

**Belton City Council Meeting
October 25, 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., Daniel Bucher and Stephanie O'Banion (Zoom). Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Mike Rodgers, Jon Fontenot, Chris Brown, Matt Bates, Bob van Til, Tina Moore, Allen Fields, Charlotte Walker, Cynthia Hernandez, Kim Kroll and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Dan Kirkley, and the pledge to the Texas Flag was led by Director of Finance Mike Rodgers. The Invocation was given by Mayor Wayne Carpenter.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:34 p.m.

2. **Public Comments.** *(Audio 1:39)*

There were none.

3. **Presentation of National Night Out Block Party Awards.** *(Audio 1:50)*

Assistant City Manager/Chief of Police Gene Ellis, Support Services Manager Candice Griffin and Sergeant Wayne Cooley of the Belton Police Department presented the following 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

Consent Agenda *(Audio 7:29)*

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.**

Reappointment of Johner Martin, Priscilla Linnemann, Samantha Crumbaugh and Cindy Black. Moved Ricardo DeLeon from an alternate member to a regular member.

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.**

Upon a motion by Councilmember Holmes, and a second by Councilmember Kirkley, the Consent Agenda was unanimously approved upon a vote of 7-0.

Planning and Zoning

8. **Z-22-20 – Hold a public hearing and consider a zoning change from Single Family 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 8:29)

Planner Tina Moore presented this item.

Public Hearing:

- Larry Guess (applicant), 504 Mitchell – spoke in favor of the zoning change.
- No one else spoke for or against the zoning change.

Upon a motion for approval of the rezoning by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, the following captioned ordinance was approved upon a vote of 6-1 (Councilmember Holmes dissenting) with the following conditions:

- The use of the property shall conform to the Single Family-2 Zoning District in all respects, except as follows:
 - A minimum lot area of 5,785 square feet is allowed.
 - A minimum depth of 89' is allowed.
 - A side yard setback of 5'.
 - One covered parking space and three uncovered parking spaces is allowed for Lots 1,3,5, and 7.
- Approval of the subdivision replat is required.
- Two 20' paved accessways shall be provided for the rear flag lots from Avenue R in the joint access easements. Each accessway shall be constructed to support a minimum of 75,000 pounds for emergency fire access. Each access shall be striped as a fire lane and shall be inspected and approved by the City of Belton.

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.

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. (Audio 33:28)**

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against the item.

Councilmember Pearson made a motion for approval of the replat including approval of a variance for a 15' minimum frontage to a public road. Councilmember Bucher seconded the motion, and the replat was approved upon a vote of 6-1 with Councilmember Holmes dissenting.

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. (Audio 35:47)**

Planner Tina Moore presented this item. Tommy Shaw, representing the owner/applicant, spoke in favor of the zoning change and provided information on the property owner's desires for the property.

Public Hearing:

- Kevin Nesby, 3011 Tanglewood Circle – spoke against the zoning change.
- SK (Steve) Foster, 2805 Simmons Road – spoke against the zoning change.
- Sudie Foster, 2805 Simmons Road – spoke against the zoning change.
- Francis Finney, 3125 Tanglewood Circle – spoke against the zoning change.
- Charles Finney, 3125 Tanglewood Circle – spoke against the zoning change.
- Candice Waugh, 2685 Tanglewood Circle – spoke against the zoning change.
- Ron Rice, 3599 Terrier – spoke in favor of the zoning change.
- Singava Vadivel, 7564 Delwood Street - spoke in favor of the zoning change.
- Archie Brooks, 2601 Tanglewood Circle – spoke against the zoning change.
- Evelyn Davis, 3140 Tanglewood Circle – spoke against the zoning change.
- Mitchell Nesby, 201 W. Upshaw (Temple) – spoke against the zoning change.
- Matthew Nesby, 12297 Oakalla Road (Copperas Cove) – spoke against the zoning change.
- Amanda Roberts, 2136 Hamilton – provided a different perspective on the issue speaking neither for nor against the zoning change.
- Tammy Nesby, 3011 Tanglewood Circle – spoke against the zoning change.
- Allison Robison, 911 Stonebrook (Temple) – spoke in favor of the zoning change.
- Dr. April Robison, 911 Stonebrook (Temple) – spoke in favor of the zoning change.
- Susan Robison, 7379 W. Highway 190 Service Road – spoke in favor of the zoning change.

- Louis Robison, Jr., 7379 W. Highway 190 Service Road – spoke in favor of the zoning change.
- Andrea Shaw, PO Box 10273 (Killeen) – spoke in favor of the zoning change.
- Karli Nesby, 12297 Oakalla (Copperas Cove) – spoke against the zoning change.
- No one else spoke for or against the zoning change.

