City of Belton, Texas

Joint City Council/Planning and Zoning Commission
Workshop Meeting Agenda
Tuesday, July 26, 2022 - 4:00 p.m.
Wright Room at the Harris Community Center
401 N. Alexander, Belton, Texas

1. Call to order.

2. Public Comments.

   Citizens who desire to address the Council/Planning and Zoning Commission 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 and Commission appreciate hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda.

3. Receive a presentation regarding housing affordability in Belton and discuss residential development trends.

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.

Staff Report – City Council/P&Z Workshop

Workshop Agenda Item #3

Receive a presentation from Dr. Clare Losey, PhD, Assistant Research Economist from the Texas A&M University Real Estate Research Center, regarding housing affordability in Belton and discuss residential development trends.

Originating Department

Planning – Bob van Til, Director of Planning

Summary Information

The purpose of this item is to receive a presentation from Dr. Clare Losey, PhD, Assistant Research Economist from the Texas A&M University (TAMU) Real Estate Research Center about housing affordability in Belton.

A secondary purpose of the meeting is to begin a discussion about the number of higher density residential developments that are occurring throughout the community and other policy implications.

The Housing Affordability Study is an important component of the discussion about residential density because it helps to quantify what we may know intuitively: that housing affordability is an important component of housing availability. The study provides a beginning point for the conversation about residential densities.

From this discussion, staff seeks Council's direction, suggestions, or policy input relating to high density residential development.

We anticipate the flow of the workshop to be:

- Introductory remarks
- Introduction of Dr. Losey
- Dr. Losey's presentation
- Questions and discussion with Dr. Losey
- Planning Director's presentation
- Council and P&ZC discussion

Discussion

Dr. Clare Losey contacted the City of Belton in the fall of 2021 and offered to prepare a housing study for the City. TAMU has prepared studies for other cities throughout Texas. The focus of the study is affordability of housing in Belton. The analysis was designed to profile and quantify existing conditions as they relate to the local housing market in Belton.

As part of the process to prepare the report, Dr. Losey interviewed local stakeholders and held a group meeting of stakeholders at the Harris Community Center in October of 2021. A list of attendees is attached, and they have been invited to this presentation (See Footnote 1).

The timing of the study was fortunate. It came at a time when staff was discussing the numerous higher density residential developments in Belton (See Footnote 2). The study is one component that will help with the discussion of higher density residential developments appearing throughout the community.

Other components may include economic conditions (population growth and demand for housing, land prices, interest rates, cost of materials, and supply chain delays, for instance), perceptions of higher density developments, future land use determinations (locations in the community), neighborhood character, zoning districts, housing options, impact on infrastructure, such as wastewater, and parking.

In several recent instances, proposed multifamily developments created challenges to our wastewater collection system. In addition, we have seen issues with parking on streets where there is inadequate parking on site. The character of desired development is also called into question.

Over the last several years the City received numerous zoning or platting requests for higher density residential developments. These higher density residential development requests are either for smaller lot sizes (45 to 50 wide) in single family developments or more units per acre than allowed by code as in multi-family developments.

We have not seen any residential developments with 60', 70', or larger lots in at least the last five years. Footnote 3 shows the units per acre for the various residential zoning districts in the Zoning Ordinance for reference.

Belton's Strategic Plan includes a goal to "Articulate Growth Management Strategy." This is to ensure that Belton's governance is fair, transparent, and fiscally responsible. The Performance Indicators for this goal are that:

- Council and Management Team review desired character of growth, density and establish parameters
- Comprehensive Plan, Thoroughfare Plan, and Infrastructure plans analyzed, and CIP updated
- Refocus on infill development, internal development, maximizing existing infrastructure
- Current standards reviewed for transparency, inducement to development, including strategies for affordable housing
- Anticipate development agreements and CIP to guide city growth

Fiscal Impact

Not applicable.

Recommendation

Conduct the workshop and discuss potential directions for staff to develop policy responses relating to high density residential development.

Attachments

Dr. Losey's presentation

Footnotes

(1) – Attendees at the October 2021 Housing Meeting with Dr. Losey
Mayor Wayne Carpenter
City Manager Sam Listi
David Covington
Quinton Locklin
Ray Severn
Marion Grayson
Pat Patterson
Larry Guess
Todd Scott
Terri Covington
Barbara Bozon
Marty Janczak
Bob van Til
Tina Moore

(2) – Recent Residential Developments
Hidden Trails Single Family Development – 50' wide lots (started at 40').

Canyon Trails (W. Ave O) – 50' wide lots

Henninger multifamily project on Toll Bridge Rd. – ~20 units per acre.

Skyview Single Family Development – all 50' wide lots.

Hilltop Multi Family Development – 28 units per acre.

The Ridge at Bell Meadows – duplexes.

River Farms - 90 percent of the 1775 proposed lots are planned to be 50 feet wide or less, per the development agreement.

Crossroads at Belton (W. Ave O and Bell Meadows Dr.) – 20 units per acre

River Fair Senior Apartment – proposed fewer, but could build up to 18 units per acre

Hillside Apartments (S.W. Parkway and Loop121) – 514 units (18 units per acre)

Southwood Hills – SF3 and duplexes

City Lights – Senior living and duplexes

(3) – Residential Zoning Density Criteria
Residential Estate (RE): 2-acre minimum lot size
SF-1: 10,000 SF minimum lot size or 4.3 units per acre
SF-2: 7,500 SF minimum lot size or 5.8 units per acre
SF-3: 5,000 SF minimum lot size or 8.7 units per acre
Patio Home (PH): 5,000 minimum lot size or 8.7 units per acre
Duplex (2F): 7,200 SF minimum or 6 units per acre; 8,000 SF corner lot or 5.4 units per acre
MF: 18 units per acre

Housing Affordability in the City of Belton

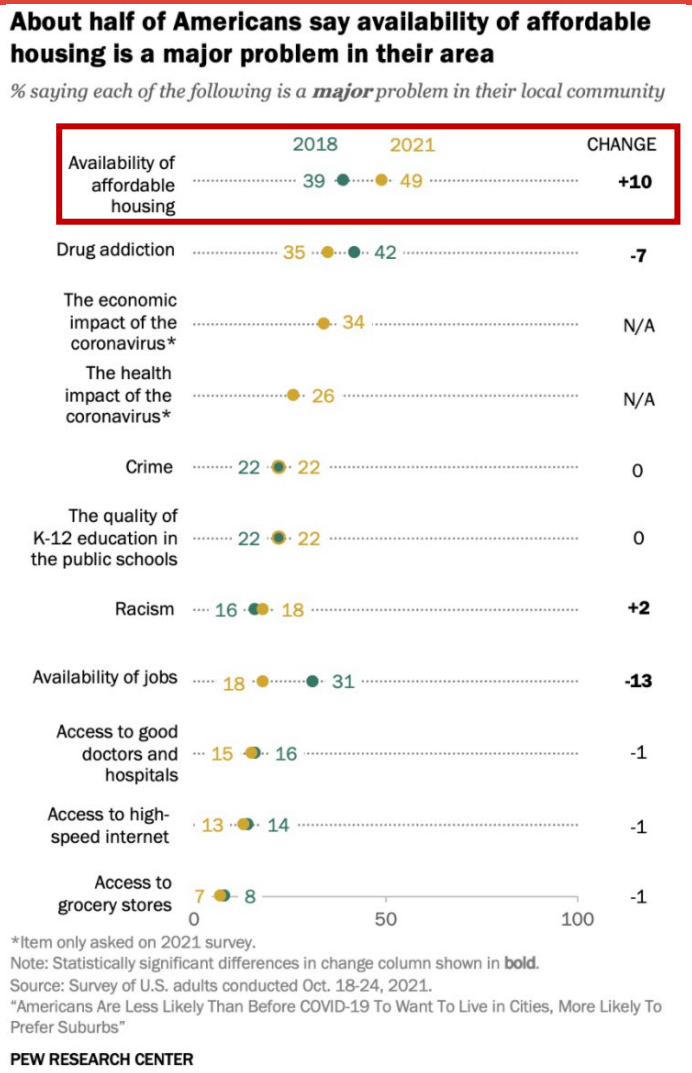
Dr. Clare Losey
Assistant Research Economist

July 26, 2022

TEXAS A&M UNIVERSITY
Texas Real Estate Research Center

Half of All Americans See Affordability as a Major Problem

- **Americans ranked housing affordability as a larger concern to the community than:**
  - **1) The economic impact of COVID-19**
  - **2) The health impact of COVID-19**
  - **3) Crime**
  - **4) Availability of jobs**



Housing affordability is one of the most pressing issues presently facing cities and communities across Texas.

Overview of Housing Affordability

What is Housing Affordability?

Housing affordability refers to the relationship between home price or rent and household (or family) income.

Two types: owner- and renter-occupied housing affordability





Why Income?

- **86% of homebuyers in Texas used mortgage financing to purchase a home in 2020.**
- **Income, wealth, and the credit score primarily determine a mortgage applicant's creditworthiness (i.e., whether the lender will extend mortgage financing to that applicant).**
  - **Income & wealth tend to be highly correlated.**
- **Landlords also use income to vet potential renters. Moreover, federal, state, and local government set income thresholds for subsidized rental housing.**

Fundamentals of Housing Affordability

Demand-Side Factors

- **Demographics (population growth, household composition, etc.)**
- **Conditions in the labor market (income & wages, unemployment, taxation, etc.)**
- **Changes in the cost of borrowing mortgage credit (changes in the mortgage interest rate)**
- **Consumer tastes & preferences (housing preferences)**

Supply-Side Factors

- **Availability of developable land**
- **Regulations/zoning (planning)**
- **Construction costs (labor & materials)**
- **Availability of mortgage credit (banking regulations, housing legislation, etc.)**

What's Happening in the Housing Market?

1) **Historically high home price appreciation & rent growth**
2) **Limited supply of homes for sale & units for rent**
3) **Income growth not keeping pace with home price appreciation or rent growth**

Additional factors in the homeownership market:

4) **Rising mortgage interest rates**
5) **Higher mortgage lending standards**

High Home Price Appreciation in the City of Belton

Year	Median Sales Price	YOY Change	First-Quartile Sales Price	YOY Change
2011	$130,000		$80,000	
2012	$140,000	7.7%	$99,000	23.8%
2013	$119,900	-14.4%	$79,500	-19.7%
2014	$140,000	16.8%	$82,000	3.1%
2015	$169,000	20.7%	$109,950	34.1%
2016	$185,000	9.5%	$122,000	11.0%
2017	$167,200	-9.6%	$109,000	-10.7%
2018	$212,500	27.1%	$133,000	22.0%
2019	$195,000	-8.2%	$144,000	8.3%
2020	$215,000	10.3%	$152,125	5.6%
2021	$275,000	27.9%	$203,850	34.0%

Source: Texas Real Estate Research Center at Texas A&M University

Limited Inventory of Homes For Sale in the City of Belton

Year	Months Inventory
2011	3.0
2012	3.1
2013	4.8
2014	3.7
2015	2.2
2016	3.7
2017	1.9
2018	2.2
2019	1.6
2020	0.2
2021	0.5

Source: Texas Real Estate Research Center at Texas A&M University

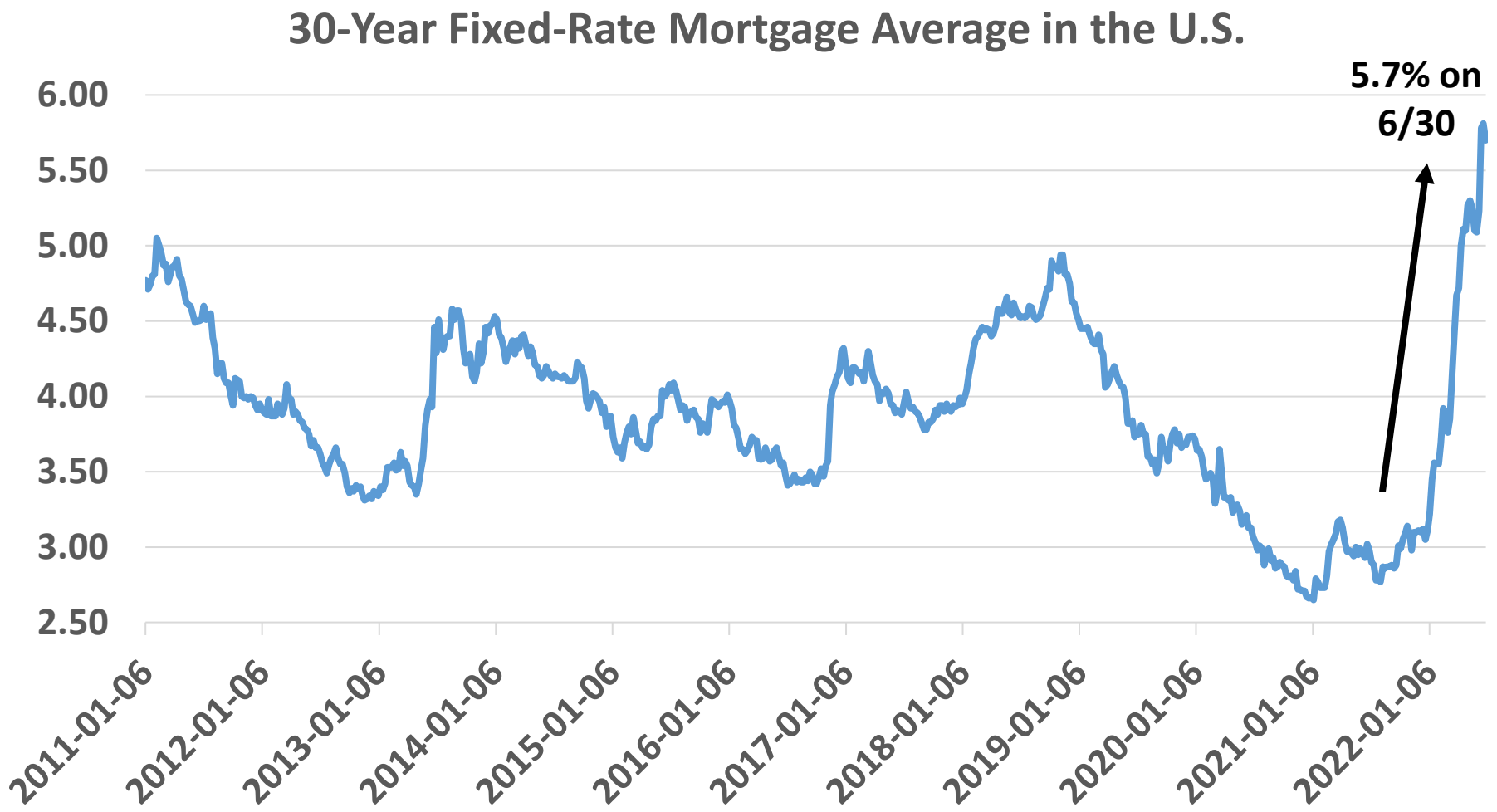
~6.5 months indicates a balanced market (i.e., supply is sufficient to meet demand)

Sluggish Growth in Median Family Income in Bell County

Year	Low-Income Households (80%)	YOY Change	Median Family Income	YOY Change
2011	$44,700		$55,900	
2012	$45,350	1.5%	$56,700	1.4%
2013	$47,600	5.0%	$59,900	5.6%
2014	$47,100	-1.1%	$58,900	-1.7%
2015	$47,300	0.4%	$59,100	0.3%
2016	$47,450	0.3%	$59,300	0.3%
2017	$47,200	-0.5%	$59,000	-0.5%
2018	$47,750	1.2%	$59,700	1.2%
2019	$51,100	7.0%	$63,900	7.0%
2020	$51,100	0.0%	$63,900	0.0%
2021	$51,750	1.3%	$64,700	1.3%

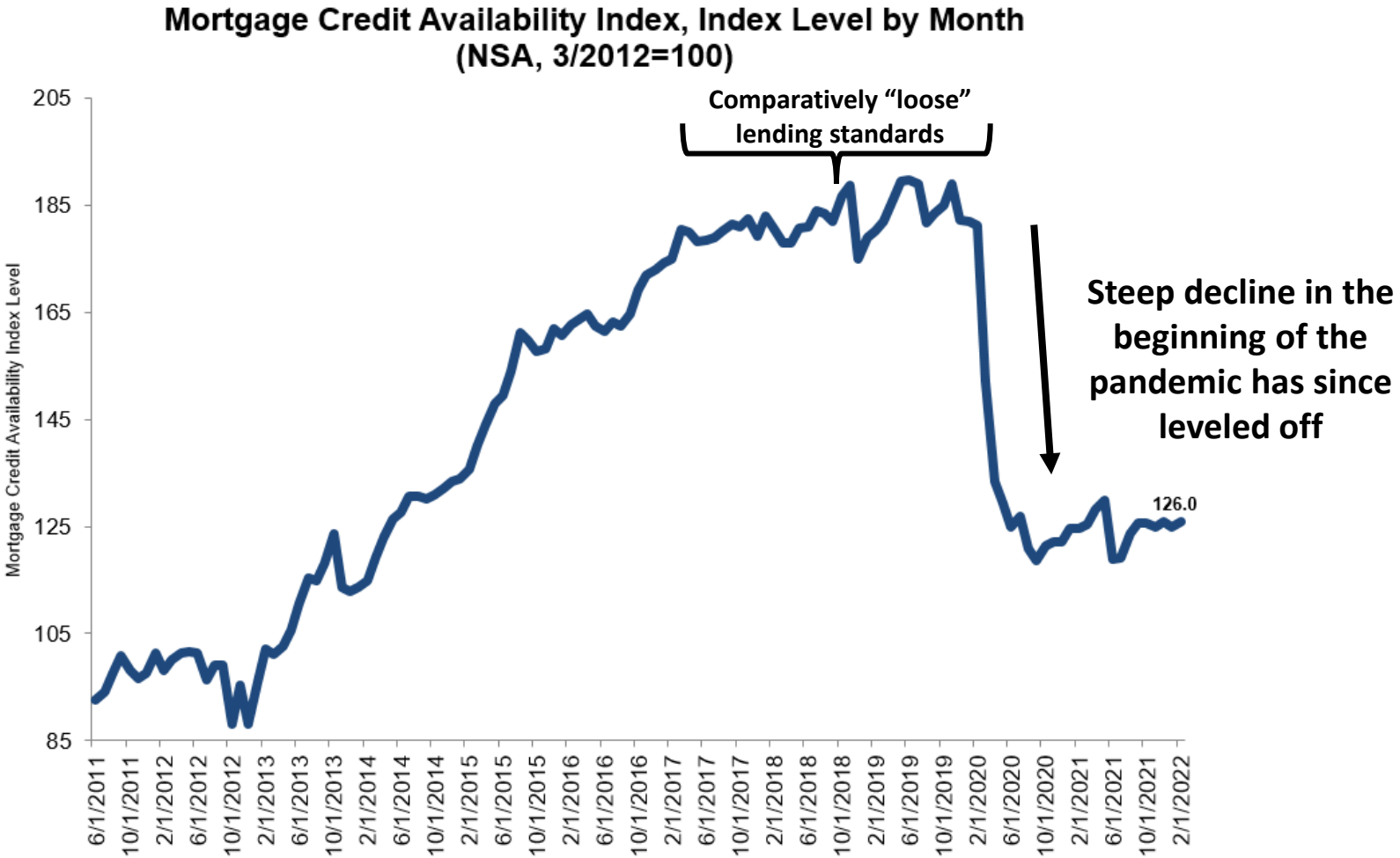
Source: HUD

Costs of Borrowing Mortgage Capital Rapidly Increasing



Source: FRED

Higher Mortgage Lending Standards



Source: Mortgage Bankers Association

Maximum Home Price Affordable

		Home Price-to-Income Multiplier			
	Family Income	2	3	4	5
Extremely Low-Income (30%)	$27,750	$55,500	$83,250	$111,000	$138,750
	$30,000	$60,000	$90,000	$120,000	$150,000
Very Low-Income (50%)	$36,150	$72,300	$108,450	$144,600	$180,750
	$40,000	$80,000	$120,000	$160,000	$200,000
	$50,000	$100,000	$150,000	$200,000	$250,000
Low-Income (80%)	$57,850	$115,700	$173,550	$231,400	$289,250
	$60,000	$120,000	$180,000	$240,000	$300,000
	$70,000	$140,000	$210,000	$280,000	$350,000
Median Family Income	$73,900	$147,800	$221,700	$295,600	$369,500
	$80,000	$160,000	$240,000	$320,000	$400,000
Workforce Households (120%)	$88,680	$177,360	$266,040	$354,720	$443,400
	$90,000	$180,000	$270,000	$360,000	$450,000
	$100,000	$200,000	$300,000	$400,000	$500,000

Percentage of Homes Sold Affordable in the City of Belton(2022)

		Home Price-to-Income Multiplier			
	Family Income	2	3	4	5
Extremely Low-Income (30%)	$27,750	0.9%	0.9%	1.8%	2.6%
	$30,000	0.9%	1.8%	2.6%	7.0%
Very Low-Income (50%)	$36,150	0.9%	1.8%	3.5%	9.6%
	$40,000	0.9%	2.6%	7.0%	14.0%
	$50,000	1.8%	4.4%	14.0%	28.1%
Low-Income (80%)	$57,850	2.6%	8.8%	23.7%	38.6%
	$60,000	2.6%	9.6%	25.4%	48.2%
	$70,000	3.5%	14.9%	34.2%	57.9%
Median Family Income	$73,900	3.5%	15.8%	43.9%	64.0%
	$80,000	7.0%	25.4%	53.5%	72.8%
Workforce Households (120%)	$88,680	9.6%	30.7%	57.9%	81.6%
	$90,000	9.6%	33.3%	62.3%	82.5%
	$100,000	14.0%	48.2%	72.8%	85.1%

Source: Texas Real Estate Research Center at Texas A&M University

Results of the Models

How Much Home Can a Homebuyer Afford?

- **A common way to measure purchase affordability is the home price-to-income multiplier.**
- **Measures the relationship between home price and household income.**
  - **A multiplier of 3 indicates a household can afford a maximum home price of 3 times its income.**

Demand for and Supply of Homes in the City of Belton (2021)

Income Range	Home Price Range	Demand for Homes	Supply of Homes	Oversupply or Undersupply (-) of Homes
Less than $5,000	$0 - $14,999	7.0%	0%	-264
$5,000 to $9,999	$15,000 - $29,999	3.9%	0.4%	-133
$10,000 to $14,999	$30,000 - $44,999	11.9%	0%	-452
$15,000 to $19,999	$45,000 - $59,999	7.0%	0%	-266
$20,000 to $24,999	$60,000 - $74,999	5.9%	0%	-224
$25,000 to $34,999	$75,000 - $104,999	13.7%	1.2%	-475
$35,000 to $49,999	$105,000 - $149,999	16.8%	6.8%	-381
$50,000 to $74,999	$150,000 - $224,999	17.5%	25.9%	319
$75,000 to $99,999	$225,000 - $299,999	6.0%	25.5%	739
$100,000 to $149,999	$300,000 - $449,999	8.4%	28.7%	771
$150,000 or more	$450,000+	1.9%	11.6%	365

Source: Texas Real Estate Research Center at Texas A&M University

Demand for and Supply of Homes in the City of Belton (2022)

Income Range	Home Price Range	Demand for Homes	Supply of Homes	Oversupply or Undersupply (-) of Homes
Less than $5,000	$0 - $14,999	7.0%	0%	-264
$5,000 to $9,999	$15,000 - $29,999	3.9%	0%	-148
$10,000 to $14,999	$30,000 - $44,999	11.9%	0%	-452
$15,000 to $19,999	$45,000 - $59,999	7.0%	0.9%	-233
$20,000 to $24,999	$60,000 - $74,999	5.9%	0%	-224
$25,000 to $34,999	$75,000 - $104,999	13.7%	0.9%	-487
$35,000 to $49,999	$105,000 - $149,999	16.8%	1.8%	-571
$50,000 to $74,999	$150,000 - $224,999	17.5%	13.2%	-165
$75,000 to $99,999	$225,000 - $299,999	6.0%	28.9%	870
$100,000 to $149,999	$300,000 - $449,999	8.4%	36.8%	1081
$150,000 or more	$450,000+	1.9%	17.5%	592

Source: Texas Real Estate Research Center at Texas A&M University

How Much Home Can a Homebuyer Afford?

- **Common way to measure purchase affordability is the 30% of income standard.**
- **Measures the relationship between household income and housing costs.**
  - **A household can afford to spend no more than 30% of its income on the costs of homeownership (mortgage principal and interest, property taxes and insurance, and utilities)—otherwise it is cost-burdened.**

Demand for and Supply of Rental Units in the City of Belton (2021)

Income Range	Rent Range	Demand for Rental Units	Supply of Rental Units	Oversupply or Undersupply (-) of Rental Units
Less than $5,000	Less than $125	7.0%	0%	-264
$5,000 to $9,999	$125 - $249	3.9%	3.8%	-4
$10,000 to $14,999	$250 - $374	11.9%	2.8%	-347
$15,000 to $19,999	$375 - $499	7.0%	4.7%	-87
$20,000 to $24,999	$500 - $624	5.9%	8.0%	79
$25,000 to $34,999	$625 - $874	13.7%	17.8%	158
$35,000 to $49,999	$875 - $1,249	16.8%	41.6%	941
$50,000 to $74,999	$1,250 - $1,874	17.5%	15.0%	-95
$75,000 to $99,999	$1,875 - $2,499	6.0%	5.8%	-9
$100,000 to $149,999	$2,500 - $3,749	8.4%	0.1%	-315
$150,000 or more	$3,750 or more	1.9%	0.4%	-57

Source: Texas Real Estate Research Center at Texas A&M University

Thank you!

Contact:

clare_losey@tamu.edu

254-717-9090

City of Belton, Texas

City Council Meeting Agenda
Tuesday, July 26, 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 Mayor Pro Tem David K. Leigh.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by City Manager Sam Listi.

> *"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 3-6 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

3. Consider minutes of July 12, 2022, City Council Meeting.

4. Consider an appointment to the CTCOG Executive Committee.

5. Consider a resolution authorizing the submittal of an application to the Texas Parks and Wildlife Community Park Grant Program for a New Community Park on the block bounded by Avenues I and J, and S. Hughes and S. Davis Streets, the location of the Belton Standpipe.

6. Consider authorizing the purchase of vehicles for the Police Department.

Planning and Zoning

7. Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural (A) to a Planned Development - Mobile Home District (PD-MH) on approximately 6.422 acres located at 2061 Circle Oak Loop, generally north of Interstate 14.

8. Z-22-24 - Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) Zoning District to University Campus-1 (UC-1) Zoning District on approximately 0.1319 acres located at 113 E. 9th Avenue, east of N. Main Street and west of N. East Street.

9. Z-22-25 - Hold a public hearing and consider a zoning change from Agricultural (A) to Office-1 (O-1) District on approximately 0.82 acres located at 1025 W. Loop 121.

10. Z-22-26 - Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) District on approximately 1.322 acres located at 902 E. Avenue H, east of Interstate 35.

11. A. P-22-17 Consider a final plat for Skyview Addition, comprising 53.04 acres located on the southwest corner of Interstate 14 and W. Loop 121.

    B. Consider authorizing the City Manager to execute a Development Agreement with Arit Investments, LLC for design services for Old Golf Course Road adjacent to the proposed Skyview Belton Addition.

12. P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of E. 24th Street and south of Mystic Meadows Drive.

13. H-22-02 Consider an appeal of the decision by the Historic Preservation Commission for a Certificate of Appropriateness (COA) to demolish the primary façade, construct a new façade, and build a two-story addition at 206 E. Central Avenue, located in the Downtown Belton Commercial Historic District, on the north side of E. Central Avenue, west of N. Penelope Street and east of N. East Street.

Miscellaneous

14. Hold a public hearing and consider an ordinance amending “Chapter 6 – Fire Protection and Prevention” of the Code of Ordinances.

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.

If interpreter services for the deaf or hearing impaired are required, please contact the City Clerk at (254) 933-5817 at least 48 hours in advance.

City of Belton, Texas

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OFFICE OF THE CITY MANAGER

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3. **Consider minutes of July 12, 2022, City Council Meeting.**

A copy of the minutes is attached. Recommend approval.

4. **Consider an appointment to the CTCOG Executive Committee.**

   See Staff Report from City Clerk Amy Casey. Recommend approval of the appointment of Councilmember Stephanie O'Banion to replace Mayor Pro Tem Leigh. Councilmember Kirkley and City Manager Listi will remain as alternates.

5. **Consider a resolution authorizing the submittal of an application to the Texas Parks and Wildlife Community Park Grant Program for a New Community Park on the block bounded by Avenues I and J, and S. Hughes and S. Davis Streets, the location of the Belton Standpipe.**

   See Staff Report from Grants and Special Projects Coordinator Jo-Ell Guzman. Recommend adoption of the resolution authorizing the grant application.

6. **Consider authorizing the purchase of vehicles for the Police Department.**

   See Staff Report from Assistant City Manager/Chief of Police Gene Ellis. Recommend approval of the purchase of the vehicles as presented.

Planning and Zoning

7. **Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural (A) to a Planned Development - Mobile Home District (PD-MH) on approximately 6.422 acres located at 2061 Circle Oak Loop, generally north of Interstate 14.**

   See Staff Report from Planner Tina Moore. At its meeting on July 19, 2022, the Planning and Zoning Commission unanimously voted to recommend approval of this zoning change, and Staff concurs.

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    See Staff Report from Planner Tina Moore. At its meeting on July 19, 2022, the Planning and Zoning Commission unanimously voted to recommend approval of this final plat, and Staff concurs.

    B. Consider authorizing the City Manager to execute a Development Agreement with Arit Investments, LLC for design services for Old Golf Course Road adjacent to the proposed Skyview Belton Addition.

    See Staff Report from Director of Planning Bob van Til. Recommend approval of the Development Agreement with Arit Investments.

12. **P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of E. 24th Street and south of Mystic Meadows Drive.**

    See Staff Report from Planner Tina Moore. At its meeting on July 19, 2022, the Planning and Zoning Commission unanimously voted to recommend approval of this final plat, and Staff concurs.

13. **H-22-02 Consider an appeal of the decision by the Historic Preservation Commission for a Certificate of Appropriateness (COA) to demolish the primary façade, construct a new façade, and build a two-story addition at 206 E. Central Avenue, located in the Downtown Belton Commercial Historic District, on the north side of E. Central Avenue, west of N. Penelope Street and east of N. East Street.**

    See Staff Report from Planner Tina Moore. At its meeting on June 23, 2022, the Historic Preservation Commission unanimously voted to recommend disapproval of this request, and the applicant is appealing to the City Council. The Staff does not have a strong basis on which to disagree with the HPC.

Miscellaneous

14. **Hold a public hearing and consider an ordinance amending "Chapter 6 – Fire Protection and Prevention" of the Code of Ordinances.**

    See Staff Report from Fire Chief Jon Fontenot. Recommend holding the public hearing and approving the ordinance amending Chapter 6 of the Code of Ordinances.

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.

If interpreter services for the deaf or hearing impaired are required, please contact the City Clerk at (254) 933-5817 at least 48 hours in advance.

Belton City Council Meeting
July 12, 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, Mayor Pro Tem David K. Leigh and Councilmembers Dan Kirkley, John R. Holmes, Sr., Daniel Bucher and Stephanie O'Banion. Councilmember Craig Pearson was absent. Staff present included Sam Listi, John Messer, Amy Casey, Mike Rodgers, Jon Fontenot, Tina Moore, Chris Brown, Matt Bates, Bob van Til, Paul Romer, Daniel Aguirre, Allen Fields, Charlotte Walker, Kim Kroll and Cynthia Hernandez.

The Pledge of Allegiance to the U.S. Flag was led by Mayor Wayne Carpenter, and the pledge to the Texas Flag was led by City Clerk Amy Casey. The Invocation was given by Councilmember David K. Leigh.

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

2. **Public Comments.** *(Audio 1:53)*

   There were none. Mayor Carpenter thanked City staff and Chamber staff for the great work on Belton's Independence Day celebration.

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.

Each item was considered separately.

3. **Consider minutes of June 28, 2022, City Council Meeting.** *(Audio 2:38)*

   Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember O'Banion, Consent Agenda Item 3 was unanimously approved upon a vote of 6-0.

4. **Consider an ordinance abandoning a portion of a sanitary sewer easement at 3080 Pecan Meadows and authorizing the City Manager to execute an Encroachment Indemnity Agreement.** *(Audio 3:06)*

   This item was presented by Director of Planning Bob van Til.

   Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, Consent Agenda Item 4, including the following captioned ordinance, was unanimously approved upon a vote of 6-0.

ORDINANCE NO. 2022-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, PROVIDING THAT A 46 SQUARE FOOT PORTION OF A 20' WIDE UTILITY EASEMENT IN THE TUSCAN RIVER PHASE 1 ADDITION, BLOCK 2, LOT 5, BE CLOSED, ABANDONED AND VACATED

5. **Consider a resolution authorizing the submittal of an application to the Texas Parks and Wildlife Community Park Grant Program for the Water Standpipe Renovation and Community Event Park Project.** *(Audio 8:28)*

   Upon a motion by Councilmember O'Banion, and a second by Councilmember Bucher, Consent Agenda Item 5 was postponed to July 26, 2022, by a vote of 6-0.

Planning and Zoning

6. **Z-22-22 Hold a public hearing and consider a zoning change from Agricultural (A) to Planned Development - Commercial-1 (PD-C-1) District on approximately 15.836 acres located at 2406 Lake Road, generally located west of FM 2271 and east of Sparta Road to establish an RV Park.** *(Audio 9:04)*

   Planner Tina Moore presented this item.

   Public Hearing:

   - Brenda Howard, 5613 Hamlet Drive – spoke in favor.
   - Scott Daniel, 3206 Wildcatter – spoke in favor.
   - Rachel Ramesar, 1604 Sandbar – spoke against.
   - Jason Williams, 6373 Eaglepoint Main Street – spoke in favor.
   - Marion Taffolla, 3000 Amber Forest Trail – spoke against.
   - Paul Strang, 3239 Lake Park Road – spoke in favor.
   - Delpha Potter, 3532 Canyon Heights – spoke against.
   - Macy Petru, 3007 Amber Forest Trail – spoke against.
   - Kirby Kunze, 2603 Twin Ridge Court – spoke against.
   - Jeff Howard, 5613 Hamlet Drive – spoke in favor.
   - Piyusha Sharma, applicant – spoke in favor.
   - Ann Kennedy, 3202 Breakers Cove – spoke against.

   Upon a motion for approval of the rezoning by Councilmember Kirkley, and a second by Councilmember O'Banion, the rezoning was disapproved upon a vote of 3-3 with Councilmember Holmes, Mayor Pro Tem Leigh and Mayor Carpenter providing the dissenting votes.

ORDINANCE NO. 2022-36 (DISAPPROVED)

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON

BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO PLANNED DEVELOPMENT – COMMERCIAL-1 DISTRICT ON APPROXIMATELY 15.84 ACRE PROPERTY LOCATED 2406 LAKE ROAD.

Budget

7. **Receive a report on the FY 2023 – FY 2027 Capital Improvements Program (CIP) and provide input on projects and scheduling for inclusion in the FY 2023 annual budget.** *(Audio 51:10)*

   Director of Finance Mike Rodgers presented this item (see Exhibit A). No action, other than providing input, was required of Council.

8. **Discuss certain assumptions used in the development of the FY 2023 annual budget, including but not limited to health insurance premiums, sales tax, street maintenance and employee compensation.** *(Audio 1:09:21)*

   This item was presented by Director of Finance Mike Rodgers (see Exhibit B). No action, other than providing input, was required of Council.

Councilmember Holmes left the meeting at 7:03 p.m.

Work Session

9. **Hold a work session to discuss short-term rentals in Belton.** *(Audio 1:33:18)*

   Director of Planning Bob van Til presented this item. No action, other than providing input, was required of Council.

Executive Session

At 7:33 p.m., the Mayor announced the Council would go into Executive Session for the following item:

10. 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 7:58 p.m., and there being no further business, the meeting was adjourned.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

EXHIBIT "A"

FY 2023 – 2027 CAPITAL IMPROVEMENTS PROGRAM

1

Presented on July 12, 2022

1

WHAT IS A CAPITAL IMPROVEMENTS PROGRAM (CIP)?

- A Capital Improvements Program represents the City's plan for infrastructure development over a specific period – here, five years.
- Plan is reviewed annually to reflect changing priorities and to provide a framework for identifying capital requirements.
- The CIP consists of three sections:
  - Project name and cost estimate
  - Possible sources of funding
  - Effect upon future operations and maintenance costs

2

2

WHY CREATE A CIP?

- Capital planning ensures that essential government services can be provided in the future.
- It represents a significant portion of City expenditures and exemplifies a government "Best Practice."
- It implements capital components of the Strategic Plan.

3

3

HOW IS A CIP DEVELOPED?

- Management assembles projects anticipated for the next five years.
- Costs are estimated and possible funding sources are recognized.
- Changes to operations and maintenance costs are projected.

