



# CITY OF BELTON

**Planning & Zoning Commission Meeting**  
**Tuesday, July 19, 2022 - 5:30 p.m.**  
**Harris Community Center**  
**401 N. Alexander, Belton, Texas**

Pledge of Allegiance to the U.S. Flag  
Invocation

## AGENDA

1. Call to order.
2. Public comments.
3. Consider minutes of the June 21, 2022, regular meeting.
4. Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural (A) to a Planned Development - Mobile Home District (PD-MH) on approximately 6.422 acres located at 2061 Circle Oak Loop, generally north of Interstate 14.
5. Z-22-24 - Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) Zoning District to University Campus – 1 (UC-1) Zoning District on approximately 0.1319 acres located at 113 E. 9th Avenue, east of N. Main Street and west of North East Street.
6. Z-22-25 - Hold a public hearing and consider a zoning change from Agricultural (A) to Office-1 (O-1) District on approximately 0.82 acres located at 1025 W. Loop 121.
7. Z-22-26 - Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) District approximately 1.322 acres located at the 902 E. Avenue H, east of Interstate 35.
8. P-22-17 Consider a final plat for Skyview Addition, comprising of 53.04 acres located on the southwest corner of Interstate 14 and West Loop 121.
9. P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of East 24th Street and south of Mystic Meadows Drive.
10. Receive a report on Administrative Plat Approvals.

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

Minutes of the  
**Planning and Zoning Commission (P&ZC)**  
City of Belton, City Hall  
333 Water Street  
Tuesday, May 17, 2022

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The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Vice Chair Dave Covington, Dave Jarratt, Quinton Locklin, Alton McCallum and Joshua Knowles. The following members were absent: Nicole Fisher, Zach Kruger, and Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Fire Marshal Jeff Booker and IT Specialist Alex Munger.

**1. Call To Order.**

Commission Chair Baggerly called the meeting to order at 5:30 P.M.

**Pledge of Allegiance** – Commission Chair Baggerly led all present.

**Invocation** – Commission Member Jarrett gave the Invocation.

**2. Public comments.**

Vice Chair Covington opened the public comment portion of the meeting. With no one requesting to speak, the public comment portion of the meeting was closed.

**3. Consider approval of minutes from previous meeting. (Audio 2:02)**

Vice Chair Covington made a motion to approve the minutes from the April 19, 2022, meeting, seconded by Commission Member Locklin. The motion passed unanimously with 6 ayes, 0 nays.

**4. Z-22-15 - Hold a public hearing and consider a zoning change from Single Family-1 to Planned Development – Retail (PD-R) District on approximately 1.026 acres located at 106 Lake Road. (Audio 2:25)**

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. The applicant asked staff if a subdivision plat was required. Staff affirmed that a plat was required. With no other requesting to speak, the public hearing was closed.

Vice Chair Covington made a motion to approve Z-22-15 as presented by staff, which was seconded by Commission Member Jarrett. The motion was approved with 6 ayes, 0 nays.

- 5. Z-22-16 – Hold a public hearing and consider a zoning change from Planned Development – Multiple Family Zoning District and Planned Development – Office-2/Retail Zoning District to Multiple Family Zoning District on approximately 9.432 acres located at the southwest intersection of River Fair Blvd. and Trinity Drive. (Audio 9:00)**

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. The applicant's representative, Kevin Gaskey, spoke in support of the zoning change and to clarify their intent to construct only 70 dwelling units which is less than what the current zoning would allow.

Nine adjacent property owners (Sabine Cove and Trinity Drive) spoke in opposition of the zoning change voicing concerns for drainage, traffic, zoning is unfair, safety and loss of property values. Speakers included: Tom Brammeier, Carl Hudson, Nola Gorham, Jack Garner, Claude Cielonko, Jim Elliott, Thomas Henry and Sheresha Dora.

Mr. Gaskey addressed questions from the Commission regarding drainage and parking.

Vice Chair Covington made a motion to approve Z-22-16 as presented by staff, which was second by Commission Member Jarrett. The motion passed with 6 ayes, 0 nays.

- 6. Z-22-17 - Hold a public hearing and consider a zoning change from Agricultural (AG) to Planned Development - Multiple Family District (PD – MF) on approximately 18.168 acres located at 5890 Toll Bridge Road. (Audio 45:11)**

Staff Planner Ms. Moore presented the staff report.

The applicant's representative, Myra Goepp, presented their solutions to address adequate parking on the site and their intent to work with staff and consultants to address sewer capacity questions.

Chair Baggerly opened the public hearing. With no one requesting to speak, he closed the public hearing.

Ms. Goepp addressed questions from the commission regarding parking.

Commission Member Jarratt made a motion to table the item until the June 21 meeting of the Commission. The motion was seconded by Commission Member Knowles. The motion was tabled with a vote of 6 ayes, 0 nays.

- 7. Z-22-18 - Hold a public hearing and consider a zoning change from Mobile Home District to Planned Development – Multiple Family and Commercial-2 District (PD-MF/C-2) on approximately 7.260 acres located at 1520 W. Avenue O, located at the southeast intersection of West Avenue O and Old Golf Course Road. (Audio 1:09)**

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. The applicant's representative Tyler Freese, spoke in support of the zoning change.

Mr. Freese and staff addressed questions from the commission with regard to the sewer capacity concerns.

Vice Chair Covington made the motion to approve Z-22-18 as recommended by staff. Commission Member Locklin seconded the motion. The motion was approved with 6 ayes, 0 nays.

**8. P-21-24 Consider a final plat for Blair Townhomes, comprising 0.679 acres, located at the northeast corner of East 2nd Avenue and North Blair Street. (Audio 1:21)**

Staff Planner Ms. Moore presented the staff report.

Commission Member Locklin made a motion to approve P-21-24. Commission Member McCallum seconded the motion. The motion was approved with 6 ayes, 0 nays.

**9. P-21-25 Consider a preliminary Plat for Hidden Trails, comprising of 55.8 acres, located east of IH 35, north of Loop 121 and south of Avenue R. (Audio 1:24)**

Staff Planner Ms. Moore presented the staff report.

Vice Chair Covington made a motion to approve P-21-25 as recommended by Staff. Commission Member Jarrett seconded the motion. The motion was approved with 6 ayes, 0 nays.

**10. P-22-11 - Consider a final plat for Emma's Grove, comprising of 4.097 acres, located on Toll Bridge Road and north of Elmer King Road. (Audio 1:28)**

Staff Planner Ms. Moore presented the staff report.

Fire Marshal, Jeff Booker, spoke in opposition of allowing a variance for fire protection standards. He questioned the Commission's authority to grant a variance on fire code requirements.

The applicant's representative, John Messer, spoke in favor of approving the variance and voiced his reasons for not wanting to install a fire suppression system. He voiced concerns about annexations, if City services (water and sewer) cannot be provided.

Commission Member Jarratt made a motion to approve P-22-11 as recommended by staff to approve the fire protection variance. Commission member Locklin seconded the motion, which passed with 6 ayes, 0 nays.

**11. P-22-12 - Consider a preliminary plat for River Farm Phase I, comprising of 131.588 acres, located on Toll Bridge Road, north of the Lampasas River. (Audio 1:43)**

Staff Planner Ms. Moore presented the staff report.

Staff addressed questions from the commission.

Vice Chair Covington made a motion to approve P-22-12 as recommended by Staff. Commission Member Locklin seconded the motion. The motion was approved with 6 ayes, 0 nays.

**12. P-22-13 - Consider a preliminary plat for Foxwood Ranch, comprising of 71.58 acres, located at the southeast intersection of Elm Grove Spur and Capitol Way. (Audio 1:56)**



Staff Planner Ms. Moore presented the staff report.

Staff addressed questions from the commission. Neither the applicant nor representatives were in attendance.

Commission Member Jarrett made a motion to approve P-22-12, as presented, the motion was clarified to disapprove of the variance request to waive requirements for sidewalks along Capital Way. Vice Chair seconded the motion. The motion was approved with 6 ayes, 0 nays.

**13. Receive an update on administratively approved plats. (Audio 2:07:23)**

Ms. Moore presented the list of administratively approved plats.

With no other city business, the Planning and Zoning Commission was adjourned at 7:38 p.m. (Audio ends at 2:07)

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Chair, Planning and Zoning Commission

# Staff Report – Planning and Zoning Agenda Item



**Date:** July 19, 2022  
**Case No.:** Z-22-19  
**Request:** Agricultural to PD-MH  
**Applicant/Owner:** Emerald Oaks MHP –  
Kambiz Reissedonna

## **Agenda Item #4**

Z-22-19 - Hold a public hearing and consider a zoning change from Agricultural to Planned Development - Mobile Home District on approximately 6.422 acres located at 2061 Circle Oak Loop.

### **Originating Department**

Planning Department – Tina Moore, Planner

**Current Zoning:** Agricultural District

**Proposed Zoning:** Planned Development - Mobile Home District

**Existing Uses:** Mobile Home Park

**Proposed Uses:** Mobile Home Park

### **Future Land Use Map Designation:**

The FLUM identifies this general area as a commercial center suitable for smaller scale commercial uses.

### **Design Standards Type Area 2:**

This Type Area includes various blocks along I-35 and I-14 that are projected for commercial highway frontage uses.

### **Background/Case Summary**

The applicant is the property owner of the Emerald Oaks Mobile Home Park. When the property was annexed in 2006, the park was zoned Agricultural and has operated as a legal non-conforming use. There are currently 19 manufactured homes and 2 unused recreational vehicles stored at this location.

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

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

The proposed Planned Development Zoning District would allow the current use as a mobile home park to continue and will also set a maximum density of mobile home units at 44, as requested by the applicant.

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

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

### **Project Analysis and Discussion**

**Existing Conditions:** The surrounding properties east and west of the subject property are also zoned Agricultural. The property west is also a non-conforming mobile home park. The property east is developed with a detached single-family home. The properties south of Interstate 14 are zoned Commercial-1 and Agricultural.

**Allowable Land Uses:** The existing use is permitted in the MH District. New homes will be required to comply with current development standards, including the Mobile Home Park ordinance, and comply with the requirements for on-site-sewage-facility (OSSF) by the Bell County Health Department (BCHD). According to BCHD, this facility is operating on a grandfathered OSSF permit which was issued in the 1970s and has been experiencing system failures. The applicant will need to upgrade the OSSF system to meet BCHD standards prior to placing additional homes in the park.

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

### **Recommendation**

Recommend approval of the requested zoning change from Agricultural to Planned Development - Mobile Home District with the following conditions:

1. The development must conform to all applicable standards of the Mobile Home Zoning District and shall have a maximum density of 44 units.
2. The park shall comply with standards in the City Code of Ordinance, Chapter 12, *Mobile Home Parks*.

3. Bell County Health Department approval for on-site-sewage-facility is required prior to the placement of additional mobile homes.

**Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial
5. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

# ZONING CHANGE APPLICATION

Fee: \$250.00



Date received: 04-28-22	
APPLICANT NAME: Kambiz Reissedonna	
EMAIL: Kambiz.reissedonna@gmail.com	PHONE NUMBER: (512) 773-6664
MAILING ADDRESS: 9709 Vista View Dr. Austin, TX 78750	
PROPERTY OWNER NAME: Kambiz & Farshad Reissedonna	
EMAIL: Kambiz.reissedonna@gmail.com	PHONE NUMBER: (512) 773-6664
MAILING ADDRESS: 9709 Vista View Dr. Austin, TX 78750	

Proposed Use of Structures (building) and Property (exterior property): Mobile Home + RV Park	
Current Use: Mobile Home + RV Park	
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 2061 Circle Oak loop. Belton, TX 76513	
Legal Description of Property: Abstract Survey	
Lot(s): _____ Block(s): _____ of Subdivision _____	
Existing Zoning: Ag	Proposed Zoning: MH

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

Signature of Owner (if not applicant): \_\_\_\_\_ Date: \_\_\_\_\_

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

Emerald Oaks MHP 6.422 acres



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

- ☒ Signed application
- ☒ Fees paid
- ☒ Complete legal descriptions of the property to be rezoned
- ☒ Site plans per Section 32, Planned Development, of the Zoning Code. Please see **below** for guidelines.

In the event the request involves more than one lot, **a portion of a lot** or irregular tracts or acreage, **a Metes and Bound legal description, prepared by a registered Land Surveyor, registered in the State of Texas, is required.**

Notice: If any construction is planned, a copy of the plans and a plat must be attached. **Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.** The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

**The development plan shall include:**

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.





