

City of Belton, Texas

City Council Meeting Agenda Tuesday, October 25, 2022 - 5:30 p.m. Wright Room at the Harris Community Center 401 N. Alexander, Belton, Texas

Councilmember O'Banion will be participating via videoconference from Nashville, Tennessee.

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Dan Kirkley.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Director of Finance Mike Rodgers.

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

Invocation. The Invocation will be given by Mayor Wayne Carpenter.

- 1. Call to order.
- 2. Public Comments.

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

- 3. Presentation of National Night Out Block Party Awards:
 - Rookie of the Year Brenda Lane, Host: Sherry Pilgrim
 - **Community Camaraderie Award –** Liberty Valley, Host: Catelyn Spurgeon, Amanda Roberts, Meredith Duke
 - **Best Neighborhood Block Party** The Belton Housing Authority, Host: Belton Housing Authority, VFW Post 6008

City Council Meeting Agenda October 25, 2022 Page 1 of 3

Consent Agenda

Items 4-7 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

- 4. Consider minutes of October 11, 2022, City Council Meeting.
- 5. Consider reappointments to the Buildings and Standards Commission.
- 6. Consider an amendment to the purchase order for patrol vehicles for the Police Department.
- 7. Consider authorizing the City Manager to execute a contract with Target Solutions for the replacement of windows at the Harris Community Center through The Interlocal Purchasing System (TIPS) purchasing cooperative.

Planning and Zoning

- 8. Z-22-20 Hold a public hearing and consider a zoning change from Single Family-2 District to Planned Development – Single Family-2 District for approximately 1.3494 acres located on East Avenue R, located between Wall Street and Miller Street.
- 9. P-22-27 Hold a public hearing and consider a replat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create eight residential lots, on the north side of East Avenue R, between Wall Street and Miller Street.
- 10.Z-22-31 Hold a public hearing and consider a zoning change from Agricultural District to Planned Development - Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Road, located south of Interstate 14 and east of Simmons Road. Due to inconsistency in address numbers, this property was recently reassigned from 6379 W. US 190 Service Road to 7379 W. US 190 Service Road.
- 11.Z-22-36 Hold a public hearing and consider a zoning change from Single Family-1 District to Retail District on approximately 0.353 acres located at 2906 N. Main Street, located north of River Fair Boulevard.
- 12.Z-22-37 Hold a public hearing and consider a zoning change from Commercial Highway District to Light Industrial District on approximately 0.886 acres located at 606 W. Avenue O, south of Interstate 14 and west of South Connell Street.
- 13.Z-22-38 Hold a public hearing and consider a zoning change from Agricultural District to Commercial-2 District for approximately 3.0-acre property located on S.

City Council Meeting Agenda October 25, 2022 Page 2 of 3 Loop 121, south of Interstate 14, north of Huey Drive and south of West Avenue O, on the east side of Loop 121.

- 14.Z-22-39 Hold a public hearing and consider a zoning change to Planned Development Light Industrial for approximately 27.561 acres for the following three properties:
 - Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 Agricultural to Planned Development Light Industrial.
 - Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 Agricultural to Planned Development Light Industrial.
 - Tract 3 approximately 16.20 acres located on Digby Drive Light Industrial to Planned Development Light Industrial.

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 Council Meeting Agenda October 25, 2022 Page 3 of 3



City of Belton, Texas

City Council Meeting Agenda Tuesday, October 25, 2022 - 5:30 p.m. Wright Room at the Harris Community Center 401 N. Alexander, Belton, Texas

OFFICE OF THE CITY MANAGER

Councilmember O'Banion will be participating via videoconference from Nashville, Tennessee.

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Dan Kirkley.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Director of Finance Mike Rodgers.

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

Invocation. The Invocation will be given by Mayor Wayne Carpenter.

- 1. Call to order.
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- 3. Presentation of National Night Out Block Party Awards:
 - Rookie of the Year Brenda Lane, Host: Sherry Pilgrim
 - <u>Community Camaraderie Award Liberty Valley, Host: Catelyn Spurgeon,</u> <u>Amanda Roberts, Meredith Duke</u>

City Council Meeting Agenda October 25, 2022 Page 1 of 4

• <u>Best Neighborhood Block Party – The Belton Housing Authority, Host:</u> <u>Belton Housing Authority, VFW Post 6008</u>

Representatives of the Police Department will present these awards.

Consent Agenda

Items 4-7 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. Consider minutes of October 11, 2022, City Council Meeting.

A copy of the minutes is attached. Recommend approval.

5. Consider reappointments to the Buildings and Standards Commission.

See Staff Report from City Clerk Amy Casey. Recommend reappointment of Johner Martin, Priscilla Linnemann, Samantha Crumbaugh and Cindy Black. Recommend moving Ricardo DeLeon from an alternate member to a regular member.

6. <u>Consider an amendment to the purchase order for patrol vehicles for the</u> <u>Police Department.</u>

See Staff Report from Assistant City Manager/Chief of Police Gene Ellis. Recommend approval of the change from a Dodge Durango to a Ford Explorer as presented.

7. <u>Consider authorizing the City Manager to execute a contract with Target</u> <u>Solutions for the replacement of windows at the Harris Community Center</u> <u>through The Interlocal Purchasing System (TIPS) purchasing cooperative.</u>

See Staff Report from Director of Public Works Matt Bates. Recommend approval of the contract with Target Solutions for window replacement at the Harris Community Center.

Planning and Zoning

8. <u>Z-22-20 – Hold a public hearing and consider a zoning change from Single Family-2 District to Planned Development – Single Family-2 District for approximately 1.3494 acres located on East Avenue R, located between Wall Street and Miller Street.</u>

City Council Meeting Agenda October 25, 2022 Page 2 of 4 See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this zoning change, and Staff concurs.

P-22-27 – Hold a public hearing and consider a replat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create eight residential lots, on the north side of East Avenue R, between Wall Street and <u>Miller Street.</u>

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this replat, and Staff concurs.

10. Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Planned Development – Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Road, located south of Interstate 14 and east of Simmons Road. Due to inconsistency in address numbers, this property was recently reassigned from 6379 W. US 190 Service Road to 7379 W. US 190 Service Road.

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission received substantial opposition, and recommended approval of this zoning change by a vote of 6 to 1, and Staff concurs. There is a possibility that written opposition may be received which could require a super majority vote (6 affirmative votes) of the Council for the approval of this zoning change. More information will be provided at the meeting.

11. Z-22-36 – Hold a public hearing and consider a zoning change from Single Family-1 District to Retail District on approximately 0.353 acres located at 2906 N. Main Street, located north of River Fair Boulevard.

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this zoning change, and Staff concurs.

12. Z-22-37 – Hold a public hearing and consider a zoning change from Commercial Highway District to Light Industrial District on approximately 0.886 acres located at 606 W. Avenue O, south of Interstate 14 and west of South Connell Street.

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this zoning change, and Staff concurs.

13.<u>Z-22-38 – Hold a public hearing and consider a zoning change from</u> Agricultural District to Commercial-2 District for approximately 3.0-acre property located on S. Loop 121, south of Interstate 14, north of Huey Drive and south of West Avenue O, on the east side of Loop 121.

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this zoning change, and Staff concurs.

14. Z-22-39 – Hold a public hearing and consider a zoning change to Planned <u>Development – Light Industrial for approximately 27.561 acres for the</u> <u>following three properties:</u>

- <u>Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 –</u> <u>Agricultural to Planned Development – Light Industrial.</u>
- <u>Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 –</u> <u>Agricultural to Planned Development – Light Industrial.</u>
- <u>Tract 3 approximately 16.20 acres located on Digby Drive Light</u> <u>Industrial to Planned Development – Light Industrial.</u>

See Staff Report from Planner Tina Moore. At its meeting on October 18, 2022, the Planning and Zoning Commission recommended approval of this zoning change, and Staff concurs.

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Belton City Council Meeting October 11, 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 Craig Pearson, Dan Kirkley, John R. Holmes, Sr. and Daniel Bucher. Councilmember Stephanie O'Banion was absent. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Mike Rodgers, Jon Fontenot, Chris Brown, Matt Bates, Bob van Til, Tina Moore, Larry Berg, Allen Fields, Kim Kroll and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Craig Pearson, and the pledge to the Texas Flag was led by Director of Library Services Kim Kroll. The Invocation was given by Councilmember Dan Kirkley.

- 1. <u>Call to order</u>. Mayor Carpenter called the meeting to order at 5:31 p.m.
- 2. Public Comments. (Audio 1:28)

There were none.

Mayor Carpenter thanked City Staff and volunteers for their efforts in a successful National Night Out. The City partnered in twelve events.

3. Consider minutes of September 27, 2022, City Council Meeting. (Audio 2:08)

Upon a motion by Councilmember Holmes, and a second by Councilmember Pearson, the minutes were unanimously approved upon a vote of 6-0.

4. Hold public hearings and consider the following:

<u>A. Z-22-33 – A zoning change from Agricultural District to Planning Development –</u> <u>Commercial Highway for an approximately 8.0-acre property located at 9007 S.</u> <u>IH 35 Service Road, east of Interstate 35 and south of East Amity Road.</u> (Audio 2:31)

Planner Tina Moore presented this item.

Public Hearing:

- Chris Gutierrez spoke in favor of the zoning change and allowing a sign height of 60 feet.
- Mark Fuqua, property owner, spoke in favor of the zoning change.

No one else spoke for or against.

Councilmember Holmes made a motion for approval of the rezoning with an allowance for a 60-foot sign. He also requested Staff review the current sign ordinance to

determine possible policy changes for future sign heights. The motion was seconded by Councilmember Kirkley. The rezoning with an allowance for a 60-foot sign was approved upon a vote of 4-2 with Councilmember Bucher and Mayor Pro Tem Leigh dissenting.

ORDINANCE NO. 2022-53

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO PLANNED DEVELOPMENT – COMMERCIAL HIGHWAY ON AN APPROXIMATELY 8.0 ACRE PROPERTY LOCATED AT 9007 SOUTH INTERSTATE 35 SERVICE ROAD.

B. Adoption of an ordinance authorizing the annexation of approximately 2.779 acres, located east of Interstate 35, south of East Amity Road, and west of Rose Lane. (Audio 40:56)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against.

Upon a motion for approval of the annexation by Mayor Pro Tem Leigh, and a second by Councilmember Holmes, the ordinance authorizing annexation of a 2.779-acre parcel was unanimously approved upon a vote of 6-0.

ORDINANCE 2022-54

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

There being no further business, the Mayor adjourned the meeting at ______ p.m.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Agenda Item #5

Consider reappointments to the Buildings and Standards Commission.

Originating Department

Administration – Amy M. Casey, City Clerk

Background

The terms of Johner Martin, Samantha Crumbaugh, Priscilla Linneman, Cindy Black and Joe Schaub end on November 10, 2022. All are willing to serve another 2-year term except for Joe Schaub. Mayor Carpenter is recommending all for reappointment. He is also recommending moving Ricardo DeLeon from alternate to regular member. An additional alternate will be recommended to the Council at a later date.

Fiscal Impact

N/A

Recommendation

Recommend approval of the reappointments.

Attachments

None

City Council Agenda Item October 25, 2022 Page 1 of 1

Staff Report – City Council Agenda Item



Agenda Item #6

Consider an amendment to the purchase order for patrol vehicles for the Police Department.

Originating Department

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

Background

On September 27, 2022, City Council authorized the purchase of a total of four police vehicles. We originally sought authorization to purchase three (3) black in color Ford Explorer police utility vehicles at a price of \$39,691 each, totaling \$119,473. The installation of emergency equipment was to be performed by CAP Upfitters in Belton for an additional cost of \$57,900.

Additionally, we sought authorization to purchase one (1) white in color Dodge Durango police utility vehicle at a price of \$40,850. The installation of emergency equipment was to be performed by CAP Upfitters for an additional cost of \$17,193. The Dodge Durango police utility vehicle was selected solely based on availability of dealer stock.

We were recently notified by CAP Upfitters in Belton of the availability of an additional Ford Explorer. This provides us with the opportunity to keep our fleet consistent. We are seeking to amend the vehicle purchase authorization previously issued by Council by removing the purchase of one (1) white in color Dodge Durango police utility vehicle and adding the purchase of one (1) black in color Ford Explorer police utility vehicle at a price of \$39,975. The installation of emergency equipment will be performed at CAP Upfitters for an additional cost of \$18,167. The total cost associated with this vehicle is \$58,142.

By making this amendment, it will allow the Police Department to maintain continuity and uniformity within the fleet at an additional cost of \$99.

The total request associated with the previous purchase authorization was \$293,170.18.

The total request associated with this purchase authorization is \$293,269.18.

Fiscal Impact

Amount:	\$293,269.18
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X Yes

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No

Capital Project Funds

City Council Agenda Item October 25, 2022 Page 1 of 2 Funding Source(s): FY 2023 Capital Equipment Replacement Fund

Recommendation

Recommend approval to amend the vehicle purchase authorization issued by Council on September 27, 2022, to reflect the purchase of a total of four (4) black in color Ford Explorer police utility vehicles and remove the purchase of one (1) white in color Dodge Durango police utility vehicle.

Attachments

Vehicle Quotes Equipment Quote

> City Council Agenda Item October 25, 2022 Page 2 of 2



Vehicle Quote

Quote No.:DL 220139Exp. Date:Nov 9, 2022Buy Board 601-19		Prepared for:	Belton Police Department Belton Texas Allen Fields afields@beltontexas.gov		
	ice Interceptor Utility	PRICE \$39,525.00	Q		OTAL 525.00
	p <u>tions</u> - Black Stock NGB02520				
Upfit Equipme CAPQ:105894	nt	\$18,167.00		1 \$18,1	167.00
Floor Plan Inte	erest	\$0.00		0	\$0.00
Delivery		\$50.00		1 \$	\$50.00
COOP Fee		\$400.00		1 \$4	400.00
				\$58,1	42.00
			Discount	\$	0.00
			Tax	\$	0.00
			Total	\$58,142	2.00

PRICES/QUOTES ARE VALID FOR THIRTY (30) DAYS DUE TO SUPPLY CHAIN CONSTRAINTS. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHAGES MAY APPLY AFTER A PURCHASE ORDER IS ISSUED





DODGE

Date **10/10/2022** Quote # **CAPQ-105894**



Name / Address

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

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

Job Description:

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

Year:	2022
Make:	Ford
Model:	PI UTILITY

Quote Summary

Per Vehicle Subtotal	\$18,167.00
Per Vehicle Tax	\$0.00
Per Vehicle Total	\$18,167.00

Vehicles Quoted

1

Grand Total \$18,167.00

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.CAPFLEE	T.COM					
QUOTES ARE GOOD	FOR 30	DAY	S.			
PLEASE SIGN BELOW IF ALL ITEMS &	QUANTIT	IES	ARE	APP	ROV	ED.
X	Date:	/	/			

 Date
 10/10/2022

 Quote #
 CAPQ-105894



QTY	Part #	Part Details				
CONS	ONSOLE/MDT					
1	C-VS-1012-INUT	HIGH ANGLED CONSOLE FOR 2020-2022 FORD INTERCEPTOR UTILITY				
1	C-EB40-CCS-1P	1-PIECE EQUIPMENT MOUNTING BRACKET, 4" MOUNTING SPACE, FITS WHELEN CENCOM,CCSRN,CCSRNTA,MPC03				
1	C-EB35-XG2-1P	I-PIECE EQUIPMENT MOUNTING BRACKET, 3.5" MOUNTING SPACE, FITS HARRIS/L3HARRIS XG-25M MODEL DM-M78B				
1	CUP2-1001	SELF-ADJUSTING DOUBLE CUP HOLDER				
1	C-ARM-108	SIDE MOUNTED SWING-AWAY FLIP-UP ARMREST				
1	CM009785-1	HVAC RELOCATION BRACKET KIT				
2	C-MCB	MIC CLIP BRACKET				
2	MMBP	MAGNETIC MIC KIT				
1	C-DMM-3015	HEAVY-DUTY DASH MOUNT FOR 2020-2022 FORD INTERCEPTOR UTILITY VEHICLE				
1	C-EB20-WGD-1P	1-PIECE EQUIPMENT MOUNTING BRACKET, 2" MOUNTING SPACE, FITS MOTOROLA WATCHGUARD 4RE DVR				
1	C-FP-3	3" FILLER PLATE				
1	C-FP-15	1-1/2" FILLER PLATE				
1	C-FP-4	4" FILLER PLATE				
ELECT	RONICS					
1	391637	0-2500 MHZ 3/4 IN BRASS MT 25 FT 195 TNC				
1	TREMCO- 2020 FPIU	ANTI-THEFT DEVICE 2020 FORD PIU				
1	241830	PHANTOM OMNI ANTENNA 760-870 MHZ, NMO; MODEL # TRA7603				
EMER						
1	LGYSD54CORETD-DE	54" DUO LEGACY FULLY POPULATED W/SMOKED LENSES W/TAKEDOWNS (DRIVER SIDE RED/WHITE FRONT; RED/AMBER REAR; PASSENGER SIDE BLUE/WHITE FRONT; BLUE/AMBER REAR); C399 CORE SIREN; CEM16 EXPANSION MODULE; CV2V SYNC; C399K*; SA315U SPEAKER; SAK*; STPKT*				
1	SA315U	SA315U SPEAKER, BLACK PLASTIC				
1	EB2SP3JY	LEGACY WCX 54" D/E/D/E PROMO - W/TAKEDOWNS AND SMOKE LENSES				
1	C399	CENCOM CORE WCX CONTROL CENTER				
1	CEM16	WECANX 16 OUTPUT EXPANSION MOD				
1	CV2V	VEHICLE TO-VEHICLE SYNC MODULE				
1	С399К4	OBDII CANPORT CABLE KIT FORD				
1	CCTL7	WECANX 21 BUTTON/SLIDE CTRL HD				
1	SAK66P	SA-315 MT KIT EXPLORER PASS				
1	STPKT105	LIGHTBAR STRAP KIT #105				
2	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : LC - PB LIGHT CHANNEL Notes: TAKEDOWNAND SCENE				
2	VTX9J	VERTEX SUPER-LED DUO BLU/RED Mounting Location : H - HEADLIGHTS				
2	VTX9J	VERTEX SUPER-LED DUO BLU/RED				

 Date
 10/10/2022

 Quote #
 CAPQ-105894



QTY	Part #	Part Details
		Mounting Location : T - TAILLIGHTS
1	LSVBKT50	LINSV MIRROR MT KIT 20 UTILITY Mounting Location : MIR2 - UNDER MIRROR
1	LINSV2R	SURFACE MT LINZ V-SERIES RED Mounting Location : MIR2 - UNDER MIRROR
1	LINSV2B	SURFACE MT LINZ V-SERIES BLUE Mounting Location : MIR2 - UNDER MIRROR
1	BS508-BSSP28JA	I-E RST WCX 8-LT S/D UTILITY; 4/4 DUO K/M LTHD D/P PROMO PKG
2	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : LP - ON BRACKET
1	IONBKT1	ION LICENSE PLATE BKT HORIZ.
2	TLI2J	ION T-SERIES LINEAR DUO R/B Mounting Location : LG1 - LIFTGATE - RECESSED IN TRIM Notes: BOTTOM LIP
1	CW0410-WR	400 SERIES COMPARTMENT LIGHT, 5.4" RED/WHITE, 12/24VDC, WITH TOUCH SWITCH Notes: OVER CONSOLE
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL1 - REAR QTR GLASS -DS- LOW
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL2 - REAR QTR GLASS - PS - LOW
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : PB145 - DS SIDE 45
1	I3JC	TRIO ION R/B W/ WHT OVERRIDE Mounting Location : PB245 - PS SIDE 45
1	S-3017	HAMMER 100W SPEAKER/SIREN
1	HAMB-007	HAMMER MOUNT; FORD EXPLORER PIU 2020-2021
1	VTXADAPT	VERTEX TWIST-IN ADAPTER KIT
1	RPWS50-KIT	ION REAR PILLAR WC SOLO UTILITY
1	07-26J505-023A	BRACKET, MTG TOP LEFT BLK
1	07-26J505-123A	BRACKET, MTG TOP RIGHT BLK
1	07-26J510-0230	BRACKET, MTG MID LEFT BLK
1	07-26J510-1230	BRACKET, MTG MID RIGHT BLK
1	07-26J512-0230	BRACKET, MTG BOTTOM LEFT BLK
1	07-26J512-1230	BRACKET, MTG BOTTOM RIGHT BLK
1	11-488629-L00A	HOUSING, DRVR REAR PILLAR ION
1	11-488629-R00A	HOUSING, PASS REAR PILLAR ION
6	I3JC	TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : INCLUDED IN KIT
EXTER	lior	
1	5344-F	LR SERIES PUSH BUMPER; LIGHT READY PUSH BUMPER FRAME (MASK NOT INCLUDED - REQUIRES A 2-LIGHT MASK PLATE OR A 4-LIGHT MASK PLATE OR A BLANK MASK); STEEL; SEMI-GLOSS BLACK; 20-23 FORD INTERCEPTOR UTILITY
1 OTHEF	2L61-M1B	LR MASK; 2-LIGHT MASK PLATE (WHELEN ION); STEEL; SEMI-GLOSS BLACK; UNIVERSAL

 Date
 10/10/2022

 Quote #
 CAPQ-105894



QTY	Part #	Part Details
1	AX500T	FIRE EXTINGUISHER
PRISO	NER TRANSPORT EQUIPMENT	
1	P1000UINT20AOSB	SINGLE COMPARTMENT, PRO-CELL, 1/2 PARTITION, W/PASSENGER SIDE ONLY OUTBOARD SEAT BELTS; PRO-CELL PRISONER TRANSPORT SYSTEMS; FORD INTERCEPTOR UTILITY 2020-2022
1	SC-917-5-#2	ADJUSTABLE WALL/TRUNK SETUP, BUTT PLATE MOUNT WITH SC-5 GUN LOCK - #2 KEY OVERRIDE

QTY	Part #	Description		
1	LABOR	LABOR		
1	GRAPHICS	CUSTOM GRAPHICS		
1	SHIPPING	SHIPPING		
1	PDKIT	POWER DISTRIBUTION KIT		
1	DISPOSAL	DISPOSAL FEE (FOR OEM PARTS NOT PICKED UP ON DELIVERY)		
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		
QTY	Make	Model	Used	
1	Panorama	SHKG-7-27-24-58	\boxtimes	
1	Cradlepoint	IBR900-1200M-B	\boxtimes	

1	Stalker	DUAL SL	
1	WatchGuard Video	4RE Vista Wi-Fi	
1	Harris	XG-25M	\boxtimes

Staff Report – City Council Agenda Item



Agenda Item #7

Consider authorizing the City Manager to execute a contract with Target Solutions for the replacement of windows at the Harris Community Center through The Interlocal Purchasing System (TIPS) purchasing cooperative.

Originating Department

Public Works - Matt Bates, Director of Public Works

Summary Information

In FY 2023, funds were approved to replace all windows at the Harris Center. A large number of windows are leaking with areas around the windows rotting. The scope of services includes:

- Remove 67 exterior windows;
- Install 67 new vinyl fixed divided lite, low-e, argon windows;
- Replace any rotten wood materials interior and exterior associated with the window replacement; and
- Sand, caulk, prime and paint all trim interior and exterior surfaces associated with the windows.

The Harris Community Center is not located in the historic district; therefore, this work did not need approval from the Historic Preservation Commission.

The windows selected were intended to mimic the style and size of what exists.

Fiscal Impact

Amount: <u>\$98,536</u>

Budgeted:	🛛 Yes	🗌 No
-----------	-------	------

Funding Source(s): Capital Improvement Project Fund

Recommendation

Recommend authorizing the City Manager to execute a contract with Target Solutions for the replacement of windows at the Harris Community Center through the interlocal purchasing system (TIPS) purchasing cooperative.

City Council Agenda Item October 25, 2022 Page 1 of 2

<u>Attachments</u> Target Solutions Proposal Pictures of current windows/damage and Pictures of replacement windows

City Council Agenda Item October 25, 2022 Page 2 of 2

TARGET	Target Solutions
--------	-------------------------

Wac	0 N State Hwy 6 20, TX 76712 741-9026				
Client: Property:	Harris Center 401 N Alexander St. Belton, TX 76513				
Operator:	ROCKE				
Estimator: Position: Company: Business:	Rockey Diserens Senior Estimator Target Restoration Services 6900 N State Hwy 6 Waco , TX 76712			Business: E-mail:	(254) 229-6334 rockey@targetllc.com
Type of Estimate: Date Entered:	2/7/2022	Date Assigned:	2/1/2022		
Price List: Labor Efficiency: Estimate:	TXBT8X_OCT22 Restoration/Service/Remodel 2022-02-07-1331-1				

Work-site will be kept clean during the repairs, all trash and debris will be removed from the work-site. All labor and materials to complete the repairs are included.



6900 N State Hwy 6 Waco, TX 76712 877-741-9026

2022-02-07-1331-1

2022-02-07-1331-1

DESCRIPTION	QUANTITY U	UNIT PRICE	TAX	RCV	DEPREC.	ACV
1. Windows - Vinyl (Bid Item)	1.00 EA	98,536.00	0.00	98,536.00	(0.00)	98,536.00
 Remove 67 exterior windows Install 67 new vinyl fixed divided lite, low-e, argon w Remove any rotten wood materials interior and exterior associated with the window replacement. Replace any rotten wood materials interior and exterior with the window replacement. Sand, caulk, prime and paint all trim interior and exterior the windows. 	or associated	ted with				
Total: 2022-02-07-1331-1			0.00	98,536.00	0.00	98,536.00
Line Item Totals: 2022-02-07-1331-1			0.00	98,536.00	0.00	98,536.00



TARGET Target Solutions

6900 N State Hwy 6 Waco, TX 76712 877-741-9026

Summary

98,536.00

\$98,536.00 \$98,536.00

Rockey Diserens Senior Estimator

Line Item Total

Net Claim

Replacement Cost Value

2022-02-07-1331-1



TARGET Target Solutions

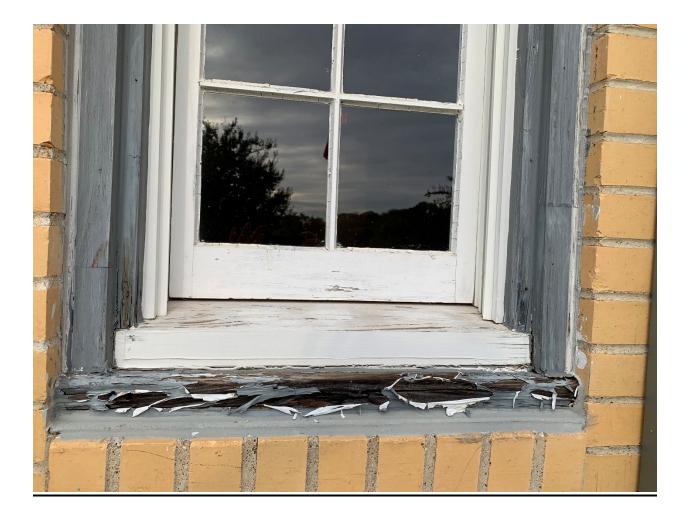
6900 N State Hwy 6 Waco, TX 76712 877-741-9026

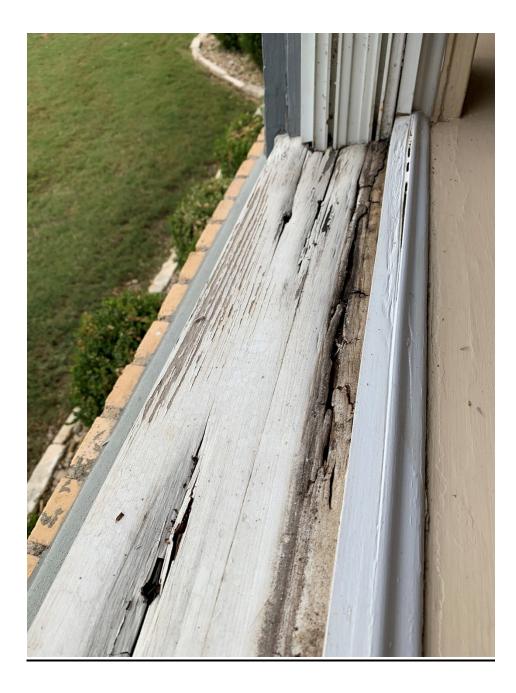
Recap by Category

Items	Total	%
WINDOWS - VINYL	98,536.00	100.00%
Subtotal	98,536.00	100.00%

Current windows and damage at the Harris Community Center









Proposed windows to be installed by Target Solutions





Staff Report – City Council Agenda Item



Date: October 25, 2022 Case No.: Z-22-20 Request: SF-2 to PD- SF-2 Applicant/Owner: LWG Associates/Larry Guess and Jack Folsom

Agenda Item #8

Z-22-20 - Hold a public hearing and consider a zoning change from Single Family-2 District to Planned Development – Single Family-2 District for approximately 1.3494 acres located on East Avenue R, between Wall Street and Miller Street.

