertsch answered yes. Chair Baggerly said that was well below the figure needed for entrance or exit of a subdivision? Ms. Maxwell confirmed this was correct. Ms. Maxwell said she doesn't know if this is the exact layout because there may need to be minor adjustments to ensure the lots met the required size for Single Family-3 zoning. She said we would make sure it met all the requirements before we could approve the plat and the plat would come before the Commission as well.

Mr. Fuller said in the recommendation to the Commission under Tract 1 and Item 1 there are several sentences about on-premise consumption in conjunction with catering services. He asked if this language was common to Neighborhood Services, or is this change to Planned Development-Neighborhood Service bringing this use into play, or is this a third option, an improvisation? Ms. Maxwell said that use is not allowed in Neighborhood Service by right, but can be done with a Specific Use Permit. We felt that it could be part of the PD as an additional use, mirroring what Cathedral Oaks does with a catering event if considered appropriate. Mr. Fuller said that's why he asked the question. He said there are certainly differences between the two sites as far as ingress and egress. Ms. O'Banion mentioned the Harris Center is a similar comparison to what is being proposed--an event center located in a neighborhood with a required police officer on site. Mr. Fertsch compared his vision for the event center to Cathedral Oaks, 1312 Waco Road in Belton.

Chair Baggerly said he hears the concerns that the neighbors have, and they are all valid concerns, but he said he knows from driving past this every day it's an eyesore in its current state and it's probably a spot for vandals and nerddowells to hang out.

Ms. Schmuck asked if an event center is the appropriate thing to have there? Even before she heard any objections at the meeting, when she read it she didn't believe it would be the right place for an event center. There are houses all around it and when she thinks of an event center she thinks of something a bit more isolated, where there are not private homes around it.

Mr. Hendrick said one of the concerns he heard over and over was the noise. Is there any kind of noise restrictions in the area? Chair Baggerly said City Manager Mr. Listi could explain. Mr. Listi said we do have a noise ordinance and the police department takes care of that. Schoepf's and the football stadium do get complaints occasionally, he said. There is a decibel noise limit that is monitored by the police department and it's enforced, certainly if there is outdoor activity. Mr. Hendrick said there would be a curfew? Say, after 10 p.m.? Mr. Listi said he believed during the week it's one time, and on the weekend a different time.

Ms. Maxwell showed the allowed uses permitted in that district. Mr. Listi said the NS zoning on the property there gives quite a bit of flexibility as it is zoned now, but because an event center is not a listed use in the Zoning Ordinance it would need the Planned Development designation and that is what we

are calling to your attention. There was discussion about alcohol in conjunction with that use, Mr. Listi said, and that's addressed in the PD and it would require an SUP or a PD to accommodate that. The parking as Ms. Maxwell said would have to be satisfied on site; on a Retail basis that's about one parking space per 200 square feet so it's about 25 spaces per 5,000 square feet. That's why he's adjusted the zoning line to the west to accommodate that. Mr. Listi said, Avenue D may need to be marked No Parking in the future especially since how many parents are parking in this area for the pick-up of kids. Mr. Fertsch asked about parking at the school. Mr. Listi said he has seen it and there's not enough room for everybody so they filter out onto Avenue D and into the neighborhood.

With discussion occurring in the audience, Chair Baggerly reiterated that this is not the time for open discussion. In relation to the comments about the SF-3 zoning, Mr. Listi said, the first lot lacked the minimum depth and the area requirements, given a minimum 90 feet in depth and a minimum 5,000 square feet overall for the lot. One lot did appear a bit short, he said, as it has enough area in the lot, but the lines may need to shift when platted.

Mr. Listi said the options for the Planning & Zoning Commission are to leave the land as it is, as currently it is zoned for Neighborhood Services. There's just a slight adjustment of the line to the west to accommodate proposed parking. Options are to leave the NS district as it is right now; you could amend the NS boundary slightly to accommodate this proposed (parking) boundary and then on the SF-3 district, that property is not zoned SF-3 yet. We certainly would like to accomplish that as part of this proposal, Mr. Listi said. When that property was sold by the City we had every objective that that property would be developed into single family lots, compatible with the subdivision to the west.

Mr. Fuller asked the occupancy of the building, though that is determined at a later stage. Mr. Pressley asked about the events and whether they would be scheduled in the evening or daytime? Mr. Fertsch said it would depend on the host of the party and he said he doesn't want to be out past midnight; he would have a certain cutoff as well.

Chair Baggerly asked Mr. Listi to clarify whether they are casting two votes. Mr. Listi said because there are different conditions associated with each tract he recommended they make a motion on each individual tract.

Mr. Simms said he used to be a resident of Mitchell and Avenue D so very close to this proposed area; while he said he applauds the applicant's entrepreneurial spirit to revitalize that area, he personally feels it would be harmful to the area's residents. He would love to see some other development there but he doesn't believe an event center is the perfect fit for what is primarily a residential area. Ms. O'Banion asked if the applicant could return to request a different use at a later date? Ms. Maxwell said yes but if the PD was disapproved they might consider "cleaning up" the zoning of the strip of land to be included with NS zoning and remove the SUP for a city yard. So, the Tract 1 would remain NS, including the adjusted boundary at the west side; this would at least zone it NS and all of those NS uses would be allowed. Chair Baggerly said he could bring forward a laundromat, for example. Any of those uses are allowed right now, Ms. Maxwell said.

Mr. Fuller made a motion to disapprove Z-18-02, Tract 1. Mr. Pressley seconded the motion. Four members voted to disapprove the item, Ms. Schmuck, Mr. Simms, Mr. Pressley and Mr. Fuller. Four members voted down the disapproval, Mr. Jarratt, Mr. Hendrick, Ms. O'Banion and Chair Baggerly. In the event of a tie, the motion fails. Ms. O'Banion made a motion to approve Tract 1 as NS entirely, including the adjusted boundary to the west. Mr. Simms seconded the motion. Tract 1 was approved as NS, unanimously, 8 ayes, 0 nays.

Mr. Simms made the motion to approve Tract 2 as recommended for SF-3 District. Mr. Jarratt seconded the motion, which was approved 8 ayes, 0 nays.

ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD TO NEIGHBORHOOD SERVICE ZONING DISTRICT ON A 1.550 ACRE TRACT, AND FROM SPECIFIC USE PERMIT-5 FOR CITY YARD TO SINGLE FAMILY-3 ZONING DISTRICT ON A 3.394 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 8 DESIGN STANDARDS.

WHEREAS, Dewain Fertsch, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

1001 W. Avenue D
Tract 1 – 1.550 acres, Belton, Texas (Neighborhood Service District)
Tract 2 – 3.394 acres, Belton, Texas (Single Family-3 District)
(location map attached as Exhibit “A”)

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on tracts of land as more fully and completely described above, be and is hereby changed from Neighborhood Service and Specific Use Permit-5 for City Yard to Neighborhood Service Zoning District on Tract 1 in accordance with Section 20 – Neighborhood Service District, and from Specific Use Permit-5 for City Yard to Single Family-3 Zoning District on Tract 2, in accordance with Section 12 – Single Family-3 Residential Zoning District, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The allowable uses of the property shall conform to the Neighborhood Service and Single Family-3 Zoning Districts in all respects.

2. The development of the property shall conform to all applicable Type Area 8 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

Site Development Standards
Building Design Standards
Landscape Design Standards

3. Sign Standards shall conform to Ordinance 2008-11.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.


SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

1001 W AVE D

 Z_18_02

0 200 400 800
Feet

Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

QUICK INC. LAND SURVEYING

Office Address: 3303 Shell Rd. Suite 4, Georgetown, Texas 78628

BEING A 1.550 ACRE TRACT OF LAND LOCATED IN THE P. CONRAD SURVEY, ABSTRACT NO. 165, BELL COUNTY, TEXAS, SAID 1.550 ACRE TRACT BEING A PORTION OF THAT CERTAIN 3.839 ACRE TRACT RECORDED IN DOCUMENT NO. 201700030488, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS AND ALL OF THAT CERTAIN LOT 1, BLOCK 1, HIGHLANDS ON AVENUE D, RECORDED IN PLAT YEAR 2017, PLAT NO. 97, PLAT RECORDS, BELL COUNTY, TEXAS; SAID 1.550 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rod located at the southeast corner of Lot 1, Block 1, Highlands on Avenue D, said point being the northeast corner of a 0.013 acre right-of-way dedication to the City of Belton and being the southeast corner of the herein described tract:

1. **Thence**, with the southwest line of said Lot 1, the northeast line of said right-of-way dedication, **N 83° 17' 01" W**, a distance of **132.12'** to a 5/8" iron rod found with a blue "QUICK INC RPLS 6447" plastic cap located at the southwest corner of said Lot 1, the northwest corner of said 0.013 acre right-of-way dedication, said point being an angle point of the herein described tract;
2. **Thence**, across said 3.839 acre tract, **S 79° 30' 48" W**, a distance of **75.31'** to a 5/8" iron rod set for the southwest corner of the herein described tract;
3. **Thence**, across said 3.839 acre tract, **N 21° 55' 40" E**, a distance of **422.60'** to a 5/8" iron rod set for the northwest corner of the herein described tract; ;
4. **Thence**, **S 71° 58' 52" E**, at a distance of 30.00' passing a 1/2" iron rod found at an angle point of said 3.839 acre tract, the northwest corner of said Lot 1, Highlands on Avenue D, and continuing a total distance of **159.08'** to a 1/2" iron rod found for corner;
5. **Thence**, with the east line of said Lot 1, Highlands on Avenue D, **S 16° 46' 12" W**, a distance of **359.87'** to the **POINT OF BEGINNING** containing a 1.550 acres of land.

Note: This survey was completed on the ground under my supervision. Basis of Bearing is Texas State Plane, Central Zone, NAD 83.



Travis L. Quicksall Date: 11/14/2017

RPLS #6447

Job #17-2049.1

**QUICK INC.
LAND SURVEYING**

Office Address: 3305 Shell Rd. Suite 100, Georgetown, Texas 78628

Mailing Address: 4500 Williams Dr. , Suite 212, Box 228, Georgetown, Texas 78633

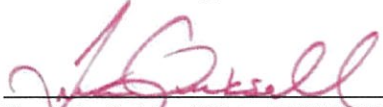
BEING A 3.394 ACRE TRACT OF LAND LOCATED IN THE P. CONRAD SURVEY, ABSTRACT NO. 165, BELL COUNTY, TEXAS, SAID 3.394 ACRE TRACT BEING A PORTION OF THAT CERTAIN 3.839 ACRE TRACT RECORDED IN DOCUMENT NO. 2017-00030488, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS; SAID 3.394 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" metal pipe found in the northwest right-of-way line of West Avenue D, said point being the southwest corner of said 3.839 acre tract and being the southwest corner of the herein described tract;

1. **Thence**, with the northwest line of said 3.839 acre tract, the southeast line of Saddle Creek Addition, Phase One, **N 16° 31' 46" E**, a distance of **691.28'** to a 1/2" iron rod found for corner;
2. **Thence**, with the northeast line of said 3.839 acre tract, **S 73° 14' 25" E**, a distance of **269.47'** to a 1/2" iron rod found for corner;
3. **Thence**, with a southeast line of said 3.839 acre tract, **S 16° 17' 47" W**, a distance of **164.64'** to a 1/2" iron rod found for at an angle point of said 3.839 acre tract, said point being an angle point of the herein described tract;
4. **Thence**, across said 3.839 acre tract, **N 71° 58' 52" W**, a distance of **30.00'** to a 5/8" iron rod set for corner
5. **Thence**, continuing across said 3.839 acre tract, **S 21° 55' 40" W**, a distance of **425.02'** to a 5/8" iron rod set in the northwest right-of-way line of West Avenue D, said point being the southeast corner of the herein described tract;
6. **Thence**, with the northwest right-of-way line of West Avenue D, **S 79° 15' 16" W**, a distance of **225.20'** to the **POINT OF BEGINNING** containing a 3.394 acres tract of land.

Note: This survey was completed on the ground under my supervision. Basis of Bearing is Texas State Plane, Central Zone, NAD 83.




Travis L. Quicksall Date: 11/27/2017
RPLS #6447
Job #17-2049.1

Staff Report – City Council Agenda Item



Date: March 27, 2018
Case No.: Z-18-03
Request: Agricultural & PD C1 to PD C1
Applicant: Spark Root Development, LLC

Agenda Item #8

Hold a public hearing and consider a zoning change from Agricultural and Planned Development Commercial 1 to Planned Development Commercial 1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Current Zoning

Agricultural and Planned Development
Commercial-1

Proposed Zoning

Planned Development Commercial-1

Future Land Use Map (FLUM) Designation: Commercial/Retail Corridor

Design Standards Type Area: 2

This property is located within Design Standards Type Area 2, which is primarily commercial highway frontage uses. If approved, a Commercial-1 District use would be required to comply with all the Design Standards for Type Area 2.

Case Summary

The applicant has submitted this request for a zoning change to Planned Development Commercial 1 to allow for commercial uses and a recreational vehicle (RV) park. The northern portion (approx. 10 acres) of the property in this request was rezoned as part of a larger tract to PD C1 for an RV park in April 2016. This zoning change request includes these 10 acres and the approximate 11.7 acres to the south, currently zoned Agricultural.

Property to the north is the proposed site of Pro Star Rental and was rezoned to Commercial 2 District in October 2017. Property to the south is undeveloped with split zoning—mostly Light Industrial with Commercial Highway along the I-35 frontage. Property to the east is undeveloped and zoned Agricultural. To the west is I-35; property along the southbound I-35 frontage road consists of undeveloped land, residential uses, Sunbelt RV Center, Belton RV Park, and Bell County Expo Center with Commercial Highway, Agricultural, and Planned Development zoning.

