

NOTICE OF PUBLIC MEETING AND PUBLIC HEARINGS
LORENA CITY COUNCIL
TUESDAY, FEBRUARY 18, 2025 6:30 P.M.
LORENA CITY HALL
107-A S. FRONTAGE ROAD, LORENA TEXAS

THE PUBLIC WILL BE ABLE TO JOIN THE MEETING BY VIDEOCONFERENCING
AT THE FOLLOWING LINK <https://meet.goto.com/559363309>
The City Council Meeting will be opened to the public.

Questions and comments on items listed on the agenda may be emailed no later than
NOON on the day of the meeting to the City Secretary Monica Hendrix via email to mhendrix@lorenatx.gov

AGENDA

- 1. Call to Order/Roll Call.**
- 2. Pledge of Allegiance.**
- 3. Citizens questions or comments.**
At this time any person with business before the Council not scheduled on the agenda may speak to the Council. Comments are limited to three (3) minutes, and this time is not transferable. Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. This forum is limited to a total of 30 minutes.
- 4. Approval of Minutes:**
 - a. January 21, 2025**
- 5. Committee and Corporation Reports:**
 - a. Lorena Economic Development Corporation**
 - b. Lorena Planning and Zoning Commission**
- 6. Presentation of 2024 Fiscal Year Audit.**
- 7. Discussion and possible action accepting the 2024 Fiscal Year Audit.**
- 8. Discussion and possible action on Ordinance 2025-0121-02 adopting a Condition Use Permit(CUP) to allow a Convenience Store with fuel sales along the I-35 Corridor District, tabled from the January 21, 2025 city council meeting.**
- 9. Discussion and possible action on Resolution 2025-0218-01 authorizing membership in the Atmos cities steering committee.**
- 10. Discussion and possible action authorizing the City of Lorena to retire K9 Drogen into the care of his former handler, Jay Greer.**
- 11. Discussion and possible action authorizing the Chief of Police to enter into a contract between the City of Lorena and Jay Greer regarding the terms of Drogen's retirement.**
- 12. Police Department Report.**
- 13. City Manager Report.**
 - a. Year 3 (final year) of PCED certification training is the first week of March 2025. Will attend continuing education each year to maintain certification.**
 - b. Employee Kaylee Davis and husband Issac is expecting baby Elizah Davis on February 24th.**
- 14. Future Agenda Items.**
- 15. Adjourn**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Lorena, Texas, was posted on the front door at the Lorena City Hall and the city website at on February 13, 2025.

Monica Hendrix
Monica Hendrix-City Secretary

PURSUANT TO SECTION 551.127 OF THE TEXAS GOVERNMENT CODE, AND IN CONJUNCTION WITH THE GUIDANCE AND PROVISIONS PROVIDED BY THE GOVERNOR OF TEXAS IN THE DECLARATION OF DISASTER ENACTED MARCH 13, 2020, MEMBERS OF THE CITY COUNCIL MAY BE PARTICIPATING REMOTELY IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, AS TEMPORARILY MODIFIED BY THE GOVERNOR.

Attendance by Other Elected or Appointed Officials – NOTICE OF POSSIBLE QUORUM: It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

In compliance with the American with Disabilities Act, the City of Lorena will provide reasonable accommodations for persons attending and/or participating in City Council meetings. The facility is wheelchair accessible, with handicap parking available at the side of the building. Requests for sign interpreters or special services must be received seventy-two (72) hours prior to the meeting by calling the City Secretary at 254-857-4641.

PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

The meetings will be streamed live on the City of Lorena’s Facebook page.

Citizens who wish to address the Council on any item on the agenda or under the hearing of visitors, must submit questions via email to the City Secretary Monica Hendrix @ mhendrix@lorenatx.gov or in person at Lorena City Hall at 107-A S. Frontage Road by NOON on the day of the meeting. Your comments will be read into the records during the meeting.

Council may not comment publicly on issues raised during citizen comments that are not listed on the agenda but may direct the City Manager to resolve or request the matter to be placed on a future agenda. Such public comments shall not include any “deliberation” as defined by Chapter 551 of the Government Code, as now or hereafter amended.



City of Lorena
107-A S. Frontage Road
Lorena, Texas 76655
(254) 857-4641 Fax (254) 857-4118

NOTICE OF PUBLIC MEETING AND PUBLIC HEARINGS
LORENA CITY COUNCIL
TUESDAY, JANUARY 21, 2025 6:30 P.M.
LORENA CITY HALL
107-A S. FRONTAGE ROAD, LORENA TEXAS

THE PUBLIC WILL BE ABLE TO JOIN THE MEETING BY VIDEOCONFERENCING
AT THE FOLLOWING LINK <https://meet.goto.com/917001197>
The City Council Meeting will be opened to the public.

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NOON on the day of the meeting to the City Secretary Monica Hendrix via email to mhendrix@lorenatx.gov

MINUTES

1. Call to Order/Roll Call.

Mayor Ross called the meeting to order at 6:30 p.m. Council members present were Mayor Tommy Ross, Mayor Protem Kelly Yarbrough, Jason Blaneck Emily McKenzie, Carla Pendergraft and Brad Wetzel.

City Staff present were Monica Hendrix, Scott Holt, Kyler Jones, Linda Klump, Kevin Neal and Peter Rivas.

2. Pledge of Allegiance.

Mayor Ross led the Pledge of Allegiance.

3. Citizens questions or comments.

At this time any person with business before the Council not scheduled on the agenda may speak to the Council. Comments are limited to three (3) minutes, and this time is not transferable. Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. This forum is limited to a total of 30 minutes.

No citizens spoke during this time.

4. Approval of Minutes:

a. December 16, 2024

MOTION: Carla Pendergraft motioned to approve the minutes.

SECOND: Emily McKenzie

FOR: Jason Blaneck, Carla Pendergraft, Kelly Yarbrough, Emily McKenzie and Brad Wetzel.

AGAINST: None

ABSENT: None

Motion carried 5-0.

****NOTE:** Heard item 10 early due to time constraints for family members present.

5. Committee and Corporation Reports:

a. Lorena Economic Development Corporation

No meeting.

b. Lorena Planning and Zoning Commission

Monica Hendrix informed council that P&Z did meet on January 13th and voted to recommend approval of the request for the Foodies Conditional Use Permit 4-1 with the conditions listed in the ordinance.

The P&Z voted 3-2 not to recommend approval of the Conditional Use Permit for the Texan.

6. Public Hearing: Mayor Ross opened the public hearing at 6:38 p.m.

Conduct a Public Hearing and consider a recommendation to the City Council for a request from Amir Maknojia, applicant, for a Conditional Use Permit for a Convenience Store with Fuel Sales located within the IC – Interstate Corridor zoning district and being 10.00 acres of land generally located on the east service road I-35 and north of S. Old Temple Road. (Note: This project is also known as Foodie’s Corner or FC Travel Center).