Originating Department

Planning – Tina Moore, Planner

Current Zoning: Single Family-2 Residential District (SF-2)

Current Use (s): Detached single family homes

Proposed Zoning: Planned Development – Single Family-2 Residential District

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Area 11: Projected to be the southeast residential core of the City; primarily single family residential development with opportunities for retail and commercial areas along Holland Road (FM 436).

Background/Case Summary

This property is currently zoned Single Family-2 (SF-2) and is platted as part of the Charlie Miller Addition, Block 1, and part of Lot 2, which was approved in January 1953. The current lot sizes are typically 80' x 180', totaling about 14,000 square feet. A replat was recently submitted requesting the division of a portion of this tract into eight lots to construct detached single-family residences, with a stacked design, one residence built behind the other with a "flag lot" for access. A Planned Development zoning was requested to allow for a reduction in the SF-2 minimum lot and setback requirements. This is regarded as an infill project.

Project Analysis and Discussion

<u>Existing Conditions</u>: This area contains site-built homes and an apartment complex. Adjacent properties are zoned SF-2, PD-SF-2 and Planned Development - Multi-Family (PD-MF).

City Council Agenda Item October 25, 2022 Page 1 of 2 <u>Allowable Land Uses</u>: The proposed PD-SF-2 Zoning District limits the use of this property to single family homes. No attached single family, duplex, multi-family, or business/commercial uses are permitted.

<u>Area & Setback Requirements</u>: Minimum area and setback requirements for the requested Zoning District are summarized below:

SF-2 Zoning Requirements		Requested PD Conditions
Minimum Lot Area	7,500	Reduction to 5,785
Minimum Lot Width	60'	No changes proposed
Minimum Lot Depth	100'	Reduction to 89'
Front Yard Setbacks	25'	No changes proposed
Rear Yard Setbacks	20'	No changes proposed
Side Yard Setbacks	6'	Reduction to 5'
Section 34.6, Parking	2 covered spaces and	1 covered parking space
Requirements Based on Use	2 additional spaces for	and three uncovered
	stacking and maneuvering	spaces for Lots 1,3,5 and
		7.

Recommendation

At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from SF-2 to PD-SF-2 Zoning District, subject to the conditions below:

- 1. The use of the property shall conform to the Single Family-2 Zoning District in all respects, except as follows:
 - a. A minimum lot area of 5,785 square feet is allowed.
 - b. A minimum depth of 89' is allowed.
 - c. A side yard setback of 5'.
 - d. One covered parking space and three uncovered parking spaces is allowed for Lots 1,3,5, and 7.
- 2. Approval of the subdivision replat is required.

<u>Attachment</u>

Zoning Application Property Location Map Zoning Map Aerial Photo Proposed Avenue R Subdivision Plat and Site Plan Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list P&Z Minutes Excerpt Ordinance

> City Council Agenda Item October 25, 2022 Page 2 of 2

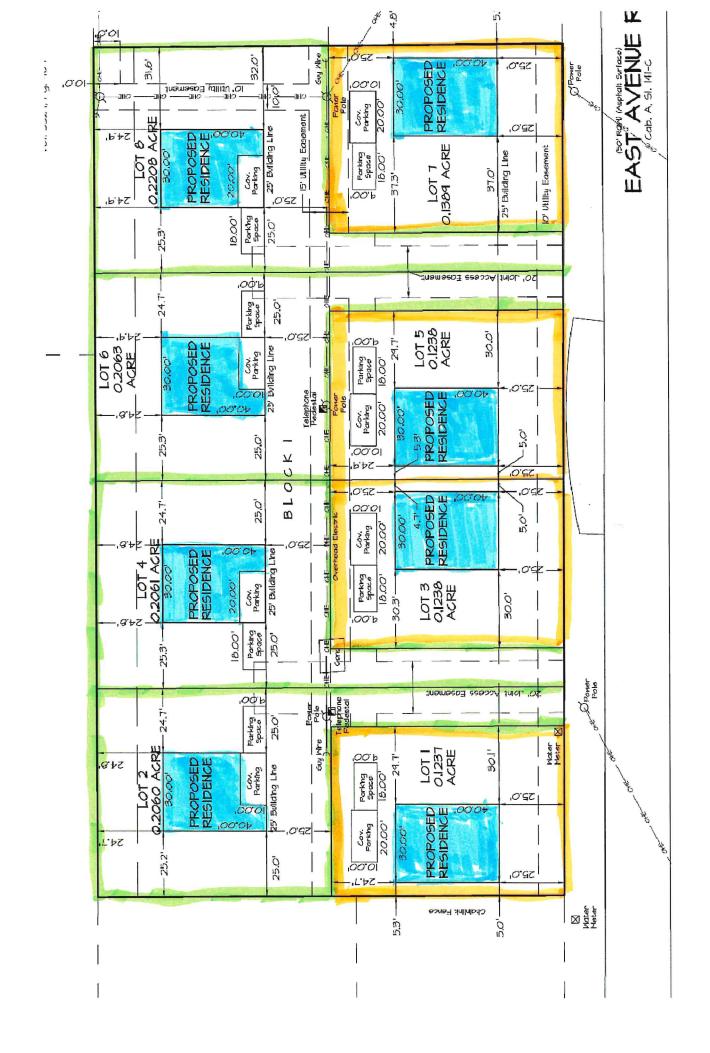
ZONING CHANGE APPLICATION

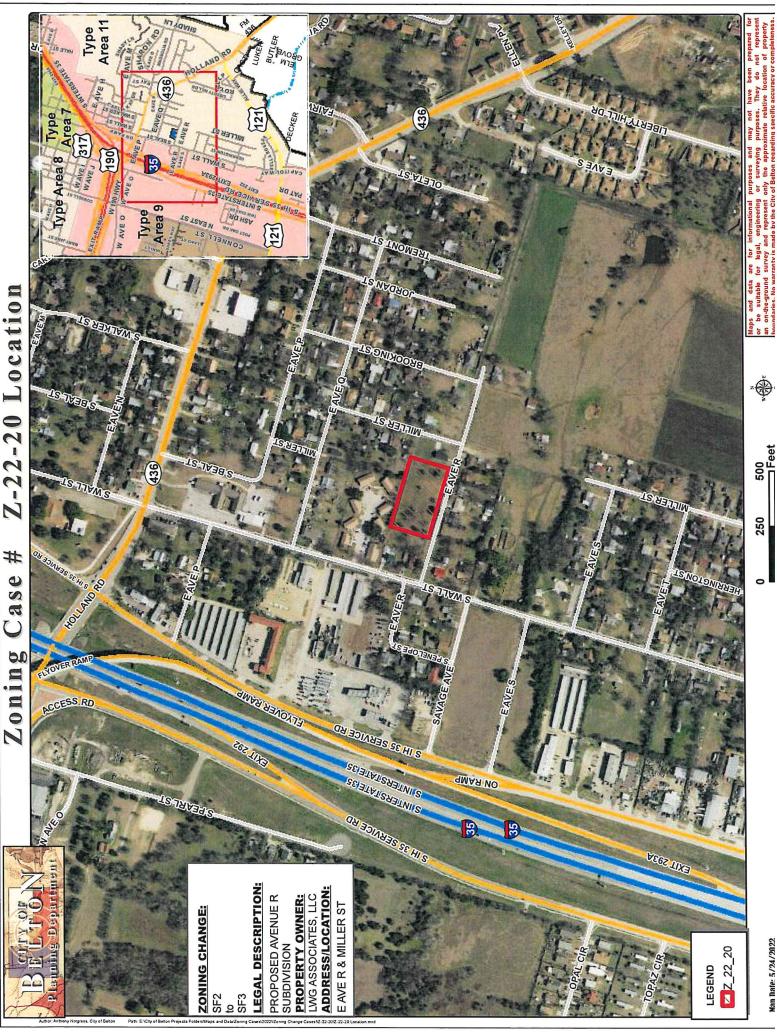


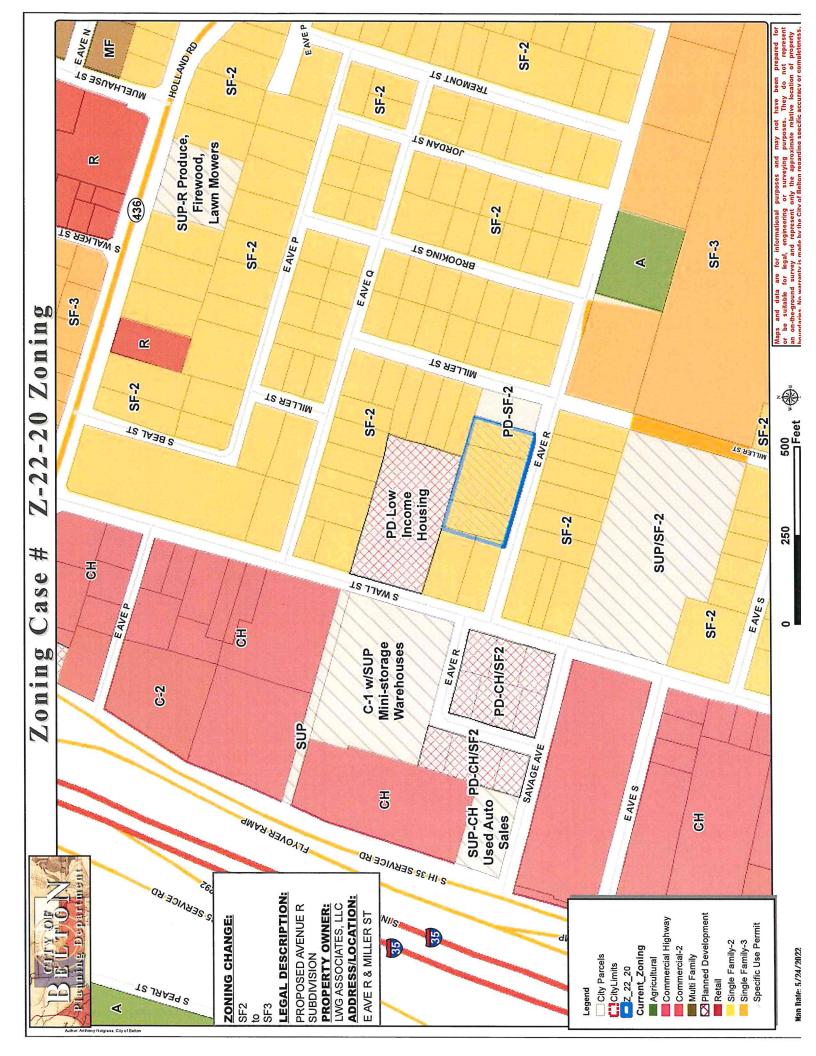
Fee: \$250.00	Fee:	\$25	0.00
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Date received:				
APPLICANT NAME: 6 ASSOCIATES LLC				
LNG 11350C12Tes CCC				
EMAIL: 19405 Shot. rr. com	PHONE NUMBER: $2 < \sqrt{7} / 8 - 28/67$			
MAILING ADDRESS:	D7 110-2011			
MAILING ADDRESS: 202 E Barton Temple	76501			
PROPERTY OWNER NAME:				
LNG ASSOCIATES				
EMAIL:	PHONE NUMBER:			
(Some)	(Samo)			
MAILING ADDRESS:				
Bame				
Proposed Use of Structures (building) and Property (exterior pro	perty):			
	tarichomes			
Current Use: Vacant				
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:				
Legal Description of Property: Abstract Survey				
Lot(s):,				
of Subdivision				
Existing Zoning: <u>SF2</u> Proposed Zo	oning: <u>SF-3</u> PD-SFJ			
- Kh	-1 1			
Signature of Applicant: Date: 5/9/22				
Signature of Owner (if not applicant):	Date:			

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









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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: LWG Associates
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: EAST AVENUE R, EAST OF WALL STREET AND WEST OF
 ,

 MILLER STREET (SEE ATTACHED MAP)
 ,

 FROM A(N) SINGLE FAMILY -1 (SF-2)
 ZONING DISTRICT,

 TO A(N)
 PLANNED DEVELOPMENT SINGLE FAMILY 2
 ZONING DISTRICT,

 TO ALLOW DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENTS.
 .

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, October 18th, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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.

The state of the	
	circle one NTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ATION ABOVE FOR THE REASONS EXPRESSED BELOW:
1.	
2.	
3.	
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	SIGNATURE:

14309 GUTHRIE, ROBERT A ETUX STEPHANIE R 511 E AVENUE R BELTON, TX 76513-4332

31567 HARRIS, TAWNYA L 1612 MILLER ST BELTON, TX 76513-4349

44494 BOUNDS, DOYLE 1644 S WALL ST BELTON, TX 76513-4371

60169 MCKINNEY, JIMMY L & RUTH A 1615 MILLER ST BELTON, TX 76513-4348

75252 MARTINEZ, MARTINA S 2608 N MAIN ST STE B BELTON, TX 76513-1547

94144 HATHAWAY, PAUL R 505 E AVE R BELTON, TX 76513

101823 GUTHRIE, ALVIN F 1609 MILLER ST BELTON, TX 76513-4348

129513 GUESS, LARRY PO BOX 120 BELTON, TX 76513-0120

169384 CURTIS, MARIE FAMILY LTD 4212 S 5TH ST TEMPLE, TX 76502-3344

169387 GUZMAN, MARIA CARMEN VEGA 716 N PENELOPE ST BELTON, TX 76513 18192 LECHUGA, PATRICIA 1700 S WALL ST BELTON, TX 76513-4373

33083 SALAZAR, MARTHA 513 E AVENUE R BELTON, TX 76513-4332

48471 OLIVARES, LUIS GERARDO ETUX MATILDE LECHUGA 2205 S WALL ST BELTON, TX 76513

72158 LARGENT, LAURA ETVIR RODNEY 509 E AVENUE R BELTON, TX 76513-4332

77397 CARLSON, TRACY 1702 S WALL ST BELTON, TX 76513-4373

97804 RENIK, MURRAY D & ENRIQUE SAMUDIO 1620 MILLER ST BELTON, TX 76513

114838 GARCIA, ERNESTO & MARIA G 1648 S WALL ST BELTON, TX 76513

129518 JACK-O-LANTERN LTD 116 NORTH 3RD ST STE A TEMPLE, TX 76501

169385 CURTIS, MARIE FAMILY LTD 4212 S 5TH ST TEMPLE, TX 76502-3344

432420 R & L EQUITY LLC 2328 SHANKLIN RD BELTON, TX 76513 18193 LECHUGA, PATRICIA 1700 S WALL ST BELTON, TX 76513-4373

44093 GUERRERO FAMILY TRUST 1613 MILLER ST BELTON, TX 76513

52102 HOUSING AUTHORITY CITY OF BELTON 715 SAUNDERS ST BELTON, TX 76513

72453 LWG ASSOCIATES LLC 202 E BARTON AVE TEMPLE, TX 76501-3371

94143 HATHAWAY, PAUL R 505 E AVE R BELTON, TX 76513

100418 RODRIQUEZ, JUAN D 1611 MILLER ST BELTON, TX 76513-4348

117582 TORRES, LUPE ETUX AMELIA 5010 S PEA RIDGE RD TEMPLE, TX 76502

129519 JACK-O-LANTERN LTD 116 NORTH 3RD ST STE A TEMPLE, TX 76501

169386 LAWSON, STEPHEN RICHARD ETUX SANDRA GAIL 2203 HIGH VIEW DR BELTON, TX 76513

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

2-22-20 Received 10-17

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: LWG ASSOCIATES TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: EAST AVENUE R, EAST OF WALL STREET AND WEST OF MILLER STREET (SEE ATTACHED MAP)

FROM A(N) SINGLE FAMILY -1 (SF-2)

ZONING DISTRICT, TO A(N) PLANNED DEVELOPMENT SINGLE FAMILY 2 ZONING DISTRICT, TO ALLOW DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENTS.

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, October 18th, 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, October 25, 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 October 25, 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.	LOSS OF PRIVACY			
2.	TRAFFIC			
3.	NOISE			
	(FURTHER COMMENTS MAY BE EX	PRESSED ON A	SEPARATE SHEET O	PAPER)
DATE:	10-16-22	SIGNATURE:	Jan Ula Caring	Ruth Mckimser
				PLANNING DEPARTMENT
				CITY OF BELTON
				P. O. Box 120
				BELTON, TEXAS 76513
	60169			254-933-5812
	MCKINNEY, JIMMY L & RUTH A			
	WCKIWNET, JIWIWITE & KOTTA			

1615 MILLER ST

BELTON, TX 76513-4348

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: LWG ASSOCIATES

TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: <u>EAST AVENUE R</u>, EAST OF WALL STREET AND WEST OF MILLER STREET (SEE ATTACHED MAP)

FROM A(N) SINGLE FAMILY -1 (SF-2)

BELTON, TX 76513

TO A(N) PLANNED DEVELOPMENT SINGLE FAMILY 2

ZONING DISTRICT, ZONING DISTRICT,

TO ALLOW DETACHED SINGLE FAMILY RESIDENTIAL DEVELOPMENTS.

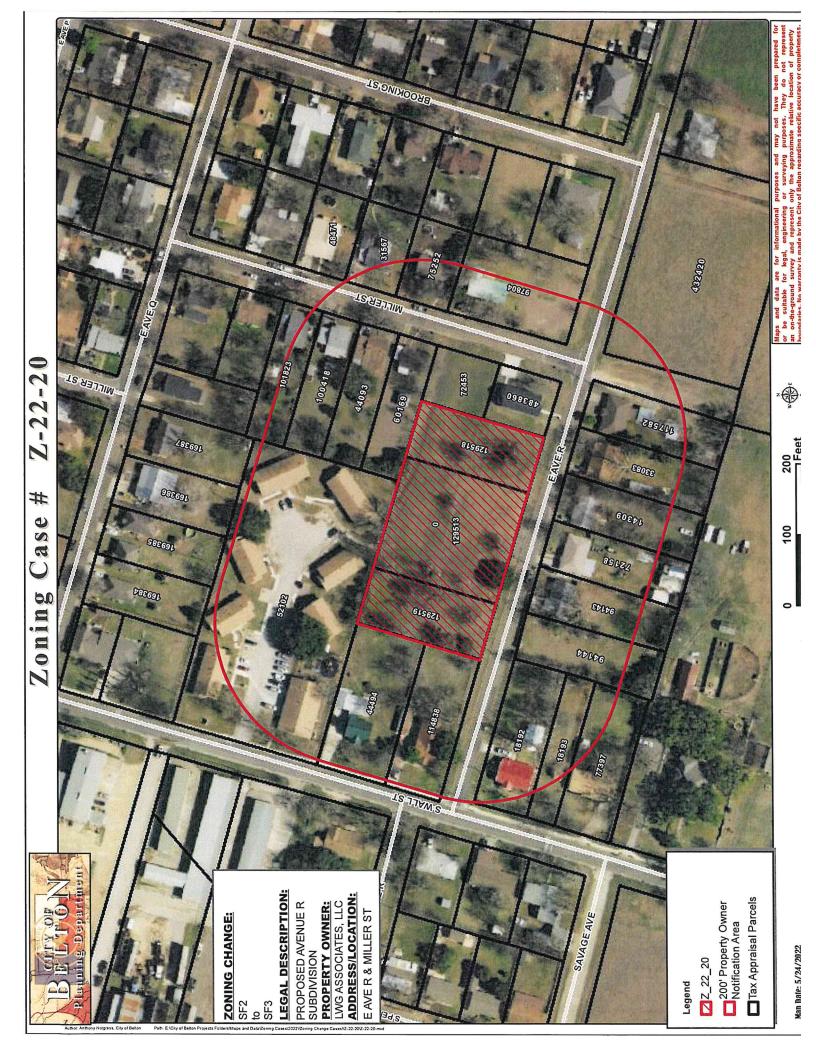
The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18th, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

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, October 25, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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. 50 eru I. CI 3. (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER) 19005 DATE: 202 SIGNATURE: PLANNING DEPARTMENT **CITY OF BELTON** P.O. Box 120 **BELTON, TEXAS 76513** 254-933-5812 NICIS MURRAY D & ENRIQUE SAMUDIO 1620 MILLER ST



Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

4. Z-22-20 - Hold a public hearing and consider a zoning change from Single Family-2 District to Planned Development – Single Family-2 District for approximately 1.3494 acres located on East Avenue R, located between Wall Street and Miller Street. (Audio 1:43)

Staff Planner Ms. Moore presented the staff report.

Vice Chair Dave Covington opened the public hearing. With no public input, the public hearing was closed.

Commission Member Nicole Fischer made a motion to approve Z-22-20 as presented. The motion was seconded by Commission Member Alton McCallum. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2022-55

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 RESIDENTIAL TO PLANNED DEVELOPMENT – SINGLE FAMILY-2 RESIDENTIAL ON APPROXIMATELY 1.349 ACRE PROPERTY LOCATED ON EAST AVENUE R, BETWEEN WALL STREET AND MILLER STREET

WHEREAS, LWG Associates, the property owners, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 1.349 acres located on Avenue R, between Wall and Miller Street (location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 25th day of October, 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 to Planned Development – Single Family-2 Residential District in accordance to Section 32, *Planned Development District*, and Section 11, *Single Family-2 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-2 Zoning District in all respects, except as follows:
 - a. A minimum lot area of 5,785 square feet is allowed.
 - b. A minimum depth of 89' is allowed.
 - c. A side yard setback of 5'.
 - d. One covered parking space and three uncovered parking spaces is allowed for Lots 1,3,5, and 7.

2. Approval of the subdivision replat is required.

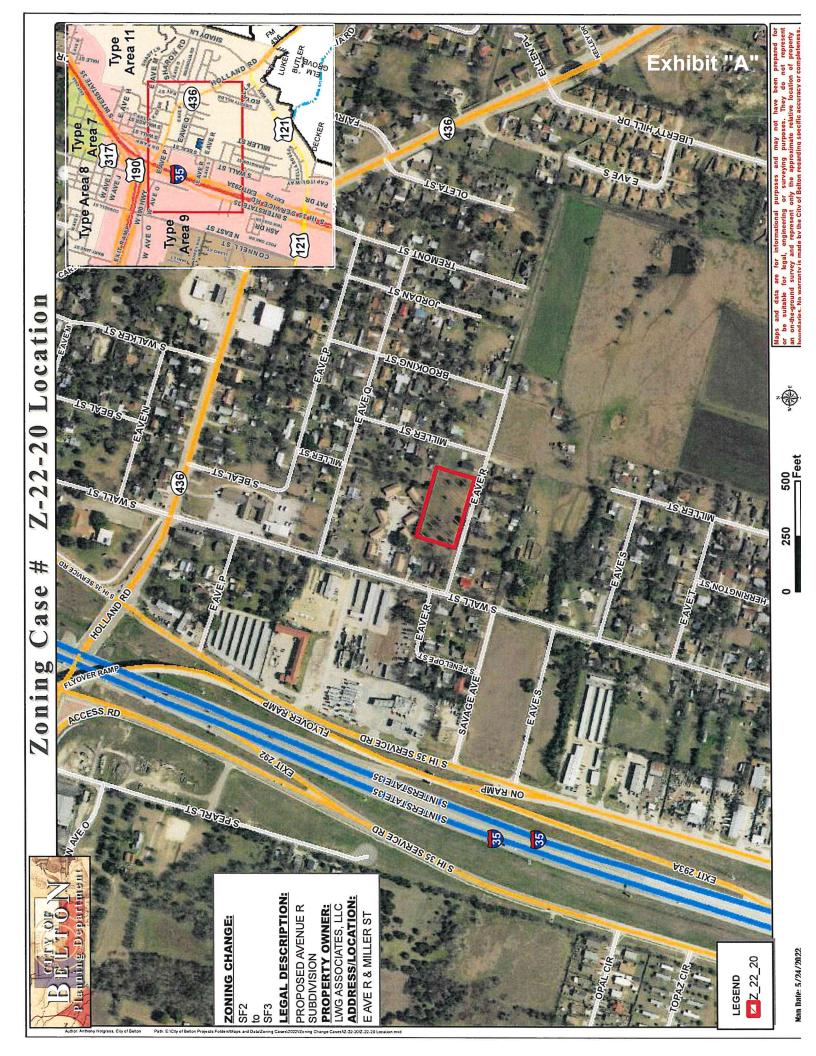
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25t^h day of October, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

ATTEST:

Wayne Carpenter, Mayor

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item



Date: October 25, 2022 Case No.: P-22-27 Request: Replat Applicant: LWG Associates Owner/Developer: Larry Guess and Jack Folsom

Agenda Item #9

P-22-27 - Hold a public hearing and consider a final plat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create eight residential lots, on the north side of East Avenue R, between Wall Street and Miller Street.

Originating Department

Planning - Tina Moore, Planner

Case Summary

This replat proposes one block and eight residential lots. This infill project has four lots with direct access to E. Avenue R and four flagged lots at the rear of the front lots. Per Texas Local Government Code Section 212.012, if a proposed residential replat requires a variance or exception, a public hearing must be held. Notice of the public hearing was provided via local newspaper and to property owners within 200' of the property.

Project Analysis and Discussion

This project is associated with zoning request: Z-22-20. The zoning change is from SF-2 to Planned Development – SF-2 to allow for the following:

SF-2 Zon	ing Requirements	Requested PD Conditions
Minimum Lot Area	7,500	Reduction to 5,785
Minimum Lot Width	60'	No changes proposed
Minimum Lot Depth	100'	Reduction to 89'
Front Yard Setbacks	25'	No changes proposed
Rear Yard Setbacks	20'	No changes proposed
Side Yard Setbacks	6'	Reduction to 5'

The plat will conform to the requested PD-SF-2 standards, if approved.

<u>Water and Sewer</u>: Water and wastewater services are provided by the City of Belton.

Streets: East Avenue R is a local roadway with 50' of right of way and 25' of pavement.