Land Use Table/Allowable Uses

The proposed base Commercial-1 Zoning District allows the following land uses:

- Any use permitted in the Retail District (i.e. Gasoline or service station)
- Auto sales
- Consumer repair services
- Food sales
- Home improvement Center with outside storage
- Hotel or motel
- Pawn Shop
- Trailer Rental
- Tool and Light Equipment Rental
- Wholesale club or department store

Project Analysis and Discussion

This 21.7 acre tract is currently undeveloped. The applicant proposes to develop an RV park on 17.4 acres with future commercial uses on the remaining 4.3 acres fronting along I-35. The FLUM identifies this area as a Commercial/Retail Corridor. An RV park is defined in the Zoning Ordinance; however, it is not listed as a permitted use in any of the zoning districts. The Planned Development Commercial-1 proposal will allow for various commercial uses as well as the RV park. Staff considers the Commercial-1 Zoning District as an appropriate base zoning for this use and this location. It is also consistent with current zoning assigned to a portion of the property for this type of use.

The RV park must comply with the City Code of Ordinances Chapter 19, Recreational Vehicle Parks. The number of RV spots proposed is 215, which gives a density of 12.35 units/acre. This is below the maximum density allowed which is 20 units/acre. Private streets require a minimum width of 20 feet and the applicant is proposing widths of 30 feet. Parkland/open space of 1.4 acres (8.02%) is proposed, meeting the minimum requirement of 8% open space.

Access to the RV park is proposed from the I-35 frontage road and must be approved by TxDOT. A second entrance is proposed from a future extension of Capital Way. ROW dedication, perimeter street improvements, sidewalks, extension of utilities, etc. will be addressed with the required subdivision plat.

Approval of a subdivision plat and detailed site plan will be required prior to issuing a building permit. All provisions in Chapter 19 will be required, as well as compliance with design standards for site development, building design, landscape, tree preservation, etc.

After careful review of the City's Design Standards and the applicability of this use among surrounding properties, this requested zone change appears to be reasonable in this location. Nevertheless, staff would like to note this is the third RV park/proposal in this general vicinity. Belton RV Park is existing next to Sunbelt RV Center on the west side of I-35; and the proposed

Heart of Texas RV Park located approximately one mile south of this site, along I-35 and Toll Bridge Road (zoning and subdivision plat recently approved). An RV Park is only allowed within the parameters of a Planned Development District. This allows the Planning Commission and City Council to exercise discretion and judgment in determining the appropriateness of this use at specified locations.

Recommendation

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the zoning changes below; staff concurs with their recommendation.

From Agricultural and PD Commercial-1 to Planned Development Commercial-1 Zoning District as follows:

1. The allowable uses of the property shall conform to the Commercial-1 Zoning District in all respects, and in addition a recreational vehicle (RV) park is a permitted use.
2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the conceptual site plan, including:
 - a. Site Development Standards
 - b. Building Design Standards
 - c. Landscape Design Standards
3. The development of the RV Park shall conform to all requirements of Chapter 19, City Code of Ordinances (Recreational Vehicle Parks).
4. Sign Standards shall conform to Ordinance 2008-11.
5. A subdivision plat is required.

Attachments:

Zoning application
Property Location Map
Zoning map
Aerial photo
Map with zoning notice boundary (200')
Zoning notice to owners
Property owners' list
Survey/field notes
Conceptual Site Plan
P&Z Minutes Excerpt
Ordinance

City of Belton

Request for a Zoning Change

To the City Council and the Planning & Zoning Commission

Fee: \$250.00

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Spark Root Development LLC Phone Number: 512-373-2750
 Mailing Address: 6700 Bridge Hill Cove City: Austin State: TX
 Email Address: lavanis@yahoo.com

Owners Name: BELL COUNTY JOINT VENTURE Phone Number: 254-721-8778
 Mailing Address: 1010 5TH AVE City: NEW YORK State: NY
 Email Address: roylev@me.com

Applicant's Interest in Property:

developing the tract with an RV park and Commercial along the IH35 frontage

Legal Description of Property:

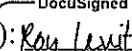
21.757 acre tract of land situated in the M.F. CONNELL SURVEY, ABSTRACT No6, Bell County, Texas and being a portion of the remainder of the Bell County Joint Venture (55 ac) tract.

Is this property being simultaneously platted? no

Street Address: 3360 S IH 35 SVC RD

Zoning Change From A & C-1 to PLANNED DEVELOPMENT (C-1)

Signature of Applicant:  Date: 2-27-18

Signature of Owner (if not applicant):  Date: 2/27/2018

Checklist for Zoning Items to be submitted with application:

- ☐ Signed Application
- ☐ Fees Paid
- ☐ Complete Legal Description of the property to be re-zoned
- ☐ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-18-03 Location

ZONING CHANGE:

PD-C1/Ag
to
PD-C1

LEGAL DESCRIPTION:

MF Connell Survey
21.757 Acres


PROPERTY OWNER:

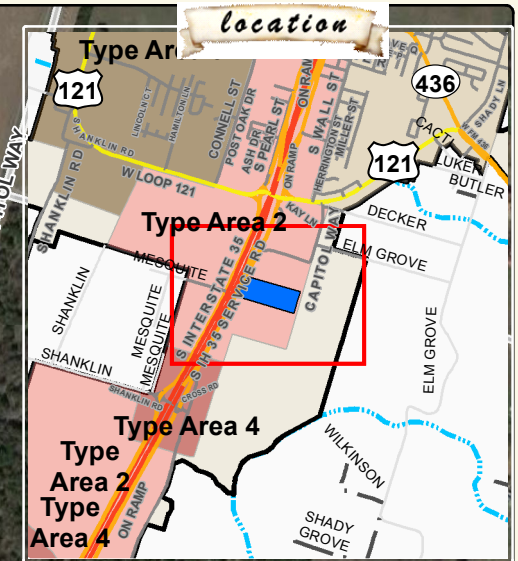
BELL COUNTY JOINT VENTURE

ADDRESS/LOCATION:

3360 S IH 35 SVC RD

LEGEND

 Z_18_03

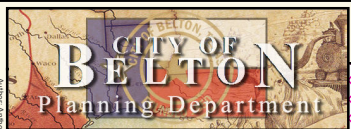


0 200 400 800 Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Zoning Case # Z-18-03 Zoning



PD-Expo

ZONING CHANGE:

PD-C1/Ag
to
PD-C1

LEGAL DESCRIPTION:

MF Connell Survey
21.757 Acres

PROPERTY OWNER:

BELL COUNTY JOINT VENTURE

ADDRESS/LOCATION:

3360 S IH 35 SVC RD

Zoning Location

C-2

LI

PD-C-1

A

CH

LI

C-1

A

Legend

City Limits

Z_18_03

Current_Zoning

Agricultural

Commercial Highway

Commercial-1

Commercial-2

Light Industrial

Planned Development

Map Date: 2/28/2018

0 150 300 600 Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Zoning Case # Z-18-03 Aerial

ZONING CHANGE:

PD-C1/Ag
to
PD-C1

LEGAL DESCRIPTION:

MF Connell Survey
21.757 Acres


PROPERTY OWNER:

BELL COUNTY JOINT VENTURE

ADDRESS/LOCATION:

3360 S IH 35 SVC RD

LEGEND

 Z_18_03

0 100 200 400
Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

ZONING CHANGE:

PD-C1/Ag
to
PD-C1

LEGAL DESCRIPTION:

MF Connell Survey
21.757 Acres

PROPERTY OWNER:

BELL COUNTY JOINT VENTURE

ADDRESS/LOCATION:

3360 S IH 35 SVC RD

**200' Property Owner
Notification Area**

Legend

- ☒ Z_18_03
- ☐ 200' Property Owner Notification Area
- ☐ Tax Appraisal Parcels

**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: SPARK ROOT DEVELOPMENT LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 21.757 ACRES, 3360 SOUTH IH 35 SERVICE ROAD,
FROM A(N) PLANNED DEVELOPMENT- COMMERCIAL-1 AND AGRICULTURE ZONING DISTRICT,
TO A(N) Planned Development- Commercial-1 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

8531

BELL COUNTY JOINT VENTURE
1010 5TH AVE
NEW YORK, NY 10028-0130

466685

WESTWOOD ASSOCIATES LLC
3000 SO 31ST ST STE 500
TEMPLE, TX 76502

472985

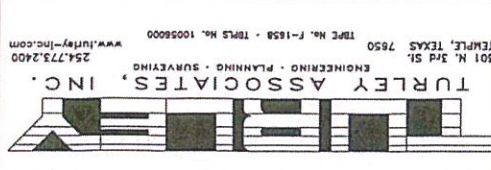
LAKESHINE PROPERTIES LLC
2304 MASONWOOD WAY
ROUND ROCK, TX 78681-2162

SUPERINTENDENT
DR. SUSAN KINCANNON
BELTON I.S.D.
P O Box 269
BELTON TEXAS 76513

21858

ROVELLI, GAILEN CLARK & GARY B CLARK
204 TAYLORS DR
TEMPLE, TX 76502-3529

Bearing Base: Texas State Plane Coordinate System (NAD 1983) as determined by G.P.S. observation.



THIS DRAWING IS THE PROPERTY OF TURLEY ASSOCIATES INC. AND MUST BE SURRENDERED UPON REQUEST. THE INFORMATION THEREON MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF TURLEY ASSOCIATES INC.

21.757 ACRES
SURVEY OF:
M.F. CONNELL SURVEY, ABSTRACT NO. 6
BELL COUNTY, TEXAS

[illegible]


STATE OF TEXAS) KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Avas,
COUNTY OF BELL) a Registered Professional Land Surveyor in the State of Texas,
do hereby certify that this survey was this day made
on the ground of the property described herein and
is correct and that there are no discrepancies, conflicts, shortages in the
area, easements, and right-of-ways except as shown hereon, that this tract
does not have access to and from a public road, and I have marked all corners
with monuments.

This Property is not within the Special Flood Hazard Area as per the Federal
Emergency Management Agency Federal Insurance Administration Map No. 46027CDA-04E, dated September 26, 2008.

IN WITNESS, THEREOF, my hand and seal, this 9th day of November 2017.

Michael E. Avas

Michael E. Avas, R.P.L.S., No. 5402



The seal is circular with a double-lined border. The outer ring contains the text "MICHAEL E. AVAS" at the top and "R.P.L.S. NO. 5402" at the bottom. The center of the seal features a stylized graphic of a surveying instrument, possibly a theodolite or a similar device, mounted on a tripod.

100 50 0 100 200

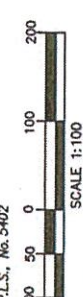
SCALE 1:100



BEING a 21.757 acre tract of land situated in the M. F. CONNELL SURVEY, ABSTRACT No. 6, Bell County, Texas and being a part or portion of the remainder of that certain called 55 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 1984 from Harold R. Towslee, Trustee to Bell County Joint Venture and being of record in Volume 2002, Page 819, Deed Records of Bell County, Texas.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND NO FURTHER EASEMENT RESEARCH WAS PERFORMED BY THIS COMPANY.

BEING a 21.757 acre tract of land more particularly described by separate field notes.



BEING a 21.757 acre tract of land situated in the M. F. CONNELL SURVEY, ABSTRACT No. 6, Bell County, Texas and being a part or portion of the remainder of that certain called 55 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 1984 from Harold R. Towslee, Trustee to Bell County Joint Venture and being of record in Volume 2002, Page 819, Deed Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being in the occupied west boundary line of the said remainder 55 acre tract and being the northwest corner of that certain 12.663 acre tract of land described in a Warranty Deed dated December 30, 2016 from Bell County Joint Venture to Lakeshine Properties, LLC and being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas and being in the east right-of-way line of Interstate Highway No. 35 as monumented and evidenced on the ground for corner;

THENCE departing the said 12.663 acre tract and with the said east right-of-way line and with the said occupied west boundary line the following five (5) calls:

- 1) N. 25° 41' 11" E., 158.15 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 2) N. 26° 29' 39" E., 245.04 feet to a 1/2" iron rod found for corner;
- 3) N. 36° 29' 19" E., 80.94 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 4) S. 66° 55' 52" E., 51.09 feet to a 1/12 iron rod found for corner;
- 5) N. 23° 07' 23" E., 144.95 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 73° 46' 10" E., 1452.83 feet departing the said west boundary line and the said east right-of-way line and over and across the said remainder 55 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the west boundary line of a 1.549 acre Reciprocal Access Easement being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas for corner;

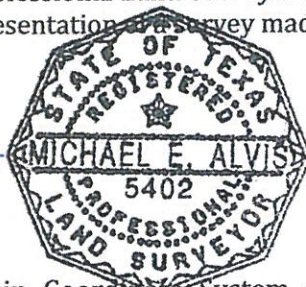
THENCE S. 16° 13' 50" W., 611.77 feet continuing over and across the said remainder 55 acre tract and with the west boundary line of the said 1.549 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the aforementioned 12.663 acre tract for corner;

THENCE N. 73° 44' 16" W., 1618.62 feet departing the said 1.549 acre tract and continuing over and across the said remainder 55 acre tract and with the north boundary line of the said 12.663 acre tract to the Point of BEGINNING and containing 21.757 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of the survey made on the ground.



Michael E. Alvis, RPLS#5402
November 6, 2017



Bearing Base: Texas State Plain Coordinate System (NAD 1983) as determined by G.P.S. observation.



