

# **CITY OF BELTON**

#### City Council Meeting Agenda Tuesday, October 25, 2016 - 5:30 p.m. Wright Room, 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 Director of Library Services, Kim Kroll.

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

Invocation. The Invocation will be given by Pat Munoz, Pastor of Dunamis Baptist Church.

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

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

3. Proclamations and Recognitions:

A. Recognize the Finance Department for receipt of the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2015.

City Council Meeting Agenda October 25, 2016 Page 1 of 3 B. Recognize the Public Information Officer and the Finance Department for receipt of the Comptroller's Transparency Star Award in the area of Traditional Finances.

#### Consent Agenda

Items 4-5 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. Consider minutes of previous meetings:

A. October 11, 2016, City Council Workshop Meeting B. October 11, 2016, City Council Regular Meeting

5. Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments (CTCOG) to continue funding for the volunteer coordinator position for the Belton Police Department's RUOK? Senior Adult Outreach Program.

#### **Regular Agenda**

- 6. Consider a resolution naming a new City of Belton park, located west of Ave. J and South of South Belton Middle School, as the Jeff Hamilton Neighborhood Park.
- 7. Consider adoption of a resolution directing the publication of notice of intention to issue combination tax and limited revenue certificates of obligation, series 2016, in a maximum principal amount not to exceed \$9,700,000, and other matters related thereto.

#### **Growth Management**

- 8. Conduct annexation public hearings and present Municipal Services Plans for seven areas:
  - A. <u>Area 1</u>: Approximately 716.44 acres located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.
  - B. <u>Area 2</u>: Approximately 198.69 acres located on the east side of IH 35, between the east/west portion of the Lampasas River and Elmer King Road.
  - C. <u>Area 3</u>: Approximately 250.14 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the west side of IH 35, measuring approximately 1,000' in width, and would add 1,000' additional on the

City Council Meeting Agenda October 25, 2016 Page 2 of 3 west side of IH 35 to the current 1,000' total city limit width centered on IH 35. The tract extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.

- D. <u>Area 4</u>: Approximately 297.20 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the east side of IH 35, measuring approximately 1,000' in width, and would add 1,000 additional feet to the current 1,000' total city limit width centered on IH 35. The tract extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.
- E. <u>Area 5</u>: Approximately 228.27 acres located along and north of Sparta Road and west of the existing city limits, extending west to FM 439, and east along Sparta Road to the city limits.
- F. <u>Area 6</u>: Approximately 24.10 acres located generally along the proposed north/south alignment of Lake-to-Lake Road, north of Sendero Estates Subdivision, and south of FM 93.
- G. <u>Area 7</u>: Approximately 2.713 acres located on the south side of Avenue O, between Avenue O and Old Golf Course Road.

#### Planning and Zoning

- 9. Hold a public hearing and consider a zoning change from Agricultural to Light Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land, located east of South Interstate 35 and south of Grove Road.
- 10. Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5<sup>th</sup> and East 6<sup>th</sup> Avenues.
- 11. Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855' south of FM 93 and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek.

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

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**OFFICE OF THE CITY MANAGER** 

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#### 3. Proclamations and Recognitions:

A. <u>Recognize the Finance Department for receipt of the Certificate of</u> <u>Achievement for Excellence in Financial Reporting for Fiscal Year 2015</u>.

> City Council Meeting Agenda October 25, 2016 Page 1 of 4

B. <u>Recognize the Public Information Officer and the Finance Department for</u> receipt of the Comptroller's Transparency Star Award in the area of <u>Traditional Finances.</u>

#### Consent Agenda

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4. Consider minutes of previous meetings:

#### A. October 11, 2016, City Council Workshop Meeting B. October 11, 2016, City Council Regular Meeting

Copies of the minutes are attached. Recommend approval.

5. <u>Consider authorizing the City Manager to execute an Interlocal Assistance</u> <u>Agreement with the Central Texas Council of Governments (CTCOG) to</u> <u>continue funding for the volunteer coordinator position for the Belton Police</u> <u>Department's RUOK? Senior Adult Outreach Program.</u>

See enclosed staff report from Assistant City Manager/Chief of Police Gene Ellis. Recommend authorizing the City Manager to execute the agreement as presented.

### 6. <u>Consider a resolution naming a new City of Belton park, located west of Ave.</u> <u>J and South of South Belton Middle School, as the Jeff Hamilton Neighbor-hood Park.</u>

See Staff Report from Matt Bates, Director of Parks and Recreation. Recommend approval of the proposal to name the new City of Belton park as the Jeff Hamilton Neighborhood Park. Ms. Genevieve Gregg will be in attendance at the meeting.

7. Consider adoption of a resolution directing the publication of notice of intention to issue combination tax and limited revenue certificates of obligation, series 2016, in a maximum principal amount not to exceed \$9,700,000, and other matters related thereto.

See Staff Report from Director of Finance Brandon Bozon. Recommend adoption of the resolution directing publication of the notice as required for issuance of debt for these important utility projects.

City Council Meeting Agenda October 25, 2016 Page 2 of 4

#### **Growth Management**

- 8. <u>Conduct annexation public hearings and present Municipal Services Plans for</u> <u>seven areas:</u>
  - A. <u>Area 1: Approximately 716.44 acres located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.</u>
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  - F. <u>Area 6: Approximately 24.10 acres located generally along the proposed</u> <u>north/south alignment of Lake-to-Lake Road, north of Sendero Estates</u> <u>Subdivision, and south of FM 93.</u>
  - G. <u>Area 7: Approximately 2.713 acres located on the south side of Avenue O,</u> <u>between Avenue O and Old Golf Course Road.</u>

See Staff Report from City Manager Sam Listi. Recommend conducting the public hearing on each of the seven areas under consideration for annexation. No other Council action is required, except to advise the public about the second public hearing, scheduled for Tuesday, November 1, 2016, at 5:30 p.m. at Harris Community Center.

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#### Planning and Zoning

#### 9. <u>Hold a public hearing and consider a zoning change from Agricultural to Light</u> <u>Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land,</u> <u>located east of South Interstate 35 and south of Grove Road.</u>

See Staff Report from Director of Planning Erin Smith. At their October 18, 2016, meeting the Planning and Zoning Commission unanimously recommended approval of this zone change, and we concur in their recommendation.

#### 10. Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5<sup>th</sup> and East 6<sup>th</sup> Avenues.

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#### 11. <u>Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958</u> <u>acre tract of land beginning 855' south of FM 93 and located east of Interstate</u> <u>35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan</u> <u>Creek.</u>

See Staff Report from Director of Planning Erin Smith. At their October 18, 2016, meeting the Planning and Zoning Commission unanimously recommended approval of this preliminary/final plat with conditions, and we concur in their recommendation.

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

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Government Finance Officers Association 203 N. LaSalle Street - Suite 2700 Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

09/21/2016 NEWS RELEASE

For Information contact: Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to City of Belton by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

#### **Finance Department, City of Belton**

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

### City of Belton Receives Recognition for Transparency Efforts from Texas Comptroller

Texas Comptroller Glenn Hegar announced City of Belton is the latest local government entity to achieve specific transparency goals through the Comptroller's Transparency Stars program. City of Belton received a star in the area of Traditional Finances, which recognizes entities for their outstanding efforts in making their spending and revenue information available.

Transparency Stars recognizes local government entities that provide easy online access to important financial data.

"By providing meaningful financial data in addition to visual tools and analysis of its revenues and expenditures, City of Belton has shown a true commitment to Texas taxpayers. This effort achieves the goals set by my office's Transparency Stars program," Hegar said. "I am pleased to award City of Belton a star for its accomplishments."

The Comptroller's office launched the Transparency Stars program in March to recognize cities, counties and school districts making important strides to greater government transparency. Local government entities can apply for stars in the areas of:

- Traditional Finances,
- Contracts and Procurement,
- Economic Development,
- Public Pensions, and
- Debt Obligations.

After receiving an initial star for Traditional Finances, remaining stars may be awarded in any order. For more information on the program, including specific guidelines and information on how to apply, visit the Comptroller's <u>Transparency Stars website</u>.

#### Belton City Council Workshop Meeting October 11, 2016 – 4:30 P.M.

The Belton City Council met in workshop session in the Smith Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem David K. Leigh (via telephone) and Councilmembers Craig Pearson, Jerri Gauntt, Paul Sanderford and Dan Kirkley. Councilmember Guy O'Banion was absent. Staff present included Sam Listi, Gene Ellis, Amy Casey, Brandon Bozon, Charlotte Walker and Paul Romer.

1. <u>Call to order</u>. Mayor Marion Grayson called the workshop to order at 4:30 p.m.

#### 2. <u>Receive a presentation on Community Loan Centers and discuss the City of</u> <u>Belton being a participating employer in the Community Loan Center of the</u> <u>Heart of Texas</u>.

Stephanie O'Banion, Executive Director of United Way Central Texas, introduced representatives from the Heart of Texas Goodwill and Helping Hands Ministry of Belton. She then turned the presentation over to Shannon Kendrick-Wittmer, Vice President, Mission and Workforce Advancement who provided information on the development of community loan centers (CLC) throughout Texas as a way to compete directly with payday and car title lenders (see Exhibit "A").

Councilmember Dan Kirkley said that at the Texas Municipal League annual conference, he sat in on a session regarding community loan centers. He said that during the session two City Managers spoke highly of the community loan center concept and said that it was working well in their cities.

Councilmember Jerri Gauntt asked what the average income was for the people taking out the payday title loans. Ms. Kendrick-Wittmer said that she did not have an average since the program was currently being administered by the Texas Community Capital - Community Loan Center.

Mayor Pro Tem David K. Leigh said that this type of program was definitely needed. He asked what fees were being recovered by the software company. He also wanted to know what is done to prevent someone who is about to be terminated from taking out the loan and then not making the payments. Ms. Kendrick-Wittmer said that all the fees received from the payback of the loan are cycled back into the program to allow for more loans to be made. She stated that maintaining a good relationship with the HR departments at participating organizations would be paramount to preventing an employee from taking out a loan when he or she is about to be terminated.

Dan Nisley, President/CEO, of HOT Goodwill said that the CLC is a 501(c)3, and its purpose is not to make money. He added that the \$20 fee paid by borrowers is split between the local CLC and the Rio Grande Valley CLC who originated the program and developed the software. Mr. Leigh asked if anyone was receiving an administration fee. Ms. Kendrick-Wittmer said that HOT Goodwill is administering

the program, and they are receiving \$10 of the \$20 origination fee. Mr. Nisley added that some of the interest pays the salary of the staff administering the program. He said that their margin is approximately 6.5%. Steve Wolfe, Chairman of the CLC HOT Board of Directors, said that they try to maintain the 6.5% margin to put back into the pool.

Councilmember Kirkley left the meeting at 5:04 p.m.

Mr. Leigh asked who was the governing body of the program. Mr. Nisley said that there was a local board of directors and then also the IRS. Mr. Leigh asked if this local Board of Directors was also the same group who makes the money off of the margin. Mr. Nisley said yes, but he clarified that in a 501(c)3 organization, board members do not receive any funds. He said the only place to put the money is back into the pool or to pay the staff that administers the program. Mr. Wolfe added that they would have audited financials. Mr. Nisley stated that they have also invited each participating employer to have a representative on the board.

Councilmember Paul Sanderford said it sounds like this model is catering to people with stable employment. He asked about the program's ability to reach those with less than stable employment who he considers to be more "at risk." Ms. Kendrick-Wittmer said that they are not targeting anyone, they are simply offering this as an alternative to payday lending. She added that once the program has built up enough with stable employers, the CLC hopes to be able to offer the program to those with higher turnover rates.

City Manager Sam Listi asked if there was a process to determine an applicant's need, and Councilmember Craig Pearson added, "... and their ability to repay the loan." Mr. Nisley indicated that only the HR Department can decline the loan. Ms. Kendrick-Wittmer said that the HR Department is only checking the basic information that has been provided by the employee. Mr. Nisley said there is no risk to the employer. If the employee leaves the employer, then the CLC will try to recoup the money through other means.

Councilmember Jerri Gauntt said that she is concerned for the City's HR/Payroll employees. She said that it seems that the HR Department will be put in the role of approving or denying loans. Mr. Nisley said that the only time that HR would decline a loan would be if they knew some adverse employment action was about to be taken against the employee applying for the loan. Ms. Kendrick-Wittmer said since actually they are just verifying the information provided by the applicant, the HR Department would not be declining the loan. Director of Finance Brandon Bozon asked, "What would be the basis for declining the verification if all the information provided is correct?" Mr. Nisley said that is where the partnership comes into play; otherwise, there would be too many defaulted loans which could kill the program. He said that he would not want the City to submit the loan information if they knew that the employee may be terminated in the near future. City Clerk Amy Casey asked if there was a time limit on verifying the loan application once it has been submitted. Ms. Kendrick-Wittmer responded that there is no time limit, and HR could just not act on the application, leaving it in the queue.

Mayor Marion Grayson said that she was hearing a lot of the bad scenarios that could take place, but she also knows that there is good in the program. She likes the fact that these loans are reported to the credit bureaus which helps improve an applicant's credit score.

Mr. Nisley concluded his presentation by saying that HOT Goodwill only receives direct reimbursement for payroll costs and other expenses related to the program; Goodwill does not receive an administration fee for his salary. The charges include one employee's salary and copies, and Goodwill is not charging for use of office space by the CLC.

He added that there is also a financial literacy component to this program. Financial literacy will be offered by us and our partners; however, we cannot require applicants to take the course.

City Manager Listi asked what the group was expecting from the City of Belton. Mr. Nisley said they would like the City of Belton to be a participating employer. Director of Finance Brandon Bozon asked what happens if an employee who originally elected to make payroll deductions tells the HR Department that he or she no longer desires to have payments payroll deducted. Mr. Nisley responded that the City just needs to inform the CLC. They will pursue payment through ACH or other means.

3. **Adjourn**. The Mayor adjourned the workshop at 5:22 p.m.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

#### Belton City Council Meeting October 11, 2016 – 5:30 P.M.

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem David K. Leigh (via videoconference) and Councilmembers Craig Pearson, Jerri Gauntt, Paul Sanderford and Dan Kirkley (arrived 6:03 p.m.). Councilmember Guy O'Banion was absent. Staff present included John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Erin Smith, Chris Brown, Byron Sinclair, Angellia Points, Kim Kroll, Matt Bates, Paul Romer, Bruce Pritchard, Aaron Harris, Charlotte Walker and Doug Taylor.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Jerri Gauntt and the Pledge of Allegiance to the Texas Flag was led by Public Information Officer Paul Romer. The Invocation was given by Darren Walker, Pastor of First United Methodist Church.

- 1. <u>Call to order</u>. Mayor Marion Grayson called the meeting to order at 5:31 p.m.
- 2. <u>Public Comments</u>. Janis Holmes, 505 Red River Road, stated that she was concerned about the condition of the property located at 438 N. Wall known as the 1874 Church. She said that she was a member of the Bell Fine Arts group that has a common property line with the church. The condition of the property has deteriorated and contains tall grass, raccoons, rats and fleas. The church removed the rock from the building in order to inspect the exterior, and there is no money to put the rock back on the church. The rock is stacked up on the property. She would like the City Staff to look into these code violations. Item was referred to management.

#### 3. Proclamations and Recognitions:

#### A. Belton's National Night Out Block Party Awards Presentation

Assistant City Manager/Chief of Police Gene Ellis and National Night Out Coordinator, Sergeant Doug Taylor, presented the following awards to various hosts of National Night Out parties throughout Belton. There were 18 block parties throughout the community.

**Best Neighborhood Unity** – Dunn's Canyon Townhomes, Hosts: Wiley and Mary Shockley

Rookie of the Year 2016 – Yettie Polk Park, Host: Brian Kinard

**Best Party Theme** – Grand Avenue Theaters, Host: Grand Avenue Management

**Best Block Party 2016** – Belle Oaks/Miller Heights, Hosts: Harper-Talasek Funeral Home, Lena Armstrong Library, and Belton Parks and Recreation Department

#### B. <u>Proclamation – Complex Regional Pain Syndrome Awareness Month –</u> <u>November 2016 and Color the World Orange Day – November 7, 2016</u>

Mayor Grayson presented Kimberly Schwertfeger with this proclamation.

#### C. Proclamation – National Colonial Heritage Month – October 2016

Mayor Grayson presented this proclamation to Welba Dorsey of the Betty Martin Chapter of the Daughters of the American Revolution.

#### D. Proclamation – International Credit Union Day – October 20, 2016

Several employees of the Texas Partners Federal Credit Union were present to receive this proclamation from Mayor Grayson.

#### E. Introduction of New City of Belton employees

Department Heads introduced their new employees hired during the second and third quarters of 2016. Please see attached list (Exhibit A).

#### Consent Agenda

Items 4-6 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

- 4. Consider minutes of the September 27, 2016, City Council Meeting
- 5. **Consider appointments/reappointments to the following:** 
  - A. <u>Electrical Board</u> Bill Barge and Jamie Sanderford were reappointed to another two term.

B. <u>Bell County Health District</u> – Wayne Carpenter was appointed to a three year term and will replace JoAn Dillard as the City's representative on this board.

#### 6. <u>Consider authorizing the following purchases through the BuyBoard</u> <u>purchasing cooperative:</u>

- A. Skid Steer Loader for the Parks Department; and
- B. Brush Truck for the Public Works Department.

Upon a motion by Councilmember Craig Pearson, and a second by Councilmember Jerri Gauntt, the Council unanimously approved the Consent Agenda upon a vote of 5-0.

Councilmember Dan Kirkley arrived at 6:03

#### <u>Miscellaneous</u>

#### 7. <u>Consider authorizing a Park Sponsorship Program to allow civic clubs,</u> <u>businesses and other community partners to sponsor parks located in the</u> <u>City of Belton.</u>

Director of Parks and Recreation Matt Bates said that in 2015 the Lions Club President approached the City about allowing the Lions Club to sponsor Heritage Park. Staff realized there was no policy in place to effectively handle the scope of this request, and began researching other cities across the Country/State to find out how they handle such requests.

As Staff began developing the proposed program, there were five areas that needed to be established.

- **Donation Amount:** It was important that prior to any sponsorship of a park that the requesting entity had or has pledged to donate. This amount would vary depend on the classification/size of said park. This would signify that the sponsor is/has committed to the development and enhancement of its chosen park.
- Annual Donation: With a sponsor having made a prior donation to the park, Staff felt it was important for a sponsor to continue its commitment on an annual basis to the park.
- **Park Classifications**: As referenced above in the donation amount, classifying the parks was important so that each park had an achievable chance of being sponsored whether big or small. For classifications, Staff utilized the newly adopted Belton Parks and Recreation Strategic Master Plan. Park categories include Special Purpose, Community, and Neighborhood.
- **Park Cleanups:** Similar to the Adopt-a-Park program currently in place, the sponsoring entity would commit to two cleanups per year, one of which would include participation in the annual 'One Community One Day' event.
- What does the sponsor receive: It is proposed that the sponsoring entity receive a masonry stone sign that would be placed at the front of the park, near existing park name signage noting the sponsorship. Sponsor would also receive a waiver of entire park/pavilion rental at the sponsored park up to five times per year. This waiver would exclude the use of Athletic Facilities.

City Staff also discussed the procedures for the program which includes presenting the sponsorship proposal to both the Parks Board and City Council for approval.

At its meeting on October 3, 2016, the Parks Board unanimously recommended the proposed Parks Sponsorship Program.

Councilmember Paul Sanderford asked how the potential sponsors will be vetted since a denial of sponsorship could become a case of discrimination should the sponsor's values not align with the City of Belton's mission. Mr. Listi said that if a group came forward wanting to sponsor a park, and that the group's mission didn't align with the City's mission, Staff and Council would address it at that time.

Mr. James Harris said that the Belton Lion's Club is honored to be the first group to commit to sponsoring a park.

Councilmember Jerri Gauntt said she was surprised that this was not already addressed through one of the City's other parks programs. Mr. Bates said that the Adopt-a-Park Program and the Legacy Program remain valuable and are utilized, but they don't really address the vision and scope of the park sponsorship program.

Upon a motion by Councilmember Dan Kirkley and a second by Councilmember Paul Sanderford, item 7 was unanimously approved upon a vote of 6-0.

#### 8. <u>Consider an ordinance establishing a Historic Tax Exemption Program for the</u> <u>City of Belton.</u>

Director of Planning Erin Smith said that many cities in Texas incentivize historic preservation through local property tax exemptions. The City of Belton currently offers no incentives for historic residential properties. She said that there are over 300 residential properties in local historic districts that would benefit from an historic preservation tax exemption. A tax exemption program for historic properties would promote investment in historic neighborhoods.

Mrs. Smith explained that the proposed Historic Tax Exemption Program will be available to designated local landmark properties, or properties containing a historically significant main structure within a local historic overlay district that undergo a substantial rehabilitation, except the Downtown Belton Commercial Historic District (DBCHD). The properties within the DBCHD are eligible for the current tax abatement program the City has in place, so extending this program to that area is not needed. The threshold for substantial improvements would be 25% of the pre-improvement assessed value of the structure. An ad valorem tax exemption will create an abatement for up to five years on increases in City of Belton property taxes resulting from an approved major renovation to a historic building. The exemption would only apply to City ad valorem property taxes, it will not apply to Bell County, Clearwater U.W.C.D., or BISD school taxes. Mrs. Smith added that the overall goal is to encourage investment in historic properties through a tax exemption program without creating a large tax burden on the City. City taxes will still be received on the pre-improvement assessed value, and the property owner will benefit by not paying taxes on the increase in their property value for five years.

Mayor Grayson asked if a business would be eligible for the abatement if they had completed a rehabilitation project in the last year. Mrs. Smith said no, the program requires that work not be started until the application has been approved.

Mayor Pro Tem Leigh said that this sounds like a great program, but he added that it would also be good to work with applicants in a cost share for infrastructure such as sidewalks that need to be replaced. City Manager Listi said he thought that was a good idea, and Staff could look into addressing that as requests emerge.

Councilmember Jerri Gauntt clarified that the City will continue to collect taxes on the property at the pre-improvement value. Mrs. Smith said that the abatement would only be on the increased value, and only the City's property tax is abated. Mrs. Gauntt asked if it was possible to separate out the possible increase in the land value from the residential value for abatement. Director of Finance Brandon Bozon said that he felt it was Staff's intention to abate the entire property, but he could research that possibility with the Tax Appraisal District.

Upon a motion by Councilmember Craig Pearson and a second by Councilmember Paul Sanderford, the following captioned ordinance was unanimously approved upon a vote of 6-0.

#### ORDINANCE NO. 2016-45

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ESTABLISHING A HISTORIC TAX EXEMPTION PROGRAM FOR THE CITY OF BELTON; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

#### 9. <u>Consider authorizing the City Manager to enter into an agreement for</u> professional services related to the design of the North Belton Water Tank and Waterline.

Director of Internal Services/City Engineer Angellia Points said that the City of Belton has reached the TCEQ threshold for total water storage capacity that triggers the requirement for a third water storage tank. She said that the City currently has approximately 6,350 water connections and two elevated storage tanks. The Loop 121 tank capacity is 500,000 gallons (or 0.5 MG), and the Miller Heights tank capacity is 0.75 MG, totaling 1.25 MG of elevated storage available.

Mrs. Points explained that additional water storage is required to meet the TCEQ regulations for total available water storage, and a 1 MG elevated storage tank is proposed to be constructed in northwest Belton. She said that on January 27, 2015, Council approved the acquisition of a 5.043 acre tract of land north of the future Chisholm Trail Parkway and between Canyon Heights and Spring Canyon Roads. She added that 16-inch waterlines will be needed to connect the 21-inch transmission line to the tank and to feed water from the elevated storage tank to the 8-inch waterline along Chisholm Trail Parkway to pressurize Belton's water system.

Mrs. Points said that Staff has worked with Kasberg, Patrick & Associates to evaluate the tank site and the line sizes needed to supply and feed water from the tank. The potential for a single contractor having the ability to bid both the waterline and tank is highly unlikely. The estimated construction costs will be determined during the design phase; however, KPA and Staff estimate the construction costs for the elevated water tank to be \$2,500,000 and the waterlines \$950,000.

Staff recommends authorization of a professional services agreement with Kasberg, Patrick & Associates in the amount of \$172,600 for professional services to design and bid the North Belton Water Tank and Waterlines.

Mayor Grayson asked if this project was part of the bond that will be issued. City Manager Listi said that this project is included as a part of the bond issue along with the South Belton Sewer System.

Councilmember Pearson asked if an irrigation meter is counted the same as a water service meter connection when calculating the water storage requirements. Mrs. Points said that it was.

Upon a motion by Councilmember Craig Pearson and a second by Councilmember Paul Sanderford, item 9 was unanimously approved upon a vote of 6-0.

#### 10. <u>Consider a recommendation to designate a mascot and brand for Belton's</u> <u>water systems.</u>

Director of Internal Services/City Engineer Angellia Points explained that in an effort to create a positive and memorable image for Belton's water systems, a mascot is proposed to be used for public education and engagement.

Objectives for the mascot included:

- Being easily recognizable;
- Being used for potable (domestic) water, sewer and stormwater applications;
- Being unique, friendly, relatable;
- Being named, easy to say and spell; and
- Being related to a brand to be used in educational materials.

Mrs. Points added that the mascot will be used to educate the public and bring awareness to Belton's water systems at various events, functions, and locations within Belton. The goal of the mascot is to bring awareness to Belton's Water and the importance of the City's water, wastewater, and stormwater systems. The mascot will promote water conservation, drinking water quality, the importance of wastewater (sewer) systems, and stormwater protection, to name a few. Mrs. Points introduced Hydroman to the Council and Staff.

Upon a motion by Councilmember Craig Pearson and a second by Councilmember Dan Kirkley, item 10 was unanimously approved upon a vote of 6-0.

Mayor Pro Tem David K. Leigh left the meeting at 6:51 p.m.

#### 11. Conduct a work session on pending annexation study.

City Manager Listi provided an update on the annexation proceedings and discussed some minor adjustment to the boundaries of the areas. He said that three properties were missed during the property owner notification, and that decreases the area under consideration for annexation by 40 acres.

Mr. Listi said that the public hearings will be held on October 25 and November 1, 2016. He added that he and Erin Smith met with the Tax Appraisal District to determine which properties are eligible for a non-annexation Development Agreement for one of the three exemptions of timber, agricultural and wildlife. He said that the Development Agreements will be mailed to the property owners this week. Several of the properties under consideration are eligible for Development Agreements. Listi said that not everybody who is eligible for a Development Agreement will opt to execute one; however, it is our responsibility to notify them of their eligibility. He discussed the length of time the properties will be eligible to remain outside the City limits. He recommended Areas 1, 3, 4 and 6 have a term of five years, and Areas 2 and 5 have a ten year term. He added that the City may agree to extend these Development Agreements depending upon development in the area at the time.

Councilmember Pearson asked if the City would be required to provide services to the areas that are under a Development Agreement. Mr. Listi responded that the City has no obligation to provide services while the properties remain outside the city limits. Mr. Pearson asked if the County would continue provide services, and Mr. Listi responded that the County would continue to provide services that are currently provided to the property by the County.

Councilmember Gauntt said that almost all the properties in Area 5 are exempt with the exception of one in the middle and one on the far end. Mr. Listi said that the process does lend itself to creating "donut-holes," but the City needs to go through the process. The Council may decide that it is not appropriate to annex that area at this time due to these or other reasons.

Mr. Listi spoke on the development of the municipal services plans for each area, and he went through the draft service plan for Area 1. He also reviewed future water service along the southern part of IH 35, which would cost an estimated \$3.5M. Funding for water service is not included in the proposed bond issue.

Finally, Listi reviewed the schedule for the remaining portions of the annexation process. No Council action was required on this work session item.

Mayor Grayson thanked the Public Works Department for the great job they did on the street maintenance projects recently completed.

There being no further business, the Mayor adjourned the meeting at 7:16 p.m.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

#### Exhibit "A"

DEPT	EMPLOYEE	POSITION	DATE OF HIRE
Finance	Christina Sparks	Staff Accountant	06/20/16
	Taylor Marburger	Accounting Technician	07/18/16
Police	Joshua Gammill	Police Officer	05/11/16
	David Morrill	Police Officer	05/11/16
	Jacob Schmille	Police Officer	05/11/16
Library	Berta Venegas	Library Clerk	06/06/16
Parks	Kendall Brice	Maintenance Worker	05/31/16
Streets	Melissa Saunders	Maintenance Worker	05/31/16
	Rickie Burchett	Maintenance Worker	08/08/16
Sewer	Austin Collins	Maintenance Worker	06/06/16
Water	Chad Campbell	Maintenance Worker	06/13/16
	Ryan Deeters	Maintenance Worker	07/05/16

### Staff Report – City Council Agenda Item



#### Agenda Item #5

Consider authorizing the City Manager to execute an Interlocal Assistance Agreement with the Central Texas Council of Governments (CTCOG) to continue funding for the volunteer coordinator position for the Belton Police Department's RUOK? senior adult outreach program.

