



City of Belton, Texas

City Council Meeting Agenda
Tuesday, February 22, 2022 - 5:30 p.m.
Wright Room at the Harris Community Center
401 N. Alexander, Belton, Texas

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember John R. Holmes, Sr.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by CVB and Retail Coordinator Judy Garrett.

"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 Craig Pearson.

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 3-5 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.

3. Consider minutes of February 8, 2022, City Council Meeting.

4. Receive a report on the annual review of the City's Ethics Ordinance, No. 2018-03, by the Ethics Commission.
5. Consider a resolution authorizing the submission of a grant application to the American Association of Retired Persons (AARP) – Community Challenge.

Planning and Zoning

6. Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial-2 (C-2) District on approximately 3.922 located at 1803 S. Connell Street, generally located west of Interstate 35, south of Interstate 14 and west of South Connell Street.
7. Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-1 (SF-1) Residential District on approximately 4.09 acres located at 6586 Tollbridge Road, generally located east of Interstate 35, north of Elmer King Road, and west of Tollbridge Road.
8. Hold a public hearing and consider a zoning change from Agricultural (A) to Planned Development – Single Family-1 (PD-SF-1) on approximately 1.84 acres located at 249 Elmer King Road, generally east of Interstate 35 and west of Elmer King 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.



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OFFICE OF THE CITY MANAGER

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3. **Consider minutes of February 8, 2022, City Council Meeting.**

A copy of the minutes is attached. Recommend approval.

4. **Receive a report on the annual review of the City's Ethics Ordinance, No. 2018-03, by the Ethics Commission.**

See Staff Report from City Clerk Amy Casey. Recommend no changes to the Ethics Ordinance.

5. **Consider a resolution authorizing the submission of a grant application to the American Association of Retired Persons (AARP) – Community Challenge.**

See Staff Report from Grants and Special Projects Coordinator Jo-El Guzman. Recommend authorizing the submittal of the grant application as presented.

Planning and Zoning

6. **Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial-2 (C-2) District on approximately 3.922 located at 1803 S. Connell Street, generally located west of Interstate 35, south of Interstate 14 and west of South Connell Street.**

See Staff Report from Planner Tina Moore. At its meeting on February 15, 2022, the Planning and Zoning Commission unanimously recommended approval, and Staff concurs.

7. **Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-1 (SF-1) Residential District on approximately 4.09 acres located at 6586 Tollbridge Road, generally located east of Interstate 35, north of Elmer King Road, and west of Tollbridge Road.**

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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.

**Belton City Council Meeting
February 8, 2022 – 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 and Councilmembers Craig Pearson, Dan Kirkley, John R. Holmes, Sr. and Daniel Bucher. Mayor Pro Tem David K. Leigh and Councilmember Guy O'Banion were absent. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis, Mike Rodgers, Jon Fontenot, Chris Brown, Charlotte Walker, Matt Bates, Bob van Til, Paul Romer, Larry Berg, Daniel Aguirre, Allen Fields, Judy Garrett and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Dan Kirkley, and the pledge to the Texas Flag was led by Director of Planning Bob van Til. The Invocation was given by Mayor Wayne Carpenter.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:31 p.m.

2. **Public Comments.** *(Audio 1:48)*

There were none.

3. **Recognize Joe Wells, former owner of the Depot and Furniture Barn, for 40 years of business in Downtown Belton.** *(Audio 1:54)*

Mayor Wayne Carpenter recognized Joe Wells and thanked him for his years of business in Belton.

Consent Agenda

Items 4-13 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 5:32)*

4. **Consider minutes of January 25, 2022, City Council Meeting.**

5. **Consider adopting a resolution: (1) ordering the May 7, 2022, General Election for Councilmember Places 5, 6 and 7; and (2) authorizing a contract with the Bell County Elections Administrator to provide election services for the May 7, 2022, General Election.**

6. **Consider a resolution nominating the City's candidate for election to the Board of Directors of the Central Texas Water Supply Corporation.**

7. **Consider a resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office, Criminal Justice Division, for a First Responder Mental Health Program grant.**

8. Authorize the City Manager to execute a contract with FleetCor Technologies Operating Company, LLC, through the Region 4 Education Service Center/OMNIA Partners, an intergovernmental purchasing cooperative, for the purchase of fuel for City vehicles.
9. Consider authorizing the City Manager to execute an amended Amendment #4 to the 2018 Water and Wastewater Improvements Professional Services Agreement with Kasberg, Patrick and Associates for bidding services related to the Avenue S Waterline project.
10. Consider a resolution supporting Texas Housing Developers, LLC's tax credit application to the Texas Department of Housing and Community Affairs (TDHCA) for a rehabilitation project of a 32-unit development for elderly persons at 300-362 W. Avenue A.
11. Consider approval of the FY2021 Annual Report for Belton's Tax Increment Reinvestment Zone.
12. Consider authorizing the City Manager to execute a contract for the purchase of an approximately 1.2-acre tract from Clearwater Underground Water Conservation District located on Kennedy Court, north of Powell Avenue and west of Loop 121.
13. Consider authorizing the repair of Belton Fire Department's Quint 2.

Upon a motion by Councilmember Holmes, and a second by Councilmember Pearson, the Consent Agenda, including the following captioned resolutions, was unanimously approved upon a vote of 5-0.

RESOLUTION NO. 2022-04-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, (1) ORDERING THE MAY 7, 2022 GENERAL ELECTION FOR COUNCILMEMBER PLACES 5, 6 AND 7; AND (2) AUTHORIZING A CONTRACT WITH THE BELL COUNTY ELECTIONS ADMINISTRATOR TO PROVIDE ELECTION SERVICES FOR THE MAY 7, 2022 GENERAL ELECTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

RESOLUTION 2022-05-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, NOMINATING A CANDIDATE FOR ELECTION TO THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS WATER SUPPLY CORPORATION.

RESOLUTION NO. 2022-06-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE OFFICE OF THE

**GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION AND
DESIGNATING AN AUTHORIZED OFFICIAL.**

RESOLUTION NO. 2022-07-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS,
SUPPORTING TEXAS HOUSING DEVELOPERS LLC'S TAX CREDIT APPLICATION TO
THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR
APARTMENT REHABILITATION FOR LOW AND MODERATE INCOME ELDERLY
PERSONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.**

Regular Agenda

14. Hold a public hearing and consider an ordinance annexing the following tracts:

- A. One tract of land consisting of 2.88 acres situated in the F. Madregal Survey, Abstract 554, Bell County, Texas, Property ID 472920, located on the east side of Toll Bridge Road, between Shanklin and Elmer King (Alford).**
- B. One tract of land consisting of 7.28 acres situated in the F. Madregal Survey, Abstract 554, Bell County, Texas, Property ID 105615, located on the east side of Toll Bridge Road, between Shanklin and Elmer King (Sheppard). (Audio 8:12)**

Director of Planning Bob van Til presented this item.

Public Hearing: No one spoke for or against.

Upon a motion by Councilmember Holmes and a second by Councilmember Pearson, Item #14, including the following captioned ordinance, was unanimously approved upon a vote of 5-0.

ORDINANCE NO. 2022-13

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BELTON, BELL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN OR AGREEMENT.

15. Presentation of the Police Department's Annual Report including the Annual Racial Profiling Report. (Audio 12:54)

Assistant City Manager/Chief of Police Gene Ellis presented this item. There was no action required by the Council on this item.

16. **Receive a report on the 2022 Compensation Study and consider its implementation.**
(Audio 26:13)

Director of Finance Mike Rodgers and Director of Human Resources Charlotte Walker, along with the consultant Lori Messer from Logic Compensation Group, presented this item.

Councilmember Holmes recommended that Staff continue looking at benefits that appear to be greater than what the market requires as well as those that are below market.

Upon a motion by Councilmember Pearson and a second by Councilmember Kirkley, Item #16 was unanimously approved upon a vote of 5-0.

Work Session

17. **Conduct a work session and discuss possible uses for Federal funds provided by the American Rescue Plan Act of 2021.** (Audio 1:35:21)

Director of Finance Mike Rodgers presented this item. No action was required by the Council on this item.

Executive Session

At 7:27 p.m., the Mayor announced the Council would go into Executive Session for the following item:

18. Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Deliberation Regarding Real Property.

The Mayor reopened the meeting at 8:05 p.m., and there being no further business, the meeting was adjourned.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item

Agenda Item #4

Receive a report on the annual review of the City's Ethics Ordinance, No. 2018-03, by the Ethics Commission.

Originating Department

Administration – Amy M. Casey, City Clerk

Summary Information

The Belton Ethics Commission met on February 7, 2022, to satisfy the Ethics Ordinance requirement for an Annual Review. Following approval of minutes, and review of the Ethics Ordinance timeline, no changes to the Ethics Ordinance were proposed.

The Commission had a discussion on the appointment process of members of the Commission and whether it might be a conflict of interest. It was determined that if a Commission member was not comfortable participating in the investigation of an alleged ethics violation due to a relationship with the accused, then the Commission member would simply recuse themselves from the discussion and decision-making.

Fiscal Impact

N/A

Recommendation

Receive Ethics Commission recommendation for no change to the ordinance.

Attachments

[Annual Meeting Minutes](#)

[Current Ethics Ordinance \(2018-03\)](#)

[Ethics Ordinance Timeline](#)

ETHICS COMMISSION MEETING
February 7, 2022 – 4:00 P.M.

The Belton Ethics Commission met at Belton City Hall with the following members present: Chair Larry Pointer and Commissioners Craig Hammonds, Mike Miller, Nick Rabroker, and Bert Peeples (Zoom). Commissioner Mark Fitzwater was absent. Also present were City Manager Sam Listi, City Attorney John Messer, Assistant City Manager/Chief of Police Gene Ellis, City Clerk Amy Casey, and Public Information Officer Paul Romer.

1. Call to order. Chair Larry Pointer called the meeting to order at 4:02 p.m.
2. Public Comments. There were none.
3. Administer Oath of Office to Khang Duong.

Mr. Duong was ill, so he was unable to attend in person. He observed the meeting via Zoom, but because it was not posted for his remote participation, he was unable to participate in the meeting. He will go to the City Clerk's Office in the next couple of weeks to be sworn in.

4. Consider minutes of February 8, 2021, meeting.

Commissioner Miller made a motion to approve the minutes as presented. The motion was seconded by Commissioner Rabroker which carried unanimously by a vote of 5-0.

5. Conduct annual review of Ethics Ordinance.

City Manager Sam Listi discussed the history of the Ethics Commission. He updated the Commissioners on a potential claim that may come forward to the Commission. He discussed the Ethics Ordinance and recommended no changes. Commissioner Hammonds made a motion that no changes to the Ethics Ordinance be recommended to the City Council. Commissioner Miller seconded the motion which carried unanimously by a vote of 5-0.

6. Consider an alternate form of appointment for members to the Ethics Commission.

City Manager Sam Listi explained that Commissioner Rabroker asked for discussion by the Commission on alternate forms of appointment. Commissioner Rabroker explained that it could be considered a conflict of interest for each Commission member to be appointed to represent a Councilmember. The Commission discussed the appointment process but was unable to propose an alternate form of appointment. City Attorney John Messer suggested that if a claim is brought to the Ethics Commission and a Commissioner feels that he or she is unable to participate in the investigation of the claim, then the Commissioner could recuse themselves from the process at that time. Commissioner Miller made a motion that no changes to the appointment process be recommended to the City Council. Commissioner Hammonds seconded the motion which carried unanimously.

7. Adjourn.

There being no other business, Chair Pointer adjourned the meeting at 4:19 p.m.

Attest:

Larry Pointer, Chair

Amy M. Casey, City Clerk

ORDINANCE NO. 2018-03

AN ORDINANCE AMENDING ORDINANCE NO. 2015-11 OF THE CITY OF BELTON, TEXAS; PROVIDING AN ETHICS ORDINANCE FOR THE CITY; PROVIDING A POLICY STATEMENT; DEFINING CERTAIN TERMS; PROVIDING FOR STANDARDS OF CONDUCT; PROVIDING FOR DISCLOSURE OF INTEREST; PROVIDING FOR FINANCIAL DISCLOSURE; PROVIDING FOR DISPOSITION OF ALLEGED VIOLATIONS; PROVIDING FOR EFFECTIVE DATES; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the conduct of the public business should be accomplished by persons, employees and officers of the City of Belton free of any personal financial interests that are different from the interests of the general public;

WHEREAS, it is important to the employees and officers of the City that they be provided with a process and procedure to provide notice and to refrain from participation in any business of the City in which such employee or officer has a personal financial interest that is different from that of the general public; and

WHEREAS, a reasonable ethics ordinance and disclosure requirements will provide a basis for continuing public confidence in the conduct of the business and affairs of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF BELTON, TEXAS, THAT:

SECTION 1. Standards of Conduct and Financial Disclosure for City Officials.

