



# City of Belton, Texas

City Council Meeting Agenda  
Tuesday, August 24, 2021 - 5:30 p.m.  
Wright Room at the Harris Community Center  
401 N. Alexander, Belton, Texas

**Mayor Pro Tem David K. Leigh will participate in the meeting via videoconference from Las Vegas, Nevada.**

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Guy O'Banion.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Public Information Officer Paul Romer.

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

Invocation. The Invocation will be given by Councilmember Dan Kirkley.

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.***

## **Consent Agenda**

Items 3-6 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.

3. Consider minutes of August 10, 2021, City Council Meeting.
4. Consider reinstatement of a Local Disaster Declaration for Public Health Emergency related to the COVID-19 Pandemic in Belton, Texas.
5. Consider authorizing the City Manager to execute Change Order No. 2 for the 2021 Street Overlay Project to add additional streets and scope of work to the project.
6. Consider reappointments to the following Commissions:
  - A. Civil Service Commission
  - B. Historic Preservation Commission

### **Regular Agenda**

7. Consider appointments to the Youth Advisory Commission, administer oath of office to newly appointed members, and appoint a Chair.

### **Planning and Zoning**

8. Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 12.035 acres located along an extension of Laila Lane, west of Connell Street, east of South Loop 121, south of West Avenue O, and north of Huey Drive.
9. Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 55.997 acres located east of IH 35, north of loop 121, and south of Avenue R.
10. Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3), Retail (R), Commercial-1 (C-1) and Commercial-2 (C-2) on approximately 53.04 acres located south of IH-14, west of S. Loop 121 and east of Old Golf Course Road.

*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, Texas

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Tuesday, August 24, 2021 - 5:30 p.m.  
Wright Room at the Harris Community Center  
401 N. Alexander, Belton, Texas**

## **OFFICE OF THE CITY MANAGER**

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Guy O'Banion.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Public Information Officer Paul Romer.

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

Invocation. The Invocation will be given by Councilmember Dan Kirkley.

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.***

## **Consent Agenda**

Items 3-6 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.

3. **Consider minutes of August 10, 2021, City Council Meeting.**

A copy of the minutes is attached. Recommend approval.

4. **Consider reinstatement of a Local Disaster Declaration for Public Health Emergency related to the COVID-19 Pandemic in Belton, Texas.**

See Staff Report from City Manager Sam Listi. Recommend reinstatement of Local Disaster Declaration as presented.

5. **Consider authorizing the City Manager to execute Change Order No. 2 for the 2021 Street Overlay Project to add additional streets and scope of work to the project.**

See Staff Report from Interim Director of Public Works Matt Bates. Recommend approval of the change order adding additional street work and scope to the project.

6. **Consider reappointments to the following Commissions:**

A. **Civil Service Commission – Jerry Samu**

B. **Historic Preservation Commission – Barrett Covington and Ann Carpenter**

See Staff Report from City Clerk Amy Casey. Recommend reappointments as presented.

**Regular Agenda**

7. **Consider appointments to the Youth Advisory Commission, administer oath of office to newly appointed members, and appoint a Chair.**

See Staff Report from Interim Director of Parks and Recreation James Grant. City Attorney John Messer will administer the Oath of Office.

**Planning and Zoning**

8. **Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 12.035 acres located along an extension of Laila Lane, west of Connell Street, east of South Loop 121, south of West Avenue O, and north of Huey Drive.**

See Staff Report from Director of Planning Bob van Til. At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

9. **Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 55.997 acres located east of IH 35, north of loop 121, and south of Avenue R.**



See Staff Report from Director of Planning Bob van Til. At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

10. **Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3), Retail (R), Commercial-1 (C-1) and Commercial-2 (C-2) on approximately 53.04 acres located south of IH-14, west of S. Loop 121 and east of Old Golf Course Road.**

See Staff Report from Director of Planning Bob van Til. At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs. Legal description for each tract will be attached to the adopted ordinance.

**Belton City Council Meeting**  
**August 10, 2021 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room of the Harris Community Center. Members present included Mayor Wayne Carpenter, Mayor Pro Tem David K. Leigh, and Councilmembers Craig Pearson, Dan Kirkley, Guy O'Banion, John R. Holmes, Sr. and Daniel Bucher. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Jon Fontenot, Chris Brown, Mike Rodgers, Scott Hodde, James Grant, Kim Kroll, Bob van Til and Judy Garrett.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Craig Pearson, and the pledge to the Texas Flag was led by Assistant City Manager/Chief of Police Gene Ellis. The Invocation was given by Mayor Wayne Carpenter.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:31 p.m. Mayor Carpenter thanked City staff who helped with the Back to School event in Yettie Polk Park over the weekend.
2. **Public Comments.** *(Audio 2:25)*

Troy Finley spoke regarding a problem he has with construction inspections and permits for 702 S. Pearl.

**Consent Agenda**

Items 3-5 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. *(Audio 7:04)*

3. **Consider minutes of July 27, 2021, City Council Meeting.**
4. **Consider a Façade Improvement Grant (FIG) Application to renovate the property at 206 E. Central Ave, located in the Downtown Belton Commercial Historic District, on the north side of East Central Ave, west of North Penelope Street and east of North East Street.**
5. **Consider a request to abandon a portion of a storm water easement at 804 Damascus Drive and authorizing the City Manager to execute an Encroachment Indemnity Agreement.**

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember O'Banion, the Consent Agenda was unanimously approved upon a vote of 7-0.

## **Regular Agenda**

6. **Consider adopting a resolution authorizing the creation of a Regional Emergency Communications District, as proposed by the Board of Directors of the Central Texas Council of Governments.** *(Audio 8:00)*

City Manager Sam Listi presented this item. Jesse Hennage from the Central Texas Council of Governments provided additional information about the creation of the Regional Emergency Communications District.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Pearson, the following captioned resolution was unanimously approved by a vote of 7-0.

### **RESOLUTION NO. 2021-22-R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE CREATION OF THE CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATOINS DISTRICT.**

## **FY2022 Budget**

7. **Receive a presentation on the FY2022-FY2026 Strategic Plan and invite public input on September 7, 2021.** *(Audio 16:45)*

City Manager Sam Listi gave a presentation on the goals and objectives of the proposed FY2022-FY2026 Strategic Plan. Mr. Listi stated the Strategic Plan will be considered for adoption at the September 14, 2021, City Council meeting in conjunction with budget adoption, and he recommended the Council receive public input at the Special Called City Council meeting on September 7, 2021.

8. **Receive a presentation on the FY2022 Proposed Annual Budget for the City of Belton.** *(Audio 24:35)*

Director of Finance Mike Rodgers presented an overview of the proposed FY2022 Budget. No action is required of the Council at this time. Budget adoption is scheduled for the City Council meeting on September 14, 2021, at 5:30 p.m., at the Harris Community Center.

9. **Call for a public hearing to be held at a Special Called City Council Meeting on Tuesday, September 7, 2021, at 5:30 p.m., at the Harris Community Center, 401 N. Alexander, for the City of Belton Budget for Fiscal Year beginning October 1, 2021 and ending September 30, 2022.** *(Audio 54:36)*

Councilmember Kirkley made a motion for a public hearing to be held on the proposed FY2022 budget at the Special Called City Council meeting on Tuesday, September 7, 2021, at 5:30 p.m. Councilmember Pearson seconded the motion which was unanimously approved upon a vote of 7-0.

10. **Discuss and consider a proposed ad valorem tax rate for the 2021 tax year (FY 2022).** (Audio 55:12)

Director of Finance Mike Rodgers presented this item. Tax rate adoption is scheduled for the City Council meeting on September 14, 2021, at 5:30 p.m., at the Harris Community Center.

Mayor Pro Tem Leigh made a motion to set the maximum tax rate at \$0.63. The motion was seconded by Councilmember Kirkley. A roll call vote was taken:

City Council	For	Against	Present and Not Voting	Absent
Mayor Wayne Carpenter	X			
Mayor Pro Tem David K. Leigh	X			
Councilmember Craig Pearson	X			
Councilmember Dan Kirkley	X			
Councilmember Guy O'Banion		X		
Councilmember John R. Holmes, Sr.	X			
Councilmember Daniel Bucher	X			

11. **Call for a public hearing to be held at a Special Called City Council Meeting on Tuesday, September 7, 2021, at 5:30 p.m., at the Harris Community Center, 401 N. Alexander, for the proposed tax rate for the 2021 tax year (FY 2022).** (Audio 1:48:56)

Councilmember Pearson made a motion for a public hearing to be held on the proposed tax rate for the 2021 tax year (FY2022) at the Special Called City Council meeting on Tuesday, September 7, 2021, at 5:30 p.m. Councilmember Bucher seconded the motion which was unanimously approved upon a vote of 7-0.

There being no further business, the Mayor adjourned the meeting at 7:19 p.m.

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Wayne Carpenter, Mayor

ATTEST:

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Amy M. Casey, City Clerk



# Staff Report – City Council Agenda Item

## **Agenda Item #4**

Consider reinstatement of a Local Disaster Declaration for Public Health Emergency related to the COVID-19 Pandemic in Belton, Texas.

### **Originating Departments**

Administration – Sam A. Listi, City Manager

### **Summary Information**

Following Bell County Judge Blackburn's reinstatement of Bell County's Local Disaster Declaration related to the COVID-19 pandemic, Staff is recommending following suit to ensure the potential for us to recover funds expended by the City in this continued emergency through Bell County, the State of Texas or Federal resources. Such a Declaration may be required for proper submittal of requests for reimbursements.

### **Fiscal Impact**

Unknown - To Be Determined

### **Recommendation**

Recommend approval of reinstatement of the Local Disaster Declaration for Public Health Emergency in Belton, Texas.

### **Attachments**

Bell County Judge Blackburn's Bell County Disaster Declaration dated August 13, 2021  
Disaster Declaration for Public Health Emergency in Belton, Texas



**COUNTY OF BELL, TEXAS  
COUNTY JUDGE DECLARATION  
OF  
LOCAL STATE OF DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, the Delta variant of COVID-19 has emerged and is spreading at an extraordinary rate, with the current threat level in Bell County listed as 'uncontrolled community transmission; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, on March 18, 2020, the Bell County Judge issued a local disaster declaration enacting the provisions of Chapter 418 of the Texas Government Code providing for a local state of disaster due to a public health emergency; and

**WHEREAS**, the Bell County Judge's local disaster declaration was extended indefinitely, or until the Bell County Judge terminates such declaration, by the Bell County Commissioners Court, pursuant to Chapter 418 of the Texas Government Code on March 23, 2020; and

**WHEREAS**, the Bell County Judge terminated the local disaster declaration dated March 18, 2020 on June 1, 2021 based upon representations from the Federal Emergency Management Agency and the Texas Department of Emergency Management that the Governor's state-wide disaster declaration was sufficient for seeking federal and state aid associated with the pandemic; and

**WHEREAS**, there is currently some uncertainty as to whether the Governor's state-wide disaster declaration is sufficient for seeking federal and/or state aid associated with the pandemic;

**WHEREAS**, Bell County, Texas, has, and is continuing, to take extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF BELL COUNTY, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for Bell County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless approved by the Commissioners Court of Bell County, Texas.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Bell County, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5.** That this declaration authorizes the County to take any and all actions necessary to promote health and suppress the virus that may be consistent with the authority granted to it by state law.

**SECTION 7.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates any directive legally authorized and issued by this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.

**SECTION 8.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 9.** That this declaration shall take effect as of June 1, 2021 and, upon approval by the Commissioners Court, shall continue in effect until terminated by the County Judge. Pursuant to this declaration, additional directives may be issued by the County Judge at any time as deemed necessary to protect the public health and general welfare of the residents of the Bell County.

**DECLARED this \_\_\_\_\_ day of August, 2021.**

\_\_\_\_\_  
D. Blackburn, County Judge  
Bell County, Texas

Attest:

\_\_\_\_\_  
Shelley Coston, County Clerk



**CITY OF BELTON, TEXAS  
CITY COUNCIL DECLARATION  
OF  
LOCAL STATE OF DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, the Delta variant of COVID-19 has emerged and is spreading at an extraordinary rate, with the current threat level in City of Belton, Texas, listed as 'uncontrolled community transmission; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, on March 24, 2020, the City Council of Belton, Texas, issued a local disaster declaration enacting the provisions of Chapter 418 of the Texas Government Code providing for a local state of disaster due to a public health emergency; and

**WHEREAS**, the City Council's local disaster declaration was extended indefinitely, or until the City Council terminated such declaration, by the City of Belton, Texas, City Council action pursuant to Chapter 418 of the Texas Government Code on March 23, 2020; and

**WHEREAS**, the Belton City Council allowed the local disaster declaration dated March 24, 2020 based to expire based upon representations from the Federal Emergency Management Agency and the Texas Department of Emergency Management that the Governor's state-wide disaster declaration was sufficient for seeking federal and state aid associated with the pandemic; and

**WHEREAS**, there is currently some uncertainty as to whether the Governor's state-wide disaster declaration is sufficient for seeking federal and/or state aid associated with the pandemic;

**WHEREAS**, City of Belton, Texas, has, and is continuing, to take extraordinary measures to prevent the spread of this potentially devastating disease in our community; and



**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

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

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Belton, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue indefinitely following approval by the City Council of the City of Belton, Texas, or until such time as the declaration is terminated by the City Council of the City of Belton, Texas.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.

**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Belton, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5.** That this declaration authorizes the City to take any and all actions necessary to promote health and suppress the virus that may be consistent with the authority granted to it by state law.

**SECTION 6.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates any directive legally authorized and issued by this declaration commits an offense, punishable by a fine up to \$1,000 or confinement in jail for a term that does not exceed 180 days.

**SECTION 7.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 8.** That this declaration shall take effect as of August 24, 2021, and, upon approval by the Belton City Council, shall continue in effect until terminated by the Belton City Council. Pursuant to this declaration, additional directives may be issued by the Mayor or City Council at any time as deemed necessary to protect the public health and general welfare of the residents of the City of Belton, Texas.

**DECLARED this \_\_\_\_\_ day of August, 2021.**

\_\_\_\_\_  
Wayne Carpenter, Mayor  
City of Belton, Texas

Attest:

\_\_\_\_\_  
Amy M. Casey, City Clerk

**From:** [Paul Romer](#)  
**To:** [Paul Romer](#)  
**Subject:** FW: Administrative Issues Lead Judge Blackburn to 'Re-Declare' COVID-19 Disaster  
**Date:** Friday, August 13, 2021 4:16:43 PM  
**Attachments:** [image006.png](#)

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FYI

Sent to:  
Department Heads  
City Council

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**From:** James M. Stafford <James.Stafford@bellcounty.texas.gov>  
**Sent:** Friday, August 13, 2021 4:04 PM  
**Subject:** Administrative Issues Lead Judge Blackburn to 'Re-Declare' COVID-19 Disaster

**BELL COUNTY  
PUBLIC INFORMATION OFFICER**

James Stafford

101 East Central Ave ♦ Belton, TX 76513 ♦ Office (254) 933-6724 ♦ Cell (254) 346-5001

**FOR IMMEDIATE RELEASE**

**August 13, 2021**

**Administrative Issues Lead Judge Blackburn to 'Re-Declare' COVID-19 Disaster**

**Belton, TX** – On Friday, August 13, Bell County Judge David Blackburn announced that he had reissued a local disaster declaration regarding the COVID-19 pandemic. This declaration, which effectively reinstates the local disaster declaration that he had issued back in March of 2020 and revoked on June 1<sup>st</sup> of this year.

Judge Blackburn first issued the 2020 Local Disaster Declaration on March 18, 2020, following Governor Greg Abbott's proclamation for the State of Texas. The local declaration was extended indefinitely by a unanimous vote of the Bell County Commissioners Court.

In June, Judge Blackburn terminated the declaration based on communications from the Federal Emergency Management Agency (FEMA) and the Texas Department of Emergency Management (TDEM) that the Governor's state-wide disaster declaration was sufficient for seeking federal and state aid associated with the pandemic.

The decision to make a new declaration comes after recent conversations on the issue left some

uncertainty as to whether a local declaration does, in fact, need to be in place in order to continue to seek federal and state funding for pandemic-related eligible expenses.

“The choice to once again declare a local disaster is based entirely on better insuring that Bell County, and city governments within Bell County, may all benefit from resources and reimbursements that would only be available to entities with active disaster declarations,” Judge Blackburn said. “It is simply an administrative measure.”

The new declaration will be discussed during Monday’s meeting of the Bell County Commissioners Court. Under state law, the County Judge may issue disaster declarations, but they are subject to Commissioners Court review and approval. The Commissioners Court will be asked to approve the declaration.

###

Sincerely,  
James Stafford  
Public Information Officer  
[James.Stafford@bellcounty.texas.gov](mailto:James.Stafford@bellcounty.texas.gov)  
254-346-5001 Cell  
254-933-6724 Office



**WARNING: This message is from an EXTERNAL email source. DO NOT open attachments or click links from unknown senders or unexpected email. Contact Belton IT support for assistance if necessary.**



# Staff Report – City Council Agenda Item

## Agenda Item #5

Consider authorizing the City Manager to execute Change Order No. 2 for the 2021 Street Overlay Project to add additional streets and scope of work to the project.

### Originating Department

Public Works – Matt Bates, Interim Director of Public Works

### Background

On April 27, 2021, Council authorized the award of the construction contract with Texas Materials Group, of Cedar Park, Texas, for the 2021 Street Overlay Project in the amount of \$586,230. The bid from Texas Materials came in at an excellent price of \$163,770 under the available total funding of \$750,000.