Access: Access is provided from East Avenue R. Per Subdivision Code 511.02, *Access to Street,* each lot is required to have a minimum frontage of 20' to a public road. Each flag lot has 15' of frontage on East Avenue R. The flag lots are contiguous to each other and are 30' wide. A joint access easement is provided on the flag lot to allow shared use of the access area. The applicant is requesting a reduction of the access standard from 20' to 15'. Staff is supportive of the request due to the layout and joint access easement.

Drainage: Topography and drainage have been reviewed by staff.

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 \$1,600 is required for eight units. These funds will be used to develop City parks within a one-mile radius of this subdivision – South Wall Tiger Park or Miller Heights Park.

Recommendation

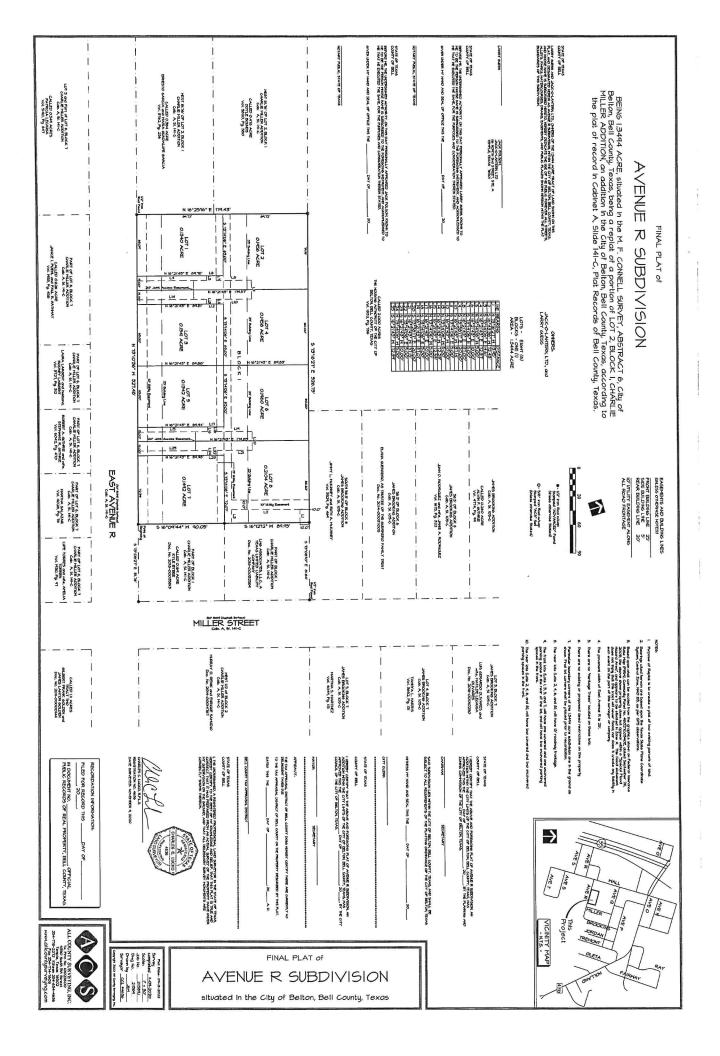
At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the final plat of Avenue R Subdivision including approval of a variance for a 15' minimum frontage to a public road.

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

> City Council Agenda Item October 25, 2022 Page 2 of 2

		City of Belton	
	Re	quest for Subdivision Plat	
	to	the City Council and the	
		ing and Zoning Commission	
opplication is	hereby made to the (City Council for the following:	
Prelim	inary Subdivision	Fees due \$ <u> </u>	
Final S	ubdivision	CK++ 4072	
🗆 Admin	istrative Plat		
🔳 Replat			
🗆 ETJ			
🔳 City Li	nits		
Date Received	I: Date Due:	(All plans are to be returned to	the Planning
		Submission Calendar.)	
<i>repartment</i>			
Applicant: Ch	arles C. Lucko	Phone: (254)	778-2272
Vailing	4330 Sc	uth 5th Street Temple Texas	
vialling A	ddress:	un sur sueer remple rexas	
Email Address	ddress: ; chuck@allcountysurv	uth 5th Street Temple Texas	
Email Address	ddress: : chuck@allcountysun	reying.com	
Email Address Owner: Larr	: / Guess	Phone:	
Email Address Owner: Larr	:	Phone:	
Email Address Owner: <u>Larr</u> Mailing Add	: / Guess Iress: _202 East Barton	Phone:	
Email Address Owner: <u>Larr</u> Mailing Ado Email Addr	: <u>chuck@allcountysurv</u> / Guess Iress: <u>202 East Barton</u> ess:	Phone:Phone:	
Email Address Owner: <u>Larr</u> Mailing Add Email Addr Current Desci	: <u></u>	Phone:Phone:	
Email Address Owner: <u>Larr</u> Mailing Add Email Addr Current Descu Lot: <u>Part of Lo</u>	: <u>chuck@allcountysurv</u> / Guess Iress: <u>202 East Barton</u> ess: iption of Property: t 2Block: <u>1</u>	Phone:Phone: Temple Texas Subdivision: Charlie Miller Addition	
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Page 1



NOTICE OF APPLICATION FOR A RE-PLAT REQUEST IN THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>LWG Associates</u> To re-plat the following described property: <u>Lot 2, Block 1, Charlie Miller Addition</u> Described as:

> P-22-27 - Hold a public hearing and consider a replat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create 8 residential lots, on the north side of East Avenue R, east of Wall Street and west of Miller Street as submitted by applicants Larry Guess and Jack Folsom.

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18, 2022</u>, in the Wright Room at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, October 25, 2022</u> THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known by attending these hearings. You may submit written comments about this re-plat by completing this form and returning it to the address below.

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

Circle one As an interested property owner, I (protest) (approve) the requested re-plat 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	

Sec. 212.015. ADDITIONAL REQUIREMENTS FOR CERTAIN REPLATS.

(2)(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

PLANNING DEPARTMENT CITY OF BELTON P. O. Box 120 Belton, Texas 76513 14309 GUTHRIE, ROBERT A ETUX STEPHANIE R 511 E AVENUE R BELTON, TX 76513-4332

31567 HARRIS, TAWNYA L 1612 MILLER ST BELTON, TX 76513-4349

44494 BOUNDS, DOYLE 1644 S WALL ST BELTON, TX 76513-4371

60169 MCKINNEY, JIMMY L & RUTH A 1615 MILLER ST BELTON, TX 76513-4348

75252 MARTINEZ, MARTINA S 2608 N MAIN ST STE B BELTON, TX 76513-1547

94144 HATHAWAY, PAUL R 505 E AVE R BELTON, TX 76513

101823 GUTHRIE, ALVIN F 1609 MILLER ST BELTON, TX 76513-4348

129513 GUESS, LARRY PO BOX 120 BELTON, TX 76513-0120

169384 CURTIS, MARIE FAMILY LTD 4212 S 5TH ST TEMPLE, TX 76502-3344

169387 GUZMAN, MARIA CARMEN VEGA 716 N PENELOPE ST BELTON, TX 76513 18192 LECHUGA, PATRICIA 1700 S WALL ST BELTON, TX 76513-4373

33083 SALAZAR, MARTHA 513 E AVENUE R BELTON, TX 76513-4332

48471 OLIVARES, LUIS GERARDO ETUX MATILDE LECHUGA 2205 S WALL ST BELTON, TX 76513

72158 LARGENT, LAURA ETVIR RODNEY 509 E AVENUE R BELTON, TX 76513-4332

77397 CARLSON, TRACY 1702 S WALL ST BELTON, TX 76513-4373

97804 RENIK, MURRAY D & ENRIQUE SAMUDIO 1620 MILLER ST BELTON, TX 76513

114838 GARCIA, ERNESTO & MARIA G 1648 S WALL ST BELTON, TX 76513

129518 JACK-O-LANTERN LTD 116 NORTH 3RD ST STE A TEMPLE, TX 76501

169385 CURTIS, MARIE FAMILY LTD 4212 S 5TH ST TEMPLE, TX 76502-3344

432420 R & L EQUITY LLC 2328 SHANKLIN RD BELTON, TX 76513 18193 LECHUGA, PATRICIA 1700 S WALL ST BELTON, TX 76513-4373

44093 GUERRERO FAMILY TRUST 1613 MILLER ST BELTON, TX 76513

52102 HOUSING AUTHORITY CITY OF BELTON 715 SAUNDERS ST BELTON, TX 76513

72453 LWG ASSOCIATES LLC 202 E BARTON AVE TEMPLE, TX 76501-3371

94143 HATHAWAY, PAUL R 505 E AVE R BELTON, TX 76513

100418 RODRIQUEZ, JUAN D 1611 MILLER ST BELTON, TX 76513-4348

117582 TORRES, LUPE ETUX AMELIA 5010 S PEA RIDGE RD TEMPLE, TX 76502

129519 JACK-O-LANTERN LTD 116 NORTH 3RD ST STE A TEMPLE, TX 76501

169386 LAWSON, STEPHEN RICHARD ETUX SANDRA GAIL 2203 HIGH VIEW DR BELTON, TX 76513

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

P-22-27 Received 10-17

NOTICE OF APPLICATION FOR A RE-PLAT REQUEST IN THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>LWG Associates</u> TO RE-PLAT THE FOLLOWING DESCRIBED PROPERTY: <u>LOT 2, BLOCK 1, CHARLIE MILLER ADDITION</u> DESCRIBED AS:

> P-22-27 - Hold a public hearing and consider a replat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create 8 residential lots, on the north side of East Avenue R, east of Wall Street and west of Miller Street as submitted by applicants Larry Guess and Jack Folsom.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT <u>5:30 P.M., Tuesday, October 18, 2022</u>, in the Wright Room at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, October 25, 2022</u> THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known by attending these hearings. You may submit written comments about this re-plat by completing this form and returning it to the address below.

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

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APPLICATIO	N ABOVE FO	R THE F	REASONS EXP	RESSED BEI	LOW:					
1	Loss	OF	PRIVACY	đ			z			
2.	TRAF	FIC								

3. NOISE

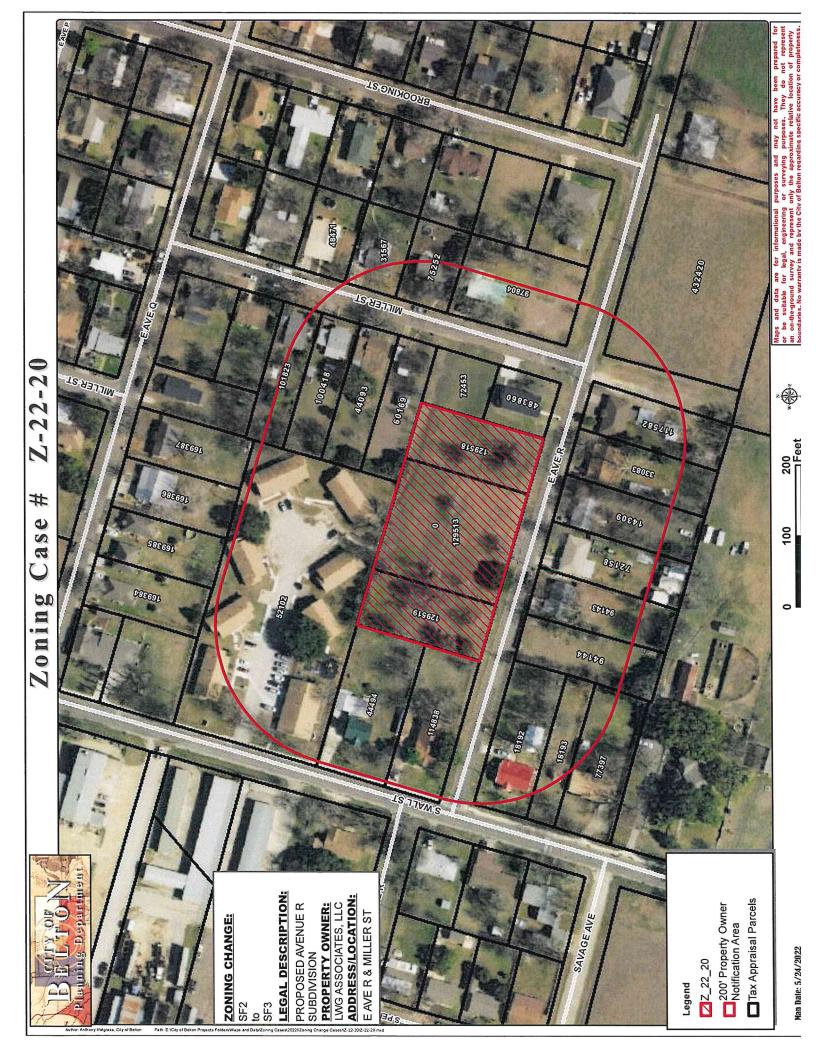
(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

10-11-22 DATE: SIGNATURE:

Sec. 212.015. ADDITIONAL REQUIREMENTS FOR CERTAIN REPLATS.

(2)(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513



Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

5. P-22-27 - Hold a public hearing and consider a replat of the Avenue R Subdivision, a replat of Lot 2, Block 1, Charlie Miller Addition, to create 8 residential lots, on the north side of East Avenue R, between Wall Street and Miller Street. (*Audio 8:25*)

Staff Planner Ms. Moore presented the staff report.

Vice Chair Dave Covington opened the public hearing.

With no public input, the public hearing was closed.

Commission Member Zachary Krueger made a motion to approve P-22-27 as presented. The motion was seconded by Commission Member Nicole Fischer. The motion passed with 7 ayes, 0 nays.

Staff Report – City Council Agenda Item



Date: October 25, 2022 Case No.: Z-22-31 Request: Agricultural to Planned Development - Commercial Highway (PD-CH) Applicant/Owner: MS Joint Ventures, LLC/ Robinson, Louis and Susan

Agenda Item #10

Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Planned Development - Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Road, located south of Interstate 14 and east of Simmons Road. Due to inconsistency in address numbers, this property was recently reassigned from 6379 W. US 190 Service Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Commercial Highway

Current Land Use(s): Residential

Proposed Uses: Travel Center – Convenience Store w/ Gasoline, Grocery Store and Restaurant

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as a lifestyle center appropriate for retail, restaurants, dense residential and neighborhood services.

Design Standards Type Area 2:

The projected growth for Type Area 4 is primarily commercial highway frontage uses. Opportunities for mixed use developments, hotels, restaurants, new car dealerships, multistory office buildings.

> City Council Agenda Item October 25, 2022 Page 1 of 3

Background/Case Summary

This property was annexed into the City limits in 2009 and assigned the Agricultural Zoning District at that time. The applicant is a prospective buyer of this property and has submitted this zoning change request to allow for the development of a Travel Center including a convenience store with gasoline sales and two restaurants. The proposed use is allowed in the Commercial Highway Zoning District.

Project Analysis and Discussion

Existing Conditions. The surrounding uses are:

Direction	Zoning	Use
North	Commercial 1 and 2	C. F. Supply and Texas
		Materials Asphalt
		Maintenance.
South	Agricultural	Detached single family uses
East	Agriculture	Automotive Repairs
West	Commercial - 1	Restaurant

<u>Allowable Land Uses</u>: The proposed zoning change would allow for the proposed restaurants and convenience store/truck stop as well as other uses permitted in the CH zoning district. Other uses include all uses permitted in the Retail District, auto sales, commercial amusement, and hospital or nursing home.

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the CH District, which requires a minimum lot size of 7,200 sq. ft, a minimum width of 60' and depth of 120'. This lot is approximately 10.92 acres and meets the minimum lot requirements.

<u>Water and Sewer</u>: The applicant is aware this property lies outside of the City's water and wastewater service area. Dog Ridge Water Supply Corporation is the water provider. The applicant will be responsible for providing fire protection as there are no fire hydrants or adequate water pressure for firefighting purposes. The applicant plans to install a septic system which will require approval from the Bell County Public Health Department. A subdivision plat and a building permit will be required prior to development to ensure compliance with all applicable codes.

The Planning and Zoning Commission recommended postponing this item at their September meeting due to public opposition. They recommended that the applicant apply for a Planned Development zoning change. The applicant modified their conceptual site plan to remove truck parking, provide screening, and provided a list of required codes that they will need to adhere to in developing. The applicant is requesting a prescriptive-based planned development as they have not hired a Civil Engineer to evaluate the site and develop a final site plan.

City Council Agenda Item October 25, 2022 Page 2 of 3

Recommendation

At their meeting on October 18, 2022, the Planning and Zoning Commission voted 6-1 to recommend approval of the requested zoning change from Agricultural District to Planned Development - Commercial Highway District for the property located at 7379 W. Highway 190 Service Road, subject to the following conditions:

- 1. The use of this property shall conform to the Commercial Highway District in all respects.
- 2. An 8' tall solid screening fence is required along the property line adjacent to residential uses.
- 3. The development of the property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards
- 4. A subdivision plat and a building permit are required prior to development.

Attachments

Zoning application Conceptual site plan Property Location Map Zoning map Aerial Zoning notice to owners/Property owner's list P&Z Minutes Excerpt Ordinance

> City Council Agenda Item October 25, 2022 Page 3 of 3



ZONING CHANGE APPLICATION

Fee: \$250.00

Date received:	
APPLICANT NAME: MS JOINT VENTURE LLC	
EMAIL: MALEK694@GMAILCOM	PHONE NUMBER: 512-694-2223
MAILING ADDRESS: 2402 LAKE AUSTIN BLVD., A	USTIN TX 78703
PROPERTY OWNER NAME: LOUIS N ROBISON JR ,	SUSAN A ROBISON
EMAIL: ROBISONSUSAN2@GMAIL.COM	PHONE NUMBER: 254-760-9615
MAILING ADDRESS: PO BOX 142, NOLANVILLE, T	
Current Use:	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:	
7379 W HWY 190 BELTON, TX 76513	BELLCAD # 194295
Legal Description of Property: Abstract Survey A0070BC J BEAL, 58 Lot(s): Block(s): <u>MP159524A; LABEL</u> # of Subdivision	-31, ACRES 10.92, SN1
Existing Zoning:RESIDENTAL Proposed Zo	ningHIGHWAY COMMERCIAL (HC)
Signature of Applicant: Al-Same the	Date: 8-10-2022
Signature of Owner (if not applicant):	100 Date: 8-10-2022

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

-1-

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

Signed application

Fees paid

Complete legal descriptions of the property to be rezoned

X 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.

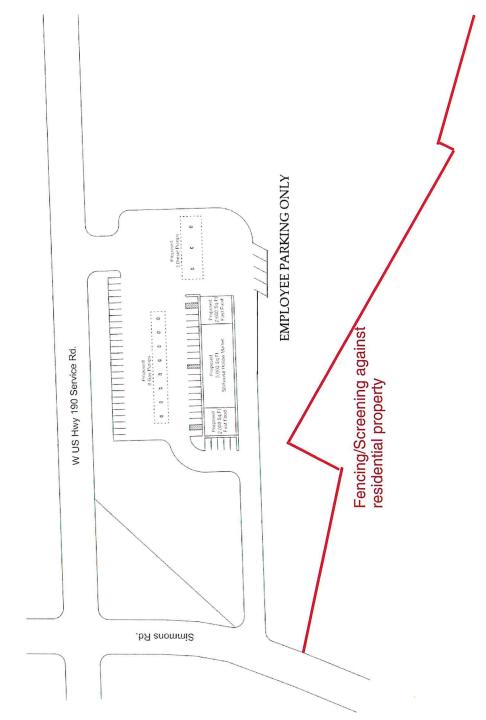
b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and 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.

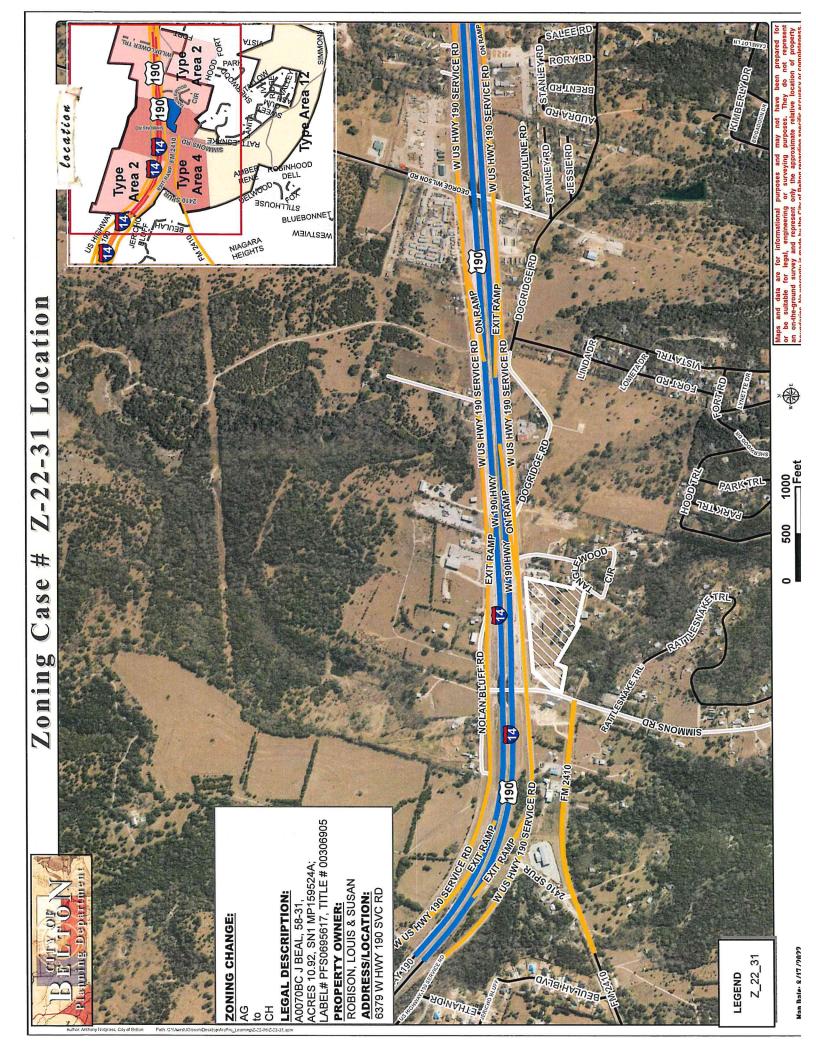
f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.

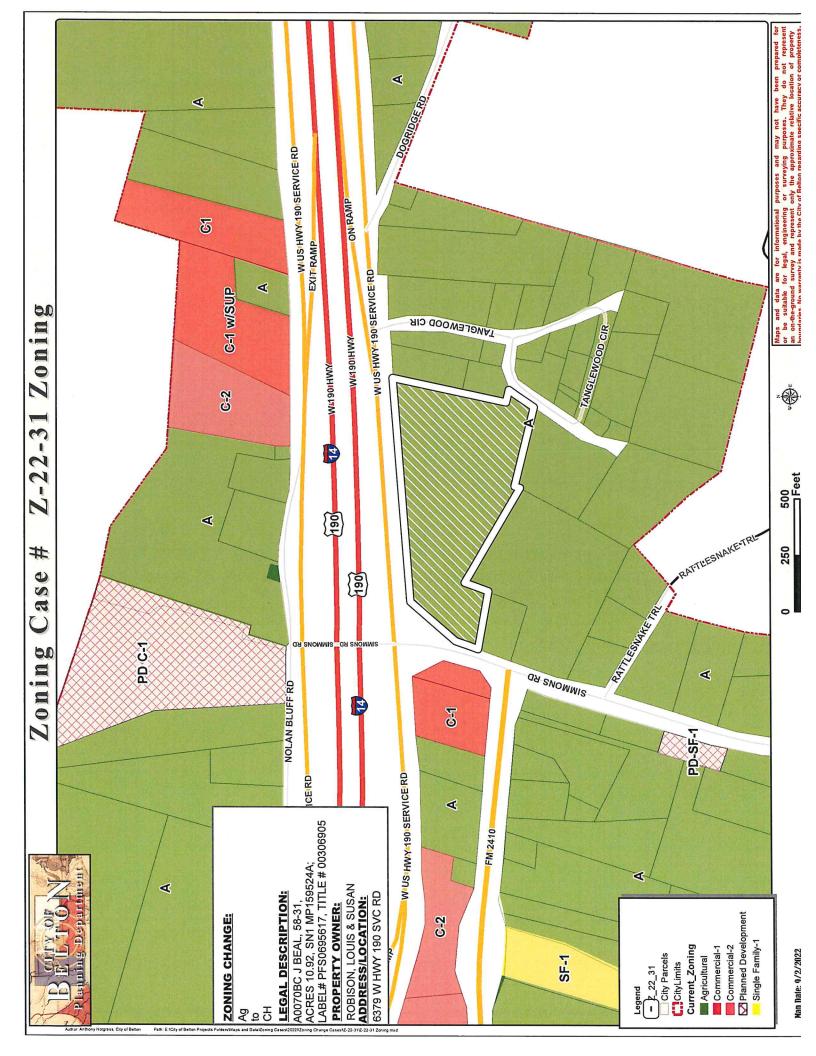


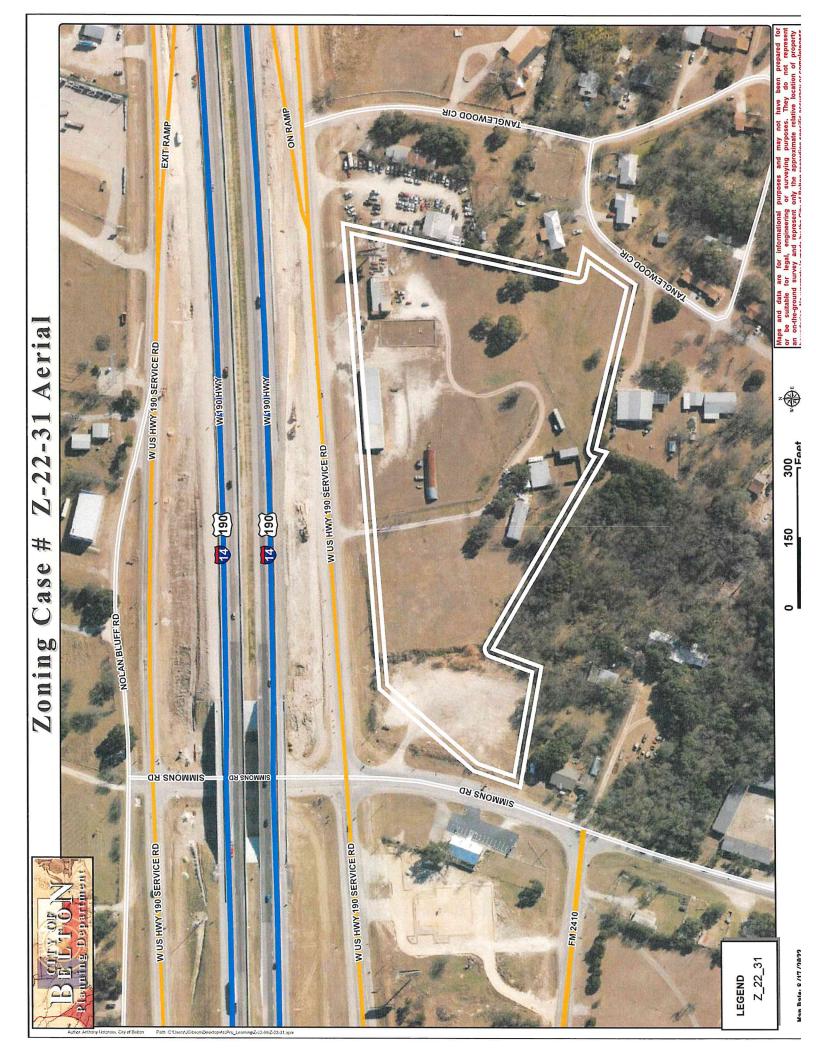
STILLHOUSE HOLLOW MARKET 7379 W HWY 190 BELTON, TX 76513

7379 W. HWY 190 (Interstate 14)

- Property will include fencing/screening of 6' wood privacy fence next to residential property in accordance with City of Belton Zoning Ordinance. (Sec.41)
- Building/property will include light sources so as not to produce obnoxious and intense glare or indirect illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property in accordance with City of Belton Zoning Ordinance (Sec. 39)
- Property will be evaluated by engineers to maintain and distribute any water runoff or drainage and will be approved by City of Belton.
- Fuel tanks will be installed according to Federal, State, County and City requirements (Containment Solutions Inc)
- Ingress and Egress will be established by TDOT.
- Property will not allow semi-truck parking.
- Property will NOT be available for ANY overnight parking.
- Zoning Commercial Highway District. (Sec. 23)







REVISED

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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:
 MS JOINT VENTURES LLC.
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 7379 W. US 190 Svc Road
 ,

 FROM A(N)
 _AGRICULTURAL (A)
 _ZONING DISTRICT,

 TO A(N)
 _PLANNED DEVELOPMENT - COMMERCIAL HIGHWAY (PD- CH)
 _ZONING DISTRICT,

 TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS STATION)
 .