#### **Originating Department**

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

#### Summary Information

In May of 2014, the City entered into a partnership with the Area Agency on Aging of Central Texas, a subdivision of CTCOG, to enhance the Belton Police Department's RUOK? program. The RUOK? Program is currently serving over 130 senior adults living alone. The part time volunteer coordinator position funded by the Area Agency on Aging has been a key component to the success of this lifesaving program. In the past three years, the RUOK? Program has been credited with saving four lives.

Our most recent interlocal agreement ended on September 30, 2016. We are seeking to renew our interlocal agreement with CTCOG to continue this program and retain the volunteer coordinator for senior adult outreach through the RUOK? program. This extension will provide funding for the program through the end of this fiscal year. The Area Agency on Aging has indicated they will continue funding this program for another fiscal year in the amount of \$21,000. The funding is used for reimbursement of costs related directly to the program to include: wages and benefits; communication and computer equipment; and other program expenses.

#### Fiscal Impact

Amount: <u>\$21,000</u>

Budgeted:	🖂 Yes	🗌 No
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If not budgeted:	Budget Transfer	Contingency	Amendment Needed	Capital Project Funds
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Funding Source(s): Grant funds from CTCOG will cover all expenses related to the volunteer coordinator.

City Council Agenda Item October 25, 2016 Page 1 of 2

#### **Recommendation**

Recommend approval of the Interlocal Assistance Agreement with CTCOG and authorizing the City Manager to sign.

<u>Attachment</u>

Interlocal Assistance Agreement between the City of Belton and CTCOG

City Council Agenda Item October 25, 2016 Page 2 of 2

#### INTERLOCAL ASSISTANCE AGREEMENT For A Partnership Between the Central Texas Council Of Governments and the City of Belton Police Department to Enhance Services to Senior Adults in Belton

#### STATE OF TEXAS

#### COUNTY OF BELL

This agreement is made and entered into by and between, the Central Texas Council of Governments and the City of Belton, pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791.

WHEREAS, the CITY OF BELTON (hereinafter "CITY") has an outreach program to check on the welfare of senior citizens that is administered by the CITY OF BELTON POLICE DEPARTMENT (hereinafter "BPD") and known as the RUOK? Program, and

WHEREAS, the CENTRAL TEXAS COUNCIL OF GOVERNMENTS (hereinafter "CTCOG") desires to partner with BPD through the Area Agency on Aging of Central Texas to provide funding for a volunteer coordinator for the RUOK? telephone reassurance program to senior adults in Belton by directing grant funds from the Department of Aging and Disability Services (DADS) to enhance the services to senior adults, the Parties hereto enter into this Interlocal Assistance Agreement, and

WHEREAS, pursuant to Section 791.001 of the Texas Government Code, political subdivisions are authorized to enter into Interlocal Cooperation Agreements for governmental purposes.

NOW, THEREFORE, the Parties agree as follows:

#### ARTICLE I

#### PARTIES

1.01 The following local governmental entities are Parties to this Agreement and the signatures of their authorized representatives below indicate acceptance of its terms:

- A. The CITY OF BELTON, Texas ("CITY") acting by and through its authorized representative; and
- B. CENTRAL TEXAS COUNCIL OF GOVERNMENTS, Texas ("CTCOG") acting by and through its authorized representative.

#### ARTICLE II

#### PURPOSE

2.01 It is the intent of the Parties to enter into this Agreement directing CTCOG Area Agency on Aging of Central Texas DADS grant funds in the amount of \$21,000 to the CITY to fund a part time volunteer coordinator position to enhance BPD's RUOK? program and establishing protocols, procedures, and guidelines for enhancing the outreach to senior adults in Belton through this program.

#### ARTICLE III

#### TERM OF MOU

3.01 Notwithstanding the signing date, this Agreement shall be in effect for the period beginning October 1, 2016 and ending September 30, 2017, unless terminated by CITY or CTCOG. It is the intention of both parties to renew this agreement annually if funding is available.

#### ARTICLE IV

#### **BPD's RESPONSIBILITIES**

4.01 BPD will ensure that graduates of the Belton Citizens Police Academy are trained with providing telephone reassurance.

4.02 BPD shall provide CTCOG a monthly report of the number of calls made to seniors 60 years and over, including their names. Monthly calls will be made and documented with the help of the RUOK? program.

4.03 BPD shall provide DADS required forms: DADS intake and signed Client's Rights and Responsibilities (PRR) annually for each client 60 years and older that participates in the RUOK? telephone reassurance program.

4.04 BPD shall ensure that it reports on the welfare checks patrol officers conduct on senior adults in the program as a result of threat to health, safety, welfare, or a crime.

#### ARTICLE V

#### CTCOG's RESPONSIBILITIES

5.01 CTCOG agrees to direct \$21,000 in DADS grant funds for calls made during fiscal year 2016 to the CITY for BPD to fund a volunteer coordinator for the RUOK? program and reimburse the CITY for approved costs associated with this position.

5.02 CTCOG shall provide the CITY immediate notice if funding becomes unavailable.

5.03 CTCOG will refer older residents of Belton that may be in need of telephone reassurance or welfare checks to the Belton Police Department.

5.04 CTCOG agrees to direct additional funding for the continuance of this program in fiscal year 2015 if grant funding is available for the program.

#### ARTICLE VI

#### <u>COSTS</u>

6.01 The CITY will hire a part time volunteer coordinator and CTCOG will reimburse the CITY at least \$21,000 for the costs of wages, benefits, equipment, and other authorized expenses related to this position.

#### ARTICLE VII

#### TERMINATION OF MOU

7.01 CITY or CTCOG may terminate this MOU by giving thirty (30) days' written notice of such termination.

#### ARTICLE VIII

#### <u>AMENDMENTS</u>

8.01 This Agreement may be amended by the mutual agreement of the Parties hereto, in a writing to be attached to and incorporated into this Agreement.

#### ARTICLE IX

#### LEGAL CONSTRUCTION

9.01 In case any one or more of the provisions contained in this Agreement shall be held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision, hereof and the Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

#### **ARTICLE X**

#### ENTIRE AGREEMENT

10.01 This Agreement supersedes any and all other agreement, either oral or in writing, between the parties hereto with respect to the subject hereof, and no other agreement, statement or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

#### ARTICLE XI

#### NOTICE

11.01 Any notice given hereunder by any Party shall be made in writing, and may be affected by personal delivery or by certified mail, return receipt requested, to all Parties listed in this paragraph:

City of Belton

Central Texas Council of Governments

#### ARTICLE XII

#### ACCEPTANCE AND APPROVAL

12.01 This Agreement and all obligations hereunder shall not be binding upon the Parties until approved by the respective authorized representatives of each Party.

AGREED TO AND EXECUTED by the below authorized representatives of the City of Belton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF BELTON, TEXAS

Sam Listi, City Manager

AGREED TO AND EXECUTED by the below authorized representatives of the Central Texas Council of Governments of Belton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CENTRAL TEXAS COUNCIL OF GOVERNMENTS

Jim Reed, Executive Director

H. Richard McGhee CTCOG Director of Area Agency on Aging

### Staff Report – City Council Agenda Item



#### Agenda Item #6

Consider a resolution naming a new City of Belton park, located west of Ave J and South Belton Middle School, as the Jeff Hamilton Neighborhood Park.

#### **Originating Department**

Parks - Matt Bates, Director of Parks and Recreation

#### Summary Information

On September 28, 2016, the Parks Naming Committee unanimously voted to recommend the naming of a new City of Belton park located west of Ave J and South Belton Middle School as *Jeff Hamilton Neighborhood Park.* 

Those selected to be on the Committee included:

- Director of Planning Erin Smith
- Director of Finance Brandon Bozon
- Director of Internal Services/City Engineer Angellia Points
- Parks Superintendent James Grant
- Grants and Special Projects Coordinator Aaron Harris
- Public Information Officer Paul Romer
- Director of Parks and Recreation Matt Bates

Ms. Genevieve Gregg, a descendent of Jeff Hamilton, had spoken previously at City Council and Civic Club meetings in the area, with a goal of keeping his legacy alive. City staff has wanted for some time to honor Jeff Hamilton at a facility, and committee members agreed that the park's proximity to SBMS, coupled with Hamilton's passion for education, made the location a prime area to honor his legacy. This proposed park naming was presented to the BISD school board on October 17, 2016, at its regular Board meeting, and Board members expressed strong support for the proposed name honoring this important person and his strong Belton connection.

The 3.55 acres of park land, donated by BISD, will include a playground and swing set, along with two picnic tables, two benches, a BBQ Grill, trash cans, and a ¼ mile concrete trail.

City Council Agenda Item October 25, 2016 Page 1 of 2

#### Internet Posting of Proposed Names

We have complied with the Facility Naming Policy requirement, in VI.(g), requiring internet posting of proposed park names a minimum of ten (10) days prior to scheduled Council action.

#### **Fiscal Impact**

Fiscal impact will be nominal, involving signage and storyboard for Park.

#### **Recommendation**

At its meeting on October 3, 2016, the Parks Board unanimously recommended this park name, and we concur. Recommend Council approve the proposed park name Jeff Hamilton Neighborhood Park.

#### **Attachments**

PowerPoint Presentation showing proposed Park History of Jeff Hamilton - Texas Historical Association Street Renaming and Facility Naming Policy Resolution

> City Council Agenda Item October 25, 2016 Page 2 of 2

# CITY OF BELTON PARK NAMING

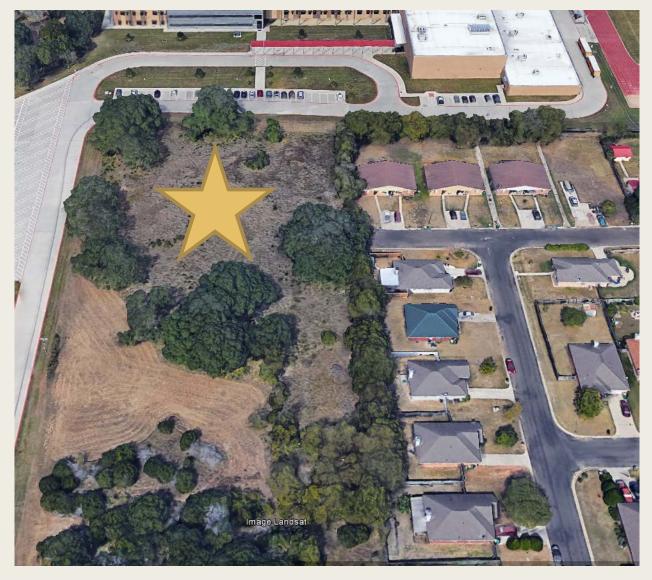
### Jeff Hamilton Neighborhood Park 1230 W. Ave J Belton, Texas

## History of the Park

- BISD granted parkland to the City of Belton through a Special Warranty Gift Deed on January 23<sup>rd</sup>, 2012.
- CIP Bond was issued in 2013- Included \$70,000 for playground and park development.
- Spring 2015- City applied for a matching grant from Texas Parks and Wildlife that would have doubled available funds.
- Spring 2016- We were notified we were not awarded funds.
- Summer/ Fall 2016- Identified plan and playground structure. Scheduled Mid November install.

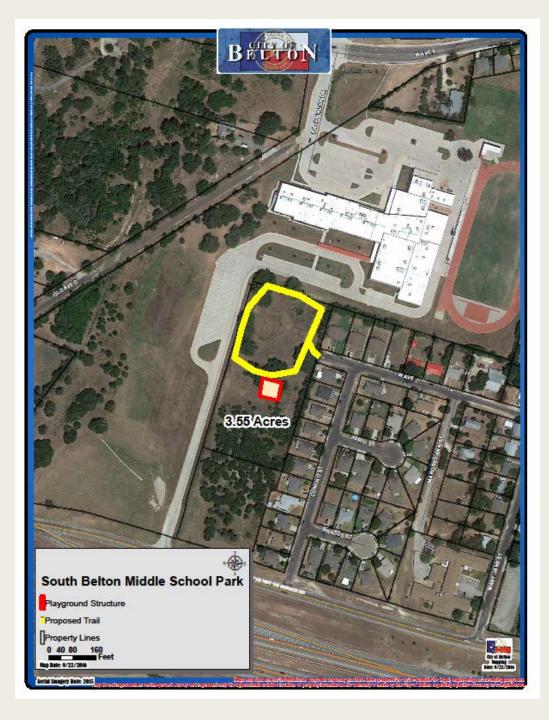
### **Location of Parkland**





# Park Layout

- ¼ Mile Concrete Trail.
- Playground Structure.
- 2 Benches
- 2 Picnic Tables
- BBQ Grill
- Trash Cans
- Entrance Sign
- Storyboard



## **Timeline for Completion**

- September, 2016- Review and select playground equipment.
- October- Site prep. Includes:
  - Shredding/ Mowing.
  - Capping off onsite well.
  - Tree trimming.
  - Light grading where needed.
  - Trail path prep.
- November 14<sup>th</sup>- Playground delivered and installed.
- Early December- Pouring of concrete trail.
- January 1- Department deadline for opening.



## Origins of Proposal and Facility Street Naming Policy

- Ms. Genevieve Gregg, a descendent of Jeff Hamilton spoke at City Council and Civic Clubs to raise awareness of Hamilton's legacy.
- City Staff wanted to find a suitable location that would honor Jeff Hamilton and signify his importance to the City of Belton.

### City of Belton, Texas

#### Street Renaming and Facility Naming Policy Revised June 11, 2013

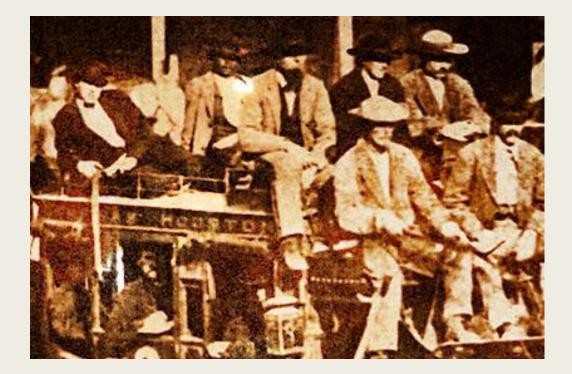
#### I. PURPOSE

This policy is implemented to establish criteria and procedures, applicable to all persons, groups, firms and agencies, for the renaming of a City street, and for naming a City facility. Streets and facilities should generally be named after people, places and events having made a significant impact on the quality of life within the City, and/or events of significance to the City's development. Proposed names for a street renaming should generally meet one of the following criteria:

- 1. to commemorate noteworthy persons associated with the City of Belton;
- 2. to commemorate local history, places, events or culture;
- 3. to strengthen neighborhood identity;
- 4. to recognize native wildlife or natural features related to the City of Belton; or
- 5. to recognize persons, places, or events of state, national, or international significance.

# **History of Jeff Hamilton**

- Born a slave on the Singleton Gibson
   Plantation in Kentucky April 16, 1840.
- Taken from his mother in October 1853 to sell at an auction in Huntsville. Senator Sam Houston was in town that day and noticed Hamilton crying and purchased him.
- Houston took Hamilton to his home, where he was a playmate of the Houston children, a personal bodyguard and valet of Sam Houston, and had a close, loving relationship with the family.



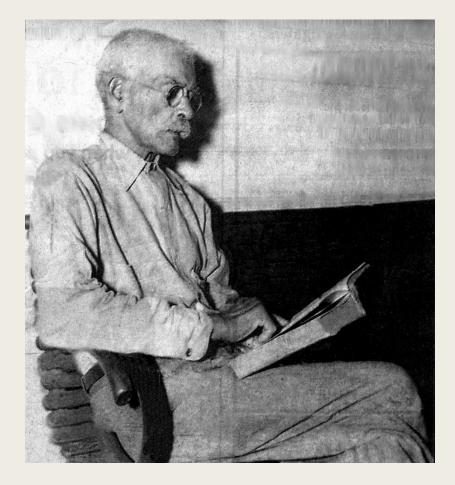
# History of Jeff Hamilton- Cont.

- While with the Houston family he learned not only reading, writing, and arithmetic but also had lessons on religion and responsibility with the Houston family.
- When Houston was elected governor of Texas in 1859, he appointed Hamilton as his office boy.
- When Houston freed his slaves in October 1862, Hamilton remained with the family. He was Houston's personal body servant and was with him at the time of his death.



# History of Jeff Hamilton- Cont.

Afterward, Hamilton moved with the Houston family to Independence, Texas, and remained with them until Mrs. Houston died. In Independence Hamilton helped the Houstons and worked as a janitor at Baylor College from 1889 to 1903. When the female college (now Mary Hardin-Baylor University) moved to Belton, Hamilton moved there too.



# History of Jeff Hamilton- Cont.

- Throughout his life, Hamilton remained an honorary member of the Houston family and attended all their reunions and special family events.
- Hamilton revered the Houston family until his death on April 3, 1941, in Belton and was buried in the East Belton Cemetery. Two Texas historical markers honor him, one at his gravesite and one on the University of Mary Hardin-Baylor campus.



# Recommendation

At its meeting on October 3<sup>rd</sup>, 2016, the Parks Board unanimously recommended approval of this name, and we concur. Recommend Council approve the proposed Park naming as Jeff Hamilton Neighborhood Park.

10/18/2016

mistreat the slaves. Sometime after the marriage McKell settled in Trinity County. Hamilton was taken from his HAMILTON, JEFF (1840-1941). Jeff Hamilton, son of Abner Hamilton, was born a slave on the Singleton There Mr. Gibson was killed, and his widow married James McKell, a heavy drinker and gambler, known to Gibson plantation in Kentucky on April 16, 1840. The Gibsons moved to Fort Bend County, Texas, in 1843. mother in October 1853 to sell at auction in Huntsville so McKell could pay a whiskey bill. Senator <u>Sam</u> Houston was in town that day, noticed the crying child, and purchased him.

take the oath to join the Confederacy. When Houston freed his slaves in October 1862, Hamilton remained with fexas in 1859, he appointed Hamilton as his office boy. Hamilton met many important historical figures during Hamilton moved with the Houston family to Independence, Texas, and remained with them until Mrs. Houston 1903. When the female college (now Mary Hardin-Baylor University) moved to Belton, Hamilton moved there his period in his life and attended many important events. He was with Houston when the governor refused to Houston during his two campaigns for governor. He learned not only reading, writing, and arithmetic but also died. In Independence Hamilton helped the Houstons and worked as a janitor at Baylor College from 1889 to Houston took Hamilton to his home, where he was a playmate of the Houston children, a personal bodyguard had lessons on religion and responsibility with the Houston family. When Houston was elected governor of the family. He was Houston's personal body servant and was with him at the time of his death. Afterward, and valet of Sam Houston, and had a close, loving relationship with the family. Hamilton was a driver for <u>io</u>

Centennial, and was widely interviewed about his life as a slave and his life with the Houston family. Hamilton annotations in it he learned his date of birth and father's name. Hamilton married Sarah Maxey, and they had 6 reunions and special family events. He located his mother following the Civil War. She recognized him by Cemetery. Two Texas historical markers honor him, one at his gravesite and one on the University of Mary eleven children. During his later life he was honored throughout the United States for his association with Throughout his life Hamilton remained an honorary member of the Houston family and attended all their burn scar on his left leg. She also showed him an old Bible her mistress in Kentucky had given her; from revered the Houston family until his death, on April 3, 1941, in Belton. He was buried in the East Belton leading historical figures of his lifetime. He spoke at many historical events, especially during the Texas Hardin-Baylor campus in Belton.

# **BIBLIOGRAPHY:**

Lenoir Hunt, "My Master:" The Inside Story of Sam Houston and His Time, by Jeff Hamilton as told to Lenoir Hunt (Dallas: Manfred Van Nort, 1940). Andrew Webster Jackson, A Sure Foundation and a Sketch of Negro Life in Texas (Houston, 1940). Marion Karl Wisehart, Sam Houston (Washington: Luce, 1962).

IPAN C Davis

#### **City of Belton, Texas**



## Street Renaming and Facility Naming Policy

Revised June 11, 2013

#### I. PURPOSE

This policy is implemented to establish criteria and procedures, applicable to all persons, groups, firms and agencies, for the renaming of a City street, and for naming a City facility. Streets and facilities should generally be named after people, places and events having made a significant impact on the quality of life within the City, and/or events of significance to the City's development. Proposed names for a street renaming should generally meet one of the following criteria:

- 1. to commemorate noteworthy persons associated with the City of Belton;
- 2. to commemorate local history, places, events or culture;
- 3. to strengthen neighborhood identity;
- 4. to recognize native wildlife or natural features related to the City of Belton; or
- 5. to recognize persons, places, or events of state, national, or international significance.

Consideration should be given to names of local areas of historical significance. The following names shall not be used:

- 1. names of living persons for streets, other than a recognized national figure;
- 2. duplicative names of streets already existing within the City;
- 3. names which are, and could be considered discriminatory or derogatory, or that express a particular political affiliation; and
- 4. names that could be considered as advertising.

This policy does not affect the naming of new City streets through the subdivision platting process.

#### II. INTENT

The success and vitality of the City depends on the contribution and support from citizens, volunteers, financial donors, and community leaders. Individuals, groups, companies or corporations may be recognized. The City welcomes the opportunity to recognize those who have demonstrated outstanding service and have worked to enhance our community. A fair and impartial street renaming policy is necessary to assure that renaming a street in recognition of an individual, group or corporation is reserved for those most deserving. Further, renaming decisions should not be influenced by personal prejudice, favoritism, political pressure or temporary popularity. Naming a City facility should reflect similar objectives. The Planning Department will work with applicants to coordinate a request to rename a street or to name a City facility prior to Council consideration.

#### III. EXPENDITURES

The costs of making and installing all the necessary signage authorized by the Council shall be paid for by the applicants. The Director of Public Works shall compute the costs of making and installation of the signs or plaques, and provide the amount of the costs to the applicants. If the City Council approves the street renaming or facility naming the applicants shall pay the full amount of the costs to the City of Belton prior to the making of the new signs. Sign maintenance shall be the responsibility of the Public Works Department.

The fees and costs set forth above may be waived if the procedure is initiated by the City Council or if Council determines it appropriate.

#### IV. CRITERIA FOR CONSIDERATION

After receipt of a completed application for renaming of a street, the City Clerk shall distribute it to the following departments: Public Works, Planning, Information Technology (GIS), Fire, and Police for a review and recommendation to the City Manager's office. Criteria for evaluation of a street renaming shall include, but not be limited to:

- 1. Number of businesses/residents directly affected consideration in this category would focus on the number of properties directly affected; the fewer properties the better.
- 2. Recognition of community diversity consideration of this criterion would endorse evolving community diversity.
- 3. Recognition of historical significance consideration of this criterion recognizes the historical significance of existing street names and the importance in recognizing the potential future historical importance to current events and developments.
- 4. Appropriateness given types of uses along subject street consideration of this criterion would insure reasonable compatibility between land use and street name.
- 5. Impacts on emergency services consideration of this criterion will ensure that replacement names for existing streets will not result in confusion related to efficient access for emergency purposes.
- 6. Precedent consideration of this criterion will determine whether an action renaming a street might establish a desirable or undesirable precedent.
- 7. Continuity and stability consideration of this criterion will evaluate the effect of a renaming request on the public's general connection with the existing name.

#### V. STANDARDS

- a. If a portion of a street is proposed to be renamed, the renamed portion shall begin and end at the intersections of major cross-streets.
- b. Abbreviations of words or names and initials will not be permitted (excluding suffixes).
- c. Single alphabetical characters will not be permitted.
- d. Duplicate street names, in sound or pronunciation within Belton/Belton Extra Territorial Jurisdiction (ETJ) will not be permitted.
- e. Street names will be easy to pronounce and easily recognizable in emergency situations.
- f. No street name shall contain more than twenty (20) characters.
- g. Names that may be offensive (slang, double meanings, etc.) will not be permitted.
- h. Vanity names will not be permitted.
- i. No street name shall contain the words North, South, East, West, or any combination thereof. Those directions are to be used only as a prefix.

- j. Street types should not be used as the street name. Example: Crossing Parkway. Crossing is a street type.
- k. Dual street naming is permitted.
- 1. Road Naming Standards identified in the Central Texas Council of Government's (CTCOG) 9-1-1 Addressing Standards (Attachment A) shall be utilized to the maximum extent practical.

#### VI. APPLICATION PROCESS

- a. The procedure for requesting a facility naming or street renaming is initiated with an application (request) filed with the City Clerk.
- b. The application shall contain:
  - 1. For a proposed facility naming, the proposed new name; the name, address, and contact information of each person, group, agency, or entity requesting the facility naming; a statement of reasons supporting the facility naming; a map with the location; and a non-refundable application fee of seventy five dollars (\$75.00).
  - 2. For a proposed street renaming, the present official City name of the street; proposed new name or dual name; the name, address, and contact information of each person, group, agency, or entity requesting the street name change; a statement of reasons supporting the street renaming; a map with the location; and a non-refundable application fee of one hundred fifty dollars (\$150.00).
- c. An application and a petition response form shall be sent to all adjacent fronting property owners by the Planning Department by certified mail. Owners shall be determined by the Planning Department from the then current real property ad valorem tax roll. Property owners will have 30 days from the post marked date to return petitions to Belton City Hall. For City Council consideration, a minimum 70% of responding property owners must respond favorably to the proposed street name change.
- d. If less than 70% of property owners respond favorably to the proposed street name change, the Planning Department will advise the applicant the request will not be processed further. If 70% or more of adjacent fronting property owners respond favorably to the proposal, the item will be scheduled for City Council consideration.
- e. The City Manager shall schedule a City Council public hearing on all applications for street renaming which meet the requirements outlined in this policy. Written notice of a public hearing before the City Council shall be sent to all adjacent fronting property owners, as indicated on the then current real property ad valorem tax roll, on the street in question. Notice shall be sent at least ten (10) days prior to the meeting via first-class mail and shall contain the proposed street renaming and the date and time of the public hearing. In addition, notice for street renaming will be listed on the City's website at least ten (10) days prior to the public hearing. Notice shall also be published in the newspaper at least ten (10) days prior to the public hearing.
- f. A simple majority vote of the Councilmembers present is required to rename a City street. The City Council shall either approve or deny the application based upon the information presented at the public hearing. The decision of the City Council shall be considered final.
- g. Regarding the naming of a City facility, a public hearing is not required, nor is notification to surrounding property owners, nor a newspaper notice. A website listing of the proposed facility name shall be provided at least ten (10) days prior to the Council consideration.

#### VII. POST APPROVAL PROCEDURE

If the request for a street renaming is approved by the City Council, the City Clerk shall notify all City Department Heads of the renaming, authorize amending the official street maps maintained by the City of the renaming, and post notice of the change on the City's website. CTCOG, the Bell County Communications Center, and the U.S. Post Office shall also be notified by the City Clerk. It shall be the property owners' responsibility to notify their respective utility companies (other than the City), the Bell County Tax Appraisal District, their mortgage companies, social security administration, lien holders, and any other pertinent entities of the street renaming.

When a request for a street renaming or the naming of a City facility has been denied by the City Council, the same request may not be considered for a period of six (6) months from the date of the City Council action.



#### PLANNING DEPARTMENT STREET RENAMING APPLICATION

There is a 30 day review process for all street renaming requests

Name of Applicant		
Phone:	Email:	
Address:		
Signature:		
Date:		
Current Street Name:		
Proposed Street Name:		
Location of Street:		
Subdivision:		
Zoning District:		
Land uses located on the street:		
	······	
Reasons supporting street renaming:		
	·····	

Application Requirements:

- A letter summarizing justification for the request
- Check for \$150 (non-refundable)
- Map showing location of street
- Favorable support from 70% of responding property owners fronting the street proposed for renaming
- Fee for signs costs of making and installing all the necessary signage
- Property owners are responsible for notifying their tenants

FOR OFFICE USE ON	LY
\$150 Non-refundable application fee paid Estimate of cost and installation of signs: Date submitted for Staff review:	
Staff comments:	
Date of City Council consideration:	
Approved Denied	

#### **PROPERTY OWNER RESPONSE**

	TO	
IN THE BLOCK RANGE FROM _		TO
Print Name:		
Street Address:	φ	
Telephone Number:		
Mailing Address:		
Legal Description, if available: Lot	Block	Addition
, the undersigned Owner of this property s	et forth by nam	e, hereby join in and request the petition
change the street name be (check one):		
Approved		
Disapproved		
Signature:		

Please submit your petition within 30 days of receipt.

NOTE: A minimum 70% of responding property owners indicating approval is required for City Council consideration of a street name change.