Nuresh Maknojia and Rahil with Foodie’s spoke and gave their concerns on the conditions set forth by the Planning and Zoning Commission specifically the hours for truck parking. City Planner George Adams spoke and gave his attached staff report to the council. Adams read the conditions that the P&Z recommended. Council had lengthy discussion on the conditions. Local citizens Lisa Stewart, Rick Jespersen and Brett Marvel also spoke during the public hearing.

Close Public Hearing. The public hearing closed at 7:13 p.m.

7. Discussion and possible action on Ordinance 2025-0121-01 adopting a Condition Use Permit(CUP) to allow a Convenience Store with fuel sales along the I-35 Corridor District.

MOTION: Carla Pendergraft moved to accept the planning and zoning commission’s recommendations (as shown in the attached staff report concerning overnight parking) with the exception of changing #2 signs that will say parking limit of 18 hours, violators will be towed away at vehicle owners expense and require Foodies to implement a ticketing system to insure that the 18 hours limitation is adhered to.

SECOND: Kelly Yarbrough

FOR: Jason Blaneck, Carla Pendergraft, Kelly Yarbrough, Emily McKenzie and Brad Wetzel.

AGAINST: None

ABSENT: None

Motion carried 5-0.

8. Public Hearing: The public hearing opened at 7:38 p.m.

Conduct a Public Hearing and consider a recommendation to the City Council for a request from Brian Dlugosch, applicant, for a Conditional Use Permit (CUP-2024-002) for a Convenience Store with Fuel Sales located within the IC – Interstate Corridor zoning district and being approximately 16.77 acres of land generally located at the intersection of I-35 North Frontage Road and S. Bordon Street. (Note: This project is known as the Texan Travel Center).

Bland Cromwell listing realtor of the property spoke and gave the history of the property. Brian Dlugosch, owner of the Texan Stores spoke via teleconference. City Planner George Adams gave staff report for the development. Numerous citizens spoke during the public hearing and were adamantly opposing the development. The citizens are concerned about the amount of truck traffic, drugs, prostitution, human trafficking, property values, noise, child safety in the neighborhoods adjacent to the property. Citizens are also concerned about the possible water contamination due to diesel spillage, trash blowing from the development. Citizens are also concerned that the development does not meet the current City of Lorena Comprehensive Plan.

Close Public Hearing. The public hearing closed at 9:04 p.m.

9. Discussion and possible action on Ordinance 2025-0121-02 adopting a Condition Use Permit(CUP) to allow a Convenience Store with fuel sales along the I-35 Corridor District.

Council had lengthy discussions on how to proceed with the development and CUP request. After the lengthy discussion a motion was made by Brad Wetzel to table the decision to the next council meeting.

MOTION: Brad Wetzel moved to table the action to February 18, 2025.

SECOND: Jason Blaneck

FOR: Emily McKenzie and Kelly Yarbrough

AGAINST: Carla Pendergraft

ABSENT: None

Motion carried 4-1

10. Discussion and recognition of new employee, School Resource Officer, Mireya Quetz

Chief Scott Holt introduced new SRO Mireya Quetz. Quetz is from Waco and graduated from University High School and then served in the United States Marines. Quetz worked at Baylor Scott and White and served in many capacities. In 2022 Quetz attended the Waco Police Academy and became an officer for Baylor Scott and White. Quetz will be assigned to Lorena High School.

City Secretary Monica Hendrix gave the Oath of Office to Officer Quetz.

11. Discussion and possible action on using 2022 Street Bond Funds to fund a portion of the Cindy Lane repair project.

MOTION: Jason Blane moved to approve using 2022 street bond funds to fund a portion of the Cindy Lane repairs.

SECOND: Kelly Yarbrough

FOR: Jason Blane, Carla Pendergraft, Kelly Yarbrough, Emily McKenzie and Brad Wetzel.

AGAINST: None

ABSENT: None

Motion carried 5-0.

12. Presentation of Summary of Cash and Investments and quarterly budget reports ending 12/31/2024.

Finance Officer Linda Klump presented the reports to the council and noted changes.

13. Presentation of Lorena Police Department Annual Report.

Police Chief Scott Holt presented the 2024 Annual report to the council.

14. Presentation of Racial Profiling Report 2024.

Police Scott Chief Holt presented the 2024 Racial Profiling Report to the city council. This is an annual requirement by the Texas Commission on Law Enforcement agency.

15. Discussion and possible action to permanently close the portion of Cooksey Ln. located East of Interstate 35 and West of N, Old Temple Rd. until such time funding is available for proper reconstruction of the road.

City Manager Kevin Neal informed council the road has had structural base failure dating as far back as 2007. Our engineer has determined that no amount of repair can properly repair this section of roadway and estimates rebuilding this section of roadway would cost at a very minimum \$350,000.00. Due to the fact that there are no homes, businesses, or driveways contained within this section of roadway, our City Engineer's recommendation is to permanently close this section of Cooksey Lane until such time funding is available to properly reconstruct the roadway.

MOTION: Brad Wetzel moved to permanently close the portion of Cooksey Lane.

SECOND: Emily McKenzie

FOR: Jason Blane, Carla Pendergraft, Kelly Yarbrough, Emily McKenzie and Brad Wetzel.

AGAINST: None

ABSENT: None

Motion carried 5-0.

16. Discussion and possible action on Ordinance 2025-0121-01 calling the May 3, 2025 General Election to elect one (1) person for each position to serve the full term of two (2) years for Mayor and two (2) City Council Members).

MOTION: Kelly Yarbrough move to approve Ordinance 2025-0121-01 called the May 3, 2025 General Election.

SECOND: Brad Wetzel

FOR: Jason Blane, Carla Pendergraft, Kelly Yarbrough, Emily McKenzie and Brad Wetzel.

AGAINST: None

ABSENT: None

Motion carried 5-0.

17. Police Department Report.

Chief Holt stated report was included in the annual report.

18. City Manager Report.

a. Rise Broadband fiber optic project.

Kevin Neal informed council and citizens of the fiber optic project and stressed that this city is not involved with the project. Neal explained that all roads must be bored for this project and most work will be arial.

b. Rise Broadband point of contact Nathan Waltman (682) 498-0988

nwaltman@risebroadband.com.

c. City Manager and Chief Holt enrolled in Certified Public Manager (CPM) program.

Kevin Neal informed council that he and Chief Holt have enrolled is this 15 month course.

19. Future Agenda Items.

20. Adjourn

Due to no further business the meeting adjourned at 10:23 p.m.

Tommy Ross, Mayor

Attest:

Monica Hendrix-City Secretary

STAFF REPORT

To: Chairman Bagby and Members of the Planning & Zoning Commission

From: George Adams, Planning Consultant

Date of Meeting: January 13, 2025

RE: Conduct a Public Hearing and consider a recommendation to the City Council for a request from Amir Maknojia, applicant, for a Conditional Use Permit for a Convenience Store with Fuel Sales located within the IC – Interstate Corridor zoning district and being 10.00 acres of land generally located on the east service road I-35 and north of S. Old Temple Road. (Note: This project is also known as Foodie’s Corner or FC Travel Center).