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18, 2022</u>, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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 INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ATION ABOVE FOR THE REASONS EXPRESSED BELOW:
1.	
2.	
3.	
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	SIGNATURE:

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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:
 MS JOINT VENTURES LLC.
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 6379 W. US 190 Svc Road
 ,

 FROM A(N) _ AGRICULTURAL (A)
 ZONING DISTRICT,
 ,

 TO A(N) _ COMMERCIAL HIGHWAY (CH)
 ZONING DISTRICT,
 ,

 TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS STATION)
 ,
 ,

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, 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 <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on <u>September 27, 2022</u>.

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1.	
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3.	
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	SIGNATURE:

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>MS JOINT VENTURES LLC.</u>	
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 6379 W. US 190 SVC ROAD	
FROM A(N) <u>AGRICULTURAL (A)</u>	ZONING DISTRICT,
TO A(N) COMMERCIAL HIGHWAY (CH)	ZONING DISTRICT,
TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS ST	CATION)

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, 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 <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, 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 <u>Planning@beltontexas.gov</u>, 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:

2905 ANDERSON, DOROTHY JANE 2690 TANGLEWOOD BELTON, TX 76513-6572

27816 DAVIS, EARNEST R II 3140 TANGLEWOOD CIR BELTON, TX 76513

37256 FOSTER, STEPHEN K ETUX SUDIE 2805 SIMMONS RD BELTON, TX 76513-7890

44523 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

92702 PETERSON'S PARTNERSHIP 3210 LANELLE DR BELTON, TX 76513

194295 ROBISON, LOUIS N JR ETUX PO BOX 142 NOLANVILLE, TX 76559-0142 7921 HAMSTER WHEEL INVESTMENTS LLC 106 W AVENUE G NOLANVILLE, TX 76559-4339

29751 DOG RIDGE WATER SUPPLY CORP PO BOX 232 BELTON, TX 76513-0232

44227 SCHROEDER, RICHARD E 6081 CLIFF LN TEMPLE, TX 76502-6559

44524 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

108093 HAZEL PARK TRUST 3307 STILLHOUSE LAKE DR TRLR 32 HARKER HEIGHTS, TX 76548 24513 CORLEY, HELEN 2005 HOOD RIDGE CT GRAPEVINE, TX 76051-2757

35545 FINNEY, CHARLES ETUX FRANCIS 3125 TANGLEWOOD CIRCLE BELTON, TX 76513

44522 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

65606 LOERTCHER, JESSE DRAYTON PO BOX 1215 BELTON, TX 76513

126716 NESBY, RICHARD K ETUX INDY 3011 TANGLEWOOD CIR BELTON, TX 76513-6611 September 18, 2022

Zoning Case: Z-22-31

Property Owner: 44227

3022/3024 Tanglewood Circle, Belton, TX

TO: Planning and Zoning Commission of City of Belton

Imagine opening the front door of your house and:

Looking at 18 wheelers out your front door

Listening to the sounds of the engines and brakes from the 18 wheelers as you try to sleep or sit in your yard 24 hours a day 7 days a week,

Smelling the odors of the diesel fuel and exhausts,

Feeling the rumble of the 18 wheelers as you stand in your yard, or try to sleep,

Having lights that light up parking lots and fuel pumps coming thru your windows,

This is not an exaggeration. I went to the CEFCO near Crossroads Park, which has the same design as the proposed, and those lights extend well beyond 300 feet.(which would cover the residences next to this proposal)

Smelling the fried food stench coming from the kitchens – I went to the CEFCO near Crossroads Park and standing far away from the back of the building you could smell the stench coming from the fans.

Would you tolerate this at your house? You would not.

Economic damages: I have is duplex located across the street and the residents move there for peace and quiet. This will be destroyed. The property managers indicate the property will be hard to rent, rents will be reduced, and house value decreased.

Roads: The proposed plan borders on Tanglewood Circle which is a private road, and there is no guarantee the owners will not use that access, now or in the future. If gas station owners or contractors use this access, property owners would have no choice but to sue for damages.

Drainage: I heard a suggestion that the area near Simmons road could be used for drainage, that area is a sink hole, that in all likelihood cannot be used, forcing the drainage in the other direction onto Tanglewood Circle Road, which already has a drainage problem. Picture a heavy thunderstorm of 3 inches or more, the water off the parking lot will have nowhere to go except into the back and front yards of current property owners.

Safety of Citizens

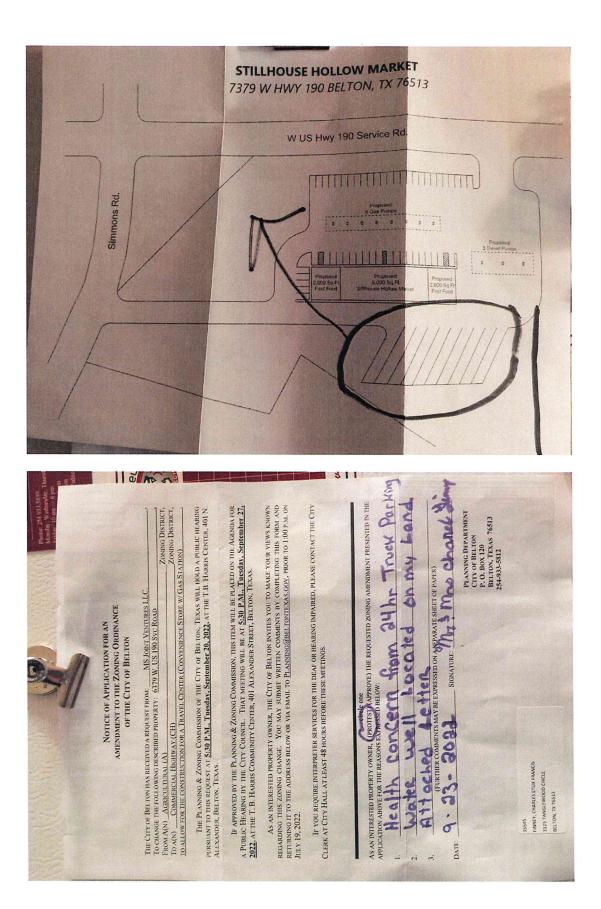
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Pollution and toxins from the overnight parking of diesel trucks, as well as the gasoline station tanks and vents have been shown to release benzene and other harmful compounds toxins in the air, being placed closest to the residential area This affects our household with asthmatic members and members with Major health in our home. Not to mention mental anguish from 24 hr a day noise

Crime, Prostitution, Trafficking, smuggling and drugs all are found at truck stops, it would raise our crime and endanger our household and neighborhood. We will be at higher risk of a break in with the opened fence they'd be leaving open to public.

Run off of spilled gas or diesel several people in the neighborhood have water wells, they could be contaminated by the diesel/gas spillage events, this is a personal fret to us as well, being as it's going to be built so close in contact. which as the city of belton will never offer water



nor dog ridge are going to make more meters available, we are stuck with wells and the horrible quality if there is contamination caused by this truck stop.

General privacy of residence

The truck stop will raise traffic around the neighborhood, but also open it to the view of the passing people, specifically our home which will be exposed to an invasion of privacy unless a privacy fence is put up along the perimeter.

Disturbance to the residence peace and quality of life

Engines run consistently at night, horns loud air brakes and the uprise in traffic will disturb everyone's sleep cycle and peace, something that shouldn't be disturbing a residential area

Pollution will lower air quality and affect all of us.

Cost of living and taxes

The taxes will raise due to the commercial property entering the residencial area

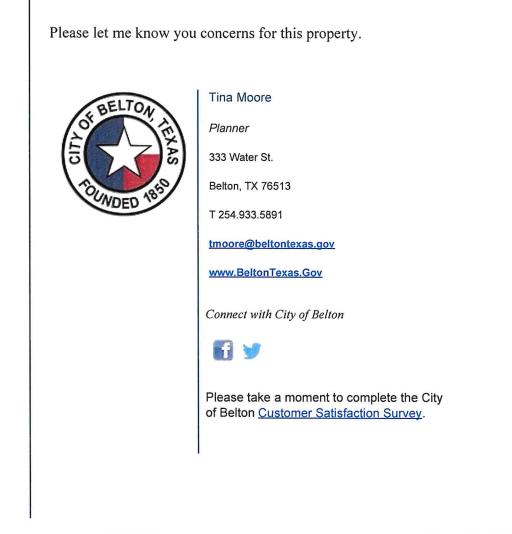
The truck stop will greatly lower our home values, as nobody wants to be in this situation of no privacy, awful air and pollution, noise bright light trespassing trash, crime and more.

Final plead

If anything cannot be done, at the very least we need a privacy divider, noise reduction and if the plan is moved around placing both diesel pumps and truck parking to the other end of property, it's a great danger to all of us in our neighborhood and will greatly impact our quality of all of our nebiorhood lives. The safety of citizens and drinking water wells and quality of living is very basic right as we are Belton citizens and pay city taxes we feel we deserve peace and quality of living in our homes

Sent from Yahoo Mail on Android

On Fri, Sep 16, 2022 at 1:52 PM, Tina Moore <TMoore@BeltonTexas.Gov> wrote:



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

SubjectTX Belton Truck Stop - Preliminary Issue AnalysisTo:[Kevin Nesby (rknesby@yahoo.com) <rknesby@yahoo.com>]FromRICHARD KLEIN <rklein@ceds.org>DateTue, Sep 20, 2022 at 4:09 PM

Mr. Nesby,

As you requested, I have taken a preliminary look at the potential impacts of the truck stop proposed for 6379 W. US190 Svc Road, which is the subject of Rezoning Cases: Z-22-31, Z-22-31a, and Z-22-31b.

The applicant, MS Joint Ventures, LLC, has requested that the site be rezoned from Agricultural to Commercial Highway for a travel center (Convenience store with gas station).

Our *Truck Stops & Neighborhood Quality of Life* webpage (<u>https://ceds.org/truckstops/</u>) presents the results of a number of studies documenting that truck stops can adversely affect those living more than a thousand feet distant. These adverse effects include:

- Health impacts due to benzene emissions to the air from underground storage tank vents and at the pump,
- Health impacts due to particulates and other pollutants emitted to the atmosphere from diesel truck exhaust, and
- Noise due to engine idling and other sources.

I have attached an aerial photo showing the site (red) and the area within 1500 feet (yellow) of the proposed truck stop (travel center). Note that there are nearly a hundred existing homes within the 1500-foot potential impact zone. It is possible that those residing in these homes will experience some or all of the adverse effects described above. Note that some jurisdictions in the U.S. prohibit new truck stops within 600- to 2,000-feet of homes.

Section 49.6, of the <u>City of Belton Zoning Ordinance</u>, sets forth the required findings the Planning Commission must make with regard to the proposed rezoning of the MS Joint Ventures site from Agricultural to Commercial Highway:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
- B. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.
- F. Any other factors which will substantially affect the health, safety, morals, or general welfare.

Given the large number of homes in the vicinity, the rezoning does not comply with required finding "A", above, since it is not appropriate for the immediate area.

Additionally, the rezoning could adversely affect the health of residents of the immediate area; a conflict with required finding "F", above.

Therefore, I urge you to call upon the City of Belton Planning Commission to recommend denial of the rezoning request.

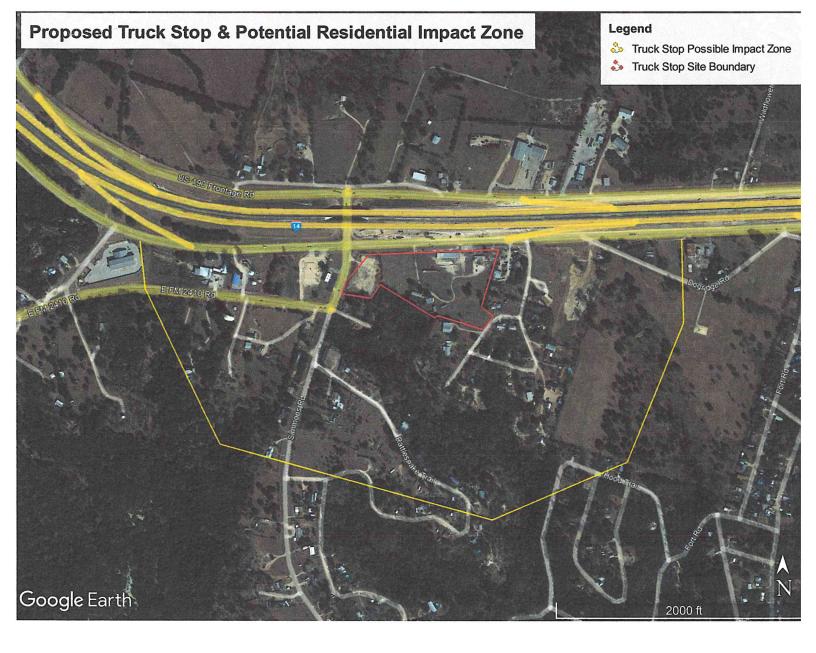
Richard Klein

Community & Environmental Defense Services

24 Greenshire Lane

Owings Mills, MD 21117

410-654-3021



October 20, 2022

Zoning Case: Z-22-31 Property Owner: 44227 3022/3024 Tanglewood Circle, Belton, TX TO: Belton Commissioners

Reasons why this application should be denied.

18 wheelers in our back yards:

The applicants "say" 18 wheelers will not be accommodated, but if this the case, then why are the diesel pumps in the latest plan separated from regular pumps? Regular pumps have diesel so the only reason to separate the pumps is for 18 wheelers. Clearly the applicants intend to serve 18 wheelers based on their latest concept drawing.

The applicants note say they will put up a 6 ft to 8 ft fence. As 18 wheelers are 14 high the fence will not prevent neighbors from looking directly at trucks. How would you like to look out your front yard or back yard and have 18 wheelers staring you in the face?

Noise: A 6 ft to 8 ft fence will NOT reduce the noise level from 18 wheelers. How would you like to listen to these engines while in your yard or your bedroom?

Overnight parking: At the planning meeting applicants admitted that there is NO way to prevent overnight parking, as there will no way to enforce their commitment.

Economic damages to current owners:

I have is duplex located across the street and the residents move there for peace and quiet. This will be destroyed. Real estate agents indicate the property will be hard to rent, rents will be reduced, and house value decreased.

Property owner roads:

The proposed plan borders on Tanglewood Circle which is a private road, and there is no guarantee the applicants will not use that access, now or in the future. And how will the applicants prevent access to that private road? This is not addressed in the concept drawing. With a six-foot fence?

Flooding:

The site is higher than surrounding property and, in the case, a heavy thunderstorm the adjacent property will be flooded. No matter how many drains there are.

Commercial property:

There is a potential here for commercial property and a strip mall with stores that operate from 9 to 5 but not this 24-hour operation 65 foot from one of the houses and just a few feet more from others.

Planning:

Planning should mean planning. There are already a gas/truck stop a few East and a few minutes to the west that accommodate 18 wheelers and dozens of cars. Clearly Belton does not need another facility in the same proximity.

Panned zoning:

If ever there was a case for PLANNED zoning change this, is it. Currently there is no actual design or details in the current application, just a standard concept drawing that was xeroxed off. So, the county has no idea what the final layout will be. And the verbal commitments and subsequent comments are anecdotal as the planning and zoning committee made no provisions to make these comments enforceable.

If zoning has meaning at all in protecting the rights of current property owners, then this is it.

Rick & Schroeder (electronic signature) Richard Schroeder (Owner) 6081 Cliff Lane Temple, TX 76502 254-913-2979 Chopper10@stcourses.org Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

6. Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Planned Development - Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Road, located south of Interstate 14 and east of Simmons Road. (Audio 11:15)

Staff Planner Ms. Moore presented the staff report.

Tommy Shaw, applicant's representative, presented to the commission.

Vice Chair Dave Covington opened the public hearing.

The following residents spoke in opposition of the zoning change expressing concerns for traffic impacts, noise, odor, drainage, pollution, 18 wheelers coming to this location, illegal activities associated with truck stops, and water contamination: Kevin Nesby, 3011 Tanglewood Circle, Evelyn Davis, 3140 Tanglewood Circle, Beth Ross, 2951 Tanglewood Circle, Frances Finney, 3125 Tanglewood Circle, Kenneth Moyer, 2707 Tanglewood Circle, Sudie Foster, 2805 Simmons Rd., SK Foster, 2805 Simmons Rd., Candice Waugh, 2685 Tanglewood Circle, Tammy Nesby, 3011 Tanglewood Circle.

The following resident spoke in support of the zoning change: Kevin Moore, lives off FM 2410, property owner, Louis Robison, Jr., 7379 W. Hwy 190, Dr. April Robison, 911 Stonebrook, Temple, Tx., applicant's representative Andrea Shaw, P.O. Box 10273.

The public hearing was closed.

Commission Member Luke Potts made a motion to approve Z-22-31 with a change to Exhibit A to state property will include at a minimum an 8' tall wooden privacy fence next to the residential properties. Commission Member Zachary Krueger seconded the motion. The motion was approved with 6 ayes, 1 nay (Nicole Fischer dissenting).

ORDINANCE NO. 2022-56

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO PLANNED DEVELOPMENT – COMMERCIAL HIGHWAY ON APPROXIMATELY 10.92 ACRE PROPERTY LOCATED 7379 W. US 190 SERVICE ROAD.

WHEREAS, MS Joint Ventures, representing property owners Louis and Susan Robinson, 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 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 10.92 acres located at 7379 W. US 190 Service Road (location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 25th day of October, 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 to Planned Development – Commercial Highway in accordance to Section 32, *Planned Development District*, and Section 23, *Commercial Highway District*, and the Design Standards in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

- 1. The use of this property shall conform to the Commercial Highway District in all respects.
- 2. The development of the property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards

- d. An 8' tall solid screening fence is required along the property line adjacent to residential uses.
- e. Building/property will include light sources so as not to produce obnoxious and intense glare or indirect illumination across the bounding property line from a visible source of illumination of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property in accordance with City of Belton Zoning Ordinance (Sec. 39)
- f. Property will be evaluated by engineers to maintain and distribute any water runoff or drainage and will be approved by City of Belton.
- g. Fuel tanks will be installed according to Federal, State, County and City requirements (Containment Solutions Inc)
- h. Ingress and Egress will be established by TxDOT.
- i. Property will not allow semi-truck parking.
- j. Property will not be available for any overnight parking.
- 3. A subdivision plat and a building permit are required prior to development.

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 25th day of October 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

ATTEST:

Wayne Carpenter, Mayor

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Date: October 25, 2022 No.: Z-22-36 Request: SF-1 to R Applicant/Owners: Turley and Associates/Barge Properties Ltd.

Agenda Item #11

Z-22-36 – Hold a public hearing and consider a zoning change from Single Family-1 District to Retail District on approximately 0.353 acres located at 2906 N. Main Street, located north of River Fair Boulevard.

Originating Department: Planning Department – Tina Moore - Planner

<u>Current Zoning</u>: Single Family-1 Residential District (SF-1)

Current Uses(s): Residential

Proposed Zoning: Retail (R)

Proposed Use(s): Restaurant with drive-through services

Future Land Use Map (FLUM) Designation: Lifestyle Center permits retail, restaurant, dense residential and neighborhood services.

Design Standards Type Areas 5: The projected growth is primarily retail, commercial and mixed uses with higher development standards applied.

Background/Case Summary

The applicant plans to construct a fast-food restaurant with drive-through services at this proposed location. Restaurants are permitted use in the Retail (R) District. The existing house will be demolished to accommodate the new restaurant and required parking spaces. A subdivision plat is currently under review. The zoning request encompasses 0.353 acres, but the subdivision and entire development site will be 0.862 acres. The additional property is appropriately zoned as PD-Retail (Ordinance 2005-43). Construction plans are required to ensure all applicable zoning and building code requirements are met.

The proposed use appears to be consistent with the Future Use Plan and compatible with surrounding zonings.

City Council Agenda Item October 25, 2022 Page 1 of 2

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use
North	SF- 1	Vacant
South and West	PD-Retail	Starbucks and vacant land
East	SF-1	Belton Church of Christ

<u>Land Use Table/Allowable Uses</u>: The proposed zoning change would allow for a proposed restaurant as well as other uses permitted in the R zoning district which includes auto sales (new); auto services and repairs; bakery; retail stores for clothing and apparel; food; furniture; home improvement, etc.

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the area requirements for R District which is 7,000 sq. ft. The subject lot is over 15,000 sq. ft. Setbacks and other requirements will be reviewed with the construction plans.

Recommendation

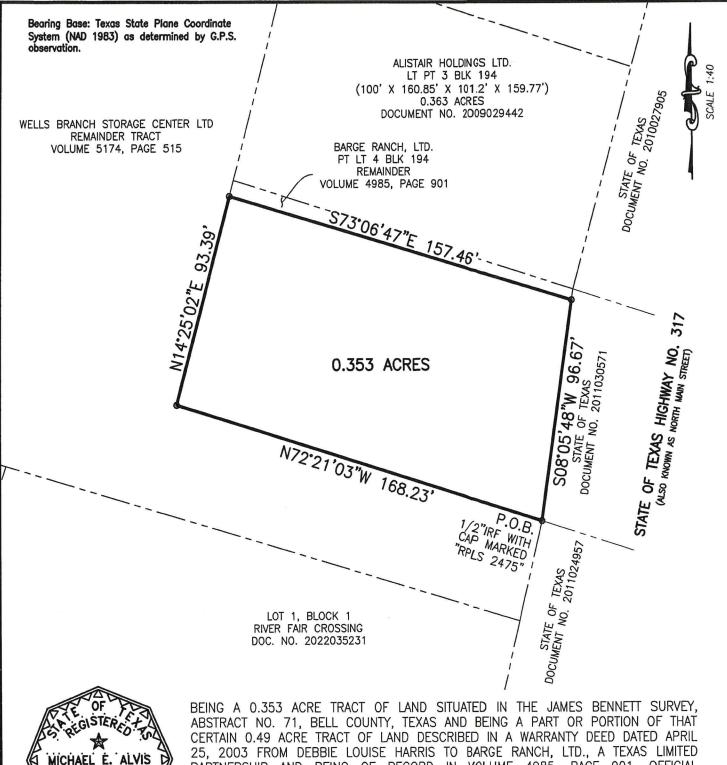
At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Single Family-1 District to Retail District, subject to the following:

- 1. The development must conform to all applicable standards of the Retail Zoning District.
- 2. The development of the property shall conform to all applicable Type Area 5 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 3. The property is required to be platted in accordance with the adopted Subdivision Ordinance.
- 4. Civil site plans and construction plans in compliance with adopted standards are required.

Attachments

Zoning application Property Location Map Zoning map Aerial photo Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200') Subdivision Plat and Ordinance 2005-43 P&Z Minutes Excerpt Ordinance

> City Council Agenda Item October 25, 2022 Page 2 of 2



CERTAIN 0.49 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED APRIL 25, 2003 FROM DEBBIE LOUISE HARRIS TO BARGE RANCH, LTD., A TEXAS LIMITED PARTNERSHIP AND BEING OF RECORD IN VOLUME 4985, PAGE 901, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

STATE OF TEXAS! KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct.

IN WITNESS THEREOF, my hand and seal, this the 15th day of September 2022.

22-2632 SKETCH MGM

ENGINEERING FIRM NO. 1658 SURVEY FIRM NO. 10056000

301 N. 3RD ST. TEMPLE, TEXAS 76501

WWW.TURLEY-INC.COM 254-773-2400

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

BEING a 0.353 acre tract of land situated in the JAMES BENNETT SURVEY, ABSTRACT No. 71, Bell County, Texas and being a part or portion of that certain 0.49 acre tract of land described in a Warranty Deed dated April 25, 2003 from Debbie Louise Harris to Barge Ranch, Ltd., a Texas limited partnership and being of record in Volume 4985, Page 901, Official Public Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found in the south boundary line of the said 0.49 acre tract and being an easterly northeast corner of the remainder of that certain 46.22 acre tract of land described in a Warranty Deed with Vendor's Lien dated January 1, 2000 from Barge Ranch, Ltd., a Texas limited partnership, acting herein by and through its duly authorized general partner, Ranch Management, L.C., a Texas limited liability company, acting herein by and through its duly elected and authorized officer to Wells Branch Storage Center, Ltd., a Texas limited partnership and being of record in Volume 5174, Page 515, Official Public Records of Bell County, Texas and being in the west right-of-way line of State of Texas Highway No. 317 (also known as North Main Street) as described in a Condemnation Deed dated July 19, 2011 to the State of Texas acting by and through the Texas Transportation Commission and being of record in Document No. 201100024957, Official Public Records of Bell County, Texas for corner;

THENCE N. 72° 21' 03" W., 168.23 feet departing the said west right-of-way line and with the south boundary line of the said 0.49 acre tract and with a north boundary line of the remainder of the said 46.22 acre tract to a point at the southwest corner of the said 0.49 acre tract and at an interior ell corner of the said 46.22 acre tract for corner;

THENCE N. 14° 25' 02" E., 93.39 feet with the west boundary line of the said 0.49 acre tract and with the east boundary line of the remainder of the said 46.22 acre tract to a point for corner;

THENCE departing the said west boundary line and the said east boundary line and over and across the said 0.49 acre tract the following two (2) calls:

- 1. S. 73° 06' 47" E., 157.46 feet to a point in the aforementioned west right-of-way line for corner;
- 2. S. 08° 05' 48" W., 96.67 feet with the said west right-of-way line to the Point of BEGINNING and containing 0.353 acres of land.