#### PLANNING DEPARTMENT CITY FACILITY NAMING APPLICATION

There is a 30 day review process for all facility naming requests

Name of Applicant		
Phone:	Email:	 
Address:		 
Signature:		 
Date:		
Current Facility Name:		
Proposed Facility Name:		
Reasons supporting facility name change:		
	1. 2011	

Application Requirements:

- A letter summarizing justification for the request
- Check for \$75 (non-refundable)
- Map showing location of facility
- Fee for signage costs of making and installing all the necessary signage

75 Non-refundable application fee paidYes Estimate of cost and installation of signage: Date submitted for Staff review: Staff comments:	
	No
Date of City Council Consideration:	
Date of City Council Consideration: Approved Denied	

CTCOG P.O. Box 729 Belton, Texas 76513 254-770-2200 Voice 254-770-2399 FAX

## Central Texas Council of Governments

## 9-1-1 Addressing Standards

Accomplishing Together That Which We Cannot Alone

**ATTACHMENT "A"** 

#### CTCOG 9-1-1 Rural Addressing Standards

The purpose of developing E 9-1-1 standards is to enable emergency service providers to quickly reach the location of a 9-1-1 call with the least amount of confusion. National Standards have been written for the enhanced 9-1-1 development. The commonly accepted standards for addressing, road naming, dispatch, etc. in use nationwide need to be evaluated by each local body performing the necessary work. Although most national standards may apply to our specific counties, it is necessary to configure the standards to meet the criteria of our specific area. Each county must adopt a rigorous set of standards.

Several decisions must be made such as: the geographical area to be included, the method of street naming and number assignment, and the extent of coordination with neighboring counties. The design of the E 9-1-1 Addressing system is something that should be thought about long before a GIS Contractor comes on board to begin an addressing effort.

Key individuals that may be included are: Postmasters, members of EMS, members of Fire Departments, members of Sheriff's Departments, member of tax departments, realtors, or utility company employees. These developments should be countywide based. It is imperative that a point of contact at the County level be available who can give impute to any unforeseen matters.

#### Road Naming Standards

It is much easier to complete a measured addressing project if road-naming activities are completed BEFORE house numbering is begun. The following are some Road Naming Standards that should be considered on the local level as to whether they meet your specific county needs.

- Roads should have unique names throughout an entire town, zip code and emergency service zone. Every distinct road should be a separate named road. This includes private roads.
- There should be no duplicate street names unless the boundaries of commonly used village names within the municipality can be specifically identified.
- A named road should be essentially continuous, without gaps.
- There should be no identical or similar sounding street names (e.g., Beach and Beech, Main and Maine, Flower and Flour, or even Beach and Pcach)
- Avoid using directional or suffixes to distinguish separate, non-contiguous streets (e.g., Palm CT, Palm AVE, and Palm ST, N. Palm CT).
- Avoid special characters, such as hyphens, apostrophes, periods, or decimals, in street name and numbers.
- Streets within multi-structure complexes (e.g., business campus, multi-unit apartment complex) should be named and each structure should be individually addressed.
- Streets within mobile home parks should be named and each lot individually addressed.
- Road names should be assigned based on traffic patterns. Road networks are often like stream networks, with main stems of high traffic volume, and tributaries with less traffic volume should continue with the same name.
- The name of a road or street that has a historical reason for having its name should retain its name.
- The road with the most houses on it should retain its name, thus affecting the least amount of people.

- Road names should only change at substantial intersections or at town boundaries. Do not change road names on corners or in the middle of road section (it's confusing).
- The street that has had the road name the longest should retain its name.
- The name of the street that is used for the longest distance or is most likely to have the heavier traffic should retain its name.
- When a road runs from one town to another it <u>can</u> change names at the town border.
- There is no need for road names to correspond with official town highway numbers.
- State and US highways should be assigned their highway names, with the format of the highway type ("US Route" or "NYS Route 97")
- If a local name is already in use for a US or State Highway (e.g., Main ST), it can maintain the local name as it's official name. To avoid confusion, local names should only be assigned to US and State highways in towns where the highway appears to be and functions as a local road. Generally, the official highway name is preferred.
- When neighboring towns agree to keep the same name of a road running between towns, the measuring and numbering should be consecutive.
- Numbering along State Highways and US should follow the same rules for other named roads passing between towns. For long highways spanning many towns, it will not be practical to use sequential numbering for end to end. However, for a highway spanning just 2 or 3 towns the numbering will ideally be sequential for the full length of the highway to avoid any confusion between towns.
- Many roads have alias names that they are known by. If desired, your GIS Contractor should be able to enter these aliases into the county's road dataset. However, every road must have a single, official name for Enhanced 9-1-1 purposes.
- For roads that connect two other roads, but have a middle section that is little used or impassable (at least in winter) there are several options.
- Driveways with 3 or more homes located off the same access drive should be given a Private Road name designation.
- 1. Assign a single name to the entire road and number the road sequentially starting at the more traveled end. This option is recommended when the middle section is passable and used most of the year.
- 2. Assign different names to either end of the road and choose a point in the middle of the impassable section where the name changes. This option is appropriate only if the middle section is truly impassable. Each road's numbering would start from its intersecting road (where most or all traffic originates) and end at the middle point.
- 3. Assign a single name to the road, but choose a point in the middle section where the road changes form "East" to "West" or from "North to "South". For example, "East Burly Hill Road" and "West Burly Hill Road". These constitute two distinct numbering for each road would start at the intersecting road (where most or all traffic originates) and end at the middle point.
- 4. Private Road naming must be chosen by either largest land owner along easement (driveway) or (and inside Bell County) a petition signed by the majority of owners located along easement (driveway). A Private Road name should be chosen by the owner/s that is not in use elsewhere in the county.
- 5. Once a Private or County Road name has been assigned/chosen, a map requesting approval must be sent to the County Commissioner's Court and Judge. If located in Bell County notice must be sent to the County Engineer's Office as well for approval and sign placement and notification sent to the precinct Commissioner.

#### Adopting and Standardizing a System for Addressing

Municipalities planning to commence an enhanced 9-1-1 project should establish a single locatable addressing system that is adopted for <u>all</u> addressing purposes including emergency service provision, postal delivery, municipal record keeping, and utility service orders.

#### 5.28' Address Increment

NENA Standards recommend that communities adopt a 5.28' increment. This increment would allow for 1,000 unique numbered addresses per 1-mile length of road (there are 5,280 feet in a mile). This increment makes it very easy for an emergency service provider in the event of an emergency to look at the address and quickly figure out how far down the road the house is located. For example, if an ambulance were dispatched to 500 Alpine Lane (using a 5.28' address increment) the emergency vehicle would know to travel exactly one half mile down Alpine Lane to locate number 500. Similarly, if an emergency service provider is dispatched to 957 Alpine Lane, they would immediately know that they must travel just under a mile and look on the left side of the street for the emergency address site number 957. Obviously, this kind of addressing increment can save a great deal of time during an emergency situation.

Another benefit of the 5.28' increment is that structures can be assigned an address every 10.5' on each side of the driveway. Very few driveways, even in congested areas are located that close together. This means that many addressees are developed, mainly for navigational purposes, but also for future development needs of a community. Therefore, it is very important to select a numbering increment that not only supports your current addressing needs, but the future development needs of your community. If the appropriate measured numbering system is selected; a community will never need to be re-addressed to accommodate future development.

#### 52.8' & 50' Address Increments

Although not generally recommended by NENA, these address increments are occasionally chosen to meet the specific needs of a community. Communities should be careful to ensure that this numbering increment meets both their present needs AND the needs they anticipate for future sub-division and development AND the needs of timely emergency response. Oftentimes the logic for utilizing the larger 50' increments is in consideration of more rural areas, where, in theory, the amount of development is expected to be far less than the urban areas. Therefore, in these rural areas it is oftentimes considered overkill to generate so many numbers. Unfortunately, when this larger increment is chosen, the easy address-based navigation is diminished by a less than quick to figure out math equation. In other words, it is much simpler to figure out that a house addressed utilizing the 5.28' increment and given the address 500 Alpine Lane is approximately one half mile down the road. It is not so easy to apply the same logic to a house addressed utilizing the 50' increment. Communities should very carefully consider what is gained in response time (since that is the point of re-addressing) by choosing a 50' or greater increment.

#### Evens on the Right - Odds on the Left

All structures should be numbered with even numbers on the right and odd numbers on the left. This parity should be strictly followed to aid in the efficient response of emergency crews. This parity sometimes becomes confusing in the case of a Cul-Du-Sac, circular streets, trailer parks, etc. Be sure your GIS Consultant has an automated system of checking the parity of each mapped and addressed structure. Without a built-in and digitally automated means of performing QA/QC on the address parity, the address data is bound to end up with parity errors.

#### Addressing Standards

The following are recommendations to consider as county addressing standards. Each of these recommendations should be specifically looked at to see if they make sense in your county and if so, they should be implemented as part of your countywide addressing standards.

- Official street numbers should proceed from a logical point of origin and should be in proper numerical sequence in relation to other lots with frontage on the same street/road. It is recommended that a county adopt a standard numbering sequence that goes from East to West and South to North.
- <u>Odd</u> numbers should be assigned to left side of the street and even numbers should be assigned to the right side of the street.
- Address numbers should be assigned to all structures which are inhabited or which have or may have phone service (including telephone booths) and not to lots and parcels. Many lots have more than one structure and thus require more than one address.
- Corner lots should be assigned a number according to the frontage of the main entrance and/or where the driveway meets the road not where the mailbox is located.
- The logical/grammatical order of address elements should follow USPS conventions: street number, pre-directional, primary street name, suffix, post-directional, and secondary number, if any (e.g., 100 W Main ST SE Apt 201).
- Multi-unit structures should be given one primary number (e.g., 101 Main ST or 103 Main ST) and apartments or suites should be given numbers or letters as secondary location indicators (e.g., 111 Main ST, APT A, or 111 Main ST, APT 101).
- Primary street numbers should not be longer than six characters.
- There should be no fractional addresses (e.g., 101 1/2 Main ST).
- Alphanumeric primary or secondary address numbers should not be used (e.g., EOI Main ST).
- Hyphenated primary or secondary address numbers should not be used (e.g. 41-65 Bell ST).
- Significant leading zeros in primary and secondary numbers should not be used (e.g., 0145 Main ST).
- One letter road names should not be used (c.g., B Street or Z Lane).
- Common practice is to number from east to west, and from south to north.
- Where one road starts and ends at points on a second road (creating a loop), the numbering along the two roads should be in the same direction.

#### **Road Signs and Address Number Standards**

#### **Road Signs**

Naming roads and mapping them is among the first steps in an addressing process. Placing road signs is one of the final tasks. To assist both emergency service personnel and the general public, signs must be visible and maintained. A frequent compliant about a road sign is that they are often hidden by tree branches. Annual trimming can eliminate this problem. There are several varieties of signs that are suitable for public road use. The most common is the green background with reflective white lettering. However, regardless of color, the important issue is to ensure the letters are tall enough to be easily seen day or night.

#### Sizes

Lettering on street name signs should be at least 4 inches high, supplementary letting to indicate the type of street (e.g., Street, Avenue, Road, etc.) or section of city (e.g., NW) may be in smaller lettering, at least 2 inches high.

For rural areas: Municipalities should use 9 inch high blade in lengths of 24, 30, 36, or 42 inches with 6 inch high letter for street names, 4 inches for other.

For urban areas: Municipalities should use 9 inch high blade in lengths of 24, 30, 36, or 42 inches with 4 inch high letter for street names, 3 inches for other.

#### Placement

In business districts and on principal arteries, Street Name signs should be placed at least on diagonally opposite corners so that they will be on the far right hand side of the intersection for traffic on the major street. They should be mounted with their faces parallel to the streets they name. In residential districts at least one Street Name sign should be mounted at each intersection. In rural districts signs should be placed to identify important roads not otherwise marked.

On intersection approaches a supplemental Street Name sign may be erected separately or below an intersection related warning sign. When combined with a yellow diamond sign, the color should be a black message on a yellow background. The preferred mounting method for street signs is post-top mounting brackets. Hardware for mounting signs to posts should be subsidiary to other items. The minimum vertical clearance should be 8 feet to the bottom of the sign for post-top mountings.

#### Materials

The most commonly used materials for blades is either extruded aluminum with a 0.25 inch flange thickness and 0.090 inch web (min.) or flat sheet aluminum with a minimum thickness of 0.125 inches. However, other materials can be used, if they achieve the same level of visibility.

#### Colors

The signs should have a reflectorized white or silver text (stick on reflective letters) on a reflectorized green background, the colors should conform with those found in standard color tolerance charts as approved by the U.S. Department of Transportation Federal Highway Administration.

#### Lettering

Letters and digits should conform to standard alphabets for highway signs printed by the federal highway administration. Conventional abbreviations are acceptable except for the street name itself. A symbol or letter designation may be included to identify the governmental jurisdiction. If used, the length of the designation should not exceed the height of the sign, and should be positioned to the left of the street name.

#### **Displaying Address Numbers:**

Structures in cities are much easier to mark than those in rural areas where the structures are often obscured by trees or are so far off the road as to not be visible. To ensure that all house numbers are visible, it may be necessary to make special provisions for posting numbers in rural areas. Listed below are recommended standards for displaying address numbers:

- 1. First preference should be to put a number on the front of every structure.
- 2. Mailboxes should be marked with the house number if the box is in front of and on the same side of the street as the house.
- 3. Where mailboxes are not in front of the house or structure to be marked, a number should be displayed on the structure, if it is visible from the road.
- 4. If the structure is not visible from the road and no mailbox is beside the driveway leading to the structure, a sign or number post should be erected to display the number. This sign or number post could display the number either vertically, from top to bottom, or horizontally.

5. In areas of snowfall, it is very important that the structure number be placed high enough that it will not be obstructed by snow during an average winter.

#### Notification for new roads:

Once a name, whether private or county, has been established and approved. All emergency responding agencies should be sent a map showing location information, road name or number and coordinating addresses (if assigned) with the date of notification placed in the ArcGIS map data. A copy of the notification letter should be kept as well. The Post Office and Telephone Company that services the new road should be notified of its location and address ranges in addition.

#### **Be Open to Hire a GIS Consultant**

It is imperative that before you write a request for proposals (RFP) or begin the process of hiring a GIS Consultant to perform Addressing and Data Development, that the county have all standards outlined. Without identifying on a local level, which standards the county has chosen, you cannot hope to hold a GIS Consultant to any consistent set of rules. Once done it is important to look for a GIS Consultant that has a proven track record of completing large scale E-911 data development projects in a timely manner. Check all consultant references carefully!!

#### **RESOLUTION NO. 2016-30-R**

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, NAMING A CITY OF BELTON PARK, AND PROVIDING AN OPEN MEETING CLAUSE.

**WHEREAS,** a Parks Naming Committee comprised of City Staff was established to recommend the name for a new City of Belton Park;

WHEREAS, on October 3, 2016, the Parks Naming Committee made the recommendation of a name to the Parks Board, and the Parks Board concurred in recommending a name to the City Council as:

New Park located west of Avenue J and South of South Belton Middle School – *Jeff Hamilton Neighborhood Park* 

**WHEREAS,** in compliance with the City of Belton's Street Renaming/Facilities Naming Policy, the proposed name has been published on the City's website; 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 name for the Park contained in the preamble of this Resolution is hereby adopted, such that Belton's newest park is hereby named Jeff Hamilton Neighborhood Park.

<u>Part 2:</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 25<sup>th</sup> day of October, 2016.

THE CITY OF BELTON, TEXAS

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

## Staff Report – City Council Agenda Item



#### Agenda Item #7

Consider adoption of a resolution directing the publication of notice of intention to issue combination tax and limited revenue certificates of obligation, series 2016, in a maximum principal amount not to exceed \$9,700,000, and other matters related thereto.

#### **Originating Department**

Finance Department – Brandon Bozon, Director of Finance

#### Summary Information

Over the past six months, Council has, at various meetings and workshops, received briefings on the infrastructure needs of the City. During those briefings the North Belton Water Tower and South IH 35 Sewer projects were determined to be candidates for funding in a potential 2016 debt offering. The maximum amount of the debt offering is set at \$9,700,000 to maintain bank qualified status.

#### Fiscal Impact

De minimis impact at this time for the publication of notices.

A \$9.7M, 20 year note at 3.25%, with debt service structured to complement our existing water and sewer debt service, would result in a total repayment of approximately \$13.76M. The FY 2017 Water and Sewer Fund budget contains \$345,081 for the FY 2017 service of this potential utility debt issue.

#### **Recommendation**

Recommend approval of the attached resolution.

#### **Attachments**

- 1. Resolution directing the publication of notice of intention to issue combination tax and limited revenue certificates of obligation, series 2016
- 2. Model of potential debt service schedule
- 3. North Belton Water Tower exhibits
- 4. South IH 35 Sewer exhibit

City Council Agenda Item October 25, 2016 Page 1 of 1

#### **RESOLUTION NO. 2016-31-R**

#### **RESOLUTION DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION, SERIES 2016 AND OTHER MATTERS RELATED THERETO**

#### THE STATE OF TEXAS COUNTY OF BELL CITY OF BELTON

**WHEREAS**, the City Council (the "Council") of the City of Belton, Texas (the "City") finds that the payment in whole or in part of contractual obligations incurred or to be incurred for the purposes set forth in <u>Exhibit "A"</u> attached hereto (the "Contractual Obligations") would be beneficial to the inhabitants of the City and are needed to perform essential City functions; and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue certificates of obligation in a maximum principal amount not to exceed \$9,700,000 (the "Certificates") pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code (the "Act") for the purpose of financing the Contractual Obligations; and

WHEREAS, prior to the issuance of the Certificates, the City is required under the Act to publish notice of its intention to issue the Certificates once a week for two consecutive weeks in a newspaper of general circulation in the City with the first publication to be at least 31 days before the date tentatively set for passage of the ordinance authorizing the Certificates, the notice stating: (i) the time and place tentatively set for the passage of the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount and purpose of the Certificates to be authorized, and (iii) the manner in which the Certificates will be paid; and

**WHEREAS**, prior to the issuance of the Certificates, the City is additionally required by Section 8.15 of its Charter to hold a public hearing and to publish notice of such public hearing summarizing the statutory provisions for petition and election with respect to the Certificates at least once a week for three consecutive weeks; and

**WHEREAS,** the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS:

**Section 1**. Attached hereto is a form of the Notice of Intention to issue the Certificates, the form and substance of which is hereby adopted and approved.

**Section 2**. The City Clerk or other authorized representatives of the City, shall cause the notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, once a week for three consecutive weeks, the date of the first publication to be at least 31 days prior to the time set for the ordinance authorizing the issuance of the Certificates as shown in the notice. In addition to the foregoing publications, the City Clerk or other authorized representatives of the City, may also cause such notice to additionally be published in any other publication within the City deemed to be appropriate for providing additional notice to the public; provided that such additional publication is not required to satisfy the foregoing requirements with respect to the timing of publication.

**Section 3**. The City Council hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of obligations being issued or (ii) \$9,500 for each series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the Certificates.

Section 4. This Resolution shall become effective immediately upon adoption. The Mayor and City Clerk are hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City and to do any and all things proper and necessary to carry out the intent of this Resolution.

PASSED AND APPROVED THIS 25th day of October, 2016.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

#### **EXHIBIT** A

#### NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Belton, Texas, to issue interest bearing certificates of obligation of the City entitled "City of Belton, Texas Combination Tax and Limited Revenue Certificates of Obligation, Series 2016" for the purpose of paying contractual obligations incurred or to be incurred by the City for (1) constructing, improving and/or extending the City's waterworks and sewer system, including construction of a North Belton water tank and the South Belton sewer extension, including the acquisition of any necessary easements or land and (2) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuance in connection with the certificates. The City Council tentatively proposes to authorize the issuance of such Certificates of Obligation at its regular meeting place at the Harris Community Center in the Wright Room located at 401 North Alexander in Belton, Texas 76513, at a regular meeting to commence at 5:30 p.m. on the 13th day of December, 2016. The maximum amount of Certificates of Obligation that may be authorized for such purpose is \$9,700,000. The City Council presently proposes to provide for the payment of such Certificates of Obligation from the levy of ad valorem taxes and from a limited pledge of the surplus revenues derived from the operation of the City's combined waterworks and sewer system, after payment of all operation and maintenance expenses and all debt service, reserve and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding) which are payable from all or any part of the revenues of the City's combined waterworks and sewer system, which amount shall not exceed \$1.000.

In accordance with the City's home rule charter, the City also intends to hold a public hearing with respect to the proposed issuance of the Certificates of Obligation at its regular meeting place at the Harris Community Center in the Wright Room located at 401 North Alexander in Belton, Texas 76513 at a meeting on the 22nd day of November, 2016, to commence at 5:30 p.m. Pursuant to state law, if before the City takes action to authorize the issuance of the Certificates of Obligation the City Clerk receives a petition signed by at least five percent of the qualified voters of the City protesting the issuance of the Certificates of Obligation, the City may not authorize the issuance of the Certificates of Obligation unless such issuance is approved at an election held within the City.

#### **CITY OF BELTON, TEXAS**

Schedule to be used for modeling purposes. Final rates and payments will be negotiated when securities are sold.

Issue	\$ 9,700,000
Rate	3.25%

	Payment	Interest	Principal	Bala	ince
				\$	9,700,000
2017	\$ 345,182	\$ 315,250	\$ 29,932	\$	9,670,068
2018	\$ 392,127	\$ 314,277	\$ 77,849	\$	9,592,219
2019	\$ 445,064	\$ 311,747	\$ 133,317	\$	9,458,902
2020	\$ 445,064	\$ 307,414	\$ 137,649	\$	9,321,253
2021	\$ 445,064	\$ 302,941	\$ 142,123	\$	9,179,130
2022	\$ 445,064	\$ 298,322	\$ 146,742	\$	9,032,388
2023	\$ 890,127	\$ 293,553	\$ 596,575	\$	8,435,813
2024	\$ 890,127	\$ 274,164	\$ 615,964	\$	7,819,849
2025	\$ 890,127	\$ 254,145	\$ 635,982	\$	7,183,867
2026	\$ 890,127	\$ 233,476	\$ 656,652	\$	6,527,215
2027	\$ 890,127	\$ 212,134	\$ 677,993	\$	5,849,222
2028	\$ 1,068,153	\$ 190,100	\$ 878,053	\$	4,971,168
2029	\$ 715,663	\$ 161,563	\$ 554,100	\$	4,417,069
2030	\$ 715,663	\$ 143,555	\$ 572,108	\$	3,844,961
2031	\$ 715,663	\$ 124,961	\$ 590,701	\$	3,254,260
2032	\$ 715,663	\$ 105,763	\$ 609,899	\$	2,644,361
2033	\$ 715,663	\$ 85,942	\$ 629,721	\$	2,014,640
2034	\$ 715,663	\$ 65,476	\$ 650,187	\$	1,364,453
2035	\$ 715,663	\$ 44,345	\$ 671,318	\$	693,136
2036	\$ 715,663	\$ 22,527	\$ 693,136	\$	(0)
Total	\$ 13,761,654	\$ 4,061,654	\$ 9,700,000		

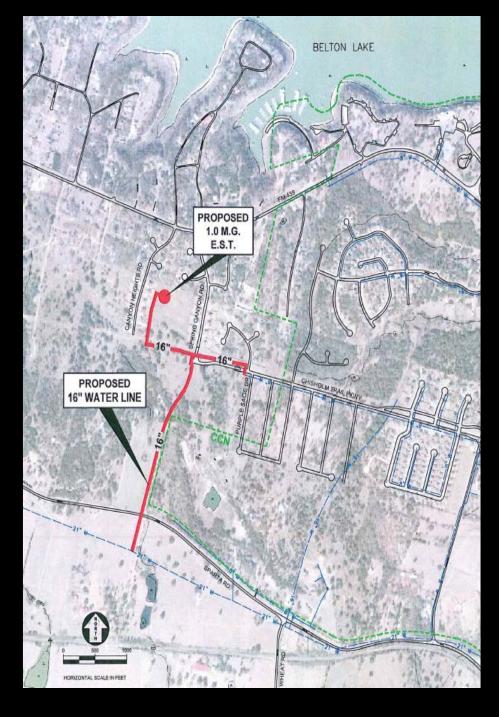
# Proposed Elevated Water Storage Tank

## Proposed Tank

- ♦ 1,000,000 gallon tank (1 MG)
- Composite type
- The additional 1 MG will allow up to 11,250 water connections, providing opportunity for growth in our current 6,350 connections
- ♦ Excess of 0.98 MG of total storage
- Additional water storage for fire protection, provisions during maintenance or water main breaks, reduced pump station run times, increased pressures

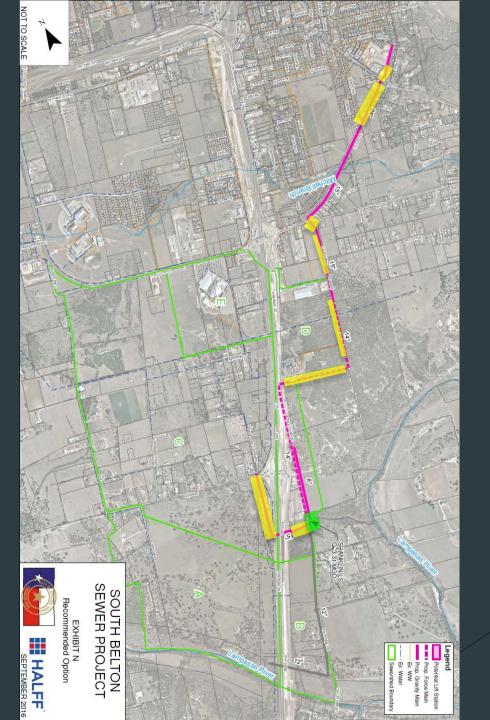
## Proposed Location

- Northwest Belton
- 5 acre tract purchased in 2015; north of future Chisholm Trail Parkway between Canyon Heights and Spring Canyon Roads
- Will receive water from the 21" transmission line along Sparta
- Will supply water for all of Belton's water customers due to elevation. Will supply water to an 8-inch line along Chisholm Trail Parkway





**Composite-type** elevated storage tank is proposed



### Staff Report – City Council Agenda Item



#### Agenda Item #8

Conduct annexation public hearings and present Municipal Services Plans for seven areas:

- A. <u>Area 1</u>: Approximately 716.44 acres located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.
- B. <u>Area 2</u>: Approximately 198.69 acres located on the east side of IH 35, between the east/west portion of the Lampasas River and Elmer King Road.
- C. <u>Area 3</u>: Approximately 250.14 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the west side of IH 35, measuring approximately 1,000' in width, and would add 1,000' additional on the west side of IH 35 to the current 1,000' total city limit width centered on IH 35. The tract extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.
- D. <u>Area 4</u>: Approximately 297.20 acres located south of the intersection of IH 35 and the Lampasas River. The tract extends along the east side of IH 35, measuring approximately 1,000' in width, and would add 1,000 additional feet to the current 1,000' total city limit width centered on IH 35. The tract extends southward along IH 35 south of Amity Road, and adjoins the Salado ETJ line.
- E. <u>Area 5</u>: Approximately 228.27 acres located along and north of Sparta Road and west of the existing city limits, extending west to FM 439, and east along Sparta Road to the city limits.
- F. <u>Area 6</u>: Approximately 24.10 acres located generally along the proposed north/south alignment of Lake-to-Lake Road, north of Sendero Estates Subdivision, and south of FM 93.
- G. <u>Area 7</u>: Approximately 2.713 acres located on the south side of Avenue O, between Avenue O and Old Golf Course Road.

#### **Originating Department**

Administration – Sam A. Listi, City Manager

City Council Agenda Item October 25, 2016 Page 1 of 3

#### **Summary Information**

The development of a Growth Management Strategy, evaluating annexation priorities, is a goal in Belton's Strategic Plan. This evaluation process began earlier this year with a <u>Growth Management Framework</u>, which was adopted by the Council on June 28, 2016. The <u>Framework</u> identified strategies to guide the study of annexation, including:

- Promoting economic development;
- Planning for existing and future development;
- Facilitating long range planning;
- Addressing municipal service delivery needs; and
- Evaluating fiscal considerations.

On August 23<sup>rd</sup>, the Council directed preparation of a <u>Growth Management Study</u>, a detailed analysis of existing conditions and significant development and planning issues in each of the seven (7) identified areas, to help the Council evaluate if annexation may be appropriate. In response, City staff prepared a tract by tract analysis which was presented to Council on September 13<sup>th</sup>. In Resolution No. 2016-27-R, approved on September 13, 2016, the City Council called for annexation public hearings, and directed staff to develop required Municipal Services Plans for each of the seven study areas.

This is the first of two required public hearings involving consideration of the involuntary annexation of the seven areas described above.

Texas Local Government Code, Section 43.056, Provision of Services to Annexed Area, requires preparation of a Municipal Services Plan that provides for the extension of municipal services to an area to be annexed. We have prepared a Municipal Service Plan for each area that includes services such as Police, Fire and EMS Services, Planning and Development Services, Code Enforcement, Refuse and Brush Collection, Recycling, and others. Areas annexed into the City will have access to City parks and facilities, as well as the City's Library, and City maintenance of streets and drainage. Water and sewer services vary, and are discussed in each Municipal Services Plan. These Plans are attached, and copies will be available at the public hearings.

