

CITY OF BELTON

Planning & Zoning Commission Meeting Tuesday, November 21, 2023 - 5:30 p.m. Harris Community Center 401 N. Alexander, Belton, Texas

AGENDA

- 1. Call to order.
 - a. Invocation
 - b. Pledge of Allegiance
- 2. Public comments.

Citizens who desire to address the Commission on any matter, <u>not</u> on the agenda, may do so during this item. Please state your name and address for the record and limit your comments to three minutes. Please understand while the commission appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda.

- 3. Consider the minutes of the October 17, 2023, regular meeting.
- Z-23-26 Hold a public hearing and consider a zoning change from Office 1 with a Specific Use Permit to Planned Development – Retail, on approximately 0.275 acres located at 328 N. Main Street, located at the southwest intersection of North Main Street and West 3rd Ave.
- 5. Receive a report on Administrative Plat Approvals.

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

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

City of Belton Tuesday, October 17, 2023

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Present Commission members: Chair Brett Baggerly, Vice Chair David Jarratt, Quinton Locklin, Luke Potts, Nicole Fischer, Ty Taggart, Justin Ruiz, and Dominica Garza. The following member was absent: Alton McCallum. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst Alex Munger.

1. Call To Order.

Chair Baggerly called the meeting to order at 5:30 p.m.

Invocation – Vice Chair Jarratt gave the Invocation.

Pledge of Allegiance – Chair Baggerly led the Pledge.

2. Public comments. (Audio 01:06)

Nan Rodriguez of 2590 Tahuaya Rd. spoke against the proposed construction of an RV Park next to her property.

3. Consider approval of minutes from the previous meeting. (Audio 06:32)

Commission Member Fischer motioned to approve minutes from the September 19, 2023, meeting, seconded by Commission Member Potts. The motion passed with 8 ayes and 0 nays.

4. Z-23-23 - Hold a public hearing and consider a zoning change from Commercial-1 to Commercial Highway District on approximately 25.881 acres located at 3500 S. IH 35, on the east side of Interstate 35, north of Shanklin Road and south of E. Grove Road. (Audio 07:02)

Commission Member Potts recused himself from this item and item number 5.

City Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

With no further public input, the public hearing was closed.

City Planner Tina Moore answered questions from the Commission Members.

Commission Member Fischer made a motion to approve Z-23-23 as presented. Commission Member Ruiz seconded the motion. The motion passed with 7 ayes and 0 nays.

5. P-23-24 – Consider a final plat for Cedar Crest Amending Plat, comprising of 38.25 acres, located at 3500 S. IH 35. (Audio 11:41)

City Planner Ms. Moore presented the staff report.

City Planner Tina Moore answered questions from the Commission Members related to the variance request for Mesquite Road, and the previous plat approval in 2018.

Director van Til addressed a question related to amending the length of time for funds to be held for improvements.

Commission Member Taggart made a motion to approve P-23-24 as presented with the denial of the variance request for the Mesquite Road perimeter street improvements. Vice Chair Jarratt seconded the motion. The motion passed with 7 ayes and 0 nays.

6. Z-23-24 - Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial – 2, on approximately 2.76 acres located at 4073 W. US Highway 190 Svc. Road, on the south side of Interstate 14, west of FM 1670, and east of Dog Ridge Road. (Audio 23:17)

City Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

With no further public input, the public hearing was closed.

City Planner Tina Moore answered questions from the Commission Members.

Commission Member Potts made a motion to approve Z-23-24 as presented. Commission Member Locklin seconded the motion. The motion passed with 8 ayes and 0 nays.

7. Z-23-25 - Hold a public hearing and consider a zoning change from Agricultural (A) to Commercial – 1 on approximately 4.395 acres located at 6564 Dog Ridge Rd, on the south side of Interstate 14, west of George Wilson Rd and east Simmons Rd. (Audio 27:36)

City Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

With no further public input, the public hearing was closed.

Commission Member Fischer made a motion to approve Z-23-25 as presented. Commission Member Ruiz seconded the motion. The motion passed with 8 ayes and 0 nays.

8. Receive a report on Administrative Plat Approvals.

City Planner Ms. Moore presented the list of administratively approved plats.

