

# **CITY OF BELTON**

Planning & Zoning Commission Meeting Tuesday, September 20, 2022 - 5:30 p.m. Harris Community Center 401 N. Alexander, Belton, Texas

Pledge of Allegiance to the U.S. Flag Invocation

#### <u>AGENDA</u>

- 1. Call to order.
- 2. Public comments.
- 3. Consider minutes of the August 16, 2022, regular meeting.
- 4. Z-22-30 Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District for approximately 0.50 acres located at 701 Holland Road.
- Z-22-31 Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 6379 W. Highway 190 Service Rd. Road, located south of Interstate 14 and east of Simmons Road.
- 6. Z-22-32 Hold a public hearing and consider a zoning change from Agricultural to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.
- Z-22-33 Hold a public hearing and consider a zoning change from Agricultural District to Planned Development – Commercial Highway for approximately 8.0-acre property located at 9007 S. IH 35 Svc Rd, east of Interstate 35 and south of East Amity Road.
- Z-22-34 Hold a public hearing and consider a zoning change from Planned Development- Commercial 1 to Amended Planned Development – Commercial-1 for approximately 21.617-acre property located at 3360 S. IH 35 Svc. Rd., east of Interstate 35 and south of Grove Rd.
- 9. Z-22-35 Hold a public hearing and consider a zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215-acres located at 707 N. Pearl Street.
- 10.P-21-17 Consider a replat for the J.H. Connell Replat #1 subdivision, comprising of 0.258 acres, located south of West Avenue D and north of W. Avenue F.

11. 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.

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, Joshua Knowles, Nicole Fischer, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT Director Chris Brown.

#### 1. Call To Order.

Commission Chair Baggerly called the meeting to order at 5:30 p.m. **Invocation** – Commission Member Fischer gave the Invocation. **Pledge of Allegiance** – Commission Chair Baggerly led all present.

#### 2. Public comments.

Chair Baggerly opened the public comment portion of the meeting. With no request to speak, the public comment portion of the meeting was closed.

#### 3. Consider approval of minutes from the previous meeting.

Vice Chair Covington made a motion to approve minutes from the July 19, 2022, meeting, seconded by Commission Member Jarrett. The motion passed unanimously with 9 ayes, 0 nays.

#### 4. Z-22-27 - Hold a public hearing and consider a zoning change from Agricultural District to Single Family-3 Residential District for approximately 0.31 acres located at 3679 Village Hill Road and described as Village Hills, Block 1, Lots 16 and Part 17.

Staff Planner Ms. Moore presented the staff report.

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

Vice Chair Covington remarked on previous zoning change attempts in this vicinity and on Brenda Lane. He encouraged staff to communicate with property owners on how a zoning change could impact their property including inaccurate perception of zoning on their property taxes.

Commission Member Krueger made a motion to approve Z-22-27 as presented. The motion was seconded by Commission Member Knowles. The motion was approved with 9 ayes, 0 nays.

# 5. Z-22-28 – Hold a public hearing and consider a zoning change from Agricultural District to Multiple Family District on approximately 6.35 acres located at 708 W. 2nd Avenue, located east of North Loop 121 and west of Sparks Street.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. With no request to speak, the public hearing was closed.

Commission Member Locklin made a motion to approve Z-22-28. The motion was seconded by Commission Member Fischer. The motion passed with 9 ayes, 0 nays.

#### 6. Z-22-29 - Hold a public hearing and consider a zoning change from Commercial Highway to Planned Development – Commercial Highway District on approximately 3.282 acres located at 3463 W. US Highway 190 Service Road to allow a 55-foot-tall High Profile Monument Sign.

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. The applicant spoke in support of the zoning change. With no public input, the public hearing was closed.

Commission members Jarratt and Potts spoke about previous experiences with sign variances while serving on the Zoning Board of Adjustment and the need to maintain consistency and not set new precedents with the requirements of the code.

Commission Member Jarratt made a motion to disapprove Z-22-29, due to inconsistency with the sign ordinance requirements. Commission Member Covington seconded the motion. The motion was approved with 9 ayes, 0 nays.

#### 7. Receive a report on Administrative Plat Approvals.

Ms. Moore presented the list of administratively approved plats.

With no other city business, the Planning and Zoning Commission was adjourned at 5:57 p.m. (Audio ends at 38:00.)

Chair, Planning and Zoning Commission

# P&Z Agenda Item # 4 Z-22-30

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### Staff Report – Planning & Zoning Item



Date:September 20, 2022Case No.:Z-22-30Request:SF-2 to MFApplicant/Owners:Oscar Luquin

#### Agenda Item #4

Z-22-30 – Hold a public hearing and consider a zoning change from Single Family - 2 District to Multiple Family District on approximately .50 acres located at 701 Holland Road, east of Interstate 35 and west of East Loop 121.

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

**<u>Current Zoning</u>**: Single Family – 2 Residential District (SF-2)

Current Uses(s): Vacant

Proposed Zoning: Multifamily (MF)

Proposed Use(s): Multi-Family Development

Future Land Use Map (FLUM) Designation: Residential

**Design Standards Type Areas 11:** The projected growth for Type Area 11 is primarily single-family residential area with opportunities for retail and commercial areas along Holland Road.

#### Background/Case Summary

The applicant recently purchased this property and intends to develop a 6-unit complex. The MF zoning district allows a maximum of 18 units per acre. A maximum of 9 units with adequate parking would be allowed on this half acre site should the zoning change be approved.

#### **Project Analysis and Discussion**

<u>Existing Conditions:</u> This property is currently vacant. The adjacent properties are mostly zoned SF-2 except for the property to the west (Family Dollar) and north (convenient store) that are zone Retail.

Land Use Table/Allowable Uses: The requested Multi Family Zoning District will allow for the development of a small apartment complex.

P&Z Agenda Item September 20, 2022 Page 1 of 2 <u>Area & Setback Requirements:</u> Minimum area and setback requirements for the requested Multi Family (MF) Zoning District are summarized below.

#### Multi Family

Lot Area:	10,000 sq ft;	Front Yard:	25'
	2,420 sq ft/du (18 du/acre)	Rear Yard:	20'
Lot Width:	80'	Side Yard:	8'/15' adjacent to street
Lot Depth:	120'		_

The subject lot exceeds the minimum requirements with 21,780 sq. ft, with a width of 108' and depth of 208'. A subdivision plat and construction plans are required for this development to ensure all applicable zoning and building code requirements are met.

The FLUM identifies this area for residential which may permit multiple family development. The requested MF zoning seems appropriate given the adjacent commercial uses and proximity to Holland Road.

#### **Recommendation**

Recommend approval of the requested zoning change from Single Family - 2 District to Multiple Family District, subject to the following:

- 1. The development must conform to all applicable standards of the Multiple Family Zoning Districts.
- 2. A final subdivision plat meeting the requirements of the adopted Subdivision Ordinance is required.
- 3. Civil site plan and construction plans in compliance with adopted standards are required.

#### Attachments:

- 1. Zoning 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')

P&Z Agenda Item September 20, 2022 Page 2 of 2



### **ZONING CHANGE APPLICATION**

Fee: \$250.00

Date received:		
APPLICANT NAME: OSCAR LUQUIN FMAIL: PHONE NUMBER:		
Uscar Luquin		
EMAIL: Oscarluquin Qyahoo, 60m 254-933-111		
1907 Liberty Hill Dr Belton 16 (6) D		
PROPERTY OWNER NAME:		
EMAIL: PHONE NUMBER:		
EMAIL: Oscarligino vahoo.com 254-933-1111		
1907 Liberty Hill Dr Belton TK 16517		
Proposed Use of Structures (building) and Property (exterior property):		
Need Rezoning to build Duples or apartments		
- The contrag to bolid repter of aporticities		
Current Use:		
Enty lot		
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:		
701 Holland Rd Belton to 76513 or		
701 Ave O Belton TR 76513		
Legal Description of Property: Abstract Survey A0006 BC		
Lot(s): Block(s):		
of Subdivision		
SED MAR		
Existing Zoning: <u>SFQ</u> Proposed Zoning: <u>MF</u>		
Signature of Applicant: Date: Date:Date: Date: Date:Date:Date:		
Signature of Owner (if not applicant): Francisco Lynn Date: 8-06-22		
Signature of Owner (if not applicant): Francisco Lynn Date: 8-06-22		

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

Holland Rd-









#### **CORRECTION**

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: OSCAR LU	JQUIN AND FRANCISCO LUQUIN
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 701 HOLLAND RC	DAD
FROM A(N) <u>SINGLE FAMILY -2 (SF-2)</u>	ZONING DISTRICT,
TO A(N)	Zoning District,
TO ALLOW FOR A 6 UNIT DUPLEX APARTMENT	

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on <u>September 27, 2022</u>.

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.