HISTORY: City Council previously approved a Conditional Use Permit for this site on December 19, 2022 (CUP-2022-01). In late 2023 the applicant requested a 1-year extension per section 3.2.4. of the Lorena Zoning Code. This extension was approved by the Zoning Administrator, extending the life of the Conditional Use Permit to December 19, 2024. The 2022 Ordinance is included as **Attachment A**.

The applicant is requesting to construct a convenience store/travel center business that will provide fuel sales and retail sales service to Interstate 35 travelers as well as local residents of the city. The conceptual site plan indicates the convenience store is proposed to be approximately 19,000 square feet in area. There are two gas canopy areas indicated on the concept plan, one parallel and in front of the main building and the other canopy behind the building for fueling large transport trucks. **Attachment B** provides the Applicant’s summary of the project, including requested waivers or variances from city code. **Exhibit B** includes the site plan and preliminary plat for the project.

The required parking for the convenience store is one (1) space per one 140 square feet of building area plus one (1) space for each 3 gasoline pump units (a unit may have up to six (6) nozzles for gasoline disbursement) for a total of 140 required parking spaces. A total of 153 parking spaces are provided throughout the site with 118 spaces for cars and 35 spaces for large semi-tractor trucks.

A storm water detention pond and area for a septic system is proposed on the southern edge of the property. Two points of access into and out of the site are shown on the I-35 Interstate frontage road and two points of access in indicated on S. Old Temple Road.

COMPREHENSIVE PLAN: The Future Land Use Map for this area is designated as High Intensity Commercial and the application is in compliance with the Comprehensive Plan.

CONDITIONS OF APPROVAL

If the Planning & Zoning Commission chooses to approve the applicant’s request for a Conditional Use Permit for a convenience store with fuel sales, staff would propose the following conditions of approval:

(1) That the development shall generally adhere to the conceptual Site Plan and Architectural Elevations (**Exhibits B and C**).

(2) That no outside storage or display shall be allowed on the property with the exception of an ice sales freezer and a propane cage.

(3) Any construction resulting from the approval of this Conditional Use Permit shall conform to the requirements set forth by the Lorena Zoning Ordinance, the International Building Code (IBC), the Lorena Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

(4) No parking for semi-truck is permitted over 24 hours.

Planning and Zoning Commission recommendations are shown in red text below.

In addition, the applicant is requesting to modify the ordinance by including the following, these are described in **Attachment B** and include:

- 1) Request to allow one pylon pole sign not to exceed 80' in height and with a maximum surface area of 785 square feet on the property, rather than the standards of Section 12.4.00 *Pylon Sign* which limit a pylon sign to 300 square feet in area and 25 feet in height. (**See Exhibit A**).

Recommend approval of 80' height and 785 sf area, with condition of removing one monument sign closest to pylon sign.

- 2) Remove the following requirement and language: Permanent signs shall be posted at the entrance and parking lot islands and along the perimeter in and around the truck parking field that state "NO OVERNIGHT PARKING _ VIOLATORS WILL BE TOWED AWAY AT VEHICLE OWNER'S EXPENSE".

Recommend Overnight parking-Permanent signs shall be posted at the entrance and parking lot islands and along the perimeter in and around the truck parking field that state "NO PARKING FROM 12AM TO 6AM _ PARKING VIOLATORS WILL BE TOWED AWAY AT VEHICLE OWNER'S EXPENSE"

- 3) Request to not provide sidewalks along I-35 Frontage Road and South Old Temple Road as required by Section 7.02 of the Lorena Subdivision Ordinance.

Recommend requiring sidewalks on both I-35 and Old Temple Road as per city ordinances.

- 4) Per Section 10.2.4. *Use of Alternative Exterior Materials* request to allow building materials as shown **Exhibit C**, this will permit the use of stucco.

Recommend approval of applicant's request.

- 5) Request to not provide landscape Foundation Plantings adjacent to the building per Section 6.12.5.E.

Recommend approval of applicant's request.

- 6) Request to cluster street trees rather than provide at 40 feet spacing per Section 6.12.5.H.
Recommend approval of applicant's request. Trees that were to be placed at entrances on I-35 will be allocated at other areas of the property.
- 7) Request to not have an interior landscape parking islands per Section 12.5.J.1:
- a. At the front of the proposed building.
 - b. At two locations on the north side of the property where truck parking is provided.
Striped islands are proposed in lieu of landscaped islands.
 - c. Trees required for these landscape islands will be planted in other areas of the site.
- Recommend approval of applicant's request.**

RECOMMENDATION: This CUP is recommended for approval with the condition sidewalks are provided along Old Temple Road.

List of Attachments and Exhibits:

Attachment A – Ordinance 2022-1219-01

Attachment B – Applicant's Summary Letter

Exhibit A – Foodie's Pole Sign Exhibit

Exhibit B – Foodie's Overall Site Plan and Preliminary Plat

Exhibit C – Foodie's Building Elevations

ATTACHMENT A

AN ORDINANCE OF THE CITY OF LORENA, TEXAS

ORDINANCE NO. 2022-1219-01

AN ORDINANCE OF THE CITY OF LORENA, TEXAS, AMENDING THE ZONING CODE SO AS TO GRANT A CONDITIONAL USE PERMIT TO ALLOW A CONVENIENCE STORE WITH FUEL SALES IN THE IC DISTRICT (INTERSTATE CORRIDOR ZONING DISTRICT) AND BEING 10.00 ACRES OF LAND IN THE JAMES SPROWLES SURVEY, ABSTRACT NUMBER 818, MCLENNAN COUNTY, TEXAS, BEING OUT OF THAT CALLED 5.78 ACRES OF LAND DESCRIBED IN A DEED TO RSB4 PROPERTIES B, LLC, RECORDED UNDER INSTRUMENT NUMBER 2010035985 OF THE OFFICIAL RECORDS OF MCLENNAN COUNTY, TEXAS, BEING OUT OF THAT CALLED 5.51 ACRES OF LAND DESCRIBED IN A DEED TO RSB4 PROPERTIES B, LLC, RECORDED UNDER INSTRUMENT 2010035985 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS, BEING OUT OF THAT CALLED 5.51 ACRES OF LAND DESCRIBED IN A DEED TO RSB4 PROPERTIES B, LLC, RECORDED UNDER INSTRUMENT NUMBER 2010035986 OF THE OFFICIAL PUBLIC RRECORDS OF MCLENNAN COUNTY, TEXAS, AND BEING OUT OF THAT CALLED 412.29 ACRES OF LAND DESCRIBED IN A DEED TO ROBERT S. BRASWELL IV, RECORDED IN VOLUME 1645, PAGE 322 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS, GENERALLY LOCATED ON THE EAST SERVICE ROAD OF INTERSTATE HIGHWAY 35 NEAR SOUTH OLD TEMPLE ROAD; MAKING FINDINGS OF FACT; PROVIDING FOR RELATED MATTERS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the owner of the property described hereinafter (the "Property") has requested that the Property be granted a CUP (Conditional Use Permit) to allow a convenience store with fuel sales in the IC District (Interstate Corridor Zoning District); and being 10.00 acres of land in the James Sprowles Survey, Abstract Number 818, McLennan County, Texas, being out of that called 5.78 acres of land described in a deed to RSB4 Properties B, LLC, recorded under Instrument Number 2010035985 of the Official Records of McLennan County, Texas, being out of that called 5.51 acres of land described in a deed to RSB4 Properties B, LLC, recorded under Instrument Number 2010035985 of the Official Public Records of McLennan County, Texas, being out of that called 5.51 acres of land described in a deed to RSB4 Properties B, LLC, recorded under Instrument Number 2010035986 of the Official Public Records of McLennan County, Texas, and being out of that called 412.29 acres of land described in a deed to Robert S. Braswell IV, recorded in Volume 1645, Page 322 of the Deed Records of McLennan County, Texas generally located on east service road of I-35 and near S. Old Temple Road; and