Contract law states up to 25% of the bid can be added by change order. 25% of \$586,230 is \$146,557.50.

- Change Order No. 1 was approved on June 22, 2021, for a total of \$77,112.45 (13% of available change order). This left a remaining balance for future change orders of around: \$69,000.

### **Proposed Change Order No. 2:**

1. S. Estate Drive.
  - a. Includes 2" Full Mill & 2" Type D Overlay for its entire length.
  - b. Thermoplastic Striping from the intersection of Estate Dr & S. Estate Dr to N. Beal St. *\*\*This item has been requested by residents in the area to help lower speeds along the narrow and winding portion of S. Estate Dr. Staff concur that this is needed. \*\**

S. Estate Drive was scheduled to be included as part of the FY'22 Street Overlay Plan and was the largest street by quantity proposed. Completing this within FY'21 will create more flexibility and opportunity for additional streets to be included in FY'22.

No additional time is proposed to be added to the contract.

**Fiscal Impact**

The total cost of Change Order No. 2 is \$56,956.25. This keeps us under the total 25% Change Order threshold.

All prices for this additional work are consistent with the base bid, and any new items have been negotiated with the contractor.

Budgeted:    ☒ Yes        ☐ No

**Recommendation**

Authorize the City Manager to execute Change Order No. 2 for the 2021 Street Overlay Project, adding additional street work and scope to the project.

**Attachments**

Change Order No. 2  
Map of S. Estate Dr.

# 2021 Street Overlay Project Estates Dr



## Texas Materials Group, Inc.

1320 Arrow Point Drive, Suite 600

Cedar Park, TX 78613

Telephone No: 512-917-7205

Email: brandon.lemay@texasmaterials.com

Contact: Brandon LeMay  
Project: 2021 Belton Street Overlay Project  
Location: Estates Dr  
County: Bell  
Bid Date: 8/19/2021

Addendum No:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	2" Full Mill and 2" Ty D Overlay w/Tack Estates Dr	5,320.00	SY	9.65	51,338.00
	Provide and Install 4" TY-1 Single Yellow Pavement	925.00	LF	2.35	2,173.75
	Provide TY II-B-B RPM	1.00	EA	20.00	20.00
	Provide and Install SLOW Thermo Marking	2.00	EA	450.00	900.00
	Provide and Install Asphalt Berm	330.00	LF	7.65	2,524.50

### GRAND TOTAL

**56,956.25**

### NOTES:

Terms are net 10th of the month. This quote is limited to acceptance within 30 days from the date of this quotation after which time quotation is subject to review and or revision. All courses preceding those to be paved by Texas Materials Group, Inc. (TMGI) shall meet or exceed the governing specifications and meet or exceed the ride specifications. TMGI is not responsible for horizontal and or vertical control and if longitudinal joint location is critical or desired, they shall be laid out by the general contractor prior to the placement of any courses. This quote will become part of the subcontract agreement and shall supersede any other conflicting language in the subcontract agreement.

Prior to executed agreement our credit application must be completed and approved for the total subcontract value. Additional terms of this quote are based upon: acceptable contract/subcontract language.

The prime contractor and or owner shall provide adequate access to the work area for conventional hot mix paving equipment and trucks to pass adjacent to paving equipment for hot mix, seal coat and prime placement. Paved areas shall be machine placed and a minimum of 10' wide.

TMGI is not responsible for subsurface conditions. TMGI will not accept the responsibility of any subsequent course the prime coat, hot mix, surface treatment, and or seal coat (pavement) are to be placed on prior to or after our work is completed that might cause the pavement to fail.

Prices on accepted quote are firm until December 31, 2021. After December 31, 2021, the above prices shall be escalated.

Due to the implications of COVID-19 on Texas Materials, performance may be delayed. Texas Materials agrees to timely notify Contractor of COVID-19 related delays and when such delays have been rectified.

Estimate for TMGI to perform work on Estates Dr. It includes a full width 2.0" mill of Estates Dr and repave with Ty D HMAc w/RAP at 2.0". Install a solid yellow 4.0" line down the middle to separate traffic. Install two Thermo words that read SLOW. Install the asphalt berm along the edge of the road for 330lf at 6.0" tall and 6.0" wide at the base.

All work to be performed while currently on the 2021 Belton Street Overlay Project.

Inclusions:

1. If a Payment and Performance Bond is required add 1.5% to the total bid.
2. Testing for HMAC QC production and placement and QA ride testing for item 585 when applicable for the HMAC TMGI places.
3. Unless the words "Lump Sum" appear next to a price for an item, all prices are per unit, and payments will be based upon the actual number of units performed.
4. If work is to be performed after TMGI has moved away from the 2021 Belton Street Overlay project it will cost an additional mobilizations and that shall be at \$5,500.00 each.
5. TMGI shall retain all production, ride and placement bonus/penalty on HMAC item(s) according to specification where applicable. The bonus/penalty calculations shall be based on TMGI's unit prices or the unit bid prices whichever is greater.
6. All work not covered by a specific pay item or stated subsidiary will be billed according to TXDOT's 2014 Standard Specifications Item 9.7 Force Account Work or an agreed upon unit price change order.
7. General contractor to provide onsite staging area convenient to TMGI's work for equipment, material storage, and equipment cleaning within the project limits.
8. Flexible pavement repair, ACP Drives & Detours include HMAC items only.

Exclusions:

1. State and local sales tax.
2. All bonds and association dues.
3. Traffic control, saw-cutting, butt joints, survey layout, layout of joints, and construction water.
4. Removal of TABS, buttons, existing pavement markings, etc.
5. TMGI excludes all penalties and damages assessed by Owner except as stated in inclusions note 5 above.
6. TMGI will not be responsible for lane rental costs, road user costs, etc.
7. Sweeping and or cleaning prior to TMGI's work.
8. Blotter material and placement.
9. Railroad protective insurance if applicable.
10. Item 351 & 508 excludes all removals.
11. Hand placed hot mix (Priced on Request).
12. Pavement Repairs less than 7' wide (Priced on Request).
13. Grass or vegetation removal.
14. Builders Risk Insurance.

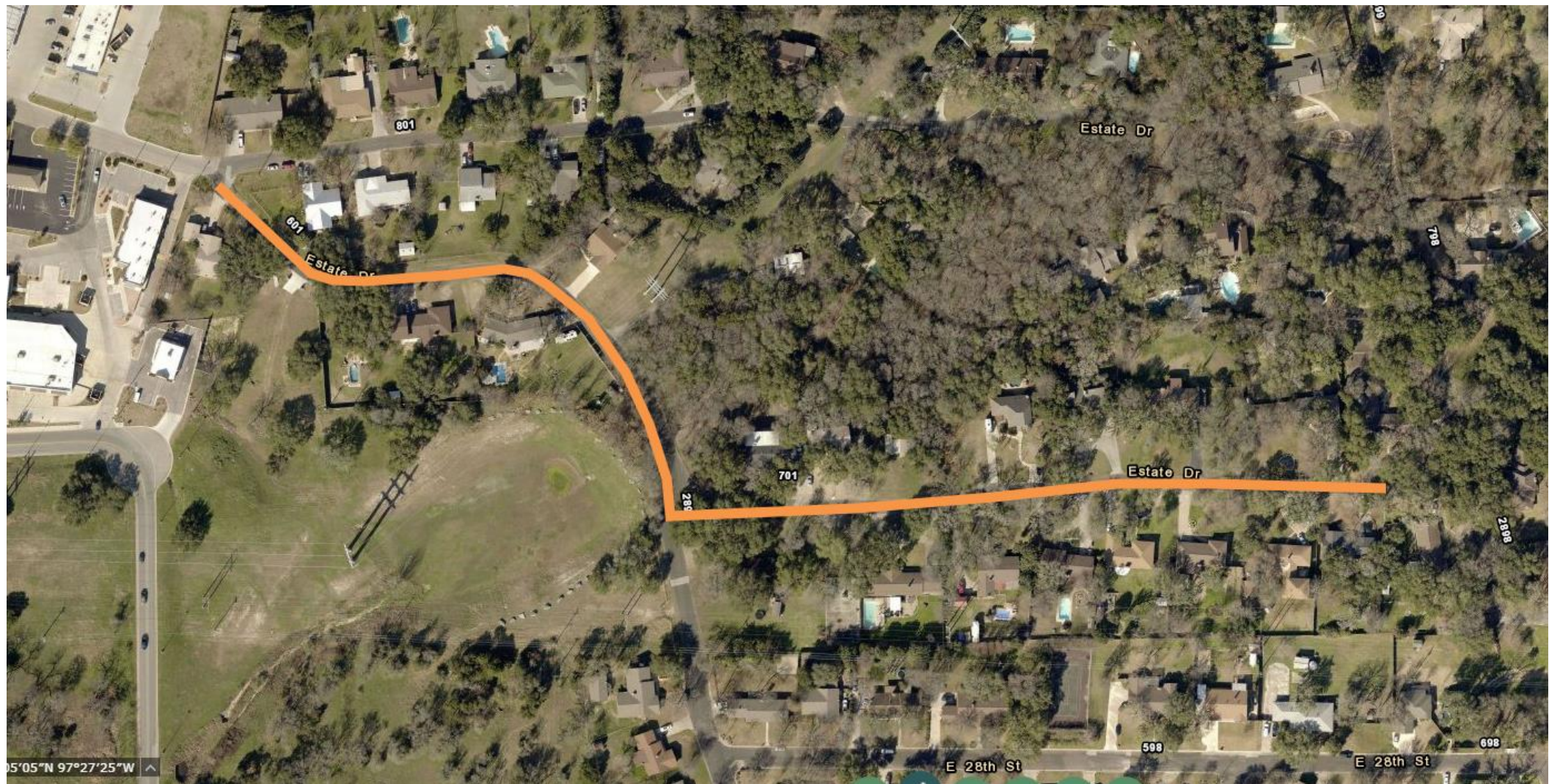
NOTE:

All material is guaranteed to be as specified. All work is to be completed in a work-manlike manner per standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written change orders and will become an extra charge over and above this estimate.

Quote Accepted by:

Signed: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_









# Staff Report – City Council Agenda Item

## Agenda Item #6

Consider reappointments to the following Commissions:

- A. Police and Fire Civil Service Commission
- B. Historic Preservation Commission

**Originating Department:** Administration – Amy M. Casey, City Clerk

## **Background**

- A. Jerry Samu's term on the Civil Service Commission ends on September 24, 2021. He has expressed a desire to serve another term, and Mayor Carpenter is recommending him for reappointment.
- B. Barrett Covington and Ann Carpenter have terms on the Historic Preservation Commission that end on September 8, 2021. Both have expressed a desire to serve another term, and Mayor Carpenter is recommending both for reappointment.

## **Fiscal Impact**

N/A

## **Recommendation**

Recommend approval of the reappointments.

## **Attachments**

None



# Staff Report – City Council Agenda Item

## Agenda Item #7

Consider appointments to the Youth Advisory Commission, administer oath of office to newly appointed members, and appoint a Chair.

### Originating Department

Parks and Recreation – Matt Bates, Director

### Background

In May 2007, the City Council authorized the formation of a Youth Advisory Commission (YAC), and the first one-year appointments were made in September 2007. The YAC is charged with:

- Developing recommendations to the Council that focus on Belton's quality of life, community facility and service enhancements, and other issues of importance to young people.
- Making recommendations and advising the City Council concerning solutions to specific youth issues in the community.
- Encouraging the initiation of programs of general interest to youth.
- Enlisting the cooperation of all segments of the community in being more responsive to the youth community.
- Making and issuing reports concerning its studies, research, examinations and other activities, and making annual reports to the City Council at such times as may be requested by the Council.

For 2021-2022, we are proposing the following students be appointed to YAC:

	Last Name	First Name	Male/Female	Grade	School	Volunteer Hours
<b>1</b>	Romer	Emma	Female	12 <sup>th</sup>	Belton H.S.	27
<b>2</b>	McAninch	Katelyn	Female	11 <sup>th</sup>	Home	22.5
<b>3</b>	McDonald	Lauryn	Female	12 <sup>th</sup>	Belton H.S.	7
<b>4</b>	Ryan	Arianna	Female	11 <sup>th</sup>	Belton New Tech	8.5
<b>5</b>	Ogden	Emily	Female	12 <sup>th</sup>	Belton H.S.	19

<b>6</b>	Kunz	Christian	Male	11	Lake Belton	8
<b>7</b>	Moore	Chase	Male	11	Lake Belton	8
<b>8</b>	Constancio	Oscar	Male	10	Belton H.S.	10
<b>9</b>	Ojha	Shivangi	Female	12	Belton New Tech	0

The proposed chair, Emma Romer, did a fantastic job shadowing last year's chair, and I am recommending she be appointed as the Chair of the 2021-2022 YAC.

City Attorney John Messer will conduct the swearing-in of the 2021-2022 YAC members.

**Fiscal Impact**

YAC Budget for FY2022: \$1,000

**Recommendation**

Recommend approval of the appointments.

**Attachments**

None

# Staff Report – City Council Agenda Item



Date: August 24, 2021  
Case No.: Z-21-11  
Request: A – SF-3  
Applicant/Owners: Joe McNamara and Belton Engineering

## **Agenda Item #8**

Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 12.035 acres located along an extension of Laila Lane, west of Connell Street, east of South Loop 121, south of West Avenue O, and north of Huey Drive.

**Originating Department:** Planning Department – Tina Moore - Planner

**Current Zoning:** Agricultural (A)

**Proposed Zoning:** Single Family Residential - 3

**Proposed Use(s):** Single Family Detached Residential Homes

**Future Land Use Map (FLUM) Designation:** Residential

## **Design Standards Type Area 9:**

The desired growth in this area is a mixture of uses taking into consideration context and the Loop 121 corridor.

## **Background/Case Summary**

This request is anticipated to be a continuation of the West Canyon Trails subdivision and will be developed with single family detached homes. The subdivision plat will be presented to the City Council at a future meeting.

## **Project Analysis and Discussion**

### **Existing Conditions:**

Direction	Zoning	Use
North	Agricultural	McNamara's Auto Parts
South	Commercial - 2	BISD – Undeveloped Tract
West	SF-3	West Canyon Trails
East	SF-3	The Ridge at Belle Meadows

**Land Use Table/Allowable Uses:** The requested SF-3 Zoning District would permit the uses as identified below:

- Single Family detached dwellings
- Municipally owned facilities and uses (no open storage or repairs)
- Accessory building and uses (home occupation) customarily incidental to primary use
- Telephone exchange
- Sewerage Treatment Plant and pump station
- Swimming pool
- Accessory dwelling Unit

**Area & Setback Requirements:**

	<b>SF-3</b>
Minimum Lot area	5,000
Lot width	50'
Lot Depth	90'
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	5'/15'- adjacent to a street
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	45%

The subject property is approximately 12 acres. A subdivision plat is required and will be reviewed for compliance with the minimum area requirements and setbacks. The proposed development will also include a segment of Laila Lane which will connect West Canyon Trails to The Ridge at Belle Meadows subdivision.

**Future Land Use Map**

The Future Land Use Map (FLUM) identifies this area as projected for residential development. The request zoning appears to be compatible with the existing zoning, projected growth and appears reasonable at this location.

**Recommendation**

At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural to a Single Family-3 Zoning District, and Staff concurs in that recommendation.

**Attachments**

Application and Conceptual Site Plan

Property Location Map

Zoning map

Aerial photo

Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200')

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: BELTON ENGINEERING INC Phone Number: 254-731-5600  
Mailing Address: 106 N. EAST STREET City: BELTON State: TX  
Email Address: lch.tay@beltonengineers.com

Owners Name: JOE A. McNAMARA & McNAMARA SPOUSE TRUST Phone Number: \_\_\_\_\_  
Mailing Address: 1202 W. AVENUE C City: BELTON State: TX  
Email Address: \_\_\_\_\_

Applicant's Interest in Property:

RESIDENTIAL DEVELOPMENT

Legal Description of Property:

A0906BC J. P. WALLACE, 7, ACRES 24,188

Is this property being simultaneously platted? NO

Street Address: \_\_\_\_\_

Zoning Change From A-AGRICULTURAL to SF-3 - SINGLE FAMILY-3

Signature of Applicant: [Signature] Date: 06-07-21

Signature of Owner (if not applicant): Randy Taylor Date: 07-15-21

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.