4

4

CHANGES FROM THE 2022-2026 CIP

- Most cost estimates were increased by 25% to reflect inflation and recent Opinions of Probable Cost.
- Certain projects were advanced or postponed due to anticipated development and/or availability of funding.
- Some new projects were added:
  - Fire and Public Works Equipment Replacement
  - Hubbard Branch Park
  - Mount Zion Methodist Church Rehabilitation
  - E Central Avenue Bridge Replacement
  - Capitol Way Extension
  - Finance Building Renovation
  - College Street Sewer

5

5

GENERAL GOVERNMENT PROJECTS

Project Type/ Project Summary	Estimated Project Expenditures by Fiscal Year Ending					
	2023	2024	2025	2026	2027	Total
Public Safety Projects						
Police Department South Parking Lot	$ 30,000	$ -	$ -	$ -	$ -	$ 30,000
Police Department Secured Parking	-	30,000	-	-	-	30,000
Fire Department Equipment Replacement	212,100	-	-	-	-	212,100
Total Public Safety Projects	**242,100**	**30,000**	**-**	**-**	**-**	**272,100**
Parks and Recreation Projects						
Heritage Park Amenities	-	1,000,000	-	-	-	1,000,000
Library Interior Renovation	250,000	-	-	-	-	250,000
Hubbard Branch Park	50,000	-	-	-	-	50,000
Standpipe Park	-	1,500,000	-	-	-	1,500,000
Historic Standpipe Restoration	-	335,000	-	-	-	335,000
Mount Zion Methodist Church Rehabilitation	-	500,000	-	-	-	500,000
Total Parks and Recreation Projects	**300,000**	**3,335,000**	**-**	**-**	**-**	**3,635,000**
Streets and Sidewalks Projects						
W Avenue D Extension	-	-	2,200,000	-	-	2,200,000
Southwest Pkwy Loop 121 to Huey Road	1,400,000	500,000	-	-	-	1,900,000
E Central Avenue Bridge Replacement	6,200,000	-	-	-	-	6,200,000
S Pearl and E Avenue J Reconstruction	1,300,000	-	-	-	-	1,300,000
Connell Street Reconstruction	1,200,000	8,200,000	-	-	-	9,400,000
Brenda Lane Reconstruction	-	-	-	-	1,250,000	1,250,000
E 13th Avenue Sidewalks	672,000	-	-	-	-	672,000
S Penelope Sidewalks	-	50,000	312,500	-	-	362,500
E 24th Avenue Widening at Main Street	-	-	1,250,000	-	-	1,250,000
Toll Bridge Road Reconstruction	-	7,000,000	-	-	-	7,000,000
Capitol Way Extension	-	-	-	-	3,800,000	3,800,000
Total Streets and Sidewalks Projects	**10,772,000**	**15,750,000**	**3,762,500**	**-**	**5,050,000**	**35,334,500**
Special and General Projects						
Public Works Equipment Replacement	346,430	443,700	-	115,440	-	905,570
Finance Building Renovation	150,000	-	-	-	-	150,000
Total Special and General Projects	**496,430**	**443,700**	**-**	**115,440**	**-**	**1,055,570**
Total Expenditures For All Projects	**$ 11,810,530**	**$ 19,558,700**	**$ 3,762,500**	**$ 115,440**	**$ 5,050,000**	**$ 40,297,170**

6

6

GENERAL GOVERNMENT PROJECT FUNDING AND IMPACT UPON FUTURE BUDGETS

Sources of Funding	Estimated Funding Amount by Fiscal Year					
	2023	2024	2025	2026	2027	Total
Bond Issuances	$ -	$ -	$ 1,250,000	$ -	$ 1,250,000	$ 2,500,000
Grants	5,342,000	575,000	-	-	-	5,917,000
Operating Fund Revenues	80,000	185,000	312,500	-	-	577,500
BEDC Funding	1,300,000	-	2,200,000	-	-	3,500,000
TIRZ Funding	3,400,000	12,700,000	-	-	3,800,000	19,900,000
Other Funding	1,688,530	6,098,700	-	115,440	-	7,902,670
Total Funding For All Projects	**$ 11,810,530**	**$ 19,558,700**	**$ 3,762,500**	**$ 115,440**	**$ 5,050,000**	**$ 40,297,170**

Departments with O&M	Operations & Maintenance (O&M) Expenditures by Fiscal Year					
	2023	2024	2025	2026	2027	Total
Fire	$ (3,000)	$ (3,000)	$ (3,000)	$ (3,000)	$ (3,000)	$ (15,000)
Public Works - Streets	(7,000)	(6,000)	(5,000)	(10,000)	(11,000)	(39,000)
Parks and Recreation	1,000	6,000	6,000	6,000	6,000	25,000
Total Change to O&M Expenditures	**$ (9,000)**	**$ (3,000)**	**$ (2,000)**	**$ (7,000)**	**$ (8,000)**	**$ (29,000)**

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UTILITY PROJECTS

Project Type/ Project Summary	Estimated Project Expenditures by Fiscal Year Ending					
	2023	2024	2025	2026	2027	Total
Water Projects						
Old Golf Course Road Water Line	$ -	$ -	$ 1,473,750	$ -	$ -	$ 1,473,750
North Main Street Water Line Relocation	-	-	-	625,000	-	625,000
Mary Jane Water Line Replacement	-	437,500	-	-	-	437,500
E Central Water Line Upsize	-	-	312,500	-	-	312,500
S Pearl Water Line	-	-	187,500	-	-	187,500
N Blair/Flat/Walker Looped Water Service	-	-	-	375,000	-	375,000
Sparta Road Pump Replacements	937,500	-	-	-	-	937,500
Loop 121 Utility Relocations Phase II	-	-	2,500,000	-	-	2,500,000
Total Water Projects	937,500	437,500	4,473,750	1,000,000	-	6,848,750
Wastewater Projects						
Temple-Belton WWTP Phase II	8,250,000	-	-	-	-	8,250,000
IH-14/FM 1670 Sewer Extension	1,375,000	-	-	-	-	1,375,000
Continental Lift Station Offload	600,000	-	-	-	-	600,000
Main Belton Lift Station Force Main	1,125,000	-	-	-	-	1,125,000
College Street Sewer Replacement	-	-	-	-	812,500	812,500
Mary Jane and E Ave J Sewer	-	500,000	-	-	-	500,000
W Ave A Sewer Replacement	450,000	-	-	-	-	450,000
E Ave M Sewer Replacement	-	-	625,000	-	-	625,000
W Ave B Near Mitchell Sewer Line	-	-	312,500	-	-	312,500
Hilltop Sewer Replacement	-	-	-	312,500	-	312,500
Mitchell Branch Sewer Upsize/Interceptor	-	4,125,000	-	-	-	4,125,000
Total Wastewater Projects	11,800,000	4,625,000	937,500	312,500	812,500	18,487,500
Drainage Projects						
E 4th Ave/N Blair Drainage	-	-	-	1,406,250	-	1,406,250
Liberty Hill Subdivision Culvert	-	-	625,000	-	-	625,000
Mesquite Road Drainage	-	-	500,000	-	-	500,000
Total Drainage Projects	-	-	1,125,000	1,406,250	-	2,531,250
Total Expenditures For All Projects	$ 12,737,500	$ 5,062,500	$ 6,536,250	$ 2,718,750	$ 812,500	$ 27,867,500

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UTILITY PROJECT FUNDING AND IMPACT UPON FUTURE BUDGETS

Sources of Funding	Estimated Funding Amount by Fiscal Year					
	2023	2024	2025	2026	2027	Total
Bond Issuances	$ 7,812,500	$ 4,125,000	$ 5,723,750	$ -	$ -	$ 17,661,250
Grants	-	-	-	-	-	-
Operating Fund Revenues	2,550,000	937,500	812,500	1,312,500	812,500	6,425,000
BEDC Funding	1,375,000	-				1,375,000
TIRZ Funding	-	-	-	1,406,250		1,406,250
Other Funding	1,000,000	-	-	-	-	1,000,000
Total Funding For All Projects	**$ 12,737,500**	**$ 5,062,500**	**$ 6,536,250**	**$ 2,718,750**	**$ 812,500**	**$ 27,867,500**

Departments with O&M	Operations & Maintenance (O&M) Expenditures by Fiscal Year					
	2023	2024	2025	2026	2027	Total
Water	$ (2,000)	$ (3,250)	$ (8,250)	$ (11,250)	$ (11,250)	$ (36,000)
Wastewater	9,000	8,000	6,000	5,000	4,000	32,000
Drainage	-	-	(2,500)	(3,500)	(3,500)	(9,500)
Total Change to O&M Expenditures	**$ 7,000**	**$ 4,750**	**$ (4,750)**	**$ (9,750)**	**$ (10,750)**	**$ (13,500)**

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CONCLUSION

- Over $68,000,000 of capital projects have been identified for the next five years, $24,548,000 of which is scheduled in FY 2023.
- Cash-funding may come from many sources:
  - TIRZ $21,306,000
  - City revenue 7,002,000
  - Grants 5,917,000
  - BEDC 4,875,000
  - Other funding 8,902,000
- $20,000,000 of projects may be funded with bonds.

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EXHIBIT "B"

FY23 Budget Workshop
Follow-Up
July 12, 2022

Presented by:
Michael Rodgers, CPA
Director of Finance

1

Topics To Be Discussed

- Health insurance assumption
- Sales tax revenue assumption
- Street maintenance funding assumption
- Compensation assumption

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General Fund
FY23 Statement of Fund Balance

Projected Spendable Balance, Sept 30, 2022	$ 6,213,119	35.5%
Increases/(Decreases) to Fund Balance:		
FY23 Revenue	21,198,970	
FY23 Expenditures	(20,666,570)	
Net Increase/(Decrease) to Fund Balance	532,400	
Spendable Fund Balance, Sept 30, 2023	$ 6,745,519	32.6%

The City has adopted a fund balance policy with the goal of achieving and maintaining fund balance equal to 30% of budgeted expenditures. At no time, shall fund balance fall below 25% of budgeted expenditures.

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Health Insurance Assumption

- The preliminary proposed budget did not include any increase to health insurance premiums
- City management and staff met with our benefits consultant, Andrew Weegar with HUB International, on July 7, 2022
- Preliminary data reflects a 15% - 18% increase
  - General Fund expenditures increase by $149,000
  - Water/Sewer Fund expenses increase by $34,000
  - Other funds increase by a total of $17,000
- An RFP will be released in August with City Council approval in November for January implementation

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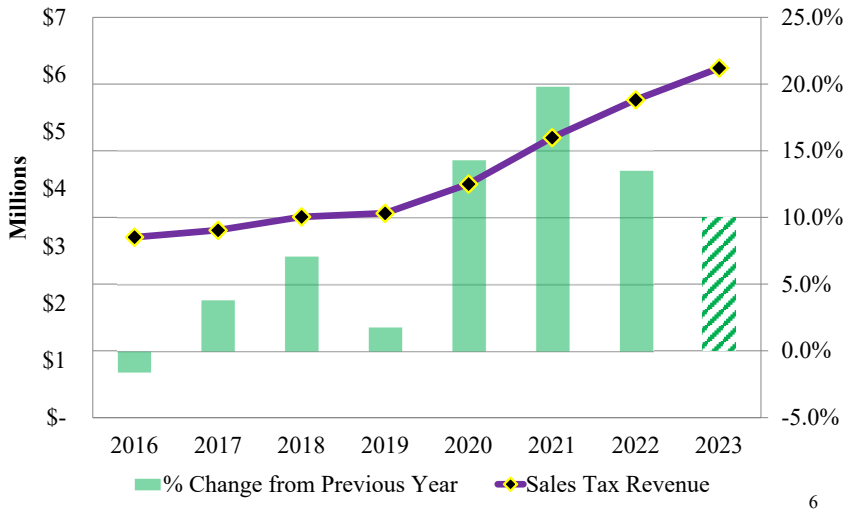
Sales Tax Assumption

- Sales tax revenue is expected to grow by $555,809 (10%) over the FY22 estimate
  - The average growth rate from 2020 to 2022 was 15.9%
  - The average growth rate from 2016 to 2019 was 2.7%
- Even if growth returned to 2016-2019 levels, revenue would still increase by $150,066
- The projected increase to reserves in FY 2023 would be enough to cover the difference

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General Fund Sales Tax Revenue



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Street Maintenance Assumption

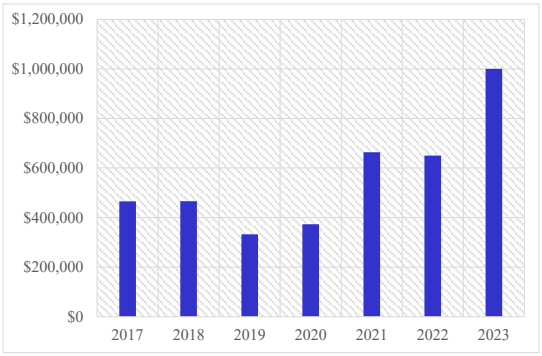
- The FY 2023 preliminary proposed budget includes $1,000,000 for street maintenance
- Deferred in FY 2022 due to cost, $650,000 was transferred into a capital project fund for use in FY 2023
- Council allocated $1,500,000 of ARPA funding for street and sidewalk maintenance
- $1,350,000 has been set aside for reconstruction of W 13th and N College
- A bid package totaling $4,500,000 should draw a lot of interest from vendors

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Street Maintenance Funding FY16 to FY23

FY	Revenue
2017	$465,000
2018	466,000
2019	332,130
2020	372,870
2021	663,342
2022 Deferred	650,000
2023 Budget	1,000,000



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Compensation Assumption

- Implementation of the recent compensation study adds more than $1,000,000 to the budget
- A 2% cost of labor adjustment plus a 5% merit or a 2.5% civil service step increase boosts expenditures in the General Fund by $454,000
  - Non-civil service employees would increase up to 7%
  - Civil service employees would increase by 4.5%

9

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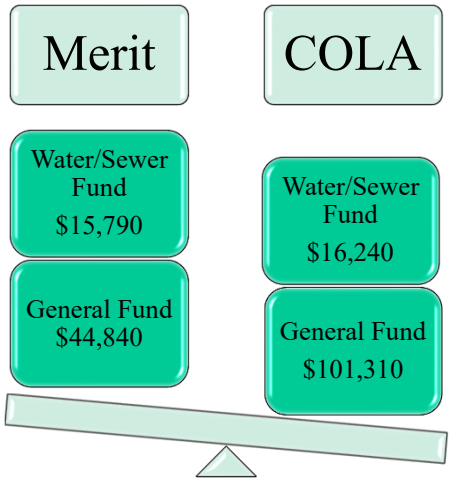
Compensation Assumption

- Our personnel consultant, Lori Messer, points out that the COLA is an adjustment for the cost of labor not the cost of living
- Most organizations are not matching inflation due to fiscal constraints
- Market research shows that organizations are proposing pay increases of 5% on average
- Lori recommends maintaining our assumption of 2% COLA plus merit or step increases

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Compensation Assumption
Cost of 1% Increase



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Recommendations

- A 15% increase to health insurance premiums should be assumed while various plan alternatives are being explored
- Sales tax revenue assumption should remain at 10% with projected reserves covering any shortfall
- Street maintenance funding for FY 2023 should remain at $1,000,000 to meet the goal set by City Council given the ever-expanding street network
- A 2% cost of labor adjustment plus a 5% merit or 2.5% civil service step increase should keep our salaries in line with the market

12

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Questions/Comments?

13

Staff Report – City Council Agenda Item

Agenda Item #4

Consider an appointment to the CTCOG Executive Board.

Originating Department

Administration – Amy M. Casey, City Clerk

Background

Mayor Pro Tem David K. Leigh is currently serving as the City's representative on the CTCOG Executive Committee. He has requested to be replaced as his work schedule frequently conflicts with the Committee's meeting schedule. Mayor Carpenter is recommending that Councilmember Stephanie O'Banion replace Mr. Leigh. Councilmember Dan Kirkley will continue to serve as the City's first alternate, and City Manager Sam Listi will continue to serve as the City's second alternate.

Fiscal Impact

N/A

Recommendation

Recommend approval of the appointment.

Attachments

None

Staff Report – City Council Agenda Item

Agenda Item #5

Consider a resolution authorizing the submittal of an application to the Texas Parks and Wildlife Community Park Grant Program for a New Community Events Park and Water Standpipe Restoration Project.

Originating Department

Administration - Jo-Ell Guzman, Grants and Special Projects Coordinator

Background

If successful, the Texas Parks and Wildlife Community Park Grant will help to revitalize an underserved area in South Belton by the building of a Community Events Park and the restoration of the Water Standpipe. This new park will become a historical tourist destination while also providing a location for local sports and community events that can be connected to other downtown and hike and bike trail events within the City of Belton. This area is walkable to the downtown tourist destination and to the area hike and bike trail on Nolan Creek.

This funding opportunity will close on August 1, 2022. The grant request is for $750,000, and it is a 50/50 match with the City providing $750,000. The total project cost is estimated at $1.8M for both components. Other anticipated resources include $900,000 in allocated ARPA funding, TIRZ, and Hotel/Motel (Tourism) funds.

Fiscal Impact

Amount: Local Match for Grant

Budgeted: ☒ Yes ☐ No ☐ Capital Project Funds

If not budgeted: ☐ Budget Transfer ☐ Contingency ☐ Amendment Needed

Funding Source(s): ARPA Funds

Recommendation

Recommend approval of the resolution authorizing the grant application.

Attachments

Resolution

RESOLUTION NO. 2022-24-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AS HEREINAFTER REFERRED TO AS APPLICANT, DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT," FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE AND DEDICATING THE PROPOSED SITE FOR PERMANENT PUBLIC PARK AND RECREATION USES.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program; and

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

Section 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program and notice of the application has been posted according to local public hearing requirements.

Section 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

Section 3: That the Applicant hereby authorizes and directs the City Manager, Sam A. Listi, to act for the Applicant in dealing with the Department for the purposes of the Program, and that the City Manager is hereby officially designated as the representative in this regard.

Section 4: The Applicant hereby specifically authorizes its official to make an application the Department concerning the site known as "Belton's Community Park Project at the Historic Water Standpipe" in the City of Belton, Texas, for use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity.

PASSED, APPROVED AND ADOPTED on this 26th day of July, 2022, at a regular meeting of the City Council of the City of Belton, Texas, which meeting was held in compliance with the Open Meetings Act, Tex. Gov't Code, Section 551.001, et. Seq. at which meeting a quorum was present and voted.

_____
Wayne Carpenter, Mayor

Attest:

_____
Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item

Agenda Item #6

Consider authorizing the purchase of vehicles for the Police Department.

Originating Department

Police Department - Gene Ellis, Assistant City Manager/Chief of Police

Background

Nearly seven years ago, City Council authorized the transfer of funds to establish a Capital Equipment Replacement Fund. The Capital Equipment Replacement Fund has been successful at creating a level funding mechanism to sustain the City fleet of vehicles and equipment. The FY 2022 budget contains funding to purchase and equip five new vehicles for the Police Department. To date, three of the five new vehicles have been received.

We originally sought authorization to purchase two Chevrolet Silverado 4wd to be used by Patrol Lieutenants. The vehicle prices were contracted through BuyBoard and were to be purchased without emergency equipment. The original authorization for these vehicles was $66,100. The installation of emergency equipment was to be performed separately at a cost of approximately $26,000 by CAP Upfitters in Belton. The total authorization was for approximately $92,100.

Due to market fluctuations and conditions beyond our control, we were unable to take delivery of the two Chevrolet Silverado 4wd trucks. Comparable replacement vehicles have been difficult to locate. We have been able to locate two 2022 Dodge Charger AWD police sedans for $64,965.75. These vehicle prices are also contracted through BuyBoard. The installation of emergency equipment will be performed by CAP Upfitters for an additional cost of $26,370.

The total request of the previous authorized purchase was $92,100.
The total request of this proposed purchase is $91,335.75.

We have been purchasing either Ford Explorer PPVs or Chevrolet Tahoe PPVs, depending on the cost, for the past several years; however, due to availability issues we will need to order the vehicles through another dealership. By purchasing two Dodge Chargers for Patrol Lieutenants, we will free up two currently occupied supervisor vehicles for patrol use. All patrol vehicles will be (4wd) all-wheel drive which proved critical during winter weather events.

The vehicles will be ordered with an estimated arrival of 120-180 days, due to availability issues.

Fiscal Impact

Amount: $91,335.75

Budgeted: ☒ Yes ☐ No ☐ Capital Project Funds

If not budgeted: ☐ Budget Transfer ☐ Contingency ☐ Amendment Needed

Funding Source(s): FY 2022 Capital Equipment Replacement Fund
FY 2022 Operating Fund Transfer

Recommendation

Recommend approval for purchase of two Dodge Charger AWD sedans from Silsbee using Texas BuyBoard contract #601-19.

Attachments

Vehicle Quotes
Equipment Quote

PRODUCT PRICING SUMMARY

TIPS USA 210907 TRANSPORTATION VEHICLES

VENDOR- DONALSON CDJR, 1305 Hwy 96 BYPASS , Silsbee TX 77656

End User: CITY OF BELTON
Contact: ALLEN FIELDS
Email: afields@beltontexas.gov
Product Description: DODGE CHARGER PURSUIT

Prepared by: MICHAEL WILEY
Phone: 254-541-9061
Email: mwiley.silsbeefleet@gmail.com
Date: July 19, 2022

A. **Bid Item:** 26 — **A. Base Price:** $ 30,173.00

B. Factory Options

Code	Description	Bid Price	Code	Description	Bid Price
			LNXLNF	DRIVER SIDE LED SPOTLIGHT	$ 360.00
28A	2022 POLICE SEDAN AWD	$ 1,500.00	CW6	INOP REAR DOORS AND WINDOWS	$ 75.00
	3.6L V6; 8-SPD AUTAOMTIC	INCL			
	RUBBER FLOOR	INCL	PAU	GRANITE PEARL COAT	$ 95.00
	POWER WINDOWS AND LOCKS	INCL			
	CRUISE CONTROL	INCL			
	A/C; AM/FM STERIO W/BLUETOOTH	INCL			
X5X9	CLOTH FRONT BUCKETS; REAR VINYL	$ 120.00			
GXF	FLEET KEYED ALIKE FREQ 1 W/4 KEYS	$ 140.00			

Total of B. Published Options: $ 2,290.00

Published Option Discount (5%) $ (114.50)

C. Unpublished Options

Description	Bid Price	Options	Bid Price
GRANITE PEARL COAT	COLOR		
STOCK UNITS ARRIVING IN JULY	NOTE		

Total of C. Unpublished Options: $ -

D. **Floor Plan Interest (for in-stock and/or equipped vehicles):** $ -

E. **Lot Insurance (for in-stock and/or equipped vehicles):** $ -

F. **Contract Price Adjustment:** $ -

G. **Additional Delivery Charge:** 100 miles $ 175.00

H. **Subtotal:** $ 32,523.50

I. **Quantity Ordered** 1 **x H =** $ 32,523.50

J. **Trade in:** $ -

K. **Total Purchase Price** $ 32,523.50

PRODUCT PRICING SUMMARY

TIPS USA 210907 TRANSPORTATION VEHICLES

VENDOR- DONALSON CDJR, 1305 Hwy 96 BYPASS , Silsbee TX 77656

End User: CITY OF BELTON
Contact: ALLEN FIELDS
Email: afields@beltontexas.gov
Product Description: DODGE CHARGER PURSUIT

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	RUBBER FLOOR	INCL			
	POWER WINDOWS AND LOCKS	INCL			
	CRUISE CONTROL	INCL			
	A/C; AM/FM STERIO W/BLUETOOTH	INCL			
X5X9	CLOTH FRONT BUCKETS; REAR VINYL	$ 120.00			
GXF	FLEET KEYED ALIKE FREQ 1 W/4 KEYS	$ 140.00			

Total of B. Published Options: $ 2,195.00

Published Option Discount (5%) $ (109.75)

C. **Unpublished Options**

Description	Bid Price	Options	Bid Price
SILVER	COLOR		
STOCK UNITS ARRIVING IN JULY	NOTE		

Total of C. Unpublished Options: $ -

D. **Floor Plan Interest (for in-stock and/or equipped vehicles):** $ -

E. **Lot Insurance (for in-stock and/or equipped vehicles):** $ -

F. **Contract Price Adjustment:** $ -

G. **Additional Delivery Charge:** 100 **miles** $ 175.00

H. **Subtotal:** $ 32,433.25

I. **Quantity Ordered** 1 **x H =** $ 32,433.25

J. **Trade in:** $ -

K. **Total Purchase Price** $ 32,433.25

Quote

Date	**7/18/2022**
Quote #	**CAPQ-105138**

CAP FLEET
2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

Name / Address
BELTON PD
711 East 2nd Avenue, Belton, Texas 76513
United States

Ship To:
BELTON PD
Allen Fields
711 East 2nd Avenue, Belton, Texas 76513 United

Salesperson:	Bary Bedford
Email:	LBERG@BELTONTEXAS.GOV
Contact Name:	LARRY BERG

Year:	2022
Make:	Dodge
Model:	CHARGER

Job Description:

Quote Summary

Per Vehicle Subtotal	$13,185.00
Per Vehicle Tax	$0.00
Per Vehicle Total	$13,185.00
# Vehicles Quoted	1

Grand Total $13,185.00

****PRICES ARE VALID FOR 30 DAYS BUT ARE SUBJECT TO CHANGE DUE TO SUPPLY CHAIN CHALLENGES.
REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER PO IS ISSUED.
ALL CANCELLED ORDERS ARE SUBJECT TO A 20% RESTOCKING FEE****

I hereby authorize the install work therein set forth to be done by CAP Fleet Upfitters, together with the furnishing by CAP Fleet Upfitters of the necessary parts and other material for such install and agree that CAP Fleet Upfitters is not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that CAP Fleet Upfitters neither assumes or authorizes any other person to assume for CAP Fleet Upfitters any liability in connection with such install; that CAP Fleet Upfitters shall not be responsible for loss or damage to the above vehicle, or articles left therein; in case of fire, theft, any Act of God, or other cause beyond CAP Fleet Upfitters control; that CAP Fleet Upfitters employees may operate the above vehicle on streets, highways, or elsewhere for the purpose of testing and/or inspecting such vehicle.

WWW.CAPFLEET.COM

QUOTES ARE GOOD FOR 30 DAYS.

PLEASE SIGN BELOW IF ALL ITEMS & QUANTITIES ARE APPROVED.

X_____ Date: / /

Quote

Date	**7/18/2022**
Quote #	**CAPQ-105138**

CAP FLEET
2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

QTY	Part #	Part Details
CONSOLE/MDT		
1	C-VS-2300-CHGR	VEHICLE-SPECIFIC 23" CONSOLE FOR 2021-2022 DODGE CHARGER
1	C-EB40-CCS-1P	1-PIECE EQUIPMENT MOUNTING BRACKET, 4" MOUNTING SPACE, FITS WHELEN CENCOM,CCSRN,CCSRNTA,MPC03
1	C-EB25-XTL-1P	1-PIECE EQUIPMENT MOUNTING BRACKET, 2.5' MOUNTING SPACE, FITS MOTOROLA XTL2500,XTL5000-05,APX7500
1	C-EB20-WGD-1P	1-PIECE EQUIPMENT MOUNTING BRACKET, 2" MOUNTING SPACE, FITS MOTOROLA WATCHGUARD 4RE DVR
1	CUP2-1001	SELF-ADJUSTING DOUBLE CUP HOLDER
1	C-ARM-102	SIDE MOUNT ARMREST
1	C-AP-0645-L	6" ACCESSORY POCKET W/HINGED LID & LOCK, 4.5" DEEP
2	C-MCB	MIC CLIP BRACKET
2	MMBP	MAGNETIC MIC KIT
EMERGENCY LIGHTING		
4	I3JC	TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : LC - PB LIGHT CHANNEL Notes: white on takedown and scene
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB145 - DS SIDE 45 Notes: white on alley and scene
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB245 - PS SIDE 45 Notes: white on alley and scene
1	BSFW35Z-BSSP2ZJW	10 LIGHT FRONT INNER EDGE, DUO 5 RED/WHITE DRIVER/5 BLUE/WHITE PASSENGER, DODGE CHARGER 2018-2021
1	BS358-BSSP28JA	8 LIGHT REAR TRAY, DUO 4 RED/AMBER DRIVER/4 BLUE/AMBER PASSENGER, DODGE CHARGER 2011-2021
1	C399	CENCOM CORE WCX CONTROL CENTER
2	SA315U	SA315U SPEAKER, BLACK PLASTIC
1	C399K3	OBDII CANPORT KIT DODGE
1	CCTL7	WECANX 21 BUTTON/SLIDE CTRL HD
2	CEM16	WECANX 16 OUTPUT EXPANSION MOD
2	SAK37	SA-315 SIREN MOUNT KIT CHARGER
1	MBDC11	ION MIRROR-BEAM HSGS CHARGER Mounting Location : MIR1 - ON MIRROR
2	MBI2J	MIRROR-BEAM MT ION DUO R/B Wiring Instructions : WIRE DUO Mounting Location : MIR1 - ON MIRROR
1	CEXAMP	WECANX EXTERNAL AMPLIFIER
2	TCRB35	TRACER MTG KIT DODGE CHARGER

Quote

Date	**7/18/2022**
Quote #	**CAPQ-105138**

CAP FLEET
2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

QTY	Part #	Part Details
2	TCRWX5	WECANX TRACER 5-LAMP HOUSING
2	TCRWXPJC	WCX TRACER PRIMARY TRIO R/B/W Wiring Instructions : WIRE TRIO W/ OVERRIDE Notes: alley
8	TCRWXSJC	WCX TRACER SECONDARY TRIO RBW Wiring Instructions : WIRE TRIO W/ OVERRIDE Notes: alley
EXTERIOR		
1	5077-F	DODGE CHARGER, 2015-2021, PUSH BUMPER, LR SERIES PUSH BUMPER, STEEL, TEXTURED
1	4L61-M1B	4-Light Mask Plate (Whelen ION) W/Intersection Brackets

QTY	Part #	Description
1	SHIPPING	SHIPPING
1	LABOR	LABOR
1	DISPOSAL	DISPOSAL FEE (FOR OEM PARTS NOT PICKED UP ON DELIVERY)
1	PDKIT	POWER DISTRIBUTION KIT
1	PROGFEE	PROGRAMMING FEE
1	INSPECT	ALL CAP FLEET INSPECTIONS COME WITH AN AGENCY LIMITED LIFETIME WARRANTY
1	DEALER	DEALER PREP
1	WIRING HARNESS	WIRING HARNESS
1	SHOP SUPPLIES	SHOP SUPPLIES
1	TINT1	TINT, ALL WINDOWS, LEGAL

QTY	Make	Model	Used
1	Cradlepoint	IBR900-1200M-B	☒
1	WatchGuard Video	4RE Vista Wi-F-	☒
1	Motorola	APX 8500	☒

Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: Z-22-19
Request: Agricultural to PD-MH
Applicant/Owner: Emerald Oaks MHP – Kambiz Reissedonna

Agenda Item #7

Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural to Planned Development - Mobile Home District on approximately 6.422 acres located at 2061 Circle Oak Loop.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural District

Proposed Zoning: Planned Development - Mobile Home District

Existing Uses: Mobile Home Park

Proposed Uses: Mobile Home Park

Future Land Use Map Designation:

The FLUM identifies this general area as a commercial center suitable for smaller scale commercial uses.

Design Standards Type Area 2:

This Type Area includes various blocks along I-35 and I-14 that are projected for commercial highway frontage uses.

Background/Case Summary

The applicant is the property owner of the Emerald Oaks Mobile Home Park. When the property was annexed in 2006, the park was zoned Agricultural and has operated as a legal non-conforming use. There are currently 19 manufactured homes and two unused recreational vehicles stored at this location.

Code Enforcement Officers and Building Inspection staff are actively working with the property owner to help them come into compliance with the Mobile Home Park Ordinance and to secure their City license.

The owner submitted this application as a step towards bringing the park into compliance with the City's zoning and mobile home park requirements.

The proposed Planned Development Zoning District would allow the current use as a mobile home park to continue and will also set a maximum density of mobile home units at 44, as requested by the applicant.

The approval of this zoning change does not alleviate the owner's responsibility to comply with all the provisions of the Mobile Home Park Ordinance.

This zoning request is positive evidence that the owner is attempting to bring the property into compliance with City Ordinances.

Project Analysis and Discussion

Existing Conditions: The surrounding properties east and west of the subject property are also zoned Agricultural. The property west is also a non-conforming mobile home park. The property east is developed with a detached single-family home. The properties south of Interstate 14 are zoned Commercial-1 and Agricultural.

Allowable Land Uses: The existing use is permitted in the MH District. New homes will be required to comply with current development standards, including the Mobile Home Park ordinance, and comply with the requirements for on-site-sewage-facility (OSSF) by the Bell County Health Department (BCHD). According to BCHD, this facility is operating on a grandfathered OSSF permit which was issued in the 1970s and has been experiencing system failures. The applicant will need to upgrade the OSSF system to meet BCHD standards prior to placing additional homes in the park.

Area & Setback Requirements: The subject lot exceeds the minimum area requirement for the Mobile Home District, which requires a minimum of five acres and a maximum of 25 acres for a Mobile Home Park. This site is approximately six acres. Under the MH District, the maximum density allowed is 20 units per acre. The site currently has three units per acre.

Recommendation

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning change from Agricultural to Planned Development - Mobile Home District with the following conditions:

1. The development must conform to all applicable standards of the Mobile Home Zoning District and shall have a maximum density of 44 units.

2. The park shall comply with standards in the City Code of Ordinance, Chapter 12, *Mobile Home Parks.*
3. Bell County Health Department approval for on-site-sewage-facility is required prior to the placement of additional mobile homes.

Attachments

Zoning application
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

ZONING CHANGE APPLICATION

Fee: $250.00

Date received: 04-28-22	
APPLICANT NAME: Kambiz Reissedonna	
EMAIL: Kambiz.reissedonna@gmail.com	PHONE NUMBER: (512) 773-6664 ☆
MAILING ADDRESS: 9709 Vista View Dr. Austin, TX 78750	
PROPERTY OWNER NAME: Kambiz & Farshad Reissedonna	
EMAIL: Kambiz.reissedonna@gmail.com	PHONE NUMBER: (512) 773-6664
MAILING ADDRESS: 9709 Vista View Dr. Austin, TX 78750	

Proposed Use of Structures (building) and Property (exterior property):
Mobile Home + RV Park

Current Use:
Mobile Home + RV Park

LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:
2061 Circle Oak Loop.
Belton, TX 76513

Legal Description of Property: Abstract Survey _____

Lot(s): _____ Block(s): _____,
of Subdivision _____

Existing Zoning: Ag Proposed Zoning: MH

Signature of Applicant: _____ Date: _____

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

Emerald Oaks MHP 6.422 acres

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.

Zoning Case # Z-22-19 Location

CITY OF BELTON
Planning Department



Author: Anthony Holguin, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-19\Z-22-19 Location.mxd

Map Date: 7/6/2022

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

Zoning Case # Z-22-19 Zoning

CITY OF BELTON
Planning Department

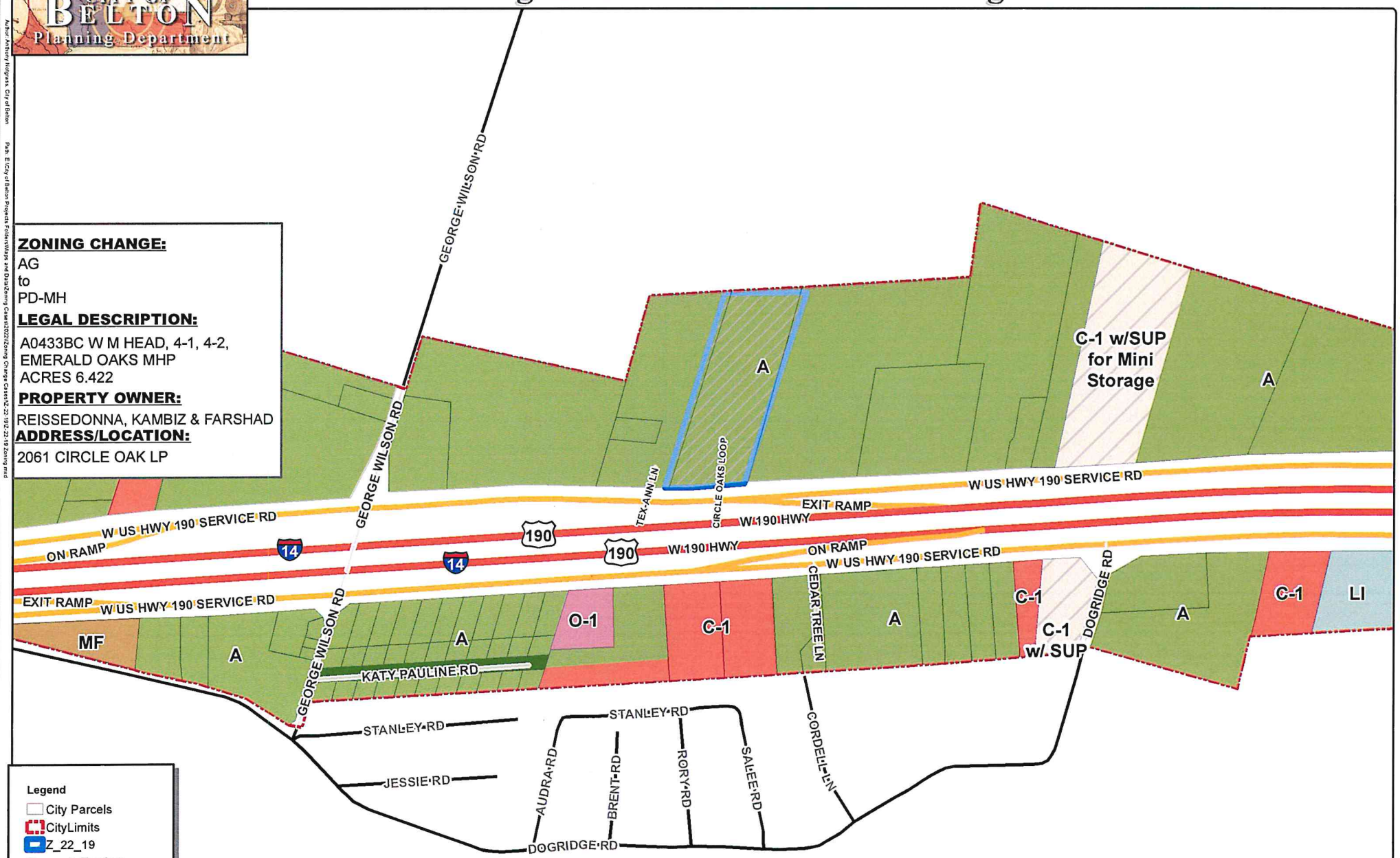
Author: Anthony Holgrass, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-19\Z-22-19 Zoning.mxd

ZONING CHANGE:
AG
to
PD-MH

LEGAL DESCRIPTION:
A0433BC W M HEAD, 4-1, 4-2,
EMERALD OAKS MHP
ACRES 6.422

PROPERTY OWNER:
REISSEDONNA, KAMBIZ & FARSHAD

ADDRESS/LOCATION:
2061 CIRCLE OAK LP



Legend
- City Parcels
- CityLimits
- Z_22_19

Current_Zoning
- Agricultural
- Commercial-1
- Light Industrial
- Multi Family
- Office-1
- Specific Use Permit

0 250 500 1,000 Feet

Map Date: 7/6/2022

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Zoning Case # Z-22-19 Aerial



ZONING CHANGE:
AG
to
PD-MH

LEGAL DESCRIPTION:
A0433BC W M HEAD, 4-1, 4-2,
EMERALD OAKS MHP
ACRES 6.422

PROPERTY OWNER:
REISSEDONNA, KAMBIZ & FARSHAD

ADDRESS/LOCATION:
2061 CIRCLE OAK LP

LEGEND
Z_22_19

0 150 300 Feet

Map Date: 7/6/2022

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Author Anthony Hodgkiss, City of Belton
Path: E:\City of Belton Projects Folder\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-19\Z-22-19 Aerial.mxd

Zoning Case # Z-22-19

CITY OF BELTON
Planning Department

Author: Anthony Hodgkiss, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-19\Z-22-19.mxd

ZONING CHANGE:
AG
to
PD-MH

LEGAL DESCRIPTION:
A0433BC W M HEAD, 4-1, 4-2,
EMERALD OAKS MHP
ACRES 6.422

PROPERTY OWNER:
REISSEDONNA, KAMBIZ & FARSHAD

ADDRESS/LOCATION:
2061 CIRCLE OAK LP

414105
136139
210949
56171
53336
TEX ANN LN
CIRCLE OAKS LOOP
W US HWY 190 SERVICE RD
EXIT RAMP
14
W 190 HWY
190
ON RAMP
CEDAR TREE LN

Legend
- Z_22_19
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

0 150 300 Feet

Map Date: 7/6/2022

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.

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: KAMBIZ & FARSHAD REISSEDONNA,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 2061 CIRCLE OAK LOOP,
FROM A(N) AGRICULTURAL ZONING DISTRICT,
TO A(N) MOBILE HOME PARK ZONING DISTRICT,
TO BRING EXISTING MOBILE HOME PARK INTO COMPLIANCE WITH ZONING STANDARDS.

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, June 21, 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, June 28, 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@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON MAY 17, 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

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: KAMBIZ & FARSHAD REISSEDONNA,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 2061 CIRCLE OAK LOOP,
FROM A(N) AGRICULTURAL ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - MOBILE HOME PARK ZONING DISTRICT,
TO BRING EXISTING MOBILE HOME PARK INTO COMPLIANCE WITH ZONING STANDARDS AND SET MAXIMUM DENSITY TO 44 UNITS.

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, July 19, 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, July 26, 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@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON JULY 19, 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

53336
HUTTON, ANNA
1706 TEX ANN LN
BELTON, TX 76513-7476

56171
REISSEDONNA, KAMBIZ & FARSHAD
9709 VISTA VIEW DR
AUSTIN, TX 78750-3337

414105
RABROKER, DENNIS G
1461 GEORGE WILSON RD
BELTON, TX 76513

136139
MAHLER, MARK & JULIA
1011 N MAIN ST
BELTON, TX 76513-2570

210949
HUTTON, HARMON V II
1659 TEX ANN LN
BELTON, TX 76513-7475

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

4. Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural (A) to a Planned Development - Mobile Home District (PD-MH) on approximately 6.422 acres located at 2061 Circle Oak Loop, generally north of Interstate 14.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. With no public input, the public hearing was closed.

Ms. Moore addressed questions from the Commission pertaining to the zoning change:

Commission Member Krueger made a motion to approve Z-22-19 as presented. The motion was seconded by Commission Member Fisher. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-37

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURE TO PLANNED DEVELOPMENT- MOBILE HOME RESIDENTIAL ISTRICT ON APPROXIMATELY 6.422 ACRE PROPERTY LOCATED 2061 CIRCLE OAK LOOP.

WHEREAS, Kambiz Reissedonna**,** 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 19th day of July, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 6.422 acres
located at 2061 Circle Oak Loop
(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 26th day of July 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 - Commercial-1, Mobile Home in accordance to Section 32, *Planned Development District*, and Section 16, *Mobile Home*, 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 development must conform to all applicable standards of the Mobile Home Zoning District and shall have a maximum density of 44 units.

2. The park shall comply with standards in the City Code of Ordinance, Chapter 12, *Mobile Home Parks.*

3. Bell County Health Department approval for on-site-sewage-facility is required prior to the placement of additional mobile homes.