With no other city business, the Planning and Zoning Commission was adjourned at 6:02 p.m. (Audio ends at 31:58)

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	Chair, Planning and Zoning Commission	

Staff Report – Planning & Zoning Agenda Item

Date:

November 21, 2023

Case No.:

Z-23-26

Request: O-1 w/ SUP to PD-R

Applicant/Owners: Brittany Thornton/Jack

Folsom

Agenda Item #4

Z-23-26 - Hold a public hearing and consider a zoning change from Office – 1 with a Specific Use Permit to Planned Development – Retail, on approximately 0.275 acres located at 328 N. Main Street, located at the southwest intersection of North Main Street and West 3rd Ave.

<u>Originating Department</u>: Planning Department – Tina Moore - Planner

Current Zoning: Office-1 w/Specific Use Permit for a Garage Apartment with kitchen

<u>Current Use:</u> Primary Structure - 1st Floor – Office; 2nd Floor – Residential; Garage Apartment (Accessory Dwelling Unit w/ Kitchen)

Proposed Zoning: Planned Development - Retail

<u>Proposed Use(s):</u> Primary Structure - 1st floor – Retail, Residential on the 2nd Floor, and Garage Apartment (ADU)

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as a commercial corridor.

Design Standards Type Area 7:

This Type Area is projected for primarily commercial, mixed-use developments and urban residential infill, focusing on compatible uses.

Background/Case Summary

The property is also located in the Lower West Belton Historic Overlay District, which makes the building subject to the historic preservation ordinance. The applicant is the owner of Clover and Company Boutique which sells ladies' appeals, jewelry, and gifts. The applicant recently signed a lease agreement to rent the first floor, approximately 1892 SF, of this historic home to relocate the business to Belton from Salado. The second story, approximately 1252 SF, is a residential use with two apartment units. The detached garage apartment is also a residential

use on the second floor. The proposed zoning change would allow for the mixed-uses proposed.

Project Analysis and Discussion

Existing Conditions:

Direction	Zoning	Use
North	O-1	Children Advocacy Center of Central Texas
South	Retail (R)	Detached Home
West	SF-1	Detached home
East	Retail	Belton Chiropractic and Wellness

<u>Land Use Table/Allowable Uses:</u> The requested PD - Retail District would permit the proposed vertical uses with area and setback requirements per the Retail District.

<u>Area & Setback Requirements:</u> The property is approximately 12,000 SF which exceeds the 7,000 SF area requirements for the Retail Zoning District.

Project Analysis:

This is an adaptive reuse of a historic home, close to downtown Belton, with limited area for parking. Per the Off-Street Parking and Loading Requirements of the zoning ordinance, nine parking spaces are required for the retail store, and six spaces are required for residential uses, in the primary structure and garage apartment, for a total of 13 spaces.

The applicant has six parking spaces on site which include three inside the detached garage and three located on the exterior driveway adjacent to the garage. There are two additional unpaved parking spaces to the southwest of the home which will need to be paved if they are to be counted toward the minimum required parking spaces. The applicant also received permission to share seven parking spaces from the Children's Advocacy Center, located just north of the site. The shared parking solution seems reasonable. This will allow the tenant to use an underutilized parking lot on an adjacent property to meet their minimum parking requirements.

Future retail tenants will be evaluated during the Certificate of Occupancy inspection process to ensure continued commitment of the parking spaces from the nearby property owner. Additional on-site paved parking spaces may be required at that time.

The applicant will need to address applicable life safety requirements for the vertical mixed uses proposed. The 2015 International Building Code requires a 2-hour fire-rated barrier between the proposed retail and upstairs residential uses.

<u>Water/Sewer CCN:</u> This property is in the City of Belon Certificate of Convenience and Necessity (CCN).

Recommendation

The FLUM identifies this area as appropriate for Commercial/Retail uses. The requested PD-R Zoning District is consistent with the uses expected in this area. Therefore, the requested zoning appears to be appropriate at this location.

Recommend approval of the requested zoning change from Office – 1 with a Specific Use Permit to Planned Development – Retail.

- The use of this property shall conform to the Retail District in all respects, and the detached garage apartment and two apartment units on the second floor of the principal structure are permitted.
- 2. Compliance with applicable building codes, including, but not limited to, a two-hour firerated barrier between the first and second floor of the main structure.
- 3. Shared parking as provided by the Children Advocacy Center is permitted; future retail parking needs will be evaluated for these continued parking commitments for compliance with anticipated parking demand.
- 4. A Certificate of Appropriateness review and approval is required before exterior changes are made, including structural changes to the building, sign placement, or parking changes.