Commitment to three (3) capital improvement projects, which are identified in one or more of the Plans, include:

- a) A trunk Sewer Line planned for placement along the east side of IH 35, adjacent to Study Area 1;
- b) A one million gallon elevated water storage tank planned on City property in Northwest Belton to enhance water service throughout the City, including enhanced fire protection and additional capacity during water line maintenance; and

City Council Agenda Item October 25, 2016 Page 2 of 3 c) A planned 0.8 mile expansion of the City's Hike and Bike Trail Network, extending from University Drive/Crusader Way to the proposed Sparta Road roundabout.

These capital improvements will be completed within 2½ years, by June 30, 2019.

As previously discussed, a number of properties are eligible for Non-Annexation Development Agreements, which may defer annexation for a specified term, if the owners agree not to develop. Those documents have been sent to owners, and we are meeting with them to discuss their interests. Property owner decisions have been requested by October 28, 2016, in order for the Council to be prepared to make a determination of appropriate annexation boundaries by the scheduled first reading of annexation ordinances on November 22, 2016.

#### Fiscal Impact

The fiscal impacts associated with the annexation of each tract were discussed when the Growth Management Study was presented to Council on August 23, 2016. There are no fiscal impacts with this step of conducting a public hearing concerning annexation.

#### **Recommendation**

Conduct annexation public hearings and present Municipal Services Plans for seven areas.

No other City Council action is required following presentation of Municipal Services Plans and conducting public hearing. The attached Annexation Schedule outlines the next steps in the process, including a special Council meeting on November 1, 2016 for the second public hearing and presentation of the Municipal Services Plans, with the second reading of the ordinance and final Council action anticipated on December 13, 2016.

#### **Attachments**

Municipal Services Plan Overview Individual Municipal Services Plans/Maps for Areas 1-7 Development Agreement Sample (Area 1) 2016 Annexation Schedule

> City Council Agenda Item October 25, 2016 Page 3 of 3

#### City Of Belton 2016 Growth Management Study Municipal Services Plan Overview

Provision of Services to Annexed Areas is required (43.056 LGC) in three parts. City must develop, and make available, a Municipal Services Plan that provides services that are equal or superior to services provided in the area prior to annexation:

- A. Basic Services Police, Fire, EMS, Street Maintenance, Public Park Maintenance, if any, and extension of currently provided services.
- B. Full Municipal Services Extension of all city services, but a uniform level of services is not required based on existing topography, land use, and population density.
- C. Capital Improvement Plan (CIP) project listing based on known commitments, as well as inclusion in CIP planning for future capital needs.

The City of Belton will provide the following services immediately upon the effective date of annexation. All services will be provided at a service level equal or superior to the level of service provided prior to annexation.

- POLICE PROTECTION, SERVICES
- ANIMAL CONTROL SERVICES
- FIRE AND EMERGENCY SERVICES (EMS)
- FIRE PREVENTION SERVICES
- PLANNING, ZONING AND DEVELOPMENT REVIEW
- CODE ENFORCEMENT SERVICES
- LIBRARY SERVICES
- PARKS & RECREATION SERVICES, FACILITIES, PROGRAMMING
- STREETS & STORM DRAINAGE MAINTENANCE
- SANITATION
- BRUSH COLLECTION
- RECYCLING COLLECTION
- UTILITIES (WATER DISTRIBUTION/WASTEWATER COLLECTION)
- ENVIRONMENTAL HEALTH
- SERVICES, FUNDING AND CITY POLICIES

#### CITY OF BELTON MUNICIPAL SERVICES PLAN

The area proposed for annexation consists of approximately 716.44 acres, and is located on the east side of IH 35, along and south of Decker Road. The tract extends southward to the Lampasas River, and extends along the river to the south and southeast, connecting to existing city limits, east of Toll Bridge Road.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

<u>Code Compliance</u>. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

1

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

<u>Parks and Recreation</u>. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution</u>. The area proposed for annexation is located within the certificated area of two water districts: The **City of Belton** and **Armstrong Water Supply Corporation**. The City of Belton is responsible for water service in the western portion of the Area, subject to the City's water extension policies. Decker Road and the area east of Capital Way are within the Armstrong CCN. Water service, whether provided by Armstrong Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements, including the City's subdivision regulations.

<u>Wastewater Service/Collection</u>. (<u>NOTE</u>: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

Construction of Capital Improvements To Be Completed Within 21/2 Years.

- 1. <u>Trunk Sewer Line</u>. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, adjacent to Area 1. This trunk line will be available for extension to the south, east, and northeast for service to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
- 2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. <u>Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1</u>. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

- 4. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- 5. <u>Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or</u> <u>Service</u>. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

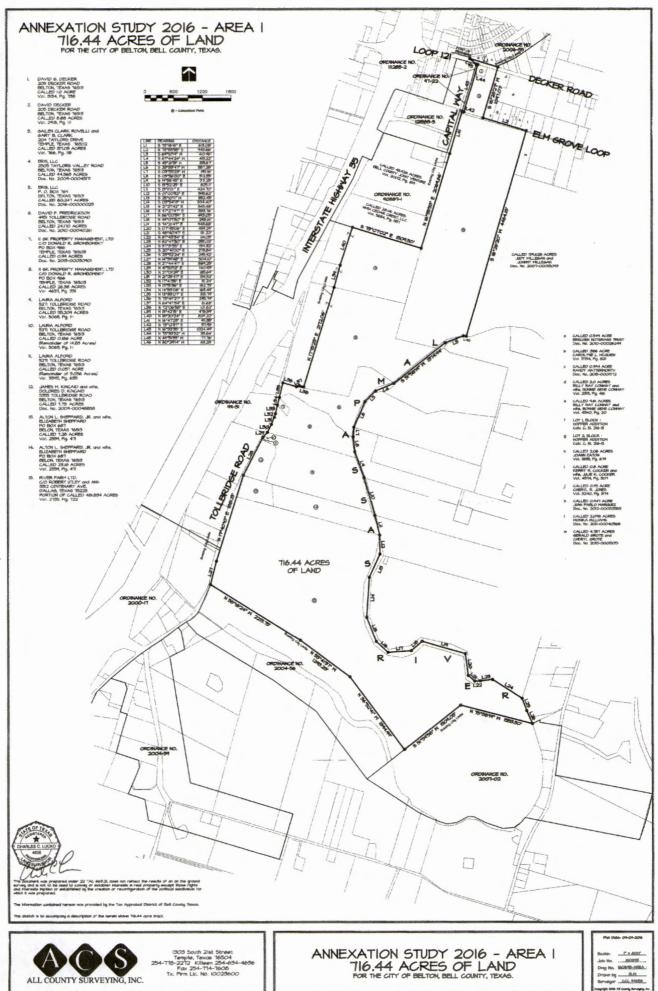
<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.





18.20% Al Costly Straphy, Ic.

The area proposed for annexation consists of approximately 198.69 acres, and is located on the east side of IH-35, between the east/west portion of the Lampasas River and Elmer King Road.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning</u>, <u>Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

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<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

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- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

<u>Sanitation and Recycling</u>. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution.</u> The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **City of Belton**, subject to the City's water extension policies. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

<u>Wastewater Service/Collection</u>. (<u>NOTE</u>: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- 1. <u>Trunk Sewer Line</u>. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for extension to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
- 2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
- 3. <u>Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1</u>. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including

water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next  $2\frac{1}{2}$  years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

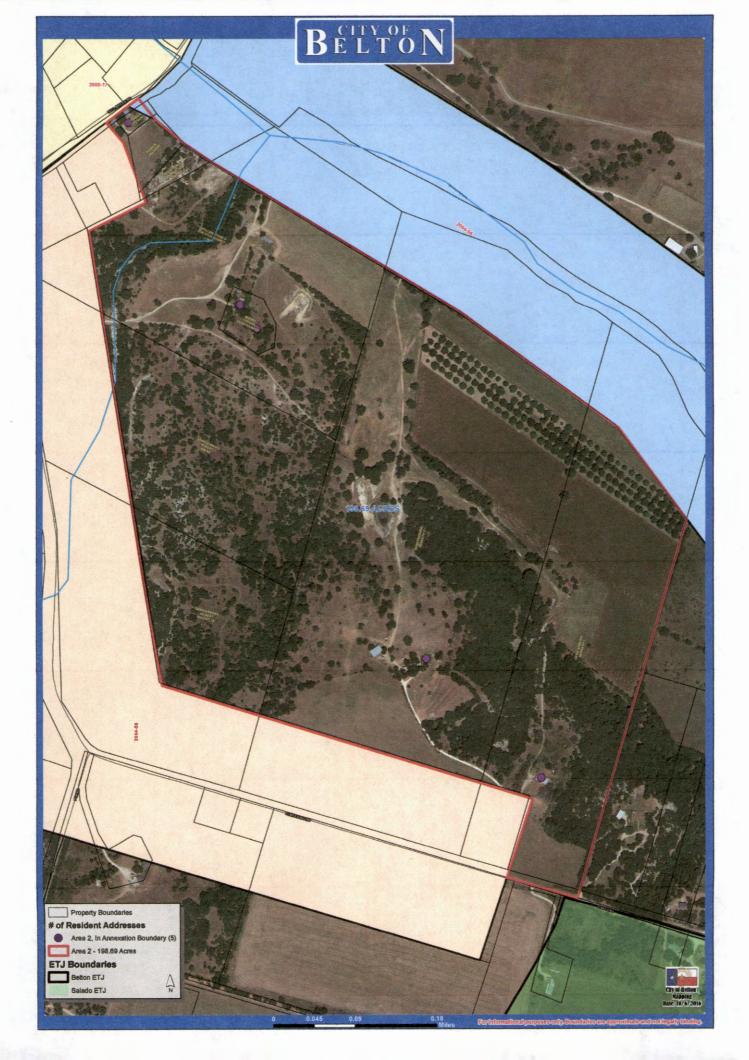
- <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 <sup>1</sup>/<sub>2</sub> years of the effective date of the annexation of the particular annexed areas.
- Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

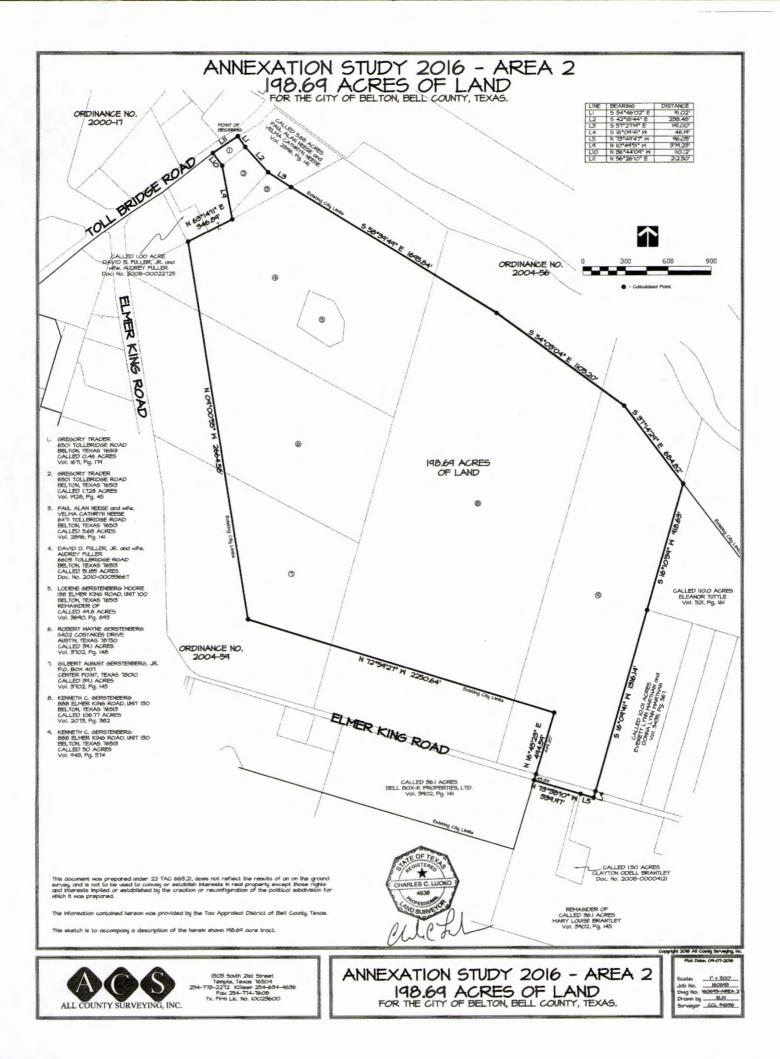
<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.





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The area proposed for annexation consists of approximately 250.14 acres, south of the intersection of IH-35 and the Lampasas River, extending southward along the west side IH-35 south of Amity Road, and adjoining the Salado ETJ line.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution</u>. The area proposed for annexation is located within the certificated area of two water districts: the **City of Belton** is responsible for water service on the north side of Amity Road, and the **Salado Water Supply Corporation** is responsible for water service on the south side of Amity Road, subject to the City's water extension policies. Water service, by the Salado Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements.

<u>Wastewater Service/Collection</u>. (<u>NOTE</u>: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in

the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- <u>Trunk Sewer Line</u>. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
- 2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

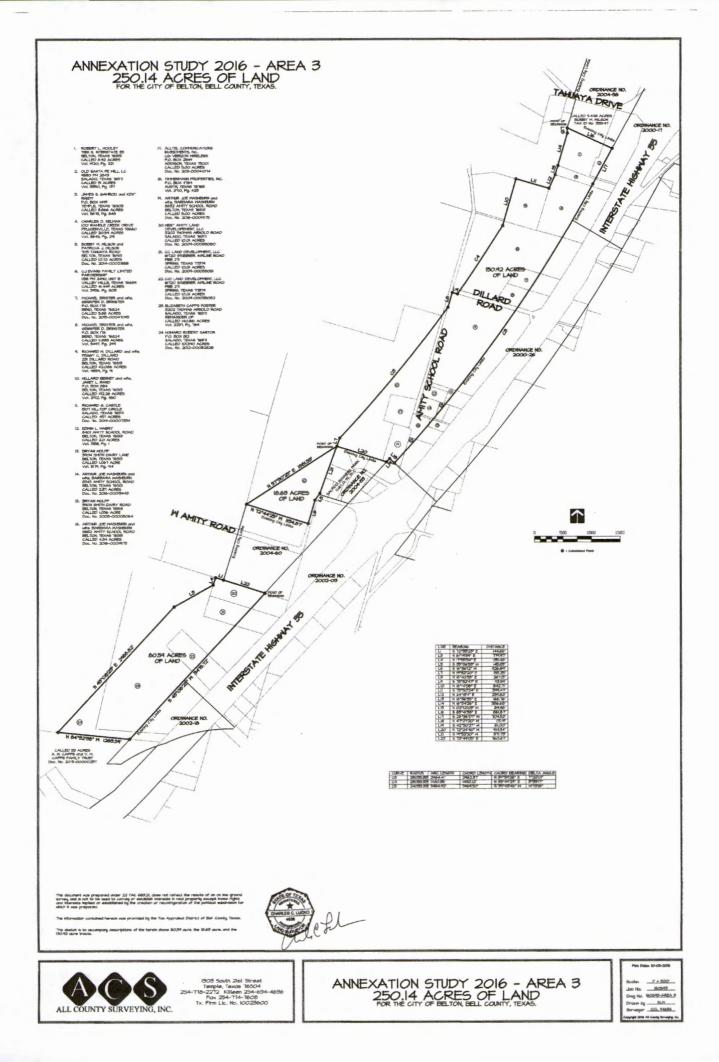
- 4. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- 5. <u>Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service</u>. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



The area proposed for annexation consists of approximately 297.20 acres, south of the intersection of IH-35 and the Lampasas River, extending southward along the east side IH-35 south of Amity Road, and adjoining the Salado ETJ line.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

<u>Parks and Recreation</u>. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

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- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution</u>. The area proposed for annexation is located within the certificated area of two water districts: the **City of Belton** is responsible for water service on the north side of Amity Road, and the **Salado Water Supply Corporation** is responsible for water service on the south side of Amity Road, subject to the City's water extension policies. Water service, by the Salado Water Supply Corporation or the City of Belton, will be subject to regulation by the City of Belton as it relates to development standards and design requirements.

Wastewater Service/Collection. (NOTE: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in

the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- 1. <u>Trunk Sewer Line</u>. A trunk sewer line is currently in design and is planned for placement along the east side of IH-35, north of this Study Area. This trunk line will be available for extension to developing properties in the same manner as they are available in other locations within the City in accordance with City extension policies. Line construction is scheduled to begin in 2017 and service will be available by June 30, 2019.
- 2. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.

3. Water/Wastewater Facilities Other than the Trunk Sewer Line Identified above in No.1. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

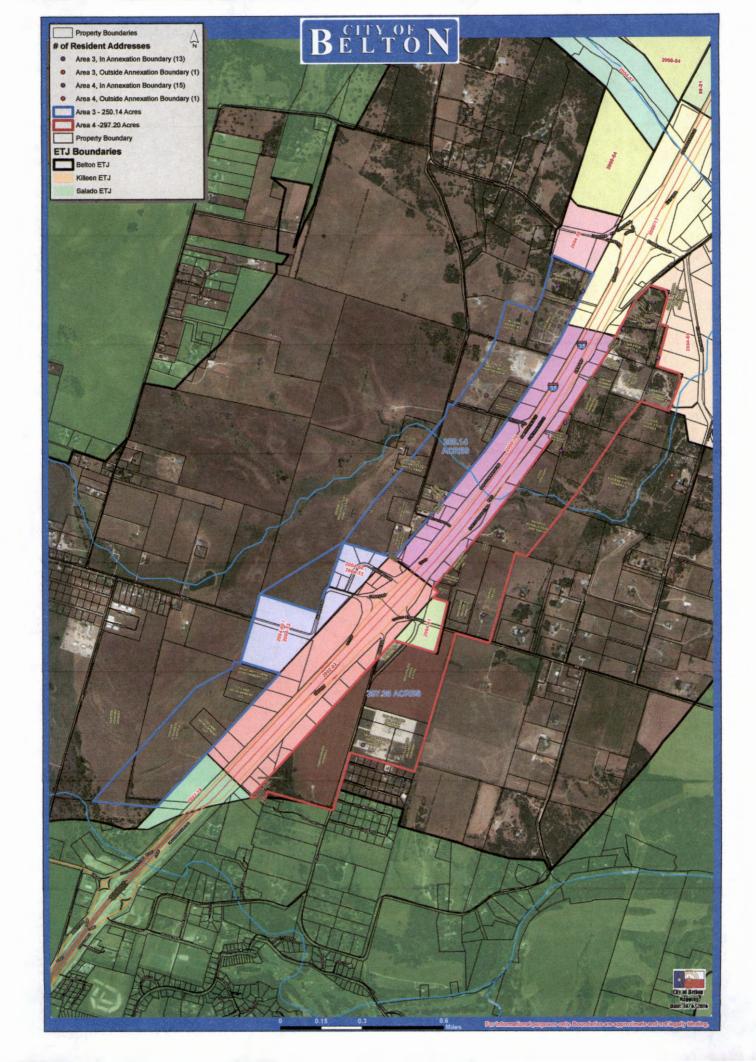
- 4. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

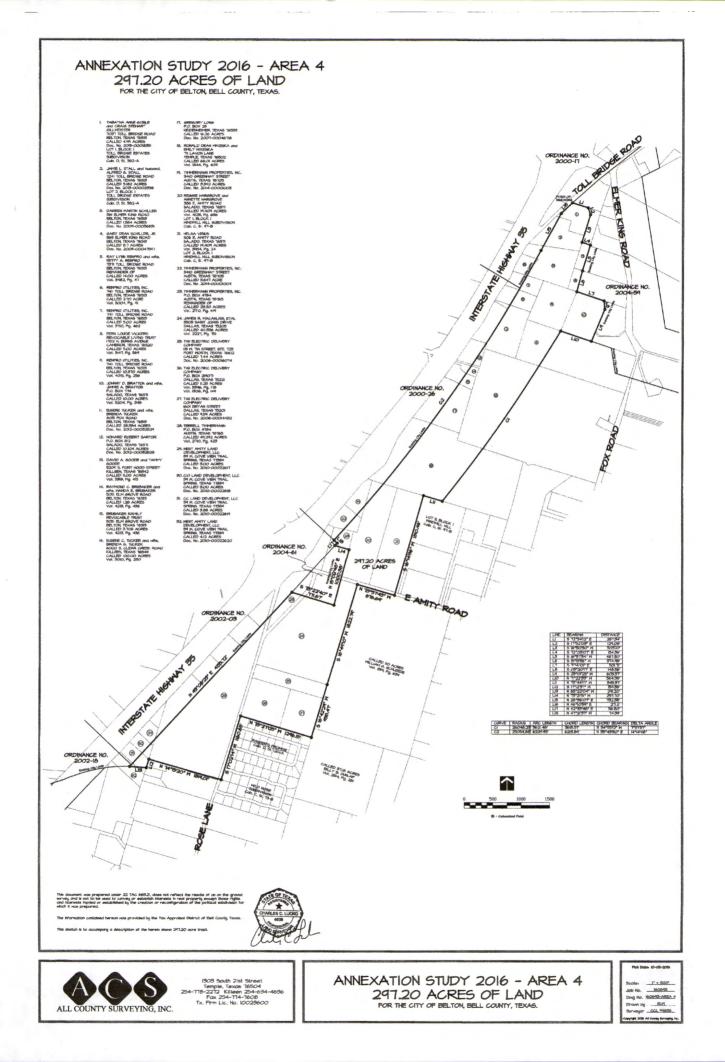
<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.





The area proposed for annexation consists of approximately 228.27 acres, along and north of Sparta Road, extending west to FM 439, and east along Sparta Road.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

<u>Parks and Recreation</u>. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
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- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution</u>. The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **439 Water Supply Corporation**. Water service to this area is the responsibility of the 439 Water Supply Corporation. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

<u>Wastewater Service/Collection</u>. (<u>NOTE</u>: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- 1. Police and Fire Protection and Solid Waste Collection. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
- 2. Water/Wastewater Facilities. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

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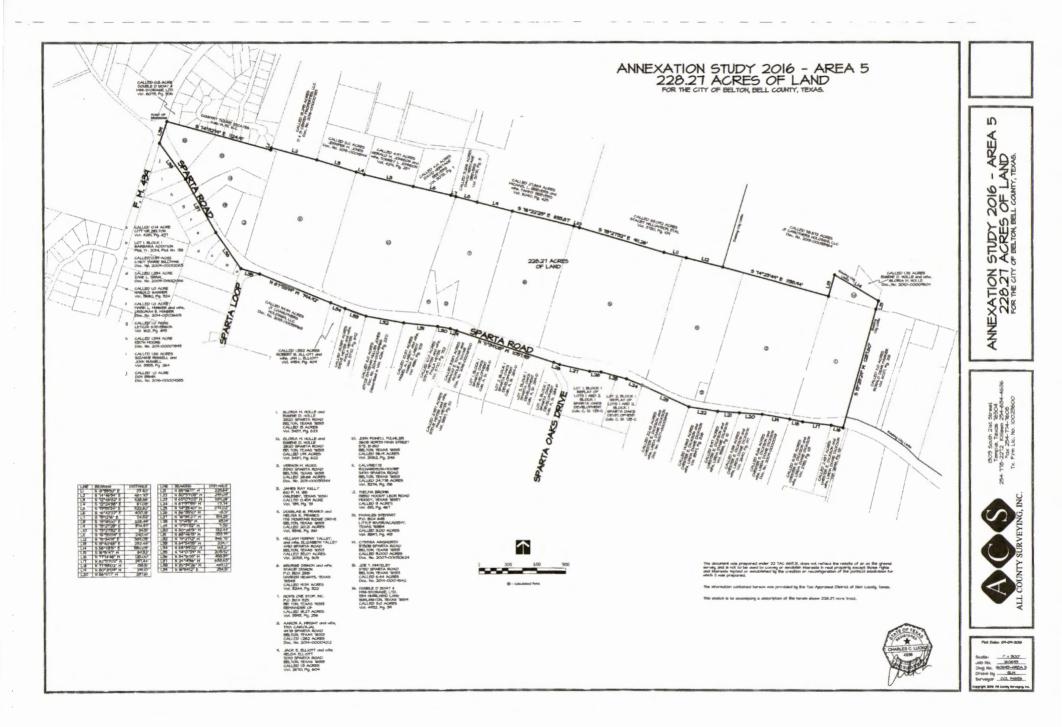
- 3. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- 4. <u>Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or</u> <u>Service</u>. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



The area proposed for annexation consists of approximately 24.10 acres, located generally along the proposed north/south alignment of Lake-to-Lake Road, and south of FM 93.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

<u>Library</u>. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.

<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

- (1) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
- (2) Routine maintenance and right-of-way mowing as presently performed within City.
- (3) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
- (4) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
- (5) Installation and maintenance of street lighting in accordance with established policies of the City.
- (6) The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
- (7) Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

<u>Sanitation and Recycling</u>. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service.

Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.

Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

<u>Water Service/Distribution.</u> The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **Dog Ridge Water Supply Corporation.** Water service to this area is the responsibility of the Dog Ridge Water Supply Corporation. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

<u>Wastewater Service/Collection</u>. (<u>NOTE</u>: Pending Sewer CCN Service Area, subject to Public Utility Commission approval.) Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the

City's wastewater extension policies, subject to pending sewer CCN proposal before the Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

<u>Maintenance of any Publicly owned Facility, Building or Municipal Service</u>. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- 1. <u>Police and Fire Protection and Solid Waste Collection</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
- 2. Water/Wastewater Facilities. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

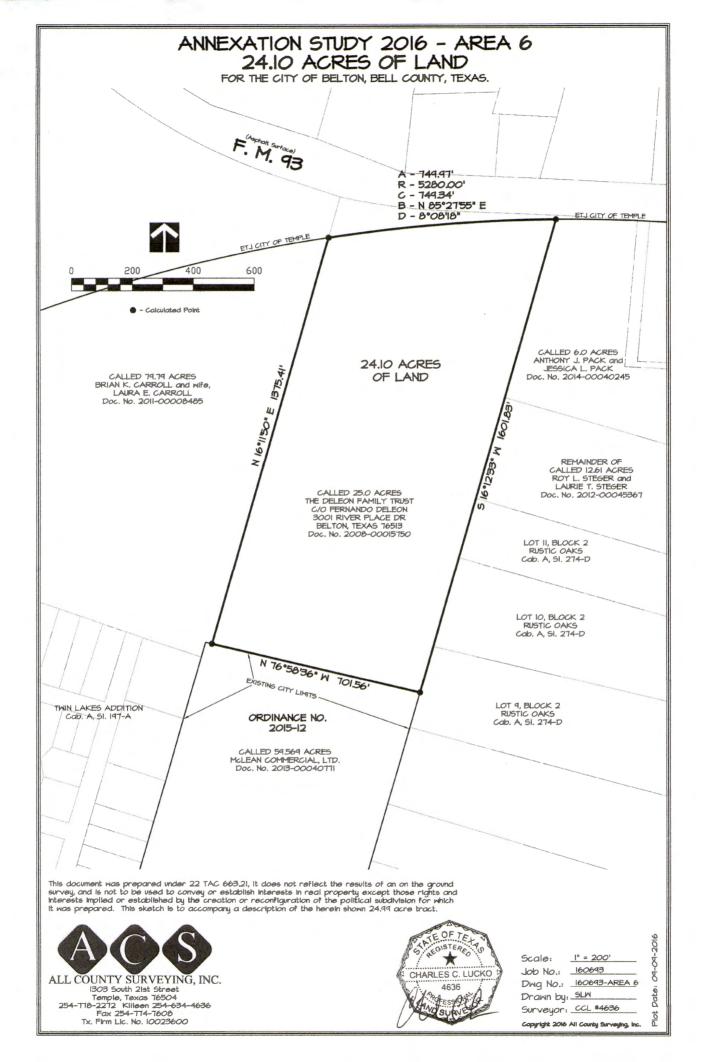
- 3. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- 4. <u>Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or</u> <u>Service</u>. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



The area proposed for annexation consists of approximately 2.7 acres, on the south side of Avenue O, between Avenue O and Old Golf Course Road.

**Municipal Services to be Provided:** The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

<u>Police Protection</u>. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.

<u>Animal Control</u>. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.

<u>Fire and Emergency Medical Service (EMS) Protection</u>. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

<u>Code Enforcement</u>. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.

<u>Fire Prevention</u>. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.

<u>Planning, Zoning and Development Review</u>. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.

<u>Library</u>. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.

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<u>Streets and Drainage</u>. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:

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<u>Water Service/Distribution.</u> The area proposed for annexation is located within the Certificate of Convenience and Necessity (CCN) area of the **City of Belton**, subject to the City's water extension policies. Such water service will be subject to regulation by the City of Belton as it relates to development standards and design requirements in accordance with the ordinances, rules and regulations in effect at the time of installation.