100000000000000000000000000000000000000	
	circle one INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ATION 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



# Case

Man Date: 8/17/2022

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:OSCAR LUQUIN	AND FRANCISCO LUQUIN ,		
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 701 HOLLAND ROAD	2		
FROM A(N) SINGLE FAMILY -2 (SF-2) ZONING DISTRIC			
TO A(N) MULTIPLE FAMILY (MF)	ZONING DISTRICT,		
TO ALLOW FOR A 6 UNIT DUPLEX APARTMENT			

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, 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



851 RODRIGUEZ, JOSE R ETUX IMELDA O 704 E AVENUE O BELTON, TX 76513

15748 BUTLER, L C ETUX FAYE 3320 ELM GROVE RD BELTON, TX 76513-7615

24322 TEXAS RESERVE PROPERTIES LP 2500 MILFOIL CV AUSTIN, TX 78704

34714 ALVIS, MICHAEL E ETUX MONICA L 712 E AVENUE O BELTON, TX 76513-4311

74747 HERNANDEZ, NELSON PETER ETUX 708 E AVENUE O BELTON, TX 76513-4311

100839 FIKES WHOLESALE INC PO BOX 1287 TEMPLE, TX 76503-1287

114250 ESPINOZA, GRISELDA 1609 TREMONT ST BELTON, TX 76513 7398 LOVE, ROGER C & LINDA K 20152 FM 2268 HOLLAND, TX 76534

16740 ILTON, JUDY ANN CAMPBELL 604 E AVE P BELTON, TX 76513

24330 SAUCEDO, CRYSTAL ANN 603 HOLLAND RD BELTON, TX 76513

63008 SERRANO, ALFONSO H 516 E AVENUE P BELTON, TX 76513-4317

74999 BERRY, ITHA LYNNE ETAL 5081 ELM GROVE RD BELTON, TX 76513

102915 SARINANA, SERGIO R ETUX 600 E AVENUE P BELTON, TX 76513-4319 8579 BELL VILLAGE APT LTD 4901 COLE AVE DALLAS, TX 75205-3401

20496 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120

24333 LUQUIN, FRANCISCO 1907 LIBERTY HILL DR BELTON, TX 76513

69648 MAXWELL, MARVIN R & TAMARA J 717 HOLLAND RD BELTON, TX 76513-4403

78805 SANCHEZ, JOHANNA ETVIR HONORATO 960 GEORGE WILSON RD BELTON, TX 76513

114248 ORTIZ, GUILLERMO QUINTANILLA ETUX MARIA MADERA AVALOS 2564 VALLEY FORGE DRIVE BELTON, TX 76513

# P&Z Agenda Item # 5 Z-22-31

## Staff Report – City Council Agenda Item



Date: September 20, 2021 Case No.: Z-22-31 Request: Agricultural to Commercial Highway (CH) Applicant/Owner: MS Joint Ventures, LLC./ Robinson, Louis and Susan

#### Agenda Item #5

Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Rd. Road, located south of Interstate 14 and east of Simmons Road. Due to inconsistency in address numbers, this property was recently reassigned from 6379 W. US 190 Service Road to 7379 W. US 190 Service Road.

#### **Originating Department**

Planning Department – Tina Moore, Planner

**Current Zoning:** Agricultural Zoning District

Proposed Zoning: Commercial Highway

Current Land Use(s): Residential

Proposed Uses: Travel Center - Convenience Store w/ Gasoline, Truck Stop and Restaurant

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

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

#### Design Standards Type Area 2:

The projected growth for Type Area 4 is primarily commercial highway frontage uses. Opportunities for mixed use developments, hotels, restaurants, new car dealerships, multi-story office buildings.

#### **Background/Case Summary**

This property was annexed into the city limits in 2009 and assigned the Agricultural Zoning District at that time. The applicant is a prospective buyer of this property and has submitted this

CC Agenda Item September 20, 2022 Page 1 of 3 zoning change request to allow for the development of a Travel Center including a convenience store with gasoline sales for both passenger vehicles and larger trucks. The development will also include two fast food restaurants. The proposed use is allowed in the Commercial Highway Zoning District.

#### **Project Analysis and Discussion**

Existing Conditions: The surrounding uses are:

Direction	Zoning	Use
North	Commercial 1 and 2	C. F. Supply and Texas
		Materials Asphalt
		Maintenance.
South	Agricultural	Detached single family uses
East	Agriculture	Automotive Repairs
West	Commercial - 1	Restaurant

<u>Allowable Land Uses:</u> The proposed zoning change would allow for the proposed restaurants and convenience store/truck stop as well as other uses permitted in the CH zoning district. Other uses include all uses permitted in the Retail District, auto sales, commercial amusement, and hospital or nursing home.

<u>Area & Setback Requirements:</u> The subject lot exceeds the minimum area requirement for the CH District, which requires a minimum lot size of 7,200 sq. ft, a minimum width of 60' and depth of 120'. This lot is approximately 10.92 acres and meets the minimum lot requirements.

#### Water and Sewer:

The applicant is aware this property lies outside of the City's water and wastewater service area. Dog Ridge Water Supply Corporation is the water provider. The applicant will be responsible for providing fire protection as there are no fire hydrants or adequate water pressure for firefighting purposes. The applicant plans to install a septic system which will require approval from the Bell County Public Health Department. A subdivision plat and a building permit will be required prior to development to ensure compliance with all applicable codes.

#### **Recommendation**

Recommended approval of the requested zoning change from Agricultural District to Commercial Highway District for the property located at 7379 W. Highway 190 Svc. Rd.; subject to the following conditions:

- 1. The use of this property shall conform to the Commercial Highway District in all respects.
- 2. The development of each property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards

CC Agenda Item September 20, 2022 Page 2 of 3

- b. Landscape Design Standards
- c. Tree Protection, Preservation and Mitigation Standards.
- 3. A subdivision plat and a building permit are required prior to development.

#### Attachments:

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

CC Agenda Item September 20, 2022 Page 3 of 3



### ZONING CHANGE APPLICATION

Fee: \$250.00 Date received: APPLICANT NAME:

**MS JOINT VENTURE LLC** EMAIL: PHONE NUMBER: MALEK694@GMAILCOM 512-694-2223 MAILING ADDRESS: 2402 LAKE AUSTIN BLVD., AUSTIN TX 78703 PROPERTY OWNER NAME: LOUIS N ROBISON JR , SUSAN A ROBISON EMAIL: PHONE NUMBER: ROBISONSUSAN2@GMAIL.COM 1. 760 - 9613 MAILING ADDRESS: PO BOX 142, NOLANVILLE, TX 76559 Proposed Use of Structures (building) and Property (exterior property): TRAVEL CENTER ( C STORE WITH GASOLINE SALES & FAST FOOD ) Current Use:

**RESIDENTAL / STORAGE** 

LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:

7379 W HWY 190 BELTON, TX 76513 BELLCAD # 194295

Legal Description of Property: Abstract Survey\_

A0070BC J BEAL, 58-31, ACRES 10.92, SN1 Lot(s): \_\_\_\_\_\_ Block(s): <u>MP159524A; LABEL</u># PFS0695617, TITLE # 00306905 of Subdivision \_\_\_\_\_\_

Existing Zoning: \_\_\_\_\_RESIDENTAL

Proposed ZoningHIGHWAY COMMERCIAL

(HC) 8-10-2022 Signature of Applicant:\_ Date: 0-2022 6 Date: Signature of Owner (if not applicant);

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

-1-

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

Signed application

Fees paid

Complete legal descriptions of the property to be rezoned

X 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.









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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:
 MS JOINT VENTURES LLC.
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 6379 W. US 190 Svc Road
 ,

 FROM A(N)
 AGRICULTURAL (A)
 ZONING DISTRICT,

 TO A(N)
 COMMERCIAL HIGHWAY (CH)
 ZONING DISTRICT,

 TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS STATION)
 .

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, September 20, 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 <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on <u>September 27, 2022</u>.

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 INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ATION 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:
 MS JOINT VENTURES LLC.
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 6379 W. US 190 Svc Road
 ,

 FROM A(N)
 \_\_\_\_\_\_\_AGRICULTURAL (A)
 \_\_\_\_\_\_\_ZONING DISTRICT,

 TO A(N)
 \_\_\_\_\_\_\_COMMERCIAL HIGHWAY (CH)
 \_\_\_\_\_\_\_ZONING DISTRICT,

 TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS STATION)
 .