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 26th day of July 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 26th day of July, 2022.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Zoning Case # Z-22-19 Location

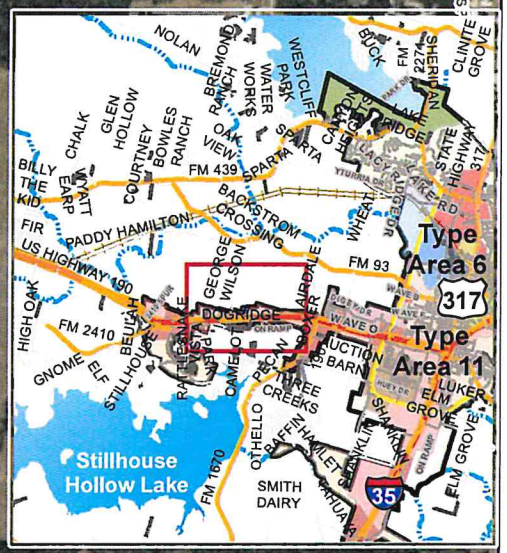
CITY OF BELTON
Planning Department

ZONING CHANGE:
AG
to
PD-MH

LEGAL DESCRIPTION:
A0433BC W M HEAD, 4-1, 4-2,
EMERALD OAKS MHP
ACRES 6.422

PROPERTY OWNER:
REISSEDONNA, KAMBIZ & FARSHAD

ADDRESS/LOCATION:
2061 CIRCLE OAK LP



LEGEND
Z_22_19

0 1,000 2,000 Feet

Map Date: 7/6/2022

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.

Author: Anthony Holguin, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-19\Z-22-19 Location.mxd

Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: Z-22-24
Request: SF-2 to PD-UC-1
Applicant/Owner: Gregory Pekar

Agenda Item #8

Z-22-24 Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) Zoning District to Planned Development - University Campus – 1 (UC-1) Zoning District on approximately 0.1319 acres located at 113 E. 9th Avenue, east of N. Main Street and west of North East Street.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Single Family – 2 Residential

Proposed Zoning: Planned Development - University Campus -1 (UC-1) District

Existing Uses: Single Family Detached Home

Proposed Uses: Personal Service Shop – Spa (massage, facial, waxing and body treatment – cupping and hot stones)

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area for residential use. This property is adjacent to an existing commercial use.

Design Standards Type Area 6:

The projected growth for this area is primarily mixed use, residential area with redevelopment to occur in a manner that considers surrounding uses.

Background/Case Summary

The applicant submitted this zoning change to allow for a Personal Service Business at this property. The Spa at Lunaria expanded their business into this property from the property next door at 815 N. Main without a obtaining a Certificate of Occupancy. The recent submittal of the Certificate of Occupancy application resulted in this zoning change request to achieve compliance. The proposed zoning district will allow the current use, and would also allow the applicant the option to use the property as residential use.

Project Analysis and Discussion

Existing Conditions: The surrounding zoning includes University Campus- 1 west of the of the subject property, Single Family – 2 north and east and Planned Development – Two Family south of the site.

Allowable Land Uses: The proposed use would allow all uses permitted in the UC-1 zoning district including the proposed use for a personal service shop. Other uses include boarding house, bed & breakfast, bookstore, and professional services.

Area & Setback Requirements: The subject lot meets the minimum area requirement for the UC-1 District, which requires a minimum lot size of 5,000 sq. ft.

On-site parking is required to accommodate this proposed use. The existing historic home is approximately 1,232 sq. ft. which requires four parking spaces – one space for every 300 sq. ft. of gross floor area. The applicant plans to pave two additional spaces to meet the parking requirements.

Recommendation

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning change from Single Family-2 District to University Campus-1 District with a condition requiring a 25' front yard setback to preserve the setbacks in the neighborhood. To implement the recommendation of the Commission, the zoning district which was advertised for a University Campus-1 District was changed to Planned Development- University Campus-1 to allow for the recommended 25' front yard setback.

Attachments

Zoning application
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

ZONING CHANGE APPLICATION

Fee: $250.00

Date received:	
APPLICANT NAME: Gregory Pekar	
EMAIL: pekarfamily79@gmail.com	PHONE NUMBER: 5125679505
MAILING ADDRESS: 8611 Bell Meadows Blvd. Belton, Texas 76513	
PROPERTY OWNER NAME: Gregory Pekar	
EMAIL: same	PHONE NUMBER: same
MAILING ADDRESS: same	

Proposed Use of Structures (building) and Property (exterior property):
A walk-in spa catering principally to university students and staff.

Current Use:
Being used as a rent house.

LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:
113 E. 9th Ave, Belton, Texas 76513

Legal Description of Property: Abstract Survey Belton Original

Lot(s): PT 6 Block(s): 61a,
of Subdivision _____

Existing Zoning: R-2 Proposed Zoning: UC-1

Signature of Applicant: _____ Date: 31 MAY 2022

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

Existing zoning

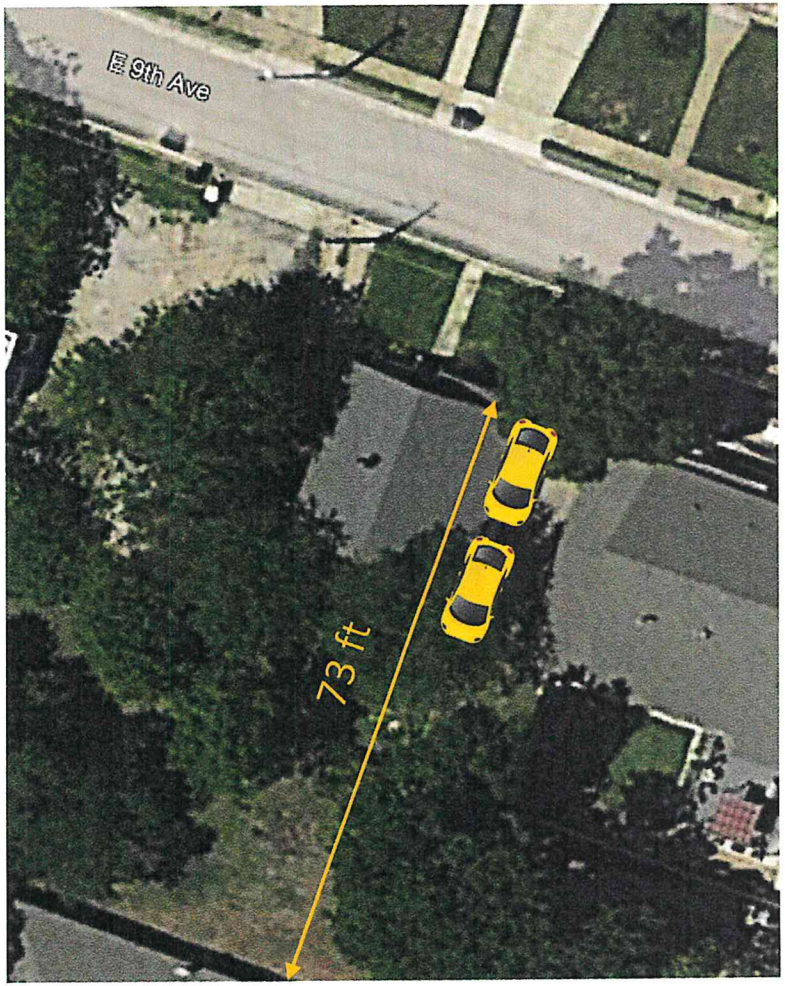
★ Property involved, seeking to match adjacent zoning to west and south



Site Plan



Re-zoned property would house a spa which principally serves the students and staff at UMHB. No new construction is proposed. Future owners could convert the house to off-campus student housing. The house is not in the floodplain



It is 18.3 feet from the edge of the house to the west property line, this is sufficient for two parking places side by side. It is 16.1 feet from the house to the east property line and 73 feet from the front of the house to the back property line. This is sufficient for two staff parking places head-to -toe.

Zoning Case # Z-22-24 Location

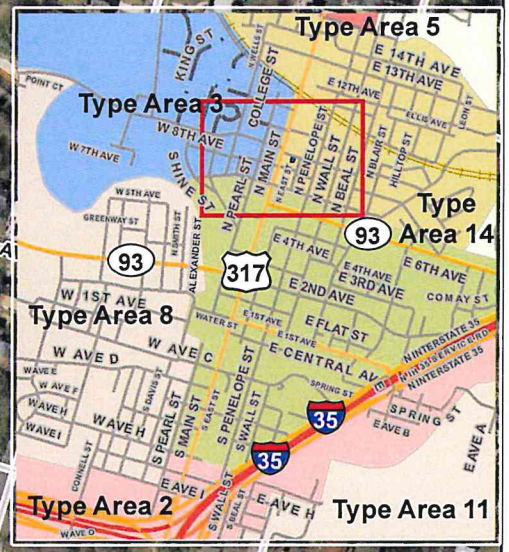
CITY OF BELTON
Planning Department

ZONING CHANGE:
SF-2
to
UC-1

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 61A,
LOT PT 6, (W 67' X 85' OF NE PT OF 6)

PROPERTY OWNER:
GREGORY PEKAR

ADDRESS/LOCATION:
113 E 9TH AVE



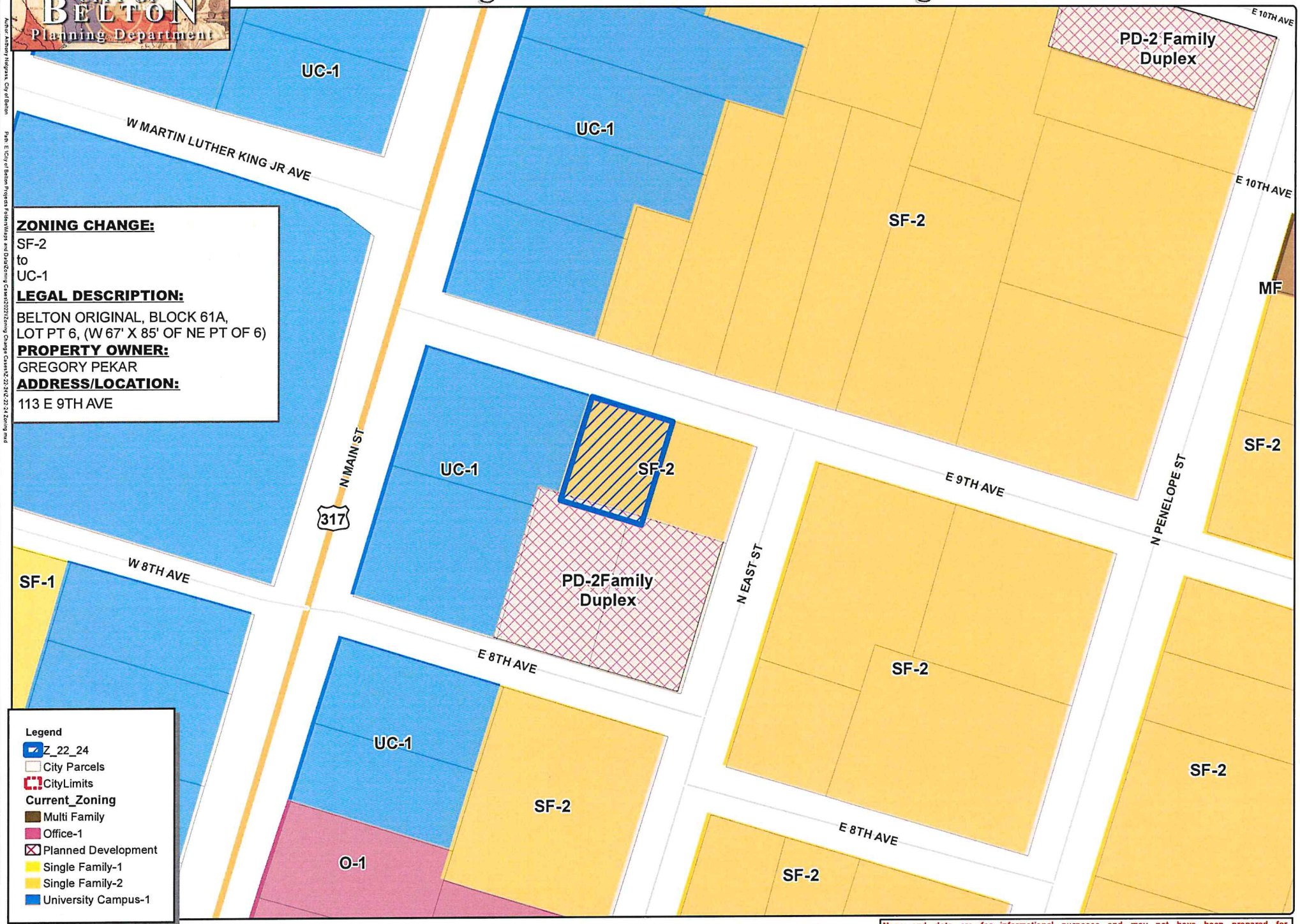
LEGEND
Z_22_24

0 100 200 Feet

Map Date: 7/1/2022

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Zoning Case # Z-22-24 Zoning



Zoning Case # Z-22-24 Aerial

CITY OF BELTON
Planning Department

Author: Anthony Hodgens, City of Belton

Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-24\Z-22-24 Aerial.mxd

ZONING CHANGE:
SF-2
to
UC-1

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 61A, LOT PT 6, (W 67' X 85' OF NE PT OF 6)

PROPERTY OWNER:
GREGORY PEKAR

ADDRESS/LOCATION:
113 E 9TH AVE

E 9TH AVE
N MAIN ST
317
N EAST ST
W 8TH AVE
E 8TH AVE
E 8TH AVE

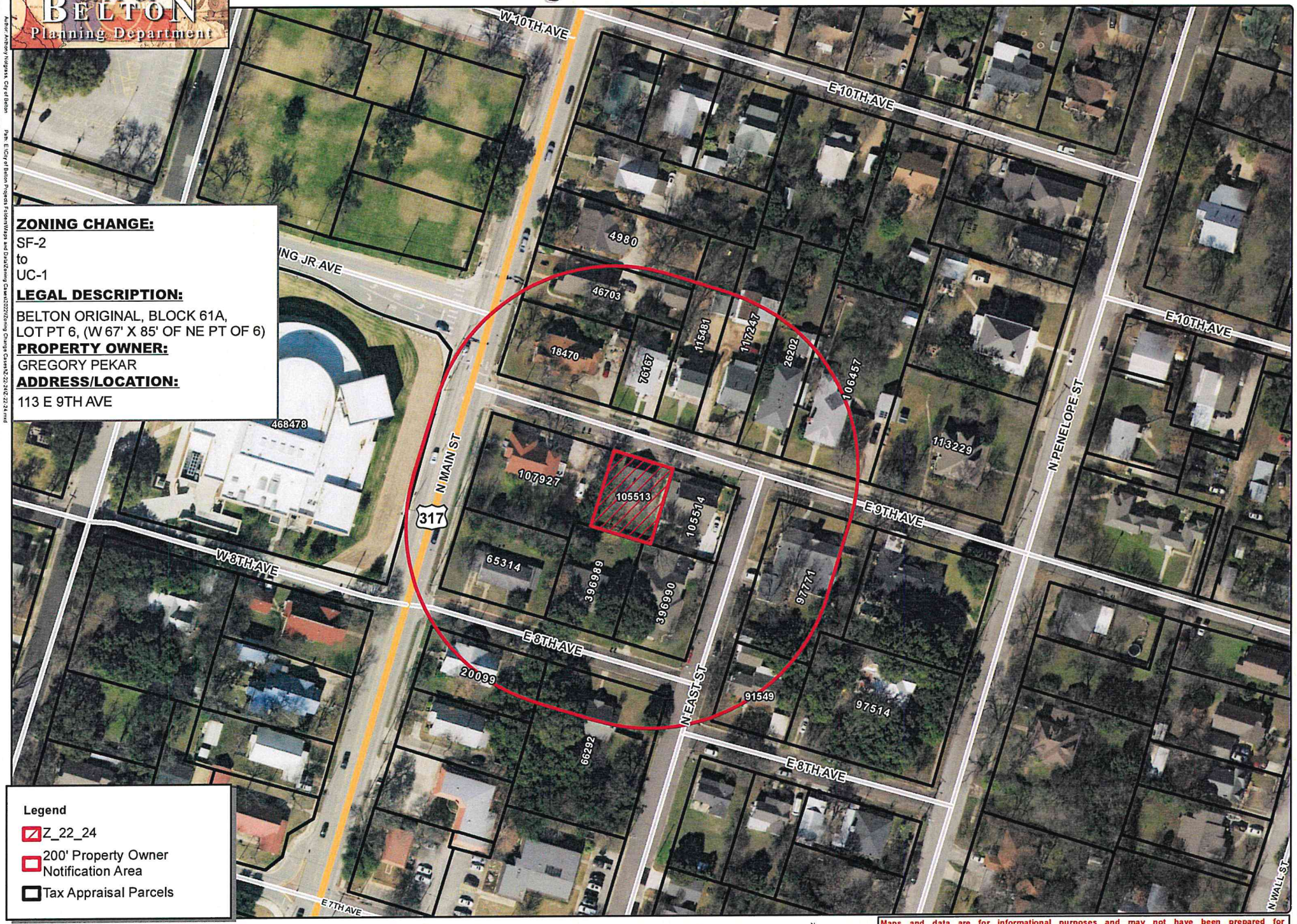
LEGEND
Z_22_24

Map Date: 7/1/2022

0 50 100 Feet

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Zoning Case # Z-22-24



ZONING CHANGE:
SF-2
to
UC-1

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 61A, LOT PT 6, (W 67' X 85' OF NE PT OF 6)

PROPERTY OWNER:
GREGORY PEKAR

ADDRESS/LOCATION:
113 E 9TH AVE

Legend
- Z_22_24
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

0 100 200 Feet

Map Date: 7/1/2022

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Author: Anthony Holgrass, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-24\Z-22-24.mxd

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: GREGORY PEKAR,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 113 E. 9TH AVENUE,
FROM A(N) SINGLE FAMILY - 2 ZONING DISTRICT,
TO A(N) UNIVERSITY CAMPUS - 1 ZONING DISTRICT,
TO ALLOW FOR A PERSONAL SERVICE BUSINESS (SPA) AT THIS LOCATION.

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, July 19, 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, July 26, 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@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON JULY 19, 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

4980
CATHOLIC DIOCESE OF AUSTIN
6225 HWY 290 E
AUSTIN, TX 78723

18470
CASTILLO HERNANDEZ, CHRISTINA L
901 N MAIN ST
BELTON, TX 0

20099
C & D MEDICAL AESTHETICS PLLC
6906 CRYSTAL VALLEY DR
TEMPLE, TX 76502

26202
JIMENEZ, JUAN A
124 E 9TH AVE
BELTON, TX 0

46703
PAXTON HOMES LLC
6309 FLAG STONE DR
KILLEEN, TX 76542

65314
LITTLE, BYRON J JR ETUX LINDA
742 RAVEN ROAD
MONTICELLO, GA 31064

66292
FISCHER, NICOLE ETVIR ADAM
113 E 8TH AVE
BELTON, TX 76513

76167
BELL COUNTY REAL ESTATE SERIES
480 PRIVATE ROAD 4037
LAMPASAS, TX 76550

91549
PENELOPE INVESTMENTS LLC
500 N LOOP 121
BELTON, TX 76513

97514
REEVES, J BRYANT
804 N PENELOPE ST
BELTON, TX 0

97771
STELLAR EXECUTIVE GROUP INC
PO BOX 292
BELTON, TX 0

105513
PEKAR, GREGORY F ETUX NANCY J
8611 BELL MEADOW BLVD
BELTON, TX 0

105514
MARTIN, JENNIFER LYNN ETVIR JOHN DUBOSE
123 E 9TH AVE
BELTON, TX 0

106457
SIMMONS, DAVID E ETUX SHERYL G
200 E 9TH AVE
BELTON, TX 0

107927
DFW LAND HOLDINGS LLC
708 BLAYLOCK DR
DALLAS, TX 75203

113229
KATRAN PROPERTIES LLC
3202 SPRING CANYON RD
BELTON, TX 76513

115481
HOLT, HERBERT D ETUX SHIRLEY A
402 CHEYENNE DR
TEMPLE, TX 0

117247
HOLT, HERBERT D ETUX SHIRLEY A
402 CHEYENNE DR
TEMPLE, TX 0

396989
PELACHE, ROBERT JR & JESSICA
106 E 8TH AVE
BELTON, TX 76513

396990
T & R REAL ESTATE MANAGEMENT LLC
1331 INDIAN PASS
SALADO, TX 76571

468478
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

5. Z-22-24 - Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) Zoning District to University Campus – 1 (UC-1) Zoning District on approximately 0.1319 acres located at 113 E. 9th Avenue, east of N. Main Street and west of North East Street.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. With no request to speak, the public hearing was closed.

The applicant, Gregory Pekar, addressed questions from the commission related to the current setback for the existing house.

Ms. Moore addressed questions from the Commission pertaining to the zoning change:

Vice Chair Covington made a motion to approve the requested zoning change with a requirement for a 25’ front yard setback to preserve the setbacks in the neighborhood. The motion was seconded by Commission Member Potts. The motion passed with 8 ayes, 0 nays.

ORDINANCE NO. 2022-38

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 RESIDENTIAL TO PLANNED DEVELOPMENT- UNIVERSITY CAMPUS-1 DISTRICT ON APPROXIMATELY 0.1319 ACRE PROPERTY LOCATED AT 113 EAST 9TH AVENUE.

WHEREAS, Gregory Pekar**,** 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 19th day of July, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.1319 acres
located at 113 E. 9th Ave
(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 26th day of July 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 from Single Family-2 Residential District to Planned Development - University Campus-1 District in accordance to Section 32, *Planned Development District* and Section 19, *University Campus-1 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 development must conform to all applicable standards of the University Campus-1 District.

2. A minimum front yard setback of 25' is required.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 26th day of July 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 26th day of July, 2022.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Zoning Case # Z-22-24 Location

CITY OF BELTON
Planning Department

ZONING CHANGE:
SF-2
to
UC-1

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 61A, LOT PT 6, (W 67' X 85' OF NE PT OF 6)

PROPERTY OWNER:
GREGORY PEKAR

ADDRESS/LOCATION:
113 E 9TH AVE



LEGEND
Z_22_24

0 100 200 Feet

Map Date: 7/1/2022

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

EXHIBIT "A"

Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: Z-22-25
Request: A to O-1
Applicant/Owner: Marlo Longoria Magana

Agenda Item #9

Z-22-225 - Hold a public hearing and consider a zoning change from Agricultural District to Office – 1 District for approximately 0.83 acres located at 1025 W. Loop 121, located west of Southwest Parkway and east of Huey Street.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural (A) District

Proposed Zoning: Office-1 District

Existing Uses: Single Family Detached Use

Proposed Uses: Real Estate Office

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area for commercial use with a commercial corridor overlay.

Design Standards Type Area 9:

The projected growth for this area is primarily mixed use, residential area with redevelopment to occur in a manner that considers surrounding uses.

Background/Case Summary

The applicant is the current owner of the property which is under contract for sale. The purchaser intends to operate a real estate business from this location and requested that the zoning be changed to allow for the proposed use. The proposed zoning district will allow for the proposed use as a professional office.

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use
North and East	PD- O-2 (Church, Offices, School, and employee quarters	Vacant
North and West	PD-CH	Bell County Justice Complex
South	Agricultural	BISD School Site

Allowable Land Uses: The proposed zoning would permit a professional office use and other uses in the O-1 Zoning District.

Area & Setback Requirements: The subject lot meets the minimum area requirement for the O-1 District, which requires a minimum lot size of 7,000 sq. ft. This property is approximately 36,000 sq. ft.

On-site parking is required to accommodate this proposed change of use. According to the Bell County Tax Appraisal District, the existing home is approximately 1,969 sq. ft. which requires seven parking spaces – one space for every 300 sq. ft. of gross floor area. The applicant will notify the future owner of this requirement. Prior to receiving the Certificate of Occupancy, the building will need to meet all relevant site and building requirements.

Recommendation

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning change from Agricultural to Office-1 Zoning District.

Attachments

Zoning application
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

ZONING CHANGE APPLICATION

Fee: $250.00

Date received: 6/7/2022	
APPLICANT NAME: Marlo Longoria Magana	
EMAIL: marlomagana@yahoo.com	PHONE NUMBER: 254-493-0709
MAILING ADDRESS: 501 Red River Rd Belton TX 76513	
PROPERTY OWNER NAME:	
EMAIL:	PHONE NUMBER:
MAILING ADDRESS:	

Proposed Use of Structures (building) and Property (exterior property):
Commercial, Hometown Group - Real Estate

Current Use:
Residential house

LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:
1025 W. Loop 121
Belton TX 76513

Legal Description of Property: Abstract Survey A0906BC JB Wallace, 15, Acres .83

Lot(s): _____ Block(s): _____,
of Subdivision _____

Existing Zoning: Agriculture Proposed Zoning: Commercial

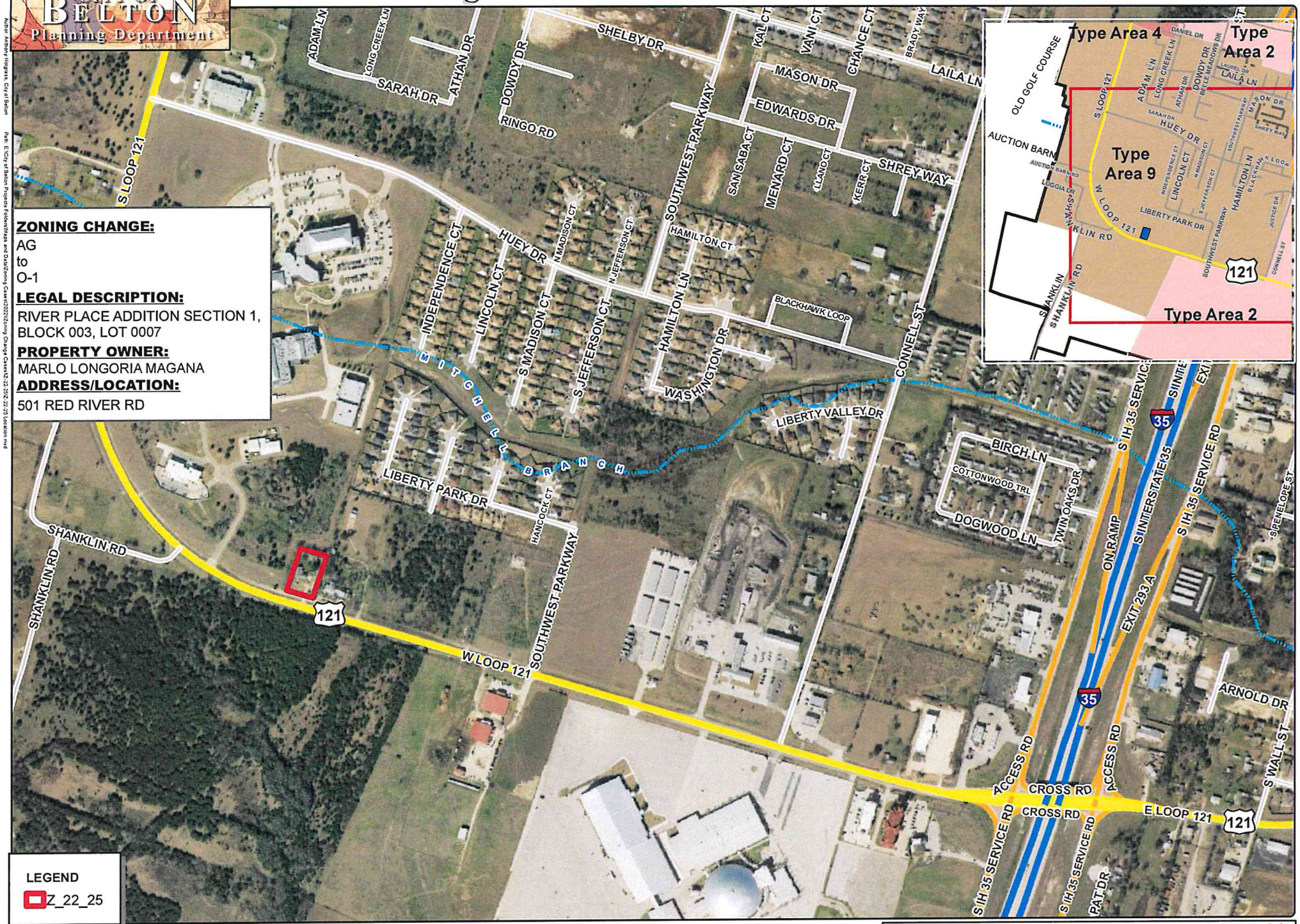
Signature of Applicant: Marlo L. Magana Date: 6-7-22

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

office

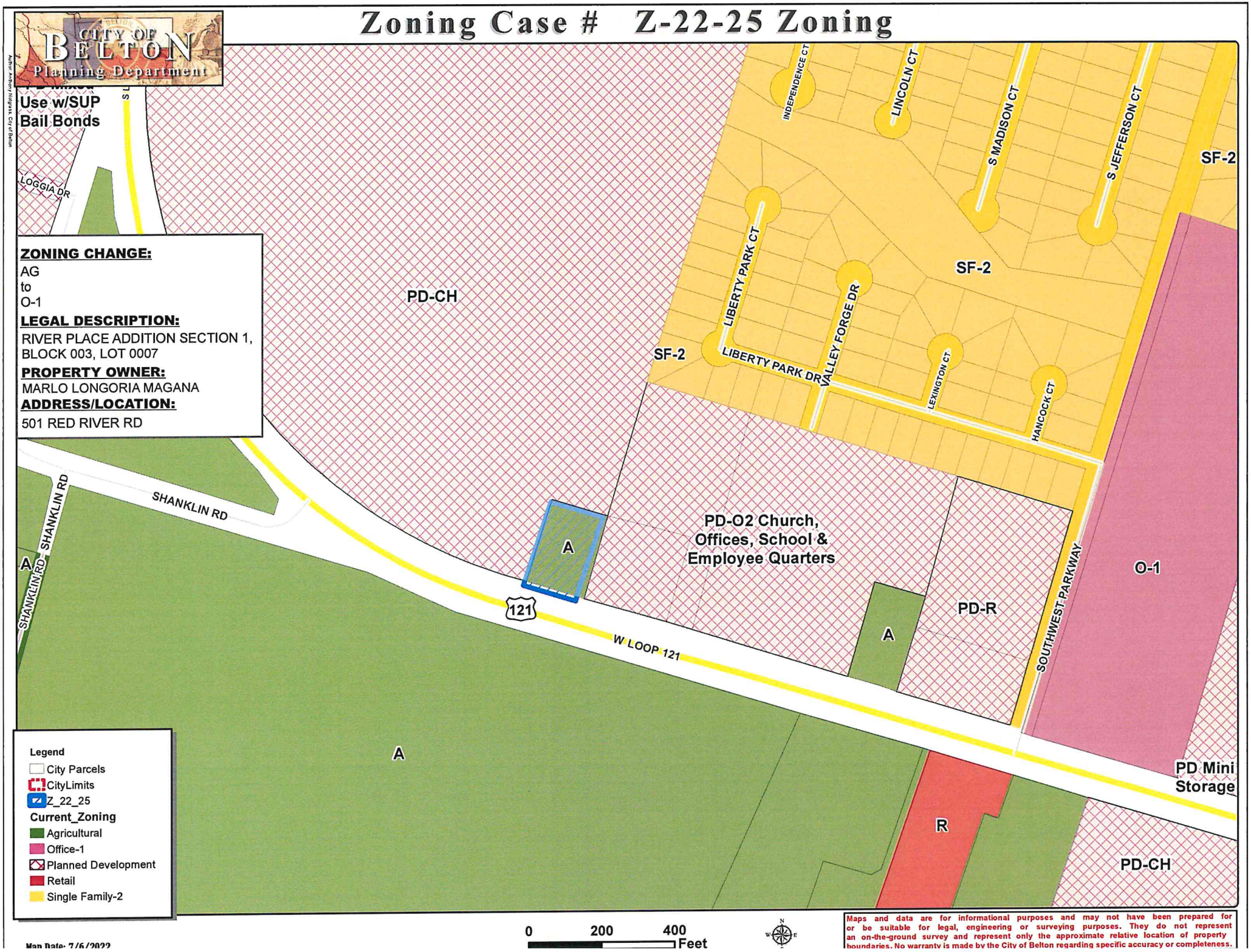
Zoning Case # Z-22-25 Location

CITY OF BELTON
Planning Department



Author: Anthony Hodgetts, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-25\Z-22-25 Location.mxd

Zoning Case # Z-22-25 Zoning



Zoning Case # Z-22-25 Aerial

CITY OF BELTON
Planning Department

Author: Anthony Hodgkiss, City of Belton

Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-25\Z-22-25 Aerial.mxd

ZONING CHANGE:
AG
to
0-1

LEGAL DESCRIPTION:
RIVER PLACE ADDITION SECTION 1, BLOCK 003, LOT 0007

PROPERTY OWNER:
MARLO LONGORIA MAGANA

ADDRESS/LOCATION:
501 RED RIVER RD

W LOOP 121

121

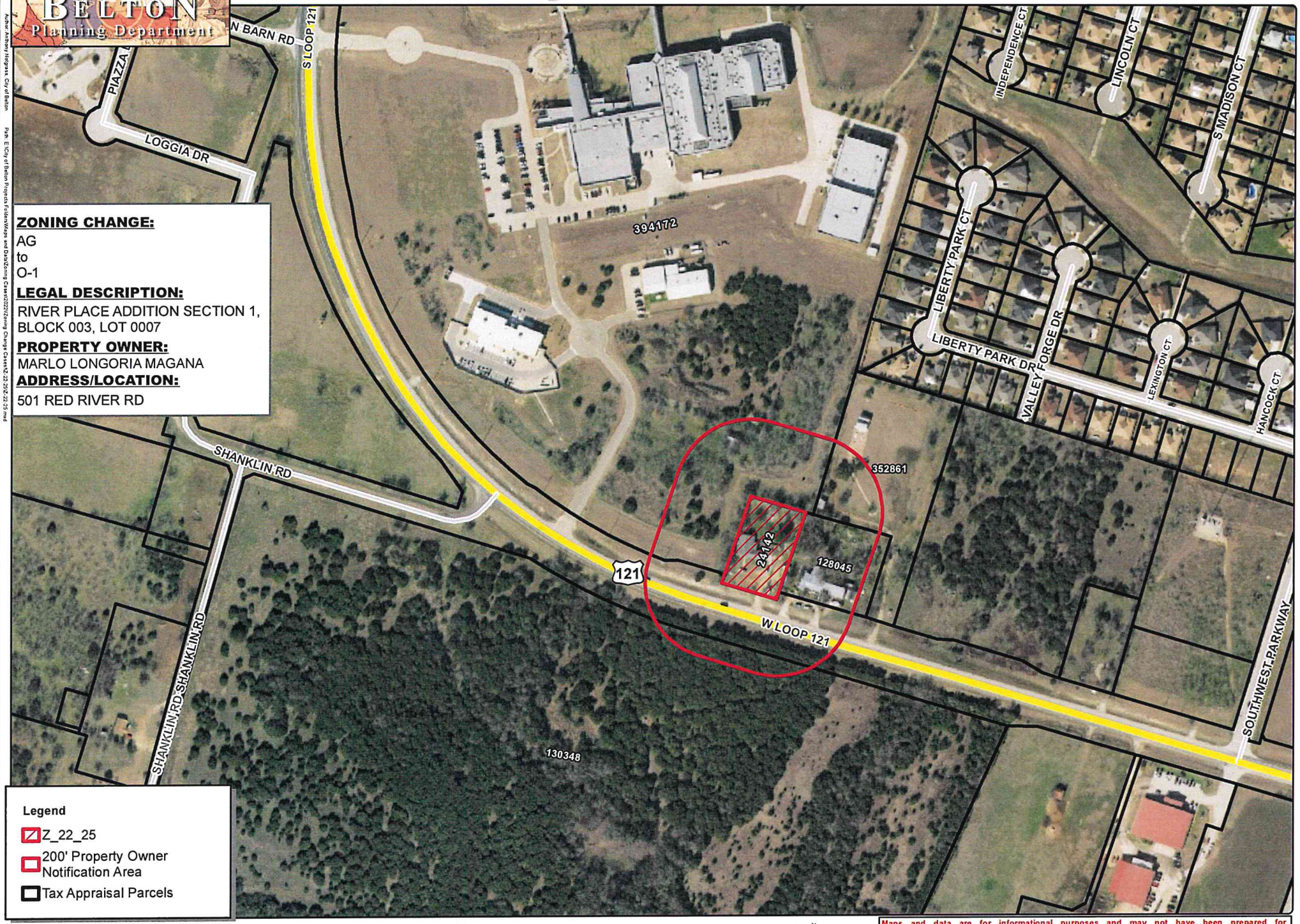
LEGEND
Z_22_25

Map Date: 7/6/2022

0 100 200 Feet

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

Zoning Case # Z-22-25



Author: Anthony Helgerson, City of Belton

Path: E:\City of Belton Projects\Cases\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-25\Z-22-25.mxd

Map Date: 7/6/2022

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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: MARLO LONGORIA MAGANA,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1025 W. LOOP 121,
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,
TO A(N) OFFICE -1 (O-1) ZONING DISTRICT,
TO ALLOW FOR A REAL ESTATE OFFICE AT THIS LOCATION.

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, July 19, 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, July 26, 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@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON JULY 19, 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

24142
MAGANA, MARLO LONGORIA
501 RED RIVER RD
BELTON, TX 76513

352861
FREEDOM ROAD BIKER CHURCH
PO BOX 1835
BELTON, TX 76513

128045
WIENER, JOANN DOLORES & FRED BARRY
975 W LOOP 121
BELTON, TX 76513-3395

394172
BELL COUNTY
PO BOX 768
BELTON, TX 0

130348
BELTON IND SCHOOL DISTRICT
PO BOX 269
BELTON, TX 0

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

6. Z-22-25 - Hold a public hearing and consider a zoning change from Agricultural (A) to Office-1 (O-1) District on approximately 0.82 acres located at 1025 W. Loop 121.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. With no public input, the public hearing was closed.

Commission Member Potts made a motion to approve Z-22-25. Commission Member Krueger seconded the motion. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-39

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO OFFICE-1 DISTRICT ON APPROXIMATELY 0.83 ACRE PROPERTY LOCATED AT 1025 WEST LOOP 121.

WHEREAS, Marlo Longoria Magana**,** 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 19th day of July, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.83 acres
located at 1025 W. Loop 121
(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 26th day of July 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 from Agricultural District to Office-1 District in accordance to Section 17, Office-1 *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 Office-1 Zoning District in all respects.

2. The development of the property shall conform to all applicable Type Area 9 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

    a. Site Development Standards
    b. Landscape Development 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 26th day of July 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 26th day of July, 2022.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Zoning Case # Z-22-25 Location

CITY OF BELTON
Planning Department

ZONING CHANGE:
AG
to
O-1

LEGAL DESCRIPTION:
RIVER PLACE ADDITION SECTION 1, BLOCK 003, LOT 0007

PROPERTY OWNER:
MARLO LONGORIA MAGANA

ADDRESS/LOCATION:
501 RED RIVER RD

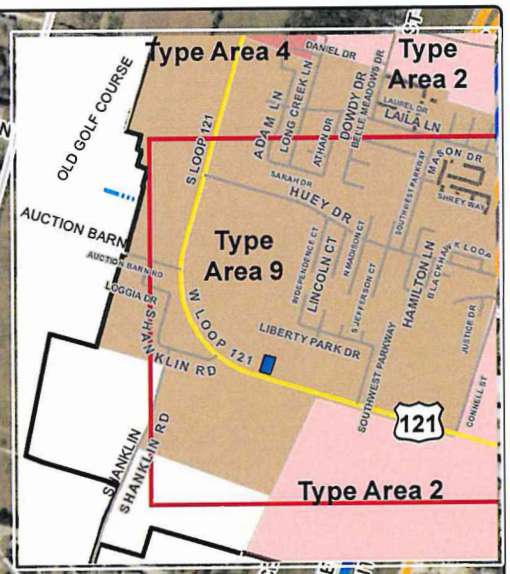


EXHIBIT "A"

LEGEND
Z_22_25

0 500 1,000 Feet

Map Date: 7/6/2022

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Author: Anthony Hodges, City of Belton
Path: E:\City of Belton Projects\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-25\Z-22-25 Location.mxd

Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: Z-22-26
Request: A – SF-3
Applicant/Owners: 1000 E. Ave H, LLC & Patrick Mahn

Agenda Item #10

Z-22-26 Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) Residential District on approximately 4.568 acres located at 902 E. Avenue H, generally east of Interstate 35 on the northside of East Avenue H.