<u>Wastewater Service/Collection</u>. Wastewater services are available for extension to the area proposed for annexation in the same manner as they are available in the other locations within the City of Belton, in accordance with the City's wastewater extension policies, subject to pending sewer CCN proposal before the

Public Utilities Commission. The developer or property owner is responsible for funding extension and connection to the municipal system in accordance with the City's subdivision regulations and extension policies.

<u>Environmental Health</u>. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.

<u>Maintenance of Parks, Playgrounds, and Swimming Pools</u>. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

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<u>Services, Funding and City Policies</u>. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.

- 1. <u>Police and Fire Protection and Solid Waste Collection</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City with like topography, land use and population density as those found within the newly annexed areas.
- 2. <u>Water/Wastewater Facilities</u>. A one million gallon elevated water storage tank is planned on existing City property in Northwest Belton. Belton's third water storage tank will enhance water service throughout the City including water flow and pressures, storage for fire protection, and additional capacity during maintenance. This tank will be available by June 30, 2019. For the next 2 ½ years, the City finds and determines that there is sufficient capacity to provide water services to the annexed areas pursuant to the City's extension policies in compliance with current CCN for the City of Belton. The now existing water mains at existing locations shall be available for the point of use extension based upon the standard extension policy now existing or as may be amended.

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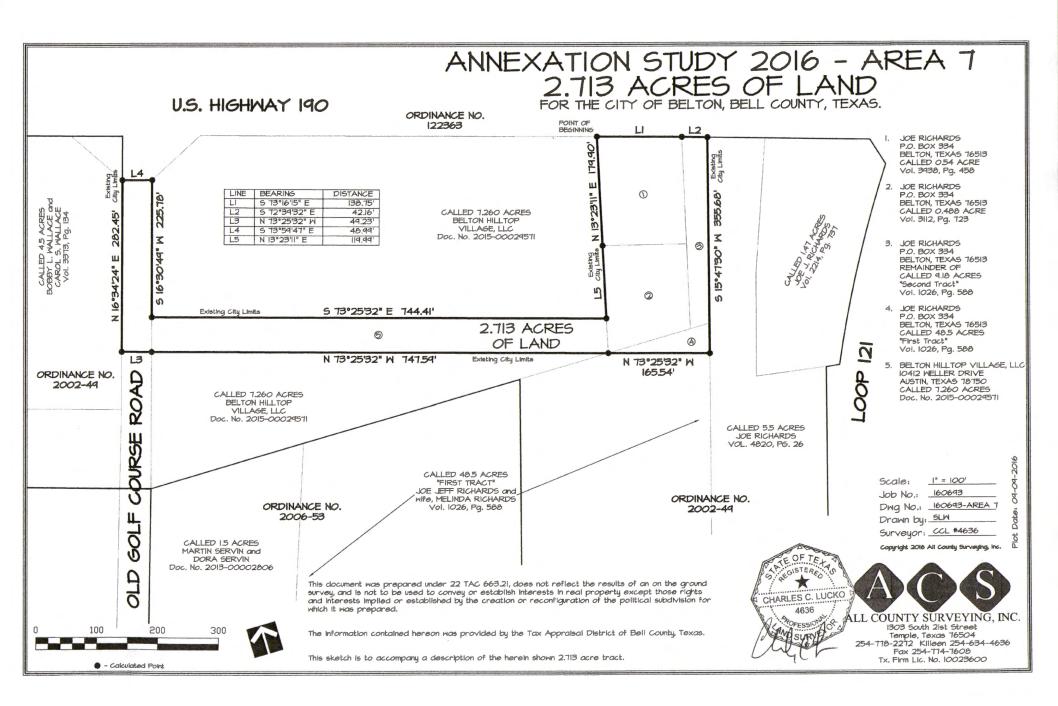
- 3. <u>Roads and Streets</u>. The City finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.
- 4. <u>Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service</u>. An expansion of the City's hike and bike trail network totaling approximately 0.8 mile, and extending from University Blvd to the proposed Sparta Road roundabout, will connect with the City's existing trail system for a total projected length of 2.8 miles. This trail will be available by June 30, 2019.

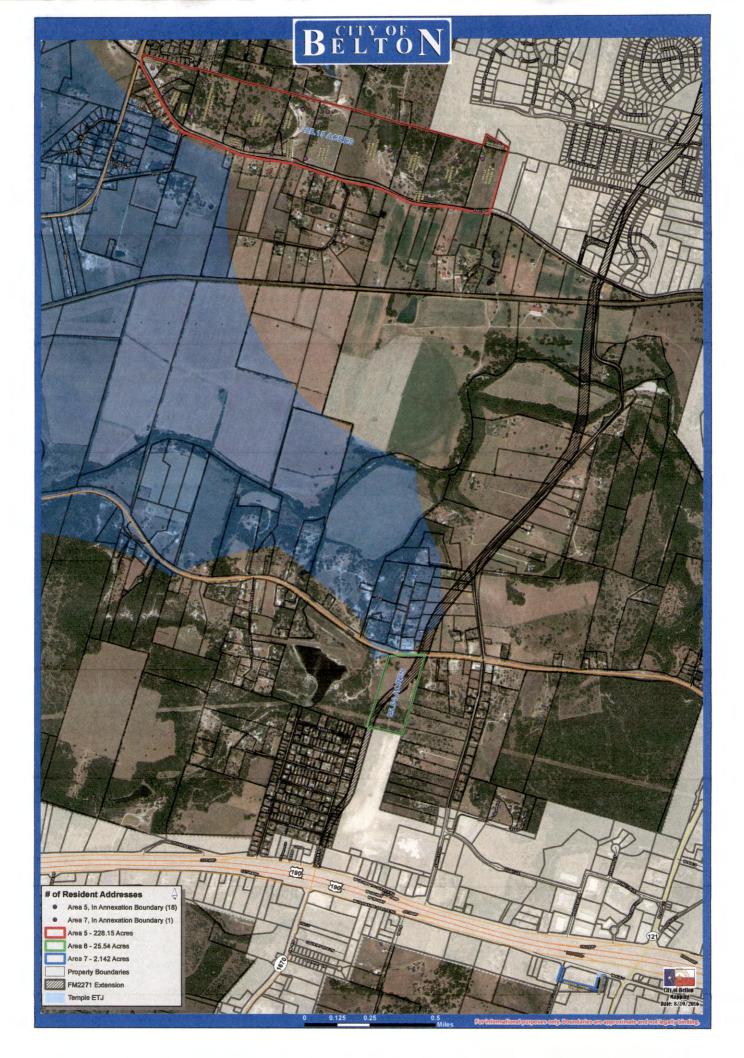
<u>Specific Findings</u>. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

<u>Terms</u>. This plan shall be valid for a term of 10 years. Renewal of the Service Plan is at the discretion of the City of Belton.

<u>Level of Service</u>. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

<u>Amendments</u>. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.









October 12, 2016

Dear Property Owner:

You were previously notified of the City of Belton's intent to annex all or a portion of your property located within Study Area \_\_\_\_\_. Texas' Local Government Code provides that before the City annexes property that is appraised for ad valorem tax purposes as land for agricultural, wildlife management, or timber use, the City shall offer to make a "development agreement" with the property owner in lieu of annexation. The development agreement provides that the property will retain its extraterritorial status for a specified time period or until any type of subdivision plat or related development document is filed with the City for the property, whichever occurs first, while allowing the City to enforce all regulations and planning authority that do not interfere with the use of the land for agriculture, wildlife management, or timber. During the time the property remains outside the city limits, it is not subject to City property taxes, but also will not receive tax-supported services from the City such as police, fire, and street maintenance service. The development agreement must provide terms for future annexation. If an owner of property eligible for a development agreement declines such an agreement, then the property may be annexed as originally proposed.

We have enclosed a proposed Development Agreement for your consideration. <u>You have two options regarding</u> the Development Agreement:

- (a) All owners may accept it as printed, and sign it with the notary acknowledgments provided; or,
- (b) Any owner may sign in the box on the next page declining the offer of a development agreement.

If you choose Option (a), above, do not enter a date in the blank above the first owner's signature on Page 6, as the agreement must have final approval by the City Council before it can become effective. <u>All property</u> owners, including spouses, must sign the agreement and have it notarized. A copy of the executed agreement will be provided to you upon final approval.

The Development Agreement must be returned to the Planning Department in City Hall at 333 Water Street, Belton, Texas, indicating your choice of one of the two options, on or before **Friday, October 28, 2016**. If you would like to utilize our notary services, please schedule a meeting at City Hall to sign the development agreement in front of a notary and we will notarize the document. If you have questions, please e-mail Erin Smith, Director of Planning at <u>esmith@beltontexas.gov</u> or call her at (254) 933-5816. We must know your intentions by October 28 because any necessary boundary changes will have to be determined well in advance of the City Council's consideration of the annexation ordinance on November 22. If we do not receive a response of any kind by November 22, we will assume that you do not wish to enter into a Development Agreement and your property may be included in the proposed annexation, subject to the decision of the City Council.

Sincerely,

Sam A. Listi City Manager

Ι,	Owner, do	hereby	decline	the	City's	offer	of a
Development Agreement, and understand that the P	roperty may	be anney	ed as pr	opose	ed by th	e City	•

Printed name: \_\_\_\_\_

Date:

Please return either this page or the Development Agreement to City Hall, Attention: Planning Department, at 333 Water Street, Belton, TX 76513.

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#### COUNTY OF BELL §

#### CITY OF BELTON, TEXAS DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE

This Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code by and between the City of Belton, Texas (the "City") and the undersigned property owner(s) (the "Owner"). The term "Owner" includes all owners of the Property.

WHEREAS, the Owner owns a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as follows:

Geographic ID #	Property ID #
0553520101	47288
0554250001	47290
0554250101	47291
0553520103	420163
0553520300	167436
0553520301	420158

and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code; and

WHEREAS, the Owner desires to have the Property remain in the City's extraterritorial jurisdiction, in consideration for which the Owner agrees to enter into this Agreement; and

WHEREAS, this Agreement is entered into pursuant to Sections 43.035 and 212.172 of the Texas Local Government Code, in order to address the desires of the Owner and the procedures of the City; and

WHEREAS, the Owner and the City acknowledge that this Agreement is binding upon the City and the Owner and their respective successors and assigns for the term (defined below) of this Agreement; and

WHEREAS, the City Council authorized and approved this agreement at a regularlyscheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances and Charter of the City on November 22, 2016; and

WHEREAS, this Development Agreement is to be recorded in the real property records of Bell County, Texas; and

WHEREAS, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

**Section 1. Agreement by the City.** The City guarantees the continuation of the extraterritorial status of the Owner's Property, its immunity from annexation by the City, and its immunity from City property taxes, for the term of this Agreement, subject to the terms and conditions contained herein. Except as provided in this Agreement, the City agrees not to annex the Property, agrees not to involuntarily institute proceedings to annex the Property, and further agrees not to include the Property in a statutory annexation plan for the Term of this Agreement. However, if the Property is annexed pursuant to the terms of this Agreement, then the City shall provide services to the Property pursuant to Chapter 43 of the Texas Local Government Code.

Section 2. Agreement by the Owner. (a) The Owner covenants and agrees that at all times during the Term hereof the Property shall be appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timberland under Subchapter E of that chapter. In addition, the Property shall not be used for any use other than agriculture, wildlife management, and/or timber land management consistent with Chapter 23 of the Texas Tax Code, except for any *existing* single-family residential use of the property, without the prior written consent of the City.

(b) The Owner has completed and executed an *Affidavit of Tax Appraisal Status and Current Uses*, which is attached to this Agreement as Exhibit "A," and included herein as part of this Agreement as if set out in full, and the Owner acknowledges that the City is entitled to rely on such Affidavit as being correct and complete in all respects.

(c) The Owner covenants and agrees that the Owner will not file any type of subdivision plat or related development document for the Property with Bell County, the City, or any other government agency having jurisdiction of the Property, until the Property has been annexed into, and zoned by, the City. Further, the Owner shall not take such action to develop or subdivide the Property that would require a plat to be filed with the City or the County under State law.

(d) Except as provided herein, the Owner covenants and agrees not to construct, or allow to be constructed, any buildings, other than one single family residence (new or a replacement for an existing single family residence), an addition to a single family residence, or one or more accessory buildings reasonably needed to support the Agricultural use of the Property, provided the Owner obtains a permit from the City to construct such improvements. Improvements are subject to City-required setbacks and spacing in the Agricultural Zoning District to facilitate future platting, and to conform to the appropriate lot sizes. The Owner must obtain a permit from the City prior to starting construction on any improvements. The Owner also covenants and agrees that the City's "A" or "Agricultural" zoning district requirements apply to the Property, and that the Property shall be used only for uses allowed in an A–Agricultural zoning district that exist on that Property at the time of the execution of this Agreement, unless otherwise provided in this Agreement.

(e) The Owner, and all of the Owner's heirs, successors and assigns shall be deemed to have filed a petition for voluntary annexation of the Property effective upon a date to be established by the City Council, such date to be on or after the expiration of the Term hereof. Prior to the end of the Term, the City may commence the voluntary annexation of the Property, provided that the annexation shall not be finalized until after the expiration of the Term. In connection with annexation pursuant to this section, the Owner hereby waives any vested development rights Owner may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code, or that would otherwise exist by virtue of any plat, or any construction Owner may initiate during the time between the expiration of this Agreement and the institution of annexation proceedings by the City.

(f) The Owner acknowledges that each and every owner of the Property must sign this Agreement in order for the Agreement to take full effect, and the Owner who signs this Agreement covenants and agrees, jointly and severably, to indemnify, hold harmless, and defend the City against any and all legal claims, by any person claiming an ownership interest in the Property who has not signed the Agreement, arising in any way from the City's reliance on this Agreement.

(g) This section acknowledges the provision of §232.0015(e), Exception to Plat Requirements, which will not require a plat if property is sold, given, or otherwise transferred to an individual who is related to the owner within the 3<sup>rd</sup> degree of consanguinity or affinity, resulting in a parcel of twenty (20) acres or more in area.

#### Section 3. Deemed Voluntary Annexation Upon Disqualification or Breach.

(a) Notwithstanding any contrary provision herein, the City may annex the Property in whole or in part if: (i) the Property ceases to be appraised for agricultural, wildlife management or timber use as provided herein; (ii) the Property is used for any use other than a Permitted Use; (iii) any plat or related development document is filed in violation of this Agreement; or (iv) the Owner is otherwise in default hereunder or in breach hereof. The Owner acknowledges that a violation of this Agreement will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council. The Owner agrees that such annexation shall be voluntary and the Owner hereby consents to such annexation as though an irrevocable petition for such annexation had been tendered by the Owner.

(b) If annexation proceedings begin pursuant to this Section, the Owner acknowledges that this Agreement serves as an exception to Local Government Code Section 43.052, requiring a municipality to use certain statutory procedures under an annexation plan. Furthermore, the Owner hereby waives any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 of the Texas Local Government Code, or that would otherwise exist by virtue of any actions Owner has taken in violation of Section 2 herein.

Section 4. Owner Agreement that City May Enforce Its Development and Planning Regulations on Property. Pursuant to Sections 43.035(b)(1)(B) of the Texas Local Government Code, the City is authorized to enforce all of the City's regulations and planning authority that do not materially interfere with the use of the Property for agriculture, wildlife management, or timber, in the same manner the regulations are enforced within the City's boundaries. The Owner agrees that all regulations and planning authority of the City that do not interfere with the Permitted Uses may be enforced with respect to the Property in the same manner the regulations

are enforced within the City's boundaries, including but not limited to development regulations, zoning regulations, building permit requirements, and other City regulations as they currently exist or may be enacted in the future. The Owner consents to the jurisdiction of the Municipal Court of the City of Belton for the purpose of prosecuting criminal violations of City regulations on the Property. The City specifically reserves its authority pursuant to Chapter 251 of the Texas Local Government Code to exercise eminent domain over property that is subject to a Chapter 43 and/or Chapter 212 development agreement.

Section 5. Term. (a) The term of this Agreement (the "Term") shall be five (5) years from the date that the City Manager's signature to this Agreement is acknowledged by a notary public.

**Section 6.** Future Zoning of Property. Property annexed pursuant to this Agreement will initially be zoned "A–Agricultural" pursuant to the City's Code of Ordinances, pending determination of the property's permanent zoning in accordance with the provisions of applicable law and the City's Code of Ordinances.

Section 7. Permits and Vested Rights. Pursuant to Texas Local Government Code Section 43.035 this Agreement is not a permit for purposes of Chapter 245 of the Texas Local Government Code, that the Agreement shall be deemed to be a petition for voluntary annexation. The Owner and all Owner's heirs, successors and assigns hereby waive any and all vested rights including rights and claims that they may have under common law, federal case law or Section 43.002 of the Texas Local Government Code related to uses, anticipated uses or potential uses of the Property, other than the existing uses.

Section 8. No Municipal Services. The City shall not be obligated to provide the Owner with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the Property for the duration of this Agreement.

Section 9. Notice to Third Parties. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give written notice of this Agreement to the prospective purchaser or grantee, and shall give written notice of the sale or conveyance to the City. Furthermore, the Owner and the Owner's heirs, successors, and assigns shall give the City written notice within 14 days of any change in the agricultural, wildlife management or timber management (as applicable) exemption status of the Property. A copy of either notice required by this section shall be forwarded to the City at the following address:

City of Belton, Texas Attn: City Manager P.O. Box 120 Belton, TX 76513

Section 10. Agreement Runs with the Land. This Agreement shall run with the Property and be recorded in the real property records of Bell County, Texas.

Section 11. Severance Clause. The provisions of this Agreement are severable. If a court or government agency of competent jurisdiction finds that any provision of this Agreement is

unenforceable, the unenforceable provision shall be replaced, to the extent possible, with a legal, enforceable, and valid provision that is as similar in tenor to the unenforceable provision as is legally possible, and the Agreement as so-modified shall be enforced to the greatest extent permitted by law, except when such construction would constitute a substantial deviation from the general intent and purpose of such parties as reflected in this Agreement.

Section 12. No Waiver. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 13. Enforcement. This Agreement may be enforced by any Owner or the City by any proceeding at law or in equity. The remedies herein provided shall not be deemed to be exclusive, but shall be cumulative and shall be in addition to all other remedies in its favor existing in law, in equity or in bankruptcy. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the Property pursuant to the terms of this Agreement. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 14. Applicable law and Venue. This Agreement was executed in Bell County, Texas, and is governed by the laws of the State of Texas. The venue for any legal proceeding to enforce or interpret the provisions of this Agreement shall be in Bell County, Texas.

Section 15. Multiple copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and the same instrument.

Section 16. Survival of Certain Rights of the City Upon Termination. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions of Sections 2, 3, and 4 herein.

Section 17. Construction. This Agreement shall be construed fairly and simply, and not strictly for or against any party. Headings used throughout this Agreement are for convenience and reference only, and the words contained therein shall in no way be held to explain, restrict, modify, amplify or aid in the interpretation or construction of the meaning of the provisions of this Agreement.

Section 18. Further Assurances. Each party shall, from time to time, upon the written request of any other party, execute and deliver such further instruments and documents as may be reasonably necessary to perform its obligations hereunder or to give full effect to this Agreement.

Section 19. Entire Agreement. This Agreement, together with its exhibits, constitutes the entire agreement of the parties concerning the subject matter hereof. There are no oral representations, warranties, agreements, or promises pertaining to such matters not incorporated in writing in this Agreement. This Agreement may be amended only as mutually agreed upon in writing and duly executed by authorized representatives of the parties.

Entered	into	this	day	of	20	) .

#### **Property Owners**

Signature		
Printed Name:	-	

Signature	
Printed Name:	

Signature			
Printed Name:			

Signature	
Printed Name:	

# City of Belton, Texas

Sam A. Listi City Manager

ATTEST:

Approved as to form:

Amy Casey City Clerk John Messer

City Attorney

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Sam A. Listi, City Manager, City of Belton, Texas.

Notary Public, State of Texas

#### THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ the day of \_\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_\_, Owner.

# Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ the day of \_\_\_\_\_, 20\_\_\_, by \_\_\_\_\_, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ the day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_\_, Owner.

Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on \_\_\_\_\_ the day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, Owner.

Notary Public, State of Texas

# Affidavit of Tax Appraisal Status and Current Uses

appeared in person before me today and stated under oath:

"My name is \_\_\_\_\_\_. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am the owner of a parcel of real property (the "Property") in Bell County, Texas, which is more particularly and separately described as geographic identification number \_\_\_\_\_\_ and property identification number \_\_\_\_\_\_ and which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code.

The current improvements on my Property are as follows: (Please list all permanent property improvements, for example, buildings, signs, or other structures, on the Property as shown on your most recent statement received from the Bell County Appraisal District and improvements which have been added by you since January 1, 2016):

The current uses being made of my Property are as follows: (for example: farming, grazing, single family residential, retail, commercial or industrial uses)

I understand that the information provided herein will be used by the City to substantiate my current use of my Property, and to determine during the term of this Agreement to which this Affidavit is an Exhibit, whether the uses of the Property have changed, and that providing misleading information will invalidate my Agreement with the City.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Property Owner** 

Signature

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, Owner.

Notary Public, State of Texas

# **Involuntary Annexation**

# SCHEDULE FOR EXEMPT ANNEXATION WITHIN CITY LIMITS

DATE	ACTION/EVENT	LEGAL AUTHORITY
September 13, 2016	COUNCIL BY WRITTEN RESOLUTION (1) sets Public Hearings for October 25, 2016 and November 1, 2016; and (2) Council directs development of service plan for area to be annexed.	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings: are on or after the 40th day but before 20th day before institution of proceedings.
September 23, 2016 last workday	Last day to provide written notice to each property owner and public entity.	Before 30th day before first public hearing. Loc. Gov't Code, §43.062.
October 13, 2016 Publish notice of 1st Public Hearing (1 time)	NEWSPAPER NOTICE RE: 1ST PUBLIC HEARING; (If applicable, Notice to Railroad) SCHOOL DISTRICT NOTICE (notify each school district of possible impact) (NOTICE on WEB to remain through process)	Not less than 10 days nor more than 20 days before 1st public hearing. Loc. Gov't Code, §43.063 (c).
October 20, 2016 Publish notice of 2nd Public Hearing (1 time)	NEWSPAPER NOTICE RE: 2ND PUBLIC HEARING	Not less than 10 days nor more than 20 days before 2nd public hearing. Loc. Gov't Code, § 43.063 (c).
October 24, 2016 Ten days after the date the 1st Public Hearing notice is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 20 adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
October 25, 2016 Regular Meeting	<b>1ST PUBLIC HEARING</b> AND PRESENT SERVICE PLAN (Not more than 40 days before the 1st reading of ordinance.)	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063(a).
November 1, 2016 Special Meeting	2ND PUBLIC HEARING AND PRESENT SERVICE PLAN (At least 20 days before 1st reading of ordinance.)	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.065 & 43.063 (a).
Institution Date November 22, 2016 Regular Meeting	FIRST READING OF ORDINANCE	Date of institution of proceedings. Not less than 20 days from the 2nd public hearing nor more than 40 days from the 1st public hearing.
December 13, 2016 Regular Meeting	SECOND-FINAL READING OF ORDINANCE	Not more than 90 days after 1st reading of Ordinance § 43.064
Within 30 days from receipt of Preclearance	PROVIDE DOCUMENTS AND MAPS TO COUNTY CLERK	Loc. Gov't Code §41.0015 (a)

# Staff Report – City Council Agenda Item



Date: October 25, 2016 Case No.: Z-16-16 Request: AG to LI Applicant: Will Morris – Charter Real Estate

# Agenda Item #9

Hold a public hearing and consider a zoning change from Agricultural to Light Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land, located east of South Interstate 35 and south of Grove Road.

# **Originating Department**

Planning – Erin Smith, Director of Planning

# Case Summary

The applicant has submitted this request for a zone change to allow for a UPS parking lot addition. To the north are UPS and Frito-Lay zoned Light Industrial; to the east are Armstrong WSC pump station and undeveloped land; to the south is Cedar Crest Hospital; and to the west are Interstate Highway 35 roadway, Sunbelt RV, and Bell County Expo Center.

### Current Zoning

# Proposed Zoning

Light Industrial

Agricultural

# **Design Standards Type Area:** 2

### **Recommended Type Area:** 2

This property is in Type Area 2 in the Design Standards. If approved, a Light Industrial District use would be required to comply with all the Design Standards for Type Area 2.

### Land Use Table/Allowable Uses

The Light Industrial Zoning District allows the following land uses, and would accommodate this request:

- Apparel and other products assembled from finished textiles
- Contractor's yard
- Electronic products manufacturing

City Council Agenda Item October 25, 2016 Page 1 of 3

- Facilities for the manufacturing, fabrication, processing or assembly of products provided that such facilities are completely enclosed and provided that no effects from noise, smoke, glare, vibration, fumes or other environmental factors are measurable at the property line.
- Farm implement manufacturing
- Industrial and manufacturing plants including the processing or assembling of parts for production or finished equipment where the process of manufacturing or treatment of materials is such that no dust, odor, gas, smoke or noise is emitted and not more than twenty percent (20%) of the lot or tract is used for the open storage of products, materials, or equipment
- Newspaper printing
- Plastic products manufacture, but not including the processing of raw materials
- Sporting and athletic equipment manufacture

# Project Analysis and Discussion

This property is located amidst other industrial uses, such as the existing Frito-Lay and UPS properties. The applicant is proposing this zone change to allow for a UPS parking lot addition. The Future Land Use Plan identifies this area as High Density/Mixed Use and it is staff's judgment a light industrial use is compatible with nearby uses.

UPS recently purchased 5 acres directly south of the existing UPS property. Staff went by the UPS site and noticed several trees had been removed and a large asphalt parking lot was constructed without obtaining the required permits. Staff contacted the contractor and requested they meet with staff immediately to discuss the matter. Staff met with the contractor and stated that a detailed site plan, drainage study, and parking lot specifications are needed for the required permit. The contractor has provided those items to City staff for review. Staff also requested a tree survey; however, a tree survey was not completed prior to tree removal. The contractor stated that the trees removed were cedar trees below the heritage tree size requirement.

The site plan identifies a total of 151 parking spaces and access lanes that have been constructed on a portion of this 5 acre piece of property. There are 141 employee parking spaces, 7 customer parking spaces, and 3 handicap parking spaces. The eastern portion of this 5 acre property is undeveloped and the existing trees are remaining in this area. A tree survey is requested at this time for this undeveloped portion of the property to determine if new landscaping is required in the parking lot. According to the Design Standards landscape requirements, a large tree is required in a median at the end of each parking bay, so a total of 16 large trees are required. If the tree survey of the undeveloped eastern portion of the property identifies existing trees that will provide credits for the 16 required trees, then no additional landscaping will be required. When the undeveloped portion of this property is proposed for development, a detailed landscape plan will be required to satisfy the landscape requirements, a landscape requirements, a landscape requirements, a landscape requirements for this parking lot and the new development proposed. If the tree credits will not satisfy the landscape requirements for the parking lot addition.

City Council Agenda Item October 25, 2016 Page 2 of 3 This property has not been platted, so a subdivision plat is required for the developed portion of this property.

After careful review of the City's Design Standards and the applicability of this use among surrounding properties, this proposed zone change appears to be reasonable in this location.

### **Recommendation**

Recommend approval of zone change from Agricultural to Light Industrial District with development regulated under the Design Standards for Type Area 2 standards as follows:

- 1. The allowable uses of the property shall conform to the Light Industrial Zoning 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 discussed above
  - b. Building Design Standards
  - c. Landscape Design Standards, to include a tree survey for the undeveloped portion of the property. A landscape plan may be required if there are not enough tree credits to satisfy the landscape requirements for the parking lot addition. When the undeveloped portion of this property is proposed for development, a detailed landscape plan will be required to satisfy the landscape requirements for this parking lot and the new development proposed.
- 3. Sign Standards shall conform to Ordinance 2008-11.
- 4. A subdivision plat on the developed portion of this property is required.

