

City of Belton, Texas

City Council Meeting Agenda Tuesday, January 24, 2023 - 5:30 p.m. Wright Room at the Harris Community Center 401 N. Alexander, Belton, Texas

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Mayor Pro Tem David K. Leigh.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Grants and Special Projects Coordinator Jo-Ell Guzman.

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

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

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

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

Consent Agenda

Items 3-10 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

3. Consider minutes of the January 10, 2023, City Council Meeting.

- 4. Consider a resolution nominating the City's candidate for election to the Board of Directors of the Central Texas Water Supply Corporation.
- 5. Consider a resolution declaring that the updated January 1, 2023, population estimate for the City of Belton is 25,466.
- 6. Consider an amended employment agreement for the City Manager.
- 7. Consider approval of the Tax Increment Reinvestment Zone Annual Report for 2022.
- 8. Consider resolutions authorizing the submission of grant applications to the Office of the Governor, Criminal Justice Division, for the following:
 - A. General Victim Assistance Grant, Victims of Crime Act; and
 - B. In-Car Camera Upgrades.
- 9. Consider authorizing the City Manager to enter into an agreement with Axon for the acquisition of body worn cameras and Fleet 3 vehicle cameras for the Police Department.
- 10. Consider authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick & Associates for design services for the E. 13th Avenue Sidewalk & SUP Project CSJ 0909-36-169.

Planning and Zoning

- 11.Z-22-46 Hold a public hearing and consider a zoning change from Planned Development Mixed Use to an Amended Planned Development (PD) to allow townhouses on approximately 5.087 acres located at 2450 Piazza Drive, located west of Shanklin Road and south of Auction Barn Road. This item has been withdrawn.
- 12.Z-23-01 Hold a public hearing and consider a zoning change from Agricultural to Commercial Highway on approximately 7.51 acres located at 3401 S. IH 35 Service Road, located at the southwest intersection of IH 35 and Mesquite Road.
- 13.Z-23-02 Hold a public hearing and consider a zoning change from Agricultural to Planned Development Commercial Highway on approximately 6.198 acres located at 5881 W. US 190 Service Road, at the southeast intersection of Interstate 14 and George Wilson Road.
- 14.Z-23-03 Hold a public hearing and consider a zoning change from Agricultural to Planned Development Mobile Home District on approximately 8.593 acres located at 1705 FM 1670, south of Interstate 14 and on the east side of FM 1670.

- 15.Z-23-04 Hold a public hearing and consider a zoning change from Single Family-2 Residential (SF-2) to Two Family (2F) on 0.921 acres located at 507 Ellis Avenue located in the Sallie J White Addition, Block 4, Lot 1.
- 16. P-22-31 Consider a final plat of Rodriguez Estates Addition, comprising 4.36 acres located at 1971 FM 1670.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

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



City of Belton, Texas

City Council Meeting Agenda Tuesday, January 24, 2023 - 5:30 p.m. Wright Room at the Harris Community Center 401 N. Alexander, Belton, Texas

OFFICE OF THE CITY MANAGER

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Mayor Pro Tem David K. Leigh.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Grants and Special Projects Coordinator Jo-Ell Guzman.

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

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

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

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

Consent Agenda

Items 3-10 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

3. Consider minutes of the January 10, 2023, City Council Meeting.

A copy of the minutes is attached. Recommend approval.

4. <u>Consider a resolution nominating the City's candidate for election to the</u> Board of Directors of the Central Texas Water Supply Corporation.

Please see Staff Report from City Clerk Amy Casey. Recommend nomination of Assistant Director of Public Works Scott Hodde as the City's candidate for election to the CTWSC Board of Directors.

5. <u>Consider a resolution declaring that the updated January 1, 2023, population estimate for the City of Belton is 25,466.</u>

See Staff Report from Planner Tina Moore. Recommend adoption of the resolution declaring Belton's population is 25,466.

6. Consider an amended employment agreement for the City Manager.

A copy of the revised agreement, including an increase in base salary, is attached. Recommend approval.

7. Consider approval of the Tax Increment Reinvestment Zone Annual Report for 2022.

See Staff Report from Director of Finance Mike Rodgers. At its meeting on January 19, 2023, the TIRZ Board unanimously recommended approval of the 2022 TIRZ Annual Report, and Staff concurs.

8. Consider resolutions authorizing the submission of grant applications to the Office of the Governor, Criminal Justice Division, for the following:

A. General Victim Assistance Grant, Victims of Crime Act; and

B. In-Car Camera Upgrades.

See Staff Report from Assistant City Manager/Chief of Police Gene Ellis and Grants and Special Projects Coordinator Jo-Ell Guzman. Recommend adoption of the resolutions.

9. Consider authorizing the City Manager to enter into an agreement with Axon for the acquisition of body worn cameras and Fleet 3 vehicle cameras for the Police Department.

See Staff Report from Assistant City Manager/Chief of Police Gene Ellis, Patrol Captain Daniel Aguirre and Director of IT Services Chris Brown. Recommend authorization to execute the agreement.

10. Consider authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick & Associates for design services for the E. 13th Avenue Sidewalk & SUP Project CSJ 0909-36-169.

See Staff Report from Director of Public Works Matt Bates. Recommend authorization to contract with KPA for the E. 13th Avenue Sidewalk and SUP Project.

Planning and Zoning

11. <u>Z-22-46 – Hold a public hearing and consider a zoning change from Planned Development – Mixed Use to an Amended Planned Development (PD) to allow townhouses on approximately 5.087 acres located at 2450 Piazza Drive, located west of Shanklin Road and south of Auction Barn Road. This item has been withdrawn.</u>

This item has been withdrawn and no action is needed. Since it was advertised for a public hearing, it needed to appear on the agenda.

12. Z-23-01 - Hold a public hearing and consider a zoning change from Agricultural to Commercial Highway on approximately 7.51 acres located at 3401 S. IH 35 Service Road, located at the southwest intersection of IH 35 and Mesquite Road.

See Staff Report from Planner Tina Moore. At its meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

13. <u>Z-23-02 - Hold a public hearing and consider a zoning change from Agricultural to Planned Development Commercial Highway on approximately 6.198 acres located at 5881 W. US 190 Service Road, at the southeast intersection of Interstate 14 and George Wilson Road.</u>

See Staff Report from Planner Tina Moore. At its meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

14. <u>Z-23-03 - Hold a public hearing and consider a zoning change from Agricultural to Planned Development - Mobile Home District on approximately 8.593 acres located at 1705 FM 1670, south of Interstate 14 and on the east side of FM 1670.</u>

See Staff Report from Planner Tina Moore. At its meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

15. <u>Z-23-04 – Hold a public hearing and consider a zoning change from Single Family-2 Residential (SF-2) to Two Family (2F) on 0.921 acres located at 507 Ellis Avenue located in the Sallie J White Addition, Block 4, Lot 1.</u>

See Staff Report from Planner Tina Moore. At its meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of this zoning change. Due to the incompatible surrounding uses, Staff recommends disapproval.

16. P-22-31 - Consider a final plat of Rodriguez Estates Addition, comprising 4.36 acres located at 1971 FM 1670.

See Staff Report from Planner Tina Moore. At its meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of this final plat, and Staff concurs.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

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

Belton City Council Meeting January 10, 2023 – 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, Councilmembers Craig Pearson, Dan Kirkley, Daniel Bucher and Stephanie O'Banion. Councilmember John R. Holmes, Sr., was absent. Staff present included Sam Listi, John Messer, Amy Casey, Gene Ellis, Mike Rodgers, Tina Moore, Chris Brown, Charlotte Walker, Matt Bates, Judy Garrett, Bob van Til, Tina Moore, Cynthia Hernandez and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Mayor Wayne Carpenter, and the pledge to the Texas Flag was led by City Manager Sam Listi. The Invocation was given by Mayor Pro Tem David K. Leigh.

- 1. **Call to order.** Mayor Carpenter called the meeting to order at 5:31 p.m.
- 2. Public Comments. (Audio 2:00)

Troy Finley, 702 S. Pearl, spoke on issues with his property. He also spoke regarding a previous tax sale in which the City bid on a property.

There were no other comments.

Presentations

3. Recognize the City of Belton's Finance Department for receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the 31st consecutive year. (Audio 5:12)

City Manager Sam Listi recognized Director of Finance Mike Rodgers and Senior Accountants Megan Odiorne and Christina Sparks who accepted the award on behalf of the Belton Finance Department.

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. (Audio 8:21)

- 4. Consider minutes of December 13, 2022, City Council Meeting.
- 5. Consider appointments to the following Boards/Commissions:
 - A. <u>Belton Economic Development Corporation Board of Directors (replace Matt Wood with Marion Grayson)</u>
 - B. Bell County Public Health District Board of Directors (replace Wayne Carpenter with Charla Peters)

- C. Central Texas Housing Consortium Board of Directors (reappoint Linda Angel)
- D. <u>Tax Increment Reinvestment Zone Board of Directors (reappoint David K. Leigh and Craig Pearson, and replace Blair Williams with Barbara Bozon)</u>
- E. <u>Ethics Commission (replace Khang Duong with Brooke Morrow representing Daniel Bucher)</u>
- F. Building and Standards Commission (reappoint Ralph Masters as alternate)
- 6. Consider authorizing the purchase of three (3) pickups from various Purchasing Cooperatives as provided for in the Equipment Replacement Fund:
 - A. Ford F-150/F-250 or equal truck for the Parks Department
 - B. Ford F-150/F-250 or equal truck for the Parks Department
 - C. Ford F-250 or equal 4x4 truck for the Sewer Department
- 7. Consider a resolution authorizing the execution and delivery of Addendum #5 to the Amended and Restated Water Supply Contract with Bell County Water Control and Improvement District No. 1, in connection with the issuance of the District's Water System Revenue Bonds, Series 2022, concerning Belton's additional cost share in the Standby Power Generation Project at the Water Plant, in the approximate amount of \$135,000.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember O'Banion, the Consent Agenda, including the following captioned resolution, was unanimously approved upon a vote of 6-0.

RESOLUTION 2023-01-R

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM NO. 5 TO THE AMENDED AND RESTATED WATER SUPPLY CONTRACT.

Miscellaneous

8. Hold a public hearing to receive comments on the Community Development Block Grant funded East Street Waterline Improvements Project. (Audio 11:34)

Director of Public Works Matt Bates presented this item.

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

No action was required of the Council on this item.

9. <u>Hold a public hearing and consider an ordinance regulating short-term rentals.</u> (Audio 15:15)

Director of Planning Bob van Til presented this item.

Public Hearing:

- Jeremiah Vanblaricom, 704 Estate Drive: spoke in favor of STR regulation.
- Thomas Dworakowski, 1809 Dancing Oaks Court: not against STR regulation but would like to allow STR property owner input in the construction of the regulations.
- Paul Strang, 3239 Lake Park Road: spoke against STR regulation.
- Tanner Hicks, 114 E. 10th Avenue: spoke against STR regulation.
- Amanda Langan, 400 E. 22nd Avenue: spoke against STR regulation; emphasized the difference between an owner-occupied STR and an investment STR owner ("vacation rental").
- Eric Seidel, 7535 Sparta Road: spoke against STR regulation.
- Amy Weir, 6141 Franklin Road, Moody (property manager): spoke against STR regulation and would like property owner/property manager input in the construction of the regulations.
- Paul Crane, 1313 Live Oak Drive: spoke against STR regulation; should allow input from owners on regulation requirement.
- Dominica Garza, 3012 Mystic Mountain: spoke in favor of regulation of STRs but less "overreaching" than what was presented; thinks the 500' between STRs seemed inequitable; she feels that the Central Business District should be exempted from the distance requirement altogether; believes that property owner input would be valuable.

Councilmember Pearson made a motion for postponement of the item until issues raised have been addressed by the Ordinance Review Committee. Councilmember O'Banion seconded the motion which was unanimously approved upon a vote of 6-0.

10. Consider authorizing the City Manager to enter into a professional services agreement with Lee Engineering related to the S. Main Street Transportation Study (Audio 1:01:38)

Director of Planning Bob van Til presented this item.

Upon a motion for approval by Mayor Pro Tem Leigh, and a second by Councilmember Kirkley, the contract with Lee Engineering was unanimously approved upon a vote of 6-0.

Executive Session

At 6:45 p.m., the Mayor announced the Council would go into Executive Session for the following items:

11. Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, <u>Vernon's Texas Codes Annotated</u>, in accordance with the authority contained in Section 551.074, Personnel - conduct an evaluation of the City Manager's performance.

Belton	City	Council Meeting	J
Januar	y 10.	, 2023 - Page 4	

The Mayor reopened the meeting at meeting was adjourned.	at 8:15 p.m., and there being no further business	, the
ATTEST:	Wayne Carpenter, Mayor	
Amy M. Casey, City Clerk		

Staff Report – City Council Agenda Item



Agenda Item #4

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

Originating Department

Administration – Amy M. Casey, City Clerk

Background

Scott Hodde, Assistant Director of Public Works, is currently serving as the City's representative on the Central Texas Water Supply Corporation Board of Directors. The Director of Public Works is recommending Mr. Hodde continue in this role representing the City on this board.

Fiscal Impact: None

Recommendation: Recommend approval of the appointment.

Attachments

Resolution
Timeline
Conflict of Interest Statement

RESOLUTION 2023-02-R

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

WHEREAS, the City of Belton is a Regular Member of the Central Texas Water Supply Corporation as a direct result of entering into a water sales and purchase contract with the Central Texas Water Supply Corporation; and

WHEREAS, the By-Laws of the Central Texas Water Supply Corporation stipulate that, at the Annual Meeting of the members, each Regular Member shall be entitled to nominate an individual to serve on the Board of Directors of Central Texas Water Supply Corporation, provided that the nominee is not in violation of the Central Texas Water Supply Corporation Conflict of Interest Policy; and

WHEREAS, the City of Belton has determined that it would be in its best interest to have such a voting member on the Central Texas Water Supply Corporation Board of Directors and does desire to have such a Board Member elected at the April 25, 2023, meeting by the members of Central Texas Water Supply Corporation.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, that Scott Hodde be and is hereby nominated for election to the Board of Directors of Central Texas Water Supply Corporation at the April 26, 2022, meeting of the members of Central Texas Water Supply Corporation.

PASSED AND APPROVED ON THIS THE 24th DAY OF JANUARY, 2023.

A TT-0T	Wayne Carpenter, Mayor
ATTEST:	
Amy M. Casey, City Clerk	

TIMELINE FOR EVENTS LEADING UP TO ANNUAL MEETING April 25, 2023

120 DAYS PRIOR President of the Board verifies that there are

> three (3) directors appointed to the standing Credentials Committee. The

Secretary of the Board will be the Chairperson

of the Credentials Committee.

Voting procedure changes, as needed are 90 DAYS PRIOR submitted by the Credentials Committee as an January 25, 2023

agenda item for the board to consider at the

next Monthly Meeting.

Resolution forms and Conflict of Interest 90 DAYS PRIOR

Policy are emailed to membership by the

Corporation Office.

Resolution forms are due in Corporation Office **30 DAYS PRIOR**

by membership. March 24, 2023

January 25, 2023

April 10, 2023

Membership and Board of Directors Annual <u>15 – 25 DAY PRIOR</u>

Meeting packets are mailed by the Corporation

Office.

Credentials Committee meets to verify the 10 – 1 DAYS PRIOR

Resolutions submitted by the membership. April 15, 2023

DAY OF ANNUAL MEETING 30 minutes prior to the Annual Meeting, April 25, 2023

Credentials Committee meets to resolve any issues pertaining to the resolutions submitted

by the membership.

CENTRAL TEXAS WATER SUPPLY CORPORATION CONFLICT-OF-INTEREST POLICY

March 20, 2018

PART 1. CONFLICT OF INTEREST DEFINED:

- 1. Members of the CTWSC Board of Directors shall be elected by a member entity of the corporation. They shall be eligible to serve unless:
 - A. He or she is representing more than one regular member as a Director.
 - B. He or she is a developer of property within the service area of the corporation.
 - C. He or she is an employee of any developer of property within the service area of the corporation.
 - D. He or she is an employee of any director, manager, engineer, or attorney for the corporation.
 - E. He or she is serving as a consultant, engineer, attorney, manager, or in any other professional capacity for the corporation or for a developer of property within the service area of the corporation.
 - F. He or she is a party to a contract with the corporation, except a contract for the purchase of water/sewer services furnished by the corporation to the corporation's members generally, or
 - G. He or she is a part of a contract with any developer of property within the service area of the corporation, other than conveying real property within the service area of the corporation for the purpose of establishing a residence or establishing a commercial business within the service area of the corporation.
 - H. He or she is a member of the immediate family of any director of the corporation or of any other person serving in a managerial capacity, as attorney, accountant, or an engineer on behalf of the corporation or if he or she serves as a director or as an officer for any bank or financial institution retained as a depository for the funds of the corporation, or any bank or entity which holds any indebtedness of the corporation.

Page 1 Revised 3.20.18

- 2. A Responsible Person is disqualified from employment by the corporation if he or she is a member of the immediate family of any director of the corporation or any other person employed by the corporation or managerial capacity on behalf of the corporation.
- 3. Any Responsible Person of the corporation shall engage in any transaction as a representative or agent of the corporation with any business entity in which they, their immediate family, or any business partners have a direct or indirect financial interest that might conflict with the proper discharge of their duties or responsibilities.
- 4. No Responsible Person of the corporation shall be entitled to any compensation for or in consideration of the execution of his duties as such officer of director, provided, however that the actual, reasonable expenses of any officer of director incurred on the business of the corporation may, with approval of the board of directors, be paid to them.
- 5 No Responsible Person of the corporation shall:
 - A. Solicit or accept or agree to accept a financial and/or material benefit, that might reasonably tend to influence his or her performance of duties for the corporation or that he or she knows or should know is offered with the intent to influence the officer's or director's performance of his or her duties.
 - B. Accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties.
 - Accept outside employment or compensation that might reasonably be expected to create a substantial conflict between the officer's and director's private interest and duties of the corporation; or
 - D. Solicit or accept or agree a financial benefit from another person in exchange for having performed duties as an officer or director of the corporation in favor of the person.
- 6. The board of directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the general purpose or for any special purpose of the corporation, provided, however, that the board of directors may reject any donation made upon a condition or restriction if in the discretion of the board of directors the acceptance of the donation as so conditioned or restricted will not be in the best interest of the corporation.
- 7. The removal of any director of the corporation because of disqualification under this policy shall not affect the validity of directors during the time of service by that director, even though the director may have been acting under the disqualification at the time of such service.

- 8. If at any time any officer or director is required to vote in his or her capacity as a director on an issue which may create a conflict of interest, which may be deemed a conflict of interest by the board, or which may be interpreted by the members as a conflict of interest, the officer or director shall abstain from voting, as a matter of record, on that issue.
- 9. The policy provisions do not apply to contract for personal or professional services or for a utility service operator.

PART II. DEFINITIONS:

- A. A "Conflict of Interest" is any circumstance described in Part I of this Policy.
- B. A "Responsible Person" is any person serving as an officer, director, employee, or member of the Board of Directors of Central Texas Water Supply Corporation.
- C. A "Family Member" is a spouse, domestic partner, sibling, parent, grandparent, or grandchild or a Responsible Person. This includes step parents, step children, step siblings, and adoptive relationships.
- D. A "Material Financial Interest" in an entity is a financial interest of any kind, which, in view of all of the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgement with respect to transactions to which the entity is a party. This includes all forms of compensation.
- E. A "developer" is any person who is an owner, shareholder, director, officer, partner or employee of a business entity engaged in the business of selling or leasing, or offering to sell or lease, or advertising for sale or lease, any lots in a subdivision.
- F. A "Contract or Transaction" is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, the establishment of any other type of pecuniary relationship, or review of a charitable organization by Central Texas Water Supply Corporation. The making of a gift to Central Texas Water Supply Corporation is not a Contact or Transaction.

Staff Report – City Council Agenda Item



Agenda Item #5

Consider a resolution declaring that the updated January 1, 2023, population estimate for the City of Belton is 25,466.

Originating Department

Planning – Tina Moore, Planner

Summary Information

The Planning Department staff has prepared a revised population estimate using data available from the U.S. Census Bureau, combined with local building permits and annexation data from 2020 to present. More specifically, a total dwelling unit count, an occupied unit count, and an average persons per household multiplier was applied to determine the estimate. The appropriate vacancy rate was also utilized, also from the 2020 Census.

This estimate represents a standard and conservative methodology used to determine a population estimate in the years between the decennial Census of Population and Housing. Council requested we prepare this estimate annually, utilizing the accepted estimation methodology, to keep us informed of population growth in the years between the decennial Census. It is important to estimate population growth to evaluate services, plan for the future, and develop updated economic development marketing materials for the community.

According to the 2022 population estimate, there has been a 9.47% increase in population since the 2020 Census estimate, up from 23,054. The 2020 U.S. Census data was published in October 2020.

Recommendation

Recommend approval of the proposed resolution declaring an updated population for the City of Belton to be 25,466.

Attachments

Resolution with Population Estimate Calculations

RESOLUTION NO. 2023-03-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, FINDING THAT THERE ARE 25,466 RESIDENTS WITHIN THE CORPORATE LIMITS OF THE CITY OF BELTON AND PROVIDING AN OPEN MEETING CLAUSE.

WHEREAS, the 2020 Federal Census declared that the City's population was 23,054; however, based on annexations since the census, and growth within the City; and

WHEREAS, in accordance with the attached population estimate exhibit, the City's housing unit count method estimated a total 9,270 dwelling units, an occupancy rate of 91.7%, and a per person household size estimated at 2.66, the Staff recommends the City Council find there are 25,466 residents within the City of Belton, as of January 1, 2023; and

WHEREAS, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

<u>Part 1:</u> The City Council declares that the statements contained in the preamble of this resolution are true and correct and are adopted as finding of fact, in accordance with the population estimate, attached hereto and made a part hereof for all purposes as Exhibit "A".

<u>Part 2:</u> The City Council finds that there are 25,466 residents residing in the corporate limits of the City of Belton, Texas, as of January 1, 2023.

<u>Part 3:</u> It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 24th day of January, 2023.

	THE CITY OF BELTON, TEXAS
	Wayne Carpenter, Mayor
ATTEST:	
Amy M. Casey, City Clerk	

City of Belton, Bell County, Texas

Belton Population Estimate for January 1, 2023

1 - Census Day Data (10/16/2020)

Federal Census	23,054			OCC%
Total Dwelling Units	8,648	Vacant=	7,934	91.74%
Occupancy rate	0.917			
Occupied Dwelling Units	7,934			
Persons per household	2.66			
Persons per household/Totals	21,104			
Persons in group quarters (1)	2,844			
	23,948			

^{(1) -} Long term care, jail, UMHB

2 - Dwelling Unit Additions Occ'd (SF, 2F, MF, MH)

2022 (10-1-21 to 9-30-2022) (2)	Units		
Single Family/ TH	234		
Multifamily	0		Bldgs
Two-Family/Duplex	34	2	17
Manufactured Housing	4		
Total	272		

Total Dwelling Units Added	
2021-2022	272

(2) Each year's dwelling unit count is calculated through September since units with permits obtained after September may not be completed and inhabited by the end of the year.

3 - Dwelling Units Demolished (Calenda	r Year)
2021-2022	1

4 - Dwelling Units Added Due to	Annexation
2021-2022	0

City of Belton, Bell County, Texas

Belton Population Estimate for January 1, 2023

5 - Estimated Total Occ'd Dwelling Units as of 12/31/202	1
Dwelling Units as of Jan. 1, 2022	8,997
Dwelling Units added (10/1/2021 - 9/30/2022)	272
Dwelling Units Demolished (10/1/2021 - 9/30/2022)	1
Dwelling Units Annexed	0
Total Dwelling Units	9,270

6 - Population Estimate

Population Estimate: 1/1/2022	25,466
Persons in Group Quarters	2,844
Persons per Household - Total	22,622
Persons per Household (4/1/2020)	2.66
Occupied Dwelling Units (93.3%)	8,505
Occupancy Rate	0.917
Total Dwelling Units	9,270

7 - Estimated Overall increase in Population from 2020 Census		
2020 Census Population Estimate	23,054	
Current Population Estimate	25,466	
Difference	2,412	
% Change	9.47%	

CITY MANAGER AGREEMENT City of Belton, Texas

THE STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

This Agreement, superseding the Agreement entered into on March 9, 2021, by the following parties, is made and entered into on this 24th day of January, 2023, by and between the City of Belton, Texas, a municipal corporation, (hereinafter called "City") and Sam Anthony Listi, (hereinafter called "Manager").

WITNESSETH:

WHEREAS, the City Council of the City of Belton (the "Council") and the Manager believe that an employment agreement negotiated between the Council, on behalf of the City, and the Manager can be mutually beneficial to the City, the Manager, and the community they serve;

WHEREAS, when appropriately structured, the Council and the Manager believe an employment agreement can strengthen the Council-Manager relationship by enhancing the excellence and continuity of the management of the City for the benefit of its citizens:

WHEREAS, the Council, on behalf of the City, desires to employ the services of the Manager, as the City Manager of the City ("City Manager"), pursuant to the terms, conditions, and provisions of this Agreement;

WHEREAS, the Manager has agreed to accept employment as the City Manager, and to serve at the pleasure of the City Council, subject to the terms, conditions, and provisions of this Agreement.

NOW, THEREFORE, the City and the Manager, for and in consideration of the terms, conditions and provisions hereinafter established have agreed, and do hereby agree, as follows:

TABLE OF CONTENTS

Section 1:	Term	P. 1
Section 2:	Duties and Authority	P. 1
Section 3:	Compensation	P. 1
Section 4:	Health, Dental and Life Insurance Benefits	P. 1
Section 5:	Vacation and Sick Leave	P. 2
Section 6:	Vehicle Allowance	P. 2
Section 7:	Retirement	P. 2
Section 8:	General Business Expenses	P. 2
Section 9:	Termination	P. 3
Section 10:	Severance	P. 4
Section 11:	Resignation	P. 4
Section 12:	Performance Evaluation	P. 4
Section 13:	Hours of Work	P. 5
Section 14:	Outside Activities	P. 5
Section 15:	Residency	P. 5
Section 16:	Indemnification	P. 5
Section 17:	Bonding	P. 6
Section 18:	Other Terms and Conditions of Employment	P. 6
Section 19:	Notices	P. 6
Section 20:	General Provisions	P. 6

Section 1: Term

This Agreement shall be indefinite and remain in full force in effect from the Effective Date, until terminated by the City or the Manager as provided in Sections 9, 10 or 11 of this agreement.

Section 2: Duties and Authority

City agrees to employ Sam Anthony Listi as City Manager to perform the functions and duties specified in the Charter and Ordinances of the City of Belton, and to perform such other legally permissible and proper duties and functions as authorized and directed by the Council.

Section 3: Compensation

- A. Base Salary: City agrees to pay Manager an annual base salary of \$196,321, payable in installments in accordance with the City's usual payroll schedule.
- B. Consideration shall be given on an annual basis to an increase in compensation, and increases in compensation shall be dependent upon the results of a performance evaluation conducted pursuant to the provisions of Section 12 of this Agreement. Increased compensation may take the form of a salary increase and/or an increase in fringe benefits.
- C. This Agreement shall be automatically amended to reflect any salary adjustments that are authorized by the Council.

Section 4: Health, Disability and Life Insurance Benefits

- A. The City agrees to provide for medical insurance benefits for the Manager equal to that which is provided to all other employees of the City.
- B. The City agrees to provide for the life insurance benefits for the Manager equal to that which is provided to all other employees of the City.
- C. The Manager may elect to submit once per calendar year to a complete physical examination, including a cardiovascular examination, by a qualified physician selected by the Manager, the cost of which shall be paid by the City.
- D. The Manager is automatically entitled to any other standard benefits available to employees of the City as may now exist or be made available during the term of this Agreement.

Section 5: Vacation and Sick Leave

- A. The Manager shall accrue vacation and sick leave in accordance with the other non-civil service employees.
- B. The Manager is entitled to accrue unused sick and vacation leave up to the maximum accruals set forth in the City's personnel policy.
- C. Manager is automatically entitled to any other standard leave available to non-civil service employees of the City as may now exist or be made available during the term of this contract.

Section 6: Vehicle Allowance

The City agrees to pay to the Manager, during the term of this Agreement and in addition to other salary and benefits herein provided, the sum of \$7,500 per year as a vehicle allowance to be used to purchase, lease, or own, operate and maintain a personal vehicle. The vehicle allowance shall be paid in equal payments on a monthly basis. The Manager shall be responsible for paying for liability, property damage, and comprehensive insurance coverage upon such vehicle and shall further be responsible for gas, oil and all expenses attendant to the purchase, operation, maintenance, repair, and regular replacement of said vehicle. The City shall reimburse the Manager at the established mileage rate for any business use of the vehicle beyond 140 round-trip miles.

Section 7: Retirement

- A. The City agrees to maintain the Manager's enrollment in the Texas Municipal Retirement System (TMRS), and to make all the appropriate City contributions on the Manager's behalf.
- B. In addition to the City's payment to the state retirement system referenced above, City agrees to execute all necessary agreements provided by the Mission Square (formerly ICMA Retirement Corporation (ICMA-RC)) deferred compensation plan or as directed by City Manager for Manager's continued participation in said supplementary retirement plan and, in addition to the base salary paid by the City to Manager, City agrees to pay an amount equal to eight percent (8%) of Manager's base annual salary, in equal proportionate amounts each pay period.
- C. Manager is automatically entitled to any other standard retirement benefits available to employees of the City as may now exist or be made available during the term of this contract.

Section 8: General Business Expenses

A. City agrees to pay for professional dues and subscriptions of the Manager necessary for full participation in national, regional, state and local associations and organizations

necessary for the Manager's continued professional growth and advancement, and for the good of the City.

- B. City agrees to pay for travel and subsistence expenses of Manager for professional and official travel, meetings, and occasions to adequately continue the professional development of Manager and to pursue necessary official functions for City, including but not limited to conferences hosted by ICMA, American Planning Association, and such other national, regional, state, and local governmental groups and committees in which Manager serves as a member.
- C. City agrees to pay for tuition, registration fees, and travel and subsistence expenses of Manager for short courses, institutes, and seminars that are necessary for the Manager's professional development and for the good of the City.
- D. City acknowledges the value of having Manager participate and be directly involved in local civic clubs and organizations. Accordingly, City agrees to pay for the reasonable membership fees and/or dues to enable the Manager to become an active member in local/regional civic clubs and organizations.
- E. Technology: The City shall provide Manager with the use of a computer and a cell phone required for the Manager to perform the job and to maintain communication with the Council and City staff.

Section 9: Termination

For the purpose of this agreement, termination shall occur if:

- A. A majority of the governing body votes to terminate the Manager at a duly authorized public meeting.
- B. The Manager resigns following a request to resign made by representatives of the majority of the Council.
- C. The City, citizens or state legislature acts to amend any provisions of the Charter of the City of Belton or Belton Codified Ordinances pertaining to the role, powers, duties, authority, or responsibilities of the Manager's position that substantially changes the form of government.
- D. The City reduces the base salary, compensation, or any other financial benefit of the Manager, unless it is applied in no greater percentage than the average reduction of all department heads.
- E. Breach of contract is declared by either party with a 30-day cure period for either Manager or City. Written notice of a breach of contract shall be provided in accordance with the provisions of Section 19.

Section 10: Severance

Severance shall be paid to the Manager when employment is terminated as defined in Section 9.

If the Manager is terminated, the City shall provide a minimum severance payment equal to 12 months' salary at the current rate of pay. This severance shall be paid in a lump sum unless otherwise agreed to by the City and the Manager.

The Manager shall also be compensated for accrued earned vacation time and all paid holidays.

For a period of three months following the date of termination, the City shall pay the costs to continue the following benefits:

- 1. Health insurance for the Manager as provided in Section 4A;
- 2. Life insurance as provided in Section 4B;
- 3. Car allowance as provided in Section 6;
- 4. Any other standard benefits available to employees of the City as provided in Section 4D.

If the Manager is terminated because of a conviction of a misdemeanor involving moral turpitude or personal gain or a felony, then the City is not obligated to pay severance under this section.

Section 11: Resignation

In the event that the Manager voluntarily resigns his position with the City, the Manager shall provide the City not less than 30 days' advance written notice of his resignation, unless the parties agree otherwise.

Section 12: Performance Evaluation

City shall annually review the performance of the Manager following the conclusion of the City's fiscal year. The evaluation process, at a minimum, shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, (3) present a written summary of the evaluation results, and (4) conduct a goal-setting session. The final written evaluation should be completed and delivered to the Manager within 30 days of the evaluation meeting.

