



## Staff Report – Planning & Zoning Item

**Date:** March 20, 2018  
**Case No.:** Z-18-04  
**Request:** PH to SF2; SF2 to PH; PD SF1 PH to SF2  
**Applicant:** Quadruple Bogey Development, Inc.

### Agenda Item

Z-18-04 Hold a public hearing and consider the following zoning changes on property located south of FM 439 and west of Dunn's Canyon Road:

Tract 1: 2.149 acres from Patio Homes to Single Family 2  
 Tract 2: 2.721 acres from Single Family 2 to Patio Homes  
 Tract 3: 14.060 acres from Planned Development Single Family 1 Patio Homes to Single Family 2

### Originating Department

Planning Department – Cheryl Maxwell, Director of Planning

### Current Zoning

Patio Home  
 Single Family 2  
 Planned Development  
 (Single Family 1 with Patio Homes)

### Proposed Zoning

Single Family 2  
 Patio Home  
 Single Family 2

**Future Land Use Map (FLUM) Designation: Primarily Residential**

**Design Standards Type Area: 14**

This property is located within Design Standards Type Area 14 with desired growth and development identified as primarily single lot residential developments. If approved, the residential uses would be required to comply with all the Design Standards for Type Area 14.

### Case Summary

This property was rezoned in May, 2004 and platted as Dawson Ridge Addition in January, 2017. The plat was never recorded, but is being revised and will be resubmitted for Planning Commission and City Council approval. Due to the changes in the proposed development

design, zoning changes are needed to accommodate the relocation of different housing types and uses.

Tract 1 is located south of the platted boundaries of Regatta Oaks Subdivision and Arbor Heights and is currently zoned Patio Homes. This tract is proposed for Single Family 2 zoning and development.

Tract 2 is located southwest of the intersection of Spring Canyon Road and Chisholm Trail Parkway, and is currently zoned Single Family 2. The reconfigured lots are proposed for Patio Home zoning.

Tract 3 consists of Lots 1 – 5 of Dawson Ranch—Regatta Oaks HOA Addition Amended Plat, currently zoned PD SF1 Patio Homes. Lot 1 is owned by the city and will be the site of a city water tank. A portion of this property has been sold to the applicant for residential development. The reconfigured lots are proposed for SF 2 zoning.

The surrounding properties in this area are zoned single family residential. Properties to the north, east and west are developed with single family homes zoned SF1, PD SF1, and PD SF2. These include the Regatta Oaks, Canyon Heights Estates, and Dawson Ranch subdivisions. A City of Belton sewer lift station is located at the south end of South Canyon Heights Road. Properties to the south are undeveloped and zoned SF2 and will be part of the subdivision plat.

### **Project Analysis and Discussion**

The use of this property will remain single family residential. Changes in zoning are requested to accommodate proposed changes in the lot layout and location of housing type. Patio homes are proposed in certain areas to allow essentially “zero lot line” housing. The residential use is consistent with the FLUM which identifies this area as residential.

The revised plat will reflect the revised lot layout, and is anticipated to move forward for Planning Commission /City Council approval in April.

After careful review of the applicability of these proposed zone changes in relation to surrounding properties, these requests appear to be reasonable in this location.

### **Recommendation**

We recommend approval of a zoning change as follows:

- Tract 1: 2.149 acres from Patio Homes to Single Family 2
- Tract 2: 2.721 acres from Single Family 2 to Patio Homes
- Tract 3: 14.060 acres from Planned Development Single Family 1 Patio Homes to Single Family 2

### **Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Owner notification list

**City of Belton**  
**Request for a Zoning Change**

**To the City Council and the**  
**Planning & Zoning Commission**

Fee: \$250.00

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Quadruple Bogey Development Inc. Phone Number: 254-939-5100  
Mailing Address: 50 South Wheat Road City: Belton State: TX  
Email Address: jared@carotherstx.com

Owners Name: JT Carothers Holdings LLC Phone Number: 254-939-5100  
Mailing Address: 50 South Wheat Road City: Belton State: TX  
Email Address: jason@carotherstx.com

Applicant's Interest in Property:  
Developer

Legal Description of Property: 2.721 acres of land situated within the Christopher Cruise Survey, Abstract No. 166, Bel County, Texas being part of the remainder of that certain tract of land designated Tract Two called to contain 62.77 acres of land described in deed to JT Carothers Holdings, LC and filed for record Dec. 23, 2013 in the Real Property Records of Bell County, Texas (RPR) in Document 2013-00052964. Said tract of land was surveyed on the ground by R.P. RPLS 4540 on November 9, 2014.

Is this property being simultaneously platted? Yes

Street Address: Chisholm Trail Parkway

Zoning Change From \_\_\_\_\_ to \_\_\_\_\_

Signature of Applicant:  Date: 2-8-18

Signature of Owner (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 or irregular tracts or acreage, a drawing of the property must be submitted.



# Zoning Case # Z-18-04 Location

**ZONING CHANGE:**

Tract 1: PH to SF-2  
Tract 2: SF-2 to PH  
Tract 3: PD-SF-1, PH to SF-2

**LEGAL DESCRIPTION:**

A0166BC C CRUISE Survey


**PROPERTY OWNER:**


CAROTHERS, JT HOLDINGS LLC


**ADDRESS/LOCATION:**


Chisholm Trail Parkway

**LEGEND**

 Proposed Water Tower

 Tract 1: PH to SF-2

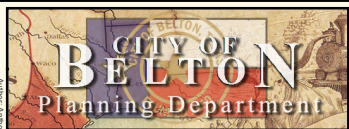
 Tract 2: SF-2 to PH

 Tract 3: PD-SF-1, PH to SF-2





# Zoning Case # Z-18-04 Zoning



## ZONING CHANGE:

Tract 1: PH to SF-2  
Tract 2: SF-2 to PH  
Tract 3: PD-SF-1, PH to SF-2

## LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

## PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

## ADDRESS/LOCATION:

Chisholm Trail Parkway

Zoning Location

PD-SF1  
Patio Homes

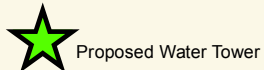
PD-SF1  
Patio Homes  
PH

PD SF-1

PD SF-1

PD-SF-2

## Legend



CityLimits

Tract 1: PH to SF-2

Tract 2: SF-2 to PH

Tract 3: PD-SF-1, PH to SF-2

## Current\_Zoning

Agricultural

Patio Home

Planned Development

Single Family-1

Single Family-2

Map Date: 3/15/2018

0 150 300 600 Feet



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







# Zoning Case # Z-18-04 Aerial

**ZONING CHANGE:**

Tract 1: PH to SF-2  
Tract 2: SF-2 to PH  
Tract 3: PD-SF-1, PH to SF-2

**LEGAL DESCRIPTION:**

A0166BC C CRUISE Survey

**PROPERTY OWNER:**

CAROTHERS, JT HOLDINGS LLC

**ADDRESS/LOCATION:**

Chisholm Trail Parkway

**LEGEND**



Proposed Water Tower



Tract 1: PH to SF-2



Tract 2: SF-2 to PH



Tract 3: PD-SF-1, PH to SF-2





# Zoning Case # Z-18-04

## ZONING CHANGE:

Tract 1: PH to SF-2  
Tract 2: SF-2 to PH  
Tract 3: PD-SF-1, PH to SF-2

## LEGAL DESCRIPTION:

A0166BC C CRUISE Survey

## PROPERTY OWNER:

CAROTHERS, JT HOLDINGS LLC

## ADDRESS/LOCATION:

Chisholm Trail Parkway

**200' Property Owner  
Notification Area**

## Legend

-  Tract 1: PH to SF-2
-  Tract 2: SF-2 to PH
-  Tract 3: PD-SF-1, PH to SF-2
-  200' Property Owner Notification Area
-  Tax Appraisal Parcels



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 1: 2.149 ACRES, CHISHOLM TRAIL PARKWAY,  
FROM A(N) PATIO HOME ZONING DISTRICT,  
TO A(N) Single Family-2 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, 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, March 27, 2018**, 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**



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 2: 2.721 ACRES, CHISHOLM TRAIL PARKWAY,  
FROM A(N) SINGLE FAMILY-2 ZONING DISTRICT,  
TO A(N) Patio Home ZONING DISTRICT.

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P. O. Box 120  
BELTON, TEXAS 76513  
254-933-5812**

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OF THE  
CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: QUADRUPLE BOGEY DEVELOPMENT INC.,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: TRACT 3: 14.060 ACRES, CHISHOLM TRAIL PARKWAY,  
FROM A(N) PLANNED DEVELOPMENT SINGLE FAMILY-1, PATIO HOME ZONING DISTRICT,  
TO A(N) Single Family-2 ZONING DISTRICT.

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



346655	346646	346647
ALSTON, STEVEN J ETUX REBECCA J	BOETTCHER, MATTHEW W ETUX NANCY A	BOWEN, RUBY C ETVIR ANTHONY A
3202 CANYON HEIGHTS RD	3207 SPRING CANYON RD	3209 SPRING CANYON RD
BELTON, TX 76513-2596	BELTON, TX 76513-2595	BELTON, TX 76513-2595
346641	232130	107624
BROWN, RANDALL W ETUX KATHY A	BUCKLEY, CLIFFORD JAMES II ETUX BRANDY	CAROTHERS, JT HOLDINGS LLC
3202 SPRING CANYON RD	3208 GROVE CT	50 S WHEAT RD
BELTON, TX 76513-2597	BELTON, TX 76513-2536	BELTON, TX 76513
460916	460918	460919
CITY OF BELTON	CITY OF BELTON	CITY OF BELTON
PO BOX 120	PO BOX 120	PO BOX 120
BELTON, TX 76513-0120	BELTON, TX 76513-0120	BELTON, TX 76513-0120
460920	318345	318346
CITY OF BELTON	CLANTON, GERALD W ETUX FLORINE E	CLEMONS, RONALD J ETUX ANNE M
PO BOX 120	3300 SCHOONER	3302 SCHOONER
BELTON, TX 76513-0120	BELTON, TX 76513-2587	BELTON, TX 76513-2587
318343	318347	421316
GRAHAM, LINZY R ETAL	HICKMAN, WILLIAM MARSHALL ETUX KYONG CHO	HOLLE, EUGENE D & GLORIA M
3303 SCHOONER CV	3304 SCHOONER CV	2820 SPARTA RD
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
346644	346657	346643
JONES, RAYFORD E ETUX GLORIA J	KEENER, IDA W ETVIR BENNIE	LIGHT, JAMES R ETUX LINDA A
3203 SPRING CANYON RD	3206 CANYON HEIGHTS RD	3201 SPRING CANYON RD
BELTON, TX 76513-2595	BELTON, TX 76513-2596	BELTON, TX 76513-2595
232129	346642	232131
LUNCEFORD, KENNETH A ETUX AZUSENA R	LUNDBERG, ROBERT W ETUX ALICIA H	MARTIN, RAYMOND E ETUX DEBORAH S
3209 GROVE CT	3200 SPRING CANYON RD	3200 GROVE CT
BELTON, TX 76513	BELTON, TX 76513-2597	BELTON, TX 76513-2536
346654	346658	346659
MASTERS, RALPH T ETUX BRENDA GRACE	MEYER, KEVIN ETUX MICHELLE	MURRAY, ESTELLA L
3200 CANYON HEIGHTS RD	3208 CANYON HEIGHTS RD	3210 CANYON HEIGHTS RD
BELTON, TX 76513-2596	BELTON, TX 76513	BELTON, TX 76513-2596
346656	460917	468096
NGUYEN, THOMAS H & MARIE M	REGATTA OAKS/DAWSON RANCH HOA	REGATTA RIDGE LLC
3204 CANYON HEIGHTS RD	2400 S 57TH	1206 W AVE A
BELTON, TX 76513-2596	TEMPLE, TX 76504	TEMPLE, TX 76504-4168
318344	318348	346652
RICKS, MARY ANN ETVIR CHARLES H HAM III	SIMPSON, ANTONIA G ETUX JEWEL E BROWN	STEELE MURPHY, JANET
3920 DUBOSE DR	3247 SPRING CANYON RD	3203 CANYON HEIGHTS RD
COLUMBIA, SC 29204-4229	BELTON, TX 76513-2595	BELTON, TX 76513-2598

318342

STEEVES, WILFRED L & KAY C

3305 SCHOONER

BELTON, TX 76513-2587

SUPERINTENDENT  
DR. SUSAN KINCANNON  
BELTON I.S.D.  
P O BOX 269  
BELTON TEXAS 76513

346653

VILLA, RICARDO H ETUX KAREN G

3201 CANYON HEIGHTS RD

BELTON, TX 76513

346645

WAGGERMAN, BRIAN D ETUX MARGOT MARIA

3205 SPRING CANYON RD

BELTON, TX 76513-2595



## Staff Report – Planning & Zoning Item

**Date:** March 20, 2018  
**Case No.:** Z-18-06  
**Request:** Agricultural to Retail  
**Applicant:** Piyush Sharma

### **Agenda Item**

Z-18-06 Hold a public hearing and consider a zoning change from Agricultural to Retail on approximately 0.9 acre comprising lots 0009, 0008, 0007, and 0006, Block 2 of Belton Lake Estates located at 3286, 3292, 3298, and 3304 Lake Road, on the north side of Lake Road (FM439), east of Lake Ridge Drive.

### **Originating Department**

Planning Department – Cheryl Maxwell, Director of Planning

### **Current Zoning**

Agriculture

### **Proposed Zoning**

Retail

**Future Land Use Map (FLUM) Designation:** Primarily Residential

### **Design Standards Type Area:** 14

This property is located within Design Standards Type Area 14 with desired growth and development identified as primarily single lot residential developments. If approved, a retail use would be required to comply with all the Design Standards for Type Area 14.

### **Case Summary**

This property was annexed in 2006 and was brought into the city limits under the Agricultural Zoning District. The applicant has submitted this request for a zoning change to allow construction of a convenience store with gas pumps and beer/wine sales. The applicant owns “Nomads”, the existing business across the road on the south side of Lake Road, and plans to relocate to this site. The applicant feels the north side is a better location for his business. The applicant also owns Shady Meadows Mobile Home Park next to Nomads. Relocating the store to the north side will free up the existing store site which can be combined with the other property owned by the applicant, providing larger frontage for future development. The requested Retail Zoning District will allow the proposed uses by right.

On the north side of Lake Road, the majority of properties are outside the city limits and, therefore, have no zoning. Adjacent properties to the west are in the city limits zoned Planned Development-Office 1 District and are currently undeveloped. The adjacent properties to the east are outside the city limits; two seasonal fireworks stands are located here, currently not in use. East of this are two lots that are inside the city limits; these are undeveloped and zoned Multi-Family District.

Properties on the south side of Lake Road near this site are zoned Agricultural. The existing Nomads is located here. East of Nomads is Shady Meadows Mobile Home Park. Other properties in this area are currently undeveloped.

### **Land Use Table/Allowable Uses**

The proposed convenience store with gas and beer/wine sales is allowed by right in the requested Retail Zoning District. Other uses allowed in the Retail Zoning District include:

- Any use permitted in the NS District
- All alcoholic beverage sales with 50% or less revenue from alcohol
- Auto Parts Sales
- Clinic
- Clothing and Apparel Store
- Discount, Variety or Department Store
- Food or Grocery Store
- Furniture and Appliance Store
- Home Improvement Center
- Nursing Home
- Restaurant

### **Project Analysis and Discussion**

The FLUM identifies this area as primarily residential. However, it also identifies Lake Road west of Loop 121 as a potential mixed-use corridor. The Comprehensive Plan describes Retail/Commercial development as containing shopping areas generally located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes. The proposed retail use along the frontage of Lake Road appears to be consistent with this development pattern.

The applicant will provide a detailed site plan addressing the following design standard requirements with the building permit: building materials; tree preservation and landscaping requirements; screening; dumpster requirements; lighting; and signage. Water service to this area is provided by 439 Water Supply Corporation. The north side of FM 439 is not in the City's sewer CCN; therefore, sewer service is not currently provided. The City is looking at possible expansion into this area in the future. Although this property has been platted, if the new building envelop crosses a platted lot line, a replat of the property to consolidate lots is required.

After careful review of the applicability of this use among surrounding properties, this requested zone change appears to be reasonable in this location.

**Recommendation**

We recommend approval of the requested zoning change from Agricultural to Retail District.

**Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Owner notification list

**City of Belton**  
**Request for a Zoning Change**

**To the City Council and the  
Planning & Zoning Commission**

Fee: \$250.00

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: PIYUSH SHARMA Phone Number: 512-656 0236  
Mailing Address: 2502 LAKE RD City: BELTON State: TX  
Email Address: JAILNTX@yahoo.com

Owners Name: MR Bob And Raybraker Phone Number: 254-760 63 12  
Mailing Address: \_\_\_\_\_ City: BELTON State: TX  
Email Address: \_\_\_\_\_

Applicant's Interest in Property: 10  
30915, 30916, 30917, 30918, 74393, 30910, 30911  
ACROSS NOMADS, 2502 LAKE RD BELTON TX 76513  
Legal Description of Property: \_\_\_\_\_

Is this property being simultaneously platted? \_\_\_\_\_

Street Address: \_\_\_\_\_  
Zoning Change From Agriculture to Retail Gas station with Beer+wine  
Signature of Applicant: [Signature] Date: Jan 11/2018  
Signature of Owner (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 or irregular tracts or acreage, a drawing of the property must be submitted.