Attachments:

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

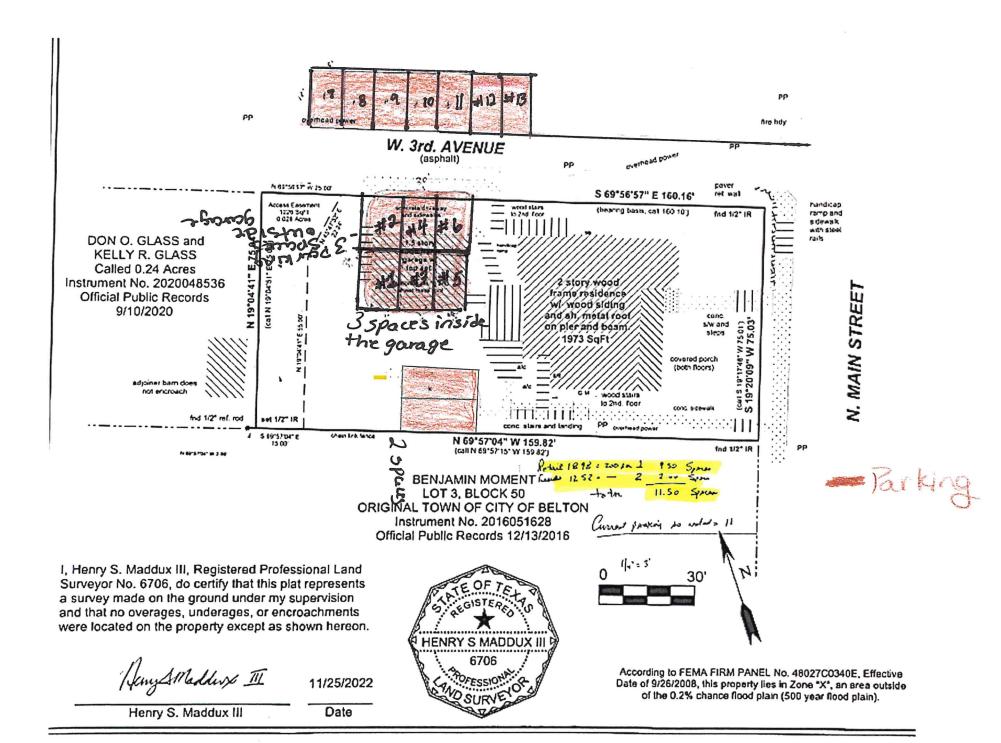
ZONING CHANGE APPLICATION



Fee: \$300.00

Date received.			
APPLICANT NAME:			
Brittany Thornton			
EMAIL:	PHONE NUMBER:		
cloverandcotx@gmail.com	913-530-4703		
MAILING ADDRESS:	A		
105 W 14th Ave, Belton, TX 76513			
PROPERTY OWNER NAME:			
Jack Folsom			
EMAIL:	PHONE NUMBER:		
jackfol@gmail.com	254-760-4465		
MAILING ADDRESS:			
5141 Gun Club Rd, Temple, TX 76501			
Proposed Use of Structures (building) and Property (ext	erior property):		
Retail (lower level) and residential (upper level)			
The state of the second st			
Current Use:			
			Vacant (lower level) and residential (upper level)
LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED:			
328 N Main St., Belton, TX 76513			
Legal Description of Property: Abstract Survey Belton (Original, Block 050, Lot 0004		
Parcel ID 27183			
Lot(s): 0004 Block(s): 050			
of Subdivision S0954BE - Belton Original			
Existing Zoning: O-1 Office Prop	posed Zoning:Planned Development - Mixed US		
Existing Zoning: O Tomec Prop	Josed Zoning: Tarmed Development Trixed Es		
Signature of Applicant:	Date: 10/10/2023		
Signature of Owner (if not applicant): Jack Foliom Jack Folion	Date: Oct 10, 2023		

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





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2022-2023

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September 29, 2023

Children's Advocacy Center of Central Texas is happy to allow the use of at least 7 parking spaces in our parking lot so you have the minimum number of spaces needed for retail permitting purposes.