# Zoning Case # Z-22-19 Location

## ZONING CHANGE:

AG  
to  
PD-MH

## LEGAL DESCRIPTION:

A0433BC W M HEAD, 4-1, 4-2,  
EMERALD OAKS MHP  
ACRES 6.422

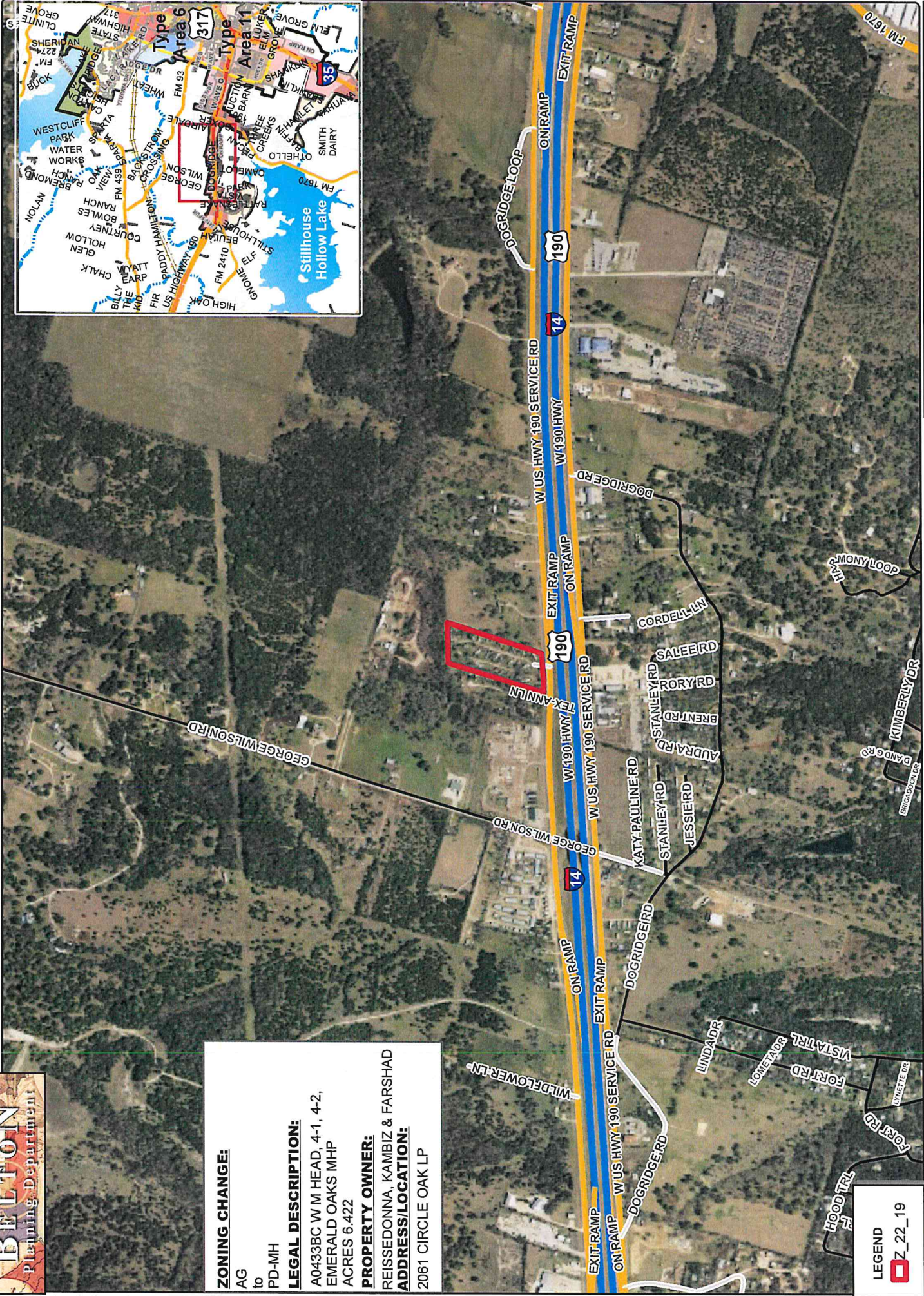
## PROPERTY OWNER:

REISSEDDONNA, KAMBIZ & FARSHAD  
**ADDRESS/LOCATION:**  
2061 CIRCLE OAK LP

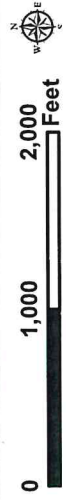
## LEGEND

Z-22\_19

Map Date: 7/6/2022



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-22-19 Zoning

**ZONING CHANGE:**  
AG  
to  
PD-MH

**LEGAL DESCRIPTION:**  
A0433BC W M HEAD, 4-1, 4-2,  
EMERALD OAKS MHP  
ACRES 6.422

**PROPERTY OWNER:**  
REISSDONNA, KAMBIZ & FARSHAD

**ADDRESS/LOCATION:**  
2061 CIRCLE OAK LP

**Legend**

- City Parcels
- City Limits
- Z-22\_19

**Current\_Zoning**

- Agricultural
- Commercial-1
- Light Industrial
- Multi Family
- Office-1
- Specific Use Permit



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# Zoning Case # Z-22-19 Aerial



## ZONING CHANGE:

AG  
to  
PD-MH

## LEGAL DESCRIPTION:

A0433BC W M HEAD, 4-1, 4-2,  
EMERALD OAKS MHP  
ACRES 6.422

## PROPERTY OWNER:

REISSDONNA, KAMBIZ & FARSHAD

## ADDRESS/LOCATION:

2061 CIRCLE OAK LP



## LEGEND

Z\_22\_19

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Map Date: 7/6/2022



CITY OF  
BELTON  
Planning Department

2061 CIRCLE OAK LP

Man Date: 7/6/2022

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 Baton Rouge regarding specific accuracy or completeness.



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: KAMBIZ & FARSHAD REISSDONNA,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 2061 CIRCLE OAK LOOP,  
FROM A(N) AGRICULTURAL ZONING DISTRICT,  
TO A(N) MOBILE HOME PARK ZONING DISTRICT,  
TO BRING EXISTING MOBILE HOME PARK INTO COMPLIANCE WITH ZONING STANDARDS.

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, June 21, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, June 28, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON MAY 17, 2022.

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

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circle one

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: KAMBIZ & FARSHAD REISSDONNA,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 2061 CIRCLE OAK LOOP,  
FROM A(N) AGRICULTURAL ZONING DISTRICT,  
TO A(N) PLANNED DEVELOPMENT - MOBILE HOME PARK ZONING DISTRICT,  
TO BRING EXISTING MOBILE HOME PARK INTO COMPLIANCE WITH ZONING STANDARDS AND SET MAXIMUM DENSITY  
TO 44 UNITS.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING  
PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, July 19, 2022**, AT THE T.B. HARRIS CENTER, 401 N.  
ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR  
A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, July 26, 2022**, AT  
THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN  
REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND  
RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON  
JULY 19, 2022.

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

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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**

53336

HUTTON, ANNA

1706 TEX ANN LN

BELTON, TX 76513-7476

414105

RABROKER, DENNIS G

1461 GEORGE WILSON RD

BELTON, TX 76513

210949

HUTTON, HARMON V II

1659 TEX ANN LN

BELTON, TX 76513-7475

56171

REISSDONNA, KAMBIZ & FARSHAD

9709 VISTA VIEW DR

AUSTIN, TX 78750-3337

136139

MAHLER, MARK & JULIA

1011 N MAIN ST

BELTON, TX 76513-2570

# Staff Report – Planning and Zoning Agenda Item



**Date:** July 19, 2022  
**No.:** Z-22-24  
**Request:** SF-2 to UC-1  
**Applicant/Owner:** Gregory Pekar

## **Agenda Item #5**

Z-22-24 Hold a public hearing and consider a zoning change from Single Family-2 (SF-2) Zoning District to University Campus – 1 (UC-1) Zoning District on approximately 0.1319 acres located at 113 E. 9th Avenue, east of N. Main Street and west of North East Street.

### **Originating Department**

Planning Department – Tina Moore, Planner

**Current Zoning:** Single Family – 2 Residential

**Proposed Zoning:** University Campus -1 (UC-1) District

**Existing Uses:** Single Family Detached Home

**Proposed Uses:** Personal Service Shop – Spa (massage, facial, waxing and body treatment – cupping and hot stones)

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

The FLUM identifies this general area for residential use. This property is adjacent to an existing commercial use.

### **Design Standards Type Area 6:**

The projected growth for this area is primarily mixed use, residential area with redevelopment to occur in a manner that considers surrounding uses.

### **Background/Case Summary**

The applicant submitted this zoning change to allow for a Personal Service Business at this property. The Spa at Lunaria expanded their business into this property from the property next door at 815 N. Main without a obtaining a Certificate of Occupancy. The recent submittal of the Certificate of Occupancy application resulted in this zoning change request to achieve compliance. The proposed zoning district will allow the current use, and would also allow the applicant the option to use the property as residential use.

## **Project Analysis and Discussion**

**Existing Conditions:** The surrounding zoning includes University Campus- 1 west of the of the subject property, Single Family – 2 north and east and Planned Development – Two Family south of the site.

**Allowable Land Uses:** The proposed use would allow all uses permitted in the UC-1 zoning district including the proposed use for a personal service shop. Other uses include boarding house, bed & breakfast, bookstore, and professional services.

**Area & Setback Requirements:** The subject lot meets the minimum area requirement for the UC-1 District, which requires a minimum lot size of 5,000 sq. ft.

On-site parking is required to accommodate this proposed use. The existing historic home is approximately 1,232 sq. ft. which requires four parking spaces – one space for every 300 sq. ft. of gross floor area. The applicant plans to pave two additional spaces to meet the parking requirements.

## **Recommendation**

Recommend approval of the requested zoning change from Single Family – 2 District to University Campus – 1 District.

## **Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial
5. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list





# ZONING CHANGE APPLICATION

Fee: \$250.00

Date received:	
APPLICANT NAME: Gregory Pekar	
EMAIL: pekarfamily79@gmail.com	PHONE NUMBER: 5125679505
MAILING ADDRESS: 8611 Bell Meadows Blvd. Belton, Texas 76513	
PROPERTY OWNER NAME: Gregory Pekar	
EMAIL: same	PHONE NUMBER: same
MAILING ADDRESS: same	

Proposed Use of Structures (building) and Property (exterior property): A walk-in spa catering principally to university students and staff.
Current Use: Being used as a rent house.
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 113 E. 9th Ave, Belton, Texas 76513
Legal Description of Property: Abstract Survey <u>Belton Original</u> Lot(s): <u>PT 6</u> Block(s): <u>61a</u> of Subdivision _____
Existing Zoning: <u>R-2</u> Proposed Zoning: <u>UC-1</u>

Signature of Applicant: [Signature] Date: 31 MAY 2022

Signature of Owner (if not applicant): \_\_\_\_\_ Date: \_\_\_\_\_

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







# Site Plan



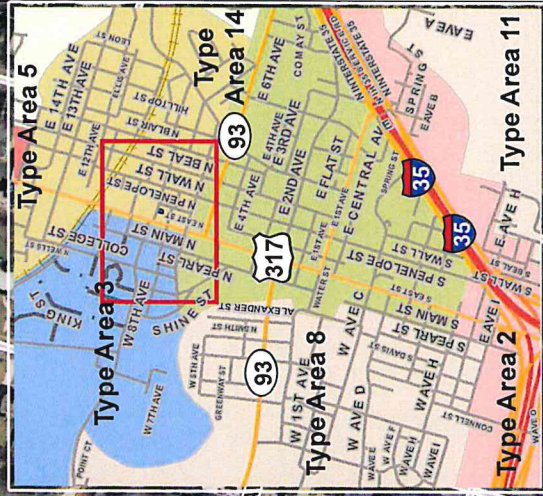
It is 18.3 feet from the edge of the house to the west property line, this is sufficient for two parking places side by side. It is 16.1 feet from the house to the east property line and 73 feet from the front of the house to the back property line. This is sufficient for two staff parking places head-to-toe.

Re-zoned property would house a spa which principally serves the students and staff at UMHB. No new construction is proposed. Future owners could convert the house to off-campus student housing. The house is not in the floodplain





# Zoning Case # Z-22-24 Location



**ZONING CHANGE:**  
SF-2  
to  
UC-1

**LEGAL DESCRIPTION:**  
BELTON ORIGINAL BLOCK 61A,  
LOT PT 6, (W 67' X 85' OF NE PT OF 6)

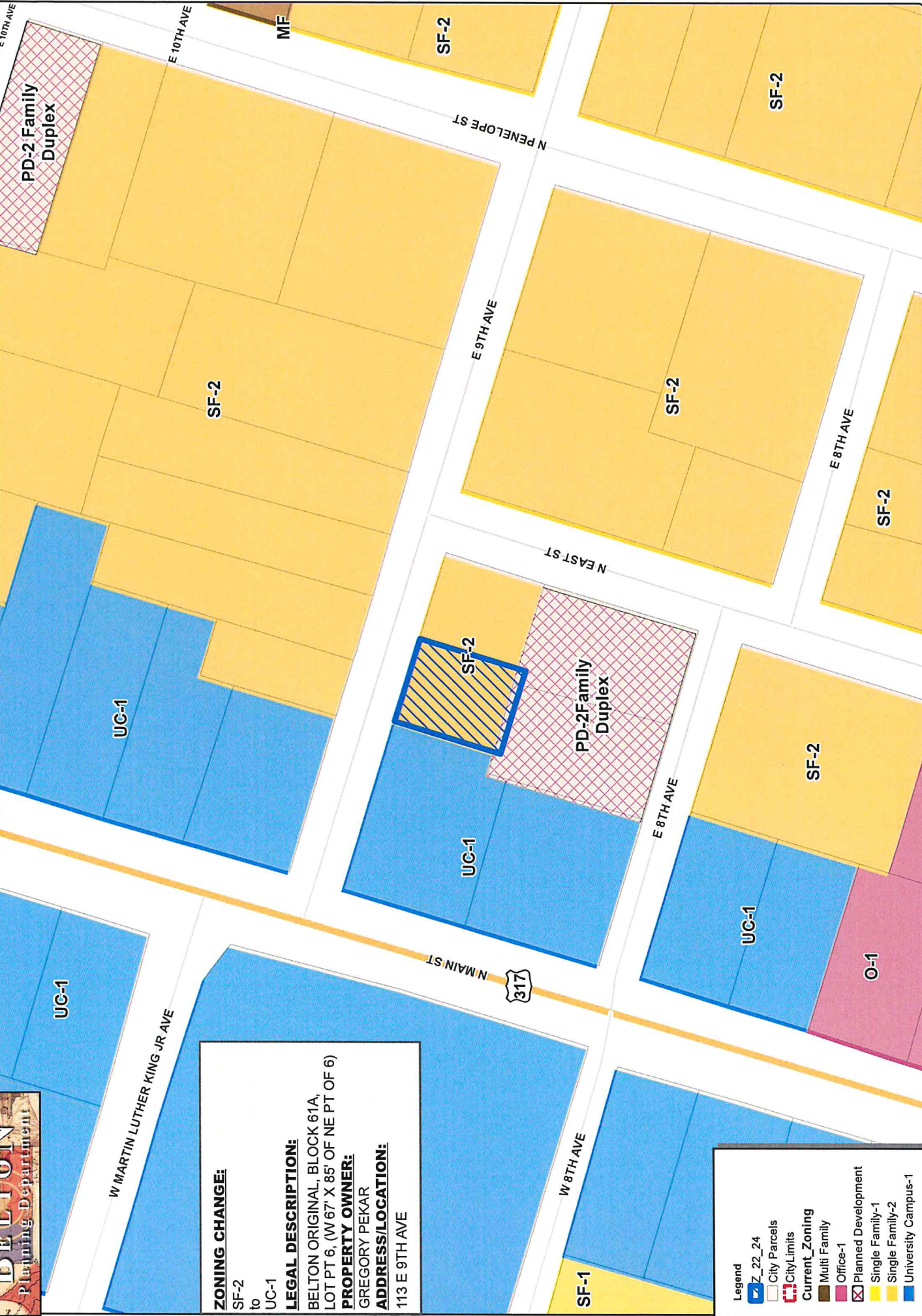
**PROPERTY OWNER:**  
GREGORY PEKAR

**ADDRESS/LOCATION:**  
113 E 9TH AVE

**LEGEND**  
Z-22-24



# Zoning Case # Z-22-24 Zoning



**ZONING CHANGE:**  
SF-2  
to  
UC-1

**LEGAL DESCRIPTION:**  
BELTON ORIGINAL, BLOCK 61A,  
LOT PT 6, (W 67' X 85' OF NE PT OF 6)

**PROPERTY OWNER:**  
GREGORY PEKAR

**ADDRESS/LOCATION:**  
113 E 9TH AVE

**Legend**

- Z\_22\_24
- City Parcels
- City Limits
- Current\_Zoning
- Multi Family
- Office-1
- Planned Development
- Single Family-1
- Single Family-2
- University Campus-1

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 features. No warranty is made by the City of Belton regarding specific accuracy or completeness.