Adjustments to the Manager's compensation package based on the results of the performance evaluation shall be effective on the first day of the fiscal year following the review period. Illustrated: Manager is reviewed by the Council on February 15, 20X2 for the fiscal year ended September 30, 20X1. Therefore, any adjustments to the Manager's compensation will be effective as of October 1, 20X1.

Section 13: Hours of Work

It is expected that the Manager will typically work during normal City Hall office hours. However, it is recognized that the Manager must devote a great deal of time outside those normal office hours on business for the City. Accordingly, and to that end, Manager may establish his own work schedule, subject to reasonable direction by City. Manager is not eligible for overtime nor will be paid compensatory hours.

Section 14: Outside Activities

The employment provided for by this Agreement shall be the Manager's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the City and the community, the Manager may elect to accept limited teaching, consulting, or other business opportunities as long as such arrangements do not interfere with, or cause a conflict of interest with, Manager's responsibilities pursuant to this Agreement.

Section 15: Residency

Manager agrees to maintain his residence within the corporate boundaries of the City during his employment with the City.

Section 16: Indemnification

City shall defend, save harmless and indemnify Manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of and arising out of the course and scope of Manager's duties as City Manager, or resulting from the exercise of judgment or discretion in connection with the performance of the duties or responsibilities of the City Manager, unless the act or omission involved willful or wanton conduct. Legal representation, provided by City for Manager, shall extend until a final determination of the legal action including any appeals brought by either party. The City shall indemnify Manager against any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal proceedings including attorneys' fees, and any other liabilities incurred by, imposed upon, or suffered by such Manager in connection with or resulting from any claim, action, suit, or proceeding, actual or threated, arising out of or in connection with the performance of his duties and occurring within the course and scope of his employment. Any settlement of any claim must be made with prior approval of the City in order for indemnification, as provided in this Section, to be available.

City agrees to pay Manager's reasonable litigation expenses, including travel expense, throughout the pendency of any litigation to which the Manager is a party or witness. Such expense payments shall continue beyond Manager's service to the City as long as the litigation is pending.

Section 17: Bonding

City shall bear the full cost of any fidelity or other bonds required of the Manager under any law or ordinance, and professional liability insurance.

Section 18: Other Terms and Conditions of Employment

The City, upon agreement with Manager, may provide for such other terms and conditions of employment as it may determine from time to time relating to the performance and duties of the Manager, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter of the City of Belton, or applicable law.

Section 19: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

CITY: MANAGER:
City of Belton Sam Anthony Listi
PO BOX 120, 333 Water Street 311 Oak Street
Belton, TX 76513 Belton, TX 76513

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 20: General Provisions

A. Integration. This Agreement sets forth and establishes the entire understanding between the City and the Manager relating to the employment of the Manager by the City. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this agreement during the life of the agreement. Such amendments shall be incorporated and made a part of this Agreement.

- B. Binding Effect. This Agreement shall be binding on the City and the Manager as well as his heirs, assigns, executors, personal representatives, and successors in interest.
- C. Effective Date. This Agreement shall become effective on October 1, 2022.
- D. Severability. The invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they

have been executed by both partic modification of the invalid provision.	s subsequent	to the	expungement	or	judicial
Adopted and approved by the Belton 0	City Council on	this 24 th	day of January,	20	23.
City of Belton, Texas:					
Wayne Carpenter, Mayor					
Approved as to Form:		Attest:			
John Messer, City Attorney		Amy M	. Casey, City Cl	erk	
AGREED AND ACCEPTED:					
Sam Anthony Listi					

Staff Report – City Council Agenda Item



Agenda Item #7

Consider approval of the Tax Increment Reinvestment Zone (TIRZ) Annual Report for 2022.

Originating Department

Finance Department – Mike Rodgers, Director of Finance

Summary Information

Per Article I, Section 2 of the Belton Tax Increment Reinvestment Zone No. 1 (TIRZ) Bylaws, the TIRZ Board and City Council must annually review any financial statements of the Zone. Attached is the 2022 annual financial report for the TIRZ.

Fiscal Impact

None

Recommendation

Recommend approval of TIRZ 2022 Annual Report, for submission to the State of Texas

Attachments

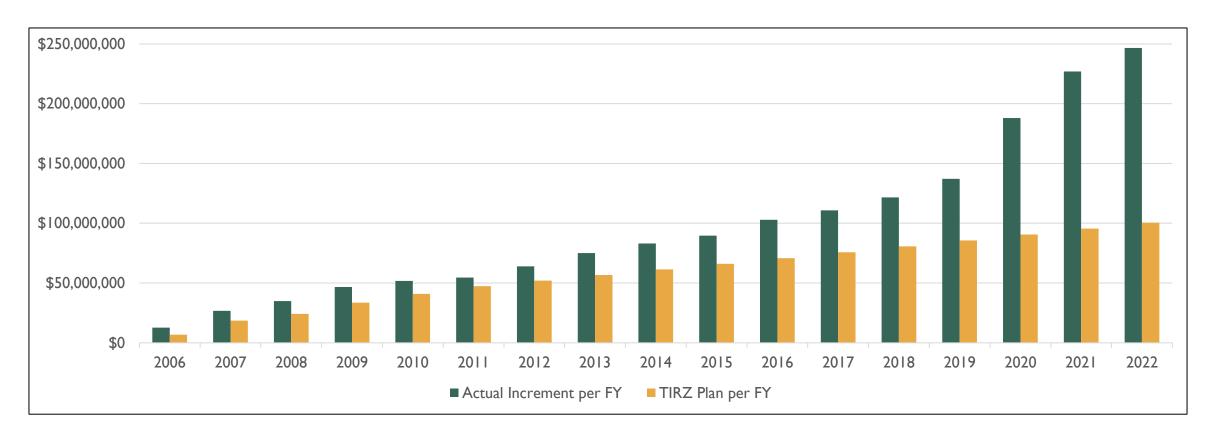
Presentation 2022 Annual Report Comptroller Filing



TAX INCREMENT REINVESTMENT ZONE (TIRZ) ANNUAL REPORT FOR FISCAL YEAR 2022



TAXABLE PROPERTY VALUES WITHIN THE ZONE





ZONE PARTICIPATION

Taxing Jurisdiction	2021 Captured Taxable Value	Tax Rate Per \$100	2021 Tax Year Levy	2021 Tax Year Collections
City of Belton (100%)	\$246,638,226	\$0.6300	\$1,553,820	\$1,566,770
Bell County (100%)	\$246,100,158	\$0.3680	\$905,648	\$905,648
Total			\$2,459,468	\$2,482,768



PROJECTS FINANCED DURING FISCAL YEAR 2022

- Four façade improvement grants
 - The Salon and Spa at Greenbrian
 - BeYoutiful Salon
 - Platinum Tax Advisory
 - Woodhouse Day Spa
- South Belton shared use path
- Heritage Park improvements
- Library enhancements

COMBINED BALANCE SHEET

ASSETS:

Cash and Investments

\$5,907,298

Total Assets

\$5,907,298

LIABILITIES AND FUND BALANCE:

Liabilities:

Accounts Payable

325,468

Total Liabilities

325,468

Fund Balance:

Restricted - Operations

1,001,077

Restricted - Capital Projects

4,580,753

Total Fund Balance

5,581,830

Total Liabilities and Fund Balance

\$5,907,298

COMBINED INCOME STATEMENT

Revenues:	
City Taxes	\$1,566,770
County Taxes	915,998
Grant Receipts	272,608
Interest	42,629
Transfers In	454,000
Total Revenues	\$3,252,005
Expenditures	
Debt Service / Administrative Costs	\$ 402,390
Public Improvements	942,359
Façade Renovations	32,549
Consulting	37,220
Other	32,530
Total Expenditures	\$1,447,048
Net Change in Fund Balance	\$1,804,957
Beginning Fund Balance	\$3,776,873
Ending Fund Balance	\$5,581,830

BUDGET TO ACTUAL COMPARISON

					V	ariance
Revenues:]	Budget		Actual	Fro	m Budget
City Taxes	\$1	,553,820	\$1	,566,770	\$	12,950
County Taxes		981,110		915,998		(65,112)
Interest		4,000		11,959		7,959
Total Revenues	\$2	2,538,930	\$2	2,494,727	\$	(44,203)
						_
Expenditures						
Consulting	\$	37,220	\$	37,220	\$	-
Debt Service		402,710		402,390		(320)
Façade Grants		87,780		32,549		(55,231)
Transfer to General Fund		32,530		32,530		-
Transfer to Capital Project Funds	1	,650,000	1	,650,000		-
Total Expenditures	\$2	2,210,240	\$2	2,154,689	\$	(55,551)
•						
Net Change in Fund Balance	\$	328,690	\$	340,038	\$	11,348



FUTURE DEBT REQUIREMENTS

	2019 Re	efunding	Annual Totals		;
Fiscal Year	Principal	Interest	Principal	Interest	Total
2023	\$255,000	\$10,200	\$255,000	\$10,200	\$265,200
Totals	\$255,000	\$10,200	\$255,000	\$10,200	\$265,200



RECOMMENDATION

Staff recommends approval of the annual report

City of Belton, Texas

Belton Tax Increment Reinvestment Zone No. 1

2022 ANNUAL REPORT

As of September 30, 2022

CONTENTS

	<u>Page</u>
Highlights of the fiscal year	3
Combined balance sheet	4
Combined income statement	5
Budget to actual comparison	6
Annual report	7

As of September 30, 2022

HIGHLIGHTS OF FISCAL YEAR 2022

Current Board members are: Chair David K. Leigh, Councilmember Craig Pearson, Bell County Judge David Blackburn, Bell County Commissioner Russell Schneider, and Blair Williams.

Projects financed with TIRZ funds during FY 2022 included:

- Four façade improvement grants
 - o The Salon and Spa at Greenbriar
 - o BeYoutiful Salon
 - o Platinum Tax Advisory
 - Woodhouse Day Spa
- South Belton shared use path
- Heritage Park improvements
- Library enhancements

In June 2022, the TIRZ Board approved the FY 2023 budget. The TIRZ budget was adopted by the City Council on September 13, 2022. A summary of expenditure items is shown below.

FY 2023 Budgeted Expenditures	Amount
Consulting	\$ 50,000
 Debt Service and Other Administrative 	265,800
 Façade Improvement Grant 	120,000
 Retail Development Coordinator 	35,410
 Transfer to Capital Projects Fund 	2,200,000

Total

\$2,671,210

As of September 30, 2022

COMBINED BALANCE SHEET

For the Fiscal Year Ended September 30, 2022

ASSETS:

Cash and Investments

\$5,907,298

Total Assets

\$5,907,298

LIABILITIES AND FUND BALANCE:

Liabilities:

Accounts Payable

325,468

Total Liabilities

325,468

Fund Balance:

Restricted - Operations

1,001,077

Restricted - Capital Projects

4,580,753

Total Fund Balance

5,581,830

Total Liabilities and Fund Balance

\$5,907,298

As of September 30, 2022

COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCE

For the Fiscal Year Ended September 30, 2022

Revenues:	
City Taxes	\$1,566,770
County Taxes	915,998
Grant Receipts	272,608
Interest	42,629
Transfers In	454,000
Total Revenues	\$3,252,005
Expenditures	
Debt Service / Administrative Costs	\$ 402,390
Public Improvements	942,359
Façade Renovations	32,549
Consulting	37,220
Other	32,530
Total Expenditures	\$1,447,048
Net Change in Fund Balance	\$1,804,957
Beginning Fund Balance	\$3,776,873
Ending Fund Balance	\$5,581,830

As of September 30, 2022

STATEMENT OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCE TIRZ OPERATING FUND – BUDGET AND ACTUAL

For the Fiscal Year Ended September 30, 2022

					V	'ariance
Revenues:]	Budget		Actual	Fro	m Budget
City Taxes	\$ 1	,553,820	\$ 1	,566,770	\$	12,950
County Taxes		981,110		915,998		(65,112)
Interest		4,000		11,959		7,959
Total Revenues	\$2	2,538,930	\$2	2,494,727	\$	(44,203)
Expenditures						
Consulting	\$	37,220	\$	37,220	\$	-
Debt Service		402,710		402,390		(320)
Façade Grants		87,780		32,549		(55,231)
Transfer to General Fund		32,530		32,530		-
Transfer to Capital Project Funds	1	,650,000	1	,650,000		-
Total Expenditures	\$2	2,210,240	\$2	2,154,689	\$	(55,551)
Net Change in Fund Balance	\$	328,690	\$	340,038	\$	11,348

As of September 30, 2022

ANNUAL REPORT

Chapter 311.016 of the Texas Tax Code requires the following information as part of the annual report on the status of the TIRZ District. Information is contained in detail on the attached financial statements.

1. Amount and source of revenue in the tax increment fund established for the zone:

\$1,566,770	City Tax Receipts
915,998	County Tax Receipts
272,608	Grant Receipts
42,629	Interest on Investments
454,000	Transfers In

\$3,252,005 Total Revenue

2. Amount and purpose of expenditures from the fund:

\$402,390	Debt Service and Administrative Costs
32,549	Façade Renovations
942,359	Public Improvements
37,220	Consulting
32,530	Other Costs

\$1,447,048 Total Expenditures

3. The TIRZ has \$255,000 of bond indebtedness for one outstanding obligations: General Obligation Refunding Bonds, Series 2019. Final maturity will occur in FY 2023.

TIRZ Debt - Schedule of Requirements -

	2019 Ref	funding	Annual Totals		
Fiscal	TIRZ Portion				
Year	Principal	Interest	Principal	Interest	Total
FY 2023	255,000	10,200	255,000	10,200	265,200
Totals	\$ 255,000	\$ 10,200	\$ 255,000	\$ 10,200	\$ 265,200

As of September 30, 2022

4. Tax increment base and current captured appraised value retained by the zone:

Tax Year	City of Belton	Bell County
Base Year Value (2004)	\$62,900,954	\$60,235,785
Captured Increment:		
2005	12,618,404	12,600,362
2006	14,068,032	14,065,858
2007	8,177,172	8,160,583
2008	11,798,628	11,727,196
2009	5,135,833	5,109,684
2010	2,686,858	2,676,598
2011	9,432,894	9,434,006
2012	11,106,627	11,119,445
2013	8,057,162	8,067,930
2014	6,573,184	6,556,071
2015	13,243,960	13,222,994
2016	7,834,359	7,813,550
2017	10,906,855	10,836,636
2018	15,456,639	15,423,448
2019	50,938,045	49,745,518
2020	38,914,557	39,886,698
2021	19,689,017	19,653,581
Total	\$246,638,226	\$246,100,158

- 5. Captured appraised value by the municipality and other taxing units, the total amount of the tax increment received, and any additional information necessary to demonstrate compliance with the tax increment financing plan adopted by the governing body of the municipality.
 - A. Captured appraised value shared by the municipality and other participating taxing jurisdictions received in FY 2022 (Tax Year 2021):

Taxing	Current Captured	Participation	Amount of
Jurisdiction	Appraised Value	Per \$100/Value	2021 Increment Levy
City of Belton (100%)	\$246,638,226	\$ 0.6300	\$1,553,820
Bell County (100%)	246,100,158	0.3680	905,648
Total		\$ 0.9980	\$2,459,468

B. Amount of tax increment taxes received in FY 2022 from the municipality and the other taxing jurisdictions (including delinquent collections from prior years):

City	\$1,566,770
County	915,998
Total	\$2,482,768

C. Other information: None

Tax Increment Finance (TIF) Registry

Annual Report by Municipality or County

PLEASE PRINT OR TYPE, DO NOT WRITE IN SHADED AREAS.

Please fill out the complete form and attach other documentation (See Instructions on page 2.)

STEP 1: Contact Information					
		City County			
Name of designating taxing unit					
Contact Person		tle			
					
Current Mailing Address (number and street)					
City	County	ZIP Code			
Phone (xxx-xxx-xxxx)	Fax Number (xxx-xxx-xxxx)	Email Address			
STEP 2: Tax Increment Reinvestment Zon	e Information				
TIF Reinvestment zone name:					
DO NOT USE ORDINANCE OR RESOLUTION	ON NUMBERS FOR ZONE NAME	(See instructions for "Proper Zone Naming Standards")			
2. Report for fiscal year beginning (YYYY)	and ending (YYYY)	·			
3. Is the required documentation attached (check r	mark required to acknowledge):	Annual Report			
		, Almout Report			
4. Has the termination date of the TIRZ been modified	fied? (If "No" skip to question 5.)	Yes No			
a. Original Termination Date (MM/DD/YYYY):	b. Modified Term	nination Date (MM/DD/YYYY):			
c. Attachment must include: Modified Ord	inance d. Attachment must include:	Modified Project Plan and Finance Plan			
5. Size of the TIF reinvestment zone in acres:		<u></u>			
6. Has the size of the zone increased or decreased	since creation?: Yes No	No			
7. If you answered "Yes" in question #6, please indic	cate which? Increased	Decreased			
3. Property types (select one only): Residential Commercial/Industrial Both (commercial/industrial and residential)					
9. Have one or more abatements been given to bu	siness(es) to locate in the TIRZ (if "No"	"then skip to question #10)?: Yes No			
5	ed to each active abated property tha	at is located in the TIRZ? Use a separate box for each abated property			
account number.					
11. Types of improvement projects (check all that ar	e in progress or have been completed	d):			
Public Projects					
Public Buildings and Facilities	Roadwork				
Water/Sewer and Drainage	Parks Other Inf	frastructure:			
Other Projects					
Facade Renovation Parkin		al Preservation			
Transit Afford	lable Housing Economic	ic Development Other:			

Texas Comptroller of Public Accounts

For Q.12-Q.15 round to the nearest dollar. CANNOT leave any line blank for Q.12-Q.15, MUST provide at least a \$0 for each I	ine.
12. TIF fund balance (end of year):	\$
13. List of fund revenues: Total tax increments received	\$
Sales tax increments	\$
Loans	\$
Sale of bonds	\$
Sale of property	\$
Other	\$
TOTAL ANNUAL REVENUES	\$
14. List of fund expenditures:	
Administrative	\$
Property purchased	\$
Public improvements	\$
Facade renovations	\$
Parking	\$
Historic preservation	\$
Transit	\$
Affordable housing	\$
Economic development programs	\$
Other	\$
TOTAL ANNUAL EXPENDITURES	\$
15. Bonded indebtedness:	\$
Principal due	\$
Interest due	\$
TOTAL DEBT	\$
Fill out the three lines below if the TIRZ IS NOT divided into multiple sub-zones in the "lead taxing unit." If the zone has incomined into multiple sub-zones: (a) identify the name of each sub-zone/section and (b) identify the TIRZ values, tax increments within that zone's sub-zone. DO NOT INCLUDE numbers from "participating taxing units."	
16. Reinvestment zone values:	
Tax increment base	\$
Current captured appraised value	\$
Total appraised value (add above 2 lines together)	\$
Name of the subdivision 1 (if applicable)	

(Fill out section below only if the TIRZ has expanded. Each new property/area that is incorporated into the TIRZ is considered as a "sub-zone")

Texas Comptroller of Public Accounts

	Tax increment base		\$		
	Current captured appraised value		\$		
	Total appraised value (add above 2 lines together)		\$		
	Name of the sub-zone 2 (Use this field if zone has expanded)				
	Tax increment base		\$		
	Current captured appraised value		\$		
	Total appraised value (add above 2 lines together)		\$		
	Name of the sub-zone 3 (Use this field if zone has expanded)				
	Tax increment base		\$		
	Current captured appraised value		\$		
	Total appraised value (add above 2 lines together)		\$		
	Name of the sub-zone 4 (Use this field if zone has expanded)				
STE	P 3: Authorized Name of Person Completing Form				
	ping my name below, I certify under penalty of perjury that I am a correct to the best of my knowledge and belief.	authorized to execute this instrument and th	e informa	tion provided her	ein is true
	Authorized User Name	Title		Date	

Instructions

State Law (Section Sec. 311.016, Tax Code) requires the governing body of a municipality or county, on or before the 150th day following the end of its fiscal year, to submit a report on the status of a reinvestment zone created by the municipality or county to the chief executive officer of each taxing unit that levies property taxes on real property in the zone. A copy of this annual report along with this form must be submitted to the Texas Comptroller of Public Accounts at the address below:

> Comptroller of Public Accounts Data Analysis and Transparency Division Post Office Box 13528 Austin, Texas 78711-3528

For assistance or to request additional forms, call toll free, 1-844-519-5672. You may also obtain additional forms at comptroller.texas.gov/economy/local/ch311/ reporting.php. From a Telecommunication Device for the Deaf (TDD), call 1-800-248-4099 or 512-463-4621.

Step 1: Contact information

This information provides the Comptroller information on the entity initiating the tax increment reinvestment zone and a contact person for the annual report.

Step 2: Tax Increment Reinvestment Zone Information

Q.1 - Please include the reinvestment zone name listed in the ordinance or resolution creating the zone. TIRZ name MUST before formatted in this manner: City Name, TIRZ Name & Number such as City of Levelland TIRZ #1, City of Weimar Sunset TIRZ.

Q.11-Indicate all improvement projects in progressor completed within the zone.

Q.12-Q.15 - List the TIF fund balance at the end of the fiscal year, all revenues received by the fund during the fiscal year, and all expenditures made by the fund during the fiscal year. List principal and interest due on bonded indebtedness, the tax increment base at the creation of the zone and the current captured appraised value (the increase in property value over the tax increment base.)

Step 3: Authorized User Name of Person Completing Form The person typing their name here in the report should be the same person listed in Step 1 as the contact person.

Staff Report - City Council Agenda Item



Agenda Item #8

Consider resolutions authorizing the submission of grant applications to the Office of the Governor, Criminal Justice Division, for the following:

- A. General Victim Assistance Grant, Victims of Crime Act; and
- B. In-Car Camera Upgrades.

Originating Department

Police Department – Gene Ellis, Assistant City Manager/Chief of Police Administration – Jo-Ell Guzman, Grants and Special Projects Coordinator

Background

A. The purpose of this item is to authorize staff to submit a grant application to the Criminal Justice Division of the Governor's Office for the renewal of the General Victim Assistance Grant Program, FY 2024-Victims of Crime Act (VOCA).

The proposed grant anticipates expanding the crime victim's assistance program to include emergency needs funding, counseling services, training, and personnel cost for the Victim Assistance Liaison. The estimated cost is \$96,365. The grant does not require matching funds.

B. The purpose of this item is to authorize staff to submit a grant application to the Criminal Justice Assistance Grant (JAG) Program, FY 2024, for upgrades and accessories for 16 in-car camera systems at an estimated cost of \$205,000. This grant does not require matching funds.

Fiscal Impact

Amount: No local match required

Recommendation

Recommend the Council adopt the resolutions authorizing the grant applications.

Attachments

Resolutions

RESOLUTION NO
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE GENERAL VICTIMS ASSISTANCE GRANT PROGRAM AND DESIGNATING AN AUTHORIZED OFFICIAL.
WHEREAS , the City Council of the City of Belton, Texas, finds it in the best interest of the citizens of Belton, Texas, that the Belton Victims Assistance Grant be operated for the 2024 year; and
WHEREAS, the City Council of the City of Belton, Texas, agrees that no matching funds are required by the grant program application; and
WHEREAS, the City Council of the City of Belton, Texas agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council of the City of Belton, Texas, assures that the funds will be returned to the Office of the Governor in full.
WHEREAS, the City Council of the City of Belton, Texas designates the Belton City Manager as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.
NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Belton, Texas approve the submission of the grant application for the Belton Victims Assistance Grant to the Office of the Governor.
PASSED AND APPROVED this the 13th day of January, 2023.
THE CITY OF BELTON, TEXAS

ATTEST:

Amy M. Casey, City Clerk

Wayne Carpenter, Mayor

RESOLUTION NO. 2023-05-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE ASSISTANCE GRANT, AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, the City Council of the City of Belton, Texas, finds that it is in the best interest of the citizens of Belton, Texas, for the City to submit a grant application to the Office of the Governor, Criminal Justice Assistance Grant for In-Car Camera Upgrades and Accessories.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belton, Texas, hereby authorizes the submission of the grant application to the Office of the Governor, Public Safety Office, Criminal Justice Division, as stated herein.

THE CITY OF BELTON TEXAS

PASSED and **APPROVED** this 24th day of January, 2023.

	THE SITT OF BELLON, TEXAS
	Wayne Carpenter, Mayor
ATTEST:	
Amy M. Casey, City Clerk	

Staff Report - City Council Agenda Item



Agenda Item #9

Consider authorizing the City Manager to enter into an agreement with Axon for the acquisition of body worn cameras and Fleet 3 vehicle cameras for the Police Department through the BuyBoard.

Originating Department

Police Department – Daniel Aguirre, Patrol Captain
Gene Ellis, Assistant City Manager/Chief of Police
Chris Brown, Director of Information Technology

Background

The Watchguard body worn cameras (BWC) currently in service are deteriorating, and the company is not able to provide replacements in a practical timeframe. Since Watchguard was purchased by Motorola Solutions, customer service has declined, and the timeframe has ranged from 3 - 6 months to replace damaged or malfunctioning equipment. The body worn cameras and vehicle cameras in service utilize older technology and lack the features offered by other companies. On several occasions, our Watchguard body worn cameras have malfunctioned in the field, which placed our officers at risk of losing evidence and lacking accountability during critical incidents.

Axon is recognized as a leader in the field of body worn cameras and vehicle cameras and has not experienced the same equipment replacement delays as our current vendor. Axon body worn cameras can pair with Axon vehicle cameras to allow officers to upload video from the field, which eliminates the need to return to the police department to review or download video onto our server. The video stored on Axon's "Evidence.com" is accessible by the Bell County District and County Attorney Offices, which eliminates the need for officers to remain at the police department to manually transfer video onto the County's LEAP server.

On April 27, 2022, the Belton Police Department was awarded a \$374,000 grant from the U.S. Department of Justice through an appropriation by Congressman John Carter's Office for equipment upgrades. This included \$18,910 for body worn cameras, \$55,814 for Tasers, \$110,034 for a use of force simulator, along with some additional equipment. Since the time we originally applied for this grant, body worn cameras have risen to our most critical need. We have sought grant adjustments to move \$151,497 of these grant funds from the Taser and simulator categories to provide for a total of \$170,407 to be used for body worn cameras and the companion Fleet 3 in-car cameras. The total cost of transition to Axon body worn cameras and vehicle fleet cameras is \$238,580. Axon's pricing model is paid in yearly installments over a five-year period. By applying grant funding towards the total cost,

the remaining cost of \$68,173 (\$13,635 a year) will be less than our annual maintenance cost to Watchguard of \$16,074.

BPD will continue to maintain some Watchguard cameras in our existing fleet until we can phase them out as vehicles are replaced. Future Fleet 3 in-car cameras will be a component of the capital replacement plan as part of the cost of new vehicle upfitting just like we do now with the Watchguard cameras. Our plan is to discontinue paying Watchguard warranty/software maintenance fees, and to use these funds towards the transition to Axon. We will keep a stock of spare Watchguard parts to maintain the Watchguard cameras we will still need to use until they are phased out.

In the first year, our department would receive a body worn camera bundle that includes 32 body worn cameras, 4 multi-bay docks, cloud-based evidence storage for each officer, 32 user licenses, and warranty plan that includes scheduled equipment replacements and a full equipment replacement at the conclusion of the five-year plan. This plan also includes a starter package that involves onsite installation and training in transitioning to Axon system.

The phased in approach for the vehicle cameras will include eight Fleet 3 cameras. The proposal includes a two-camera kit, onsite hardware installation, and the warranty plan that includes the equipment refresh at the end of the contract. Plan advanced features included are: the ability to remotely view live video through the vehicle's camera system; wireless upload of video; and GPS monitoring.

Fiscal Impact

Amount: \$238,580 (\$170,407 in grant funds, \$68,173 spread over five years from

budgeted maintenance funds)

Funding Source(s): U.S. DOJ Grant for \$170,407 and \$13,635 a year from IT budget

Under Texas Procurement Law, products that are quoted through BuyBoard, Smart Buy, TIPS, or other cooperatives are not required to be bid, because these organizations have already performed the bidding process.

Recommendation

Recommend approval authorizing the City Manager to enter into an agreement with Axon for the acquisition of body worn cameras and Fleet 3 vehicle cameras for the Police Department.

<u>Attachments</u>

Body worn camera quotes Vehicle camera quotes



Axon Enterprise, Inc.