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

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



L-22-31 Loning Case #

Map Date: 8/18/2022

2905 ANDERSON, DOROTHY JANE 2690 TANGLEWOOD BELTON, TX 76513-6572

27816 DAVIS, EARNEST R II 3140 TANGLEWOOD CIR BELTON, TX 76513

37256 FOSTER, STEPHEN K ETUX SUDIE 2805 SIMMONS RD BELTON, TX 76513-7890

44523 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

92702 PETERSON'S PARTNERSHIP 3210 LANELLE DR BELTON, TX 76513

194295 ROBISON, LOUIS N JR ETUX PO BOX 142 NOLANVILLE, TX 76559-0142 7921 HAMSTER WHEEL INVESTMENTS LLC 106 W AVENUE G NOLANVILLE, TX 76559-4339

29751 DOG RIDGE WATER SUPPLY CORP PO BOX 232 BELTON, TX 76513-0232

44227 SCHROEDER, RICHARD E 6081 CLIFF LN TEMPLE, TX 76502-6559

44524 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

108093 HAZEL PARK TRUST 3307 STILLHOUSE LAKE DR TRLR 32 HARKER HEIGHTS, TX 76548 24513 CORLEY, HELEN 2005 HOOD RIDGE CT GRAPEVINE, TX 76051-2757

35545 FINNEY, CHARLES ETUX FRANCIS 3125 TANGLEWOOD CIRCLE BELTON, TX 76513

44522 GUZMAN, LORENZO V ETUX MARIE A 2952 TANGLEWOOD BELTON, TX 76513-6650

65606 LOERTCHER, JESSE DRAYTON PO BOX 1215 BELTON, TX 76513

126716 NESBY, RICHARD K ETUX INDY 3011 TANGLEWOOD CIR BELTON, TX 76513-6611

# P&Z Agenda Item # 6 Z-22-32

## Staff Report – City Council Agenda Item



Date: September 20, 2021 Case No.: Z-22-32 Request: Agricultural to Agricultural w/ SUP for Elementary School Applicant/Owner: Kimley-Horn/BISD

#### Agenda Item #6

Z-22-32 - Hold a public hearing and consider a zoning change from Agricultural to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.

#### **Originating Department**

Planning Department - Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Agricultural with a Specific Use Permit for an Elementary School

Current Land Use: Vacant/Undeveloped

Proposed Uses: Elementary School

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as Agricultural with adjacent residential uses.

#### Design Standards Type Area 2:

This area was voluntary annexed after the adoption of the Design Standards in 2016 and does not have a projected growth type.

#### **Background/Case Summary**

This property was annexed into the city limits in 2016 and assigned the Agricultural Zoning District at that time. Belton Independent School District acquired this property for an elementary school. Schools are permitted with a Specific Use Permit in all residential zoning districts; therefore, would be allowed within the proposed zoning district.

The conceptual site plan indicates a 110, 600 sq. ft. two story building to accommodate 800 students at maximum capacity and approximately 40 staff. The site exceeds the minimum CC Agenda Item September 20, 2022

Page 1 of 3

parking of 54 spaces (one space per each 15 students at max capacity), and provides 146 total spaces, with separate bus, student drop off, and staff parking lanes. Access to the site will be provided via FM 436/Holland Road and O.T. Tyler Drive, when extended to the site. A second access is needed on Land Grant Drive, on the west side of the site, when this road is constructed. BISD is coordinating with the Hubbard Branch developers and TxDOT to ensure adequate improvements (roads and utilities) are in place to accommodate the proposed site. O.T. Tyler Road currently terminates just south of the school site by Belle Hubbard Trail. Water and wastewater lines also terminates at the intersection of Belle Hubbard Trails and O.T. Tyler Drive. The exterior of the proposed building will consist of bricks, natural stone, and metal materials.

#### **Project Analysis and Discussion**

<u>Existing Conditions:</u> The surrounding uses are Single Family-3 zoning for the adjacent Hubbard Branch subdivision and unincorporated properties north.

<u>Allowable Land Uses:</u> The proposed zoning change would allow the development of the proposed Elementary School with area regulations conforming to the Agricultural Zoning District.

<u>Area & Setback Requirements:</u> The 10-acre school site exceeds the minimum area requirement for the Agricultural District which requires a minimum of 3 acres.

#### **Project Analysis and Discussion**

Per Zoning Ordinance Section 33.2, the following criteria for an SUP request should be considered:

- 1. Is the use harmonious and compatible with surrounding existing uses or proposed uses? Elementary schools are typically harmonious and compatible within residential areas and provide educational needs of the surrounding neighborhood.
- 2. Are the activities requested by the applicant normally associated with the requested use? The activities requested are typically for elementary schools.
- 3. Is the nature of the use reasonable? Yes, this seems reasonable.
- 4. Has any impact on the surrounding area been mitigated? A screening wall is required along the southern perimeter to help mitigate impacts to the adjacent SF-3 lots.

The requested SUP appears to satisfy the criteria above. Most of the surrounding areas are currently undeveloped. A Traffic Impact Analysis (TIA) will be completed to determine and mitigate the impacts to the neighborhood.

#### **Recommendation**

Recommended approval of the requested zoning change from Agricultural District to Agricultural District with a Specific Use Permit for an Elementary School the property located at 1651 O.T. Tyler Drive, subject to the following conditions:

CC Agenda Item September 20, 2022 Page 2 of 3

- 1. The use of this property shall conform to the Agricultural District in all respects and the use as an elementary school site is permitted.
- 2. The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Landscape Design Standards
  - c. Tree Protection, Preservation and Mitigation Standards.
- 3. A subdivision plat, TIA, civil plans, and a building permit are required prior to development.

#### Attachments:

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

CC Agenda Item September 20, 2022 Page 3 of 3

# **ZONING CHANGE APPLICATION**



Fee: \$250.00

Date received:		
APPLICANT NAME:		
Tee Mueller		
EMAIL:	PHONE NUMBER:	
tee.mueller@kimley-horn.com	726-777-6761	
MAILING ADDRESS:		
10101 Reunion Place San Antonio TX, 78216		
PROPERTY OWNER NAME:		
Belton ISD		
EMAIL:	PHONE NUMBER:	
david.bennett@bisd.net	254-215-2000	
MAILING ADDRESS:		
400 North Wall Street Belton, TX 76513		
Proposed Use of Structures (building) and Property (ex	(terior property):	
New two-story Elementary School 0.08 mi from the	1 1 57	
Current Use:		
Vacant (Undeveloped/Wooded)		
LOCATION/STREET ADDRESS OF PROPERTY TO BE RE	ZONED:	
FM 436 Belton, TX 76513, Property ID: 414160		
Legal Description of Property: Abstract Survey_ A0020BC C	) T Tyler, 19, Acres 15.992	
Lot(s): Block(s):	,r	
of Subdivision		
Existing Zoning: Proposed Zoning:		
A		
- MATH M.		
Signature of Applicant:	Date:08/10/2022	
	M a/1/22	
Signature of Owner (if not applicant): Date: Date: Date:		
City of Belton Plan	ning Department	

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

- 1 -
Checklist for Items to be submitted with a zoning change application:

Signed applica	ation
----------------	-------

✓ 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.

City of Belton Planning Department

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

- 2 -

# Kimley »Horn

August 10, 2022

Zoning Change Request City of Belton Planning Department 333 Water Street Belton, Texas 76513

#### RE: Belton 13 Hubbard Branch

Dear Planning Department,

Belton 13 Hubbard Branch is a proposed two-story elementary school to be located approximately 0.08 mi from the intersection of O.T. Tyler Drive and Holland Road. Belton ISD is requesting a special use exemption to the 15.992-acre site currently zoned as agricultural.

Code Issue: City of Belton, Texas Zoning Ordinance Ordinance No. 22790-1 Section 8 A-Agricultural District Subsection 8.3 Height Regulations Maximum Height – two and one-half (22) stories

The maximum finish floor elevation and building height for the elementary school is proposed to be 562 ft and 38 ft respectively. The existing conditions at the southwest property boundary plus 32.5 ft sums to an approximate 598.69 ft. Furthermore, the difference between the maximum building elevation 600 ft and the regulated height relative to the property boundary is 1.31 ft.

Per Section 33, SUP or S - Specific Use Permits, an elementary school is listed as a permittable specific use for an agricultural district corresponding to Section 33.4.30.

In conclusion, it is my professional opinion the proposed zoning change and specific use to allow for an elementary school in the currently agricultural zoned property remains in harmony with the spirit and intent of the City of Belton Zoning Ordinance.

Thank you for your consideration.