# Zoning Case # Z-18-06 Location

**ZONING CHANGE:**

Ag  
to  
R

**LEGAL DESCRIPTION:**

BELTON LAKE ESTATES  
BLOCK 002, LOT 6-9


**PROPERTY OWNER:**


BABCOCK, ROBERT D  
ETUX THACH T

**ADDRESS/LOCATION:**

3286-3304 Lake Rd

**LEGEND**

 Z\_18\_06

 City Limits

**Belton Lake**

*location*

**Type Area 15**

**Type Area 14**

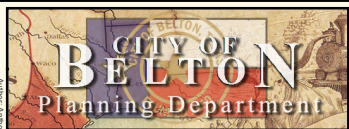
0 200 400 800  
Feet



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# Zoning Case # Z-18-06 Zoning



## ZONING CHANGE:

Ag  
to  
R

## LEGAL DESCRIPTION:

BELTON LAKE ESTATES  
BLOCK 002, LOT 6-9

## PROPERTY OWNER:

BABCOCK, ROBERT D  
ETUX THACH T

## ADDRESS/LOCATION:

3286-3304 Lake Rd

Zoning Location

## Legend

- CityLimits
- Z\_18\_06
- Current\_Zoning
  - Agricultural
  - Multi Family
  - Planned Development
  - Single Family-1
  - Single Family-3

Map Date: 3/8/2018

0 150 300 600 Feet

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# Zoning Case # Z-18-06 Aerial

**ZONING CHANGE:**

Ag  
to  
R

**LEGAL DESCRIPTION:**

BELTON LAKE ESTATES  
BLOCK 002, LOT 6-9


**PROPERTY OWNER:**

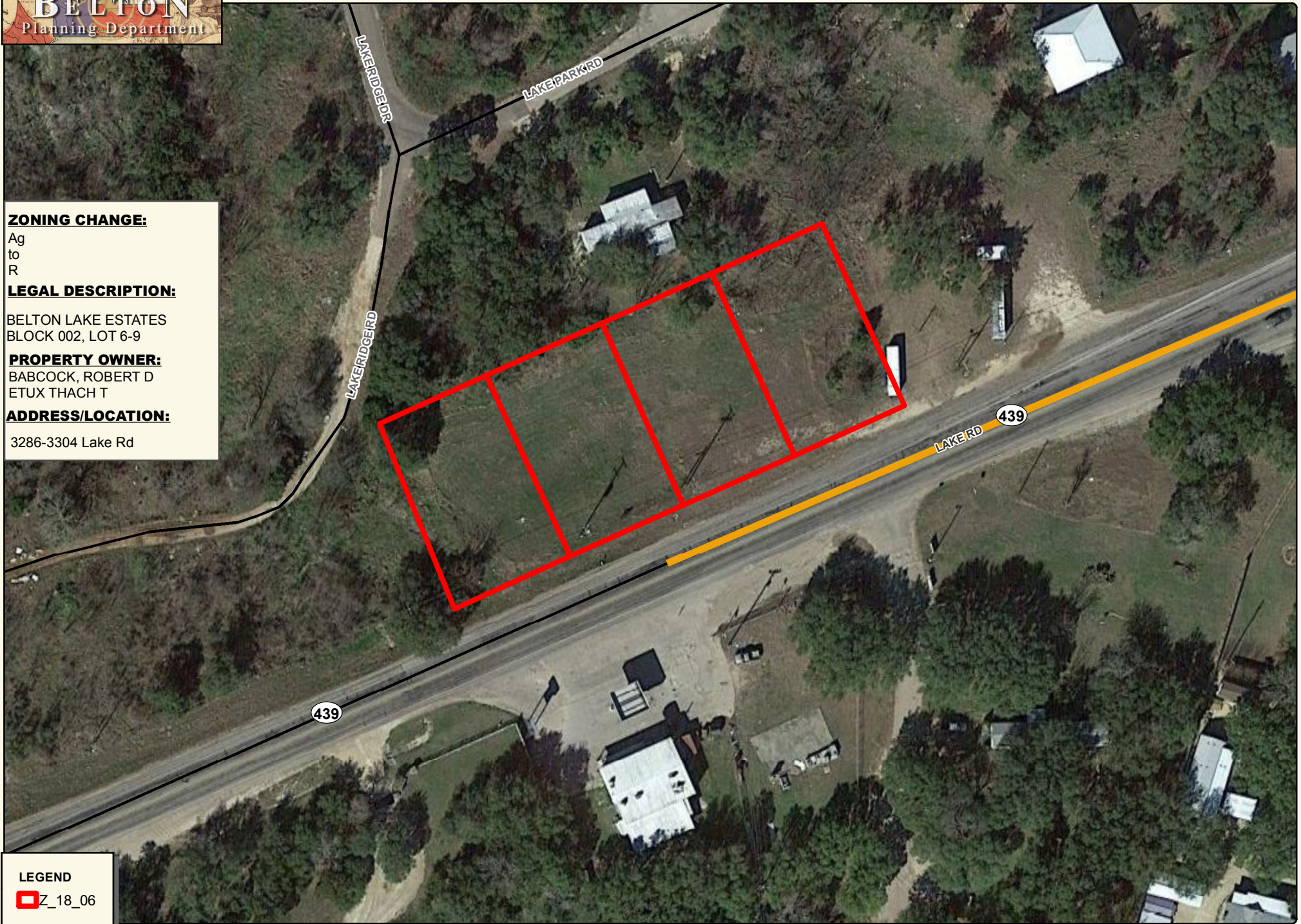
BABCOCK, ROBERT D  
ETUX THACH T

**ADDRESS/LOCATION:**

3286-3304 Lake Rd

**LEGEND**

 Z\_18\_06





# Zoning Case # Z-18-06

## ZONING CHANGE:

Ag  
to  
R

## LEGAL DESCRIPTION:

BELTON LAKE ESTATES  
BLOCK 002, LOT 6-9

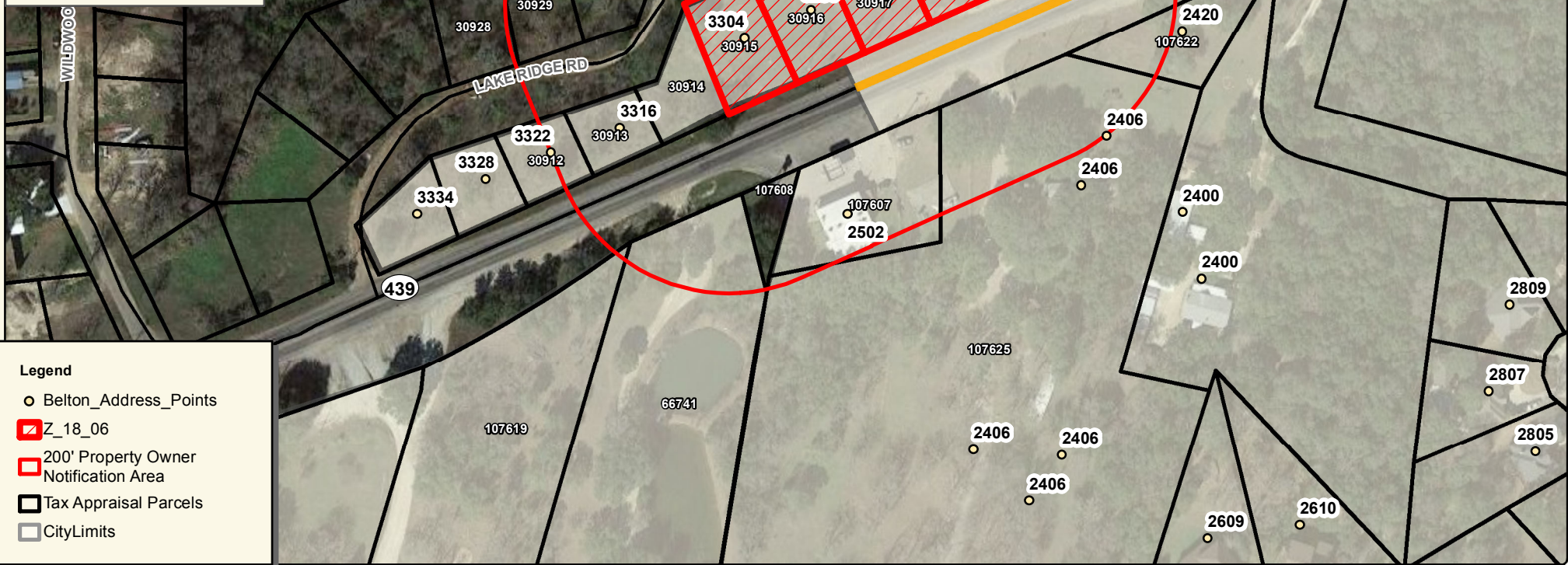
## PROPERTY OWNER:

BABCOCK, ROBERT D  
ETUX THACH T

## ADDRESS/LOCATION:

3286-3304 Lake Rd

**200' Property Owner  
Notification Area**



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: PIYUSH SHARMA,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3286, 3292, 3298 AND 3304 LAKE ROAD,  
FROM A(N) AGRICULTURE ZONING DISTRICT,  
TO A(N) Retail ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, 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, March 27, 2018**, 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**

2259	30919	30915
5-D INVESTMENTS INC	BABCOCK, ROBERT D ETUX THACH	BABCOCK, ROBERT D ETUX THACH T
PO BOX 64	4881 FM 439	4881 FM 439
BASTROP, TX 78602-0064	BELTON, TX 76513-5285	BELTON, TX 76513-5285
30916	30917	30918
BABCOCK, ROBERT D ETUX THACH T	BABCOCK, ROBERT D ETUX THACH T	BABCOCK, ROBERT D ETUX THACH T
4881 FM 439	4881 FM 439	4881 FM 439
BELTON, TX 76513-5285	BELTON, TX 76513-5285	BELTON, TX 76513-5285
5413	30930	92989
BALDWIN, EVALEIAN	BERGMAN, JASON C & LORI M	BERGMAN, JASON C & LORI M
10342 CIMMARON TRL	3332 FRANKLIN MEADOWS WAY	3332 FRANKLIN MEADOWS WAY
DALLAS, TX 75243-2520	CLARKSVILLE, TN 37042-7748	CLARKSVILLE, TN 37042-7748
30922	30923	41880
BREAUX MANAGEMENT LLC	BREAUX MANAGEMENT LLC	BREAUX MANAGEMENT LLC
PO BOX 1217	PO BOX 1217	PO BOX 1217
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
111623	6588	72272
BREAUX MANAGEMENT LLC	BRISENO, KRYSTA N ETVIR AARON L	BRISENO, KRYSTA N ETVIR AARON L
PO BOX 1217	3269 LAKE PARK RD	3269 LAKE PARK RD
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
66741	69404	79401
COLE, WILLIAM DAVID ETUX GRACE A	ERIS LLC	ERIS LLC
3321 FM 439	2505 TAYLORS VALLEY RD	2505 TAYLORS VALLEY RD
BELTON, TX 76513-5188	BELTON, TX 76513-0769	BELTON, TX 76513-0769
30928	30929	41510
GOATES, PRISCILLA F	GOATES, PRISCILLA F	GOLDEN, ETHEL B & RUTH
1003 W 6TH	1003 W 6TH	3905 HIDDEN VALLEY CIR
CAMERON, TX 76520	CAMERON, TX 76520	ROWLETT, TX 75088-5821
107607	107608	69511
JAI L N INC	JAI L N INC	MATTHEWS, PATRICK O ETUX MARY
2502 LAKE RD	2502 LAKE RD	3293 LAKE PARK RD
BELTON, TX 76513-5160	BELTON, TX 76513-5160	BELTON, TX 76513-5105
74393	107625	133024
RABROKER, DENNIS G	SHARMA, PLYUSH N ETAL	UNITED STATES OF AMERICA
1373 GEORGE WILSON RD	2502 LAKE RD	3740 FM 1670
BELTON, TX 76513-4202	BELTON, TX 76513-5160	BELTON, TX 76513-7783
30912	30913	30914
VILLANUEVA, JOSE R & NODANIT A	VILLANUEVA, JOSE R & NODANIT A	VILLANUEVA, JOSE R & NODANIT A
470 PFINGSTEN RD	470 PFINGSTEN RD	470 PFINGSTEN RD
NORTHBROOK, IL 60062-2506	NORTHBROOK, IL 60062-2506	NORTHBROOK, IL 60062-2506

128321

WILDMAN RANCH INC

PO BOX 114

SOMERSET, TX 78069-0114

SUPERINTENDENT  
DR. SUSAN KINCANNON  
BELTON I.S.D.  
P O BOX 269  
BELTON TEXAS 76513

107622

WILLIAMSON, TERRY & RICKY SMITH

4431 FM 439 UNIT 451

BELTON, TX 76513-5257

107619

WOOD, WILLARD G ETUX BARBARA J

3341 FM 439 UNIT 231

BELTON, TX 76513-6690



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circle one

AS AN INTERESTED PROPERTY OWNER, I ~~DISAPPROVE~~ (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. Strongly Approve DOES allow
  2. Business's on lots adjoining FM439
  3. from commercial homes #176416656
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 2/9/18 SIGNATURE: [Signature]

30917	30918
BABCOCK, ROBERT D ETUX THACH T	BABCOCK, ROBERT D ETUX THACH T
4881 FM 439	4881 FM 439
BELTON, TX 76513-5285	BELTON, TX 76513-5285

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

30916	30919	30915
BABCOCK, ROBERT D ETUX THACH T	BABCOCK, ROBERT D ETUX THACH	BABCOCK, ROBERT D ETUX THACH T
4881 FM 439	4881 FM 439	4881 FM 439
BELTON, TX 76513-5285	BELTON, TX 76513-5285	BELTON, TX 76513-5285



WARRANTY DEED—General

DEED RECORD

THIS INDENTURE, Made this 19th day of April, A.D., 1972, between J. E. Kutscher, of Travis County, in the State of Texas; and Harry V. Dulick of Bosque County, in the State of Texas, parties of the first part and Erma R. Black

of Dallas County, in the State of Texas 75248 part of the second part.

WITNESSETH, That the said parties of the first part, in consideration of the sum of TEN DOLLARS (\$10.00)\*\* and other good and valuable consideration, the receipt whereof is hereby acknowledged, do they by these presents grant, bargain, sell and convey unto the said party of the second part her heirs and assigns all the following-described REAL ESTATE, situated in the County of Bell and State of Texas to-wit: LOT TWENTY-FIVE (25), BLOCK TWO (2)\*\*

of the BELTON LAKE ESTATES Addition, plat of said addition appearing on record in the County Clerk's office.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining forever.

And said parties of the first part for themselves and for their heirs, executors, or administrators, do they hereby covenant, promise and agree to and with said party of the second part, that at the delivery of these presents are lawfully seized in their own right, of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what nature and kind soever: Except all interest in and to the oil, gas and minerals in place which parties of the first part hereby reserve unto themselves, their heirs and assigns and subject to restrictions and easements of record and that they will WARRANT AND FOREVER DEFEND the same unto said party of the second part, her heirs and assigns, against said parties of the first part, their heirs, and all and every person or persons, whomsoever, lawfully claiming or to claim the same.

As part of consideration of conveyance, the grantee herein agrees to abide by and comply with the following conveyance and restrictions.

All lots shall be used for residential building, except all lots which provide frontage on Hiway 489 used for business if so desired.

When any improvements are erected on any lot purchased, the owner shall at the same time construct a sanitary septic tank of approved character to provide sewage for same, unless sanitary sewage is available.

~~NO DWELLING SHALL BE CONSTRUCTED ON THE ABOVEMENTIONED LOT, NOR SHALL ANY DWELLING BE MOVED OR MAINTAINED THEREON, WITH LESS THAN 1000 SQUARE FEET OF FLOOR SPACE, EXCLUSIVE OF PORCHES AND PORTICOES. OUTSIDE WALL AREA OF LODGE OR HOME TO HAVE A MINIMUM OF 20% MASONRY CONSTRUCTION. THERE SHALL BE NO SHED ROOFS, AND ALL BUILDINGS WILL BE FINISHED AND PAINTED ON THE OUTSIDE WITH AT LEAST TWO COATS OF PAINT AT THE TIME OF COMPLETION. NO TRAILER HOUSE. NO OLD HOUSE MOVED IN.~~

No dwelling shall be constructed on the abovementioned lot, nor shall any dwelling be moved or maintained thereon, with less than 1000 square feet of floor space, exclusive of porches and porticoes. Outside wall area of lodge or home to have a minimum of 20% masonry construction. There shall be no shed roofs, and all buildings will be finished and painted on the outside with at least two coats of paint at the time of completion. No trailer house. No old house moved in.

All improvements such as lodge, home or fence to be constructed shall be approved by Continental Resort Co., or its agent or representative as to design, size, construction, location on the property, and vendee agrees to abide by set-back designations made by said planning commission both as to minimum and maximum set-backs from front, rear and side property lines.

The above conditions and each of them shall run with said property conveying herein, and bind the same in the hands of all subsequent owners, however remote; and should any of said conditions at any time be violated, the title to said property shall revert to the grantor herein, its successor and assigns, as the case may be, but such reversion shall not affect any mortgage or other lien which may in good faith then be existing upon said property or any improvement thereon; but such restrictions and conditions shall remain in force until January 1, 1980, after which time they shall be extended for successive periods of ten years, unless changed by a vote of a majority of the then property owners of the lots.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first-above written.

J. E. KUTSCHER

HARRY V. DULICK



1174 / 690

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS }  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared J. E. Kutscher and Harry V. Dulick known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 19th day of April

A. D. 19 72

(L. S.)

Sigourney Waters  
Sigourney Waters, Notary Public in and for Dallas County, Texas

My Term expires

June 1, 19 73

FILED  
J. E. Kutscher  
COUNTY CLERK  
DALLAS COUNTY

72 MAY 1 AM 8:15

STATE OF TEXAS COUNTY OF DALLAS  
I hereby certify that this instrument was filed on the  
date and time stamped hereon by me and was duly re-  
corded in the volume and page of the named records  
of Dallas County, Texas as stamped hereon by me.