# Zoning Case # Z-22-24 Aerial

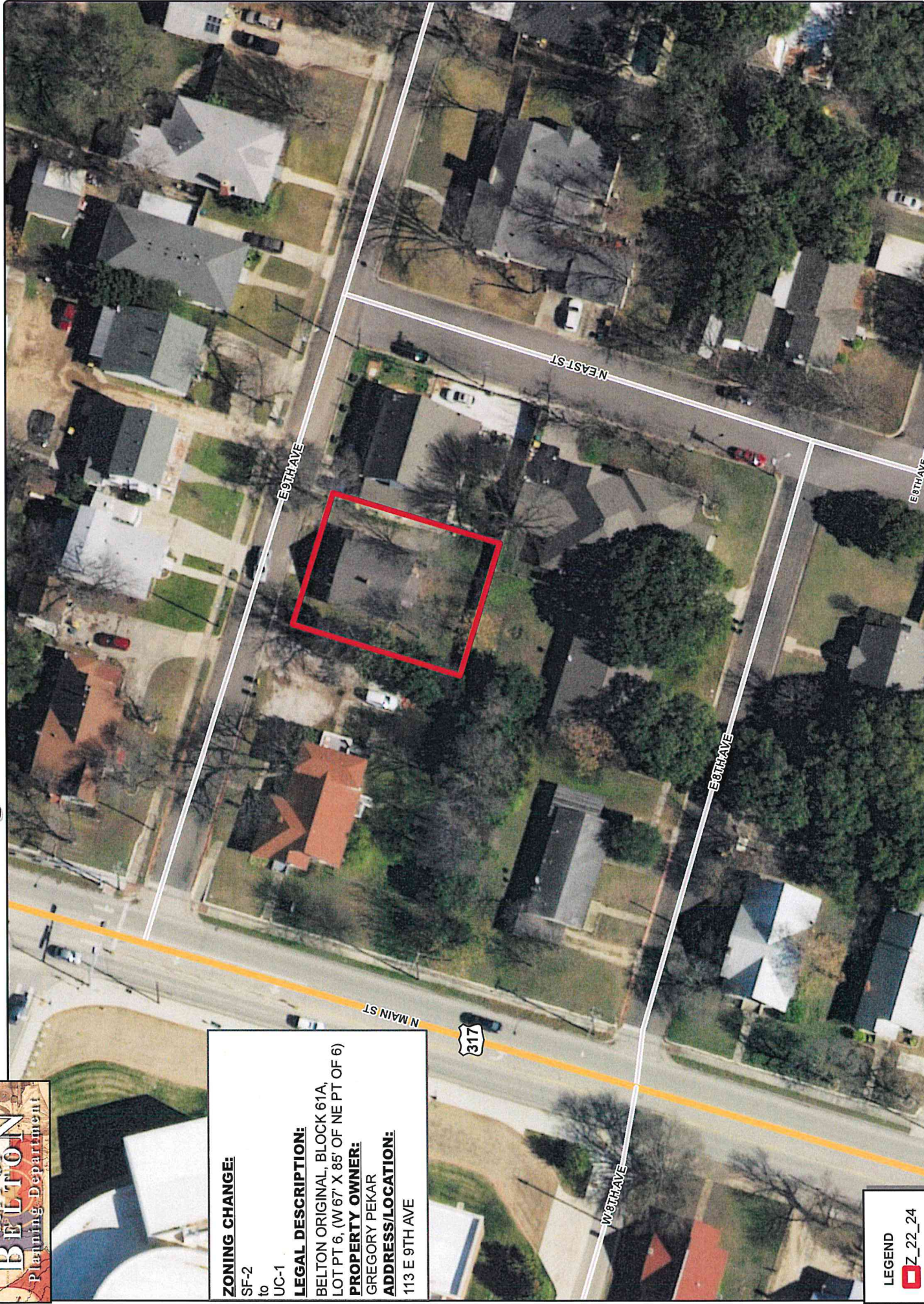


**ZONING CHANGE:**  
SF-2  
to  
UC-1

**LEGAL DESCRIPTION:**  
BELTON ORIGINAL, BLOCK 61A,  
LOT PT 6, (W 67' X 85' OF NE PT OF 6)

**PROPERTY OWNER:**  
GREGORY PEKAR

**ADDRESS/LOCATION:**  
113 E 9TH AVE



**LEGEND**  
 Z-22-24

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# Zoning Case # Z-22-24

**ZONING CHANGE:**  
SF-2  
to  
UC-1

**LEGAL DESCRIPTION:**  
BELTON ORIGINAL, BLOCK 61A,  
LOT PT 6, (W 67' X 85' OF NE PT OF 6)

**PROPERTY OWNER:**  
GREGORY PEKAR

**ADDRESS/LOCATION:**  
113 E 9TH AVE

**Legend**

- ☒ Z\_22\_24
- ☐ 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: GREGORY PEKAR,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 113 E. 9<sup>TH</sup> AVENUE,  
FROM A(N) SINGLE FAMILY - 2 ZONING DISTRICT,  
TO A(N) UNIVERSITY CAMPUS - 1 ZONING DISTRICT,  
TO ALLOW FOR A PERSONAL SERVICE BUSINESS (SPA) AT THIS LOCATION \_\_\_\_\_.

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, July 19, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, July 26, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON JULY 19, 2022.

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

---

circle one

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

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

4980	18470	20099
CATHOLIC DIOCESE OF AUSTIN	CASTILLO HERNANDEZ, CHRISTINA L	C & D MEDICAL AESTHETICS PLLC
6225 HWY 290 E	901 N MAIN ST	6906 CRYSTAL VALLEY DR
AUSTIN, TX 78723	BELTON, TX 0	TEMPLE, TX 76502
26202	46703	65314
JIMENEZ, JUAN A	PAXTON HOMES LLC	LITTLE, BYRON J JR ETUX LINDA
124 E 9TH AVE	6309 FLAG STONE DR	742 RAVEN ROAD
BELTON, TX 0	KILLEEN, TX 76542	MONTICELLO, GA 31064
66292	76167	91549
FISCHER, NICOLE ETVIR ADAM	BELL COUNTY REAL ESTATE SERIES	PENELOPE INVESTMENTS LLC
113 E 8TH AVE	480 PRIVATE ROAD 4037	500 N LOOP 121
BELTON, TX 76513	LAMPASAS, TX 76550	BELTON, TX 76513
97514	97771	105513
REEVES, J BRYANT	STELLAR EXECUTIVE GROUP INC	PEKAR, GREGORY F ETUX NANCY J
804 N PENELOPE ST	PO BOX 292	8611 BELL MEADOW BLVD
BELTON, TX 0	BELTON, TX 0	BELTON, TX 0
105514	106457	107927
MARTIN, JENNIFER LYNN ETVIR JOHN DUBOSE	SIMMONS, DAVID E ETUX SHERYL G	DFW LAND HOLDINGS LLC
123 E 9TH AVE	200 E 9TH AVE	708 BLAYLOCK DR
BELTON, TX 0	BELTON, TX 0	DALLAS, TX 75203
113229	115481	117247
KATRAN PROPERTIES LLC	HOLT, HERBERT D ETUX SHIRLEY A	HOLT, HERBERT D ETUX SHIRLEY A
3202 SPRING CANYON RD	402 CHEYENNE DR	402 CHEYENNE DR
BELTON, TX 76513	TEMPLE, TX 0	TEMPLE, TX 0
396989	396990	468478
PELACHE, ROBERT JR & JESSICA	T & R REAL ESTATE MANAGEMENT LLC	UNIVERSITY OF MARY HARDIN BAYLOR
106 E 8TH AVE	1331 INDIAN PASS	900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513	SALADO, TX 76571	BELTON, TX 76513

# Staff Report – Planning and Zoning Agenda Item



Date: July 19, 2022

No.: Z-22-25

Request: A to O-1

Applicant/Owner: Marlo Longoria Magana

## Agenda Item #6

Z-22-225 - Hold a public hearing and consider a zoning change from Agricultural District to Office – 1 District for approximately 0.83 acres located at 1025 W. Loop 121, located west of Southwest Parkway and east of Huey Street.

## Originating Department

Planning Department – Tina Moore, Planner

**Current Zoning:** Agricultural (A) District

**Proposed Zoning:** Office-1 District

**Existing Uses:** Single Family Detached Use

**Proposed Uses:** Real Estate Office

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

The FLUM identifies this general area for commercial use with a commercial corridor overlay.

## **Design Standards Type Area 9:**

The projected growth for this area is primarily mixed use, residential area with redevelopment to occur in a manner that considers surrounding uses.

## **Background/Case Summary**

The applicant is the current owner of the property which is under contract for sale. The purchaser intends to operate a real estate business from this location and requested that the zoning be changed to allow for the proposed use. The proposed zoning district will allow for the proposed use as a professional office.

## **Project Analysis and Discussion**

### **Existing Conditions:**

<b>Direction</b>	<b>Zoning</b>	<b>Use</b>
North and East	PD- O-2 (Church, Offices, School, and employee quarters	Vacant
North and West	PD-CH	Bell County Justice Complex
South	Agricultural	BISD School Site

**Allowable Land Uses:** The proposed zoning would permit a professional office use and other uses in the O-1 Zoning District.

**Area & Setback Requirements:** The subject lot meets the minimum area requirement for the O-1 District, which requires a minimum lot size of 7,000 sq. ft. This property is approximately 36,000 sq. ft.

On-site parking is required to accommodate this proposed change of use. According to the Bell County Tax Appraisal District, the existing home is approximately 1,969 sq. ft. which requires seven parking spaces – one space for every 300 sq. ft. of gross floor area. The applicant will notify the future owner of this requirement. Prior to receiving the Certificate of Occupancy, the building will need to meet all relevant site and building requirements.

### **Recommendation**

Recommend approval of the requested zoning change from Agricultural to Office – 1 Zoning District.

### **Attachments:**

1. Zoning application
2. Property Location Map
3. Zoning map
4. Aerial
5. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

# ZONING CHANGE APPLICATION

Fee: \$250.00



Date received: 6/7/2022	
APPLICANT NAME: Marlo Longoria Magana	
EMAIL: marlomagana@yahoo.com	PHONE NUMBER: 254-493-0709
MAILING ADDRESS: 501 Red River Rd Belton TX 76513	
PROPERTY OWNER NAME: ↑	
EMAIL:	PHONE NUMBER:
MAILING ADDRESS:	

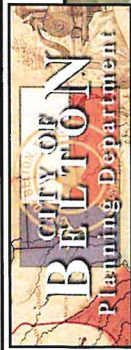
Proposed Use of Structures (building) and Property (exterior property): Commercial, Home town Group - Real Estate
Current Use: Residential house
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 1025 W. Loop 121 Belton TX 76513
Legal Description of Property: Abstract Survey A0906BC JB Wallace, 15, Acres .83
Lot(s): _____ Block(s): _____ of Subdivision _____
Existing Zoning: Agriculture Proposed Zoning: Commercial

Signature of Applicant: Marlo H. Magana Date: 6-7-22

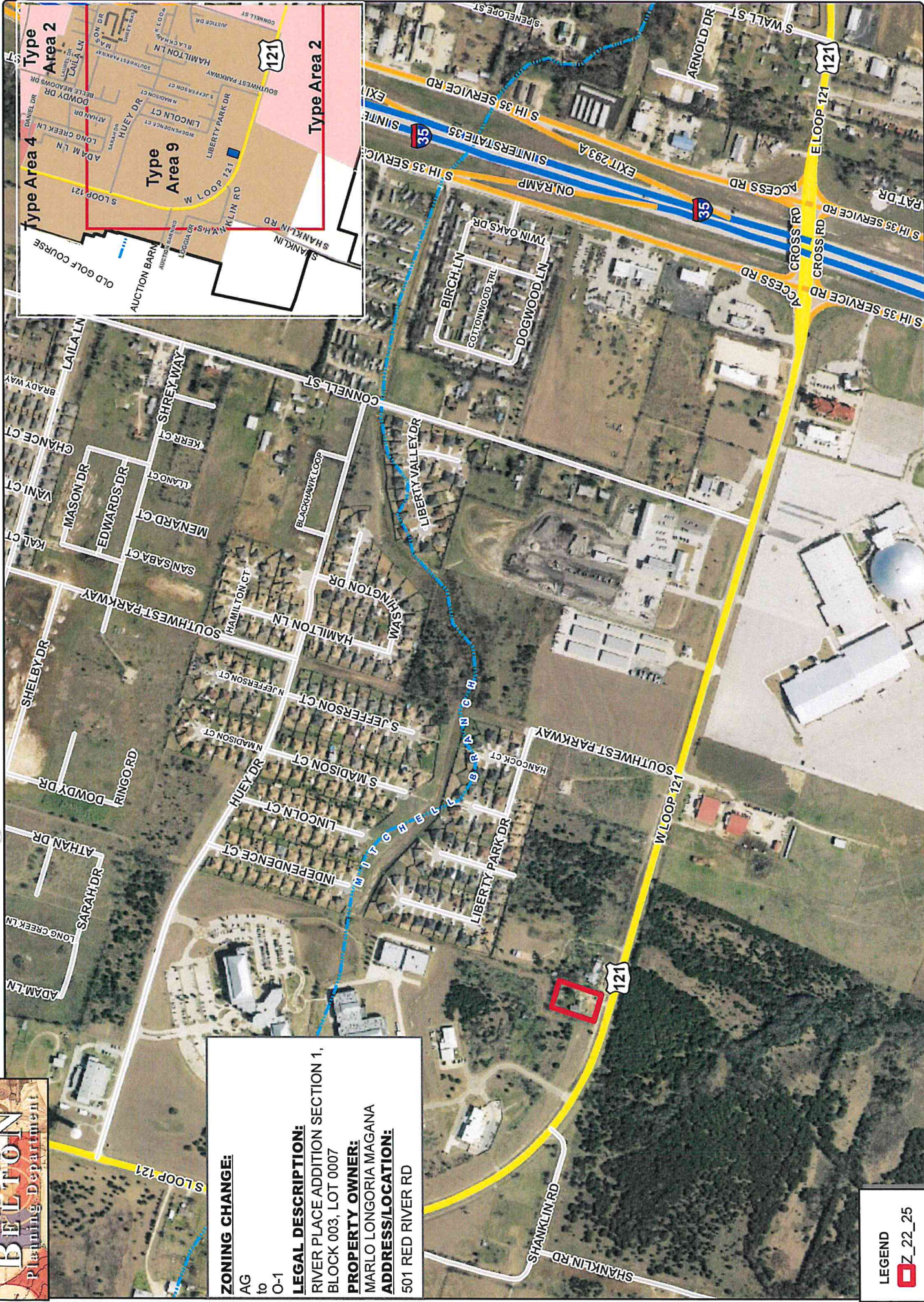
Signature of Owner (if not applicant): \_\_\_\_\_ Date: \_\_\_\_\_

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





# Zoning Case # Z-22-25 Location



**ZONING CHANGE:**  
AG  
to  
O-1

**LEGAL DESCRIPTION:**  
RIVER PLACE ADDITION SECTION 1,  
BLOCK 003, LOT 0007

**PROPERTY OWNER:**  
MARLO LONGORIA MAGANA

**ADDRESS/LOCATION:**  
501 RED RIVER RD

LEGEND  
Z-22-25

Maps and data are for informational purposes and may not have been prepared for or by a professional engineer or surveyor. They do not represent or warrant the accuracy or completeness of the information. No warranty is made by the City of Belton regarding specific accuracy or completeness.