being more fully described in *Exhibit 'A'* of this ordinance, which is attached hereto and incorporated herein for all purposes; and

WHEREAS, after giving at least ten (10) days written notice to the owners of land within two hundred (200') feet of the Property, the Planning & Zoning Commission held a public hearing

on the proposed CUP (Conditional Use Permit) for a convenience store with fuel sales and forwarded its recommendation on the request to the City Council; and

WHEREAS, after publishing notice of the public hearing at least fifteen (15) days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that the request warrants approval.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LORENA, TEXAS, THAT:

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Zoning Ordinance. Ordinance No. 2018-1210-01, as amended, the City of Lorena Composite Zoning Ordinance (the "Zoning Ordinance" or "Code"), is hereby modified and amended by granting the CUP (Conditional Use Permit) on the Property as set forth in Section 3.

SECTION 3. Property Rezoned. The Zoning Ordinance is hereby amended by granting a CUP (Conditional Use Permit) for a convenience store with fuel sales in the IC – Interstate Corridor District on property described on Exhibit 'A' and shall be subject to the following conditions:

1. That the development shall adhere to the conceptual Site Plan attached hereto as Exhibit 'B'.
2. That the development shall generally adhere to the conceptual Elevation attached hereto as Exhibit 'C'.
3. No outside storage or display shall be allowed on the property with the exception of an ice sales freezer and a propane cage.
4. Any construction resulting from the approval of this Conditional Use Permit shall conform to the requirements set forth by the Lorena Zoning Ordinance, the International Building Code (IBC), the Lorena Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.
5. No overnight parking permitted.
6. Permanent signs shall be posted at the entrance and parking lot islands and along the perimeter in and around the truck parking field that state "NO OVERNIGHT PARKING – VIOLATORS WILL BE TOWED AWAY AT VEHICLE OWNER'S EXPENCE"

SECTION 4. Recording Zoning Change. The City Council directs the Planning Department to record this zoning classification on the City's official zoning map with the official notation as prescribed by the City's zoning ordinance.

SECTION 5. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. Penalty. Any person, firm or corporation who shall violate any of the provisions of this Ordinance or who shall fail to comply with any provisions hereof within the corporate limits of the City of Lorena shall be guilty of a misdemeanor and upon conviction shall be fined with the maximum fine in the amount of two thousand dollars (\$2,000) for a violation of any provision governing the public health, safety, morals and welfare and shall be fined with the maximum fine in the amount of five hundred dollars (\$500) for any other violation.

SECTION 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Government Code.

SECTION 8. Effective Date. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest.

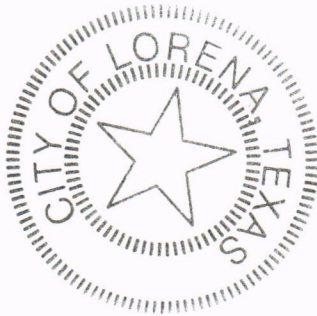
PASSED AND APPROVED on this the 19th day of December, 2022.

ATTEST:

THE CITY OF LORENA, TEXAS:

Monica Hendrix
Monica Hendrix, City Secretary

Tommy Ross
Tommy Ross, Mayor





October 28, 2024

Monica Hendrix
City Secretary
107-A, S. frontage rd. Lorena, Texas 76655

Engineering Summary Letter
Conditional Use Application
McLennan County Parcel ID: 358367

On behalf of Bruceville Development LLC, please accept the attached conditional use permit application change application for the proposed Foodie's Corner Travel Center located at Northeast Corner of the intersection of I-35 and South Old Temple Road.

The 10-acre tract is located within the full purpose jurisdiction of City of Lorena city limits and is currently zoned in the Interstate 35 Planned Corridor District (IC). In December 2022, a conditional use permit for this tract was approved under the zoning ordinance number. 2022-1219-01 to allow for a convenience store with fuel sales. A one-time extension planned to expire in December 19, 2024 was also granted for this site.

*The primary purpose of this conditional use permit is to allow this development an 80' high pole sign as per the attached **Exhibit A**. Due to the location of the site and the adjacent I-35 corridor, a sign of such nature will help travelers easily identify the site and safely exit the interstate if they plan to stop.*

As the City may be aware, we are very excited for the Foodie's Corner's Travel Center to be in the City of Lorena. We are asking for this sign so that we can compete with other Travel Centers on the I-35 corridor. This project will be a \$15M+ facility that plans to add 30+ employees. We are hoping the city staff considers our request and helps us build a successful project located in the City of Lorena.

As part of this application, we would like to modify the conditions as part of zoning ordinance number. 2022-1219-01 as follows:

1. That the development shall adhere to the conceptual site plan attached hereto as **Exhibit B**.
2. That the development shall generally adhere to the conceptual elevation attached hereto as **Exhibit C**.
3. No outside storage or display shall be allowed on the property with the exception of an ice sales freezer and a propane cage.
4. Any construction resulting from the approval of this Conditional Use Permit shall conform to the requirements set forth by the Lorena Zoning Ordinance, the International Building Code (IBC), the Lorena Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.
5. No parking for semi-truck is permitted over 24 hours.
6. ~~Permanent signs shall be posted at the entrance and parking lot islands and along the perimeter in and around the truck parking field that state "NO OVERNIGHT PARKING – VIOLATORS WILL BE TOWED AWAY AT VEHICLE OWNER'S EXPENCE"~~. If this note is consistent with other developments in the City of Lorena, we are open to adding this as a condition. Just looking at this site and the proximity to how far all the residential developments are located, we would like to remove this as a condition.
7. Allow one pylon pole sign not to exceed 80' in height and with a maximum advertisable surface area of 604 sq.ft. and fuel display surface area of 355 sq.ft.