Best,

Dhrum. Rongley

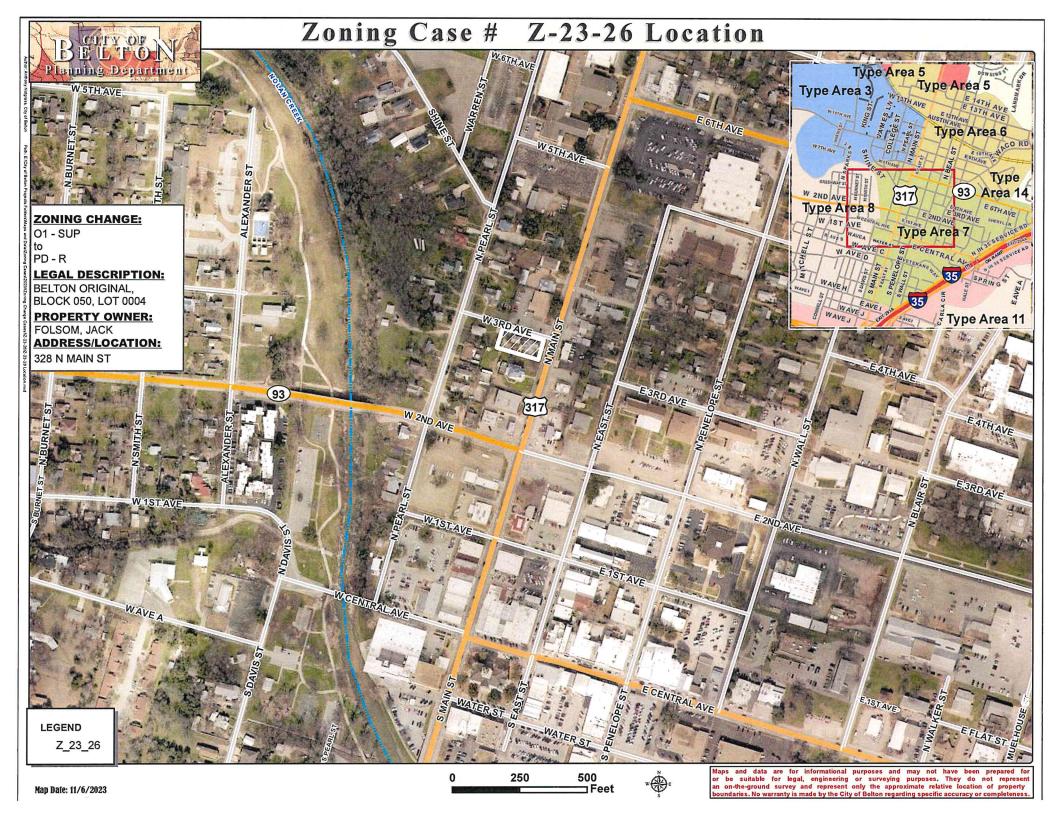
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Nichole Perkins
Gary Smith
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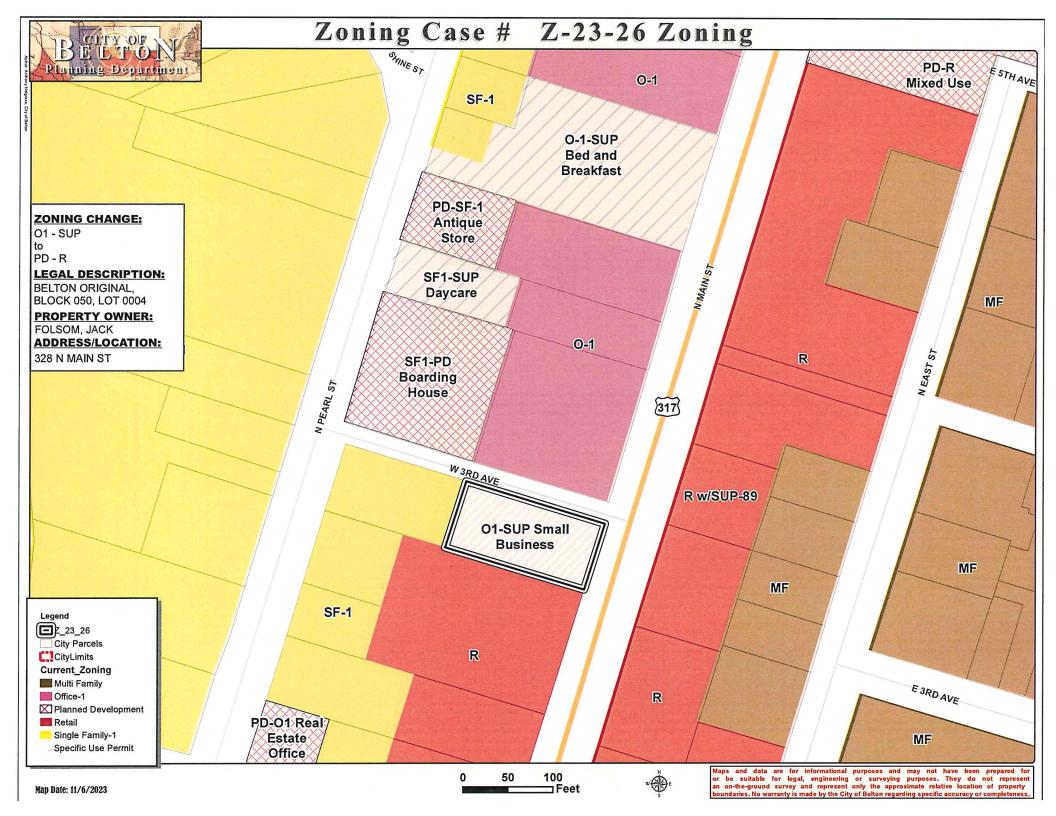
Debra Longley Executive Director