A. Policy. It is the policy of the City that the proper operation of democratic government requires that city officials be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for all city officials is adopted.

This code has four purposes: (1) to encourage high ethical standards in official conduct by city officials; (2) to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City; (3) to require disclosure by such officials, candidates, and employees of private financial or other interests in matters affecting the City in accordance with state law; and (4) to serve as a basis for disciplining those who fail to abide by its terms.

The provisions of this Section shall not apply to political contributions, loans, expenditures, reports or regulation of political campaigns, or the conduct of candidates in such campaigns, except as expressly provided herein.

B. Definitions. The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future tense. Words used in the plural number include the singular, and words in the singular include the plural. The word "shall" is always mandatory. The word "herein" means in this Ordinance. The word "person" means any human being or legal entity and includes a corporation, a partnership, and an incorporated or unincorporated association.

1. "Appears Before". A person appears before the City Council or commission when such person publicly states his name and address, signs a sheet provided at the podium for that purpose, and addresses the Council or commission.
2. "Business Entity". Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, or any legal entity organized for profit.
3. "Business Dealings". Any activity involving the exchange of economic benefits.
4. "Candidate". Every person who declares for or files for any office of the City to be filled by election.
5. "City Official". Employees, board and commission members and City Councilmembers of the City, to include candidates for City Council, and any other appointed person.
6. "Commission". The Ethics Commission of the City of Belton.
7. "Compensation". Any economic benefit received in return for labor, services, property, or investment.
8. "Economic Benefit". Any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service, or other tangible or intangible thing of value, whether similar or dissimilar to those enumerated.
9. "Employee". Any person employed by the City whether under civil service regulations or not, including those individuals on a part-time basis, but such term shall not be extended to apply to any independent contractor.
10. "Family Member". A person related to another person within the first degree by consanguinity or affinity, as defined by Texas State law.
11. "Gift". A favor, hospitality, or economic benefit other than compensation but which does not include campaign contributions reported as required by state law, gifts received from a relative if given on account of kinship, or any value received by will, intestate succession, or as a distribution from an inter vivos or

testamentary trust established by a spouse or ancestor.

12. "Identification". For a natural person, the person's name, street address, city and state; for any entity other than a natural person, the name, address, city and state of the entity's principal location or place of business, the type or nature of the entity, the date on which it came into existence, the state of incorporation, if any, the names of the partners or trustees, if any.
13. "Income". Economic benefit received.
14. "Intentionally". A person acts intentionally, or with intent, with respect to the nature of his conduct or to a result of his conduct when it is his conscious objective or desire to engage in the conduct or cause the result.
15. "Knowingly". A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.
16. "Source of Income". Any business entity, employment, investment, or activity which earned or produced income, including interest, dividends, royalties or rents, which has been paid to or for the credit of a city official, candidate or family member or which would be taxable to said city official, candidate or family member under the United States Internal Revenue Code, as amended, even though not actually paid or credited.
17. "Substantial Interest". A person has a substantial interest in real property or a business entity if he and/or a family member owns a ten percent (10%) or more interest in the aggregate of said real property or business entity.

C. Standards of Conduct.

1. Gifts.

No city official shall intentionally or knowingly solicit or accept any contribution, gift, or economic benefit with actual or constructive knowledge that same is:

- a. offered or given with intent to influence the judgment or discretion of such employee or official; or
- b. given in consideration of the favorable exercise of such employee or official's judgment or discretion in the past.

2. General Provisions.

- a. No city official shall intentionally or knowingly disclose any confidential

information gained by reason of said official or employee's position concerning the property, operations, policies or affairs of the City, or use such confidential information for the pecuniary gain of said official, employee, or others.

- b. No city official shall intentionally or knowingly use one's official position or City owned facilities, equipment, or supplies for the pecuniary gain or advantage of said official, employee, or others for personal reasons, for pecuniary gain or advantage, or in any political campaign.
- c. No city official shall intentionally or knowingly appear before the body of which the official is a member while representing himself, or any other person, group, association, interest, or business entity.
- d. No city official shall intentionally or knowingly represent directly or indirectly any private person, group, or interest other than himself or a family member before any department, agency, commission or board of the City for pay or profit.
- e. No city official shall vote on or participate in any decision making process if the official has a direct financial interest in the outcome of the matter under consideration. No city official shall vote on or participate in any decision making process on any matter concerning real property or a business entity if the official has a substantial interest in the business entity or real property. No city official shall vote on or participate in any decision making process on any matter concerning a business entity with which he or a business entity in which he has a substantial interest has had business dealings involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500) or more, within the immediately preceding twelve (12) month period.
- f. No city official shall intentionally or knowingly accept other employment or engage in outside activities incompatible with the full and proper discharge of official duties and responsibilities, or which would tend to impair independent judgment in the performance of said official duties.
- g. None of the foregoing shall be construed to prohibit a city official from representing his interest in his owner-occupied homestead before the council, board, commission or any department except for the body of which the official is a member, or the department by which the employee is employed.
- h. In any action or proceeding in the municipal court of the City which was instituted by a city official in the course of official duties, no city official shall knowingly represent anyone other than himself or a family member. If a council member elects to have a trial in municipal court, the City Council, without the participation of the affected council member, shall appoint a special judge to preside over the trial.

D. Disclosure of Interest.

1. If any city official has a substantial interest in any real property or business entity involved in any decision pending before the body of which the official is a member, the official shall not vote or otherwise participate in the consideration of the matter.
2. If any employee has a substantial interest in any real property or business entity involved in any decision pending before the department by which the employee is employed, the employee shall not participate in the consideration of the matter.
3. In the case of a city official, the official shall publicly disclose in writing, the nature and extent of such interest to the body on which the official serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest.
4. In the case of an employee, the employee shall disclose such information in writing to the employee's supervisor and to the City Clerk prior to any consideration of the matter. The City Clerk shall keep a file of employee statements of disclosure and said file shall be a public record of the City.

E. Conflict of Interest/Disclosure of Relationships.

All city officials subject to Chapters 171 and 176 of the Texas Local Government Code, as amended from time to time, (the "statutes") shall fully comply with said statutes and other applicable state regulations.

F. Disposition of Alleged Violations.

1. A sworn complaint based on personal knowledge alleging a violation(s) of this ordinance shall specify the provision(s) of this ordinance alleged to have been violated, and shall name the city official being charged. The complaint shall be made in the following form:

[see next page]

THE STATE OF TEXAS

COUNTY OF BELL

TO: THE ETHICS COMMISSION OF THE CITY OF BELTON, TEXAS:

COMES NOW _____ (Complainant), and makes this complaint, UPON HIS/HER PERSONAL KNOWLEDGE AND UNDER OATH against _____ (name of person complained against), and would show the Commission that: On or about the _____ day of _____, _____ (name of person complained against), a/an _____ (title, i.e. City Councilmember, employee, board member, etc.) of the City of Belton, violated the following provision(s) of the Ethics Ordinance, of the City of Belton, Texas, to wit: _____

(Specify by Section, Subsection and Paragraph number the provision(s) alleged violated)

by committing the following act, or omission, to-wit: _____

_____.

(Describe above, the action, or omission, alleged to violate each Code provision cited. You may attach additional pages if more space is required.)

SIGNED this the _____ day of _____, _____.

(Signature of Complainant)

SWORN TO AND SUBSCRIBED BEFORE ME, by
_____ this the _____ day of _____,
_____.

SEAL

Notary Public - State of Texas

Upon the aforesaid sworn complaint of any person being filed with the City Clerk's office, or on its own initiative, the Commission shall consider possible violations of this ordinance by city officials. A complaint shall not be deemed to be filed on the initiative of the Commission, save and except the complaint be signed and sworn to by two members of the Commission, after consultation with the legal counsel for the Commission. A complaint filed by an individual member of the Commission shall be deemed to have been filed in the Commission member's capacity as a private citizen, and in such event, the member of the Commission filing the complaint shall not thereafter participate in a Commission meeting at which such complaint is considered, save and except that the Commissioner filing the complaint may participate as a complainant at such meeting(s).

2. A complaint alleging a violation of this Ordinance must be filed with the City Clerk within two (2) years from the commission of the action alleged as a violation, and not afterward.
3. Not later than three (3) working days after the City Clerk receives a sworn complaint, the City Clerk shall acknowledge the receipt of the complaint to the complainant, and provide a copy of the complaint to the City Attorney, the independent counsel, the Commission and the person complained against. Not later than ten (10) working days after receipt of a complaint, the Commission shall notify in writing the person who made the complaint and the person complained against of a date for a preliminary hearing. If the Commission does not hold a preliminary hearing within twenty (20) working days of receipt of the complaint, it shall notify the person who made the complaint of the reasons for the delay and shall subsequently give him the appropriate notification.
4. After a complaint has been filed and during the pendency of a complaint before the Commission, a member of the Commission may not communicate directly or indirectly with any party or person about any issue of fact or law regarding the complaint, except at a meeting of the Commission; provided that the Chair, or as applicable the Vice-Chair, may consult with the attorney for the Commission as to process, procedure and legal issues.
5. As soon as reasonably possible, but in no event more than forty-five (45) days after receiving a complaint, the Commission shall conduct a preliminary hearing.
 - a. The issue at a preliminary hearing shall be the existence of reasonable grounds to believe that a violation of this Ordinance has occurred. The person filing a complaint, or the independent counsel in cases considered upon the Commission's own initiative, shall state the alleged violation and shall describe in narrative form the testimony and other evidence which would be presented to prove the alleged violation as stated in the written complaint. Statements at a preliminary hearing shall be under oath, but there shall be no cross-examination or requests for persons or evidence issued for the hearing. Members of the Commission may question the complainant, the independent

counsel for the Commission, or the city official named in the complaint.

- b. The city official named in the complaint shall have the opportunity to respond, but is not required to attend or make any statement. The official or employee may describe in narrative form the testimony and other evidence which would be presented to disprove the alleged violation. If the official or employee agrees that a violation has occurred, he may so state and the Commission may consider the appropriate sanction.
 - c. The complainant and the city official named in the complaint shall have the right of representation by counsel.
 - d. At the conclusion of the preliminary hearing, the Commission shall decide whether a final hearing should be held. If the Commission determines that there are reasonable grounds to believe that a violation of this Ordinance has occurred, it shall schedule a final hearing. If the Commission does not determine that there are reasonable grounds to believe that a violation of this Ordinance has occurred, the complaint shall be automatically dismissed. A decision to conduct a final hearing is not a finding that a violation has occurred.
 - e. The Commission, at any time during the preliminary hearing, may also dismiss a complaint if the complaint does not allege conduct which would be a violation of this Ordinance. Before a complaint is dismissed for failure to allege a violation, the complainant shall be permitted one opportunity, within ten (10) days of such preliminary hearing, to revise and resubmit the complaint.
 - f. The complainant, the independent counsel, and the city official named in the complaint may ask the Commission at a preliminary hearing to request certain persons and evidence for a final hearing, if one is scheduled.
6. Final Hearing.
- a. The final hearing shall be held as expeditiously as possible following the determination by the Commission that there are reasonable grounds to believe that a violation of this Ordinance has occurred, but in no event shall it be held more than thirty (30) days after said determination. The Commission may grant two (2) postponements, not to exceed fifteen (15) days each, upon the request of the city official named in the complaint.
 - b. The issue at a final hearing shall be whether a violation of this Ordinance has occurred. The Commission shall make its determination based on clear and convincing evidence in the record. All witnesses shall make their statements under oath. If the Commission determines that a violation has occurred, it shall state its findings in writing, shall identify the particular provision(s) of this Ordinance which have been violated, and within five (5) working days shall

deliver a copy of the findings to the complainant, if any, the person named in the complaint and the City Clerk.