MAY 1 1972



J. E. Kutscher  
COUNTY CLERK, Dallas County, Texas

FILED FOR RECORD THIS THE 3 DAY OF MAY, 1972 AT 8 15 M.

MRS. RUBY MCKEE, COUNTY CLERK  
BELL COUNTY, TEXAS

BY \_\_\_\_\_ DEPUTY





## Staff Report – Planning & Zoning Item

**Date:** March 20, 2018  
**Case No.:** Z-18-02  
**Request:** NS & SUP 5 to PD NS; SUP 5 to SF3  
**Applicant:** Camden Enterprises, LLC

### Agenda Item

Z-18-02 Hold a public hearing and consider the following zone changes on property located on the north side of W. Avenue D, west of Mitchell Street:

Tract 1: 1.550 acres of land at 1001 W. Avenue D from Neighborhood Service and Specific Use Permit - 5 for City Yard to Planned Development Neighborhood Service to allow for an event center  
 Tract 2: 3.394 acres from Specific Use Permit – 5 for City Yard to Single Family 3

### Originating Department

Planning Department – Cheryl Maxwell, Director of Planning

### Current Zoning

NS & SUP 5  
SUP 5

### Proposed Zoning

PD NS  
SF3

**Future Land Use Map (FLUM) Designation: Residential**

### **Design Standards Type Area: 8**

This property is located within Design Standards Type Area 8 with desired growth and development identified as primarily single family residential with various multi-family housing located within. If approved, the proposed development would be required to comply with all the Design Standards for Type Area 8.

### **Case Summary**

The two tracts in this request were previously owned by the City and used by the Public Works Department. The property was bid and sold in 2014 as the City's Public Works Department relocated to the current FM 436 (Holland Road) site, formerly occupied by TxDOT.

Tract 1 is zoned Neighborhood Service with a Specific Use Permit for a City Yard. A large vacant building, approximately 5,000 sq. ft., is currently located on site. The applicant wishes to remodel and add-on to the existing building converting it to an event center for small scale

gatherings to include wedding receptions, family reunions, graduation parties, birthday parties, etc. This use is not specifically identified in the zoning ordinance so a planned development district is proposed with a base zoning of neighborhood service, with the additional use of an event center allowed.

Tract 2 is also zoned SUP for a City Yard. The applicant proposes to develop a residential subdivision and is requesting Single Family 3 zoning.

The surrounding properties are developed with single family homes. Saddle Creek Subdivision is located to the west, zoned Single family 3. Properties to the north, east, and south are zoned Single Family 2 with Conservation and Revitalization Overlay zoning.

### **Land Use Table/Allowable Uses**

The Neighborhood Service Zoning District, proposed as the base district in the PD on the eastern tract (Tract 1), allows the following uses:

- Various shops: Antique, Bakery, Barber or Beauty, Book, Florist, Garden, Hobby, Personal Service
- Bank
- Church
- Clinic, medical or dental office
- Child care
- Drug store
- Food or convenience store
- Health studio/gym
- Medical or dental clinic, office, or lab
- Retail printing shop
- Laundromat or dry cleaning
- Photography or art studio
- Veterinarian office
- School, private or public
- Lodge or fraternal organization

Single Family 3 Zoning District, proposed on the western tract (Tract 2), allows detached single family homes on lots with minimum area of 5,000 sq. ft., with a 50' width and 90' length, 25' front yard, and 5' side yard.

### **Project Analysis and Discussion**

The FLUM identifies this area as residential; the proposed SF3 zoning for Tract 2 is consistent with this. Tract 1 is currently zoned Neighborhood Service. The proposed Planned Development District will retain the existing zoning with the additional use of an event center; all uses currently allowed will continue to be allowed. The event center will include associated uses such as outdoor venues and limited on-premise consumption of alcohol in conjunction

with food catering services, provided a) beer/wine only sales are less than 75% revenue from alcohol; or b) all alcoholic beverage sales are less than 50% revenue from alcohol.

Most of the surrounding properties have the Conservation and Revitalization Overlay (CRO). The CRO allows a mixture of residential and some commercial or other nonresidential uses nearby. Per the Zoning Ordinance, it presents the opportunity for different residential developments and compatible selected services and retail that are needed for the comfort, economy, and convenience of the neighborhood. Therefore, the NS Zoning District appears to be appropriate in this vicinity.

A subdivision plat for Tract 1 consisting of 1.109 acres was approved administratively last year. This plat is being revised to include an additional 0.441 acres for a total of 1.550. Sidewalk was required and has not yet been provided. Prior to obtaining a building permit, the applicant will provide a detailed site plan for the event center addressing the following design standard requirements with the building permit: building materials; tree preservation and landscaping requirements; screening; dumpster requirements; lighting; signage; and parking.

Tract 2 will be platted as a residential subdivision and the lots and development will be required to observe all area requirements for the SF3 Zoning District.

After careful review of the applicability of this use among surrounding properties, this requested zoning changes appears to be reasonable in these locations.

### **Recommendation**

We recommend approval of the requested zone changes as noted below:

Tract 1: From Neighborhood Service and Specific Use Permit - 5 for City Yard to Planned Development Neighborhood Service to allow for an event center as follows:

1. The use of this property shall conform to the Neighborhood Service Zoning District in all respects, and in addition, an event center and associated uses are allowed. These associated uses include outdoor venues, and limited on-premise consumption of alcohol in conjunction with food catering services, provided a) beer/wine only sales are less than 75% revenue from alcohol; or b) all alcoholic beverage sales are less than 50% revenue from alcohol.
2. The development of the property shall conform to the all applicable Type Area 8 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the conceptual site plan including:
  - a. Building Design Standards—Section IV of the Design Standards;
  - b. Landscape Design Standards and Tree Preservation requirements—Sections V and VI of the Design Standards;
  - c. Screening/Fencing, Dumpster, Lighting Requirements per Section III of the Design Standards. A 6' tall solid privacy fence shall be provided for screening between this

property and surrounding properties zoned single family district. The 6' fence shall extend to the front yard setback line at which point it will taper down to 3' at the front property line.

- d. Parking Requirements per Section 34 of the Zoning Ordinance.

A detailed site plan is required addressing items identified above with the building permit.

- 3. Sign Standards shall conform to Ordinance 2008-11.
- 4. Approval of a final subdivision plat is required prior to issuance of a building permit to incorporate the additional areas for this development.

Tract 2: From Specific Use Permit – 5 for City Yard to Single Family-3; a final subdivision plat is required prior to any construction or building permits.

**Attachments:**

- 1. Zoning application
- 2. Property Location Map
- 3. Zoning map
- 4. Aerial photo
- 5. Map with zoning notice boundary (200')
- 6. Zoning notice to owners
- 7. Owner notification list
- 8. Conceptual site plan

**City of Belton  
Request for a Zoning Change**

**To the City Council and the  
Planning & Zoning Commission**

Fee: \$250.00

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Camden Enterprises, LLC Phone Number: 254-541-0103  
Mailing Address: PO Box 1266 City: Belton State: TX  
Email Address: wo@firelinedesignbuild.com

Owners Name: Dewain Fertsch Phone Number: 254-913-7891  
Mailing Address: 14 E Central Ave 14 City: Temple State: TX  
Email Address: 14tradesman@gmail.com

Applicant's Interest in Property:

Subdivision

Legal Description of Property:

ADDTBC James Bennett + AC165BC P Conrad 1 Acre 3.839

Is this property being simultaneously platted? yes  
③ 3.394 Acre Tract  
From: SUP to SF-3

④ Street Address: 1001 W Ave D  
Zoning Change From NS & SUP to PD-NS For an Event Center

Signature of Applicant: [Signature] Date: \_\_\_\_\_

Signature of Owner (if not applicant): [Signature] Date: March 2/12

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 or irregular tracts or acreage, a drawing of the property must be submitted.



# Zoning Case # Z-18-02 Location

**ZONING CHANGE:**

SUP to SF-3  
&  
SUP & NS to PD-NS  
For an Event Center

**LEGAL DESCRIPTION:**

A0071BC JAMES BENNETT &  
A0165BC P CONRAD, 1,  
ACRES 3.839


**PROPERTY OWNER:**

FERTSCH, DEWAIN

**ADDRESS/LOCATION:**

1001 W AVE D

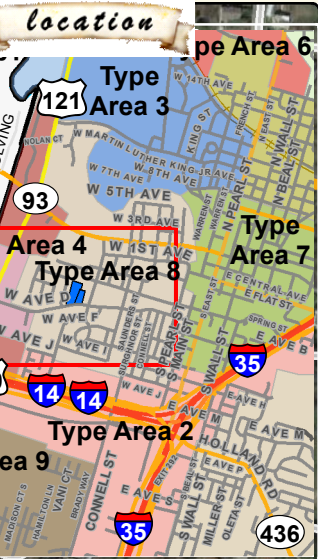
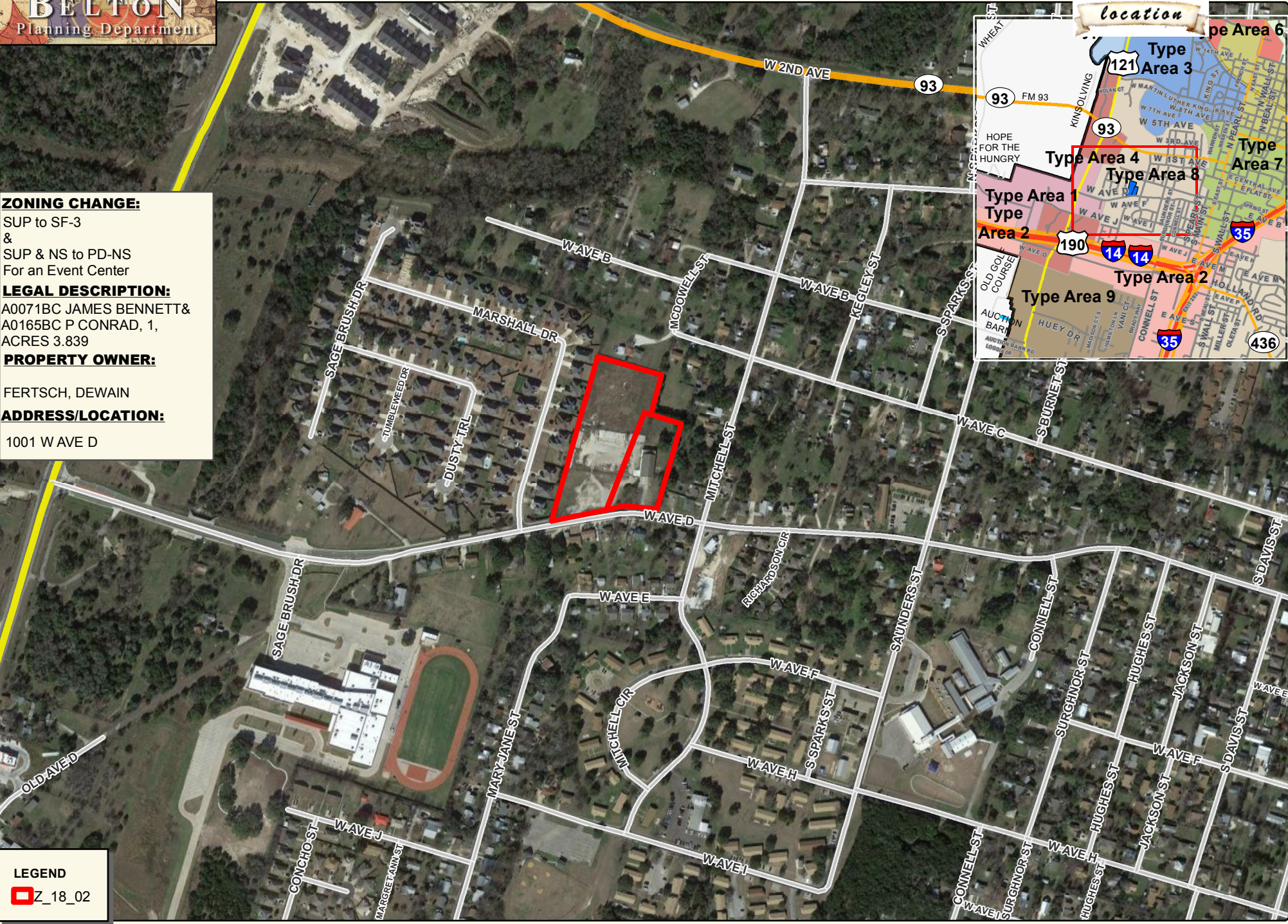
**LEGEND**

 Z\_18\_02

0 200 400 800  
Feet



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# Zoning Case # Z-18-02 Aerial

**ZONING CHANGE:**

SUP to SF-3  
&  
SUP & NS to PD-NS  
For an Event Center

**LEGAL DESCRIPTION:**

A0071BC JAMES BENNETT &  
A0165BC P CONRAD, 1,  
ACRES 3.839


**PROPERTY OWNER:**

FERTSCH, DEWAIN

**ADDRESS/LOCATION:**

1001 W AVE D

**LEGEND**

 Z\_18\_02

0 55 110 220  
Feet



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# Zoning Case # Z-18-02

## ZONING CHANGE:

SUP to SF-3  
&  
SUP & NS to PD-NS  
For an Event Center

## LEGAL DESCRIPTION:

A0071BC JAMES BENNETT &  
A0165BC P CONRAD, 1,  
ACRES 3.839

## PROPERTY OWNER:

FERTSCH, DEWAIN

## ADDRESS/LOCATION:

1001 W AVE D

## Legend

- ▣ SUP to SF-3
- ▣ SUP & NS to PD-NS
- ▭ 200' Property Owner Notification Area
- ▭ Tax Appraisal Parcels

**200' Property Owner Notification Area**





**CORRECTION NOTICE**  
**REVISED ACREAGE: From 1.417 to 1.550**  
**NOTICE OF APPLICATION**  
**FOR AN**  
**AMENDMENT TO THE ZONING ORDINANCE**  
**OF THE**  
**CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1.550 ACRES, 1001 WEST AVENUE D,  
FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,  
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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

---

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. \_\_\_\_\_
  2. \_\_\_\_\_
  3. \_\_\_\_\_
- (FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

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



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3.394 ACRES, WEST AVENUE D,  
FROM A(N) SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,  
TO A(N) Single Family-3 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, 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, March 27, 2018**, 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**

64927	367511	367507
ACUNA, CIRO N & FRANCISCA H	AINSWORTH, AMANDA PAIGE SPECIAL NEEDS TRUST	ALBERTINI, SHANNAH N
910 W AVENUE C	PO BOX 8265	803 MARSHALL DR
BELTON, TX 76513-3356	WICHITA FALLS, TX 76307-8265	BELTON, TX 76513
40048	367536	71257
ALCOZER, GILBERT V JR ETUX RITA M	ALLAMON, JEREMY D ETUX SUSAN D	ARELLANO, RODULFO ETUX FRANCISCA
407 S MITCHELL ST	804 MARSHALL DR	1005 W AVENUE E
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513-3701
367535	367512	367514
ARMSTRONG, DAVID W II ETUX KELLY S	BATTLE, JAMES	BERGER, CODY G
806 MARSHALL DR	705 MARSHALL DR	701 MARSHALL DR
BELTON, TX 76513-3778	BELTON, TX 76513-3787	BELTON, TX 76513
19584	27432	367513
CHAVEZ, ELPIDIO F & PAULINE	DANIELS, GUSSIE L III ETUX JOAN MILES	DAVIS, KIM & SAMANTHA MORRISON
1007 W AVE E	9201 OAK HILLS DR	703 MARSHALL DR
BELTON, TX 76513-3701	TEMPLE, TX 76502-5271	BELTON, TX 76513-3787
102531	13779	367537
DONOSO, SAN JUANITA H	DRAKE, FRANCES J ETVIR BILLY J	EVANS, TODD & NARJIS SAFVI
603 MITCHELL ST	720 W 1ST AVE	2700 SPARTA LN
BELTON, TX 76513-3733	BELTON, TX 76513-3324	BELTON, TX 76513
367542	128358	20547
FALLON, SHANE M & CHARLENE C	FARR, SHELLI	FERTSCH, DEWAIN
704 MARSHALL DR	1102 W AVE D	14 EAST CENTRAL AVENUE 14
BELTON, TX 76513-3787	BELTON, TX 76513	TEMPLE, TX 76501
367505	62877	78138
FREGOSOALENCASTRO, ROSITA G ETVIR ALEJANDRO ARANGO-RAMIREZ	GALLEGOS, JUANA MORALES	GONZALES, MARY L
805 MARSHALL DR	1000 W AVENUE B	1011 W AVENUE E
BELTON, TX 76513	BELTON, TX 76513-3338	BELTON, TX 76513-3701
367516	367509	367510
GONZALES, RENE J	GORDON, DOUGLAS PAUL ETUX JESSICA NICOLE	GORDON, DOUGLAS PAUL ETUX JESSICA NICOLE
609 MARSHALL DR	709 MARSHALL DR	709 MARSHALL DR
BELTON, TX 76513-3786	BELTON, TX 76513-3787	BELTON, TX 76513-3787
44471	40608	367540
GUTIERREZ, MARY RODRIGUEZ	GUZMAN, JOSE JR	HALL, STEVEN
PO BOX 1761	1002 W AVENUE D	708 MARSHALL DR
BELTON, TX 76513-5761	BELTON, TX 76513-3746	BELTON, TX 76513
70603	367539	57834
HERNANDEZ, RENEE M	HUTCHENS, RACIE P ETVIR CHRISTOPHER	JIMENEZ, DIEGO ALBERTO
601 MITCHELL ST	710 MARSHALL DR	1006 W AVENUE C
BELTON, TX 76513-3733	BELTON, TX 76513	BELTON, TX 76513