### Attachments:

Zoning application Property Location Map Zoning map Aerial photo Map with zoning notice boundary (200') Zoning notice to owners Property owners list Site Plan Survey Excerpt from P&ZC Minutes Ordinance

> City Council Agenda Item October 25, 2016 Page 3 of 3

# City of Belton Request for Zoning Change

# To the City Council and the Planning and Zoning Commission Fee: \$250.00

Date Received:	9/30/16 Date Due: 9/30/1	Deadline for a business day of	zoning change rec of the month.	uest is the last
Applicant:	Will Morris IV	Phone Number:	254-778-6675	
Mailing Address:	3000 S 31st Street, Suite 500	City: Temple	State:	ТХ
Email Address:	will@charterres.com			
Owners Name:	Westwood Associates, LLC	Phone Number:	254-778-6675	
Mailing Address:	c/o 3000 S 31st Street, Suite 500	City: Temple	State:	ТХ
Email Address:		]		
Applicant's Interest in Property: Legal Description o Is this property bei	President of Agent representing Owner of Property: A0006BC, M F Connell, 89-2, Acres 5.000 also kn ing simultaneously platted? Has already been platted	own as Bell Cad Pro	perty ID# 466685	
Street Address:	Im Grove Spur, Belton, Texas 76513			
Zoning changing f	Money agent for	9/30/16		
Signature of Applic	cant West Wood As Sociatos, CCC	Date		
Signature of Owne	r (if not applicant)	Date	<u></u>	

Checklist for Zoning Items to be submitted with application:

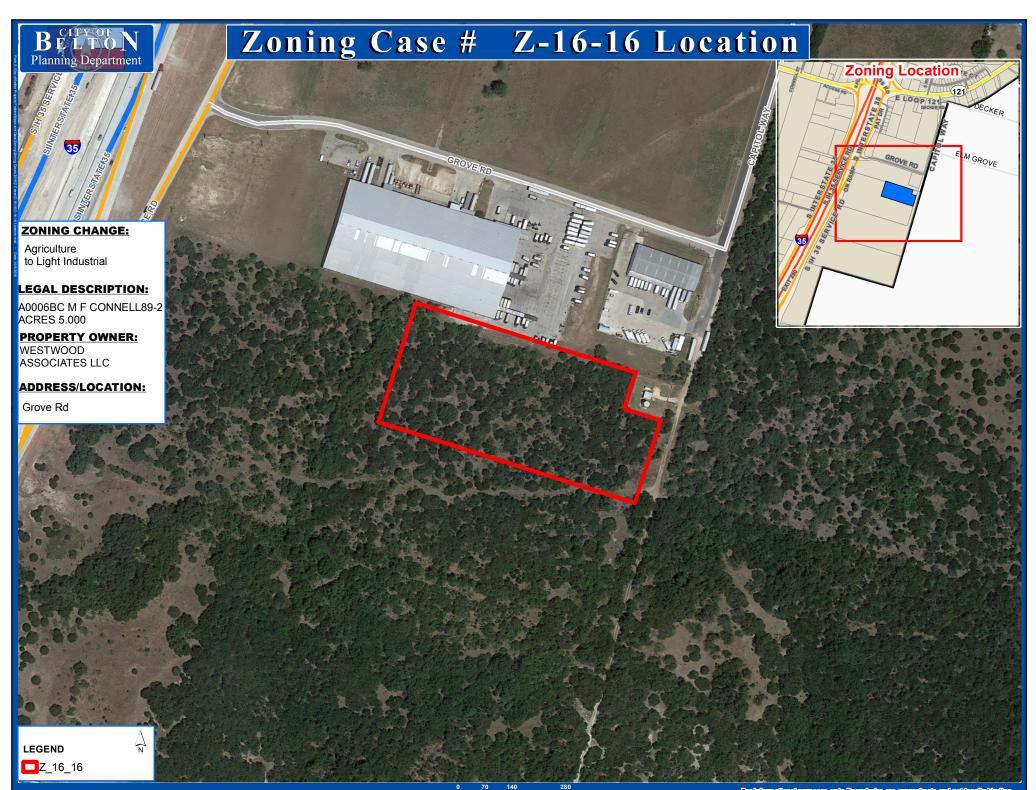
Signed Application

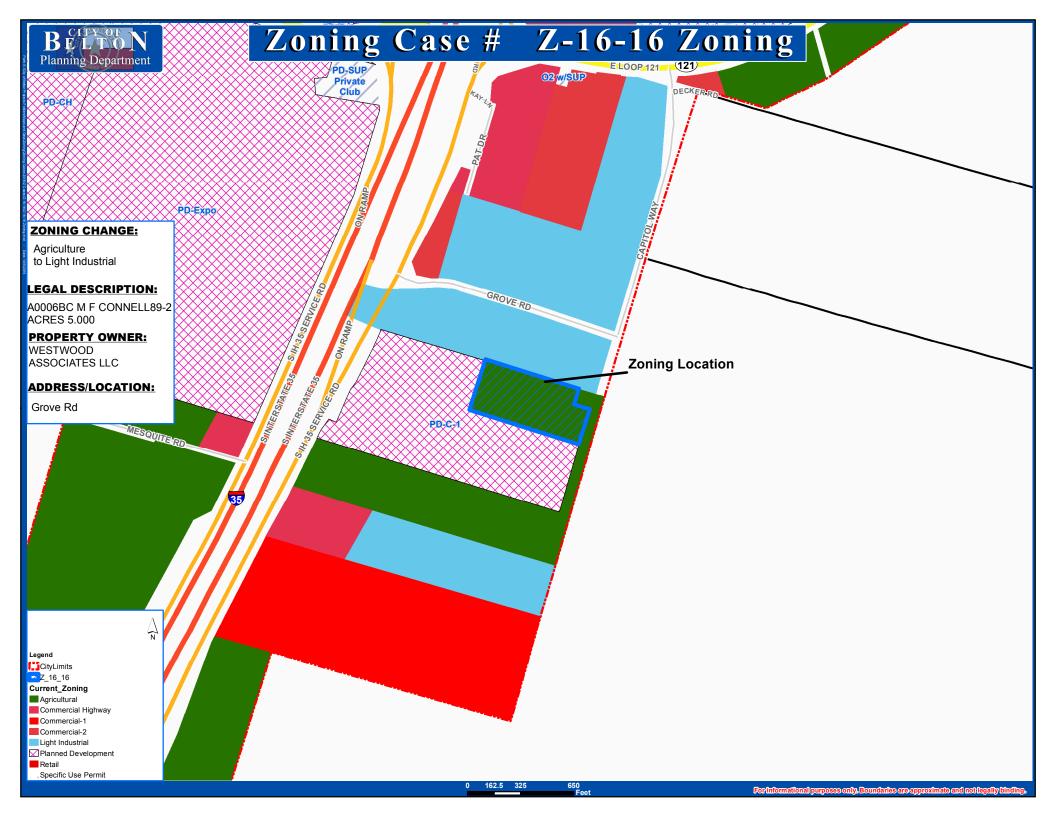
Fees Paid

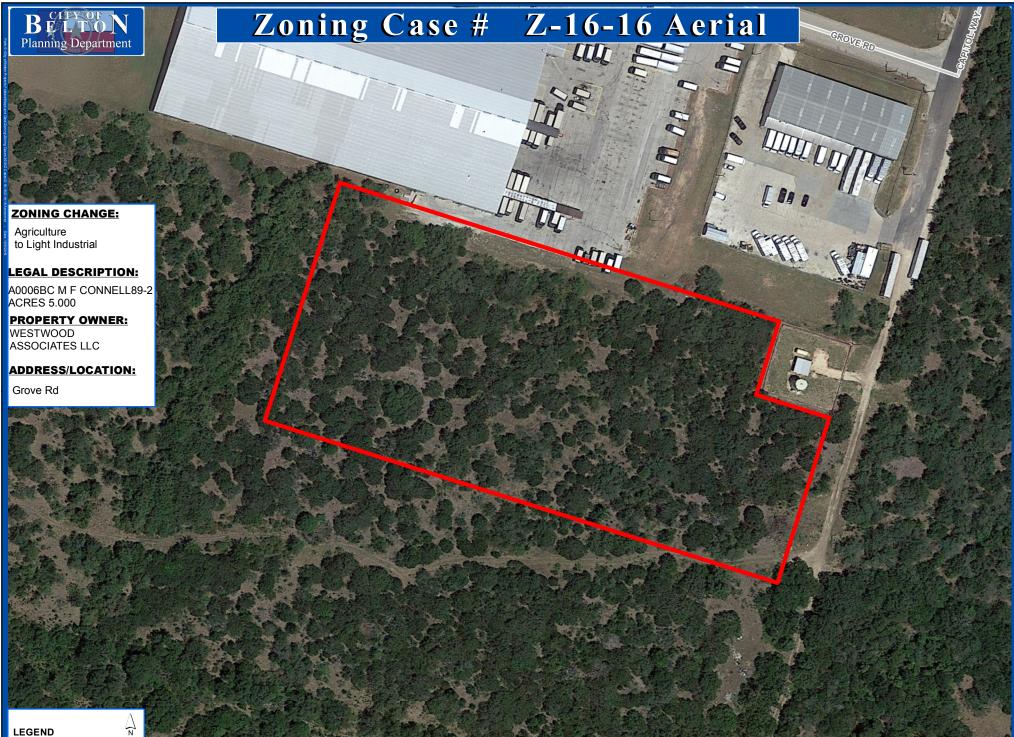
Complete Legal Description of the property to be re-zoned

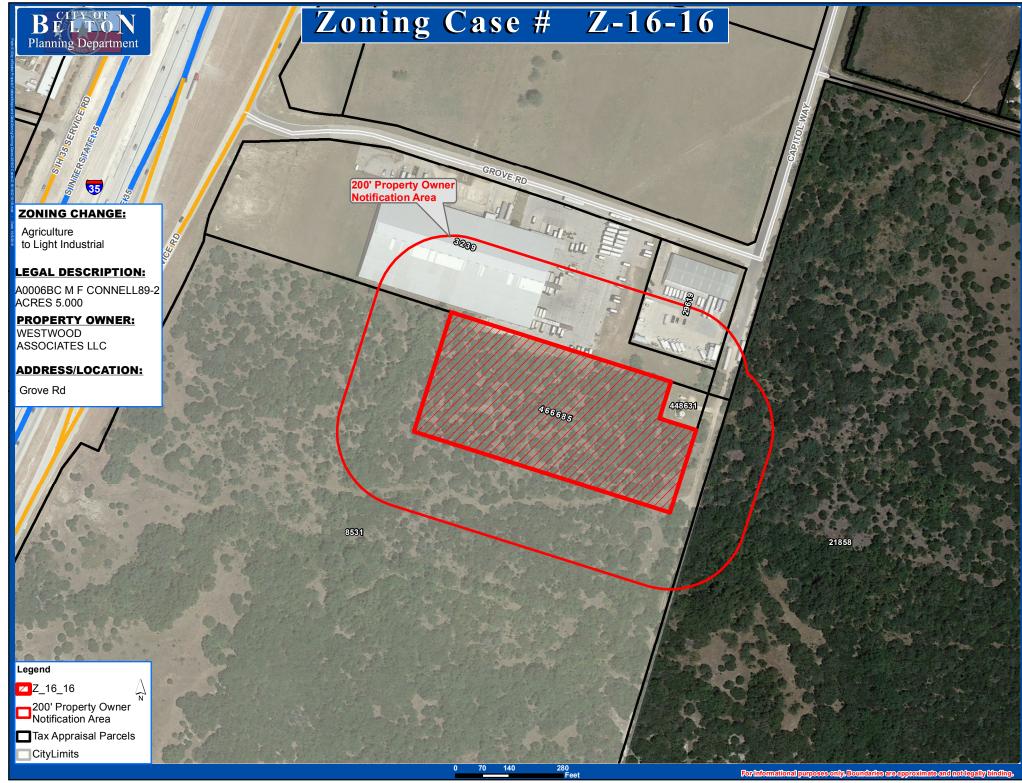
Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.

In the event the request involves more than one lot of irregular tracts or acreage, a drawing of the property must be submitted.









140

# 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: WILL MORRIS IV	,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:	5.0 Acres, 204 Grove Road	,
FROM A(N) AGRICULTURAL		ZONING DISTRICT,
TO A(N) LIGHT INDUSTRIAL		ZONING DISTRICT.

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18, 2016</u> in the Wright Room at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, October 25, 2016</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 by attending these hearings. You may submit written comments about this zoning change by completing this form and returning it to the address below.

IF YOU 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 448631

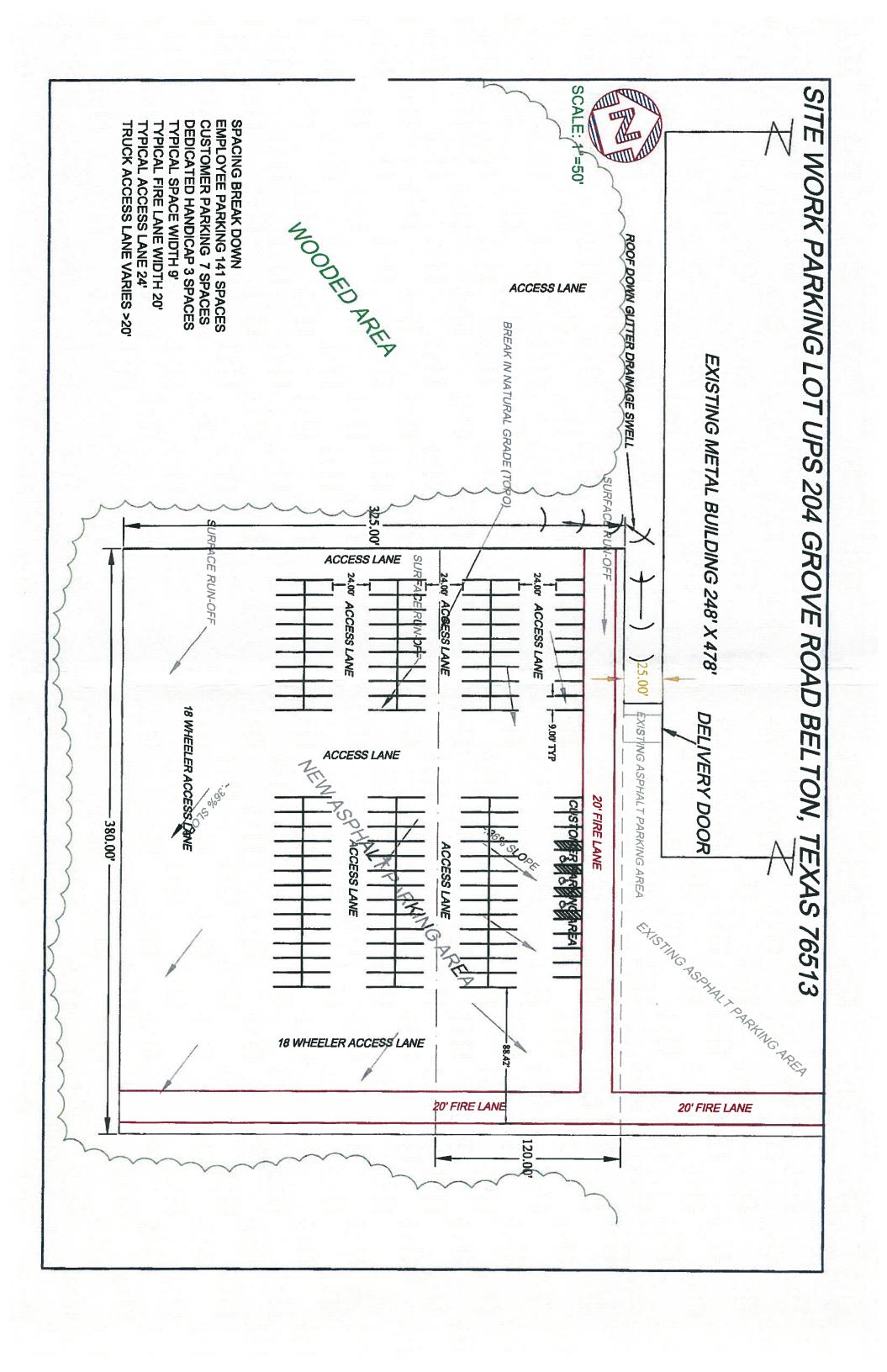
ARMSTRONG WATER SUPPLY CORP PO BOX 155 HOLLAND, TX 76534-0155

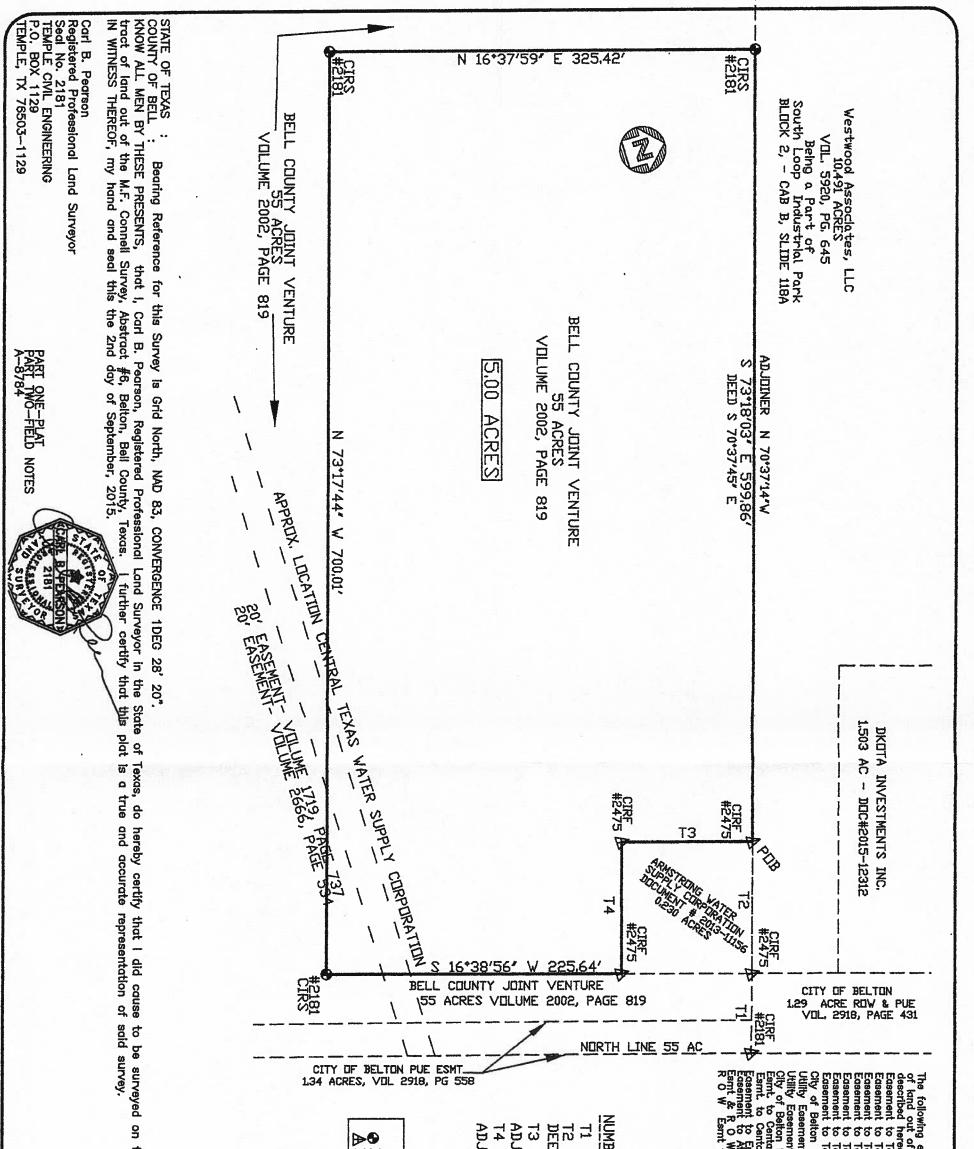
21858 ROVELLI, GAILEN CLARK & GARY B CLARK 204 TAYLORS DR TEMPLE, TX 76502-3529

SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513 8531 BELL COUNTY JOINT VENTURE 1010 5TH AVE NEW YORK, NY 10028-0130

466685 WESTWOOD ASSOCIATES LLC 3000 SO 31ST ST STE 500 TEMPLE, TX 76502 29619 DKOTA INVESTMENTS INC 5600 W LOVERS LN STE 116 DALLAS, TX 75209-4360

3239 WESTWOOD ASSOCIATES LLC ETAL 3000 S 31ST ST STE 500 TEMPLE, TX 76502-1822





TANGENT TABLE TANGENT TABLE DISTANCE 60.09' 100.00' S 70*37'14' E 100.00' N 72*51'05' W 100.00' N 72*51'05' W 100.00' N 72*51'05' W 100.00' N 72*51'05' W 100.00' N 73*14'32' W 100.00' N 70*37'14' W 100.00' N 70*30'10' N 70*30' N 70*30' N 70*30' N	<ul> <li>equements and/or instruments do not affect the 5.00 acre tract of the M.F. CONNELL Survey, Abstract #6, Bell County, Texas, Texas Power &amp; Light Company, recorded in Vol. 457, Page 582, Texas Power &amp; Light Company, recorded in Vol. 555, Page 112, Texas Power &amp; Light Company, recorded in Vol. 555, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 556, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 400, Texas Power &amp; Light Company, recorded in Vol. 560, Page 400, Texas Power &amp; Light Company, recorded in Vol. 560, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 507, Texas Power &amp; Light Company, recorded in Vol. 560, Page 556, no. 10, 10, 10, 10, 10, 10, 10, 10, 10, 10,</li></ul>
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The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair John Holmes, Mat Naegele, Brett Baggerly, Eloise Lundgren, Rae Schmuck and Frank Minosky. The following staff members were present: Director of Planning, Erin Smith and Planning Clerk, Laura Livingston. Members Joel Berryman, Ben Pamplin and Jason Morgan were absent.

# 4. Z-16-16 Hold a public hearing and consider a zoning change from Agricultural to Light Industrial Zoning District for a UPS parking lot on a 5.00 acre tract of land, located east of South Interstate 35 and south of Grove Road.

Ms. Smith presented the staff report.

Chair Holmes opened the public hearing, and with no one requesting to speak, he closed the public hearing.

Mr. Naegele asked if the location to the south is still proposed to become an RV park? Ms. Smith said the applicant stated they do not plan to move forward with a RV park.

Mr. Minosky asked about tree mitigation and what will be done about the trees that have already been removed? Ms. Smith spoke with the contractor who stated the trees removed did not meet the heritage tree size requirement; therefore, replacement is not required. She said it's difficult to know since the trees have been removed, which is why she is requiring a tree survey of the undeveloped portion so there is record of the existing trees in that area.

Mr. Baggerly asked if there is recourse the City can invoke in a case such as this. Ms. Smith said yes, the City can issue penalties if the proper permits are not pulled.

Chair Holmes asked if there are any drainage issues? Ms. Smith stated a drainage study is being developed for City staff review.

Mr. Minosky said it appears the City is playing catch-up with the property, to which Ms. Smith said it is occurring a bit after-the-fact since no permit was requested, but the City is still requiring building permit fees for work they have completed. The City is not proposing fees for the trees that have been removed, Ms. Smith said. Mr. Minosky asked why the City is not requiring a building permit, to which Ms. Smith said the City is requiring plans for staff review, then building permits will be issued.

Ms. Schmuck made the motion to approve Z-16-16. Mr. Morgan seconded the motion, which was approved unanimously with 6 ayes, 0 nays.

#### ORDINANCE NO. 2016-46

# AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO LIGHT INDUSTRIAL ZONING DISTRICT ON A 5.00 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

WHEREAS, Westwood Associates LLC, owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October 2016, at 5:30 p.m. for hearing and adoption, said district being described as follows:

204 Grove Road, Belton, Texas (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 18<sup>th</sup> day of October, 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 a Agricultural Zoning District to Light Industrial Zoning District, in accordance with Section 27 – Light Industrial Zoning District, and the Design Standards in Ordinance No. 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 allowable uses of the property shall conform to the Light Industrial Zoning 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 discussed above
  - b. Building Design Standards
  - c. Landscape Design Standards, to include a tree survey for the undeveloped portion of the property. A landscape plan may be required if there are not

enough tree credits to satisfy the landscape requirements for the parking lot addition. When the undeveloped portion of this property is proposed for development, a detailed landscape plan will be required to satisfy the landscape requirements for this parking lot and the new development proposed.

- 3. Sign Standards shall conform to Ordinance 2008-11.
- 4. A subdivision plat on the developed portion of this property is required.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25<sup>th</sup> day of October, 2016, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**SIGNED AND APPROVED** by the Mayor and attested by the City Clerk on this the 25<sup>th</sup> day of October, 2016.

ATTEST:

Marion Grayson, Mayor

Amy M. Casey, City Clerk



# Staff Report – City Council Agenda Item



Date:October 25, 2016Case No.:Z-16-15Request:MF to NSApplicant:Bethany Rosebrock

# Agenda Item #10

Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5<sup>th</sup> and East 6<sup>th</sup> Avenues.

### **Originating Department**

Planning – Erin Smith, Director of Planning

# Case Summary

The applicant has submitted this request for a zone change to allow for a Neighborhood Service business or office use. To the north are Valvoline and Sheer Bliss; to the east are Montgomery Chiropractic and single family homes; to the west are State Farm Insurance and Community Counseling Center; and to the south are the 1874 Church, Bell Fine Arts Association, and single family homes.

### Current Zoning

### **Proposed Zoning**

Multiple Family

# Neighborhood Service

### Design Standards Type Area: 7 Recommended Type Area: 7

This property is in Type Area 7 in the Design Standards. If approved, a Neighborhood Service District use would be required to comply with all the Design Standards for Type Area 7.

### Land Use Table/Allowable Uses

The Neighborhood Service Zoning District allows the following land uses, and would accommodate this request:

- Antique Shop
- Bakery or confection shop, retail
- Barber or beauty shop

City Council Agenda Item October 25, 2016 Page 1 of 3

- Church
- Child care center or day care center
- Food or convenience stores (no gasoline sales)
- Health studio, gym or exercise class area
- Personal service shop
- Service or retail, incidental to the main use
- Veterinarian office, no hospital (No outside kennels or pens)

# Project Analysis and Discussion

This property is located amidst a variety of office, neighborhood service, retail, and single family uses. The applicant is proposing this zone change to allow for a proposed business or office use in conjunction with the Future Land Use Plan which identifies this area as High Density/Mixed Use.

The applicant is proposing to utilize the existing building as a future Neighborhood Service use. Currently, there is not adequate on-site parking for a Neighborhood Service use. According to the Bell County Tax Appraisal District, this structure is 1,778 square feet in size. Section 34, Off-Street Parking and Loading Requirements, of the Zoning Ordinance, states an office use shall provide one parking space for each 300 square feet of gross floor area and a retail or personal service use shall provide one parking space for each 200 square feet of gross floor area. An office use will require a total of 6 on-site parking spaces and a retail or personal service use will require a total of 9 on-site parking spaces. The parking surface shall be concrete, asphalt, or brick.

This property is located in the Central Belton Historic District. If changes are proposed to the exterior of the structure, the Historic Preservation Commission will review to determine if the changes maintain the integrity of this historic building.

After careful review of the City's Design Standards and the applicability of this use among surrounding properties, this requested zone change appears to be reasonable in this location.

# **Recommendation**

Recommend approval of zone change from Multiple Family to Neighborhood Service District with development regulated under the Design Standards for Type Area 7 standards as follows:

- 1. The allowable uses of the property shall conform to the Neighborhood Service Zoning District in all respects.
- 2. The development of the property shall conform to all applicable Type Area 7 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:

City Council Agenda Item October 25, 2016 Page 2 of 3

- a. Site Development Standards discussed above
- b. Building Design Standards
- c. Landscape Design Standards
- 3. Sign Standards shall conform to Ordinance 2008-11.
- 4. On-site parking is required prior to issuance of a Certificate of Occupancy.

# Attachments:

Zoning application Property Location Map Zoning map Aerial photo Map with zoning notice boundary (200') Zoning notice to owners Property owners list P&ZC Minutes Excerpt Ordinance

> City Council Agenda Item October 25, 2016 Page 3 of 3

City of Belton Request for Zoning Change

	To the City Council a Planning and Zoning Co	and the ommission	rees material development of
	Fee: \$250.00		
Date Received:	9/27/16 Date Due: 09-30-10	Deadline for a zon business day of the	ing change request is the last e month.
Applicant:	BETHANY ROSEBROCK	Phone Number: 2	54 721 -6255
Mailing Address:	618 N WALL	City: BELTON	State: 7X
Email Address:	betho 33@ymail.com	tari cata ang ang ang ang ang ang ang ang ang an	
Owners Name:	BETHANY ROSEBRACK	Phone Number:	
Mailing Address:	some	City:	State:
Email Address:	is may have supplemental othar ceschaing standards regi- revelation and the mail Geralama if Elever minch	<ol> <li>All Development Plan data pertinent forme</li> </ol>	
Applicant's Interest in Property:	3 Would like to zone	propetty Co	mmercual
Legal Description	of Property: SMITH'S SECOND ADDIT	TON BLOCK ASI	2 LOT 8 PT. 9N25 FI
Is this property be	ing simultaneously platted?		
Street Address:	508 N Wall		
Zoning changing f	from: RESIDENTIAL to: NETGH SET Multi-Family tank Rosebrock	RVICE	
Signature of Applic	any posibioin 9	Date	
Signature of Owne	er (if not applicant)	Date	

Checklist for Zoning Items to be submitted with application:

Signed Application

Fees Paid

Complete Legal Description of the property to be re-zoned

Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.

In the event the request involves more than one lot of irregular tracts or acreage, a drawing of the property must be submitted.