Sincerely,

Tee Mueller, P.E. (TX) Kimley-Horn. F#928

210 541 9166







Mai 25 62 6 226204.0



WY HI SS & 220211.0







#### **CORRECTION**

## 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 INDEPENDENT SCHOOL DISTRICT (BISD)

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 1651 O.T. TYLER DRIVE

 FROM A(N)
 AGRICULTURAL (A)

 TO A(N)
 AGRICULTURAL W/ SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL

 TO ALLOW FOR THE CONSTRUCTION FOR A TWO-STORY ELEMENTARY SCHOOL
 ZONING DISTRICT,

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on September 27, 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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AS AN INTERESTED PROPERTY OWNER, I (PROTES APPLICATION ABOVE FOR THE REASONS EXPRESSE	T) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ED BELOW:
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3	
	Y BE EXPRESSED ON A SEPARATE SHEET OF PAPER)
DATE:	SIGNATURE: Planning Department

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:
 Belton Independent School District (BISD)

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 1651 O.T. TYLER DRIVE

 FROM A(N)
 AGRICULTURAL (A)

 TO A(N)
 AGRICULTURAL W/ SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL

 TO ALLOW FOR THE CONSTRUCTION FOR A TWO-STORY ELEMENTARY SCHOOL
 ZONING DISTRICT,

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, 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



#### 414160

BELTON IND SCHOOL DISTRICT PO BOX 269 BELTON, TX 76513-0269

484245 HEIGHTS EVERGREEN DEVELOPERS LTD 4300 CHANTZ DR KILLEEN, TX 76542-7800

#### 484404

LEMMON, PATRICK T 127 CREEK POINT DR GEORGETOWN, TX 78628 446815 HEIGHTS EVERGREEN DEVELOPERS LTD 4300 CHANTZ DR KILLEEN, TX 76542-7800

484388 HERAUF, SHAWN M ETUX BRITTNEY L 2542 BELLE HUBBARD TRL BELTON, TX 76513

484405 LOPEZ, EMMANUEL 2549 BELLE HUBBARD TRL BELTON, TX 76513 470433 HEIGHTS EVERGREEN DEVELOPERS LTD 4300 CHANTZ DR KILLEEN, TX 76542-7800

484403 ELLIS BRITTANY M ETUX CORY S LOPEZ 2541 BELLE HUBBARD TRL BELTON, TX 76513-7773

# P&Z Agenda Item # 7 Z-22-33

# Staff Report – City Council Agenda Item



Date: September 20, 2021 Case No.: Z-22-33 Request: Agricultural to Planned Development - Commercial Highway (CH) Applicant/Owner: Belton Engineering/ James Macanliss

# Agenda Item #5

Z-22-33 – Hold a public hearing and consider a zoning change from Agricultural District to Planned Development – Commercial Highway for approximately 8.0-acre property located at 9007 S. IH 35 Svc Rd, east of Interstate 35 and south of East Amity Road.

#### **Originating Department**

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Planned Development - Commercial Highway

Current Uses: Undeveloped vacant land

**Proposed Uses:** Travel Center – Convenience Store w/ Gasoline, Truck Stop and Restaurant with 90' tall High Profile Monument Sign.

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

The FLUM identifies this general area for a mixed-use center with regional shopping destinations, potential mall site, multifamily and entertainment and lifestyle features.

#### Design Standards Type Area 4:

This Type Area includes various blocks at the primary intersections and crossroads of the IH 35 and US 190 Corridors. The projected growth is primarily commercial, retail and neighborhood service uses.

#### Background/Case Summary

The northwest portion of the property was annexed into the City limits in 2002 and 2004 and assigned the Agricultural designation upon annexation. The remaining 2.77 acres, on the

CC Agenda Item September 20, 2022 Page 1 of 3 southeast corner, is part of a non-annexation agreement. The owner requested voluntary annexation contingent upon the approval of this zoning request.

The prospective owner of this property requested this zoning change to allow for the development of a Travel Center. This will include a convenience store with gasoline sales for both passenger vehicles and larger trucks. The proposed use is permitted in the Commercial Highway Zoning District. A Planned Development zoning district was requested for a 90' tall High Profile Monument Sign with a sign area of 512 square feet, which exceeds the requirements of the adopted sign code. The applicant indicated that the proposed sign height is needed to ensure sign visibility for northbound travelers from Salado due to elevation changes on Interstate 35 between FM 2484 to Amity Road.

#### **Project Analysis and Discussion**

<u>Existing Conditions:</u> The surrounding uses are mostly undeveloped and zoned Agricultural. The properties on the northwest corner of Interstate 35 and Amity Road are zoned Light Industrial with appropriate business developments.

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

<u>Area & Setback Requirements:</u> The subject lot exceeds the minimum area requirement for the CH District, which requires a minimum lot size of 7,200 sq. ft, a minimum width of 60' and depth of 120'. This overall site is approximately 8 acres and meets the minimum lot requirements.

The conceptual site plan shows an 11,900 sq. ft. building with adequate parking for 96 passenger vehicles and trucks. Staff will further evaluate the parking and landscape for compliance with adopted standards with the review of the construction plans. The proposed building is one story, and the exterior material consists of brick, stone, and metal.

<u>Water and Sewer:</u> This property is located within the Salado Water Supply Corporation Certificate of Convenience and Necessity (CCN) which will provide both domestic and fire protection services. The applicant plans to install a septic system which will require approval from the Bell County Public Health Department.

<u>Sign Area & Setback Requirements:</u> According to Section 38, Sign Regulations, sign on properties with IH-35 and IH-14 frontage are required to have a maximum height of 20', a maximum sign face of 225 square feet, a minimum of 2 cladded poles and a 5' setback from property line. Additional height is allowed when properties are at a lower elevation than the travel lanes of the interstate. This property is slightly elevated approximately 2-4' above the elevation of IH35. The applicant is requesting a height of 90' and a sign area of 512 sq. ft. (excludes fuel pricing). The location of the sign will need to be relocated outside of the utility easement area and at least 5' from the property line.

CC Agenda Item September 20, 2022 Page 2 of 3

## **Recommendation**

**Zoning District** - Recommended approval of the requested base zoning district from Agricultural to Commercial Highway.

- 1. The use of this property shall conform to the Commercial Highway District in all respects.
- 2. The development of each property shall conform to all applicable Type Area 4 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
  - a. Site Development Standards
  - b. Landscape Design Standards
  - c. Tree Protection, Preservation and Mitigation Standards.
- 3. A subdivision plat and a building permit are required prior to development.

**Sign** - Recommend disapproval of the proposed sign as it is not consistent with the adopted sign ordinance.

#### Attachments:

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

CC Agenda Item September 20, 2022 Page 3 of 3

# 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: Belton	Engineering. Inc.	Phone Number:	254 - 731-560	00	
Mailing Address:	106 N East Street	City:	Better	State:	TX
Email Address:	chitery @belton engineers co.	m			

James R. Macanliss, et al<br/>By Mark Fuqua(214) 208-6583Owners Name:By Mark FuquaPhone Number:(214) 208-6583Mailing Address:3505 Saint Johns Dr.City:DallasState:TXEmail Address:markfuqua@gmail.comCity:City:DallasState:TX

Applicant's Interest in Property:

Proposed gas station and truck stop

Legal Description of Property:

A0510BC, G. F. Landford, portion of 62 acre tract described in Volume 3905, Page 265

Is this property being simultaneously platted? No

Street Address: E. Amsty	Real, Better,	TX 74513		
Zoning Change From A-	Agricultural	to CH-	Commercial	Highway
Signature of Applicant:		Date:	08-15-	55.
Signature of Owner (if not		D	ate:	

Checklist for Zoning Items to be submitted with application:

Signed Application

08/15/2022

- 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.

9017 SIH SITSERNARD

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.



August 15, 2022

Bob van Til, AICP Director of Planning City of Belton, Texas P.O. Box 120 Belton, TX 76513 TEXAS COMMERCIAL & INDUSTRIAL REAL ESTATE SERVICES

www.texcomrealestate.com



Mr. van Til,

On behalf of both Buyer and Seller, we respectfully request a change to PD Zoning with dual pylon sign.

- REQUEST:PD ZONING of 8.0 acres of Interstate 35 frontage property (5.221 acres previously annexed<br/>agricultural land along with the adjacent 2.779 acres for which a simultaneous request for<br/>voluntary annexation will be submitted). The attached conceptual site plan includes all necessary<br/>structures and signage required by the developer for the project to move forward.
- **PROPERTY:** 8.00 acres (per attached survey) at the Southeast Corner of Amity Road and IH-35. This property is part of a larger 52-acre tract that is the sole remaining generational property owned by the Seller's family (see attached letter of support).
- PROJECT:Development of an 11,900 s.f. Travel Center with fast food and fuel<br/>Estimated Project Development Cost: \$8,000,000<br/>Estimated Job Creation (Including food franchise): 50 New Employees<br/>Estimated Taxable Annual Sales: \$4,000,000
- SIGNAGE: This request includes a requirement for a 90' sign to be visible by oncoming traffic to allow safe lane changes and timely exit. As can be seen in the attached Street View and Elevation Change exhibits, northbound traffic passing under the FM 2484 overpass in Salado is at a low spot with 610' elevation and Line of Site from that point to the Subject Property requires additional sign height for it to be visible. As it climbs out of the hole, that traffic must maneuver past merging traffic from the onramp and then immediately decide whether it is going to take the Amity exit. Unless the sign has been seen by that point, it is unlikely that traffic will be able to safely make the necessary lane corrections and exit appropriately, thereby passing this stop and possibly Belton altogether.