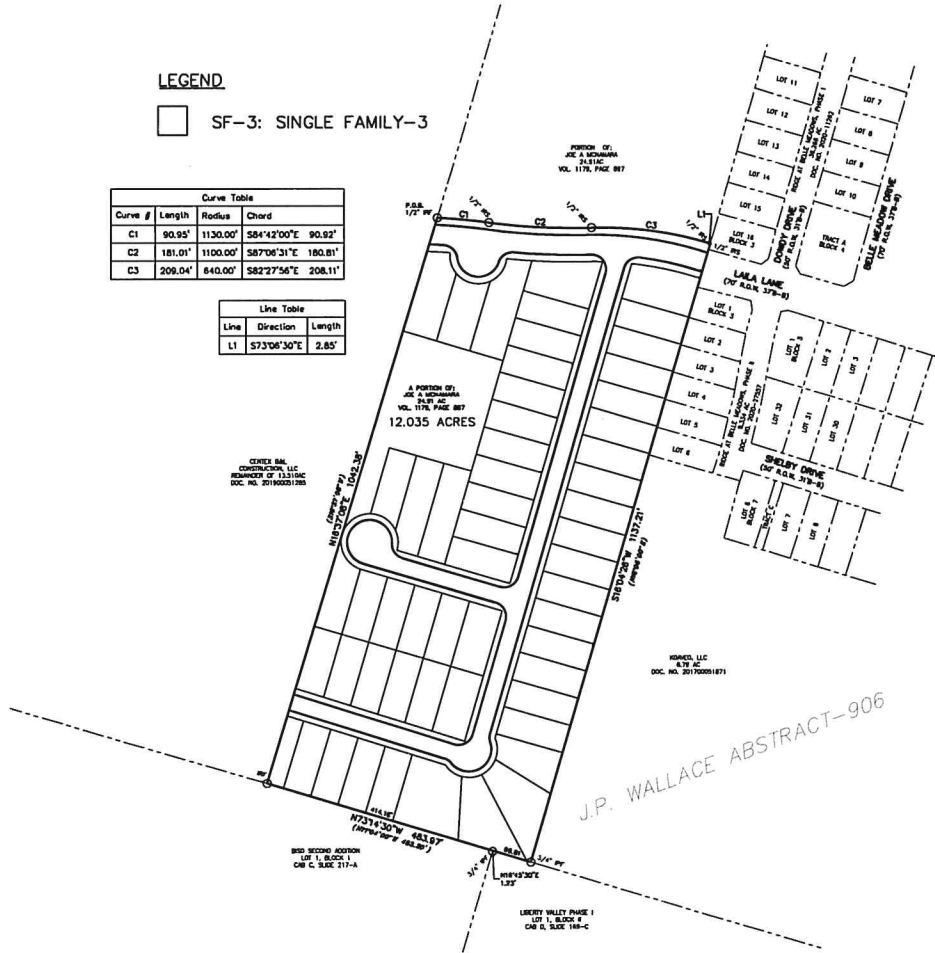
# LEGEND

SF-3: SINGLE FAMILY-3

Curve Table			
Curve #	Length	Radius	Chord
C1	90.93'	1130.00'	S84°42'00"E 90.92'
C2	181.01'	1100.00'	S87°04'21"E 180.81'
C3	209.04'	640.00'	S82°27'56"E 208.11'

Line Table		
Line	Direction	Length
L1	S73°04'30"E	2.85'

CENTER BAL  
CONSTRUCTION, LLC  
RECORD OF 131310C  
DOC. NO. 20190021185



RECORDED  
LIBERTY VALLEY  
DOC. NO. 20170021187

J.P. WALLACE ABSTRACT-906

Being a tract of land in Bell County, Texas, lying and situated in the J.P. WALLACE SURVEY, ABSTRACT NO. 906, and the land herein described being a portion of that certain 24.91 acre tract conveyed to Joe A. McNamara and wife Ruby M. McNamara by Deed recorded in Volume 1179, page 837, Official Public Records of Bell County, Texas (OPRBC), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" found (North=10.354.655.038, East=1.148.642.021) at the intersection of the west boundary line of said 24.91 acre Joe A. McNamara, et al. tract and the north right-of-way line of LALA LANE a public dedicated street to the City of Belton, Texas, being the beginning of a curve to the right;

THENCE departing said west line, over and across said 24.91 acre Joe A. McNamara, et al. tract, the following four (4) c&s:

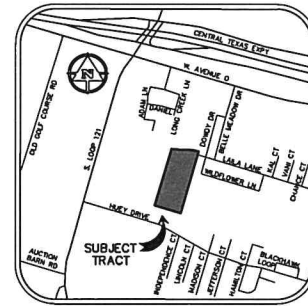
1. At an arc length of 90.95 feet with said curve to the right, radius equals 1130.00 feet, long chord bearing equals SOUTH 84°42'00" EAST, 90.92 feet, to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set at the beginning of a curve to the left;
2. At an arc length of 181.01 feet with said curve to the left, radius equals 1100.00 feet, long chord bearing equals SOUTH 87°04'21" EAST, 180.81 feet, to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set at the beginning of a curve to the right;
3. At an arc length of 209.04 feet with said curve to the right, radius equals 640.00 feet, long chord bearing equals SOUTH 82°27'56" EAST, 208.11 feet, to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set at the beginning of a curve to the left;
4. SOUTH 73°04'30" EAST, 2.85 feet to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set at the intersection of said 24.91 acre Joe A. McNamara et al. tract (east line) and the north right-of-way line of said LALA LANE, being the west boundary line of THE RIDGE AT BELLE MEADOWS, PHASE 1, an addition to the City of Belton, Texas, according to the plat recorded by document No. 2020011262, OPRBC.

THENCE continuing with said east line of 24.91 acre McNamara tract, SOUTH 18°04'28" WEST, 1137.21 feet to a 3/4" iron pipe found at the southeast corner of said 24.91 acre McNamara tract, being the southwest corner of that certain called 37.561

acre tract conveyed to KNOVED LLC, a Texas limited liability company by General Warranty Deed recorded in Document No. 2017015171 OPRBC, said 3/4" iron pipe lying on the north boundary line of LIBERTY VALLEY PHASE 1, an addition to the City of Belton, Texas according to the plat recorded in Cabinet D, Slide 165-C, OPRBC.

THENCE with the south boundary line of said 24.91 acre McNamara tract, NORTH 73°14'34" WEST, at 69.91 feet passing a 3/4" iron pipe found 1.22 feet in a perpendicular direction, an additional 414.16 feet, for an overall distance of 483.97 feet to an iron rod found at the common corner of said 24.91 acre McNamara tract (southeast corner) and the residual portion of that certain 13.519 acre tract conveyed to CENTER BAL Construction, L.L.C., a Texas Limited Liability Company by General Warranty Deed recorded in Document No. 20190021185 OPRBC (undivided corners) and being in the north line of BELTON INDEPENDENT SCHOOL DISTRICT SECOND ADDITION, an addition to the City of Belton, Texas, according to the plat recorded in Cabinet C, Slide 217-A, OPRBC.

THENCE with a common line of said 24.91 acre McNamara tract (west line) and said residual portion of 13.519 acre CENTER BAL tract (east line) NORTH 14°37'04" EAST, 1842.38 feet to the POINT OF BEGINNING and containing 12.035 acres of land.



VICINITY MAP



REZONE LAYOUT PLAN OF:  
**McNAMARA TRACT, BELTON, TEXAS**  
12.035 ACRES 524,245.471 SQUARE FEET  
OUT AND A PART OF THE:  
J.P. WALLACE SURVEY, ABSTRACT #906, BELL COUNTY, TEXAS



## REVISIONS

NO.	DATE	DESCRIPTION



**BELTON ENGINEERING INC.**

106 NO. EAST STREET  
BELTON, TEXAS 76513  
OFFICE (254)721-5600  
MOBILE (254)289-7273  
BELTONEENGINEERS.COM

Engineering  
Design/Build  
Planning

REZONE LAYOUT PLAN OF:  
**McNAMARA TRACT, BELTON, TEXAS**  
CITY OF BELTON, BELL COUNTY, TEXAS



07/15/21

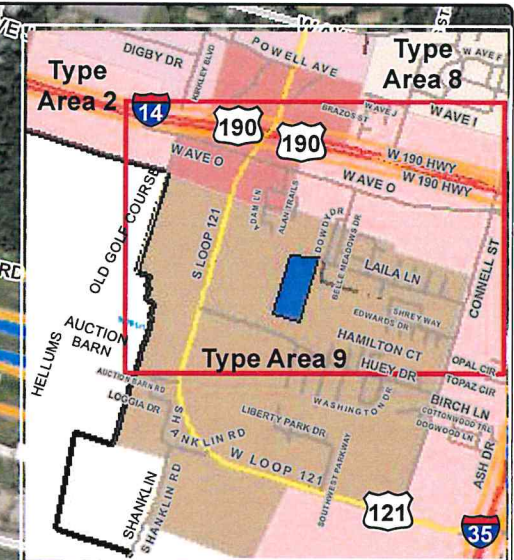
SCALE: 1"=60'

DRAWN.: RR  
ELEC. DRAWING FILE  
C:\21011-REZONE.DWG  
DATE: 07/15/21  
JOB NO.: 21011  
01 of 01

C1.0



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-21-11 Zoning



Map: E. City of Belton Project: Planning Department and Planning Department Zoning Change Case# Z-21-11 Zoning and

Map: E. City of Belton Project: Planning Department and Planning Department Zoning Change Case# Z-21-11 Zoning and

## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

A0906BC J P WALLACE,  
7, ACRES 24.188

## PROPERTY OWNER:

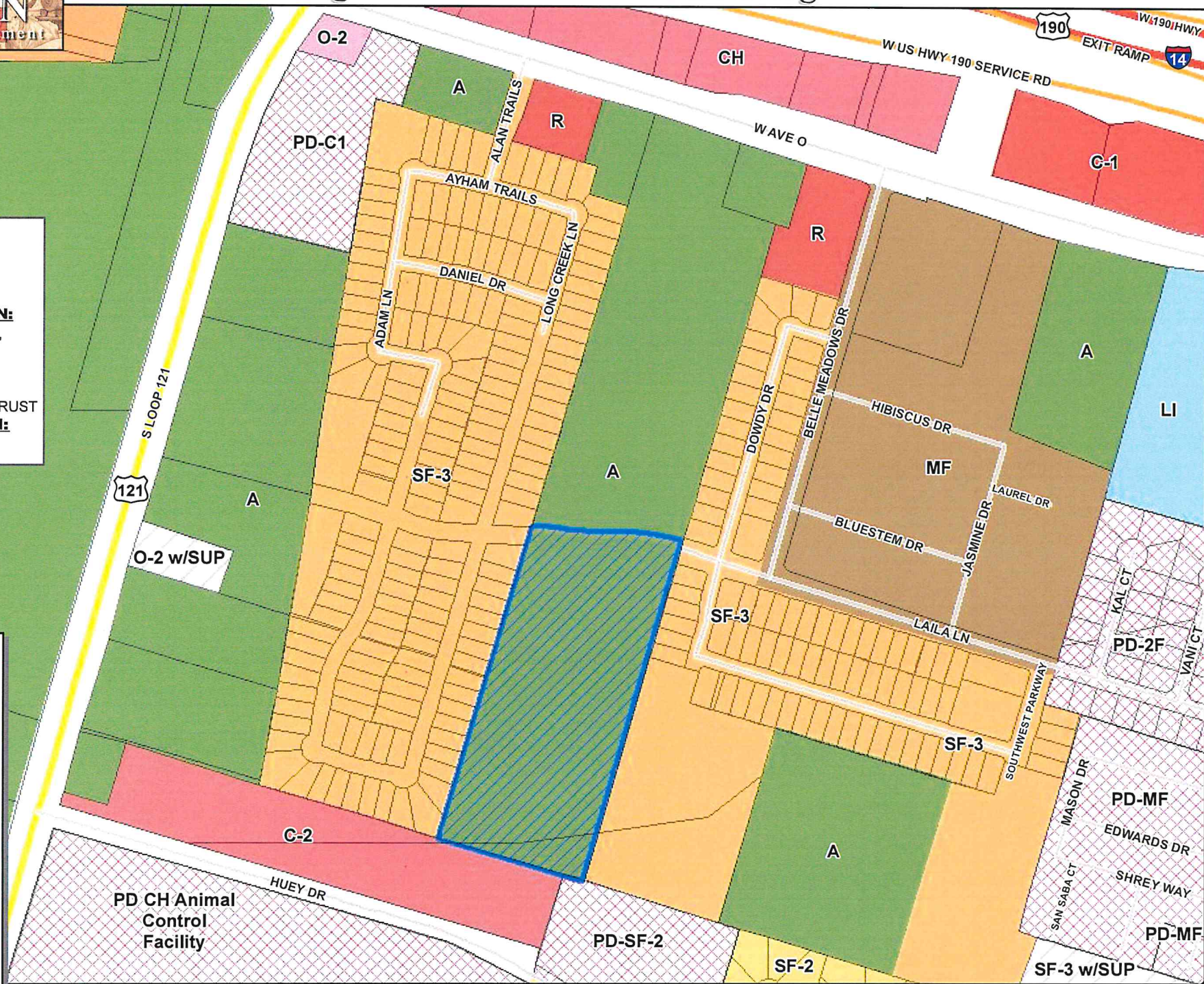
JOE A. MCNAMARA &  
MCNAMARA SPOUSE TRUST

## ADDRESS/LOCATION:

1206 WAVE O

## Legend

- City Parcels
- City Limits
- Z\_21\_11
- Current\_Zoning**
  - Agricultural
  - Commercial Highway
  - Commercial-1
  - Commercial-2
  - Light Industrial
  - Mobile Home
  - Multi Family
  - Office-2
  - Planned Development
  - Retail
  - Single Family-2
  - Single Family-3
  - Specific Use Permit



Map Date: 7/23/2021

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# Zoning Case # Z-21-11 Aerial

**ZONING CHANGE:**

A  
to  
SF-3

**LEGAL DESCRIPTION:**

A0906BC J P WALLACE,  
7, ACRES 24.188

**PROPERTY OWNER:**

JOE A. MCNAMARA &  
MCNAMARA SPOUSE TRUST

**ADDRESS/LOCATION:**

1206 WAVE O

**LEGEND**

City\_Parcels

Z\_21\_11

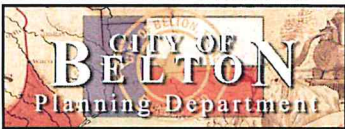


0 250 500 Feet



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# Zoning Case # Z-21-11

## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

A0906BC J P WALLACE,  
7, ACRES 24.188

## PROPERTY OWNER:

JOE A. MCNAMARA &  
MCNAMARA SPOUSE TRUST

## ADDRESS/LOCATION:

1206 WAVE O

## Legend

- Z\_21\_11
- 200' Property Owner Notification Area
- Tax Appraisal Parcels
- City Parcels

Map Date: 7/23/2021

0 125 250 500 Feet



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**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 ENGINEERING INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: APPROXIMATELY 12.035 ACRES LOCATED ALONG AN EXTENSION OF  
LAILA LANE, GENERALLY LOCATED WEST OF CONNELL STREET, EAST OF LOOP 121, SOUTH OF WEST AVENUE O, AND  
NORTH OF HUEY DRIVE.

FROM A(N) AGRICULTURAL (AG) ZONING DISTRICT,  
TO A(N) SINGLE FAMILY-3 (SF-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, August 17, 2021**, 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, August 24, 2021**, 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  
REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING  
IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON AUGUST 17, 2021.

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**

SUPERINTENDENT BELTON I.S.D. P O Box 269 BELTON TEXAS 76513	13917 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	13920 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502
72052 MCNAMARA, JOE A & MCNAMARA SPOUSE TRUST 1202 W AVENUE O BELTON, TX 76513-4127	232135 BELTON IND SCHOOL DISTRICT PO BOX 269 BELTON, TX 76513-0269	393682 BARNES INDEPENDENT DEVELOPERS L P PO BOX 148 KILLEEN, TX 76540-0148
467732 MCNAMARA, JOE A & MCNAMARA SPOUSE TRUST 1202 W AVENUE O BELTON, TX 76513-4127	467734 BELTON IND SCHOOL DISTRICT PO BOX 269 BELTON, TX 76513-0269	486477 CENTEX B & L CONSTRUCTION LLC 106 N EAST ST BELTON, TX 76513
498609 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498610 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498611 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502
498612 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498622 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498639 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502
498670 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498687 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498688 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502
498689 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498690 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498691 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502
498692 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498693 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502	498694 KDAVEO LLC 5201 WILDFLOWER LN TEMPLE, TX 76502

Minutes of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton  
333 Water Street  
Tuesday, August 17, 2021

---

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Luke Potts, Joshua Knowles, Zach Krueger, Nicole Fischer, and Stephanie O'Banion. The following members were absent: David Jarratt and Quinton Locklin. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Laura Livingston and IT Specialist Alex Munger.

**5. Z-21-11 Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) Zoning District on approximately 12.035 acres located along an extension of Laila Lane, generally west of Connell Street, and east of South Loop 121, south of West Avenue O, north of Huey Drive. (Audio 2:32)**

Staff Planner Ms. Moore presented the staff report (Exhibit A).

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

Commission Member Dave Covington made a motion to approve item Z-21-11 as recommended by Staff. Commission Member Joshua Knowles seconded the motion. The motion was approved with 7 ayes, 0 nays.