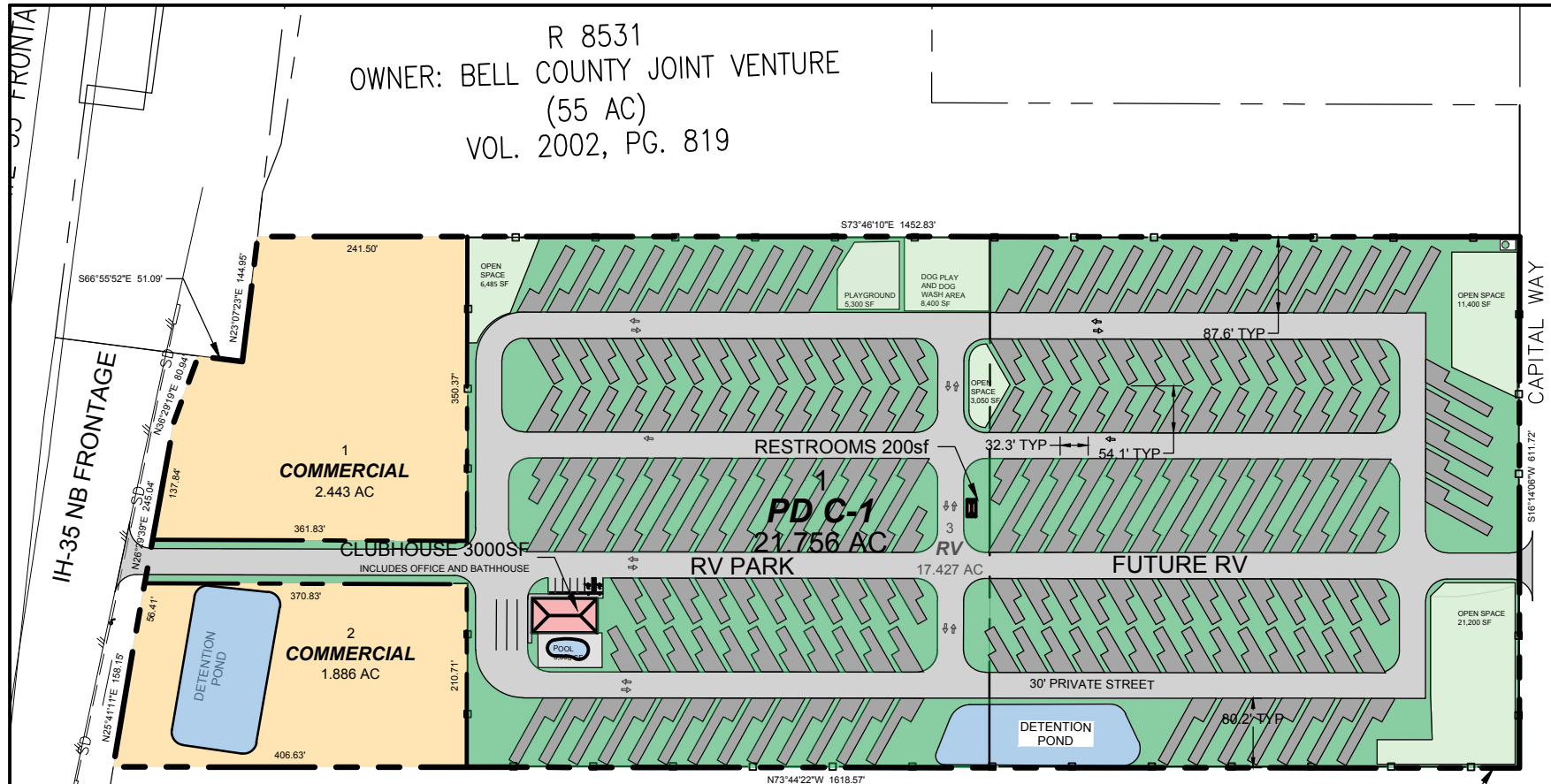


507 WEST LIBERTY AVE.
ROUND ROCK, TEXAS 78664
P: 512-344-9664 F: 512-436-3903
TBPE FIRM #F-19351
TBPLS FIRM #10194377

ZONING EXHIBIT A

ZONING PD C-1
February 22, 2018

R 8531
 OWNER: BELL COUNTY JOINT VENTURE
 (55 AC)
 VOL. 2002, PG. 819



RV PARK			
AREA	17.40 AC		
PARK/OPEN AREA	1.40 AC	8.02%	
# OF SLIPS	215		
DENSITY	12.35	UNITS/AC	

R 472985
 OWNER: LAKESHINE PROPERTIES LLC
 (12.663 AC)
 DOC #201700000563

FENCE FOR
 SCREENING (TYP)



507 WEST LIBERTY AVE.
 ROUND ROCK, TEXAS 78664
 P: 512-344-9664 F: 512-436-3903
 TBPE FIRM #F-19351
 TBPLS FIRM #T-194377

REZONING EXHIBIT B

ZONING PD C-1

March 15, 2018

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

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, Lewis Simms, Stephanie O'Banion, Rae Schmuck and David Fuller. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Kelly Trietsch, IT Specialist Ryan Brown and Planning Clerk Laura Livingston.

6. Z-18-03 Hold a public hearing and consider a zoning change from Agricultural and Planned Development Commercial 1 to Planned Development Commercial 1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.

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

Chair Baggerly opened the public hearing, with no one requesting to speak he closed the public hearing.

Ms. O'Banion asked if City Staff knew if the RV Park is for short-term usage or is there any definition related to that? Ms. Maxwell said in Chapter 19 the standard states that you cannot stay there for more than 90 consecutive days. Ms. Maxwell deferred to the applicant. Mr. Suresh Lavani, 14100 Abervil Trail, Austin, said mainly the RV Park is for short-term such as daily or weekly visitors, occasionally monthly, but mostly short-term.

Ms. O'Banion said to Mr. Listi that she has not followed the hotel/motel tax laws as closely since she left that industry, but when she was in that industry she learned that if you're staying fewer than 30 days there is a hotel/motel tax that can be applicable, and the City may want to check into that. Mr. Listi discussed the length that visitors may stay at the RV Park. Ms. O'Banion said this is a need in the area as she was in the tourism business for quite some time because of the amount of fishing tournaments and horse shows. She said she wanted to clarify how these parks are being used whether it be long-term or short-term for local events because that is a great economic impact to our community, and that it is in a good location.

Ms. Schmuck made a motion to approve Z-18-03. Ms. O'Banion seconded the motion, which was approved unanimously 8 ayes, 0 nays.

ORDINANCE NO. 2018-08

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL AND PLANNED DEVELOPMENT COMMERCIAL-1 TO PLANNED DEVELOPMENT COMMERCIAL-1 FOR AN RV PARK ZONING DISTRICT ON A 21.757 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

WHEREAS, Bell County Joint Venture, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

3360 S IH-35 Service Road, 21.757 acres, Belton, Texas
(location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on tracts of land as more fully and completely described above, be and is hereby changed Agricultural and Planned Development Commercial-1 to Planned Development Commercial-1 for an RV Park Zoning District in accordance with Section 24 – Commercial-1, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The allowable uses of the property shall conform to the Commercial-1 Zoning District in all respects, and in addition a recreational vehicle (RV) park is a permitted use.
2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the conceptual site plan, including:

- a. Site Development Standards
 - b. Building Design Standards
 - c. Landscape Design Standards
3. The development of the RV Park shall conform to all requirements of Chapter 19, City Code of Ordinances (Recreational Vehicle Parks).
4. Sign Standards shall conform to Ordinance 2008-11.
5. A subdivision plat is required.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-18-03 Location

EXHIBIT "A"

ZONING CHANGE:
PD-C1/Ag
to
PD-C1
LEGAL DESCRIPTION:

MF Connell Survey
21.757 Acres


PROPERTY OWNER:

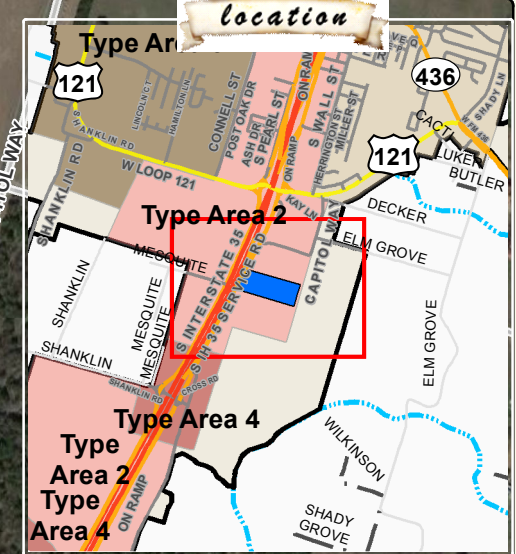
BELL COUNTY JOINT VENTURE

ADDRESS/LOCATION:

3360 S IH 35 SVC RD

LEGEND

 Z_18_03

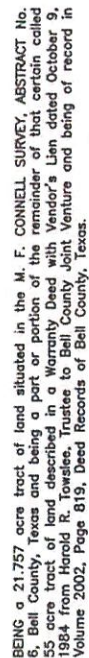


0 200 400 800 Feet



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Bearing Base: Texas State Plane Coordinate System (NAD 1983) as determined by G.P.S. observation.



THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND NO FURTHER EASEMENT RESEARCH WAS PERFORMED BY THIS COMPANY.

BEING a 21.757 acre tract of land more particularly described by separate field notes.

KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Awa, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made, do hereby certify that the property described herein and on the ground of the property described herein and the two proposed easements, conflicts, abut upon this tract of approximately 100 acres of land, and that this tract has access to and from a public road, and I have marked all corners with monuments.

This Property is not within the Special Flood Hazard Area as per the Federal Emergency Management Agency Federal Insurance Administration Map No. 48027C0340E, dated September 26, 2008.

IN WITNESS, THEREOF, my hand and seal, this the 9th day of November 2017.

Michael E. Avis. R.P.L.S. No 5402



REVISIONS		TDTTR	
DATE	DESCRIPTION		


DRAFTSMAN:
JCM

DATE: 1/17/2017

COMPUTER FILE NAME:
17-1386 Boundary.dwg

REFERENCE DRAWING NUMBERS:

JOB NUMBER:	17-1386
DRAWING NUMBER:	171386-C



TURLEY ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING
201 N. 3rd St.
Temple, Texas 76701
TPE No. T-1834 • TPE No. 10050000
www.turely-inc.com
254.773.2400

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21.757 ACRES
SURVEY OF:
M.F. CONNELL SURVEY, ABSTRACT No. 6
BELL COUNTY, TEXAS

PREPARED FOR
PAUL SCHOENROCK

BEING a 21.757 acre tract of land situated in the M. F. CONNELL SURVEY, ABSTRACT No. 6, Bell County, Texas and being a part or portion of the remainder of that certain called 55 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 1984 from Harold R. Towslee, Trustee to Bell County Joint Venture and being of record in Volume 2002, Page 819, Deed Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being in the occupied west boundary line of the said remainder 55 acre tract and being the northwest corner of that certain 12.663 acre tract of land described in a Warranty Deed dated December 30, 2016 from Bell County Joint Venture to Lakeshine Properties, LLC and being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas and being in the east right-of-way line of Interstate Highway No. 35 as monumented and evidenced on the ground for corner;

THENCE departing the said 12.663 acre tract and with the said east right-of-way line and with the said occupied west boundary line the following five (5) calls:

- 1) N. 25° 41' 11" E., 158.15 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 2) N. 26° 29' 39" E., 245.04 feet to a 1/2" iron rod found for corner;
- 3) N. 36° 29' 19" E., 80.94 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 4) S. 66° 55' 52" E., 51.09 feet to a 1/12 iron rod found for corner;
- 5) N. 23° 07' 23" E., 144.95 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 73° 46' 10" E., 1452.83 feet departing the said west boundary line and the said east right-of-way line and over and across the said remainder 55 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the west boundary line of a 1.549 acre Reciprocal Access Easement being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas for corner;

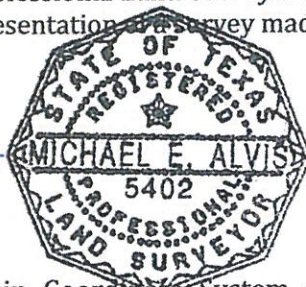
THENCE S. 16° 13' 50" W., 611.77 feet continuing over and across the said remainder 55 acre tract and with the west boundary line of the said 1.549 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the aforementioned 12.663 acre tract for corner;

THENCE N. 73° 44' 16" W., 1618.62 feet departing the said 1.549 acre tract and continuing over and across the said remainder 55 acre tract and with the north boundary line of the said 12.663 acre tract to the Point of BEGINNING and containing 21.757 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of the survey made on the ground.



Michael E. Alvis, RPLS#5402
November 6, 2017



Bearing Base: Texas State Plain Coordinate System (NAD 1983) as determined by G.P.S. observation.



Staff Report – City Council Agenda Item



Date: March 27, 2018
Case No.: Z-18-05
Request: PD-R to Amended PD-R for Signage
Applicant: Belton Skyline, LLC

Agenda Item #9

Hold a public hearing and consider a zoning change from Planned Development Retail to Amended Planned Development Retail (Signage) on a 2.121 acre tract of land at 127 Lake Road, located at the southwest corner of Lake Road (FM439) and Commerce Street, west of Main Street (SH317).

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Current Zoning

Planned Development-Retail

Proposed Zoning

Amended Planned Development-Retail for Signage

Future Land Use Map (FLUM) Designation: Lifestyle Center

Design Standards Type Area: 5

This property is located within Design Standards Type Area 5, which is primarily retail, commercial, and mixes uses. If approved, this amended PD would be required to comply with all the Design Standards for Type Area 5.

Case Summary

This property was rezoned to a Planned Development-Retail District for a 3-story mixed use development in September, 2014. The applicant has submitted this request for an amended PD to address proposed signage for the building, which is not addressed by the City's sign code for a 3-story building. Surrounding uses include a single family house to the west, zoned Single Family-1; undeveloped property to the south zoned Retail; site of a future carwash on the east side of Commerce Street rezoned to a Planned Development District-Retail in January, 2018; Chappell Oaks apartment complex zoned Multi-Family District and a building with mixed office uses including Farmers Insurance zoned Neighborhood Service District on the north side of Lake Road.

The applicant has constructed a 3-story building with multiple lease spaces. The City's Sign Ordinance does not provide clarity with regard to multi-story buildings with multiple tenants. As a result, an amended PD is requested to approve a Master Signage Plan for this site.

Land Use Table/Allowable Uses

The uses allowed in the base Retail Zoning District include the following:

- Any use permitted in the NS District
- Clothing and Apparel
- Convenience Store with Gasoline Sales
- Discount, Variety or Department Store
- Furniture and Appliance Store
- Home Improvement Center
- Restaurant

Project Analysis and Discussion

The PD-Retail Zoning that was approved for this site in 2014 included the following provision for signage:

Sign Standards shall conform to Ordinance 2008-11. No wall signage permitted on the western elevation until the property to the west develops into an office or retail use.

The applicant is requesting modification to the zoning ordinance requirements for both monument and wall signs as discussed below.