Originating Department: Planning Department – Tina Moore - Planner

Current Zoning: Agricultural (A)

Proposed Zoning: Single Family Residential-3

Existing Uses: Primarily Vacant, One Single Family Home, 4.568 acres

Proposed Use(s): Single Family Detached Residential Homes

Future Land Use Map (FLUM) Designation:

The Future Land Use Map (FLUM) identifies this area as projected for residential (SF-1, 2, 3) development. The requested zoning appears to be compatible with the projected growth for this area and appropriate at this location.

Design Standards Type Area 11:

The desired growth in this area is primarily single family residential with opportunity for retail and commercial areas along Holland Road.

Background/Case Summary

The applicant is proposing a zoning change to allow for a single-family detached residential subdivision. A subdivision plat will be presented to the commission at a future date.

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use
North	Commercial (CH w/ SUP) Agricultural	Crossroad Church and vacant property
South and East	SF-3	Griggs Property
West	SF-2	Single Family Detached Homes

Land Use Table/Allowable Uses: The requested SF-3 Zoning District would permit the proposed development objective.

Area & Setback Requirements:

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

A plat is required to ensure compliance with the minimum area requirements and setbacks.

Recommendation

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning change from Agricultural to a Single Family-3 Zoning District.

Attachments

Application
Property Location Map
Zoning map
Aerial photo
Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200’)
P&Z Minutes Excerpt
Ordinance

ZONING CHANGE APPLICATION

Fee: $250.00

Date received:	
APPLICANT NAME: 1000 E. AVE H, LLC	
EMAIL: mike@b32mco.com	PHONE NUMBER: 512-801-0257
MAILING ADDRESS: 17500 Reed Parks Rd. Ste 100. Jonestown, TX 78645	
PROPERTY OWNER NAME: Patrick H. Mahn	
EMAIL: patrickmahn1@yahoo.com	PHONE NUMBER: 254-774-1832
MAILING ADDRESS: 1502 E. French Ave. Temple TX 76501	

Proposed Use of Structures (building) and Property (exterior property):
SF-3

Current Use:
Vacant

LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:
902 E. AVE H. Belton

Legal Description of Property: Abstract Survey see attached

Lot(s): _____ Block(s): _____,
of Subdivision see attached

Existing Zoning: AG **Proposed Zoning:** SF-3

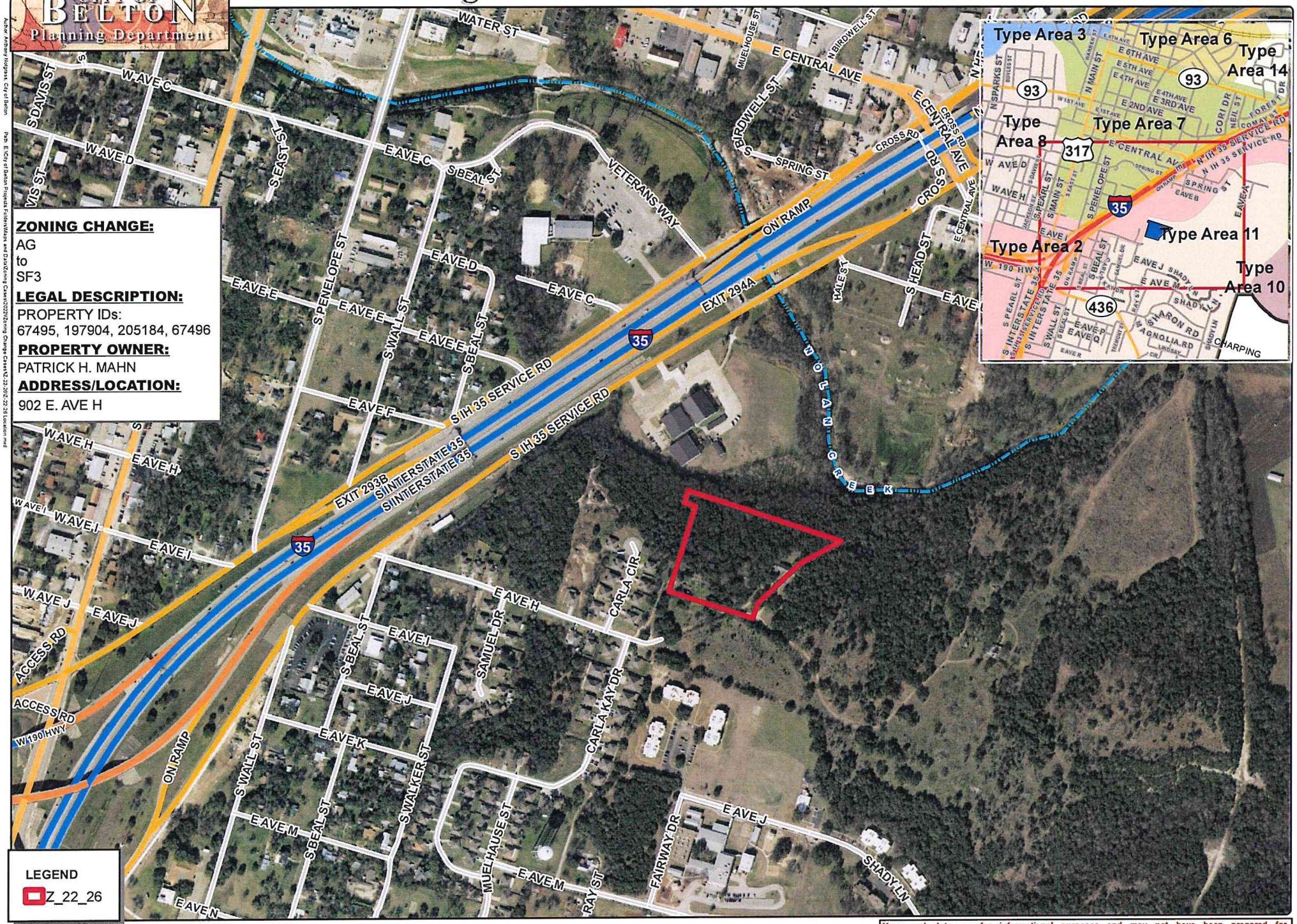
Signature of Applicant: _____ **Date:** 22-06-22

Signature of Owner (if not applicant): Patrick H Mahn **Date:** 6-22-22

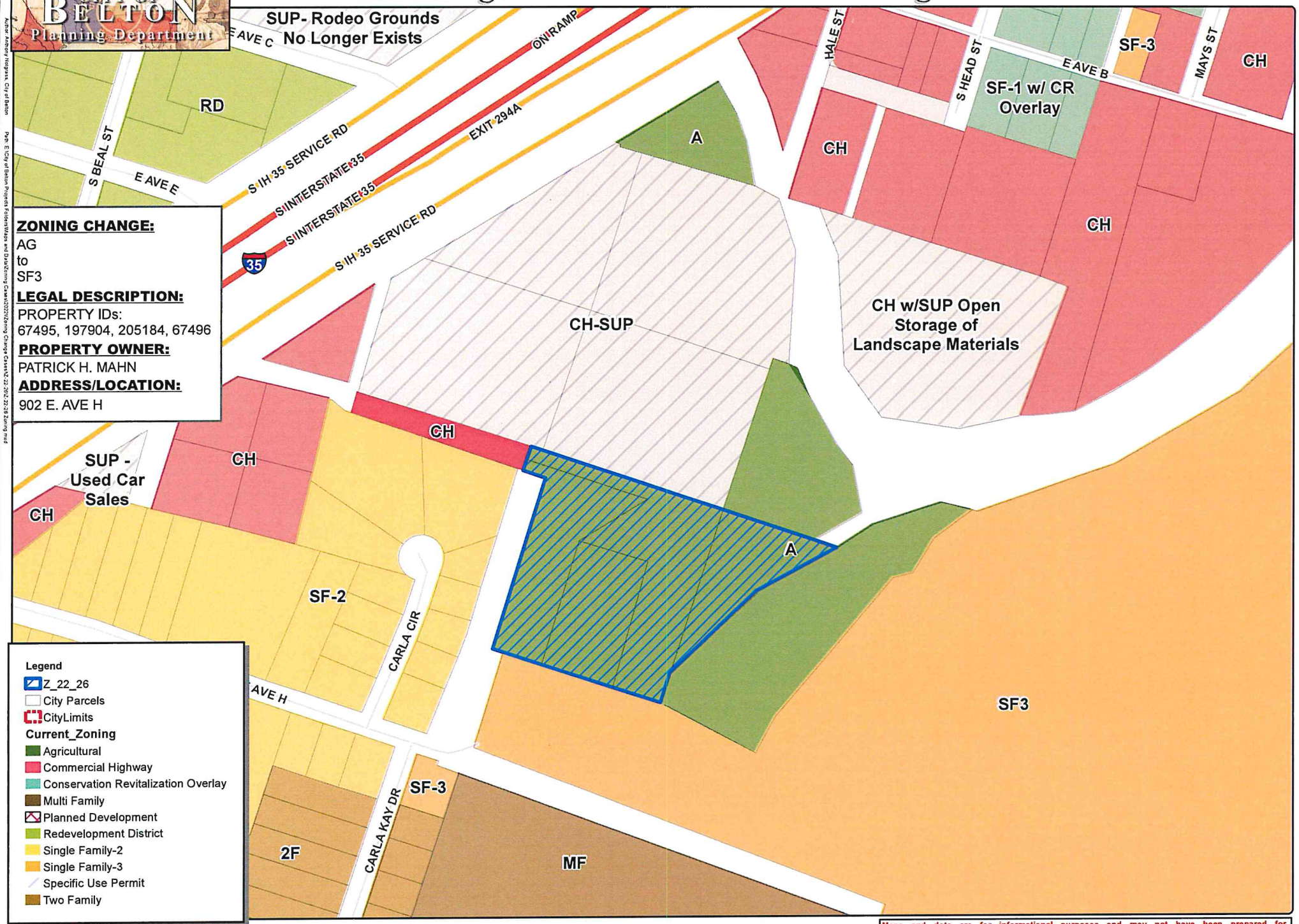
LEGAL DESCRIPTION

1.33 acres, A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (W PT OF BLK 33 & PT AVE F, 117' X 400' X 25' X 25' X 240' X 207' X 277' & SW TRI 40' X 110' X 54'),
.99 acres, A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (MIDDLE 157' X 277.4' OF BLK),
1.32 acres A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (E PT OF BLK 33 & PT AVE F, 80' X 284' X 157' X 207' X 149' X 345' X 110'),
.928 acres A0006BC M F Connell, ('A0006BC M F CONNELL')

Zoning Case # Z-22-26 Location



Zoning Case # Z-22-26 Zoning



Map Date: 7/7/2022

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Author: Anthony Hodgess, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-26\Z-22-26 Zoning.mxd

Zoning Case # Z-22-26 Aerial

CITY OF BELTON
Planning Department

Author: Anthony Hodgkiss, City of Belton

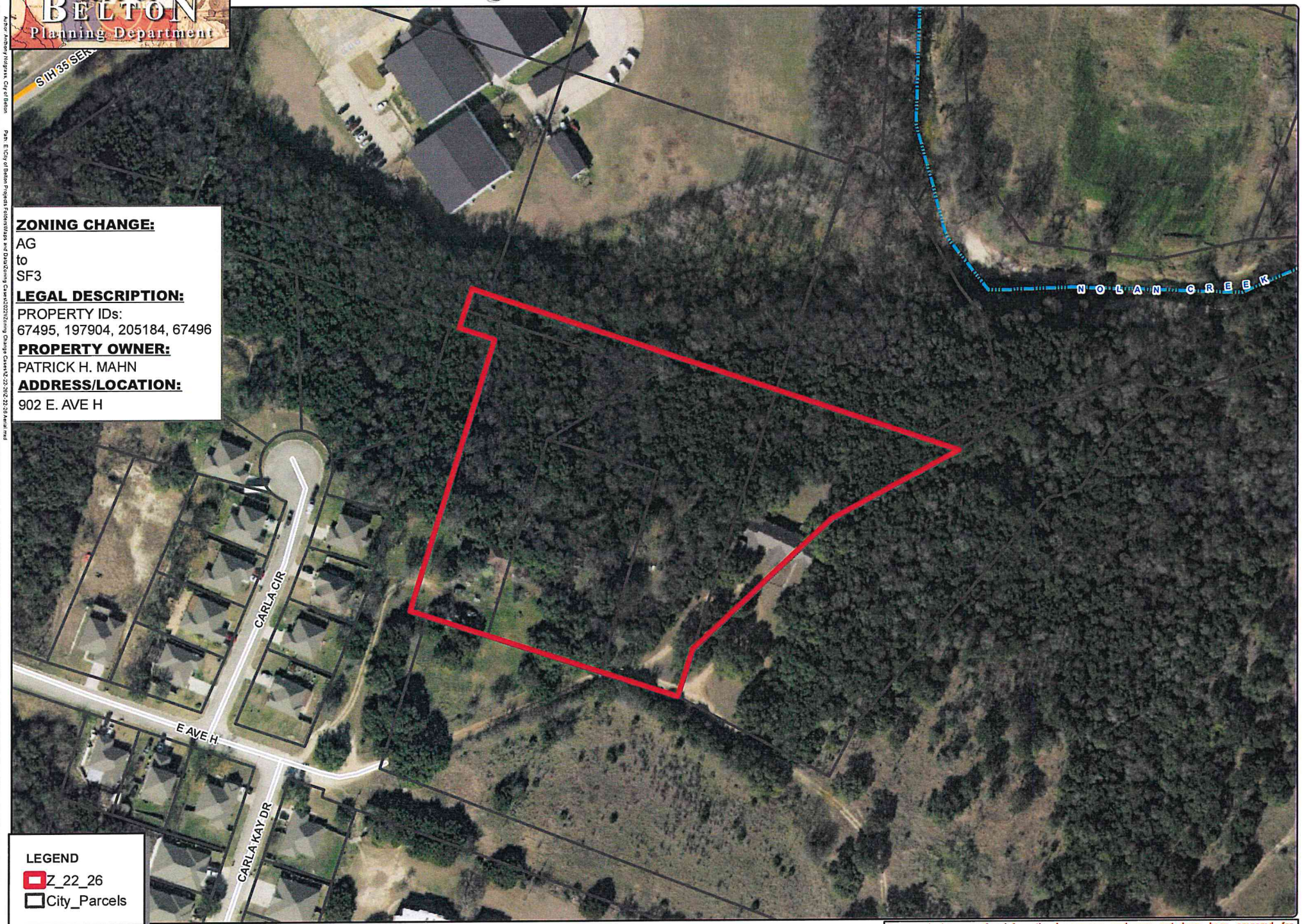
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-26\Z-22-26 Aerial.mxd

ZONING CHANGE:
AG
to
SF3

LEGAL DESCRIPTION:
PROPERTY IDs:
67495, 197904, 205184, 67496

PROPERTY OWNER:
PATRICK H. MAHN

ADDRESS/LOCATION:
902 E. AVE H



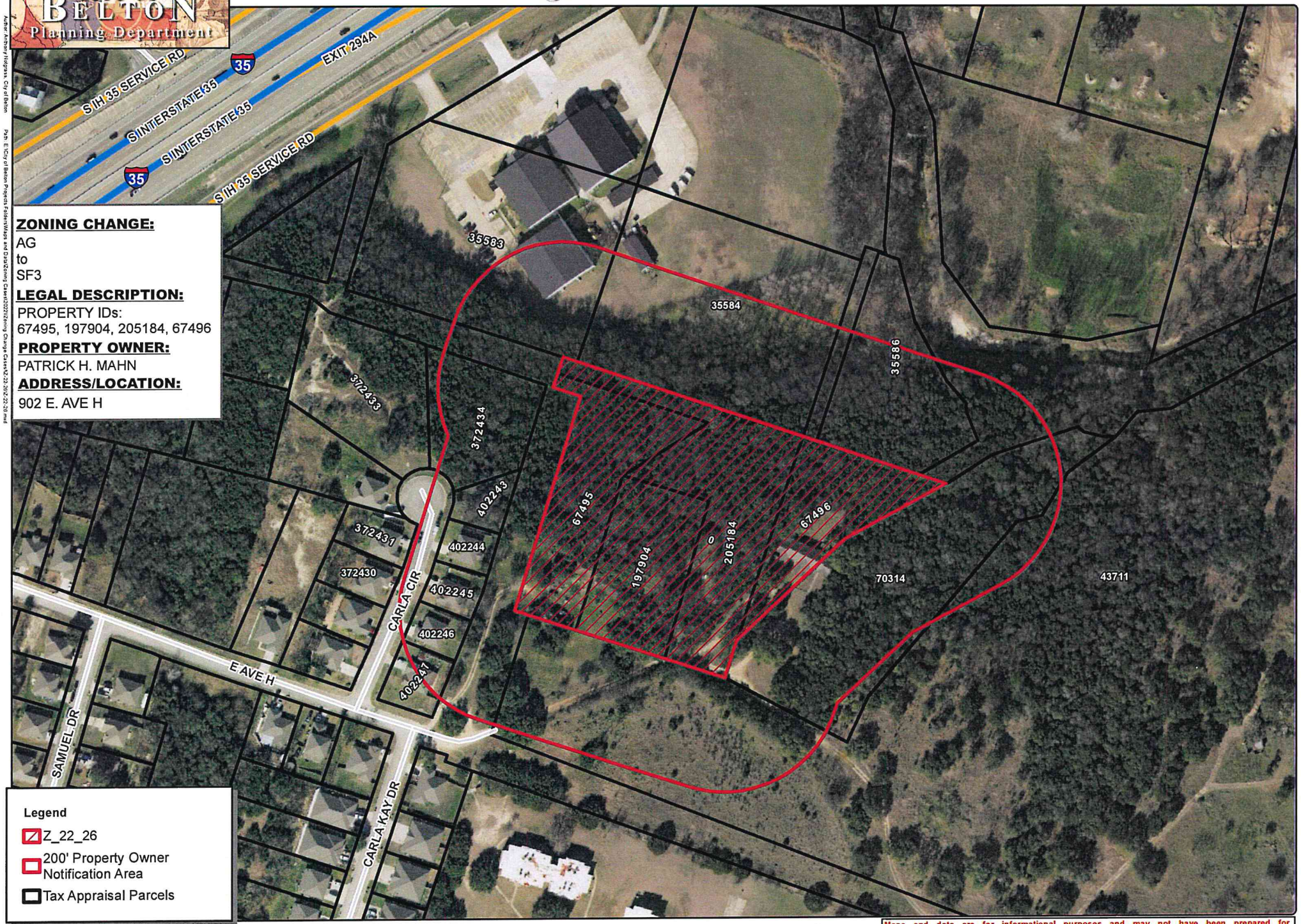
LEGEND
Z_22_26
City_Parcels

0 50 100 200 Feet

Map Date: 7/7/2022

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Zoning Case # Z-22-26



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: 1000 E. AVENUE H, LLC,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 902 E. AVENUE H,
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,
TO A(N) SINGLE FAMILY -3 RESIDENTIAL (SF-3) ZONING DISTRICT,
TO ALLOW FOR DETACHED SINGLE FAMILY HOMES.

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, July 19, 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, July 26, 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@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON JULY 19, 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

43711
GRIGGS, VICTOR C
2214 WESTLAKE DR
AUSTIN, TX 78746

35586
FIRST ASSEMBLY OF GOD CHURCH
706 E 4TH AVE
BELTON, TX 76513

402243
LYNCH, OSCAR REYNOLD
1321 UPLAND DR UNIT 2538
HOUSTON, TX 77043

372434
MY GOOD SAMARITAN
108 E AVENUE E
COPPERAS COVE, TX 76522

402245
REYNOLDS, STEVEN W ETUX SUSAN A
707 CARLA CIR
BELTON, TX 0

205184
MAHN, PATRICK H & LINDA S
1502 E FRENCH AVE
TEMPLE, TX 76504

402247
WEIGE, LACY LATRIECE LEONARD
ETVIR TRAVIS
711 CARLA CIR
BELTON, TX 76513

70314
GOODALL-PICKENS, MICHELE
1805 PARK ST
HUNTINGTON BEACH, CA 92648

35584
FIRST ASSEMBLY OF GOD CHURCH
706 E 4TH AVE
BELTON, TX 76513

67495
MAHN, PATRICK H ETUX LINDA S
1502 E FRENCH AVE
TEMPLE, TX 76504

402244
MONTANEZ, JOSE L JR ETUX CLAUDIA D
705 CARLA CIR
BELTON, TX 0

35583
FIRST ASSEMBLY OF GOD CHURCH
706 E 4TH AVE
BELTON, TX 0

402246
LHCS LLC
1506 PASEO DEL PLATA STE 200
TEMPLE, TX 0

372433
MY GOOD SAMARITAN
108 E AVENUE E
COPPERAS COVE, TX 76522

67496
MAHN, PATRICK H & LINDA S
1502 E FRENCH AVE
TEMPLE, TX 76504

197904
MAHN, PATRICK H ETUX LINDA S
1502 E FRENCH AVE
TEMPLE, TX 76513

372431
DECKER, JASON L
1620 ROCK DOVE
EL PASO, TX 0

372430
BIDDY, OWEN P
706 CARLA CIRCLE
BELTON, TX 76513

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

7. Z-22-26 - Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) District approximately 1.322 acres located at 902 E. Avenue H, east of Interstate 35.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. The applicant, Mike Avera, clarified the zoning request is adjacent to the Griggs property that he plans to subdivide and develop. Both properties will be combined in a future plat that will be presented to the commission.

Mr. Griggs, 1000 E. Avenue H, also spoke in support of the zoning change, indicating this property will provide an alternative access to develop the adjacent property.

With no other request to speak, the public hearing was closed.

Commission Member Potts made a motion to approve Z-22-26 which was seconded by Commission Member Jarrett. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2022-40

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY-3 RESIDENTIAL DISTRICT ON APPROXIMATELY 4.568 ACRE PROPERTY LOCATED AT 902 EAST AVENUE H.

WHEREAS, 1000 E. Avenue H, LLC and Patrick Mahn, the prospective and current property owners, have 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 19th day of July, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 4.568 acres
located at 902 E. Avenue H
(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 26th day of July 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 from Agricultural District to Single Family-3 Residential District in accordance to Section 12, *Single Family-3 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-3 District in all respects.

2. The development of the property shall conform to all applicable Type Area 11 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

    a. Site Development Standards
    b. Tree Protection, Preservation and Mitigation Standards

3. A subdivision plat is required.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 26th day of July 2022, by a vote of _____ ayes and _____ nays.

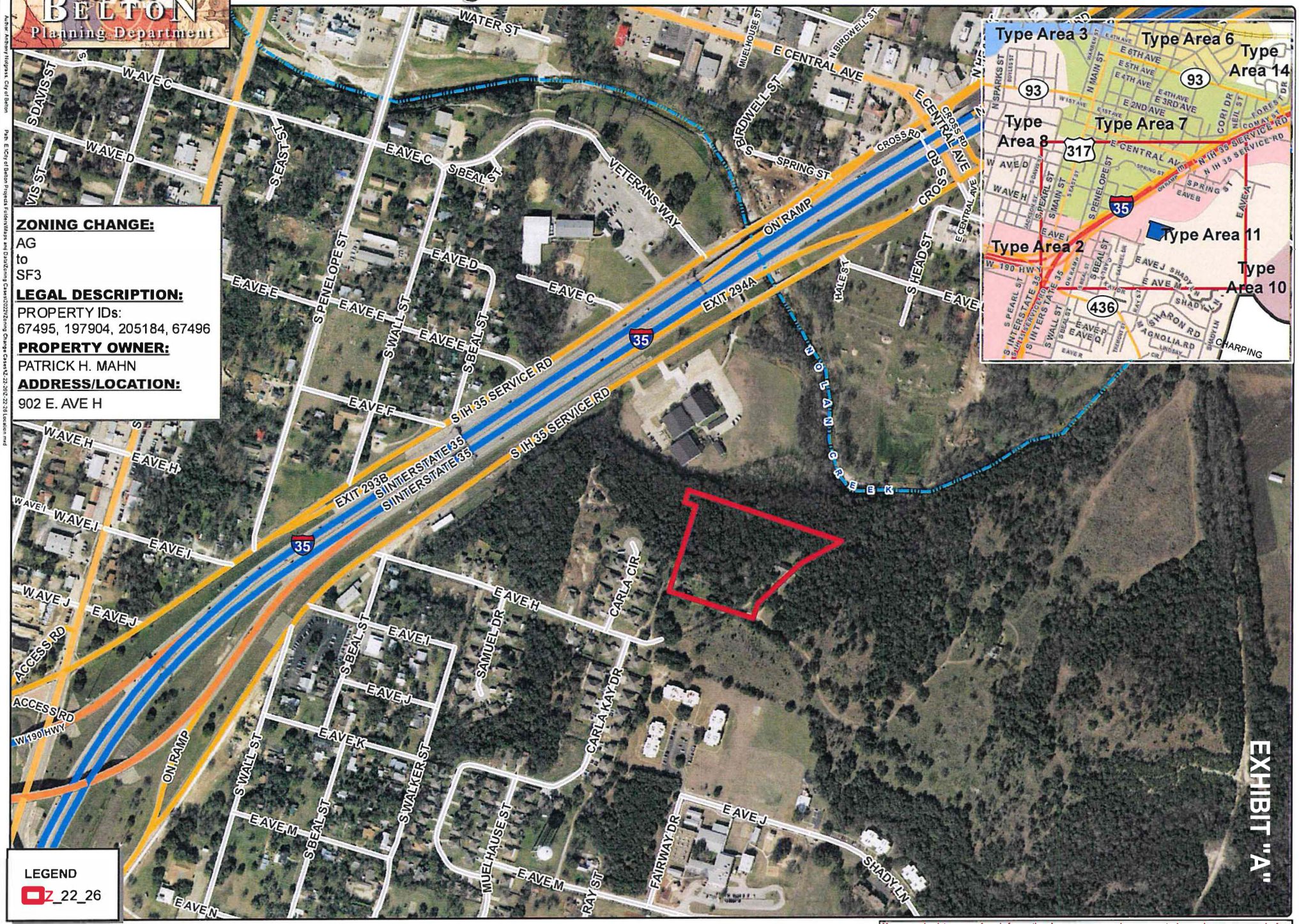
SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 26th day of July, 2022.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Zoning Case # Z-22-26 Location



Map Date: 7/7/2022

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Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: P-22-17 – Skyview Belton Addition
Request: Final Plat
Applicant: Republic Engineering & Development Services
Owner/Developer: ARIT Investments

Agenda Item #11A

P-22-17 Consider a final plat for Skyview Addition, comprising 53.04 acres located on the southwest corner of Interstate 14 and West Loop 121.

Originating Department

Planning – Tina Moore - Planner

Current Zoning: Commercial-2, Commercial-1, Retail, and Single Family-3 (SF-3)

Case Summary

This subdivision consists of 53.04 acres and proposes 196 single family detached residential lots, three commercial lots, two tracts for drainage, one amenity/park site, and three ROW tracts on Old Golf Course Road. The drainage tracts and amenity center will be owned and maintained by HOA.

Project Analysis and Discussion

This development has both commercial and residential zoned lots. The proposed lots meet the minimum requirements to satisfy their respective zoning districts. The residential lots are typically 50' wide and 115 deep with a front setback of 25', rear setback of 20', interior side setback of 5' and a corner lot setback of 15'. The commercial lots will be further reviewed to ensure that applicable code requirements are met during site and building plan review.

Water: An 8" water line is proposed to service this subdivision. This size water line satisfies minimum requirements for fire protection. The water lines will extend through the subdivision from Loop 121 westward to Old Golf Course Road to allow future connections when properties to the west of this subdivision develop.

Sewer: A 6" sewer line is proposed to service this subdivision.

Access: Per Subdivision Ordinance Section 502.01.K., three entrances are required for subdivisions with 101 plus lots. The subdivision shows four points of access:

Access 1: W. Loop 121 at Laila Lane, this is a local roadway with a required minimum of 50' ROW. The ROW will widen to 70' at the intersection of Loop 121 to accommodate turning movements.
Access 2: Sky View and Loop 121
Access 3: Intersection of Old Golf Course Road and Blue Sky Drive
Access 4: Intersection of Old Golf Course Road and Laila Lane.

Streets and Sidewalk: West Loop 121 is a major arterial road on the City's Thoroughfare Plan map and requires TxDOT's review and approval. Coordination has been made with TxDOT for the applicant to dedicate right of way and to provide a 1' non-access easement where access to Loop 121 is prohibited. City Design Standards require a wood fence with capped topped rail and masonry columns every 50' for fencing along an arterial roadway. The applicant is proposing masonry fencing along Loop 121. The fence will be built by the homebuilder and maintained by the HOA.

Old Golf Course Road is a minor collector on the City's Thoroughfare Plan map. Minor collectors require a minimum ROW width of 60' with a pavement width of 36'. The applicant is dedicating additional ROW (Tract F) to fulfill their obligation for half the required ROW on Old Golf Course Road. The applicant is proposing to construct the full-width of pavement with curb and gutter and one 5-foot sidewalk from the southern ROW of Laila Lane north for approximately 810 linear feet to just north of Blue Sky Drive to satisfy the perimeter street improvement requirement. Please see Item #11B. A development agreement is under consideration for adjusting the perimeter street improvement requirement. The City Design Standards require a wood fence with a capped top rail along collector roadways. The required fence will be constructed by homebuilders and maintained by the HOA.

Internal streets are all local roads with 50' of ROW and 31' of pavement with curb and gutter.

Drainage: Detailed plans and calculations were reviewed with this final plat. Drainage Tracts B and D will be owned and maintained by the HOA.

Parkland Dedication/Fees: Per Subdivision Ordinance Section 517, the parkland fee is $200 per residential unit. A total of 196 residential lots are proposed which would equate to $39,200. The applicant is proposing a private neighborhood park which would consist of 2.47 acres, with proposed improvements totaling $150,000. The amenities include a recreational pavilion with covered seating areas, a meal preparation area, restrooms, walking trails, picnic tables, and open seating area. The proposed park will be owned and maintained by the HOA and would, in our opinion, satisfy as an alternate to public park/cash contributions.

Recommendation:

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the final plat for Skyview Belton Addition subject to the following:

1. Approval of an alternative Parkland compensation to allow the private improvements, in lieu of Parkland dedication or fees.
2. Completion of all staff comments.

Attachments

Final Plat Application
Location Map
Aerial
Final Plat
P&Z Minutes Excerpt

City of Belton

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

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

- ☐ Preliminary Subdivision Fees due $ 847.00
- ☒ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Date Received: _____ Date Due: _____ **(All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)**

Applicant: Republic Engineering & Development Services Phone: _____
Mailing Address: PO Box 3123 Harker Heights, TX 76548
Email Address: tyler@republiceds.com

Owner: ARIT Investments, LLC Phone: _____
Mailing Address: 2121 N Hwy 281, Marbel Falls, TX 78654
Email Address: wllmdnwy@yahoo.com

Current Description of Property:
Lot: _____ Block: _____ Subdivision: _____
Acres: 53.04 Survey: J. Townsend
Abstract #: 818 Street Address: 2039 Old Golf Course Road
Frontage in Feet: 2,860 Depth in Feet: ~1,100

Does Zoning comply with proposed use? Yes Current Zoning: SF-3, C-1, C-2, R
Name of proposed subdivision: SkyView Belton Addition
Number of Lots: 199 Fee: $ 847

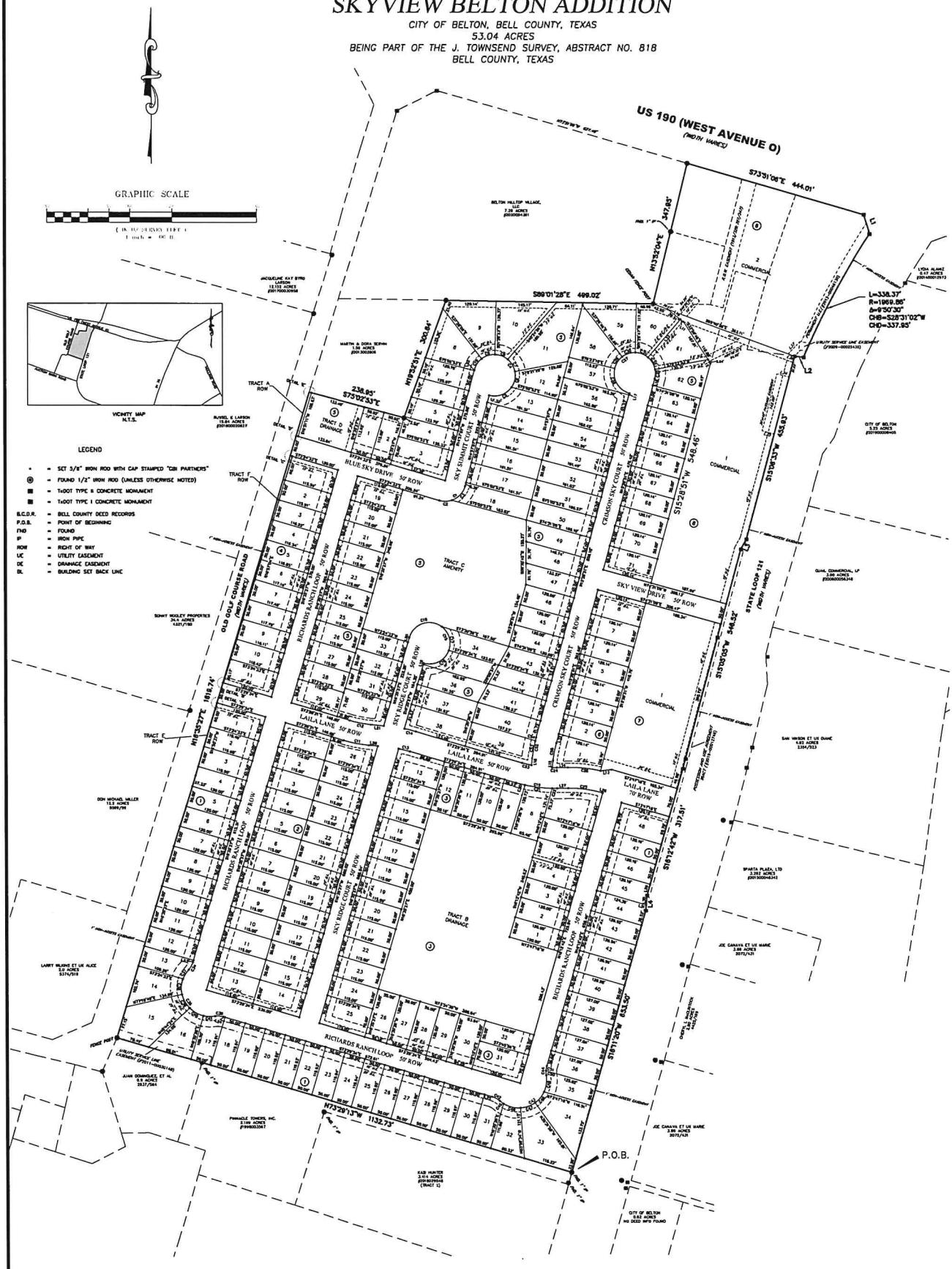
Signature of Applicant: Tyler Freese Date: 04-25-2022
Signature of Owner: David Beardsley, Mgr Date: 04-26-2022

Digitally signed by David Beardsley, Mgr
DN: cn=David Beardsley, Mgr, o=ARIT Investments, LLC, ou, email=dbeardsley@coreadvisory.com, c=US
Date: 2022.04.26 10:34:07 -05'00'

NOTE: Variances to code requirements may be considered by P&ZC and City Council.

SKYVIEW BELTON ADDITION

CITY OF BELTON, BELL COUNTY, TEXAS
53.04 ACRES
BEING PART OF THE J. TOWNSEND SURVEY, ABSTRACT NO. 818
BELL COUNTY, TEXAS



SHEET 1 OF 2

GBI PARTNERS
LAND SURVEYING CONSULTANTS
7606 183-A, BUILDING 2, STE. A • LEANDER, TX 78641
PHONE: 281-499-4539 • WWW.GBISURVEY.COM
TBPLS # 10194150 • TBPE # F13284

SKYVIEW BELTON ADDITION

CITY OF BELTON, BELL COUNTY, TEXAS
53.04 ACRES
BEING PART OF THE J. TOWNSEND SURVEY, ABSTRACT NO. 818
BELL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BELL

ARIT INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS SKYVIEW BELTON ADDITION, A SUBDIVISION IN THE CITY OF BELTON, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

ARIT INVESTMENTS, LLC
A TEXAS LIMITED LIABILITY COMPANY

_____
GORDON DUNAWAY, MANAGING MEMBER

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2022 BY GORDON DUNAWAY, MANAGING MEMBER OF ARIT INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY.

_____
NOTARY PUBLIC, STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Alan Horton, do hereby certify that I prepared this Plat from an actual and accurate survey of the land and that the corner monuments shown thereon shall be properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Belton, Texas.

_____

I hereby certify that the above and foregoing Plat of the Skyview Belton Addition to the City of Belton was approved this _____ day of _____, 2022, by the Planning and Zoning Commission of the City of Belton, Texas.

_____ _____
Chairman Secretary

I hereby certify that the above and foregoing Plat of the Skyview Belton Addition to the City of Belton was approved this _____ day of _____, 2022, by the City Council of the City of Belton, Texas.

_____ _____
Mayor Secretary

Said addition shall be subject to all the requirements of the Subdivision Ordinance of the City of Belton

Witness my hand this _____ day of _____ 2022.

_____
City Clerk

NOTES:

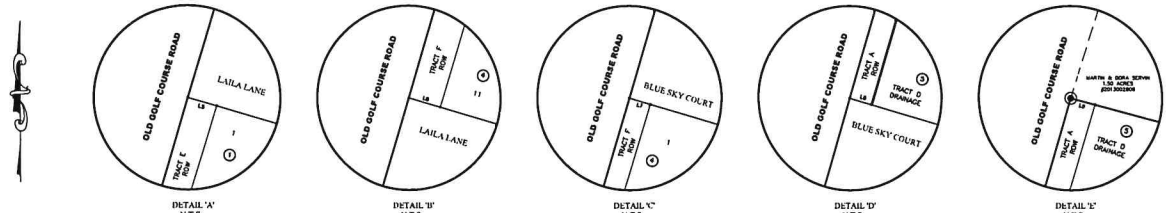
1. BEARINGS ARE BASED IN THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.
2. TRACTS A, E AND F TO BE DEDICATED FOR RIGHT OF WAY.
3. TRACT B AND TRACT D ARE FOR DRAINAGE AND WILL BE OWNED AND MAINTAINED BY THE HOA.
4. TRACT C WILL BE OWNED AND MAINTAINED BY THE HOA.
5. GARAGE ACCESS FROM A SIDE STREET SHALL USE A 20' BUILDING SET BACK.
6. BLOCK 1 LOTS 33-48 SHALL HAVE MASONRY WALL ALONG STATE LOOP 121, TO BE BUILT BY THE HOMEBUILDER AND MAINTAINED BY THE HOA.
7. BLOCK 1 LOTS 1-15 AND BLOCK 4 LOTS 1-11 SHALL HAVE WOOD FENCING WITH A CAPPED TOP RAIL ALONG OLD GOLF COURSE ROAD, TO BE BUILT BY THE HOMEBUILDER AND MAINTAINED BY THE HOA.
8. A 1-FOOT NON-ACCESS EASEMENT IS LOCATED ALONG OLD GOLF COURSE ROAD FRONTAGE FOR BLOCK 1, LOTS 1-15 AND BLOCK 4 LOTS 1-11 AND ALONG STATE LOOP 121 FRONTAGE FOR BLOCK 1, LOTS 33-48, BLOCK 7 LOTS 1 AND BLOCK 8 LOTS 1-2.