## **ORDINANCE NO. 2021-18**

### **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL - 3 DISTRICT ON APPROXIMATELY 12.035 ACRE TRACT TO BE REGULATED UNDER TYPE AREA 9 DESIGN STANDARDS.**

**WHEREAS**, Joe McNamara, the property owner, 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 17<sup>th</sup> day of August, 2021, at 5:30 p.m. for hearing and adoption, said district being described as follows:

12.035 Generally located west of Connell Street, east of South Loop 121, south of West Avenue O, north of Huey Drive, along a future extension of Laila Lane (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 24<sup>th</sup> day of August 2021, 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 Agricultural to Single Family Residential 3, in accordance to Section 12, *Single Family Residential 3 Zoning District*, and the Design Standards in Ordinance 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 shall conform to the Single Family Residential - 3 Zoning District in all respects.
2. The development of each property shall conform to all applicable Type Area 9 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Tree Protection, Preservation and Mitigation Standards.
3. 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 24<sup>th</sup> day of August 2021, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**SIGNED AND APPROVED** by the Mayor and attested by the City Clerk on this the 24<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Wayne Carpenter, Mayor

ATTEST:

\_\_\_\_\_  
Amy M. Casey, City Clerk



# Zoning Case # Z-21-11 Location

## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

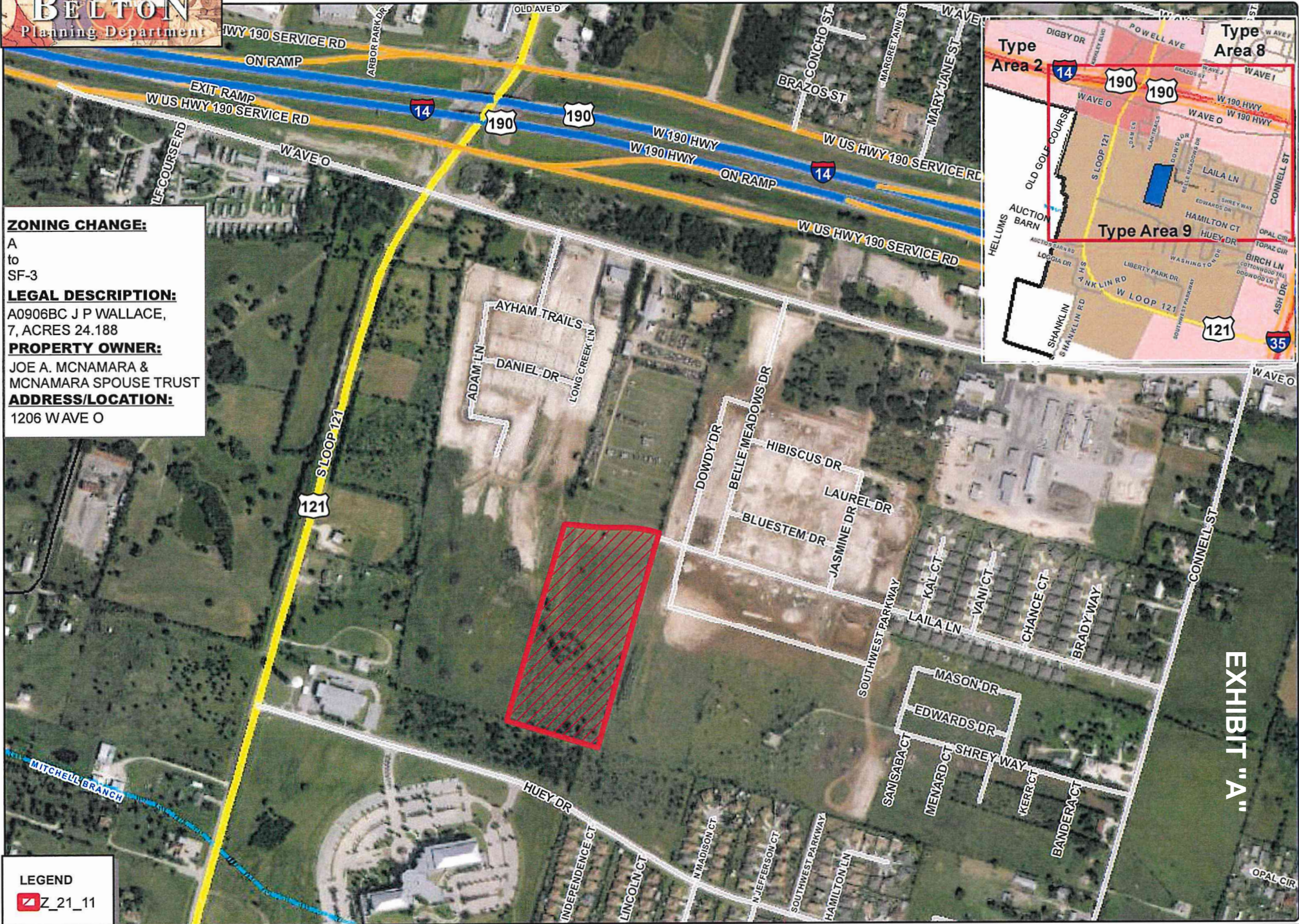
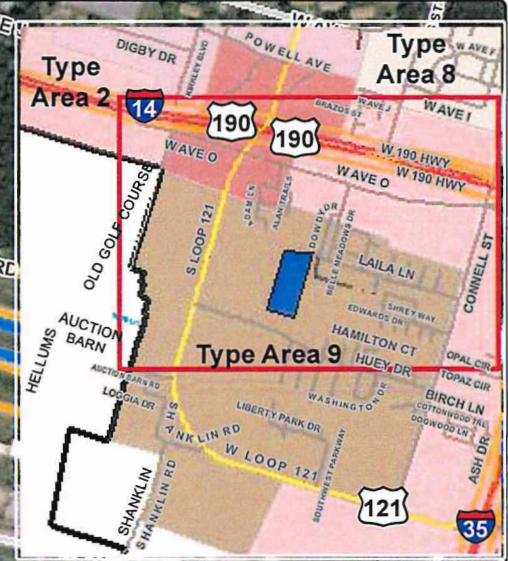
A0906BC J P WALLACE,  
7, ACRES 24.188

## PROPERTY OWNER:

JOE A. MCNAMARA &  
MCNAMARA SPOUSE TRUST

## ADDRESS/LOCATION:

1206 WAVE O



## LEGEND

Z\_21\_11

0 250 500 1,000 Feet



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# Staff Report – City Council Agenda Item



Date: August 24, 2021  
Case No.: Z-21-012  
Request: A – SF-3  
Applicant/Owners: Gilbert, James, and Paula  
Golden and Belton  
Engineering

## Agenda Item #9

Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3) on approximately 55.997 acres located east of IH 35, north of loop 121, and south of Avenue R.

**Originating Department:** Planning Department – Tina Moore - Planner

**Current Zoning:** Agricultural (A)      **Proposed Zoning:** Single Family Residential - 3

**Proposed Use(s):** Single Family Detached Residential Homes

**Future Land Use Map (FLUM) Designation:** Residential

**Design Standards Type Area 11:** The desired growth in this area is a primarily a single family residential with opportunity for retail and commercial areas along Holland Road.

## **Background/Case Summary**

The applicant is proposing a zoning change to allow for a single family detached subdivision. The property is currently vacant. A subdivision plat will be presented to the commission at a later date.

## **Project Analysis and Discussion**

### Existing Conditions:

Direction	Zoning	Use
North	SF-2	Single Family Detached Homes
South	SF-3 and A	Single Family Detached Homes and Miller Heights Park
West	SF-2	Single Family Detached Homes
East	SF-3	Single Family Detached Homes

**Land Use Table/Allowable Uses:** The requested SF-3 Zoning District would permit the uses as identified below:

- Single Family detached dwellings
- Municipally owned facilities and uses (no open storage or repairs)
- Accessory building and uses (home occupation) customarily incidental to primary use
- Telephone exchange
- Sewerage Treatment plant and pump station
- Swimming pool
- Accessory Dwelling Unit

**Area & Setback Requirements:**

	<b>SF-3</b>
Minimum Lot area	5,000
Lot width	50'
Lot Depth	90'
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	5'/15'- adjacent to a street
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	45%

The subject property is approximately 56 acres, and the owner proposes a single family detached residential use. The future plat will be reviewed for compliance with the minimum area requirements and setbacks.

**Future Land Use Map**

The Future Land Use Map (FLUM) identifies this area as projected for high density residential development. The request zoning appears to be compatible with the projected growth for this area and appropriate at this location.

**Recommendation**

At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural to a Single Family-3 Zoning District, and Staff concurs in that recommendation.

**Attachments**

Application and Conceptual Site Plan

Property Location Map

Zoning map

Aerial photo

Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200')

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: BELTON ENGINEERING, INC. Phone Number: 254-731-5600  
Mailing Address: 106 N. EAST STREET City: BELTON State: TX  
Email Address: 1city@beltonengineers.com

PAULA G. GOLDEN

Owners Name: GILBERT F. & JAMES L. GOLDEN Phone Number: \_\_\_\_\_  
Mailing Address: 2328 SHANKLIN ROAD City: BELTON State: TX  
Email Address: \_\_\_\_\_

Applicant's Interest in Property:

RESIDENTIAL DEVELOPMENT

Legal Description of Property: CHARLIE MILLER ADDITION, BLOCK 16-19, 23-26, 29-32, PT 8-12, 15, 22, 28, & RDS ADJ, ACRES 46.4 / AC006BC M.F. CONNELL, AKA LT 10B 213 & SE PT OF BLK 6 HERRINGTON, ACRES 5.693

Is this property being simultaneously platted? NO

Street Address: \_\_\_\_\_

Zoning Change From A-AGRICULTURAL to SF-3 SINGLE FAMILY

Signature of Applicant: [Signature] Date: 7-13-2021

Signature of Owner (if not applicant): [Signature] Date: 7-13-2021

Checklist for Zoning Items to be submitted with application: Paula G. Golden 7/13/2021

- ☐ 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-21-12 Location



## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

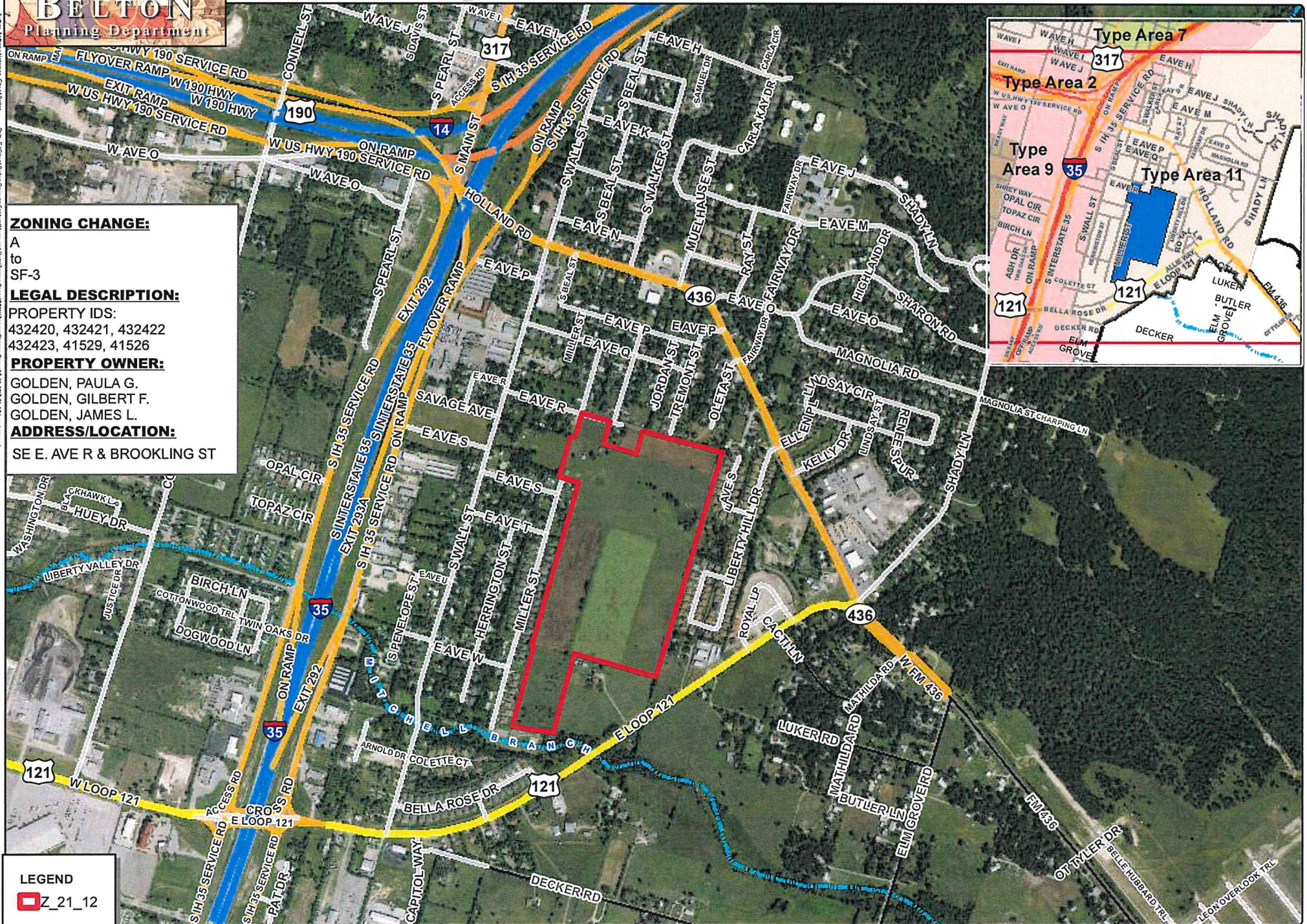
PROPERTY IDS:  
432420, 432421, 432422  
432423, 41529, 41526

## PROPERTY OWNER:

GOLDEN, PAULA G.  
GOLDEN, GILBERT F.  
GOLDEN, JAMES L.

## ADDRESS/LOCATION:

SE E. AVE R & BROOKLING ST



## LEGEND

  Z\_21\_12

Map Date: 7/23/2021

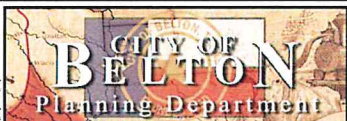
0 500 1,000  
Feet



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-21-12 Zoning



**ZONING CHANGE:**  
A  
to  
SF-3

**LEGAL DESCRIPTION:**  
PROPERTY IDS:  
432420, 432421, 432422  
432423, 41529, 41526

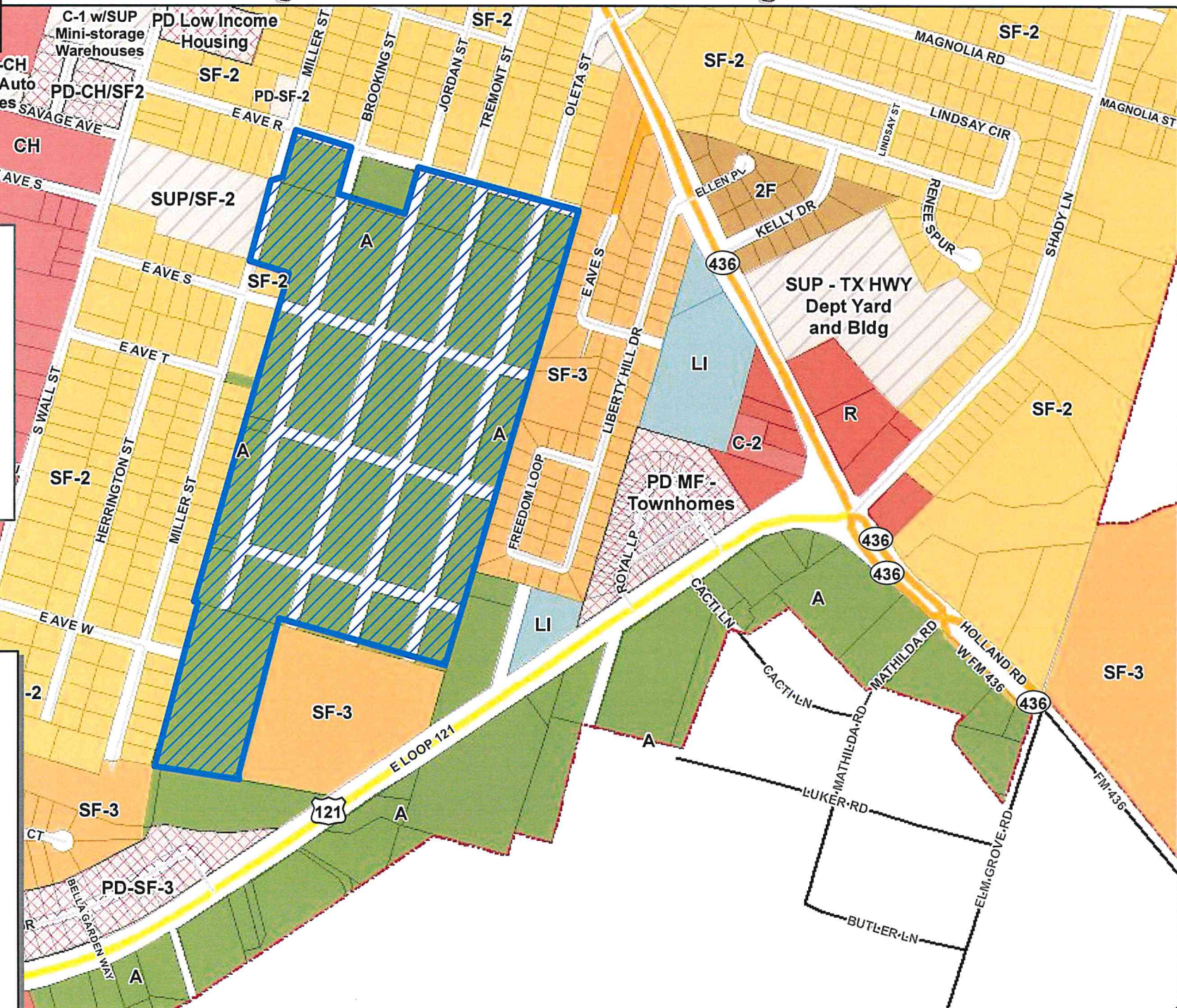
**PROPERTY OWNER:**  
GOLDEN, PAULA G.  
GOLDEN, GILBERT F.  
GOLDEN, JAMES L.