# Zoning Case # Z-16-15 Location

140

10 50 90 M

**ZONING CHANGE:** Multi Family to Neighborhood Service

**BELTON** Planning Department

LEGAL DESCRIPTION:

ALEXANDERS ADDITION BLOCK 006, LOT PT 2

PROPERTY OWNER: ROSEBROCK, JAMES ETUX BETHANY

ADDRESS/LOCATION:

508 N Wall St



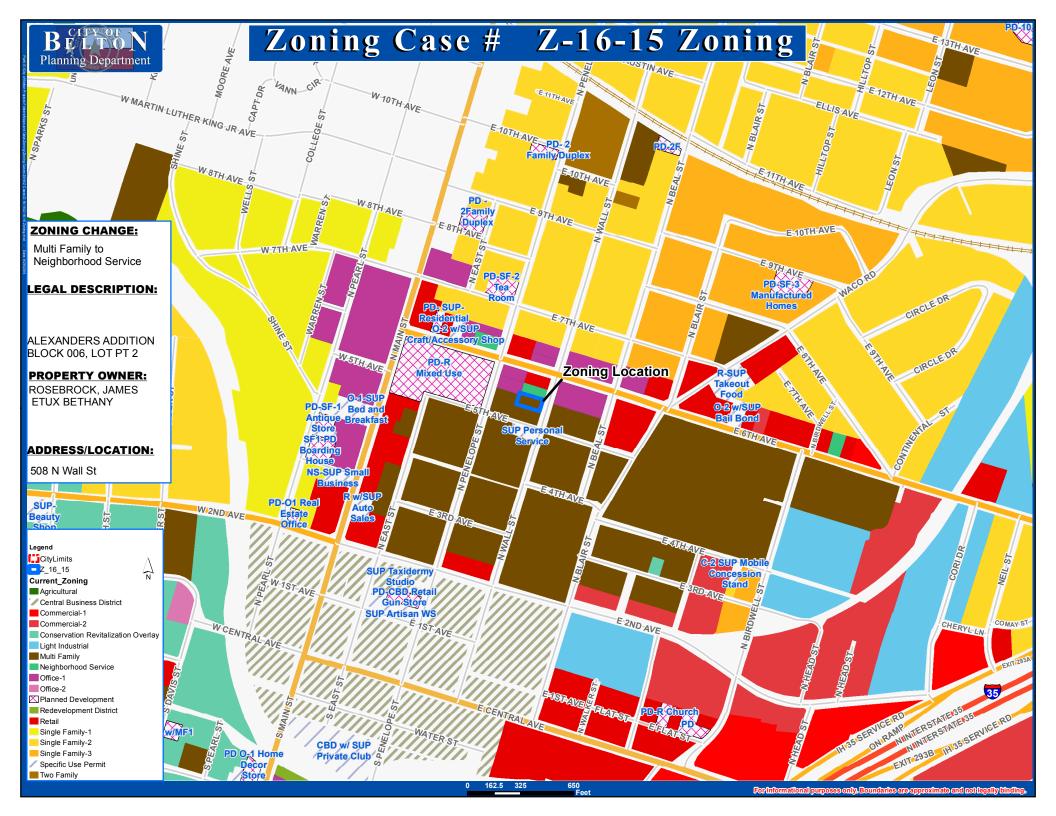
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Zoning Location

35

2ND



# Zoning Case # Z-16-15 Aerial

**ZONING CHANGE:** Multi Family to Neighborhood Service

**BELTON** Planning Department

LEGAL DESCRIPTION:

ALEXANDERS ADDITION BLOCK 006, LOT PT 2

**PROPERTY OWNER:** ROSEBROCK, JAMES ETUX BETHANY

ADDRESS/LOCATION:

508 N Wall St





# 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>BETHANY ROSEBROCK</u>			
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:	508 NORTH WALL STREET ,		
FROM A(N) MULTI-FAMILY	ZONING DISTRICT,		
TO A(N) NEIGHBORHOOD SERVICE	ZONING DISTRICT.		

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, October 18, 2016</u> in the Wright Room at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, October 25, 2016</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 by attending these hearings. You may submit written comments about this zoning change by completing this form and returning it to the address below.

IF YOU 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

#### 5014

LARANCE, JOHN EDWARD JR ETUX ROXANA T 501 N PENELOPE ST BELTON, TX 76513

7433 SMITH, JUANITA L 509 N WALL ST BELTON, TX 76513-2676

19610 KELLY, BETHEL W 504 N WALL ST BELTON, TX 76513-2677

58631 ROSEBROCK, JAMES ETUX BETHANY 508 N WALL ST BELTON, TX 76513-2677

75530 MONTGOMERY L&P FAMILY TRUST 401 E 6TH AVE BELTON, TX 76513-2667

100292 GONZALEZ, JOSE ETUX MARIA DEJESUS 439 N PENELOPE ST BELTON, TX 76513-6007

127540 GODOY, JOSE LUIS ETUX MARIA M 507 N PENELOPE ST BELTON, TX 76513-2675

SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513 5015 MCGOLDRICK ENTERPRISES INC 806 CHATHAM RD BELTON, TX 76513-6708

7923 POWELL, RANDY 2907 TIMBER RIDGE DR TEMPLE, TX 76502-8810

22636 MOBLEY, GORDON E & SHIRLEY M 503 N WALL ST BELTON, TX 76513-2676

63537 LACANNE, BRENT PO BOX 56 SALADO, TX 76571-0056

94338 POOLE, NORMAN F 413 GUTHRIE DR BELTON, TX 76513-1219

109706 SHERTZER, DEBORAH FAITH ETAL 445 N WALL ST BELTON, TX 76513

405016 BELL FINE ARTS ASSOCIATION PO BOX 624 BELTON, TX 76513-0624 5183 STEPHENSON, TIM STATE FARM INC 1344 RIDGEWOOD DR NORTHBROOK, IL 60062

15793 525 NORTH MAIN STREET CROSSING LTD 3839 BEE CAVE RD STE 305 AUSTIN, TX 78746

38371 FUENTES, ISABEL M & PHILLIP 445 N PENELOPE ST BELTON, TX 76513-6007

73523 3513 L C 3114 RIVER PLACE DR BELTON, TX 76513-1014

94341 BOWLES, DYLAN ETUX JESSE 1237 COUNTY ROAD 197 JONESBORO, TX 76538

125832 DUNLAP, LESLEIGH 12179 LANDFILL RD HOLLAND, TX 76534

405017 1874 CHURCH RESTORATION COMMITTEE 430 N WALL ST BELTON, TX 76513-6009

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

THE CITY OF	BELTON HAS RECEIVED A REQUEST FROM	: BETHANY ROSEBROCK	,
TO CHANGE T	HE FOLLOWING DESCRIBED PROPERTY:	508 NORTH WALL STREET	
FROM A(N)_	Multi-Family		ZONING DISTRICT,
TO A(N)	NEIGHBORHOOD SERVICE		ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT <u>5:30 P.M., Tuesday, October 18, 2016</u> IN THE WRIGHT ROOM AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, October 25, 2016**, 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 by attending these hearings. You may submit written comments about this zoning change by completing this form and returning it to the address below.

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(Furi	, HER COMMENTS M	AY BE EXPRESSED ON A S	SEPARATE SHEET	OF PAPER)
<u>10/9/1</u>	4	SIGNATURE:	quante	» Smut
				PLANNING DEPARTMEN CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812
7433 SMITH, JUANITA L				

509 N WALL ST

BELTON, TX 76513-2676

# Minutes of the meeting of the **Planning and Zoning Commission (P&ZC)** City of Belton 333 Water Street Tuesday, October 18, 2016

The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair John Holmes, Mat Naegele, Brett Baggerly, Eloise Lundgren, Rae Schmuck and Frank Minosky. The following staff members were present: Director of Planning, Erin Smith and Planning Clerk, Laura Livingston. Members Joel Berryman, Ben Pamplin and Jason Morgan were absent.

# 3. Z-16-15 Hold a public hearing and consider a zoning change request from Multiple Family to Neighborhood Services Zoning District at 508 North Wall Street, located on the west side of North Wall Street, between East 5th and East 6th Avenues.

Ms. Smith presented the staff report.

Chair Holmes opened the public hearing, and with no one requesting to speak, he closed the public hearing.

Ms. Schmuck asked the proposed use in terms of what's included in Neighborhood Services. Ms. Smith said this zoning includes businesses that are compatible with the neighborhood and do not generate a large amount of traffic or noise. Ms. Smith said some of the uses are listed in the staff report, such as child care, beauty shop and antique shop, for example.

Mr. Naegele asked the owner's intent for the property. Ms. Smith said they are uncertain of the specific use at this time, but that it likely will be for office use.

Chair Holmes asked about fencing. Ms. Smith said she didn't see any issues. Mr. Baggerly asked if this is a "Sears catalog house." The applicant Ms. Bethany Rosebrock, 618 N. Wall St., said she had heard it is a "Sears house," though she's not certain.

Mr. Minosky made the motion to approve a Z-16-15. Mr. Naegele seconded the motion, which was approved unanimously with 6 ayes, 0 nays.

### ORDINANCE NO. 2016-47

# AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM MULTIPLE FAMILY TO NEIGHBORHOOD SERVICE ZONING DISTRICT ON A 0.215 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

WHEREAS, James and Bethany Rosebrock, owners of the following described property have presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 18th day of October 2016, at 5:30 p.m. for hearing and adoption, said district being described as follows:

508 N. Wall, Belton, Texas (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 18<sup>th</sup> day of October, 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 a Multi Family Zoning District to Neighborhood Service Zoning District, in accordance with Section 20 – Neighborhood Service Zoning District, and the Design Standards in Ordinance No. 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 allowable uses of the property shall conform to the Neighborhood Service Zoning District in all respects.
- 2. The development of the property shall conform to all applicable Type Area 7 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards discussed above
  - b. Building Design Standards
  - c. Landscape Design Standards

- 3. Sign Standards shall conform to Ordinance 2008-11.
- 4. On-site parking is required prior to issuance of a Certificate of Occupancy.

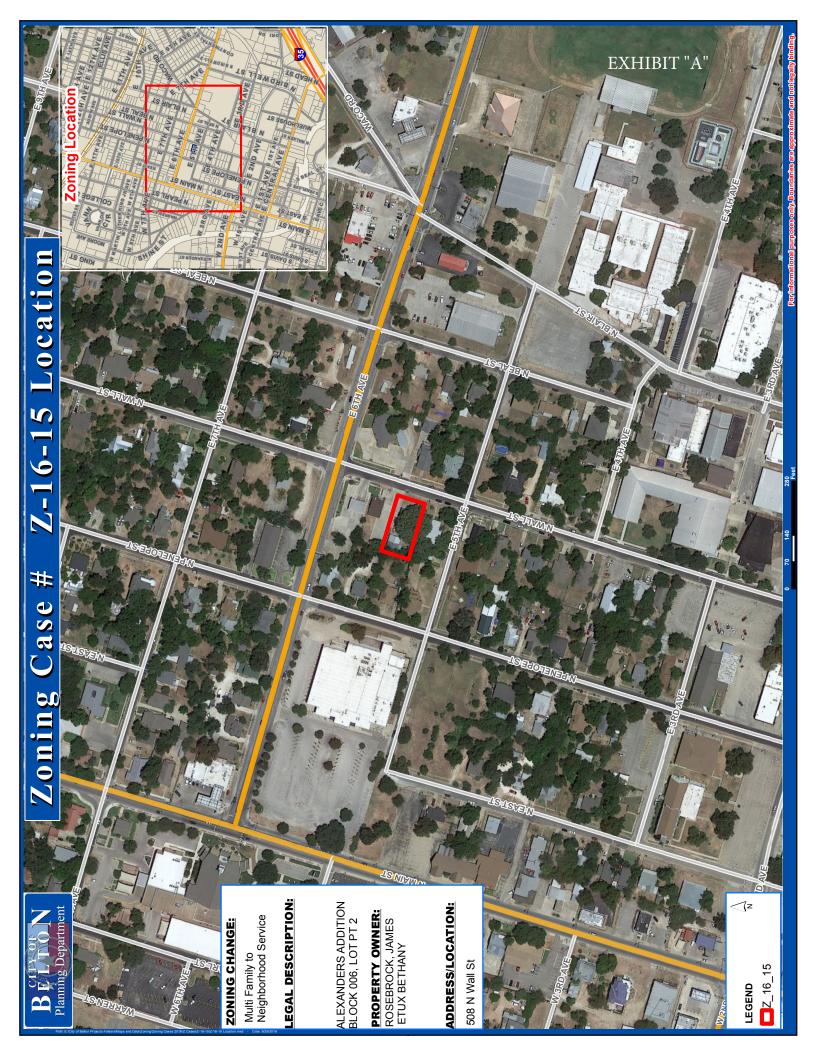
This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 25<sup>th</sup> day of October, 2016, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**SIGNED AND APPROVED** by the Mayor and attested by the City Clerk on this the 25<sup>th</sup> day of October, 2016.

ATTEST:

Marion Grayson, Mayor

Amy M. Casey, City Clerk



# Staff Report – City Council Agenda Item



Date:October 25, 2016Case No.:P-16-29Request:Preliminary/Final PlatApplicant:Eckermann Engineering, Inc.

# Agenda Item #11

Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855 feet south of FM 93, and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek.

# **Originating Department**

Planning – Erin Smith, Director of Planning

# Case Summary

This is a 1-lot subdivision proposed for a concrete batch plant.

# Project Analysis and Discussion

This is a 1-lot subdivision plat for a concrete batch plant, proposed as Nolan Creek Industrial Park. This property is zoned Heavy Industrial and a concrete batch plant is an allowable use in this zoning district. There is a 50 foot wide private access easement extending south from FM 93 for access to this property. This access easement was created when the City platted the Central Belton Industrial Park, Section I, a portion of the former Rockwool property. There was an existing access easement to this property on its far west side, along Nolan Creek, before the Central Belton Industrial Park, Section I plat was created. The Central Belton Industrial Park, Section I plat was created. The Central Belton Industrial Park, Section I plat was created to this central Belton Industrial Park, Section I plat was created with the central Belton Industrial Park, Section I plat was created with the central Belton Industrial Park, as well as to the two new lots created with the plat: one (east) proposed for expansion of the wastewater treatment plant and the other (west) proposed for future wastewater plant expansion needs (see attached plat).

The applicant is proposing to construct a 40 foot wide concrete driveway with 30 foot radii extending from FM 93 to this property (850 feet). The applicant is proposing to extend an 8 inch waterline 1,177 linear feet and install four fire hydrants from FM 93 to this property. In order to extend the waterline and install fire hydrants, a 15 foot City of Belton waterline easement is needed to facilitate these improvements. The applicant is proposing to create a 15 foot City of Belton waterline easement by separate instrument along the western side of the existing access easement on City of Belton property. The applicant is also proposing to install an overhead electric power line and three street lights adjacent to the City of Belton

City Council Agenda Item October 25, 2016 Page 1 of 3 easement. The street lights will be spaced every 300 feet, with a street light at the intersection of FM 93 and this proposed driveway. In order to install the required electrical service, a 10 foot Public Utility Easement is needed to facilitate the overhead electric power line. Finally, a slope easement is needed as well on the east side of the private access easement.

The applicant recognizes the need to compensate the City for use of public property (utility and slope easements) to service the concrete batch plant, and has submitted a letter proposing the following improvements to satisfy the use of public property and compensate the City:

- A. Install +/-850 linear feet of 40-foot wide concrete pavement along the existing 50-foot access easement.
- B. Install a 55-foot x 35-foot concrete driveway stub to the Belton Wastewater Treatment Plant.
- C. Install a new 40-foot wide TXDOT concrete driveway with 30-foot radii onto FM 93.
- D. Maintain the 40-foot concrete pavement section until the City develops their adjacent tracts. After such, a shared maintenance responsibility agreement will be made.
- E. Install 1,177 linear feet of 8-inch water line and four (4) fire hydrants along the proposed western side of the proposed access driveway and southern property line of the City of Belton property.
- F. Install an overhead electric power line and three (3) street light mast arms along the west side of the proposed access driveway.

The combination of utility easements (30,900 square feet) and slope easement (6,400 square feet) total 37,300 square feet in area for which the City needs to be compensated for this development to occur, a total of 0.857 acres. Based on a Broker's Opinion of Value for the overall Rockwool site in 2013, the 94 acres was valued at \$910,000, \$9,681 per acre. Based on the required use of 0.857 acres, the City needs to be compensated in an amount of at least \$8,297.

It is staff's judgment that the cost of proposed improvements (see attached) satisfactorily compensates the City for the use of City property for the proposed 15 foot City of Belton waterline easement, the 10 foot Public Utility Easement, and the slope easement, since the associated improvements will benefit the existing City/TBWWTP properties, and provide improved access to the TBWWTP. We do recommend creation of a maintenance agreement that addresses the owner's obligation to maintain this driveway indefinitely. Neale Potts is preparing this document.

The concrete batch plant will initially be constructed as a <u>temporary</u> facility. All improvements stated above will be required prior to issuance of a Certificate of Occupancy for this <u>temporary</u> facility, except for the 850' of 40' wide concrete pavement, which will be built using concrete made at the plant soon after the facility is operational. Staff is currently reviewing construction plans for the <u>temporary</u> concrete batch plant. Once the temporary concrete batch plant is constructed, the applicant will begin design of the permanent concrete facility for staff review. A required TCEQ public hearing was conducted on October 6, 2016 at

City Council Agenda Item October 25, 2016 Page 2 of 3 the Harris Community Center and the applicant stated there were no objections to this project at the hearing. We are awaiting TCEQ's approval of the proposed development at this time.

The southern portion of this 84.958 acre property is located within the 100-year floodplain. The applicant has stated that no development will occur within the floodplain. There will be no tree removal for the construction of the temporary or permanent concrete batch plant.

We have reviewed the plat and find it acceptable, subject to conditions contained in the letter to the applicant's engineer dated September 26, 2016.

# **Recommendation**

Recommend approval of a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855 feet south of FM 93, and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek, subject to the following:

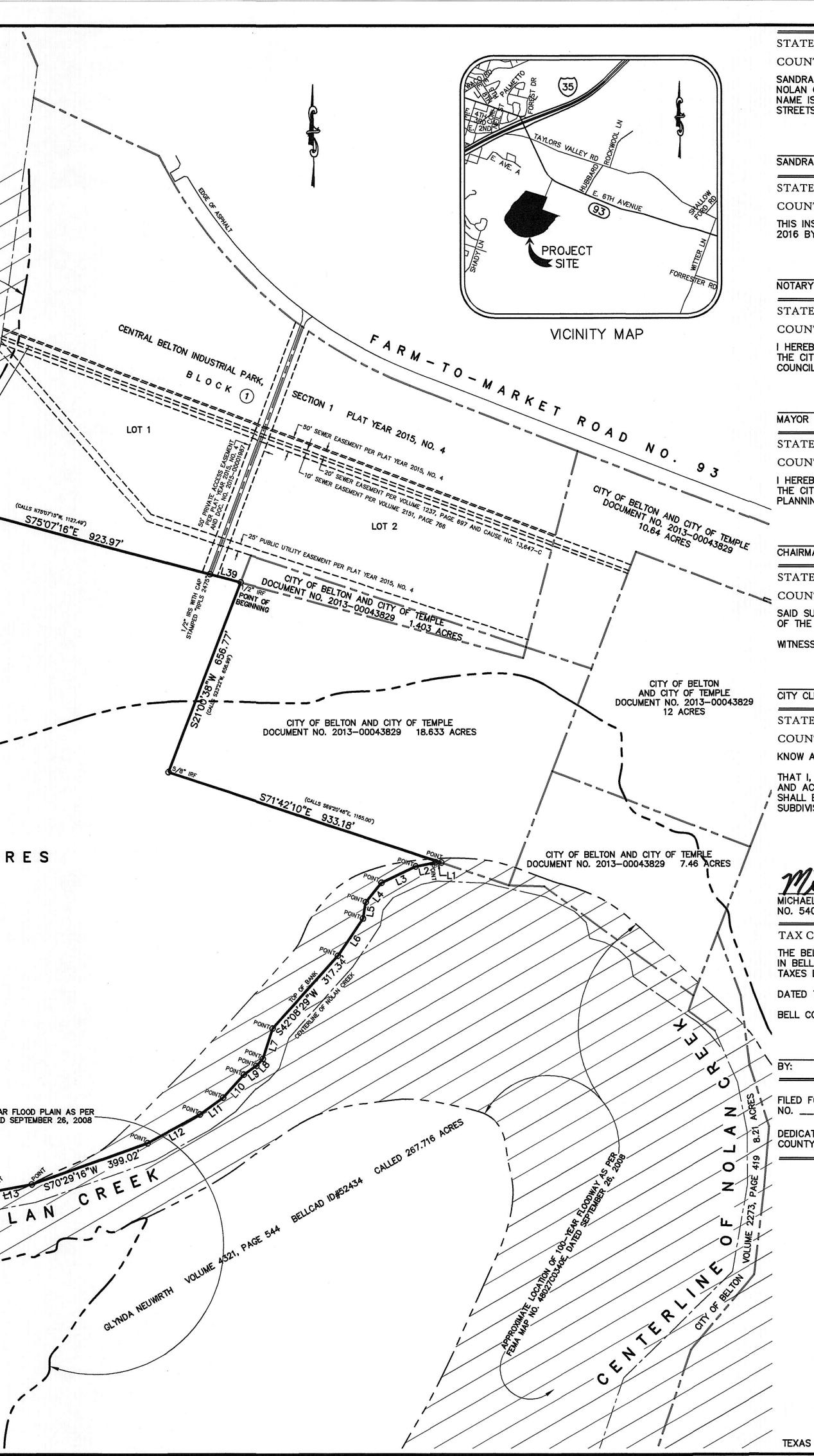
- 1. Conditions contained in the letter to the applicant's engineer dated September 26, 2016; and
- 2. Creation of a maintenance agreement that addresses the owner's obligation to maintain the 850' driveway serving the concrete batch plant.

#### **Attachments**

Final Plat Application Final Plat Location Map Letter from Applicant Central Belton Industrial Park, Section 1 Plat P&ZC Minutes Excerpt

> City Council Agenda Item October 25, 2016 Page 3 of 3

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L2 S78'53'23"W 66.11' L3 S64'47'30"W 122.71'	Produt And
L4 S39'16'15"W 81.65'	POINT POINT
L6         S34*13'24**W         144.72'           L7         S17'57'06''W         102.27'	A
L6       S34*13'24"W       144.72'         L7       S17*57'06"W       102.27'         L8       S42'02'29"W       31.47'         L9       S54*05'47"W       50.37'         L10       S42'09'05"W       100.62'	
L9 S54'05'47"W 50.37'	
	84.598 ACRE
L11 S54'40'34"W 92.17'	LOT 1
L12 S61'19'36"W 193.83'	BLOCK (1)
L13 S7917'59"W 144.40' L14 S87'59'57"W 199.80'	
L15 N84*59'09"W 147.39'	
L16 N74'23'42"W 142.53'	
L17 N65°24'39"W 145.00'	
L18 N54*09'58"W 196.62' L19 N45*06'45"W 202.55'	
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TE OF TEXAS NTY OF BELL RA BARNETT, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS I CREEK INDUSTRIAL PARK, A SUBDIVISION IN THE CITY OF BELTON, TEXAS AND WHOSE IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL TS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON. RA BARNETT TE OF TEXAS NTY OF BELL NSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE DAY OF	CLATES, INC. CIATES, INC. VING • SURVEYING inc.com fax 254.773.3998 ENGINEERING FIRM NO. 1658
RY PUBLIC TE OF TEXAS NTY OF BELL EBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF NOLAN CREEK INDUSTRIAL PARK TO ATY OF BELTON WAS APPROVED THIS DAY OF, 2016, BY THE CITY OIL OF THE CITY OF BELTON, TEXAS.	R L E Y A S S O ENGINEERING • PLANI St. 76501 SURVEY FIRM NO. 10056000 • 1
TE OF TEXAS NTY OF BELL EBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF NOLAN CREEK INDUSTRIAL PARK TO TTY OF BELTON WAS APPROVED THIS DAY OF, 2016, BY THE ING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.	
MAN SECRETARY TE OF TEXAS NTY OF BELL SUBDIVISION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE THE CITY OF BELTON. SS MY HAND THIS DAY OF, 2016.	© TURLEY ASSOCIATES, INC. THIS DRAWING IS THE PROPERTY OF TURLEY ASSOCIATES INC. AND MUST BE SURRENDERED UPON REQUEST. THE INFORMATION THEREON MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF TURLEY ASSOCIATES INC.
CLERK TE OF TEXAS TO OF TEXAS TO OF BELL ALL MEN BY THESE PRESENTS: I, MICHAEL E. ALVIS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON BE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE VISION REGULATIONS OF THE CITY OF BELTON, TEXAS. EL E. ALVIS, R.P.L.S. LE E. ALVIS, R.P.L.S. CERTIFICATE ELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES LL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT	FINAL PLAT OF: FINAL PLAT OF: NOLAN CREEK INDUSTRIAL PARK 0. T. TYLER SURVEY, ABSTRACT NO. 20 BELL COUNTY, TEXAS PLOL BOLL COUNTY, TEXAS F.O. BOX 388 P.O. BOX 388 LAMPASAS, TEXAS 76550
DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.     DAY OF, A.D. 2016. COUNTY TAX APPRAISAL DISTRICT  FOR RECORD THIS DAY OF, IN YEAR, PLAT FOR RECORD THIS, DAY OF, OFFICIAL PUBLIC RECORDS OF BELL TY, TEXAS.	REVISIONS DATE DESCRIPTION DFTR
NOTES: 1. OWNER IS SANDRA BARNETT. 2. A PORTION OF THIS TRACT IS WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48027C0340E, DATED SEPTEMBER 26, 2008. 3. PLEASE NOTE THAT U.E. = UTILITY FASEMENT, B.L. = BUILDING SETBACK LINE, AND D.E. = DRAINAGE EASEMENT, R.O.W. = RIGHT-OF-WAY. FINAL PLAT OF: FINAL PLAT OF: NOLAN CREEK INDUSTRIAL PARK 1 LOT, 1 BLOCK 84.598 ACRES 0. T. TYLER SURVEY, ABSTRACT NO. 20 A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS 84.598 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.	JOB NUMBER: <b>₩ ~ 6</b> 16-1129 <b>₩ ~ 6</b>

# **P-16-29 Nolan Creek Industrial Park**

PROPOSED PLAT: Final Plat Nolan Creek Industrial Park 84.598 acres

**BELTON** Planning Department

**PROPERTY OWNER:** BARNETT, SANDRA & JAN DENSMAN

LEGEND **D**P\_16\_29 CityLimits

 $\mathcal{A}$ 

750

ANT BEAM .....

Plat Location

STH AVE

190

CKER ELM GROVE

ELM GROVE

EY VALLEY

WITTER

M 93

VAL

# **P-16-29** Nolan Creek Industrial Park

**Proposed Nolan Creek Industrial Park** 

PROPOSED PLAT: Final Plat Nolan Creek Industrial Park 84.598 acres

**BELTON** Planning Department

**PROPERTY OWNER:** BARNETT, SANDRA & JAN DENSMAN

TRATIZETHER STORE

230

460 Feet

 $\Delta_{\mathbf{N}}$ 



September 9, 2016

Erin Smith Director of Planning City of Belton PO Box 120 Belton, TX 76513

Re: Engineer's Summary Letter Nolan Creek Industrial Park Subdivision Application Belton, Texas

Dear Mrs. Smith,

Please accept this final subdivision plat application summary letter for a subdivision to support the proposed Tex-Mix concrete plant in Belton, Texas. The project site consists of an 84.598-acre tract of land and is not proposed for development as part of this application. The subject site is located on FM 93 (E. 6<sup>th</sup> Avenue) approximately 2,200 LF southeast of the intersection of Taylors Valley Road and FM 93 and is within the full purpose jurisdiction of the City of Belton, Bell County, Texas.

The proposed subdivision will consist of one lot (Lot 1, Block 1) and will be known as the Nolan Creek Industrial Park Subdivision. The Final Plat is included with this submittal for review and approval. The site is partially located within the 100-year floodplain based upon FEMA Map Number 48027C0340E, dated September 26, 2008 and is currently zoned Heavy Industrial (HI). No construction is proposed as part of this application and the future Tex-Mix concrete batch plant design plans will be submitted under a separate application.

Water service for the subdivision will be provided by a proposed 8-inch water line that will connect to an existing 12-inch water line running parallel to FM 93 and along the southern side of the roadway. Design plans to support the water line extension will be provided in a subsequent application, per discussions with City Staff. Wastewater service is not available to the property and will be provided by an On-Site Septic Facility when required. Electric service will be provided by an existing overhead 3phase electric line located just north of the subject tract. Easements to support the subject utility extensions will be provided via separate instrument and will be finalized as part of the subsequent plan applications.