3981	25422	98330
KELLEY, DINA SUE	LEIJA, MONICA	LOPEZ, JOSE ETUX MARIA
1008 W AVENUE D	1100 W AVENUE D	405 MITCHELL ST
BELTON, TX 76513-3746	BELTON, TX 76513-3748	BELTON, TX 76513-3311
34101	367517	68812
LOPEZ, JOSE O ETUX MARIA	MADRID, ARMANDO M	MARTINEZ, ESTHER
405 MITCHELL ST	607 MARSHALL DR	201 SHADOW OAKS
BELTON, TX 76513-3311	BELTON, TX 76513	CONROE, TX 77303
367541	367538	367515
MASKUNAS, JOHN J ETUX THERESA J	MCCLINTIC, MICHELLE M & CHARLES	MILES, ROSEANNE
706 MARSHALL DR	800 MARSHALL DR	611 MARSHALL
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
34834	48973	382585
MILLER, GARRY W ETUX JUDITH L	MORENO, MARTHA L	MORENO, MARTHA L
1001 W AVENUE E	8544 IGLESIA LN	8544 IGLESIA LN
BELTON, TX 76513-3701	TEMPLE, TX 76504-6058	TEMPLE, TX 76504-6058
14306	367508	129621
MUNGIA, SYLVIA	PARCHIM, WILLIAM K ETUX LINDA	PEREZ, OSCAR ETUX MARIA
503 MITCHELL ST	801 MARSHALL DR	1004 W AVE D
BELTON, TX 76513-3313	BELTON, TX 76513	BELTON, TX 76513
367543	367544	34510
RICHARDSON, CHARLES MOSS ETUX ABIGAIL R	RICHARDSON, CHARLES MOSS ETUX ABIGAIL R	ROBLES, JORGE E ETUX HILDA M
604 MARSHALL DR	604 MARSHALL DR	1000 W AVENUE D
BELTON, TX 76513-3786	BELTON, TX 76513-3786	BELTON, TX 76513-3746
34511	94466	113535
ROBLES, JORGE E ETUX HILDA M	RON'S ONE STOP INC	SANCHEZ, HECTOR MARTIN
1000 W AVENUE D	PO BOX 325	413 W GILLIS AVE
BELTON, TX 76513-3746	BELTON, TX 76513-0325	CAMERON, TX 76520
1574	1607	1608
SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER
PO BOX 112	PO BOX 112	PO BOX 112
BELTON, TX 76513-0112	BELTON, TX 76513-0112	BELTON, TX 76513-0112
1609	1610	14311
SMITH, BARBARA JEAN ALEXANDER	SMITH, BARBARA JEAN ALEXANDER	SOTO, PATRICIA
PO BOX 112	PO BOX 112	3813 TANGLEWILDE ST
BELTON, TX 76513-0112	BELTON, TX 76513-0112	HOUSTON, TX 77063-5180
367518	130671	48972
WHITE, OYINLOLA ETVIR LAWRENCE LEE	WINCHELL, KATE VIRGINIA	ZAVALA, ROSENDO ETUX BETTY
605 MARSHALL DR	1006 W AVE D	907 W AVE C
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513

130195

ZIMMERMAN, MARK ANDREW & DOUGLAS WAYNE  
JOHNS

2303 FULLER LN

HARKER HEIGHTS, TX 76548-8704

477722

FERTSCH, DEWAIN

14 EAST CENTRAL AVENUE 14

TEMPLE, TX 76501

SUPERINTENDENT  
DR. SUSAN KINCANNON  
BELTON I.S.D.  
P O BOX 269  
BELTON TEXAS 76513

**CORRECTION NOTICE**  
**REVISED ACREAGE: From 1.417 to 1.550**  
**NOTICE OF APPLICATION**  
**FOR AN**  
**AMENDMENT TO THE ZONING ORDINANCE**  
**OF THE**  
**CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1.550 ACRES, 1001 WEST AVENUE D,  
FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,  
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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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.

---

AS AN INTERESTED PROPERTY OWNER, I <sup>circle one</sup> (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. Reasons on other sheet
2. \_\_\_\_\_
3. \_\_\_\_\_

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

DATE: \_\_\_\_\_ SIGNATURE: Dina Sue Kelley

3981  
KELLEY, DINA SUE  
1008 W AVENUE D  
BELTON, TX 76513-3746

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



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1.417 ACRES, 1001 WEST AVENUE D,  
FROM A(N) NEIGHBORHOOD SERVICE AND SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,  
TO A(N) Planned Development-Neighborhood Service to allow an event center ZONING DISTRICT.

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---

AS AN INTERESTED PROPERTY OWNER, I <sup>circle one</sup> (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. I do not want an event center or apartments/duplex across the street from me
2. due to noise and traffic. This is already an extremely busy street that has
3. small children playing and a school close by.

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

DATE: 3/10/18 SIGNATURE: Dina Sue Kelley

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

3981  
KELLEY, DINA SUE  
1008 W AVENUE D  
BELTON, TX 76513-3746

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: CAMDEN ENTERPRISES LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3.394 ACRES, WEST AVENUE D,  
FROM A(N) SPECIFIC USE PERMIT-5 FOR CITY YARD ZONING DISTRICT,  
TO A(N) Single Family-3 ZONING DISTRICT.

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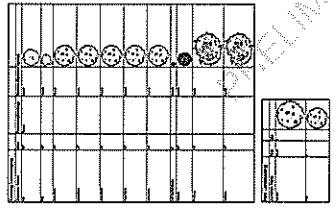
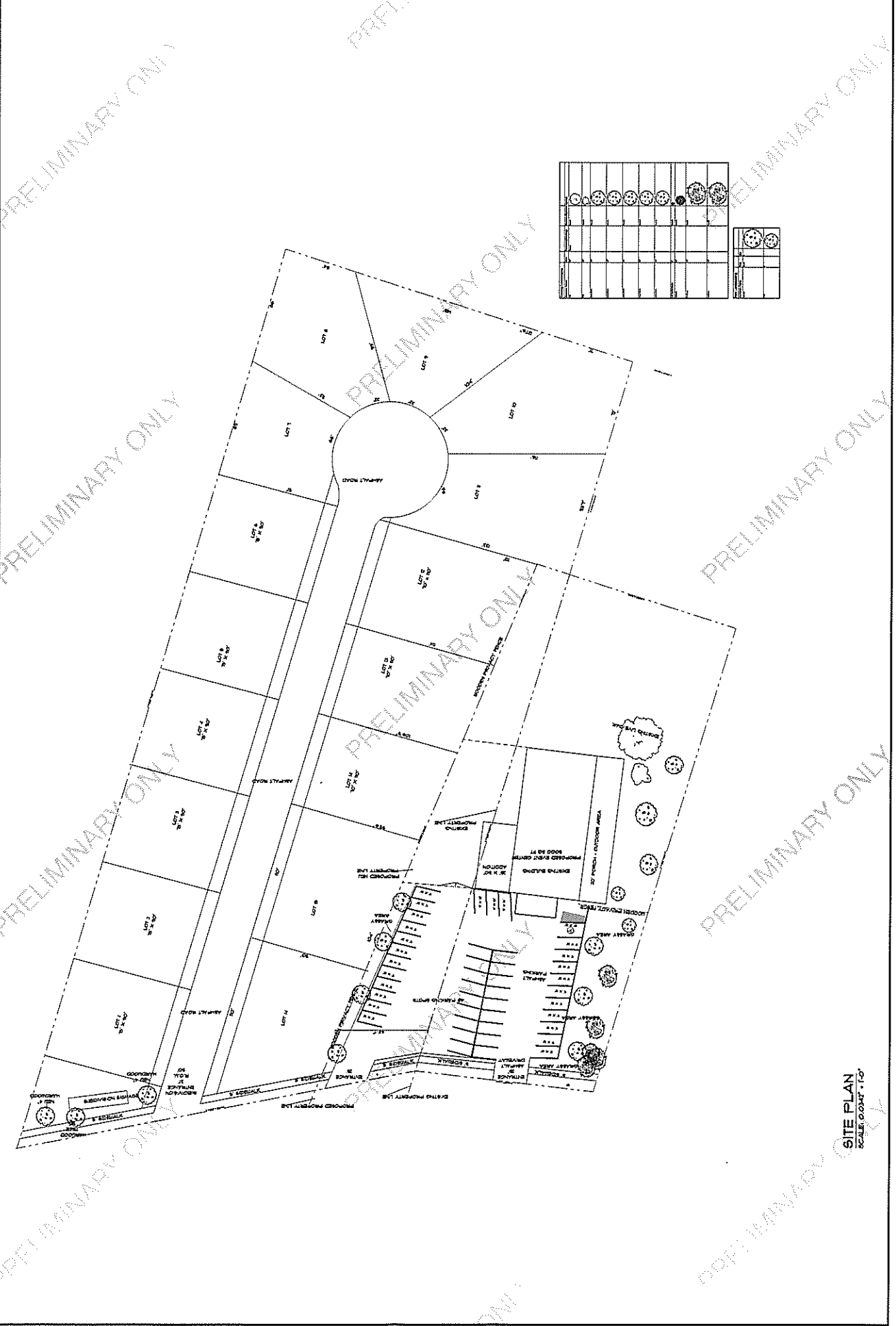
AS AN INTERESTED PROPERTY OWNER, I <sup>circle one</sup> (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. I do not want multiple houses with small yards directly across the street for
2. me. We already do not have a place for children to play. This will bring more
3. traffic to an already busy street. I do not want my property value to decrease.

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

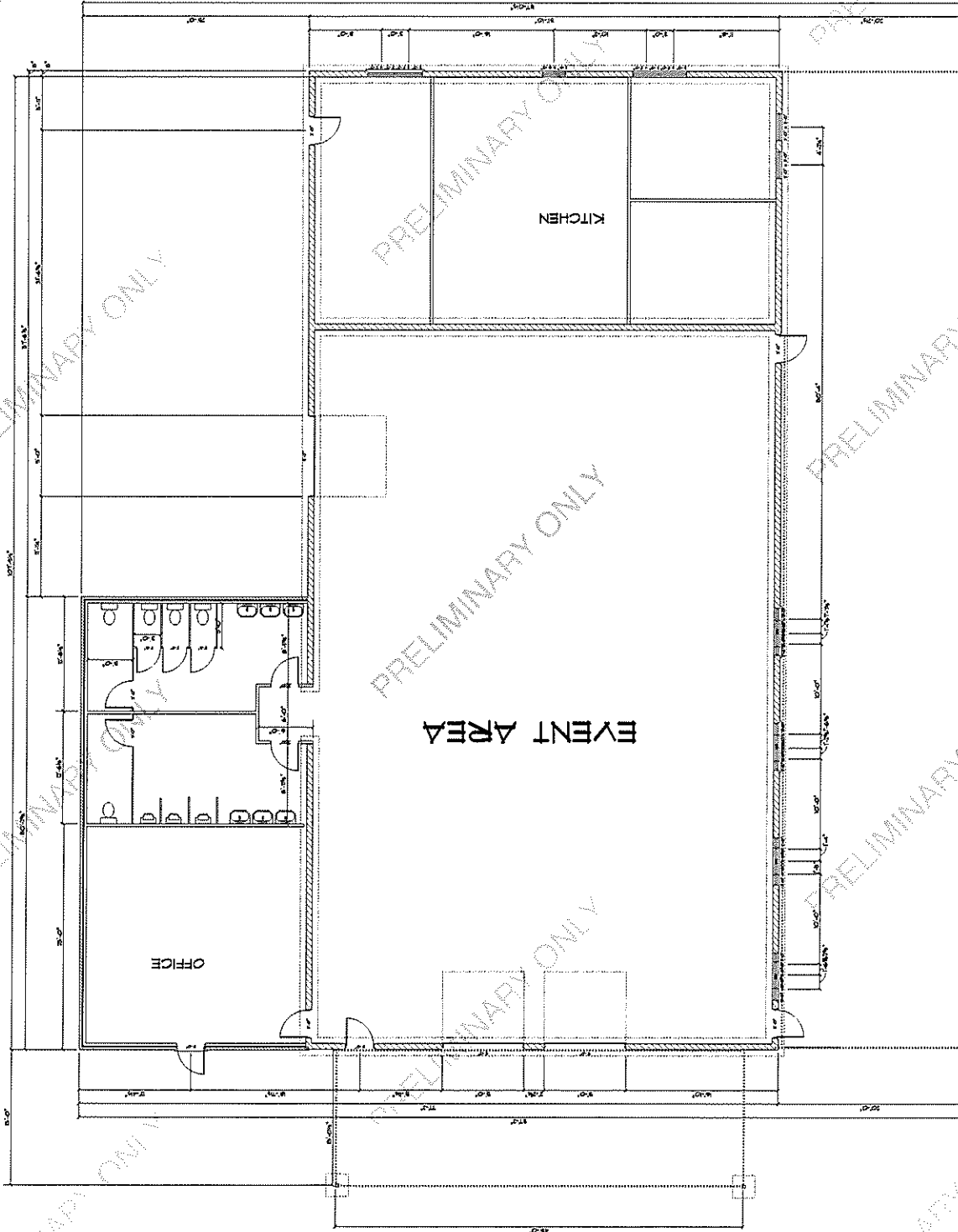
DATE: 3/10/18 SIGNATURE: Dana Sue Kelley

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



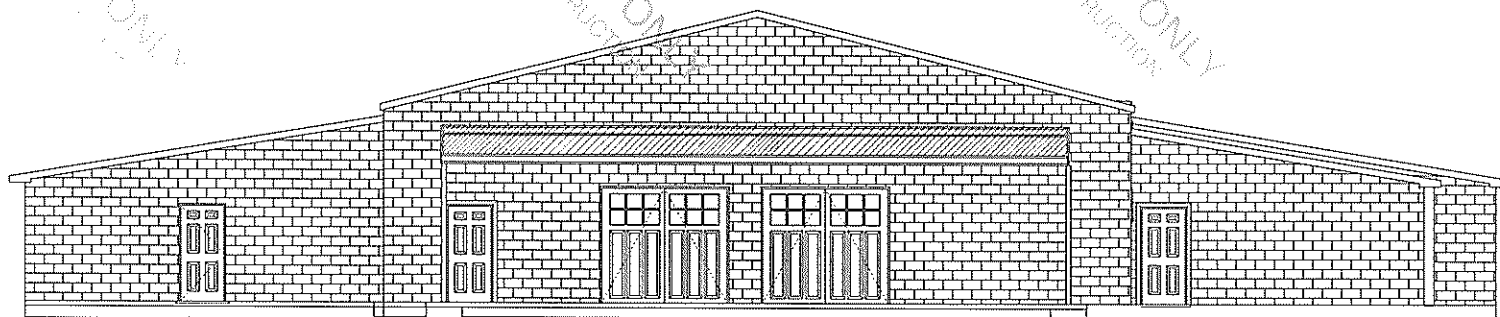
SITE PLAN  
SCALE: 0.004" = 1'-0"



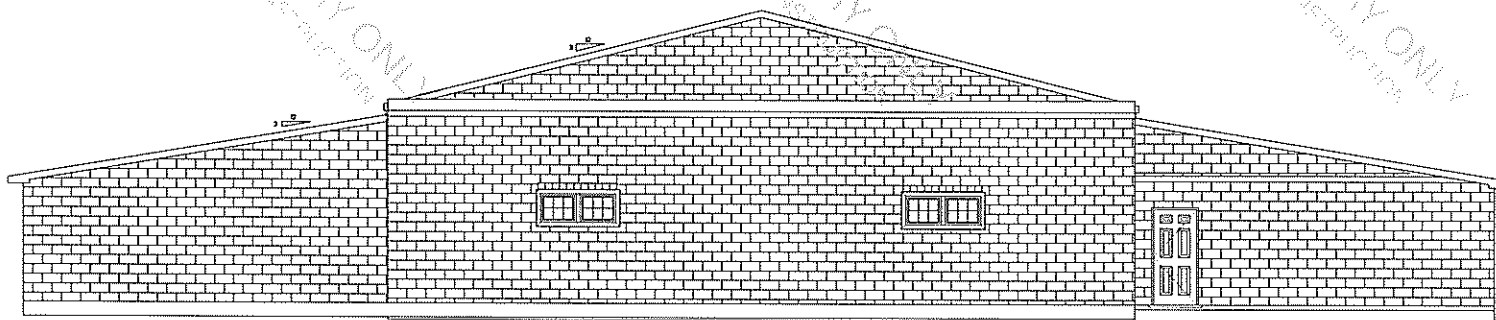


Building  
SCALE 3/8" = 1'-0"

5'-0"  
5'-2"



**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

PAGE:  
1/2

FRONT / REAR ELEVATIONS

SQ. FOOTAGE:

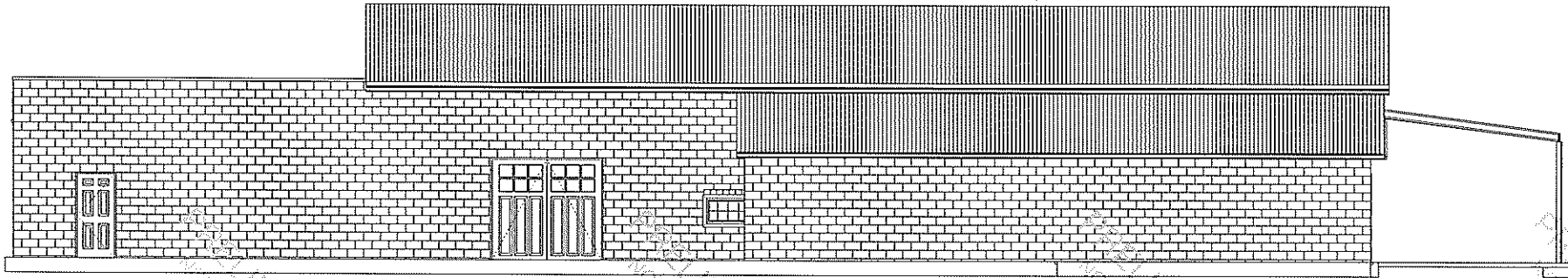
SCALE: 1/4" = 1'-0"  
DRAWN BY: ASHLEY CARTER  
DATE: Monday, February 05, 2018