**ADDRESS/LOCATION:**  
SE E. AVE R & BROOKLING ST



- Legend**
- Z\_21\_12
  - City Parcels
  - City Limits
  - Current\_Zoning**
  - Agricultural
  - Commercial-Highway
  - Commercial-1
  - Commercial-2
  - Conservation Revitalization Overlay
  - Light Industrial
  - Mobile Home
  - Planned Development
  - Retail
  - Single Family-2
  - Single Family-3
  - Specific Use Permit
  - Two Family

Map Date: 7/23/2021



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# Zoning Case # Z-21-12 Aerial



## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

PROPERTY IDS:  
432420, 432421, 432422  
432423, 41529, 41526

## PROPERTY OWNER:

GOLDEN, PAULA G.  
GOLDEN, GILBERT F.  
GOLDEN, JAMES L.

## ADDRESS/LOCATION:

SE E. AVE R & BROOKLING ST

## LEGEND

Z\_21\_12

Map Date: 7/23/2021

0 250 500  
Feet



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# Zoning Case # Z-21-12

## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

PROPERTY IDS:  
432420, 432421, 432422  
432423, 41529, 41526

## PROPERTY OWNER:

GOLDEN, PAULA G.  
GOLDEN, GILBERT F.  
GOLDEN, JAMES L.

## ADDRESS/LOCATION:

SE E. AVE R & BROOKLING ST

## Legend

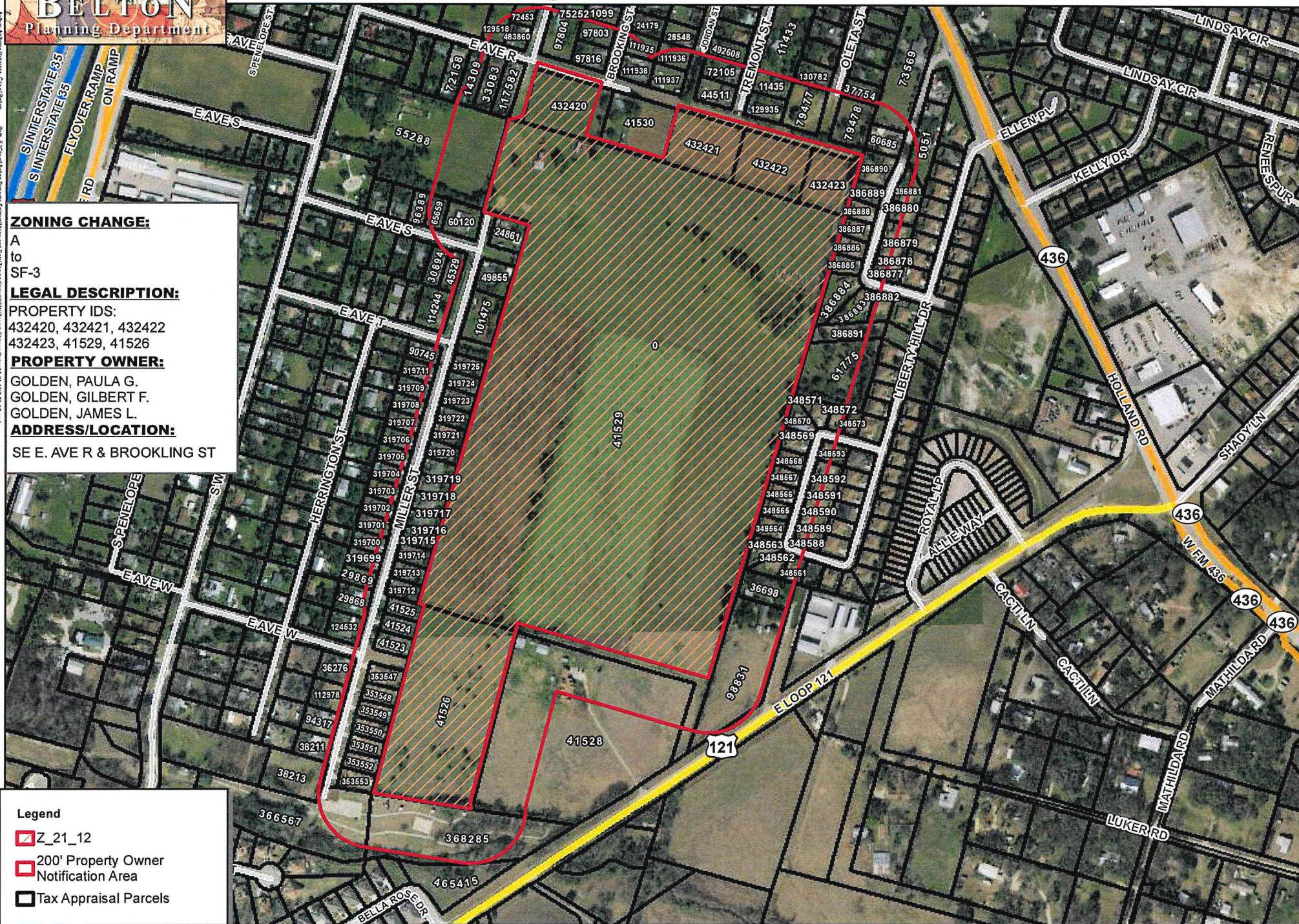
- Z\_21\_12
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

Map Date: 7/23/2021

0 175 350 700 Feet



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**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 ENGINEERING INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: APPROXIMATELY 55.997 ACRES, GENERALLY LOCATED EAST OF  
I35, NORTH OF EAST LOOP 121, SOUTH OF AVENUE R AND EAST OF MILLER STREET  
FROM A(N) AGRICULTURAL (AG) ZONING DISTRICT,  
TO A(N) SINGLE FAMILY-3 (SF-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, August 17, 2021**, 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, August 24, 2021**, 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 REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON AUGUST 17, 2021.

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**

	1099 VALENZUELA, BENJAMIN JR 1613 BROOKING ST BELTON, TX 76513	
11433 BONKOWSKI, PAUL R SR ETUX LILLIE 1612 TREMONT ST BELTON, TX 76513-4361	11435 BONKOWSKI, PAUL R ETUX LILLIE 1612 TREMONT ST BELTON, TX 76513-4361	14309 GUTHRIE, ROBERT A ETUX STEPHANIE R 511 E AVENUE R BELTON, TX 76513-4332
24179 LECHUGA, ARTEMIO M ETUX 1612 BROOKING ST BELTON, TX 76513-4341	24861 COSTA, LENORE ANN 5080 ELM GROVE RD BELTON, TX 76513-7610	28548 SALAZAR, FELIX 1615 JORDAN ST BELTON, TX 76513-4344
29868 BARBER, JAMES ETUX ANGELA 2208 MILLER ST BELTON, TX 76513	29869 REYNOLDS, JENNIFER A 2202 MILLER ST BELTON, TX 76513	30894 HOFF FAMILY INVESTMENTS LLC 239 S SIERRA ST RENO, NV 89501
33083 SALAZAR, MARTHA 513 E AVENUE R BELTON, TX 76513-4332	36276 GMM HOLDINGS LLC 1904 CANYON SPGS BELTON, TX 76513-1049	36698 OGLE, GLENN A 803 E LOOP 121 BELTON, TX 76513-4444
37754 SCHILLING, ANITA FAYE 3298 ELMER KING RD BELTON, TX 76513	38211 FRITZ, JAMES C ETUX HELEN 2308 MILLER ST BELTON, TX 76513-4516	38213 GONZALEZ, JAIME 3535 TEM-BEL LN TEMPLE, TX 76502
41523 LISCHER, TINA 2211 MILLER ST BELTON, TX 76513-4519	41524 DOMINGUEZ, YVONNE 2209 MILLER ST BELTON, TX 76513	41525 HUFFMAN, JIMMY D ETUX MARY L 2207 MILLER ST BELTON, TX 76513-4519
41526 GOLDEN, JAMES L 4000 FM 1123 BELTON, TX 76513-7712	41528 IQBAL, ANSAR 707 E LOOP 121 BELTON, TX 76513-4575	41529 GOLDEN, GILBERT F & JAMES L 2328 SHANKLIN RD BELTON, TX 76513
41530 GOLDEN, ZETTA ROSE 1081 HESSELRIDGE DR HEWITT, TX 76643	44511 GUZMAN, REBECA 1619 TREMONT ST BELTON, TX 76513-4360	45329 CRUZ, JUAN C 419 E AVENUE S BELTON, TX 76513-4553
49855 HILLIARD, BILLY WAYNE 1901 MILLER ST BELTON, TX 76513-4352	55288 KURZINSKY, ASHLEY NICOLE & RICHARD JAMES KUSAK II 1124 PRESWICK DR HARKER HEIGHTS, TX 76548	60120 BENAVIDEZ, VIRGINIA ET VIR MATTHEW J 508 E AVENUE S BELTON, TX 76513

60169	60685	61775
MCKINNEY, JIMMY L & RUTH A	AVILA, JOSE L ETUX CELIA G	CITY OF BELTON
1615 MILLER ST	901 HOLLAND RD	PO BOX 120
BELTON, TX 76513-4348	BELTON, TX 76513-4407	BELTON, TX 76513-0120
65659	72105	72158
ROSENBAUM, DAVID	CENTRAL TEXAS CASTLES LTD	LARGENT, LAURA ETVIR RODNEY
6310 TANZANITE DR	PO BOX 1404	509 E AVENUE R
KILLEEN, TX 76542-3355	TEMPLE, TX 76503-1404	BELTON, TX 76513-4332
72453	73569	75252
LWG ASSOCIATES LLC	CASTILLO, RUBEN ETAL	MARTINEZ, MARTINA S
202 E BARTON AVE	806 HOLLAND RD	2608 N MAIN ST STE B
TEMPLE, TX 76501-3371	BELTON, TX 76513-4405	BELTON, TX 76513-1547
79477	79478	90745
GUTIERREZ, CUPERTINO	GUTIERREZ, CUPERTINO	STELLAR EXECUTIVE GROUP INC
1207 S WALKER ST	1207 S WALKER ST	PO BOX 292
BELTON, TX 76513-3942	BELTON, TX 76513-3942	BELTON, TX 76513-0292
94317	96389	97803
POOL, EVELYN FRANCES	CRONK, MICHAEL J	RENICK, MURRAY D
1878 SPARTA OAKS DR	406 E AVENUE S	1620 MILLER ST
BELTON, TX 76513-4714	BELTON, TX 76513-4554	BELTON, TX 76513-4349
97804	97816	98831
RENIK, MURRAY D & ENRIQUE SAMUDIO	RENICK, MURRAY D	RICHTER, TOMMY L
1620 MILLER ST	1620 MILLER ST	801 E LOOP 121
BELTON, TX 76513	BELTON, TX 76513-4349	BELTON, TX 76513
101475	111935	111936
MILLS, DON L ETUX BRENDA	RUBIO, FRANCISCO ETUX MARILUZ	RUBIO, FRANCISCO ETUX MARILUZ
1903 MILLER ST	1616 BROOKING ST	1616 BROOKING ST
BELTON, TX 76513-4352	BELTON, TX 76513-4341	BELTON, TX 76513-4341
111937	111938	112978
RUBIO, FRANCISCO ETUX MARILUZ	RUBIO, FRANCISCO ETUX MARILUZ	MMM ASSET HOLDINGS LLC
1616 BROOKING ST	1616 BROOKING ST	2315 SOUTH LOOP 121
BELTON, TX 76513-4341	BELTON, TX 76513-4341	BELTON, TX 76513-1049
114244	117582	124532
TANNER, JAMES RODDY ETAL	COTTON, DAVID B ETUX TANYA G	MOTL, SANDRA KAY
6300 RIDGLEA PL STE 407	5010 S PEA RIDGE RD	2210 MILLER ST
FT WORTH, TX 76116	TEMPLE, TX 76502	BELTON, TX 76513-4321
129518	129935	130782
JACK-O-LANTERN LTD	SALAZAR, JUAN M PEREZ & JUAN MANUEL PEREZ	KING, DANA G
116 NORTH 3RD ST SUITE A	1624 TREMONT ST	1705 OLETA ST
TEMPLE, TX 76501	BELTON, TX 76513	BELTON, TX 76513

319699	319700	319701
REYNOLDS, JENNIFER A	GONZALEZ, CIRIACO	REAL STAR RENTALS LLC
2202 MILLER ST	2200 MILLER ST	1506 PASEO DEL PLATA STE 200
BELTON, TX 76513	BELTON, TX 76513-4321	TEMPLE, TX 76502
319702	319703	319704
RALFF, MISTY J ETVIR HENRY M	SIGAFOOSE, LAURA ANN	PARROTT, EDWIN J ETUX MINNIE C
2108 MILLER ST	2106 MILLER ST	2104 MILLER ST
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513-4300
319705	319706	319707
REAL STAR RENTALS LLC	HALLEY, DAVID A ETUX VIOLET M	RICHARDSON, LAWRENCE JAMES
1506 PASEO DEL PLATA STE 200	2100 MILLER ST	2010 MILLER ST
TEMPLE, TX 76502	BELTON, TX 76513-4300	BELTON, TX 76513-4314
319708	319709	319711
WILLIAMS, DWAYNE & DARLENE	LATTA, DILLAN LUKE	MENDOZA, MORGAN E ETVIR JOSHUA
2008 MILLER ST	2006 MILLER ST	2004 MILLER ST
BELTON, TX 76513-4314	BELTON, TX 76513	BELTON, TX 76513
319712	319713	319714
PEREZ, ANA & LUIS T	DAVIS, GLENN V SR	WHALEY, JOYCE L ETUX LEWIS D TERELL
2205 MILLER ST	2203 MILLER ST	2201 MILLER ST
BELTON, TX 76513-4519	BELTON, TX 76513-4519	BELTON, TX 76513-4519
319715	319716	319717
RUFF, ROBERT CHAD ETUX ANDREA P	EVANS, DAVID	TEXAS ASSET MANAGEMENT INC
2111 MILLER ST	2109 MILLER ST	3601 COTTONWOOD SPRINGS DR
BELTON, TX 76513	BELTON, TX 76513	THE COLONY, TX 75056-4602
319718	319719	319720
MARUNA, FREDRICK V	LOPEZ, CIRILO	ATCHLEY, BRIDGEDA
2105 MILLER ST	2103 MILLER ST	2101 MILLER ST
BELTON, TX 76513-4303	BELTON, TX 76513-4303	BELTON, TX 76513
319721	319722	319723
MILLER, LARRY ETUX MILA	PENTECOST, LEWIS V	LHCS LLC
2011 MILLER ST	PO BOX 586	1506 PASEO DEL PLATA STE 200
BELTON, TX 76513-4515	POINT COMFORT, TX 77978	TEMPLE, TX 76502-3490
319724	319725	348561
RUBIO, SERGIO ETUX LYDIA CABRERA	MCLAUGHLIN, PAUL ETUX ANGELA	PARKER, JIMMY F ETUX CAROLINE
2005 MILLER ST	2415 DOTSONVILLE RD	2835 AUCTION BARN RD
BELTON, TX 76513-4515	CLARKSVILLE, TN 37042-6924	BELTON, TX 76513-7168
348562	348563	348564
COOPER, BOB	VAZQUEZ, SANTOS	TEHUITZIL, ANA L DE LA CRUZ
952 PRIVATE ROAD 4405	1806 FREEDOM LOOP	1804 FREEDOM LOOP
KEMPNER, TX 76539-5725	BELTON, TX 76513-4412	BELTON, TX 76513

348565	348566	348567
EGBERT, RIKKI N	ACOSTA, MELISSA	BARNETT, CLIFTON C
5433 LOOP 205 APT 172	1800 FREEDOM LOOP	28360 PHEASANT RUN
TEMPLE, TX 76502	BELTON, TX 76513	EVANS MILLS, NY 13637-3167
348568	348569	348570
MOREHEAD, DOROTHY ELAINE	VEKASY, JULIE E	ROBERTS, MICHAEL J ETUX BETTY
1712 FREEDOM LOOP	1710 FREEDOM LP	1708 FREEDOM LOOP
BELTON, TX 76513-4451	BELTON, TX 76513	BELTON, TX 76513
348571	348572	348573
A STROUSE & SON GLASS INC	FREEMAN, NICHOL F	LEYDEN, TREVOR J
PO BOX 743	1704 FREEDOM LOOP	1702 FREEDOM LOOP
SEASIDE, CA 93955	BELTON, TX 76513	BELTON, TX 76513
348588	348589	348590
WINGO, CODY ROBERT & KAYLA D'LAINE JAMES	SUSIE ROSE LLC	MILLER, ROWENA & BILLY
1805 FREEDOM LOOP	540 COUNTY ROAD 360	914 ESTATE DR
BELTON, TX 76513	GATESVILLE, TX 76528	BELTON, TX 76513
348591	348592	348593
GRAY, DARLA KIM	COOPER, BOB	ELKINS, MARLA A ETAL
1715 FREEDOM LOOP	952 PRIVATE ROAD 4405	1711 FREEDOM LOOP
BELTON, TX 76513	KEMPNER, TX 76539-5725	BELTON, TX 76513-4442
353547	353548	353549
LI, SERGEY	CHEE-CHONG, ERNESTO ETUX RACHEL L	JENKINS, STACY ETVIR JAMES
2301 MILLER ST	2303 MILLER ST	2305 MILLER ST
BELTON, TX 76513	BELTON, TX 76513-4521	BELTON, TX 76513
353550	353551	353552
BAZAN-ROSA, EFRAIN ETUX IRMA BAZAN	BEAGLE, TAYLOR G	COCHRAN, TROY D ETUX MARLA J
2307 MILLER ST	2309 MILLER ST	2311 MILLER ST
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513-4521
353553	366567	368285
MORIN, SAMUEL ETUX JOSEFINA	CITY OF BELTON	CITY OF BELTON
2313 MILLER ST	PO BOX 120	PO BOX 120
BELTON, TX 76513-4521	BELTON, TX 76513-0120	BELTON, TX 76513-0120
386877	386878	386879
ROMERO, JOSE ETUX IMELDA PEREZ ROMERO	ROBINSON, KRAIG	STONE, CHARLES M ETUX ALEXA Z
1011 E AVENUE S	1009 W AVE S	1007 E AVE S
BELTON, TX 76513-4520	BELTON, TX 76513	BELTON, TX 76513
386880	386881	386882
VAZQUEZ, RICHARD	VANCE, CAROL GENE JR EUX BECKY SUE	ELPERS, ROBERT L
3057 ROMA ST	1003 E AVENUE S	1018 E AVENUE S
ROUND ROCK, TX 78665-4515	BELTON, TX 76513-4520	BELTON, TX 76513-4335