BLOCK/LOT TABLE			
BLOCK	NUMBER OF RESIDENTIAL LOTS	NUMBER OF COMMERCIAL LOTS	NUMBER OF TRACTS
1	48		1
2	26		
3	32		1
4	11		1
5	71		3
6	8		
7		1	
8		2	

CURVE TABLE					
NUMBER	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	79.97'	50.00'	91°38'20"	N60°46'17"E	71.71'
C2	30.77'	50.00'	35°15'38"	N88°57'39"E	30.28'
C3	48.20'	50.00'	56°23'43"	N43°08'28"E	47.24'
C4	235.62'	50.00'	270°00'00"	N30°02'53"W	70.71'
C5	60.06'	50.00'	68°48'31"	N70°04'38"E	57.13'
C6	40.02'	50.00'	45°51'21"	N12°17'08"E	38.96'
C7	33.98'	50.00'	38°56'33"	N30°08'47"W	33.33'
C8	33.98'	50.00'	38°56'33"	N69°03'20"W	33.33'
C9	33.98'	50.00'	38°56'33"	S72°00'07"W	33.33'
C10	32.79'	50.00'	37°34'44"	S33°44'29"W	32.21'
C11	81.36'	325.00'	10°49'00"	S78°52'51"E	81.27'
C12	51.82'	275.00'	10°49'00"	S78°52'51"E	51.84'
C13	28.37'	275.00'	2°34'41"	N76°26'34"W	28.36'
C14	28.28'	325.00'	4°58'11"	N75°58'08"W	28.28'
C15	235.62'	50.00'	270°00'00"	N28°24'33"W	70.71'
C16	75.49'	50.00'	86°30'29"	N63°20'13"E	68.52'
C17	63.87'	50.00'	73°11'29"	N16°36'48"W	59.62'
C18	96.28'	50.00'	110°18'02"	S71°44'28"W	82.07'
C19	99.27'	325.00'	17°30'05"	S82°14'38"E	98.89'
C20	21.79'	325.00'	3°50'27"	S75°24'41"E	21.78'
C21	65.84'	325.00'	11°36'37"	S83°08'14"E	65.73'
C22	11.85'	325.00'	2°05'11"	S89°56'03"E	11.84'
C23	23.35'	275.00'	4°51'58"	S75°55'32"E	23.35'
C24	10.56'	275.00'	2°12'14"	S89°53'31"E	10.56'
C25	82.56'	275.00'	17°12'20"	N82°23'28"W	82.27'
C26	78.57'	325.00'	14°06'42"	N83°56'41"W	78.37'
C27	235.62'	50.00'	270°00'00"	S60°28'31"W	70.71'
C28	78.91'	50.00'	88°07'31"	S30°27'14"E	88.55'
C29	33.98'	50.00'	38°56'33"	S33°04'38"W	33.33'
C30	33.98'	50.00'	38°56'33"	S72°01'31"W	33.33'
C31	33.98'	50.00'	38°56'33"	N68°01'57"W	33.33'
C32	33.98'	50.00'	38°56'33"	N30°05'24"W	33.33'
C33	22.78'	50.00'	26°05'58"	N02°25'52"E	22.58'
C34	20.13'	50.00'	23°11'09"	N28°56'33"E	20.10'
C35	168.08'	87.50'	142°38'38"	S29°17'43"E	127.88'
C36	18.79'	50.00'	22°40'36"	N85°30'11"W	18.66'
C37	26.21'	87.50'	22°44'42"	S30°54'24"W	26.04'
C38	38.23'	87.50'	25°23'14"	S03°33'28"W	37.92'
C39	37.22'	87.50'	24°22'24"	S28°27'54"E	36.75'
C40	38.23'	87.50'	25°23'50"	S80°28'31"E	37.74'
C41	28.15'	87.50'	23°53'48"	S68°40'20"E	27.95'
C42	21.53'	50.00'	24°40'36"	N81°09'15"W	21.37'
C43	163.49'	87.50'	140°28'11"	N80°56'37"E	127.05'
C44	22.25'	50.00'	25°29'50"	S03°27'47"W	22.07'
C45	10.98'	87.50'	8°18'28"	S53°28'40"E	10.97'
C46	42.18'	87.50'	25°48'11"	S76°02'29"E	41.50'
C47	37.22'	87.50'	24°22'24"	N70°13'44"E	36.75'
C48	34.29'	87.50'	22°26'11"	N38°54'36"E	33.92'
C49	40.62'	87.50'	26°36'38"	N08°02'21"E	40.20'
C50	10.84'	50.00'	12°24'59"	S03°04'39"E	10.81'
C51	11.42'	50.00'	13°04'51"	S09°40'18"W	11.39'
C52	50.49'	325.00'	8°54'03"	S11°01'49"W	50.44'
C53	42.23'	325.00'	7°26'43"	S16°18'38"W	42.20'
C54	8.28'	325.00'	1°27'22"	S14°45'10"W	8.28'
C55	42.72'	275.00'	8°54'03"	S11°01'49"W	42.68'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S18°46'51"E	47.87'
L2	N83°38'32"W	22.03'
L3	S29°17'12"W	27.97'
L4	S05°31'28"W	38.38'
L5	S73°29'34"E	0.81'
L6	S73°29'34"E	1.20'
L7	S73°24'33"E	4.78'
L8	S73°24'33"E	5.01'
L9	S75°02'53"E	5.52'
L10	S31°42'13"E	49.42'
L11	S31°42'13"E	9.91'
L12	S32°59'48"E	10.98'
L13	N83°12'27"E	26.87'
L14	S89°00'22"W	28.77'
L15	N06°34'47"E	17.18'
L16	N13°28'31"E	16.42'
L17	S15°28'31"W	3.84'
L18	N06°34'47"E	17.32'
L19	N18°35'27"E	3.12'
L20	S18°35'27"W	12.26'
L21	S84°17'21"E	32.17'
L22	S14°57'07"W	1.78'
L23	S18°35'27"W	3.14'
L24	S73°29'34"E	3.80'
L25	S73°29'34"E	18.82'
L26	S73°47'18"E	1.80'
L27	N89°00'22"E	26.77'
L28	S84°17'21"E	22.58'
L29	S18°12'42"W	27.75'
L30	S05°31'28"W	22.84'
L31	S05°31'28"W	13.72'
L32	N13°28'31"E	22.66'
L33	S40°28'20"W	120.83'
L34	S74°53'27"E	30.00'
L35	S74°53'27"E	30.00'
L36	N89°40'38"W	16.36'
L37	S44°05'39"W	40.95'

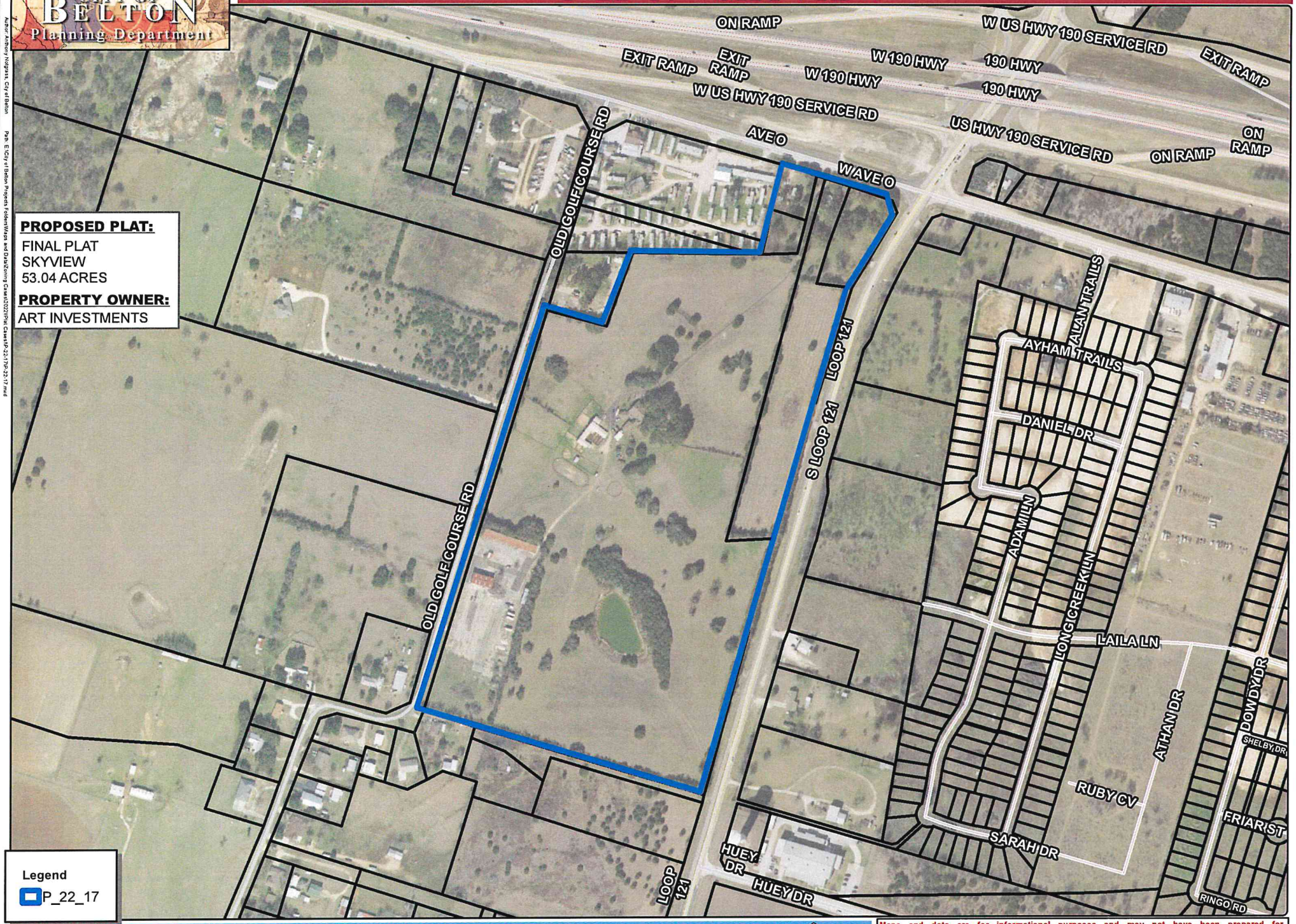
NUMBER	SPECIES	SIZE (IN)	
T1173	LIVE OAK	34	KEEP
T1174	ASH	32	REMOVE
T1175	COTTONWOOD	23	KEEP
T1176	ASH	22	REMOVE
T1177	CEDAR ELM	12	KEEP
T1178	ASH	24	REMOVE
T1179	ASH	31	REMOVE
T1180	ASH	31	REMOVE
T1181	ASH	29	REMOVE
T1182	LIVE OAK	33	KEEP
T1183	BUR OAK	22	REMOVE
T1184	LIVE OAK	43	KEEP
T1185	LIVE OAK	19	KEEP
T1186	LIVE OAK	18	KEEP
T1187	LIVE OAK	18	KEEP
T1188	LIVE OAK	19	KEEP
T1189	LIVE OAK	24	KEEP
T1190	LIVE OAK	18	KEEP
T1191	LIVE OAK	18	KEEP
T1192	LIVE OAK	19	KEEP
T1193	LIVE OAK	13	KEEP
T1194	LIVE OAK	17	KEEP
T1195	LIVE OAK	20	KEEP
T1196	LIVE OAK	23	KEEP
T1197	LIVE OAK	27	KEEP
T1198	LIVE OAK	33	KEEP
T1201	LIVE OAK	34	KEEP
T1202	LIVE OAK	28	KEEP
T1203	LIVE OAK	23	KEEP
T1204	LIVE OAK	28	KEEP
T1205	LIVE OAK	21	KEEP
T1206	LIVE OAK	25	KEEP
T1207	LIVE OAK	37	KEEP
T1208	LIVE OAK	28	KEEP
T1209	LIVE OAK	30	KEEP
T1210	LIVE OAK	30	KEEP
T1211	LIVE OAK	20	KEEP
T1212	LIVE OAK	19	KEEP
T1213	LIVE OAK	12	KEEP
T1214	LIVE OAK	24	KEEP
T1215	LIVE OAK	22	KEEP
T1216	LIVE OAK	28	KEEP
T1217	LIVE OAK	22	KEEP
T1218	PINE	18	KEEP
T1219	BUR OAK	14	KEEP
T1220	LIVE OAK	25	KEEP
T1221	LIVE OAK	23	KEEP
T1222	LIVE OAK	37	KEEP
T1223	LIVE OAK	17	KEEP
T1224	LIVE OAK	14	KEEP
T1225	LIVE OAK	23	KEEP
T1226	LIVE OAK	18	REMOVE
T1227	LIVE OAK	32	REMOVE
T1228	LIVE OAK	31	REMOVE
T1229	LIVE OAK	27	REMOVE
T1230	LIVE OAK	32	KEEP
T1231	ASH	14	REMOVE
T1232	ASH	11	REMOVE
T1233	LIVE OAK	20	KEEP
T1234	LIVE OAK	22	KEEP
T1235	LIVE OAK	32	KEEP
T1236	AMERICAN ELM	38	KEEP
T1237	AMERICAN ELM	35	KEEP
T1238	AMERICAN ELM	8	KEEP
T1239	AMERICAN ELM	33	KEEP
T1240	CEDAR ELM	17	KEEP
T1241	AMERICAN ELM	33	KEEP
T1242	AMERICAN ELM	38	KEEP
T1243	LIVE OAK	23	KEEP
T1244	LIVE OAK	28	KEEP
T1245	SHIN OAK	10	KEEP
T1246	LIVE OAK	37	KEEP
T1247	LIVE OAK	22	KEEP
T1248	LIVE OAK	23	KEEP
T1249	LIVE OAK	20	KEEP
T1250	CEDAR ELM	21	KEEP
T1251	CEDAR ELM	18	KEEP
T1252	LIVE OAK	30	KEEP
T1253	LIVE OAK	38	REMOVE
T1254	LIVE OAK	21	REMOVE
T1255	LIVE OAK	28	REMOVE
T1256	LIVE OAK	30	REMOVE
T1257	LIVE OAK	23	REMOVE
T1258	LIVE OAK	24	REMOVE
T1259	ASH	27	REMOVE
T1260	LIVE OAK	25	KEEP
T1261	LIVE OAK	24	KEEP
T1262	LIVE OAK	24	KEEP
T1263	LIVE OAK	30	KEEP
T1264	LIVE OAK	36	KEEP
T1265	LIVE OAK	34	KEEP
T1266	LIVE OAK	25	KEEP
T1267	LIVE OAK	27	KEEP
T1268	LIVE OAK	28	KEEP
T1269	LIVE OAK	27	KEEP
T1270	LIVE OAK	25	KEEP
T1271	LIVE OAK	25	KEEP
T1272	LIVE OAK	21	KEEP
T1273	LIVE OAK	28	KEEP
T1274	PECAN	19	KEEP
T1275	LIVE OAK	31	KEEP
T1276	LIVE OAK	38	KEEP
T1277	LIVE OAK	28	KEEP
T1278	LIVE OAK	22	KEEP
T1279	LIVE OAK	29	KEEP
T1280	LIVE OAK	33	REMOVE
T1281	LIVE OAK	28	REMOVE
T1282	LIVE OAK	33	REMOVE
T1283	LIVE OAK	24	REMOVE
T1300	PECAN	30	REMOVE



DETAIL 'A' N.T.S. DETAIL 'B' N.T.S. DETAIL 'C' N.T.S. DETAIL 'D' N.T.S. DETAIL 'E' N.T.S.

GBI PARTNERS
LAND SURVEYING CONSULTANTS
7616 I.H.35, BUILDING 2, STE. A • LEANDER, TX 78641
PHONE: 281-499-4539 • WWW.GBISURVEY.COM
TBPLS # 10194150 • TBPE # F13294

P-22-17 - SKYVIEW



PROPOSED PLAT:

FINAL PLAT
SKYVIEW
53.04 ACRES

PROPERTY OWNER:

ART INVESTMENTS

Legend

P_22_17

0 400 800 Feet

Map Date: 7/12/2022

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.

Author: Anthony Hodgkiss, City of Belton

Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Plat Cases\P-22-17\P-22-17.mxd

P-22-17 LOCATION - SKYVIEW

CITY OF BELTON
Planning Department

PROPOSED PLAT:
FINAL PLAT
SKYVIEW
53.04 ACRES

PROPERTY OWNER:
ART INVESTMENTS

LEGEND
- P_22_17
- City Limits

Zoning
- Agricultural
- Commercial Highway
- Commercial-1
- Commercial-2
- Conservation Revitalization Overlay
- Light Industrial
- Multi Family
- Neighborhood Service
- Office-2
- Planned Development
- Retail
- Single Family-2
- Single Family-3
- Specific Use Permit

Map Date: 7/12/2022

0 4000 8000 Feet

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Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

8. P-22-17 Consider a final plat for Skyview Addition, comprising 53.04 acres located on the southwest corner of Interstate 14 and West Loop 121.

Staff Planner Ms. Moore presented the staff report.

Commission Vice Chair Covington made a motion to approve P-22-17 as recommended by staff. Commission member Fisher seconded the motion, which passed with 8 ayes, 0 nays.

Staff Report – City Council Meeting

Agenda Item #11B

Consider authorizing the City Manager to execute a Development Agreement with ARIT Investments, LLC for design services for Old Golf Course Road adjacent to the proposed Skyview Belton Addition.

Originating Department

Planning – Bob van Til, Planning Director

Summary Information

The purpose of this item is to consider a development agreement with ARIT Investments LLC for design services for Old Golf Course Road to serve the new Skyview Belton Addition and properties to the north.

Discussion

Arit Investments, LLC, submitted a final plat for Skyview Belton Addition. This development is located on the west side of Loop 121, south of IH 14, and east of Old Golf Course Road. The proposed plat has 196 residential lots and three commercial lots. As part of the proposed development, perimeter road improvements are required for Old Golf Course Road in accordance with the Thoroughfare Plan. The Thoroughfare Plan requires a Minor Collector with 60 feet of right of way and 36 feet of pavement. The improvements normally include one-half of a 36-foot-wide section along the entire length of the subdivision. Currently, Old Golf Course Road has 20 feet of pavement in approximately 60 feet of right of way.

The developer has proposed to build the entire width of the road, for one-half of the length of the subdivision. The developer proposes to build 810 feet of the full section of roadway including a 36-foot-wide street, two sides with curb and gutter, **with the sidewalk to be constructed only on the east side**, from future Laila Lane to the northern boundary of the subdivision. This amounts to one-half of the length of the subdivision.

City staff has determined that partnering in the design of the road project from future Laila Lane to W Avenue O is advantageous. Two advantages include first, a consistent street design section and second, the coordination of the proposed 12-inch diameter water line that is planned to extend from Auction Barn Road to W. Avenue O in the future. The design will also be available for other adjoining property owners as a known condition to use when they develop their properties.

The Development Agreement outlines responsibilities for design services. The Agreement includes the following:

1. The total estimated cost for design services is $42,360;
2. The developer's engineer will design the project from future Laila Lane to W. Avenue O;
3. The City will ensure that the design provides for the City's water line to be placed in the appropriate location in relation to the new pavement of the road; and
4. The City will waive the requirement for the sidewalk on the west side of the improved Old Golf Course Road in lieu of participating in the cost for the design (This sidewalk will be provided in conjunction with development of properties on the west side of the road).

Fiscal Impact

Not applicable

Recommendation

Consider authorizing the City Manager to execute a Development Agreement with ARIT Investment LLC for design services for Old Golf Course Road.

Attachments

Development Agreement

Skyview Development Agreement – Design of Old Golf Course Road.

PART 1
Findings and Agreement

The City of Belton (City) finds that entering into this Development Agreement with Arit Investments, LLC (Developer) is in the public's interest to improve Old Golf Course Rd. and to provide for future water line placement.

Developer applied for final plat approval on a 45.06-acre single family residential development along Old Golf Course Road, and for a 7.99-acre commercial development on the west side of Loop 121, east of Old Golf Course Rd. and south of E. Ave O, known as Skyview Belton Addition (Skyview) (Attachment "A").

PART 2
Planned Road Improvements

The Belton Subdivision Ordinance requires a developer to improve perimeter streets in accordance with the Throughfare Plan (Section 502, Belton Subdivision Ordinance).

The Thoroughfare Plan indicates that Old Golf Course Rd. (the road) is classified as a Minor Collector, anticipating 60 feet of ROW and 36-feet of pavement.

The Belton Engineering Design manual defines Old Golf Course Rd. as a Minor Collector 'A', anticipating 60 feet of ROW, 36 feet wide pavement, with 5-foot-wide sidewalks on both street sides (see Attachment "B").

As a condition of final plat approval, the Developer is required to make perimeter roadway improvements to Old Golf Course Rd. from the southern property line of Skyview to the northern property line of Skyview. The minimum required perimeter road improvements include one-half of the 36-foot-wide pavement cross section, with curb, and sidewalk on both sides of the road.

Instead of building one-half of the required perimeter road, the Developer agrees to build the entire 36-foot-wide section, with curbs on both sides, and a five-foot sidewalk on the east side of the road from the southern future right of way line of

Laila Lane to southern line of Section B (Servin Tract), as described herein and shown on Attachment "C," a total distance of 810 feet.

Design and Engineering

The Developer will pay for the entire design cost of future Old Golf Course Rd. from the southern right of way line of future Laila Lane to W. Ave O, including but not limited to identification of right of way, pavement, drainage, curb and gutter, and sidewalks on both sides of the road.

Approvals

The City and Developer both agree to these terms and conditions.

Nothing in this agreement removes, amends, changes, or alters any of the existing development ordinances, policies, or regulations unless specifically addressed by this Agreement.

Any amendments to this agreement must be made in writing, approved by both parties in writing, whereby the amendment is initiated a minimum of 30 working days in advance.

Signatures

_____	_____
ARIT Investment LLC by:	Sam A. Listi, City Manager
David Beardsley, its Manager	
Date: July 22, 2022	Date: _____

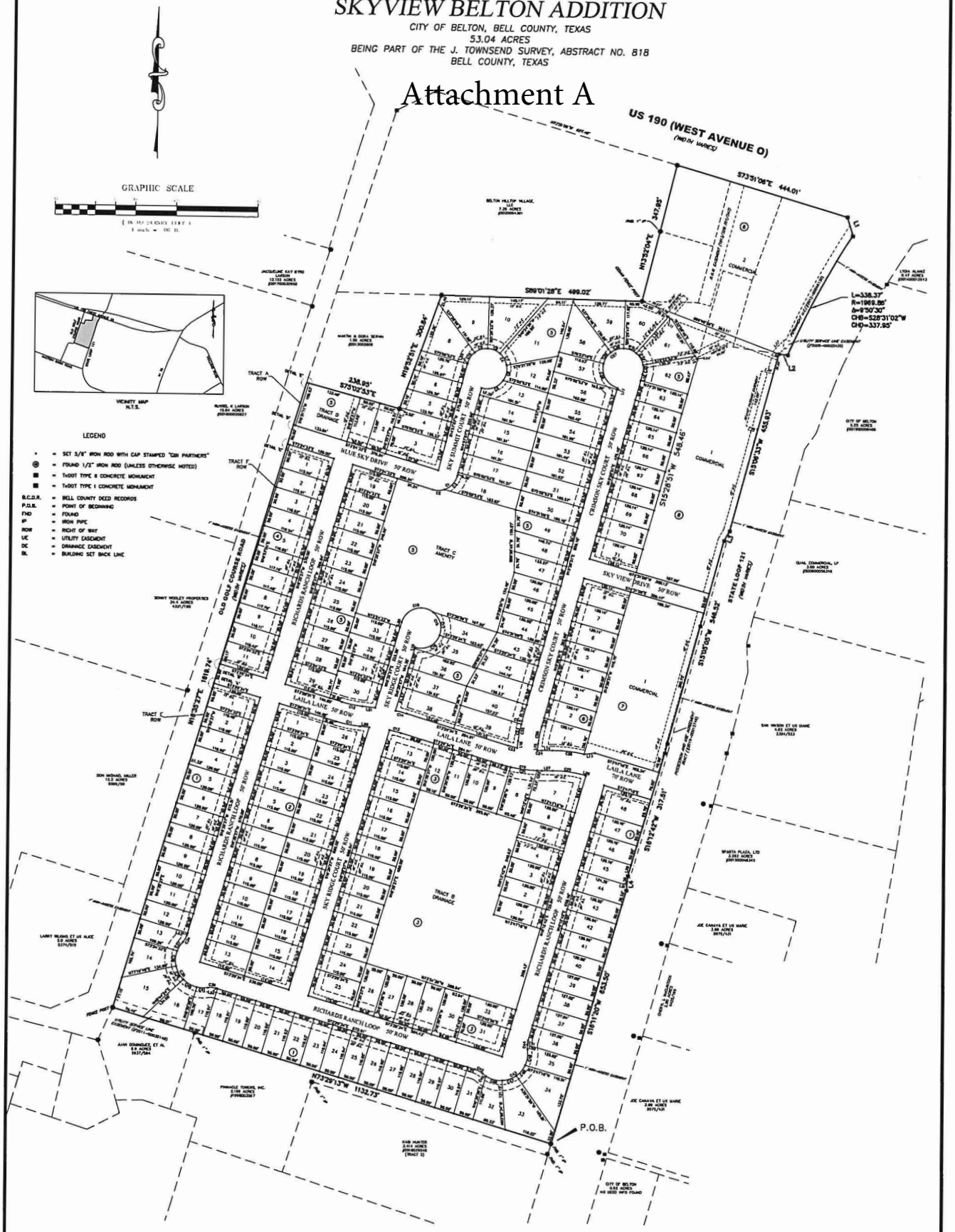
Attachments

Attachment "A" – Final Plat of Skyview Belton Addition.
Attachment "B" – Page from the Belton Engineering Design Manual showing the Minor Collector Cross Section A.
Attachment "C" – Skyview Development Agreement Road Design Participation Map

SKYVIEW BELTON ADDITION

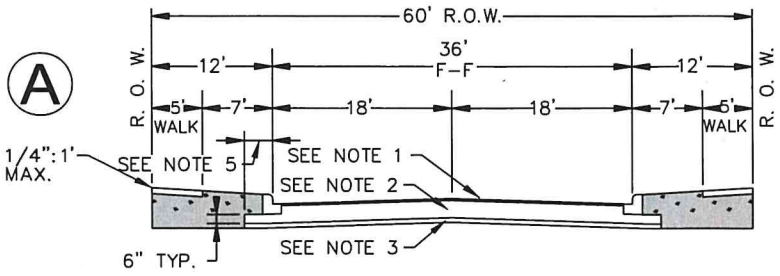
CITY OF BELTON, BELL COUNTY, TEXAS
53.04 ACRES
BEING PART OF THE J. TOWNSEND SURVEY, ABSTRACT NO. 818
BELL COUNTY, TEXAS

Attachment A

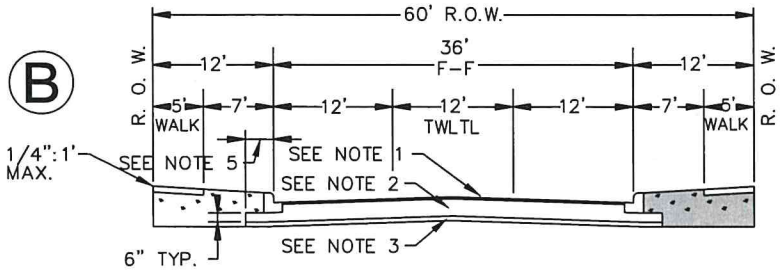


GBI PARTNERS
LAND SURVEYING CONSULTANTS
1999 183A, BUILDING 2, STE. A • LEANDER, TX 78641
PHONE 281-499-4539 • WWW.GBISURVEY.COM
TBPLS # 10194150 • TBPE # F11294

MINOR COLLECTOR

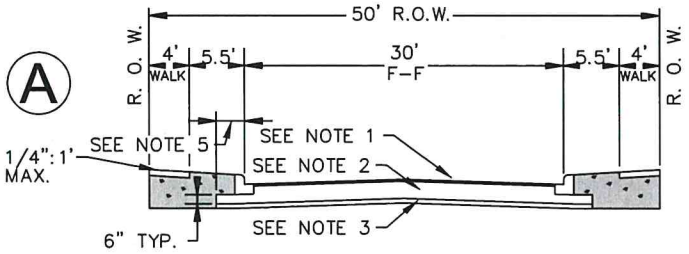


MINOR COLLECTOR - 2 LANE UNDIVIDED, SHARED BIKE LANE, 5' SIDEWALKS



MINOR COLLECTOR - 2 LANE UNDIVIDED W/ TWO-WAY LEFT-TURN LANE (TWLTL), NO BIKE LANES, 5' SIDEWALKS

LOCAL ROADWAY



LOCAL ROADWAY - 2 LANE UNDIVIDED, 4' SIDEWALKS

NOTES:

1. MINIMUM 1-1/2" TYPE "D" HOT MIX ASPHALTIC CONCRETE (HMAC) FOR LOCAL STREETS. MINIMUM 2" TYPE "D" OR "C" HMAC FOR COLLECTOR AND ARTERIAL STREETS. A MINIMUM DEPTH OF 2" IS REQUIRED FOR TYPE "C" REGARDLESS OF STREET CLASSIFICATION.
2. FLEXBASE, SHALL BE PLACED IN LIFTS NOT LESS THAN FOUR (4) INCHES AND NOT EXCEEDING SIX (6) INCHES COMPACTED DEPTH AND TO A MINIMUM 100% OF THE MAXIMUM DENSITY AS DETERMINED BY TEX-113-E. THE BASE MATERIAL SHALL BE PLACED AT OPTIMUM MOISTURE ±2%.
3. LIME STABILIZATION OR GEOGRID MAY BE USED TO REDUCE BASE MATERIAL THICKNESS WHEN PRESCRIBED BY A QUALIFIED GEOTECHNICAL REPORT.
4. COMBINED THICKNESS OF FLEXIBLE BASE COURSE, TREATED SUBGRADE OR SUBBASE SHALL BE AS REQUIRED TO SUPPORT TRAFFIC LOADS AND VOLUME ON SUBGRADE.
5. SUBGRADE/BASE SHALL BE EXTENDED 2'-0" BEHIND CURB FOR ALL STREET SECTIONS, AND SHALL BE COMPACTED.
6. SUBGRADE SHALL BE COMPACTED AND MAINTAINED AT OPTIMUM MOISTURE OR ABOVE PRIOR TO PLACING BASE MATERIAL.
7. ARTERIALS AND MAJOR COLLECTORS SHALL TYPICALLY HAVE A 1/4" PER FOOT STRAIGHT CROWN (5.5" HEIGHT). CROWN HEIGHT FOR MINOR COLLECTORS AND LOCAL ROADWAYS SHALL BE 4.5" AND 3.7", RESPECTIVELY.

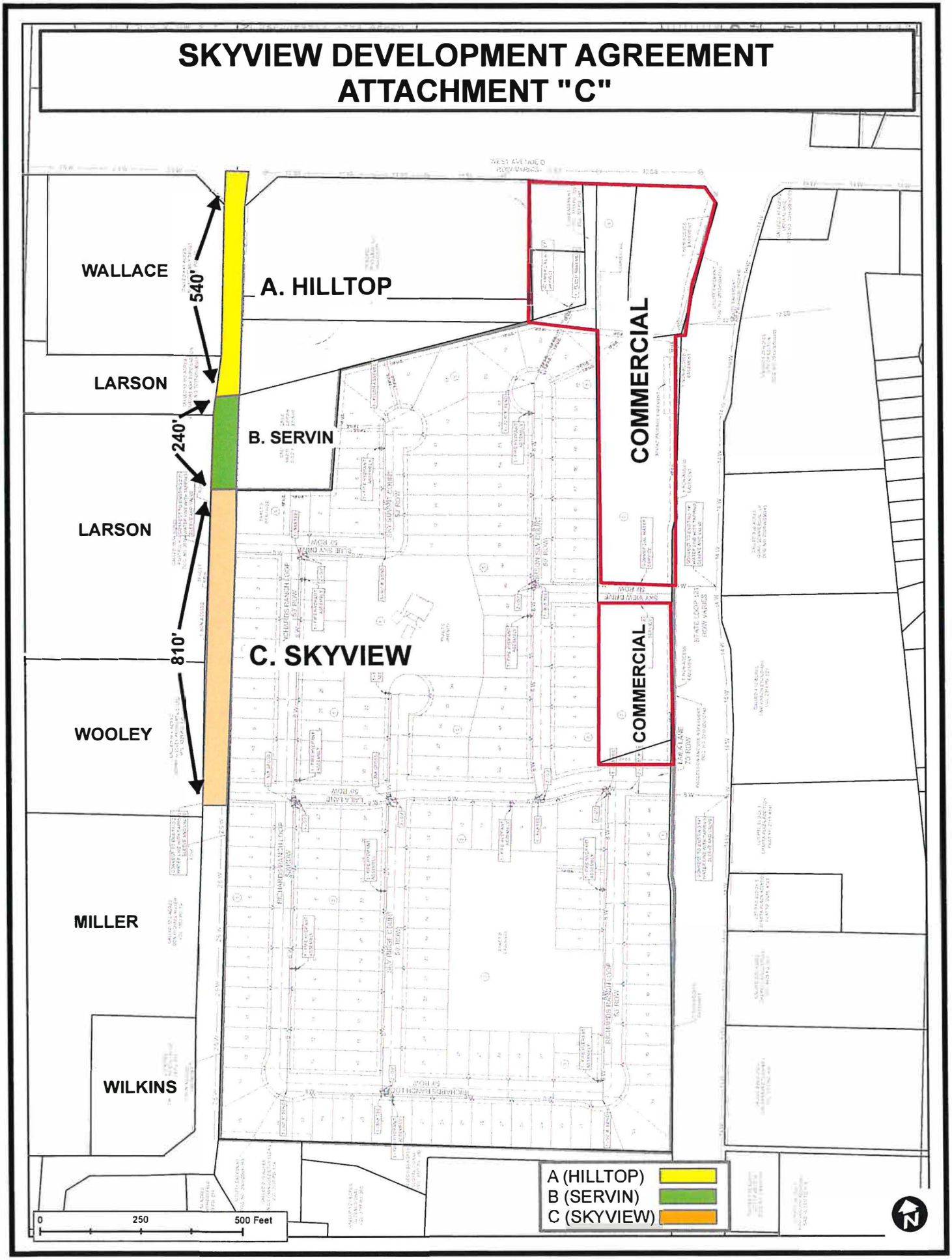
CITY OF BELTON, TEXAS
DEPARTMENT OF PUBLIC WORKS

TYPICAL SECTIONS
MINOR COLLECTOR/LOCAL ROADWAY

CONSTRUCTION STANDARDS AND DETAILS

T-05
SCALE: N.T.S.
ISSUE DATE: 5-8-18

SKYVIEW DEVELOPMENT AGREEMENT
ATTACHMENT "C"



Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: P-21-24
Request: Final Plat
Applicant/Owner: Jacob Paxton

Agenda Item #12

P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of East 24th Street and south of Mystic Meadows Drive.

Originating Department

Planning – Tina Moore, Planner

Current Zoning: Agricultural

Case Summary

This final plat proposes four large tracts for detached single family home development.

Project Analysis and Discussion

The proposed lots conform to the requirements of the Agricultural District which requires a minimum of three acres, lot width of 150', and lot depth of 300'.

Water: The applicant will extend a public water line to provide water taps to the proposed lots. Fire hydrants will be installed appropriately every 400' to meet fire code requirements.

Sewer: Due to the large size of the lot, the applicant has opted to install on-site sewerage facility. This will require review and approval by the Bell County Public Health Department.

Access: Two means of access are provided – one from Mystic Meadows Drive and a second from East 24th Avenue.

Streets: A 20' wide asphalt private access drive is proposed to provide internal circulation for the proposed lots. The proposed access drive must be compacted to withstand 75,000 pounds per fire code requirements. A compaction test will be required during construction. A public street is not required due to the low density of this development in guidance with an earlier agreement in conjunction with the City's acquisition of 85 acres for Heritage Park. Please see letter from City Manager Listi to Glenn Hodge dated May 9, 2018.

A 30’ public street dedication is being provided, connecting this tract to the Guthrie Drive. An existing 30’ dedication completes this 60’ wide access.

Drainage: The proposed lots are partially within the FEMA designated 1% annual floodplain. A minimum finish floor elevation was provided to ensure all new structures will be 18-inches above the flood level. A Floodplain Development Application will be required during building permit review for compliance with FEMA requirements.

Parkland Dedication/Fee: According to the Subdivision Ordinance Section 517, residential subdivisions are required to dedicate suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. The applicant has opted to pay a fee in lieu of dedication. Parkland fees are $200 per dwelling unit. A fee of $800 is required for the proposed development. Funds received will be used to improve Heritage Park, which is adjacent to this development.

Recommendation

At its meeting on July 19, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the final plat for the Leon River Estates.

Attachments

Final Plat Application
Final Plat
Location Map
Letter Agreement – CM List to Glenn Hodge
P&Z Minutes Excerpt

City of Belton

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

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

- ■ Preliminary Subdivision Fees due $_____
- ☐ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Date Received: 6/6 Date Due: _____ **(All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)**

Applicant: Jacob Paxton, Paxton Homes LLC Phone: 254.245.1486
Mailing Address: 6309 Flag Stone Dr. Killeen TX 76542
Email Address: paxtonhomebuilders@gmail.com

Owner: Jacob Paxton, Paxton Homes, LLC Phone: 254.245.1486
Mailing Address: ~~PO Box 170524, Austin, TX 78717~~ 6309 Flag Stone Dr Killeen TX 76542
Email Address: paxtonhomebuilders@gmail.com

Current Description of Property:
Lot: _____ Block: _____ Subdivision: _____
Acres: 50.601 Survey: Matilda Connell Survey
Abstract #: 6 Street Address: Guthrie Drive
Frontage in Feet: _____ Depth in Feet: _____

Does Zoning comply with proposed use? _____ Current Zoning: A
Name of proposed subdivision: Leon River Estates
Number of Lots: 4 Fee: $ _____

Signature of Applicant: _____ Date: 6-6-22
Signature of Owner: _____ Date: 6-6-22

NOTE: Variances to code requirements may be considered by P&ZC and City Council.

Zoning Fees:

Rezone a single lot..... $250.00
Specific Use Permit $250.00
Variance to the Zoning Ordinance..... $200.00

Subdivision Fees:

General Development Plan review..... $200.00
Admin Plat..... $200.00
Preliminary Subdivision Plat $250.00
Plus per lot $3.00
Final Subdivision Plat $250.00
Plus per lot $3.00
Preliminary One-Lot Subdivision Plat $250.00
Plus per acre..... $10.00
Final One- Lot Subdivision Plat $250.00
Plus per acre $10.00
Inspection/testing Fees: Actual costs + 10%
Placing traffic control devices and street name signs..... $250.00
Park Land Dedication, per dwelling unit.....$200.00
GIS fee (inputting subdivision, utilities, infrastructure) $25.00

** See attached checklist for items to be submitted with all plats.

FINAL PLAT
LEON RIVER ESTATES

CITY OF BELTON, BELL COUNTY, TEXAS

BEING A 50.601 ACRE TRACT OF LAND, LOCATED IN THE MATILDA CONNELL SURVEY, ABSTRACT NO. 6, BELL COUNTY, TEXAS, SAID 50.601 ACRE TRACT, BEING ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022005314, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022021086, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 13.100 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022025343, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND ALL OF THAT CERTAIN 12.501 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022029690, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS.

LOTS - 4
BLOCKS - 1
TOTAL AREA - 50.601 ACRES
RIGHT-OF-WAY DEDICATION - 0.192 ACRES
NET RESIDENTIAL AREA - 50.409

OWNER:
PARTON HOMES, LLC
PO BOX 170524
AUSTIN, TEXAS 78717

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

UTILITY NOTE:
THIS PLAT LIES IN THE CITY OF BELTON WATER AND WASTEWATER CCN'S.

ROADWAY NOTE:
A 20' WIDE ASPHALT ROADWAY SHALL BE CONSTRUCTED, OWNED, AND MAINTAINED BY THE LANDOWNERS OF THIS SUBDIVISION.

STATE OF TEXAS

COUNTY OF BELL

I/WE, PARTON HOMES, LLC, A TEXAS LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LEON RIVER ESTATES" A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

_____
BY: JACOB PARTON
FOR: PARTON HOMES, LLC, A TEXAS LIMITED LIABILITY COMPANY

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE __ DAY OF _____, 20__.

_____
NOTARY PUBLIC, STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, TRAVIS L. QUICKSALL, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF BELTON, TEXAS.