- c. If a complaint proceeds to a final hearing, the Commission may request witnesses to attend and testify, administer oaths and affirmations, take evidence and request the production of books, papers, records, or other evidence needed for the performance of the Commission's duties or exercise of its powers, including its duties and powers of investigation.
7. Sanctions. If the Commission determines that a violation of this Ordinance has occurred, it shall proceed directly to determination of the appropriate sanction(s). A violation of this Ordinance shall not be subject to criminal penalties under city ordinances. The Commission may receive additional testimony or statements before considering sanctions, but is not required to do so. If the city official named in the complaint acted in reliance upon a written opinion of the City Attorney, the Commission shall consider that fact. If the Commission determines that a violation has occurred, it may impose or recommend the following sanctions:
- a. A letter of notification shall be the appropriate sanction when the violation is clearly unintentional, or when the official or employee's conduct complained of was made in reliance on a written opinion of the City Attorney. A letter of notification shall advise the official or employee to whom it is directed of any steps to be taken to avoid future violations. The Commission may direct a letter of notification to any official or employee covered by this Ordinance.
 - b. A letter of admonition shall be the appropriate sanction in those cases in which the Commission finds that the violation is minor and/or may have been unintentional, but calls for a more substantial response than a letter of notification. The Commission may admonish any official or employee covered by this Ordinance.
 - c. A reprimand shall be the appropriate sanction when the Commission finds that a violation has been committed intentionally or through disregard of this Ordinance. The Commission may reprimand any official covered by this Ordinance. A reprimand directed to a city official shall also be sent to the City Council. A reprimand directed to an employee shall be sent to the City Manager and included in said employee's personnel file; subject to state law (civil service). A letter of reprimand directed to an elected city official shall be transmitted to the City Clerk and published in the official newspaper of the City, and shall be sent to the City Council.
 - d. A recommendation of removal from employment or a recommendation of suspension from employment, as well as a recommendation for length of suspension, shall be the appropriate sanction when the Commission finds that a serious or repeated violation(s) of this Ordinance has been committed intentionally or through culpable disregard of this Ordinance by city employees.

A recommendation of suspension of a city employee shall be directed from the Commission to the City Manager. In such cases the final authority to carry out such recommendations to suspend from employment and the length of suspension shall be with the City Manager. A recommendation dealing with the City Manager shall be forwarded to the City Council for final disposition.

- e. A letter of censure shall be the appropriate sanction when the Commission finds that a serious or repeated violation(s) of this Ordinance has been committed intentionally or through culpable disregard of this Ordinance by an elected city official. A letter of censure directed to an elected city official shall be transmitted to the City Clerk, published in the official newspaper of the City and shall be sent to the City Council.

SECTION 2. Reservations and Exceptions. Notwithstanding any other term or provision of this Ordinance, this Ordinance: (a) is not applicable to the performance and behavior of officers, employees and public servants that does not violate a standard or provision set forth in this Ordinance; (b) does not waive the authority and discretion of the City Council to enforce higher standards for, or to supervise, provide oversight, appoint and remove, any officer, employee or public servant that is appointed by the City Council; and (c) does not transfer or limit the authority of the City Manager to act in his or her discretion to enforce higher standards for, or to supervise, provide oversight, appoint and remove, all officers, employees and public servants of the City that are not appointed and removed by the Council.

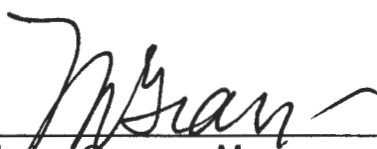
SECTION 3. Amendment of Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

SECTION 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code, and it is accordingly so ordained.

SECTION 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 13th day of February, 2018.



Marion Grayson, Mayor

ATTEST:



Amy M. Casey, City Clerk

ETHICS ORDINANCE TIMELINE

2004 – Charter Review Committee recommended an Ethics Commission as part of a new Charter

May 7, 2005 – Voters approved new Charter containing Ethics Commission

June 29, 2005 – Charter received approval by Department of Justice

Date	Ordinance #	Amending	Content
9/27/2005	2005-47	N/A	Structure and Purpose of Commission
4/25/2006	2006-14	2005-47	<ul style="list-style-type: none"> ▪ Number of Commissioners ▪ Quorum; takes 4 affirmative votes to make recommendation to Council ▪ Consent form for criminal background check ▪ Voting and abstention ▪ Vacancy in Chair or Vice Chair ▪ Annual review of Ethics Ordinance
4/25/2006	2006-15	N/A	Ethics Ordinance; providing standards of conduct; disclosure of interest; financial disclosure; disposition of alleged violations
3/27/2012	2012-12	2006-15	<ul style="list-style-type: none"> ▪ Changed the definition of Family Member to match the definition in the Texas Local Government Code; and ▪ Deleted the option to “verbally” provide for disclosure of interest, since a written disclosure statement is required by state law
2/10/2015	2015-11	2012-12	Corrected typographical error on page 7, F.3.; had “compliant” instead of “complaint”
2/8/2016	2015-11		Administratively corrected page 7, F.3. changing “complaintto” to “complaint to”
2/2/2017	2015-11		No changes recommended
2/1/2018	2018-03	2015-11	Corrected typographical error on page 3, B.14., removing the duplicated phrase “or to a result of his conduct” leaving only one.
2/4/2019	2018-03		No changes recommended [verify changes were made from prior year]
2/3/2020	2018-03		No changes recommended
2/8/2021	2018-03		No changes recommended
2/7/2022	2018-03		No changes recommended



Staff Report – City Council Agenda Item

Agenda Item #5

Consider a resolution authorizing the submission of a grant application to the American Association of Retired Persons (AARP) – Community Challenge.

Originating Department

Administration – Jo-El Guzman, Grants and Special Projects

Background

The purpose of this item is to consider a resolution authorizing staff to submit a grant application to the AARP Community Challenge Grant. The grant will allow the City of Belton to purchase supplies for the development of a Tool Trailer Library. Additionally, this grant will allow for the establishment of a Community Volunteer Program to assist seniors, those with disabilities, and the community with neighborhood and individual cleanups, as well as other beautification projects utilizing the available tools.

No match is required. The grant application is due March 21, 2022.

Fiscal Impact

None

Recommendation

Staff recommends the adoption of the resolution authorizing the grant application.

Attachments

Resolution

RESOLUTION NO. 2022-08-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE AMERICAN ASSOCIATION OF RETIRED PERSONS (AARP) – COMMUNITY CHALLENGE GRANT AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, the City Council of the City of Belton, Texas, finds that it is in the best interest of the citizens of Belton, Texas, for the City to submit a grant application for the American Association of Retired Persons (AARP) – Community Challenge.

WHEREAS, the City Council of the City of Belton, Texas, is fully eligible to receive assistance; and

WHEREAS, the City Council of the City of Belton, Texas, agrees that no matching funds are required by the grant program application; and

WHEREAS, the City Council of the City of Belton, Texas, agrees that in the event of loss or misuse of funds, the City will return the funds to AARP in full; and

WHEREAS, the City Council of the City of Belton, Texas, hereby designates the Belton City Manager as the grantee's authorized official who is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belton, Texas, hereby authorizes the submission of the grant application to the American Association of Retired Persons (AARP) – Community Challenge as stated herein.

PASSED and APPROVED this 22nd day of February, 2022.

THE CITY OF BELTON, TEXAS

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item

Date: February 22, 2022
Case No.: Z-22-05
Request: Agricultural (A) to
Commercial-2 (C-2)
Applicant/Owner: Eddie Wilson

Agenda Item #6

Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial-2 (C-2) District on approximately 3.922 located at 1803 S. Connell Street, generally located west of Interstate 35, south of Interstate 14 and west of South Connell Street.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural District

Proposed Zoning: Commercial-2 District

Proposed Uses: Office, Retail and Commercial

Future Land Use Map (FLUM) Designation

The FLUM identifies this general area as a residential use area. This area is in close proximity to the Interstate 14 and Interstate 35 commercial corridors located on the east side of Connell Street.

Design Standards Type Area 9

This area is defined as Southwest Belton and is primarily a mixture of uses on larger parcels of land. This area is to continue to develop as a mixture of uses with the understanding of context and the Loop 121 corridor.

Background/Case Summary

The property owner has submitted this zoning change to allow for the development of leasable warehouses for service contractors, retailers, and light manufacturers including but not limited to carpenters and welders. This property currently has a manufactured home on the site. The applicant plans to relocate the existing home prior to developing. A subdivision plat and development plans will be required prior to the development of the site.

Project Analysis and Discussion

Existing Conditions: The surrounding uses are:

<i>Direction</i>	<i>Zoning</i>	<i>Use</i>
North	PD – 2F	Southwood Hills Phase 1
South	Agricultural	Belton Granite, Tile and Flooring
West	PD - MF	Southwood Hills Phase 3
East	PD - MF	Undeveloped

Allowable Land Uses: The proposed zoning change would allow for the proposed commercial and retail uses as well as other uses permitted in the C-2 zoning district. Other uses include all uses permitted in the Commercial-1 District; auto sales (new or used); automobile repairs; commercial amusement; carpentry, cabinet, painting, plumbing, welding, or tinsmithing shops; home improvement center; limited warehousing and wholesales; open and outside storage; and wholesale building material sales or lumberyard.

Area & Setback Requirements: The subject lot exceeds the minimum area requirement for the C-2 District, which requires a minimum lot size of 5,000 sq. ft, a minimum width of 60' and depth of 100'. This lot is over 3.9 acres and meets the minimum lot requirements. All proposed structures will be reviewed for compliance with the setback and all other applicable zoning and site design standards.

Recommendation

At its meeting on February 15, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural District to Commercial-2 District for the property located at 1803 S. Connell Street; subject to the following conditions:

1. The use of this property shall conform to the Commercial-2 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. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
3. A subdivision plat is required.

Attachments

Zoning application, survey, and conceptual site plan

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list
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: 01-14-22 Date Due: _____ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Eddie D. Wilson Phone Number: 254-722-5582
Mailing Address: 1612 Oak Hollow Drive City: Woodway State: Texas
Email Address: wilsonedd@sbcglobal.net

Owners Name: (Same as above) Phone Number: _____
Mailing Address: _____ City: _____ State: _____
Email Address: _____

Applicant's Interest in Property:

100% Owner. Clear title. No mortgages, liens or delinquent taxes.

Legal Description of Property:

A0906BC J P WALLACE, 36, ACRES 2.314 + 0.608, 37, ACRES 1.0 (3.922 TOTAL ACRES)

TAX PROPERTY IDENTIFICATION: 43761, 437962, 58301

Is this property being simultaneously platted? No

Street Address: 1803 Connell Street Belton, Texas 76513

Zoning Change From AGRICULTURE to C-2

Signature of Applicant: Eddie D. Wilson Date: 1-14-22

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

Checklist for Zoning Items to be submitted with application:

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

DESCRIPTION of LOCATION

I own approximately four acres of land that is 303 feet wide along Connell Street and 445 feet deep. There is an existing business to the south that fabricates granite for housing and apartments. There is a neighborhood of duplexes and a retaining pond on the north side of the property.

DESCRIPTION of BUILDINGS

I would like to build 6 to 8 metal buildings on the land. They would be 50 x 100 feet metal buildings with two walk-through doors and two large overhead doors for each building. Each building would have a rest room, offices and an open entrance area on each end of the building. Each building could accommodate two small businesses or one business could lease the whole building. A particular building may be altered from the standard if it would best accommodate a committed customer.

TYPES of BUSINESSES

I envision the buildings being used for a variety of desirable businesses, which may include service related, certain retail, commercial or light manufacturing/fabrication. I have listed a few types of businesses, but there are probably hundreds that would qualify.