17800 N 85th St. Scottsdale, Arizona 85255 United States

VAT: 86-0741227

Domestic: (800) 978-2737 International: +1.800.978.2737 Q-434013-44922.597AS

Issued: 12/27/2022

Quote Expiration: 12/31/2022

Estimated Contract Start Date: 02/01/2023

Account Number: 327661 Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Delivery;Invoice-711 E 2nd Ave 711 E 2nd Ave Belton, TX 76513-3147 USA	Belton Police Dept TX 711 E 2nd Ave Belton, TX 76513-3147 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Adam Smith	Daniel Aguirre
Phone: 602-751-1798	Phone: (254) 933-5840
Email: asmith@taser.com	Email: daguirre@beltontexas.gov
Fax: (480) 463-2201	Fax: (254) 933-5835

Quote Summary

Program Length	60 Months
TOTAL COST	\$170,406.45
ESTIMATED TOTAL W/ TAX	\$170,406.45

Discount Summary

Average Savings Per Year	\$6,758.35
TOTAL SAVINGS	\$33,791.75

Payment Summary

Date	Subtotal	Tax	Total
Jan 2023	\$25,249.32	\$0.00	\$25,249.32
Feb 2023	\$44,160.00	\$0.00	\$44,160.00
Jan 2024	\$25,249.28	\$0.00	\$25,249.28
Jan 2025	\$25,249.28	\$0.00	\$25,249.28
Jan 2026	\$25,249.28	\$0.00	\$25,249.28
Jan 2027	\$25,249.29	\$0.00	\$25,249.29
Total	\$170,406.45	\$0.00	\$170,406.45

Page 1 Q-434013-44922.597AS

 Quote Unbundled Price:
 \$204,198.20

 Quote List Price:
 \$186,008.60

 Quote Subtotal:
 \$170,406.45

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	60	\$64.01	\$29.50	\$26.26	\$6,302.40	\$0.00	\$6,302.40
BWCamTAP	Body Worn Camera TAP Bundle	32	60	\$33.16	\$28.00	\$24.92	\$47,846.40	\$0.00	\$47,846.40
A la Carte Hardwa	re								
AB3C	AB3 Camera Bundle	32			\$699.00	\$622.11	\$19,907.52	\$0.00	\$19,907.52
AB3MBD	AB3 Multi Bay Dock Bundle	4			\$1,538.90	\$1,369.62	\$5,478.48	\$0.00	\$5,478.48
A la Carte Softwar	re								
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	60		\$0.40	\$0.36	\$10,680.00	\$0.00	\$10,680.00
73478	REDACTION ASSISTANT USER LICENSE	32	60		\$9.00	\$9.00	\$17,280.00	\$0.00	\$17,280.00
73447	RESPOND DEVICE TO RESPOND DEVICE PLUS UPGRADE LICENSE	32	60		\$14.00	\$14.00	\$26,880.00	\$0.00	\$26,880.00
BasicLicense	Basic License Bundle	30	60		\$15.00	\$13.35	\$24,030.00	\$0.00	\$24,030.00
ProLicense	Pro License Bundle	4	60		\$39.00	\$34.71	\$8,330.40	\$0.00	\$8,330.40
A la Carte Services									
85144	AXON STARTER	1			\$4,125.00	\$3,671.25	\$3,671.25	\$0.00	\$3,671.25
Total							\$170,406.45	\$0.00	\$170,406.45

Page 2 Q-434013-44922.597AS

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
AB3 Camera Bundle	11534	USB-C to USB-A CABLE FOR AB3 OR FLEX 2	36	01/01/2023
AB3 Camera Bundle	71026	MAGNET MOUNT, FLEXIBLE REINFORCED, RAPIDLOCK	36	01/01/2023
AB3 Camera Bundle	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	32	01/01/2023
AB3 Camera Bundle	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	01/01/2023
AB3 Multi Bay Dock Bundle	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	4	01/01/2023
AB3 Multi Bay Dock Bundle	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	4	01/01/2023
AB3 Multi Bay Dock Bundle	74210	AXON BODY 3 - 8 BAY DOCK	4	01/01/2023
Body Worn Camera Multi-Bay Dock TAP Bundle	73689	MULTI-BAY BWC DOCK 1ST REFRESH	4	07/01/2025
Body Worn Camera TAP Bundle	73309	AXON CAMERA REFRESH ONE	33	07/01/2025
Body Worn Camera Multi-Bay Dock TAP Bundle	73688	MULTI-BAY BWC DOCK 2ND REFRESH	4	01/01/2028
Body Worn Camera TAP Bundle	73310	AXON CAMERA REFRESH TWO	33	01/01/2028

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Basic License Bundle	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	30	02/01/2023	01/31/2028
Basic License Bundle	73840	EVIDENCE.COM BASIC ACCESS LICENSE	30	02/01/2023	01/31/2028
Pro License Bundle	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	12	02/01/2023	01/31/2028
Pro License Bundle	73746	PROFESSIONAL EVIDENCE.COM LICENSE	4	02/01/2023	01/31/2028
A la Carte	73447	RESPOND DEVICE TO RESPOND DEVICE PLUS UPGRADE LICENSE	32	02/01/2023	01/31/2028
A la Carte	73478	REDACTION ASSISTANT USER LICENSE	32	02/01/2023	01/31/2028
A la Carte	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	02/01/2023	01/31/2028

Services

Bundle	Item	Description	QTY
A la Carte	85144	AXON STARTER	1

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Body Worn Camera TAP Bundle	80464	EXT WARRANTY, CAMERA (TAP)	32	02/01/2023	01/31/2028
Body Worn Camera TAP Bundle	80464	EXT WARRANTY, CAMERA (TAP)	1	02/01/2023	01/31/2028
Body Worn Camera Multi-Bay Dock TAP Bundle	80465	EXT WARRANTY, MULTI-BAY DOCK (TAP)	4	01/01/2024	01/31/2028

Page 3 Q-434013-44922.597AS

Payment Details

Jan 2023						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	\$2,136.00	\$0.00	\$2,136.00
Year 1	85144	AXON STARTER	1	\$734.25	\$0.00	\$734.25
Year 1	AB3C	AB3 Camera Bundle	32	\$3,981.51	\$0.00	\$3,981.51
Year 1	AB3MBD	AB3 Multi Bay Dock Bundle	4	\$1,095.68	\$0.00	\$1,095.68
Year 1	BasicLicense	Basic License Bundle	30	\$4,806.00	\$0.00	\$4,806.00
Year 1	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	\$1,260.52	\$0.00	\$1,260.52
Year 1	BWCamTAP	Body Worn Camera TAP Bundle	32	\$9,569.28	\$0.00	\$9,569.28
Year 1	ProLicense	Pro License Bundle	4	\$1,666.08	\$0.00	\$1,666.08
Total	. 102.001.00		·	\$25,249.32	\$0.00	\$25,249.32
Feb 2023						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	73447	RESPOND DEVICE TO RESPOND DEVICE PLUS UPGRADE LICENSE	32	\$26,880.00	\$0.00	\$26,880.00
Invoice Upon Fulfillment	73478	REDACTION ASSISTANT USER LICENSE	32	\$17,280.00	\$0.00	\$17,280.00
Total				\$44,160.00	\$0.00	\$44,160.00
Jan 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	\$2,136.00	\$0.00	\$2,136.00
Year 2	85144	AXON STARTER	1	\$734.25	\$0.00	\$734.25
Year 2	AB3C	AB3 Camera Bundle	32	\$3,981.50	\$0.00	\$3,981.50
Year 2	AB3MBD	AB3 Multi Bay Dock Bundle	4	\$1,095.70	\$0.00	\$1,095.70
Year 2	BasicLicense	Basic License Bundle	30	\$4,806.00	\$0.00	\$4,806.00
Year 2	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	\$1,260.47	\$0.00	\$1,260.47
Year 2	BWCamTAP	Body Worn Camera TAP Bundle	32	\$9,569.28	\$0.00	\$9,569.28
Year 2	ProLicense	Pro License Bundle	4	\$1,666.08	\$0.00	\$1,666.08
Total				\$25,249.28	\$0.00	\$25,249.28
Jan 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	\$2,136.00	\$0.00	\$2,136.00
Year 3	85144	AXON STARTER	1	\$734.25	\$0.00	\$734.25
Year 3	AB3C	AB3 Camera Bundle	32	\$3,981.50	\$0.00	\$3,981.50
Year 3	AB3MBD	AB3 Multi Bay Dock Bundle	4	\$1,095.70	\$0.00	\$1,095.70
Year 3	BasicLicense	Basic License Bundle	30	\$4,806.00	\$0.00	\$4,806.00
Year 3	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	\$1,260.47	\$0.00	\$1,260.47
Year 3	BWCamTAP	Body Worn Camera TAP Bundle	32	\$9,569.28	\$0.00	\$9,569.28
Year 3	ProLicense	Pro License Bundle	4	\$1,666.08	\$0.00	\$1,666.08
Total				\$25,249.28	\$0.00	\$25,249.28

Page 4 Q-434013-44922.597AS

Jan 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	\$2,136.00	\$0.00	\$2,136.00
Year 4	85144	AXON STARTER	1	\$734.25	\$0.00	\$734.25
Year 4	AB3C	AB3 Camera Bundle	32	\$3,981.50	\$0.00	\$3,981.50
Year 4	AB3MBD	AB3 Multi Bay Dock Bundle	4	\$1,095.70	\$0.00	\$1,095.70
Year 4	BasicLicense	Basic License Bundle	30	\$4,806.00	\$0.00	\$4,806.00
Year 4	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	\$1,260.47	\$0.00	\$1,260.47
Year 4	BWCamTAP	Body Worn Camera TAP Bundle	32	\$9,569.28	\$0.00	\$9,569.28
Year 4	ProLicense	Pro License Bundle	4	\$1,666.08	\$0.00	\$1,666.08
Total				\$25,249.28	\$0.00	\$25,249.28

Jan 2027						
Invoice Plan	ltem	Description	Qty	Subtotal	Tax	Total
Year 5	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE-	500	\$2,136.00	\$0.00	\$2,136.00
Year 5	85144	AXON STARTER	1	\$734.25	\$0.00	\$734.25
Year 5	AB3C	AB3 Camera Bundle	32	\$3,981.51	\$0.00	\$3,981.51
Year 5	AB3MBD	AB3 Multi Bay Dock Bundle	4	\$1,095.70	\$0.00	\$1,095.70
Year 5	BasicLicense	Basic License Bundle	30	\$4,806.00	\$0.00	\$4,806.00
Year 5	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	4	\$1,260.47	\$0.00	\$1,260.47
Year 5	BWCamTAP	Body Worn Camera TAP Bundle	32	\$9,569.28	\$0.00	\$9,569.28
Year 5	ProLicense	Pro License Bundle	4	\$1,666.08	\$0.00	\$1,666.08
Total				\$25,249.29	\$0.00	\$25,249.29

Page 5 Q-434013-44922.597AS

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard Contract 648-21 is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Signature

Date Signed

12/27/2022



Page 6 Q-434013-44922.597AS



Axon Enterprise, Inc.

17800 N 85th St. Scottsdale, Arizona 85255 United States

VAT: 86-0741227

Domestic: (800) 978-2737 International: +1.800.978.2737 Q-433851-44901.850AS

Issued: 12/06/2022

Quote Expiration: 12/15/2022

Estimated Contract Start Date: 01/01/2023

Account Number: 327661 Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Delivery;Invoice-711 E 2nd Ave 711 E 2nd Ave Belton, TX 76513-3147 USA	Belton Police Dept TX 711 E 2nd Ave Belton, TX 76513-3147 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Adam Smith	Daniel Aguirre
Phone: 602-751-1798	Phone: (254) 933-5840
Email: asmith@taser.com	Email: daguirre@beltontexas.gov
Fax: (480) 463-2201	Fax: (254) 933-5835

Quote Summary

Program Length	60 Months
TOTAL COST	\$68,174.40
ESTIMATED TOTAL W/ TAX	\$68,174.40

Discount Summary

Average Savings Per Year	\$4,369.92	
TOTAL SAVINGS	\$21,849.60	

Payment Summary

Date	Subtotal	Tax	Total
Dec 2022	\$13,634.88	\$0.00	\$13,634.88
Dec 2023	\$13,634.88	\$0.00	\$13,634.88
Dec 2024	\$13,634.88	\$0.00	\$13,634.88
Dec 2025	\$13,634.88	\$0.00	\$13,634.88
Dec 2026	\$13,634.88	\$0.00	\$13,634.88
Total	\$68,174.40	\$0.00	\$68,174.40

Page 1 Q-433851-44901.850AS

Quote Unbundled Price: \$90,024.00
Quote List Price: \$88,320.00
Quote Subtotal: \$68,174.40

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
Fleet3B+TAP	Fleet 3 Basic + TAP	8	60	\$172.55	\$169.00	\$127.03	\$60,974.40	\$0.00	\$60,974.40
A la Carte Softw	are								
80402	RESPOND DEVICE LICENSE - FLEET 3	8	60		\$15.00	\$15.00	\$7,200.00	\$0.00	\$7,200.00
Total							\$68,174.40	\$0.00	\$68,174.40

Page 2 Q-433851-44901.850AS

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
Fleet 3 Basic + TAP	70112	AXON SIGNAL UNIT	8	12/01/2022
Fleet 3 Basic + TAP	72036	FLEET 3 STANDARD 2 CAMERA KIT	8	12/01/2022
Fleet 3 Basic + TAP	72040	FLEET REFRESH, 2 CAMERA KIT	8	12/01/2028

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic + TAP	80400	FLEET, VEHICLE LICENSE	8	01/01/2023	12/31/2027
Fleet 3 Basic + TAP	80410	FLEET, UNLIMITED STORAGE, 1 CAMERA	16	01/01/2023	12/31/2027
A la Carte	80402	RESPOND DEVICE LICENSE - FLEET 3	8	01/01/2023	12/31/2027

Services

Bundle	Item	Description	QTY
Fleet 3 Basic + TAP	73391	FLEET 3 NEW INSTALLATION (PER VEHICLE)	8

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic + TAP	80379	EXT WARRANTY, AXON SIGNAL UNIT	8	12/01/2023	12/31/2027
Fleet 3 Basic + TAP	80495	EXT WARRANTY, FLEET 3, 2 CAMERA KIT	8	12/01/2023	12/31/2027

Page 3 Q-433851-44901.850AS

Payment Details

Dec 2022						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	80402	RESPOND DEVICE LICENSE - FLEET 3	8	\$1,440.00	\$0.00	\$1,440.00
Year 1	Fleet3B+TAP	Fleet 3 Basic + TAP	8	\$12,194.88	\$0.00	\$12,194.88
Total				\$13,634.88	\$0.00	\$13,634.88
Dec 2023						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	80402	RESPOND DEVICE LICENSE - FLEET 3	8	\$1,440.00	\$0.00	\$1,440.00
Year 2	Fleet3B+TAP	Fleet 3 Basic + TAP	8	\$12,194.88	\$0.00	\$12,194.88
Total				\$13,634.88	\$0.00	\$13,634.88
Dec 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	80402	RESPOND DEVICE LICENSE - FLEET 3	8	\$1,440.00	\$0.00	\$1,440.00
Year 3	Fleet3B+TAP	Fleet 3 Basic + TAP	8	\$12,194.88	\$0.00	\$12,194.88
Total				\$13,634.88	\$0.00	\$13,634.88
Dec 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	80402	RESPOND DEVICE LICENSE - FLEET 3	8	\$1,440.00	\$0.00	\$1,440.00
Year 4	Fleet3B+TAP	Fleet 3 Basic + TAP	8	\$12,194.88	\$0.00	\$12,194.88
Total				\$13,634.88	\$0.00	\$13,634.88
Dec 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	80402	RESPOND DEVICE LICENSE - FLEET 3	8	\$1,440.00	\$0.00	\$1,440.00
Year 5	Fleet3B+TAP	Fleet 3 Basic + TAP	8	\$12,194.88	\$0.00	\$12,194.88
Total				\$13,634.88	\$0.00	\$13,634.88

Page 4 Q-433851-44901.850AS

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Contract BuyBoard Contract 648-21 is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

Signature

Date Signed

12/6/2022



Page 5 Q-433851-44901.850AS

FLEET STATEMENT OF WORK BETWEEN AXON ENTERPRISE AND AGENCY

Introduction

This Statement of Work ("SOW") has been made and entered into by and between Axon Enterprise, Inc. ("AXON"), and Belton Police Dept. - TX the ("AGENCY") for the purchase of the Axon Fleet in-car video solution ("FLEET") and its supporting information, services and training. (AXON Technical Project Manager/The AXON installer)

Purpose and Intent

AGENCY states, and AXON understands and agrees, that Agency's purpose and intent for entering into this SOW is for the AGENCY to obtain from AXON deliverables, which used solely in conjunction with AGENCY's existing systems and equipment, which AGENCY specifically agrees to purchase or provide pursuant to the terms of this SOW.

This SOW contains the entire agreement between the parties. There are no promises, agreements, conditions, inducements, warranties or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in the SOW.

Acceptance

Upon completion of the services outlined in this SOW, AGENCY will be provided a professional services acceptance form ("Acceptance Form"). AGENCY will sign the Acceptance Form acknowledging that services have been completed in substantial conformance with this SOW and the Agreement. If AGENCY reasonably believes AXON did not complete the professional services in conformance with this SOW, AGENCY must notify AXON in writing of the specific reasons within seven (7) calendar days from delivery of the Acceptance Form. AXON will remedy the issues to conform with this SOW and re-present the Acceptance Form for signature. If AXON does not receive the signed Acceptance Form or written notification of the reasons for rejection within 7 calendar days of the delivery of the Acceptance Form, AGENCY will be deemed to have accepted the services in accordance to this SOW.

Force Majeure

Neither party hereto shall be liable for delays or failure to perform with respect to this SOW due to causes beyond the party's reasonable control and not avoidable by diligence.

Schedule Change

Each party shall notify the other as soon as possible regarding any changes to agreed upon dates and times of Axon Fleet in-car Solution installation-to be performed pursuant of this Statement of Work.

Axon Fleet Deliverables

Typically, within (30) days of receiving this fully executed SOW, an AXON Technical Project Manager will deliver to AGENCY's primary point of contact via electronic media, controlled documentation, guides, instructions and videos followed by available dates for the initial project review and customer readiness validation. Unless otherwise agreed upon by AXON, AGENCY may print and reproduce said documents for use by its employees only.

Security Clearance and Access

Upon AGENCY's request, AXON will provide the AGENCY a list of AXON employees, agents, installers or representatives which require access to the AGENCY's facilities in order to perform Work pursuant of this Statement of Work. AXON will ensure that each employee, agent or representative has been informed or and consented to a criminal background investigation by AGENCY for the purposes of being allowed access to AGENCY's facilities. AGENCY is responsible for providing AXON with all required instructions and documentation accompanying the security background check's requirements.

Training

AXON will provide training applicable to Axon Evidence, Cradlepoint NetCloud Manager and Axon Fleet application in a train-the-trainer style method unless otherwise agreed upon between the AGENCY and AXON.

Local Computer

AGNECY is responsible for providing a mobile data computer (MDC) with the same software, hardware, and configuration that AGENCY personnel will use with the AXON system being installed. AGENCY is responsible for making certain that any and all security settings (port openings, firewall settings, antivirus software, virtual private network, routing, etc.) are made prior to the installation, configuration and testing of the aforementioned deliverables.

Network

AGENCY is responsible for making certain that any and all network(s) route traffic to appropriate endpoints and AXON is not liable for network breach, data interception, or loss of data due to misconfigured firewall settings or virus infection, except to the extent that such virus or infection is caused, in whole or in part, by defects in the deliverables.

Cradlepoint Router

When applicable, AGENCY must provide AXON Installers with temporary administrative access to Cradlepoint's <u>NetCloud Manager</u> to the extent necessary to perform Work pursuant of this Statement of Work.

Evidence.com

AGENCY must provide AXON Installers with temporary administrative access to Axon Evidence.com to the extent necessary to perform Work pursuant of this SOW.

Wireless Upload System

If purchased by the AGENCY, on such dates and times mutually agreed upon by the parties, AXON will install and configure into AGENCY's existing network a wireless network infrastructure as identified in the AGENCY's binding quote based on conditions of the sale.

VEHICLE INSTALLATION

Preparedness

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer less weapons and items of evidence. Vehicle(s) will be deemed 'out of service' to the extent necessary to perform Work pursuant of this SOW.

Existing Mobile Video Camera System Removal

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer which will remove from said vehicles all components of the existing mobile video camera system unless otherwise agreed upon by the AGENCY.

Major components will be salvaged by the AXON Installer for auction by the AGENCY. Wires and cables are not considered expendable and will not be salvaged. Salvaged components will be placed in a designated area by the AGENCY within close proximity of the vehicle in an accessible work space.

Prior to removing the existing mobile video camera systems, it is both the responsibility of the AGENCY and the AXON Installer to test the vehicle's systems' operation to identify and operate, documenting any existing component or system failures and in detail, identify which components of the existing mobile video camera system will be removed by the AXON Installer.

In-Car Hardware/Software Delivery and Installation

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer, who will install and configure in each vehicle in accordance with the specifications detailed in the system's installation manual and its relevant addendum(s). Applicable in-car hardware will be installed and configured as defined and validated by the AGENCY during the pre-deployment discovery process.

If a specified vehicle is unavailable on the date and time agreed upon by the parties, AGENCY will provide a similar vehicle for the installation process. Delays due to a vehicle, or substitute vehicle, not being available at agreed upon dates and times may results in additional fees to the AGENCY. If the AXON Installer determines that a vehicle is not properly prepared for installation ("Not Fleet Ready"), such as a battery not being properly charged or properly up-fit for in-service, field operations, the issue shall be reported immediately to the AGENCY for resolution and a date and time for the future installation shall be agreed upon by the parties.

Upon completion of installation and configuration, AXON will systematically test all installed and configured in-car hardware and software to ensure that ALL functions of the hardware and software are fully operational and that any deficiencies are corrected unless otherwise agreed upon by the AGENCY, installation, configuration, test and the correct of any deficiencies will be completed in each vehicle accepted for installation.

Prior to installing the Axon Fleet camera systems, it is both the responsibility of the AGENCY and the AXON Installer to test the vehicle's existing systems' operation to identify, document any existing component or vehicle systems' failures. Prior to any vehicle up-fitting the AXON Installer will introduce the system's components, basic functions, integrations and systems overview along with reference to AXON approved, AGENCY manuals, guides, portals and videos. It is both the responsibility of the AGENCY and the AXON Installer to agree on placement of each components, the antenna(s), integration recording trigger sources and customer preferred power, ground and ignition sources prior to permanent or temporary installation of an Axon Fleet camera solution in each vehicle type. Agreed placement will be documented by the AXON Installer.

AXON welcomes up to 5 persons per system operation training session per day, and unless otherwise agreed upon by the AGENCY, the first vehicle will be used for an installation training demonstration. The second vehicle will be used for an assisted installation training demonstration. The installation training session is customary to any AXON Fleet installation service regardless of who performs the continued Axon Fleet system installations.

The customary training session does not 'certify' a non-AXON Installer, customer-employed Installer or customer 3rd party Installer, since the AXON Fleet products does not offer an Installer certification program. Any work performed by non-AXON Installer, customer-employed Installer or customer 3rd party Installer is not warrantied by AXON, and AXON is not liable for any damage to the vehicle and its existing systems and AXON Fleet hardware.

Staff Report – City Council Agenda Item



Agenda Item #10

Consider authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick & Associates for design and bidding phase services for the E. 13th Avenue Shared Use Path Project CSJ# 0909-36-169.

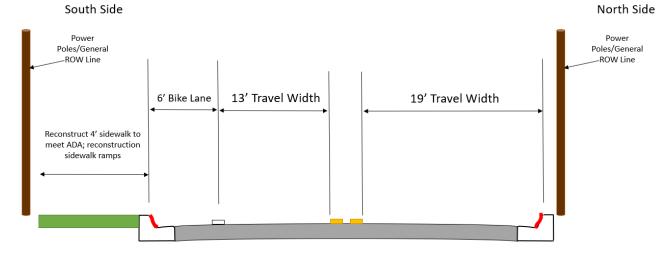
Originating Department

Public Works - Matt Bates, Director of Public Works

Summary Information

In November 2022, the City of Belton received an executed Advanced Funding Agreement from TxDOT for the E. 13th Avenue Shared Use Path Project. This project was an 80/20 match grant from the Transportation Alternatives Program. The entire project is estimated to cost \$693,622.62, with TxDOT (Federal participation) contributing \$431,387.20, TxDOT (State participation) contributing \$25,721.46 and the City of Belton being responsible for the remaining \$236,513.95.

The project consists of reconstructing the existing 4' sidewalk along E. 13th Avenue (southside) and installing a 6' Bike Lane on this side also. This design was approved by City Council on November 24, 2020. *Design Image below*:



Kasberg, Patrick & Associates lump sum fees for the Design Tasks based on the Scope of Services as detailed in Exhibit A for each project are as follows:

A. Phase 1 – Preliminary Design (Surveying & Environmental Clearances): \$33,400

B. Phase 2 – Final Design: \$51,100

C. Phase 3 – Bid Phase Services: \$8,000

TOTAL: \$ 92,500

The	Final	Design	for t	this	project	is	anticipated	to	have	а	120-cal	endar	day	duration.	Final
clea	rance	for bidd	ling t	this	project	is	contingent	upc	n sub	mi	ittal and	appro	oval o	of any re	quired
pern	nits fro	m State	and	d Fe	deral Aç	ger	ncies.								

Fiscal Impact

Amount: **\$92,500.00**

Budgeted: ☐ Yes ☐ No ☐ TIRZ Fund

Funds will be used from the Capital Projects Fund.

Recommendation

Recommend authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick & Associates for design and bidding phase services for the E. 13th Avenue Shared Use Path Project CSJ# 0909-36-169

Attachments

KPA Proposal

E. 13th Avenue Project – Aerial Map



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS Texas Firm F-510

Temple
19 North Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown 800 South Austin Avenue Georgetown, Texas 78626 (512) 819-9478

August 30, 2022

Mr. Matthew Bates Director of Public Works City of Belton P.O. Box 120 Belton, Texas 76513

RE: City of Belton

Transportation Alternatives Program

E. 13th Avenue Sidewalks

Professional Services Proposal

Belton, Texas

Mr. Bates:

This is a letter proposal that addresses your request for Kasberg, Patrick & Associates, LP (KPA) to provide professional engineering and surveying services to the City of Belton for the E. 13th Avenue Sidewalks Project within the City of Belton. Our Preliminary Opinion of Probable Construction Costs for this project is \$700,000.00. Attached is Exhibit A which outlines the proposed Scope of Services and Exhibit B which is a fee rate sheet that shows hourly and material costs that will apply for work authorized by the City of Belton outside the original Scope of Services. Otherwise, this is a lump sum proposal. KPA will prepare monthly invoices and forward those to you for work completed through the 25th day of each month including descriptions of what was accomplished each month.

The lump sum fees for the Design Tasks based on the Scope of Services as detailed in Exhibit A for each project are as follows:

A. Phase 1 – Prelimin	nary Design (Surveying & Environmental Clearances:	\$	33,400
B. Phase 2 - Final D	esign:	\$	51,100
C. Phase 3 – Bid Pha	se Services:	\$	8,000
TOTAL:		\$	92,500

This scope assumes that all design and construction will occur within existing right-of-way and that no new right-of-way or easements will be required.

Mr. Matthew Bates August 30, 2022 Page Two

The Final Design for this project is anticipated to have a 120 calendar day duration. Final clearance for bidding this project is contingent upon submittal and approval of any required permits from State and Federal Agencies.

If you have questions or comments regarding this proposal, please let us know. We will answer all inquiries in a timely manner.

Please execute the acceptance of this proposal in the spaces provided and return one copy to our office.

Sincerely,

John A. Simcik, P.E., C.F.M.

Principal

APPROVED AND ACCEP	TED THISDAY OF	, 2023.
City of Belton:		ATTEST:
Sam A Listi City Manager	Matthew Bates Director of Public Works	Amy M. Casey City Clerk

EXHIBIT A

CITY OF BELTON

PROFESSIONAL ENGINEERING SERVICES PROPOSED SCOPE OF WORK

TRANSPORTATION ALTERNATIVES PROGRAM

13^{TH} AVENUE SIDEWALKS PROJECT

BELTON, TEXAS

Phase 1. Preliminary Design

- A. Meet with appropriate Public Works Department Staff to develop final project goals, objectives and parameters before beginning work.
- B. Initiate project site design surveys (topographic only) and plot the results on project strip maps for review by City Staff and for beginning the design process.
- C. Contact the franchise utility providers for each project location and ask each entity:
 - To identify respective improvements within project boundaries and locate those improvements.
 - Ask each entity regarding any pending improvement upgrades within the project boundaries.
 - Provide each entity with preliminary design information and location of pending improvements by the City of Belton in an attempt to reveal any potential conflicts.
- D. Conduct onsite investigations for identification of cultural resources, waters of the U.S., and threatened and endangered species habitat assessment. Prepare a report with recommendations and submit documentation and permitting requests to the appropriate governing agencies for consideration approval prior to construction. Please see Appendix A for a complete Scope for Natural and Cultural Resources Consulting Services.
- E. Meet with the TxDOT AREA ENGINEER to make that office aware of the project under design and obtain preliminary approval of the proposed traffic control plan during construction.
- F. The City of Belton will provide copies of any existing mapping or record drawings for infrastructure in City of Belton right-of-way or easements.
- G. KPA will meet with the Public Works Staff and TxDOT District 9 Staff at 30%, 60% and 95% stages of construction plan development to review the progress and project goals.

Phase 2. Final Design

- A. Develop 30% drawings, data and strip maps for review by the Public Works Staff and TxDOT District 9 Staff that include preliminary OPCCs. This 30% stage will include only proposed horizontal alignment for each improvement. Also included in the 30% meeting will be accompanied by one (1) site visit to the project location. Item A.1. will also be included in the 30% stage.
- B. KPA will prepare requests and supporting documentation for up to three (3) proposed variances identified in the 30% design stage due to existing site conditions. KPA will review the variance request with Public Works Staff prior to submitting to and coordinating with TxDOT District 9 Staff for consideration and approval.
- C. Achieve 60% design milestone that will include the full, basic set of plan-profile sheets with construction details and draft specifications as required. Items C.1.-C.3. will also be included in the 60% design set.
- D. Participate in a design review meeting with Public Works Staff and TxDOT District 9 Staff to discuss design specifics, updated OPCCs, project special considerations and expected duration of construction. This 60% design review will be accompanied by one (1) site visit to the project location.
- E. Achieve 95% design milestone that will include near final drawings, specifications, including front end contract documents, updated OPCCs and expected duration of construction. One (1) site visit to the project location will be included in this 95% design meeting.
- F. Submit construction drawings for registration and review by a Registered Accessibility Specialist (RAS). Fees for Texas Department of Licensing and Regulation (TDLR) registration and review of the project to be paid for by KPA.
- G. Achieve 100% final design. Provide final plans and specs ready for bidding with the plans signed and sealed. Provide five (5) half sized copies of the plans and one (1) PDF of the project set. Project forms to be prepared and submitted to TxDOT District 9 Staff for approval.
- H. KPA will produce a complete set of construction drawings and Contract Documents for the project complete with a Bid Form (consisting of Base Bid and designated Add Alternate components), Bid Schedule and Notice to Bidders.

Phase 3. <u>Bid Phase Services</u>

- A. Prepare the Notice to Bidders and provide the Notice to the City of Belton City Engineer for coordination with the City Clerk and the local newspapers for the bidding process. KPA to also coordinate advertisement of the project utilizing CivCast.
- B. Design Engineer will release Construction Drawings and Contract Documents to potential bidders from the Design Engineer's office and CivCast and keep a tabulation of documents released using normal bidding phase procedures.

- C. Design Engineer to answer questions and inquiries about the project during the bidding process.
- D. Design Engineer will submit any required addenda to TxDOT District 9 Staff and City of Belton Staff for approval and then issue addenda during the bidding process.
- E. Design Engineer will coordinate and conduct one (1) pre-bid conference for the project.
- F. Design Engineer will provide Receipt of Bid Summary Sheet for use on the day and time of the bid opening.
- G. Design Engineer will evaluate the bids, prepare a bid tabulation of all bids received, evaluate the bidders and provide a bid award recommendation letter to the City Engineer. Additionally, Design Engineer will provide a bid analysis to TxDOT District 9 Staff as well as forms required for TxDOT concurrence.
- H. Design Engineer will incorporate any addenda in the construction drawings before the project drawings are released for construction.
- I. Design Engineer will provide 5 half sized sets of the construction drawings and one 22" by 34" set of the construction drawings to the City Engineer for use during the construction process.
- J. Design Engineer will provide four (4) sets of Contract Documents to the City Engineer for execution.

SPECIAL NOTES:

- This Scope of Services does not include the following:
 - 1. Preparation of metes and bounds and surveyor's sketches for additional ROW and temporary construction easement parcels and staking of boundaries. These services may be provided at a fee of \$1,700 per parcel.
 - 2. Right-of-Entry (ROE) coordination and acquisition.
 - 3. Right-of-Way (ROW)/Easement coordination and acquisition;
 - 4. Construction Surveying for Franchised Utility Companies for relocation or adjustments to their infrastructure or for new installations of their infrastructure;
 - 5. Construction testing;
 - 6. On-site construction inspection.
 - 7. Construction Administration services.
- This Scope of Services does not include meeting weekly at Belton City Hall to provide updates or reports on the design process for this project.

EXHIBIT B

CHARGES FOR ADDITIONAL SERVICES TRANSPORTATION ALTERNATIVES PROGRAM 13TH AVENUE SIDEWALK PROJECT CITY OF BELTON, TEXAS

POSITION	SALA	RY COST/RATES
Principal	\$	160.00/hour
Project Manager/Professional Engineer	\$	150.00/hour
Engineer-in-Training	\$	110.00/hour
CAD Technician	\$	95.00/hour
On-Site Construction Representation	\$	80.00/hour
Clerical	\$	45.00/hour
Mileage		0.55/mile
Direct Expenses		Cost plus 10%
Professional Surveyor		Cost plus 10%
Surveyor CAD Technician		Cost plus 10%
Survey Crew		Cost plus 10%

APPENDIX A



5307 Industrial Oaks Blvd., Ste. 160
Austin, TX 78735
P (512) 442-1122
F (512) 442-1181
Terracon.com

August 29, 2022

John Simcik, PE, CFM
KPA Engineers
19 North Main Street
Temple, TX 76501
P (254) 773-3731
E JSimcik@kpaengineers.com

RE: Proposal for Environmental Planning Consulting Services

13th Avenue Pedestrian Improvements (TxDOT CE) Belton, Bell County, Texas CSJ No. -not known at this time-Terracon Proposal No. P96227733

Dear Mr. Simcik:

Terracon Consultants, Inc. (Terracon) appreciates the opportunity to submit this proposal to KPA Engineers (Client) to perform the following Environmental Planning Consulting Services as it relates to the above-referenced site/project.

 Texas Department of Transportation (TxDOT) Categorical Exclusion (CE) under National Environmental Policy Act (NEPA)

A. PROJECT INFORMATION

Terracon understands that the Client is working with the City of Belton on the design for pedestrian improvements along E. 13th Avenue between Main Street (FM 317) and Waco Road (FM 817) in Belton, Bell County, Texas. The proposed project area is depicted on the Proposed Project Location Map (Figure 1). Based on information provided by the Client, the proposed pedestrian improvements will include replacement of existing sidewalk, as needed along the south side of E. 13th Avenue from Main Street to Park Avenue to meet requirements of the Americans with Disabilities Act of 1990 (ADA). New 4-ft wide sidewalks will be constructed within the existing right-of-way (ROW) along the north side of E. 13th Avenue, east of Park Place Manor to Park Avenue, and also along the south side of E. 13th Avenue from the drainage channel to Waco Road. Additional work will include the striping a 6-ft bike lane with rumble striping. Curbs along the bicycle lane will be painted for no on-street parking.

At this time, it is unknown whether work will remain within existing ROW and/or include temporary or permanent easements. It is not known whether the project will involve federal funds. The Client and Terracon, in coordination with the TxDOT Waco District, assume the project would be classified as a Categorical Exclusion (CE) for the environmental review process at TxDOT.



DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

AERIAL PHOTOGRAPHY PROVIDED BY MICROSOFT BING MAPS

Project Manager: SE\ Project No. P96227733 Drawn by: Checked by: AMS File Name: Approved by: AMS Date: 8/26/2022

5307 Industrial Oaks Blvd Ste 160 Austin, TX 78735-8821

SITE DIAGRAM

TxDOT CatEx for 13th Ave Sidewalks Belton, Bell County, Texas CSJ No. -not knownExhibit

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



TxDOT involvement requires compliance with TxDOT guidelines and compliance toolkits. According to TxDOT, categorically excluded projects cannot cause any significant environmental impacts to any natural, cultural, recreational, historic, or other resources (43 TAC 2.10(b)(1)(B)). TxDOT's rules governing environmental review of projects also state that no "unusual circumstances" may occur that would preclude the project from being categorically excluded.

Terracon assumes that the Client will secure right-of-entry to the project area to perform the environmental studies detailed below. If this information is not accurate, please inform the undersigned as soon as possible so that a revised scope, schedule, and/or budget may be determined, as needed.

B. SCOPE OF SERVICES

The proposed services consist of the following tasks:

Task 1: TxDOT Categorical Exclusion (CE) Assessments, Technical Studies, and Forms

This task includes preparing TxDOT-required Work Plan Development tools, creating maps, performing technical studies, consulting regulatory databases, coordinating with TxDOT personnel, and conducting site visits for assessments and project area photographs. Six subtasks are presented below:

Subtask 1.1: Work Plan Development (WPD) Tool

The Work Plan Development Tool (WPD) is used by the Project Sponsor (City of Belton) and TxDOT to prepare a scope of effort to complete the environmental studies associated with the CE action. The WPD helps determine the kinds of environmental studies necessary for environmental approval. Databases will be searched as part of this task and information from the Client will be requested. The WPD I-Project Definition, WPD II -Tool, and WPD III-Project Work Plan Screens are proposed to be completed in TxDOT's Environmental Compliance Oversight System (ECOS) application by the TxDOT Waco District Environmental personnel, with supporting documentation prepared by Terracon professional staff. The scope of work presented in the following proposal is based on Terracon's professional experience with TxDOT CE projects and preliminary discussions with the TxDOT Waco District Environmental personnel, but the WPD findings may indicate studies not included in this proposal. See *Task-Specific Limitations* near the end of the proposal.

Subtask 1.2: Project Coordination Request (PCR) for Historic Resources

The proposed scope of work for this subtask follows TxDOT Historical Studies Review Procedures to review and document historic properties in fulfillment of Section 106 compliance efforts. The first step in this process is to complete a Project Coordination Request (PCR). The following tasks are proposed for the PCR for non-archeological standing structures within the project area for the proposed pedestrian improvements.

A records search for previously identified historic properties within a quarter-mile project study area will be conducted. Previously identified properties to include resources previously listed as

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



National Historic Landmarks (NHLs), National Register of Historic Places (NRHP) individual properties and/or historic districts, Recorded Texas Historic Landmarks (RTHLs), State Antiquities Landmarks (SALs), local landmarks and Historic Preservation Overlay Districts, or historic resources determined NRHP-eligible through State Historic Preservation Office (SHPO) review and concurrence. The project historian will also identify Official Texas Historic Markers (OTHMs) within the project area.

The records search will include review of the following online resources:

- Texas Historical Commission's (THC) online database, the Texas Sites Atlas
- TxDOT's online mapping tools, the Historic Resources of Texas Aggregator
- National Bridge Inventory database
- NRHP online mapping tool
- Local Planning and Zoning GIS mapping tool, if available

Limited field survey of the project area, as presented in the project schematic drawing(s) [to be provided by Client], will be undertaken. The field survey will be conducted within the project area from the public ROW. Photographs will include representative images from multiple views of the following elements, as applicable:

- Buildings and structures within the proposed Area of Potential Effects (APE) and those adjacent
- Road features (culverts, bridges, landscaping, ditches, walls, rest areas)
- Areas of proposed construction
- Areas where new ROW acquisition is proposed, if applicable

Terracon will prepare a Project Coordination Request (PCR) form with supporting documentation. Maps, tables, and photographs will illustrate the following components to facilitate TxDOT's Waco District and Environmental Affairs Division (ENV) Historical Studies Branch (HIST) review of historic-age resources within the APE:

- Maps illustrating the existing and proposed ROW boundaries, the proposed APE, previously identified historic properties, and parcel boundaries for buildings, structures, and sites within the APE
- Tables recording the results of the records search for previously identified historic properties
- Maps and tables identifying historic-age bridges in the project area
- Representative photographs of elements within the project area

If applicable, in consultation with TxDOT ENV-HIST, the project historian will draft County Historical Commission (CHC) consultation letters and coordinate the results of consultation. Copies of correspondence letters will be included in the PCR, if necessary. This scope of work complies with TxDOT ENV-HIST PCR reporting standards (July 2021) to assist in the determination of the scope of historic resources study appropriate for a project.

The cultural resources services described above assume approximately one day of fieldwork for one Terracon cultural resources staff. Based on the findings of TxDOT ENV-HIST, additional work may be required to clear the project for historic properties. Should weather or other unforeseen

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



circumstances affect the schedule, or if TxDOT ENV-HIST require additional studies, Terracon will prepare a Supplemental to the Agreement for Services. This scope of services covers one round of comments from agencies (THC/TxDOT). Further comment resolution may incur additional fees.

Subtask 1.3: Archeological Background Study

Cultural Resources comprise both historic structures and archaeological materials; therefore, cultural resources can vary a great deal and may include such diverse items as buried artifacts of previous cultures and historic buildings or objects. In Texas, cultural resources are protected under the federal National Historic Preservation Act (NHPA) of 1966, as amended, and the state Antiquities Code of Texas (ACT). The THC is responsible for enforcing cultural resource compliance in Texas. Under the Antiquities Code of Texas, projects that are undertaken by a "political subdivision" require THC coordination if the project affects a cumulative area larger than five acres or disturbs a cumulative area of more than 5,000 cubic yards, whichever measure is triggered first, or if the project is inside a designated historic district or recorded archeological site. A "political subdivision" is defined as a local governmental entity created and operating under the laws of this state, including a city, county, school district, or special district created under Article III, Section 52(b)(1) or (2), or Article XVI, Section 59, of the Texas Constitution. Projects undertaken by State agencies or public universities are not limited by size and require THC coordination prior to any ground disturbances. The professional archeologist conducting a survey is required to receive a permit before any archeological investigations may proceed. Although not known at this time, if federal monies used for the transportation project, compliance with Section 106 of the NHPA will be required. If this information is not accurate, please inform the undersigned as soon as possible so that a revised scope, schedule, and/or budget may be determined, as needed.

Agency Coordination with TxDOT and Texas Historical Commission

Utilizing TxDOT's Archeological Background Study Template (September 2020 version), a Terracon cultural resources specialist will perform a desktop analysis of the subject area with emphasis on the Archeological (Restricted) Sites Atlas (database) maintained by the THC and the Texas Archeological Research Laboratory (TARL). The effort will identify previously recorded archeological and historical resources, as well as previous cultural resource investigations, within the subject area. Mapped soil types within the subject area will be examined. Soil types can be an indicator of probability of archaeological resources. Additionally, available historic maps will be reviewed for potential historic structures or objects and see the change over time on a parcel.

This task does not include a formal archaeological survey, which would require a permit. Based on the results of the desktop analysis, the Archeological Background Study will be produced to coordinate with the TxDOT and THC. The document will include Terracon's professional opinion on whether a survey is recommended. The deliverable will be the background study that will be presented to the Client for review prior to agency coordination. After TxDOT's review of the background study, should fieldwork be required, a Supplemental to the Agreement for Services will be prepared to perform those archeological surveys. While no archeological fieldwork is anticipated for this project, TxDOT or THC may require it should more than 100 cubic yards of ground disturbance below original grade be proposed as part of the project.

The cultural resource services described above assume no fieldwork will be performed. This scope of work does not include construction monitoring, archeological survey, eligibility testing, or data recovery levels of effort, and should such efforts be required by regulatory agencies, a separate

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



proposal would be prepared by Terracon at the Client's request. This scope of work also does not include historic studies, records search, or archival work for historic-age archeological resources.

Subtask 1.4: Biological Resources Species Analysis Form and Spreadsheet with Supporting Documentation

The TxDOT Biological Species Analysis Form (September 2021 version) and Species Analysis Spreadsheet (May 2022 version) will be prepared. This will also include a site visit by a Terracon Natural Resource Specialist assessing the project route for potential habitat suitability. Supporting documentation will include results of database searches for U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species List and Texas Parks and Wildlife Department Threatened, Endangered, and Species of Greatest Conservation Need List for Bell County. Additional effort includes reviewing topographic maps, aerial photographs, USFWS Critical Habitat maps, Ecological Mapping System of Texas and Natural Diversity Database. Additional maps may be required depending on the results of the database searches.

Subtask 1.5: Surface Water Analysis Form and Supporting Documentation

This task is presented to assist the Client in compliance with Section 404 and Section 10 regulating the discharge of fill materials in waters of the United States (WOTUS) during possible future construction activities within the study area. The determination of the presence or absence of WOTUS in the study area resulting from this task will dictate the appropriate level of U.S. Army Corps of Engineers (USACE) permitting effort, if any. To accomplish this task, Terracon will perform subtasks, which include a desktop review, a limited site investigation, and report preparation as described below.

Prior to visiting the study area, background research will be conducted and will consist of locating and reviewing pertinent maps, aerial photographs, historic topographic maps, soil surveys, plant species data, USFWS National Wetlands Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), and other related data necessary for a desktop review of site conditions. This desktop review will assist Terracon in preliminarily identifying suspect aquatic resources within the study area. Terracon will review topographic maps, aerial photographs, and floodplain maps to make a preliminary determination based on Terracon's opinions and experiences of areas that could be potentially categorized as WOTUS. Appropriate sections of the digital topographic maps, aerial photographs, and floodplain maps, and proposed project boundaries will be projected and converted to the appropriate Geographic Information System (GIS) format that is required for the fieldwork, mapping, and report preparation.

A limited site investigation will be conducted to identify and delineate the boundary of aquatic resources in the study area (if applicable). Wetland identification and delineation will follow the guidance in the USACE 1987 Wetland Delineation Manual and the Great Plains regional supplement to the USACE manual. The site investigation will include completion of USACE wetland determination data forms characterizing vegetation, hydrology, and soils within the study area. Potential WOTUS will be identified based on the presence of an ordinary high-water mark (OHWM) and bed/bank features, or the presence of wetland indicators (i.e. hydrophytic vegetation, wetland hydrology, and hydric soil) where applicable and then mapped using a GPS with submeter accuracy.

Following the site investigation, the TxDOT Surface Water Analysis Form (August 2022 version) will be completed and will include exhibits indicating the boundaries (polygons) and acreage

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



and/or linear footage (if applicable) of aquatic resources identified in the study area during the site investigation will be prepared. It is not anticipated that a Section 404/10 Permit will be required as a result of the analysis. If a delineation report and Section 404/10 Impacts Table are required based on the results of the site investigation and completion of the Surface Analysis Form, a Supplemental to the Agreement for Services will be negotiated with the Client to perform additional tasks as necessary to receive environmental clearance for water resources.

Subtask 1.6: Section 4(f) Checklist and Section 6(f) Coordination with TxDOT

Based up results of the WPD, the proposed project may have the potential to impact publicly owned parks and recreation areas, or Historic sites [considered protected property under Section 4(f)]. Based upon the proposed action, alternatives, and previous archaeological surveys, it is assumed the project will qualify for an exception allowed under 23 CFR 774.13. To qualify, the project must comply with the USDOT Act Section 4(f) and the standards outlined in the 2012 Federal Highway Administration (FHWA) Policy Paper for projects that trigger Section 4(f). If the project impacts protected properties, either by a temporary occupancy or a permanent incorporation of land, or by activities that significantly impair the features, activities, or attributes, the project sponsor must evaluate the proposed project for adverse effects. To document the exemption, Terracon will complete the Checklist for Section 4(f) Exceptions for Public Parks, Recreation Lands, Wildlife & Waterfowl Refuges, Non-archeological and Archeological History Sites (January 2020 version). To complete the checklist Terracon will perform the following:

- Determine if potential Section 4(f) properties are located within the project area;
- Review project plans to determine if the project presents a use of a protected property;
- Initiate consultation with officials with jurisdiction (OWJ) to identify "significant" protected properties, per guidelines set forth in the 2012 FHWA Section 4(f) Policy Paper;
- Conduct fieldwork of significant protected properties, taking street-level photography of the property. This cost proposal assumes that the fieldwork will be completed concurrently with the site visit required for the PCR;
- Review project plans to determine if the project qualifies as an exception to the Section 4(f) process, as outlined in 23 CFR 774.13;
- Consult with the OWJ to determine if there is agreement that the use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute of the property;
- Prepare a detailed map of the Section 4(f) Property including current and proposed ROW, property boundaries, access points for pedestrians and vehicles, and existing and planned facilities;
- Prepare a site boundary and ROW map; and,
- If a site, or multi-properties, do not fall under the exception, or the adverse impact reduced, then a Section 4(f) de minimis checklist and/or an alternatives analysis will be required. If either is required, an additional scope of work and proposed fee will be negotiated.

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



This cost proposal also assumes that the fieldwork for the Section 4(f) Exceptions Checklist will be completed concurrently with the site visit for the PCR. If the site visits cannot be scheduled at the same time, a change order will be submitted for the work.

Per conversations with TxDOT Waco District Environmental personnel, activities in a park must confirm that the park or recreational area has not previously funded by a grant from the Land and Water Conservation Fund Act (LWCF). Compliance with Section 6(f) of the LWCF must be followed by TxDOT and other entities. Section 6(f) applies to transportation projects, regardless of funding source or approval authority, which propose to use land from a Section 6(f) property. Utilizing the TxDOT guidance document for the Section 6(f) LWCF Act (March 2022 version), Terracon will perform the search and coordination necessary to determine whether the project requires compliance with Section 6(f). This search includes conducting research on databases kept by the National Park Service and Texas Parks and Wildlife Department (TPWD). This task includes coordination with TPWD personnel, if necessary. Results of the findings will be presented in a short memo to the Client and TxDOT. This subtask does not include meetings, agency coordination, or efforts to prepare documentation should the property be considered a Section 6(f) protected property.

Task 2: Project Coordination with TxDOT, Waco District

Coordination (via phone or email) with TxDOT and the Client will be performed as part of this task and include meetings and submission of deliverables. This task does not include attendance of official project Public Meetings or Hearings.

Total Deliverables

The deliverables will consist of the Historic Studies PCR, Archeological Background Study, Species Analysis Form and Spreadsheet, Surface Waters Analysis Form, Section 4(f) Checklist and Section 6(f) Coordination, and the supporting documentation of each subtask. Those task items with documents will be compiled and presented to the Client for review and approval. One round of comments from the Client will be resolved. After Client approval, the deliverables will be presented to the TxDOT Waco District Environmental Coordinator for review, concurrence, and approval. This proposal includes resolving one round of TxDOT Waco District comments and resubmission. Additional comment resolution may require further scoping and cost.

Task-Specific Limitations

Based on the current information to date, the tasks detailed above will be required as part of the project. While unlikely, it is not known if further studies will be required. Therefore, the following environmental tasks are **not** included in this proposal and would require additional scoping and cost, if deemed necessary:

- Impaired Water Analysis and Storm Water Plans
- Development of Engineering EPICs
- Historic Architecture Surveys
- Archeological Research or Studies
- Air Studies

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



- Noise Studies
- Hazardous Materials Initial Site Assessment
- Detailed Water Resources Studies
- Species Presence or Absence Surveys
- Geological Surveys
- Agency Coordination outside of TxDOT Waco District
- Community Impact Assessment
- Public Involvement
- Impacts and Alternatives Analyses

C. COMPENSATION

Compensation shall be on a **lump sum basis by task as indicated in the table below**. Invoicing will be monthly, based on percent complete of the tasks below.

TxDOT Categorical Exclusion Assessment	Fee	Authorized by Client
Task 1, Subtask 1.1: WPD I and WPD II Tool	\$1,750.00	□Yes □No
Subtask 1.2: Historic Resources PCR	\$4,000.00	□Yes □No
Subtask 1.3: Archeological Background Study	\$3,000.00	□Yes □No
Subtask 1.4: Biological Resources	\$3,000.00	□Yes □No
Subtask 1.5: Water Resources	\$3,000.00	□Yes □No
Subtask 1.6: Section 4(f)/6(f) Coordination	\$3,500.00	□Yes □No
Task 2: Project Coordination with TxDOT	\$1,750.00	□Yes □No
Total	\$20,000.00	

The stated fees are valid for ninety (90) days after the date of this proposal.

The fees in this proposal do not include meetings, consultation, or data collection/evaluation that may be required by regulatory agencies outside of what has been proposed above.

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



D. RELIANCE

The delivered documentation will be prepared for the exclusive use and reliance of the Client and TxDOT. Reliance by any other party is prohibited without the written authorization of the Client and Terracon in the form of a Reliance Agreement that incorporates the terms and conditions of the original Agreement.

E. SCHEDULE

Services will be initiated upon receipt of the signed Agreement for Services. Terracon will perform the proposed services as presented above according to the schedule below:

Task	Scope	Schedule
1	TxDOT CE Assessments and Documentation	See Below
	Field Visits	12-15 business days following completion of the WPD screens
	Draft Report of Deliverables to Client for Review	20-25 business days following execution of field visits
	Resolution of Client Comments	5-7 business days from receiving comments
	Submission to TxDOT Waco District for approval	5-7 business days from Client comment resolution

This schedule assumes that the site visit is not hampered by weather, site access conditions, or unusual wait times for data from Client/state agencies.

13th Avenue Pedestrian Improvements | Belton, Texas August 29, 2022 | Terracon Proposal No. P96227733



F. AUTHORIZATION

The proposed Scope of Services may be authorized by executing and returning the attached Agreement for Services to Beth Valenzuela by email at beth.valenzuela@terracon.com. Services will be initiated upon receipt of authorization and written notice to proceed. We look forward to working with you on this project. If you have any questions or require additional information, please feel free to contact Beth Valenzuela at (512) 358-9933.

Sincerely,

Terracon Consultants, Inc.

S. Elizabeth Valenzuela, MA

Group Manager, Architectural History

Halemula

Ann M. Scott, PhD, RPA

Ann M. Scott

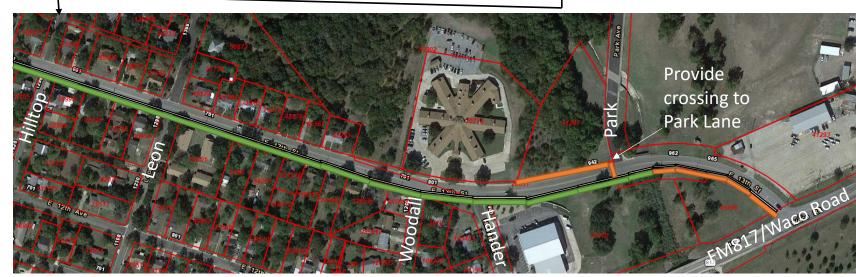
Department Manager, Environmental Planning Authorized Project Reviewer

Attachments: Agreement for Services (dated August 29, 2022)



E 13th Ave – Proposed Design (Approved by TxDOT)

Reconstruct existing, as needed (green) & install new where missing (orange).
Bike lane in white.



Staff Report – City Council Agenda Item



Case No.: Z-23-01

Request: Agricultural to Commercial

Highway (CH)

Applicant/Owner: Unity Four 2150 Investment

Inc.

Agenda Item #12

Z-23-01 – Hold a public hearing and consider a zoning change from Agricultural to Commercial Highway on approximately 7.51 acres located at 3401 S. IH 35 Service Road, located at the southwest intersection of IH 35 and Mesquite Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Commercial Highway

Proposed Uses: Travel Center – Convenience Store, Restaurants, and Truck Stop

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as a commercial corridor.

Design Standards Type Area 2:

The projected growth for Type Area 2 is primarily commercial highway frontage uses. Opportunities for mixed use developments, hotels, restaurants, new car dealerships, multistory office buildings.

Background/Case Summary

The applicant submitted this zoning change request for a Travel Center. The proposed uses involve a convenience store, two restaurants, and gasoline sales for both passenger vehicles and larger trucks. The proposed uses are allowed in the Commercial Highway Zoning District. A subdivision plat and development plans are currently under review. The subdivision plat will be presented to the Council at a future date because of the required perimeter street improvements on Mesquite Road.

City Council Agenda Item January 24, 2023 Page 1 of 3

Project Analysis and Discussion

Existing Conditions: The surrounding uses are:

Direction	Zoning		Use
North	Commercial Highway	and	Undeveloped
	Agricultural		
South	Agricultural		Undeveloped
East of I35	Commercial Highway	and	Vacant Land and AAA Mini
	Commercial -1		Storage
West	Agricultural		Residential

<u>Allowable Land Uses</u>: The proposed zoning change would allow for the proposed convenience store/truck stop and restaurant, as well as other uses permitted in the CH zoning district.

Area & Setback Requirements: This lot is approximately 7.51 acres and 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'. The lot width is over 650' and depth is over 500' which exceeds the minimum lot requirements. The site plan is currently under review to ensure compliance with the setback requirements and applicable zoning and site design standards. The site plan proposes a 6' privacy fence along the western property line and a portion of the southern property line for screening to the adjacent residential property.

<u>Wastewater</u>: City of Belton wastewater service is currently not available at this site. The applicant plans to install an on-site sewage facility which requires approval from the Bell County Public Health Department. City of Belton water service and fire protection are available at this location.

<u>Planning and Zoning Public Hearing</u>: At the Planning and Zoning Commission meeting, during the public hearing on this item, a property owner expressed concerns for children safety as the frontage road is currently used as a school bus stop. Staff has reached out to BISD for more information.

Recommendation

At their meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural District to Commercial Highway District for the property located at 3401 S. IH 35 Service Road; 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 each 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 is required.
- 4. Proposed sign must comply with the adopted sign code as per Ordinance 2022-22.

Attachments

Ordinance

Zoning application, plat, and conceptual site plan
Property Location Map
Zoning map
Aerial
Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list
P&Z Minutes Excerpt

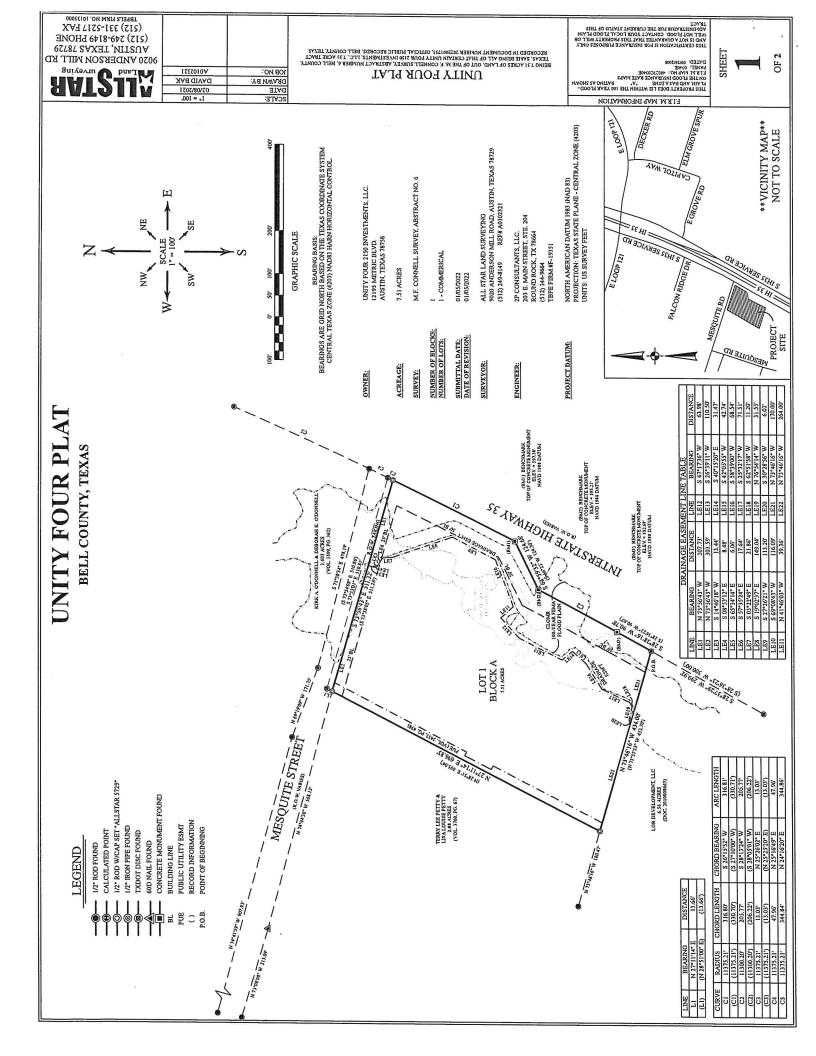
ZONING CHANGE APPLICATION



Fee: \$300.00 Date received: APPLICANT NAME: Karim Maknojiya PHONE NUMBER: EMAIL: 512-698-9868 khmomin@yahoo.com MAILING ADDRESS: 12195 Metric Blvd, Austin, Tx 78758 PROPERTY OWNER NAME: Unity Four 2150 Investment, LLC PHONE NUMBER: EMAIL: 512-698-9868 khmomin@yahoo.com MAILING ADDRESS: 12195 Metric Blvd, Austin, Tx 78758

Proposed Use of Structures (building) and Property (exterior property):
truck stop with convenience store and resturants	
	A CONTRACTOR OF THE CONTRACTOR
Current Use:	
Single Family home	
LOCATION/STREET ADDRESS OF PROPERTY TO BE I	REZONED:
3401 S IH 35 Service Rd, Belton, TX 76513	
f	
Legal Description of Property: Abstract Survey M.F. Co	nnell Survey ≱6
9	
Lot(s): 1 Block(s): A	and the same of the same of
of Subdivision Unity Four	
	Commercial Highway
Existing Zoning: Agricultural	Proposed Zoning: Commercial Highway
Signature of Applicant:	Date: 11-28-2022
Signature of Applicant:	
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



OF 2

SHEET

LBYGL!

DYNINISIZEVLOS FOS LHE CRESENT ZLYLAS OF THIS
WIT NO LFOOD CONLYCT ACHT TOOD BYIN
WHIS OLLY GRIVEVALEE JHYL JHIS ROBERLA MILT OS
HIS CERLILEVCHION IS DON INTRAFWACE BUSDOZES ONT.

DYLED: 03URU00 RYMET: 03Y0E FEFT YEVE NO: 4103L03Y0E NO 11.HE ETOOD INFORMACE KYLE HYNS KFYIN YHD HYS Y SOME HIR BKOGERLA, DOES FIE MILHIN 11HE 100 LEFYE LFOOD

F.I.R.M. MAP INFORMATION

UNITY FOUR PLAT

RECORDED IN DOCUMENT NUMBER, 20.2001/151, OFFICIAL SURVEY, ABSTRACT VUMBER, 4, BELL COUNTY, TEXAS. BEING ALL SURVEY SULL OF THE M. F. CONNELL SURVEY, RECORDS, BELL COUNTY, TEXAS.

IOB NO: DEVAN BA: DEVE 1252010A DAVID BAK

(512) 331-5217 FAX TBPELS FIRM NO. 10135000 (215) 548-8148 PHONE AUSTIN, TEXAS 78729 9020 ANDERSON MILL RD ALLSTAN ALPANDE 1707/80/70

> 3) WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH STATE HEALTH DEPARTMENT PLANS AND 2) NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE WATER SYSTEM AND AN APPROVED WASTEWATER SYSTEM. 4) ALL EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER AND HISHER ASSIGNS. 1) UTILITY SERVICES: SPECIFICATIONS. BEGINNING AT A TXDOT BRASS DISC FOUND IN THE WESTELLY RIGHT-OF-WAYLINE OF IH. 31, AT THE NORTHEAST CONNERS OF THAT CERTAIN LCA BEGLOMEDRY. LLG 618 ACRES RECRORDED IN DOCUMENT NUMBER 201008663, OFFICIAL PUBLIC RECORDS, SAID COUNT, ASME BENOT THE SOUTHEAST CORNER OF SAID 7.70 ACRE TRACT, FOR THE SOUTHEAST CORNER HEREOF. BEING 7.51 ACRES OF LAND, OUT OF THE M.F. CONNELL SURVEY, ABSTRACT NUMBER 6, BELL COUNTY, TEXAS, SAME BIRNA ALLO FITHAT CERTAIN BETTY READORS 7.70 ACRE BITACT RECORDED IN VOLUME 1002, PAGE 592, DEED RECORDS, BELL COUNTY, TEXAS, SAME AND EXCEPT THAT CERTAIN 0.154 ACRE TRACT TO BELL COUNTY, RECORDED IN DOCUMENT NUMBER 2019/2616, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS, SAID 7.51 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WATER -WASTEWATER -ELECTRIC -

NOTES:

FIELD NOTES:

THENCE NORTH 71 DEGREES 46 MINUTES 16 SECONDS WEST, ALONG THE NORTHERLY LINE CRY ALLO 6.54 CAER THACT, AND THE SOUTHERLY LINE GRAD 6.54 CAER THACT CHAIN OF THE SOUTHERS LINE GRAD 7.74 CAER THACT CHAIN FEET TO AN IRON ROD SET IN SAID LINE AT THE SOUTHEAST CORNER OF THAT CERTAN TERRY LIES ENTITY 2.88 ACRE TRACT RECORDED IN VOLUME 3700, PAGE 67, DEED RECORDS, SAID COUNTY, SAME BEING THE SOUTHWEST CORNER OF SAID 7.70 ACRE THACT, FOR THE SOUTHWEST CORNER OF SAID 7.70 ACRE THACT, FOR THE SOUTHWEST CORNER OF SAID 7.70 ACRE THACT, FOR THE

THENCE NORTH 17 DEGREES II MNUTES 14 SECONDS EAST, ALONG THE EASTERLY LINE OF STAD. TO ACRE TRACT, G8.58 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SALD. TA ACREE TRACT, G8.58 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF MESOUTHS STREET, AT THE SOUTHWEST CORNER OF SALD. G14A CREET RACT, FOR THE NORTHWEST CORNER HEREOF, RROM WHICH AN IRON OF THE NORTHWEST CORNER HEREOF, RROM WHICH AN IRON OF SALD ACRE TRACT AND THE NORTHWEST CORNER OF SALD. TO SECONDS OF SALD G154 ACRE TRACT BEARS, NORTH 27 DEGREES II MINUTES II SECONDS EAST, 13.66 FEET.

THENCE SOUTH 3T DEGLEES SEA WONLITES 41 SECONDE SEAT THROOUGH SAND TA ACRE THENCE SOUTH 3T DEGLEES SEAD 154 ACRE THACT, ALONG THE SOUTHERLY IN THE OF SAND 154 ACRE THACT, SIL 46 FEET TO THE MITTER SECTION OF SAND THE WESTERLY RIGHT-SAWY LINE OF SAND THAN ACRE THACT, SAND SEAT SHAPPENDES OF ILITS 31 FEET, IN THE OSTSTREAM, THE OF SAND THAN ACRE THACT, SAND SHAPPENDES OF SAND SHAPPENDES.

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 114.35 AND THE EASTERLY LINE OF SAID 714 AND THE EASTERLY LINE OF SAID 714 ACRE TACE. THE PELLOWING ACALLS.

1. ALONG SAID CURVE TO THE RIGHT WHOSE CHORD BEARS, SOUTH 26 DEGREES 16

MINUTES 25 SECONDS WEST, 316.81 FEET TO A CONCRETE MONUMENT FOUND AT THE END OF SAID CURVE TO THE STORM SOUTH STORM AND THE RIGHT WHOSE CHORD SEARS, SOUTH 3D DEGREES 13

MINUTES 34 SECONDS WEST, 205.77 FEET TO A CONCRETE MONUMENT FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 11,300.20 FEET

A LONG SAID CURVE TO THE RIGHT WHOSE CHORD BEARS, SOUTH 3D DEGREES 13

MINUTES 34 SECONDS WEST, 205.77 FEET TO A CONCRETE MONUMENT FOUND AT THE BEGINNING. CONTAINING 7.51 ACRES OF LAND.

BELL COUNTY HEALTH DISTRICT CERTIFICATION:

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE PERMITTING AUTHORITY FOR ON-SITE SERVICE FRACTILITIES IN BELL COUNTY, TEXAS, ENERBY CERTIFIES THAT HIS SINBINISION MEETS AND EXCEEDS THE MEINAMM STANDARDS ESTABLISHED BY THE TEXAS COMMISSION ON ENTIROUNDENTAL QUALITY (TCEQ) AND BELL COUNTY'S LOCAL ORDER.