In summary, the proposed final plat application substantially conforms to the City of Belton requirements. If you should have any questions, or need additional information regarding the Nolan Creek Industrial Park Subdivision, please feel free to contact us at 512-556-8160.

Sincerely,

ECKERMANN ENGINEERING, INC.

Sam N. Walker, P.E. Vice President

Attachments:

**Final Plat Application Package** 

P. O. Box 388 • Lampasas, Texas 76550 • 512-556-8160 • Firm # F-10496



October 14, 2016

Erin Smith City of Belton - Planning Director 333 Water Street Belton, TX 76513

#### Re: Easement and Grading Consideration Summary Tex-Mix Belton Concrete Batch Plant Development Belton, Texas

Dear Mrs. Smith:

As discussed in multiple meetings with City Staff, Tex-Mix Concrete acknowledges that upgrades to the existing access driveway, the addition of a 15-foot waterline easement, and the additional of a 10-foot electrical easement across City of Belton property are required to develop the proposed concrete batch plant. Tex-Mix also recognizes the need to provide consideration to the City for the use of said property/easements.

As consideration to the City, Tex-Mix proposes to:

- Install +/-850 linear feet of 40-foot wide concrete pavement along the existing 50-foot access easement.
- Install a 55-foot x 35-foot concrete driveway stub to the Belton Wastewater Treatment Plant.
- Install a new 40-foot wide TXDOT concrete driveway with 30-foot radii onto FM 93.
- Maintain the 40-foot concrete pavement section until the City develops their adjacent tracts. After such, a shared maintenance responsibility agreement will be made.
- Install 1,177 linear feet of 8-inch water line and four (4) fire hydrants along the proposed western side of the proposed access driveway and southern property line of the City of Belton property.
- Install an overhead electric power line and three (3) street light mast arms along the western side of the proposed access driveway.

The above mentioned improvements will not only benefit the proposed concrete batch plant, but will also enhance the value and development potential of the City of Belton properties located along FM 93 by enhancing access, electrical connectivity, and completing two sides of the water/fire loop around the subject tracts. In summary, we believe that the value of the proposed improvements exceeds and/or offsets any consideration that should owed to the City of Belton for the dedication of said easements. If you should have any questions regarding the Tex-Mix Belton development, please feel free to contact us at 512-968-5820.

Sincerely,

TEX-MIX CONCRETE

Logan Owens

# CHANEY-COX CONSTRUCTION, INC Est No:

1.2

Project: Location: Est Type: Tex-Mix Belton Estimated Cost for Scope in "Easement and Grading Consideration Summary" Letter Belton, TX

Solicitation No:

Bid Date: Bid Time:



Est Type: SFT: Duration (months):

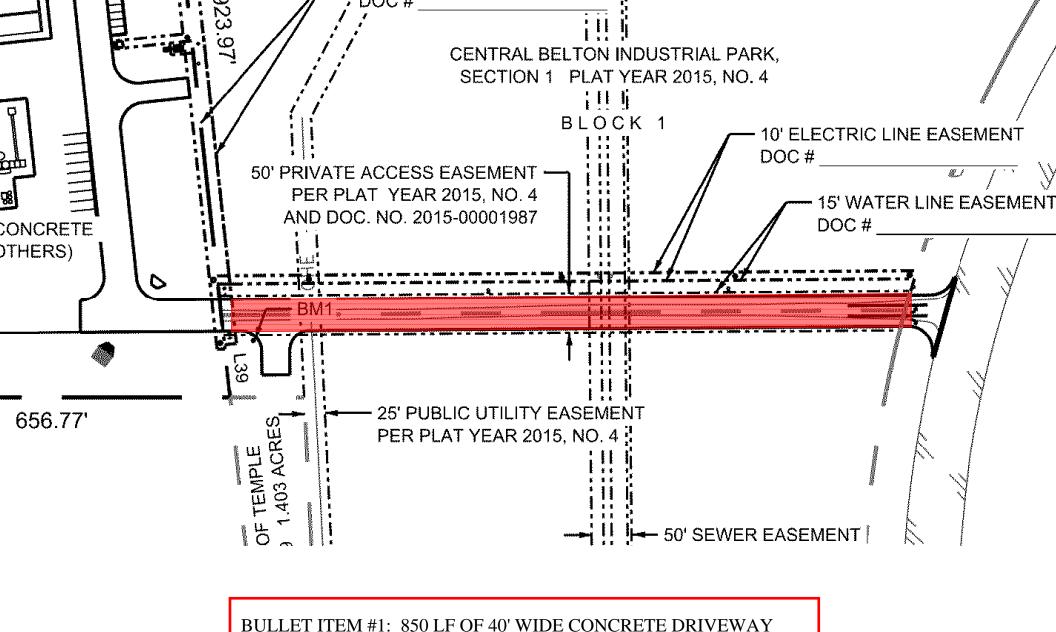
Spec Section	Description	Quantity	Unit	\$ / Unit	Labor or Subcontractor	Labor & Materials
	EARTHWORK					
	BUILD/WIDEN DRIVE ROAD TO DESIGN	1	LS	\$ 175,000.00		
	INSTALL 12" FLEX BASE				W/ABOVE	\$-
	EROSION CONTROLS					
	STABILIZED CONSTRUCTION ENTRANCE	1	EA	\$ 1,500.00		
	SILT FENCE	1850	LFT	\$ 3.00		
	SWPPP	1	LS	\$ 1,900.00	) ESTIMATE	\$ 1,900.0
	LANDSCAPING					
	REVEGETATION W/HYDROSEED & TEMP IRRIGATION	9167	SYD	\$ 0.63	B ESTIMATE	\$ 5,775.0
	SITE CONCRETE					
	CONCRETE PAVING w/Helix, no rebar, 850 LF x 40' wide drive	1	LS	\$ 168,600		\$ 168,60
	- concrete material w/Helix, 8" thick, 34,000 sft	840	YD	\$ 140.00		•,
	- labor to place & finish	34000	SF	\$ 1.50		
	CONCRETE PAVING w/Helix, no rebar, 55 LF x 35' wide stub to treatment plant	1	LS	\$ 10,430		\$ 10,43
	- concrete material w/Helix, 8" thick, 2100 sft	52	YD	\$ 140.00		•,
	- labor to place & finish	2100	SF	\$ 1.50		
	CONCRETE PAVING w/#4 @ 18" oc, TXDOT Driveway w/30' radii onto FM 93	1	LS	\$ 14,750		\$ 14,75
	- concrete material, 8" thick, 2535 sft	63	YD	\$ 140.00		•
	- rebar, chairs, sand material	1	LS	\$ 1.500.00		
	- labor to install rebar, place, & finish	2535	SF	\$ 1.75		
	SITE UTILITIES					
	8" WATER PIPE	1177	LF	\$ 33.00	OMMERCIAL CONSOLIDATED	\$ 38.841.0
	FIRE HYDRANT ASSEMBLIES	4	EA		OMMERCIAL CONSOLIDATED	
	BENDS, FITTINGS, TAP, VALVES METER ASSEMBLIES	1	LS		OMMERCIAL CONSOLIDATED	
	CASTING ADJUSTMENTS	3	EA		OMMERCIAL CONSOLIDATED	
	LAYOUT / MOBILIZATION	1	LS	\$ 11.500.00	OMMERCIAL CONSOLIDATED	
	ELECTRICAL & COMMUNICATIONS		· · · ·			
	ONCOR FEE (OHE W/3 STREET LIGHT MAST ARMS ALONG W. OF DRIVE)	1	LS	\$ 20,000.00	) ESTIMATE	\$ 20,000.0
	Subtotal				-ł	\$ 498,982.2
	Direct Job Costs			Carry	over from D.J.C. breakout sheet	\$ 17,663.3
	Subtotal					\$ 516,645.6
	C/O & S/C Liability					\$ 2,212.1
	Builders Risk Insurance					\$ 132.7
	Perf / Pay Bonds					\$ -
	OCP Insurance					
	Additional Insurance Requirements					
	Umbrella					\$ 2,750.0
	Pollution Ins					\$ -
	Subtotal					\$ 521,740.5
6	Fee %					\$ 31,304.4
	Contingency %					\$ -
	TOTAL					\$ 553,044.9

#### CHANEY-COX CONSTRUCTION, INC

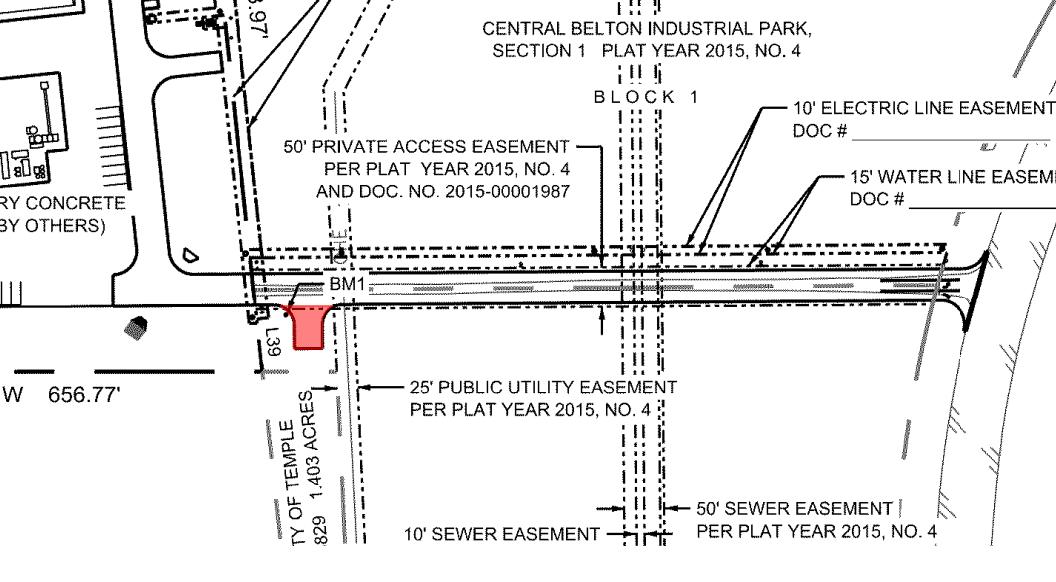
Est No:	0			Solicitation	No:	0
Project:	Tex-Mix Belton Estimated Cost for Scope in "Eas	ement and Grading C	onsideration Summa	Bid Date:		1/0/1900
Location:	Belton, TX			Bid Time:		12:00 AM
Est Type:	0					
SFT:	0					
Duration						
(months):	1.2000					
Duration (weeks):	5.16					_
Duration (cal days):	36.12					
Time of Completi	on	36.12 Cal. Days	5.16 Weeks	\$	1.19	Months

Time of	f Com	oletion

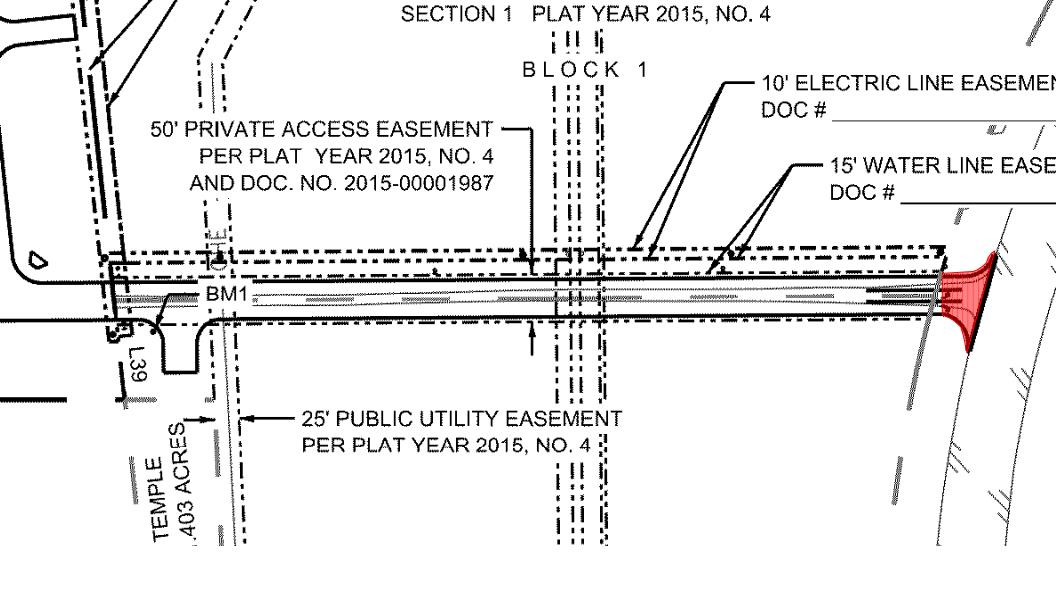
Spec.	Item	Qnty	Unit			Cost	L	abor	Material
	Project Manager	0	wks.	@	\$	1,346.15	\$	-	
	Project Superintendent	5.16	wks.	@	\$	1,346.15	\$	6,946.15	
	Office Manager	1.2	wks.	@	\$	1,000.00	\$	1,200.00	
	Field Office Expense - Rental	0	mos.	@	\$	500.00	none		\$ -
	Drinking Water/Ice	1.2	mos	@	\$	50.00			\$ 60.
	Office Supplies	1.2	mos.	@	\$	80.00			\$ 96.
	Power set-up to Field Office	0	LS	@	\$	2,500.00	none		\$ -
	Electric bill for trailer & construction	0	mos.	@	\$	275.00			\$ -
	1 Fuel Job Expense Superintendent / Eq.	1.2	mos.	@	\$	450.00			\$ 540.
	1 Cell Phones	1.2	mos.	@	\$	85.00			\$ 102.
	Project Signs	1	ea.	@	\$	400.00			\$ 400.
	2 Temporary Toilets/Field Office Tanks	1.2	mos.	@	\$	100.00			\$ 240.
	First Aid Station		sf.	@	Α	low			\$ 250.
	As-Built Drawings & Specs	1	sets	@	\$	50.00			\$ 50.
	Drawings	3	sets	@	\$	50.00			\$ 150.
	Survey	25	points		\$	150.00			\$ 3,750.
	Equipment Repair/Parts	0	LS	@	\$	1,560.00			\$ -
	1 Truck Allowance	1.2	mos.	@	\$	300.00			\$ 360.
	1 Auto Insurance	1.2	mos	@	\$	75.00			\$ 90.
	1 Hospitalization	1.2	mos.	@	\$	1,500.00			\$ 1,800.
									\$ -
	Subtotal						\$	8,146.15	\$ 7,888.
	Labor Cross Over								\$ 8,146.
	Insurance & Taxes Supervision	0.2							\$ 1,629.
	Subtotal								\$ 17,663.
	Corrections								



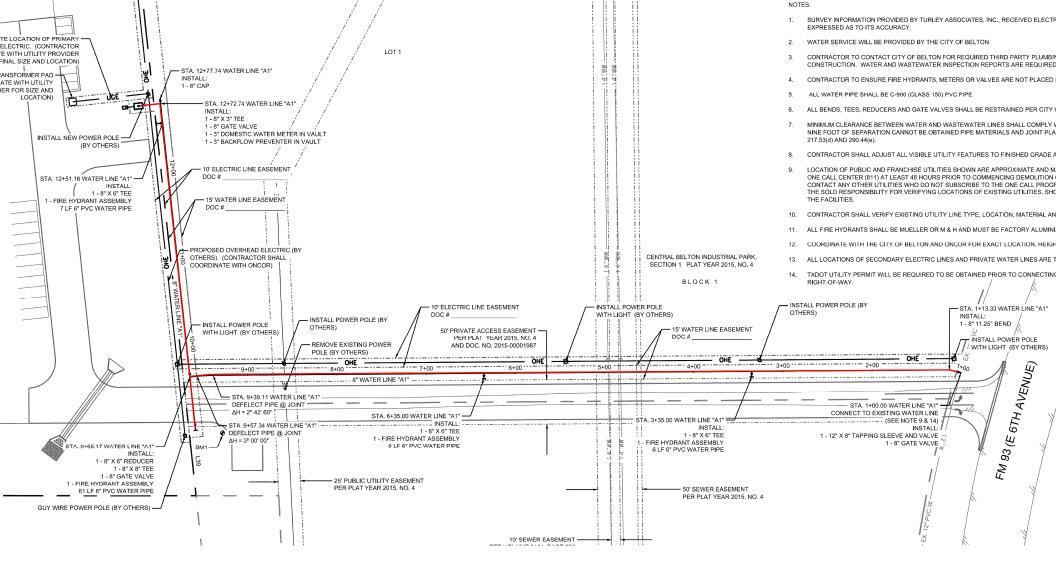
WITH AN 8" THICK SECTION REINFORCED W/HELIX - 34,000 SQFT



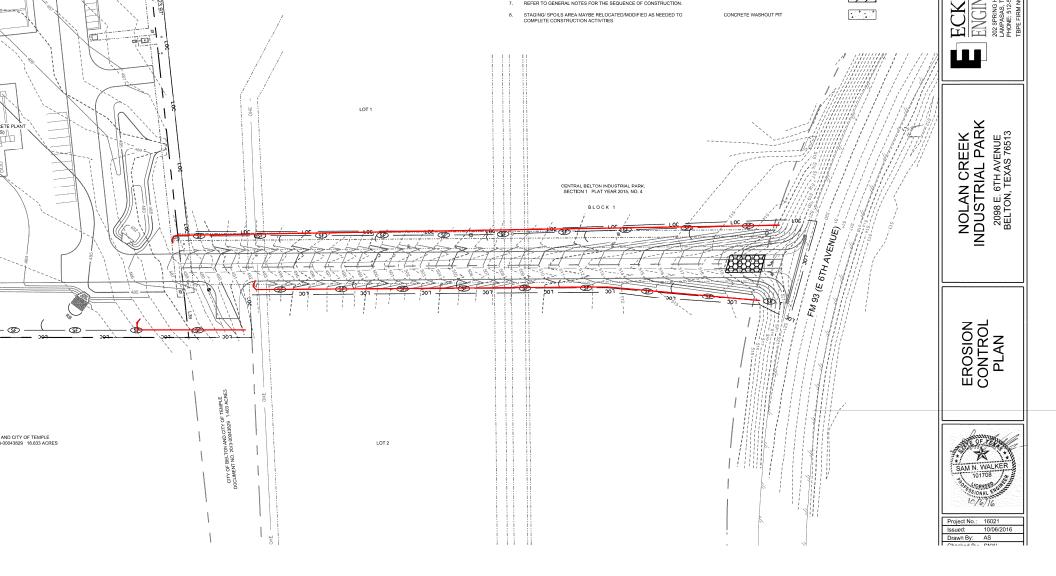
BULLET ITEM #2: CONCRETE DRIVEWAY STUB OVER TO BELTON WASTEWATER TREATMENT PLANT - SHOW RED IS APPROX. 2,100 SQFT OF AN 8" THICK SECTION REINFORCED W/HELIX



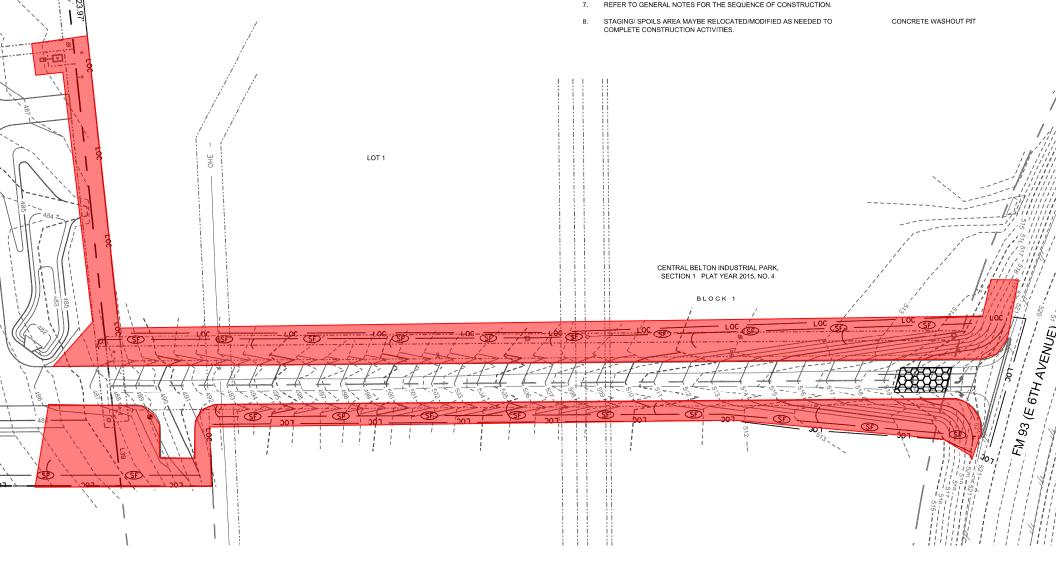
BULLET ITEM #3: TXDOT DRIVEWAY, SHOWN RED = 2,532 SQFT 8" THICK CONCRETE SECTION ESTIMATED W/#4 @18" OC



BULLET ITEM #5: 8" WATER LINE & (4) FIRE HYDRANT ASSEMBLIES ALONG THE WESTERN SIDE OF THE ACCESS DRIVE & SOUTHERN PROPERTY LINE

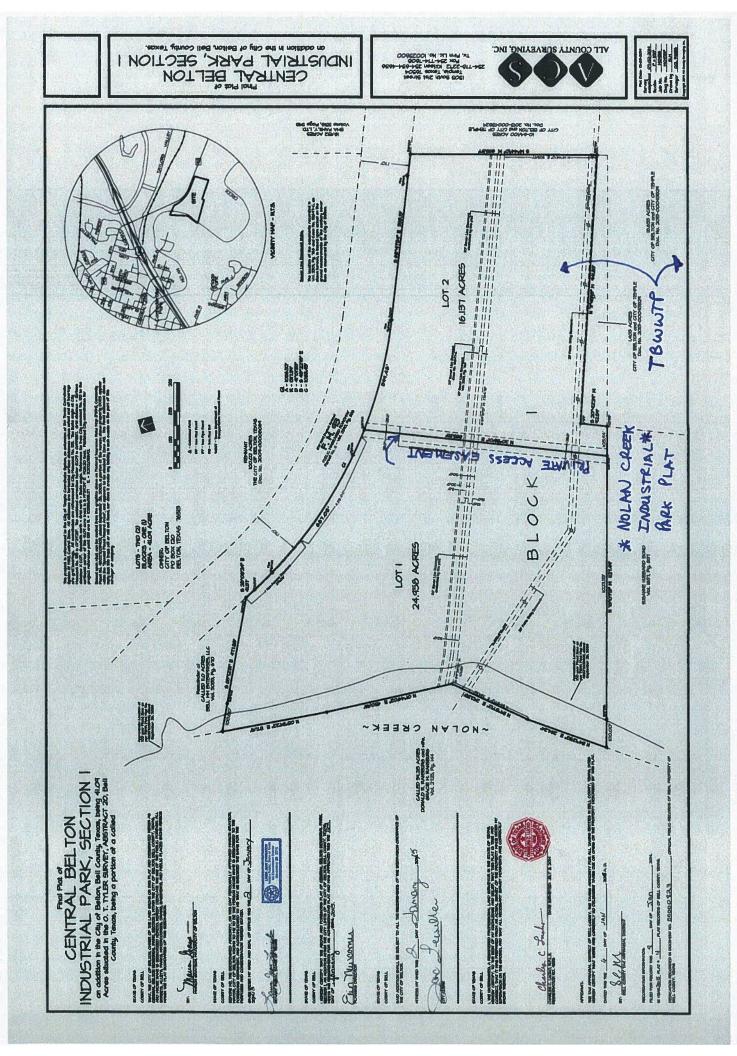


SHOWN RED IS 1850 LF OF SILT FENCE



# SHOWN IN RED ARE THE ESTIMATED LIMITS TO REVEG. WHICH INCLUDES HYDROSEED AND TEMP IRRIGATION 81,500 SFT SHOWN

Tex-Mix Belton Submittal #1\_20161007 (9) (61% of Scale); Tex Mix Belton 100%; Projects 10 v1.0; 10/14/2016 11:52 AM





# <u>City of Belton</u>

**Planning Department** 

September 26, 2016

Applicant: Eckermann Engineering, Inc. / Sandra Barnett Date Submitted: 09-09-16 Project: Nolan Creek Industrial Park – Final Plat Location: 84.598 Acres, 2098 East 6<sup>th</sup> Avenue, Belton, Texas 76513

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

# **Planning:**

- 1. Please submit the off-site 15' City of Belton Utility Easement and Public Utility Easement for staff review. Please provide staff with the square footage of the easements and an exhibit.
- 2. Please submit a street lighting plan that shows street lights placed 300 feet apart along the driveway. Recommend a street light be installed at the corner of this driveway and FM 93 and along the driveway on the west side, for a total of 3 street lights.
- 3. Please submit this plat to all utility providers, including Bell County Health Department and Clearwater UCD and provide comments to staff.
- 4. Are there any existing deed restrictions associated with this property?
- 5. A tree survey is required in conjunction with the plat. Will the tree survey be submitted with the construction plans?

# Public Works/KPA:

- 1. Identify proposed water line, hydrants, and easements on utility plan. Show any required and revised easements on the plat.
- 2. Please add the following notes to the construction plans when submitted.
  - a. Owner shall coordinate a preconstruction meeting with the City Engineer prior to construction.
  - b. The Owner or Owner's representative shall give the City Engineer a minimum of 48-hours notice prior to any excavation or construction beginning. To notify the City of the start date for construction activity, call (254) 933-5823.
  - c. Any infrastructure or materials placed in the right-of-way are subject to third party testing as required and coordinated by the City Engineer or their designee. All material testing costs and any subsequent retests shall be paid by the Owner of the property at a rate of the actual costs plus 10%, per Ordinance 2015-44.

# **Building Official:**

Development proposed within the floodplain will require a LOMR prior to the issuance of a building permit.

#### **Fire Department:**

No comments.

#### **Police Department:**

No comments on plat but may have some on construction plans regarding safety of turning left onto FM 93 from this property.

#### GIS:

No comments.

#### **TxDOT:**

No comments.

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.

The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair John Holmes, Mat Naegele, Brett Baggerly, Eloise Lundgren, Rae Schmuck and Frank Minosky. The following staff members were present: Director of Planning, Erin Smith and Planning Clerk, Laura Livingston. Members Joel Berryman, Ben Pamplin and Jason Morgan were absent.

# 5. P-16-29 Consider a preliminary/final plat for Nolan Creek Industrial Park, an 84.958 acre tract of land beginning 855 feet south of FM 93, and located east of Interstate 35, west of the Temple Belton Wastewater Treatment Plant, and north of Nolan Creek.

Ms. Smith presented the staff report.

Chair Holmes asked is this business would supply concrete for Interstate 35. Mr. Sam Walker, representing Eckermann Engineering, 8 Park Place, Lampasas, said there has been a buy-out of a local concrete company, and others are looking to take over some of the smaller projects in this area. Chair Holmes clarified his question and asked if the concrete trucks would be heading to I-35 from this site. Mr. Walker said yes, though they will be heading in many different directions. Mr. Walker said they plan to enhance the driveway for safety purposes, and have submitted plans to TxDOT for permitting, and lighting will be added to the intersection. He described the elevation at the entrance and said that drivers will be able to clearly see the concrete trucks.

Chair Holmes asked how long the temporary status will remain? Mr. Walker said it is still being discussed, but TexMix will likely take two years to complete the plans for the permanent concrete batch plant. Mr. Baggerly asked about dust mitigation. Mr. Walker said multiple ideas have been discussed with no solution quite yet. A strong all-weather surface is needed to support the concrete trucks and they plan to pave the entry on FM 93 immediately. They are still looking into dust mitigation. Mr. Walker said City staff have been great to work with. Chair Holmes asked about the environmental oversight by TCEQ (Texas Commission on Environmental Quality). Mr. Walker said TCEQ monitors air quality of concrete plants, so when they are batching and mixing they are not allowed to release particulates into the air. Additionally, they must file for approval of an air quality permit through the Environmental Protection Agency and TCEQ.

Ms. Lundgren asked what would happen if the concrete batch plant is not approved? Mr. Walker said the plat would still be recorded, but the concrete batch plant would not be constructed.

Chair Holmes asked how it may affect Nolan Creek? Mr. Walker said there is not a TCEQ permit that governs this, but an environmental group in Austin is working on those plans. Typically, a concrete plant will collect water in a retention facility with space for overflow in a large storm event and much of the water is reused. He said there is strict testing as required by the state.

Chair Holmes recalled the "Rockwall days" when the wind would carry the particles from the insulation manufacturer. Mr. Walker said the location of the development would be downhill in a cornfield and there is another 300 feet of trees from the concrete batch plant to Nolan Creek.

Mr. Naegele made the motion to approve P-16-29. Ms. Lundgren the motion subject to conditions outlined by the Director of Planning, which was approved unanimously with 6 ayes, 0 nays.