LIST

1. Plumbing contractor/ service
2. Electrical contractor/service
3. Communications contractor/service/retail
4. Security contractors/service
5. Landscaping, lawn irrigation contractor/service
6. Automobile repair/service
7. Product storage/distribution
8. Light manufacturing/fabrication of small metal, wood or plastic products
9. Retail of special types of goods, probably low volume, such as auto accessories, ATV's, etc.
10. Roofing contractor
11. Heating and air conditioning contractor/sales/service
12. Tire sales/repair
13. Appliance sales/repair
14. Window replacement company
15. Cabinet maker

CONCLUSION

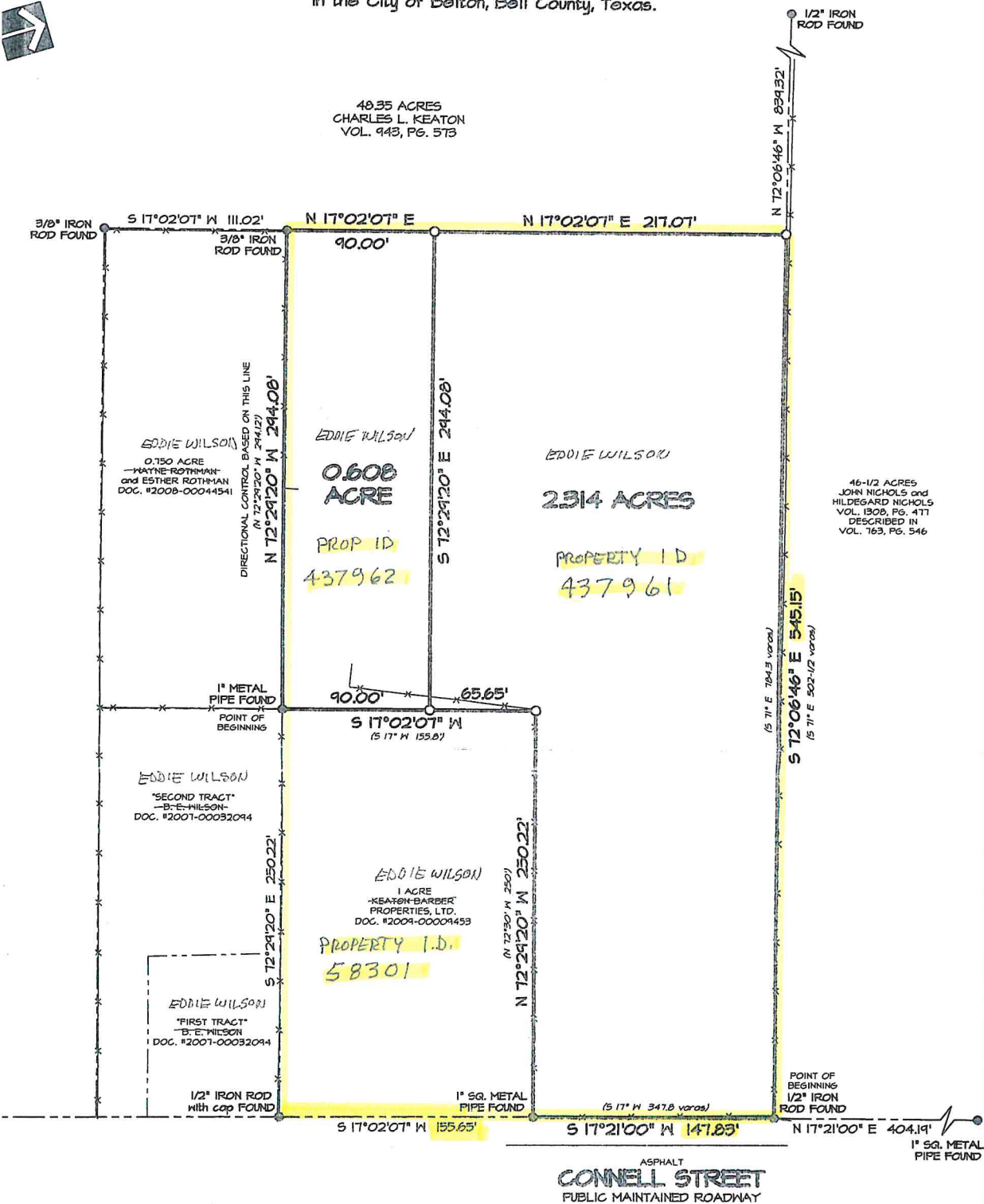
These types of facilities are available and leased in many other cities. They are in demand and beneficial to the businesses and to the community. These are needed in Belton, especially the southern part where they would serve many potential customers.

Eddie Wilson
254-722-5582
wilsonedd@sbcglobal.net

Surveyor's Sketch showing a 2.314 acre tract and a 0.608 acre tract,
being part of the J. P. Wallace Survey, Abstract No. 906,
In the City of Belton, Bell County, Texas.

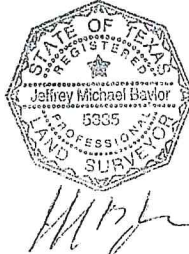


48.35 ACRES
CHARLES L. KEATON
VOL. 943, PG. 573



This sketch accompanies a metes and bounds description
of the herein shown 2.314 acre tract and 0.608 acre
tract. This document is not valid for any purpose unless
signed and sealed by a Registered Professional Land
Surveyor.

ALL COUNTY SURVEYING, INC.
• Surveying
• Mapping
• Construction Layout
73 South 21st Street
Belton, Texas 76504
Tel: 254-718-2212 Killen 254-634-4636
Fax: 254-714-7608



() Record call

Survey completed 3-1-10
Scale: 1" = 60'
Job No. 091087
Dwg No. 091087
Drawn by JMB
Surveyor JMB #5335

PREPARED BY: ED WILSON

FOR RE-ZONING PURPOSE ONLY

PAGE NO. 1 OF 1

CHECKED BY:

REPORT NO.

DATE: 1-13-22

MODEL NO.

METAL BLDGS. WITH
2 OVERHEAD DOORS
2 WALK THRU DOORS

MAX 10 BLDGS

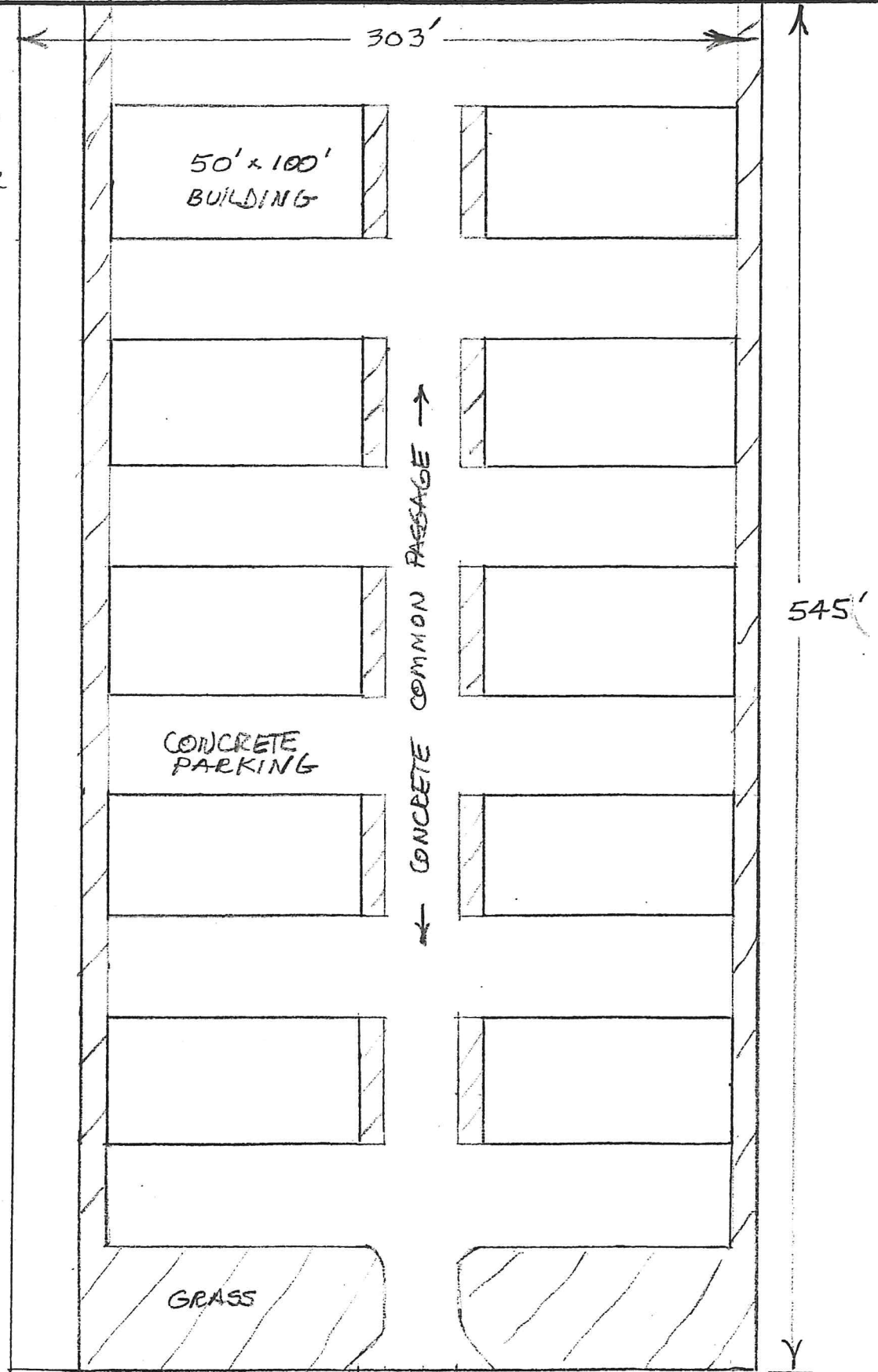
SHOWN BUT

PROBABLY ONLY

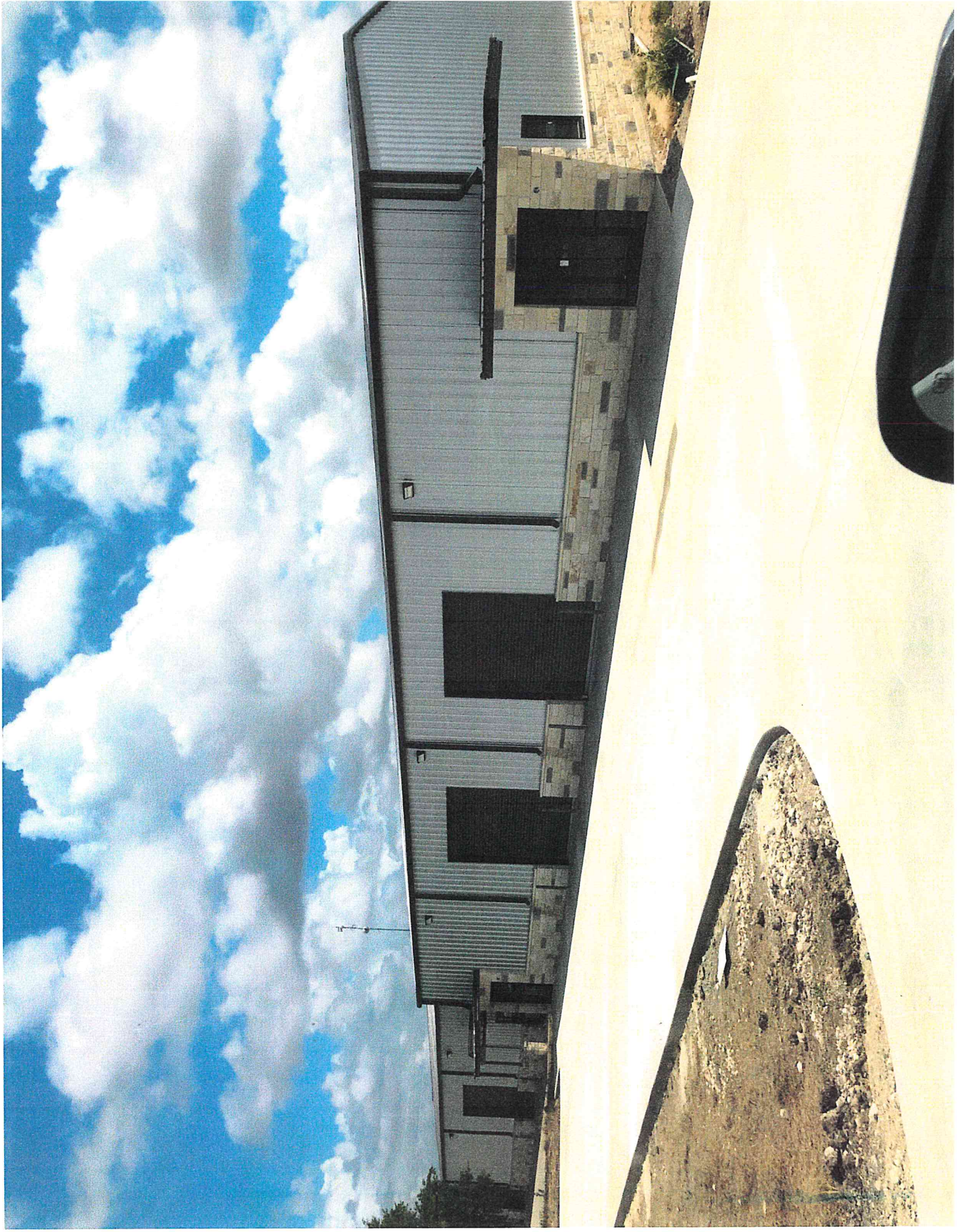
BUILD 6 OR 8

SCALE:
1" = 60'
(APPROX)