It is our sincere desire that this Zoning Request passes as is and the project can move forward.

Respectfully,

Christopher H. Gutierrez, CCIM Broker

1620-F W. Loop 340, Suite 10 • Waco, TX 76712 • P.O. Box 21565, Waco, TX 76702 • Office (254) 662-9800 • Fax (254) 765-2662 • Mobile (254) 744-8016

#### CONTENTS:

- Page 1 Transmittal Letter with Project Overview
- Page 2 Conceptual Rendering of proposed PD Zoning showing Sign, Landscaping and Lighting (Color)
- Page 3 Technical Site Plan of proposed PD Zoning showing Sign (B&W)
- Page 4 7 Building Exterior Exhibits from existing facility (this site will be the same design)
- Page 8 10 Letters & Exhibit of Surrounding land tracts in support of this project
- Page 11 Dimensioned Building Elevation Schematic
- Page 12 Dimensioned Sign Elevation
- Page 13 18 Line of Sight and Elevation Exhibits Supporting need for increased sign height
- Page 19 22 Surveyor's exhibits for voluntary annexation
- Page 23 Survey
- Page 24 Information About Brokerage Services













# PROPERTY OWNERS IN SUPPORT OF THIS PROJECT



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World Transportation	0	105	210	420 m

© OpenStreetMap (and) contributors, CC-BY-SA, Esri, HERE, GeoTechnologies, Inc.

Bell County Appraisal District, BIS Consulting - www.bisconsulting.com

This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents

#### Greenview Development 501 Vale Street Austin, Texas 78746 Phone (512) 773-0498 Fax (512) 436-9335

August 22, 2022

City of Belton Sam Listi, City Manager 333 Water Street P.O. Box 120 Belton, Texas 76513

Re: Support for I-35/Amity Road PD Zoning Request

Dear Mr. Listi,

I am writing this letter as a show of support for the planned development zoning request on the southeast corner of the I-35 and E. Amity Road intersection. It is my understanding that the current sign ordinance prohibits a sufficient sign for their intended retail use of this property. Their proposed planned development zoning with requested sign height will enable this development which will promote the future developmental growth of this whole intersection, including my commercial property. I am the only contiguous neighbor to this property and am very comfortable with their proposed request.

If you have any questions, please feel free to contact me at (512) 773-0498.

Sincerely,

Bauto

Barth Timmermann

August 20, 2022

Sam Listi **City Manager** City of Belton, Texas

RE: Support for I-35/Amity Road PD Zoning Request

Dear Sam,

I am writing you as a show of my family's support for the planned development zoning request at I-35 and E. Amity Road both as the seller of the property and as a future neighbor. We own this site plus an additional 45 acres at this intersection. We've owned this property for generations and originally owned much more that was sold for development. We have plans to develop the remaining acreage but this site a crucial stimulus for this mission.

When Belton planned to annex our property, we were impressed with the City's foresight to secure valuable, future commercial land and we are now excited that our property can be incorporated into the City with this proposed development. Since the time of proposed annexation, we have directed our efforts to facilitate Belton's growth mission and the City's Development Agreements have enabled us to pursue these actions.

Following your Future Land Use Map, we believe our site is ideal for a retail user such as this travel center development and we have worked hard to market this site as a premium retail location. We have made the necessary improvements to attract the best buyer. We have negotiated with Salado Water Supply to install a new 12" line to service the site. We have engaged Texas Petition Strategies to certify the site is wet for alcohol sales. We have expanded the size of our site through the abandonment of the old Rose Lane land. And we now need your help to build the necessary I-35 signage to attract customers. All these improvements are aimed at our collective goals to secure land value, to develop the property, to spur future development at this intersection and to generate tax revenues for the City of Belton.

As I'm sure you know, QuikTrip is building a new travel center just one exit south in the Village of Salado. We have first-hand experience working with QT. We developed one of their stores on our property in south Dallas along I-20 at Houston School Road and with it we have attracted other national retailers to our site. QT is a world class operator and they excel at attracting customers. For their new Salado store, the Village granted them a variance of 100' for their sign. To be competitive, our buyer needs the same marketing tools to attract these customers on I-35. Located at Belton's southern border, our site will be in direct competition with Salado retail and therefore tax revenues and, as part of Belton, we want to help you win.

Additionally, this project is a key element for the remaining properties at this intersection. My neighbor is a developer who owns properties at three corners of this intersection. He has future plans to develop his land and is increasingly interested in our project as the catalyst for development at this targeted commercial area. Therefore, we need your help to make this site great so that future development will follow and tax revenues along with it. And to be great, we need a taller sign.

Thank you for your time and consideration.

Sincerely,

March 7-19

Mark Fuqua
















8/26/22, 12:41 PM

AT&T Yahoo Mail - belton site files

#### belton site files

From: Abe Dashner (abe@rpls5901.com)

- To: sohilhmak@gmail.com; txlandinfo@sbcglobal.net
- Cc: iportales@manhard.com

Date: Friday, August 26, 2022 at 12:20 PM CDT

sohil,

please find the annexation exhibit and description attached, as well as the title survey. title company will want to review this and likely ask for some minor revisions/updates.

let us know if you have any questions, and otherwise have a great weekend.

thank you, abe

---

Abram Dashner RPLS, LLC 6448 Hwy. 290 E. Ste B-105 Austin, TX 78723 512-244-3395 TBPELS Firm No. 10194420

290-01TI\_7-14-22.pdf 943.2kB

290-01EX1 8-26-22.pdf 790.9kB



790.9kB 2022.121.pdf

#### ABRAM DASHNER, RPLS, LLC

#### **TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR 5901**

#### TBPLS FIRM NO. 10194420

<u>abe@rpls5901.com</u> **512-244-3395** 

2.779 ACRES G.F. LANKFORD SURVEY, ABS. NO. 510 BELL COUNTY, TX FILE NO. 2022.175 PROJECT: 290-01 DATE:08/26/2022

#### DESCRIPTION

2.779 ACRES, MORE OR LESS, OUT OF THE G.F. LANKFORD SURVEY, ABSTRACT NO. 510, IN BELL COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 62 ACRE TRACT CONVEYED TO JAMES RICHARD MACANLISS AND MARY MACANLISS MARKHAM BY DEED OF RECORD IN VOLUME 3905, PAGE 265, OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS AND ALL OF THAT CERTAIN 0.467 ACRE TRACT DESCRIBED IN INSTRUMENT NO. 2022004770, OF THE REAL PROPERTY RECORDS OF BELL COUNTY, TEXAS; SAID 2.779 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING,** at a 1/2-inch iron rod found in the northwest right-of-way line of Rose Lane (60' r.o.w.), being the southeast corner of that certain 0.463 acre tract described in Document No. 2022004770, of said Real Property Records, for the southwesterly corner of said 0.467 acre tract and hereof;

**THENCE,** N16°30′02″E, leaving said northwest right-of-way line, along the east line of said 0.463 acre tract, being the west line of said 0.467 acre tract, a distance of 361.73 feet to a calculated point, for the northwesterly corner hereof;

**THENCE,** N42°33'48"E, leaving said east line of the 0.463 acre tract, in part over and across said 0.467 acre tract, and in part over and across said 62 acre tract, a distance of 459.27 feet to a calculated point, for the northeasterly corner hereof;

**THENCE,** S73°22'40"E, continuing over and across said 62 acre tract, a distance of 218.31 feet to a calculated point in said northwest right-of-way line of Rose Lane, being the northwest line of that certain 2.020 acre tract conveyed to TXDOT for road right-of-way by Deed of Record in Volume 7374, page 278, of said Official Public Records of Real Property, for the southeasterly corner hereof;

**THENCE,** S44°59′49″W, along said northwest right-of-way of Rose Lane, being the northwest line of said 2.020 acre tract, passing at a distance of 828.40 feet a TXDOT Type II monument found at the southeast corner of said 0.467 acre tract, being the northwest corner of said 2.020 acre tract, continuing with the southeast line of said 0.467 acre tract for a total distance of 880.51 feet to the **POINT OF BEGINNING**, and containing 2.779 acres (121,061 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(2011), CENTRAL ZONE, UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF JUNE, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER TEXAS RPLS 5901 TBPLS FIRM NO. 10194420