Map Date: 7/16/2022





Use w/SUP  
Bail Bonds

# Zoning Case # Z-22-25 Zoning

**ZONING CHANGE:**  
AG  
to  
O-1

**LEGAL DESCRIPTION:**  
RIVER PLACE ADDITION SECTION 1,  
BLOCK 003, LOT 0007

**PROPERTY OWNER:**  
MARLO LONGORIA MAGANA

**ADDRESS/LOCATION:**  
501 RED RIVER RD



**Legend**

- City Parcels
- City Limits
- City Z-22\_25
- Current Zoning
- Agricultural
- Office-1
- Planned Development
- Retail
- Single Family-2

**PD-O2 Church, Offices, School & Employee Quarters**

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# Zoning Case # Z-22-25 Aerial



**ZONING CHANGE:**  
AG  
to  
O-1

**LEGAL DESCRIPTION:**  
RIVER PLACE ADDITION SECTION 1,  
BLOCK 003, LOT 0007

**PROPERTY OWNER:**  
MARLO LONGORIA MAGANA

**ADDRESS/LOCATION:**  
501 RED RIVER RD



**LEGEND**  
Z-22-25



Maps and data are for informational purposes and may not have been prepared for use as a basis for engineering or surveying purposes. They do not represent or constitute a professional engineering or surveying opinion. The City of Belton makes no warranty, express or implied, regarding the accuracy or completeness of the information provided. No warranty is made by the City of Belton regarding specific accuracy or completeness.



# Zoning Case # Z-22-25



**ZONING CHANGE:**  
AG  
to  
O-1

**LEGAL DESCRIPTION:**  
RIVER PLACE ADDITION SECTION 1,  
BLOCK 003, LOT 0007

**PROPERTY OWNER:**  
MARLO LONGORIA MAGANA

**ADDRESS/LOCATION:**  
501 RED RIVER RD

**Legend**

- ☒ Z\_22\_25
- ☐ 200' Property Owner Notification Area
- ☐ Tax Appraisal Parcels

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, and no liability is assumed for consequences.





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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: MARLO LONGORIA MAGANA,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1025 W. LOOP 121,  
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,  
TO A(N) OFFICE -1 (O-1) ZONING DISTRICT,  
TO ALLOW FOR A REAL ESTATE OFFICE AT THIS LOCATION.

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, July 19, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, July 26, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON JULY 19, 2022.

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

---

circle one

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

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

24142

MAGANA, MARLO LONGORIA

501 RED RIVER RD

BELTON, TX 76513

352861

FREEDOM ROAD BIKER CHURCH

PO BOX 1835

BELTON, TX 76513

128045

WIENER, JOANN DOLORES & FRED BARRY

975 W LOOP 121

BELTON, TX 76513-3395

394172

BELL COUNTY

PO BOX 768

BELTON, TX 0

130348

BELTON IND SCHOOL DISTRICT

PO BOX 269

BELTON, TX 0



# Staff Report – Planning & Zoning Item



Date: July 19, 2022  
Case No.: Z-22-26  
Request: A – SF-3  
Applicant/Owners: 1000 E. Ave H, LLC & Patrick Mahn

## Agenda Item #7

Z-22-26 Hold a public hearing and consider a zoning change from Agricultural (A) to Single Family-3 (SF-3) Residential District on approximately 4.568 acres located at 902 E. Avenue H, generally east of Interstate 35 on the northside of East Avenue H.

**Originating Department:** Planning Department – Tina Moore - Planner

**Current Zoning:** Agricultural (A)

**Proposed Zoning:** Single Family Residential - 3

**Existing Uses:** Primarily Vacant, One Single Family Home, 4.568 acres

**Proposed Use(s):** Single Family Detached Residential Homes

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

The Future Land Use Map (FLUM) identifies this area as projected for residential (SF-1, 2, 3) development. The requested zoning appears to be compatible with the projected growth for this area and appropriate at this location.

## **Design Standards Type Area 11:**

The desired growth in this area is primarily single family residential with opportunity for retail and commercial areas along Holland Road.

## **Background/Case Summary**

The applicant is proposing a zoning change to allow for a single-family detached residential subdivision. A subdivision plat will be presented to the commission at a future date.

## **Project Analysis and Discussion**

### **Existing Conditions:**

<b>Direction</b>	<b>Zoning</b>	<b>Use</b>
North	Commercial (CH w/ SUP) Agricultural	Crossroad Church and vacant property
South and East	SF-3	Griggs Property
West	SF-2	Single Family Detached Homes

**Land Use Table/Allowable Uses:** The requested SF-3 Zoning District would permit the proposed development objective.

### **Area & Setback Requirements:**

	<b>SF-3</b>
Minimum Lot area	5,000
Lot width	50'
Lot Depth	90'
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	5'/15'- adjacent to a street
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	45%

A plat is required to ensure compliance with the minimum area requirements and setbacks.

### **Recommendation**

Recommend approval of the requested zoning change from Agricultural to a Single Family-3 Zoning District.

### **Attachments:**

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





# ZONING CHANGE APPLICATION

Fee: \$250.00

Date received:	
APPLICANT NAME: 1000 E. AVE H, LLC	
EMAIL: mike@b32mco.com	PHONE NUMBER: 512-801-0257
MAILING ADDRESS: 17500 Reed Parks Rd. Ste 100. Jonestown, TX 78645	
PROPERTY OWNER NAME: Patrick H. Mahn	
EMAIL: patrickmahn1@yahoo.com	PHONE NUMBER: 254-774-1832
MAILING ADDRESS: 1502 E. French Ave. Temple TX 76501	

Proposed Use of Structures (building) and Property (exterior property): SF-3
Current Use: Vacant
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 902 E. AVE H. Belton
Legal Description of Property: Abstract Survey <u>see attached</u>
Lot(s): _____ Block(s): _____ of Subdivision <u>see attached</u>
Existing Zoning: <u>AG</u> Proposed Zoning: <u>SF-3</u>

Signature of Applicant: *Mike* Date: 22-06-22

Signature of Owner (if not applicant): *Patrick H. Mahn* Date: 6-22-22

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

## LEGAL DESCRIPTION

1.33 acres, A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (W PT OF BLK 33 & PT AVE F, 117' X 400' X 25' X 25' X 240' X 207' X 277' & SW TRI 40' X 110' X 54'),

.99 acres, A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (MIDDLE 157' X 277.4' OF BLK),

1.32 acres A0006BC M F Connell, (LEE, BLOCK 033, LOT PT BLK, (E PT OF BLK 33 & PT AVE F, 80' X 284' X 157' X 207' X 149' X 345' X 110'),

.928 acres A0006BC M F Connell, ('A0006BC M F CONNELL')



# Zoning Case # Z-22-26 Location



## ZONING CHANGE:

AG  
to  
SF3

## LEGAL DESCRIPTION:

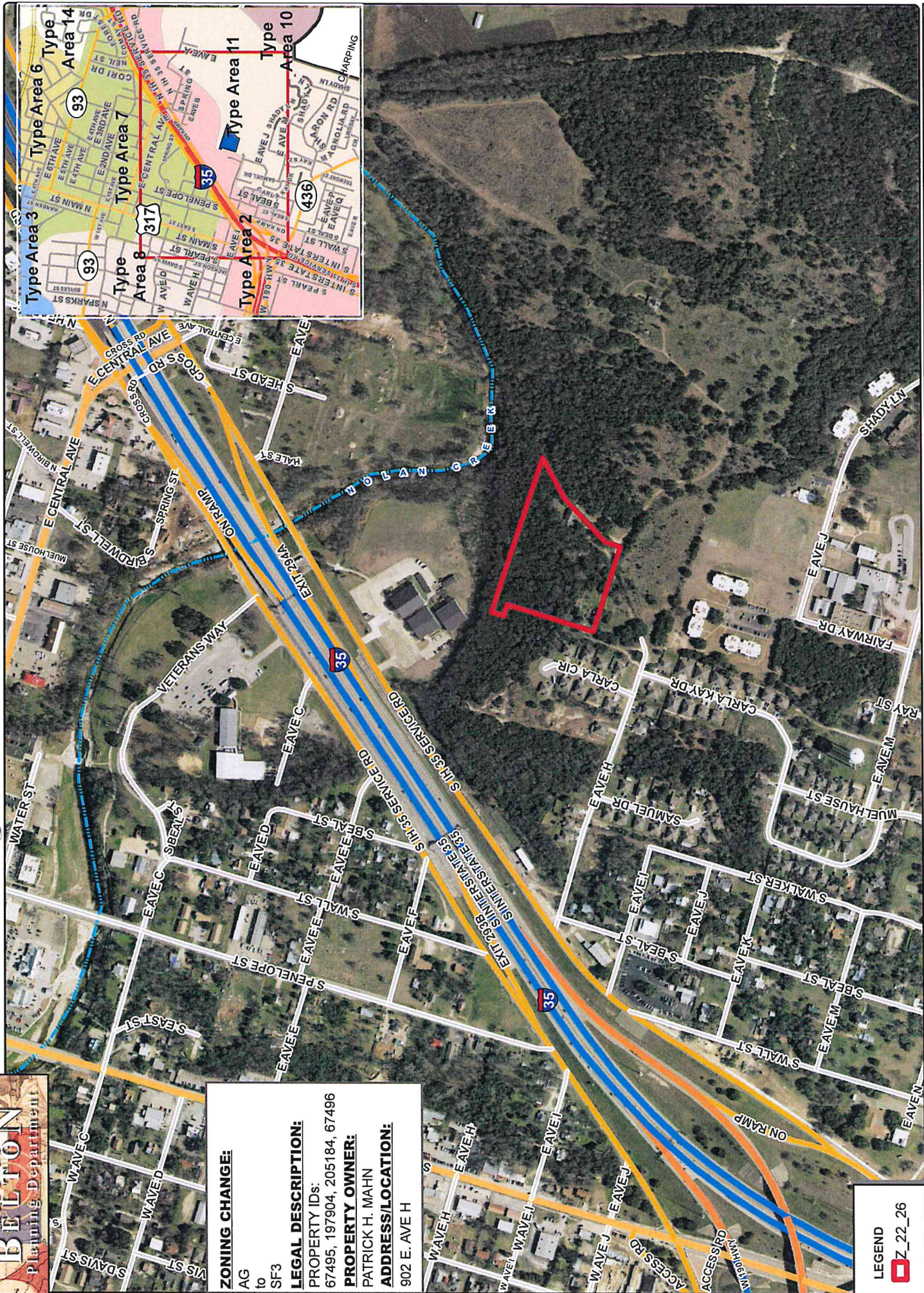
PROPERTY IDS:  
67495, 197904, 205184, 67496

## PROPERTY OWNER:

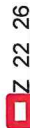
PATRICK H. MAHN

## ADDRESS/LOCATION:

902 E. AVE H



## LEGEND



Z-22-26



0 200 400 800 Feet

Map Date: 7/7/2022

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CITY OF  
BELTON  
Planning Department

**SUP- Rodeo Grounds**

Path: E:\City of Belton Projects\Folders\Maps and Data\Zoning Cases\2022\Zoning Change Cases\Z-22-26\Z-22-26 Zoning.mxd

AG  
to  
SF3

PROPERTY IDS:

**PROPERTY OWNER:**

**ADDRESS/LOCATION**

100

**SUP -  
Used Car  
Sales**

### Legend

Z 22 26

City Parcel

CityLimits

Current\_Zoning

Agricultural

Commercial Highway

## Conservation Revitalization Overlay

Multi Family

☒ Planned Development

Redevelopment

Single Family-2

### Single Family-3

Specific Use

Two Family

## Two Family

1

Map Date: 7/7/2022

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# Zoning Case # Z-22-26 Aerial