386883  
HARRISON, HYLAN D ETUX REESA F  
1016 E AVENUE S  
BELTON, TX 76513-4335

386886  
MAPES, AMBSEY & JORDAN  
1010 E AVENUE S  
BELTON, TX 76513

386889  
RIOS, JESUS M III  
1004 E AVENUE S  
BELTON, TX 76513

432420  
GOLDEN, GILBERT F & JAMES L  
2328 SHANKLIN RD  
BELTON, TX 76513

432423  
GOLDEN, GILBERT F & JAMES L  
2328 SHANKLIN RD  
BELTON, TX 76513

492608  
ESPINOZA, GRISELDA  
1609 TREMONT ST  
BELTON, TX 76513

386884  
RIGGINS, WENDY M ETVIR QUINTIN T  
1014 E AVENUE S  
BELTON, TX 76513-4335

386887  
RODRIQUEZ, ANDREA & MARY MARTHA  
1008 E AVE S  
BELTON, TX 76513

386890  
HAMILTON, RACHEL K  
1002 E AVE S  
BELTON, TX 76513-4335

432421  
GOLDEN, GILBERT F & JAMES L  
2328 SHANKLIN RD  
BELTON, TX 76513

465415  
JC BUILDERS LLC  
4323 E HIGHWAY 190  
LAMPASAS, TX 76550-1210

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

386885  
BRUCE, MYRNA G  
1012 E AVENUE S  
BELTON, TX 76513-4335

386888  
LANE, JERRY L & JUDY K  
1006 E AVENUE S  
BELTON, TX 76513-4335

386891  
CITY OF BELTON  
PO BOX 120  
BELTON, TX 76513-0120

432422  
GOLDEN, GILBERT F & JAMES L  
2328 SHANKLIN RD  
BELTON, TX 76513

483860  
BYBEE, KYLE  
514 E AVENUE R  
BELTON, TX 76513

**NOTICE OF APPLICATION FOR AN  
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FROM A(N) AGRICULTURAL (AG) ZONING DISTRICT,  
TO A(N) SINGLE FAMILY-3 (SF-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, August 17, 2021**, 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, August 24, 2021**, 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  
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IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON AUGUST 17, 2021.

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 <sup>circle one</sup> (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE  
APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. We were told by realtor there would be no development behind us
2. Don't want houses in our back yard
3. \_\_\_\_\_

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

DATE: 8/10/21 SIGNATURE: Glenn V Davis

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

319713  
DAVIS, GLENN V SR  
2203 MILLER ST  
BELTON, TX 76513-4519

**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 ENGINEERING INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: APPROXIMATELY 55.997 ACRES, GENERALLY LOCATED EAST OF  
I35, NORTH OF EAST LOOP 121, SOUTH OF AVENUE R AND EAST OF MILLER STREET,  
FROM A(N) AGRICULTURAL (AG) ZONING DISTRICT,  
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AS AN INTERESTED PROPERTY OWNER, I <sup>circle one</sup> **PROTEST** (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. LOSS OF PRIVACY
2. TRAFFIC
3. NOISE

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

DATE: 8-7-21 SIGNATURE: *Jimmy L. McKinney / Ruth A. McKinney*

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

## Laura Livingston

---

**From:** King, Dana G <Dana.King@killeenisd.org>  
**Sent:** Wednesday, August 11, 2021 5:16 PM  
**To:** Planning  
**Subject:** Proposed Zoning Change

I have received notice that a zoning change is being proposed to the following property approximately 55.997 acres generally located East I35, North of East Loop 121, South of Avenue R and East of Miller street from Agricultural (AG) to Single Family -3 (SF3).

As an interested property owner, I **protest** the requested zoning amendment presented in the application for the following reasons:

1. The believe the width of Oleta street does not support two-way through traffic. Due to utilities above and below ground, the street can not be widened. Contributing to the concern is the fact that homeowners must park in the street due to one car garage or driveway design and city code prohibits parking in the yard.

AND

2. According to Ordinance No 12986-4, executed and duly signed by the Mayor fo the City of Belton, Texas on the 9th day of December, 1986, An ordinance providing that a portion of Brooking Street, Jordan Street, Tremont Street, Oleta Street, Avenue S, Avenue T, and Avenue U be vacated, abandoned and closed providing for the reversion of the fee in said land; repealing all ordinances in conflict herewith; and providing that this ordinance shall become effective immediately Be it ordained by the City Council of the City of Belton, Texas: That those portions of the following street right-of-ways be and the same is hereby closed, abandoned and permanently vacated as a street or public thoroughfare of any kind or character whatever.

I am the property owner of 1705 Oleta St. This property was bought in part because of the street not being a through street. While the personal argument against this proposal is not a valid argument in and of itself, I believe the official ordinance will serve as a proper and valid argument of protest.

Dana King  
1705 Oleta St.  
254-624-0307

**WARNING: This message is from an EXTERNAL email source. DO NOT open attachments or click links from unknown senders or unexpected email. Contact Belton IT support for assistance if necessary.**



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circle one Neutral

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

1. Concerned about increased crime, increased traffic, + concerns about
2. potential voters trying to flip Bell county to blue instead of remaining Red.
3. As property owner, am i able to purchase any land near my homestead?  
(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 8-12-21 SIGNATURE: Cirilopez

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

319719  
LOPEZ, CIRILO  
2103 MILLER ST  
BELTON, TX 76513-4303



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

1. I do not want this put in the neighborhood
2. Road comes right by my home 1901 Miller, the streets
3. are bad here and there is already too much Traffic !!

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

DATE: 8-16-21 SIGNATURE: Billy W. Hullman

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



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1. Wanting to maintain the relatively quiet nature of the area.
2. Loss of privacy
3. Increase of traffic in the area

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

DATE: 8/16/21 SIGNATURE: Sergio Rubio  
Lydia Cabrera

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

319 724

Rubio, Sergio & Lydia Cabrera  
2005 Miller St  
Belton, Tx 76513-4515

Minutes of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton  
333 Water Street  
Tuesday, August 17, 2021

---

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Luke Potts, Joshua Knowles, Zach Krueger, Nicole Fischer, and Stephanie O'Banion. The following members were absent: David Jarratt and Quinton Locklin. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Laura Livingston and IT Specialist Alex Munger.

**6. Z-21-12 Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family 3 (SF-3) Zoning District on approximately 55.997 acres generally located east of I-35, north of Loop 121, south of Avenue R. (Audio 6:25)**

Commission Member Dave Covington recused himself from the item.

Staff Planner Ms. Moore presented the staff report (Exhibit B).

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

Commission Member Luke Potts asked if there were any plans for this area? Ms. Moore said nothing has been submitted yet for subdivision plat. There was a previous plan, the Charlie Miller Addition platted in the 1950s, they are planning on replatting. The streets were previously abandoned by a separate instrument. Chair Baggerly said the map shows streets, but those streets are not there so we don't know what the developer has planned for streets.

Commission Member Luke Potts made a motion to approve item Z-21-09 as recommended by Staff. Commission Member Zach Krueger seconded the motion. The motion was approved with 6 ayes, 0 nays.

## **ORDINANCE NO. 2021-19**

### **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL - 3 DISTRICT ON APPROXIMATELY 55.997 ACRE TRACT TO BE REGULATED UNDER TYPE AREA 11 DESIGN STANDARDS.**

**WHEREAS**, Gilbert, James and Paula Golden, the property owners, 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 17<sup>th</sup> day of August, 2021, at 5:30 p.m. for hearing and adoption, said district being described as follows:

generally located east of I-35, north of Loop 121, south of Avenue R  
(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 24<sup>th</sup> day of August 2021, 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 Agricultural to Single Family Residential 3, in accordance to Section 12, Single Family Residential 3 District, and the Design Standards in Ordinance 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 shall conform to the Single Family Residential - 3 Zoning District in all respects.
2. The development of each property shall conform to all applicable Type Area 11 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Tree Protection, Preservation and Mitigation Standards.
3. 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 24<sup>th</sup> day of August 2021, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**SIGNED AND APPROVED** by the Mayor and attested by the City Clerk on this the 24<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Wayne Carpenter, Mayor

ATTEST:

\_\_\_\_\_  
Amy M. Casey, City Clerk



# Zoning Case # Z-21-12 Location



## ZONING CHANGE:

A  
to  
SF-3

## LEGAL DESCRIPTION:

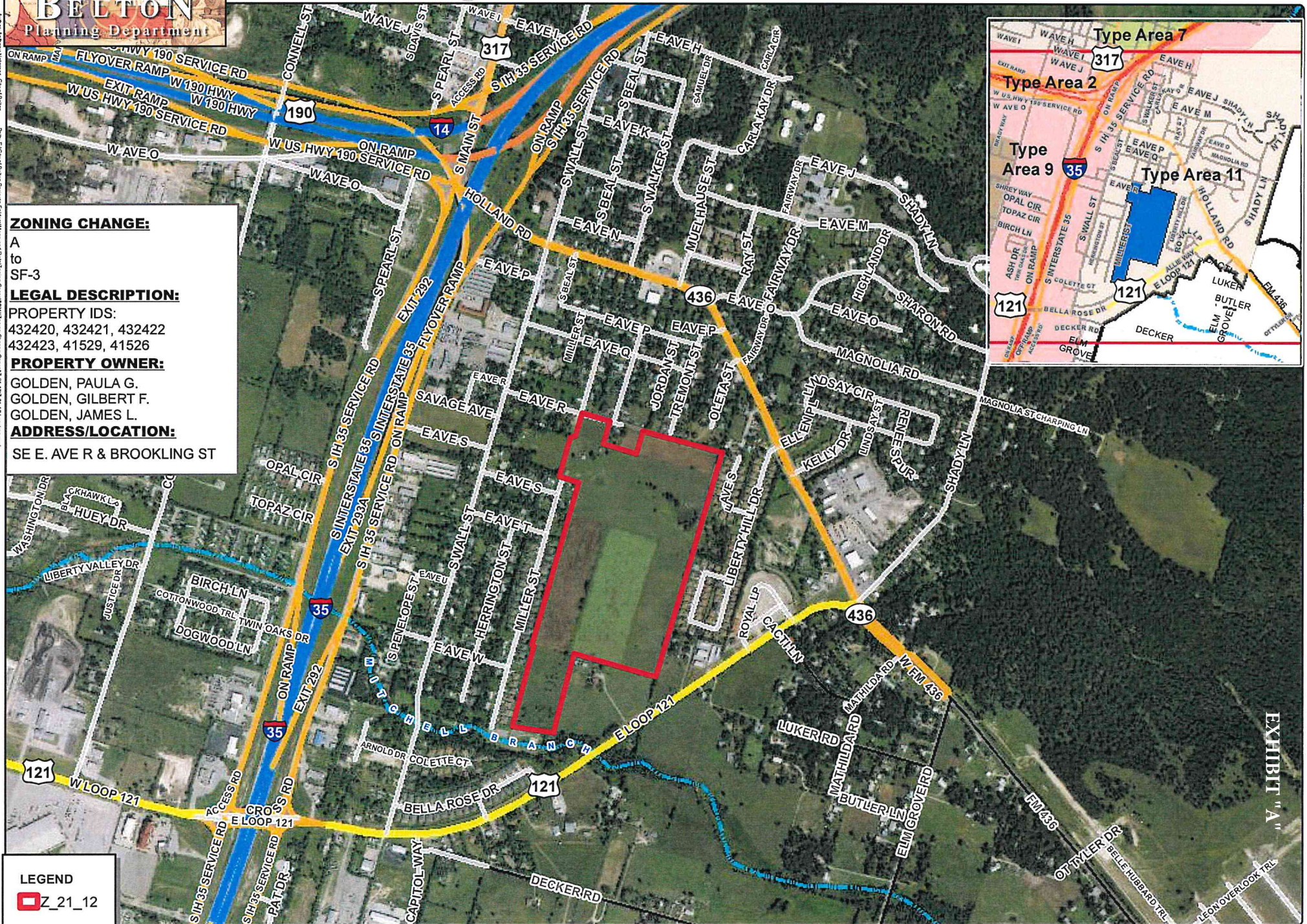
PROPERTY IDS:  
432420, 432421, 432422  
432423, 41529, 41526

## PROPERTY OWNER:

GOLDEN, PAULA G.  
GOLDEN, GILBERT F.  
GOLDEN, JAMES L.

## ADDRESS/LOCATION:

SE E. AVE R & BROOKLING ST



## LEGEND

Z\_21\_12

Map Date: 7/23/2021

0 500 1,000  
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.

EXHIBIT "A"





## Staff Report – City Council Agenda Item

Date: August 24, 2021  
Case No.: Z-21-13  
Request: A – C-2, C-1, R, SF-3  
Applicant/Owners: Joe Richards and Randolph  
Texas Development, LLC.

### **Agenda Item #10**

Hold a public hearing and consider a zoning change from Agricultural (AG) to Single Family-3 (SF-3), Retail (R), Commercial-1 (C-1) and Commercial-2 (C-2) on approximately 53.04 acres located south of IH-14, west of S. Loop 121 and east of Old Golf Course Road.

**Originating Department:** Planning Department – Tina Moore - Planner

**Current Zoning:** Agricultural (A)

### **Proposed Zoning:**

Tract 1 - Commercial – 2 (C-2), 3.53 Acres

Tract 2 - Commercial – 1 (C-1), 3.37 Acres

Tract 3 - Retail (R), 1.09 Acres

Tract 4 - Single Family Residential - 3 (SF-3), 45.05 Acres

**Proposed Use(s):** Commercial and Single Family Detached Residential Homes

**Future Land Use Map (FLUM) Designation:** Commercial

### **Design Standards Type Area 9:**

The desired growth in this area is a mixture of uses taking into consideration context and the Loop 121 corridor.

### **Background/Case Summary**

This project proposes a mixed-use development with commercial and retail fronting Loop 121 and single family detached homes on the remainder of the tract. This property currently has one single family home and a warehouse. The home will be converted to an amenity center for the future residential subdivision. The warehouse will be removed. The subdivision plat will be provided to the commission at a later date.

### **Project Analysis and Discussion**

#### **Existing Conditions:**

Direction	Zoning	Use
North	PD- C-1 Mixed Use and Mobile Home Park	Arbor Park Court Business Park and Hilltop Mobile Home Park
South	A	Single Family Detached Development and Undeveloped Land
West	ETJ – No zoning	Undeveloped Land
East	A and O-2 w/ SUP	Undeveloped Land and Bail Bond Office

### **Land Use Table/Allowable Uses:**

The requested **C-2** Zoning District would permit the following uses:

- Any use permitted in the C-1, Retail, NS or Office Districts
- Restaurant; alcoholic beverages for on-premise consumption associated with food sales.
- Commercial amusement (indoor or outdoor)
- Auto sales new or used; auto servicing/repair; body repair and painting
- Motorcycle and off road vehicle sales, servicing, and repair
- Hotel/motel; hospital or nursing home; funeral home
- Auto parking lot or garage
- Boat sales
- Car wash
- Furniture manufacture/upholstery, carpentry, cabinet, painting, plumbing, welding shops
- Commercial and wholesale dry cleaning
- Flea market (indoor)
- Equipment, tractor, trailer and truck sales and rental
- Lumber yard; home improvement center; nursery and plant sales (outdoor storage)
- Manufactured or mobile home sales; portable building sales
- Veterinarian with outside kennels
- Mini storage warehouses
- **Open or outside storage uses—must be screened**

The requested **C-1** Zoning District would permit the following uses:

- Any use allowed in the Retail District
- Auto parts sales (new) with outside display
- Auto servicing and repair (minor)
- Auto sales (primarily new)
- Boarding or rooming house
- Boat Sales
- Commercial Amusement (indoor)
- Car Wash
- Dance Studio
- Draperies and furniture upholstery
- Equipment sales (primarily new)
- Food Sales – restaurant with primarily drive in customers for consumption in vehicles
- Funeral services
- Furniture

- Home Improvement center w/outside storage
- Hotel/motel
- Manufactured or mobile home sales
- Motorcycle sales/repair
- Off-Road vehicle sales/service and repairs
- Office, showroom
- Pawn shop
- Pet Shop
- Tire dealership
- Tractor sales (primarily new)
- **No outside storage is permitted**

The requested **R** Zoning District would permit the following uses:

- Any use permitted in the NS or Office Districts
- All alcoholic beverage sales with 50% or less revenue from alcohol
- Auto Parts Sales
- Clinic
- Convenience Store with Gas Pumps; Gasoline or Service Station
- Discount, Variety or Department Store
- Food or Grocery Store
- Furniture and Appliance Store
- Home Improvement Center
- Laboratory
- Nursing Home
- Restaurant
- Shopping Center and other Retail Uses; Bakery; Clothing and Apparel Store; Fabric Store; Key Shop; Kiosk; Pet Shop; Sporting Goods Store
- Telephone or Utility Business Office
- Wholesale Clubs or Department Stores – **no outside storage**

The requested **SF-3** Zoning District would permit the following uses:

- Single Family detached dwellings
- Municipally owned facilities and uses (no open storage or repairs)
- Accessory building and uses (home occupation) customarily incidental to primary use
- Telephone exchange
- Sewerage Treatment plant and pump station
- Swimming pool
- Accessory Dwelling Unit

#### **Area & Setback Requirements:**

	<b>C-2</b>	<b>C-1</b>	<b>R</b>	<b>SF-3</b>
Minimum Lot area	5,000	7,200	7,000	5,000
Lot width	50'	60'	60'	50'
Lot Depth	100'	100'	N/A	90'
Minimum Front Yard Setback	20'	25'	25'	25'
Minimum Side Yard Setback	15'/20'- adjacent to a street	25'/30'	25'	5'/15'
Minimum Rear Yard Setback	15'	20'	20'	20'
Maximum Lot Coverage	50%	40%	40%	45%
Maximum Height	2.5 stories	2.5 Stories	2 stories (40")	2.5 stories



The subject property is approximately 53 acres and will be subdivided in the future to allow for the proposed uses. The acreage provided exceeds the minimum requirements in each of the proposed zoning districts. The future plat and development plans will be reviewed for compliance with the City's Zoning and Subdivision Ordinances and Design Standards. Access to the site will be reviewed by TxDOT and staff for compliance with applicable standards. The area indicated for parkland will be reviewed for suitability for public parks and recreational standards.