#### ABRAM DASHNER RPLS, LLC

#### TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR 5901

#### TBPLS FIRM NO. 10194420

abe@rpls5901.com 512-244-3395

8.000 ACRES G.F. LANKFORD SURVEY, A-510 BELL COUNTY, TEXAS FILE NO. 2022.121 PROJECT: 290-01 DATE: 07/06/2022

#### DESCRIPTION

8.000 ACRES, MORE OR LESS, OUT OF THE G.F. LANKFORD SURVEY, ABSTRACT NO. 510, IN BELL COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 62 ACRE TRACT CONVEYED TO JAMES RICHARD MACANLISS AND MARY MACANLISS MARKHAM, BY DEEDS OF RECORD IN VOLUME 3905, PAGE 261 AND VOLUME 3905, PAGE 265, OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, AND ALL OF THAT CERTAIN 0.467 ACRE TRACT DESCRIBED IN DOCUMENT NO. 2022004770, OF THE REAL PROPERTY RECORDS OF BELL COUNTY, TEXAS; SAID 8.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING,** at a 1/2-inch iron rod found in the northwest right-of-way line of Rose Ln (60' r.o.w.), being the southeast corner of that certain 0.463 acre tract described in Document No. 2022004770, of said Real Property Records, for the southwesterly corner of said 0.467 acre tract and hereof;

**THENCE,** N16°30'02"E, leaving said northwest right-of-way line, along the east line of said 0.463 acre tract, being the west line of said 0.467 acre tract, a distance of 814.69 feet to a calculated point in the southeast right-of-way line of Interstate Hwy 35 (r.o.w. varies), being the northeast corner of said 0.463 acre tract, for the northwesterly corner of said 0.467 acre tract and hereof, from which a mag nail found bears S16°30'02"W, a distance of 0.32 feet;

**THENCE,** N41°39'02"E, along said southeast right-of-way line, in part along the northwest line of said 0.467 acre tract and in part along the northwest line of said 62 acre tract, a distance of 197.29 feet to a 1/2-inch iron rod with "Dashner RPLS 5901" stainless steel cap set at the southwest corner of that certain 0.028 acre tract conveyed to TXDOT for road right-of-way by Deed of record in Volume 7374, Page 278, of said Official Public Records of Real Property, for an angle point;

**THENCE,** N46°23'17"E, continuing along said southeast right-of-way line, over and across said 62 acre tract, being the southeast line of said 0.028 acre tract, a distance of 178.07 feet to a 1/2-inch iron rod with "Dashner RPLS 5901" stainless steel cap set in the north line of said 62 acre tract, being the west terminus of a right-of-way return line between said southeast right-of-way line of Interstate Hwy 35 and the south right-of-way line of E. Amity Rd (50' r.o.w.), being the most northerly corner of said 0.028 acre tract, for an angle point;

**THENCE,** N81°13'32"E, along said right-of-way return line, being the north line of said 62 acre tract, a distance of 277.14 feet to a 1/2-inch iron rod with "Dashner RPLS 5901" stainless steel cap set at the east terminus of said right-of-way return line, for the most northerly corner of said 62 acre tract and hereof;

**THENCE,** S73°37′43″E, along said south right-of-way line of E. Amity Rd, being the north line of said 62 acre tract, a distance of 55.56 feet to a 1/2-inch iron rod found at the northwest terminus of a right-of-way return line between said south right-of-way line of E. Amity Rd and the west right-of-way line of said Rose Ln, being the most northerly corner of that certain 2.020 acre tract conveyed to TXDOT for road right-of-way by Deed of record in Volume 7374, Page 278, of said Official Public Records of Real Property, for an angle point;

**THENCE,** S34°20'33"E, over and across said 62 acre tract, along said right-of-way return line, a distance of 68.60 feet to a 1/2-inch iron rod with "Dashner RPLS 5901" stainless steel cap set at the southeast terminus of said right-of-way return line, being an angle point in the west line of said 2.020 acre tract, for an angle point;

**THENCE,** continuing over an across said 62 acre tract, along said west right-of-way line of Rose Ln, being the west line of said 2.020 acre tract, the following three (3) courses and distances:

- 1. S16°24'00"W, a distance of 147.85 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right;
- 2. Along said curve, having a radius of 370.00 feet, a central angle of 28°37'52", an arc length of 184.89 feet, and a chord which bears S30°42'46"W, a distance of 182.97 feet to a TXDOT Type II monument found at the point of tangency of said curve;
- 3. S44°59'49"W, passing at a distance of 969.21 feet a TXDOT Type II monument found at the southeast corner of said 0.467 acre tract, and continuing for a total distance of 1021.32 feet to the **POINT OF BEGINNING**, and containing 8.000 acres (348,475 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(2011), CENTRAL ZONE, UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF JUNE, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER TEXAS RPLS 5901 TBPLS FIRM NO. 10194420





# **Information About Brokerage Services**

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

#### TYPES OF REAL ESTATE LICENSE HOLDERS:

- A BROKER is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A SALES AGENT must be sponsored by a broker and works with clients on behalf of the broker.

## A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

#### A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
  - Must not, unless specifically authorized in writing to do so by the party, disclose:
  - that the owner will accept a price less than the written asking price;
  - o that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

## TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Texas Commercial & Industrial Real Estate Services, Inc.	0484581	txlandinfo@sbcglobal.ne	t (254)662-9800
Licensed Broker /Broker Firm Name or	License No.	Email	Phone
Primary Assumed Business Name			
Designated Broker of Firm	License No.	Email	Phone
Christopher Gutierrez, CCIM	0314988	txlandinfo@sbcglobal.ne	et (254)744-8016
Licensed Supervisor of Sales Agent/	License No.	Email	Phone
Associate			
Sales Agent/Associate's Name	License No.	Email	Phone
Buyer/Tenar	nt/Seller/Landlord Initials	Date	-
Regulated by the Texas Real Estate Commission	on	Information ava	ailable at www.trec.texas.gov IABS 1-0 Date
Texas Comm. & Industrial R.E., 1620-F West Loop 340 Ste 10 Waco TX 76712	2	Phone: 2546629800	Fax: 2547652662 2020 Information

Christopher Gutterrez Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com







#### CORRECTION

## 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 Engineering, Inc.
 ,

 To change the following described property:
 9007 S. IH 35 Svc Road
 ,

 From A(N)
 Agricultural (A)
 Zoning District,

 To a(N)
 Planned Development - Commercial Highway (CH)
 Zoning District,

 To allow for the construction for a Travel Center (Convenience Store W/ Gas Station) and a 90'
 Tall High Profile Sign

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27</u>, <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, prior to 1:00 p.m. on <u>September 27, 2022</u>.

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: BELTON ENGINEERING, INC.	,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 9007 S. IH 35 SVC ROAD	,
FROM A(N) <u>AGRICULTURAL (A)</u>	ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - COMMERCIAL HIGHWAY (CH)	ZONING DISTRICT,
TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS	STATION) AND A 90'
TALL HIGH PROFILE SIGN	

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, 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 NTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE TION 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



96990 MACANLISS, JAMES RICHARD & MARY MACANLISS MARKHAM 3505 SAINT JOHNS DR DALLAS, TX 75205 352836 TIMMERMANN PROPERTIES INC

PO BOX 4784 AUSTIN, TX 78765-4784

420027 TIMMERMANN PROPERTIES INC 3410 GREENWAY ST AUSTIN, TX 78705

117048 TIMMERMANN, GERALDINE PO BOX 4784 AUSTIN, TX 78765-4784

419287 TIMMERMANN, GERALDINE PO BOX 4784 AUSTIN, TX 78765-4784

420198 MACANLISS, JAMES R ETAL 3505 SAINT JOHNS DR DALLAS, TX 75205-2830

PO BOX 4784 AUSTIN, TX 78765-4784

TIMMERMANN, GERALDINE

MACANLISS, JAMES R ETAL

3505 SAINT JOHNS DR

DALLAS, TX 75205-2830

MACANLISS, JAMES RICHARD & MARY MACANLISS MARKHAM 3505 SAINT JOHNS DR

DALLAS, TX 75205

,

316530

419321

420200



# Staff Report – Planning and Zoning Agenda Item



Date: September 20, 2022 Case No.: Z-22-34 Request: PD- C1 to Amended PD-C1 Applicant/Owner: Hale Youngblood/ Belton Lands LLC.

## Agenda Item #8

Z-22-34 – Hold a public hearing and consider a zoning change from Planned Development-Commercial 1 to Amended Planned Development – Commercial-1 for approximately 21.617acre property located at 3360 S. IH 35 Svc. Rd., east of Interstate 35 and south of Grove Rd.

## **Originating Department**

Planning Department - Tina Moore, Planner

**<u>Current Zoning</u>**: Planned Development – Commercial 1 (PD-C1)

Current Use(s): RV Park

**Proposed Zoning:** Amended Planned Development – Commercial -1.

Proposed Uses: 55-foot tall High-Profile Monument Sign.

# Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area for Commercial/Retail Corridor.

## Design Standards Type Area 2:

The project growth is primarily commercial highway frontage uses with opportunities for mixeduses, restaurants, new car dealerships, multi-story office and other commercial uses.