- a. Monument Sign: A free-standing monument sign is allowed in the Retail Zoning District with a maximum 40 square feet area; maximum 5' height; minimum 5' setback; maximum 1 per lot. Permitted area is inclusive of the sign base and sign structure. Sign face cannot exceed 50% of the overall sign structure.

A drainage easement and retaining wall are located along the perimeter of this property along Commerce Street and Lake Road. A 58" (4.8 ft.) high wrought iron fence runs along the inside edge of these features for safety purposes. With the fencing in place, a sign with a maximum height of 5' would have limited visibility. Due to the layout of the parking, landscaping, driveway/circulation, etc., locations for placing a monument sign for visibility along both street frontages are limited. A monument sign could be placed on the outside edge of the drainage easement but that would be located at the property line, instead of observing the minimum required 5' setback.

The applicant proposes to place the monument sign at the northeast corner of the property just inside the edge of the drainage easement and fence and extend the height of the base 58" (approximately 5') to clear the fence for visibility. The proposed overall height of the monument sign at this location is 10' instead of 5'. The face of the sign is

proposed at approximately 40 sq. ft.; however, the total sign area, base and structure, will be approximately 90 sq. ft. which exceeds the maximum 40 sq. ft. area allowed.

Given the existing conditions on this site, the proposal appears to be reasonable. Staff supports the proposed master signage plan with modifications to the Zoning Ordinance to allow 1) a monument sign at a maximum 10' height located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence for visibility; and 2) a maximum 90 sq. ft. total area (sign base and structure).

Other features of the monument sign are as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

- b. Wall Sign: In the Retail Zoning District, wall signs are allowed based on a maximum area of 1 square foot per linear foot of primary façade (e.g. 100 linear feet of frontage allows maximum signage of 100 square feet). Calculation of wall signage is based upon a builder's primary entrance and building façade (Ref 38.18 C). Lots fronting on two or more streets are allowed to use the longest street frontage in the allowable allocation to be identified by the Master Signage Plan (Ref 38.17 D). Once the maximum allowed sign area is determined, the signage may be placed on any face of the building, except those directly adjacent to, and within 100' of a residential property line within a residential zoning district.

NOTE: Recent conversations with the applicant centered on a calculation of one square foot of wall signage allowed for each linear foot of building length for each building side facing a street. That was incorrect, with the current code only allowing use of the building length on the longest street frontage, with sign placement allowed on either street side. This seems to be a restrictive standard that may justify a code amendment in the future.

The dimensions of the applicant's building are 115' along Commerce Street and 68' along Lake Road. Going with the longest street frontage, a maximum 115 square feet of signage is allowed for this building (not 115 + 68). These requirements are generally applied to a one story building; application of this requirement to a multi-story building with multiple tenants is not addressed in the current code.

There are currently three lease spaces on the first floor; three on the second floor; and one on the third. There is flexibility in the layout so this may change. The applicant wishes to provide tenants with wall signage, as well as on the monument sign.

Applying the current sign code allocations to the long building side of 115', and a sign area allowance of $115' \times 3 = 345$ sq. ft., which may be distributed as determined appropriate among the three floors and three available sides. This appears to be a

reasonable interpretation of the current code. No signage is allowed on the west-facing wall since it is adjacent to residential property in a residential zoning district at this time.

The size of the existing and proposed signage ranges from approximately 20 sq. ft. to 50 sq. ft. This averages 35 sq. ft./sign. An allowance of 345 sq. ft. would accommodate approximately 10 signs at 35 sq. ft. each. The applicant feels this allocation would accommodate the existing tenants, but is concerned about future needs and would like to increase the allotment to accommodate 12 signs at 35 sq. ft. each, for a total of 420 sq. ft.

As discussed above, the current sign ordinance does not specifically address signage for multi-story buildings with multiple tenants. We have looked at surrounding cities and their sign ordinances and have found few similar circumstances. One example we found is the Extraco Bank building in Temple. This building has many floors and many tenants, but the only wall sign is the exterior Extraco Bank sign. The tenants are identified inside via a directory board.

At this point in Belton, this situation is unique to this site; to our knowledge, there are no other multi-story, multi-tenant buildings in the city planned. The decision in this case will help guide future discussions on signs, and may suggest the need for a code amendment for signage, in what we hope will be similar developments in the future.

There are at least two possible approaches discussed with P&ZC—one (Option A) is based upon the linear frontage of each lease space; the other (Option B) is based upon an overall allocation for the entire building, based on longest building side, to be distributed as appropriate. These are summarized below:

Option A: This is based on our current code and method of allocating signage area for lease space on a single floor. Each tenant is allowed 1 sq. ft. of signage for each linear foot of frontage. For example, 50 feet of frontage allows the tenant 50 sq. ft. of signage. This would be applied to each tenant on each of the floors. If the tenant has space fronting on two sides, they may place the sign on either side, or split the allocation and place on both sides.

Option B: This is based on current code but is more general. Regardless of the number of tenants or lease space, the building as a whole is allocated signage based on the linear feet of the longest frontage. For this building, the longest side is 115', so 115 sq. ft. of signage is allowed, multiplied by 3 to accommodate each story, for a total of 345 sq. ft. This may be distributed as the owner desires. In this case, the applicant feels current needs are satisfied by this, but would like an additional 75 sq. ft. for a total of 420 sq. ft. to address future needs of additional tenants. Given the uniqueness of the situation, this may be reasonable, and the Planning Commission concurred with Option B.

After review of the City's Sign Standards as written, and the questionable applicability with regard to the needs of a multi-story building, staff supports an amendment to the PD to allow a maximum 420 sq. ft. of wall signage for the entire building, limited to a maximum of 12 signs.

Recommendation

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the amended PD as noted below (Option B); staff concurs with their recommendation.

Recommend approval of amended Planned Development-Retail Zoning District to provide for a signage master plan and other elements:

Note: No changes to Sections 1 – 4 below; only changes to Section 5 (BOLD):

1. The use of this property must conform to the Retail Zoning District in all respects, except for the following:
 - a. Three story building totaling 53'3" in height
 - b. 6' tall wooden privacy fence shall be provided for screening between this property and the adjacent single family property
 - c. A maximum 20% stucco is allowed on the building exterior
 - d. Parking lot landscaping provided in the detention pond (except shrubs)
2. All associated operations shall be conducted and contained within the primary structure.
3. The development of the property shall conform to all applicable Type Area 5 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the proposed site plan (to be revised), and including:
 - a. Site Development Standards discussed above
 - b. Building Design Standards
 - c. Landscape Design Standards
4. No wall signage permitted on the western elevation until the property to the west develops into an office or retail use.
5. **Sign Standards shall conform to Ordinance 2008-11, except as modified below:**

Monument Sign:

- a) **Maximum 10' height allowed with sign located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence;**
- b) **Maximum 90 sq. ft. total area (sign base and structure) allowed; and**

- c) Other features as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

Wall Sign:

- a) Maximum 420 sq. ft. of signage is allowed for this building to be distributed among the three floors and four walls, limited to a maximum of 12 signs.
- b) Wall signage is allowed on the west side of the building only after the adjacent property is rezoned for a business use and ceases to be used as a residence.
- c) Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.

Attachments:

Zoning application
Property Location Map
Zoning map
Aerial photo
Map with zoning notice boundary (200')
Zoning notice to owners
Property owners' list
Excerpts from Sign Ordinance
Presentation from Applicant
P&Z Minutes Excerpt
Ordinance

City of Belton
Request for a Zoning Change

To The City Council and the
Planning and Zoning Commission

Fee: \$250.00 CK# 2541

Date Received: 02-28 Date Due: 02-28 **Deadline for a zoning change request is the last business day of the month.**

Applicant: Belton Skyline, LLC Phone Number: 254-718-2081
Mailing Address: 500 N Loop 121 City: Belton State: TX
Email Address: dkleigh@shinebranch.com

Owners Name: See above Phone Number: _____
Mailing Address: _____ City: _____ State: _____
Email Address: _____

Applicant's Interest in Property:

Seek to amend planned development to add master signage plan.

Legal Description of Property:

Is this property being simultaneously platted? _____

Street Address: 127 Lake Rd, Belton, TX 76513

Zoning Change From PD-R to Amended PD-R (Signage)

Signature of Applicant: Dawn K. Leigh Date: 2/28/18

Signature of Owner (if not applicant): _____ Date: _____

Checklist for Zoning Items to be submitted with application:

- ☐ Signed Application
- ☐ Fees Paid
- ☐ Complete Legal Description of the property to be re-zoned
- ☐ Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- ☐ In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Zoning Case # Z-18-05 Location

ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

BELTON SKYLINE ADDITION
BLOCK 001, LOT 0001
2.121AC


PROPERTY OWNER:

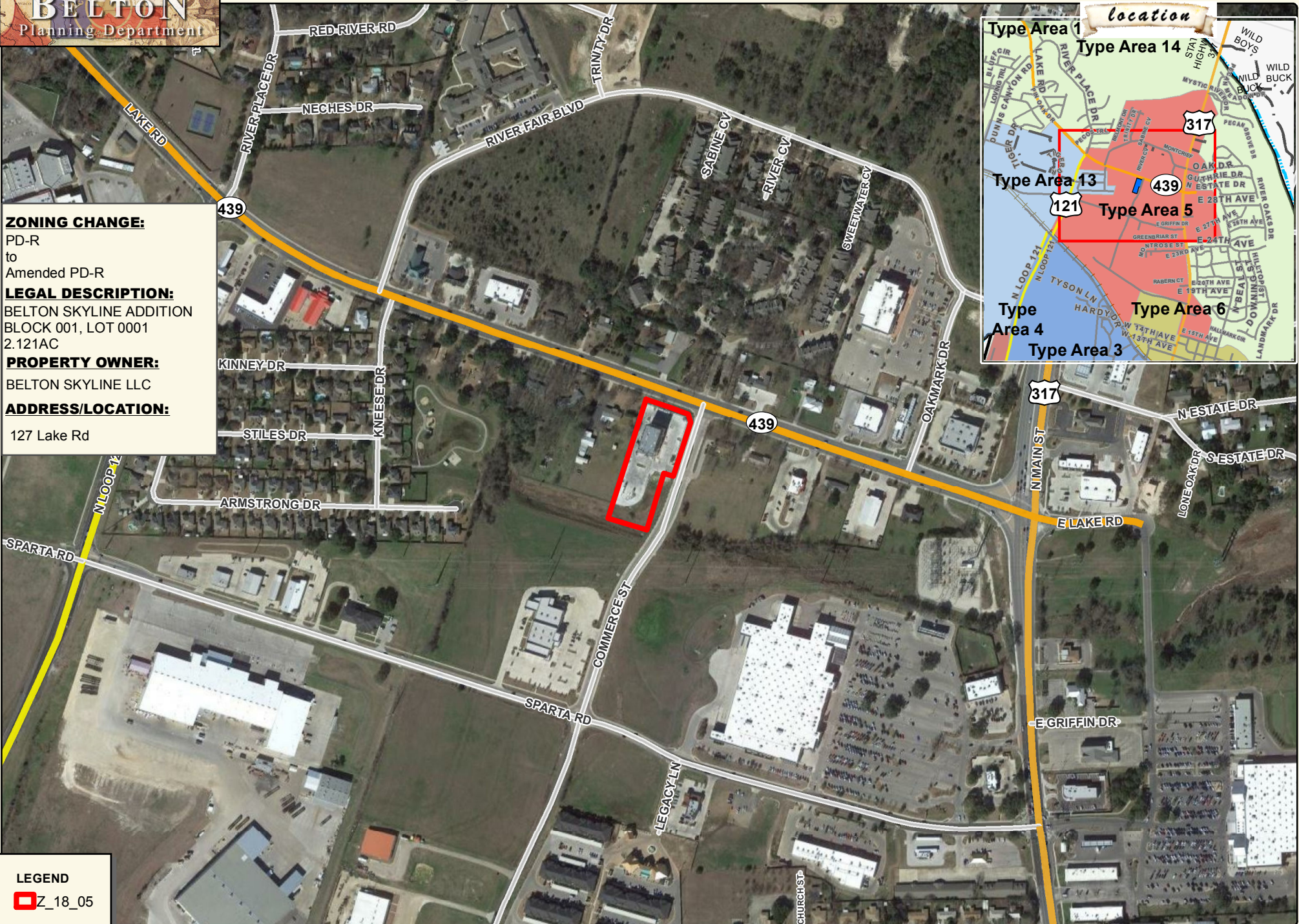
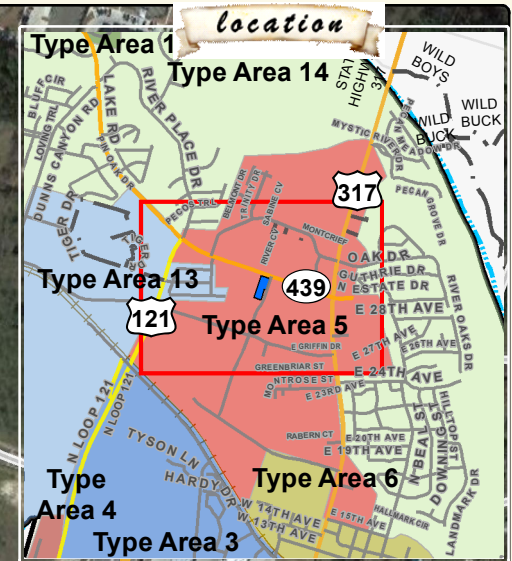
BELTON SKYLINE LLC

ADDRESS/LOCATION:

127 Lake Rd

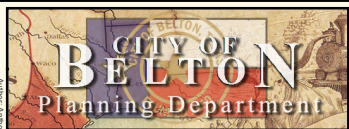
LEGEND

 Z_18_05



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Zoning Case # Z-18-05 Zoning



ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

BELTON SKYLINE ADDITION
BLOCK 001, LOT 0001
2.121AC

PROPERTY OWNER:

BELTON SKYLINE LLC

ADDRESS/LOCATION:

127 Lake Rd

Zoning Location

Legend

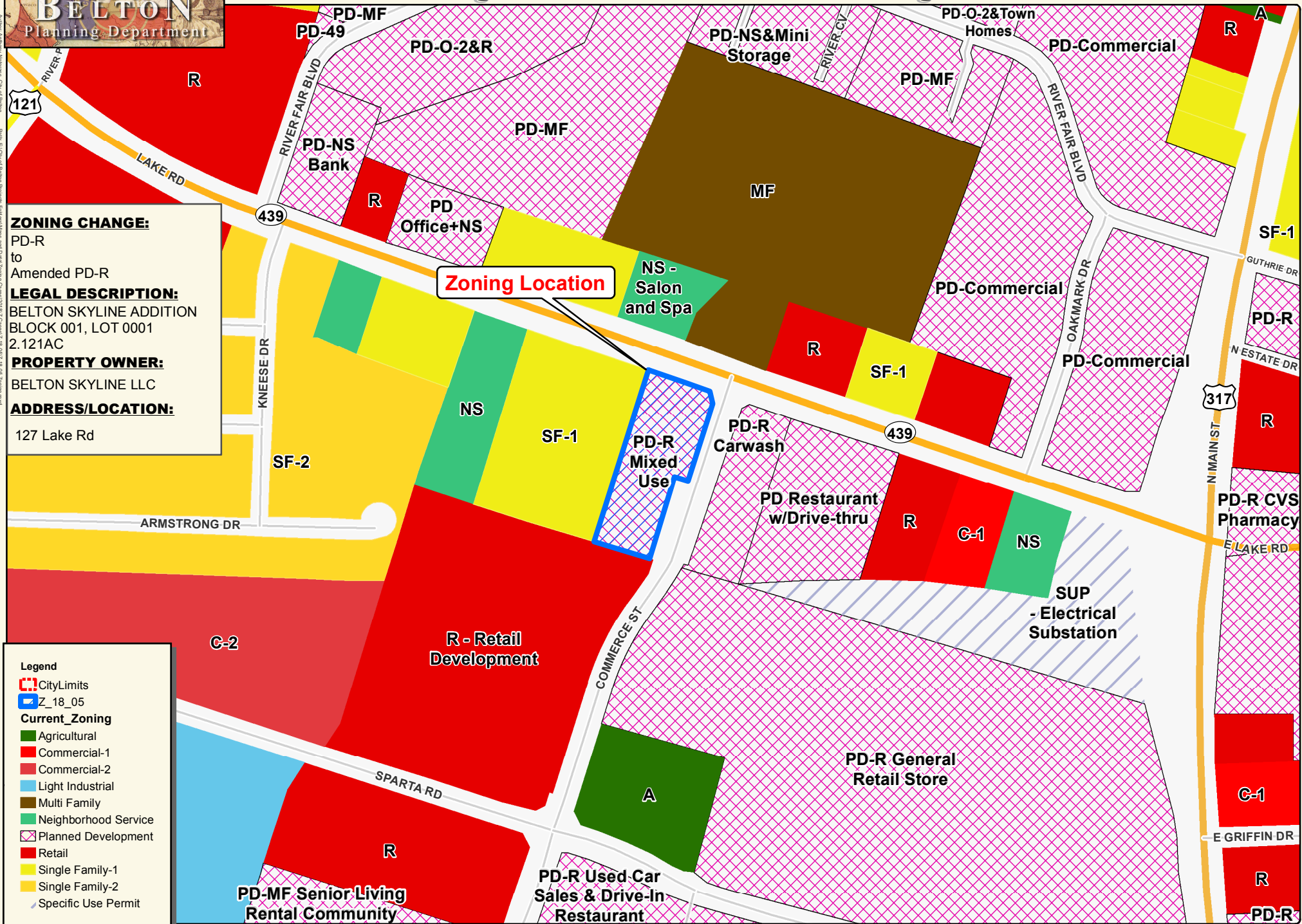
- City Limits
- Z-18-05
- Current_Zoning**
 - Agricultural
 - Commercial-1
 - Commercial-2
 - Light Industrial
 - Multi Family
 - Neighborhood Service
 - Planned Development
 - Retail
 - Single Family-1
 - Single Family-2
 - Specific Use Permit

Map Date: 3/6/2018

0 150 300 600 Feet



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Zoning Case # Z-18-05 Aerial

ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

BELTON SKYLINE ADDITION
BLOCK 001, LOT 0001
2.121AC


PROPERTY OWNER:

BELTON SKYLINE LLC

ADDRESS/LOCATION:

127 Lake Rd

LEGEND

 Z_18_05

ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

BELTON SKYLINE ADDITION
BLOCK 001, LOT 0001
2.121AC

PROPERTY OWNER:

BELTON SKYLINE LLC

ADDRESS/LOCATION:

127 Lake Rd

**200' Property Owner
Notification Area**

Legend

- ▣ Z_18_05
- ▣ 200' Property Owner Notification Area
- Tax Appraisal Parcels



**NOTICE OF APPLICATION
FOR AN
AMENDMENT TO THE ZONING ORDINANCE
OF THE
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: BELTON SKYLINE LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 127 LAKE ROAD,
FROM A(N) PLANNED DEVELOPMENT-RETAIL ZONING DISTRICT,
TO A(N) Amended Planned Development-Retail for Signage ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, March 27, 2018**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
 2. _____
 3. _____
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

**PLANNING DEPARTMENT
CITY OF BELTON
P. O. Box 120
BELTON, TEXAS 76513
254-933-5812**

458716 BELTON SKYLINE LLC 500 N LOOP 121 BELTON, TX 76513	59027 CENTRAL TEXAS AUCTION SERVICES LLC PO BOX 1775 BELTON, TX 76513	186299 CHAPPELL HILL EQUITY IV LTD 3106 SWEETWATER CV BELTON, TX 76513
440860 HEART OF TEXAS GOODWILL INDUSTRIES 1700 S NEW RD WACO, TX 76711-1749	53209 HURT, ANN 4 N EBBTIDE LN BELTON, TX 76513-6338	55305 JAROSEK, FELIX C ETUX OTTILIE 203 LAKE RD BELTON, TX 76513-1511
57062 JONES, LARRY D ETUX KAREN L ESTATE 201 LAKE RD BELTON, TX 76513-1511	73559 MICHALKA, LEO E ETUX MARILYN 204 LAKE RD BELTON, TX 76513-1512	440861 POTTS, ROBERT ROY ETAL 3212 RIVER PLACE DR BELTON, TX 76513-1016
397608 WAL-MART REAL ESTATE BUSINESS TRUST PO BOX 8050 BENTONVILLE, AR 72712-8055	60185 WEAVER, RICHARD C & SHEILA J 401 GUTHRIE DR BELTON, TX 76513	SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513

Sign Ord. Excerpt

Zoning District	Classification	Maximum Area Per Sign (Square Footage)	Maximum Height (Feet)	Minimum Setback (Feet)	Maximum Number Per Lot	Conditions
O-1, O-2, & RD Districts (All Uses)	Wall	1 per linear foot of primary façade	--	--	--	38.18 C
C-1, C-2, LI, IP, HI, & PD (All Uses)	Freestanding Monument Sign or	1 per linear foot of primary façade no to exceed a maximum of 48 square feet per sign face	6	5 (10 in IP, LI, and HI Districts)	1 per 500' of frontage or fraction thereof	38.18 A 38.18 F
	Low Profile Pole Sign	20	8	5 (10 in IP, LI, and HI Districts)		
	Cladded Pole Signs on Properties with IH 35 or US 190 Frontage, 2 pole minimum	225	20	5	1 per 600' of frontage or fraction thereof	38.18 D 38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
R, NS, & CBD	Freestanding Monument Sign	40	5	5	1	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 A
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
IIP Overlay, UC, & CR Overlay Districts	For Detailed Information Related to Signs in this District, See the Design Guidelines for Signs Monument signs shall be no greater than 5 feet in height and pole signs will not be permitted					
CH District	Freestanding Monument Sign	60	8	5	1 per 200' of frontage or fraction thereof	38.18 A
	High Profile Monument Sign	225	20	5	1 per 600' of frontage	38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade				38.18 C

38.17 PRINCIPLES OF SIGN AREA COMPUTATION

The following principles shall control the computation of sign area and sign height.

A. Computation of Area of Individual Signs:

1. The area of a sign shall be computed as the entire advertising area of the sign, including any framing or trim, contained within the respective sign cabinet. For the purposes of this computation the sign cabinet shall be defined as the structure or border used to differentiate a sign face from the structure against which a sign face is placed.
2. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, window, or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall. Where such sign includes multiple words, each word located in the same plane shall be computed separately.
3. The permitted area for all monument signs, pursuant to Table 2 of Section 38.16 shall be inclusive of the sign base and sign structure. In no case shall the overall sign structure, including the base, exceed the maximum allowed height nor the maximum allowed sign area. In no case shall the sign face of a monument sign exceed fifty (50) percent of the overall sign structure.

B. Computation of Area of Multi-faced Signs

The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one (1) of the faces.

C. Computation of Height

The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

D. Computation of Maximum Total Permitted Sign Area

The permitted sum of the area of all individual signs shall be computed by applying the Zoning District formulae contained in Section 38.16, Maximum Area Per Sign, to the lot

frontage, building frontage, or wall area, as appropriate. Lots fronting on two (2) or more streets are allowed to calculate the longest street frontage into the allowable allocation to be identified by the Master Signage Plan.

E. Computation of Maximum Number of Signs

Pursuant to Table 2 of Section 38.16 each lot is allocated the maximum number of signs allowed per District. Where indicated, additional signs beyond the identified allowance shall be determined by the lineal frontage of the lot.

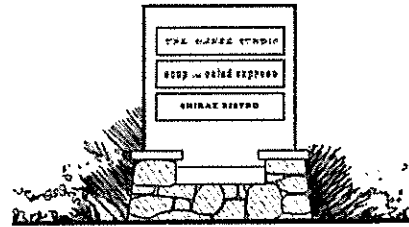
38.18 DESIGN REQUIREMENTS:

A. Monument Signs and Low-Profile Signs

Monument signs or low-profile signs are the only permanent freestanding sign allowed, except on properties with I-35 or US 190 frontage, where cladded signs are also permitted.

1. Monument Signs

- a. Monument signs shall have only two (2) sign faces.
- b. The structure of monument signs shall be constructed of materials and colors compatible with those utilized on the primary building's façade.
- c. Monument signs located on the same property must be paced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.
- d. A shared monument sign is encouraged. Such a monument sign must be located on one (1) of the properties included in the sign text.



2. Low-Profile Signs

- a. All low-profile signs must have two (2) poles.
- b. Low-profile signs are permitted on any property as an alternative to permitted monument signs.



38.18

- c. Low-profile signs may have only two (2) sign faces.
- d. Low-profile signs located on the same property must be spaced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.
- e. A shared low-profile sign is encouraged. Such a sign must be located on one (1) of the properties included in the sign text.
- f. In the C-1, C-2, C-3 and IN Districts:
 - i. The use of low profile signs requires the installation of a landscaped area equal to twice the area of one (1) face of the pole sign. The required landscaping shall be located at the base of the pole sign. The owner and subsequent owners of the landscaped property shall be responsible for the maintenance of the landscaped area.
 - ii. For properties in excess of five hundred (500) feet of frontage, additional sign square footage is allowed as determined in Table 2. The cumulative square footage of allowed signs may be distributed between the maximum number of allowed signs with no one (1) sign exceeding ninety (90) square feet in size.

3. Residential Districts

In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated free standing signs shall only be located adjacent to arterial roadways.

B. Landmark Signs

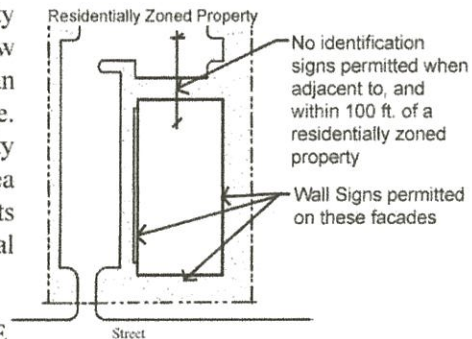
To be recognized and designated as landmark signs, an individual sign (one (1) per property) must be approved by the procedures adopted by the City of Belton. To be considered for designation, these signs shall exhibit such a unique character, design, or historical significance to be recognized as such to the community.

C. Wall Signs

- 1. The calculation of wall signage shall be based upon a building's primary entrance and building façade as defined in Section 38.4.



2. Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.
3. Wall signs may be placed on any face of the building, except those directly adjacent to, and within one hundred (100) feet of a residential property line within a Residential Zoning District. If the residential zoned property is developed as a Non-Residential use then this restriction shall not apply.
4. Posters, signs or announcements located in window areas not exceeding thirty (30) percent of an individual window area shall not be calculated as an element of total allowable site signage. Any sign area in excess of the thirty (30) percent will cause the entire area of the poster, sign or announcements to be calculated as an element of total allowable wall signage.
5. In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated wall signs shall only be located on properties fronting on arterial roadways.



D. High Profile Monument Signs on Properties with I-35 or US 190 Frontage

High profile monument signs are permitted on properties with I-35 or US 190 frontage, and which have commercial or industrial zoning, provided they meet the following requirements:

1. Height limit shall be twenty (20) feet. For signs on properties with I-35 or US 190 frontage, additional height may be allowed.

- a. This additional allowance will be determined by measuring the difference between the elevation of the property at the proposed location of the sign and the elevation of the main lanes of I-35 or US 190.



- b. Determination of the elevational difference shall be measured by projecting a perpendicular line from the center line of the proposed location of the sign to the center line of the main lanes of I-35 or US 190 nearest the sign.
- c. The additional height allowance will only apply for properties and sign locations that are determined to be lower in elevation than the main lanes of I-35 or US 190, as measured by (b) above.