PROJECT: 2018-03-03  
FAMILY: 13-03  
ADDRESS: 13-03

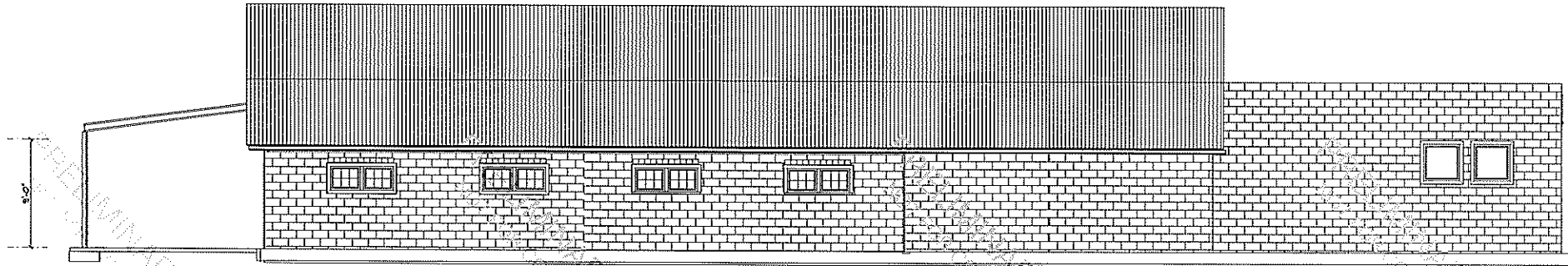
30 N. M. 4 N.  
BAYOU  
7803



FERTSCH  
AVE C  
MILTON TEXAS



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

PHASE:	2 / 2	SCE ELEVATIONS
SQ. FOOTAGE:	60	60
SCALE: 1/4" = 1'-0"	DRAWN BY: ANLEY CANNON	DATE: Monday, February 05, 2018
PROJECT: 1818-1818	PROJECT: 1818-1818	PROJECT: 1818-1818
300 N. Park St.	300 N. Park St.	300 N. Park St.
BUTLER	BUTLER	BUTLER
TEXAS	TEXAS	TEXAS
FINE LINE	FINE LINE	FINE LINE
FERTSCH	FERTSCH	FERTSCH



# Staff Report – Planning & Zoning Item



**Date:** March 20, 2018  
**Case No.:** Z-18-03  
**Request:** Agricultural & PD C1 to PD C1  
**Applicant:** Spark Root Development, LLC

## **Agenda Item**

Z-18-03 Hold a public hearing and consider a zoning change from Agricultural and Planned Development Commercial 1 to Planned Development Commercial 1 for an RV Park on 21.757 acres located at 3360 S IH 35, on the east side of northbound IH35, south of Grove Road.

## **Originating Department**

Planning – Cheryl Maxwell, Director of Planning

## **Current Zoning**

Agricultural and Planned Development  
Commercial-1

## **Proposed Zoning**

Planned Development Commercial-1

**Future Land Use Map (FLUM) Designation:** Commercial/Retail Corridor

**Design Standards Type Area:** 2

This property is located within Design Standards Type Area 2, which is primarily commercial highway frontage uses. If approved, a Commercial-1 District use would be required to comply with all the Design Standards for Type Area 2.

## **Case Summary**

The applicant has submitted this request for a zoning change to Planned Development Commercial 1 to allow for commercial uses and a recreational vehicle (RV) park. The northern portion (approx. 10 acres) of the property in this request was rezoned as part of a larger tract to PD C1 for an RV park in April 2016. This zoning change request includes these 10 acres and the approximate 11.7 acres to the south, currently zoned Agricultural.

Property to the north is the proposed site of Pro Star Rental and was rezoned to Commercial 2 District in October 2017. Property to the south is undeveloped with split zoning—mostly Light Industrial with Commercial Highway along the I-35 frontage. Property to the east is undeveloped and zoned Agricultural. To the west is I-35; property along the southbound I-35 frontage road consists of undeveloped land, residential uses, Sunbelt RV Center, Belton RV Park, and Bell County Expo Center with Commercial Highway, Agricultural, and Planned Development zoning.

### **Land Use Table/Allowable Uses**

The proposed base Commercial-1 Zoning District allows the following land uses:

- Any use permitted in the Retail District (i.e. Gasoline or service station)
- Auto sales
- Consumer repair services
- Food sales
- Home improvement Center with outside storage
- Hotel or motel
- Pawn Shop
- Trailer Rental
- Tool and Light Equipment Rental
- Wholesale club or department store

### **Project Analysis and Discussion**

This 21.7 acre tract is currently undeveloped. The applicant proposes to develop an RV park on 17.4 acres with future commercial uses on the remaining 4.3 acres fronting along I-35. The FLUM identifies this area as a Commercial/Retail Corridor. An RV park is defined in the Zoning Ordinance; however, it is not listed as a permitted use in any of the zoning districts. The Planned Development Commercial-1 proposal will allow for various commercial uses as well as the RV park. Staff considers the Commercial-1 Zoning District as an appropriate base zoning for this use and this location. It is also consistent with current zoning assigned to a portion of the property for this type of use.

The RV park must comply with the City Code of Ordinances Chapter 19, Recreational Vehicle Parks. The number of RV spots proposed is 215, which gives a density of 12.35 units/acre. This is below the maximum density allowed which is 20 units/acre. Private streets require a minimum width of 20 feet and the applicant is proposing widths of 30 feet. Parkland/open space of 1.4 acres (8.02%) is proposed, meeting the minimum requirement of 8% open space.

Access to the RV park is proposed from the I-35 frontage road and must be approved by TxDOT. A second entrance is proposed from a future extension of Capital Way. ROW dedication, perimeter street improvements, sidewalks, extension of utilities, etc. will be addressed with the required subdivision plat.

Approval of a subdivision plat and detailed site plan will be required prior to issuing a building permit. All provisions in Chapter 19 will be required, as well as compliance with design standards for site development, building design, landscape, tree preservation, etc.

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. Nevertheless, staff would like to note this is the third RV park/proposal in this general vicinity. Belton RV Park is existing next to Sunbelt RV Center on the west side of I-35; and the proposed Heart of Texas RV Park located approximately one mile south of this site, along I-35 and Toll Bridge Road (zoning and subdivision plat recently approved). An RV Park is only allowed within the parameters of a Planned Development District. This allows the Planning Commission and City

Council to exercise discretion and judgment in determining the appropriateness of this use at specified locations.

**Recommendation**

Recommend approval of zoning change from Agricultural and PD Commercial-1 to Planned Development Commercial-1 Zoning District as follows:

1. The allowable uses of the property shall conform to the Commercial-1 Zoning District in all respects, and in addition a recreational vehicle (RV) park is a permitted use.
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, and the conceptual site plan, including:
  - a. Site Development Standards
  - b. Building Design Standards
  - c. Landscape Design Standards
3. The development of the RV Park shall conform to all requirements of Chapter 19, City Code of Ordinances (Recreational Vehicle Parks).
4. Sign Standards shall conform to Ordinance 2008-11.
5. A subdivision plat is required.

**Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo
5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Property owner's list
8. Survey/field notes
9. Conceptual Site Plan



# City of Belton Request for a Zoning Change

## To the City Council and the Planning & Zoning Commission

Fee: \$250.00

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Spark Root Development LLC Phone Number: 512-373-2750  
Mailing Address: 6700 Bridge Hill Cove City: Austin State: TX  
Email Address: lavanis@yahoo.com

Owners Name: BELL COUNTY JOINT VENTURE Phone Number: 254-721-8778  
Mailing Address: 1010 5TH AVE City: NEW YORK State: NY  
Email Address: roylev@me.com

**Applicant's Interest in Property:**

developing the tract with an RV park and Commercial along the IH35 frontage

**Legal Description of Property:**

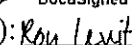
21.757 acre tract of land situated in the M.F. CONNELL SURVEY, ABSTRACT No6, Bell County, Texas and being a portion of the remainder of the Bell County Joint Venture (55 ac) tract.

Is this property being simultaneously platted? no

Street Address: 3360 S IH 35 SVC RD

Zoning Change From A & C-1 to PLANNED DEVELOPMENT (C-1)

Signature of Applicant:  Date: 2-27-18

Signature of Owner (if not applicant):  Date: 2/27/2018

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 or irregular tracts or acreage, a drawing of the property must be submitted.

# Zoning Case # Z-18-03 Location

**ZONING CHANGE:**

PD-C1/Ag  
to  
PD-C1

**LEGAL DESCRIPTION:**

MF Connell Survey  
21.757 Acres


**PROPERTY OWNER:**

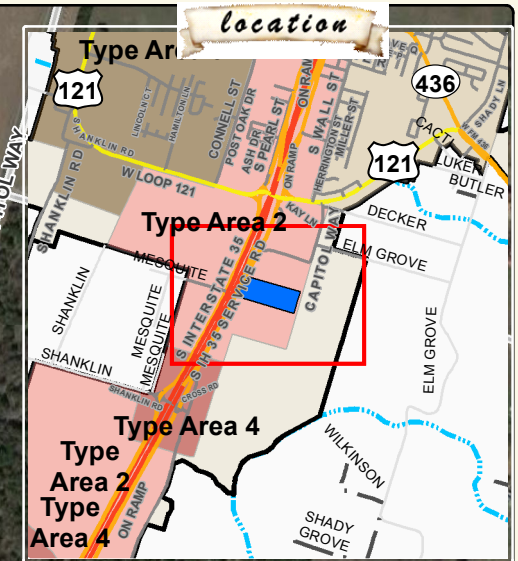
BELL COUNTY JOINT VENTURE

**ADDRESS/LOCATION:**

3360 S IH 35 SVC RD

**LEGEND**

 Z\_18\_03



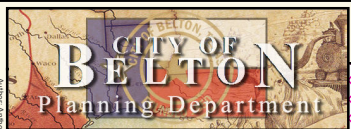
0 200 400 800 Feet



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



# Zoning Case # Z-18-03 Zoning



PD-Expo

## ZONING CHANGE:

PD-C1/Ag  
to  
PD-C1

## LEGAL DESCRIPTION:

MF Connell Survey  
21.757 Acres

## PROPERTY OWNER:

BELL COUNTY JOINT VENTURE

## ADDRESS/LOCATION:

3360 S IH 35 SVC RD

Zoning Location

PD-C-1

CH

LI

C-1

## Legend

City Limits

Z\_18\_03

## Current\_Zoning

Agricultural

Commercial Highway

Commercial-1

Commercial-2

Light Industrial

Planned Development

Map Date: 2/28/2018

0 150 300 600 Feet



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



# Zoning Case # Z-18-03 Aerial

**ZONING CHANGE:**

PD-C1/Ag  
to  
PD-C1

**LEGAL DESCRIPTION:**

MF Connell Survey  
21.757 Acres


**PROPERTY OWNER:**

BELL COUNTY JOINT VENTURE

**ADDRESS/LOCATION:**

3360 S IH 35 SVC RD

**LEGEND**

 Z\_18\_03



0 100 200 400  
Feet



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**ZONING CHANGE:**  
PD-C1/Ag  
to  
PD-C1  
**LEGAL DESCRIPTION:**

MF Connell Survey  
21.757 Acres

**PROPERTY OWNER:**

BELL COUNTY JOINT VENTURE

**ADDRESS/LOCATION:**

3360 S IH 35 SVC RD

**200' Property Owner  
Notification Area**

- Legend**
- ☒ Z\_18\_03
  - ☐ 200' Property Owner Notification Area
  - ☐ Tax Appraisal Parcels

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: SPARK ROOT DEVELOPMENT LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 21.757 ACRES, 3360 SOUTH IH 35 SERVICE ROAD,  
FROM A(N) PLANNED DEVELOPMENT- COMMERCIAL-1 AND AGRICULTURE ZONING DISTRICT,  
TO A(N) Planned Development- Commercial-1 ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, 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, March 27, 2018**, 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**



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

472985

LAKESHINE PROPERTIES LLC  
2304 MASONWOOD WAY  
ROUND ROCK, TX 78681-2162

SUPERINTENDENT  
DR. SUSAN KINCANNON  
BELTON I.S.D.  
P O Box 269  
BELTON TEXAS 76513

21858

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





BEING a 21.757 acre tract of land situated in the M. F. CONNELL SURVEY, ABSTRACT No. 6, Bell County, Texas and being a part or portion of the remainder of that certain called 55 acre tract of land described in a Warranty Deed with Vendor's Lien dated October 9, 1984 from Harold R. Towslee, Trustee to Bell County Joint Venture and being of record in Volume 2002, Page 819, Deed Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being in the occupied west boundary line of the said remainder 55 acre tract and being the northwest corner of that certain 12.663 acre tract of land described in a Warranty Deed dated December 30, 2016 from Bell County Joint Venture to Lakeshine Properties, LLC and being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas and being in the east right-of-way line of Interstate Highway No. 35 as monumented and evidenced on the ground for corner;

THENCE departing the said 12.663 acre tract and with the said east right-of-way line and with the said occupied west boundary line the following five ( 5 ) calls:

- 1) N. 25° 41' 11" E., 158.15 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 2) N. 26° 29' 39" E., 245.04 feet to a 1/2" iron rod found for corner;
- 3) N. 36° 29' 19" E., 80.94 feet to a Texas Department of Transportation aluminum cap right-of-way monument found for corner;
- 4) S. 66° 55' 52" E., 51.09 feet to a 1/12 iron rod found for corner;
- 5) N. 23° 07' 23" E., 144.95 feet to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 73° 46' 10" E., 1452.83 feet departing the said west boundary line and the said east right-of-way line and over and across the said remainder 55 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the west boundary line of a 1.549 acre Reciprocal Access Easement being of record in Document No. 2017-00000563, Official Public Records of Bell County, Texas for corner;

THENCE S. 16° 13' 50" W., 611.77 feet continuing over and across the said remainder 55 acre tract and with the west boundary line of the said 1.549 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the aforementioned 12.663 acre tract for corner;

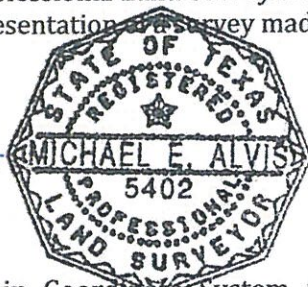
THENCE N. 73° 44' 16" W., 1618.62 feet departing the said 1.549 acre tract and continuing over and across the said remainder 55 acre tract and with the north boundary line of the said 12.663 acre tract to the Point of BEGINNING and containing 21.757 acres of land.

\*\*\*\*\*

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



Michael E. Alvis, RPLS#5402  
November 6, 2017



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







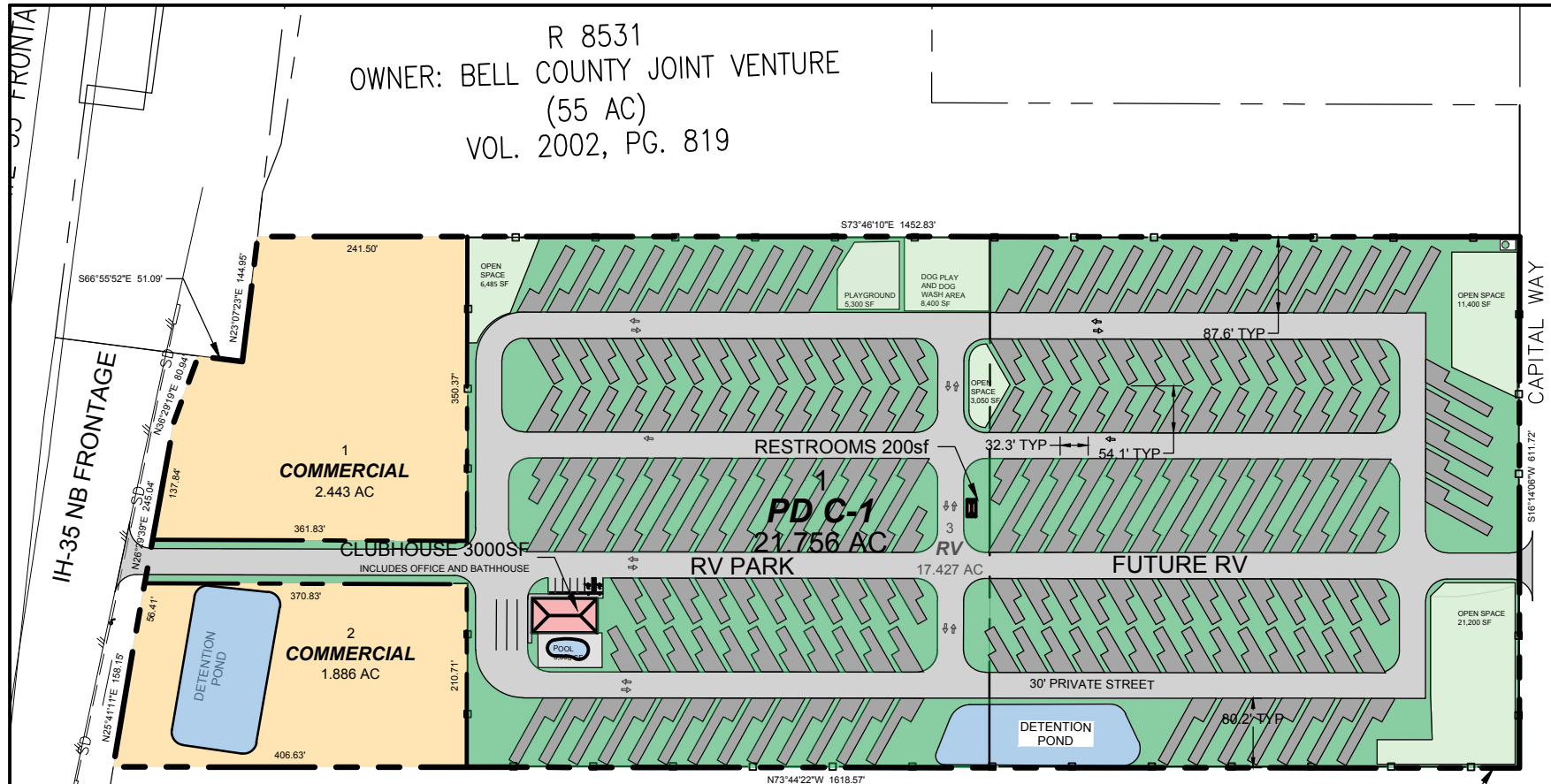
507 WEST LIBERTY AVE.  
ROUND ROCK, TEXAS 78664  
P: 512-344-9664 F: 512-436-3903  
TBPE FIRM #F-19351  
TBPLS FIRM #10194377