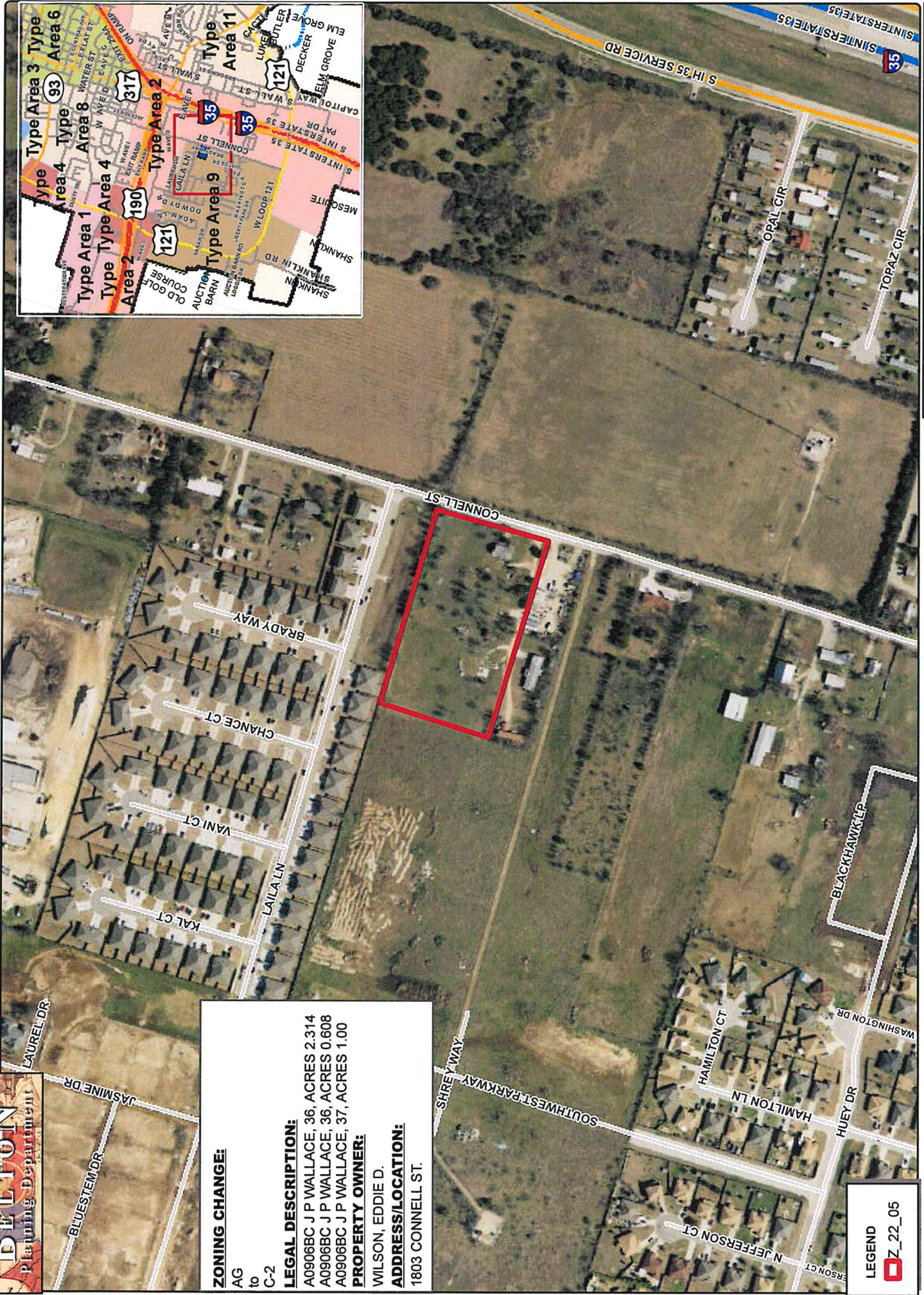
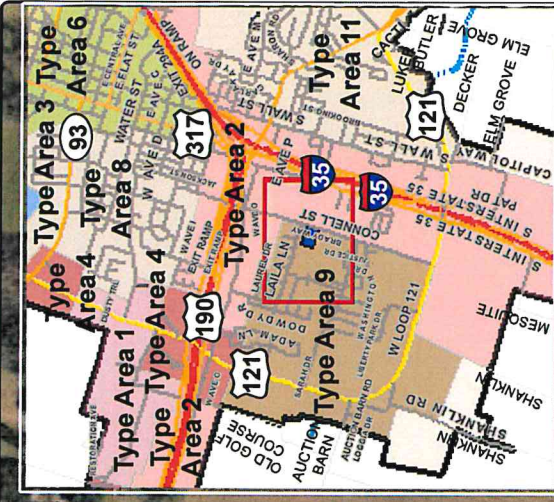
HT 152-R-2







Zoning Case # Z-22-05 Location



ZONING CHANGE:
AG
to
C-2

LEGAL DESCRIPTION:
A0906BC J P WALLACE, 36, ACRES 2.314
A0906BC J P WALLACE, 36, ACRES 0.608
A0906BC J P WALLACE, 37, ACRES 1.00

PROPERTY OWNER:
WILSON, EDDIE D.

ADDRESS/LOCATION:
1803 CONNELL ST.

LEGEND
Z-22-05



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.

Map Date: 1/24/2022

Zoning Case # Z-22-05 Zoning



Author: Anthony Holguera, City of Bolton

Path: E:\City of Bolton Projects\Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-05\Z-22-05 Zoning.mxd

ZONING CHANGE:

AG
to
C-2

LEGAL DESCRIPTION:

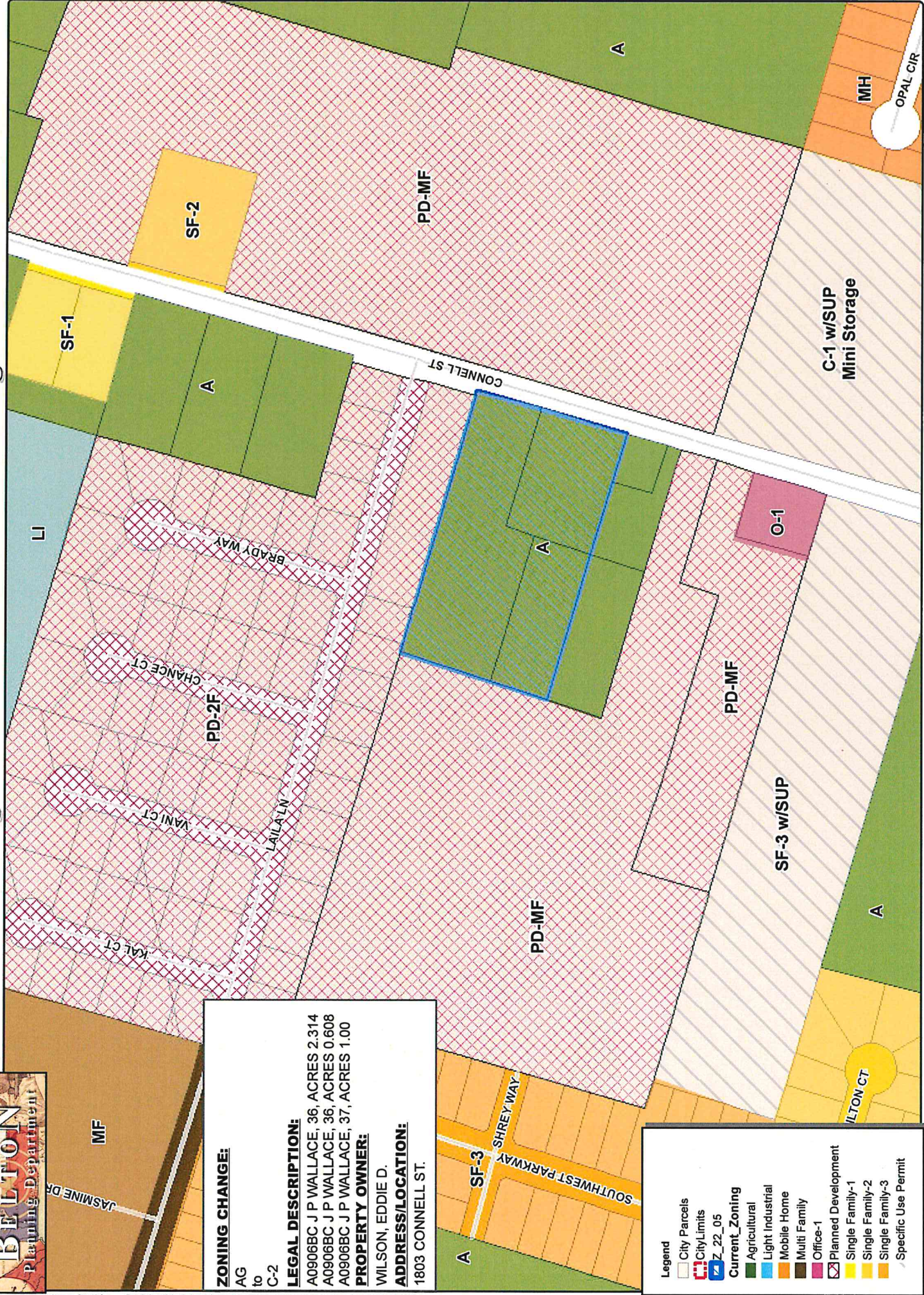
A0906BC J P WALLACE, 36, ACRES 2.314
A0906BC J P WALLACE, 36, ACRES 0.608
A0906BC J P WALLACE, 37, ACRES 1.00

PROPERTY OWNER:

WILSON, EDDIE D.

ADDRESS/LOCATION:

1803 CONNELL ST.



Legend

- City Parcels
- City Limits
- Z-22-05
- Current Zoning**
- Agricultural
- Light Industrial
- Mobile Home
- Multi Family
- Office-1
- Planned Development
- Single Family-1
- Single Family-2
- Single Family-3
- Specific Use Permit



Map Date: 1/24/2022

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Zoning Case # Z-22-05 Aerial



ZONING CHANGE:
AG to C-2

LEGAL DESCRIPTION:
A0908BC J P WALLACE, 36, ACRES 2.314
A0908BC J P WALLACE, 36, ACRES 0.608
A0908BC J P WALLACE, 37, ACRES 1.00

PROPERTY OWNER:
WILSON, EDDIE D.

ADDRESS/LOCATION:
1803 CONNELL ST.

LEGEND
 Z-22-05

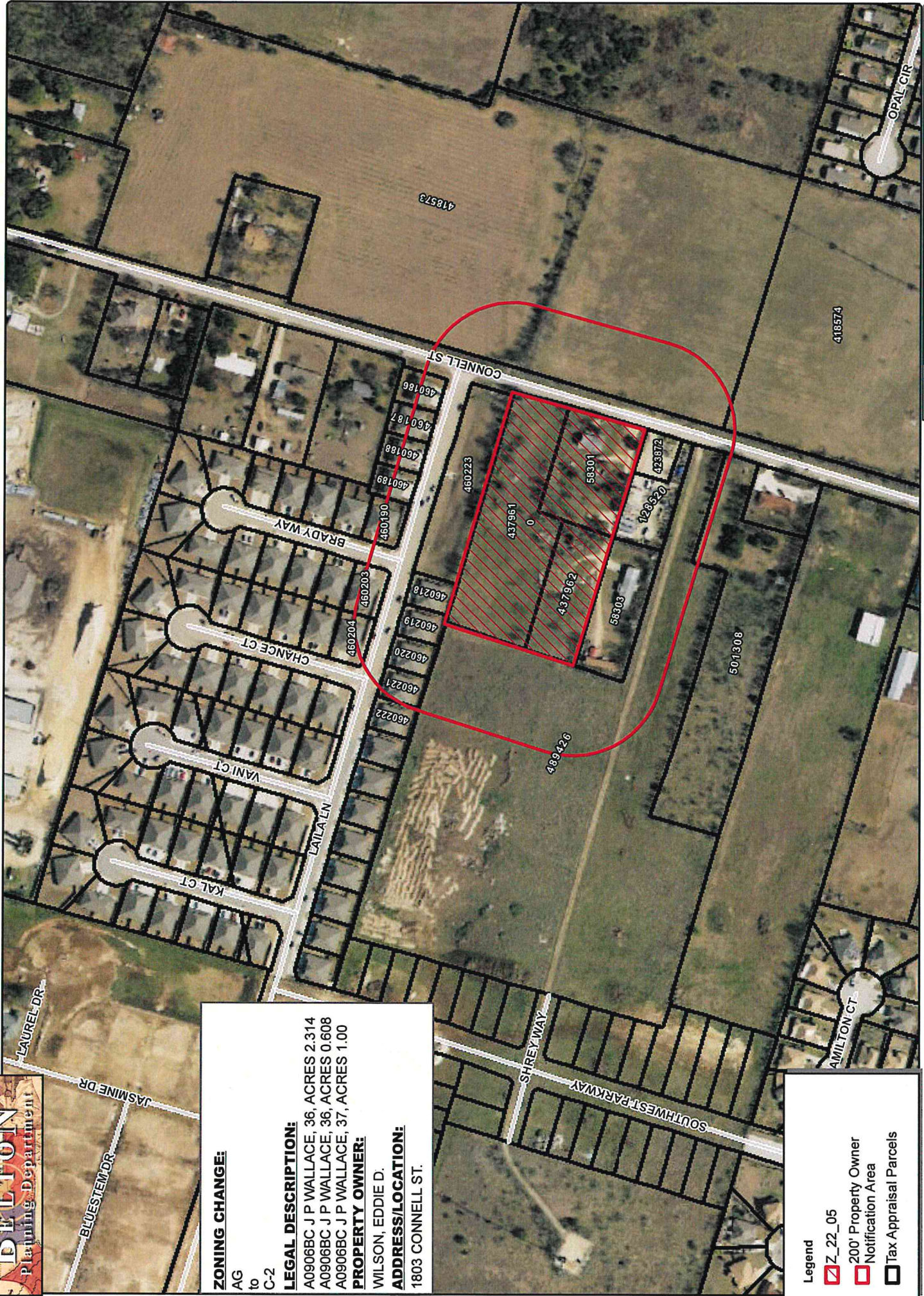


0 75 150 300 Feet

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Zoning Case # Z-22-05



ZONING CHANGE:
AG
to
C-2

LEGAL DESCRIPTION:
A0906BC J P WALLACE, 36, ACRES 2.314
A0906BC J P WALLACE, 36, ACRES 0.608
A0906BC J P WALLACE, 37, ACRES 1.00

PROPERTY OWNER:
WILSON, EDDIE D.