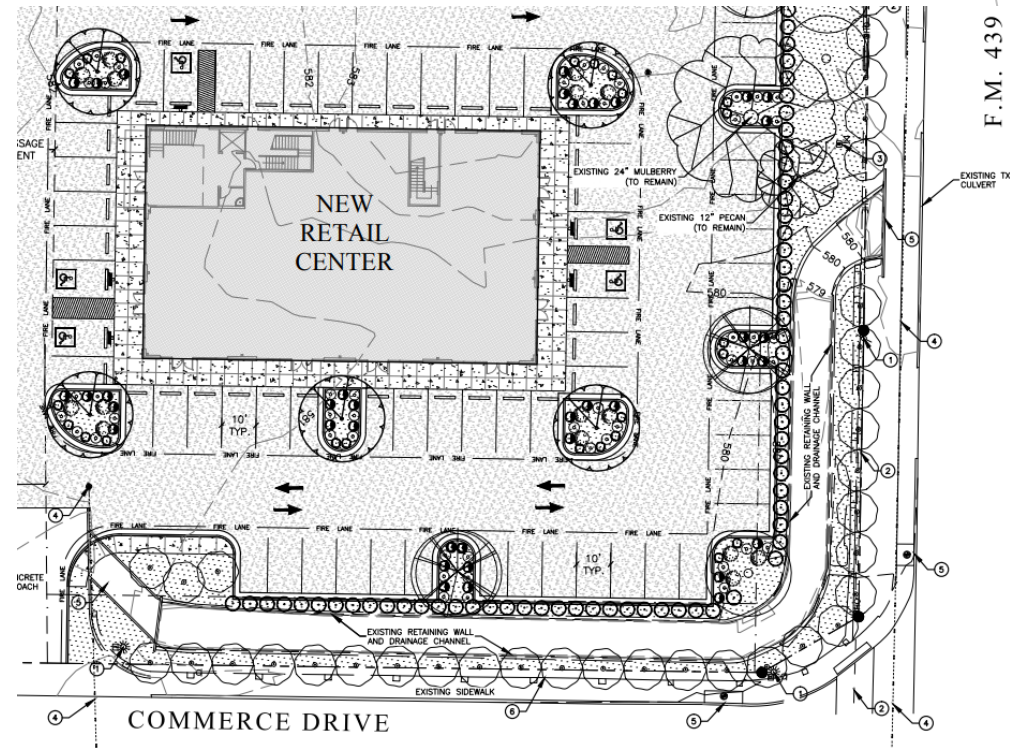
127 Lake Rd Sign Proposal

Submitted by Stephanie Covington on behalf of Belton Skyline

Current Code Allowance

1 SF of signage allowed/ 1 linear ft. primary façade

- In the Retail Zoning District, wall signs are allowed based on a maximum area of 1 square foot per linear foot of primary façade (e.g. 100 linear feet of frontage allows maximum signage of 100 square feet). Calculation of wall signage is based upon a builder's primary entrance and building façade (Ref 38.18 C). Lots fronting on two or more streets are allowed to calculate the longest street frontage into the allowable allocation to be identified by the Master Signage Plan (Ref 38.17 D). Once the allocation is determined, the signage may be placed on any face of the building except those directly adjacent to, and within 100' of a residential property line within a residential zoning district.



Commerce Frontage - 115 linear ft.

Problem/Proposal

- ▶ Current code does not account for a multi-storied structure.
- ▶ 115 SF of wall signage does not allow for appropriate signage for a multi-tenant, multi-storied structure.
- ▶ Original interpretation of the code suggested that both frontages (Lake and Commerce) could be considered as frontage in the SF calculations. This would allow 115 (Commerce) + 68 (Lake). However, the city later explained that 115 SF was all the code allowed for this structure.
- ▶ We present that a reasonable extrapolation of the current code to accommodate a multi-tenant, multi-storied structure would be to multiply the current code by the number of stories.
 - ▶ Original Interpretation: $115 + 68 = 183 \times 3 \text{ stories} = 549$
 - ▶ Current Interpretation: $115 \text{ SF} \times 3 \text{ stories} = 345 \text{ SF}$
- ▶ As a compromise, we request 420 SF of wall signage for the building with a max amount of signs less than or equal to 12.

Existing (Permitted and Installed) Signage First Floor

- ▶ Commerce Drive - 115SF allowed
 - ▶ Texas Title - 19.12 SF
 - ▶ J'Neely's - 19.77 SF
 - ▶ Youphoria - 27.87 SF
 - ▶ J'Neely's - 19.77 SF
 - ▶ Total existing signs: 86.53 SF

Example Future Signage Locations – Bldg Entrance

- ▶ Fairway Icon or full logo – 50 SF
- ▶ Second Floor Tenant Icon – 40SF
- ▶ Entrance Sign (Over Arc) – 40SF



Example Future Signs – Lake Rd Frontage

- ▶ Fairway Icon or full logo
 - ▶ Est size = 50 SF
- ▶ Edward Jones
 - ▶ Est. size = 40 SF
- ▶ Maedgen Construction
 - ▶ Est size = 40 SF
- ▶ (Existing) J'Neely
 - ▶ 20 SF



Proposed Future Signs – Commerce Frontage

► Existing

- Texas Title - 19.12 SF
- J'Neely's - 19.77 SF
- Youphoria - 27.87 SF
 - Total Current SF of signage: 66.76 SF

► Proposed Additions

- Future first floor tenant
- Second floor tenants or third floor tenant



Examples of Similar Bldg Signage seen in other cities

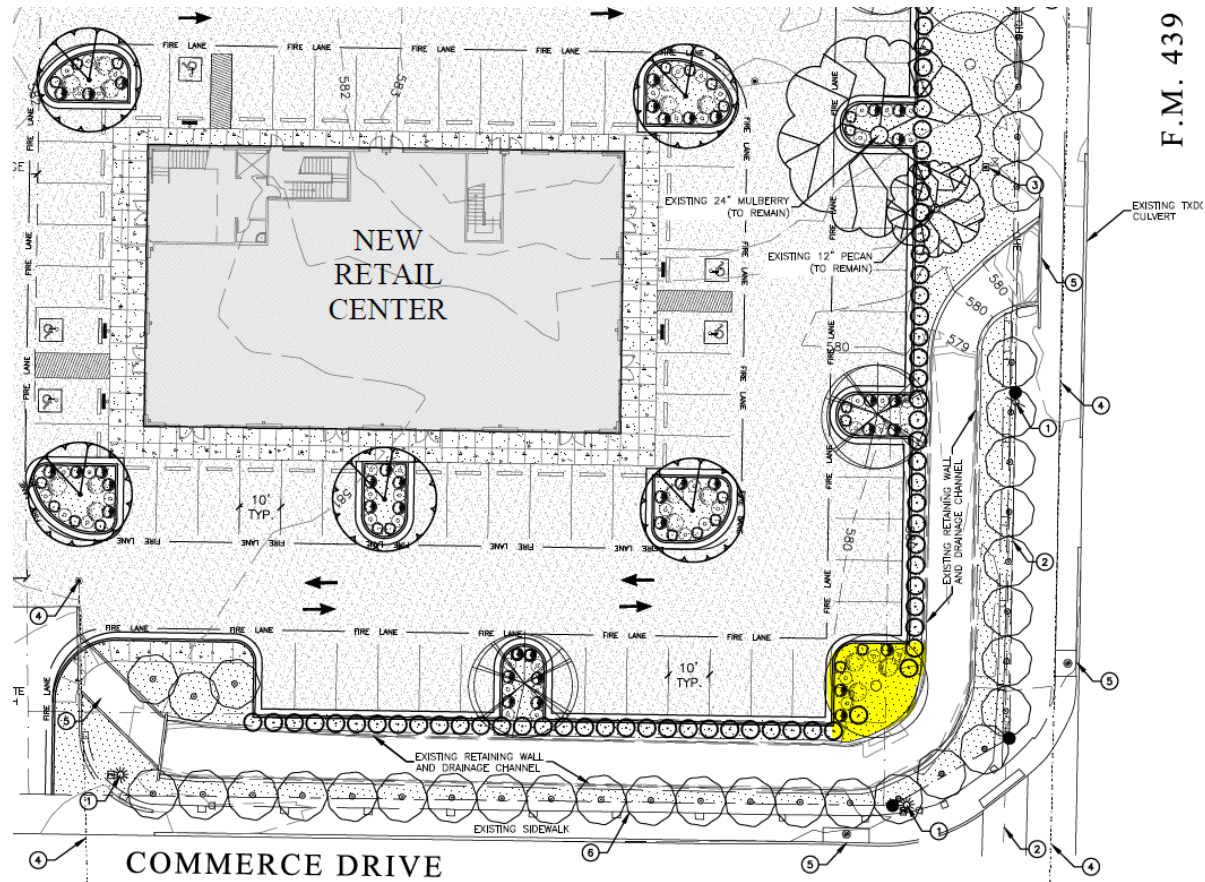


We want to keep it clean and classy while providing adequate tenant signage. We don't want signs all over the building!



Monument Sign

- Possible Locations - Located approx. 30 ft from Commerce and 30 ft from Lake Rd.



Monument Sign Variance Needed

- ▶ Current code allows for 40 SF of sign area, 5' maximum height.
 - ▶ However, city fence is 58" (4.8 ft) high at its tallest. So, signs would need to start at 5' high to be visible.



Monument Sign Variance Needed

- ▶ Monument sign needed to provide additional signage space for 2nd and 3rd floor tenants.
- ▶ Monument Material: Mimic building's brick/stucco combination.
- ▶ Sign Material: Dark background, white text, (or vice versa) no colors in logos to give uniform look. Different sized sign boxes based on rented SF for tenants.
- ▶ Example Concepts:



Sample Monument Dimensions – max of 90SF total.



Qty of 6, 15" tall x 5 Tenant Signs
(Fairway shown as double)
40 SF Total Sign Area

58" brick
(to rise above railing's edge)

Conclusions

► Variances Requested

- Monument Sign: Request monument height allowance to be increased by 5' to allow for the monument to extend above City fencing. 40 SF of sign space (per current code) should be adequate. 90 SF Max total.
- Additional Square Footage for Wall Signs
 - 420 SF for the building to be allocated for tenant signs at the landlord's discretion, with a max sign count quantity of 12.

ORDINANCE NO. 2018-09

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT RETAIL TO AMENDED PLANNED DEVELOPMENT RETAIL (SIGNAGE) ZONING DISTRICT ON A 2.121 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 5 DESIGN STANDARDS.

WHEREAS, Belton Skyline, LLC, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of March, at 5:30 p.m. for hearing and adoption, said district being described as follows:

127 Lake Road Road, 2.121 acres, Belton, Texas
(location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of March, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on tracts of land as more fully and completely described above, be and is hereby changed from Planned Development Retail to Amended Planned Development Retail (Signage) Zoning District in accordance with Section 21 – Retail, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The use of this property must conform to the Retail Zoning District in all respects, except for the following:
 - a. Three story building totaling 53'3" in height
 - b. 6' tall wooden privacy fence shall be provided for screening between this property and the adjacent single family property
 - c. A maximum 20% stucco is allowed on the building exterior

- d. Parking lot landscaping provided in the detention pond (except shrubs)
- 2. All associated operations shall be conducted and contained within the primary structure.
- 3. The development of the property shall conform to all applicable Type Area 5 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the proposed site plan (to be revised), and including:
 - a. Site Development Standards discussed above
 - b. Building Design Standards
 - c. Landscape Design Standards
- 4. No wall signage permitted on the western elevation until the property to the west develops into an office or retail use.
- 5. Sign Standards shall conform to Ordinance 2008-11, except as modified below:

Monument Sign:

- a. Maximum 10' height allowed with sign located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence;
- b. Maximum 90 sq. ft. total area (sign base and structure) allowed; and
- c. Other features as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

Wall Sign:

- a. Maximum 420 sq. ft. of signage is allowed for this building to be distributed among the three floors and four walls, limited to a maximum of 12 signs.
- b. Wall signage is allowed on the west side of the building only after the adjacent property is rezoned for a business use and ceases to be used as a residence.
- c. Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of March, 2018, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of March, 2018.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-18-05 Location

EXHIBIT "A"

ZONING CHANGE:

PD-R
to
Amended PD-R

LEGAL DESCRIPTION:

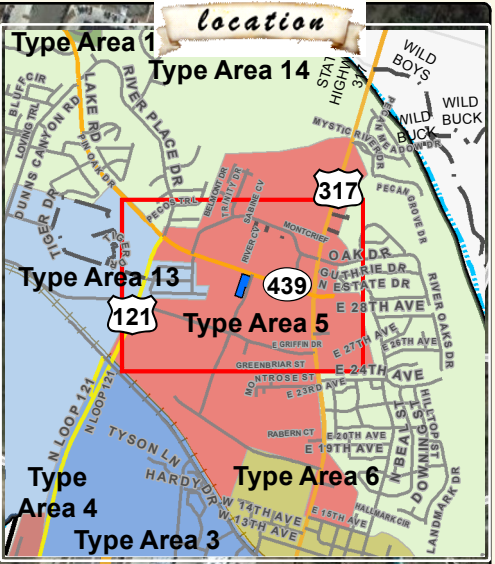
BELTON SKYLINE ADDITION
BLOCK 001, LOT 0001
2.121AC

PROPERTY OWNER:

BELTON SKYLINE LLC

ADDRESS/LOCATION:

127 Lake Rd



LEGEND

 Z_18_05

0 200 400 800 Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Staff Report – City Council Agenda Item



Date: March 27, 2018
Case No.: P-18-06
Request: Final Plat
Applicant: Lay Construction, LLC—
Ashley Malone/Matthew Marshall for
Drake Capital Income Fund GP, LP

Agenda Item #10

Consider a final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

Case Summary

This final plat was approved by the City Council in January, 2018 but has not been recorded. The plat is being resubmitted to remove the right of way dedication for future Capital Way extension. The ROW dedication was previously proposed to be provided by the seller of this property (Bell County Joint Venture) and was included in the plat boundary as ROW. The seller does not wish to make the dedication at this time with this development and the purchaser of this property cannot compel its dedications; therefore, the plat is being revised. All other conditions remain the same.

This is a 1-lot subdivision proposed for light and heavy equipment rentals.

Project Analysis and Discussion

This is a 1-lot subdivision plat proposed as the Pro Star Rental Addition. This property is located within Design Standards Area Type 2 and was recently rezoned to Commercial-2 District in October, 2017. The west side of this property is directly adjacent to the IH-35 northbound frontage road. The Commercial-2 Zoning District requires a minimum lot area of 5,000 square feet, minimum lot width of 50 feet, and minimum lot depth of 100 feet. The proposed lot complies with the Commercial-2 Zoning District area requirements in all respects.