Alternate Compliance/ Modification Request:

1. Request for a pole sign as described above and shown in **Exhibit A**.

Reasoning: Please see above.

2. Request to not provide sidewalks along I-35 Frontage Road and South Old Temple Road. This is consistent to what is being shown in the site plan and the prelim plat, **Exhibit B**.

Reasoning:

- Sidewalks along TxDOT Interstate 35 Frontage Road pose pedestrian safety concerns with the posted speed limit.
 - Sidewalks are not existent in the immediate vicinity of this project, and adding sidewalks would not be congruent with the current land use and traffic patterns.
 - Similar developments in the area, such as the Roadster development on I-35 and Old Temple Road, did not construct sidewalks along either right-of-way.
 - Sidewalk on I-35 frontage was not provided under the approved under the zoning ordinance number. 2022-1219-01.
 - Sidewalk on South Old Temple Road can be addressed with the agreement and the TIA coordination ongoing with the city staff. Our intent is the sidewalk in South Old Temple Road shall be built when there is ROW improvement or when the road is expanded. We don't want don't to install a sidewalk that could potentially be demolished in the future.
3. Request to allow building materials as shown **Exhibit C**, which includes the use of stucco.

Reasoning: No new building materials are being proposed when comparing to what was previously approved under the approved under the zoning ordinance number. 2022-1219-01. The Exhibit C, provided with application mainly just shows the use of stucco instead of the Ceraclad panels (EIFS) that were being utilized on the side of the building. This is mainly due to the significant cost increase in materials in recent years.
 4. Foundation Plantings (Section 6.12.5.E) - This project is a travel center/ gas station, much of the space against the side of the building is needed for things like ice chests, propane lockers, or other similar uses. Given this, it is not feasible for this project to provide the required foundation plantings as specified.

Reasoning: We are proposing additional planting beds throughout the site to make up for this deficit. The area of these additional beds combined will be greater than the area that the ordinance would have otherwise required.

5. Street Trees (Section 6.12.5.H) - Considering this project is a travel center/ gas station, it is our priority to maintain as much visibility from the street as we possibly can. The I-35 N corridor is a very busy route, and we believe it is crucial to be visible to drivers on this road. Given this, we are requesting permission to cluster trees within the bufferyard area in order to maximize this visibility from I-35.

Reasoning: With this design, we will retain the required number of trees, but reorganize them so that they provide better visibility from I-35 while still providing a buffer and screening from the street and adjacent properties at the same time.

6. Parking Lot Islands (Section 6.12.5.J.1)
 - a. At the front of our proposed building, we show 18 consecutive parking spaces without an interior parking island. We are requesting permission to not have an interior parking island breaking up this row.

Reasoning: On the row of parking along I-35, we are showing 33 parking spaces with five parking islands – one on each end and three in the middle. According to the ordinance, this row of 33 parking spaces should only require three parking islands. Because we are providing two additional parking islands in this row, we would like this excess to make up for the lack of a parking island on front of the building.

The following attachments are part of this application:

Exhibit B – Includes Overall Site Plan and Preliminary plan, which have addressed the first round of comments from both the city and planning staff.

Exhibit C - Building elevations.

If you have any questions or need any clarification, please reach out to me directly at (512) 909-1677 or via email at nuresh11@yahoo.com.

Sincerely,
Nuresh Maknojia

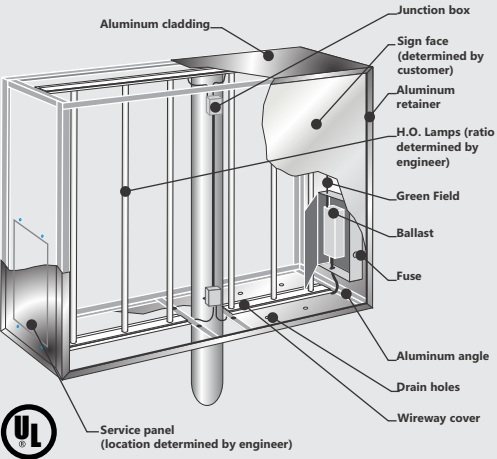


Project Manager | Foodie's Corner

Project Details & Specifications

Fabricate And Install High-rise Truck Stop Pylon Sign.

TYPICAL POLE MOUNT SIGN
(NOT TO SCALE)



Paint & Material Colors

- ACRYLIC COLORS
- A1: HHC Clear
- PAINT COLORS
- P1: Mathews Black



Sign Layout.
Scale: 3/32" = 1'0"



UNITY SIGNS
www.unitysigns.com

16611 WEST LITTLE YORK RD HOUSTON TX 77084
Tel: 281-679-5152 Fax: 281-398-8155

CLIENT NAME:	FOODIE'S CORNER TRAVEL CENTER - LORENA
ADDRESS:	INTERSECTION OF S. OLD TEMPLE RD & I-35 LORENA, TX 76630
DESCRIPTION:	PYLON SIGN
DRAWING NAME:	BDG_LRNA_PYS_1024_A1.0
DATE CREATED:	10-24-2024
DESIGNER:	HMM

REVISIONS

COPYRIGHT NOTICE: THIS ILLUSTRATION IS PROPERTY OF UNITY SIGN SYSTEMS, LLC. ANY REPRODUCTION OR EXHIBITION OF THIS ILLUSTRATION IS STRICTLY PROHIBITED. ©2020 UNITY SIGN SYSTEMS, LLC. ALL RIGHTS RESERVED.

NOTE: THIS ILLUSTRATION IS TO SCALE WHEN PRINTED ON 11" X 17" PAPER PRINTING ON ANY OTHER SIZE PAPER WILL CHANGE THE SCALE.

APPROVALS: YOUR SIGNATURE ASSUMES ALL LIABILITY FOR THE DESIGN OF THE SIGN(S), SPELLINGS, COLORS, SIZES AND ALL RELATED ITEMS QUOTED.

CLIENT SIGNATURE _____ DATE _____

LANDLORD SIGNATURE _____ DATE _____

ELECTRICAL DISCLAIMER:

CUSTOMER MUST PROVIDE A DEDICATED DIRECT 120 VOLT 20 AMP CIRCUIT WITH DESIGNATED GROUND FOR SIGN ONLY WITHIN 6' OF SIGN LOCATION. UNITY SIGNS MUST BE NOTIFIED OF "OTHER VOLTAGES" PRIOR TO MANUFACTURE.