SIGNATURE: DATE: BELL COUNTY PUBLIC HEALTH DISTRICT.

STATE OF TEXAS COUNTY OF BELL

UNITY FOUR PLAT

BELL COUNTY, TEXAS

A PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL # 44027C0344E DAYED 90542000, CITY OF BELTOO, BELL COUNTY, TEXAS.

DAVID URBAN, PE, CFM#82783 2P CONSULTANTS, LLC. 203 EMAIN STREET ROUND ROCK, TEXAS 78664 (512) 344-9664



THAT I. EDWARD C. RUMSEY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN YON THE GOUND SURVEY OF THE LAND AND THAT THE CONNER MONUMENTS SHOWN HEREGON WREER PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE BELL COUNTY SUBDIVISION REGULATIONS.

11/11/2022 DATE EDWARD C. RUMSEY R.P.L.S. # 5729
ALL STAR LAND SURVEYING
9020 ANDERSON MILL ROAD
AUSTRIA TX 18729
512-249-8 149
REW A010221



I HEREBY CEKTIEY THIS PLAT WAS APPROVED THIS

DAY OF,

DA

KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF BELL COUNTY JUDGE

DAY OF, 20 WITNESS MY HAD THIS

NOTARY PUBLIC

COUNTY CLERK:

DAY OF A.D., IN CABINET PLAT RECORDS OF BELL COUNTY, TEXAS. FILED FOR RECORD THIS . SLIDE

COUNTY CLERK

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING BITTIES IN BELL COUNTY, TEXAS, DOES HERBIY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWNK ON THE PROPERTY DESCRIBED BY THIS FLAT.

BELL COUNTY TAX APPRAISAL DISTRICT DAY OF DATED THIS

2

I, DAVID UBBAN, AM ANTHORIZED UNDER THE LAWS OF THE SYNE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HERBEY CERCITEY THAT THIS PLATIS PRASIBLE RROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING PORTIONS OF THE DITY OF ENGINEERING DEVELOPMENT CODE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWNEDGE.

5) PROPERTY OWNER AND HISAER ASSIONS SHALL PROVIDE FOR ACCESS TO DRAINAGE EARSEMINS AN ANY RE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTA AUTHORITIES. SITE DEVELOPMENT CONSTRUCTION PLANS SHALL BE REVIEWED AND APPROVED BY BELL COUNTY PRIOR TO ANY CONSTRUCTION.

ALL SUBDIVISION CONSTRUCTION, INCLUDING STREETS DRAINAGE, WATER, WASTEWATER, ETC., SHALL CONFORM TO BELL COUNTY ORDINANCES AND CONSTRUCTION STANDARDS.

11/29/2022

DATE

COMMISSIONERS' COURT

UNITY FOUR PLAT

THAT I, KARIM MAKNOJIVA FOR INHIP FOUR 2150 INVESTMENTS. ILC., EBENG OWNERS OF THE CERTAIN TRACE OF LAND SHOWN HEREON AND DESCRIBED. IS COUNCIN CONCOMENT OF THE OFFICIAL VIBIL RECORDS OF BELL COUNTY, THE CASE, DO HEREBY VIOU, APPROCE, AND CONSINT OF ALL DEDICATIONS AND PLAIT NOT REQUIREMENTS SHOWN HEREON. ID OHEREBY APPROVE THE RECORDATION OF THIS SHOWN HEREON. ID HEREBY APPROVE THE RECORDATION OF THIS SHOUND HEREON. THIS SHOWN HEREON, THIS SHOWN HEREON.

KARIM MAKNOJIYA UNITY FOUR 2150 INVESTMENTS, LLC. 12195 METRIC BLVD. AUSTIN, TEXAS 78758

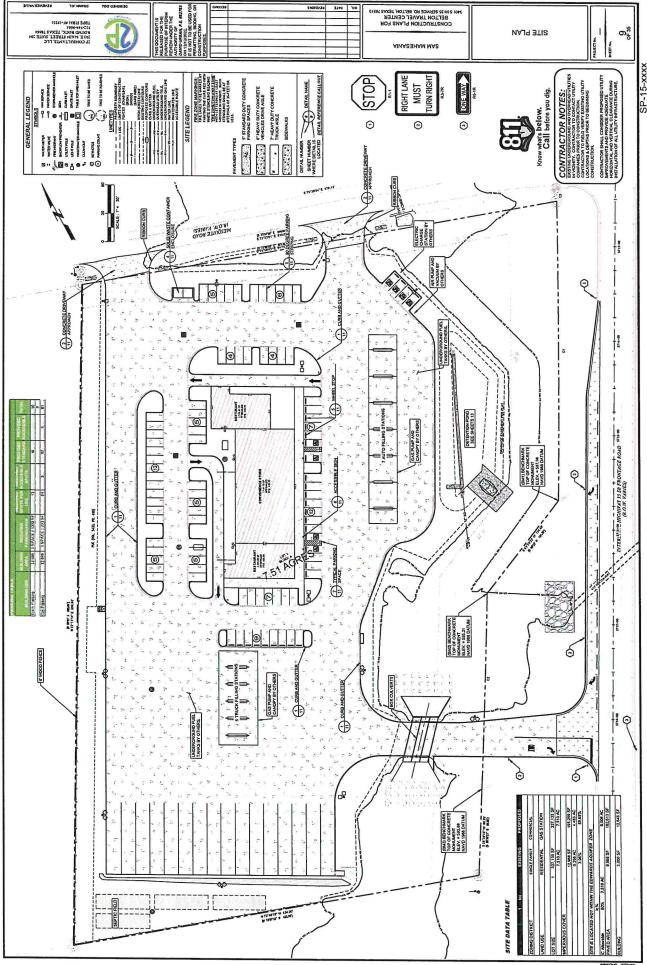
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PRESADALLY APPEASED, KARINMAKNOINY ROW UNITY FOR IS 108 INVESTMENTS. LLC., KNOWN BY MET DE THE PRESON WHOSE NAME IS 50 USECURED TO THE FORECOME INSTRUMENT IT HAS BEEN ACKNOWLEDGED TO ME HAN SHE EXCENDED THE FORECOME INSTRUMENT IN THIS EXCHANGED FOR THE PROPERTY DESCRIBED THE FORECOME DISTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HERBON.

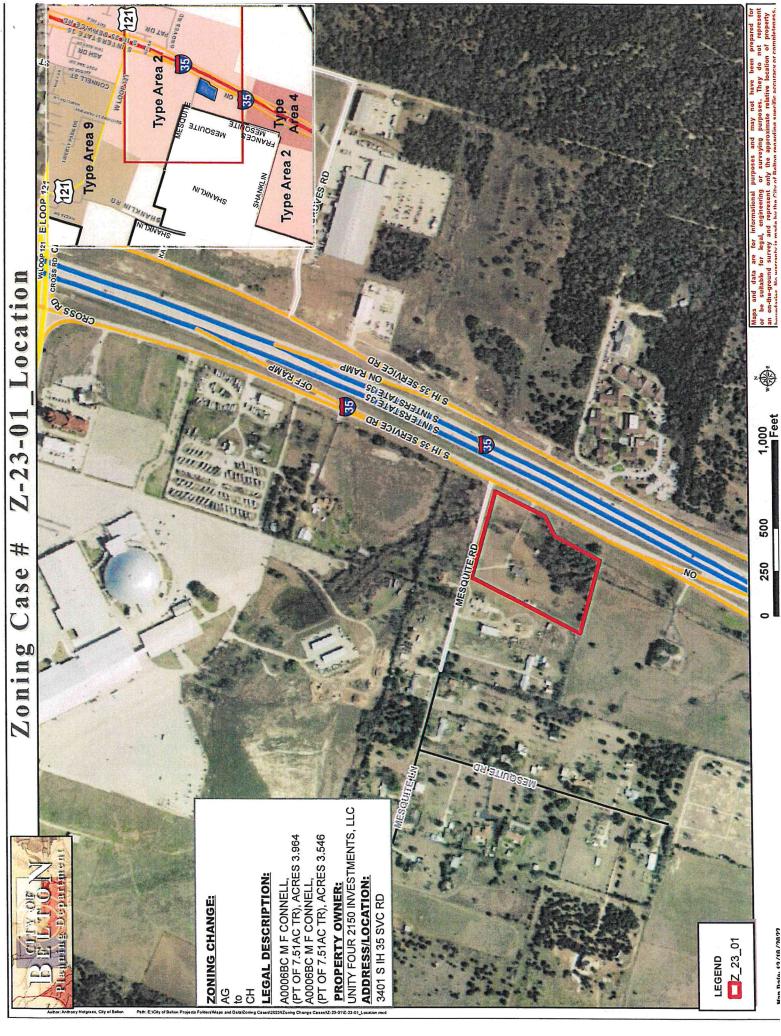
PRINTED NAME OF NOTARY AND NOTARY STAMP

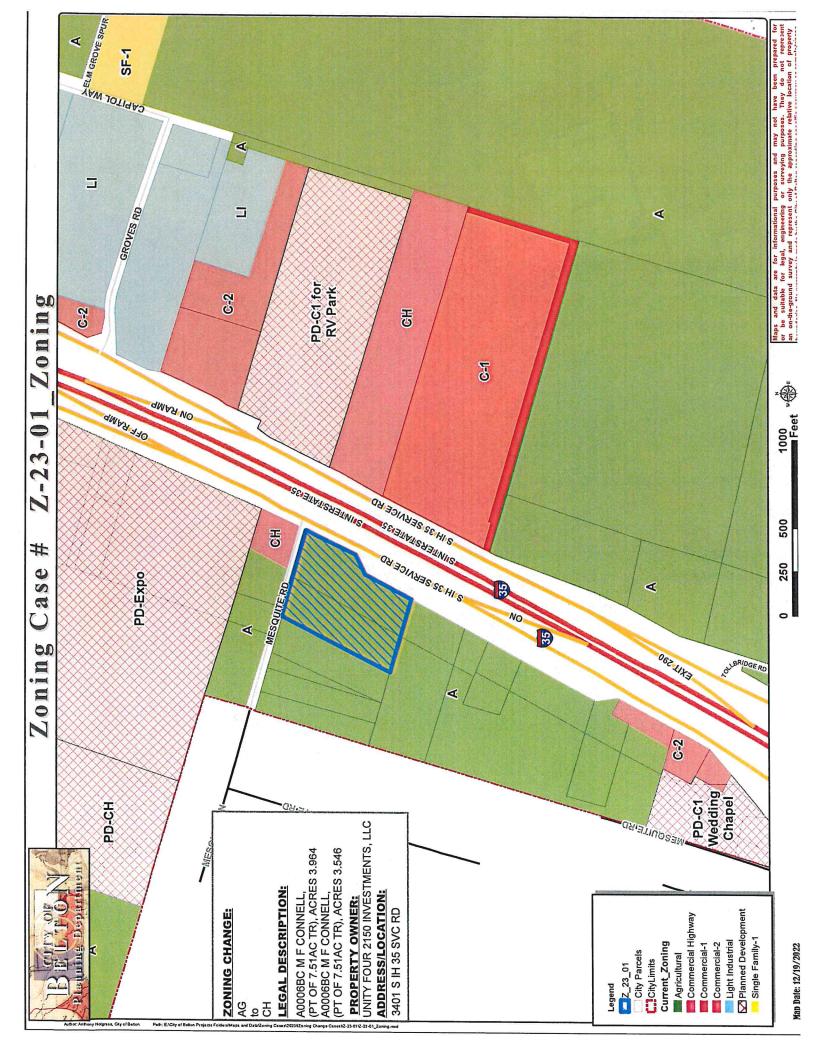
NOTARY PUBLIC IN AND FOR THE SATE OF TEXAS

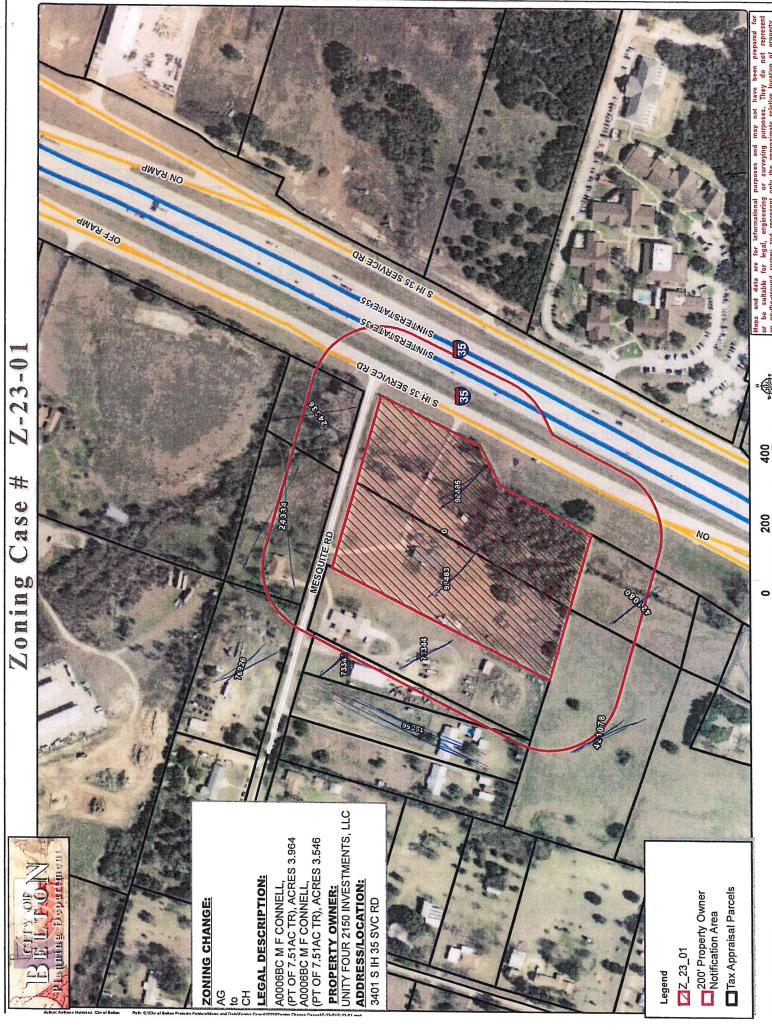
DATE NOTARY COMMISSION EXPIRES

BY:









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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM	M: Unity Four 2150 Investment, LLC.
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:	3401 S. IH 35 (SEE ATTACHED MAP)
From A(n) <u>Agricultural (A)</u>	ZONING DISTRICT,
To A(N) COMMERCIAL HIGHWAY (CH)	ZONING DISTRICT,
TO CONSTRUCT: A CONVENIENCE STORE AND RESTAU	RANTS
PURSUANT TO THIS REQUEST AT 5:30 P.M., Tuesday ALEXANDER, BELTON, TEXAS. IF APPROVED BY THE PLANNING & ZONING CO A PUBLIC HEARING BY THE CITY COUNCIL. THAT ME AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEX AS AN INTERESTED PROPERTY OWNER, THE CO REGARDING THIS ZONING CHANGE. YOU MAY SUB RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL JANUARY 24, 2023.	CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN MIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND L TO PLANNING@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY
circle one	
	ROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE DW:
1.	
2.	
3.	
(FURTHER COMMENTS MAY BE EX	PRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	SIGNATURE:
	DY A NINING DED A DURAGENUT

PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812 19656

CHERIVTCH, MARIE ELAINE

371 MESQUITE RD

BELTON, TX 76513-4635

24336

O'DONNELL, KIRK A & DEBORAH K

578 LAKEVIEW HBR

ONALASKA, TX 77360-7434

76926

SCOTT, BYRON K

488 MESQUITE RD

BELTON, TX 76513-4616

421078

LGR DEVELOPMENT LLC

921 E 6TH AVE

BELTON, TX 76513-2711

73343

PETTY-EMRICK, LISA

267 MESQUITE RD

BELTON, TX 76513-4634

98483

UNITY FOUR 2150 INVESTMENT LLC

12195 METRIC BLVD

AUSTIN, TX 78758

421080

LGR DEVELOPMENT LLC

921 E 6TH AVE

BELTON, TX 76513-2711

24334

O'DONNELL, KIRK A & DEBORAH K

578 LAKEVIEW HBR

ONALASKA, TX 77360-7434

73344

PETTY-EMRICK, LISA

267 MESQUITE RD

BELTON, TX 76513-4634

98485

UNITY FOUR 2150 INVESTMENT LLC

12195 METRIC BLVD

AUSTIN, TX 78758

Minutes of the Planning and Zoning Commission (P&ZC)

City of Belton Tuesday, January 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Nicole Fischer, Alton McCallum, Zachary Krueger, Quinton Locklin, Davis Jarratt, and Joshua Knowles. The following members were absent: Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Deb Swift-Alejandro, and IT System Analyst Alex Munger.

5. Z-23-01 Hold a public hearing and consider a zoning change from Agricultural to Commercial Highway on approximately 7.51-acre property located at 3401 S. IH 35 Service Road, located at the southwest intersection of Interstate 35 and Mesquite Road. (Audio 6:27)

City Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

The following residents spoke in opposition of the zoning change expressing concerns for traffic impacts and safety: Jane Durham - 293 Mesquite Dr, Michelle Scott – 488 Mesquite Dr, and Rosemary Stampley, 579 Mesquite Drive. With no further public input, the public hearing was closed.

Vice Chair Covington made a motion to approve Z-23-01 as presented. The motion was seconded by Commission Member Krueger. The motion passed with 8 ayes, 0 nays.

ORDINANCE NO. 2023-01

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO COMMERCIAL HIGHWAY ON APPROXIMATELY 7.51 ACRES LOCATED 3401 S. IH 35 SERVICE ROAD.

WHEREAS, Karim Maknojiya, representing property owners Unity Four 2150 Investment, LLC, 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 17th day of January, 2023, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 7.51 acres located at 3401 S. IH 35 Service Road (location map attached as Exhibit "A")

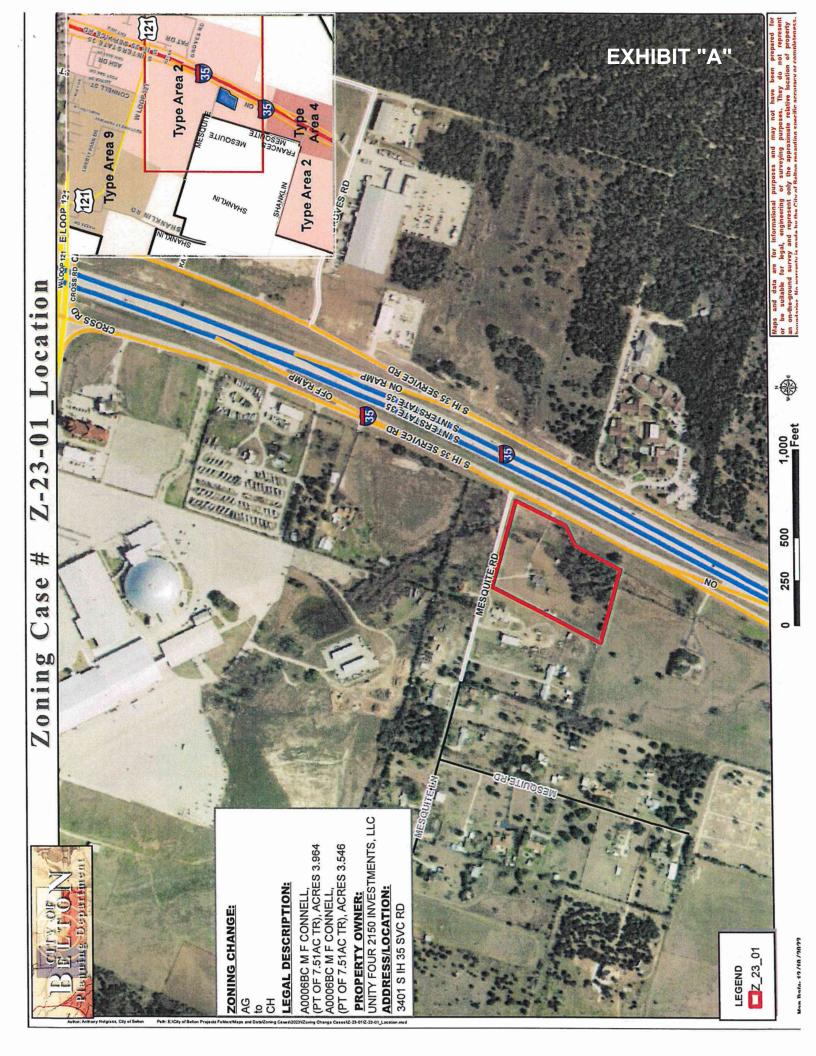
WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 24th day of January, 2023, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from Agricultural to Commercial Highway in accordance with 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 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 is required.
- 4. Proposed sign must comply with the adopted sign code as per Ordinance 2022-22.

This ordinance was presented at the stated m and upon reading was passed and adopted b 2023, by a vote of ayes and	by the City Council on the 24 th day of January
SIGNED AND APPROVED by the Ma 24 th day of January, 2023.	yor and attested by the City Clerk on this the
ATTEST:	Wayne Carpenter, Mayor
Amy M. Casey, City Clerk	



Staff Report – City Council Agenda Item



Date: January 24, 2023

Case No.: Z-23-02

Request: Agricultural to Planned

Development - Commercial

Highway (CH)

Applicant/Owner: Turley and Associates/S&S

Advertising Associates

Agenda Item #13

Z-23-02 – Hold a public hearing and consider a zoning change from Agricultural to Planned Development Commercial Highway on approximately 6.198 acres located at 5881 W. US 190 Service Road, at the southeast intersection Interstate 14 and George Wilson Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District – Annexed in 2006

Proposed Zoning: Planned Development - Commercial Highway

Proposed Uses: Truck Stop

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as a commercial center and commercial corridor.

Design Standards Type Area 4:

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.

Background/Case Summary

This zoning change request is to allow for the development of a Travel Center. The proposed project will include with a convenience store with gasoline sales for both passenger vehicles and larger trucks. The proposed use is allowed in the Commercial Highway Zoning District. This property is currently platted as the Mobile Home Estates Subdivision containing 74 lots. The proposed zoning change will impact Lots 1-22.

City Council Agenda Item January 24, 2023 Page 1 of 3

Project Analysis and Discussion

Existing Conditions: The surrounding uses are:

Direction	Zoning	Use
North of IH 14	Agricultural	James Construction Group
South	Agricultural	Mobile Home Estates
		Subdivision
East	Office 1, Agricultural and	Roofing Company, B&K
	Commercial-1	Small Engine Repair
West	Agricultural	Double D Trucking

<u>Allowable Land Uses</u>: This zoning change would allow for the proposed convenience store/truck stop as well as other uses permitted in the CH zoning district.

<u>Area & Setback Requirements</u>: This lot is over six acres and 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'.

<u>Screening</u>: There is no screening proposed between the truck stop and the existing mobile home community. Therefore, staff recommends that the applicant provide an 8' privacy fence along the south property line to provide screening for the adjacent residential use. A Planned Development Zoning District is recommended to achieve this objective.

Water and Sewer

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. The applicant plans to install a septic system which will require approval from the Bell County Public Health Department. A subdivision plat, site plan, and building plan will be required prior to development to ensure compliance with all applicable codes.

Recommendation

At their meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural District to Planned Development Commercial Highway District, subject to the following conditions:

- 1. The use of this property shall conform to the Commercial Highway District in all respects.
- 2. An 8' screening wall is required along the southern property line adjacent to Katy Pauline Road.
- 3. The development of each 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 (Exhibit B)
- b. Landscape Design Standards
- c. Tree Protection, Preservation and Mitigation Standards.
- 4. A civil site plan and building construction plans are required.
- 5. Proposed sign must comply with the adopted sign code as per Ordinance 2022-22.

Attachments

Zoning application and conceptual site plan Property Location Map Zoning map Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list P&Z Minutes Excerpt

Ordinance

ZONING CHANGE APPLICATION



Fee: \$250.00

Date received:	
APPLICANT NAME: Turley Associates Inc.	
EMAIL: kfarmer@turley-inc.com	PHONE NUMBER: 254-773-2400
MAILING ADDRESS: 301 N. 3rd St.	
PROPERTY OWNER NAME: S & S Advertising Assoc Inc.(Stan Smith & C	raig Smith)
EMAIL: stanbo246@netzero.com; Axlesmith07@gmail.com	PHONE NUMBER: 254-421-3625; 254-654-8958
MAILING ADDRESS: 5916 Dog Ridge Rd, Belton, TX 76513	
Proposed Use of Structures (building) and Property (exterior prop	perty):
Current Use:	
Vacant	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 5881 through 5941 W Highway 190/ 5880 through 5940 S Katy Pauli	ne Rd
Belton Tx, 76513	
Legal Description of Property: Abstract Survey_Wiley M. Head Surve	ey, Abstract No. 433
Lot(s): 22 Block(s): 1	
of Subdivision Mobile Home Estates Subdivision	
Existing Zoning: AG-Agricultural Proposed Zo	_{ning:} CH-Commercial Highway
Signature of Applicant:	Date: 11 30 22
Signature of Owner (if not applicant	doop verded

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

✓ Signed application

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

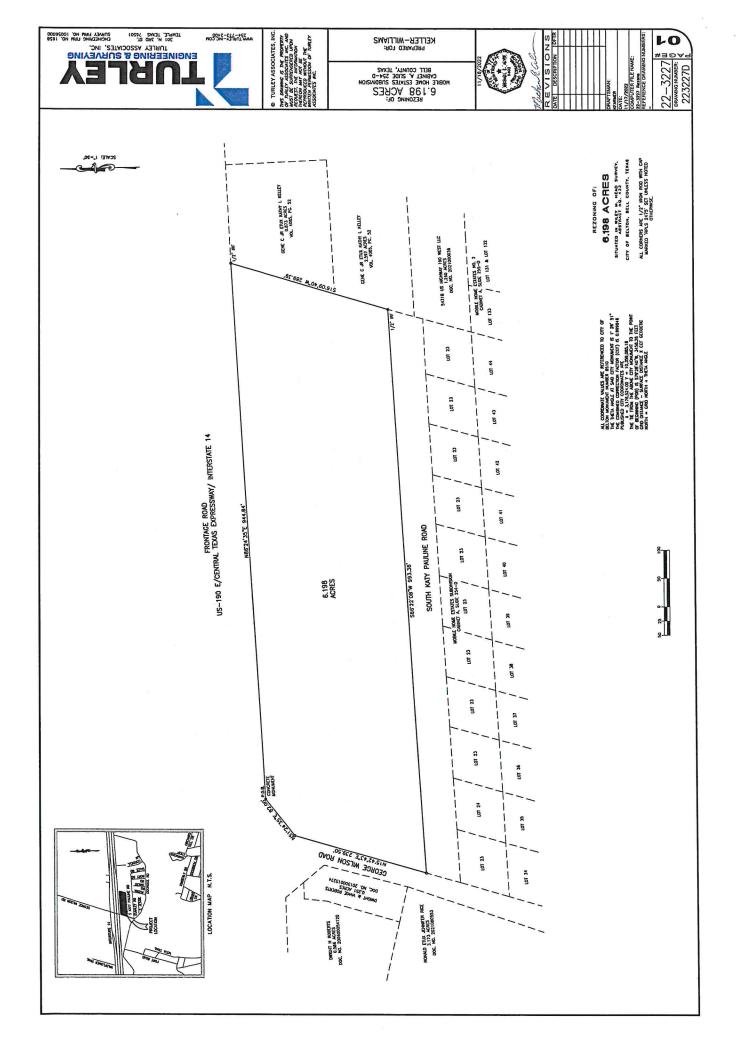
Land Surveyor, registered in the State of Texas, is required.

- 4	_	eighted application
		Fees paid
	✓	Complete legal descriptions of the property to be rezoned
		Site plans per Section 32, Planned Development, of the Zoning Code. Please see
		below for guidelines.
		In the event the request involves more than one lot, a portion of a lot or irregular
		tracts or acreage, a Metes and Bound legal description, prepared by a registered

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.



BEING a 6.198 acre tract of land situated in the WILEY M. HEAD SURVEY, ABSTRACT No. 433, Bell County, Texas and being all of Lots 1 through 22, Block 1, Mobile Home Estates Subdivision according to the map or plat of record in cabinet A, Slide 254-D, Plat Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found being the northerly northwest corner of the said Lot 1, Block 1, Moblie Home Estates Subdivision and being at the intersection of the east right-of-way line of George Wilson Road and the south right-of-way line of East U. S. Highway No. 190 for corner;

THENCE N. 86° 24′ 35″ E., 944.84 feet departing the said east right-of-way line and with the said south right-of-way line and with the north boundary line of the said Block 1 to a 1/2″ iron rod found being the northeast corner of the said Lot 11, Block 1, Mobile Home Estates Subdivision and being the northwest corner of that certain 0.873 acre tract of land described in a Warranty Deed with Vendor's Lien dated September 20, 1999 from Karen Sue Carr to Gene C. Kelley, Jr. and wife, Kathy L. Kelley and being of record in Volume 4085, Page 52, Official Public Records of Bell County, Texas for corner;

THENCE S. 16° 09′ 40″ W., 289.39 feet departing the said south right-of-way line and with the east boundary line of the said Block 1 and with the west boundary line of the said 0.873 acre tract and continuing with the west boundary line of that certain 2.597 acre tract of land described in said Volume 4085, Page 52 to a 1/2″ iron rod found being the southeast corner of Lot 22, said Block 1 and being the northeast corner of the right-of-way of South Katy Pauline Road for corner;

THENCE S. 86° 22′ 08″ W., 993.38 feet departing the said 2.597 acre tract and with the south boundary line of the said Block 1 and with the north right-of-way line of the said South Katy Pauline Road to a 1/2" iron rod with cap stamped "RPLS 2475" set being the southwest corner of Lot 12, said Block 1 and being in the aforementioned east right-of-way line of George Wilson Road for corner;

THENCE departing the said South Katy Pauline Road and with the west boundary line of the said Block 1 and with the said east right-of-way line the following two (2) calls:

- 1) N. 15° 42′ 43″ E., 239.50 feet to a 1/2″ iron rod with cap stamped "RPLS 2475" set for corner;
- 2) N. 51° 24' 35" E., 82.00 feet to the Point of BEGINNING and containing 6.198 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 the ground.

Michael E. Alvis, RPLS#5402

November 18, 2022

THIS PROJECT IS REFERENCED IN NAD 1983 CENTRAL TEXAS STAE PLANE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER B-510 THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 26' 51" THE COMBINED CORRECTION FACTOR (CCF) IS 0.999846 PUBLISHED CITY COORDINATES ARE $X=3,176,524.00\ Y=10,359,085.18$ THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS S. 79° 28' 40" W., 3458.26 FEET. GRID DISTANCE = SURFACE DISTANCE X CCF GEODETIC NORTH = GRID NORTH + THETA ANGLE



DATE: 8-31-72 MOBILE HOME ESTATES SUBDIVISION Bell County Texas. 1939 Agres OWNER-DUBLOFER:
S.A.S. ADVERDING ASSOCIATES, INC. ~ TEMPLE, TEXAS.
ENGINEER: FRANK G. MARTIN, JR. ENGINEERS
ZITO WEST ADAMS
TEMPLE, TEXAS. DATE: August 30, 1972. | Scale: As SHOWN COMPACTED FLEX BASE APPROVED: () . Gryson, MA APPROVED: TYPICAL LOT LAYOUT N.5348'E.-820' 20 61 18 Page. 302 16 vol 1193 page 302 7 30 43 29 Road 28 45 27 5.18 30'30'W-1 40 39 38 62 \ 53 52 PIAT + Dedination Uol. 1193 49 48 09 20 74 73 7 N.55°30W.-50.50|

SEPTIC SYSTEMS SHALL CONSIST OF A MINIMUM OF 900 GAL. TANK AND DRAIN LINES AS REQUIRED BY PERCOLATION TESTS.

GENERAL NOTES:

MAXIMUM SIZE MOBILEHOME = 2 BED ROOM

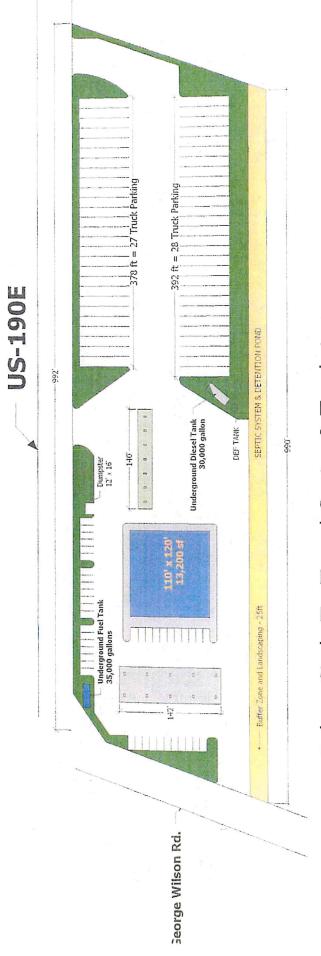
ALL LAYOUT AND CONSTRUCTION NOT HEREIN SPECIFIED SHALL CONFORM WITH THE SANTARY REGULATIONS OF BELL COUNTY, TEXAS.