## ZONING EXHIBIT A

ZONING PD C-1  
February 22, 2018



R 8531  
 OWNER: BELL COUNTY JOINT VENTURE  
 (55 AC)  
 VOL. 2002, PG. 819



RV PARK			
AREA	17.40 AC		
PARK/OPEN AREA	1.40 AC	8.02%	
# OF SLIPS	215		
DENSITY	12.35	UNITS/AC	

R 472985  
 OWNER: LAKESHINE PROPERTIES LLC  
 (12.663 AC)  
 DOC #201700000563

FENCE FOR  
 SCREENING (TYP)



507 WEST LIBERTY AVE.  
 ROUND ROCK, TEXAS 78664  
 P: 512-344-9664 F: 512-436-3903  
 TBPE FIRM #F-19351  
 TBPLS FIRM #10194377

## REZONING EXHIBIT B

ZONING PD C-1

March 15, 2018

# Staff Report – Planning & Zoning Item



**Date:** March 20, 2018  
**Case No.:** Z-18-05  
**Request:** PD-R to Amended PD-R for Signage  
**Applicant:** Belton Skyline, LLC

## **Agenda Item**

Z-18-05 Hold a public hearing and consider a zoning change from Planned Development Retail to Amended Planned Development Retail (Signage) on a 2.121 acre tract of land at 127 Lake Road, located at the southwest corner of Lake Road (FM439) and Commerce Street, west of Main Street (SH317).

## **Originating Department**

Planning – Cheryl Maxwell, Director of Planning

## **Current Zoning**

Planned Development-Retail

## **Proposed Zoning**

Amended Planned Development-Retail for Signage

**Future Land Use Map (FLUM) Designation:** Lifestyle Center

**Design Standards Type Area:** 5

This property is located within Design Standards Type Area 5, which is primarily retail, commercial, and mixes uses. If approved, this amended PD would be required to comply with all the Design Standards for Type Area 5.

## **Case Summary**

This property was rezoned to a Planned Development-Retail District for a 3-story mixed use development in September, 2014. The applicant has submitted this request for an amended PD to address proposed signage for the building, which is not addressed by the City's sign code for a 3-story building. Surrounding uses include a single family house to the west, zoned Single Family-1; undeveloped property to the south zoned Retail; site of a future carwash on the east side of Commerce Street rezoned to a Planned Development District-Retail in January, 2018; Chappell Oaks apartment complex zoned Multi-Family District and a building with mixed office uses including Farmers Insurance zoned Neighborhood Service District on the north side of Lake Road.



The applicant has constructed a 3-story building with multiple lease spaces. The City's Sign Ordinance does not provide clarity with regard to multi-story buildings with multiple tenants. As a result, an amended PD is requested to approve a Master Signage Plan for this site.

### **Land Use Table/Allowable Uses**

The uses allowed in the base Retail Zoning District include the following:

- Any use permitted in the NS District
- Clothing and Apparel
- Convenience Store with Gasoline Sales
- Discount, Variety or Department Store
- Furniture and Appliance Store
- Home Improvement Center
- Restaurant

### **Project Analysis and Discussion**

The PD-Retail Zoning that was approved for this site in 2014 included the following provision for signage:

Sign Standards shall conform to Ordinance 2008-11. No wall signage permitted on the western elevation until the property to the west develops into an office or retail use.

The applicant is requesting modification to the zoning ordinance requirements for both monument and wall signs as discussed below.

- a. Monument Sign: A free-standing monument sign is allowed in the Retail Zoning District with a maximum 40 square feet area; maximum 5' height; minimum 5' setback; maximum 1 per lot. Permitted area is inclusive of the sign base and sign structure. Sign face cannot exceed 50% of the overall sign structure.

A drainage easement and retaining wall are located along the perimeter of this property along Commerce Street and Lake Road. A 58" (4.8 ft.) high wrought iron fence runs along the inside edge of these features for safety purposes. With the fencing in place, a sign with a maximum height of 5' would have limited visibility. Due to the layout of the parking, landscaping, driveway/circulation, etc., locations for placing a monument sign for visibility along both street frontages are limited. A monument sign could be placed on the outside edge of the drainage easement but that would be located at the property line, instead of observing the minimum required 5' setback.

The applicant proposes to place the monument sign at the northeast corner of the property just inside the edge of the drainage easement and fence and extend the height of the base 58" (approximately 5') to clear the fence for visibility. The proposed overall height of the monument sign at this location is 10' instead of 5'. The face of the sign is proposed at approximately 40 sq. ft.; however, the total sign area, base and structure, will be approximately 90 sq. ft. which exceeds the maximum 40 sq. ft. area allowed.

Given the existing conditions on this site, the proposal appears to be reasonable. Staff supports the proposed master signage plan with modifications to the Zoning Ordinance to allow 1) a monument sign at a maximum 10' height located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence for visibility; and 2) a maximum 90 sq. ft. total area (sign base and structure).

Other features of the monument sign are as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

- b. Wall Sign: In the Retail Zoning District, wall signs are allowed based on a maximum area of 1 square foot per linear foot of primary façade (e.g. 100 linear feet of frontage allows maximum signage of 100 square feet). Calculation of wall signage is based upon a builder's primary entrance and building façade (Ref 38.18 C). Lots fronting on two or more streets are allowed to use the longest street frontage in the allowable allocation to be identified by the Master Signage Plan (Ref 38.17 D). Once the maximum allowed sign area is determined, the signage may be placed on any face of the building, except those directly adjacent to, and within 100' of a residential property line within a residential zoning district.

*NOTE: Recent conversations with the applicant centered on a calculation of one square foot of wall signage allowed for each linear foot of building length for each building side facing a street. That was incorrect, with the current code only allowing use of the building length on the longest street frontage, with sign placement allowed on either street side. This seems to be a restrictive standard that may justify a code amendment in the future.*

The dimensions of the applicant's building are 115' along Commerce Street and 68' along Lake Road. Going with the longest street frontage, a maximum 115 square feet of signage is allowed for this building (not 115 + 68). These requirements are generally applied to a one story building; application of this requirement to a multi-story building with multiple tenants is not addressed in the current code.

There are currently three lease spaces on the first floor; three on the second floor; and one on the third. There is flexibility in the layout so this may change. The applicant wishes to provide tenants with wall signage, as well as on the monument sign.

Applying the current sign code allocations to the long building side of 115', and a sign area allowance of  $115' \times 3 = 345$  sq. ft., which may be distributed as determined appropriate among the three floors and three available sides. This appears to be a reasonable interpretation of the current code. No signage is allowed on the west-facing wall since it is adjacent to residential property in a residential zoning district at this time.

The size of the existing and proposed signage ranges from approximately 20 sq. ft. to 50 sq. ft. This averages 35 sq. ft./sign. An allowance of 345 sq. ft. would accommodate approximately 10 signs at 35 sq. ft. each. The applicant feels this allocation would

accommodate the existing tenants, but is concerned about future needs and would like to increase the allotment to accommodate 12 signs at 35 sq. ft. each, for a total of 420 sq. ft.

As discussed above, the current sign ordinance does not specifically address signage for multi-story buildings with multiple tenants. We have looked at surrounding cities and their sign ordinances and have found few similar circumstances. One example we found is the Extraco Bank building in Temple. This building has many floors and many tenants, but the only wall sign is the exterior Extraco Bank sign. The tenants are identified inside via a directory board.

At this point in Belton, this situation is unique to this site; to our knowledge, there are no other multi-story, multi-tenant buildings in the city planned. The decision in this case will help guide future discussions on signs, and may suggest the need for a code amendment for signage, in what we hope will be similar developments in the future.

There are at least two possible approaches—one (Option A) is based upon the linear frontage of each lease space; the other (Option B) is based upon an overall allocation for the entire building, based on longest building side, to be distributed as appropriate. These are summarized below:

Option A: This is based on our current code and method of allocating signage area for lease space on a single floor. Each tenant is allowed 1 sq. ft. of signage for each linear foot of frontage. For example, 50 feet of frontage allows the tenant 50 sq. ft. of signage. This would be applied to each tenant on each of the floors. If the tenant has space fronting on two sides, they may place the sign on either side, or split the allocation and place on both sides.

Option B: This is based on current code but is more general. Regardless of the number of tenants or lease space, the building as a whole is allocated signage based on the linear feet of the longest frontage. For this building, the longest side is 115', so 115 sq. ft. of signage is allowed, multiplied by 3 to accommodate each story, for a total of 345 sq. ft. This may be distributed as the owner desires. In this case, the applicant feels current needs are satisfied by this, but would like an additional 75 sq. ft. for a total of 420 sq. ft. to address future needs of additional tenants. Given the uniqueness of the situation, this may be reasonable, but we would like feedback from the Planning Commission with regard to this allocation of wall signage by lease space or by longest building side, for future clarification and possible code amendment.

After review of the City's Sign Standards as written, and the questionable applicability with regard to the needs of a multi-story building, we support an amendment to the PD to allow a maximum 420 sq. ft. of wall signage for the entire building, limited to a maximum of 12 signs.

### **Recommendation**

Recommend approval of amended Planned Development-Retail Zoning District to provide for a signage master plan and other elements:

Note: No changes to Sections 1 – 4 below; only changes to Section 5



1. The use of this property must conform to the Retail Zoning District in all respects, except for the following:
  - a. Three story building totaling 53'3" in height
  - b. 6' tall wooden privacy fence shall be provided for screening between this property and the adjacent single family property
  - c. A maximum 20% stucco is allowed on the building exterior
  - d. Parking lot landscaping provided in the detention pond (except shrubs)
2. All associated operations shall be conducted and contained within the primary structure.
3. The development of the property shall conform to all applicable Type Area 5 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, and the proposed site plan (to be revised), and including:
  - a. Site Development Standards discussed above
  - b. Building Design Standards
  - c. Landscape Design Standards
4. No wall signage permitted on the western elevation until the property to the west develops into an office or retail use.
5. Sign Standards shall conform to Ordinance 2008-11, except as modified below:

Monument Sign:

- a) Maximum 10' height allowed with sign located approximately 30 feet from the north property line and 30 feet from the east property line to enable the sign face to clear the height of the existing fence;
- b) Maximum 90 sq. ft. total area (sign base and structure) allowed; and
- c) Other features as follows: material will be a brick/stucco combination similar to the building; sign face will consist of dark background and white text (or vice versa)—no colors in the logos; size of sign boxes may vary based on tenant's rented square footage.

Wall Sign:

- a) Maximum 420 sq. ft. of signage is allowed for this building to be distributed among the three floors and four walls, limited to a maximum of 12 signs.
- b) Wall signage is allowed on the west side of the building only after the adjacent property is rezoned for a business use and ceases to be used as a residence.
- c) Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.

**Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial photo

5. Map with zoning notice boundary (200')
6. Zoning notice to owners
7. Property owner's list
8. Excerpts from Sign Ordinance

**City of Belton**  
**Request for a Zoning Change**

**To The City Council and the**  
**Planning and Zoning Commission**

Fee: \$250.00 CK# 2541

Date Received: 02-28 Date Due: 02-28 **Deadline for a zoning change request is the last business day of the month.**

Applicant: Belton Skyline, LLC Phone Number: 254-718-2081  
Mailing Address: 500 N Loop 121 City: Belton State: TX  
Email Address: dkleigh@shinebranch.com

Owners Name: See above Phone Number: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**Applicant's Interest in Property:**

Seek to amend planned development to add master signage plan.

**Legal Description of Property:**

Is this property being simultaneously platted? \_\_\_\_\_

Street Address: 127 Lake Rd, Belton, TX 76513

Zoning Change From PD-R to Amended PD-R (Signage)

Signature of Applicant: Dawn K. Leigh Date: 2/28/18

Signature of Owner (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 or irregular tracts or acreage, a drawing of the property must be submitted.



# Zoning Case # Z-18-05 Location

**ZONING CHANGE:**

PD-R  
to  
Amended PD-R

**LEGAL DESCRIPTION:**

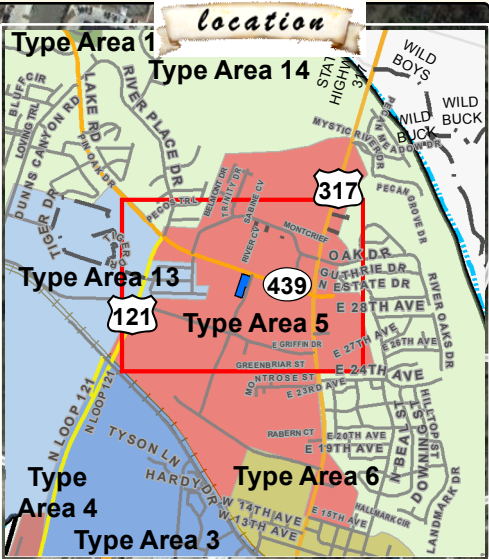
BELTON SKYLINE ADDITION  
BLOCK 001, LOT 0001  
2.121AC

**PROPERTY OWNER:**

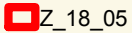
BELTON SKYLINE LLC

**ADDRESS/LOCATION:**

127 Lake Rd

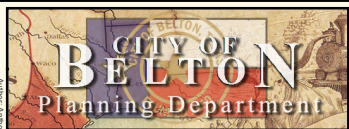


**LEGEND**





# Zoning Case # Z-18-05 Zoning



## ZONING CHANGE:

PD-R  
to  
Amended PD-R

## LEGAL DESCRIPTION:

BELTON SKYLINE ADDITION  
BLOCK 001, LOT 0001  
2.121AC

## PROPERTY OWNER:

BELTON SKYLINE LLC

## ADDRESS/LOCATION:

127 Lake Rd

**Zoning Location**

## Legend

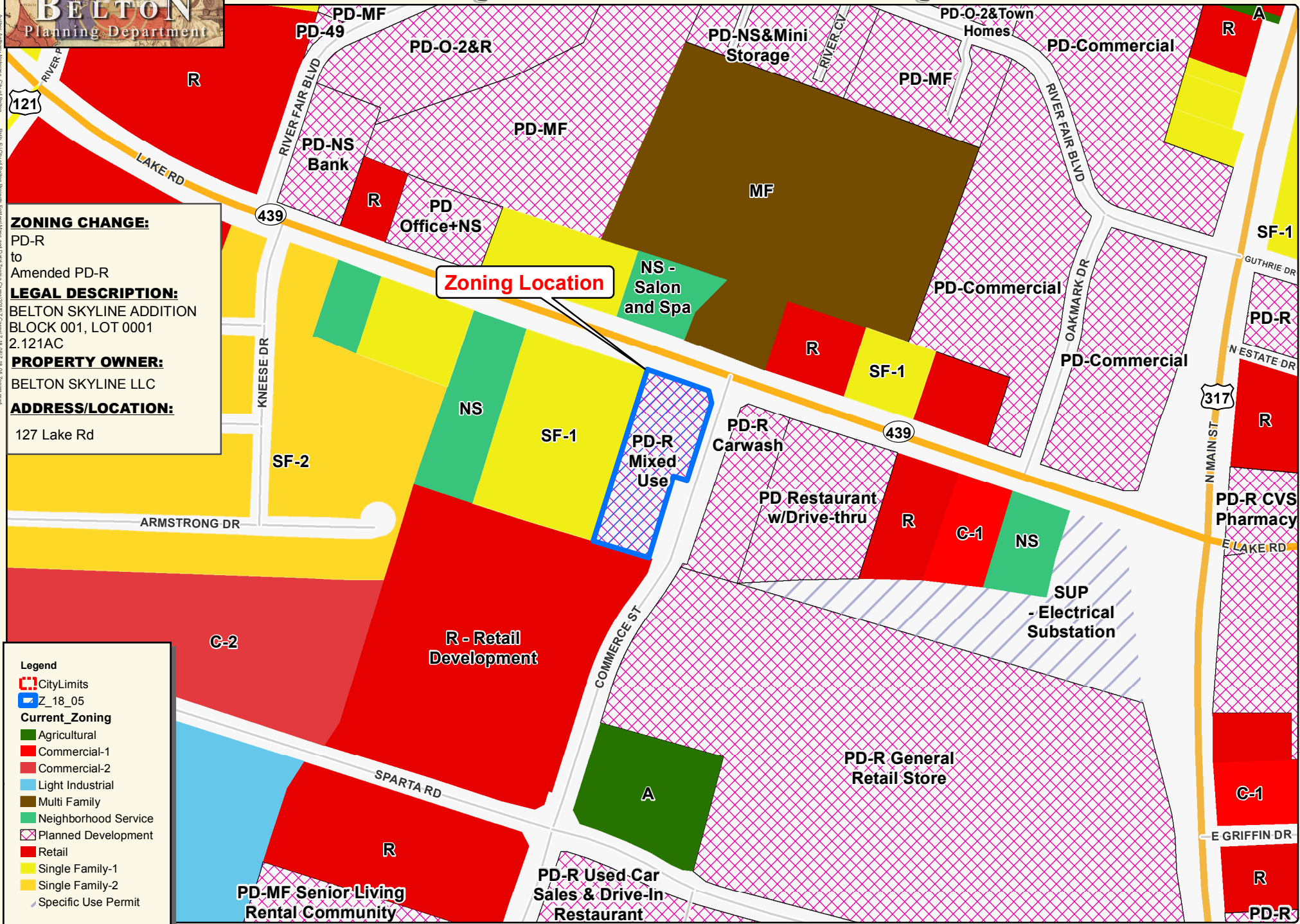
- City Limits
- Z-18-05
- Current\_Zoning**
  - Agricultural
  - Commercial-1
  - Commercial-2
  - Light Industrial
  - Multi Family
  - Neighborhood Service
  - Planned Development
  - Retail
  - Single Family-1
  - Single Family-2
  - Specific Use Permit