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

Michael E. Alvis, RPLS#5402 September 15, 2022

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



ENGINEERING • SURVEYING • PLANNING 301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400 ENGINEERING FIRM #1658 SURVEY FIRM #10056000

ZONING CHANGE APPLICATION



Fee: \$250.00

Determinat				
Date received:				
APPLICANT NAME:				
Turley Associates, Inc.				
EMAIL: PHONE NUMBER:				
wsisco@turley-inc.com	254-773-2400			
MAILING ADDRESS:				
301 N 3rd Street Temple, TX 76501				
PROPERTY OWNER NAME:				
Barge Ranch Ltd.				
EMAIL:	PHONE NUMBER:			
BillBarge@BargeProperties.com	254-771-1157			
MAILING ADDRESS:				
2005 Birdcreek Dr #211 Temple, TX 76502				
Proposed Use of Structures (building) and Property (exterior pro	perty):			
Retail				
Current lines				
Current Use: Residential				
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:				
2906 N Main St Belton, TX 76513				
	Abstract No. 71			
Legal Description of Property: Abstract Survey	, Abstract No. 11			
Lot(s): <u>N/A</u> Block(s): <u>N/A</u>				
of Subdivision N/A				
Existing Zoning: SF-1 Proposed Zoning: RETAIL				
0 ± 0	0/0/0000			
Signature of Applicant: Dutte Date: 9/2/2022				
1/11/22 06 2022				
Signature of Owner (if not applicant)	Date:9-6-2022			

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

- 1 -

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

1	C' 1		
	Signed	app	lication

✓ 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').

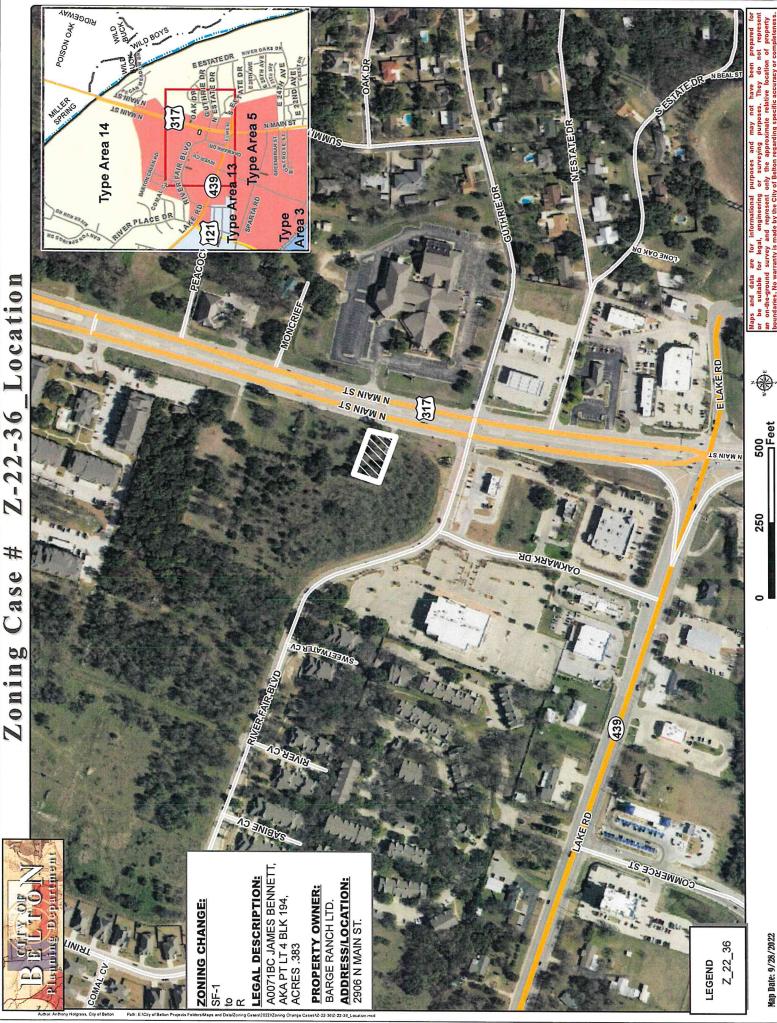
c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.

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.

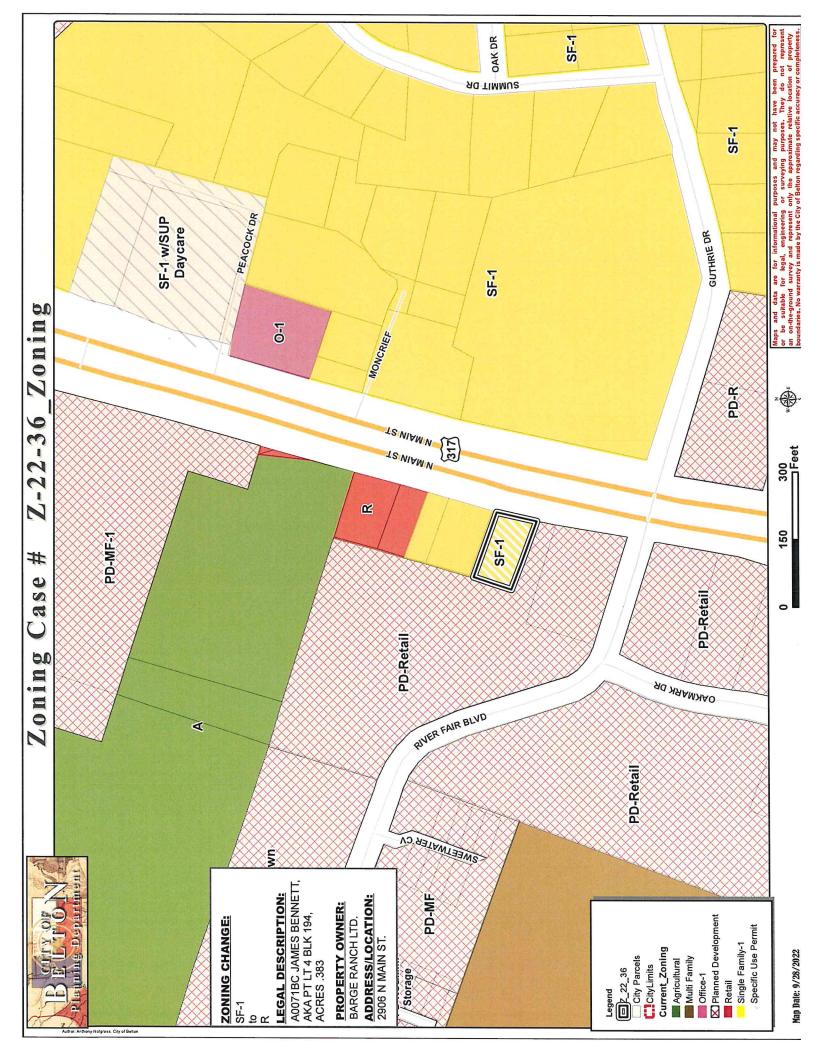
f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.

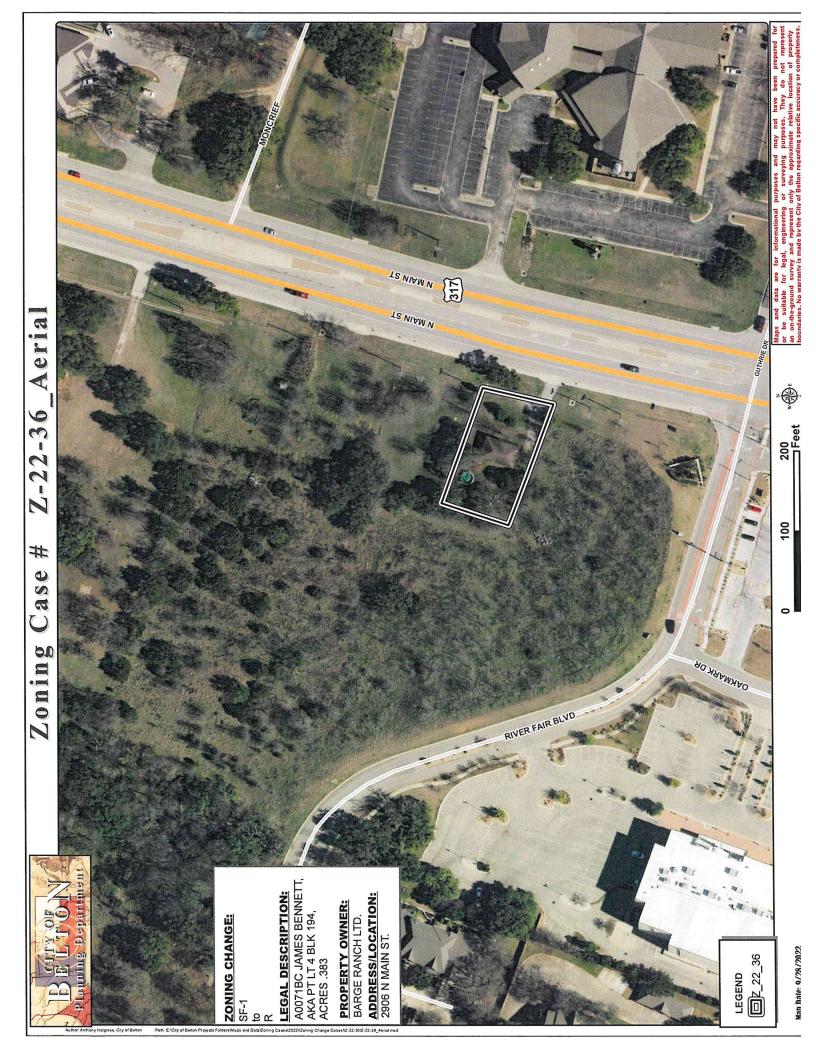
City of Belton Planning Department 333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822



Z-22-36 # Case

Map Date: 9/28/2022





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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: TURLEY ASSOCIATES – AGENT FOR BARGE RANCH LTD.,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 2960 N. MAIN STREET

 FROM A(N) SINGLE FAMILY -1 (SF-1)
 ZONING DISTRICT,

 TO A(N)
 RETAIL
 ZONING DISTRICT,

TO ALLOW A NEW RESTAURANT

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18th, 2022</u>, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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

8891

BELTON CHURCH OF CHRIST OF BELTON TEXAS INCORPORATED 3003 N MAIN ST BELTON, TX 76513-1105 28809 ALISTAIR HOLDINGS LTD 2005 BIRD CREEK DR STE 211 TEMPLE, TX 76502-1002

320111

WELLS BRANCH STORAGE CENTER LTD 2005 BIRDCREEK DR STE 211 TEMPLE, TX 76502-1002 25808 BARGE PROPERTIES MANAGEMENT CO 2005 BIRD CREEK DR STE 211 TEMPLE, TX 76502-1002

46354 BARGE RANCH LTD 2005 BIRDCREEK DR STE 211 TEMPLE, TX 76502-1002

25809 VWB TRUST 2005 BIRDCREEK DR STE 211 TEMPLE, TX 76502

70916

ALISTAIR HOLDINGS LTD 2005 BIRD CREEK DR STE 211 TEMPLE, TX 76502-1002

(-22-36 Rec. 12 10-17-2

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

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, October 18th, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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:	10-11-22 SIGNATURE: MUL
	PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812

BARGE PROPERTIES MANAGEMENT CO 2005 BIRD CREEK DR STE 211 TEMPLE, TX 76502-1002

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 BELTION, TEXAS 70313

 254-933-5812

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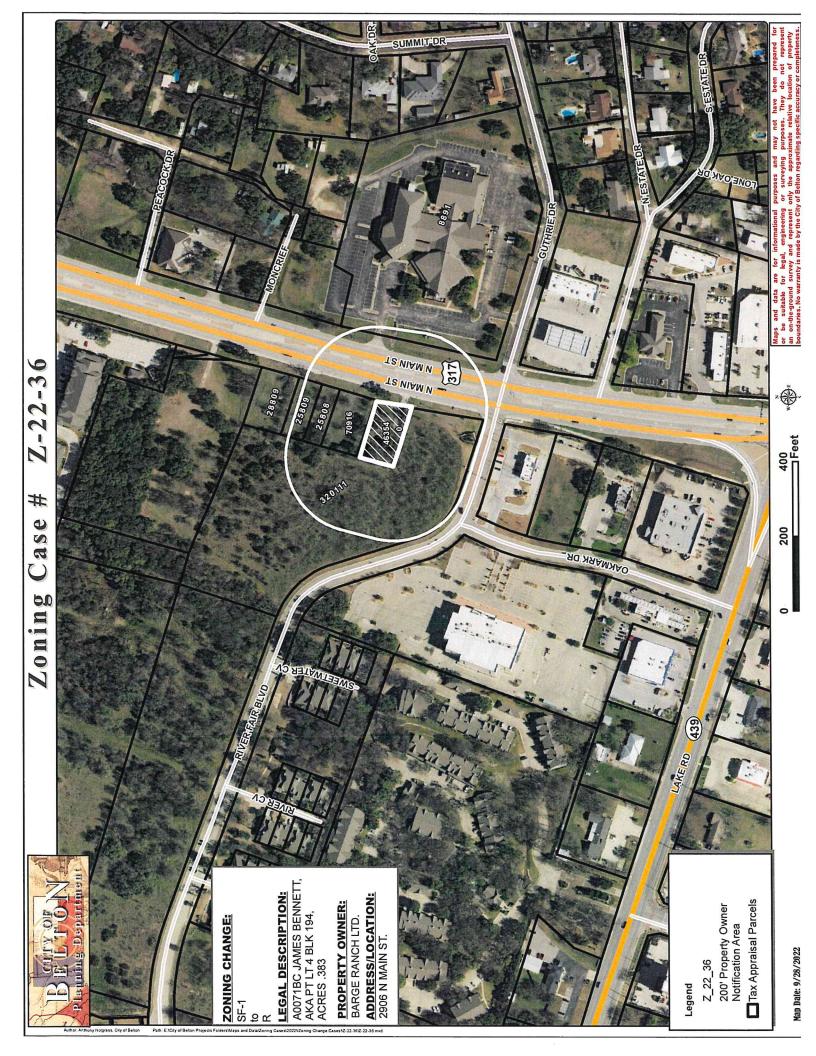
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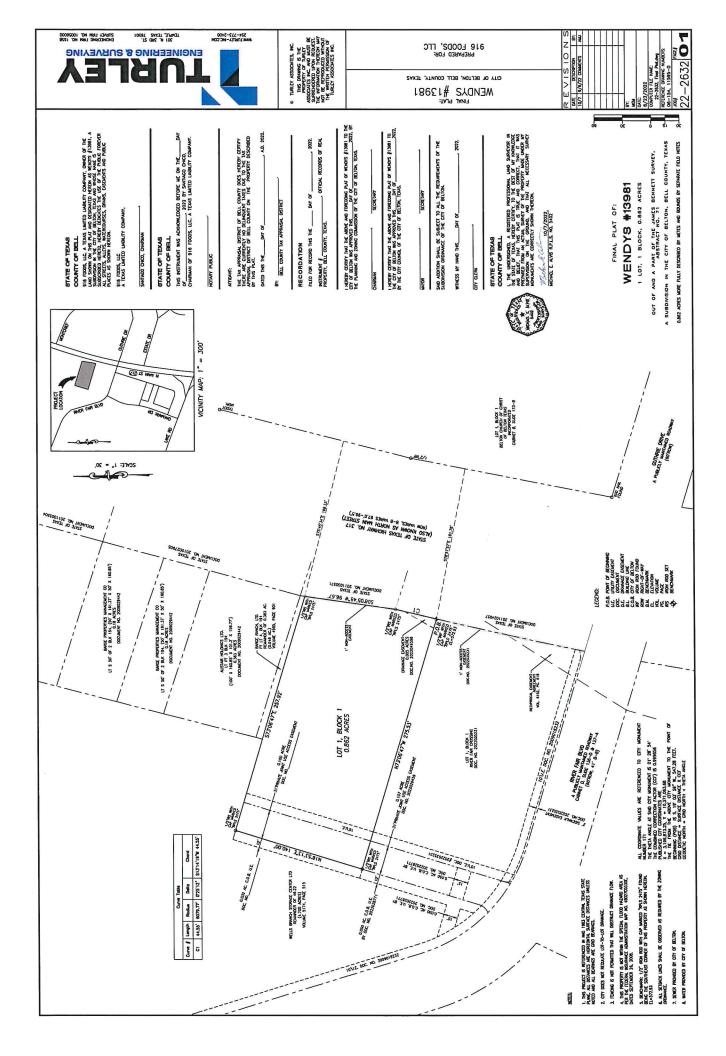
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 2005 BIRD CREEK DF
 TEMPLE, TX 76502-1

 TEMPLE, TX 76502-1
 TEMPLE, TX 76502-1





ORDINANCE NO. 2005-43

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-1, RETAIL AND AGRICULTURAL ZONING DISTRICTS TO PLANNED DEVELOPMENT ZONING DISTRICT FOR MIXED USES.

WHEREAS, V. W. Barge, III, owner of the following described property has presented his petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of September, 2005, at 5:00 p.m. for hearing and adoption, said district being described as follows:

65 acres of the James Bennett Survey, Abstract #71, at the northwest corner of N. Main Street and Lake Road, Belton, Texas

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of September, 2005, at 5:30 p.m. at the Police & Courts Building 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-1, Retail and Agricultural Zoning Districts to Planned Development Zoning District for mixed uses as follows:

- <u>Tract A</u> 3.732 acres Retail, to include Restaurants with Private Clubs, in accordance with TABC regulations
- <u>Tract B</u> 6.174 acres Retail, to include Restaurants with Private Clubs, in accordance with TABC regulations
- <u>Tract C</u> 5.685 acres Retail, to include Restaurants with Private Clubs, in accordance with TABC regulations

Tract D - 8.355 acres - Office-2 and Town homes

Tract E - 2.340 acres - Multi-Family

Tract F - 2.778 acres - Neighborhood Service and Mini-Storage Units

Tract G - 8.195 acres - Multi-Family

Tract H - 4.253 acres - Office-2 and Retail

Tract I - 2.126 acres - Office-2

Tract J - 2.514 acres - Single Family-2

Tract K - 4.275 acres - Single Family-2

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

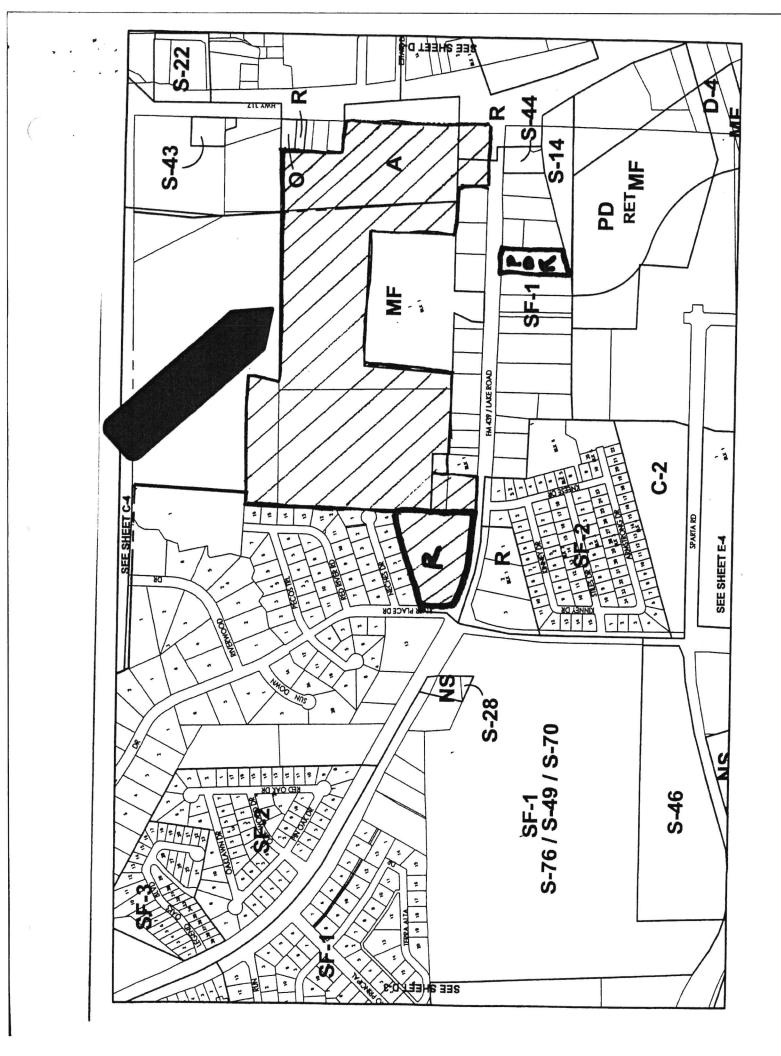
- 1. Monument type signage shall be required for all tracts. One (1) sign shall be allowed for each area of lot frontage on a public roadway. Signs shall not exceed 6' in height by 8' in length. One sign 8' in height by 11' in length will be allowed on Tract A, associated with the Walgreen's Pharmacy Addition.
- 2. At the intersections of the proposed new road, with SH 317 (N. Main Street) and FM 439 (Lake Road), one (1) monument style, multiple tenant sign, not to exceed 8 feet in height by 4 feet in length, shall be permitted.
- 3. Landscape trees shall be required at a ratio of two trees for each 40 linear feet of street frontage, a minimum caliper of 2" at time of planting.
- 4. Tracts A, B and C shall provide internal parking lot landscaping at a ratio of one tree for each 10 parking spaces. Planting areas shall measure a minimum of 10 feet by 20 feet.
- 5. A survey of existing vegetation shall be provided for each tree 8-inch caliper or greater. Inclusion of existing vegetation may supersede, at the discretion of the Development Services Director, the requirements of Items 2 and 3 above.
- 6. Sidewalks shall be provided along both sides of roadways in non-single family residential areas.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27th day of September, 2005, by a vote of $\underline{7}$ ayes and $\underline{0}$ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of September, 2005.

ATTEST:

Connie Torres, City Clerk



	E-WAR VOTUREFAUS - PLANNING - SURVEYANG TURLEY ASCOCIATES, INC. TURLEY ASCOCIATES, INC. 201 N 3-4 ST. TURLEY VANGEORIA TORNING - SURVEYANG (254) 773-2308 754, 773-7308 754, 755 754, 755 755 755 755 755 755 755 755	илагаяры 1990 - 1990 1990 - 1990 - 1990 1990 - 1990 1	1387-1007-138 Waditadi y Sitannagi sawwr Ala	RE VISIONS	DATE: 08/15/05 DRN. BY: MEA REF.:	FIELD BOOK JOB NO: 05-287 24FFT 1 CF	147 WING
				CONCEPTUAL MASTER PLAN FOR: RIVER FAIR		OUT OF AND A PART OF THE JAMES BENNET SURVEY, ABSIMALLI #/I AN ADDITION TO THE CITY OF BELION BELL COUNTY, TEXAS	THIS CONCEPT PLAN IS CONSTRUCTED FROM MAPS, PLATS, AND DEEDS ON RECORD IN BELL COUNTY IEXAS AND DOES NOT REFLECT THE RESULTS OF AN ON-THE-GROUND SURVEY.
50-01.15 54-9d			COMMERCIAL 21.371 ACRES 32.8% PDO-2 W/TOWNEHOMES 8.355 ACRES 12.8% PDO-2(RETAIL) 4.253 ACRES 6.5% PDO-2 2.126 ACRES 3.3% PDO-2 2.178 ACRES 4.3%	PDMF 10.535 ACRES 16.2% PDSF-2 6.789 ACRES 10.4%	PROPOSED RIGHT-OF-WAY(TXDOT) 0.7%	PDG-2 OFFICE DISTRICT - 2	

Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

7. Z-22-36 – Hold a public hearing and consider a zoning change from Single Family – 1 District to Retail District on approximately 0.353 acres located at 2906 N. Main Street, located north of River Fair Blvd. (*Audio 1:30*)

Staff Planner Ms. Moore presented the staff report.

Vice Chair Dave Covington opened the public hearing.

With no further public input, the public hearing was closed.

Commission Member Zachary Krueger made a motion to approve Z-22-36. The motion was seconded by Commission Member David Jarratt. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2022-57

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-1 RESIDENTIAL TO RETAIL DISTRICT ON APPROXIMATELY 0.353 ACRE PROPERTY LOCATED AT 2906 N. MAIN STREET

WHEREAS, Turley and Associates, representing Barge Properties Limited, the property owners, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.353 acres located at 2906 N. Main Street (location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 25th day of October, 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-1 to Retail District accordance to Section 21, *Retail 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 Retail Zoning District.
- 2. The development of the property shall conform to all applicable Type Area 5 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

- 3. The property is required to be platted in accordance with the adopted Subdivision Ordinance.
- 4. Civil site plans and construction plans in compliance with adopted standards are required.

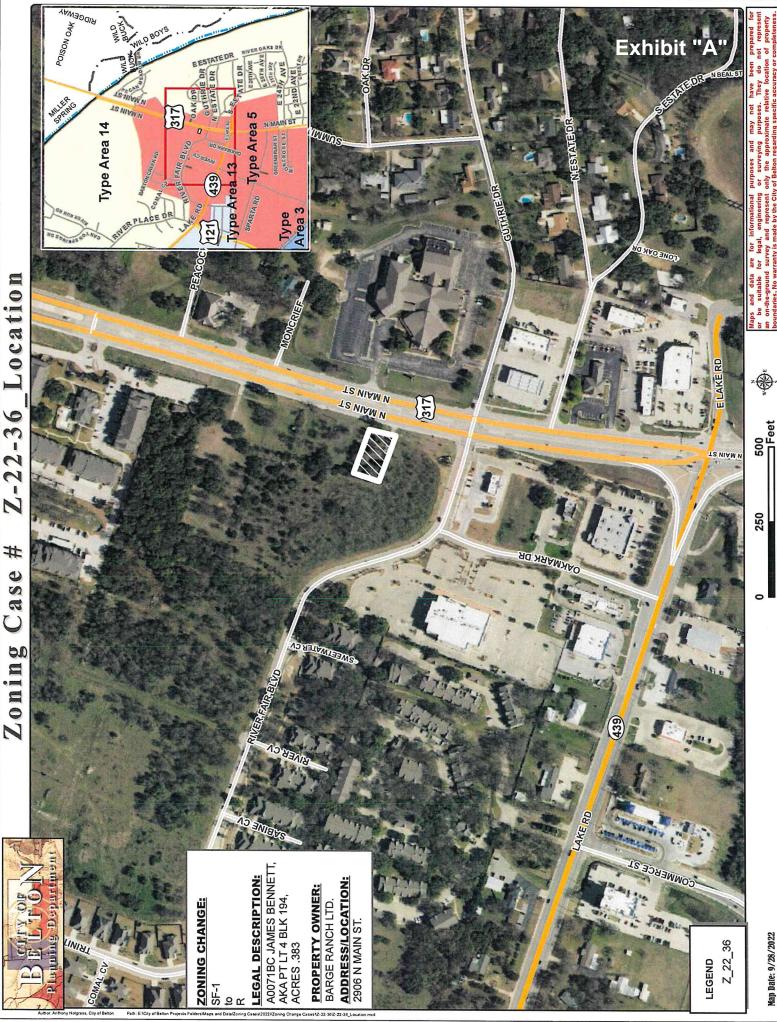
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25t^h day of October, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

ATTEST:

Wayne Carpenter, Mayor

Amy M. Casey, City Clerk



Z-22-36 # Case

Map Date: 9/28/2022

Staff Report – City Council Agenda Item



Date: October 25, 2022 No.: Z-22-37 Request: CH to LI Applicant/Owners: All County Surveying/Bell County

Agenda Item #12

Z-22-37 - Hold a public hearing and consider a zoning change from Commercial Highway District to Light Industrial District on approximately 0.886 acres located at 606 W. Avenue O, south of Interstate 14 and west of South Connell Street.