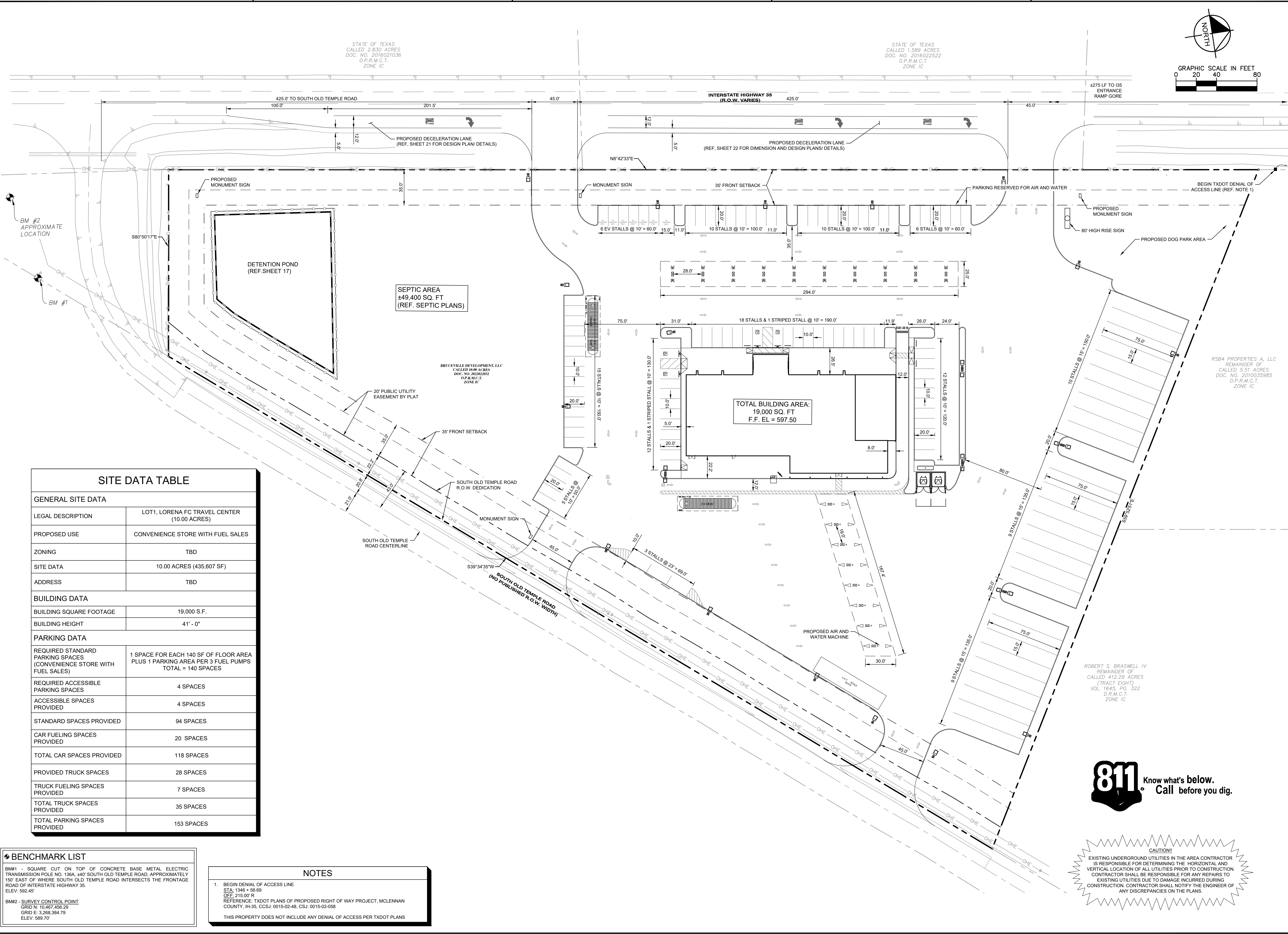
INSTALLATIONS TO COMPLY WITH ALL APPLICABLE CITY AND NATIONAL CODES. ATTACHMENTS INDIVIDUALLY MOUNTED WITH 3/8"X5" NON-FERROUS BOLTS.



SITE DATA TABLE	
GENERAL SITE DATA	
LEGAL DESCRIPTION	LOT1, LORENA FC TRAVEL CENTER (10.00 ACRES)
PROPOSED USE	CONVENIENCE STORE WITH FUEL SALES
ZONING	TBD
SITE DATA	10.00 ACRES (435,607 SF)
ADDRESS	TBD
BUILDING DATA	
BUILDING SQUARE FOOTAGE	19,000 S.F.
BUILDING HEIGHT	41' - 0"
PARKING DATA	
REQUIRED STANDARD PARKING SPACES (CONVENIENCE STORE WITH FUEL SALES)	1 SPACE FOR EACH 140 SF OF FLOOR AREA PLUS 1 PARKING AREA PER 3 FUEL PUMPS TOTAL = 140 SPACES
REQUIRED ACCESSIBLE PARKING SPACES	4 SPACES
ACCESSIBLE SPACES PROVIDED	4 SPACES
STANDARD SPACES PROVIDED	94 SPACES
CAR FUELING SPACES PROVIDED	20 SPACES
TOTAL CAR SPACES PROVIDED	118 SPACES
PROVIDED TRUCK SPACES	28 SPACES
TRUCK FUELING SPACES PROVIDED	7 SPACES
TOTAL TRUCK SPACES PROVIDED	35 SPACES
TOTAL PARKING SPACES PROVIDED	153 SPACES

◆ BENCHMARK LIST	
BM#1 - SQUARE COT ON TOP OF CONCRETE BASE METAL ELECTRIC TRANSMISSION POLE NO. 136A, <40' SOUTH OLD TEMPLE ROAD, APPROXIMATELY 150' EAST OF WHERE SOUTH OLD TEMPLE ROAD INTERSECTS THE FRONTAGE ROAD OF INTERSTATE HIGHWAY 35. ELEV: 592.45'	
BM#2 - SURVEY CONTROL POINT GRID N: 10.467, 456.29 GRID E: 3,268,384.79 ELEV: 589.70'	

NOTES	
1.	<p>BEGIN DENIAL OF ACCESS LINE <u>STA: 1346 + 56.69</u> <u>QEE: 215.00' R</u> REFERENCE: TXDOT PLANS OF PROPOSED RIGHT OF WAY PROJECT, MCLENNAN COUNTY, IH-35, CCSJ: 0015-02-48, CSJ: 0015-02-058</p> <p>THIS PROPERTY DOES NOT INCLUDE ANY DENIAL OF ACCESS PER TXDOT PLANS</p>

[illegible]

Kimley»»Horn

©2024 KIMLEY-HORN AND ASSOCIATES, INC.
1250 S. STATE ST., 5TH FLOOR, SUITE 500
PHILADELPHIA, PA 19102
PHONE: 215-591-4441 FAX: 215-591-8099
WWW.KIMLEY-HORN.COM TPEE FIRM NO. 928