**ZONING CHANGE:**

AG  
to SF3

**LEGAL DESCRIPTION:**

PROPERTY IDS:  
67495, 197904, 205184, 67496

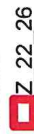
**PROPERTY OWNER:**

PATRICK H. MAHN

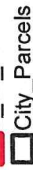
**ADDRESS/LOCATION:**

902 E. AVE H

**LEGEND**



Z\_22\_26



City\_Parcels

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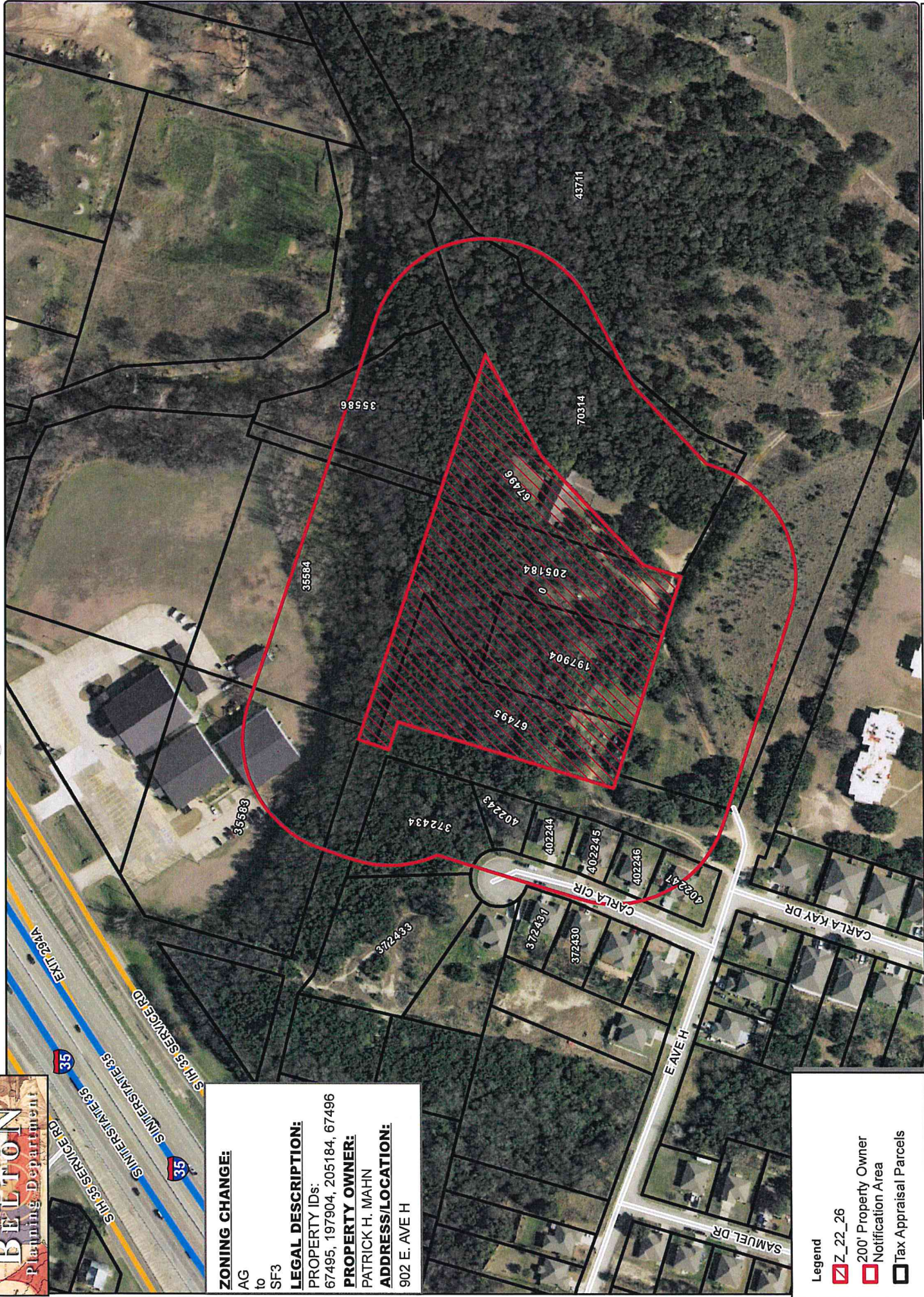


Map Date: 7/7/2022





# Zoning Case # Z-22-26



**ZONING CHANGE:**

AG  
to  
SF3

**LEGAL DESCRIPTION:**

PROPERTY IDS:  
67495, 197904, 205184, 67496

**PROPERTY OWNER:**

PATRICK H. MAHN

**ADDRESS/LOCATION:**

902 E. AVE H

**Legend**

- ☒ Z\_22\_26
- ☐ 200' Property Owner
- ☐ Notification Area
- ☐ Tax Appraisal Parcels

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Map Date: 7/17/2022



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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: 1000 E. AVENUE H, LLC,  
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 902 E. AVENUE H  
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,  
TO A(N) SINGLE FAMILY -3 RESIDENTIAL (SF-3) ZONING DISTRICT,  
TO ALLOW FOR DETACHED SINGLE FAMILY HOMES

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, July 19, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, July 26, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO [PLANNING@BELTONTXAS.GOV](mailto:PLANNING@BELTONTXAS.GOV), PRIOR TO 1:00 P.M. ON JULY 19, 2022.

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

---

circle one

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

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

43711 GRIGGS, VICTOR C 2214 WESTLAKE DR AUSTIN, TX 78746	70314 GOODALL-PICKENS, MICHELE 1805 PARK ST HUNTINGTON BEACH, CA 92648	67496 MAHN, PATRICK H & LINDA S 1502 E FRENCH AVE TEMPLE, TX 76504
35586 FIRST ASSEMBLY OF GOD CHURCH 706 E 4TH AVE BELTON, TX 76513	35584 FIRST ASSEMBLY OF GOD CHURCH 706 E 4TH AVE BELTON, TX 76513	197904 MAHN, PATRICK H ETUX LINDA S 1502 E FRENCH AVE TEMPLE, TX 76513
402243 LYNCH, OSCAR REYNOLD 1321 UPLAND DR UNIT 2538 HOUSTON, TX 77043	67495 MAHN, PATRICK H ETUX LINDA S 1502 E FRENCH AVE TEMPLE, TX 76504	
372434 MY GOOD SAMARITAN 108 E AVENUE E COPPERAS COVE, TX 76522	402244 MONTANEZ, JOSE L JR ETUX CLAUDIA D 705 CARLA CIR BELTON, TX 0	
402245 REYNOLDS, STEVEN W ETUX SUSAN A 707 CARLA CIR BELTON, TX 0	35583 FIRST ASSEMBLY OF GOD CHURCH 706 E 4TH AVE BELTON, TX 0	372431 DECKER, JASON L 1620 ROCK DOVE EL PASO, TX 0
205184 MAHN, PATRICK H & LINDA S 1502 E FRENCH AVE TEMPLE, TX 76504	402246 LHCS LLC 1506 PASEO DEL PLATA STE 200 TEMPLE, TX 0	372430 BIDDY, OWEN P 706 CARLA CIRCLE BELTON, TX 76513
402247 WEIGE, LACY LATRIECE LEONARD ETVIR TRAVIS 711 CARLA CIR BELTON, TX 76513	372433 MY GOOD SAMARITAN 108 E AVENUE E COPPERAS COVE, TX 76522	



# Staff Report – Planning & Zoning Item



**Date:** July 19, 2022  
**Case No.:** P-22-17 – Skyview  
Belton Addition  
**Request:** Final Plat  
**Applicant:** Republic Engineering &  
Development Services  
**Owner/Developer:** ARIT Investments

## **Agenda Item #8**

P-22-17 Consider a final plat for Skyview Addition, comprising 53.04 acres located on the southwest corner of Interstate 14 and West Loop 121.

## **Originating Department**

Planning – Tina Moore - Planner

**Current Zoning:** Commercial - 2, Commercial – 1, Retail, and Single Family – 3 (SF-3)

## **Case Summary**

This subdivision consists of 53.04 acres and proposes 196 single family detached residential lots, three commercial lots, two tracts for drainage, one amenity/park site, and three ROW tracts on Old Golf Course Road. The drainage tracts and amenity center will be owned and maintained by HOA.

## **Project Analysis and Discussion**

This development has both commercial and residential zoned lots. The proposed lots meet the minimum requirements to satisfy their respective zoning districts. The residential lots are typically 50' wide and 115 deep with a front setback of 25', rear setback of 20', interior side setback of 5' and a corner lot setback of 15'. The commercial lots will be further reviewed to ensure that applicable code requirements are met during site and building plan review.

**Water:** An 8" water line is proposed to service this subdivision. This size water line satisfies minimum requirements for fire protection. The water lines will extend through the subdivision from Loop 121 westward to Old Golf Course Road to allow future connections when properties to the west of this subdivision develop.

**Sewer:** A 6" sewer line is proposed to service this subdivision.



**Access:** Per Subdivision Ordinance Section 502.01.K., three entrances are required for subdivisions with 101 plus lots. The subdivision shows four points of access:

- Access 1: W. Loop 121 at Laila Lane, this is a local roadway with a required minimum of 50' ROW. The ROW will widen to 70' at the intersection of Loop 121 to accommodate turning movements.
- Access 2: Sky View and Loop 121
- Access 3: Intersection of Old Golf Course Road and Blue Sky Drive
- Access 4: Intersection of Old Golf Course Road and Laila Lane.

**Streets and Sidewalk:** West Loop 121 is a major arterial road on the city's Thoroughfare Plan map and requires TxDOT's review and approval. Coordination has been made with TxDOT for the applicant to dedicate right of way and to provide a 1' non access easement where access to Loop 121 is prohibited. City Design Standards require a wood fence with capped topped rail and masonry columns every 50' for fencing along an arterial roadway. The applicant is proposing masonry fencing along Loop 121. The fence will be built by the homebuilder and maintained by the HOA.

Old Golf Course Road is a minor collector on the city's Thoroughfare Plan map. Minor collectors require a minimum ROW width of 60' with a pavement width of 36'. The applicant is dedicating additional ROW (Tract F) to fulfill their obligation for half the required ROW on Old Golf Course Road. The applicant is proposing to construct the full-width of pavement with curb and gutter and 5 foot sidewalks from the southern ROW of Laila Lane north for approximately 810 linear feet to just north of Blue Sky Drive in satisfaction to the perimeter street improvement requirements. A development agreement for cost sharing between the City and applicant is under consideration for constructing Old Golf Course Road from that termination point north to West Ave O. The City Design Standards require a wood fence with a capped top rail along collector roadways. The required fence will be constructed by homebuilders and maintained by the HOA.

Internal streets are all local roads with 50' of ROW and 31' of pavement with curb and gutter.

**Drainage:** Detailed plans and calculations were reviewed with this final plat. Drainage Tracts B and D will be owned and maintained by the HOA.

**Parkland Dedication/Fees:** Per Subdivision Ordinance Section 517, the parkland fee is \$200 per residential unit. A total of 196 residential lots are proposed which would equate to \$39,200. The applicant is proposing a private neighborhood park which would consist of 2.47 acres, with proposed improvements totaling \$150,000. The amenities include a recreational pavilion with covered seating areas, a meal preparation area, restrooms, walking trails, picnic tables, and open seating area. The proposed park will be owned and maintained by the HOA and would, in our opinion, satisfy as an alternate to public park/cash contributions.

**Recommendation:**

Recommend approval of the final plat for Skyview Belton Addition subject to the following:



1. Approval of an alternative Parkland compensation to allow the private improvements, in lieu of Parkland dedication or fees.
2. Completion of all staff comments.

**Attachments**

1. Final Plat Application
2. Location Map
3. Aerial
4. Final Plat



**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 \$ 847.00

Date Received: \_\_\_\_\_ Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)

Applicant: Republic Engineering & Development Services Phone: \_\_\_\_\_  
Mailing Address: PO Box 3123 Harker Heights, TX 76548  
Email Address: tyler@republiceds.com

Owner: ARIT Investments, LLC Phone: \_\_\_\_\_  
Mailing Address: 2121 N Hwy 281, Marbel Falls, TX 78654  
Email Address: wllmdnwy@yahoo.com

Current Description of Property:

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Acres: 53.04 Survey: J. Townsend  
Abstract #: 818 Street Address: 2039 Old Golf Course Road  
Frontage in Feet: 2,860 Depth in Feet: ~1,100

Does Zoning comply with proposed use? Yes Current Zoning: SF-3, C-1, C-2, R

Name of proposed subdivision: SkyView Belton Addition

Number of Lots: 199 Fee: \$ 847

Signature of Applicant: Tyler Freese Date: 04-25-2022  
Signature of Owner: David Beardsley, Mgr Date: 04-26-2022  
Digitally signed by David Beardsley, Mgr  
DN: cn=David Beardsley, Mgr, o=ARIT Investments, LLC, ou=ARIT Investments, LLC, email=dbeardsley@coreadvisory.com, c=US  
Date: 2022.04.26 10:34:07 -05'00'

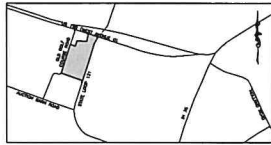
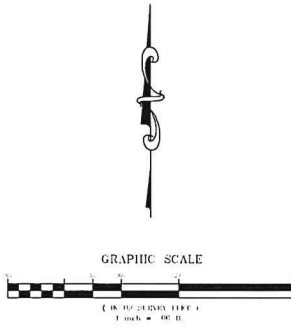
**NOTE: Variances to code requirements may be considered by P&ZC and City Council.**