Originating Department: Planning Department – Tina Moore, Planner

Current Zoning: Commercial Highway

Current Uses(s): Vacant

Proposed Zoning: Light Industrial

Proposed Use(s): Bell County Engineer Offices

Future Land Use Map (FLUM) Designation: Commercial Corridor

Design Standards Type Areas 2: The projected growth is primarily commercial highway frontage uses.

Background/Case Summary

The subject property is owned by Bell County and is adjacent to the existing 9-1-1 Dispatch Center and maintenance yard. The County is planning to construct the Bell County Engineer Office on this property. The requested Light Industrial (LI) Zoning is compatible with the existing County-owned property. The LI zoning requires a front yard setback of 25', which provides more buildable area for the new proposed building. The CH District requires a 60' setback.

A recent administrative subdivision plat was approved to consolidate the two properties owned by Bell County in anticipation of the future expansion. Construction plans are required to ensure all applicable zoning and building code requirements are met. The proposed zoning is compatible with surrounding zoning and seems appropriate at this location.

> City Council Agenda Item October 25, 2022 Page 1 of 2

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use	
North	C-1	Office Spaces (Budget	
		Blinds, Tuff Shed, Flooring	
		Store)	
South and West	LI	Bell County Offices	
East	СН	R & R Recycling	

Land Use Table/Allowable Uses: The proposed zoning change would allow for the proposed use.

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the LI District which is 7,200 sq. ft. This property is approximately 38,594 sq. ft. Setback requirements will be reviewed with the site plan and construction plans.

Recommendation

At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Commercial Highway District to Light Industrial District, subject to the following:

- 1. The development must conform to all applicable standards of the Light Industrial Zoning Districts.
- 2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 3. Civil site plans and construction plans in compliance with adopted standards are required.

Attachments

Zoning 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

> City Council Agenda Item October 25, 2022 Page 2 of 2



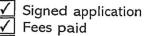
ZONING CHANGE APPLICATION

Fee: \$250.00

Date received:				
APPLICANT NAME: All County Surveying, Inc.				
EMAIL:	[
	PHONE NUMBER:			
ustin@allcountysurveying.com (254) 778-2272				
MAILING ADDRESS: 4330 South 5th Street Temple Texas				
PROPERTY OWNER NAME:				
Bell County, Texas				
EMAIL:	PHONE NUMBER:			
MAILING ADDRESS:	I			
P.O. Box 768 Belton Texas				
Proposed Use of Structures (building) and Property (exterior prop	perty):			
New office building with parking lot for the dispatch ce				
Current Use:				
Bell County 9-11 Dispatch Center				
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 606 West Hwy 190 Belton Texas				
Legal Description of Property: Abstract Survey_Peter Conrad Survey Abstract 165				
NI/A NI/A				
Lot(s): <u>N/A</u> Block(s): <u>N/A</u>				
of SubdivisionNA				
Existing Zoning: CH Proposed Zor	LI			
Existing Zoning: CH Proposed Zoning: LI				
Signature of Applicant: Justin S. Myers Date: 2022.08.23 08:06:16-05'00' Date: 08/23/2022				
Pall Dailas				
Signature of Owner (if not applicant):	Date: 029-02			

- 1 -

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



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.

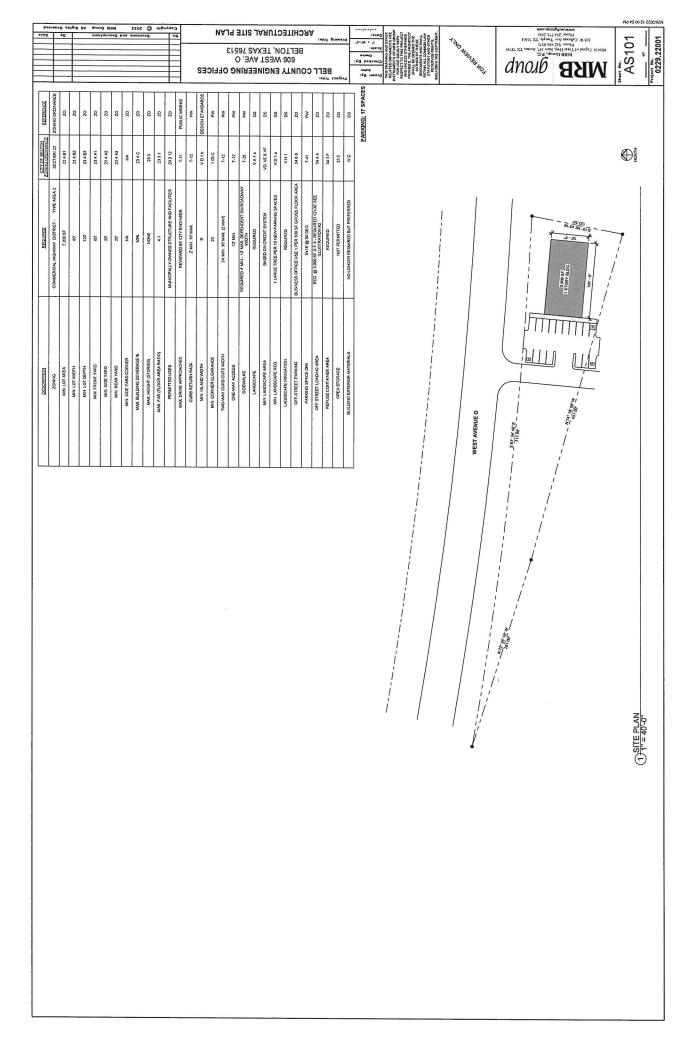
b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and 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').

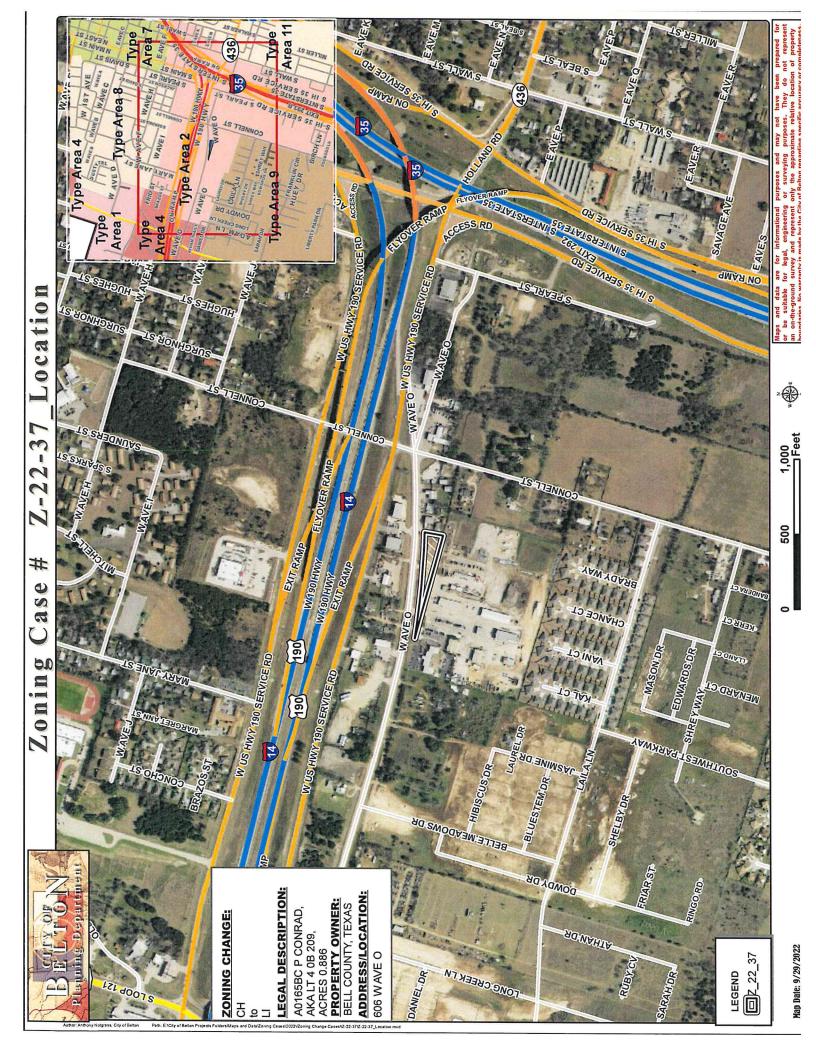
c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.

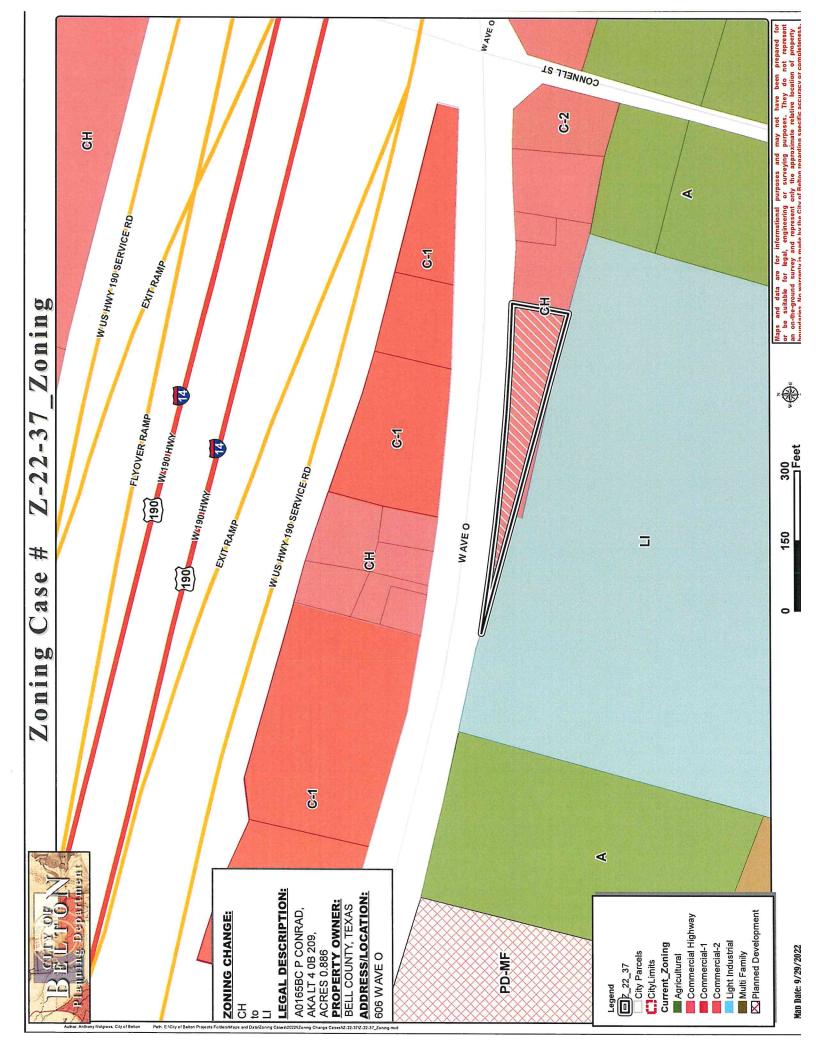
d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.

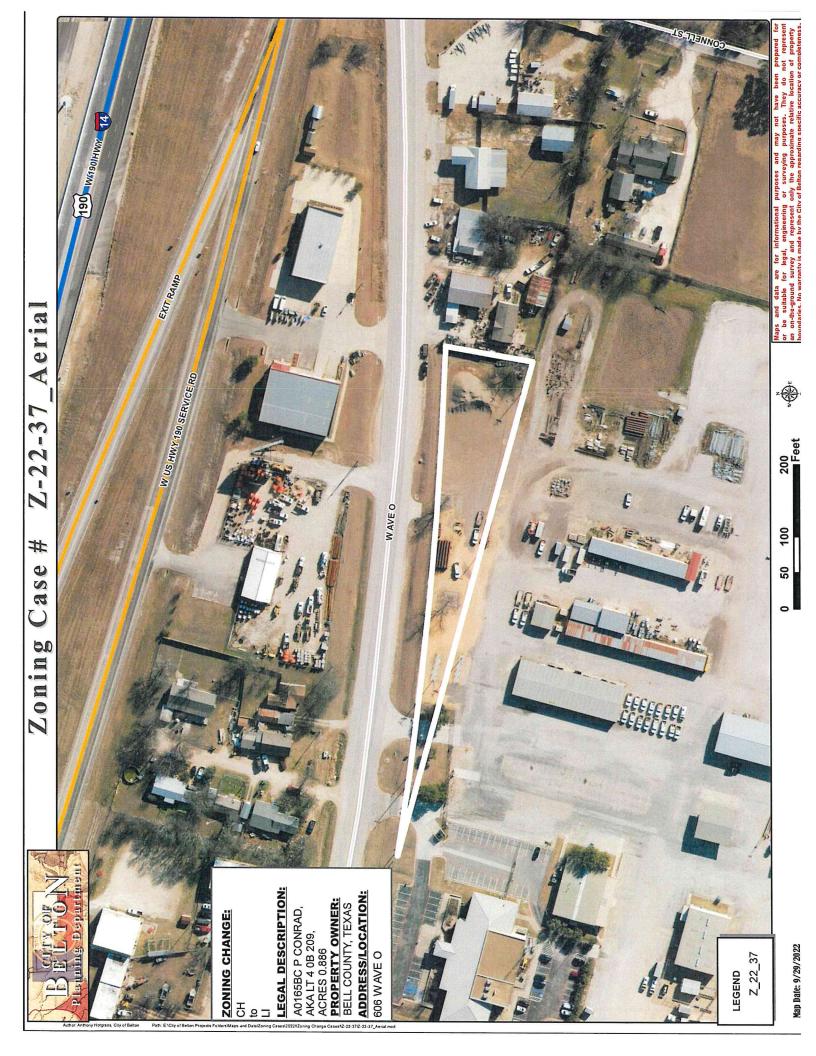
e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.

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.









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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>ALL COUNTY SURVEYING AGENT FOR BELL COUNTY</u>,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: <u>606 W. AVENUE O</u>

 FROM A(N) <u>COMMERCIAL HIGHWAY</u>

 ZONING DISTRICT,

 TO A(N) <u>LIGHT INDUSTRIAL</u>

 ZONING DISTRICT,

 TO ALLOW BELL COUNTY FACILITIES AND OPERATIONS

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18th, 2022</u>, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 2022.

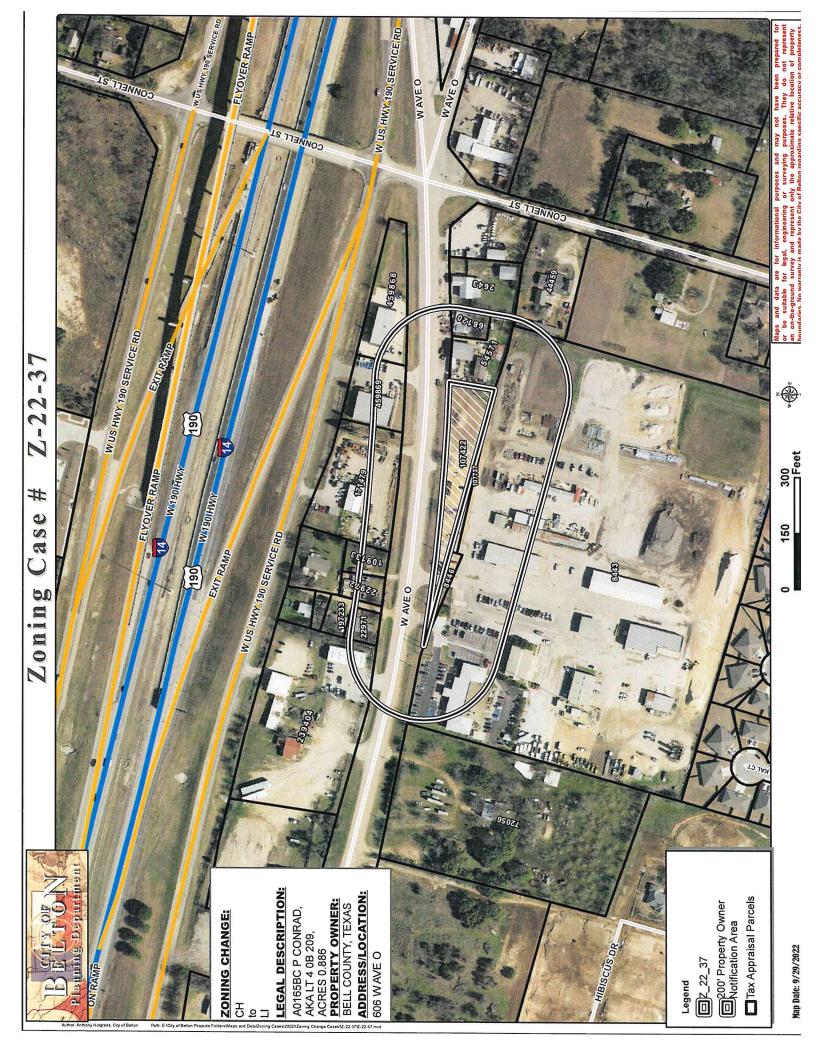
IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

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



2643 CITY OF TEMPLE PO BOX 987 TEMPLE, TX 76501-0987

22971 GALINDO, FRANCISCO R & ESTHER D 715 W AVENUE O BELTON, TX 76513-4120

54571 RIDDLE, DANNY T 510 W AVENUE O BELTON, TX 76513-8510

107422 BELL COUNTY PO BOX 768 BELTON, TX 76513-0768

171479 LOACI LLC & ARLO LC PO BOX 3209 HARKER HEIGHTS, TX 76548-0556

459868 KADI FAMILY LTD 2703 AIRPORT RD TEMPLE, TX 76504-3953 8443 BELL COUNTY PO BOX 768 BELTON, TX 76513-0768

22972 MARTINEZ, GLORIA O 705 W AVENUE O BELTON, TX 76513-4120

68120 TORRES, HILMA T 1809 SHADY GLEN DR APT 1174 ARLINGTON, TX 76015-3119

107737 BELL COUNTY PO BOX 768 BELTON, TX 76513-0768

197233 COHEN, BARRY S 711 W AVENUE O BELTON, TX 76513

459869 BECKLUND INVESTMENTS LTD 3113 KENSINGTON CT TEMPLE, TX 76502 8446 BELL COUNTY PO BOX 768 BELTON, TX 76513-0768

44459 GUTIERREZ, RUDY & JOY 1451 CONNELL ST BELTON, TX 76513-4227

72056 MCNAMARA, JOE A JR 806 W AVENUE O BELTON, TX 76513-4121

109133 LATSHAW, JUDY MAE 703 W AVENUE O BELTON, TX 76513-4120

239404 GREGORY FAMILY TRUST 1571 SHADY GROVE LN BELTON, TX 76513

C-22-37 Rec'd 10-17-22

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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>ALL COUNTY SURVEYING AGENT FOR BELL COUNTY</u>,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: <u>606 W. AVENUE O</u>

 FROM A(N) <u>COMMERCIAL HIGHWAY</u>

 ZONING DISTRICT,

 TO A(N) <u>LIGHT INDUSTRIAL</u>

 ZONING DISTRICT,

 TO ALLOW BELL COUNTY FACILITIES AND OPERATIONS

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, October 18th, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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 ESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE NABOVE FOR THE REASONS EXPRESSED BELOW:
1.	Sporok
2.	•
3.	
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	0/12/22 SIGNATURE: James Jundbech
	Becklung Sweatmens PLANNING DEPARTMENT
	CITY OF BELTON
	P. O. Box 120
	Belton, Texas 76513
	254-933-5812
	459869
	BECKLUND INVESTMENTS LTD
	3113 KENSINGTON CT

TEMPLE, TX 76502

Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

8. Z-22-37 - Hold a public hearing and consider a zoning change from Commercial Highway District to Light Industrial District on approximately 0.886 acres located at 606 W. Avenue O, south of Interstate 14 and west of South Connell Street. (*Audio 1:35*)

Staff Planner Ms. Moore presented the staff report.

Vice Chair Dave Covington opened the public hearing. With no public input, the public hearing was closed.

Commission Member David Jarratt made a motion to approve Z-22-37 as presented. The motion was seconded by Commission Member Alton McCallum. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2022-58

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM COMMERCIAL HIGHWAY TO LIGHT INDUSTRIAL DISTRICT ON APPROXIMATELY 0.8863 ACRE PROPERTY LOCATED AT 606 W. AVENUE O.

WHEREAS, All County Surveying, representing Bell County, the property owners, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.886 acres located at 606 W. Avenue O (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 25th day of October, 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 Commercial Highway to Light Industrial District accordance to Section 27, *Light Industrial 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 Light Industrial Zoning Districts.
- 2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

3. Civil site plans and construction plans in compliance with adopted standards are required.

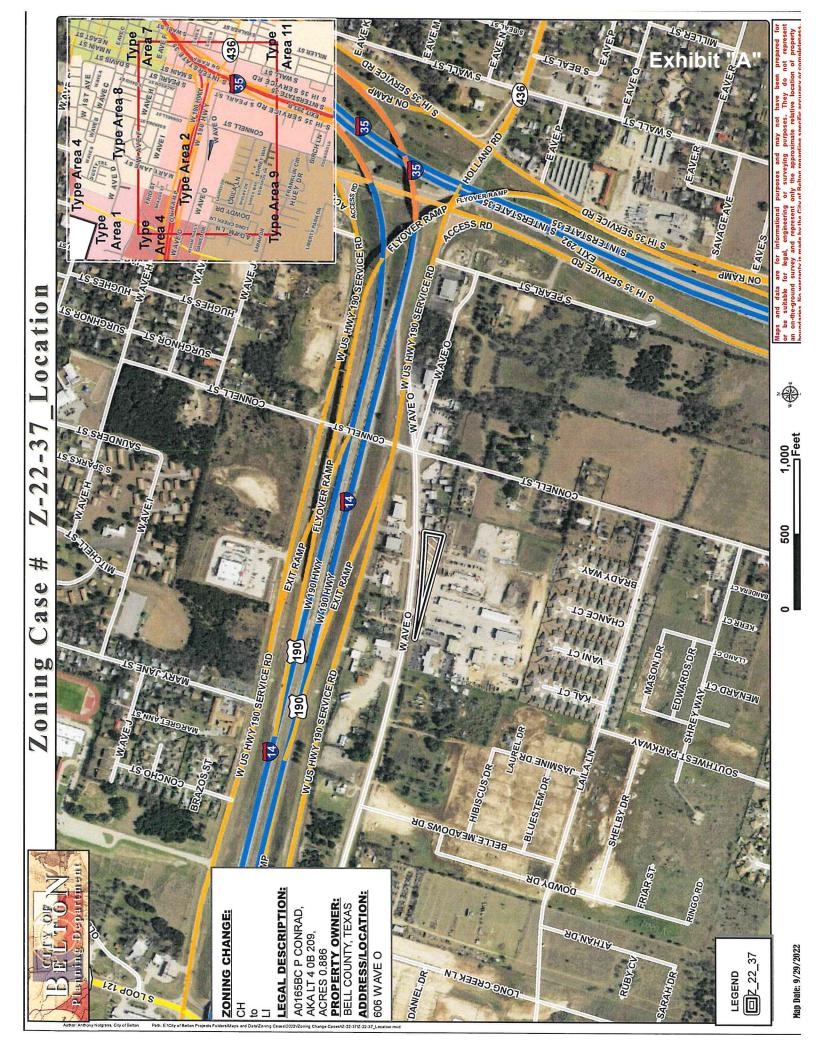
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25t^h day of October, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

ATTEST:

Wayne Carpenter, Mayor

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item



Date: October 25, 2022 No.: Z-22-38 Request: Ag to C-2 Applicant/Owners: Carrillo Engineering/Quail Commercial Lp.

Agenda Item #13

Z-22-38 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial-2 District for approximately 3.0 acre property located on S. Loop 121, south of Interstate 14, north of Huey Drive and south of West Avenue O, on the east side of Loop 121.

Originating Department: Planning Department – Tina Moore - Planner

Current Zoning: Agricultural (Ag)

Current Uses(s): Vacant

Proposed Zoning: Commercial -2 (C-2)

Proposed Use(s): Indoor Mini Storage Facility

Future Land Use Map (FLUM) Designation: Commercial Corridor

Design Standards Type Areas 9: The projected growth is primarily a mixture of uses with the understanding of context and the Loop 121 corridor.

Background/Case Summary

The applicant submitted a request for a zoning change to allow for the construction of an indoor climate controlled mini-storage facility at the location. The conceptual site plan proposes a 113,000 sq. ft., two-story facility with improvements for parking, landscaping, and on-site drainage features. A subdivision plat and construction plans are required to ensure compliance with applicable zoning and building code requirements – including screening from adjacent residential zoning district, drainage requirements, light standards, and parking requirements.

The proposed use is consistent with the FLUM, is located on a major arterial roadway, and appears to be reasonable at this location.

City Council Agenda Item October 25, 2022 Page 1 of 2

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use
North and South	Ag	Vacant properties
West	C-1	Bell County Offices
East	СН	R & R Recycling

<u>Land Use Table/Allowable Uses</u>: The proposed zoning change would allow for the proposed use as a mini storage facility and other uses permitted in the C-2 zoning district. Other uses include all uses permitted in C-1 District, auto sales (new and used), automobile repairs, carpentry, cabinet, painting, plumbing, welding or tinsmithing shops, equipment sales, feed and grain store, home improvement stores, etc.

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the C-2 District which is 5,000 sq. ft. This property is approximately three acres, or 130,680 sq. ft. Setback requirements will be reviewed with the construction plans.

Recommendation

At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural District to Commercial-2 District, subject to the following:

- 1. The development must conform to all applicable standards of the Commercial-2 (C-2) Zoning District.
- 2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 3. A subdivision plat in accordance with adopted Subdivision Ordinance is required.
- 4. Civil site plans and building plans in compliance with adopted standards are required.

Attachments

Zoning 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

> City Council Agenda Item October 25, 2022 Page 2 of 2

City of Belton Request for a Zoning Change

To the City Council and the Planning & Zoning Commission

Fee: \$250.00

Date Received:	_ Date Due:	(All plans are to be returned to	the Planning
Department within 5	working days)	 A Soldar used replaced in 201 	0

Applicant: Anna Carrillo	Phone Number: (817) 697-4996	
Mailing Address: 301 Commerce St., Ste. 1410	0 City: Ft. Worth	State: Texas
Email Address: _anna.carrillo@carrilloeng.com	l	

Applicant's Interest in Property:

The applicant's interest, is that we are the representative for the developer

Legal Description of Property: A0906BC J P WALLACE, 13-4, ACRES 3.0

Is this property being simultaneously platted? No

Street Address: WLOOP 121 BELTON, TX 76513 - Map Id: 46A08 C56

Loning Change Fron	1_A_	 1	to	C2	

Signature of Applicant: Ardenes Date: September 15, 2022

Signature of Owner (if not applicant): for all Maryon Date: 9-13-22

Checklist for Zoning Items to be submitted with application:

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

ZONING CHANGE APPLICATION



Fee:	\$250.00	
------	----------	--

Date received:	
APPLICANT NAME:	
Anna Carrillo	
EMAIL:	PHONE NUMBER:
anna.carrillo@carrilloeng.com	(817) 697-4996
MAILING ADDRESS:	
301 Commerce St., Ste. 1410 Ft. Worth TX 7	76102
PROPERTY OWNER NAME:	2017
Quail Commercial	
EMAIL:	PHONE NUMBER:
MAILING ADDRESS:	·
10663 E Trimmier Road Killeen TX	
Proposed Use of Structures (building) and Property (exterior prop	perty):
mini-storage	
Current Use:	
vacant	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:	
W LOOP 121 BELTON, TX 76513 - Map Id: 46A08 C56	
Legal Description of Property: Abstract Survey_ A0906BC J P WAL	LACE, 13-4, ACRES 3.0
Legal Description of Hoperty. Abstract Survey	
Lot(s):,	
of Subdivision	
Δ	\mathbf{C} 2
Existing Zoning: <u>A</u> Proposed Zo	ning:
Circulture of Applicant	
Signature of Applicant:	Date:
Signature of Owner (if not applicant):	Date:
	Buto

City of Belton Planning Department

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

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

/	Signed	app	lication
---	--------	-----	----------

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.