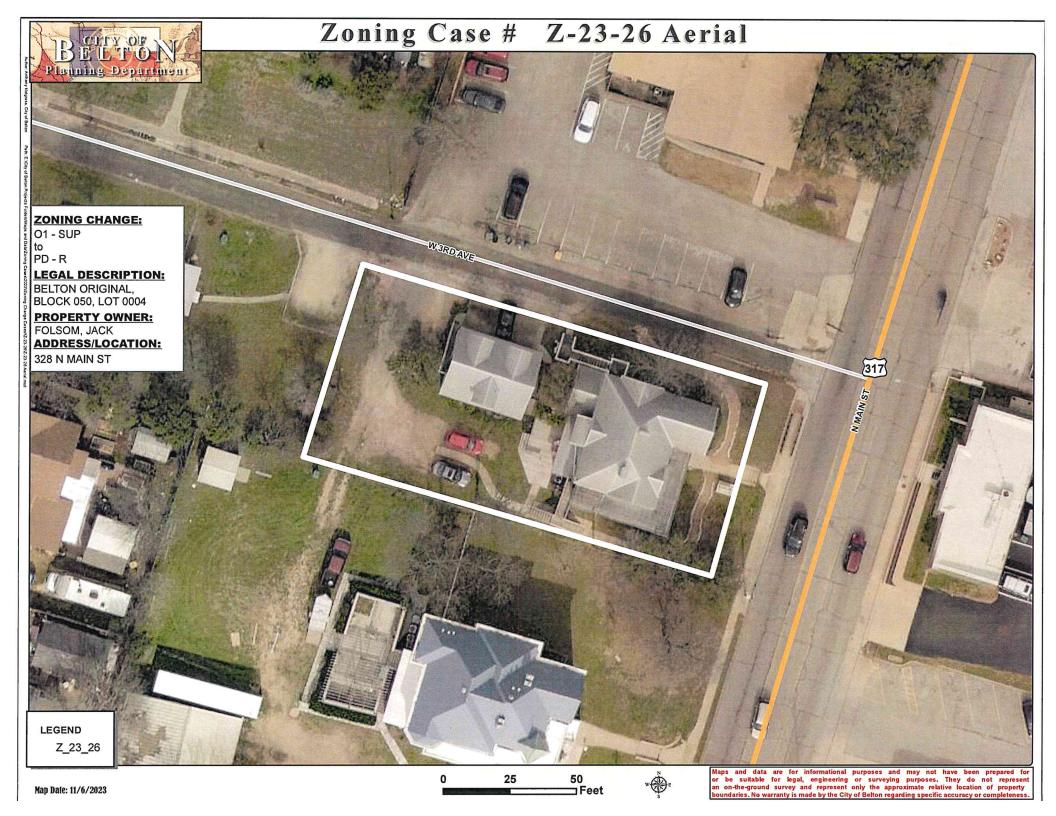










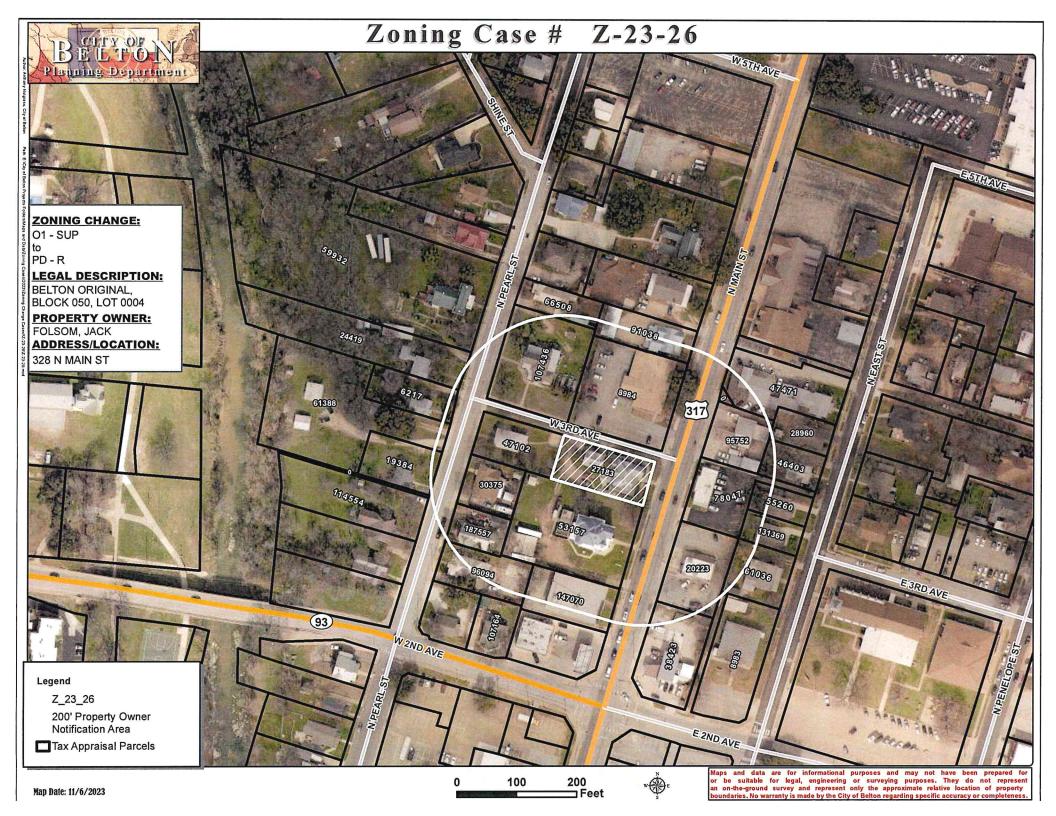


NOTICE OF APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: <u>BRITTANY THORNTON, REPRESE</u> FOLSOM	NTING PROPERTY OWNER JACK
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 328 N. MAIN STREET	
FROM A(N) OFFICE -1 W/ SPECIFIC USE PERMIT FOR A GARAGE APARTMENT	ZONING DISTRICT,
TO A(N) PLANNED DEVELOPMENT - RETAIL	ZONING DISTRICT,
TO ALLOW FOR BOTH RETAIL AND RESIDENTIAL USES	
THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WE PURSUANT TO THIS REQUEST AT 5:30 P.M., Tuesday, November 21, 2023, AT THE ALEXANDER, BELTON, TEXAS. IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PROPERTY OF THE CITY COLDICIL. THAT MEETING WILL BE PROPERTY OF THE CITY COLDICIL. THAT MEETING WILL BE ALEXANDER.	T.B. HARRIS CENTER, 401 N. LACED ON THE AGENDA FOR A
PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT <u>5:30 P.M., Tuesda</u> T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.	y, November 28, 2023 , AT THE
YOU ARE RECEIVING THIS NOTICE BECAUSE YOU RESIDE WITHIN 200' OF THE PR STATE LAW, THE CITY IS REQUIRED TO NOTIFY YOU OF THE REQUESTED ZONING CHANGE. OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THE SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO P.O. BO VIA EMAIL TO PLANNING BELTONTEXAS.GOV, PRIOR TO 1:00 P.M. ON OCTOBER 24, 2023.	. As an interested property his zoning change. You may ox 120, Belton, TX 76513 or
IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.), PLEASE CONTACT THE CITY
circle one AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING A APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:	MENDMENT PRESENTED IN THE
1.	,
2.	
3.	
(ADDITIONAL COMMENTS MAY BE ADDED ON A SEPARATE SHEET OF	PAPER)
SIGNATURE OF THE PROPERTY OWNER: DATE:	
	DI ANNING DEDADTMENT

PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254.933.5291

^{*}A notarized signature may be required for a written protest letter, if more than 20% of the adjacent neighbors protest the requested zoning change.