ADDRESS/LOCATION:
1803 CONNELL ST.

- Legend**
- ☒ Z_22_05
 - ☐ 200' Property Owner Notification Area
 - ☐ Tax Appraisal Parcels

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Map Date: 1/24/2022

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: EDDIE WILSON,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1803 CONNELL STREET,
FROM A(N) AGRICULTURAL ZONING DISTRICT,
TO A(N) COMMERCIAL - 2 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, February 15, 2022**, 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, February 22, 2022**, 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, PRIOR TO 1:00 P.M. ON FEBRUARY 15, 2022.

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**

58301

WILSON, EDDIE D

1612 OAK HOLLOW

WACO, TX 76712

58303

WILSON, EDDIE D

1612 OAK HOLLOW DR

WOODWAY, TX 76712-2253

128520

WILSON, EDDIE D

1612 OAK HOLLOW DR

WOODWAY, TX 76712-2253

418573

VAD TREE CAPITAL LLC

10412 WELLER DR

AUSTIN, TX 78750

418574

FMB GROUP LLC

9918 FM 2483

BELTON, TX 76541

423872

WILSON, EDDIE D

1612 OAK HOLLOW DR

WOODWAY, TX 76712-2253

437961

WILSON, EDDIE D

1612 OAK HOLLOW

WACO, TX 76712

437962

WILSON, EDDIE D

1612 OAK HOLLOW

WACO, TX 76712

460186

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460187

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460188

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460189

CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC

1432 OVERLOOK RIDGE DR

BELTON, TX 76513

460190

SAI SEETHA LTD

1212 MOURNING DOVE DR

FLOWER MOUND, TX 75028

460203

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460204

SCG ENTERPRISES LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460218

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460219

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460220

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460221

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460222

TEESH LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

460223

CROSS PLAINS HOLDING & DEVELOPMENT COMPANY LLC

1432 OVERLOOK RIDGE DR

BELTON, TX 76513

489426

SOUTHWOOD HILLS LLC

5201 WILDFLOWER LN

TEMPLE, TX 76502

501308

SOUTHWOOD HILLS LLC

1432 OVERLOOK RIDGE DRIVE

BELTON, TX 76513

SUPERINTENDENT

BELTON I.S.D.

P O Box 269

BELTON TEXAS 76513

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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, February 15, 2022, 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, February 22, 2022, 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, PRIOR TO 1:00 P.M. ON FEBRUARY 15, 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. BELTON NEEDS MORE BUILDINGS FOR SMALL BUSINESSES
2. SMALL BUSINESSES WOULD SERVE PEOPLE IN THIS AREA
3. WE HOPE TO PROVIDE NICE COMMERCIAL BUILDINGS AT THIS LOCATION

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

DATE: 2/9/2022 SIGNATURE: Eddie D Wilson

437961
WILSON, EDDIE D
1612 OAK HOLLOW
WACO, TX 76712

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

58301
WILSON, EDDIE D
1612 OAK HOLLOW
WACO, TX 76712

128520
WILSON, EDDIE D
1612 OAK HOLLOW DR
WOODWAY, TX 76712-2253

58303
WILSON, EDDIE D
1612 OAK HOLLOW DR
WOODWAY, TX 76712-22

423872
WILSON, EDDIE D
1612 OAK HOLLOW DR
WOODWAY, TX 76712-2253

437962
WILSON, EDDIE D
1612 OAK HOLLOW
WACO, TX 76712

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, February 15, 2022

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, Luke Potts, Zachary Krueger, David Jarratt, Quinton Locklin, Stephanie O'Banion, Joshua Knowles and Nicole Fischer. The following members were absent: Vice Chair Dave Covington. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

4. Z-22-05 Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial-2 (C-2) District on approximately 3.922 located at 1803 S. Connell Street, generally located west of Interstate 35, south of Interstate 14 and west of south Connell Street. (Audio 2:14)

Staff Planner Ms. Moore presented the staff report.

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

Commission Member Potts made a motion to approve item Z-22-05, a zoning change from Agricultural (A) to Commercial-2 (C-2) District on approximately 3.922 located at 1803 S. Connell Street. Commission Member Locklin seconded the motion. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-15

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO COMMERCIAL-2 DISTRICT ON APPROXIMATELY 3.922-ACRE PROPERTY LOCATED AT 1803 S. CONNELL STREET.

WHEREAS, Eddie Wilson, 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 15th day of February, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 3.922 acres
located at 1803 S. Connell Street
(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 22nd day of February 2022, 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 Agricultural to Commercial-2 District, in accordance to 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 this property shall conform to the Commercial-2 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. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

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 22nd day of February 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 22nd day of February, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-22-05 Location



ZONING CHANGE:
AG to C-2

LEGAL DESCRIPTION:
A0908BC J P WALLACE, 36, ACRES 2.314
A0908BC J P WALLACE, 36, ACRES 0.608
A0908BC J P WALLACE, 37, ACRES 1.00

PROPERTY OWNER:
WILSON, EDDIE D.

ADDRESS/LOCATION:
1803 CONNELL ST.

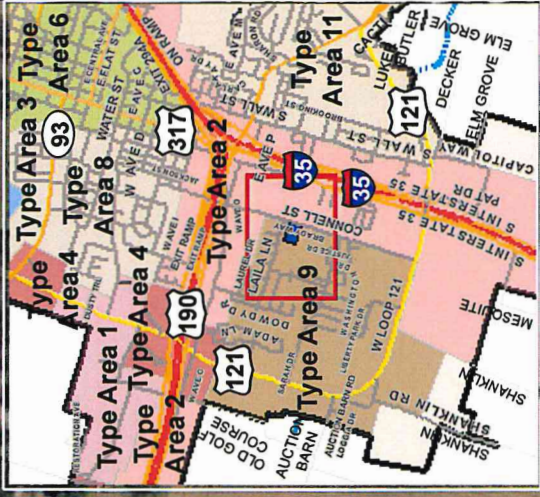


EXHIBIT "A"



LEGEND
Z-22-05



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.

Map Date: 1/24/2022

Staff Report – City Council Agenda Item



Date: February 22, 2022
Case No.: Z-22-01
Request: Agricultural to SF-1
Applicant/Owner: Bill Messer

Agenda Item #7

Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-1 (SF-1) Residential District on approximately 4.09 acres located at 6586 Tollbridge Road, generally located east of Interstate 35, north of Elmer King Road, and west of Tollbridge Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural District (A)

Proposed Zoning: Single Family-1 Residential District (SF-1)

Proposed Uses: Site built detached residence

Future Land Use Map (FLUM) Designation

The FLUM identifies this as a transitional area between “Lifestyle Center” and low-density residential uses. Lifestyle Center is intended for retail, restaurants, dense residential and neighborhood services.

Design Standards Type Area 4

The projected growth for Type Area 4 is primarily commercial, retail and neighborhood service use.

Background/Case Summary

This property was annexed into the City limits in 2000 and assigned the Agricultural Zoning District at that time. The applicant recently submitted a subdivision plat that subdivides this four-acre property into three lots. The proposed lot size requires a zoning change from Agricultural (A) to Single Family-1 Residential zoning district. The plat is currently under review and may be brought to the Planning and Zoning Commission and City Council for approval of any variance request from the subdivision ordinance.

There are no City water or wastewater services at this location. The existing homes are serviced by one septic tank. A new septic system is proposed for the new house which will require approval from the Bell County Public Health Department. Two existing groundwater wells provide domestic water service for the existing homes. Clearwater Underground Water Conservation District has provided their approval for the existing wells to provide domestic water service for the future residence. The applicant will be responsible for addressing fire protection as there are no fire hydrants or adequate water pressure for firefighting purposes. This may include installing a fire suppression system in the proposed new house.

Project Analysis and Discussion

Existing Conditions: Properties north, south, and east of this lot are single family detached residences. The property to the west is undeveloped. The surrounding properties are all zoned Agricultural as assigned after the 2000 annexation.

Allowable Land Uses: The proposed zoning change would allow for detached homes.

Area & Setback Requirements: The subject lots exceed the minimum area requirement for the SF-1 district, which requires a minimum lot size of 10,000 sq. ft, a minimum width of 70' and depth of 100'. The proposed lots range from 0.98 to 1.91 acres. New structures will be reviewed for compliance with all applicable setback and zoning requirements.

Recommendation

At its meeting on February 15, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural (A) to Single Family-1 (SF-1) Residential District.

Attachments

Zoning application and subdivision plat

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner list

P&Z Minutes Excerpt

Ordinance

ZONING CHANGE APPLICATION

Fee: \$250.00



Date received:	
APPLICANT NAME: BILL MESSER	
EMAIL: JOHNBMESSER@YAHOO.COM	PHONE NUMBER: 254-624-9031
MAILING ADDRESS: 7700 NOLAN BLUFF ROAD, BELTON, TX 76513	
PROPERTY OWNER NAME: BILL & ANN FAMILY LIMITED PARTNERSHIP	
EMAIL: JOHNBMESSER@YAHOO.COM	PHONE NUMBER: 254-624-9031
MAILING ADDRESS: 7700 NOLAN BLUFF ROAD, BELTON, TX 76513	

Proposed Use of Structures (building) and Property (exterior property): RESIDENTIAL SINGLE FAMILY	
Current Use: ZONED AG - CURRENT USE RESIDENTIAL SINGLE FAMILY	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 6586 TOLL BRIDGE ROAD, BELTON, TX 76513	
Legal Description of Property: Abstract Survey <u>A0510BC GF LANKFORD, 5-1, ACRES 4.096</u>	
Lot(s): _____ Block(s): _____ of Subdivision _____	
Existing Zoning: <u>AGRICULTURAL</u> Proposed Zoning: <u>SINGLE FAMILY 1</u>	

Signature of Applicant: Bill Messer Date: 1/15/2022

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

City of Belton Planning Department
333 Water Street ★ Belton, Texas 76513 ★ Phone (254) 933-5812 ★ Fax (254) 933-5822

Checklist for Items to be submitted with a zoning change application:

- ☒ Signed application
- ☒ Fees paid
- ☒ Complete legal descriptions of the property to be rezoned
- ☒ Site plans per Section 32, Planned Development, of the Zoning Code. Please see **below** for guidelines.

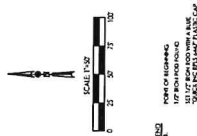
In the event the request involves more than one lot, **a portion of a lot** or irregular tracts or acreage, **a Metes and Bound legal description, prepared by a registered Land Surveyor, registered in the State of Texas, is required.**

Notice: If any construction is planned, a copy of the plans and a plat must be attached. **Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.** The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

The development plan shall include:

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.

Quick Inc.
Land Surveying, Land Planning, Consulting,
Firm: 10194104
512-915-4950
1430 N. Robertson Road, Salado, Texas 76571



STATE OF TEXAS
COUNTY OF _____
I, _____, REPRESENTATIVE OF CLEARWATER
DATE _____

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

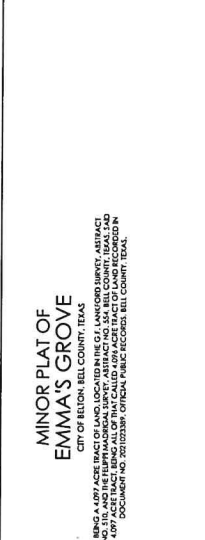
Given under my hand and seal of office this _____ day of _____, 20____.