### **Future Land Use Map**

The Future Land Use Map (FLUM) identifies this area as commercial with a commercial corridor overlay. Medium to high density residential development are encouraged in commercial corridors, particularly as a part of a mixed-use development. Screening and other appropriate mitigation will be required between the commercial and residential uses. The requested zoning appears to be compatible with the projected growth and nearby uses in this area.

### **Recommendation**

At its meeting on August 17, 2021, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural to Commercial-2, Commercial-1, Retail, and Single Family-3 Zoning Districts, and Staff concurs with the recommendation.

### **Attachments**

Application and Conceptual Site Plan

Property Location Map

Zoning map

Aerial photo

Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200')

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: Randolph Texas Development LLC Phone Number: 512-750-0896  
Mailing Address: 14001 W State Hwy 29, Ste 203 City: Liberty Hill State: TX  
Email Address: rrollo@randolphtexas.com

Owners Name: Joe Richards Phone Number: \_\_\_\_\_  
Mailing Address: PO Box 334 City: Belton State: TX  
Email Address: \_\_\_\_\_

Applicant's Interest in Property:  
Purchasing the Property for commercial and residential development

Legal Description of Property:  
(A0818BC J TOWNSEND);, 8, AC 45.776; 4, AC 0.54; 5, AC 0.488; 3, AC 1.47; 2, AC 5.43

Is this property being simultaneously platted? No

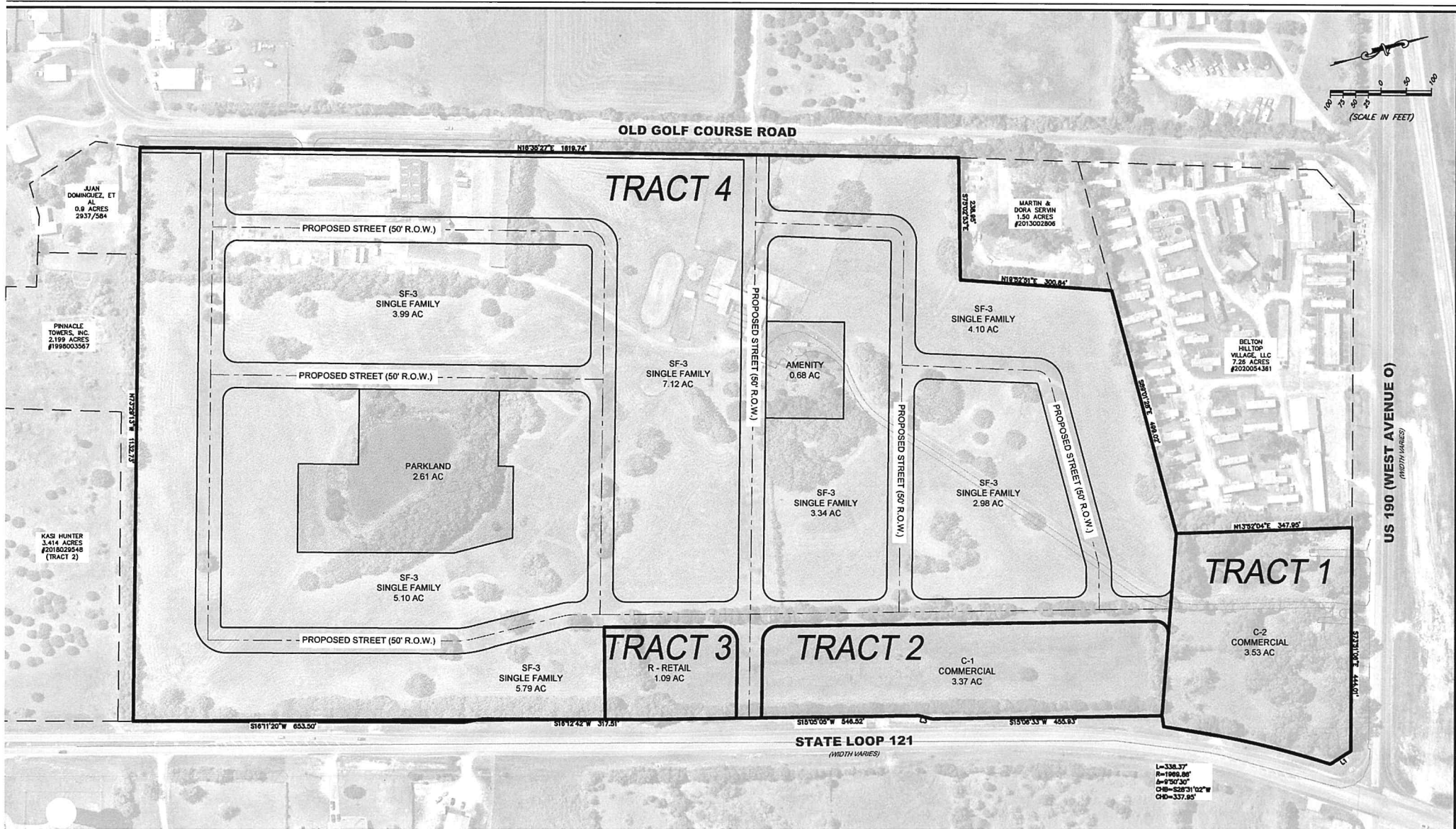
Street Address: 2081 OLD GOLF COURSE RD  
Zoning Change From A - AGRICULTURAL to PD-PLANNED DEVELOPMENT

Signature of Applicant: [Signature] Date: 5/21/21

Signature of Owner (if not applicant): [Signature] Date: 5/24/21

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.



## SUMMARY TABLE

TRACT 1 (C2) -	3.53 AC
TRACT 2 (C1) -	3.37 AC
TRACT 3 (R) -	1.09 AC
TRACT 4 (SF-3) -	45.05 AC

TOTAL 53.04 AC



WARNING: IN CONTRACT TO FIELD VERIFY ALL EXIST UTILITIES VERTICALLY AND HORIZONTALLY PRIOR TO CONSTRUCTION.

ALL RESPONSIBILITY FOR THE ACCURACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS, THE CITY MUST RELY UPON THE ACCURACY OF THE WORK OF THE DESIGN ENGINEER.

THIS PLAN IS SUBMITTED FOR FUTURE CITY APPROVAL STAMP.



# Zoning Case # Z-21-13 Location

## ZONING CHANGE:

A  
to  
SF-3, C-1, C-2, R

## LEGAL DESCRIPTION:

PROPERTY IDS  
98684, 129604, 98685,  
98682, 48013


## PROPERTY OWNER:

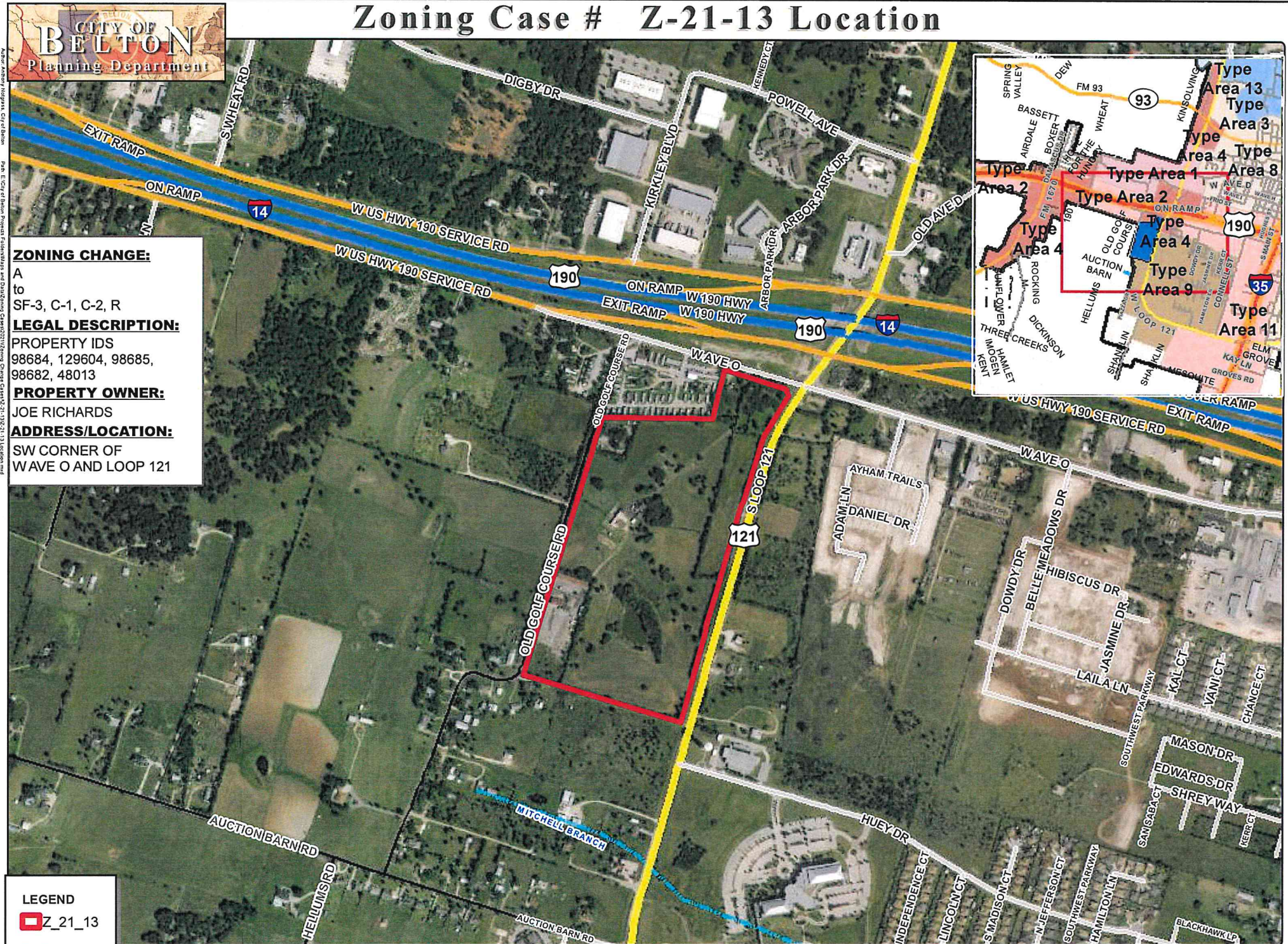
JOE RICHARDS

## ADDRESS/LOCATION:

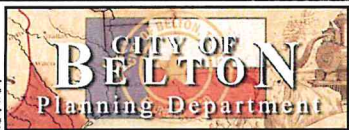
SW CORNER OF  
WAVE O AND LOOP 121

## LEGEND

 Z\_21\_13







# Zoning Case # Z-21-13 Zoning

**ZONING CHANGE:**  
A  
to  
SF-3, C-1, C-2, R

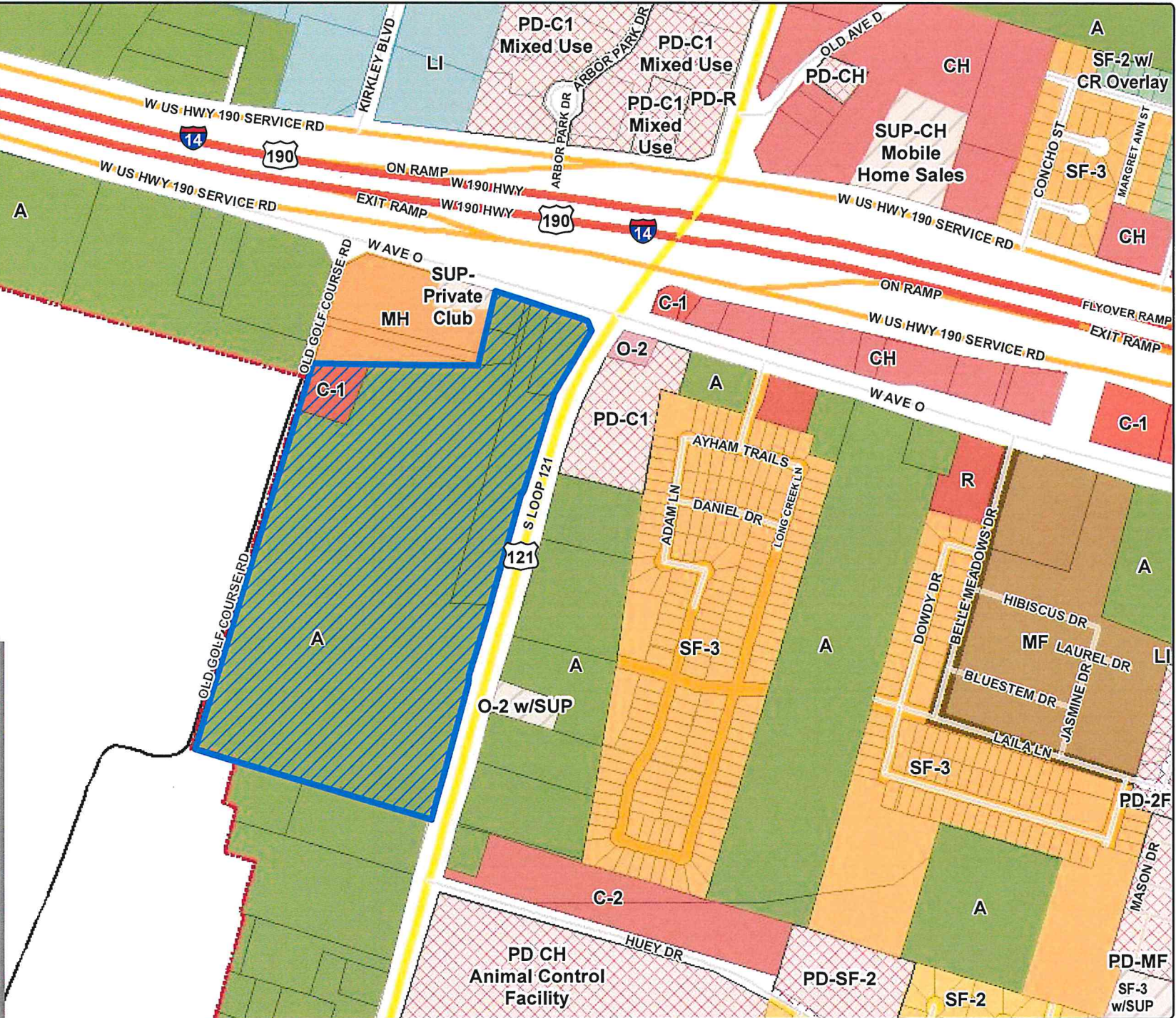
**LEGAL DESCRIPTION:**  
PROPERTY IDS  
98684, 129604, 98685,  
98682, 48013

**PROPERTY OWNER:**  
JOE RICHARDS

**ADDRESS/LOCATION:**  
SW CORNER OF  
WAVE O AND LOOP 121

**Legend**

- Z\_21\_13
- City Parcels
- City Limits
- Current\_Zoning**
- Agricultural
- Commercial Highway
- Commercial-1
- Commercial-2
- Conservation Revitalization Overlay
- Light Industrial
- Mobile Home
- Multi Family
- Office-2
- Planned Development
- Retail
- Single Family-2
- Single Family-3
- Specific Use Permit