6217	8984	19384	
CONFIDENTIAL OWNER	CHILDREN'S ADVOCACY CENTER OF CENTRAL TEXAS	STRMISKA, RICKY	
332 N PEARL ST	INC	PO BOX 1842	
BELTON, TX 76513-3028	PO BOX 145	TEMPLE, TX 76503	
20222	BELTON, TX 76513-0145		
20223	28960	38423	
HEY NOW PROPERTIES LLC	CHAVEZ, YOLANDA FLOR & MONICA	O & M RENTALS & INVESTMENTS LLC	
12633 STATE HIGHWAY 30	332 N EAST ST	608 E 14TH	
COLLEGE STATION, TX 77845	BELTON, TX 76513	BELTON, TX 76513	
46403	47102	47471	
LONG, MARY J	GLASS, DON O ETUX KELLY R	NRT FUNDING LLC	
330 N EAST ST	512 COOPER RIDGE LOOP	2608 N MAIN ST STE B118	
BELTON, TX 76513	TEMPLE, TX 76502	BELTON, TX 76513	
53157	55260	59932	
MOMENT, BENJAMIN	BUDDEN, NATALIE	RIDDLE, WESLEY A	
324 N MAIN ST	1055 FERRYMAN DR	400 NORTH PEARL ST	
BELTON, TX 76513	GEORGETOWN, TX 78626	BELTON, TX 76513	
61036	78047	01020	
GARZA, DOMINICA MARIE & JORDAN SAMFIELD		91038	
3012 MYSTIC MOUNTAIN LN	GARDNER, CHARLES J & GAIL DENNETTE 325 N MAIN ST	EJAX PROPERTIES LLC	
BELTON, TX 76513-1440		404 N MAIN ST	
5EE 614, 17 76313 1446	BELTON, TX 76513-3162	BELTON, TX 76513-8392	
95752	107164	107436	
DILLARD, CHAD	PIERCE, HOWARD KENT	SWINDEN, CONNIE L	
339 N MAIN ST	120 CHRIS LN	401 N PEARL ST	
BELTON, TX 76513-3162	FLORENCE, TX 76527-4117	BELTON, TX 76513-3029	
114554	131369	8983	
K E REALTY LLC	ZIMMERHANZEL, CRAIG JASON	BELTON MASONIC LODGE NO 166	
1313 LIVE OAK DR	1106 E 4TH ST	4493 FM 2808	
BELTON, TX 76513	TAYLOR, TX 76574	KEMPNER, TX 76539-5592	
66508	147070	24419	
MARTIN, EVERETT L JR & LAURIE L	SOUTHWESTERN BELL TELEPHONE	CONFIDENTIAL OWNER	
311 WILDCAT HOLW	1010 PIN 9E-L-01	332 N PEARL ST	
KYLE, TX 78640	SAINT LOUIS, MO 63101	BELTON, TX 76513-3028	
61388	96094	187557	
MARTIN, LUKE	SLACANNE SOLO 401K	ROUDABUSH, CARRIE F & RONALD W	
311 WILDCAR HOLLOW	600 S MAIN ST	2418 N OLD BRUCEVILLE RD	
KYLE, TX 78640	BELTON, TX 76513-3464	BRUCEVILLE, TX 76630-3238	

27183

JACK-O-LANTERN LTD

5141 GUN CLUB RD

TEMPLE, TX 76501

30375

317 N PEARL ST

BELTON, TX 76513

WESTLAKE, BILLYE ETVIR RICHARD

Administrative Plat Approvals						
Approval Date	Subdivision Name	Acreage /Location	No. of Lots	Description	Waivers	
10/13/2023	Simmons Plat 10.9 Acres	10.90 acres / 7379 W. Hwy 190	1	1 block; 1 lot for future Commercial Development	No variances provided.	