## **Case Summary and Analysis**

This property was zoned to a Planned Development (Commercial – 1) District for an RV Park in March 2018. It was later amended in October 2019, to allow variances to the Chapter 19, *Recreational Vehicle Parks*, City Code of Ordinances which permitted a one-way road width of 16' and a maximum distance of 500' from RV sites, with individual sewer connections, to a restroom facility.

The owner has requested an amendment to the existing zoning to allow for a 55' tall High Profile Monument Sign. The application indicated the additional height is needed due to P&Z Agenda Item September 20, 2022 Page 1 of 2 elevation changes along Interstate 35. The elevation of the proposed sign location is 35' lower than the adjacent property to the north and 5' lower than the adjacent property to the south. The applicant would like to match the height of ProStar Rentals sign, located north of their site.

#### **Project Analysis and Discussion**

<u>Sign Area & Setback Requirements:</u> According to Section 38, Sign Regulations, signs on properties with IH-35 and IH-14 frontage are required to have a maximum height of 20', a maximum sign face of 225 square feet, a minimum of 2 cladded poles and a 5' setback from property line. Additional height is allowed when properties are at a lower elevation than the travel lanes of the interstate. The properties between Central Avenue and Cori Drive are allowed a maximum sign height of 75' as this area is lower than the Interstate. The elevation of the RV site is even with the adjacent travel lanes of the Interstate. All other applicable requirements are satisfied – the sign face area is approximately 166 sq. ft.

#### **Recommendation**

Staff recommends disapproval of the zoning request. The proposed sign is not consistent with the adopted Sign Ordinance and will set a precedent for other businesses requesting taller signs along the interstate frontage road.

#### Attachments:

- 1. Zoning application and proposed sign
- 2. Property Location Map
- 3. Zoning map
- 4. Aerial

5. Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

P&Z Agenda Item September 20, 2022 Page 2 of 2

# City of Belton Request for a Zoning Change

# To the City Council and the Planning & Zoning Commission

Fee: \$250.00

# Date Received: <u>8/15/22</u>Date Due: <u>8/15/22</u> (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Hale Youngblood	Phone Num	ber: <u>512-431-3552</u>	
Mailing Address: 6700 Bridge Hill Cove, 787	746	City: Austin	State: TX
Email Address: hale@sparkrootconstruction.	com		
BELTON LAND LLC Owners Name: Suresh Lavani, Manager Phone Number: <u>512-507-4210</u>			
Mailing Address: 6700 Bridge Hill Cove, 787	46	City: Austin	
Email Address: suresh@sparkrootconstruction.com			

Applicant's Interest in Property:

Hale is the Project Manager employed by Spark Root Construction to help develop the property into an RV park.

Legal Description of Property: BELTON LAND LLC ADDITION, BLOCK 001, LOT 0001, ACRES 21.617

Is this property being simultaneously platted? No

Street Address: 3360 S IH 35 SVC RD BELTON, TX 76513

Zoning Change From 20ft sign height limit to 55ft sign height limit Signature of Applicant:

Signature of Owner (if not applicant): Surssh Lavani Date: 8/15/2022

Checklist for Zoning Items to be submitted with application:

- Signed Application
- o 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.

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.











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

1

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:
 BELTON LAND, LLC.
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 3360 S. IH 35 SVC ROAD
 ,

 FROM A(N)
 PLANNED DEVELOPMENT – COMMERCIAL -1 (PD-C1)
 ZONING DISTRICT,

 TO A(N)
 AMENDED PLANNED DEVELOPMENT - COMMERCIAL -1
 ZONING DISTRICT,

 TO ALLOW FOR A 55' TALL HIGH PROFILE SIGN.
 .
 .

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, September 20, 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 <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO <u>PLANNING@Beltontexas.gov</u>, prior to 1:00 p.m. on <u>September 27, 2022</u>.

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

	circle one NTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE TION ABOVE FOR THE REASONS EXPRESSED BELOW:
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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: BELTON LAND, LLC.	
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: <u>3360 S. IH 35 SVC ROAD</u>	
FROM A(N) <u>Planned Development – Commercial -1 (PD-C1)</u>	ZONING DISTRICT,
TO A(N) AMENDED PLANNED DEVELOPMENT - COMMERCIAL -1	ZONING DISTRICT,
TO ALLOW FOR A 55' TALL HIGH PROFILE SIGN.	

The Planning & Zoning Commission of the City of Belton, Texas will hold a public hearing pursuant to this request at <u>5:30 P.M., Tuesday, September 20, 2022</u>, at the T.B. Harris Center, 401 N. Alexander, Belton, Texas.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesday, September 27,</u> <u>2022</u>, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

As an interested property owner, the City of Belton invites you to make your views known regarding this zoning change. You may submit written comments by completing this form and returning it to the address below or via email to <u>Planning@beltontexas.gov</u>, 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



21858

KAELIO PROPERTIES LLC 80 MORGANS POINT RD STE 101 BELTON, TX 76513

481860 DRAKE PROSTAR BELTON LLC 11621 COUNTY ROAD 166 TYLER, TX 75703-7492

486282 BELL COUNTY JOINT VENTURE 1010 5TH AVE NEW YORK, NY 10028-0130 466685 WESTWOOD ASSOCIATES LLC 2027 S 61ST ST STE 100A TEMPLE, TX 76504

481909 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120

486283 CITY OF BELTON PO BOX 120 BELTON, TX 76513-0120 472985 LAKESHINE PROPERTIES LLC 10019 LAVON BND AUSTIN, TX 78717-4169

486277 BELTON LAND LLC 6700 BRIDGE HILL CV AUSTIN, TX 78746

486732 DRAKE CAPITAL INCOME FUND LP 11621 COUNTY ROAD 166 TYLER, TX 75703-7492



# Staff Report – City Council Agenda Item



Date: September 20, 2021 Case No.: Z-22-35 Request: Single Family -1 to Single Family -1 w/ SUP for Private School Applicant/Owner: Shannon Morrison – Providence Preparatory School/ UMHB

## Agenda Item #9

Z-22-35 Hold a public hearing and consider a zoning change from Single Family- 1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215-acres located at 707 N. Pearl Street.

## **Originating Department**

Planning Department - Tina Moore, Planner

**Current Zoning:** Single Family -1 Zoning District (SF-1)

Proposed Zoning: Single Family -1 with a Specific Use Permit for a Private School

Current Land Use: Vacant

Proposed Uses: School

## Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as institutional and residential.

### **Design Standards Type Area 3:**

The projected growth for this area is primarily UMHB Campus with potential for an Urban Infill.

### Background/Case Summary

The applicant is leasing this property from UMHB to expand an existing private school. Most of the private school campus is located nearby on the property owned by First Baptist Church. Schools are permitted with a Specific Use Permit in all residential zoning districts.

CC Agenda Item September 20, 2022 Page 1 of 3
The conceptual site plan indicates that an 810 sq. ft. portable building is proposed for this site. Two parking spaces are proposed for staff or students with limited mobility. The applicant indicates this is adequate parking as they require staff and students to park in designated spaces at the main campus.

### Project Analysis and Discussion

<u>Existing Conditions</u>: Adjacent properties north, south, and west are zoned Single Family-1 and are developed with detached homes. Adjacent properties along N. Main Street are zoned University Campus 1 and are developed with detached homes.

<u>Allowable Land Uses:</u> The proposed zoning change would allow the development of the proposed school with area regulations conforming to the Single Family 1 Zoning District.

<u>Area & Setback Requirements:</u> The subject lot exceeds the minimum area requirement for the Single Family -1 district which requires a minimum of 10,000 sq. ft., a minimum width of 70', and depth of 100'. This lot is approximately 9,382 sq. ft. with a width of 75' and depth of 124'.

### **Project Analysis and Discussion**

Per Zoning Ordinance Section 33.2, the following criteria for an SUP request should be considered:

- 1. Is the use harmonious and compatible with surrounding existing uses or proposed uses? The main school campus is within proximity to this location and appears to be compatible with the surrounding use that transitions from residential to commercial uses.
- 2. Are the activities requested by the applicant normally associated with the requested use? The activities requested are normally allowed.
- 3. Is the nature of the use reasonable? Yes, this seems reasonable because it blends in with the surrounding uses.
- 4. Has any impact on the surrounding area been mitigated? The proposed site plan will have minimal impacts to the surrounding area.

The requested SUP appears to satisfy the criteria above.

### **Recommendation**

Recommended approval of the requested zoning change Single Family- 1 District to Single Family-1 District with a Specific Use Permit for a Private School, subject to the following conditions:

- 1. The use of this property shall conform to the Single Family 1 District in all respects and the use as a private school site is permitted.
- The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
   a. Site Development Standards

CC Agenda Item September 20, 2022 Page 2 of 3

- b. Landscape Design Standards
- c. Tree Protection, Preservation and Mitigation Standards.
- 3. A building permit application meeting the requirements of all applicable codes is required.