Upon a motion for approval of the rezoning by Mayor Pro Tem Leigh, and a second by Councilmember Holmes, the rezoning to Planned Development – Commercial Highway was approved upon a vote of 7-0 with the following conditions:

- The use of this property shall conform to the Commercial Highway District in all respects.
- A solid screening fence, required along the property line adjacent to residential uses, shall be a minimum 8' in height, and shall be of an adequate height and with an appropriate setback and greenspace buffer to provide an effective screen to residential uses.
- 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:
 - Site Development Standards
 - Landscape Design Standards
 - Tree Protection, Preservation and Mitigation Standards
- A subdivision plat and a building permit are required prior to development.

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.

11. **Z-22-36 – Hold a public hearing and consider a zoning change from Single Family District to Retail District on approximately 0.353 acres located at 2906 N. Main Street, located north of River Fair Boulevard.** (Audio 2:04:18)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against the zoning change.

Upon a motion for approval of the rezoning by Councilmember Holmes, and a second by Councilmember Kirkley, the rezoning to Retail District was unanimously approved upon a vote of 7-0 with the following conditions:

- The development must conform to all applicable standards of the Retail Zoning District.
- 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:
 - Site Development Standards
 - Landscape Design Standards
 - Tree Protection, Preservation and Mitigation Standards
- The property is required to be platted in accordance with the adopted Subdivision Ordinance.
- Civil site plans and construction plans in compliance with adopted standards are required.

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.

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.** (Audio 2:07:20)

Planner Tina Moore presented this item.

Public Hearing: No one spoke for or against the zoning change.

Upon a motion for approval of the rezoning by Councilmember Holmes, and a second by Councilmember O'Banion, the rezoning to Light Industrial District was unanimously approved upon a vote of 7-0 with the following conditions:

- The development must conform to all applicable standards of the Light Industrial Zoning Districts.
- 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:
 - Site Development Standards
 - Landscape Design Standards
 - Tree Protection, Preservation and Mitigation Standards.

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

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.

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. (Audio 2:10:37)**

Councilmember Daniel Bucher announced that he needed to abstain from this item and left the room.

Planner Tina Moore presented this item.

Public Hearing:

- The developer, Robert Horton, provided information on the project and requested approval of the zoning change.
- No one else spoke for or against the zoning change.

Upon a motion for approval of the rezoning by Councilmember Holmes, and a second by Councilmember Pearson, the rezoning to Commercial-2 District was approved upon a vote of 6-0-1 (Councilmember Bucher abstaining) with the following conditions:

- The development must conform to all applicable standards of the Commercial-2 (C-2) Zoning District.
- 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:
 - Site Development Standards
 - Landscape Design Standards
 - Tree Protection, Preservation and Mitigation Standards
- A subdivision plat in accordance with adopted Subdivision Ordinance is required.
- Civil site plans and building plans in compliance with adopted standards are required.

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.

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. (*Audio 2:16:18*)

Planner Tina Moore presented this item.

Public Hearing:

- Cynthia Hernandez, Executive Director of the Belton Economic Development Corporation, spoke in favor of the zoning change.
- No one else spoke for or against the item.

The applicant provided information regarding the project.

Upon a motion for approval of the rezoning by Mayor Pro Tem Leigh, and a second by Councilmember Holmes, the rezoning to Planned Development – Light Industrial was unanimously approved upon a vote of 7-0 with the following conditions:

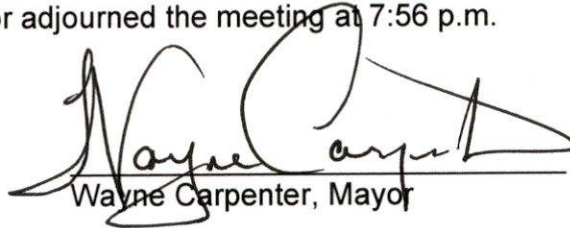
- The development must conform to all applicable standards of the Light Industrial Zoning District.
- A maximum ceiling height of 60' is allowed.
- A solid screening wall or fence, not less than 6' tall, shall be provided along the southwestern corner of the property for transition to the residential 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:
 - Site Development Standards
 - Landscape Design Standards
 - Tree Protection, Preservation and Mitigation Standards

- A subdivision plat in accordance with adopted Subdivision Ordinance is required.
- Civil site plans and building plans in compliance with adopted standards are required.

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.

There being no further business, the Mayor adjourned the meeting at 7:56 p.m.



Wayne Carpenter, Mayor

ATTEST:



Amy M. Casey, City Clerk