_____
TRAVIS L. QUICKSALL
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 6447

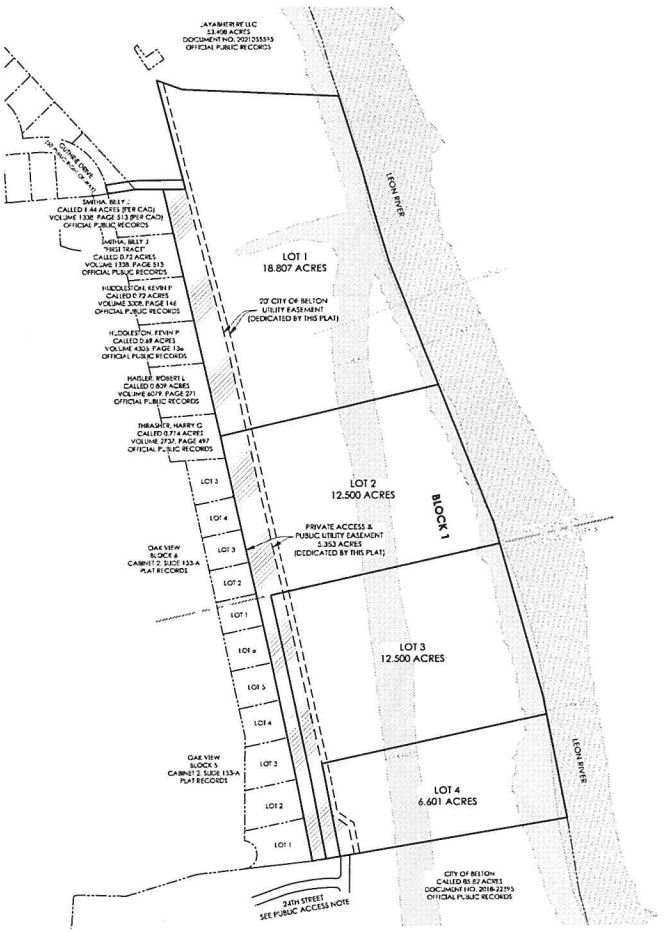
NOTES:
1) FIELD WORK PERFORMED ON MARCH 25, 2022
2) ADDRESS: GUTHRIE DRIVE, BELTON, TEXAS
3) BASIS OF BEARING: TEXAS STATE PLANE, CENTRAL ZONE, NAD83
4) THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY NORTH AMERICAN TITLE INSURANCE COMPANY, G.F. NUMBER 0025F2021017344-TO, ISSUED DATE OF DECEMBER 28, 2021, EFFECTIVE DATE OF DECEMBER 13, 2021 AND IS SUBJECT TO ALL TERMS, CONDITIONS, LEASES AND ENCUMBRANCES STIPULATED THEREIN. THERE MAY BE OTHER EASEMENTS, RESTRICTIONS, OR ENCUMBRANCES NOT SHOWN THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.

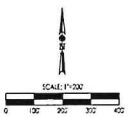
SCHEDULE B EXCEPTIONS:
10D. EASEMENTS TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 372, PAGE 196, DOES NOT APPLY, CANCELED AND SUPERCEDED BY DOCUMENT RECORDED IN VOLUME 779, PAGE 509, VOLUME 451, PAGE 169 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 600, PAGE 443 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 779, PAGE 509 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 779, PAGE 624 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 780, PAGE 481 (BLANKET TYPE, 100' WIDE TRANSMISSION EASEMENT CENTERED ON INSTALLED LINES), VOLUME 748, PAGE 581 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 792, PAGE 170 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 793, PAGE 151 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), VOLUME 870, PAGE 458 (APPLIES, WIDTH OF EASEMENT NOT SPECIFIED, SHOWN ON SURVEY) AND VOLUME 993, PAGE 403 (INSUFFICIENT EVIDENCE TO DETERMINE EXACT LOCATION, WIDTH OF EASEMENT NOT SPECIFIED), OF THE DEED RECORDS, BELL COUNTY, TEXAS. (138.33 ACRES)
10I. SEWER EASEMENT TO THE CITY OF BELTON - RECORDED IN VOLUME 1394, PAGE 218, DEED RECORDS, BELL COUNTY, TEXAS. (10' WIDE UTILITY EASEMENT, SHOWN ON PLAT)
10M. UTILITY SERVICE LINE EASEMENT TO THE CITY OF BELTON - RECORDED IN VOLUME 3629, PAGE 718, REAL PROPERTY RECORDS, BELL COUNTY, TEXAS. (3.225 ACRE UTILITY SERVICE LINE EASEMENT LOCATED, SHOWN ON PLAT)
10N. ROAD EASEMENT TO THE CITY OF BELTON - RECORDED IN DOCUMENT NO. 2018A0022396, REAL PROPERTY RECORDS, BELL COUNTY, TEXAS. (APPLIES, ACTUAL LOCATION OF THE EASEMENT IS NOT DESCRIBED BY METES AND BOUNDS. A BOXED AREA SHOWN ON SHEET 6 OF THE EASEMENT DOCUMENT SHOWS THE APPROXIMATE LOCATION AND EXTENTS.)

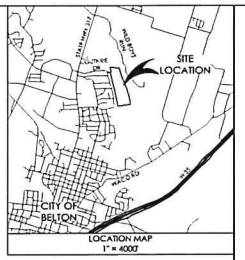
FLOOD NOTE:
ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BELL COUNTY, TEXAS, MAP NUMBER 48027C0255E, EFFECTIVE DATE SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY LIES IN ZONE "AE", WHICH IS DEFINED AS AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOOD PLAIN. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAPS IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE, OR ALL FLASH/METRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

PUBLIC ACCESS NOTE:
THIS SUBDIVISION IS TO HAVE FREE AND UNINTERRUPTED ACCESS FROM 24TH STREET AND GUTHRIE DRIVE. 0.192 ACRE TRACT IS BEING DEDICATED TO THE CITY OF BELTON FOR FUTURE RIGHT-OF-WAY, AN EXISTING ROADWAY EASEMENT IS RECORDED IN DOCUMENT NO. 2018-0005733N, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS

PRIVATE ACCESS EASEMENT:
THE PRIVATE ACCESS EASEMENT SHOWN ON THIS PLAT IS TO BE USED AND MAINTAINED BY THE LOT OWNERS OF LOTS 1-4.







BELL COUNTY
PUBLIC HEALTH DISTRICT CERTIFICATE

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMEND FOR APPROVAL.

SIGNATURE: _____
BELL COUNTY PUBLIC HEALTH DISTRICT

STATE OF TEXAS

COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF "LEON RIVER ESTATES", AN ADDITION TO THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS ____ DAY OF _____, 20___, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.

_____ _____
CHAIRMAN SECRETARY

STATE OF TEXAS

COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF "LEON RIVER ESTATES", AN ADDITION TO THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS ____ DAY OF _____, 20___, BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

_____ _____
MAYOR SECRETARY

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY BY THIS PLAT.

DATED THIS THE __ DAY OF _____, 20___

BY: _____
BELL COUNTY TAX APPRAISAL DISTRICT

STATE OF TEXAS

COUNTY OF BELL

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

WITNESS MY HAND THIS _____ DAY OF _____, 20___.

_____
CITY CLERK

RECORDATION INFORMATION:

FILED FOR RECORD THIS __ DAY OF _____, 20___,

IN YEAR _____ PLAT # _____ PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT NO. _____, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS.

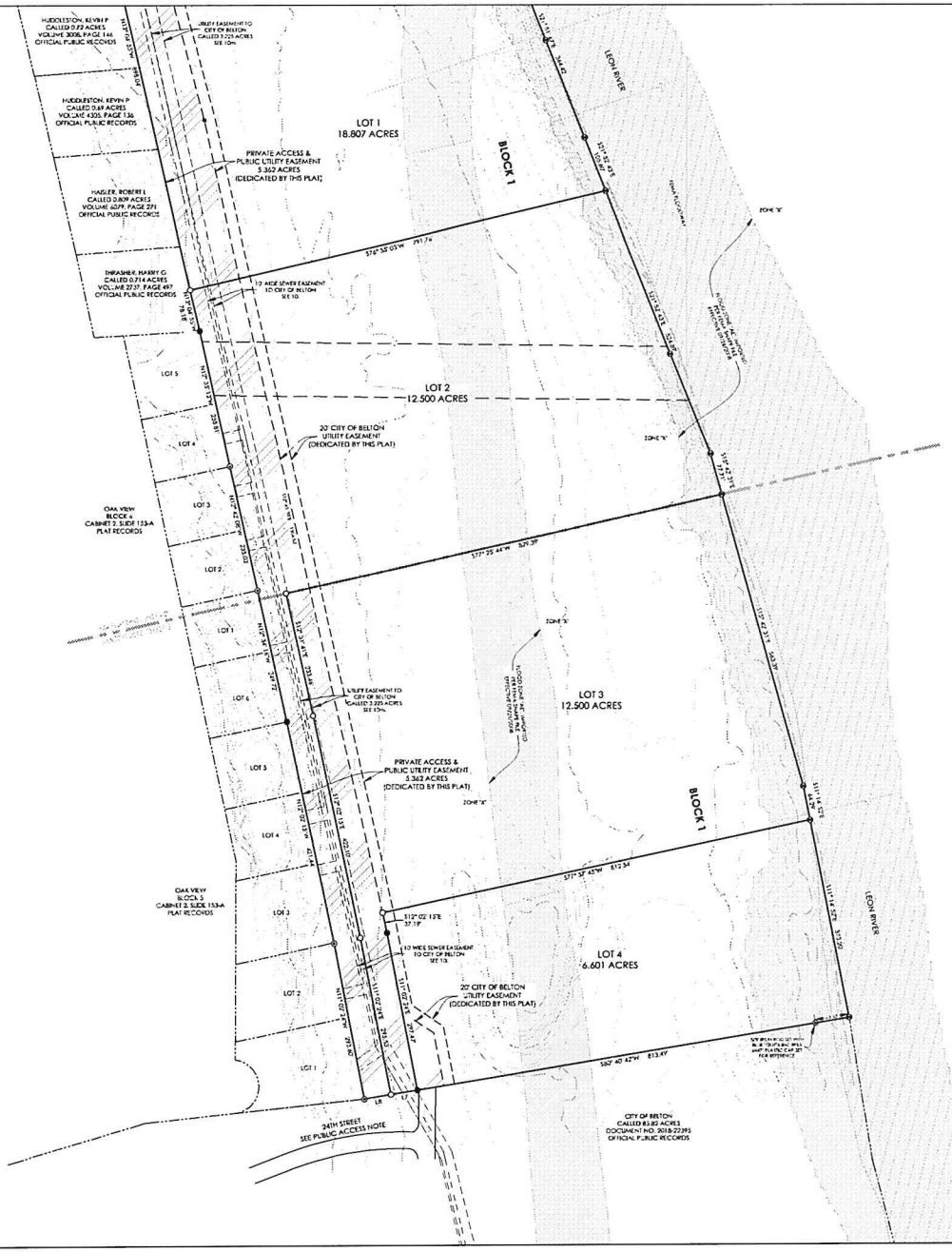
OWNER:
PARTON HOMES, LLC
PO BOX 170524
AUSTIN, TEXAS 78717

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

FINAL PLAT
LEON RIVER ESTATES
CITY OF BELTON, BELL COUNTY, TEXAS

BEING A 50.601 ACRE TRACT OF LAND, LOCATED IN THE MATILDA CONNELL SURVEY, ABSTRACT NO. 6, BELL COUNTY, TEXAS, SAID 50.601 ACRE TRACT, BEING ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022005314, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022021086, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 13.100 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022025343, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND ALL OF THAT CERTAIN 12.501 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2022029690, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS.

JOB NO.	21-2150
DATE	JULY 1, 2022
DRAWN	DH
CHECKED	TLQ
SHEET	1 OF 3



LEGEND

POB	POINT OF BEGINNING
●	1/2" IRON ROD FOUND
◎	3/8" IRON ROD FOUND
◉	1" IRON PIPE FOUND
⊕	MAG NAIL IN ROCK FOUND
⊕	CALCULATED POINT ALONG GRADIENT BOUNDARY
○	5/8 1/2" IRON ROD WITH A BLUE "QUICK INC RPLS 6417" PLASTIC CAP
⊕	COTTON SPINDLE FOUND IN ASPHALT

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N45° 19' 22"E	87.56'
L2	N69° 41' 18"E	132.67'
L3	S14° 51' 42"E	30.24'
L4	N89° 52' 23"W	177.91'
L5	S81° 27' 17"W	49.83'
L6	N11° 42' 24"W	30.21'
L7	S60° 48' 42"W	50.02'
L8	S60° 48' 42"W	59.00'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	350.00'	29.30'	4°57'35"	N60° 30' 31"E	29.29'
C2	185.00'	27.61'	8°33'55"	S65° 30' 21"W	26.99'

MINIMUM FFE ELEVATIONS SHALL BE AT LEAST 1ft ABOVE BASE FLOOD ELEVATION

2008 FEMA CONDITIONS			
BLOCK	LOT	BASE FLOOD ELEVATION	MINIMUM FINISHED FLOOR ELEVATION
1	1	497.23	498.73
1	2	496.3	496.6
1	3	496.6	497.9
1	4	496	499.5

* MINIMUM FFE ELEVATION MAY CHANGE DUE TO FINAL LOCATION OF ANY FUTURE STRUCTURES

FLOOD NOTE:
ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BELL COUNTY, TEXAS, MAP NUMBER 48027C0255E, EFFECTIVE DATE SEPTEMBER 26, 2008, A PORTION OF THIS PROPERTY LIES IN ZONE "AE", WHICH IS DEFINED AS AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOOD PLAIN. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE. OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

OWNER:
LEON RIVER HOMES, LLC
PO BOX 170374
AUSTIN, TEXAS 78717

Quick Inc.
Land Surveying, Land Planning, Consulting.
Firm: 10194104 512-915-4930
1430 N. Robertson Road, Salado, Texas 76571

FINAL PLAT
LEON RIVER ESTATES
CITY OF BELTON, BELL COUNTY, TEXAS

BEING A 50.461 ACRE TRACT OF LAND, LOCATED IN THE MATILDA O'CONNELL SURVEY, ABSTRACT NO. 6, BELL COUNTY, TEXAS, SAID 50.461 ACRE TRACT BEING ALL OF THAT CERTAIN 12.222 ACRE TRACT OF LAND, RECORDED IN DOCUMENT NO. 2020R-00035, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2020R-00036, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, ALL OF THAT CERTAIN 12.500 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2020R-00037, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, AND ALL OF THAT CERTAIN 12.567 ACRE TRACT OF LAND RECORDED IN DOCUMENT NO. 2020R-00038, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS

JOB NO.	21-2150
DATE	JULY 1, 2022
DRAWN	DH
CHECKED	TLQ
SHEET	3 OF 3

P-22-18 - LEON RIVER ESTATES

CITY OF BELTON
Planning Department

PROPOSED PLAT:
FINAL PLAT
LEON RIVER ESTATES
50.601 ACRES

PROPERTY OWNER:
PAXTON HOMES, LLC

Legend
P_22_18

Map Date: 7/12/2022

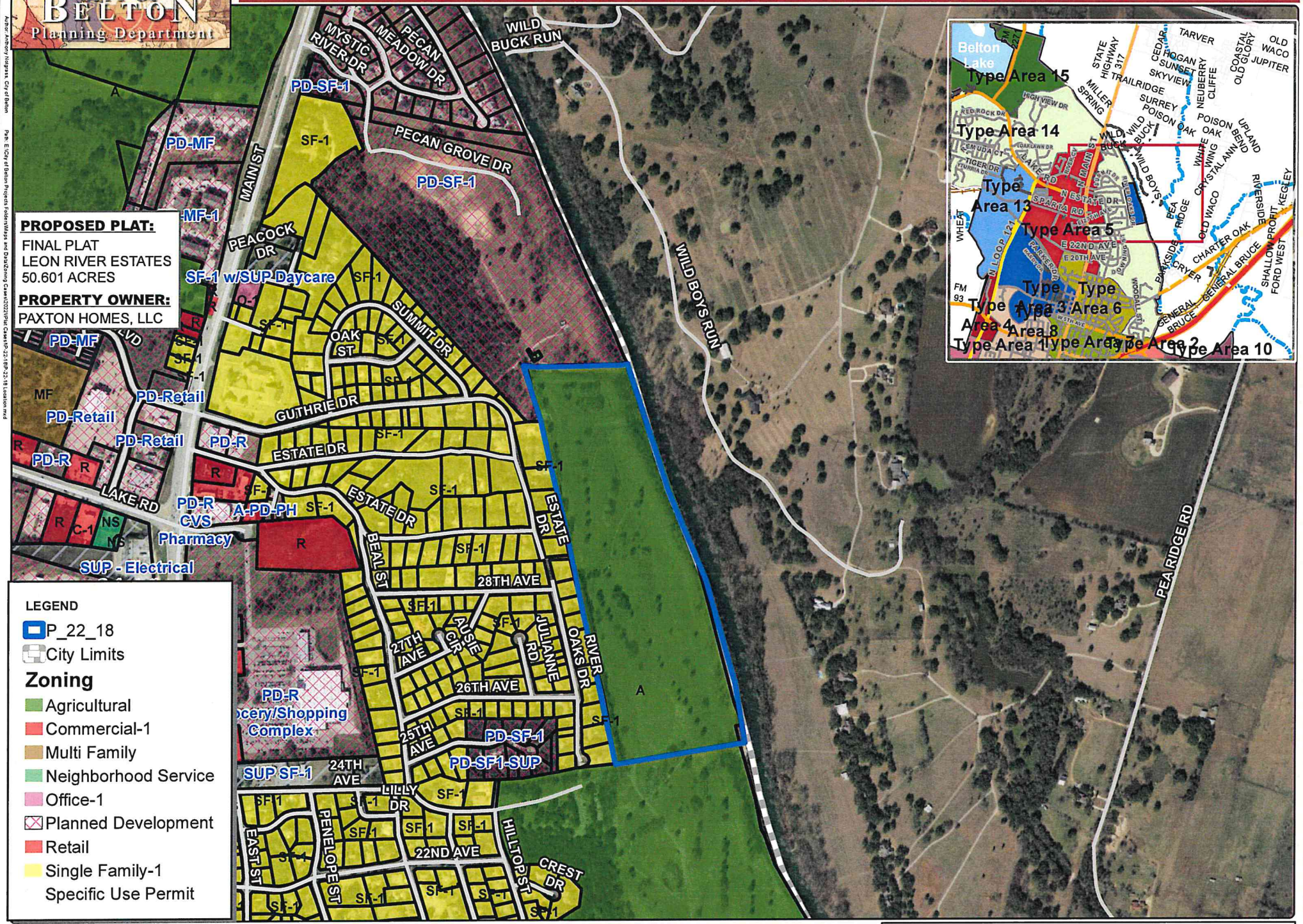
0 500 1,000 Feet

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

Author: Anthony Hodgkiss, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Plat Cases\P-22-18\P-22-18.mxd

P-22-18 LOCATION - LEON RIVER ESTATES

CITY OF BELTON
Planning Department



City of Belton

– Founded 1850 –

May 9, 2018

Gated River One, LLC
c/o Glenn Hodge
First Texas Brokerage Company
P.O. Box 297
80 South Main Street
Salado, Texas 76571

Dear Glenn:

This letter is to confirm Condition Number 3 in Exhibit A, attached to the contract for the sale of 84.25 acres from Gated River One, LLC, to the City of Belton, for the expansion of Belton's Heritage Park:

1. So long as the Seller's remainder tract out of its original 138.53 acres is divided into ten lots or less, Seller will not be required to construct a roadway through such tract as would otherwise be required pursuant to Buyer's Thoroughfare Plan.

2. Seller is in no way bound by the said Thoroughfare Plan as to its tract to the north of the remainder tract described in sub-paragraph (1) above, and said tract also described in Document No. 2007-00023757 of the Official Public Records of Real Property of Bell County, Texas.

If you need any further clarification, please let me know.

Sincerely,

Sam A. Listi

Sam A. Listi
City Manager

333 Water Street ★ P.O. Box 120 ★ Belton, Texas 76513 ★ Phone (254) 933-5818 ★ Fax (254) 933-5822

Exhibit "A"

1) Prior to June 1, 2021, Buyer agrees to design and complete construction of a street which will connect the existing East 24th Street and/or Hilltop Street to the south boundary of Seller's remaining property adjoining the tract which is the subject of this contract.

2) Seller agrees to convey to Buyer a public right-of-way which will connect Seller's remainder tract of its original 138.53 acres, to Guthrie Drive/Estate Drive through Seller's various tracts, as follows:

    a. Right of way across all of the following roadways shown on Seller's Final Plat of Mystic River, Phase Three, submitted to the City of Belton on May 2, 2018, a copy of which is attached hereto described as C3.1:
        i. Mystic Meadow Drive;
        ii. Leon Valley Drive; and
        iii. Pecan Valley Drive.

    b. Seller or its assigns, the owner of the property of the approximate 58 acre tract currently known as proposed Mystic River Phase III, will have the option to connect the approximate 58 acres to Guthrie Drive/Estate Drive as provided in 2 a. above.

3) Buyer will provide to the Seller a letter from its City Manager stating in principle the following:

    a. So long as the Seller's remainder tract out of its original 138.53 acres is divided into ten lots or less, Seller will not be required to construct a roadway through such tract as would otherwise be required pursuant to Buyer's Thoroughfare Plan.

    b. Seller is in no way bound by the said Thoroughfare Plan as to its tract to the north of the remainder tract described in sub-paragraph (a.) above, said tract also described in Document No. 2007-00023757 of the Official Public Records of Real Property of Bell County, Texas.

4) Buyer shall have an absolute Right of First Refusal to match any legitimate contract offer for the purchase of the reminder of Sellers 138.53-acre tract. The Right of First Refusal shall remain in effect until June 1, 2021. Buyer shall notify Seller within 14 days of Buyer's notice of a legitimate contract offer and must close the transaction within sixty days of said notice.

5) Seller agrees that in conjunction with the sale of the property which is the subject of this contract, it will also convey sixty percent (60%) of Seller's water rights tied to Seller's 138.53 tract, including but not limited to surface water rights, Leon River Water Rights and other water rights connected to said tract.

6) Glenn Hodge is a licensed Real Estate agent and part of the principal of this contract.

THESE PROVISIONS OF THE CONTRACT WILL SURVIVE CLOSING.

SAL

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, July 19, 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, Vice Chair Dave Covington, Dave Jarratt, Nicole Fisher, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. Commission member Joshua Knowles was absent. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, and IT Specialist Alex Munger.

9. P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of East 24th Street and south of Mystic Meadows Drive.

Commission Member Quinton Locklin recused himself from this agenda item.

Staff Planner Ms. Moore presented the staff report.

Staff addressed questions from the commission.

Vice Chair Covington made a motion to approve P-22-18 as recommended by Staff. Commission Member Jarratt seconded the motion. The motion was approved with 8 ayes, 0 nays.

Staff Report – City Council Agenda Item

Date: July 26, 2022
Case No.: H-22-02
Request: Demolish and reconstruct façade and two-story addition
Applicant: Roman C. Esparza
Address: 206 E. Central Ave

Agenda Item #13

H-22-02 Consider an appeal of the decision by the Historic Preservation Commission for a Certificate of Appropriateness (COA) to demolish the primary façade, construct a new façade, and build a two-story addition at 206 E. Central Avenue, located in the Downtown Belton Commercial Historic District, on the north side of E. Central Avenue, west of N. Penelope Street and east of N. East Street.

Originating Department

Planning – Tina Moore, Planner/HPO

Case Summary

The applicant, Roman Esparza, is appealing the June 23, 2022, decision of the Historic Preservation Commission for disapproval of this project.

The applicant submitted this request to demolish and reconstruct the front façade and construct a two-story addition. This is referred to as an addition to the existing one-story building which is not proposed for a complete demolition, and which will result in a three-story building.

The item was previously presented to the Historic Preservation Commission in April for consideration and was tabled to allow a more detailed structural review to be conducted by a City hired Structural Engineer.

Historic District

Downtown Belton Commercial Historic District

Background

This property is in the Downtown Belton Commercial Historic District and the National Register Belton Commercial Historic District. The Downtown Belton Commercial Historic

District is bounded by 2nd Avenue on the north; Nolan Creek on the south; N. Pearl Street on the west; and S. Penelope on the east. The district contains an excellent range of buildings constructed between 1870 and 1959. Nearly half of the buildings in this district are Contributing historic structures. Most of the buildings that are Non-Contributing have been classified that way due to inappropriate alterations that have covered or removed historic building materials and details.

According to the 2012 City of Belton Historic Resources Survey, this building, described as a one-part commercial block with a brick exterior, is a Non-Contributing building with a low priority type. The survey indicates the street level façade was severely altered. A previous COA was issued in July 2021 to remove a Non-Contributing awning and restore the transom windows with repairs or in-kind replacement. While the awning has since been removed, the transom windows have not been restored.

The applicant provided a history of this location through Sanborn Fire Insurance maps documenting the various structures that previously occupied this site. The first evidence of the building was in 1881, which depicts a vacant wooden structure. In 1891, the building was converted to brick with a stone wall on the west side. By 1912, only the north and south walls were constructed as brick while the east and west were constructed with stone. The last available map of 1921 identifies no changes to the building construction since 1912. The history mentions fire damage in 1928 and 1936 at an adjacent eastern property and possibly at this site based on the location of the bank on Central Avenue.

Findings

This property was purchased by the applicant last year to use for his real estate business. This application is seeking approval for the following:

1. Demolish the south wall (primary façade) and possibly also the north wall.
2. Construct a new façade and add a two-story addition to the existing one story with steel balconies on both levels.

Proposal Evaluation

Staff consulted with Historic Preservation Consultant, Stephanie McDougal, of McDoux Preservation LLC, for assistance on reviewing the first commercial demolition request since the adoption of the Historic Preservation Ordinance (2012-18). Demolition is defined as the “complete or partial removal of a building, structure, object or site.”

An updated evaluation of the building has determined this to be a Contributing building due to recent guidance from the Texas Historic Commission regarding historic storefronts with modifications. The updated guidelines recognize historic storefront changes over time, but these modifications do not disqualify the property from being a contributing property nor ineligible for National Register of Historic Places. The upper parapet and transom windows are both character defining features that contributed to the reclassification of the property.

The overall determination is that the applicant has not provided significant evidence of damage or instability to demolish the existing contributing façade. The applicant provided letters to support the request, which were addressed by Ms. McDougal as follows:

1. A letter written by Andrew Turnbo of Hill Country Preservation assessed the replacement of the transom window and cleaning existing paint from the street level brick façade. A previous COA allowed the transom windows to be replaced in-kind with similar material; therefore, allowing new windows to be fabricated to replicate the original windows with similar construction materials. No evidence was provided indicating the windows could not be replicated. The storefront brick walls were previously painted, and the applicant proposed restoring the bricks to its original state. Historic practices allow previously painted bricks to remain by cleaning and repainting without having to restore them to their original condition. No evidence was provided of structural damages or instability of the brick to support demolishing the brick. Mr. Turnbo states the upper half of the storefront, transom windows and parapet walls, are the only salvageable portion of the building which supports these character-defining features as repairable.

2. Structural Engineer Thomas Kam, P.E., TK Consultant Engineer, provided a letter stating the *possibility* of damage to a lintel over the storefront due to the age, corrosion, and absence of galvanizing. The letter further states the condition of an embedded steel member supporting the masonry is unknown; therefore, his findings support new construction to properly reinforce the building. This letter appears to be a professional opinion without technical or supporting documentation – i.e. engineering report, drawing, photographs, or details about the structural investigation conducted.

Ms. McDougal recommended a two-story addition with the preservation of the historic façade. This optional redevelopment includes setting the new addition back from the original facade to differentiate it from the historic building. The applicant can provide supporting structures to support the weight of the new construction and provide an attractive new addition similar to Oak Fire Pizza, which preserved the historic structure before adding the vertical addition.

Ms. McDougal provided recommendations of structural engineers, who are experienced with historic preservation, for a second opinion on the structural integrity of the building. The City reached out to both firms for cost estimates and timelines to evaluate the feasibility of an alternative structural report. Both firms were unable to conduct a site evaluation of the property; however, Gordon Sheppard, Principal Engineer for Apollo BBC, was able to view photos, provided by the applicant, and noted that “there’s nothing that doesn’t appear to be intact or readily repairable.” Staff also contacted Certified Local Government cities for recommendations of other structural engineers. Several engineers were contacted but were unavailable to conduct a site review.

At this juncture, the applicant requests that a decision be made and requests the Council's acceptance of the professional opinion provided by his Structural Engineer stating structural instability and extent of work needed to stabilize the building is not economically feasible.

Demolition Criteria

In determining whether to issue a COA for demolition, the Council, should consider the following criteria:

1. The uniqueness of the property as a representative type or style or architecture, historic association, or other element of the original designation criteria applicable to such structure or tract.

2. The condition of the property from the standpoint of structural integrity or the extent of work necessary to stabilize the property.

3. The economically viable alternatives available to the demolition applicant including:

    a. Donation of a part of the value of the subject structure or site to a public or nonprofit agency, including the conveyance of the development rights and façade easement.
    b. The possibility of sale of the property, or any part thereof, to a prospective purchaser capable of preserving such property.
    c. The potential of the property for renovation and its potential for continued use.
    d. The potential of the property for rezoning in an effort to render such property more compatible with the physical potential of the property. The ability of the property to produce a reasonable economic return on investment for its owner; provided, however, that this factor shall not have exclusive control and effect but shall be considered along with other criteria contained in this section.

Recommendation

Staff was unable to find a structural engineer available to provide an on-site evaluation of the structural integrity of this property. Our consultant historian, Stephanie McDougal, has indicated that the building can be repaired or replaced in kind. At its meeting on June 23, 2022, the HPC voted unanimously to recommend disapproval of the request to demolish the primary façade of the building as demolition does not reflect the goals of preservation. Staff doesn't have a strong basis on which to disagree with the HPC.

Attachments

Letter appealing HPC decision
COA with proposed new façade and addition
Current picture of property
New information – Applicants rebuttal to Ms. McDougal's email
New information – Gordon Sheppard's email to Ms. McDougal

Previous Information - Email from Stephanie McDougal, City's Historic Preservation Consultant; and applicant's submittal
Location Map
COA notice to owners – April's Meeting
COA notices to owner – June's Meeting
Previous information – Sanborn Historic Overlook of property
HPC Minutes Excerpt

July 6, 2022

Dear Honorable Mayor and Members of City Council,

I am writing to express my desire to appeal the June 22, 2022, decision of the Historic Preservation Commission (HPC) to replace the structurally unsound façade
on my building located at 206 E Central Avenue.

After many successful years of business in the Austin MSA, I purchased the building at 206 E Central Avenue in May of 2021**,** intending to relocate my Real Estate brokerage office to Belton. Not only was I drawn to Belton by the growth being experienced in Central Texas but also by the beauty, charm, and history the City has to offer. The proposed plans for my building add two additional floors and replaces the existing façade with native limestone, as seen on many other historic buildings in the area. I believe the proposed project for my building would be a great addition to the City of Belton because it will eliminate the instability of the current façade, decrease the number of vacant buildings in the historic downtown district, and increase the tax revenue.

I have attached the proposed building design and the building in its current state for your interest.

Thank you for your time and consideration.

Kind Regards,

Roman C. Esparza


EVERY
DETAIL
MATTERS!
COMING TO
DOWNTOWN
BELTON
ANTHONY SMITH
LAW OFFICE
(254) 933-2400
206



(1)

Certificate of Appropriateness Application
Historic Preservation Commission

Applicant contact information

Name: Roman C. Esparza

Address: 2006 River Run Rd. Belton Tx 76513

Phone: 512-745-7777 Fax: _____ Email: Roman@RealtyExecutives.com

Role: ☑ Owner ☐ Architect/contractor ☐ Other: _____

Property Address: 206 E. Central Ave. Belton Tx. 76513

1. In the space below, briefly describe the work proposed *(use separate page(s) if necessary).*

2. Please refer to the attachment checklist for additional materials necessary to evaluate the proposed work.

Description of proposed work:

Due to research, quotes, Saftey concerns and structural concerns, we believe a new construction facade ~~to be~~ is more appropriate. We intend to replace the existing facade with a rustic limestone facade that is more reminiscent of circa 1890-1910.

Signature _____ Date 1/3/22

Submit this form and all necessary attachments (see checklist) at least 14 days before the Historic Preservation Commission meeting to the City of Belton Planning Department, 333 Water Street, P.O. Box 120, Belton, Texas 76513; ph. 254-933-5812.

- We are keeping the interior stone walls. (E&W)
- Demo south wall (facade)
- Attempt to keep the north wall, contingent upon foundation repair.
- There will be a two and a half story steel structure
- Steel staircase
- Plans for the Elevator are attached.
- Facade will be replaced with a more historic limestone circa 1900's
- The 2nd story balcony will be made from steel.
- the 3rd story balcony will be made from steel
- Three doors at the front on first and second floor with arched transom windows
- 1st floor Refinished original hardwood floors
- New slab foundation




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BELTON
ANTHONY SMITH
LAW OFFICE
(254) 933-2400
206

(3)

TK CONSULTING ENGINEERS
7621 SPICEWOOD SPRINGS ROAD
AUSTIN, TEXAS 78759
512-219-1574
tom@tkaustin.com

Roman Esparza May 28, 2022

Re: 206 East Central Ave, Belton, Texas / TK #21109

Dear Roman,

I have received an e mail dated May 27, 2022 from Tina Moore with the City of Belton related to this property. Enclosed in Tina's e mail is a report on the evaluation of a concrete stand pipe with the sole purpose to keep it solely as an Architectural Element and not a functioning structure.

Based on the limited information in the report, the standpipe is currently not suitable for use as a water storage and there is insufficient information in the report to determine if the element can even be repaired in order for it to be reused as a water storage element.

Based on my multiple site visits and the partial demolition to date, I have confirmed that due to a combination of fire, age, and corrosion, the existing store front on your property is no longer safe. Given the embedment of the steel assembly within the masonry, the only solution for the storefront is complete removal and replacement. Given the type of mortar and brick, this masonry can not be salvaged and reused. It will require complete replacement.

From the Belton Historic Panel meeting in April, it is my understanding the City of Belton was going to hire a structural consultant to provide the panel with a second opinion on the storefront. From my perspective, this will be a waste of valuable municipal assets as any investigation will recreate the same result that the only repair for the existing store front is complete removal and replacement.

I have also received a copy of an email from Steph McDougal to Tina Moore, dated March 28, 2022 that comments on my initial report and experience. I have the following response to this email:

1] Steph McDougal refers to me as Thomas Lam which is incorrect.

2] Steph McDougal claims that I do not have Historic Building Experience. This is inaccurate. I was the Project Engineer or Engineer of Record for the restoration of the Tarrant County Courthouse, the Williamson County Courthouse, the Lee County Courthouse, the Burnet County Courthouse and the Mills County Courthouse. In addition, I have evaluated and assisted in reconstruction or renovations of numerous mid to late 19th and early 20th century Mercantile and Residential projects in Austin, Belton, Temple, Dallas, San Marcos, Georgetown, Granger, Moody, Waco, and Pilot Point, Texas. I have just been employed to evaluate the 1929 San Antonio Express News Building in San Antonio recently purchased by a group of Austin Investors. Any representation that I am not qualified to evaluate your building is completely inaccurate.

3] Steph McDougal also claimed that the lintel is in "*fairly good shape and any damage or deflection in the lintel could simply be repaired*". I challenge Steph McDougal on how this steel assemble can be repaired and the deflection removed without completely removing the masonry which completely encapsulates it.

4] Steph McDougal does go on to recommend that the City of Belton hire another Engineer to provide the City with the second opinion. I have no issue with this other than it will be a waste of City funds as the result will be the same that complete removal and replacement of the store front will be required.

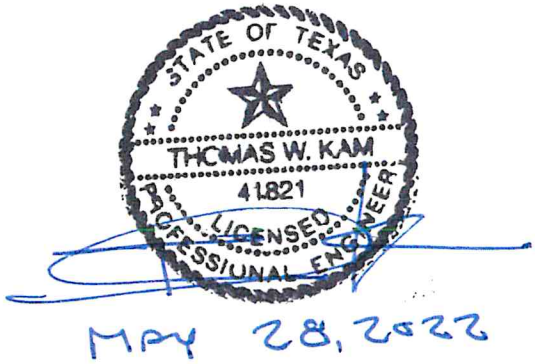
.

My recommendation remains the same, that the store front be removed and replaced as soon as possible. Further investigation and the expense of temporary shoring will be a waste of assets that could be used toward the new construction.

Please call if you have any questions.

Sincerely,

Thomas W. Kam P.E.



MAY 28, 2022

(4)

Tina Moore

From: Steph McDougal <Steph.mcdougal@mcdoux.com>
Sent: Monday, June 6, 2022 3:25 PM
To: Tina Moore; Bob Van Til
Subject: FW: 206 E. Central, Belton TX

FYI

--
Steph McDougal *(she/her)*
Principal Consultant
MCDOUX PRESERVATION LLC
(o) 833-623-7737 (833-MCD-PRES) ext. 1
(m) 281-755-2144
Making life easier for preservation people since 2007

From: GShepperd <gshepperd@apollobbc.com>
Date: Monday, June 6, 2022 at 2:12 PM
To: Steph McDougal <steph.mcdougal@mcdoux.com>
Subject: Re: 206 E. Central, Belton TX

Hi Steph,

Sorry for the delay on this - After reviewing the photos, there's nothing that doesn't appear intact or readily repairable to me.

Thanks,

Gordon

Gordon Shepperd, PE, RRC
Principal

Apollo BBC
Better Building Consultants

713.869.0000
15710 John F. Kennedy Blvd., Suite 260
Houston, Texas 77032
www.apollobbc.com

On May 17, 2022, at 9:01 AM, Steph McDougal <steph.mcdougal@mcdoux.com> wrote:

Thanks for taking a look at this. Please bill me for your time so I can pass along that cost to the City of Belton.

5

Tina Moore

From: Steph McDougal <Steph.mcdougal@mcdoux.com>
Sent: Monday, March 28, 2022 11:23 AM
To: Tina Moore
Cc: Bob Van Til
Subject: Re: 206 N. Central Ave - New facade and vertical addition

Tina,

Sorry for the delay, and thanks for your patience.

As I'm sure you've already determined, the owner is requesting to essentially demolish the existing building. From a procedural standpoint, the application may have to be denied if your ordinance or zoning code defines demolition by a percentage of the building to be removed. If this is not dealt with in the ordinance or zoning code, I would be very concerned about the precedent to be set by this case.

Now for the application itself.

First, 206 E. Central Ave. was listed as noncontributing in the 2012 historic resources survey, due to the alterations to the storefront. However, more recently we have received updated guidance from the Texas Historical Commission regarding the evaluation of historic storefronts with this sort of modification, and I believe this would be classified as Contributing if the survey were to be conducted today, based on the uncompromised presence of the upper parapet and transom window, both of which are character-defining features of this building.

I see that Mr. Esparza previously (in July 2021) applied for a COA to restore the original transom windows, remove stucco and paint from the brick façade, and make appropriate repairs to the façade. The staff report indicates that a Façade Improvement Grant was recommended for approval to help pay for that work, and Mr. Turnbo was listed as the proposed contractor. At that time, Mr. Turnbo had proposed to construct a new window for placement into the existing casing. The shingle awning that had previously covered the transom window had been removed at that time.

Today, it appears Mr. Turnbo is claiming that the work he proposed to complete successfully eight months ago is now no longer possible. I think we all recognize that things change during the course of construction projects; I reviewed Mr. Turnbo's letter to learn what he believed had changed, but he does not address that.

I do not agree with any of his conclusions, each of which I will address here.

- First, if a building is already painted, you do not have to return it to its original condition – while you can remove the paint using safe and proven-effective methods that will not damage the brick, you could also clean and then repaint the brick, leaving the unpainted masonry alone. While Mr. Turnbo serves on the Bell County Historical Commission and the Killeen Historic Preservation Board, I am not sure what his background is or how he is qualified are to evaluate historic building materials and construction. No qualified preservation professional would ever recommend disassembling an entire brick façade and flipping the bricks around as "the only potential solution" for paint removal. I am concerned that he is apparently unaware of other, commonly utilized and well-known options.
- Second, I don't know why he felt he had to remove the transom window in order to evaluate its condition, since the July 2021 COA application already proposed replacing the window with new framing. However, I can provide the names of three professional historic window restorers Red River Restoration, Leeds Clark, and Gary Cernoch) who would be able to give you a better idea of its condition, as well as the cost to either repair it or replace it in-kind. If Mr. Turnbo has disposed of the historic window, any of those craftspeople should be able to replicate it based on existing photographs and inspection of the opening.

- Mr. Turnbo notes that "the window and door at ground level are modern and provide no historic value." The storefront appears to have been replaced in the 1980s, but preservation professionals expect that storefronts may have been changed over time, and that does not render a historic commercial building noncontributing to a historic district or ineligible for the National Register of Historic Places. The brick parapet and transom windows are historically significant and their historic value is not diminished by the presence of the modern storefront.
- Finally, Mr. Turnbo states that "the only salvageable portion of the façade is the parapet wall masonry which can be easily salvaged." The historic upper half of the façade, consisting of the parapet and transom window, is clearly repairable, and the brick appears to be in good condition. Mr. Turnbo's statement that 2/3 of the façade is "not historically significant and damaged beyond restoration or repair" appears to be factually inaccurate and, again, is not supported by data or evidence.