DRAINAGE CONDITIONS ADEQUATE

NOTE: 10 UTILITY EASEMENT AT REAR OF EACH LOT.

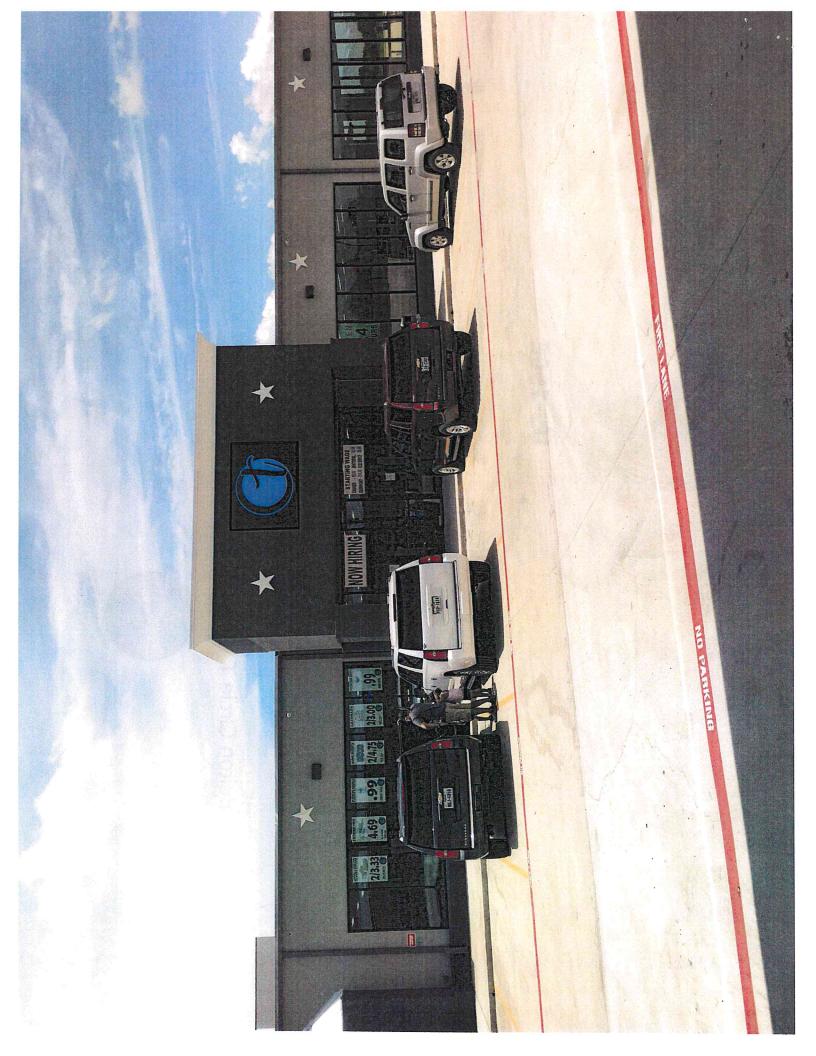
BIGIO PUC WATER PIPE SHALL HAR AKMHUM BEGIGIN PESSISURE RATING OF FLOGHS, AND SHALL BEAR THE NIS.F. SHAL OF APPROVAL. INTILLINOS BEAR THE BE HAR ROSEDBAKE WITH THE MANUFACTUREDS GECOMMENDATIONS. SERVICE LUARS, PERMALIARS PRING

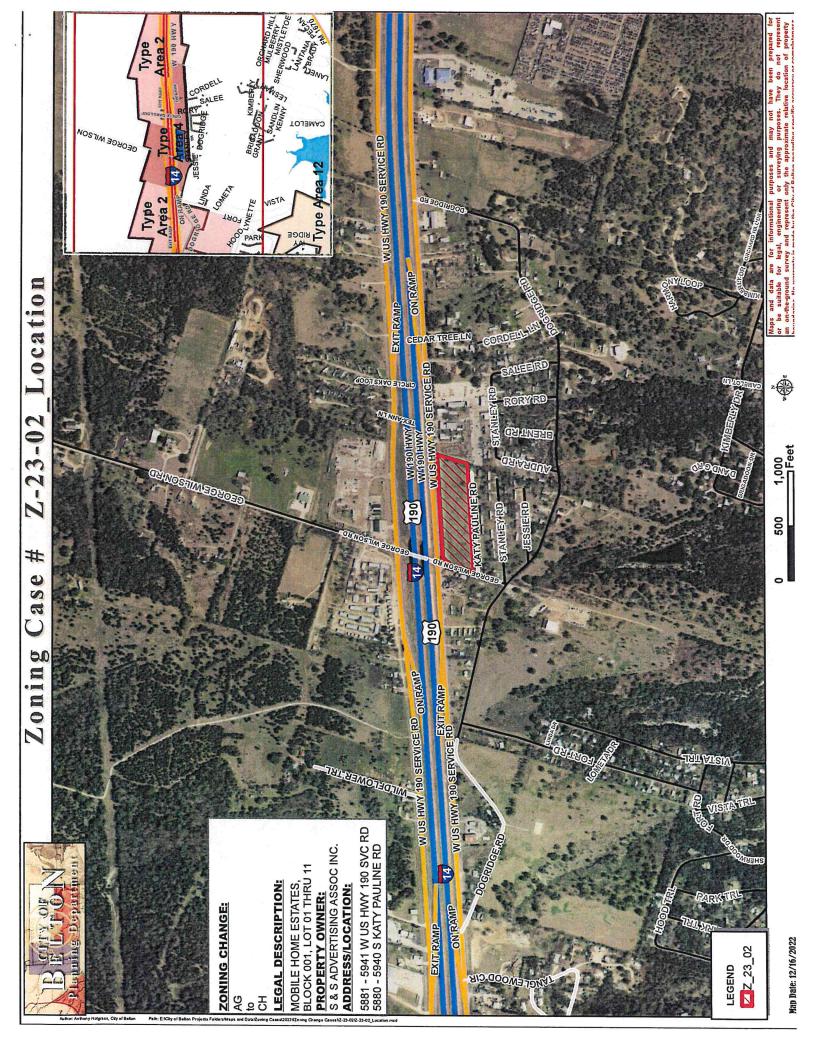
A STAD

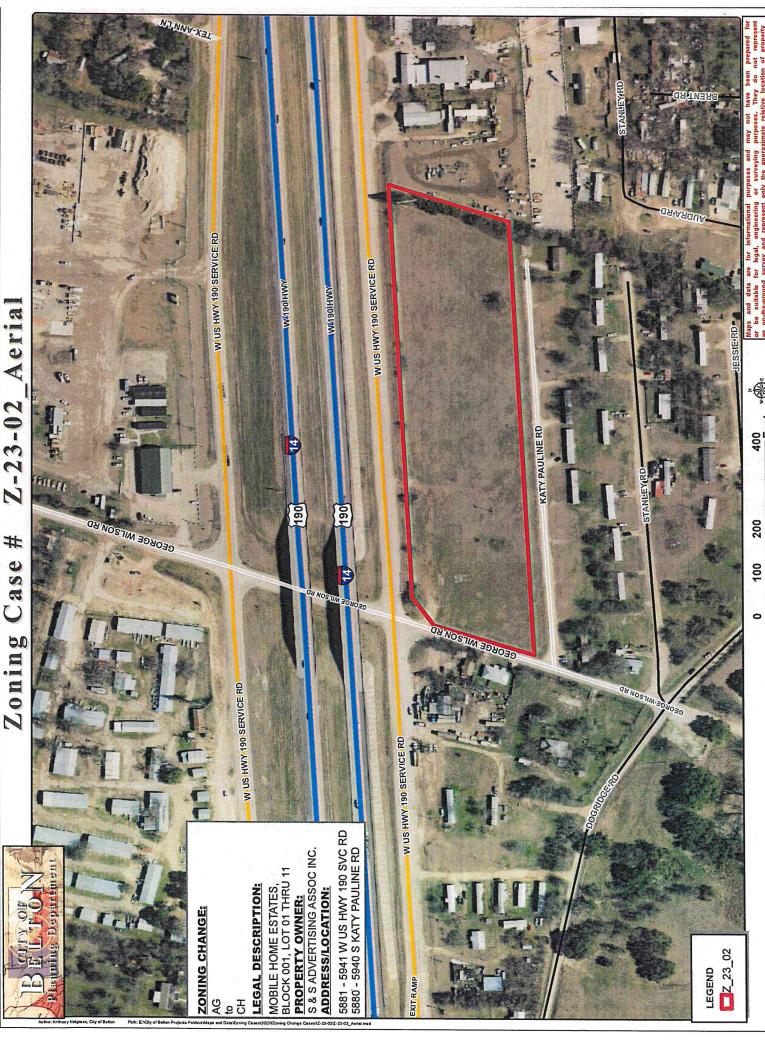


Belton Circle T - Travel Center & Truckstop







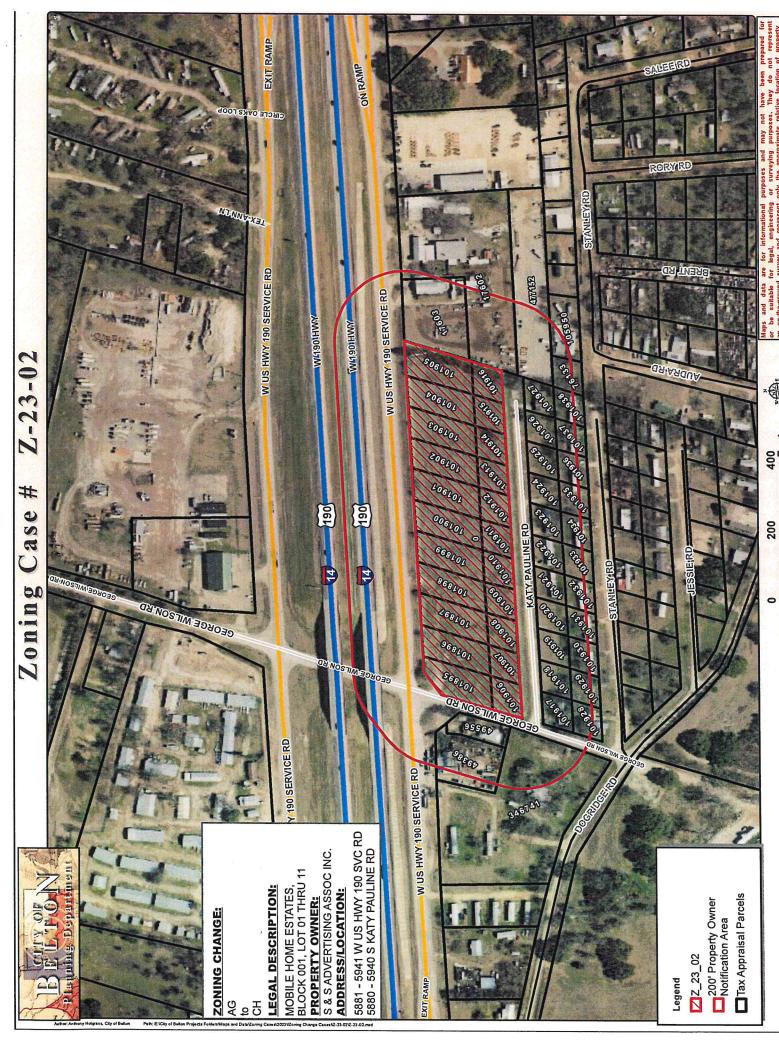




NOTICE OF APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: TURLEY ASSOCIATE REPRESENTING S & S ADVERTISING
ASSOCIATES INC.
To Change the following described property: 5581 – 5941 W. Highway 190 Service Road and 5880 –
5940 S. KATY PAULINE ROAD (SEEE ATTACHED MAP)
From A(n) Agricultural (A) Zoning District,
To A(N) PLANNED DEVELOPMENT - COMMERCIAL HIGHWAY (CH) ZONING DISTRICT,
TO CONSTRUCT: A CONVENIENCE STORE AND RESTAURANTS
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, January 17, 2023</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, January 24, 2023</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 Planning@beltontexas.gov , prior to 1:00 p.m. on January 24, 2023.
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



76133	101901	101902
MOORE, RICKY WAYNE ETAL	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
806 S 7TH	5916 DOGRIDGE RD	5916 DOGRIDGE RD
LAMESA, TX 79331	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101903	101904	101906
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOCINC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101907	101908	101909
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOCINC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101911	101912	101915
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101917	101922	101924
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101925	101927	101928
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101932	101934	101938
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101930	101937	101926
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOCINC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101935	101920	101918
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOC INC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034
101913	101933	101921
S & S ADVERTISING ASSOC INC	S & S ADVERTISING ASSOCINC	S & S ADVERTISING ASSOCINC
5916 DOGRIDGE RD	5916 DOGRIDGE RD	5916 DOGRIDGE RD
BELTON, TX 76513-7034	BELTON, TX 76513-7034	BELTON, TX 76513-7034

101929 -101910 101914 S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOCINC 5916 DOGRIDGE RD 5916 DOGRIDGE RD 5916 DOGRIDGE RD BELTON, TX 76513-7034 BELTON, TX 76513-7034 BELTON, TX 76513-7034 101923 105950 101916 S & S ADVERTISING ASSOCINC SHOPTAW, DAVID W ETUX TERESITA S & S ADVERTISING ASSOCINC 5916 DOGRIDGE RD 5942 STANLEY RD 5916 DOGRIDGE RD BELTON, TX 76513-7034 BELTON, TX 76513-7046 BELTON, TX 76513-7034 49556 101905 17603 ROBERTS, DWIGHT & VICKIE S & S ADVERTISING ASSOCINC KELLEY, GENE C JR ETUX KATHY L PO BOX 772 5916 DOGRIDGE RD 5571 W US HIGHWAY 190 BELTON, TX 76513 BELTON, TX 76513-7034 BELTON, TX 76513-7457 17602 101936 101896 KELLEY, GENE C JR ETUX KATHY L S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOCINC 5571 W US HIGHWAY 190 5916 DOGRIDGE RD 5916 DOGRIDGE RD BELTON, TX 76513-7457 BELTON, TX 76513-7034 BELTON, TX 76513-7034 101931 101919 101897 **S & S ADVERTISING ASSOCINC** S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOCINC 5916 DOGRIDGE RD 5916 DOGRIDGE RD 5916 DOGRIDGE RD BELTON, TX 76513-7034 BELTON, TX 76513-7034 BELTON, TX 76513-7034 101899 346741 49386 S & S ADVERTISING ASSOCINC RICE, RONALD ETUX JENNIFER ROBERTS, DWIGHT H 5916 DOGRIDGE RD 3599 TERRIER ST PO BOX 772 BELTON, TX 76513-7034 BELTON, TX 76513 BELTON, TX 76513-0772 101900 101898 101895 S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOCINC S & S ADVERTISING ASSOC INC 5916 DOGRIDGE RD 5916 DOGRIDGE RD 5916 DOGRIDGE RD BELTON, TX 76513-7034 BELTON, TX 76513-7034 BELTON, TX 76513-7034

0

477152

545 LINCOLN AVE WINNETKA, IL 60093

5431B US HIGHWAY 190 WEST LLC



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 ASSOCIATE REPRESENTING	S & S ADVERTISING
ASSOCIATES INC.	
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 5581 – 5941 W. HIGHWAY 190 SERVICE	E ROAD AND 5880 –
5940 S. KATY PAULINE ROAD (SEEE ATTACHED MAP)	
From A(n) Agricultural (A)	ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - COMMERCIAL HIGHWAY (CH)	ZONING DISTRICT,
TO CONSTRUCT: A CONVENIENCE STORE AND RESTAURANTS	•

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, January 17, 2023, 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, January 24, 2023</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 Planning@beltontexas.gov, prior to 1:00 p.m. on January 24, 2023.

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 ATION ABOVE FOR THE REASONS EXPRESSED BELOW:
1.	Belton needs more "Ristaurants" & A Cafe,
	Will improve looks of present address/location.
3.	local Jobs.
	(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	1-10-23 SIGNATURE: Kathy Killy
	PLANNING DEPARTMENT

17603

KELLEY, GENE C JR ETUX KATHY L 5571 W US HIGHWAY 190 BELTON, TX 76513-7457 CITY OF BELTON
P. O. BOX 120
BELTON, TEXAS 76513
254-933-5812

17602

KELLEY, GENE C JR ETUX KATHY L

5571 W US HIGHWAY 190

BELTON, TX 76513-7457

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



THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: JAKE BRANIGAN	, (G.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1705 FM 1670 - COUNTY ATTACHED MAP)	RYSIDE MOBILE HOME PARK (SEE
FROM A(N) AGRICULTURAL (A)	ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - MOBILE HOME DISTRICT	ZONING DISTRICT.
TO ALLOW FOR AN EXISTING MOBILE HOME PARK WITH A MAXIMUM DENSITY OF	of 38 units
THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TO PURSUANT TO THIS REQUEST AT 5:30 P.M., Tuesday, January 17, 2023, A ALEXANDER, BELTON, TEXAS. IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WAS A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT 5:30 AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTONICAL.	WILL BE PLACED ON THE AGENDA FOR P.M., Tuesday, January 24, 2023,
As an interested property owner, the City of Belton invites regarding this zoning change. You may submit written commen returning it to the address below or via email to Planning@belto:planning@belto:planning@belto:planning:planning@belto:planning:p	TS BY COMPLETING THIS FORM AND ONTEXAS.GOV, PRIOR TO 1:00 P.M. ON
CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.	
AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:	ZONING AMENDMENT PRESENTED IN THE
1. Itoping this does not affect mp propert	y which Ioun.
2. The way the economy is if Someone want	s chickens orgrow
2. The way the economy is if Someone wont 3. food. they should be aske to. Restrictions to (Further COMMENTS MAY BE EXPRESSED ON A SEPARATE	ill be placed on nobile flome DDM is sheet of paper)
DATE: 13 Jan 2023 SIGNATURE: Subar	

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

238521

SHUTTLEWORTH, THOMAS J ETUX SUSANNE G

3684 BRENDA LN

BELTON, TX 76513-7114

Minutes of the Planning and Zoning Commission (P&ZC)

City of Belton Tuesday, January 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Nicole Fischer, Alton McCallum, Zachary Krueger, Quinton Locklin, Davis Jarratt, and Joshua Knowles. The following members were absent: Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Deb Swift-Alejandro, and IT System Analyst Alex Munger.

6. Z-23-02 Hold a public hearing and consider a zoning change from Agricultural to Planned Development Commercial Highway on approximately 6.198-acre property located at 5881 W. US 190 Service Road, at the southeast intersection Interstate 14 and George Wilson Road. (Audio 17:03)

City Planner Ms. Moore presented the staff report.

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

Commission Member Jarrett made a motion to approve Z-23-02 as presented. Commission Member Fischer seconded the motion. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2023-02

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 6.198 ACRE PROPERTY LOCATED 5881 W. US 190 SERVICE ROAD.

WHEREAS, Turley and Associates, representing property owners S & S Advertising Associates, 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 17th day of January, 2023, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 6.198 acres located at 5881 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 24th day of January, 2023, 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. An 8' screening wall is required along the southern property line adjacent to Katy Pauline Road.
- 3. The development of each 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 (Exhibit B)
 - b. Landscape Design Standards

- c. Tree Protection, Preservation and Mitigation Standards.
 4. A civil site plan and building construction plans are required.
 5. Proposed sign must comply with the adopted sign code as per Ordinance 2022-22.

•	as passed and adopte	d meeting of the City Council of the City of Beltoned by the City Council on the 24 th day of January nays.
SIGNED AND 24 th day of January,		Mayor and attested by the City Clerk on this the
ATTEST:		Wayne Carpenter, Mayor
Amy M. Casey, City	<u>Clerk</u>	

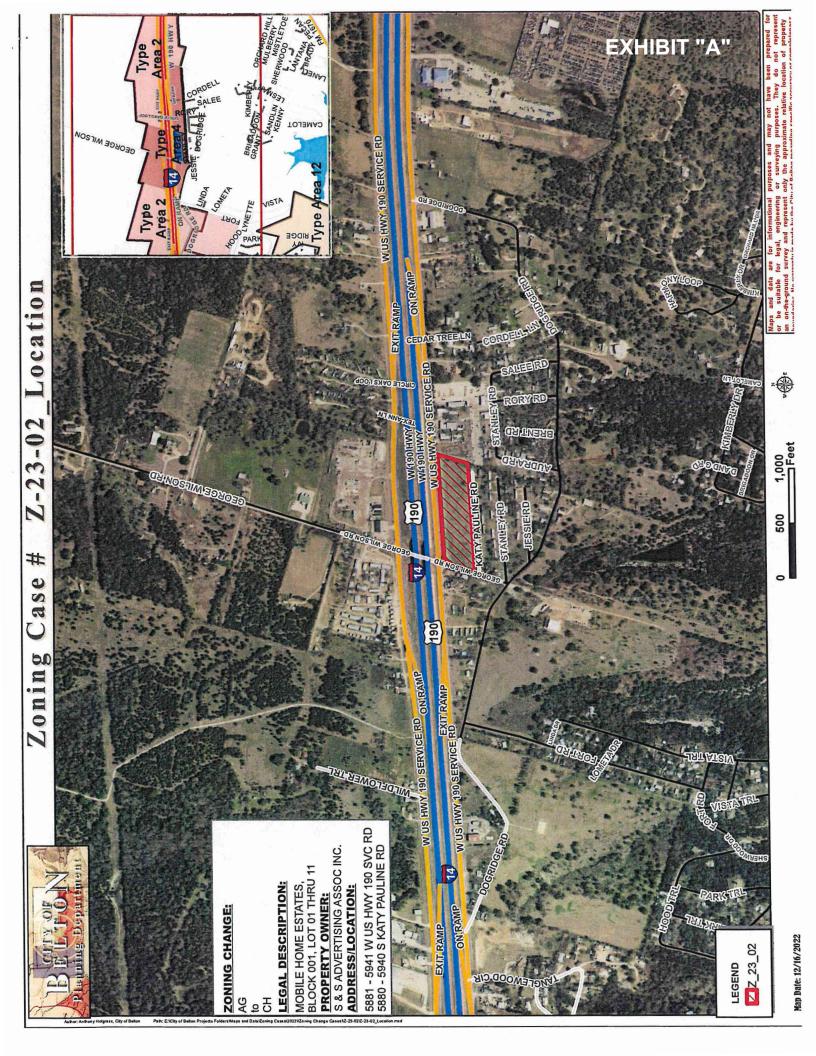
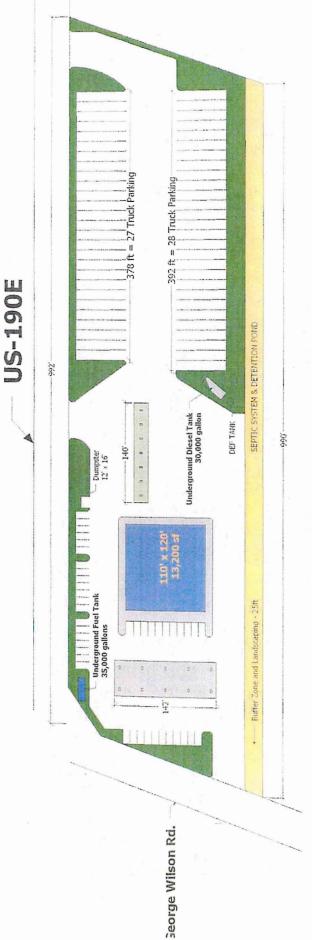


EXHIBIT "B"



Belton Circle T - Travel Center & Truckstop



Staff Report – City Council Agenda Item



Date: January 24, 2023

Case No.: Z-23-03

Request: Agricultural to Planned

Development - Mobile Home

Applicant/Owner: Jake Branigan

Agenda Item #14

Z-23-03 – Hold a public hearing and consider a zoning change from Agricultural to Planned Development – Mobile Home District on approximately 8.593 acres located at 1705 FM 1670, south of Interstate 14 and on the east side of FM 1670.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural District

<u>Proposed Zoning</u>: Planned Development – Mobile Home District

Existing Uses: Mobile Home Park

Proposed Uses: Mobile Home Park

Future Land Use Map Designation:

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

Design Standards Type Area 4:

This Type Area includes various blocks along I-35 and I-14 that are projected for commercial, retail, and neighborhood service uses with higher standards of development as they are gateways to other areas.

Background/Case Summary

The applicant is the property owner of the Countryside Mobile Home Park. When the property was annexed in 2004, the park was zoned Agricultural and has operated as a legal non-conforming use. There are currently 36 manufactured homes, but the park was originally approved for 38 units.

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

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

The proposed Planned Development Zoning District would allow the current use as a mobile home park to continue and will also set a maximum density of mobile home units at 38.

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

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

Project Analysis and Discussion

Existing Conditions: The surrounding uses are:

Direction	Zoning	Use
North	Agricultural	Single Family detached home
South	Agricultural/Single Family-3 and Mobile Home	Single Family detached homes and a mobile home lot – Brenda Lane
East	Agricultural	Detached mobile homes
West	Agricultural	Mobile Home storage

<u>Allowable Land Uses</u>: The existing use is permitted in the MH District. New homes will be required to comply with current development standards, including the Mobile Home Park Ordinance (City Code of Ordinances, Chapter 12).

<u>Area & Setback Requirements</u>: The subject lot exceeds the minimum area requirement for the Mobile Home District, which requires a minimum of five acres and a maximum of 25 acres for a Mobile Home Park. This site is approximately 8.5 acres. Under the MH District, the maximum density allowed is 20 units per acre. The site has three units per acre.

<u>Wastewater Services</u>: City wastewater is currently not available on this site. Bell County Health Department (BCHD) records indicate this facility is operating on a grandfathered OSSF permit issued in the 1970s for a maximum of 38 units. The applicant will need to upgrade the OSSF system to meet BCHD standards or connect to City sewer, when available, prior to placing additional homes in the park.

<u>Water Services</u>: Domestic water is available from Dog Ridge Water Supply (DRWS). Fire protection is currently not available at this site. However, DRWS in partnership with the Belton Economic Development Corporation is upgrading the water on the westside of FM 1670 which may provide fire protection to the Park.

Recommendation

At their meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Agricultural to Planned Development – Mobile Home District with the following conditions:

- 1. The development must conform to all applicable standards of the Mobile Home Zoning District and shall have a maximum density of 38 units.
- 2. The park shall comply with standards in the City Code of Ordinance, Chapter 12, *Mobile Home Parks*.
- 3. Bell County Health Department approval for on-site-sewage-facility is required prior to the placement of additional mobile homes.
- 4. Prior to the placement of new mobile homes, a subdivision plat, site plan, and building permits will be required.

Attachments

Zoning application
Property Location Map
Zoning map
Aerial
Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list
P&Z Minutes Excerpt
Ordinance

ZONING CHANGE APPLICATION



Fee: \$250.00

Date received:	
APPLICANT NAME: Jake Branigan	
EMAIL: countrysideInmhp@gmail.com	PHONE NUMBER: 281 706 7324
MAILING ADDRESS: po box 6742, Austin, Tx, 78762	
PROPERTY OWNER NAME: Silly Gooses LLC	
EMAIL: countrysideInmhp@gmail.com	PHONE NUMBER: 254 545 1293
MAILING ADDRESS: po box 6742, Austin, Tx, 78762	
Proposed Use of Structures (building) and Property (exterior prop Residential Living	perty):
Current Use: Mobile Home Park	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: Fm 1670, Belton, TX 76513	
Legal Description of Property: Abstract Survey_A0512BC J LEWIS, of SubdivisionCOUNTRYSIDE VILLAGE MHP	6-2, COUNTRYSIDE VILLAGE MHP, ACRES 8.5
Existing Zoning: Agricultural Proposed Zon	_{ning:} Mobile Home
Signature of Applicant: Jak Baix	Date: 12/2/2022
Signature of Owner (if not applicant): Dale Grain	Date: 12/2/2022

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

Surveyor's Sketch showing 8.593 acre tract, out of the John Lewis Survey, Abstract No. 512, in Bell County, Texas, and embracing all of that called 8.597 acres conveyed to BULLDOG DEVELOPMENT, L.L.C., in Volume 4650 Page 271, Official Public Records of Bell County, Texas. (Asphalt Surface) Farm to Market Rd 1670 PUBLIC MAINTAINED ROADWAY (0.215 Acre) JOSEPH LEE LOT 1 BLOCK 1 POINT OF CRAMER BEGINNING Inst. 2016-45790 LOT 2 BLOCK 1 LOT 3 BLOCK 1 LOT 4 BLOCK 1 8.593 ACRES TILES LOT 6 BLOCK 1 S (N 70°02'23" 70°02'12" 70'58'50' LOT 7 BLOCK 1 or directional control.
E 1059.79' ₹ ≽ LOT 8 BLOCK 1 1011.99) LOT 9 BLOCK 1 01, (8.597 Acres)
BULLDOG DEVELOPMENT, LLC
Vol. 4650 Pg. 271 O 3/4" METAL PIPE FOUND 1/2" IRON ROD FOUND LOT 10 BLOCK 1 120 240 (N 19°18'11" E 124.89') (N 68°22'36" W 75.40') (N 19°28'48" E 93.38") (S 69°39'41" E 19.89") (N 19°28'04" E 127.65") (0.208 Acre 25' Passage Esmt.) Val. 3038 Pg. 341 NOTE: The following documents may affect the subject property, but cannot be shown based on the description given: (Vol/Pg) * 521/570 * 637/459 * 1174/226 (S 18'21'21" W 365.52') NOTE: Vol 4757 Pg 704 is a 15' easement to Dog Ridge Water Supply Corporation and is centered on the line os installed. It is suggested that said Supply Corporation uncover the line in order for it and the easement to be located. 365.54 18'11'48" W (1.723 Acres) WELDON R. SCHRAEDER Vol. 2275 Pg. 741 I, Timothy Lane Kennedy, Registered Professional Land Surveyor No. 6119 in the State of Texos, do hereby certify to the title agency, underwriter, lender, mortgage company and/or purchaser that this drawing represents a perimeter boundary survey performed on the ground. To the best of my knowledge the drawing correctly represents the facts of the perimeter boundary, as found at the time of the survey. Survey completed in coordination with that title commitment provided by Chicago Title Company, GF#CTT21748162, Eff. date: August 18, 2021 Advanced Surveying Survey & Mapping, LLC 10-20-21 1610 South 31st St., Ste. 102-299 1" = 120" Scale: Temple, Texas 76504 254-760-1894 www.asm-tx.com Firm Reg. #10193722 Job No. 210235 TLK #6119 Surveyor Plot Date: 03-10-22 Copyright 2022 Advanced Surveying & Mapping, LLC

Field Note Description prepared by Advanced Surveying & Mapping, LLC

Surveyor's Field Notes (8.593 Acre Tract)

March 10, 2022

8.593 acre tract, out of the John Lewis Survey, Abstract No. 512, in Bell County, Texas, and embracing all of that called 8.597 acre tract conveyed to BULLDOG DEVELOPMENT, L.L.C., in Volume 4650 Page 271, Official Public Records of Bell County, Texas (OPRBCT). Said 8.593 acre tract was surveyed on the ground by Advanced Surveying & Mapping, LLC and a metes and bounds description of that survey is as follows:

Beginning at a 3/4" metal pipe found, for the northwest corner of said BULLDOG DEVELOPMENT tract, also being the southwest corner of a called 3.004 acre tract to KMGF, LTD., in Instrument No. 2019-72289, OPRBCT, also being a point in the east line of Farm to Market Road 1670 (FM 1670), and being the northwest corner and Point of Beginning of the herein described tract,

Thence S 70° 58' 50" E 1059.79 feet (Rec Call S 70° 58' 50" E 1060.69') along the north line of said BULLDOG DEVELOPMENT tract, same being the south line of said KMGF, LTD. tract, to a 1/2" iron rod found, for the northeast corner of said BULLDOG DEVELOPMENT tract, also being the southeast corner of said KMGF, LTD. tract, for a point in the west line of a called 1.723 acre tract to WELDON R. SCHRAEDER, of record in Volume 2275 Page 741, OPRBCT, and being the northeast corner of this tract (also being the northeast corner of a called 25' Passage Easement described in Volume 3038 Page 341, OPRBCT),

Thence S 18° 11' 48" W 365.54 feet (Rec Call S 18° 21' 21" W 365.52') to a 5/8" iron rod found, for the southeast corner of said BULLDOG DEVELOPMENT tract, same being the southwest corner of said SCHRAEDER tract, also being a point in the north line of BLOCK 1 of BRENDA LANE EXTENSION, a subdivision of record in Cabinet C, Slide 234-D, Plat Records of Bell County, Texas (PRBCT), being the southeast corner of said 25' Passage Easement, and being the southeast corner of this tract.