Map Date: 3/6/2018

0 150 300 600 Feet



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# Zoning Case # Z-18-05 Aerial

**ZONING CHANGE:**

PD-R  
to  
Amended PD-R

**LEGAL DESCRIPTION:**

BELTON SKYLINE ADDITION  
BLOCK 001, LOT 0001  
2.121AC


**PROPERTY OWNER:**

BELTON SKYLINE LLC

**ADDRESS/LOCATION:**

127 Lake Rd

**LEGEND**

 Z\_18\_05



**ZONING CHANGE:**

PD-R  
to  
Amended PD-R

**LEGAL DESCRIPTION:**

BELTON SKYLINE ADDITION  
BLOCK 001, LOT 0001  
2.121AC

**PROPERTY OWNER:**

BELTON SKYLINE LLC

**ADDRESS/LOCATION:**

127 Lake Rd

**200' Property Owner  
Notification Area**

**Legend**

- Z\_18\_05
- 200' Property Owner Notification Area
- Tax Appraisal Parcels



0 87.5 175 350 Feet



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: BELTON SKYLINE LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 127 LAKE ROAD,  
FROM A(N) PLANNED DEVELOPMENT-RETAIL ZONING DISTRICT,  
TO A(N) Amended Planned Development-Retail for Signage ZONING DISTRICT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, March 20, 2018**, 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, March 27, 2018**, 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**



458716 BELTON SKYLINE LLC 500 N LOOP 121 BELTON, TX 76513	59027 CENTRAL TEXAS AUCTION SERVICES LLC PO BOX 1775 BELTON, TX 76513	186299 CHAPPELL HILL EQUITY IV LTD 3106 SWEETWATER CV BELTON, TX 76513
440860 HEART OF TEXAS GOODWILL INDUSTRIES 1700 S NEW RD WACO, TX 76711-1749	53209 HURT, ANN 4 N EBBTIDE LN BELTON, TX 76513-6338	55305 JAROSEK, FELIX C ETUX OTTILIE 203 LAKE RD BELTON, TX 76513-1511
57062 JONES, LARRY D ETUX KAREN L ESTATE 201 LAKE RD BELTON, TX 76513-1511	73559 MICHALKA, LEO E ETUX MARILYN 204 LAKE RD BELTON, TX 76513-1512	440861 POTTS, ROBERT ROY ETAL 3212 RIVER PLACE DR BELTON, TX 76513-1016
397608 WAL-MART REAL ESTATE BUSINESS TRUST PO BOX 8050 BENTONVILLE, AR 72712-8055	60185 WEAVER, RICHARD C & SHEILA J 401 GUTHRIE DR BELTON, TX 76513	SUPERINTENDENT DR. SUSAN KINCANNON BELTON I.S.D. P O BOX 269 BELTON TEXAS 76513



# Sign Ord. Excerpt

Zoning District	Classification	Maximum Area Per Sign (Square Footage)	Maximum Height (Feet)	Minimum Setback (Feet)	Maximum Number Per Lot	Conditions
O-1, O-2, & RD Districts (All Uses)	Wall	1 per linear foot of primary façade	--	--	--	38.18 C
C-1, C-2, LI, IP, HI, & PD (All Uses)	Freestanding Monument Sign or	1 per linear foot of primary façade no to exceed a maximum of 48 square feet per sign face	6	5 (10 in IP, LI, and HI Districts)	1 per 500' of frontage or fraction thereof	38.18 A 38.18 F
	Low Profile Pole Sign	20	8	5 (10 in IP, LI, and HI Districts)		
	Cladded Pole Signs on Properties with IH 35 or US 190 Frontage, 2 pole minimum	225	20	5	1 per 600' of frontage or fraction thereof	38.18 D 38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
R, NS, & CBD	Freestanding Monument Sign	40	5	5	1	38.18 A
	Flag/Flag Pole	40	25	5	--	38.18 A
	Wall	1 per linear foot of primary façade	--	--	--	38.18 C 38.18 F
IIP Overlay, UC, & CR Overlay Districts	For Detailed Information Related to Signs in this District, See the Design Guidelines for Signs Monument signs shall be no greater than 5 feet in height and pole signs will not be permitted					
CH District	Freestanding Monument Sign	60	8	5	1 per 200' of frontage or fraction thereof	38.18 A
	High Profile Monument Sign	225	20	5	1 per 600' of frontage	38.18 F
	Flag/Flag Pole	40	20	5	--	38.18 E
	Wall	1 per linear foot of primary façade				38.18 C

### **38.17 PRINCIPLES OF SIGN AREA COMPUTATION**

The following principles shall control the computation of sign area and sign height.

#### **A. Computation of Area of Individual Signs:**

1. The area of a sign shall be computed as the entire advertising area of the sign, including any framing or trim, contained within the respective sign cabinet. For the purposes of this computation the sign cabinet shall be defined as the structure or border used to differentiate a sign face from the structure against which a sign face is placed.
2. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning, window, or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall. Where such sign includes multiple words, each word located in the same plane shall be computed separately.
3. The permitted area for all monument signs, pursuant to Table 2 of Section 38.16 shall be inclusive of the sign base and sign structure. In no case shall the overall sign structure, including the base, exceed the maximum allowed height nor the maximum allowed sign area. In no case shall the sign face of a monument sign exceed fifty (50) percent of the overall sign structure.

#### **B. Computation of Area of Multi-faced Signs**

The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any one (1) point. When two (2) identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one (1) of the faces.

#### **C. Computation of Height**

The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

#### **D. Computation of Maximum Total Permitted Sign Area**

The permitted sum of the area of all individual signs shall be computed by applying the Zoning District formulae contained in Section 38.16, Maximum Area Per Sign, to the lot

frontage, building frontage, or wall area, as appropriate. Lots fronting on two (2) or more streets are allowed to calculate the longest street frontage into the allowable allocation to be identified by the Master Signage Plan.

#### E. Computation of Maximum Number of Signs

Pursuant to Table 2 of Section 38.16 each lot is allocated the maximum number of signs allowed per District. Where indicated, additional signs beyond the identified allowance shall be determined by the lineal frontage of the lot.

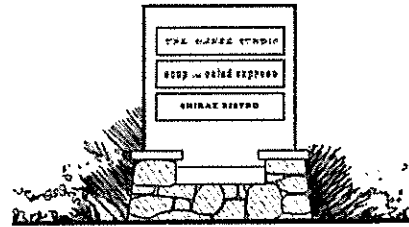
### 38.18 DESIGN REQUIREMENTS:

#### A. Monument Signs and Low-Profile Signs

Monument signs or low-profile signs are the only permanent freestanding sign allowed, except on properties with I-35 or US 190 frontage, where cladded signs are also permitted.

##### 1. Monument Signs

- a. Monument signs shall have only two (2) sign faces.
- b. The structure of monument signs shall be constructed of materials and colors compatible with those utilized on the primary building's façade.
- c. Monument signs located on the same property must be paced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.
- d. A shared monument sign is encouraged. Such a monument sign must be located on one (1) of the properties included in the sign text.



##### 2. Low-Profile Signs

- a. All low-profile signs must have two (2) poles.
- b. Low-profile signs are permitted on any property as an alternative to permitted monument signs.





38.18

- c. Low-profile signs may have only two (2) sign faces.
- d. Low-profile signs located on the same property must be spaced a minimum of eighty (80) feet apart from other freestanding signs for which a permit is required.
- e. A shared low-profile sign is encouraged. Such a sign must be located on one (1) of the properties included in the sign text.
- f. In the C-1, C-2, C-3 and IN Districts:
  - i. The use of low profile signs requires the installation of a landscaped area equal to twice the area of one (1) face of the pole sign. The required landscaping shall be located at the base of the pole sign. The owner and subsequent owners of the landscaped property shall be responsible for the maintenance of the landscaped area.
  - ii. For properties in excess of five hundred (500) feet of frontage, additional sign square footage is allowed as determined in Table 2. The cumulative square footage of allowed signs may be distributed between the maximum number of allowed signs with no one (1) sign exceeding ninety (90) square feet in size.

### 3. Residential Districts

In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated free standing signs shall only be located adjacent to arterial roadways.

## B. Landmark Signs

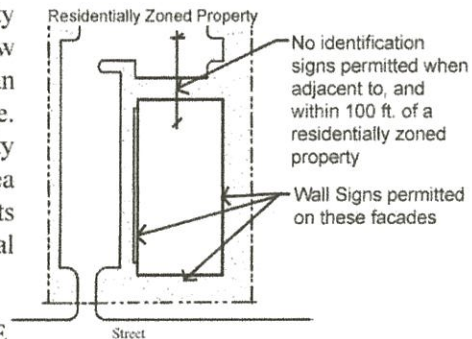
To be recognized and designated as landmark signs, an individual sign (one (1) per property) must be approved by the procedures adopted by the City of Belton. To be considered for designation, these signs shall exhibit such a unique character, design, or historical significance to be recognized as such to the community.

## C. Wall Signs

- 1. The calculation of wall signage shall be based upon a building's primary entrance and building façade as defined in Section 38.4.



2. Wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.
3. Wall signs may be placed on any face of the building, except those directly adjacent to, and within one hundred (100) feet of a residential property line within a Residential Zoning District. If the residential zoned property is developed as a Non-Residential use then this restriction shall not apply.
4. Posters, signs or announcements located in window areas not exceeding thirty (30) percent of an individual window area shall not be calculated as an element of total allowable site signage. Any sign area in excess of the thirty (30) percent will cause the entire area of the poster, sign or announcements to be calculated as an element of total allowable wall signage.
5. In the SF-1, SF-2, SF-3, and RE Districts, externally illuminated wall signs shall only be located on properties fronting on arterial roadways.



#### D. High Profile Monument Signs on Properties with I-35 or US 190 Frontage

High profile monument signs are permitted on properties with I-35 or US 190 frontage, and which have commercial or industrial zoning, provided they meet the following requirements:

1. Height limit shall be twenty (20) feet. For signs on properties with I-35 or US 190 frontage, additional height may be allowed.

- a. This additional allowance will be determined by measuring the difference between the elevation of the property at the proposed location of the sign and the elevation of the main lanes of I-35 or US 190.



- b. Determination of the elevational difference shall be measured by projecting a perpendicular line from the center line of the proposed location of the sign to the center line of the main lanes of I-35 or US 190 nearest the sign.
- c. The additional height allowance will only apply for properties and sign locations that are determined to be lower in elevation than the main lanes of I-35 or US 190, as measured by (b) above.

## Staff Report – Planning & Zoning Item



**Date:** March 20, 2018  
**Case No.:** P-18-06  
**Request:** Final Plat  
**Applicant:** Lay Construction, LLC—  
Ashley Malone/Matthew Marshall for  
Drake Capital Income Fund GP, LP

### Agenda Item

P-18-06 Consider a final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton.

### Originating Department

Planning – Cheryl Maxwell, Director of Planning

### Case Summary

This final plat was approved by the City Council in January, 2018 but has not been recorded. The plat is being resubmitted to remove the right of way dedication for future Capital Way extension. The ROW dedication was previously proposed to be provided by the seller of this property (Bell County Joint Venture) and was included in the plat boundary as ROW. The seller does not wish to make the dedication at this time with this development and the purchaser of this property cannot compel its dedications; therefore, the plat is being revised. All other conditions remain the same.

This is a 1-lot subdivision proposed for light and heavy equipment rentals.

### Project Analysis and Discussion

This is a 1-lot subdivision plat proposed as the Pro Star Rental Addition. This property is located within Design Standards Area Type 2 and was recently rezoned to Commercial-2 District in October, 2017. The west side of this property is directly adjacent to the IH-35 northbound frontage road. The Commercial-2 Zoning District requires a minimum lot area of 5,000 square feet, minimum lot width of 50 feet, and minimum lot depth of 100 feet. The proposed lot complies with the Commercial-2 Zoning District area requirements in all respects.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision plat.

**Water:** This property will be served by the existing 12" water line on the east side of the tract. No extension is required by the applicant.

**Sewer:** The proposed South Belton Sewer Project sewer lines are located on the far eastern edge of the property. However, due to topography, the sewer line along the eastern edge of the property



is a force main. A service line, especially unpressurized, cannot tie into the force main. There is a gravity sewer line 1,300 feet northeast of the proposed building on this property, but the fall between the building and the gravity line is not great enough to allow for gravity flow. Therefore, the applicant must either install a septic system or install a grinder pump and private force main to connect to the gravity line approximately 1,300 feet away. Because the limited number of bathrooms and sinks will have a minimal contribution to sewer flows, Staff determined a septic tank for this application and location is acceptable and a letter to this effect has been provided by the Bell County Public Health District.

**Drainage:** Drainage calculations have been reviewed and a detention pond will be needed. The location and details of the detention pond will be provided with the building plans and can be accommodated on site.

**Streets:** Access from the I-35 frontage road is proposed on the north side of the property. The Thoroughfare Plan identifies a future southern roadway extension of Capital Way along the eastern perimeter of this proposed plat. Capital Way is shown as a major collector which requires 80 feet of ROW. Typically, when a plat is proposed, the developer is required to dedicate one-half of the needed ROW for the length of the subdivision frontage. However, in this case, the seller, is retaining a strip of land +/- 60' wide along the eastern edge of the property (1.549 acres) as an access easement for tracts farther south, and also for City of Belton utilities. This easement mirrors the ROW needs for future alignment of Capital Way. The applicant does not own or control this 60' easement and is therefore not able to dedicate this land. We have discussed this with the seller and advised the requirement for future ROW dedication for Capital Way extension.

With regard to this plat, we are assuming the 60' easement will be conveyed to the City for ROW purposes at some point in the future in conjunction with future subdivision platting. Therefore, an additional 20' ROW will be needed, split between this tract and the property to the east when it develops. This results in a 10' ROW dedication needed from this property.

According to the Subdivision Ordinance, the developer is required to contribute one half the total cost of paving (18.5 feet), curb and gutter, and a 5' wide sidewalk for the portion of Capital Way adjacent to this plat. The estimated cost of the applicant's contribution is \$21,900.90 for the 140' of frontage. (See attached calculations). City staff finds the estimate acceptable and recommends the applicant escrow the cost of construction for the required perimeter street improvements. When other properties are submitted for final platting, perimeter street improvement obligations will apply and be secured.

**Sidewalks:** The Subdivision Ordinance also requires the developer to construct a 6' wide sidewalk along the subdivision side of arterial streets, in this case, the northbound I-35 frontage road. The applicant will either incorporate the sidewalk into the construction plans or will place funds for future construction in an escrow account with the city. If the funds are not expended within 9 years, the funds will be returned with any interest that has been earned.

### **Recommendation**

Recommend approval of the final plat for Pro Star Rental, a 10.00 acre tract of land located east of IH-35 and south of Grove Road, generally north of Shanklin Road in the city limits of Belton, subject to items identified in the City's Letter to the Applicant and Engineer dated February 16, 2018.

**Attachments**

1. Final Plat Application
2. Final Plat
3. Location Map
4. Capital Way Perimeter Street Improvements Cost Estimate
5. City's Letter to Applicant and their Engineer dated March 16, 2018

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

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

- ☐ Preliminary Subdivision
- ☒ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Fees due \$ \_\_\_\_\_

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department by the 15<sup>th</sup> day of the month ahead of the next month's P&Z meeting.)