Moving on to the letter from Thomas Lam, P.E.: TK Consulting Engineers does not appear to have any experience with historic buildings – their projects list is entirely made up of new construction or additions. The engineer's letter provides no technical information supporting a determination of damage or instability. In situations like this, you should be provided with an engineering report, including drawings, photographs, and details about the structural investigation that the engineer conducted, not a one-page letter speculating on the possible condition of a steel lintel which is hidden behind brick masonry with no evidence of bowing, corrosion, or deflection. I see nothing in the photograph or the information provided by the engineer that justifies the demolition of the historic façade of this building. In fact, it appears to be in fairly good shape and any damage or deflection in the lintel could simply be repaired.

It is not uncommon for applicants to ask the members of their design teams to provide letters stating that a historic building cannot be salvaged and that it is beyond repair. That is, of course, in the best interest of the engineer and the contractor – in this case, Mr. Lam and Mr. Turnbo. The City would benefit, in this case, from bringing in an independent party to provide a second opinion based on a thorough evaluation. I would request a second opinion from a structural engineer qualified to work on historic buildings, such as Gordon Shepperd, P.E., at Apollo BBC or Patrick Sparks, P.E., at Sparks Engineering. Either of these gentlemen could speak to Mr. Turnbo's claims as well.

Now turning to the proposed new construction. Best practices in building additional stories over a historic building generally require the new construction to be substantially stepped back so that the historic façade is not impacted and the new construction is clearly differentiated from the historic building. If the owner were to preserve the historic facade and add a stepped-back second and third story, with balconies also at least several feet behind the historic facade, the effect would be attractive and preserve the rhythm of the streetscape. (I am looking for an example to send to you and hope to have that for you ASAP.) The owner can still have the limestone face and full-width balconies on upper floors while preserving the historic façade; he would lose a bit of floor space, though. I think that would be the best solution in this case, and it would certainly meet the spirit and intent of the historic preservation ordinance while meeting the additional development potential of the site.

I hope that's helpful! Please let me know if you have any questions.

Best,
Steph

--
Steph McDougal *(she/her)*
Principal Consultant
MCDOUX PRESERVATION LLC
(o) 833-623-7737 (833-MCD-PRES) ext. 1
(m) 281-755-2144
Making life easier for preservation people since 2007

From: Tina Moore <TMoore@BeltonTexas.Gov>
Date: Thursday, March 24, 2022 at 10:22 AM

TK CONSULTING ENGINEERS
7621 SPICEWOOD SPRINGS ROAD
AUSTIN, TEXAS 78759
512-219-1574
tom@tkaustin.com

Roman Esparza

December 11, 2021

Re: 206 East Central Ave, Belton, Texas / TK #21109

Dear Roman,

This correspondence is a summary of my evaluation of and recommendation for the existing masonry front facade for this building.

The facade is a multi wythe, unreinforced masonry wall, perforated for the storefront. The lintel over the storefront is a concealed embedded steel member with a steel plate below, supporting the masonry. The condition of the embedded steel member is unknown at this time. Given the age and the absence of galvanizing, it is probable that that the concealed steel has corroded and the lintel may be unsafe at this time.

As the new superstructure to be constructed behind the store front will have a 100 year plus lifetime, I strongly recommend that the existing storefront be removed and reconstructed as a properly reinforced masonry wall that will match the life of the new construction and bring it up to current the current building code. Matching the relatively simple style of the existing is an easy task.

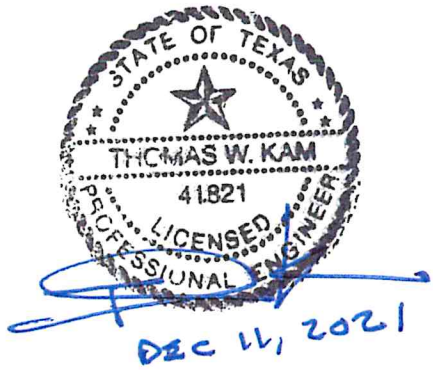
There is an awkward pilaster on the west side of this existing store front which can be addressed with the new store front.

Making the new store front a two story facade will also provide a more compatible blend between the current one and three story properties each side of this building.

Please call if you have any questions.

Sincerely,

Thomas W. Kam P.E.



206 East Central Avenue

Belton, TX 76513
Contact: Roman
512.745.7777

Hill Country Preservation
Contact: Andrew Turnbo
turnbo@me.com
254.251.6355



This report is to examine the ability and value of restoring the facade on 206 East Central Avenue. For the past several months, Hill Country Preservation has been working to expose, save, and refurbish all historic surfaces and materials. The owner of the building has gone to great lengths to bring experienced people in and has demanded the highest level of diligence during the entire process; especially regarding anything with historic significance. The building has been emptied, all materials stored off site for future use, and the ground below has been delicately excavated revealing several artifacts, some over a century old. All artifacts have been saved for restoration and display. These items have been matched with extensive research and have helped develop a time line to understand the building's history.



Recently samples were done to remove the paint from the brick facade. After testing with several different techniques, we have found that the texture of the brick and the integrity of the paint will make it nearly impossible to restore to its original state without causing severe damage. The only potential solution would be to remove the brick and flip it outward; if the brick is determined to be double sided. There is also a brick pillar on the west side of the facade that is from a different building and serves no historic purpose relevant to the existing building.

In addition to sampling the brick, we have removed the transom window and believe it will be difficult to restore using the original materials due to its poor condition. At some point the window was wrapped in metal in an attempt to protect it; an ineffective method that traps moisture in and causes more damage. A new window will more than likely need to be fabricated. The glass will either need to be replaced or welded into a stained glass frame due to all the breakage.

The window and door at ground level are modern and provide no historic value. The only salvageable portion of the facade is the parapet wall masonry which can easily be salvaged. With all of these considerations, we have determined that more than two thirds of the facade is not historically significant and damaged beyond restoration or repair.

HPC CASE # H-22-02 AERIAL

CITY OF BELTON
Planning Department

Author: Anthony Hodgkiss, City of Belton
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Historic Cases\H-22-02\H-22-02 Aerial.mxd

REQUEST:
SEE APPLICATION

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 005, LOT PT 4, (S 99' OF E 22' OF 4), ACRES .0505

PROPERTY OWNER:
ESPARZA, ROMAN C.

ADDRESS/LOCATION:
206 E Central Ave

E 1ST AVE
N EAST ST
N PENELOPE ST
E CENTRAL AVE
S EAST ST
S PENELOPE ST

Legend
- H_22_02
- Tax Appraisal Parcels

Map Date: 2/18/2022

0 25 50 100 Feet

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

HPC CASE # H-22-02

CITY OF BELTON
Planning Department

Author: Anthony Hodgess, City of Belton

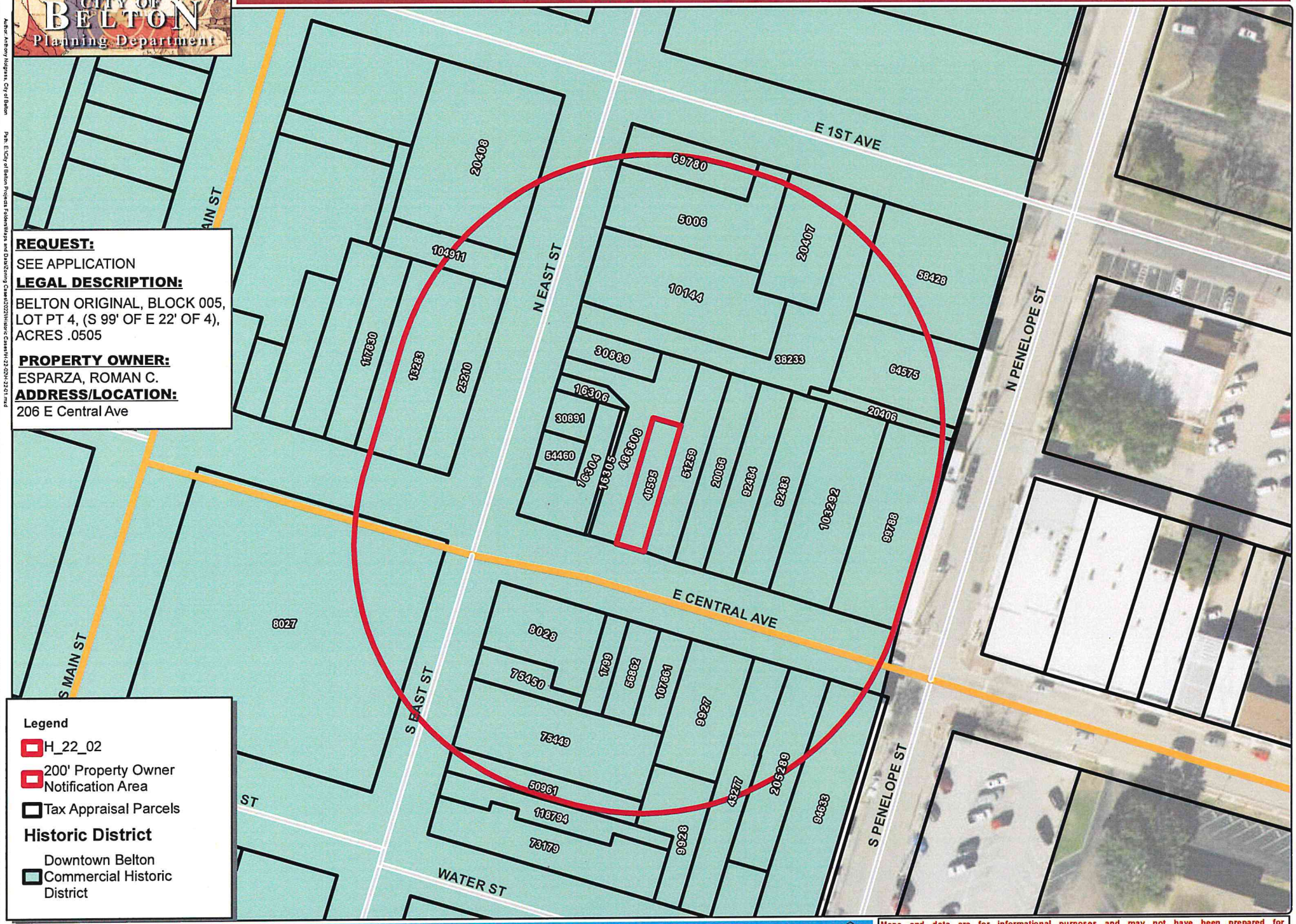
Path: E:\City of Belton Projects Folders\Maps and Data\Zoning Cases\2022\Historic Cases\H-22-02\H-22-01.mxd

REQUEST:
SEE APPLICATION

LEGAL DESCRIPTION:
BELTON ORIGINAL, BLOCK 005, LOT PT 4, (S 99' OF E 22' OF 4), ACRES .0505

PROPERTY OWNER:
ESPARZA, ROMAN C.

ADDRESS/LOCATION:
206 E Central Ave



Legend
- H_22_02
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

Historic District
- Downtown Belton Commercial Historic District

Map Date: 2/18/2022

0 50 100 200 Feet

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

NOTICE OF APPLICATION
FOR A
CERTIFICATE OF APPROPRIATENESS REQUEST
IN THE
CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: ROMAN ESPARZA
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 206 E. CENTRAL AVE
LOCATED IN THE DOWNTOWN BELTON COMMERCIAL HISTORIC DISTRICT,
FOR DEMO AND REPLACEMENT OF FRONT FAÇADE AND ADDITION.

THE HISTORIC PRESERVATION COMMISSION WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:00 P.M., Thursday, April 7, 2022,** IN THE WRIGHT ROOM, AT THE T.B. HARRIS CENTER, 401 NORTH ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT PLANNER AND HISTORIC PRESERVATION OFFICER, TINA MOORE AT 254-933-5891.

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 REQUEST PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. Demo and replacement of front facade will enhance the appearance of Downtown Belton.
2. An addition will also improve appearance and expand area to be utilized.
3. _____

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

DATE: March 30, 2022 SIGNATURE: Nancy Boston

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

8028
BOSTON, NANCY
12435 FM 2305
BELTON, TX 76513-5438

NOTICE OF APPLICATION
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CITY OF BELTON

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Circle one

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1. _____

2. _____

3. _____

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

DATE: _____ SIGNATURE: _____

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

1799
CEDON REALTY LTD
PO BOX 1089
BELTON, TX 76513

3942
WILD MILLER RESTAURANT DEVELOPMENT LLC
PO BOX 2086
BELTON, TX 76513-6186

8028
BOSTON, NANCY
12435 FM 2305
BELTON, TX 76513-5438

8029
BELL COUNTY
PO BOX 768
BELTON, TX 76513-0768

8902
AMBRECO FAMILY LP
111 N EAST ST
BELTON, TX 76513-3219

9927
BIGHAM, SANDRA J
3200 AUCTION BARN RD
BELTON, TX 76513

9928
BIGHAM, SANDRA J
3200 AUCTION BARN RD
BELTON, TX 76513

16304
AMBRECO FAMILY LP
111 N EAST ST
BELTON, TX 76513-3219

16305
AMBRECO FAMILY LP
111 N EAST ST
BELTON, TX 76513-3219

16306
AMBRECO FAMILY LP
111 N EAST ST
BELTON, TX 76513-3219

20066
GLEN-RIDDLE MANOR PROPERTIES LLC
400 N PEARL ST
BELTON, TX 76513

20405
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

20406
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

20410
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

20412
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

20424
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

20427
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

26948
POTTS, ROY C
221 E CENTRAL AVE
BELTON, TX 76513-3237

30891
OAKFIRE PIZZA AND BREW LLC
107 N EAST ST
BELTON, TX 76513

38233
ARLDT-ROBERTS, DIANA
4805 LAKEAIRE CIR
TEMPLE, TX 76502-6833

40595
ESPARZA, ROMAN CARLOS ETUX JANE ALEXANDRA
2006 RIVER RUN RD
BELTON, TX 76513

43277
BEGLEY, RODNEY SHANE ETUX MICHELLE
511 QUALLA DR
HARKER HEIGHTS, TX 76548

50961
HOLLE, NANCY JANE
404 E 22ND AVE
BELTON, TX 76513-2074

51259
ICED CAPITAL LLC ETAL
PO BOX 989
SALADO, TX 76571

54460
CABRERA, NOE D ETUX GUADALUPE
1520 SHADY LOOP
KILLEEN, TX 76549-6534

56862
CEDON REALTY LTD
PO BOX 1928
TEMPLE, TX 76503-1928

64575
BELL COUNTY
PO BOX 768
BELTON, TX 76513-0768

73179
MESSER, JOHN ETAL
PO BOX 969
BELTON, TX 76513-0969

73443
LIBERTY CHURCH OF BELL COUNTY
PO BOX 972
BELTON, TX 76513

75449
MONTEITH ABSTRACT & TITLE CO INC
PO BOX 178
BELTON, TX 76513-0178

75450
MONTEITH ABSTRACT & TITLE CO INC
PO BOX 178
BELTON, TX 76513-0178

92483
MACEY FAMILY REVOCABLE TRUST
PO BOX 1957
TEMPLE, TX 76503-1957

92484
MACEY FAMILY REVOCABLE TRUST
PO BOX 1957
TEMPLE, TX 76503-1957

94633
POTTS, ROY COCHRAN ETAL
221 E CENTRAL AVE
BELTON, TX 76513-3237

96857
BELL COUNTY
PO BOX 768
BELTON, TX 76513-0768

99788
WILD MILLER RESTAURANT DEVELOPMENT LLC
PO BOX 2086
BELTON, TX 76513-6186

103292
SHINE BRANCH LLC
500 N LOOP 121
BELTON, TX 76513

107861
JESUS ACTS IN INMATES LIVES INC
PO BOX 634
BELTON, TX 76513-0634

118794
MONTEITH ABSTRACT & TITLE COMPANY
PO BOX 178
BELTON, TX 76513-0178

205289
BAKER, ZECHARIAH LYNN ETUX SARA HARRIS
219 E CENTRAL AVE
BELTON, TX 76513-3237

486808
LINNEMANN, MICHAEL E ETUX PRISCILLA
2205 SUNRISE DR
BELTON, TX 76513-1039

NOTICE OF APPLICATION
FOR A
CERTIFICATE OF APPROPRIATENESS REQUEST
IN THE
CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: ROMAN ESPARZA
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 206 E. CENTRAL AVE
LOCATED IN THE DOWNTOWN BELTON COMMERCIAL HISTORIC DISTRICT,
FOR DEMO AND REPLACEMENT OF FRONT FAÇADE AND ADDITION .

THE HISTORIC PRESERVATION COMMISSION WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:00 P.M., Thursday, April 7, 2022,** IN THE WRIGHT ROOM, AT THE T.B. HARRIS CENTER, 401 NORTH ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT PLANNER AND HISTORIC PRESERVATION OFFICER, TINA MOORE AT 254-933-5891.

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 REQUEST PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. yes
2. me likey
3. the more the merrier

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

DATE: 3-28-2022 SIGNATURE: [signature]

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

205289
BAKER, ZECHARIAH LYNN ETUX SARA HARRIS
219 E CENTRAL AVE
BELTON, TX 76513-3237

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FOR A
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CITY OF BELTON

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THE HISTORIC PRESERVATION COMMISSION WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:00 P.M., Thursday, June 23, 2022,** IN THE WRIGHT ROOM, AT THE T.B. HARRIS CENTER, 401 NORTH ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS. YOU MAY SUBMIT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT PLANNER AND HISTORIC PRESERVATION OFFICER, TINA MOORE AT 254-933-5891.

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Circle one

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1. _____

2. _____

3. _____

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

DATE: _____ SIGNATURE: _____

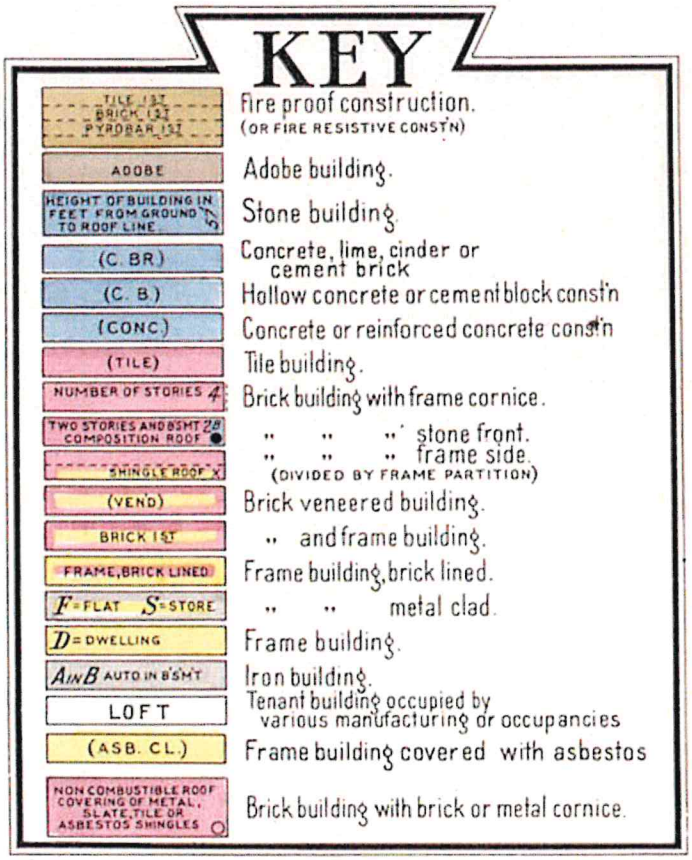
PLANNING DEPARTMENT
CITY OF BELTON
P. O. BOX 120
BELTON, TEXAS 76513
254-933-5812

206 East Central Avenue, Belton, Texas
An Annotated Visual History of the Property
Compiled by Tracy McLoud

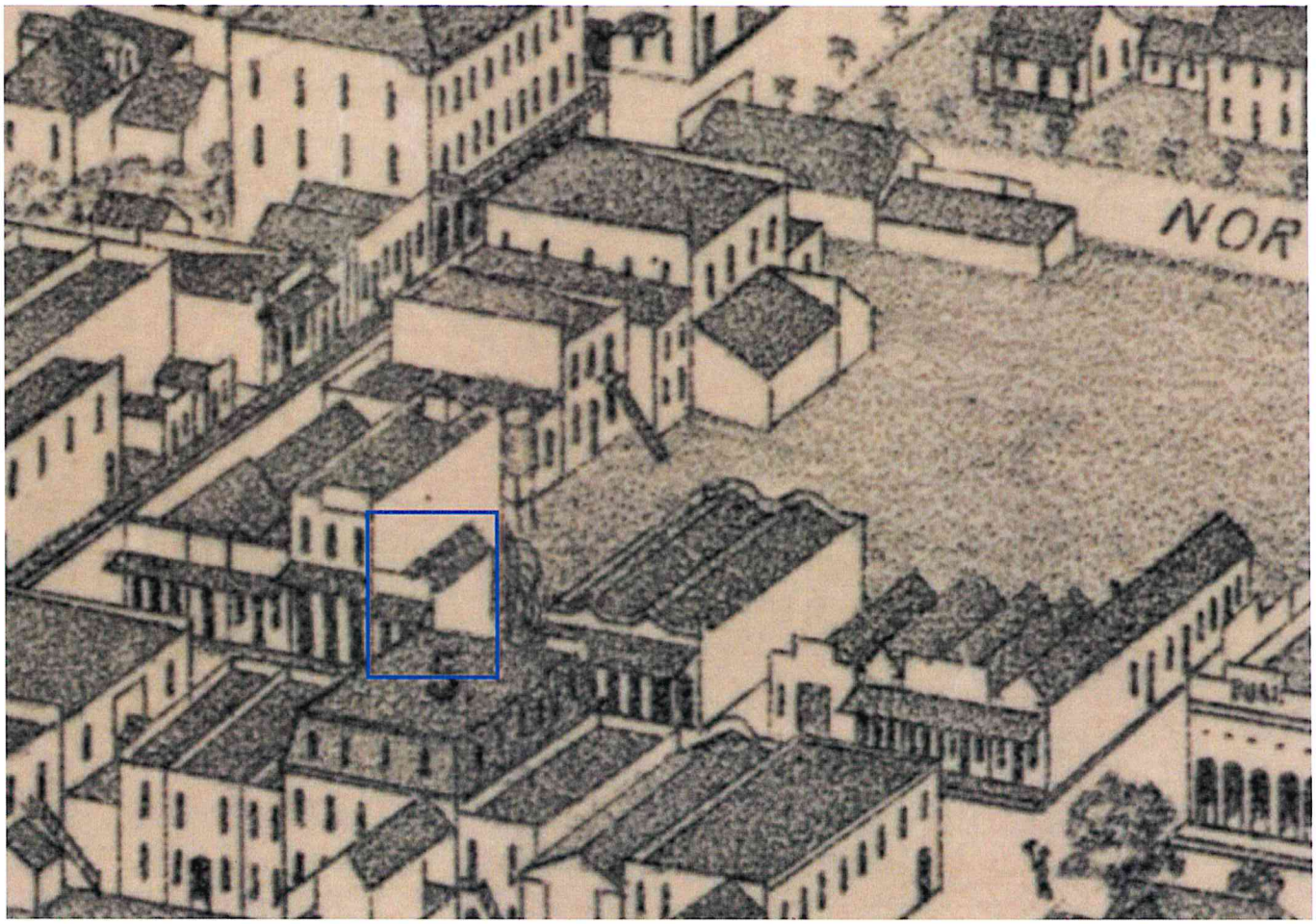
To learn about the history of this lot, it was necessary to learn the history of the surrounding buildings. I began recreating the history of the lot and the surrounding lots by studying the 1881 Birdseye View Map of Belton.

In order to differentiate this exact lot from the neighboring lots, I needed to acquire the legal description ((BELTON ORIGINAL, Block 005, Lot PT4, (S. 99' of E. 22' of 4) Acres .0505)) of the property from BellCad.org. I then researched the deed history of the lot using the county clerk's deed search website. I worked backward from the present and found that the wording of the legal description of the property had changed slightly many times over the years. That created another challenge. I then began studying and comparing the Sanborn Fire Insurance Maps of Belton to observe and note the changes to the buildings over time. The majority of the maps on the following pages are Sanborn fire insurance maps published by the Sanborn Map Company. Below is a key for reading these maps.

The annotations that follow each image are based on my interpretation of the maps, my research of the deed history of the property as well as information gleaned from references to the property and the businesses that occupied it in historical newspapers archives. I also referenced *The History of Bell County* by George W. Tyler as well as *The Story of Bell County Texas* Volumes I and II by the Bell County Historical Commission to confirm my research when possible.



1881 Map:



Building Details

In 1881, the stone building currently on the corner of Central Ave (then called Cross Street) was a wooden structure occupied by a mercantile company. The building just west of that wooden structure was a 2-story stone building. On the east side of that 2-story building was a small wooden shack and the lot just east of that was vacant. The small wooden structure stood on the area that is now 206 E. Central and was likely built sometime around 1876 and finished by builder Thomas McKnight. According to deed records, the stone wall currently on the southern portion of the eastern wall of 206 was also likely built in 1876 by Thomas McKnight as detailed below.

History of the Building

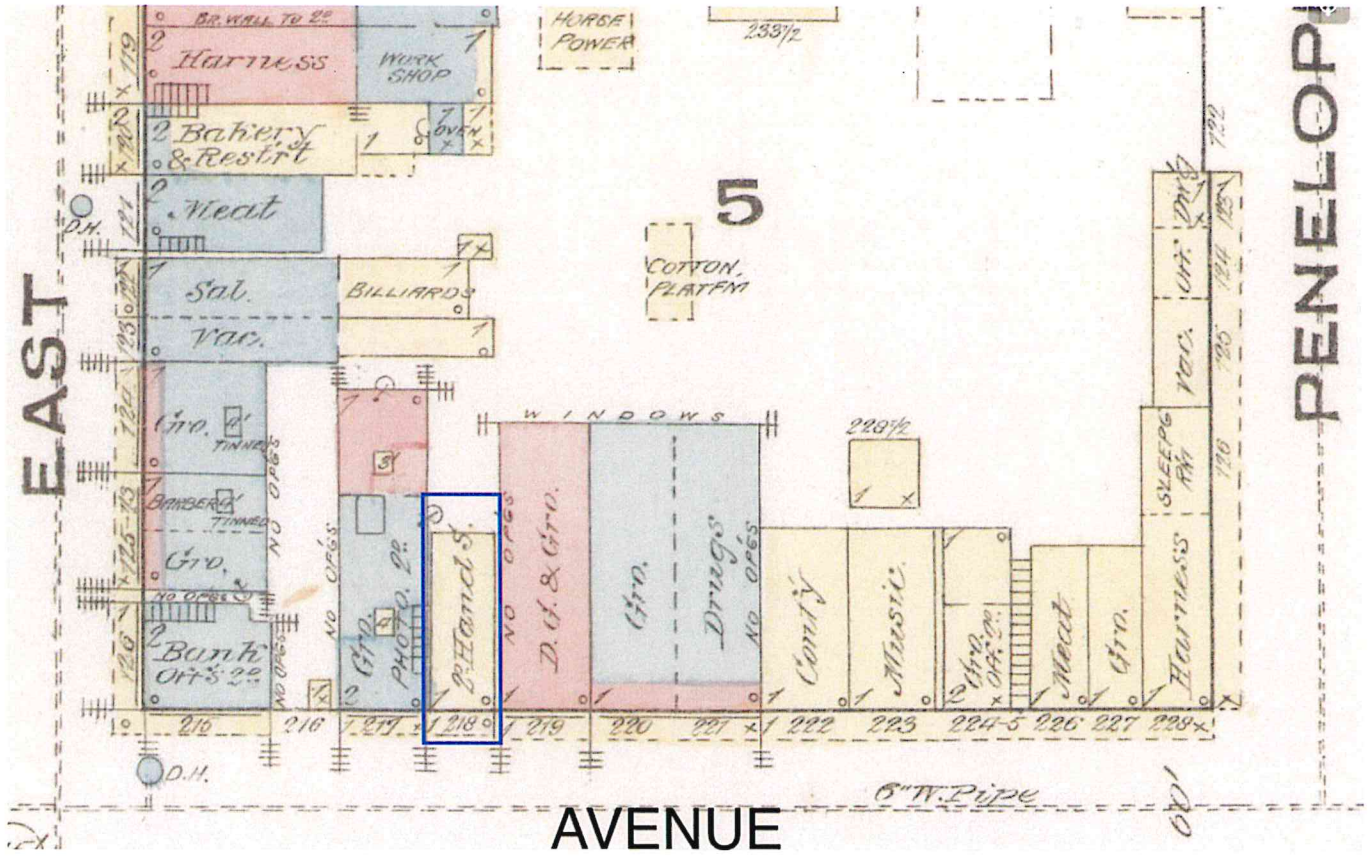
According to Document #1882000508 of the deed records found on the Bell County Clerk Property Search Website, S.W. Miller and M.E. Miller sold the lot on the corner of Cross Street and East Street to B.N. Boren (Biography of B.N. Boren) on March 27, 1882. Boren and R.H. Stewart of Galveston opened the First National Bank at that location. In addition to the 71'x99' lot, the deed conveyed the "use and enjoyment" of the stone

wall on the north line or margin of the land, the store house occupied by the Miller's including all counters, shelving & other fixtures, the barber shop on the east side of the store house and the bar room at the rear and north end of the store house, and that was to be reserved for the barber to occupy along with all of his fixtures. The deed states it is 34' to the SW corner of Haymond's lot. By my understanding, there was a lot 34' wide between the lot on Cross and East and Haymond's lot. I understand Haymond's lot to be the lot where 206 E. Central exists now.

Prior to that in 1876, the wooden structure on the property that was Haymond's Stand sold groceries. According to the Bell County Clerk's deed records document number 1876000570, there was a mechanic's lien between Thomas McKnight and W. P. Haymond in which Haymond hired McKnight to complete construction of the wooden structure "fronting on Cross Street 25 feet and running back 60 feet." McKnight was hired to make counters, shelves, doors, windows, and shutters as well as to plaster the walls and run the staircase. McKnight was to furnish the lumber for completing the counters, doors, windows, etc. and also the and also the tin necessary for roofing of the store house. His work was to be completed by the first day of October in 1876.

Thomas McKnight was also hired by Miss Mollie White on April 6, 1876 to erect a two story stone building 25' by 60' or 70' on the lot west of the property.

1885 Sanborn Map:



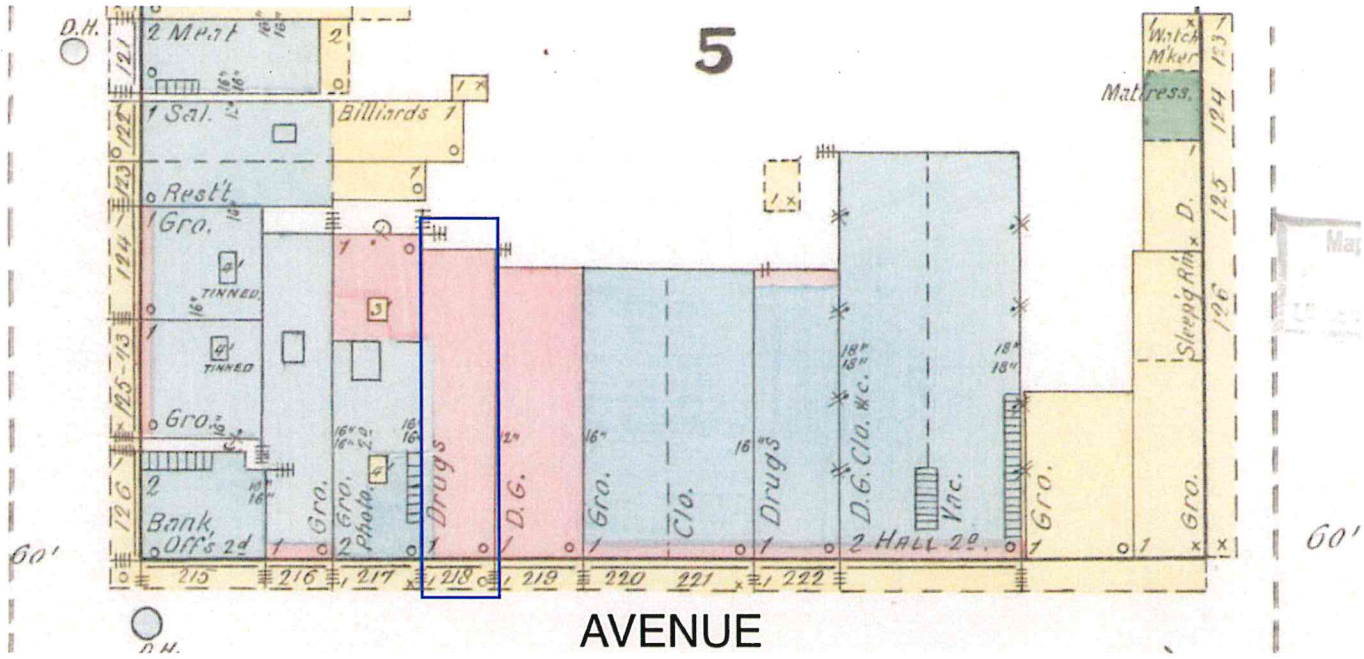
Building Details

On this map, the structure on the location of the current building at 206 E. Central is a second hand shop in a single story wooden structure. The brick structure to the east of the property does not appear on the 1881 map of Belton. The stone wall of the adjacent building on the west side of the property indicates an opening behind the wooden structure which was later stoned in and can be seen now in the current state of construction after the removal of the stucco.

History of the Property

No mention of a second hand store can be found in the newspaper archives. Nor has any evidence of one been uncovered in the deed research of the property.

1891 Sanborn Map:



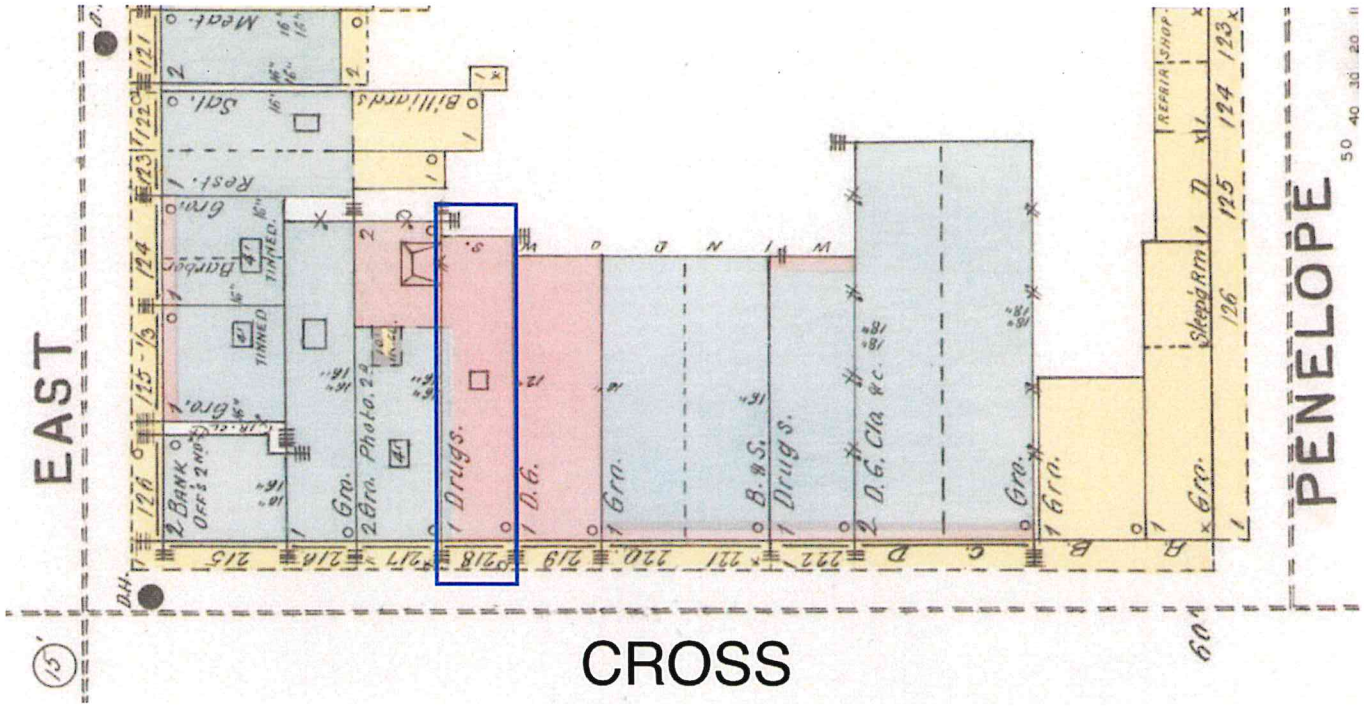
Building Details

In 1891 the building now appears on the map as brick on all sides except a section of stone on the west facing wall. The section of stone wall appears to be the outer facing wall of the adjoining structure likely built in 1876 by Thomas McKnight for Miss Mollie White. The brick walls of the remaining perimeter of the structure adjoining the neighboring buildings on the back of the west wall and along the east wall were likely added in 1889 according to the deed history outlined below. Additionally, a firewall is now indicated 18' above the roof on the east and west of the building.

History of the Property

On December 27, 1888, according to deed records, Mrs. Josephine Haymond paid E. D. Ferguson $100 to attach a wall to his existing wall on the west side of lot 4. On the same day she paid John M. Wybrants $100 to attach a wall to his existing wall on the east side of the lot.

1896 Sanborn Map:



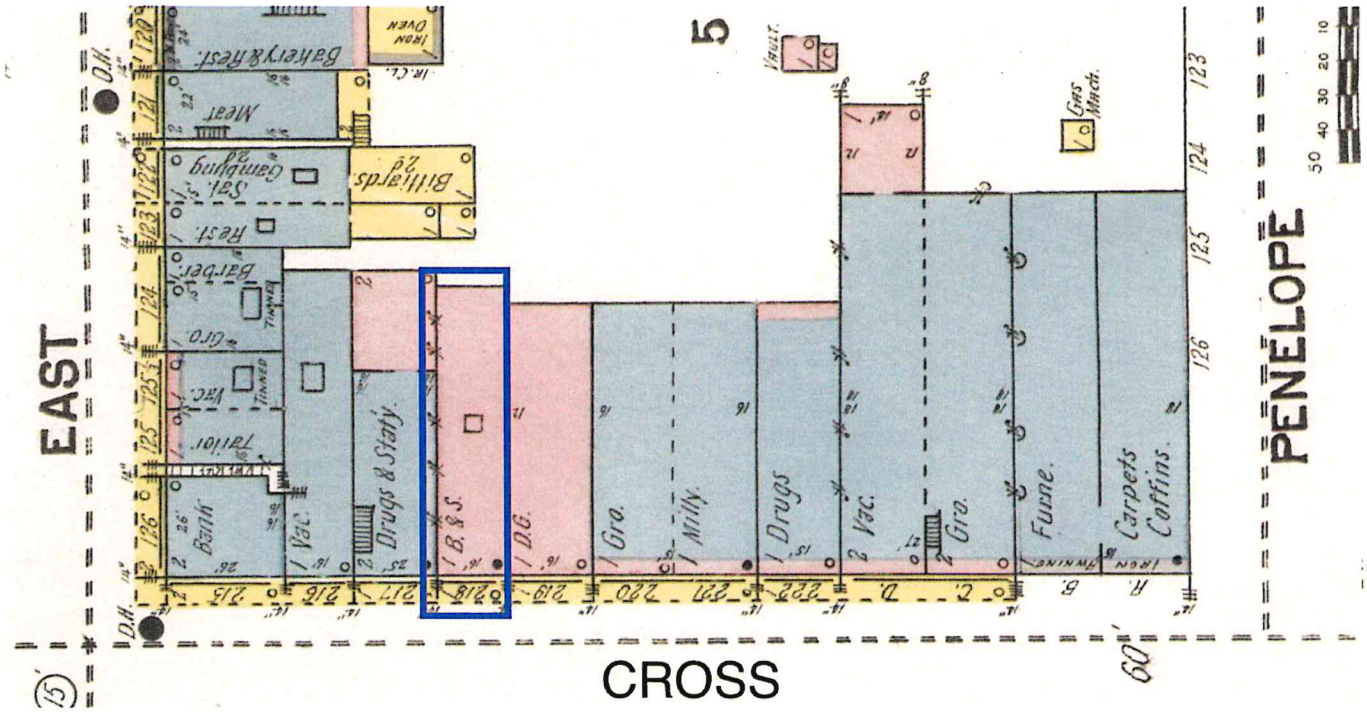
Building Details

The majority of the features of the building remain the same as they were on the 1891 map with the addition of a skylight in the center of the building. Now a second story window is also noted on the building that shares a west wall. The window appears to overlook the roof of the property at 206 E. Central.