Thence N 70° 02' 12" W 1012.01 feet (Rec Call N 70° 02' 23" W 1011.99') along the south line of said BULLDOG DEVELOPMENT tract, same being the north line of said BLOCK 1 of BRENDA LANE EXTENSION, and then becoming the north line of BLOCK 1 of the O. T. TILLEY ADDITION, a subdivision plat of record in Cabinet A, Slide 265-C, PRBCT, to a 1/2" iron rod found, for the southwest corner of said BULLDOG DEVELOPMENT tract, also being the southeast corner of a called 0.215 acre tract to JOSEPH LEE CRAMER, in Instrument No. 2016-45790, OPRBCT, and being the southwest corner of this tract,

Thence along the west line of said BULLDOG DEVELOPMENT tract the following five (5) courses and distances:

- 1) N 19° 18' 11" E 124.89 feet (Rec Call S 19° 18' 11" E 124.89') to a 1/2" iron rod found, for an angle point in the west line of said BULLDOG DEVELOPMENT tract, also being the northeast corner of said CRAMER tract, and being an angle point in the west line of this tract,
- 2) N 68° 24' 24" W 75.43 feet (Rec Call N 68° 22' 36" W 75.40') to a 1/2" iron rod found, for an angle point in the west line of said BULLDOG DEVELOPMENT tract, also being the

northwest corner of said CRAMER tract, same being a point in the east line of said FM 1670, and being an angle point in the west line of this tract,

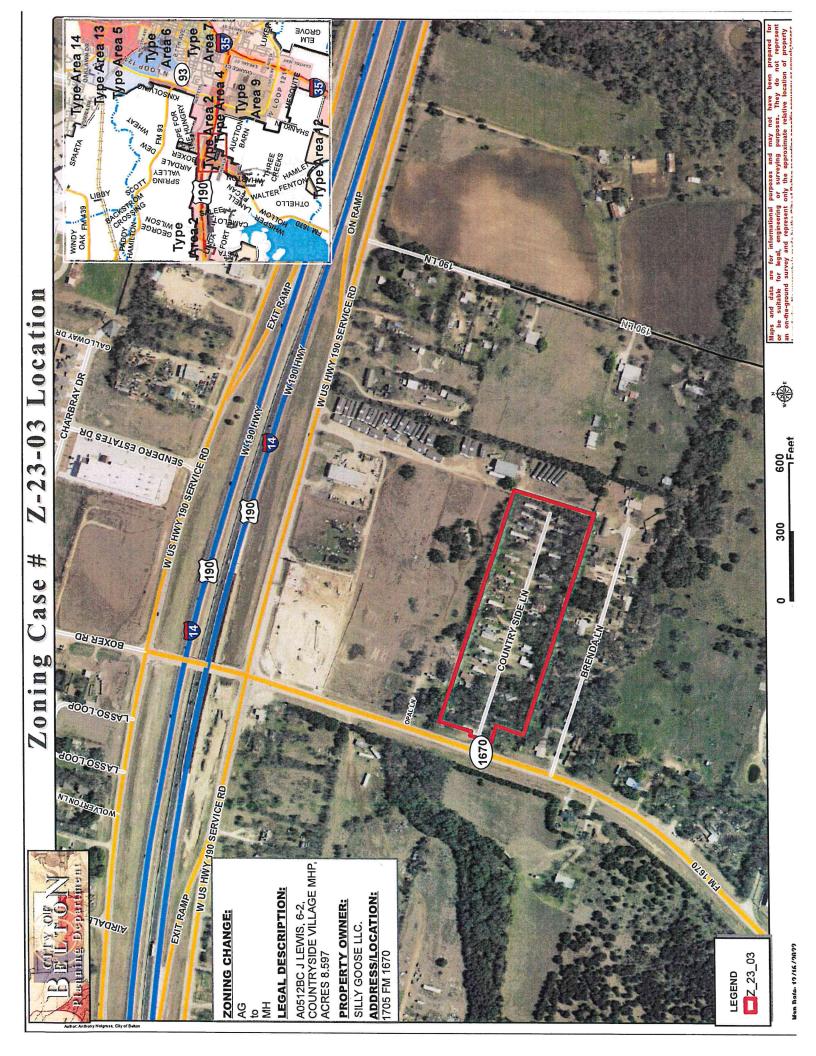
- 3) N 19° 28' 55" E 93.45 feet (Rec Call N 19° 28' 48" E 93.38') to a Concrete TXDOT Monument, for an angle point in the west line of said BULLDOG DEVELOPMENT tract, same being a point in the east line of said FM 1670, and being an angle point in the west line of this tract,
- 4) S 68° 55' 13" E 19.91 feet (Rec Call S 69° 39' 41" E 19.89') to a Concrete TXDOT Monument, for an angle point in the west line of said BULLDOG DEVELOPMENT tract, same being a point in the east line of said FM 1670, and being an angle point in the west line of this tract,
- 5) N 19° 25' 59" E 127.83 feet (Rec Call N 19° 28' 04" E 127.65') along the west line of said BULLDOG DEVELOPMENT tract, same being the east line of said FM. 1670, to the Point of Beginning, and containing 8.593 Acres of Land.

Survey monuments found at the northwest and northeast corners of said BULLDOG DEVELOPMENT, L.L.C. tract, were used for directional control.

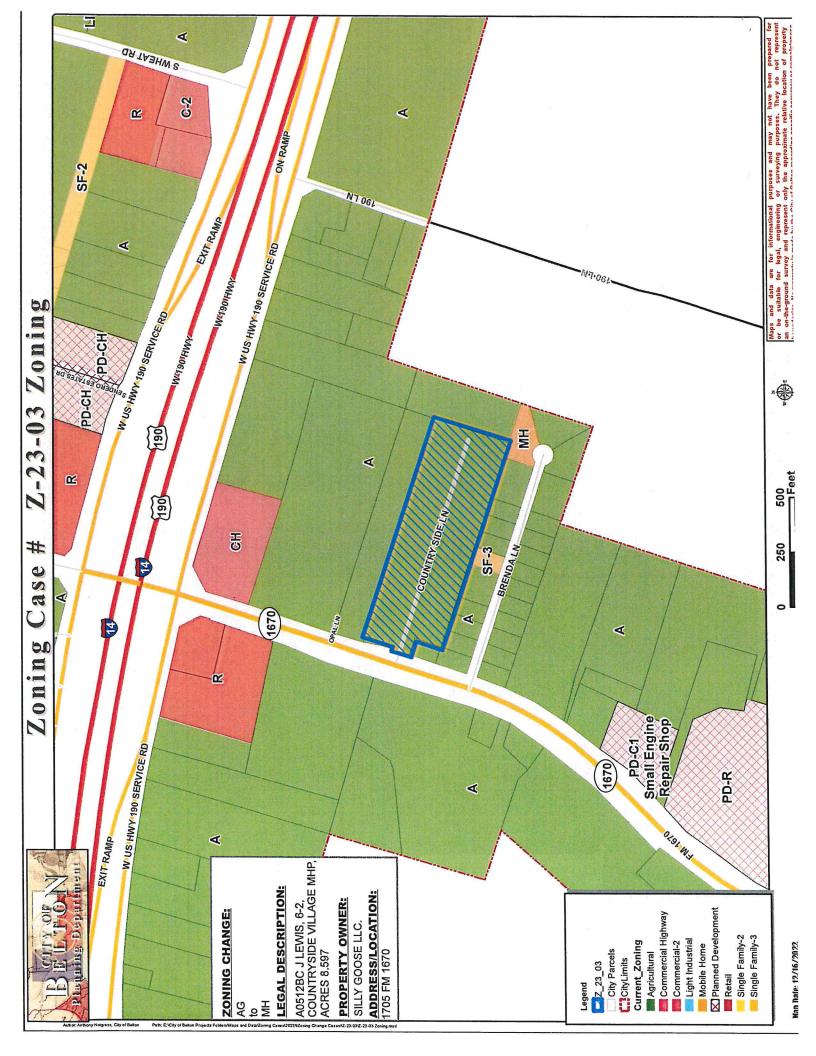
I, Timothy Lane Kennedy, Texas Registered Professional Land Surveyor #6119, do hereby attest that this survey was done on the ground and under my personal supervision and to the best of my knowledge is true and correct.

ASM #210235 (FNS 8.593 Acres)









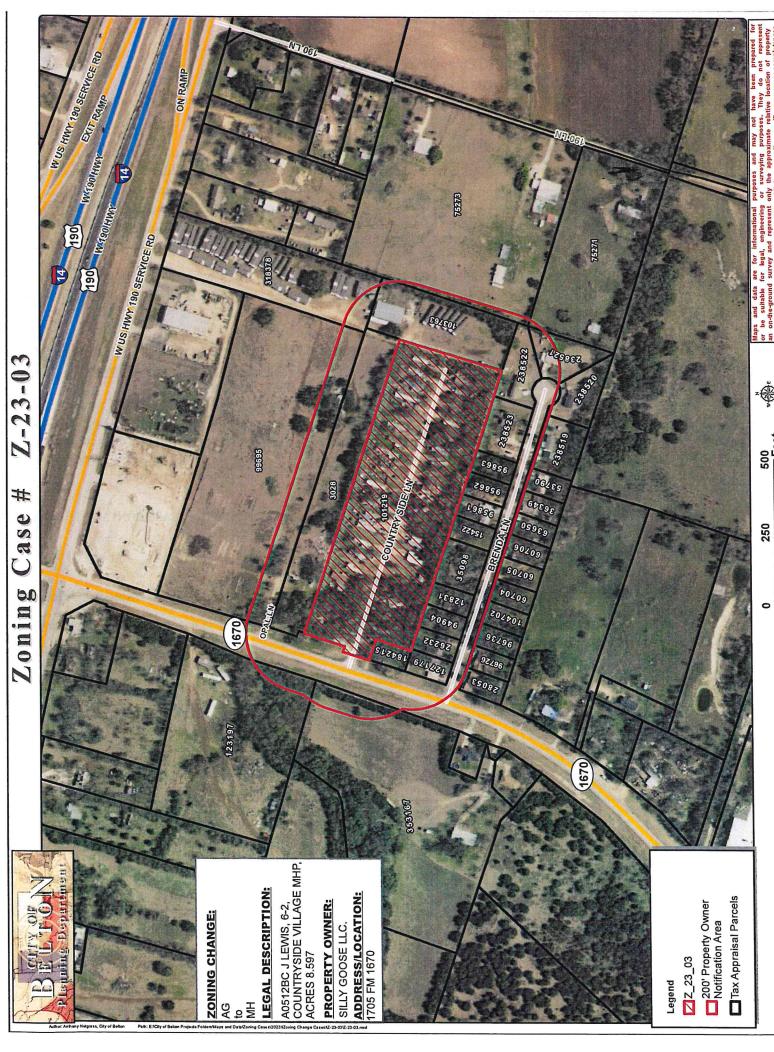
NOTICE OF APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BELTON

The City of Belton has received a request from: <u>Jake Branigan</u>
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1705 FM 1670 - COUNTRYSIDE MOBILE HOME PARK (SEE
ATTACHED MAP)
From A(n) Agricultural (A) Zoning District
TO A(N) PLANNED DEVELOPMENT - MOBILE HOME DISTRICT ZONING DISTRICT
To allow for an existing mobile home park with a maximum density of 38 units
The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at 5:30 P.M., Tuesday, January 17, 2023, 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, January 24, 2023</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 Planning@beltontexas.gov , prior to 1:00 p.m. on January 24, 2023.
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 thi 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

254-933-5812

BELTON, TEXAS 76513



Man Bata. 19 /16 /9099

12831	26232	35098
BASSETT, JEFFERY MICHAEL & TRUDY CURLEY	WALTERS, CHERIE	
11712 OFFALY DR	404 N MAIN ST	GUTIERREZ, AQUILEO 604 S BEAL ST
AUSTIN, TX 78754	BELTON, TX 76513	BELTON, TX 76513-3546
60705	63650	75271
KNEESE, JESSE D	LEATHERWOOD, MICHAEL	MEYER, WILLIAM W
PO BOX 536	3643 BRENDA LN	1874 HIGHWAY 190 LN
BELTON, TX 76513-0536	BELTON, TX 76513-7114	BELTON, TX 76513
94904	95861	95862
MCENTIRE, JAMES D & CLAUDETTA A	LOPEZ, SAHDY POWERY	LOPEZ, SAHDY POWERY
3612 BRENDA LN	3642 BRENDA LN	3642 BRENDA LN
BELTON, TX 76513-7114	BELTON, TX 76513	BELTON, TX 76513
95863	96736	101219
LOPEZ, SAHDY POWERY	WEEKS, GREGORY B ETUX MEKYSHA	SILLY GOOSES LLC
3642 BRENDA LN	3607 BRENDA LN	33914 MILL CREEK WAY
BELTON, TX 76513	BELTON, TX 76513-7114	PINEHURST, TX 77362
103763	104702	127179
SCHRAEDER, WELDON R	PILGRIM, REBECCA LYNN & ERIC DEVAUGHN REESE	WHISENANT, SOPHA
2041 W FM 93 HWY	11433 ELM CREST ST	3600 BRENDA LN
TEMPLE, TX 76502	EL MONTE, CA 91732	BELTON, TX 76513
238519	238520	238521
SCAFE, DAVID R	GONZALEZ, JOSE LUIS JR ETUX FATIMA DE ROCIO	SHUTTLEWORTH, THOMAS J ETUX SUSANN
PO BOX 54	PEREZ ALAMILLA	3684 BRENDA LN
BELTON, TX 76513	3675 BRENDA LN	BELTON, TX 76513-7114
220522	BELTON, TX 76513	
ADDIAN PORERT LEE ETING CARRIE GUE	238523	318378
ADRIAN, ROBERT LEE ETUX CARRIE SUE 3678 BRENDA LN	GARCIA, SERGIO RODRIGUEZ & MARIA DELCARMEN CORONEL	SCHRAEDER, WELDON R
BELTON, TX 76513	2201 S PEARL ST TRLR 93	2041 W FM 93 HWY
7.C. (3.1) 17 70313	BELTON, TX 76513	TEMPLE, TX 76502
15422	60706	36349
CEBALLOS, MARIA CARMEN BEDOLLA & VICENTE	KNEESE, JESSE D	SACHTLEBEN, MARGARET S
MARTINEZ GUZMAN	PO BOX 536	3649 BRENDA LN
318 S 9TH ST	BELTON, TX 76513-0536	BELTON, TX 76513-7114
318 S 9TH ST TEMPLE, TX 76504		BELTON, TX 76513-7114
318 S 9TH ST FEMPLE, TX 76504 28053	96726	BELTON, TX 76513-7114
318 S 9TH ST TEMPLE, TX 76504 28053 BUTLER, GRADY	96726 WEEKS, GREGORY B ETUX MEKYSHA	184215 CRAMER, JOSEPH LEE
318 S 9TH ST FEMPLE, TX 76504 28053 BUTLER, GRADY 230 LCR 703	96726 WEEKS, GREGORY B ETUX MEKYSHA 3607 BRENDA LN	184215
318 S 9TH ST TEMPLE, TX 76504 28053 BUTLER, GRADY	96726 WEEKS, GREGORY B ETUX MEKYSHA	184215 CRAMER, JOSEPH LEE
318 S 9TH ST TEMPLE, TX 76504 28053 BUTLER, GRADY 230 LCR 703	96726 WEEKS, GREGORY B ETUX MEKYSHA 3607 BRENDA LN	184215 CRAMER, JOSEPH LEE 3321 COUNTRYSIDE LN
318 S 9TH ST TEMPLE, TX 76504 28053 BUTLER, GRADY 230 LCR 703 KOSSE, TX 76653	96726 WEEKS, GREGORY B ETUX MEKYSHA 3607 BRENDA LN BELTON, TX 76513-7114	184215 CRAMER, JOSEPH LEE 3321 COUNTRYSIDE LN BELTON, TX 76513

53790

MARBERRY, RYAN P

18520 MORETO LP

PFLUGERVILLE, TX 78660-5628

60704

KNEESE, JESSE D

PO BOX 536

BELTON, TX 76513-0536

99695

KMGF LTD

PO BOX 455

SALADO, TX 76571

3028

KMGF LTD

PO BOX 455

SALADO, TX 76571

Minutes of the Planning and Zoning Commission (P&ZC)

City of Belton Tuesday, January 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Nicole Fischer, Alton McCallum, Zachary Krueger, Quinton Locklin, Davis Jarratt, and Joshua Knowles. The following members were absent: Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Deb Swift-Alejandro, and IT System Analyst Alex Munger.

7. Z-23-03 - Hold a public hearing and consider a zoning change from Agricultural to Planned Development - Mobile Home District on approximately 8.593 acres located at 1705 FM 1670, south of Interstate 14 and on the east side of FM 1670. (Audio 25:50)

City Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

Applicant, Jake Branigan, 1705 FM 1670, spoke in support of the zoning. With no other input, the public hearing was closed.

Commission Member Fischer made a motion to approve Z-23-03 as presented. The motion was seconded by Vice Chair Covington. The motion was approved with 8 ayes, 0 nays.

ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURE TO PLANNED DEVELOPMENT – MOBILE HOME RESIDENTIAL DISTRICT ON APPROXIMATELY 8.593 ACRES LOCATED 1705 FM 1670.

WHEREAS, Jake Branigan, the property owner, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 17th day of January, 2023, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 8.593 acres located at 1705 FM 1670 (location map attached as Exhibit "A")

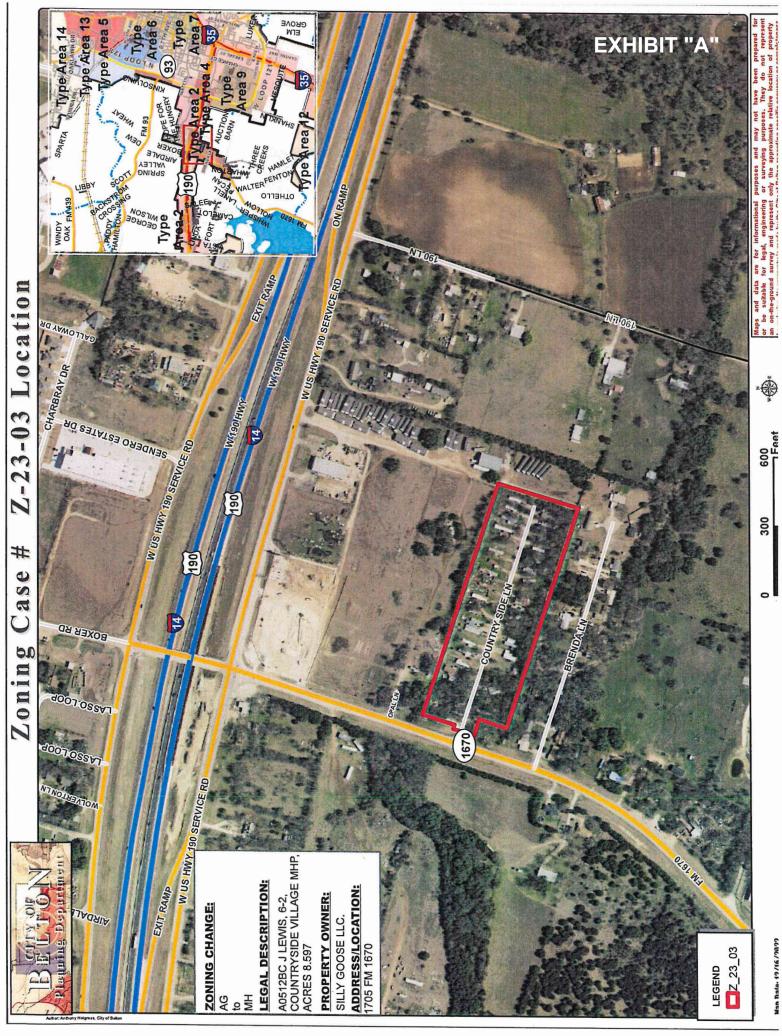
WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 24th day of January 2023, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed Agricultural to Planned Development - Commercial-1, Mobile Home in accordance to Section 32, *Planned Development District*, and Section 16, *Mobile Home*, and the Design Standards in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

- 1. The development must conform to all applicable standards of the Mobile Home Zoning District and shall have a maximum density of 38 units.
- 2. The park shall comply with standards in the City Code of Ordinances, Chapter 12, *Mobile Home Parks.*
- 3. Bell County Health Department approval for on-site-sewage-facility is required prior to the placement of additional mobile homes.

 Prior to the placement of new mobile homes, a subdivision plat, site plan, and building permits will be required.
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 24 th day of January 2023, by a vote of ayes and nays.
SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 24 th day of January, 2023.
Wayne Carpenter, Mayor ATTEST:
Amy M. Casey, City Clerk



Wan Rate. 19/16/9099

Staff Report - City Council Agenda Item

Date: January 24, 2023

Case No.: Z-23-04

Request: Single Family-2 (SF-2) to Two

Family (2F)

Applicant/Owner: BWH Holdings LLC, Series 5

Agenda Item #15

Z-23-04 — Hold a public hearing and consider a zoning change from Single Family-2 Residential (SF-2) to Two Family (2F) on 0.921 acres located at 507 Ellis Ave located in the Sallie J White Addition, Block 4, Lot 1.

Originating Department

Planning Department – Tina Moore, Planner

<u>Current Zoning</u>: Single Family-2 Residential

Proposed Zoning: Two Family (2F)

Proposed Uses: Duplex Residential

Future Land Use Map (FLUM) Designation:

The Future Land Use Map (FLUM) identifies this general area as residential use, which includes single family, two family, and multi family.

Design Standards Type Area 6:

The projected growth for Type Area 6 is primarily mixed uses, residential area with redevelopment to occur in a manner that takes account of surrounding uses.

Background/Case Summary

The applicant submitted this request to change the existing zoning to allow for duplex development. The applicant plans to demolish the existing home and subdivide the property into four lots for duplexes. This would include four duplexes for a total of 8 units.

Project Analysis and Discussion

Existing Conditions: The zoning and uses of the adjacent property are:

Direction	Zoning	Use
North of Ellis	SF-2	Detached single family
		homes
South	SF-2	Detached single family home
East	SF-2	Detached single family
		homes
West	SF-2	Detached single family
		homes

Allowable Land Uses: The proposed zoning change would allow for duplex and single family detached dwellings.

Area & Setback Requirements: The site exceeds the minimum lot size of 7,200 square feet required for 2F zoning district. This lot is approximately 40,000 square feet.

Project Analysis and Discussion

This property is located within an existing neighborhood developed with single family detached homes and zoned either SF-2 or SF-3. The neighborhood is stable and not in transition. The 2F zoning change to allow duplexes is considered a spot zoning that is not compatible with the surrounding uses. Spot zoning is the process of singling out a small parcel of land for a classification that is significantly different from that of the surrounding area for the benefit of the owner of the property and the possible detriment of the surrounding owners. While this is not incompatible to the future land use map, it appears incompatible to the neighborhood character. A compatible alternative would be a possible zoning change to SF-3 or building new homes under the current SF-2 area requirements.

Recommendation

At their meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of the requested zoning change from Single Family-2 to Two Family for the property located at 507 Ellis Avenue. Due to the incompatible surrounding uses, staff recommends disapproval.

Attachments

Zoning application

Conceptual Plat **Proposed Elevations**

Property Location Map, Zoning Map, Aerial

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

P&Z Minutes Excerpt

Ordinance

ZONING CHANGE APPLICATION



Fee: \$300.00

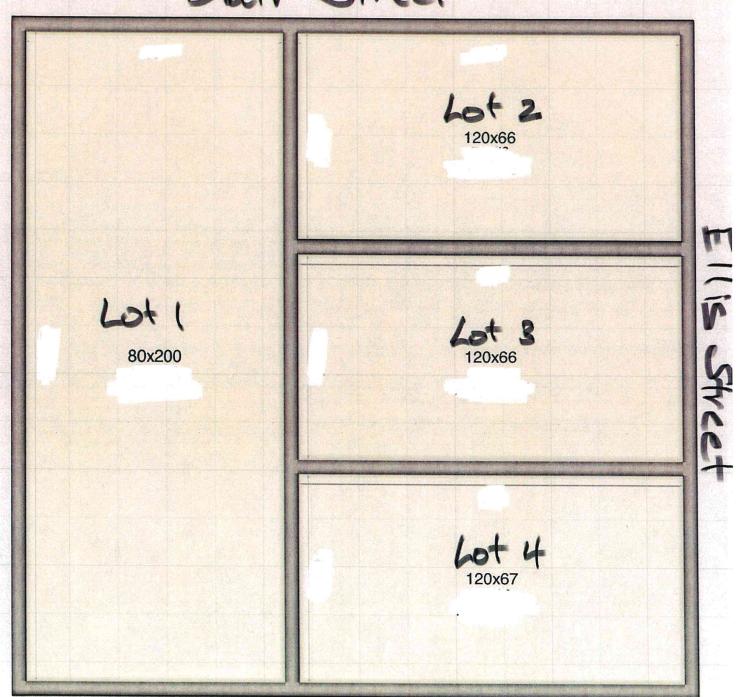
Date received:

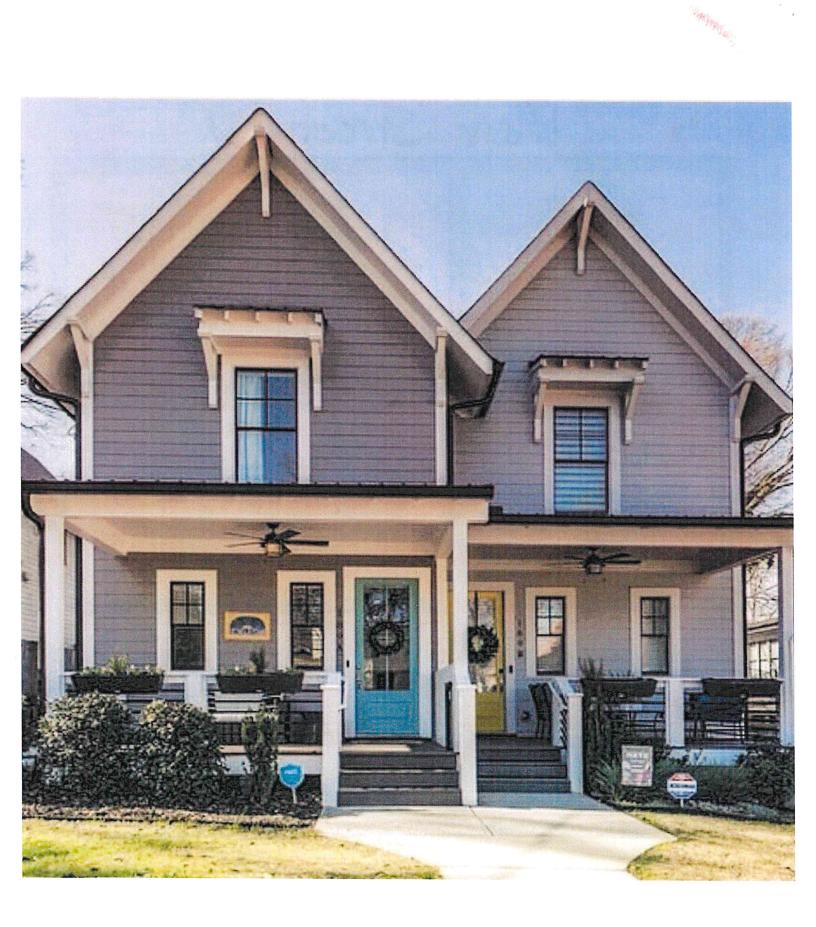
APPLICANT NAME: BWH Holdings LLC, Se	in 5
EMAIL.	DI JONE ALLIMANED
brandon@brandonwhatleyhomes.com	PHUNE NUMBER:
4404 Cedar Creek Rd, Temple	To 76504
PROPERTY OWNER NAME:	TIN TROUT
BWH Holdings LLC, Series 5	
EMAIL:	PHONE NUMBER:
same	same
MAILING ADDRESS:	Section 2
same	
Proposed Use of Structures (building) and Property (exterior prop	perty):
Duplex	1 10 8 12
	grand and the second of the se
	, , , , , , , , , , , , , , , , , , ,
Current Use:	
Single Family Residential	
LOCATION OTDERT ADDRESS OF TRANSPORT	y (***)
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:	13
507 Ellis Ave, Belton, Tx 765	
	and the second second
Legal Description of Property: Abstract Survey	
1.44	
Lot(s): Block(s): 4 of Subdivision Sallie T. White Addition	
of Subdivision	
Existing Zoning: Single Family 2 Proposed Zo	oning: Two Family
Signature of Applicant: Brandon Whatley	Date: 12 15 22
	atles Date: 12/15/22
	4