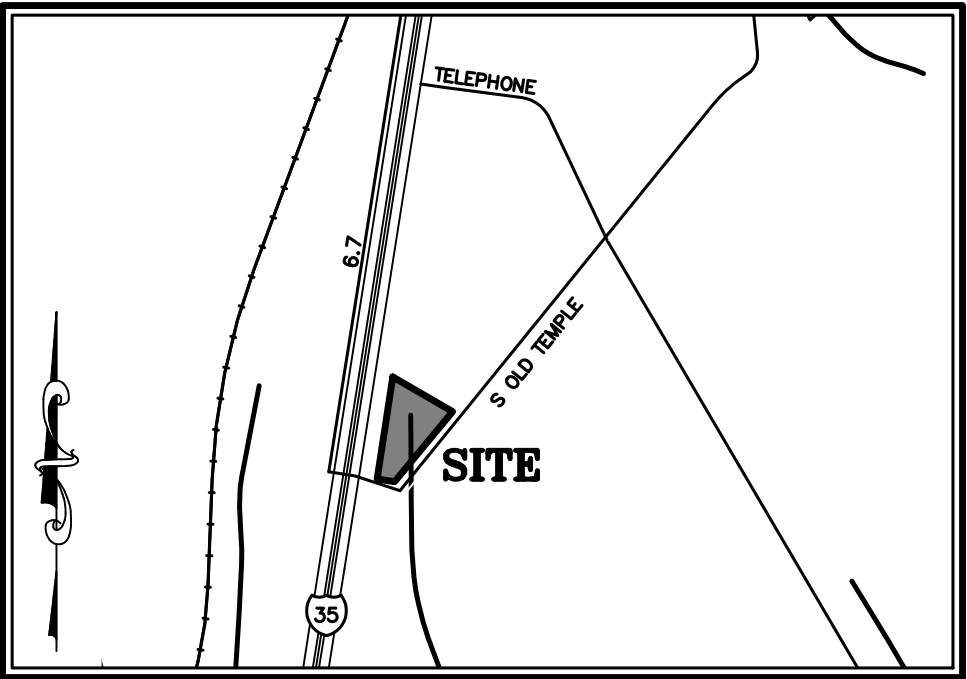
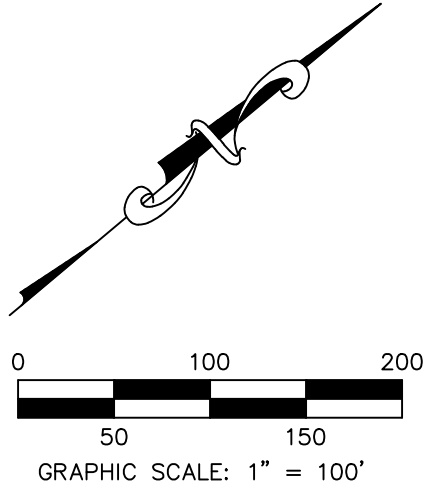
<p>PRELIMINARY</p> <p>FOR REVIEW ONLY</p> <p>Not for construction purposes.</p> <p>Kimley-Horn</p> <p>Engineer: MATTHEW J. GATTO</p> <p>P.E. No. 147308 Date 10/28/2024</p>	
KIHA PROJECT	CHECKED BY: MJC
065012200	DRAWN BY: NWS
	DESIGNED BY: NWS
DATE	SCALE: AS SHOWN
10/25/2024	

OVERALL SITE PLAN

SHEET NUMBER 9 OF 39	FOODIES TRAVEL CENTER PREPARED FOR BRUCEVILLE DEVELOPMENT, LLC.
LORENA	TX

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S50°31'32"E	39.22'
L2	N50°25'25"W	38.72'
L3	S50°31'32"E	37.53'

LOT SUMMARY TABLE		
LOT #	ACRE(S)	SQUARE FT.
1	9.4796	412,933
R.O.W.	0.5205	22,674
TOTAL	10.0002	435,607



VICINITY MAP

SCALE: 1" = 2000'

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINES
- EXISTING EASEMENT LINES
- CONTOUR LINE
- 5/8" IRON ROD FOUND (UNLESS NOTED)
- IRON ROD WITH "BLACKLAND" CAP FOUND (UNLESS NOTED)
- TXDOT TYPE II BRASS DISC FOUND (UNLESS NOTED)
- TXDOT TYPE III 5/8" ALUMINUM CAPPED FOUND (UNLESS NOTED)
- SURVEY CONTROL POINT
- BENCHMARK
- BOLLARD POST (UNLESS NOTED)
- POWER/UTILITY POLE
- GUY ANCHOR
- SIGN (AS NOTED)
- STOP SIGN
- PARKING SIGN
- EDGE OF ASPHALT
- WIRE FENCE
- OVERHEAD UTILITY
- STORM SEWER LINE
- GRAVEL
- RCP REINFORCED CONCRETE PIPE
- VOL./PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- R.O.W. RIGHT-OF-WAY
- O.P.R.M.C.T. OFFICIAL PUBLIC RECORDS, MCLENNAN COUNTY, TEXAS
- D.R.M.C.T. DEED RECORDS, MCLENNAN COUNTY, TEXAS
- (.....) RECORD INFORMATION PER DEED DOC. NO. 2022022032

INTERSTATE HIGHWAY 35
(R.O.W. VARIES)

LOT 1
(ZONE IC)

JAMES SPROWLES
SURVEY
ABSTRACT
NO. 818

RSB4 PROPERTIES A, LLC
REMAINDER OF
CALLED 5.51 ACRES
DOC. NO. 2010035985
O.P.R.M.C.T.
(ZONE IC)

ROBERT S. BRASWELL IV
REMAINDER OF
CALLED 412.29 ACRES
(TRACT EIGHT)
VOL. 1645, PG. 322
D.R.M.C.T.
(ZONE IC)

LISA B PROPERTIES, LLC
CALLED 10.14 ACRES
DOC. NO. 2010035983
O.P.R.M.C.T.

LISA BRASWELL
CALLED 214.84 ACRES
DOC. NO. 200213764
O.P.R.M.C.T.

SURVEY CONTROL POINT
GRID N: 10,467,456.29
GRID E: 3,268,384.79
ELEV.= 589.70'

APPROXIMATE LOCATION
OF LORENA CITY LIMITS

0.5205 ACRE
HEREBY DEDICATED
FOR RIGHT-OF-WAY

SOUTH OLD TEMPLE ROAD
(R.O.W. WIDTH VARIES)

BEARING BASIS:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000128290243.

SURVEY CONTROL:

CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "4WARD CONTROL" CAP SET, GRID COORDINATES (STATE PLANE TEXAS CENTRAL - 4203) AND ELEVATIONS (NAVD88) SHOWN HEREON WERE COMPUTED FROM NGS O.P.U.S. SOLUTION REPORT DERIVED FROM 4WARD STATIC DATA COLLECTED JUNE 17, 2020.

UTILITY NOTE:

THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED (UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY) ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ONLY THE VISIBLE ABOVE GROUND UTILITY STRUCTURES.

BENCHMARK NOTE:

TBM #1- SQUARE CUT ON TOP OF CONCRETE BASE OF METAL ELECTRIC TRANSMISSION POLE NO. 136A, ±40' SOUTH OF SOUTH OLD TEMPLE ROAD, APPROXIMATELY 150' EAST OF WHERE SOUTH OLD TEMPLE ROAD INTERSECTS THE FRONTAGE ROAD OF INTERSTATE HIGHWAY 35. ELEVATION = 592.45'.