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-21-13

## ZONING CHANGE:

A  
to  
SF-3, C-1, C-2, R

## LEGAL DESCRIPTION:

PROPERTY IDS  
98684, 129604, 98685,  
98682, 48013

## PROPERTY OWNER:

JOE RICHARDS

## ADDRESS/LOCATION:

SW CORNER OF  
WAVE O AND LOOP 121

## Legend

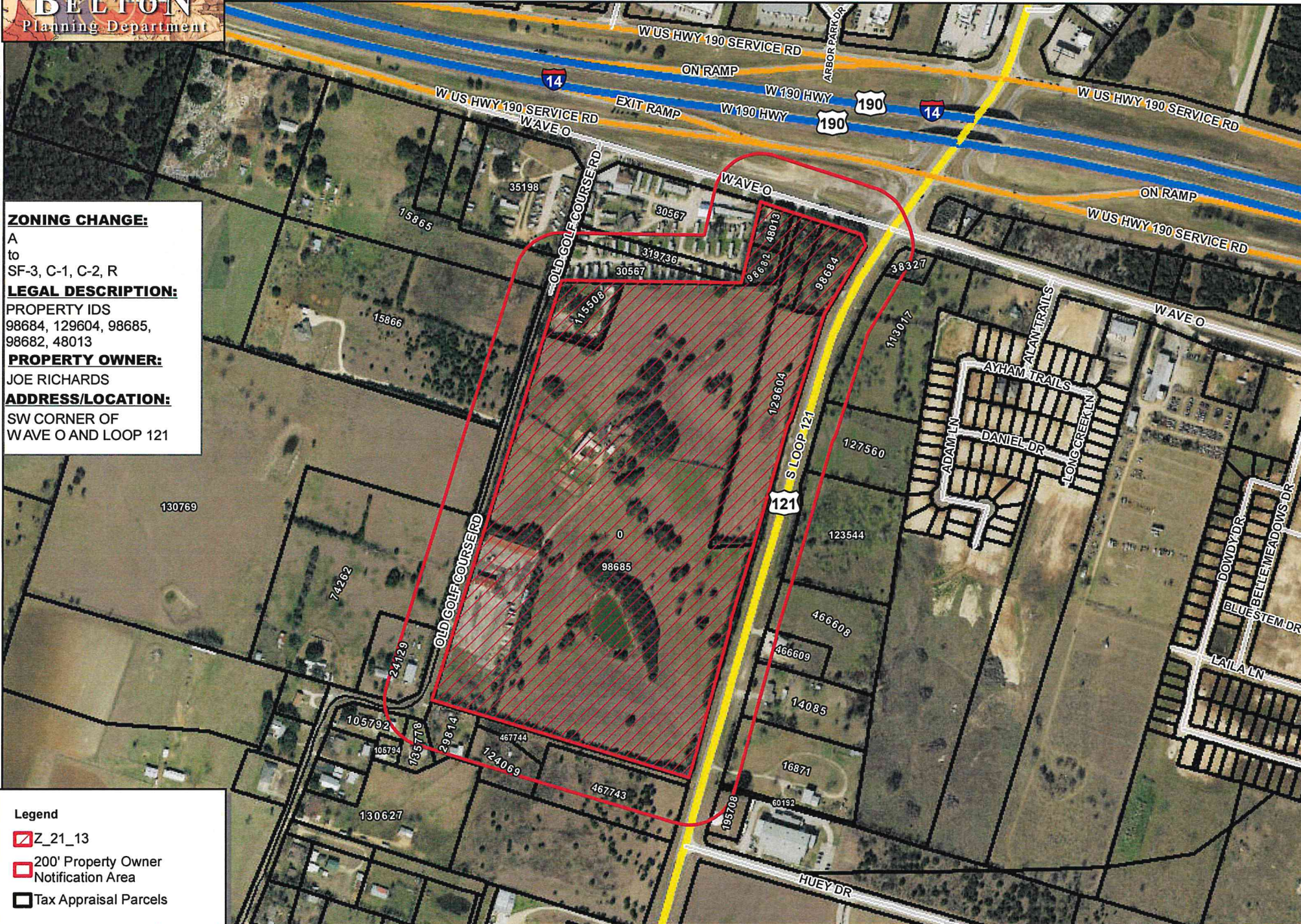
- Z\_21\_13
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

Map Date: 7/23/2021

0 200 400 800 Feet



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: RANDOLPH TEXAS DEVELOPMENT,  
TO CHANGE THE ZONING FOR THE FOLLOWING DESCRIBED PROPERTY: APPROXIMATELY 53.04 ACRES LOCATED  
AT THE SOUTHWEST CORNER OF INTERSTATE 14 AND SOUTH LOOP 121.

TRACT 1: 3.53 ACRES FROM AGRICULTURAL TO COMMERCIAL-2 DISTRICT  
TRACT 2: 3.35 ACRES FROM AGRICULTURAL TO COMMERCIAL-1 DISTRICT  
TRACT 3: 1.07 ACRES FROM AGRICULTURAL TO RETAIL  
TRACT 4: 45.09 ACRES FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL – 3 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, August 17, 2021,** 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, August 24, 2021,** 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**

	14085 MCCLINTOCK, CHERYL L 1962 S LOOP 121 BELTON, TX 76513-3397	15865 LARSON, JACQUELINE KAY BYRD 2381 W HIGHWAY 190 BELTON, TX 76513
15866 LARSON, RUSSELL K 1776 OLD GOLF COURSE RD BELTON, TX 76513	16871 CANAVA, JOE ETUX MARIE 631 E 13TH AVE BELTON, TX 76513-2217	24129 WILKINS, LARRY ETUX ALICE 2138 OLD GOLF COURSE RD BELTON, TX 76513-4152
29814 DOMINGUEZ, JUAN C ETUX ELSA L 2121 OLD GOLF COURSE RD BELTON, TX 76513-4100	30567 BELTON HILLTOP VILLAGE LLC 10412 WELLER DR AUSTIN, TX 78750	35198 WALLACE FAMILY TRUST 1498 OLD GOLF COURSE RD BELTON, TX 76513
38327 ALANIZ, LYDIA O 620 S 6TH ST TEMPLE, TX 76504	48013 RICHARDS, JOE PO BOX 334 BELTON, TX 76513-0334	60192 CENTEX B & L CONSTRUCTION LLC 106 N EAST ST BELTON, TX 76513
74262 MILLER, DON MICHAEL 2180 OLD GOLF COURSE RD BELTON, TX 76513-4152	98682 RICHARDS, JOE PO BOX 334 BELTON, TX 76513-0334	98684 RICHARDS, JOE J PO BOX 334 BELTON, TX 76513-0334
98685 RICHARDS, JOE JEFF PO BOX 334 BELTON, TX 76513-0334	105792 SHINE, GEORGE SCOTT ETUX DONA S 2127 OLD GOLF COURSE RD BELTON, TX 76513	105794 SHINE, GEORGE SCOTT ETUX DONA S 2127 OLD GOLF COURSE RD BELTON, TX 76513
113017 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120	115508 SERVIN, MARTIN & DORA 505 ARMSTRONG DR BELTON, TX 76513-7576	123544 VINSON, SAM ETUX DIANE 3501 ROCKING M LN BELTON, TX 76513-7102
124069 GLOBAL SIGNAL 4017 WASHINGTON RD MCMURRAY, PA 15317-2520	127560 QUAIL COMMERCIAL LP 10663 E TRIMMIER RD KILLEEN, TX 76542-4926	129604 RICHARDS, JOE PO BOX 334 BELTON, TX 76513-0334
130627 FABER, KIMBERLY JACKO & MICHAEL WAYNE 2293 OLD GOLF COURSE RD BELTON, TX 76513	130769 WOOLEY, SONNY PROPERTIES LTD 2468 OLD GOLF COURSE ROAD BELTON, TX 76513-4157	135778 HOSSFELD, FREDIA NAOMI 2125 OLD GOLF COURSE RD BELTON, TX 76513-4100
195708 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120	319736 BELTON HILLTOP VILLAGE LLC 10412 WELLER DR AUSTIN, TX 78750	466608 SPARTA PLAZA LTD 2810 DUNNS CANYON RD BELTON, TX 76513-1352



466609

GRAHAM, STEVEN ETUX LINDA

152 BUCK LN

BELTON, TX 76513

SUPERINTENDENT

BELTON I.S.D.

P O Box 269

BELTON TEXAS 76513

467743

HUNTER, MYRA KAY & KASI R

18914 KINGS ROW AVE

CERRITOS, CA 90703-8054

467744

GLOBAL SIGNAL

4017 WASHINGTON RD

MCMURRAY, PA 15317-2520

**NOTICE OF APPLICATION  
FOR AN  
AMENDMENT TO THE ZONING ORDINANCE  
OF THE  
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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. I approved of rezoning so that i will get water service
  2. on property # 115508. have no service due to low
  3. water pressure because of lot # 30547 - 319736 Thank you
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 7/13/2021 SIGNATURE: Mink Sore

(254) 563-3112

115508  
SERVIN, MARTIN & DORA  
505 ARMSTRONG DR  
BELTON, TX 76513-7576

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



Minutes of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton  
333 Water Street  
Tuesday, August 17, 2021

---

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Luke Potts, Joshua Knowles, Zach Krueger, Nicole Fischer, and Stephanie O'Banion. The following members were absent: David Jarratt and Quinton Locklin. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Laura Livingston and IT Specialist Alex Munger.

**7. Z-21-13 Hold a public hearing and consider a zoning change from Agricultural to Commercial-2, Commercial-1, Retail, and Single Family-3 Zoning Districts on approximately 53.04 acres generally located south of I-14 and west of South Loop 121. (Audio 11:41)**

Staff Planner Ms. Moore presented the staff report (Exhibit C).

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

Commission Member Stephanie O'Banion said it looks like a great use of the property. Commission Member Dave Covington asked about the portion of SF-3 that backs up to Loop 121 in terms of the FLUM, was the intention always to have single family homes in that area. The applicant, Mr. Gary Jones, said their initial plan was to zone it as single family. The property has a lot of topography and so this is a challenge of the property to add more commercial property. He said he promised Ms. Moore that on tract 1 that he would bring in a Chick Fil-A. The market right now is calling for single-family but they do want to reserve part of the acreage for commercial use.

Commission Member Dave Covington asked the depth of the lots that are on Loop 121. Mr. Jones said they don't want anything less than 115 feet. He said he would prefer to see more retail/commercial in that area, but he will still vote in favor.

Commission Member Luke Potts asked why the zoning choices? Mr. Jones said that seemed to make most sense and gives the most options and present the best opportunity for the market.

Commission Member Stephanie O'Banion made a motion to approve item Z-21-13 as recommended by Staff. Commission Member Luke Potts seconded the motion. The motion was approved with 7 ayes, 0 nays.

## ORDINANCE NO. 2021-20

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO COMMERCIAL-2, COMMERCIAL-1, RETAIL, AND SINGLE FAMILY-3 ZONING DISTRICTS ON APPROXIMATELY 53.04 ACRES GENERALLY LOCATED SOUTH OF I-14 AND WEST OF SOUTH LOOP 121 AND EAST OF OLD GOLF COURSE ROAD WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 9 DESIGN STANDARDS.**

**WHEREAS**, Randolph Texas Development, a prospective buyer, 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 17<sup>th</sup> day of August, 2021, at 5:30 p.m. for hearing and adoption, said district being described as follows:

53.04 Acres Generally Located South of I-14,  
West of South Loop 121, and East of Old Golf Course Road  
(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 24<sup>th</sup> day of August 2021, 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 Agricultural to Commercial-2, Commercial-1, Retail, and Single Family-3 Zoning Districts, in accordance to Section 12, *Single Family Residential District – 3*, Section 21, *Retail District*, Section 24, *Commercial -1 District*, Section 25, *Commercial- 2 District*, and the Design Standards in Ordinance 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 Tract 1 shall conform to the Commercial-2 Zoning District in all aspects.
2. The use of Tract 2 shall conform to the Commercial-1 Zoning District in all aspects.
3. The use of Tract 3 shall conform to the Retail Zoning District in all aspects.
4. The use of Tract 4 shall conform to the Single Family Residential – 3 Zoning District in all aspects



5. The development of the property shall conform to all applicable Type Area 9 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Landscape Design Standards
  - c. Tree Protection, Preservation, and Mitigation Standards.
6. 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 24<sup>th</sup> day of August 2021, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**SIGNED AND APPROVED** by the Mayor and attested by the City Clerk on this the 24<sup>th</sup> day of August 2021.

---

Wayne Carpenter, Mayor

ATTEST:

---

Amy M. Casey, City Clerk



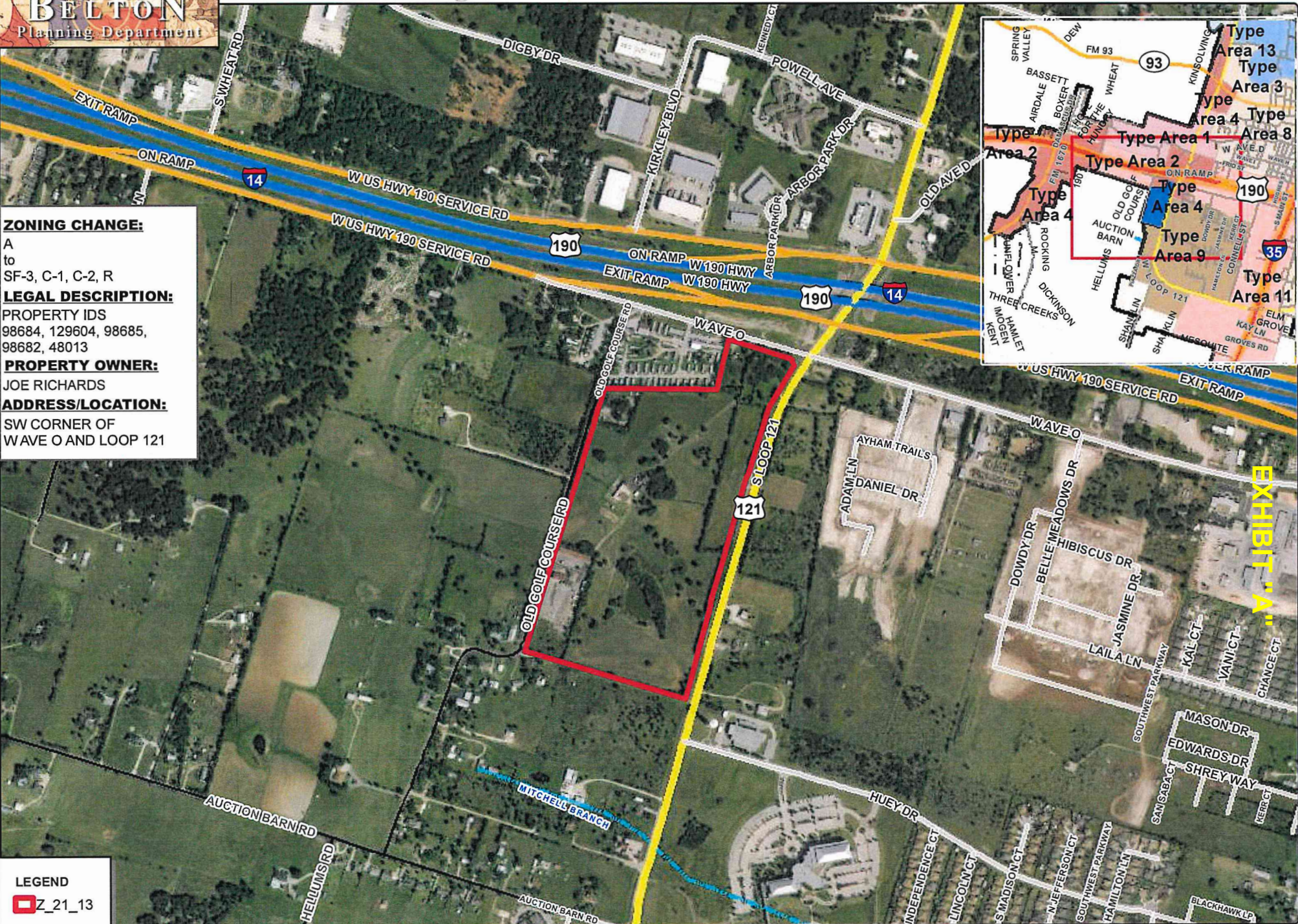
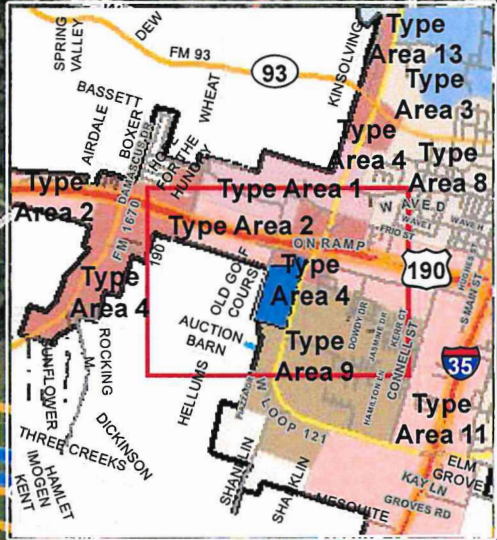
# Zoning Case # Z-21-13 Location

**ZONING CHANGE:**  
A  
to  
SF-3, C-1, C-2, R

**LEGAL DESCRIPTION:**  
PROPERTY IDS  
98684, 129604, 98685,  
98682, 48013

**PROPERTY OWNER:**  
JOE RICHARDS

**ADDRESS/LOCATION:**  
SW CORNER OF  
WAVE O AND LOOP 121



**LEGEND**  
Z\_21\_13

0 250 500 1,000 Feet



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EXHIBIT "A"