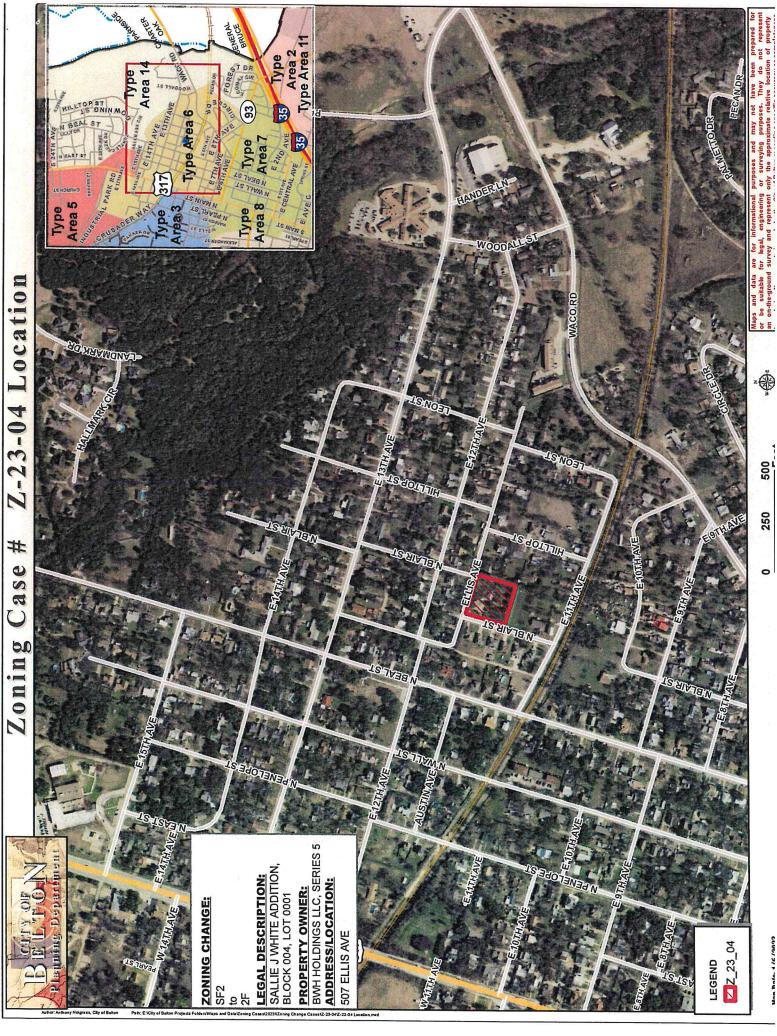
City of Belton Planning Department

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

Blair Street

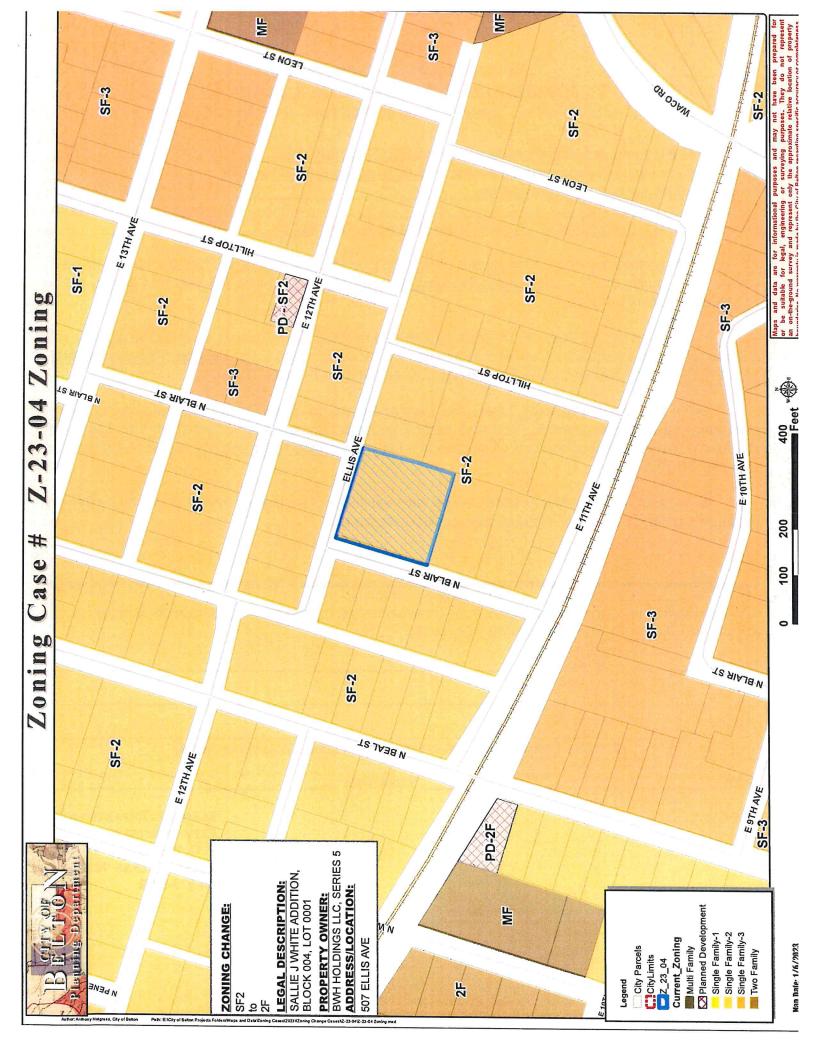








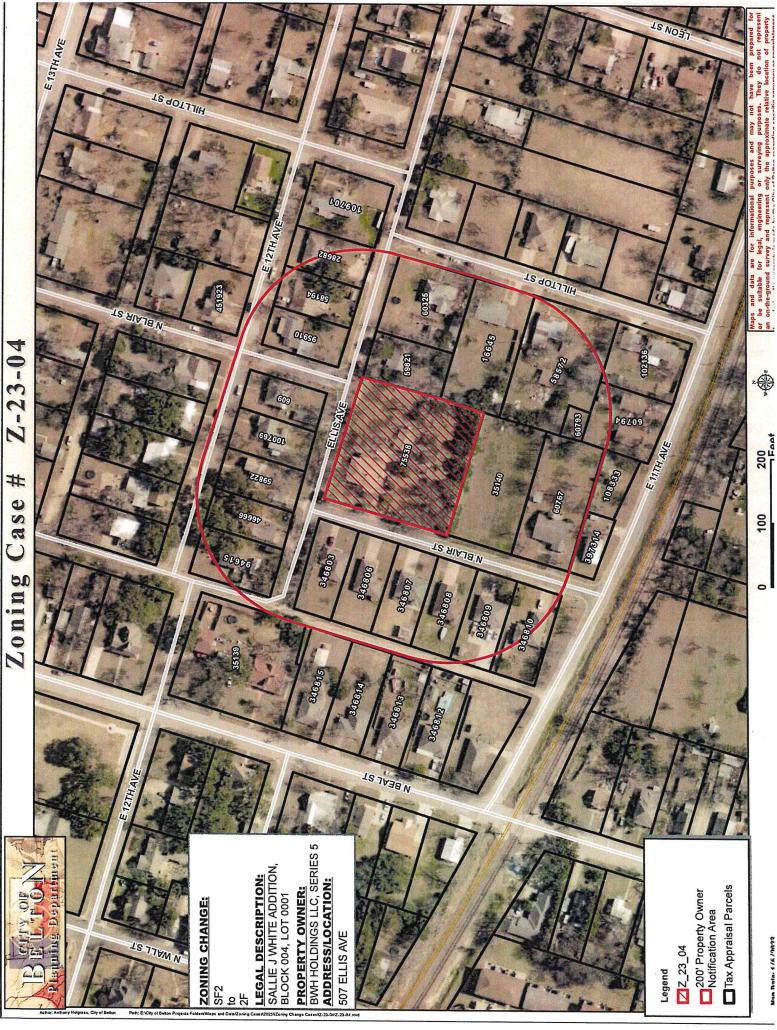
Man Rato- 1/6/9093



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

THE CITY OF BELTON	N HAS RECEIVED A REQUEST FROM: BWH H	OLDINGS LLC.
TO CHANGE THE FOLI	LOWING DESCRIBED PROPERTY: 507 ELLIS	AVE (SEE ATTACHED MAP)
From A(n) Single F	Family – 2 Residential	ZONING DISTRICT,
To A(N) <u>Two Fami</u>		Zoning District.
To allow for: Con	STRUCTION OF DUPLEX HOMES (4 HOMES –	8 UNITS)
THE PLANNIN PURSUANT TO THIS R ALEXANDER, BELTON	EQUEST AT 5:30 P.M., Tuesday, January	F BELTON, TEXAS WILL HOLD A PUBLIC HEARING V 17, 2023, AT THE T.B. HARRIS CENTER, 401 N.
A PUBLIC HEARING B	BY THE PLANNING & ZONING COMMISSION BY THE CITY COUNCIL. THAT MEETING WIL COMMUNITY CENTER, 401 ALEXANDER ST	T, THIS ITEM WILL BE PLACED ON THE AGENDA FOR L BE AT 5:30 P.M., Tuesday, January 24, 2023, PREET, BELTON, TEXAS.
REGARDING THIS ZO	NING CHANGE. YOU MAY SUBMIT WRITT	LTON INVITES YOU TO MAKE YOUR VIEWS KNOWN EN COMMENTS BY COMPLETING THIS FORM AND NING@BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON
If you requi Clerk at City Hali	IRE INTERPRETER SERVICES FOR THE DEAF O L AT LEAST 48 HOURS BEFORE THESE MEETI	OR HEARING IMPAIRED, PLEASE CONTACT THE CITY NGS.
		l .
AS AN INTERESTED PR APPLICATION ABOVE F	circle one COPERTY OWNER, I (PROTEST) (APPROVE) THE FOR THE REASONS EXPRESSED BELOW:	REQUESTED ZONING AMENDMENT PRESENTED IN THE
1.		
2.		
3.		
	(FURTHER COMMENTS MAY BE EXPRESSED ON	N A SEPARATE SHEET OF PAPER)
DATE:	SIGNATUR	E:
		Dr vorman Dr vorman

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



Wan Rafa. 4 /6 /10012

28682	35140	46666
VENEGAS, JULIO ETUX BERTHA	CARRILLO, ALMA R & GUILLERMO	VANDENBERG, MICHAELS ETUX KELSIE DESIRAE
607 E 12TH AVE	50302 EAGLE TRACE	503 E 12TH AVE
BELTON, TX 76513	GEORGETOWN, TX 78626	BELTON, TX 76513
58194	59822	60767
SIMS, JEFF TRIMMIER & ERIN PAULINE	O'BRIEN, JIMMY L ETUX DORA A	KNIGHT, VALETTA CAMILLE
603 E 12TH AVE	528 CHATHAM	1103 N BLAIR ST
BELTON, TX 76513-2207	BELTON, TX 76513	BELTON, TX 76513-2231
60793	75538	94615
KNIGHT, SAM SR	BWH HOLDINGS LLC	PENELOPE INVESTMENTS LLC
5211 WHISTLE STOP DR	507 ELLIS AVE	500 N LOOP 121
TEMPLE, TX 76502-7675	BELTON, TX 76513	BELTON, TX 76513
95910	100769	108333
BEST CALIBER RENTALS LLC	FARNHAM, ROBERT & JANELLE	MAGONA, MAURILIO ETUX MARIA
2106 HOLLY SPRINGS DR UNIT 225	1720 S PEA RIDGE RD	500 W 1ST AVE
TAYLOR, TX 76574	TEMPLE, TX 76502	BELTON, TX 76513-2912
109701	346808	346809
JOSD, JONATHAN & ROBYN MURRAY-JOSD	DISKIN, PHILLIP RAYMOND & DORCAS A	MARKS, MICHAEL W
1124 HILLTOP ST	PO BOX 1036	1102 N BLAIR ST
BELTON, TX 78513	BELTON, TX 76513	BELTON, TX 76513-2200
346810	346812	346813
BOLIN, REIKO	JUSTICE, DALE JACKSON ETUX GALE	WINKLER, PAUL DAVID ETUX DIANE
1100 N BLAIR ST	1014 N BEAL ST	1016 N BEAL ST
BELTON, TX 76513	BELTON, TX 76513-2604	BELTON, TX 76513-2604
346814	346815	397314
CLOTHIER, JEANNE LYNNE	SOLLIDAY, LORETTA RAE & ANTHONY RAY	WOODS, JAMES RUSSELL
1018 N BEAL ST	1020 N BEAL ST	1101 N BLAIR ST
BELTON, TX 76513-2604	BELTON, TX 76513-2604	BELTON, TX 76513-2231
609	58572	346803
PENELOPE INVESTMENTS LLC	KELLEY, LUANGELIA C & BRUCE D	RODRIGUEZ, JUAN C
500 N LOOP 121	1116 HILLTOP ST	1110 N BLAIR ST
BELTON, TX 76513	BELTON, TX 76513-2242	BELTON, TX 76513
35139	59821	346807
MARTINSON, DUSTY & JEFF BLAIR	SMITH, ROBERT K ETAL	MARTINEZ, REYES LUPE
1123 N BEAL ST	511 ELLIS ST	1106 N BLAIR ST
BELTON, TX 76513	BELTON, TX 76513-2269	BELTON, TX 76513-2200
60325	346806	451923
KIRBY, EVE MARIE	HERNANDEZ, RUBEN III	BAG DROP LLC, THE
1122 HILL TOP	1108 N BLAIR ST	PO BOX 178
BELTON, TX 76513	BELTON, TX 76513-2200	BELTON, TX 76513

102136
GUZMAN, MARCUS
1112 HILLTOP ST

BELTON, TX 76513

KNIGHT, SAM SR 411 E 11TH AVE

60794

BELTON, TX 76513-2201

16645

AGUILAR, MIGUEL MANDUJANO

1118 HILLTOP ST

BELTON, TX 76513

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: BWH HOLDINGS LLC.

59822

528 CHATHAM BELTON, TX 76513

O'BRIEN, JIMMY L ETUX DORA A

TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 507 ELLIS AVE (SEE ATTACHED MAP)



FROM A(N) SINGLE FAMILY – 2 RESIDENTIAL	ZONING DISTRICT,
TO A(N) Two Family (2F)	ZONING DISTRICT.
To allow for: Construction of Duplex Homes (4 homes – 8 units)	y = 1
The Planning & Zoning Commission of the City of Belton, Texpursuant to this request at <u>5:30 P.M., Tuesday, January 17, 2023</u> , at Alexander, Belton, Texas.	
If approved by the Planning & Zoning Commission, this item wil a Public Hearing by the City Council. That meeting will be at <u>5:30 P.</u> at the T. B. Harris Community Center, 401 Alexander Street, Belton,	.M., Tuesday, January 24, 2023,
As an interested property owner, the City of Belton invites y regarding this zoning change. You may submit written comments returning it to the address below or via email to Planning@beltont January 24, 2023.	BY COMPLETING THIS FORM AND
IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMP. CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.	AIRED, PLEASE CONTACT THE CITY
circle one As an interested property owner, I (protest) (approve) the requested zon application above for the reasons expressed below: 1. This Break's Single UNITED THE BREAK Sho	ROJEST) usd Arasin That way.
2. THESE DIVIES WOOLA CHIVE YES MINA	That is to see a set is
3. Too many People in any Be expressed on a separate sh	EET OF PAPER)
DATE: 11-23 SIGNATURE: 11-23	8 6 Bin
	PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812

Minutes of the Planning and Zoning Commission (P&ZC)

City of Belton Tuesday, January 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Nicole Fischer, Alton McCallum, Zachary Krueger, Quinton Locklin, Davis Jarratt, and Joshua Knowles. The following members were absent: Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Deb Swift-Alejandro, and IT System Analyst Alex Munger.

8. Z-23-04 – Hold a public hearing and consider a zoning change from Single Family-2 Residential (SF-2) to Two Family (2F) on 0.921 acres located at 507 Ellis Ave located in the Sallie J White Addition, Block 4, Lot 1. (Audio 31:44)

Vice Chair Covington recused himself from this agenda item.

City Planner Ms. Moore presented the staff report.

The applicant, Brandon Whatley, 4394 Cedar Creek, Temple, and Terri Covington, 105 Dover Run, spoke in support of the zoning change.

Commission Member Fischer made a motion to approve Z-23-04. The motion was seconded by Commission Member McCallum. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2023-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-2 RESIDENTIAL TO TWO FAMILY RESIDENTIAL DISTRICT ON APPROXIMATELY 0.921 ACRES LOCATED 507 ELLIS AVENUE.

WHEREAS, BWAH Holdings LLC Series 5, property owner, has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 17th day of January, 2023, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.921 acres located at 507 Ellis Avenue (location map attached as Exhibit "A")

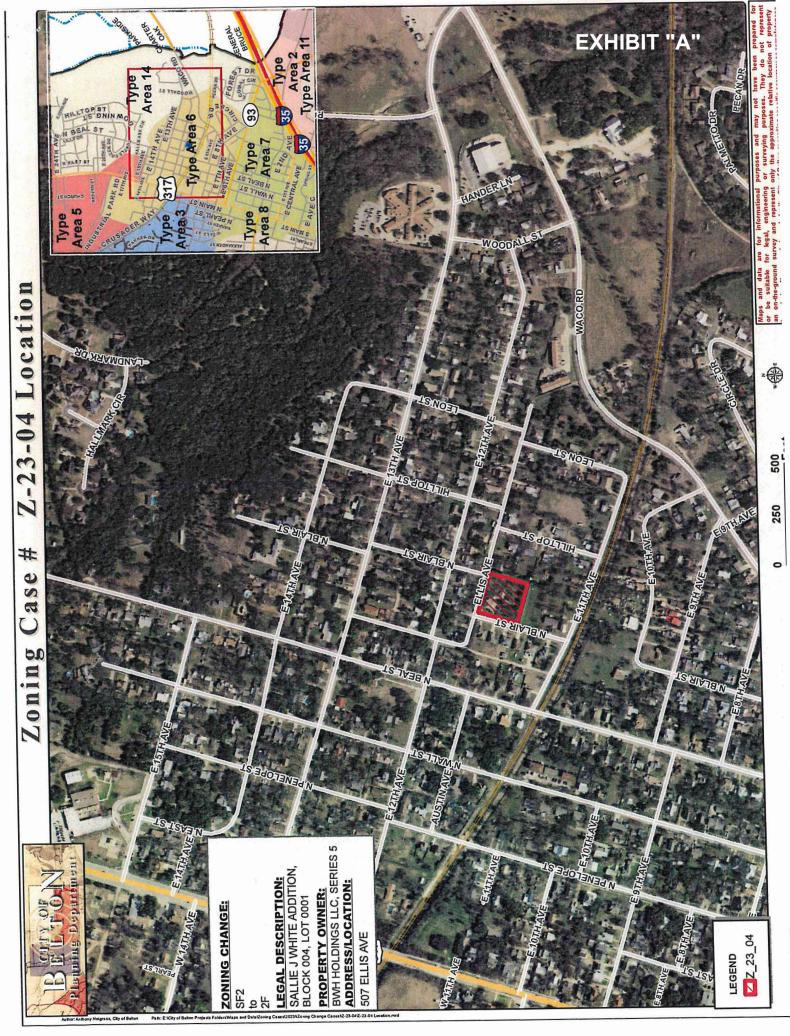
WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time, and place of the hearing on said application by the City Council of the City of Belton was set for the 24th day of January, 2023, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from Single Family-2 Residential to Two Family Residential District in accordance to Section 14, *Two Family Residential District*, and the Design Standards in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

- 1. The use of this property shall conform to the Two Family (2F) Residential District in all respects.
- 2. The development of the property shall conform to all applicable Type Area 6 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Tree Protection, Preservation and Mitigation Standards.

This ordinance was presented at the stated m and upon reading was passed and adopted b 2023, by a vote of ayes and	y the City Council on the 24 th day of January
SIGNED AND APPROVED by the Ma 24 th day of January, 2023.	yor and attested by the City Clerk on this the
ATTEST:	Wayne Carpenter, Mayor
Amy M. Casey, City Clerk	



Staff Report – City Council Agenda Item



Date: January 24, 2023 Case No.: P-22-31 Request: Final Plat

Applicant: Quintero Engineering, LLC Owner/Developer: Gerado Rodriguez Mata

Agenda Item #16

P-22-31 – Consider a final plat of Rodriguez Estates Addition, comprising 4.36 acres located at 1971 FM 1670.

Originating Department

Planning Department – Tina Moore, Planner

Case Summary

This final plat proposes a one block, one lot addition for a single family detached residential development. This property is zoned Agricultural and meets the area requirements for this zoning district. This lot would normally meet the requirements for an administrative approval. However, there is no fire protection near the site. The applicant is requesting a variance from fire protection standards, which cannot be waived administratively in the City. Perimeter street improvements, sidewalks, and parkland fees have been waived, as provided for in the Subdivision Ordinance.

Project Analysis and Discussion

This development is zoned Agricultural, and the proposed lots exceed the minimum area requirements as noted below:

	Α	Lot
Minimum Lot area	3 Acres	4.36 acres
Lot width	150'	280'
Lot Depth	300'	661'
Minimum Front Yard	50'	
Setback		
Minimum Side Yard Setback	20'/25' - adjacent to a street	
Minimum Rear Yard Setback	25'	
Maximum Lot Coverage	N/A	

<u>Water</u>: This property is located within the Dog Ridge Water Supply Corporation's Certificate of Convenience and Necessity (CCN). The City of Belton Fire Code requires a minimum water flow of 1,000 gallons per minute (gpm) for fire hydrants. There are no fire hydrants in this area; therefore, fire protection is not available. The applicant is requesting a variance to the requirement for fire protection. Staff can waive fire protection standards for administrative plats located in the ETJ boundaries. This tract is located within the City's jurisdiction; therefore, fire protection requirements cannot be waived administratively. Staff supports this variance request.

<u>Sewer</u>: This property is located within the City's Wastewater CNN; however, no service is available at this location. The applicant is proposing an on-site sanitary system for wastewater subject to review and approval from the Bell County Public Health Department.

Access: Access is provided via an existing 20' wide access easement from FM 1670.

<u>Streets</u>: FM 1670 is classified as a minor arterial roadway on the adopted Thoroughfare Plan Map. A minor arterial roadway requires 100' of right-of-way (ROW), and the existing roadway has approximately 136' of ROW. A ROW dedication is not required. This is a TxDOT maintained road; therefore, perimeter street improvements are not required.

<u>Drainage</u>: Topography and drainage plans were reviewed by staff.

Sidewalks: No sidewalk is required.

Parkland Dedication/Fee: Parkland fees were waived.

Recommendation

At their meeting on January 17, 2023, the Planning and Zoning Commission unanimously recommended approval of the final plat of Rodriguez Estates, subject to the following:

- 1. Approval of a variance to fire protection requirements.
- 2. Staff Comment letter dated 1-10-23.

Attachments

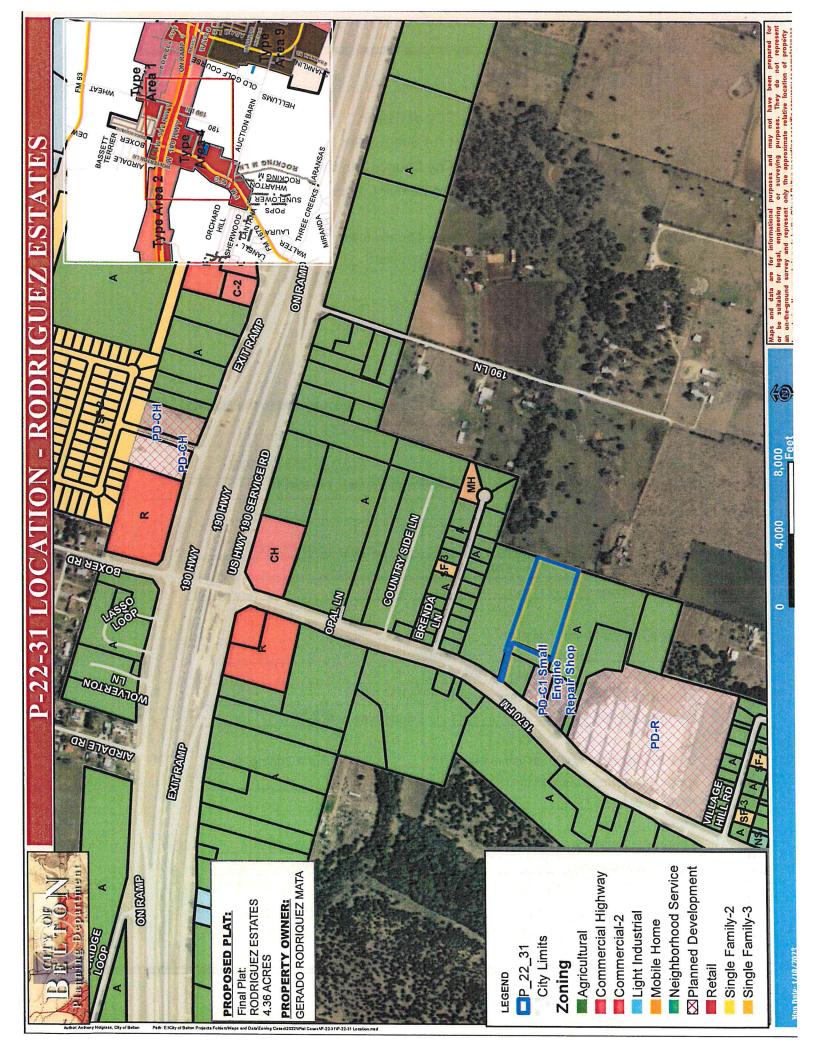
Final Plat Application
Location Maps
Final Plat
Variance request letter
Staff Comment letter dated 1-10-23
P&Z Minutes Excerpt

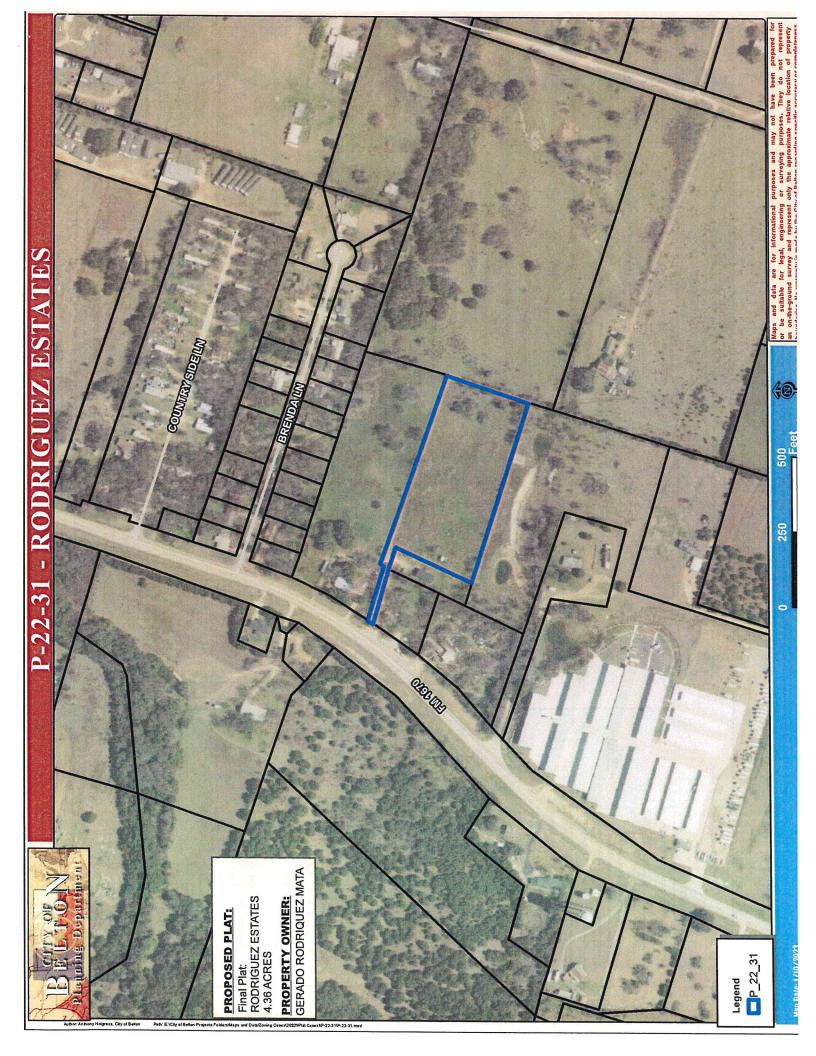
City of Belton

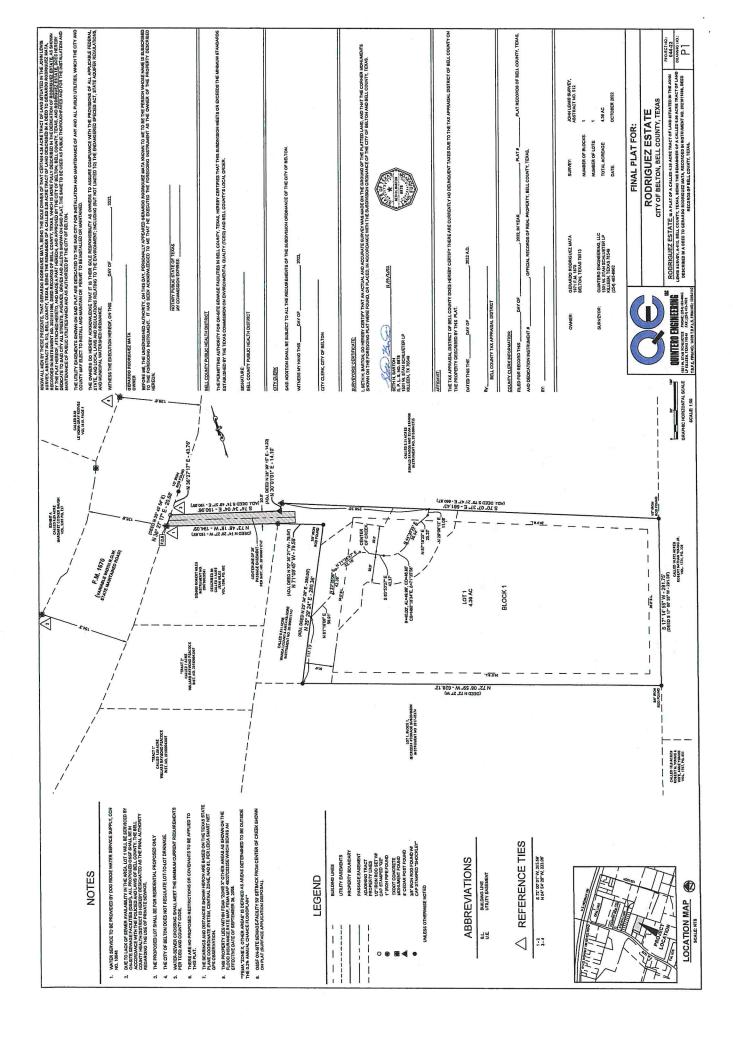
Request for Subdivision Plat to the City Council and the Planning and Zoning Commission

Application is hereby made to the City Council for the following:
☐ Preliminary Subdivision Fees due \$
☐ Final Subdivision
Administrative Plat
□ Replat
□ ETJ
City Limits
Date Received: 08/22/2022 Date Due: 09/06/2022 (All plans are to be returned to the Planning
Department according to the Plat Submission Calendar.)
Applicant: Quintero Engineering, LLC Phone: 254-493-9962
Mailing Address: 1501 W. Stan Schlueter Lp., Killeen, Tx 76549
Email Address: gmeza@quinteroeng.com
Owner: Gerado Rodriguez Mata Phone: (254) 780-8215
Mailing Address: 1971 F.M. 1670
Email Address:
Current Description of Property:
Lot:Block:Subdivision:
Acres: 4.36 Survey: John Louis
Abstract #: 512 Street Address: 1971 F.M. 1670
Frontage in Feet: 20.68 Depth in Feet: 852.39
Does Zoning comply with proposed use? Yes Current Zoning: A
Name of proposed subdivision: RODRIGUEZ ESTATES
Number of Lots: 1 Fee: \$
Signature of Applicant: And May Date: 9/2/22
Signature of Applicant: May Date: 9/2/22 Signature of Owner: Rearifyet Date: 9/2/22
Date. 1/2/03

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









QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

1501 W Stan Schlueter Loop, KILLEEN TEXAS (254) 493-9962

T.B.P.E. FIRM REGISTRATION NO.: 14709
T.B.P.L.S. FIRM REGISTRATION NO.: 10194110

December 27, 2022

City of Belton

333 Water Street

Belton, Texas 76513

RE: Rodriguez Estate - Waiver Request

Please find this letter as our request for a variance to the requirement of fire flow rate for the submitted plat, Rodriguez Estate Subdivision.

The owner of the Water Certificate of Convenience and Necessity (CCN) is Dog Ridge Water Supply Corporation (Dog Ridge WSC). Dog Ridge WSC is currently providing water service to the existing lot and land owner per the submitted water bill. During our coordination efforts, we requested that Dog Ridge WSC provide our firm with the existing water distribution systems flows and capacities. Unfortunately, Dog Ridge WSC has refused to provide our firm and our client with this information and we cannot verify that the existing water flow rate is a minimum of 1,000 gpm. For these reasons, on behalf of our client, please find this letter as our variance request.

Please do not hesitate to contact me, should you have any additional comments, concerns, or questions.

Gorge J. Meza

Project Manager

Quintero Engineering, LLC

Jorge J. Meza



City of Belton

Planning Department

January 10, 2023

Project: RODRIQUEZ ESTATES

Applicant: QUINTERO ENGINEERING, LLC OWNER: GERADO RODRIGUEZ MATA **Date Submitted:** 1ST REVIEW – 9-6-22

> 2ND REVIEW – 12-14-22 3RD REVIEW – 1-3-23

Location: 4.36 ACRES LOCATION: 1971 FM 1670

Please comment back in red under the comments submitted on this sheet.

PLANNING:

- 1. Please provide signatures blocks for the Planning and Zoning Chair and Secretary and Mayor and Secretary. Please see attached illustration of required signature blocks.
- 2. Pending approval of fire flow requirements variance by the Planning and Zoning Commission and City Council.

BUILDING OFFICIAL:

No Comments.

FIRE DEPT:

No Comments.

POLICE DEPT:

No Comments.

G

GIS:	
	No Comments.
Outsia	de Utility Provider Comments
Outsit	
	Oncor:
	AT&T:
	Atmos Energy:
	Charter Communications:
	Grande Communications:
	Spectrum (Time Warner):
	USPS
	Clearwater UCD:
	TXDOT:

Note: Acceptance by the City of Belton of a plat, zoning change, conceptual drawing, construction drawing, or other development submittal complying with City of Belton minimum standards for drainage does not provide approval beyond what the City may authorize. Approval is limited, and this approval does not limit any obligations you may have under applicable state statutes, such as the Texas Water Code, or federal statutes. You should consult with your own professionals as you continue to pursue this development project.

Minutes of the Planning and Zoning Commission (P&ZC)

City of Belton Tuesday, January 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Nicole Fischer, Alton McCallum, Zachary Krueger, Quinton Locklin, Davis Jarratt, and Joshua Knowles. The following members were absent: Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Clerk Deb Swift-Alejandro, and IT System Analyst Alex Munger.

9. P-22-31 – Consider a final plat of Rodriguez Estates Addition, comprising 4.36 acres located at 1971 FM 1670. (Audio 49:05)

City Planner Ms. Moore presented the staff report.

Vice Chair Covington made a motion to approve P-22-31 as presented. The motion was seconded by Commission Member Jarratt. The motion was approved with 8 ayes,0 nays.