Notary Public in and for the State of _____

RECORDATION INFORMATION:
FILED FOR RECORDING ____ DAY OF _____, 20____
IN YEAR ____ PLAT # _____ PLAT RECORDS OF BELL COUNTY, TEXAS.
DEDICATION INSTRUMENT NO. _____ OFFICIAL PUBLIC RECORDS, BELL
COUNTY, TEXAS.

RECORDATION INFORMATION.
FILED FOR RECORD THIS ____ DAY
IN YEAR ____ PLAT # ____
DEDICATION INSTRUMENT NO. ____
COUNTY, TEXAS.

SIL COUNTY PUBLIC HEALTH DISTRICT



BUNG A 4.097 ACRE TRACT OF LAND, LOCATED IN THE G.J. LANFORD SURVEY, ABSTRACT NO. 510, AND THE HUPP MADRICAL SURVEY, ABSTRACT NO. 554, BELL COUNTY, TEXAS, S.A.D 4.097 ACRE TRACT, BUNG ALL OF THAT CALLED A 0.96 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 202102389, OFFICIAL PUBLIC RECORDS, BELL COUNTY TEXAS.

BUILDING SETBACKS:
LOTS WILL OBSERVE BUILDING SETBACKS AS REQUIRED BY THE CITY OF BELTON ZONING ORDINANCE.

T: BILL MESSER
OR: BILL AND ANN MESSER FAMILY LIMITED PARTNERSHIP, A TEXAS FAMILY LIMITED PARTNERSHIP

STATE OF TEXAS
COUNTY OF MILL
I, JIMMIE L. BELL AND ANN JESSIE FAULKNER, TEAS FAULKNER LIMITED PARTNERSHIP, BEING THE OWNER OF THE LAND SHOWN ON THE MAP AND DESIGNATED HEREIN AS "BAYVIEW GROVE", A SUBDIVISION IN THE CITY OF BELLCO, BELL COUNTY, TEXAS, AND WHOSE NAME IS DESCRIBED HEREIN, HEREBY DEDICATE THE USE TO THE PUBLIC FOR EVER, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS,

T: ANNI MESSER
 OF: BEL AND ANNI MESSER FAMILY LIMITED PARTNERSHIP A TEXAS LIMITED LIABILITY PARTNERSHIP

JOINT PUBLIC, STATE OF TEXAS

HOW ALL MEN IT THESE PRESENTS

TRAVIS L. QUICFALL
REGISTERED PROFESSIONAL LAND SURVEYOR

DATES: FIELD WORK PERFORMED ON: JUNE 17, 2021
 ADDRESS: MAPTOL BRIDGE ROAD, BELTON, TEXAS
 BASIS OF SURVEY: TEXAS STATE PLANE, CENTRAL ZONE, NAD83
 THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY TITOLITY NATIONAL TITLE INSURANCE COMPANY, G.I. NUMBER
 21-140, ISSUED DATE OF APRIL 9, 2021, EFFECTIVE DATE OF MARCH 31, 2021 AND IS SUBJECT TO ALL TERMS, CONDITIONS, EXEMPTIONS, COVENANTS, EASEMENTS, ENCUMBRANCES, RESTRICTIONS, OR ENCUMBRANCES NOT SHOWN THE SURVEYOR

REPORT COUNCIL ON A BIAS/OTAP 1747 7477 DEER DEER, MIL COUHT: 17044.

Zoning Case # Z-22-06 Location



ZONING CHANGE:

AG
to
SF-1

LEGAL DESCRIPTION:

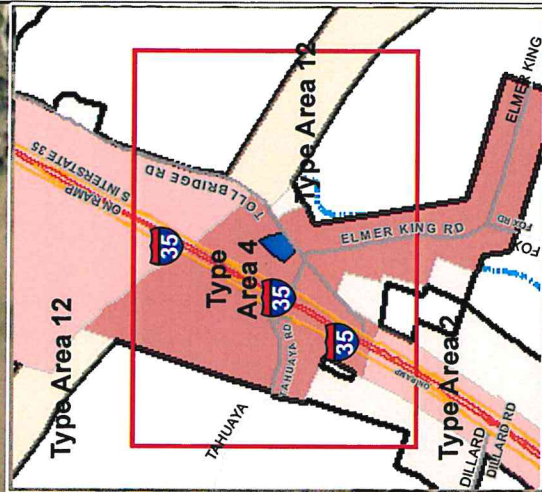
A0510BC G F LANKFORD, 5-1,
ACRES 4.096

PROPERTY OWNER:

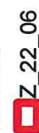
BILL MESSER

ADDRESS/LOCATION:

6586 TOLL BRIDGE RD



LEGEND



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Map Date: 1/24/2022

Zoning Case # Z-22-06 Zoning

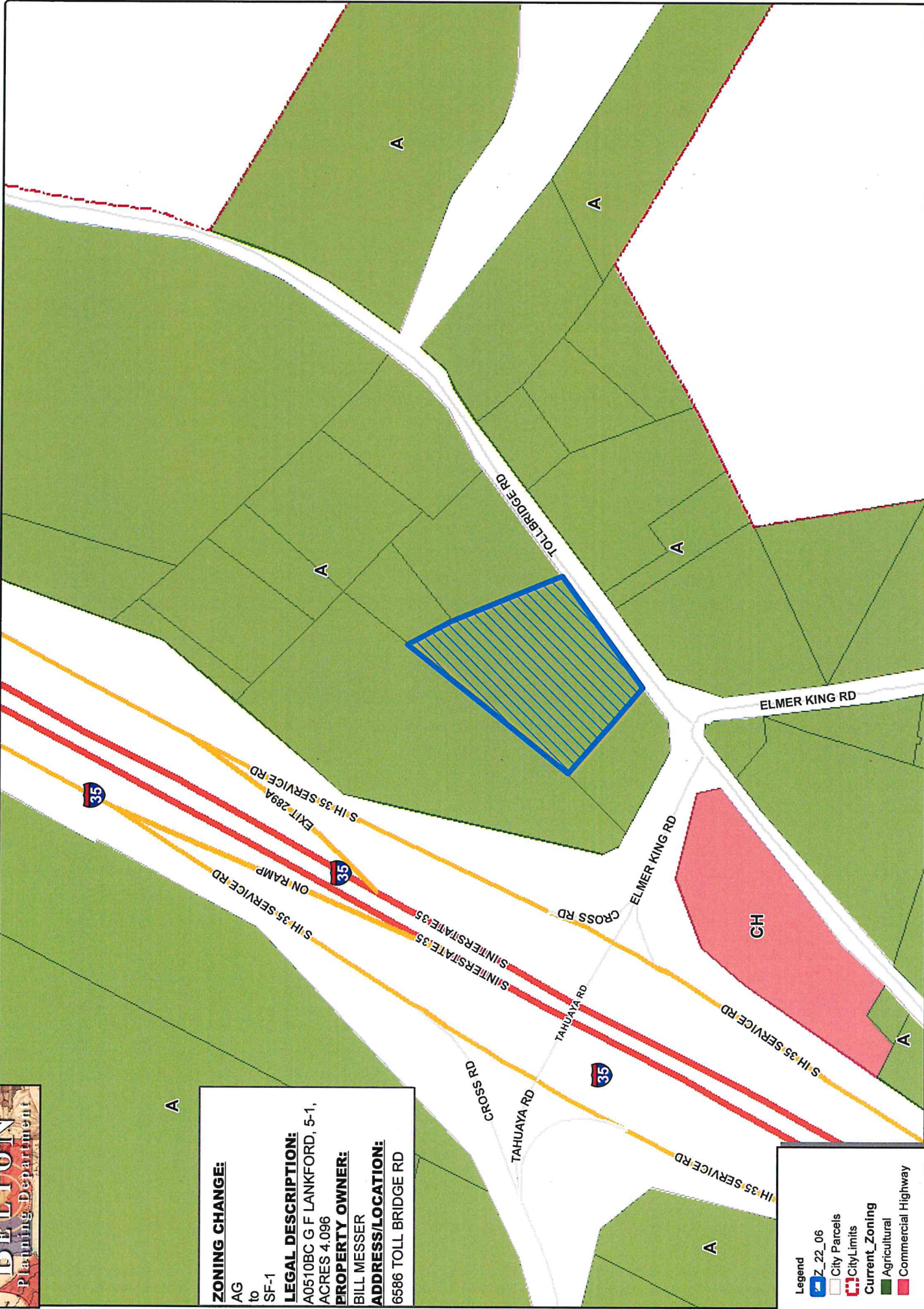


ZONING CHANGE:
AG
to
SF-1

LEGAL DESCRIPTION:
A0510BC G F LANKFORD, 5-1,
ACRES 4.096

PROPERTY OWNER:
BILL MESSER

ADDRESS/LOCATION:
6586 TOLL BRIDGE RD



Legend

- Z_22_06
- City Parcels
- City Limits
- Current_Zoning
- Agricultural
- Commercial Highway

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Map Date: 1/24/2022

Zoning Case # Z-22-06 Aerial



Author: Anthony Notgrass, City of Belton Path: E:\City of Belton Projects\Fickens\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-06\Z-22-06 Aerial.mxd

ZONING CHANGE:

AG
to
SF-1

LEGAL DESCRIPTION:

A0510BC G F LANKFORD, 5-1,
ACRES 4.096

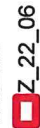
PROPERTY OWNER:

BILL MESSER

ADDRESS/LOCATION:

6586 TOLL BRIDGE RD

LEGEND



Map Date: 1/24/2022



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**CITY OF
BELTON**
Planning Department

6586 TOLL BRIDGE RD

Map Date: 1/24/2022

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 BILL MESSER,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 6586 TOLLBRIDGE ROAD,
FROM A(N) AGRICULTURAL ZONING DISTRICT,
TO A(N) SINGLE FAMILY-1 RESIDENTIAL 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, February 15, 2022**, 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, February 22, 2022**, 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, PRIOR TO 1:00 P.M. ON FEBRUARY 15, 2022.

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**

10915
HELM, BILLY ETUX VICKI
603 THOMAS ST
ROGERS, TX 76569

108890
SOUTHERLAND, JOHN W ETUX
6546 TOLLBRIDGE RD
BELTON, TX 76513-7511

453550
FULLER, DAVID B JR ETUX AUDREY
200 ELMER KING RD
BELTON, TX 76513-7514

64522
POOLE, JEFFREY E ETUX LISA G
6605 TOLLBRIDGE RD
BELTON, TX 76513

17002
MESSER, BILL & ANN FAMILY LIMITED PARTNERSHIP
7700 NOLAN BLUFF RD
BELTON, TX 76513-7044

111721
MESSER, BILL & ANN FAMILY LIMITED PARTNERSHIP
7700 NOLAN BLUFF RD
BELTON, TX 76513-7044

453551
POOLE, JEFFREY E ETUX LISA G
6605 TOLLBRIDGE RD
BELTON, TX 76513

49493
HIGHWAY AUTO PARTS
6825 TOLLBRIDGE RD
BELTON, TX 76513

111722
GILCHREST, BYRON P ETUX
6498 TOLLBRIDGE RD
BELTON, TX 76513-7510

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

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, February 15, 2022

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, Luke Potts, Zachary Krueger, David Jarratt, Quinton Locklin, Stephanie O'Banion, Joshua Knowles and Nicole Fischer. The following members were absent: Vice Chair Dave Covington. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

- 5. Z-22-06 Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-1 Residential District (SF-1) on approximately 4.09 acres located at 6586 Tollbridge Road, generally located east of Interstate 35, north of Elmer King Road, and west of Tollbridge Road. (Audio 9:35)**

Staff Planner Ms. Moore presented the staff report.

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

Commission Member Potts made a motion to approve item Z-22-06 a zoning change from Agricultural (A) to Single Family-1 Residential District (SF-1) on approximately 4.09 acres located at 6586 Tollbridge Road. Commission Member O'Banion seconded the motion. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-16

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY-1 RESIDENTIAL DISTRICT ON APPROXIMATELY 4.097-ACRE PROPERTY LOCATED AT 6586 TOLLBRIDGE ROAD.

WHEREAS, Bill Messer, 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 15th day of February, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 4.097 acres
located at 6586 Tollbridge 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 22nd day of February 2022, 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 Agricultural to Single Family-1 Residential District, in accordance to Section 10, *Single Family-1 Residential 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 -1 Residential Zoning District.
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. Building Design Standards
 - b. Tree Protection, Preservation and Mitigation Standards.