### Attachments:

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

CC Agenda Item September 20, 2022 Page 3 of 3

## **ZONING CHANGE APPLICATION**



Fee: \$250.0	0
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Fee: \$250.00	
Date received: August 15, 2022	
APPLICANT NAME: Providence Preparatory School	
EMAIL: shannon.morrison@provprep.org	PHONE NUMBER: 254-913-7179
MAILING ADDRESS: 2608 N Main St Ste B193 Belton TX 76513	
PROPERTY OWNER NAME: UMHB	
EMAIL: stheodore@umhb.edu	PHONE NUMBER: 254-295-4519
MAILING ADDRESS: 900 COLLEGE ST, UMHB BOX 8441 BELTO	N, TX 76513
Proposed Use of Structures (building) and Property (exterior prop classroom, landscaping	perty):
Current Use:	
vacant lot	·
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:	
707 N Pearl Street	
Legal Description of Property: Abstract Survey Geographic ID: 028	1260000 Property ID: 73210
Lot(s):,	
of Subdivision <u>TYLER, BLOCK 00A, LOT PT 4, 6, (W 124' OF S 1/2</u>	OF 4 & N 25' OF W 124' OF 6)
Existing Zoning: RESIDENTIAL Proposed Zo	ning:SCHOOL
	ning. <u></u>
Signature of Applicant: Shannon Morrison Digitally signed by Shannon M Date: 2022.08.15 16:53:12 -05	Date: 08/15/2022
Signature of Owner (if not applicant): <u>Steve Theodore</u>	Aug 16, 2022

City of Belton Planning Department

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

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

	Cianad application
_	Signed application
	Fees paid
	Complete legal des
_	

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 Change App 2021 WEB (1)

Final Audit Report

2022-08-16

Created:	2022-08-15
Ву:	shannon morrison (shannon.morrison@provprep.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAABWVTXY-kpxmev73vk8KYVm64pEAmiv7f

### "Zoning Change App 2021 WEB (1)" History

- Document digitally presigned by Shannon Morrison (shannon.morrison@provprep.org) 2022-08-15 - 9:53:12 PM GMT
- Document created by shannon morrison (shannon.morrison@provprep.org) 2022-08-15 - 9:53:47 PM GMT
- Document emailed to Steve Theodore (stheodore@umhb.edu) for signature 2022-08-15 - 9:54:35 PM GMT
- Email viewed by Steve Theodore (stheodore@umhb.edu) 2022-08-15 - 9:54:46 PM GMT
- Document e-signed by Steve Theodore (stheodore@umhb.edu) Signature Date: 2022-08-16 - 1:10:32 PM GMT - Time Source: server
- Agreement completed. 2022-08-16 - 1:10:32 PM GMT





Map Date: 9/7/2022



Feet 



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

 THE CITY OF BELTON HAS RECEIVED A REQUEST FROM:
 PROVIDENCE PREPARATORY SCHOOL
 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
 707 N. PEARL STREET
 ,

 FROM A(N)
 SINGLE FAMILY - 1
 ZONING DISTRICT,

 TO A(N)
 SINGLE FAMILY - 1 W/ SUP FOR PRIVATE SCHOOL
 ZONING DISTRICT,

 TO ALLOW FOR AN ADDITIONAL SCHOOL BUILDING AT THIS SITE AS SHOWN ON THE CONCEPTUAL SITE PLAN
 .

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, September 20, 2022**, 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 NTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE TION ABOVE FOR THE REASONS EXPRESSED BELOW:
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DATE: _	SIGNATURE:

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



1645 ALEXANDER, JOHN M ETUX NANCY M 706 N MAIN ST BELTON, TX 76513-3054

35599 FIRST BAPTIST CHURCH 506 N MAIN ST BELTON, TX 76513-3072

35627 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

35632 FIRST BAPTIST CHURCH OF 506 N MAIN ST BELTON, TX 76513-3072

45192 CENTRAL TEXAS CASTLES LTD 2 S MAIN ST STE 200 TEMPLE, TX 76501-7632

78301 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

118934 FIRST BAPTIST CHURCH BELTON 506 N MAIN ST BELTON, TX 76513-3072

35623 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

46015 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513 25389 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

35624 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

35628 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

36280 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

60719 RANDOLPH, MICHAEL L & ROSEMARY 704 N MAIN ST BELTON, TX 76513-3054

91733 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

126165 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

45191 HOMEOWNERS NETWORK INC 2325 SANGER AVE WACO, TX 76707-3475 27300 POENITZSCH, ROBERT RAY 258 E ELMVIEW PL SAN ANTONIO, TX 78209-3808

35626 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

35629 FIRST BAPTIST CHURCH OF BELTON 506 N MAIN ST BELTON, TX 76513-3072

38201 FIRST BAPTIST CHURCH BELTON 506 N MAIN ST BELTON, TX 76513-3072

73210 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

118675 TULLOCH, ELIZABETH WANEEN 503 NEIL ST BELTON, TX 76513

129947 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

468478 UNIVERSITY OF MARY HARDIN BAYLOR 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513

### **CORRECTION**

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 ,

 TO CHANGE THE FOLLOWING DESCRIBED PROPERTY:
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 FROM A(N)
 SINGLE FAMILY - 1
 ZONING DISTRICT,

 TO A(N)
 SINGLE FAMILY - 1 W/ SUP FOR PRIVATE SCHOOL
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 TO ALLOW FOR AN ADDITIONAL SCHOOL BUILDING AT THIS SITE AS SHOWN ON THE CONCEPTUAL SITE PLAN
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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.

	INTERESTED PROPERTY OWNER, I (PRO ATION ABOVE FOR THE REASONS EXPRE	circle one TEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE ESSED BELOW:
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DATE:	9/15/22	SIGNATURE: CRO XOLEDA
		PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812
	35599	35624 3562735629 35632 118934
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		BELTONBELT(BELTON BELTON, 1A, 10515-3072

# P&Z Agenda Item # 10 P-21-17

.

### Staff Report – Planning & Zoning Item



Date: September 20, 2022 Case No.: P-21-17 Request: Replat Applicant: Tibbit Surveying Owner/Developer: Manuel Orena

### Agenda Item #10

P-21-17 Consider a replat for the J.H. Connell Replat #1 subdivision, comprising of 0.258 acres, located south of West Avenue D and north of W. Avenue F.

### **Originating Department**

Planning - Tina Moore, Planner

### **Case Summary**

This replat proposes a one block, two residential lot located between Surghnor Street and S. Hughes Street. This is considered a residential replat without variance and exceptions, therefore, does not require a public hearing. Per Texas Local Government Code Section, 212.012, written notice of the approved plat will be provided to property owners within 200' of the property within 15 days of the approved plat.

### **Project Analysis and Discussion**

A zoning change to Planned Development- SF-2 with a Conservation Revitalization Overlay was approved in September 2021 to allow for the following standards:

	PD Conditions Lot 3A	PD Conditions Lot 3A
Minimum Lot Area	5,600	5,600
Minimum Lot Width	60'	60'
Minimum Lot Depth	75'	74'
Front Yard Setbacks	12'	15'
Rear Yard Setbacks	5'	10'
Side Yard Setbacks	6'	6'

The plat conforms to the PD-SF-2 standards. There is an existing house at 519 Surghnor Street and plans to construct a new home that fronts Hughes Street.

Water and Sewer: Water and wastewater services are provided by the City of Belton.

P&Z Agenda Item September 20, 2022 Page 1 of 2 **<u>Streets</u>**: Both Surghnor and Hughes Streets are local roads that require 50' of Right of Way. Surghnor currently has 60' of ROW and 32' of pavement. Hughes currently has 50' of ROW and approximately 20' of pavement. No perimeter street improvements or sidewalks are required for this infill lot.

Drainage: Topography and drainage have been reviewed by staff.

**Parkland Dedication/Fee:** Parkland fees are waived for administrative lots with fewer than 4 lots.

### **Recommendation**

Recommend approval of the final plat of J.H. Connell Replat.

### **Attachments**

- 1. Final Plat Application
- 2. Location Map
- 3. Final Plat

P&Z Agenda Item September 20, 2022 Page 2 of 2







# P&Z

# Agenda Item # 11 Administrative Plats

Consolidation of three UMHB lots	<u> </u>	1.499 acres; NW C W. 10th Ave an	UMHB Addition	8/25/2022
Previously unplatted; consolidation of two properties	1 Pr	0.33 acres; Hastings Drive	Saltkill Addition	8/3/2022
Description	No. of Lots	Acreage /Location	Subdivision Name	Approval Date
ovals	at Appro	Administrative Plat Approvals		