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

Water: This property will be served by the existing 12" water line on the east side of the tract. No extension is required by the applicant.

Sewer: The proposed South Belton Sewer Project sewer lines are located on the far eastern edge of the property. However, due to topography, the sewer line along the eastern edge of the property is a force main. A service line, especially unpressurized, cannot tie into the force main. There is a gravity sewer line 1,300 feet northeast of the proposed building on this property, but the fall between the building and the gravity line is not great enough to allow for gravity flow. Therefore, the applicant must either install a septic system or install a grinder pump and private force main to connect to the gravity line approximately 1,300 feet away. Because the limited number of bathrooms and sinks will have a minimal contribution to sewer flows, Staff determined a septic tank for this application and location is acceptable and a letter to this effect has been provided by the Bell County Public Health District.

Drainage: Drainage calculations have been reviewed and a detention pond will be needed. The location and details of the detention pond will be provided with the building plans and can be accommodated on site.

Streets: Access from the I-35 frontage road is proposed on the north side of the property. The Thoroughfare Plan identifies a future southern roadway extension of Capital Way along the eastern perimeter of this proposed plat. Capital Way is shown as a major collector which requires 80 feet of ROW. Typically, when a plat is proposed, the developer is required to dedicate one-half of the needed ROW for the length of the subdivision frontage. However, in this case, the seller, is retaining a strip of land +/- 60' wide along the eastern edge of the property (1.549 acres) as an access easement for tracts farther south, and also for City of Belton utilities. This easement mirrors the ROW needs for future alignment of Capital Way. The applicant does not own or control this 60' easement and is therefore not able to dedicate this land. We have discussed this with the seller and advised the requirement for future ROW dedication for Capital Way extension.

With regard to this plat, we are assuming the 60' easement will be conveyed to the City for ROW purposes at some point in the future in conjunction with future subdivision platting. Therefore, an additional 20' ROW will be needed, split between this tract and the property to the east when it develops. This results in a 10' ROW dedication needed from this property.

According to the Subdivision Ordinance, the developer is required to contribute one half the total cost of paving (18.5 feet), curb and gutter, and a 5' wide sidewalk for the portion of Capital Way adjacent to this plat. The estimated cost of the applicant's contribution is \$21,900.90 for the 140' of frontage. (See attached calculations). City staff finds the estimate acceptable and recommends the applicant escrow the cost of construction for the required perimeter street improvements. When other properties are submitted for final platting, perimeter street improvement obligations will apply and be secured.

Sidewalks: The Subdivision Ordinance also requires the developer to construct a 6' wide sidewalk along the subdivision side of arterial streets, in this case, the northbound I-35 frontage road. The applicant has the option of either incorporating the sidewalk into the construction plans or placing the funds for future construction in an escrow account with the city. The applicant has chosen to incorporate the sidewalk into the construction plans.

Recommendation

The Planning and Zoning Commission met on March 20, 2018 and unanimously recommended approval of the final plat of Pro Star Rental, subject to the City's Letter to the Applicant and Engineer dated March 16, 2018; staff concurs with their recommendation.

Attachments

Final Plat Application

Final Plat

Location Map

Capital Way Perimeter Street Improvements Cost Estimate

City's Letter to Applicant and their Engineer dated March 16, 2018

P&Z Minutes Excerpt

City of Belton
Request for Subdivision Plat
to the City Council and the
Planning and Zoning Commission

Application is hereby made to the City Council for the following:

- ☐ Preliminary Subdivision
- ☒ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Fees due \$ _____

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department by the 15th day of the month ahead of the next month's P&Z meeting.)

Applicant: Lay Construction, LLC Phone: 903 877-4128

Mailing Address: P.O. Box 5300 Tyler TX 75712

Email Address: Ashley.Malone@LayConstructionLLC.com

Owner: Drake ProStar Belton, LLC Phone: _____

Mailing Address: 1537 E. Grande Blvd, Suite 400 Tyler

Email Address: Caseyhymer@me.com 75703

Current Description of Property:

Lot: _____ Block: _____ Subdivision: _____
Acres: 10.000 ac Survey: MF Connell Survey Abstract No. 6
Abstract #: 6 Street Address: I-35 Frontage Road
Frontage in Feet: _____ Depth in Feet: _____

Does Zoning comply with proposed use? _____ Current Zoning: _____

Name of proposed subdivision: _____

Number of Lots: _____ Fee: \$ _____

Signature of Applicant: Ashley Malone Date: 3-6-18

Signature of Owner: Casey Hymer Date: 3/6/18

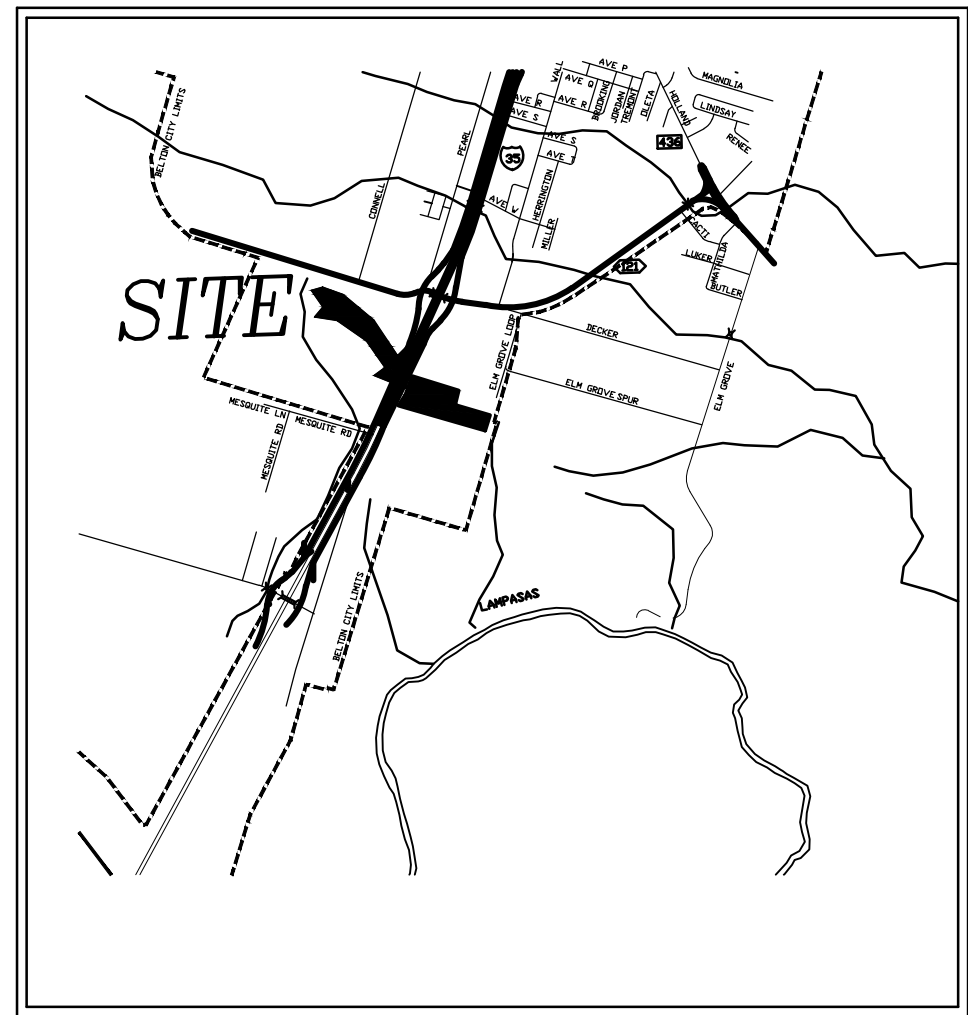
This project is referenced to the City of Belton Coordinate System, an extension of the State of Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless otherwise noted, and all bearings are grid bearings.
All coordinate values are referenced to City Monument No. B-4.
The theta angle at said monument is 01°28'23".
The Combined Correction Factor (CCF) is 0.999851.
Published City Coordinates are N=10,348,584.14, E=3,192,254.47.
The tie from the above City Monument to the POB of the 4.000 acre tract is S66°45'00"W, 645.56 feet.
Grid Distance= Surface Distance X CCF
Geodetic North= Grid North + theta angle.

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE _____ DAY OF _____, A.D. 2018.

BY: _____
BELL COUNTY TAX APPRAISAL DISTRICT



VICINITY MAP: Not To Scale

**STATE OF TEXAS
COUNTY OF BELL**

DRAKE PROSTAR BELTON, LLC, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS PRO STAR RENTAL, A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

DRAKE PROSTAR BELTON, LLC
CASEY HYMER, MEMBER

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2018 BY CASEY HYMER, MEMBER OF DRAKE PROSTAR BELTON, LLC

NOTARY PUBLIC

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PRO STAR RENTAL ADDITION TO THE CITY OF BELTON WAS APPROVED THIS _____ DAY OF _____, 2018, BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

MAYOR _____ SECRETARY _____

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PRO STAR RENTAL ADDITION TO THE CITY OF BELTON WAS APPROVED THIS _____ DAY OF _____, 2018, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.

CHAIRMAN _____ SECRETARY _____

SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF BELTON.

WITNESS MY HAND THIS _____ DAY OF _____, 2018.

CITY CLERK _____

**STATE OF TEXAS
COUNTY OF BELL**

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

MICHAEL E. ALVIS
R.P.L.S. No. 5402

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION, AND ITS WASTEWATER UTILITY SYSTEM HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND OTHER REGULATIONS GOVERNING SUCH SYSTEMS AND IS HEREBY APPROVED FOR INSTALLATION AS INDICATED.

APPROVED: _____ DATE: _____

TITLE: _____, BCHD



Line Table		
Line #	Direction	Length
L1	N23°07'23"E	69.92'
L2	N36°35'34"E	59.41'
L3	N23°57'59"E	119.72'
L4	N11°47'49"E	18.02'
L5	N16°13'50"E	140.19'

NOTE:

0.027 ACRES - TO BE DEDICATED TO THE CITY OF BELTON FOR RIGHT-OF-WAY PURPOSES BY THIS PLAT AS SHOWN HEREON

LAKE SHORE PROPERTIES, LLC
12.663 ACRES
DOCUMENT NO. 2017-00000563

FILED FOR RECORD THIS _____ DAY OF _____, 2018, IN YEAR 2018, PLAT # _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

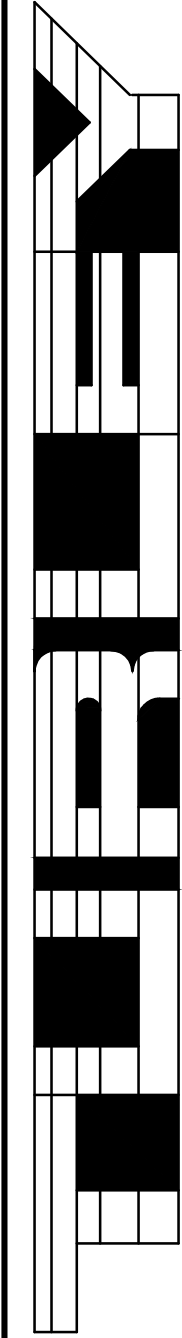
TRACT SURVEYED OCTOBER 2, 2017

10.000 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

FINAL PLAT of:
PRO STAR RENTAL

10.000 ACRES
1 BLOCK, 1 LOT

A SUBDIVISION IN THE
M. F. CONNELL SURVEY, ABSTRACT NO. 6
CITY OF BELTON, BELL COUNTY, TEXAS



ENGINEERING * PLANNING * SURVEYING * CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST.
E-MAIL: MAIL@TURLEY-INC.COM
TEMPLE, TEXAS
(254) 773-2400
FAX NO. (254) 773-3998

SURVEY FIRM # 10056000
ENGINEER FIRM # F-1658

FINAL PLAT of:
PRO STAR RENTAL

4.000 ACRES
M. F. CONNELL SURVEY, ABSTRACT NO. 6
A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS

PREPARED FOR:
CASEY HYMER

DRAKE PROSTAR BELTON, LLC
1537 E. GRANDE BLVD, SUITE 400
TYLER, TEXAS 75703

REVISIONS	

DATE:	03/06/2018
DRN. BY:	MEA
REF.:	
FB/LB	
JOB NO.:	17-1210
SHEET	1 OF 1
COMPUTER DWG. NO.	17-1210

171210-D
FILE NO.

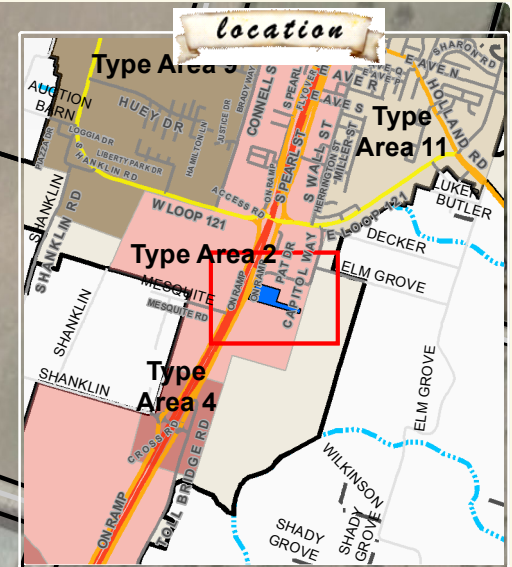
P-18-06 Location - Pro Star Rental

PROPOSED PLAT:

Final Plat
Pro Star Rental
10.00 Acres

PROPERTY OWNER:

BELL COUNTY JOINT VENTURE



LEGEND

- P_18_06
- CityLimits



P-18-06 Pro Star Rental

Proposed Pro Star Rental

PROPOSED PLAT:

Final Plat
Pro Star Rental
10.00 Acres

PROPERTY OWNER:


BELL COUNTY JOINT VENTURE

IH 35 SERVICE RD
35 IH
35 IH
IH 35 SERVICE RD

GROVE RD

CAPITOL WAY

Legend

 P_18_06

Map Date: 3/13/2018 Aerial Imagery Date: 2017

0 100 200 400
Feet



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Pro Star Rental - Capital Way Perimeter Street Improvements

Owner: Pro Star Rentals

Engineer: Villagomez Engineering Company, TBPE Firm F13698

Date: 21-Nov-17

Note to Owner/Engineer: Prior to developing the proposed costs for perimeter street improvements, coordinate with the Director of Planning to determine the required scope of perimeter street improvements.