# SKYVIEW BELTON ADDITION

CITY OF BELTON, BELL COUNTY, TEXAS

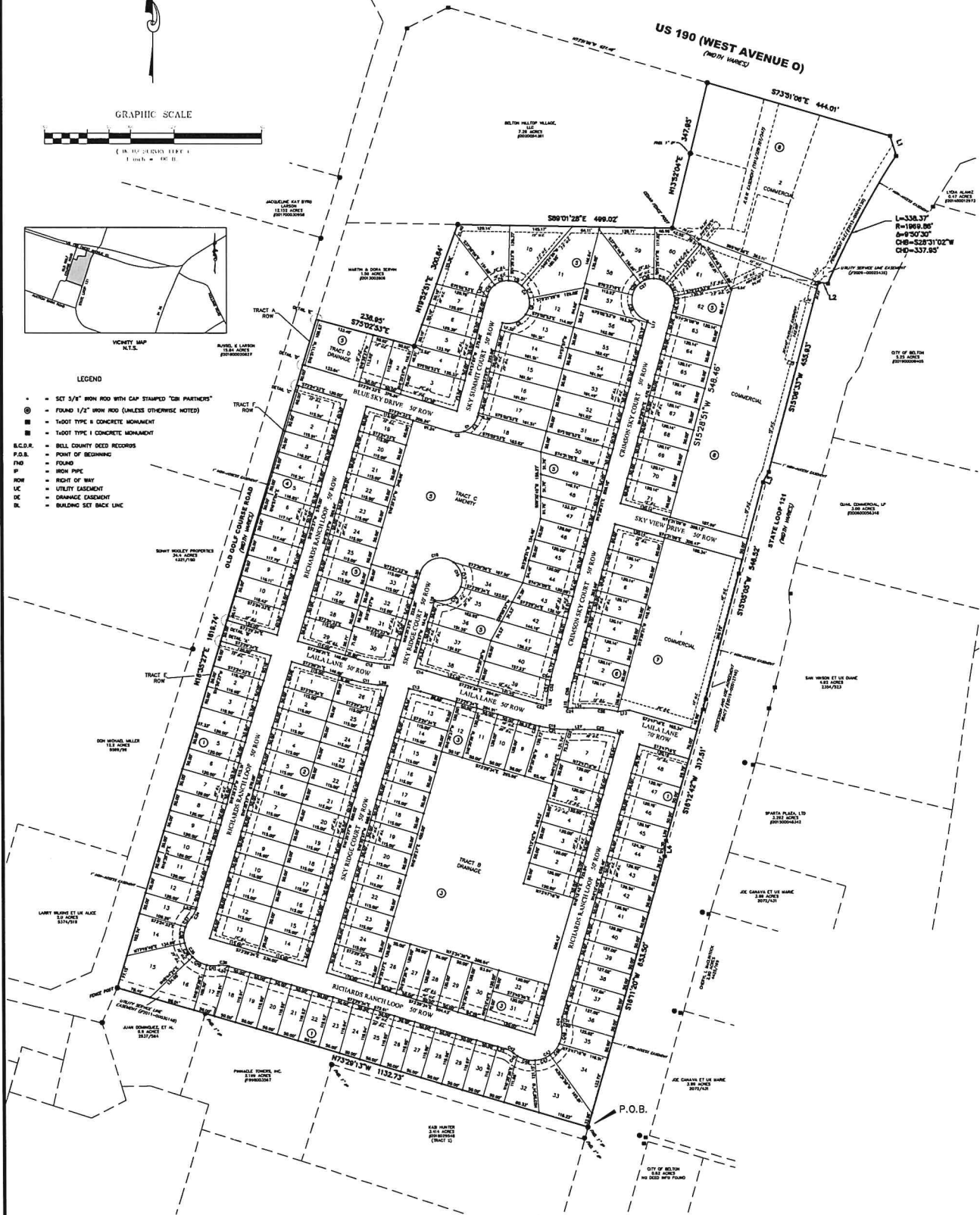
53.04 ACRES

BEING PART OF THE J. TOWNSEND SURVEY, ABSTRACT NO. 818  
BELL COUNTY, TEXAS



## LEGEND

- \* = SET 3/4" IRON ROD WITH CAP STAMPED "GBI PARTNERS"
- ⊙ = FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
- = TIGHT TYPE 1 CONCRETE MONUMENT
- = TIGHT TYPE 1 CONCRETE MONUMENT
- B.C.D.R. = BELL COUNTY DEED RECORDS
- P.O.B. = POINT OF BEGINNING
- FOUN. = FOUND
- R.P.P. = RIGHT OF WAY
- UC = UTILITY EASEMENT
- DC = DRAINAGE EASEMENT
- BL = BUILDING SET BACK LINE



**GBI PARTNERS**

LAND SURVEYING CONSULTANTS  
10011A BILGEMOUNT LITE A - LEANDER, TX 76041  
PHONE: 254-494-4334 • WWW.GBISURVEY.COM  
TOLL FREE: 1-800-451-1000 • TOLL FREE: 1-800-451-1000



# SKYVIEW BELTON ADDITION

CITY OF BELTON, BELL COUNTY, TEXAS  
53.04 ACRES  
BEING PART OF THE J. TOWNSEND SURVEY, ABSTRACT NO. 818  
BELL COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BELL

ART INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS SKYVIEW BELTON ADDITION, A SUBDIVISION IN THE CITY OF BELTON, 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.

ART INVESTMENTS, LLC  
A TEXAS LIMITED LIABILITY COMPANY

GORDON DUNAWAY, MANAGING MEMBER

STATE OF TEXAS  
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_, 2022 BY GORDON DUNAWAY, MANAGING MEMBER OF ART INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Alan Horton, do hereby certify that I prepared this Plat from an actual and accurate survey of the land and that the corner monuments shown thereon shall be properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Belton, Texas.

I hereby certify that the above and foregoing Plat of the Skyview Belton Addition to the City of Belton was approved this \_\_\_\_ day of \_\_\_\_, 2022, by the Planning and Zoning Commission of the City of Belton, Texas.

Chairman

Secretary

I hereby certify that the above and foregoing Plat of the Skyview Belton Addition to the City of Belton was approved this \_\_\_\_ day of \_\_\_\_, 2022, by the City Council of the City of Belton, Texas.

Mayor

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 \_\_\_\_, 2022.

City Clerk

NOTES:

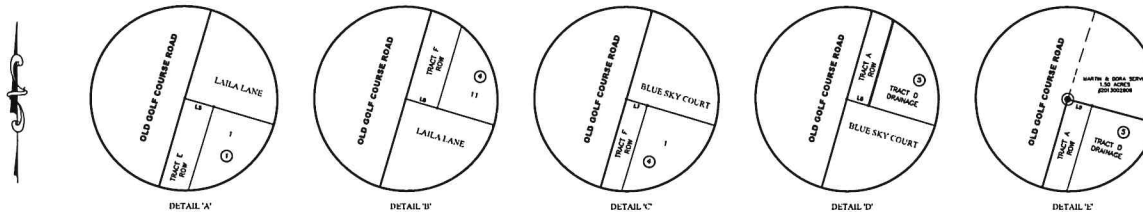
1. BEARINGS ARE BASED IN THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.
2. TRACTS A, E AND F TO BE DEDICATED FOR RIGHT OF WAY.
3. TRACT B AND TRACT D ARE FOR DRAINAGE AND WILL BE OWNED AND MAINTAINED BY THE HOA.
4. TRACT C WILL BE OWNED AND MAINTAINED BY THE HOA.
5. GARAGE ACCESS FROM A SIDE STREET SHALL USE A 20' BUILDING SET BACK.
6. BLOCK 1 LOTS 33-48 SHALL HAVE MASONRY WALL ALONG STATE LOOP 121, TO BE BUILT BY THE HOMEOWNER AND MAINTAINED BY THE HOA.
7. BLOCK 1 LOTS 1-15 AND BLOCK 4 LOTS 1-11 SHALL HAVE WOOD FENCING WITH A CAPPED TOP RAIL ALONG OLD GOLF COURSE ROAD, TO BE BUILT BY THE HOMEOWNER AND MAINTAINED BY THE HOA.
8. A 1-FOOT NON-ACCESS EASEMENT IS LOCATED ALONG OLD GOLF COURSE ROAD FRONTAGE FOR BLOCK 1, LOTS 1-15 AND BLOCK 4 LOTS 1-11 AND ALONG STATE LOOP 121 FRONTAGE FOR BLOCK 1, LOTS 33-48, BLOCK 7 LOTS 1 AND BLOCK 8 LOTS 1-2.

BLOCK/LOT TABLE			
BLOCK	NUMBER OF RESIDENTIAL LOTS	NUMBER OF COMMERCIAL LOTS	NUMBER OF TRACTS
1	48		1
2	28		
3	32		1
4	11		1
5	71		3
6	8		
7		1	
8		2	

NUMBER	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	30.77	50.00	35°15'38"	N88°37'38"E	30.29
C2	48.30	50.00	58°22'43"	N43°08'28"E	47.24
C3	228.42	50.00	270°00'00"	S00°00'00"E	76.71
C4	80.86	50.00	88°41'17"	N70°04'56"E	37.17
C5	40.02	50.00	43°31'21"	N12°17'08"E	38.96
C6	33.96	50.00	38°56'33"	N03°02'47"E	33.37
C7	33.96	50.00	38°56'33"	N03°02'47"E	33.37
C8	33.96	50.00	38°56'33"	N03°02'47"E	33.37
C9	33.96	50.00	38°56'33"	N03°02'47"E	33.37
C10	32.78	50.00	37°34'44"	S33°44'28"W	32.21
C11	81.26	50.00	10°48'00"	S78°52'31"E	81.27
C12	91.82	50.00	10°48'00"	S78°52'31"E	91.84
C13	28.37	50.00	37°34'41"	N78°28'34"W	28.36
C14	28.38	50.00	37°34'41"	N78°28'34"W	28.38
C15	338.82	50.00	270°00'00"	N03°02'47"E	76.71
C16	75.48	50.00	88°30'23"	N63°20'13"E	68.52
C17	63.87	50.00	73°11'29"	N18°30'48"W	28.82
C18	96.28	50.00	11°01'00"	S71°42'28"W	62.07
C19	96.27	50.00	17°30'00"	S82°14'38"E	96.89
C20	21.79	50.00	37°30'27"	S75°24'47"E	21.78
C21	65.84	50.00	11°30'27"	S82°08'14"E	65.72
C22	11.82	50.00	23°31'17"	S89°03'02"E	11.84
C23	23.35	50.00	4°31'38"	S75°53'32"E	23.35
C24	10.56	50.00	21°12'14"	S89°53'31"E	10.56
C25	62.56	50.00	17°12'20"	N03°23'28"W	62.37
C26	78.57	50.00	14°01'43"	N03°58'41"W	79.37
C27	235.82	50.00	270°00'00"	N80°28'51"W	76.71
C28	78.91	50.00	88°07'31"	S32°11'14"E	88.33
C29	33.96	50.00	38°56'33"	S33°04'56"W	33.37
C30	33.96	50.00	38°56'33"	S77°01'31"W	33.37
C31	33.96	50.00	38°56'33"	N89°01'33"W	33.37
C32	33.96	50.00	38°56'33"	N03°02'47"E	33.37
C33	22.78	50.00	28°05'58"	N02°15'52"E	22.58
C34	20.53	50.00	23°11'09"	N28°28'33"E	20.10
C35	168.00	87.50	142°28'58"	S29°17'42"E	127.89
C36	18.78	50.00	23°40'38"	N05°30'17"W	18.69
C37	28.21	87.50	27°14'42"	S30°54'24"W	28.04
C38	38.23	87.50	22°27'14"	S03°52'28"W	37.72
C39	32.22	87.50	21°30'11"	S32°27'42"E	38.75
C40	38.23	87.50	32°27'50"	S80°29'21"E	37.74
C41	28.15	87.50	23°53'48"	S88°02'20"E	27.95
C42	21.57	87.50	24°00'24"	N01°09'10"W	21.37
C43	185.48	87.50	140°28'11"	N05°56'37"E	127.00
C44	22.23	50.00	23°28'50"	S03°27'47"W	22.07
C45	10.56	87.50	8°19'28"	S53°29'40"E	10.97
C46	42.18	87.50	11°01'11"	S78°12'20"E	41.50
C47	37.22	87.50	31°20'24"	N70°15'44"E	36.72
C48	34.29	87.50	29°08'11"	N38°54'38"E	33.97
C49	48.82	87.50	34°28'38"	N08°02'21"E	40.00
C50	10.84	50.00	12°24'58"	S03°04'38"E	10.81
C51	11.42	50.00	13°04'31"	S09°40'18"W	11.38
C52	50.49	325.00	8°54'10"	S11°01'48"W	50.44
C53	42.57	325.00	7°28'17"	S10°16'00"W	42.20
C54	6.28	325.00	17°27'21"	S14°45'10"W	6.28
C55	42.72	275.00	8°54'10"	S11°01'48"W	42.68

NUMBER	SPECIES	SIZE (in)
T1123	UNE OAK	34
T1174	ASH	32
T1175	DOGWOOD	32
T1176	ASH	12
T1177	CELANO ELM	24
T1178	ASH	24
T1180	ASH	21
T1181	ASH	28
T1182	UNE OAK	32
T1183	BUR OAK	22
T1184	UNE OAK	43
T1185	UNE OAK	18
T1186	UNE OAK	16
T1187	UNE OAK	16
T1188	UNE OAK	18
T1189	UNE OAK	24
T1190	UNE OAK	16
T1191	UNE OAK	18
T1192	UNE OAK	19
T1193	UNE OAK	13
T1194	UNE OAK	17
T1195	UNE OAK	20
T1196	UNE OAK	23
T1197	UNE OAK	27
T1198	UNE OAK	32
T1201	UNE OAK	24
T1202	UNE OAK	24
T1203	UNE OAK	23
T1204	UNE OAK	28
T1205	UNE OAK	21
T1206	UNE OAK	23
T1207	UNE OAK	27
T1208	UNE OAK	28
T1209	UNE OAK	30
T1210	UNE OAK	30
T1211	UNE OAK	30
T1212	UNE OAK	19
T1213	UNE OAK	12
T1214	UNE OAK	24
T1215	UNE OAK	28
T1216	UNE OAK	28
T1217	UNE OAK	21
T1218	PINE	18
T1219	UNE OAK	18
T1220	UNE OAK	23
T1221	UNE OAK	32
T1222	UNE OAK	37
T1223	UNE OAK	17
T1224	UNE OAK	14
T1225	UNE OAK	17
T1226	UNE OAK	18
T1227	UNE OAK	27
T1228	UNE OAK	21
T1229	UNE OAK	27
T1230	UNE OAK	32
T1231	ASH	14
T1232	ASH	12
T1233	UNE OAK	25
T1234	UNE OAK	22
T1235	UNE OAK	32
T1236	AMERICAN ELM	38
T1237	AMERICAN ELM	35
T1238	AMERICAN ELM	38
T1239	AMERICAN ELM	33
T1240	CELANO ELM	27
T1241	AMERICAN ELM	33
T1242	AMERICAN ELM	38
T1243	UNE OAK	23
T1244	UNE OAK	28
T1245	SPR OAK	15
T1246	UNE OAK	27
T1247	UNE OAK	22
T1248	UNE OAK	22
T1249	UNE OAK	22
T1250	CELANO ELM	21
T1251	UNE OAK	18
T1252	UNE OAK	30
T1253	UNE OAK	36
T1254	UNE OAK	21
T1255	UNE OAK	28
T1256	UNE OAK	30
T1257	UNE OAK	33
T1258	UNE OAK	24
T1259	ASH	28
T1260	UNE OAK	25
T1261	UNE OAK	24
T1262	UNE OAK	24
T1263	UNE OAK	30
T1264	UNE OAK	28
T1265	UNE OAK	38
T1266	UNE OAK	38
T1267	UNE OAK	27
T1268	UNE OAK	27
T1269	UNE OAK	27
T1270	UNE OAK	28
T1271	UNE OAK	22
T1272	UNE OAK	21
T1273	UNE OAK	28
T1274	PECAN	18
T1275	UNE OAK	38
T1276	UNE OAK	38
T1277	UNE OAK	28
T1278	UNE OAK	28
T1279	UNE OAK	33
T1280	UNE OAK	28
T1281	UNE OAK	38
T1282	UNE OAK	38
T1283	UNE OAK	30
T1284	UNE OAK	38
T1285	UNE OAK	38
T1286	UNE OAK	38
T1287	UNE OAK	38
T1288	UNE OAK	38
T1289	UNE OAK	38
T1290	UNE OAK	38
T1291	UNE OAK	38
T1292	UNE OAK	38
T1293	UNE OAK	38
T1294	UNE OAK	38
T1295	UNE OAK	38
T1296	UNE OAK	38
T1297	UNE OAK	38
T1298	UNE OAK	38
T1299	UNE OAK	38
T1300	PECAN	30