Applicant: Lay Construction, LLC Phone: 903 877-4128

Mailing Address: P.O. Box 5300 Tyler TX 75712

Email Address: Ashley.Malone@LayConstructionLLC.com

Owner: Drake ProStar Belton, LLC Phone: \_\_\_\_\_

Mailing Address: 1537 E. Grande Blvd, Suite 400 Tyler

Email Address: Caseyhymer@me.com 75703

**Current Description of Property:**

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Acres: 10.000 ac Survey: MF Connell Survey Abstract No. 6  
Abstract #: 6 Street Address: I-35 Frontage Road  
Frontage in Feet: \_\_\_\_\_ Depth in Feet: \_\_\_\_\_

Does Zoning comply with proposed use? \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Name of proposed subdivision: \_\_\_\_\_

Number of Lots: \_\_\_\_\_ Fee: \$ \_\_\_\_\_

Signature of Applicant: Ashley Malone Date: 3-6-18

Signature of Owner: Casey Hymer Date: 3/6/18



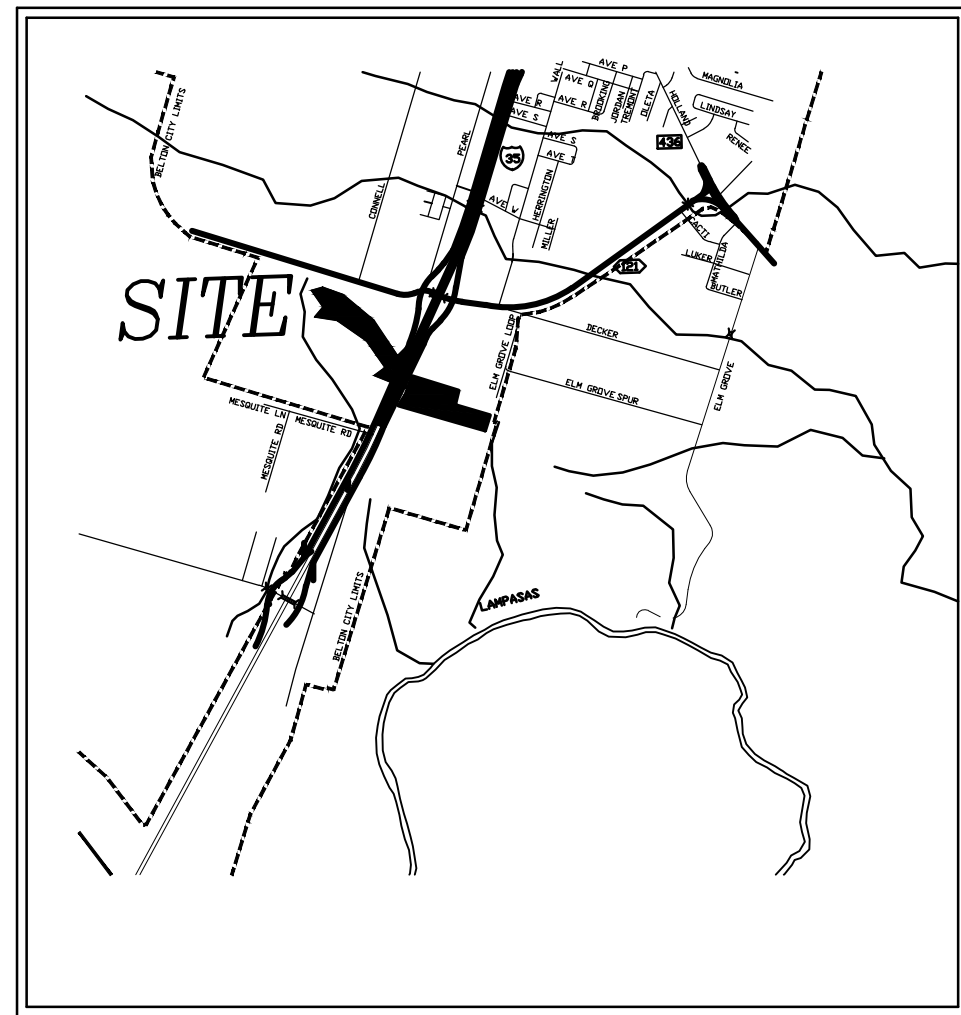
This project is referenced to the City of Belton Coordinate System, an extension of the State of Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless otherwise noted, and all bearings are grid bearings.  
All coordinate values are referenced to City Monument No. B-4.  
The theta angle at said monument is 01°28'23".  
The Combined Correction Factor (CCF) is 0.999851.  
Published City Coordinates are N=10,348,584.14, E=3,192,254.47.  
The tie from the above City Monument to the POB of the 4.000 acre tract is S66°45'00"W, 645.56 feet.  
Grid Distance= Surface Distance X CCF  
Geodetic North= Grid North + theta angle.

**AFFIDAVIT:**

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2018.

BY: \_\_\_\_\_  
BELL COUNTY TAX APPRAISAL DISTRICT



VICINITY MAP: Not To Scale

**STATE OF TEXAS  
COUNTY OF BELL**

DRAKE PROSTAR BELTON, LLC, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS PRO STAR RENTAL, A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

DRAKE PROSTAR BELTON, LLC  
CASEY HYMER, MEMBER

STATE OF TEXAS  
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018 BY CASEY HYMER, MEMBER OF DRAKE PROSTAR BELTON, LLC

NOTARY PUBLIC

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PRO STAR RENTAL ADDITION TO THE CITY OF BELTON WAS APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

MAYOR \_\_\_\_\_ SECRETARY \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF PRO STAR RENTAL ADDITION TO THE CITY OF BELTON WAS APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.

CHAIRMAN \_\_\_\_\_ SECRETARY \_\_\_\_\_

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

CITY CLERK

**STATE OF TEXAS  
COUNTY OF BELL**

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

MICHAEL E. ALVIS  
R.P.L.S. No. 5402

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION, AND ITS WASTEWATER UTILITY SYSTEM HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND OTHER REGULATIONS GOVERNING SUCH SYSTEMS AND IS HEREBY APPROVED FOR INSTALLATION AS INDICATED.

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_, BCHD



Line Table		
Line #	Direction	Length
L1	N23°07'23"E	69.92'
L2	N36°35'34"E	59.41'
L3	N23°57'59"E	119.72'
L4	N11°47'49"E	18.02'
L5	N16°13'50"E	140.19'

NOTE:  
0.027 ACRES - TO BE DEDICATED TO THE CITY OF BELTON FOR RIGHT-OF-WAY PURPOSES BY THIS PLAT AS SHOWN HEREON

LAKE SHORE PROPERTIES, LLC  
12.663 ACRES  
DOCUMENT NO. 2017-00000563

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, IN YEAR 2018, PLAT # \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # \_\_\_\_\_, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

TRACT SURVEYED OCTOBER 2, 2017

10.000 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

FINAL PLAT of:  
**PRO STAR RENTAL**

10.000 ACRES  
1 BLOCK, 1 LOT

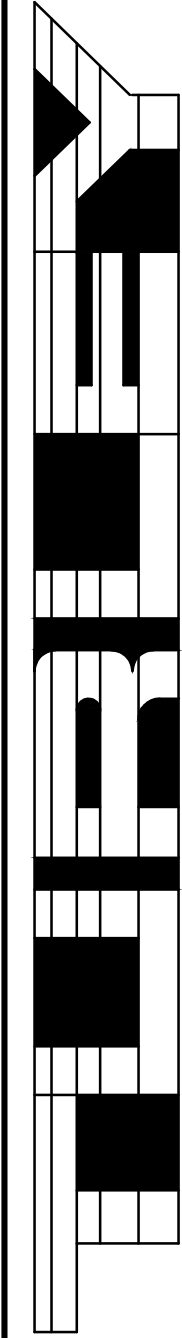
A SUBDIVISION IN THE  
M. F. CONNELL SURVEY, ABSTRACT NO. 6  
CITY OF BELTON, BELL COUNTY, TEXAS



REVISIONS	

DATE:	03/06/2018
DRN. BY:	MEA
REF.:	
FB/LB	
JOB NO.:	17-1210
SHEET	1 OF 1
COMPUTER DWG. NO.	17-1210

**171210-D**  
FILE NO.



ENGINEERING \* PLANNING \* SURVEYING \* CONSTRUCTION MANAGEMENT  
**TURLEY ASSOCIATES, INC.**  
301 N. 3rd ST.  
E-MAIL: [info@turley-inc.com](mailto:info@turley-inc.com)  
TEMPLE, TEXAS  
(254) 773-2400  
FAX NO. (254) 773-3998

SURVEY FIRM # 10056000  
ENGINEER FIRM # F-1658

FINAL PLAT of:  
**PRO STAR RENTAL**

4.000 ACRES  
M. F. CONNELL SURVEY, ABSTRACT NO. 6  
A SUBDIVISION IN THE CITY OF BELTON, BELL COUNTY, TEXAS

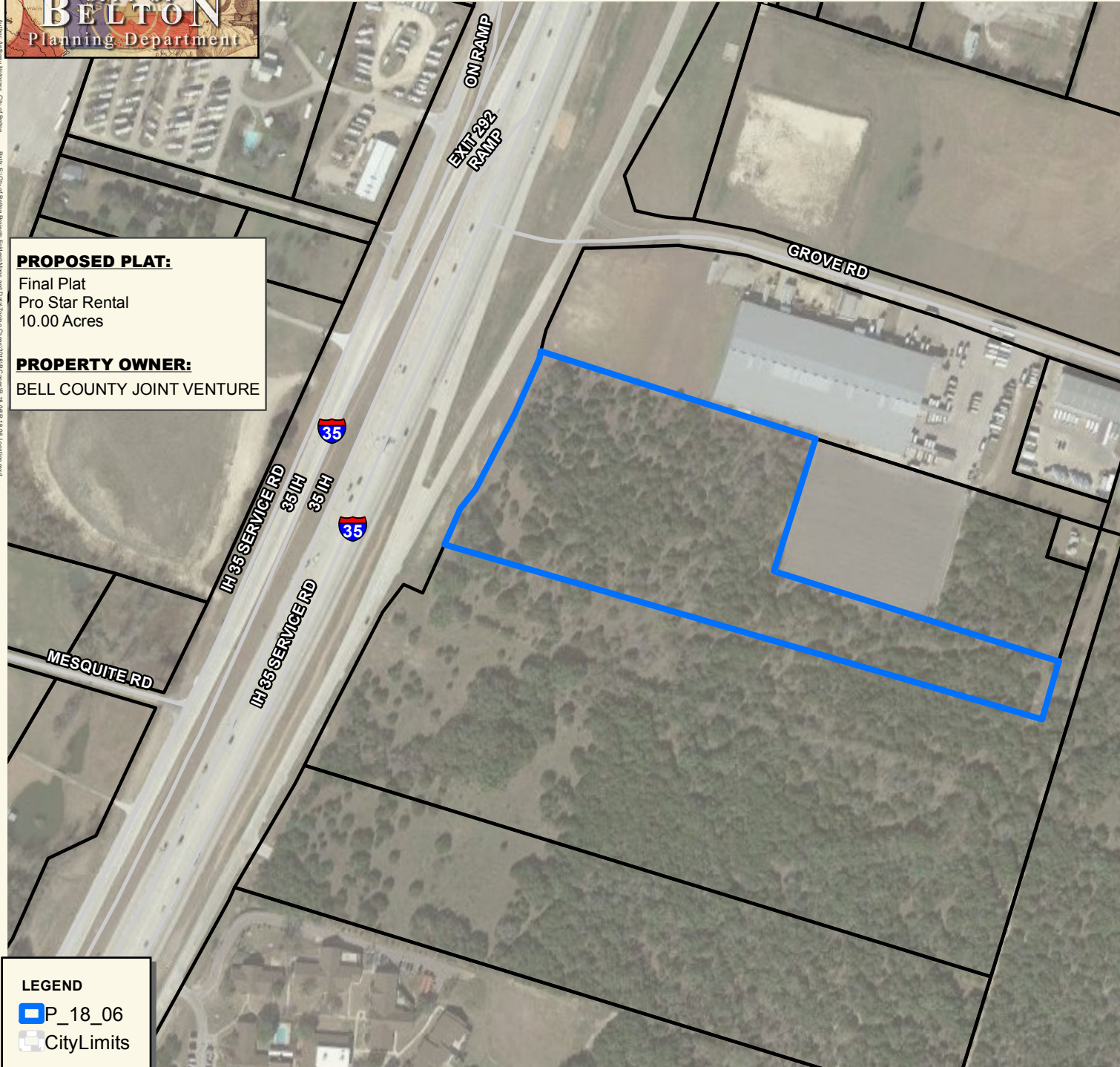
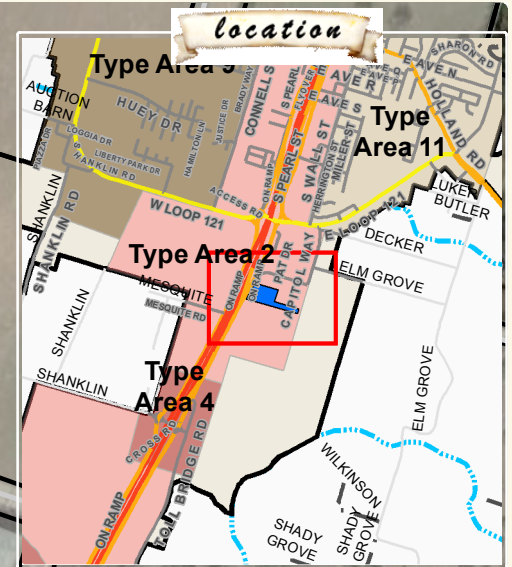
PREPARED FOR:  
**CASEY HYMER**

**DRAKE PROSTAR BELTON, LLC**  
1537 E. GRANDE BLVD, SUITE 400  
TYLER, TEXAS 75703

# P-18-06 Location - Pro Star Rental

**PROPOSED PLAT:**  
Final Plat  
Pro Star Rental  
10.00 Acres

**PROPERTY OWNER:**  
BELL COUNTY JOINT VENTURE



**LEGEND**

P\_18\_06

CityLimits





# P-18-06 Pro Star Rental

Proposed Pro Star Rental

**PROPOSED PLAT:**

Final Plat  
Pro Star Rental  
10.00 Acres

**PROPERTY OWNER:**


BELL COUNTY JOINT VENTURE

IH 35 SERVICE RD  
35 IH  
35 IH  
IH 35 SERVICE RD

GROVE RD

CAPITOL WAY

**Legend**

 P\_18\_06

Map Date: 3/13/2018 Aerial Imagery Date: 2017

0 100 200 400  
Feet



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



**Pro Star Rental - Capital Way Perimeter Street Improvements**

Owner: Pro Star Rentals

Engineer: Villagomez Engineering Company, TBPE Firm F13698

Date: 21-Nov-17

*Note to Owner/Engineer: Prior to developing the proposed costs for perimeter street improvements, coordinate with the Director of Planning to determine the required scope of perimeter street improvements.*

*Note to Estimator: This document is provided as a guideline and template. Not all items required may be listed and not all items shown below may be required. List all labor, materials, and project costs associated with the perimeter street improvements. All items listed in the estimate are assumed to be 'complete' and shall include material costs, delivery of materials, and labor for installation or implementation. Perimeter street improvements shall adhere to the approved geotechnical report and to the requirements in the City of Belton Design Manual.*

**Capital Way Perimeter Street Improvements**

ITEM	DESCRIPTION	QTY	UNITS	UNIT PRICE	ITEM COST
1	Right-of-Way/Site Preparation, Clearing, Demolition, and Excavation	1	LS	\$3,500.00	\$3,500.00
2	Curb and Gutter (Type, Size)	140	LF	\$12.00	\$1,680.00
3	12" Crushed Limestone Base	288	SY	\$14.00	\$4,032.00
4	Synthetic Geotextile (Type) or Lime Stabilization	288	SY	\$5.00	\$1,440.00
5	3" Type (C/D) Hot-Mix Hot Asphalt Concrete and Prime	288	SY	\$15.00	\$4,320.00
6	Thermoplastic Pavement Markings	1	LS	\$500.00	\$500.00
7	Pedestrian Curb Ramps	2	EA	\$750.00	\$1,500.00
8	X' Wide Sidewalks	78	SY	\$37.00	\$2,886.00
9	Stormwater Pollution Protection Plan and Implementation, Erosion Control	1	LS	\$1,000.00	\$1,000.00
SUBTOTAL					<b>\$20,858.00</b>
Mobilization, Bonds, and Insurance (5%)					<b>\$1,042.90</b>
TOTAL					<b>\$21,900.90</b>

**The City reserves the right to review and negotiate the proposed perimeter street improvements costs. Additional scope or deductions may be required by the City. Any changes will be discussed with the Owner/Engineer.**



# City of Belton

Planning Department

March 16, 2018

**Applicant: Lay Construction – Ashley Malone**

**Date Submitted: 03-08-18**

**Project: PRO STAR RENTAL – FINAL PLAT**

**Location: 10 ACRES, IH-35 SVC RD (at Grove Road)**

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

**PLANNING – Cheryl Maxwell – CMaxwell@BeltonTexas.gov:**

1. 80' ROW needed for Capital Way extension. 60' wide easement exists along proposed route. Applicant does not own this property; city anticipates transition from easement to ROW in the future. Additional 20' ROW needed split between this property and the property to the east when it develops. Resulting ROW dedication needed with this plat along the eastern property line is 10'.
2. 6' wide sidewalk required along arterial roadways, in this case, I-35 frontage road. Applicant may either escrow funds for construction or include plans for construction with the application for the building permit. Please advise.
3. Septic system proposed and acceptable subject to review and approval by Bell County Public Health District.

**PUBLIC WORKS/KPA – Angellia Points, APoints@BeltonTexas.gov:**

1. A service line off of the 4" force main is shown. The force main cannot be tapped.
2. The utility easements along the western side of the property should be as follows: 10' Atmos Easement, 10' PUE, and 15' City of Belton Utility Easement, totaling 35 feet.
3. Perimeter street improvements are required for Capital Way.
4. Detention must be addressed during the building permit process.

**BUILDING OFFICIAL – Bruce Ebbert, BEbbert@BeltonTexas.gov:**

No comments at this time.

**FIRE DEPT – Jeff Booker, JBooker@BeltonTexas.gov:**

No further comments.

**POLICE DEPT – Chief Gene Ellis, GEllis@BeltonTexas.gov:**

No additional comments.

**GIS – Anthony Notgrass, ANotgrass@BeltonTexas.gov:**

No comments.

**Outside Utility Provider Comments**

- ☐ **Oncor:**
- ☐ **AT&T:**
- ☐ **Atmos Energy:**
- ☐ **Charter Communications:**
- ☐ **Grande Communications:**
- ☐ **Spectrum (Time Warner):**
- ☐ **USPS:**
- ☐ **Clearwater UCD:**
- ☐ **TXDOT:**

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