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 22nd day of February 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 22nd day of February, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-22-06 Location



ZONING CHANGE:

AG
to
SF-1

LEGAL DESCRIPTION:

A0510BC G F LANKFORD, 5-1,
ACRES 4.096

PROPERTY OWNER:

BILL MESSER

ADDRESS/LOCATION:

6586 TOLL BRIDGE RD

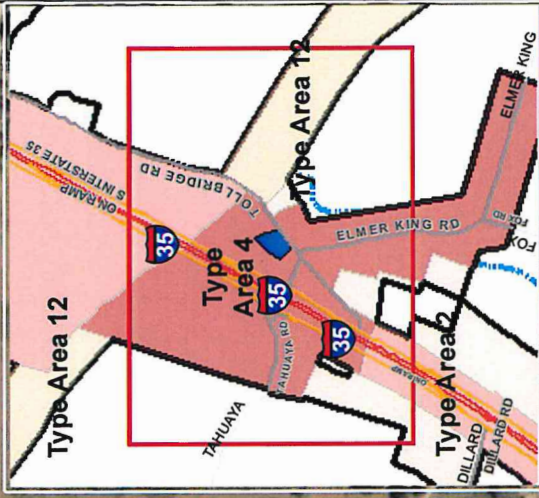
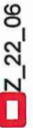


EXHIBIT "A"

Maps and data are for informational purposes and may not have been prepared 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.



LEGEND



Map Date: 1/24/2022

Staff Report – Planning and Zoning Agenda Item



Date: February 15, 2022
Case No.: Z-22-07
Request: Agricultural to PD-SF-1
Applicant/Owner: David Hoya Jones

Agenda Item #8

Hold a public hearing and consider a zoning change from Agricultural (A) to Planned Development -Single Family-1 Residential District (PD-SF-1) on approximately 1.84 acres located at 249 Elmer King Road, generally east of Interstate 35 and west of Elmer King Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural District (A)

Proposed Zoning: Planned Development Single Family – 1 Residential Districts (PD-SF-1)

Proposed Uses: Mobile Home Residence

Future Land Use Map (FLUM) Designation

The FLUM identifies this general area for low density residential uses.

Design Standards Type Area 4

The projected growth for Type Area 4 is primarily commercial, retail and neighborhood service use.

Background/Case Summary

This property was annexed into the City limits in 2004 and assigned the Agricultural Zoning District at that time. This lot is developed with an existing mobile home. Originally, the applicant owned three acres, and he sold an acre to a family member. He subsequently submitted a subdivision plat to show the metes and bounds for the remaining two acres – with a portion dedicated for the Elmer King right-of-way. The proposed lot size requires a zoning change from Agricultural (A) to Single Family-1 Residential to allow for a smaller lot size less than three acres. A Planned Development is proposed to permit the existing mobile home and to allow for future replacement homes. No new structure is currently proposed.

There are no City water or wastewater services at this location. The existing home is serviced by an existing groundwater well and a septic system. The applicant will be responsible for providing fire protection for any future structures as there are no fire hydrants or adequate water pressure for firefighting purposes.

Project Analysis and Discussion

Existing Conditions: The surrounding properties are all zoned Agricultural as assigned after the 2004 annexation.

Allowable Land Uses: The proposed zoning change would allow for detached homes.

Area & Setback Requirements: The subject lot exceeds the minimum area requirement for the SF-1 district, which requires a minimum lot size of 10,000 sq. ft, a minimum width of 70' and depth of 100'. The proposed lot is 1.84 acres. The existing structure meets the required setback. Future structures will be reviewed for compliance with all applicable setback and zoning requirements.

Recommendation

At its meeting on February 15, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from to Planned Development -Single Family 1 (PD-SF-1), subject to the following exceptions:

1. The use of the property shall conform to the Single Family - 1 Residential Zoning District in all respects.
2. The current mobile home and future replacement homes are permitted.
3. The development of the property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Building Design Standards
 - b. Tree Protection, Preservation and Mitigation Standards

Attachments

Zoning application and subdivision plat

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner list

P&Z Minutes Excerpt

Ordinance

ZONING CHANGE APPLICATION

Fee: \$250.00



Date received:	
APPLICANT NAME: David Jones	
EMAIL: djones@centralbuilders.net	PHONE NUMBER: 210-427-0557
MAILING ADDRESS: P.O. Box 749 Benavides TX 78341	
PROPERTY OWNER NAME: David Jones	
EMAIL: djones@centralbuilders.net	PHONE NUMBER: 210-427-0557
MAILING ADDRESS: P.O. Box 749 Benavides, TX 78341	

Proposed Use of Structures (building) and Property (exterior property): Residential
Current Use: Residential (zoned Ag (Improved Pasture))
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 249 Elmer King Rd Belton, Tx 76513
Legal Description of Property: Abstract Survey A0554BC F MADREBAI, 25, ACRES 2.67 Lot(s): _____ Block(s): _____ of Subdivision _____ (Replat to 2.00 +/-)
Existing Zoning: Ag Proposed Zoning: Residential L PD-SF1

Signature of Applicant

Date:

Signature of Owner (if not applicant):

Date:

City of Belton Planning Department

333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

Checklist for Items to be submitted with a zoning change application:

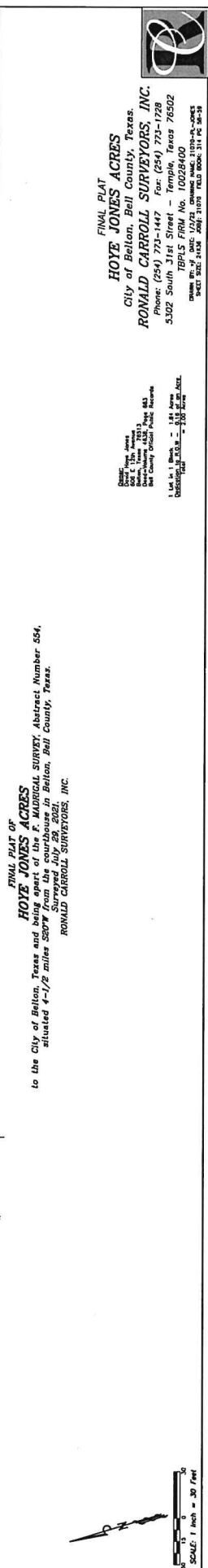
- ☒ Signed application
- ☒ Fees paid
- ☒ Complete legal descriptions of the property to be rezoned
- ☒ Site plans per Section 32, Planned Development, of the Zoning Code. Please see **below** for guidelines.

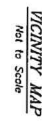
In the event the request involves more than one lot, **a portion of a lot** or irregular tracts or acreage, **a Metes and Bound legal description, prepared by a registered Land Surveyor, registered in the State of Texas, is required.**

Notice: If any construction is planned, a copy of the plans and a plat must be attached. **Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.** The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

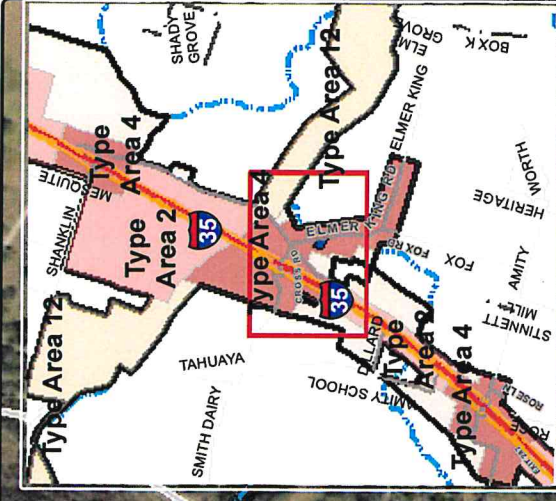
The development plan shall include:

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.



[illegible]

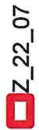
Zoning Case # Z-22-07 Location



ZONING CHANGE:

AG
to
PD-SF1
LEGAL DESCRIPTION:
A0554BC F MADREGAL, 25,
ACRES 2.57
PROPERTY OWNER:
JONES, DAVID
ADDRESS/LOCATION:
249 ELMER KING RD

LEGEND



Z_22_07

Map Date: 1/24/2022

0 250 500 Feet



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Zoning Case # Z-22-07 Zoning



Author: Anthony Hotgrass, City of Belton

Path: E:\City of Belton Projects\Public\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-07\Z-22-07 Zoning.mxd

ZONING CHANGE:

AG
to
PD-SF1

LEGAL DESCRIPTION:

A0554BC F MADREGAL, 25,
ACRES 2.57

PROPERTY OWNER:

JONES, DAVID

ADDRESS/LOCATION:

249 ELMER KING RD

Legend

- City Limits
- City Parcels
- Z_22_07
- Current Zoning
- Agricultural
- Commercial Highway
- Commercial-2

Map Date: 1/24/2022



0 125 250 500 Feet

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Zoning Case # Z-22-07 Aerial



ZONING CHANGE:

AG

to

PD-SF1

LEGAL DESCRIPTION:

A0554BC F MADREGAL, 25,
ACRES 2.57

PROPERTY OWNER:

JONES, DAVID

ADDRESS/LOCATION:

249 ELMER KING RD



ELMER KING RD

LEGEND



Z_22_07



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Map Date: 1/24/2022



Zoning Case # Z-22-07



ZONING CHANGE:
AG
to
PD-SF1

LEGAL DESCRIPTION:
A0554BC F MADREGAL, 25,
ACRES 2.57

PROPERTY OWNER:
JONES, DAVID

ADDRESS/LOCATION:
249 ELMER KING RD

Legend

☒ Z_22_07

☐ 200' Property Owner

☐ Notification Area

☐ Tax Appraisal Parcels

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: DAVID JONES,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 249 ELMER KING ROAD,
FROM A(N) AGRICULTURAL ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - SINGLE FAMILY-1 RESIDENTIAL 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, February 15, 2022**, 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, February 22, 2022**, 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, PRIOR TO 1:00 P.M. ON FEBRUARY 15, 2022.

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**

44490
GUYER, BETTY E
6825 TOLLBRIDGE RD
BELTON, TX 76513

66742
BRITT, ROBERT CHRISTOPHER
82 CEDAR TRAIL
BELTON, TX 76513

332541
GOBLE, TABATHA ANNE & CRAIG STEWART
GILLMEISTER
7037 TOLL BRIDGE RD
BELTON, TX 76513

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

56770
JONES, BOBBY CARL
291 ELMER KING RD
BELTON, TX 76513-7514

95318
PROCTOR, WILLIAM JAMES JR
187 ELMER KING RD
BELTON, TX 76513-7513

352738
GERSTENBERG, ROBERT WAYNE
11402 COSTAKES DR
AUSTIN, TX 78750-2518

56772
JONES, BOBBY CARL
291 ELMER KING RD
BELTON, TX 76513-7514

316136
JONES, DAVID HOYE
606 E 12TH AVE
BELTON, TX 76513-2208

451358
GOBLE, TABATHA ANNE & CRAIG STEWART
GILLMEISTER
7037 TOLL BRIDGE RD
BELTON, TX 76513

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, February 15, 2022

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, Luke Potts, Zachary Krueger, David Jarratt, Quinton Locklin, Stephanie O'Banion, Joshua Knowles and Nicole Fischer. The following members were absent: Vice Chair Dave Covington. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

6. Z-22-07 Hold a public hearing and consider a zoning change from Agricultural (A) to Planned Development-Single Family-1 Residential District (PD-SF-1) on approximately 1.84 acres located at 249 Elmer King Road, generally east of Interstate 35 and west of Elmer King Road. (Audio 14:38)

Staff Planner Ms. Moore presented the staff report.

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

Commission Member O'Banion made a motion to approve item Z-22-07 a zoning change from Agricultural (A) to Planned Development-Single Family-1 Residential District (PD-SF-1) on approximately 1.84 acres located at 249 Elmer King Road. Commission Member Knowles seconded the motion. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-17

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO PLANNED DEVELOPMENT - SINGLE FAMILY-1 RESIDENTIAL DISTRICT ON APPROXIMATELY 1.84-ACRE PROPERTY LOCATED AT 249 ELMER KING ROAD.

WHEREAS, David Hoye Jones, 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 15th day of February, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 1.84 acres
located at 249 Elmer King 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 22nd day of February 2022, 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 Agricultural to Planned Development -Single Family-1 Residential District, in accordance to Section 32, *Planned Development District*, and Section 10, *Single Family-1 Residential 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 the property shall conform to the Single Family - 1 Residential Zoning District in all respects.
2. The current mobile home and future replacement homes are permitted.
3. The development of the property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Building Design Standards
 - b. Tree Protection, Preservation and Mitigation Standards

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 22nd day of February 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 22nd day of February, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