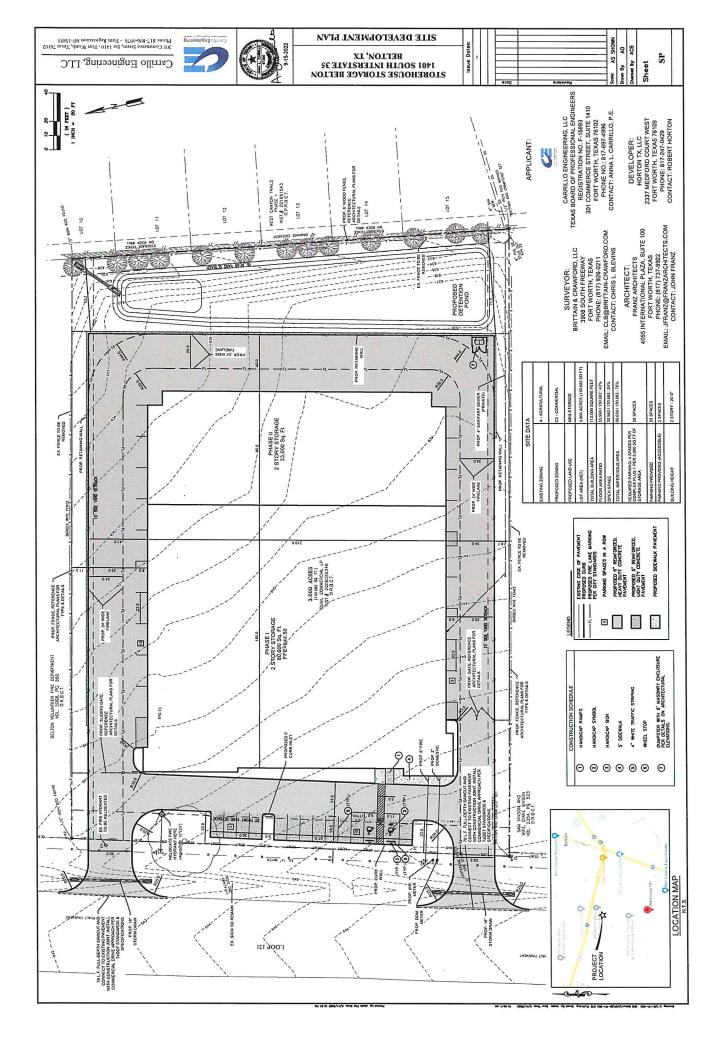
b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and 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').

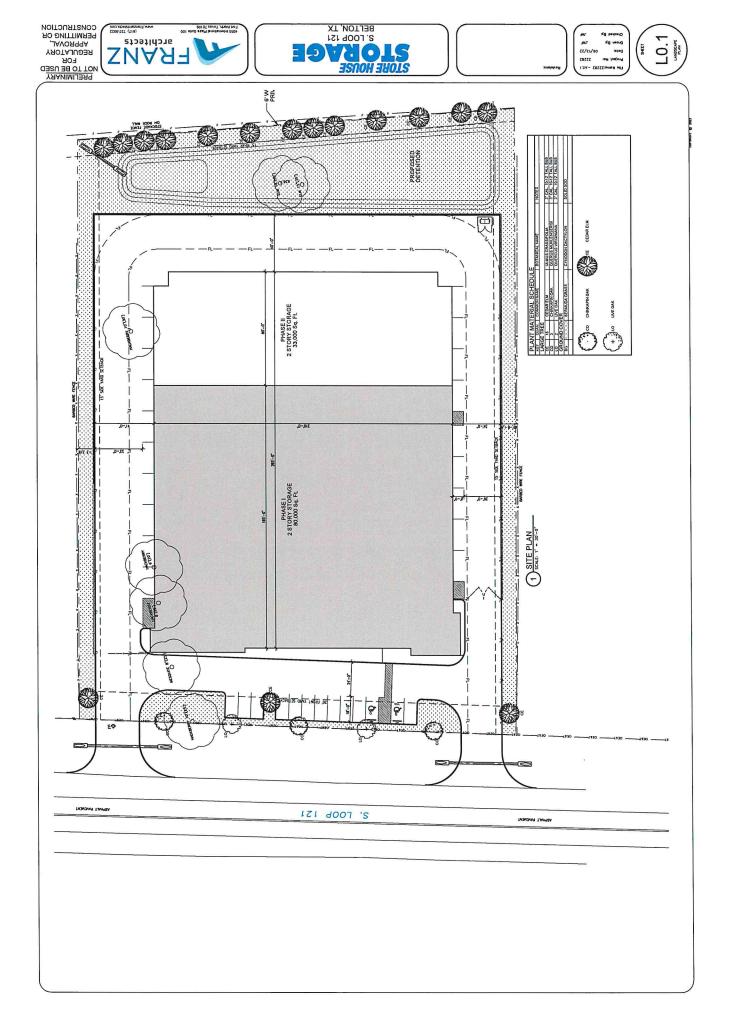
c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.

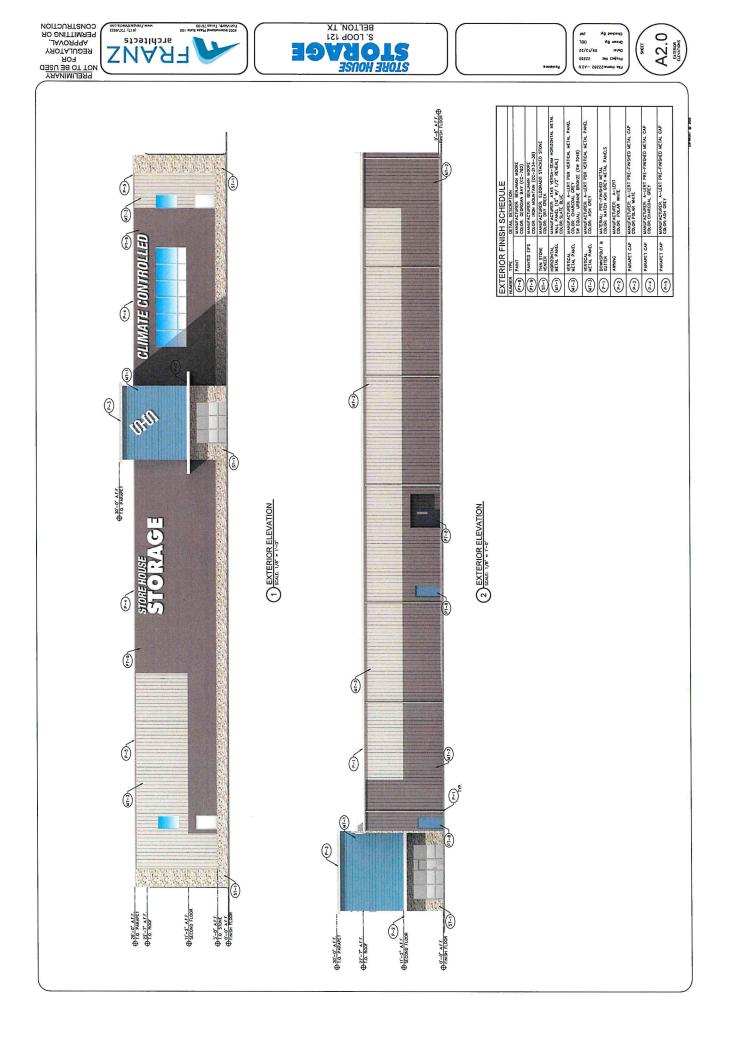
d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.

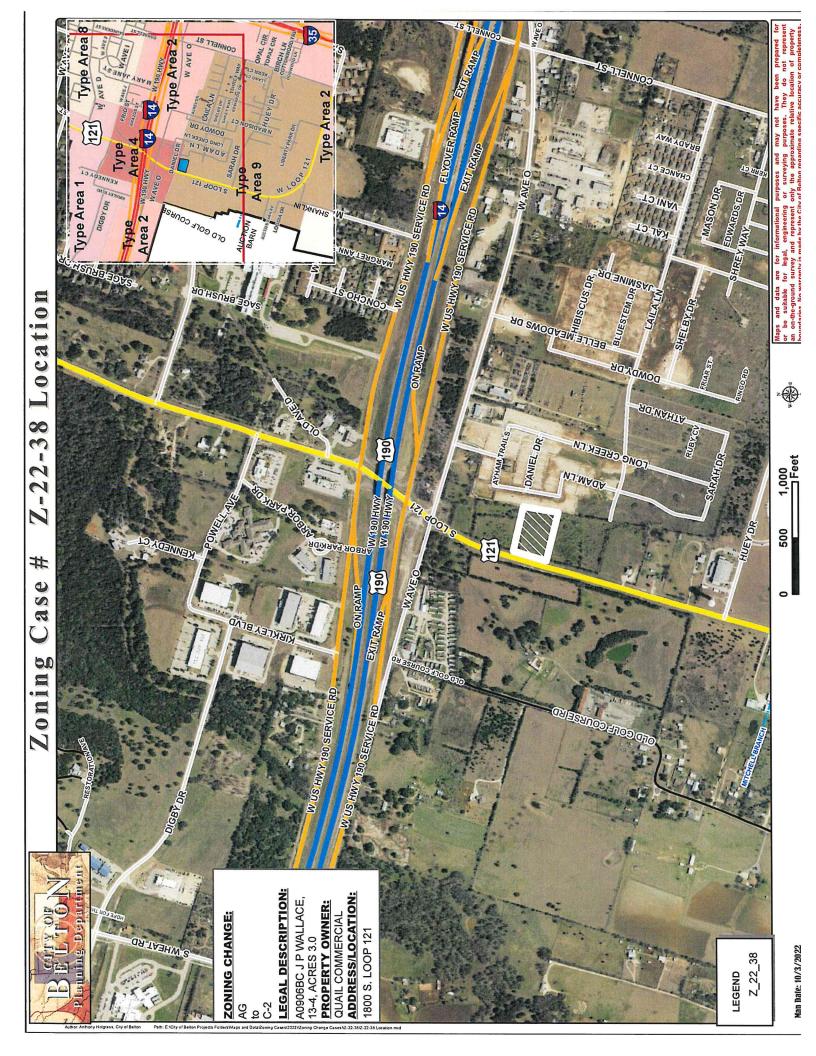
e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.

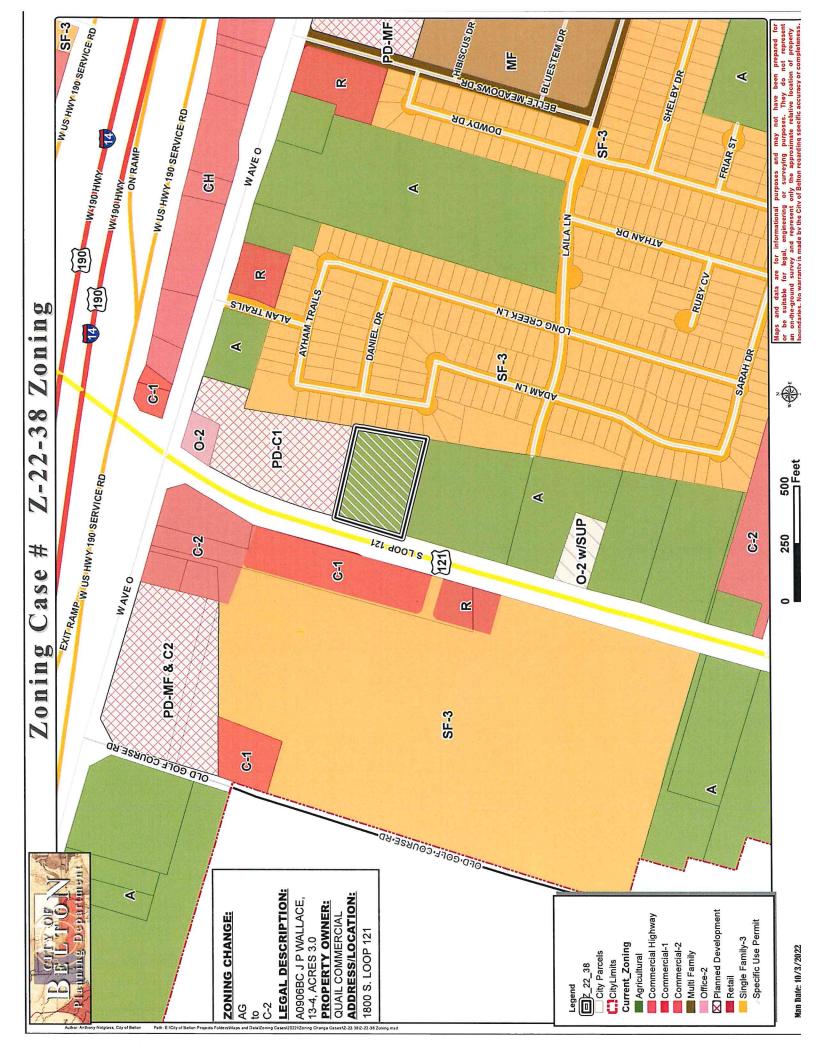
f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.











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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>CARRILLO ENGINEERING AGENT FOR QUAIL</u> <u>COMMERCIAL</u>, TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: <u>1800 S. LOOP 121 (SEE ATTACHED LOCATION MAP</u>), FROM A(N) <u>AGRICULTURAL</u> TO A(N) <u>COMMERCIAL -2</u> <u>TO ALLOW INDOOR MINI-STORAGE FACILITY</u>

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, October 18th, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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 NTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE TION 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 113017 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120

492127 GRAY, GREGORY L & PATRICA M 1108 ADAM IN BELTON, TX 76513

492130 ALEMU, WES KEBEDE & GIGI GETACHEW IBRAHIM 1120 ADAM LN BELTON, TX 76513

492133 BERRY, SHERRY-LYNN H 1206 ADAM LN BELTON, TX 76513

492136 WACKER, DAVID JOSHUA & JOSE ANTONIO RUIZ 1218 ADAM LN BELTON, TX 76513

492139 ALCOZER, ERIC & ALEXIS BIANCA 1232 ADAM LN BELTON, TX 76513

492149 GRANT, RODERICK MILES & LA SHUNDA 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

492142 GLEASON, CANDY S 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

98685 ARIT INVESTMENTS LLC 440 N CENTER ST ARLINGTON, TX 76011 123544 VINSON, SAM ETUX DIANE 3501 ROCKING M LN BELTON, TX 76513-7102

492128 CHAVEZ, ALEXANDER & FRANCES 1112 ADAM LN BELTON, TX 76513

492131 RODDAM, MATTHEW & KATHERINE 1124 ADAM LN BELTON, TX 76513

492134 CALDWELL, LARENTACIA 1210 ADAM LN BELTON, TX 76513

492137 BROWDER, BRITTANY 1222 ADAM LN BELTON, TX 76513

492140 KB HOME LONE STAR INC 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

492156 KB HOME LONE STAR INC 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

506622 KB HOME LONE STAR INC 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249 127560 QUAIL COMMERCIAL LP 10663 E TRIMMIER RD KILLEEN, TX 76542-4926

492129 BRESNAHAN, TABITHA ANNE & JORDAN ANTHONY BRICKEY 1116 ADAM LN BELTON, TX 76513 492132 EDWARDS, BRIDGET ANN O'CONNOR & RYAN ALAN 1202 ADAM LN BELTON, TX 76513

492135 HAVRILLA, CASEY 1214 ADAM LN BELTON, TX 76513

492138 GOLDSTEIN, LEE BARRY & DIANA LYNN 1228 ADAM LN BELTON, TX 76513

492141 KB HOME LONE STAR INC 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

492162 ELIZONDO, NICOLETTE 10800 PECAN PARK BLVD STE 200 AUSTIN, TX 78750-1249

506729 CENTEX B & L CONSTRUCTION LLC 106 N EAST ST BELTON, TX 76513

Z-22-30 Rec'd-1017-

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

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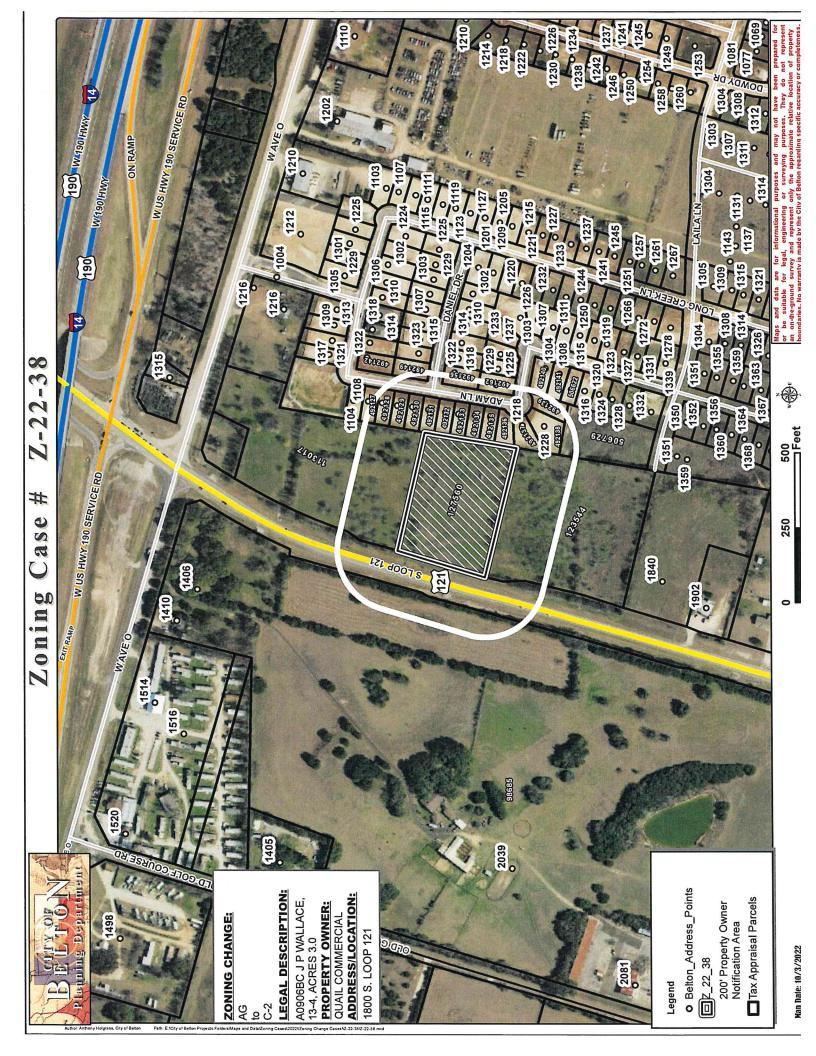
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As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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.

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	circle one INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRI CATION ABOVE FOR THE REASONS EXPRESSED BELOW:	ESENTED IN THE
1.		
2.		
3.		
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)	
DATE:	: 10/10/22 SIGNATURE: foly Mayan	
	PLANNING D	EPARTMENT
	CITY OF BEL	
	P. O. Box 12	-
	BELTON, TEX	
	127560 254-933-5812	

127560 QUAIL COMMERCIAL LP 10663 E TRIMMIER RD KILLEEN, TX 76542-4926



From:	Planning
To:	Tina Moore
Subject:	FW: Zoning Amendment Protest
Date:	Monday, October 10, 2022 10:12:17 AM

From: Bridget O'Connor Edwards <Bridget.oedwards@outlook.com>
Sent: Friday, October 7, 2022 6:22 PM
To: Planning <Planning@BeltonTexas.Gov>
Subject: Zoning Amendment Protest

Hello,

I'm reaching out as an interested property owner (lot # 492132) to protest the change of zoning for 1800 S Loop 121/Zoning Case Z-22-38.

This will be built directly behind my house lowering my property value as well as my enjoyment of the view. This was the sole reason I picked my lot in the first place. Additionally, this is an odd area for a storage facility. Why wouldn't this be placed near Walmart? It's a bizarre placement being near neighborhoods and agricultural land. And as an "indoor" facility, it will likely be multiple floors and looking down into my backyard which will destroy my privacy and peace of mind.

I hope you take this into consideration.

Sincerely,

Bridget O'Connor Edwards (832) 516-0293 WARNING: This message is from an EXTERNAL email source. DO NOT open attachments or click links from unknown senders or unexpected email. Contact Belton IT support for assistance if necessary.

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

From: Matthew Roddam <matthew.roddam343@gmail.com>
Sent: Sunday, October 9, 2022 9:17 AM
To: Planning <Planning@BeltonTexas.Gov>
Subject: Zoning Case # Z-22-38

To whom it may concern,

My wife and I are reaching out as affected property owners of lot #492131 concerning the proposal to re-zone lot 127560 from Agricultural to Commercial-2. The proposal states that the intent is to build a mini storage facility on the lot.

We are opposed to this re-zoning for the following reasons:

1) The adverse effect on our property's value.

2) The adverse effect on ours and our entire neighborhood's, view and privacy. This facility will ruin the view and small-town country feel that we moved out of the big city (Austin) to raise our kids in. What's more, an indoor mini storage facility is likely to block the sunrise we get to see everyday, and look right down into our yard, eliminating our privacy completely.

3) Spot zoning. While the lot to the north is owned by the city, the lots to the south are agricultural. Why would we change one lot in the middle of a beautiful section of woods and grasslands to commercial?

4) Traffic and safety. The traffic around this section of 121 is already dangerous, with endless construction and the Expo center around the bend. More commerical property will only exacerbate this. What's more, there is a commercially zoned strip across the street. If anything, the City should consolidate the commerical property we are bringing into the neighborhood to one side of the street to mitigate congestion. Many, many families are building homes in this area. The city should be considering the safety of our children growing up in beautiful Belton, TX as they consider this, and future commercial re-zoning proposals, in our neighborhood.

Thank you for your considerations,

Matthew and Katherine Roddam

unknown senders or unexpected email. Contact Belton IT support for assistance if necessary.

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

Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

9. Z-22-38 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial-2 District for approximately 3.0-acre property located on S. Loop 121, south of Interstate 14, north of Huey Drive and south of West Avenue O, on the east side of Loop 121. (*Audio 1:37*)

Staff Planner Ms. Moore presented the staff report.

Vice Chair Dave Covington opened the public hearing.

Anna Carrillo, Civil Engineer, and Robert Horton, Developer, spoke about the project.

Diane Vinson, 3501 Rocking M Lane, spoke stating she had questions, but they were answered already by the engineer and developer. She stated she was alright with the change.

The public hearing was closed.

Commission Member Zachary Krueger made a motion to approve Z-22-38 as presented. The motion was seconded by Commission Member Nicole Fischer. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2022-59

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO COMMERCIAL-2 DISTRICT ON APPROXIMATELY 3.0 ACRE PROPERTY LOCATED AT 1800 S. LOOP 121.

WHEREAS, Carrillo Engineering, representing Quail Commercial Properties, the property owners, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 3.0 acres located at 1800 S. 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 25th day of October, 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 Commercial-2 District accordance to Section 25, *Commercial-2 District*, and the Design Standards in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

- 1. The development must conform to all applicable standards of the Commercial-2 (C-2) Zoning District.
- 2. The development of the property shall conform to all applicable Type Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 3. A subdivision plat in accordance with adopted Subdivision Ordinance is required.

4. Civil site plans and building plans in compliance with adopted standards are required.

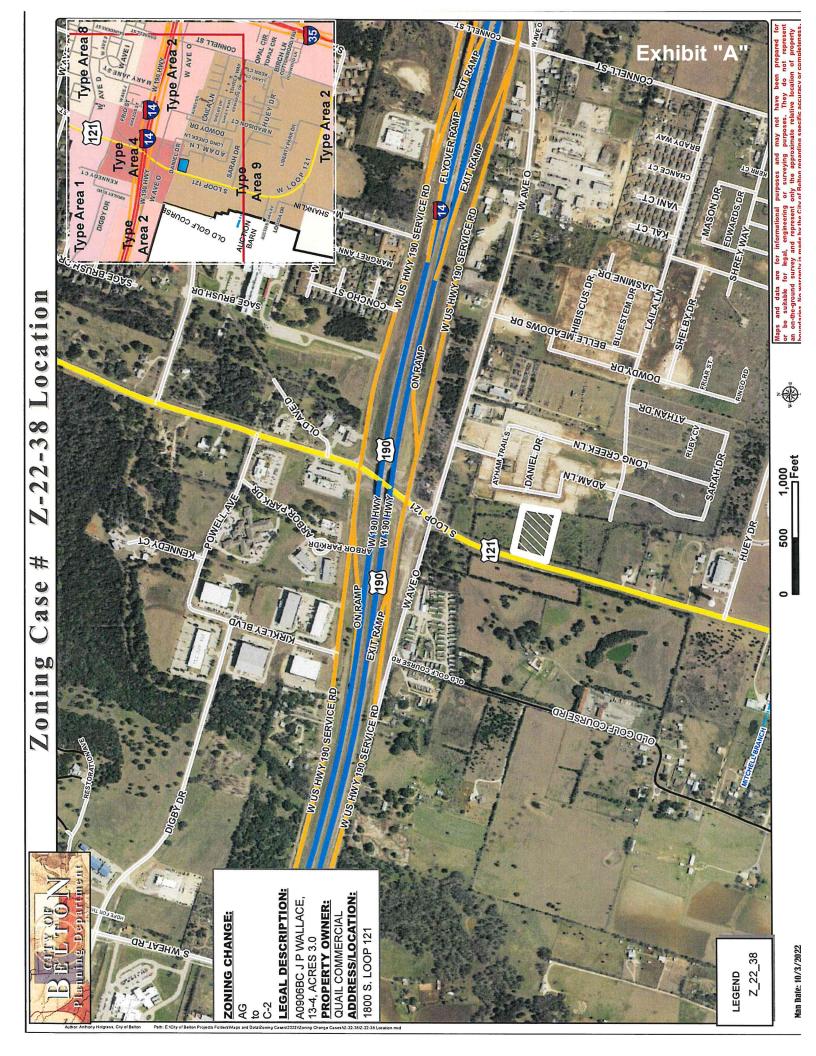
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25t^h day of October, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

ATTEST:

Wayne Carpenter, Mayor

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item



Date: October 25, 2022 No.: Z-22-39 Request: Ag and LI to PD-LI Applicant/Owners: Clayton Strolle/BEDC and Maria and Robert Garza

Agenda Item #14

Z-22-39 – Hold a public hearing and consider a zoning change to Planned Development – Light Industrial for approximately 27.561 acres for the following three properties:

- Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 Agricultural to Planned Development – Light Industrial
- Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 Agricultural to Planned Development Light Industrial
- Tract 3 approximately 16.20 acres located on Digby Drive Light Industrial to Planned Development Light Industrial.