Note to Estimator: This document is provided as a guideline and template. Not all items required may be listed and not all items shown below may be required. List all labor, materials, and project costs associated with the perimeter street improvements. All items listed in the estimate are assumed to be 'complete' and shall include material costs, delivery of materials, and labor for installation or implementation. Perimeter street improvements shall adhere to the approved geotechnical report and to the requirements in the City of Belton Design Manual.

Capital Way Perimeter Street Improvements

ITEM	DESCRIPTION	QTY	UNITS	UNIT PRICE	ITEM COST
1	Right-of-Way/Site Preparation, Clearing, Demolition, and Excavation	1	LS	\$3,500.00	\$3,500.00
2	Curb and Gutter (Type, Size)	140	LF	\$12.00	\$1,680.00
3	12" Crushed Limestone Base	288	SY	\$14.00	\$4,032.00
4	Synthetic Geotextile (Type) or Lime Stabilization	288	SY	\$5.00	\$1,440.00
5	3" Type (C/D) Hot-Mix Hot Asphalt Concrete and Prime	288	SY	\$15.00	\$4,320.00
6	Thermoplastic Pavement Markings	1	LS	\$500.00	\$500.00
7	Pedestrian Curb Ramps	2	EA	\$750.00	\$1,500.00
8	X' Wide Sidewalks	78	SY	\$37.00	\$2,886.00
9	Stormwater Pollution Protection Plan and Implementation, Erosion Control	1	LS	\$1,000.00	\$1,000.00
SUBTOTAL					\$20,858.00
Mobilization, Bonds, and Insurance (5%)					\$1,042.90
TOTAL					\$21,900.90

The City reserves the right to review and negotiate the proposed perimeter street improvements costs. Additional scope or deductions may be required by the City. Any changes will be discussed with the Owner/Engineer.



City of Belton

Planning Department

March 16, 2018

Applicant: Lay Construction – Ashley Malone

Date Submitted: 03-08-18

Project: PRO STAR RENTAL – FINAL PLAT

Location: 10 ACRES, IH-35 SVC RD (at Grove Road)

*****Please comment back in red under the comments submitted on this sheet.*****

PLANNING – Cheryl Maxwell – CMaxwell@BeltonTexas.gov:

1. 80' ROW needed for Capital Way extension. 60' wide easement exists along proposed route. Applicant does not own this property; city anticipates transition from easement to ROW in the future. Additional 20' ROW needed split between this property and the property to the east when it develops. Resulting ROW dedication needed with this plat along the eastern property line is 10'.
2. 6' wide sidewalk required along arterial roadways, in this case, I-35 frontage road. Applicant may either escrow funds for construction or include plans for construction with the application for the building permit. Please advise.
3. Septic system proposed and acceptable subject to review and approval by Bell County Public Health District.

PUBLIC WORKS/KPA – Angellia Points, APoints@BeltonTexas.gov:

1. A service line off of the 4" force main is shown. The force main cannot be tapped.
2. The utility easements along the western side of the property should be as follows: 10' Atmos Easement, 10' PUE, and 15' City of Belton Utility Easement, totaling 35 feet.
3. Perimeter street improvements are required for Capital Way.
4. Detention must be addressed during the building permit process.

BUILDING OFFICIAL – Bruce Ebbert, BEbbert@BeltonTexas.gov:

No comments at this time.

FIRE DEPT – Jeff Booker, JBooker@BeltonTexas.gov:

No further comments.

POLICE DEPT – Chief Gene Ellis, GEllis@BeltonTexas.gov:

No additional comments.

GIS – Anthony Notgrass, ANotgrass@BeltonTexas.gov:

No comments.

Outside Utility Provider Comments

- ☐ **Oncor:**
- ☐ **AT&T:**
- ☐ **Atmos Energy:**
- ☐ **Charter Communications:**
- ☐ **Grande Communications:**
- ☐ **Spectrum (Time Warner):**
- ☐ **USPS:**
- ☐ **Clearwater UCD:**
- ☐ **TXDOT:**

Note: Acceptance by the City of Belton of a plat, zoning change, conceptual drawing, construction drawing, or other development submittal complying with City of Belton minimum standards for drainage does not provide approval beyond what the City may authorize. Approval is limited, and this approval does not limit any obligations you may have under applicable state statutes, such as the Texas Water Code, or federal statutes. You should consult with your own professionals as you continue to pursue this development project.

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

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, Lewis Simms, Stephanie O'Banion, Rae Schmuck and David Fuller. The following staff members were present: City Manager Sam Listi, Director of Planning Cheryl Maxwell, Planner Kelly Trietsch, IT Specialist Ryan Brown and Planning Clerk Laura Livingston.

8. P-18-06 Consider a final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton.

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

Chair Baggerly entertained a motion. Ms. O'Banion made a motion to approve P-18-06, with Mr. Simms seconding the motion. Item P-18-06 was approved with 7 ayes, 0 nays.

NORTH BELTON ELEVATED STORAGE TANK

Graphics/Image Discussion

GOAL: Decide on the graphics concept to incorporate into the design.

Current Elevated Storage Tanks



Loop 121



Miller Heights

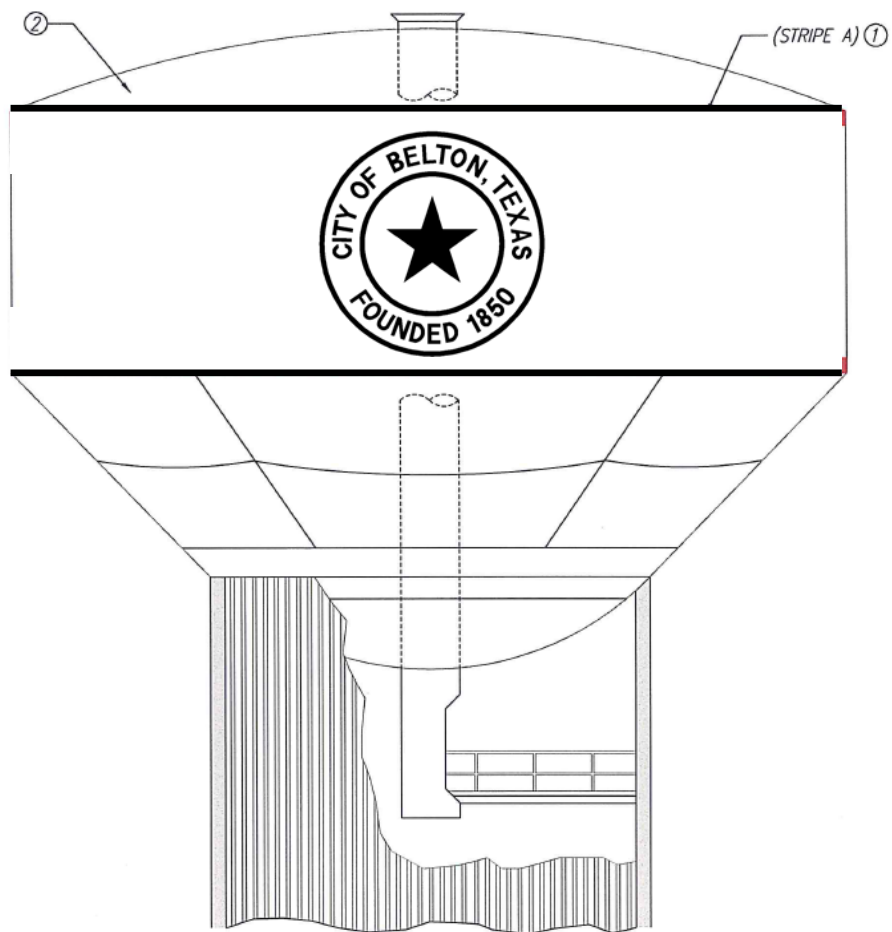
Graphic Options – Matches Existing Elevated Tanks



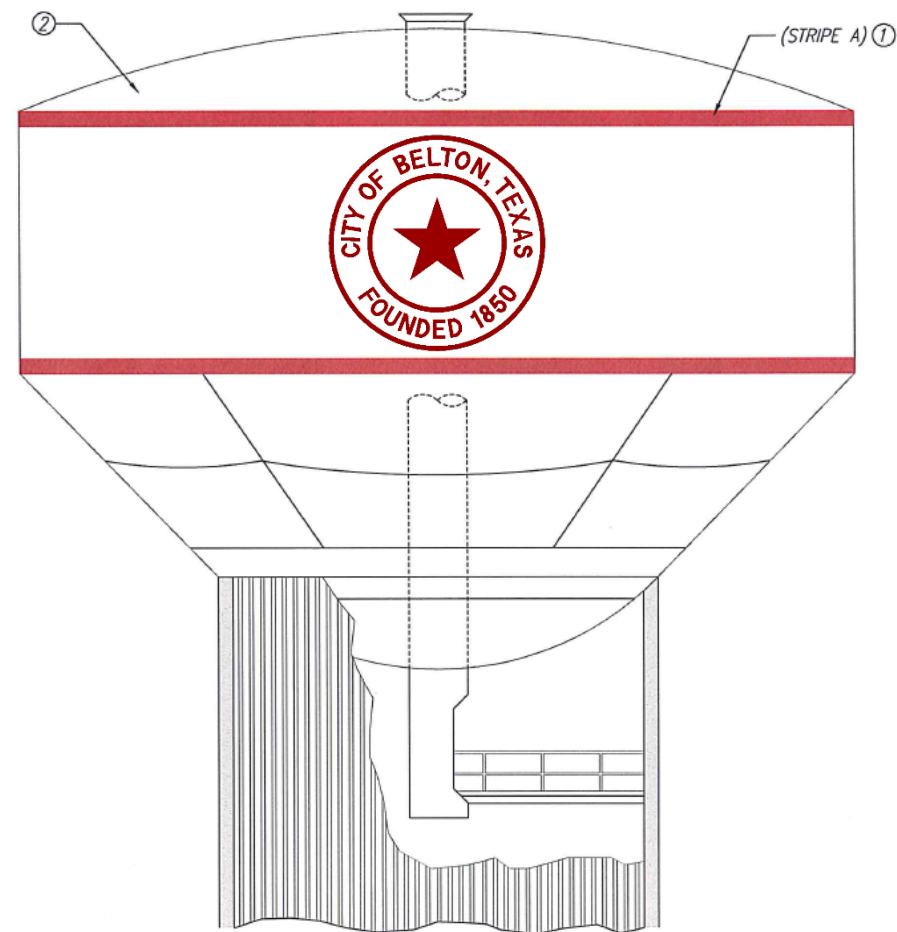
Option A – Matches Loop 121 Tank



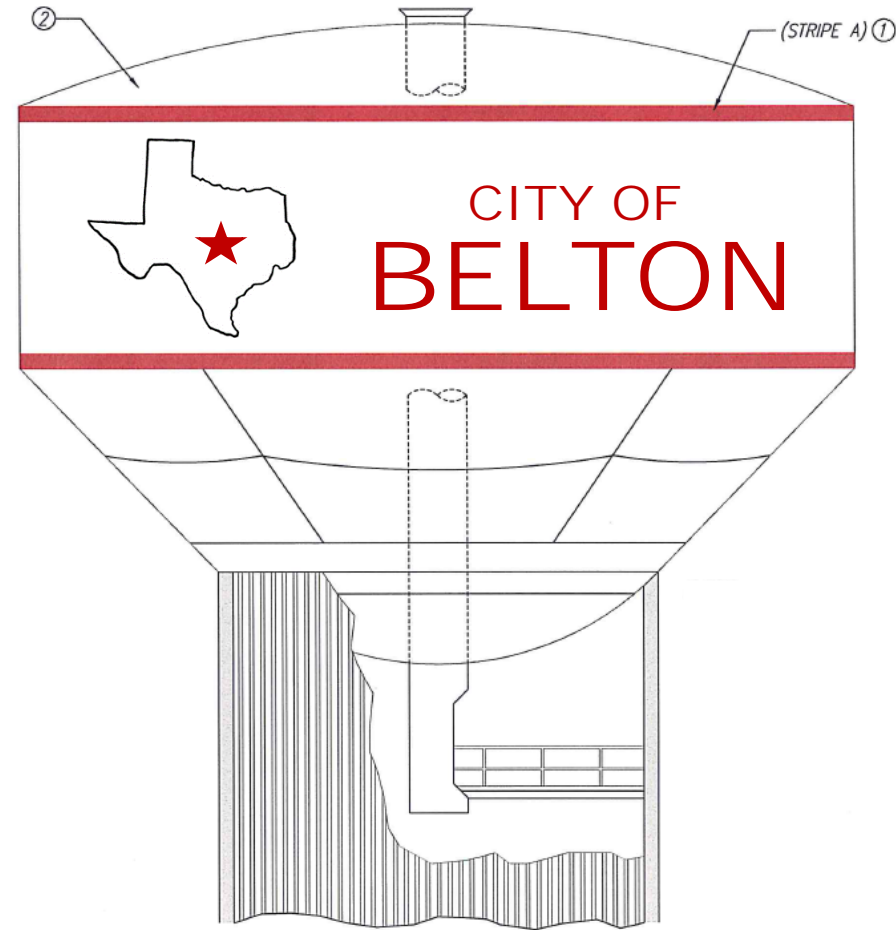
Option B – Matches Miller Heights Tank



Option C – Seal in Black



Option D – Seal in Red



Option E – Texas Outline

SCHEDULE

- Today's Discussion: Tank graphics
- Easement acquisition is nearly complete
 - Dawson Ridge plat in development
 - Dickson Ranch development agreement will be presented in April
- Finalize design drawings and specifications by May 1, 2018
- Bid waterline and tank separately (1 month)
- Bid award, construction phase (12 months)