History of the Property

The property continues to be operated as a drug store, although no details can be found about the particular drug store business that operated at this location because there were multiple drug stores on Central Avenue at that time and their specific locations are not specified in either deed history or the Belton Journal.

1902 Sanborn Map:



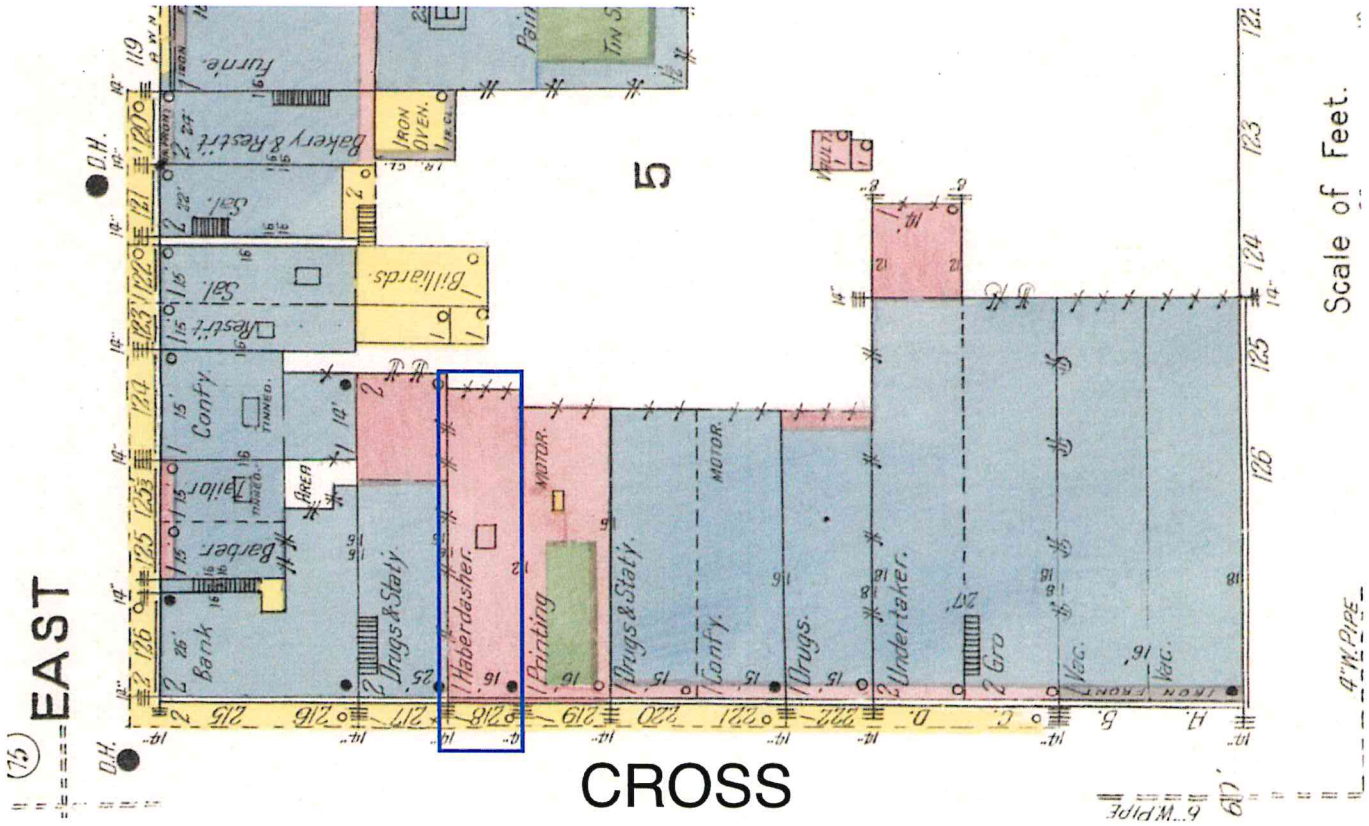
Building Details

The features of the building as pictured on the map do not appear to have changed since the 1896 map. Firewalls on the property at 206 E. Central and the neighboring buildings are no longer noted on this map. Additional windows also appear to have been added to the second story of the building to the west.

History of the Property

The business is listed as “boots and shoes” on this map. No information can be found at this time about the business.

1907 Sanborn Map:



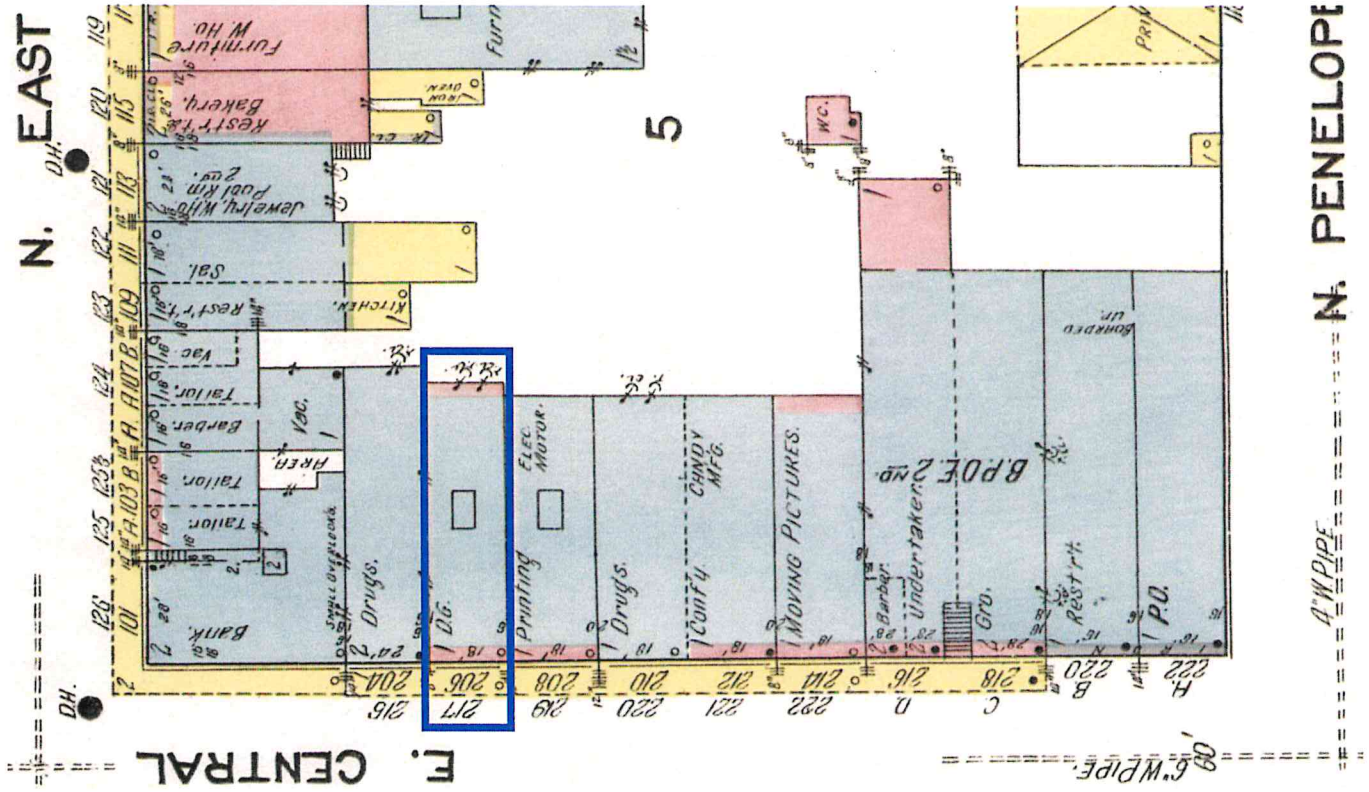
Building Details

In 1907, three windows were indicated on the back wall. All other features of the property remained the same as the 1902 map.

History of the Property

The business is now listed as a haberdashery. No evidence can be found about the name or proprietor of this business in either the deed history or the Belton Journal.

1912 Sanborn Map:



Building Details

In 1912, the front and the back walls of the building were indicated as brick; whereas the east and west walls were coded as stone, likely due to the fact that the brick visible on the west wall and part of the east wall on the 1907 Sanborn map was plastered over with stucco. Only two windows appear now on the back wall and are indicated as having tin clad shutters. The business is indicated as a dry goods store on the map.

History of the Property

E. E. Sinclair was a prominent merchant and property owner in Belton. He owned the property at 206 E. Central at the time it was a dry goods store.

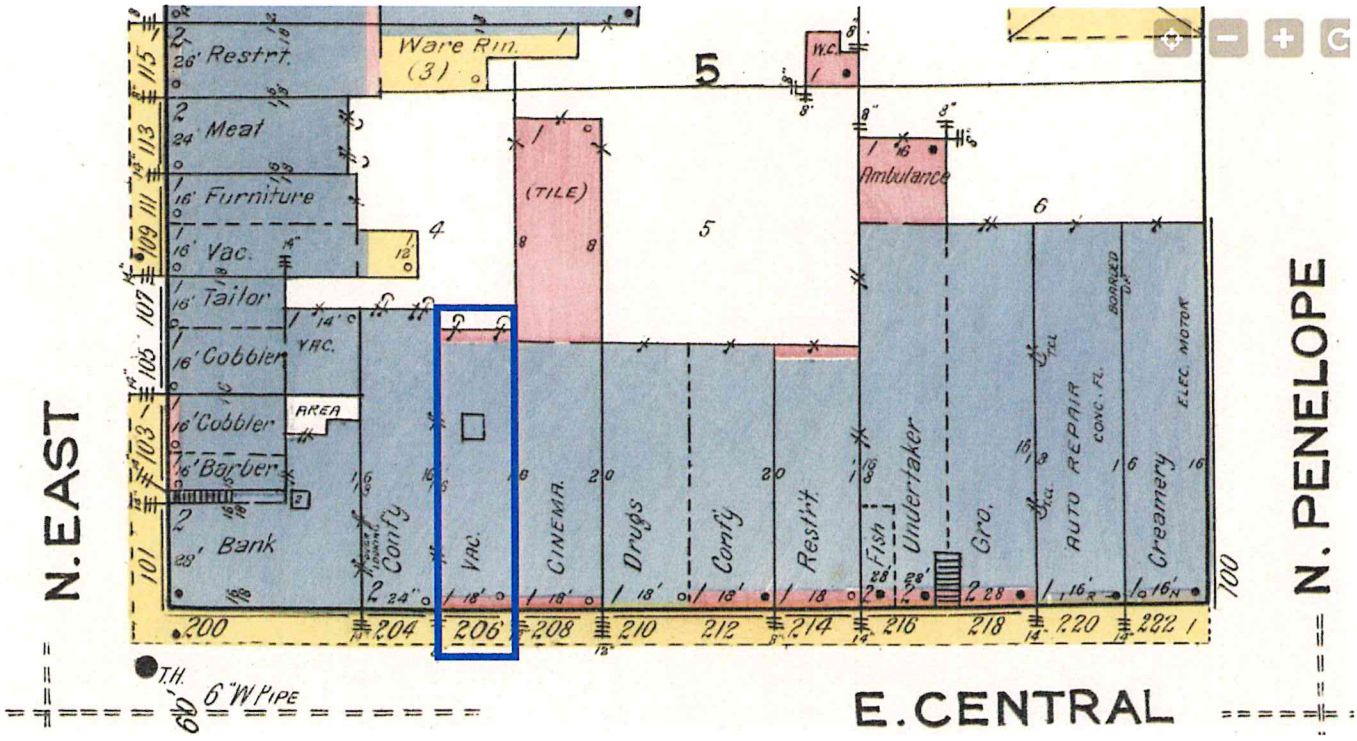
On September 9, 1914, E. G. Gunn and Hazel Gunn purchased the property from E. E. Sinclair and Maude Sinclair according to the content of deed document number 1915002352. The deed indicates that the Sinclairs financed the property for the Gunns.

On July 24, 1915, Sam F. Bashara purchased the property from E. G. Gunn and Hazel Gunn. Conveyed with the property were all fixtures in the building including shelving and six counters, according to deed number 1915002347. According to the deed records, on the same day, Sam F. Bashara leased the same building to E.

G. Gunn for 17 months, presumably allowing Gunn time to get his affairs in order before moving to Lebanon, Tennessee on September 16, 1915 to complete his law degree.

On February 24, 1916, Sam Bashara leased the building to W. E. Crow for the period of 5 years for the amount of $2400, payable in 60 installments, according to deed number 1916003321. Crow leased the property to house his motion picture business and the lease permits him to remodel and change the front of the building and to have certain improvements done to the inside of the building at his own cost in a manner and style appropriate to the business. Relics recovered from the current construction at 206 E. Central indicate that the theater was in operation from 1916 to at least 1919.

1921 Sanborn Map:



Building Details

Although the structure of the building appears to remain the same as it was on the 1912 Sanborn map, the front of the building was renovated by Sam F. Bashara as indicated in the history of the property below. Additional renovations to the interior were made at various times as outlined below.

History of Property

On March 9, 1922 the Belton Journal Published an article about Duke & Ayers opening a variety store in the Bashara building after it underwent renovations including the modernization of the front and outfitting the interior with shelving. Duke & Ayers opened for business between the Cozy Confectionary and the Electric Palace Theater on March 23, 1922.

On January 27, 1928, according to the deed history from the county clerk's office document number 1928003371, Sam Bashara paid Leslie Mitchell $425.00 to construct a cement floor. This was likely for the concrete floor of the entry of the building.

January 19, 1928 an article published in the Belton Journal indicated that Duke & Ayers moved to another location and that the building was to be remodeled before being occupied by A&P Grocery in the same year. It

has not been confirmed that A&P actually operated out of 206 E. Central at this time. If so, an A&P food store was also opened at this location at a later date.

In August of 1928, a fire destroyed the Palace Theater that shared an eastern wall with 206 E. Central. The fire caused significant damage to the theater. The explosion that caused the majority of the damage was on the back east side of the theater. According to an article in the Belton Journal on August 16, 1928, the explosion jarred the walls of nearby structures and likely caused them damage. The article says that the firefighters were able to prevent the fire from spreading to adjoining buildings and makes no mention of 206 E. Central.

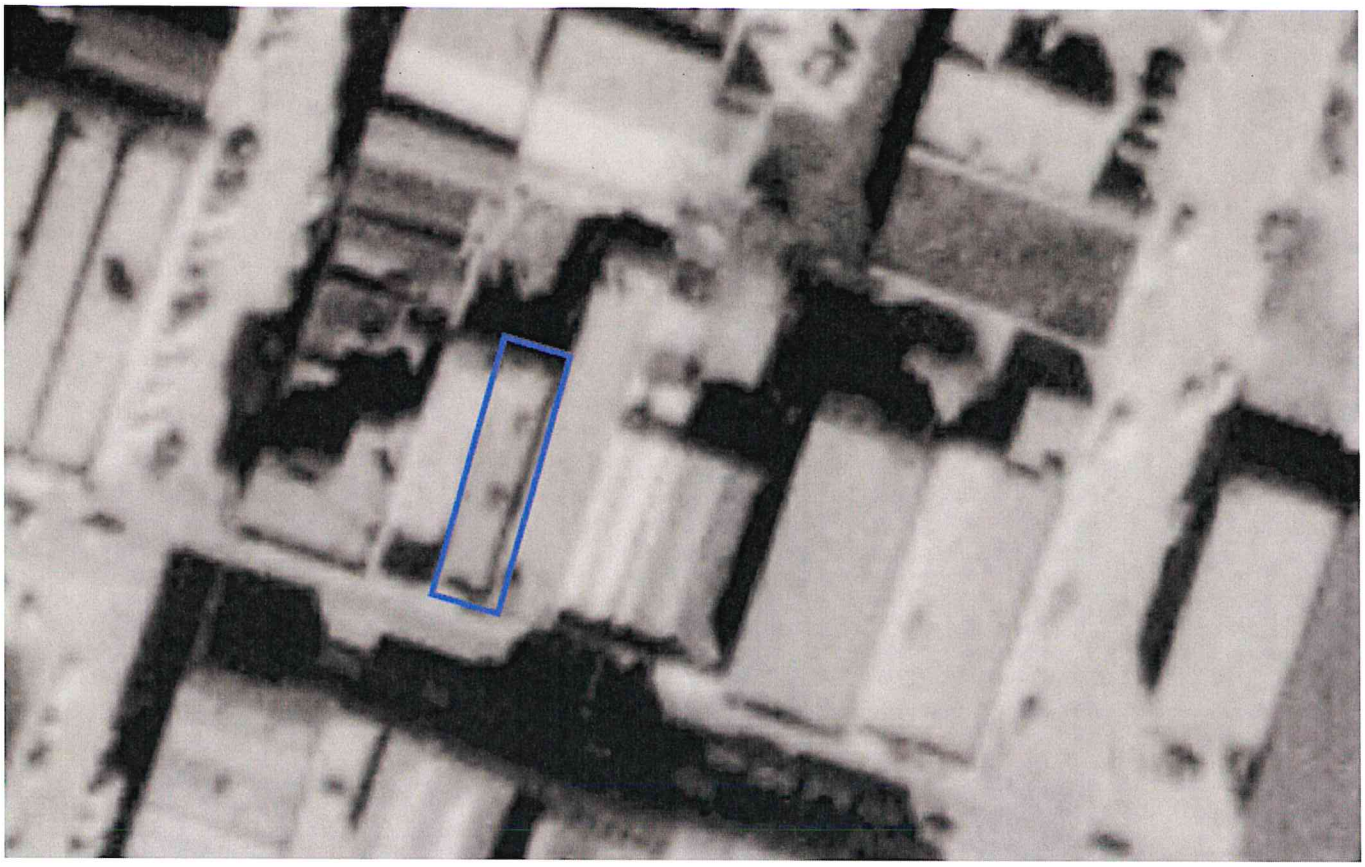
In August of 1932, McDonald's Variety Store had their grand opening at 206 E. Central. According to an article in the Belton Journal, McDonald's purchased stock from McRae's prior to their opening; however, no evidence has been found that McRae's store was located at 206 E. Central.

In April of 1936 a fire destroyed The Fair Store, an apparel store that opened on the property in 1934. According to the Belton Journal article published April 30, 1936, the fire destroyed the stock and did serious damage to the building housing the store and slight damage to the adjoining buildings. A previous article mentions that The Fair Store was located two buildings down from the bank on Central Avenue around that time, but no other articles or deeds were found that could confirm that the store was operated at 206 E. Central.

According to Belton Journal newspaper articles, the property was occupied by various grocery stores between 1936 and 1964. In October of 1936, the A&P Food Store opened at 206 E. Central. In January of 1938, Groce-Tote opened at 206 E. Central. They were in operation there until 1939. In 1939 when they closed the building was being repainted due to a fire next door. In 1940, Lyon's Food Store opened at 206 E. Central. In November of 1941, Mr. and Mrs. B. L. Neal purchased Lyon's Food Store and continued to run it at that location through 1942. In 1943, Smith & Shafer Red and White Grocery opened at 206 E. Central. It continued to be a Red and White grocery store for several years under the ownership of a number of different people. In 1950, Leon Wilson bought the business and it became known as Wilson's Food store. He continued to operate the food store at 206 E. Central until 1964 when the business moved.

On September 16, 1954, Sam F. Bashara and Rose D. Bashara deeded the property to their daughter Evelyn B. Cooper.

1964 Aerial View:



Building Details

In this aerial photo of the property, a building still stands on the west side of 206 E. Central.

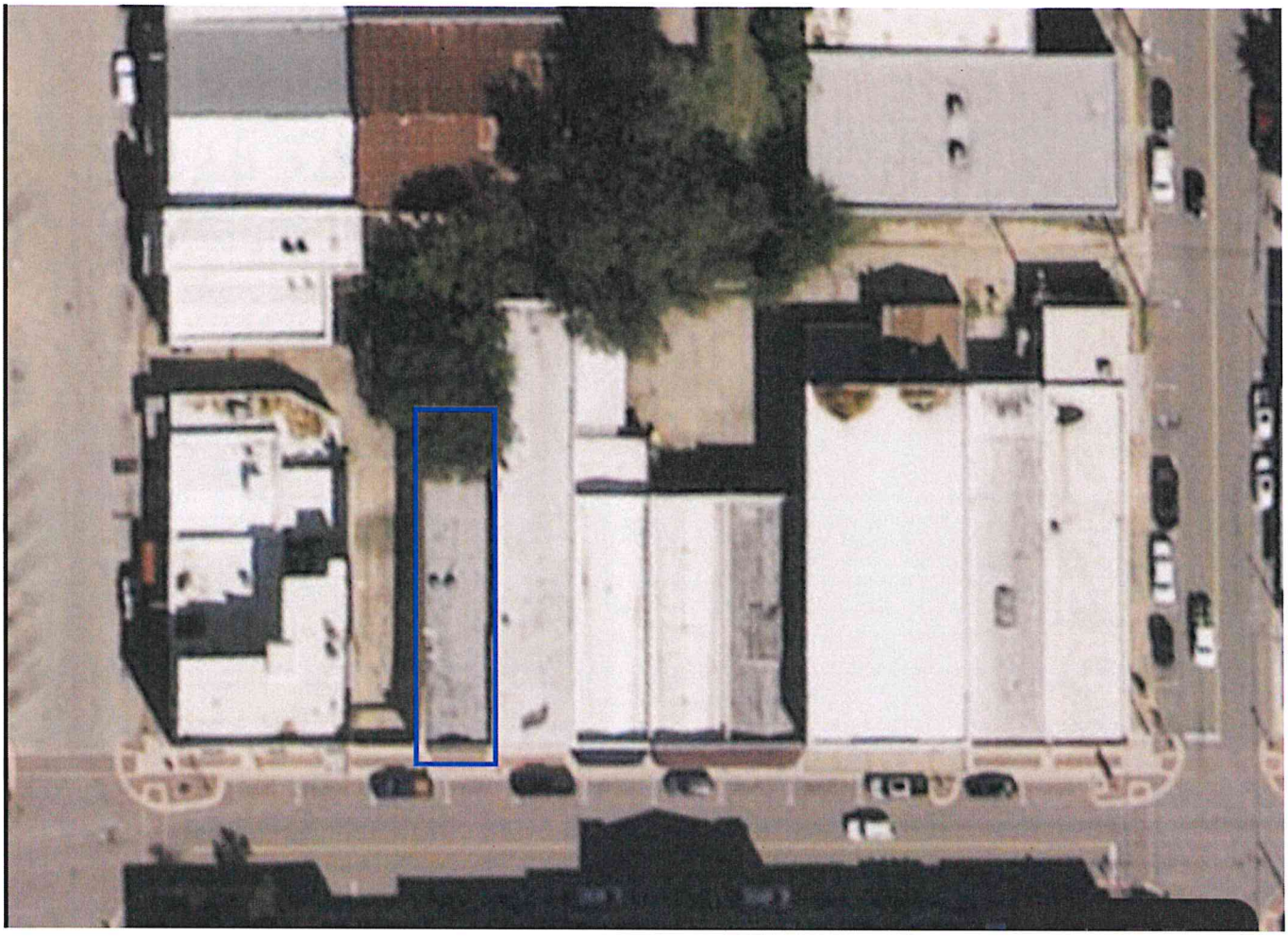
History of Property

After Wilson's Grocery left in 1964, it is unclear which business, if any, occupied the property for the next few years. It is possible that the building remained vacant for a time.

From 1970 until 1976, a business called Pants Etc. operated out of 206 E. Central, according to newspaper articles and advertisements in the Belton Journal. The online newspaper archives do not have publications after 1976, so it is possible that Pant Etc. continued to operate after that. A layaway tag for Mrs. Edgar Childers from October 5, 1975 found during the current construction was likely from Pants Etc.

On September 19, 1978, Evellyn Cooper sold the property to Michael Gibbs, attorney at law, according to document number 1978005712 in the county clerk's deed records.

2020 Aerial View:



Building Details

In this aerial photo of the block, the area where the two story building stood to the west of 206 E. Central is no longer there. The place where it stood became the bank drive through for many years and was then vacant after the bank was no longer in operation.

History of Property

On November 14, 2017, Michael Gibbs sold the property to Central 76513 Trust, Lavern Horton, Trustee, according to deed number 2017047712. Prior to that, the property appears to have been used primarily as a law office.

On June, 21, 2021, Central 76513 Trust, Lavern Horton, Trustee sold the property to Jane Alexandra Esparza and Roman Carlos Esparza according to document number 2021033991.

Minutes of the
Historic Preservation Commission (HPC)
City of Belton, City Hall
333 Water Street
Thursday, June 23, 2022

The Historic Preservation Commission met at 5:00 P.M. in the Wright Room, Harris Community Center. The following Commission members were present: Chair TC Lipe, Vice Chair Tammie Baggerly, Ann Carpenter, Ann West and Barrett Covington. The following staff members were present: Director of Planning, Bob van Til, Planner and HPO Tina Moore, and IT Specialist Alex Munger.

1. **H-22-02 Consider a Certificate of Appropriateness (COA) to demolish the primary façade, construct a new façade and build a two-story addition at 206 E. Central Ave, located in the Downtown Belton Commercial Historic District, on the north side of East Central Ave, west of North Penelope Street and east of North East Street. (audio 1:40)**

   Planner and Historic Preservation Officer Tina Moore presented the staff report.

   Chair Lipe opened the meeting for public comments. The applicant, Roman Esparza, 2006 River Run Road, spoke in support of the project. With no other public input, the public hearing was closed.

   Staff addressed questions from the Commission.

   The applicant addressed questions from the Commission related to the project and the previously approved COA and Façade Improvement Grant. Staff clarified that the previously approved grant is no longer applicable as the proposed work would not be complete.

   Commission Member Carpenter made a motion to disapprove the COA. Commission Member West seconded the motion, which was passed with 5 ayes, 0 nays.

Staff Report – City Council Agenda Item

Agenda Item #14

Hold a public hearing and consider an ordinance amending "Chapter 6 – Fire Protection and Prevention" of the Code of Ordinances.

Originating Department

Fire Department – Jon Fontenot, Fire Chief

Background

Within the approved FY2022 City of Belton fee schedule, fees associated with cost recovery were implemented. While evaluating these fees, staff found no associated explanation to when and how these fees should be applied or collected. The proposed addition to the City's Code of Ordinances is meant to explain the fees and recovery efforts.

The proposed ordinance addition also introduces an adjustment to the FY2023 fee schedule which we recommend as appropriate measures to offset the rising cost of services, while minimizing the impact of the increasing cost to Belton taxpayers. The Fee Schedule will be presented for discussion on August 9, 2022, with adoption scheduled for September 6, 2022.

Fiscal Impact

Amount: Estimated $30,000 to $80,000 added to the General Fund.

Budgeted: ☐ Yes ☒ No

Funding Source(s): Recovery fees

Recommendation

Hold the public hearing and authorize the proposed additions to Sections 6-4 and 6-5 of the City's Code of Ordinances

Attachments

Ordinance and proposed additions to the City's Code of Ordinances
Presentation

ORDINANCE NO. 2022-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 6, ARTICLE I, OF THE CODE OF ORDINANCES, ADDING SECTIONS 6-4 AND 6-5 RELATED TO FIRE DEPARTMENT COST RECOVERY FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Belton desires to continue to protect and ensure the public health, safety, and welfare of its residents and businesses; and

WHEREAS, the amendments proposed herein have been presented to the City Council and due notice of said amendments and hearing on said amendments has been given as required by law, and a hearing on said amendments before the City Council of the City of Belton was set for the 26th day of July, 2022, at 5:30 p.m. for hearing and adoption; and

WHEREAS, a hearing was held upon the amendments by the City Council of the City of Belton of the time, place and date herein before set forth; and

WHEREAS, the City Council desires to amend and supplement its regulations.

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

PART 1: Chapter 6, Article I, Fire Protection and Prevention is hereby amended to add Sections 6-4 and 6-5 as shown in Exhibit A.

PART 2: It is hereby declared to be the intention of the City Council that if any sections, paragraphs, sentences, clauses and phrases of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

PART 3: This ordinance shall take effect on October 1, 2022, after its passage and publication in accordance with the provisions of the Charter of the City of Belton, Texas and the Texas Local Government Code, and it is accordingly so ordained.

PART 4: The Code of Ordinances of the City of Belton, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

PART 5: 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 26th day of July, 2022.

_____
Wayne Carpenter, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

EXHIBIT "A"

Sec. 6-4 PURPOSE and SCOPE of FIRE DEPARTMENT COST RECOVERY FEES

The purpose of this Section is to provide for the reimbursement of costs for emergency and/or non-emergency responses by the Belton Fire Department for certain emergency incidents, special events, malicious incidents, hazardous material incidents, technical or specialized rescue incidents, motor vehicle collisions, and incidents caused by negligence and/or willful disregard for established fire and life-safety codes. Additionally, the fees shown in the Fee Schedule shall be applied to responses to non-City residents and/or those responses not covered under an approved mutual or automatic-aid agreement.

I. LIABILITY

The Belton Fire Department shall, at its sole discretion, determine whether or not Fire Department resources and/or personnel are available for reimbursable services cited within this document. Furthermore, all persons responsible for the enforcement or application of the fees described herein, shall not be liable for any damage or injury to persons or property arising out of or relating in any way to the application or enforcement of this Section.

II. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Section shall be as follows:

A. Emergency Incident shall mean those incidents that require fire, rescue and/or medical response in an immediate fashion, following established emergency response protocols.
B. False Alarm shall mean the deceptive or erroneous report of an emergency, causing unnecessary panic and/or bringing emergency resources to a place where they are not needed. The term "false alarm" also refers to fire alarm systems being triggered by something other than the expected trigger-event.
C. Fire Department shall mean the Belton Fire Department.
D. Emergency Personnel shall mean personnel who are employees of the Belton Fire Department during their involvement in an emergency or non-emergency incident.
E. Hazardous Material Incident shall mean those incidents involving the release of any product that could prove a danger to health or the environment.
F. Malicious Incident shall mean those emergency incidents which stem from an individual's intentional purpose to cause property damage, endanger lives, and/or cause the response of emergency personnel for other than an actual emergency.
G. Motor Vehicle Collision shall mean incidents involving one or more motorized vehicles including cars, trucks, buses, planes, helicopters, trains, motorcycles, and the vehicles and trailers being pulled by motorized vehicles.
H. Non-Emergency Incident shall mean those incidents which allow for fire, rescue and/or emergency medical response in a less urgent fashion, following established non-emergency response protocols.

I. Non-Permitted Burns shall mean the intentional disposal of debris without the written permission from the Belton Fire Department.
J. Nuisance Incident shall mean those incidents that are of the same nature, on a repetitive basis, at the same location, due to the lack of servicing to mechanical and/or electrical equipment of an emergency system, or the failure to correct a previously documented fire hazard, or false reporting of an emergency incident or any other fire department response that is deemed unnecessary by the Fire Chief, including but not limited to false alarms caused by carelessness.
K. Special Event shall mean those non-emergency events that occur within and/or outside the City of Belton that require the presence of Emergency Personnel employed by the Fire Department, or as requested by owner/coordinator of the involved property.
L. Technical Rescue Event shall mean incidents that require rope rescue, water rescue, confined space rescue or technical rescue services and/or extrication.
M. Wildland Fire shall mean any outside fire involving general natural combustible materials, other than a permitted burn, with no restriction concerning area involved, or size of any damaged area.

III. ELIGIBLE EXPENSES/INCIDENTS

The following types of occurrences and incidents that involve the response of Belton Fire Department personnel and/or resources are eligible for invoicing pursuant to this document.

A. Fire protection services
B. Services for preservation of life (hazardous material, technical rescue, motor vehicle collisions, etc.)
C. Plan reviews (includes plan review, inspection, citation, permit, and investigative)
D. Standby charges (special events, fire watch, etc.)
E. Other charges (nuisance, negligent or malicious incidents)
F. Non-permitted Burns
G. Responses or use of Fire Department personnel and/or resources to non-City properties or persons not covered under an approved mutual or automatic-aid agreement.

IV. ENFORCEMENT

All enforcement, invoicing, and application of the fees described herein is the responsibility of the Fire Chief and/or his designee. Furthermore, the Fire Chief is authorized to conduct investigations and take other steps necessary and provided by law to enforce.

V. INVOICING

The invoice must contain, at minimum, the date on which services were rendered by the Belton Fire Department, due date for payment of invoice, mailing address for payment, the type of incident under the Fee Schedule that serves as the basis for the invoice, an explanation of the services provided, and the cost of rendered services.

A. Responsible Party
    1. Special Events may be invoiced per occurrence, with the property owner or event organizer(s) responsible as indicated at the time of the event planning.
    2. Malicious Incidents may be invoiced per occurrence to the responsible party.

3. Hazardous Material Incidents may be invoiced per occurrence for negligent events, with the property owner and/or responsible party.
4. Technical Rescue Incidents may be invoiced per occurrence for negligent events that result in rendered services.
5. Motor Vehicle Collisions may be invoiced per occurrence to the responsible party's vehicle insurance provider. In the event multiple vehicles are involved, responsibility for costs may be prorated, as determined by the Fire Chief, among the vehicle occupants' insurance providers. Individual persons will not be invoiced for motor vehicle collisions, only the insurance companies.
6. Non-Permitted Burns may be invoiced per occurrence to responsible party.
7. Permitted Burns that get out-of-control due to negligence may be invoiced to the person that was issued the permit.
8. Wildland Fires caused by negligence may be invoiced per occurrence to the individual responsible for starting the fire.
9. Nuisance Incidents may be invoiced per occurrence, after three occurrences within a calendar year. The property owner shall be considered the responsible party.
10. Out-of-City Responses may be invoiced to the property owner or person receiving assistance from Fire Department resources and/or personnel.

B. Reimbursement rates shall be invoiced at the determined rate for each resource and/or employee. Additional time shall be prorated to the nearest ½-hour increments. The established reimbursement rates are published in the current City of Belton Fee Schedule. Payment of the invoice shall be due within 30-days of the invoice date, and interest shall accrue at a ten percent (10%) Annual Percentage Rate (APR) beginning on the thirty-first (31st) day.

Sec. 6-5 - Fire Department Cost Recovery Fees

Sec. 6-5.1 - Fire department operation cost recovery fees.

The Fire Chief shall present recommended fire department operations recovery fees, and policies and regulations governing the collection of those fees to the City Council for approval. The Fire Chief shall provide the City Council with recommended changes to the fee schedule and policies and regulations on an as-needed basis.

Sec. 6-5.2. - Fire and life safety cost recovery fees.

The Fire Chief shall present recommended fire and life safety recovery fees, and policies and regulations governing the collection of those fees to the City Council for approval. The Fire Chief shall provide the City Council with recommended changes to the fee schedule and policies and regulations on an as needed basis.

Sec. 6-5.3 - Special events fees.

Special events sponsors shall be charged for any and all services required by the fire department, as determined by the fire department in its sole discretion, working in conjunction with the City's special events personnel, including, but not limited to standby fire apparatus and its personnel, and/or

fire/medical crews and vehicles. Such special events fees shall be due and payable with the special events permit application and shall be in addition to any fees incurred for other fire department services rendered.

Sec. 6-5.4 – Occurrence fees for negligent or irresponsible actions.

A. A fee shall be charged for negligent, irresponsible, or otherwise unacceptable and malicious acts which results in an emergency or non-emergency response by the fire department.
B. Fees for such acts shall apply to the following:
    1. False alarms (each incident, after three alarms in a calendar year from a single component of an automatic fire alarm or fire sprinkler system). This includes mischievous actions of small children and the unknowing actions of special needs adults.
    2. False alarms (each incident, for a deliberate and/or malicious act of a telephone message or the activation of a manual alarm)
    3. Misadventure and/or deliberate risk taking.
    4. Failure to respond to lawful warning or order.
    5. Injury to fire personnel due to deliberate act (each injury)—Any and all medical costs incurred by the employee, rehabilitation costs, loss of income, and any further compensation that may be necessary.
    6. Damage to fire apparatus, equipment, or property due to a deliberate act (each item)—The replacement cost of the individual item plus 10%.
    7. Failure to notify the fire department of a fire alarm activation.

Sec. 6-5.5 - Fee collection.

A. Fire department is authorized to collect cost recovery fees for emergency and non-emergency responses provided inside the City limits as well as those provided outside the City limits pursuant to all applicable rules, regulations, and State law.
B. Fees that are the result of any actions listed in Section 6-5.1, 6-5.2, 6-5.3, and 6-5.4 are the responsibility of the property owner or occupant and are due and payable immediately upon receipt of an invoice from the fire department or its authorized agent.
C. Fire department is authorized to obtain the requisite incident information to collect fees through internal and/or contractual services.
D. Fire department shall coordinate with the City Planning Department for applicable fee collection along with utilizing fire records management for the collection of any additional fees not collected by the Planning Department.

Sec. 6-5.6 - Exemptions from fees.

A. Calls for service at residential structure fires shall not be subject to any fees unless it is determined to be for cause, as is identified in Section 6-5.1 and 6-5.4.

Sec. 6-5.7 - Utilization of revenues.

A. The revenue generated by the recovery fees in this section shall be deposited in the General Fund of the City to offset the cost of providing fire service.



Belton Fire Department

Proposed Addition to Code of Ordinances

July 26, 2022

Current Fee Schedule 5-3

Reflects fees associated with apparatus, personnel, and some equipment

Does not explain services in which the fee schedule applies

Section 5-3 HazMat & Major Incident Response Fees	
Asset Type	**Cost**
Engine/ Pumper +3 personnel	$350/ hour
Ladder Truck/ Quint + 3 personnel	$450/ hour
Command Veh. + 1 command officer	$150/ hour
Police Veh. + 1 officer	$100/ hour
Brush Truck + 2 personnel	$250/ hour
Boat/ ATV + 2 personnel	$150/ hour
Other (PW heavy equipment to include operator)	$100/ hour
Additional Personnel	$75/person/hour
City Supplied Water	$7.50 per 1000 gal.
Sand (per cubic yard)	$25/ yard, minimum 3 yards
Other Approved Absorbent	Actual Cost + 10%
Other Control/ Containment Items	Actual Cost + 10%
Disposal of Debris	Actual Cost + 10%
Firefighting Foam	Actual Cost + 10%
Damaged FF. Tools or Equipment	Actual Cost + 10%
Damaged Fire Hose	Actual Cost + 10%

Purpose of the Proposed Addition to the Codes of Ordinances

- Section 6-4 explains the scope of the Fire Department Cost Recovery program
- Section 6-5 defines in more detail the types of recovery efforts and the processes of fee collecting



APPROXIMATELY 60 DIFFERENT FIRE DEPARTMENTS IN CENTRAL TEXAS UTILIZE A FORM OF COST RECOVERY



APPROXIMATELY 250 + FIRE DEPARTMENTS IN TEXAS TAKE COST RECOVERY EFFORTS



ROUND ROCK, HARKER HEIGHTS, HUTTO, CEDAR PARK, LEANDER, LIBERTY HILL, PFLUGERVILLE, JOLLYVILLE, TAYLOR, GEORGETOWN, AND SAN ANGELO TO JUST MENTION A FEW

Cost Recovery:
An Industry Standard for Many Years



Fire Department Cost Recovery Fees Include:

- Fire Department stand-by at Special Events which require a medical or fire department presence.
- Malicious Incidents
- Hazardous Materials Incidents
- Technical Rescue Incidents
- Motor Vehicle Collisions (only insurance companies to receive invoice)
- Non-permitted Burns
- Permitted burns that get out-of-control
- Wildland Fires caused by negligence
- Nuisance Incidents/ False Alarms (after 3rd occurrence)
- Out-of-City Responses not covered by an Aid agreement

Not Included in the FD Cost Recovery program:

- Medical responses (70% - 80% of FD responses)
- Typical Structure Fires
- Lift Assist
- Public Assist not caused by reckless or negligent acts
- Weather related events
- In-Kind services approved by City Administration
- Note – Motor Vehicle Collision (MVC) responses will only be invoiced to the insurance company. No individual person will be invoiced for an MVC

Questions or Comments?