NUMBER	BEARING	DISTANCE
L1	S18°49'31"E	47.87
L2	N82°28'37"W	23.03
L3	S29°17'17"W	27.87
L4	S09°21'28"W	36.38
L5	S72°29'34"E	1.81
L6	S72°29'34"E	1.20
L7	S72°24'37"E	4.78
L8	S72°24'37"E	5.91
L9	S70°03'53"E	5.55
L10	S31°42'13"E	68.42
L11	S31°42'13"E	6.91
L12	S32°28'45"E	10.98
L13	N03°12'27"E	28.87
L14	S89°02'21"W	28.77
L15	N08°24'47"E	17.18
L16	N15°28'31"E	16.42
L17	S15°28'31"W	3.84
L18	N08°24'47"E	17.32
L19	N15°28'31"E	3.17
L20	S18°23'27"W	12.28
L21	S84°17'31"E	32.17
L22	S14°37'07"W	1.78
L23	S18°23'27"W	5.14
L24	S72°29'34"E	3.80
L25	S72°29'34"E	18.82
L26	S72°29'34"E	1.80
L27	N89°00'22"E	28.77
L28	S84°17'31"E	22.58
L29	S18°12'34"W	27.73
L30	S02°31'28"W	22.84
L31	S02°31'28"W	13.72
L32	N15°28'31"E	22.84
L33	S40°28'39"W	120.82
L34	S14°37'31"E	30.00
L35	S74°37'27"E	30.00
L36	N89°02'38"W	16.36
L37	S44°00'37"W	40.80





# P-22-17 - SKYVIEW



**PROPOSED PLAT:**  
FINAL PLAT  
SKYVIEW  
53.04 ACRES

**PROPERTY OWNER:**  
ART INVESTMENTS

Legend  
P\_22\_17



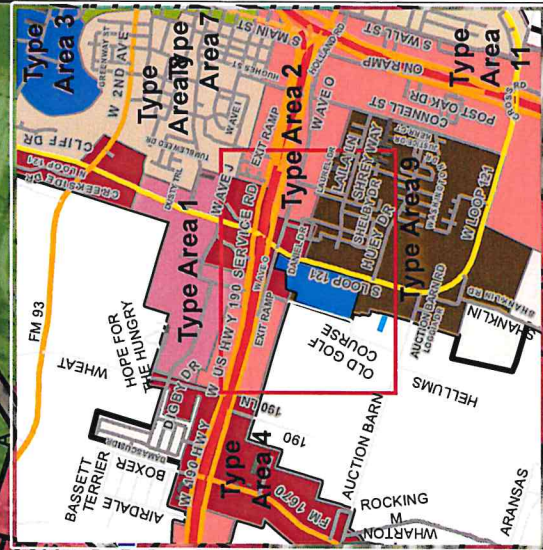
Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton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

0 400 800 Feet

Map Date: 7/12/2022



# P-22-17 LOCATION - SKYVIEW



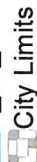
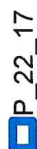
## PROPOSED PLAT:

FINAL PLAT  
SKYVIEW  
53.04 ACRES

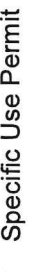
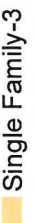
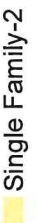
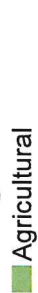
## PROPERTY OWNER:

ART INVESTMENTS

## LEGEND



## Zoning



Map Date: 7/12/2022

0 4000 8000 Feet



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## Staff Report – Planning & Zoning Item

Date: July 19, 2022  
Case No.: P-21-24  
Request: Final Plat  
Applicant/Owner: Jacob Paxton

### Agenda Item #9

P-22-18 Consider a final plat of Leon River Estates, comprising 50.601 acres, located north of East 24<sup>th</sup> Street and south of Mystic Meadows Drive.

### Originating Department

Planning – Tina Moore, Planner

Current Zoning: Agricultural

### Case Summary

This final plat proposes 4 large tracts for detached single family home development.

### Project Analysis and Discussion

The proposed lots conform to the requirements of the Agricultural District which requires a minimum of three acres, lot width of 150', and lot depth of 300'.

Water: The applicant will extend a public water line to provide water taps to the proposed lots. Fire hydrants will be installed appropriately every 400' to meet fire code requirements.

Sewer: Due to the large size of the lot, the applicant has opted to install on-site sewerage facility. This will require review and approval by the Bell County Public Health Department.

Access: Two means of access are provided – one from Mystic Meadows Drive and a second from East 24<sup>th</sup> Avenue.

Streets: A 20' wide asphalt private access drive is proposed to provide internal circulation for the proposed lots. The proposed access drive must be compacted to withstand 75,000 pounds per fire code requirements. A compaction test will be required during construction. A public street is not required due to the low density of this development in guidance with an earlier agreement in conjunction with the City's acquisition of 85 acres for Heritage Park. Please see letter from City Manager Listi to Glenn Hodge dated May 9, 2018.



A 30' public street dedication is being provided, connecting this tract to the Guthrie Drive. An existing 30' dedication completes this 60' wide access.

**Drainage:** The proposed lots are partially within the FEMA designated 1% annual floodplain. A minimum finish floor elevation was provided to ensure all new structures will be 18-inches above the flood level. A Floodplain Development Application will be required during building permit review for compliance with FEMA requirements.

**Parkland Dedication/Fee:** According to the Subdivision Ordinance Section 517, residential subdivisions are required to dedicate suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. The applicant has opted to pay a fee in lieu of dedication. Parkland fees are \$200 per dwelling unit. A fee of \$800 is required for the proposed development. Funds received will be used to improve Heritage Park, which is adjacent to this development.

### **Recommendation**

Recommend approval of the final plat for the Leon River Estates.

### **Attachments**

1. Final Plat Application
2. Final Plat
3. Location Map
4. Letter Agreement – CM List to Glenn Hodge



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

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

- ☒ Preliminary Subdivision                      Fees due \$ \_\_\_\_\_
- ☐ Final Subdivision
- ☐ Administrative Plat
- ☐ Replat
- ☐ ETJ
- ☐ City Limits

Date Received: 6/6 Date Due: \_\_\_\_\_ (All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)

Applicant: Jacob Paxton, Paxton Homes LLC Phone: 254.245.1486  
Mailing Address: 6309 Flag Stone Dr. Killeen TX 76542  
Email Address: paxtonhomebuilders@gmail.com

Owner: Jacob Paxton, Paxton Homes, LLC Phone: 254.245.1486  
Mailing Address: PO Box 170524, Austin, TX 78747 6309 Flag Stone Dr Killeen TX 76542  
Email Address: paxtonhomebuilders@gmail.com

**Current Description of Property:**

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Acres: 50.601 Survey: Matilda Connell Survey  
Abstract #: 6 Street Address: Guthrie Drive  
Frontage in Feet: \_\_\_\_\_ Depth in Feet: \_\_\_\_\_

Does Zoning comply with proposed use? \_\_\_\_\_ Current Zoning: A  
Name of proposed subdivision: Leon River Estates  
Number of Lots: 4 Fee: \$ \_\_\_\_\_

Signature of Applicant:  Date: 6-6-22  
Signature of Owner:  Date: 6-6-22

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

Zoning Fees:

Rezone a single lot.....	\$250.00
Specific Use Permit .....	\$250.00
Variance to the Zoning Ordinance.....	\$200.00

Subdivision Fees:

General Development Plan review.....	\$200.00
Admin Plat.....	\$200.00
Preliminary Subdivision Plat .....	\$250.00
Plus per lot .....	\$3.00
Final Subdivision Plat .....	\$250.00
Plus per lot .....	\$3.00
Preliminary One-Lot Subdivision Plat .....	\$250.00
Plus per acre.....	\$10.00
Final One- Lot Subdivision Plat .....	\$250.00
Plus per acre .....	\$10.00
Inspection/testing Fees: Actual costs + 10%	
Placing traffic control devices and street name signs.....	\$250.00
Park Land Dedication, per dwelling unit.....	\$200.00
<b>GIS fee (inputting subdivision, utilities, infrastructure) .....</b>	<b>\$25.00</b>

\*\* See attached checklist for items to be submitted with all plats.





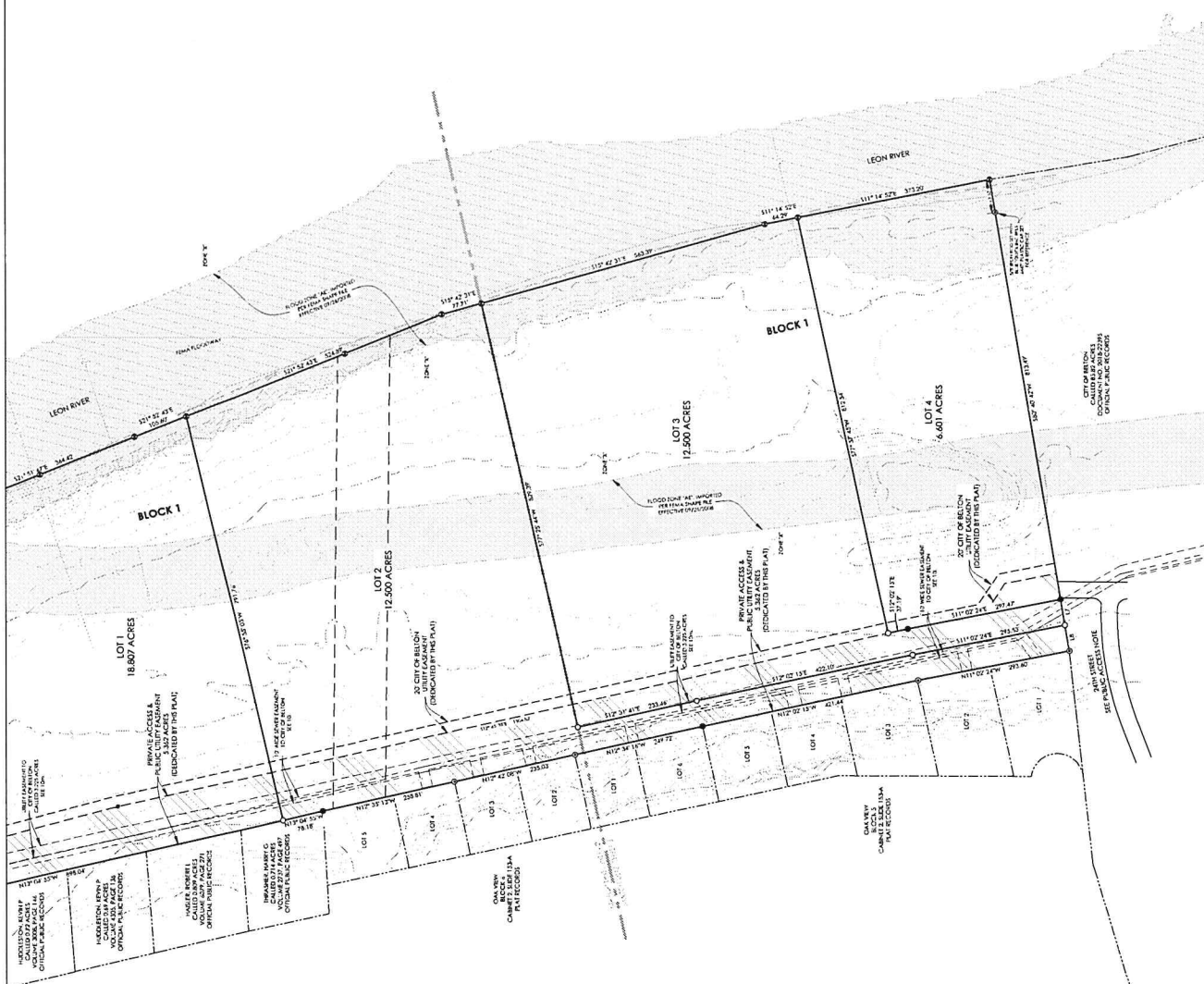
**Quick Inc.**  
Land Surveying, Land Planning, Consulting.  
Firm: 10194104 512-915-4950  
1430 N. Robertson Road, Salado, Texas 76571

LIFE TABLE		
LIFE	MAINTENANCE	DEVELOPMENT
1.1	1.01-1.10	1.11-1.20
1.2	1.21-1.30	1.31-1.40
1.3	1.41-1.50	1.51-1.60
1.4	1.61-1.70	1.71-1.80
1.5	1.81-1.90	1.91-2.00
1.6	2.01-2.10	2.11-2.20
1.7	2.21-2.30	2.31-2.40
1.8	2.41-2.50	2.51-2.60

CUMULATIVE				
DATE	PAID	UNPAID	COLLA	CHORD BLANKING
11/11/11	200.00	29.25	871.13	645.30 211
11/12/11	185.00	29.25	872.13	581.30 211W
11/13/11	185.00	29.25	873.13	517.30 211W

2008 FLOOD CONDITIONS				
BLOCK	LOT	BASE FLOOD ELEVATION	MINIMUM FLOOD ELEVATION	MINIMUM FLOOD ELEVATION SHALL BE AT LEAST 1' ABOVE BASE FLOOD ELEVATION
1	1	497.23	497.23	
1	2	496.4	496.4	
1	3	496.4	497.9	
1	4	496	497.9	

\* MINIMUM FLOOD ELEVATION MAY CHANGE DUE TO RE-EVALUATION OF ANY FUTURE STRUCTURES

[illegible]