Originating Department: Planning Department – Tina Moore, Planner

<u>Current Zoning</u>: Agricultural (Ag) and Light Industrial (LI)

Current Uses(s): Residential and Undeveloped Industrial Property

Proposed Zoning: Planned Development – Light Industrial (PD-LI)

Proposed Use(s): Speculative Industrial Development

Future Land Use Map (FLUM) Designation: Commercial Corridor and Industrial

Design Standards Type Areas 1 and 2: The projected growth for Type Area 1 is primarily business parking, office and mixed uses with both City Design Standards and Belton Economic Development Corporation (BEDC) Business Park Covenants, Condition and Restrictions applicable. The projected growth for Type Area 2 is primarily commercial highway frontage uses.

Background/Case Summary

The applicant is a developer that constructs speculative industrial developments. They have been working with the BEDC to acquire the three properties encompassed in this zoning change application. The applicant requested a Planned Development zoning district to allow for a maximum ceiling height of 60'. The LI District allows a maximum 35' height and the Ag

City Council Agenda Item October 25, 2022 Page 1 of 3 District allows a maximum 22' height. The additional height is requested to accommodate industrial equipment needed for potential tenants.

Project Analysis and Discussion

Direction	Zoning	Use
North	LI	Vacant
South	AG	Residential
East	AG and LI	Residential and Vacant LI
		Property
West	AG and LI	Residential and Texas First
		Rental

Land Use Table/Allowable Uses: The proposed zoning change would allow for the industrial development.

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the LI District which is 7,200 sq. ft. The total acreage of the three properties is approximately 27.561 acres. Setback requirements will be reviewed with the construction plans.

<u>Water</u>: This property straddles both the City of Belton and Dog Ridge Water Supply Corporation's Certificate of Convenience and Necessity (CCN). Buildings constructed in the Dog Ridge boundary will require approval from Dog Ridge Water Supply Corporation for water services. City will review all construction plans to ensure compliance with applicable zoning and building codes.

Recommendation

At their meeting on October 18, 2022, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change to Planned Development – Light Industrial.

- 1. The development must conform to all applicable standards of the Light Industrial Zoning Districts.
- 2. A maximum ceiling height of 60' is allowed.
- 3. A solid screening wall or fence, not less than 6' tall, shall be provided along the southwestern corner of the property for transition to the residential home located at 2606 W. US 190 Service Road.
- The development of the property shall conform to all applicable Type Area 1 and Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 5. A subdivision plat in accordance with adopted Subdivision Ordinance is required.

City Council Agenda Item October 25, 2022 Page 2 of 3

Existing Conditions:

6. Civil site plans and building plans in compliance with adopted standards are required.

<u>Attachments</u> Zoning application and conceptual site plan Property Location Map Zoning map Aerial photo Water CCN Map Zoning notice to owners/Owner notification list/Map with zoning notice boundary (200') P&Z Minutes Excerpt Ordinance

> City Council Agenda Item October 25, 2022 Page 3 of 3

ZONING CHANGE APPLICATION



Fee: \$250.00

Date received: 9/15/2022			
APPLICANT NAME:			
Clayton Strolle			
EMAIL:	PHONE NUMBER:		
clayton.strolle@westwoodps.com	512-485-0831		
MAILING ADDRESS:			
8701 N Mopac Expy, Suite 320, Austin, Texas 78736			
PROPERTY OWNER NAME:			
Maria and Robert Garza			
EMAIL:	PHONE NUMBER:		
yoly411@juno.com	254-217-0936		
MAILING ADDRESS:			
2570 W US Highway 190, Belton, Texas 76513-7119			
Proposed Use of Structures (building) and Property (exterior property):			
Office/Warehouse Buildings with exterior parking and trailer storage			
Current Use:			
Homestead			
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:			
2570 W US Highway 190, Belton, Texas 76513			
Legal Description of Property: Abstract Survey			
Lot(s):,			
of Subdivision			
AG AG			
Existing Zoning: AG Proposed Zoning: LI with deviations			
Signature of Applicant: Date: 09/15/2022			
Signature of Applicant:	Date:		
Signature of Owner (if not applicant):	Date: 09/16/2022		
Signature of Owner (if not applicantly.	Dutc.		

City of Belton Planning Department

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

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

\checkmark	Signed	app	lication

✓ 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 CHANGE APPLICATION



Fee: \$250.00

Date received: 9/15/2022	
APPLICANT NAME: Clayton Strolle	
EMAIL: clayton.strolle@westwoodps.com	PHONE NUMBER: 512-485-0831
MAILING ADDRESS: 8701 N Mopac Expy, Suite 320, Austin, Texas 78736	
PROPERTY OWNER NAME: Belton Economic Development Corporation	
EMAIL: chernandez@beltonedc.org	PHONE NUMBER: 254-831-6960
MAILING ADDRESS: PO Box 1388 Belton, Texas 76513	
Proposed Use of Structures (building) and Property (exterior prop Office/Warehouse Buildings with exterior parking and trailer	
Current Use: Homestead	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 2238 HWY 190, Belton, Texas, 76513, Digby Drive, Belton, Texas 76513	
Legal Description of Property: Abstract Survey_BELTON BUSINESS PARK PHASE	II. BLOCK 004, LOT PT BLK, ACRES 16.204. A0860BC L WALKER, 85-1, ACRES 2.833
Lot(s):Block(s):, of Subdivision,	
Existing Zoning: LI and AG Proposed Zo	ning:LI with deviations
Signature of Applicant:	Date:
Signature of Owner (if not applicant): Cynthia Hernandez Digtally signed by Cynth Hernandez Date: 2022.09.15 14.433	Date: 9/15/2022

City of Belton Planning Department

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

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

/	Signed application Fees paid
/	Fees paid
1	

✓ 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.

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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 CHANGE APPLICATION



Fee:	\$250.00	
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APPLICANT NAME:	
Clayton Strolle	
EMAIL:	PHONE NUMBER:
clayton.strolle@westwoodps.com	512-485-0831
MAILING ADDRESS:	•
8701 N Mopac Expy, Suite 320, Austin, Texas 78736	
PROPERTY OWNER NAME:	
Maria and Robert Garza	
EMAIL:	PHONE NUMBER:
yoly411@juno.com	254-217-0936
MAILING ADDRESS:	
2570 W US Highway 190, Belton, Texas 76513-7119	
Proposed Use of Structures (building) and Property (exterior prop	perty):
Office/Warehouse Buildings with exterior parking and trailer	
	5
Current Use:	
Homestead	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:	
2570 W US Highway 190, Belton, Texas 76513	
Legal Description of Property: Abstract Survey_ A0860BC L WALKER, ACRES	S 8.388
Lot(s): Block(s):,	
of Subdivision	
AG	L with dovictions
Existing Zoning: AG Proposed Zo	ning:ith deviations
L///	
USA Sto	Date:
Signature of Applicant:	Date:
Signature of Owner (if not applicant):	Date: 09/16/2022

City of Belton Planning Department

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

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

/	Signed application
/	Fees paid
1	Commiste lovel des

✓ Complete legal descriptions of the property to be rezoned

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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.



September 15, 2022 PK No.: 5427-22.444

Ms. Tina Moore Planner CITY OF BELTON 1502 Road Belton Belton, Texas 76513

Re: TRADITION SENIOR LIVING Rezoning Request Belton, Texas

Dear Ms. Moore:

Pacheco Koch, a Westwood Company is planning on rezoning 27.561 acres approximately 3,000 linear feet west of SH 121 and IH 14 on the north side of IH 14. The land is currently zoned AG and LI. The request is to change the zoning to LI with the following adjustments:

1. Height Restriction Limited to 60 foot in height.

The current properties are either used for a homestead or are currently vacant.

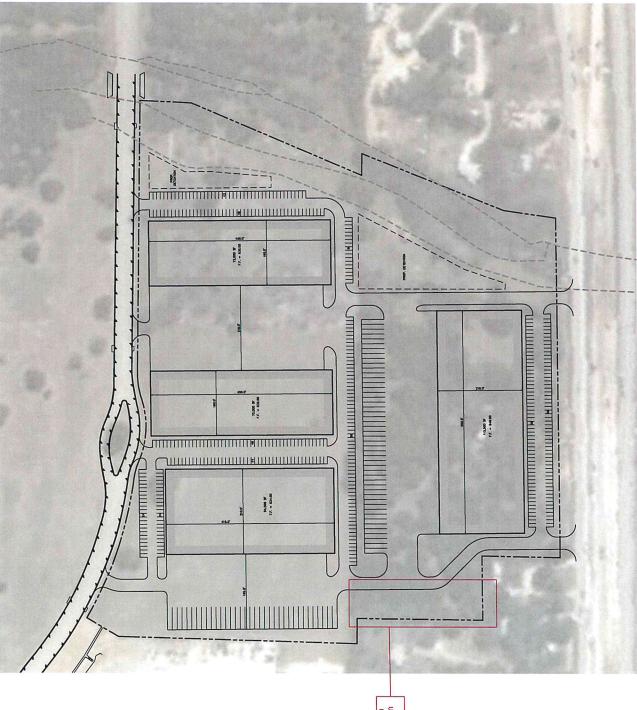
If you have any questions regarding the enclosed items or need any additional information, please call me at your convenience.

Sincerely,

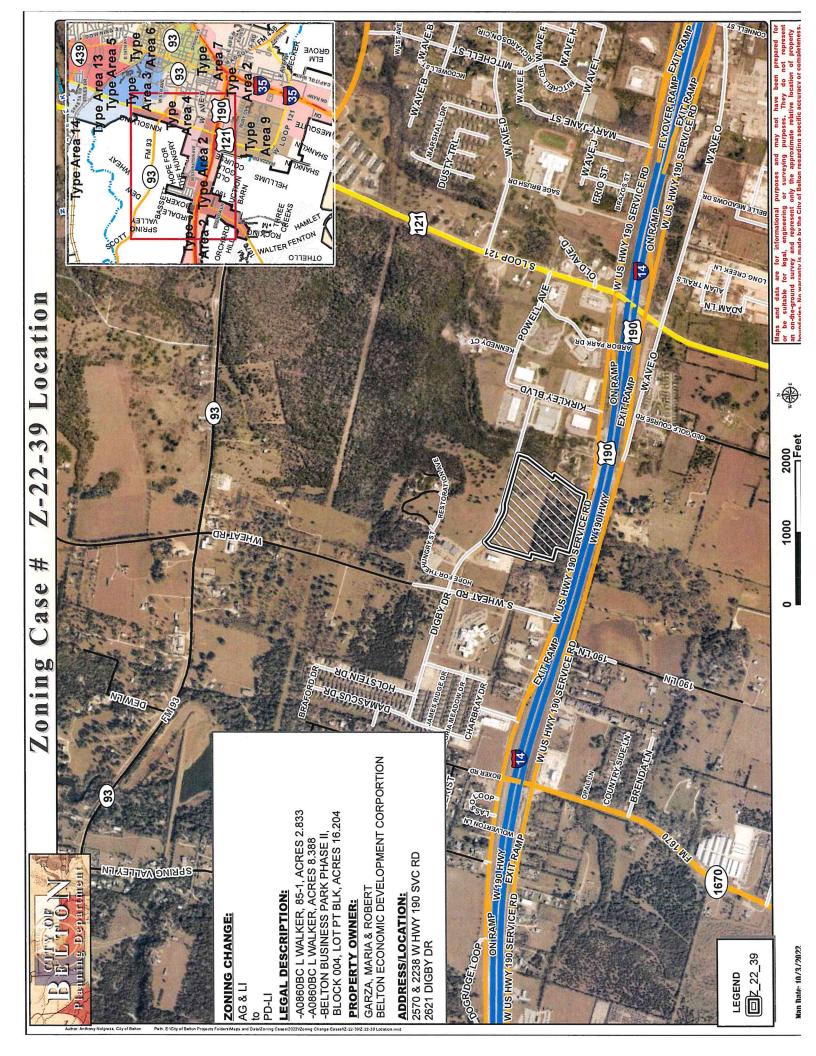
Clayton J. Strolle, P.E., LEED®AP

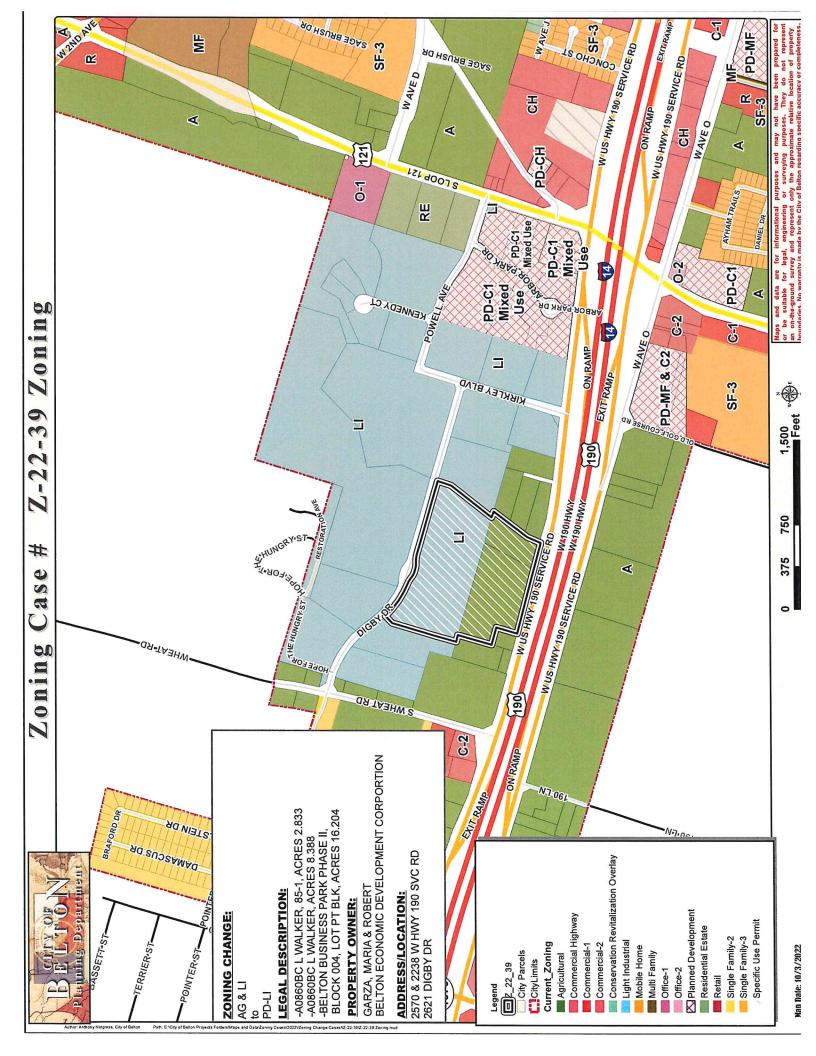
In the event of any unintentional clerical inaccuracies or misrepresentations in this document, please contact our office at your earliest convenience.

CJS/ytd 5427-22.444_Rezoning Request Letter



Pursue fenced laydown yard as permitted use in zoning.







HOPEFORTHEHUNG

up draw

Ya

JAMES RIDGER

No.Al Lin

TLOWAY DR

Planning Department

61

ZONING CHANGE:

AG & LI

to PD-LI

LEGAL DESCRIPTION:

-40860BC L WALKER, 85-1, ACRES 2.833 -40860BC L WALKER, ACRES 8.388 -BELTON BUSINESS PARK PHASE II, BLOCK 004, LOT PT BLK, ACRES 16.204

PROPERTY OWNER:

POWELL AVE

DIGBY.DE

16 100.00

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GARZA, MARIA & ROBERT BELTON ECONOMIC DEVELOPMENT CORPORTION

ADDRESS/LOCATION: 2570 & 2238 W HWY 190 SVC RD 2621 DIGBY DR

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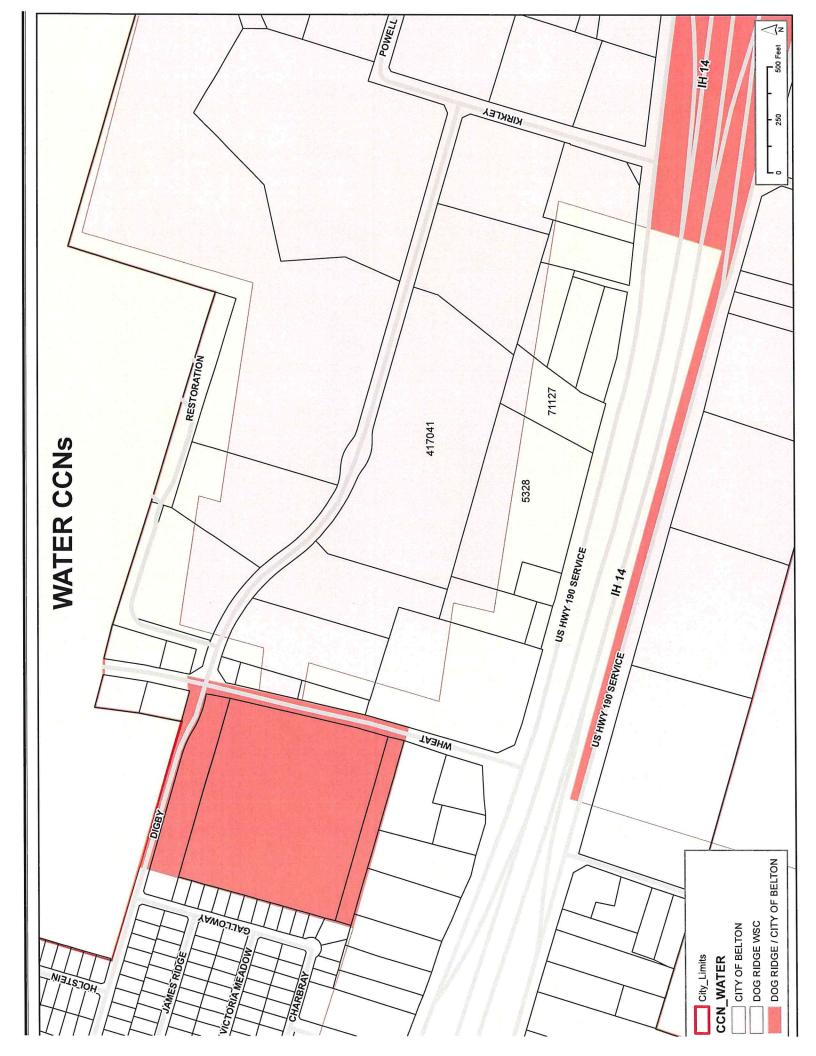
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NOTICE OF APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>CLAYTON STROLLE, REPRESENTING BELTON ECONOMIC</u> <u>DEVELOPMENT CORP. AND GARZA, MARY AND ROBERT</u>,

TO CHANGE THE FOLLOWING DESCRIBED PROPERTIES TO THE FOLLOWING ZONING DISTRICTS (SEE ATTACHED MAP):

- Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 (Property ID 5328) Agricultural to Planned Development Light Industrial
- Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 (Property ID 71127)
 Agricultural to Planned Development Light Industrial
- Tract 3 approximately 16.20 acres located on Digby Drive (Property ID 417041) Light Industrial to Planned Development Light Industrial.

TO ALLOW FOR: INDUSTRIAL DEVELOPMENT

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18th, 2022</u>, 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 <u>5:30 P.M., Tuesday, October 25, 2022</u>, 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 <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on October 25, 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

P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812 5328 GARZA, MARIA Y & ROBERT R 2570 W US HIGHWAY 190 BELTON, TX 76513-7119

71127 BELTON ECONOMIC DEVELOPMENT CORPORATION PO BOX 1388 BELTON, TX 76513-5388

130282 BURLESON, JANET E 2642 W US HIGHWAY 190 BELTON, TX 76513-7690

417041 BELTON ECONOMIC DEVELOPMENT CORPORATION PO BOX 1388 BELTON, TX 76513-5388

432249 BURLESON, JANET E 2642 W US HIGHWAY 190 BELTON, TX 76513-7690

486786 PC5 PROPERTIES LLC 5665 SE LOOP 410 SAN ANTONIO, TX 78222 6050 BARKLEY, DANNY J 1151 S WHEAT RD BELTON, TX 76513-7121

74825 MINOR, DIANA 1901 W US HIGHWAY 190 BELTON, TX 76513-7302

211529 BELTON ECONOMIC DEVELOPMENT CORPORATION PO BOX 1388 BELTON, TX 76513-5388

432052 MINOR, LOUIE 2118 W 190 SERVICE RD BELTON, TX 76513

440750 CGI TECHNOLOGIES & SOLUTIONS INC 11325 RANDOM HILLS RD 7TH FLOOR FAIRFAX, VA 22030-6051

18330 CASTILLO, REY ETUX CYNTHIA 2606 W US HIGHWAY 190 BELTON, TX 76513-7690

74836 DAVENPORT, CAROLYN 3618 VALLEY PARK TEMPLE, TX 76502

241671 BELTON ECONOMIC DEVELOPMENT CORPORATION PO BOX 1388 BELTON, TX 76513-5388

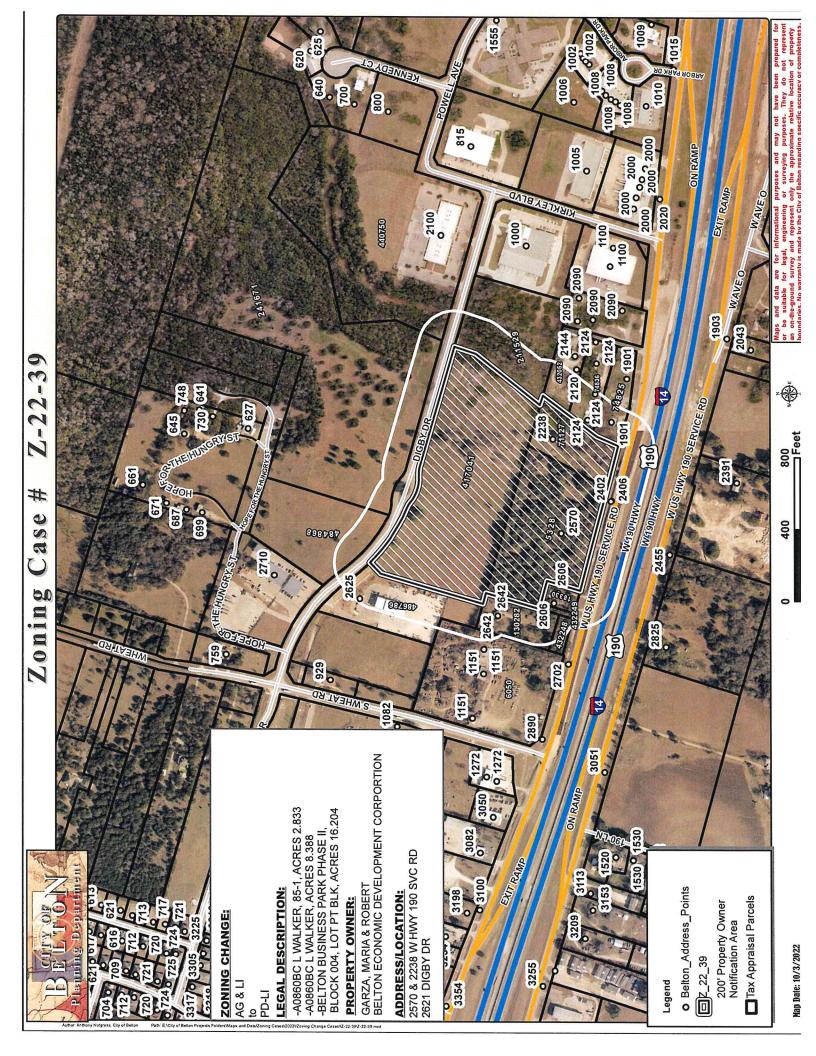
BELTON ECONOMIC DEVELOPMENT CORPORATION

432248 BURLESON, JANET E 2642 W US HIGHWAY 190 BELTON, TX 76513-7690

484868

PO BOX 1388 BELTON, TX 76513-5388

,



Minutes of the **Planning and Zoning Commission (P&ZC)** City of Belton, City Hall 333 Water Street Tuesday, October 18, 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: Vice Chair Dave Covington, David Jarratt, Nicole Fischer, Alton McCallum, Quinton Locklin, Luke Potts, and Zachary Krueger. The following members were absent: Chair Brett Baggerly and Joshua Knowles. The following staff members were present: City Manager Sam Listi, Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Systems Analyst Alex Munger.

- **10.** Z-22-39 Hold a public hearing and consider a zoning change to Planned Development Light Industrial for approximately 27.561 acres for the following three properties:
 - 1. Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 Agricultural to Planned Development Light Industrial
 - 2. Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 Agricultural to Planned Development Light Industrial
 - 3. Tract 3 approximately 16.20 acres located on Digby Drive Light Industrial to Planned Development Light Industrial. (*Audio 1:47*)

Staff Planner Ms. Moore presented the staff report.

Cynthia Hernandez, BEDC Director, spoke in support of this project.

The following residents spoke in opposition of the zoning change expressing concerns for the noise from factories at midnight and later while they are sleeping, waking them up, and lights shining into the bedroom: Cynthia Castillo and Rey Castillo, 2606 W. Hwy 190.

John Davenport, 2124 W. Hwy 190 Svc. Rd., spoke and was curious about the future growth, but had no problem with the change.

Carolyn Davenport, 2124 W. Hwy 190 Svc. Rd., spoke in favor of the growth.

Holt Perlman, applicant, spoke about this project.

The public hearing was closed.

Commission Member Luke Potts made a motion to approve Z-22-39, with an addition of a 6' solid screening required for transition to the single-family property southwest of this site. The motion was seconded by Commission Member Nicole Fischer. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2022-60

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL OR LIGHT INDUSTRIAL DISTRICT TO PLANNED DEVELOPMENT – LIGHT INDUSTRIAL DISTRICT FOR APPROXIMATELY 27.51 ACRES LOCATED AT 2570 W. HIGHWAY 190 SERVICE ROAD.

WHEREAS, Clayton Strolle, representative of the property owners – Belton Economic Business Park and Maria and Robert Garza, 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 18th day of October, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

> approximately 27.51 acres located on Digby Drive and Interstate 14 described as follows:

- 1. Tract 1 approximately 8.39 acres located at 2570 W. Highway 190 (Agricultural)
- 2. Tract 2 approximately 2.83 acres located at 2238 W. Highway 190 (Agricultural)
 - 3. Tract 3 approximately 16.20 acres located on Digby Drive (Light Industrial) (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 25th day of October, 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 or Light Industrial District to Planned Development – Light Industrial District in accordance to Section 32, *Planned Development District*, and Section 27, *Light Industrial 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 Light Industrial Zoning District.
- 2. A maximum ceiling height of 60' is allowed.

- 3. A solid screening wall or fence, not less than 6' tall, shall be provided along the southwestern corner of the property for transition to the residential home located at 2606 W. US 190 Service Road.
- 4. The development of the property shall conform to all applicable Type Area 1 and Area 2 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
- 5. A subdivision plat in accordance with adopted Subdivision Ordinance is required.
- 6. Civil site plans and building plans in compliance with adopted standards are 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 25th day of October, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 25th day of October, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