# P-22-18 - LEON RIVER ESTATES



**PROPOSED PLAT:**  
 FINAL PLAT  
 LEON RIVER ESTATES  
 50.601 ACRES

**PROPERTY OWNER:**  
 PAXTON HOMES, LLC

Legend  
 P\_22\_18



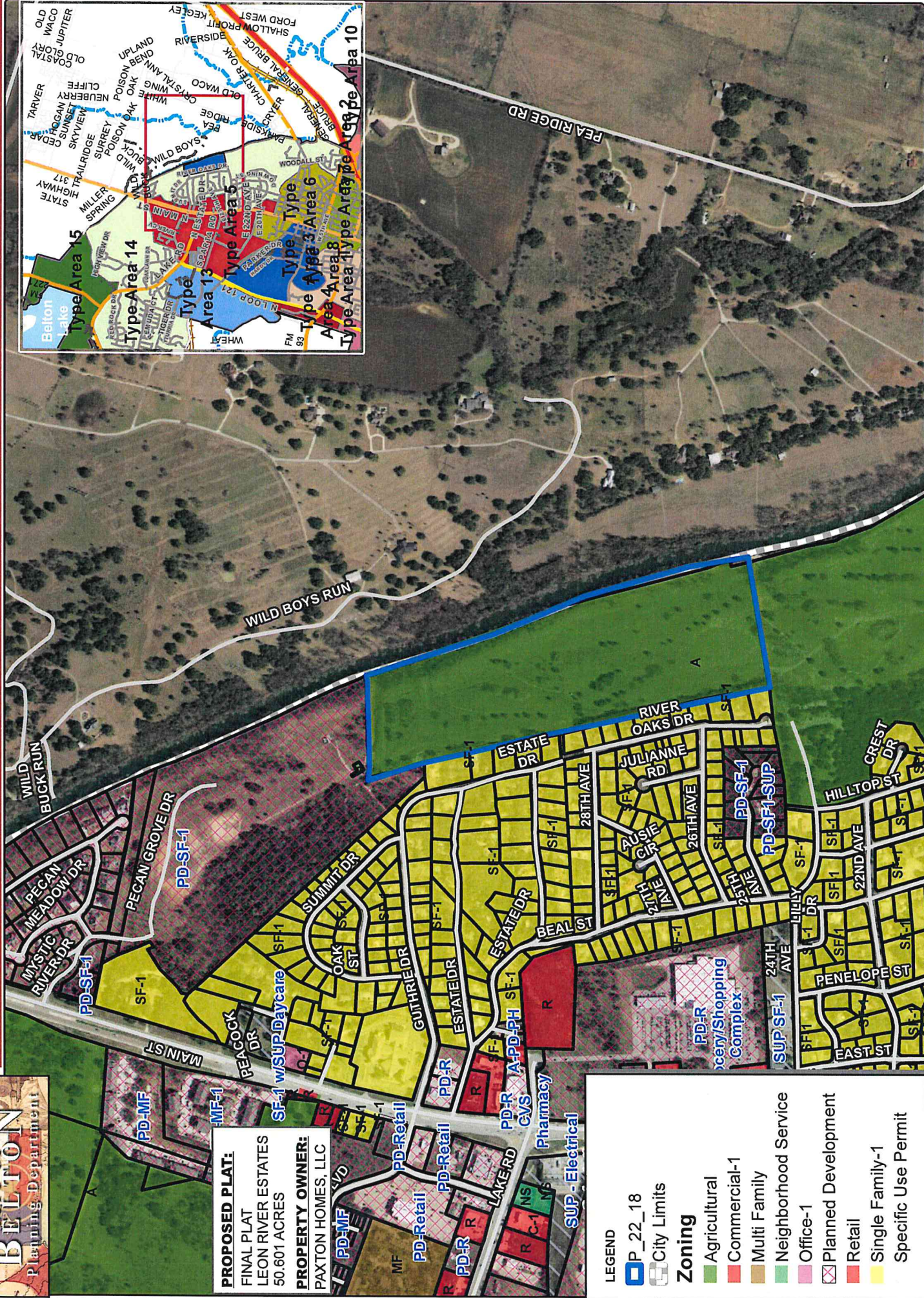
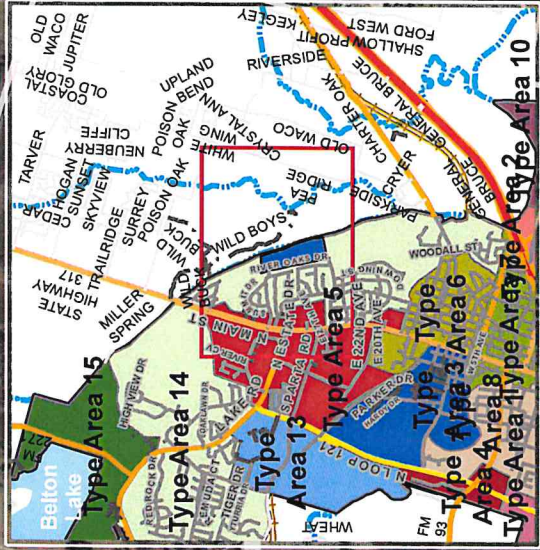
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Map Date: 7/12/2022





# P-22-18 LOCATION - LEON RIVER ESTATES



**PROPOSED PLAT:**  
FINAL PLAT  
LEON RIVER ESTATES  
50.601 ACRES

**PROPERTY OWNER:**  
PAXTON HOMES, LLC

- LEGEND**
- P\_22\_18
  - City Limits
  - Zoning**
  - Agricultural
  - Commercial-1
  - Multi Family
  - Neighborhood Service
  - Office-1
  - Planned Development
  - Retail
  - Single Family-1
  - Specific Use Permit





# City of Belton

*– Founded 1850 –*

May 9, 2018

Gated River One, LLC  
c/o Glenn Hodge  
First Texas Brokerage Company  
P.O. Box 297  
80 South Main Street  
Salado, Texas 76571

Dear Glenn:

This letter is to confirm Condition Number 3 in Exhibit A, attached to the contract for the sale of 84.25 acres from Gated River One, LLC, to the City of Belton, for the expansion of Belton's Heritage Park:

1. So long as the Seller's remainder tract out of its original 138.53 acres is divided into ten lots or less, Seller will not be required to construct a roadway through such tract as would otherwise be required pursuant to Buyer's Thoroughfare Plan.
2. Seller is in no way bound by the said Thoroughfare Plan as to its tract to the north of the remainder tract described in sub-paragraph (1) above, and said tract also described in Document No. 2007-00023757 of the Official Public Records of Real Property of Bell County, Texas.

If you need any further clarification, please let me know.

Sincerely,

Sam A. Listi  
City Manager

Exhibit "A"

- 1) Prior to June 1, 2021, Buyer agrees to design and complete construction of a street which will connect the existing East 24<sup>th</sup> Street and/or Hilltop Street to the south boundary of Seller's remaining property adjoining the tract which is the subject of this contract.
- 2) Seller agrees to convey to Buyer a public right-of-way which will connect Seller's remainder tract of its original 138.53 acres, to Guthrie Drive/Estate Drive through Seller's various tracts, as follows:
  - a. Right of way across all of the following roadways shown on Seller's Final Plat of Mystic River, Phase Three, submitted to the City of Belton on May 2, 2018, a copy of which is attached hereto described as C3.1:
    - i. Mystic Meadow Drive;
    - ii. Leon Valley Drive; and
    - iii. Pecan Valley Drive.
  - b. Seller or its assigns, the owner of the property of the approximate 58 acre tract currently known as proposed Mystic River Phase III, will have the option to connect the approximate 58 acres to Guthrie Drive/Estate Drive as provided in 2 a. above.
- 3) Buyer will provide to the Seller a letter from its City Manager stating in principle the following:
  - a. So long as the Seller's remainder tract out of its original 138.53 acres is divided into ten lots or less, Seller will not be required to construct a roadway through such tract as would otherwise be required pursuant to Buyer's Thoroughfare Plan.
  - b. Seller is in no way bound by the said Thoroughfare Plan as to its tract to the north of the remainder tract described in sub-paragraph (a.) above, said tract also described in Document No. 2007-00023757 of the Official Public Records of Real Property of Bell County, Texas.
- 4) Buyer shall have an absolute Right of First Refusal to match any legitimate contract offer for the purchase of the remainder of Seller's 138.53-acre tract. The Right of First Refusal shall remain in effect until June 1, 2021. Buyer shall notify Seller within 14 days of Buyer's notice of a legitimate contract offer and must close the transaction within sixty days of said notice.
- 5) Seller agrees that in conjunction with the sale of the property which is the subject of this contract, it will also convey sixty percent (60%) of Seller's water rights tied to Seller's 138.53 tract, including but not limited to surface water rights, Leon River Water Rights and other water rights connected to said tract.
- 6) Glenn Hodge is a licensed Real Estate agent and part of the principal of this contract.

THESE PROVISIONS OF THE CONTRACT WILL SURVIVE CLOSING.

SAZ

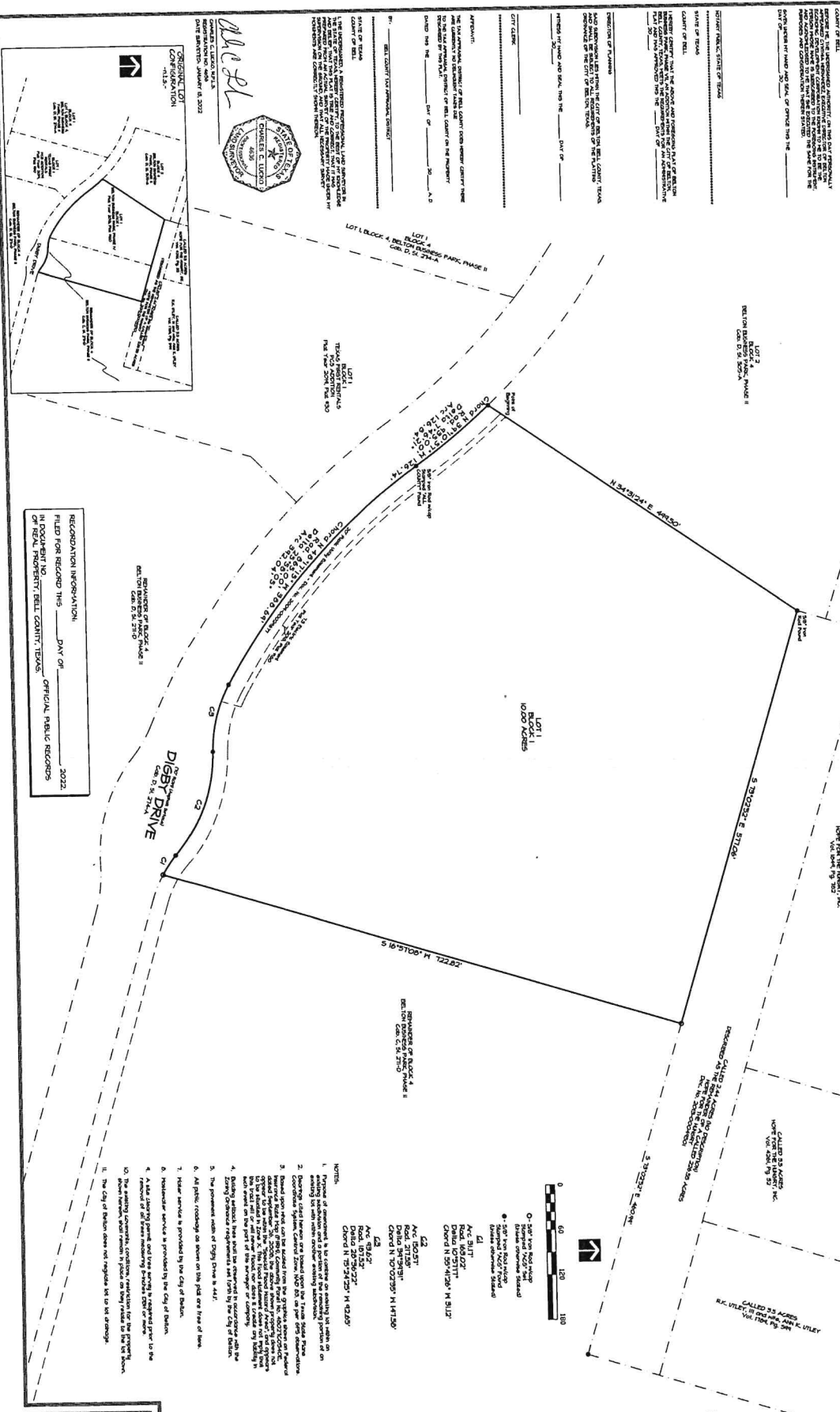
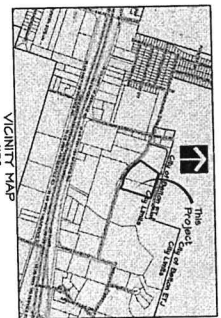


Administrative Plat Approvals					
<i>Approval Date</i>	<i>Subdivision Name</i>	<i>Acreage /Location</i>	<i>No. of Lots</i>	<i>Description</i>	<i>Waivers</i>
6/24/2022	Belton Business Park Ph. VIII	10-acres; Digby Drive	1	Replat- existing public improvements	None
6/24/2022	Hanson Addition	1.351-acres; 3818 Southlake Road	2	Amending Plat to reposition existing lot lines	None

THIS PLAT OF THE BELTON BUSINESS PARK, PHASE VII, is a subdivision within the City of Belton, Bell County, Texas, being a portion of the 10.00 ACRES, situated in the LEWIS WALKER SURVEY, ABSTRACT 860, Bell County, Texas, according to Block 4, Belton Business Park, Phase II, an addition within the City of Belton, Bell County, Texas, and according to the plat of record in Cadastre, C, Block 271-D, Plat Records of Bell County, Texas, and according to Block 1, Belton Business Park, Phase IV, an addition within the City of Belton, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #180, Plat Records of Bell County, Texas.

# FINAL PLAT of BELTON BUSINESS PARK, PHASE VII

a subdivision within the City of Belton, Bell County, Texas



RECORDATION INFORMATION  
FILED FOR RECORD THIS DAY OF 2022  
OFFICIAL PUBLIC RECORDS

ALL COUNTY SHIRING, INC.  
2400 W. 14TH STREET, SUITE 200  
IRVING, TEXAS 75039  
TEL: 972.460.1234  
WWW.ACSHIRING.COM

FINAL PLAT of  
BELTON BUSINESS PARK, PHASE VII  
a subdivision within the City of Belton, Bell County, Texas

OWNER:  
BELTON ECONOMIC  
DEVELOPMENT CORPORATION  
LOTS - ONE (1)  
ACRES - 10.00  
ACRES - 10.00

1. The plat of record in Cadastre, C, Block 271-D, Plat Records of Bell County, Texas, and according to Block 1, Belton Business Park, Phase IV, an addition within the City of Belton, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #180, Plat Records of Bell County, Texas.
2. The plat of record in Cadastre, C, Block 271-D, Plat Records of Bell County, Texas, and according to Block 1, Belton Business Park, Phase IV, an addition within the City of Belton, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #180, Plat Records of Bell County, Texas.
3. The plat of record in Cadastre, C, Block 271-D, Plat Records of Bell County, Texas, and according to Block 1, Belton Business Park, Phase IV, an addition within the City of Belton, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #180, Plat Records of Bell County, Texas.
4. The plat of record in Cadastre, C, Block 271-D, Plat Records of Bell County, Texas, and according to Block 1, Belton Business Park, Phase IV, an addition within the City of Belton, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #180, Plat Records of Bell County, Texas.
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