FLOODPLAIN NOTE:

THIS PROPERTY IS LOCATED WITHIN ZONE 'X', AREAS OF MINIMAL FLOOD HAZARD, AS SHOWN ON F.I.R.M. MAP NO. 48309C0700C, MCLENNAN COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED SEPTEMBER 26, 2008.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

PRELIMINARY PLAT
LORENA FC TRAVEL CENTER
City of Lorena,
McLennan County, Texas

CASE NO: _____

4WARD
Land Surveying
A Limited Liability Company
PO Box 90876, Austin Texas 78709
INFO@4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	9/24/2024
Project:	00369
Scale:	1" = 100'
Reviewer:	PRB
Tech:	EBD
Field Crew:	JZ/FH
Survey Date:	JUN. 2024
Sheet:	1 OF 2

STATE OF TEXAS
COUNTY OF MCLENNAN

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

WE, BRUCEVILLE DEVELOPMENT, LLC, THE UNDERSIGNED AND OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LORENA FC TRAVEL CENTER ADDITION TO THE CITY OF LORENA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL RIGHTS-OF-WAY, STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. WE FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN LORENA FC TRAVEL CENTER ADDITION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT. WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED. NO CONSTRUCTION OR FILLING, WITHOUT THE WRITTEN APPROVAL OF THE CITY OF LORENA, SHALL BE ALLOWED WITHIN A DRAINAGE EASEMENT OR A FLOODPLAIN EASEMENT, AND THEN ONLY AFTER DETAILED ENGINEERING PLANS AND STUDIES SHOW THAT NO FLOODING WILL RESULT, THAT NO OBSTRUCTION TO HTE NATURAL FLOW OF WATER WILL RESULT; AND SUBJECT TO ALL OWNERS OF THE PROPERTY AFFECTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE REQUEST. WHERE CONSTRUCTION IS PERMITTED, ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF ONE (1) FOOT ABOVE THE "100 YEAR FLOOD ELEVATION".

AMIRALI MAKNOJIA
BRUCEVILLE DEVELOPMENT, LLC

DATE

STATE OF TEXAS
COUNTY OF MCLENNAN

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED AMIRALI MAKNOJIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

ENGINEER’S CERTIFICATION:

A CERTIFIED STATEMENT BY THE ENGINEER IS PROVIDED AS FOLLOWS.

THE STATE OF TEXAS
COUNTY OF MCLENNAN

THAT I, MATHEW J. GATTO, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND DO HEREBY STATE THAT THIS PLAT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF LORENA, TEXAS.

MATHEW J. GATTO, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO.147208, STATE OF TEXAS

DATE

SURVEYOR’S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WAS ACTUALLY MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION ON THE DATE SHOWN.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. FOR REVIEW PURPOSES ONLY.

PAUL N. GUERRERO, R.P.L.S.
TEXAS REGISTRATION NO. 5992
PGUERRERO@4WARDLS.COM

DATE

ZONING NOTES:

- ZONING DESIGNATIONS SHOWN WERE TAKEN FROM THE CITY OF LORENA ZONING MAP 2022.
- THE FOLLOWING SITE DEVELOPMENT STANDARDS ARE PER THE CITY OF LORENA WEBSITE (HTTPS://WWW.CI.LORENA.TX.US/DOCUMENTCENTER/VIEW/2048/2020-LORENA-ZONING-ORDINANCE---2020-0316-01).

COMMERCIAL ZONING :	IC (INTERSTATE CORRIDOR DISTRICT)
MINIMUM LOT AREA (S.F.)	22,500
MINIMUM LOT WIDTH	200’
MINIMUM LOT DEPTH	200’
MINIMUM SETBACKS	
FRONT	35’
SIDE	NONE FOR INTERIOR LOT. 15’ FOR A STREET SIDE SETBACK. 15’ PLUS 1 ADDITIONAL FOOT FOR EACH ADDITIONAL 1 FOOT IN HEIGHT ABOVE 15’ FOR ALL PROPERTIES ABUTTING TO A SF SINGLE FAMILY DISTRICT.
REAR	10’. 25’ IF ABUTTING TO A SF SINGLE FAMILY DISTRICT.
MAXIMUM LOT COVERAGE	75%
MAXIMUM HEIGHT	65’

LEGAL DESCRIPTION

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 10.0002 ACRES (435,607 SQUARE FEET) OUT OF THE JAMES SPROWLES SURVEY, ABSTRACT NO. 818, IN MCLENNAN COUNTY, TEXAS, BEING ALL OF A CALLED 10.00 ACRES TRACT OF LAND CONVEYED TO BRUCEVILLE DEVELOPMENT, LLC IN DOCUMENT NO. 2022022032 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS (O.P.R.M.C.T.), SAID 10.0002 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TYPE II CONCRETE MONUMENT WITH BRASS DISC FOUND FOR THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 35 (RIGHT-OF-WAY VARIES) AND THE WEST RIGHT-OF-WAY LINE OF SOUTH OLD TEMPLE ROAD (NO PUBLISHED RIGHT-OF-WAY WIDTH), BEING THE SOUTHWEST CORNER OF SAID BRUCEVILLE DEVELOPMENT TRACT, AND BEING THE SOUTHWEST CORNER AND POINT OF BEGINNING HEREOF;

THENCE, LEAVING THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH OLD TEMPLE ROAD, WITH THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 35 AND THE WEST LINE OF SAID BRUCEVILLE DEVELOPMENT TRACT, N08°42’33”E, PASSING AT A DISTANCE OF 408.65 FEET A TXDOT TYPE III 5/8-INCH IRON ROD WITH ALUMINUM CAP FOUND, PASSING AT A DISTANCE OF 902.16 FEET A 5/8-INCH IRON ROD FOUND, IN ALL A DISTANCE OF 1,075.95 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER HEREOF, BEING THE NORTHEAST CORNER OF SAID BRUCEVILLE DEVELOPMENT TRACT AND THE SOUTHWEST CORNER OF THE REMAINDER OF A CALLED 5.51 ACRES TRACT CONVEYED TO RSB4 PROPERTIES A, LLC IN DOCUMENT NO. 2010035985 (O.P.R.M.C.T.);

THENCE, LEAVING THE EAST RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 35, WITH NORTH LINE OF SAID BRUCEVILLE DEVELOPMENT TRACT, IN PART WITH THE SOUTH LINE OF SAID RSB4 PROPERTIES A TRACT AND THE REMAINDER OF A CALLED 412.29 ACRES TRACT CONVEYED TO ROBERT S. BRASWELL IV (CALLED TRACT EIGHT) IN VOLUME 1645, PAGE 322 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS (D.R.M.C.T.), S59°52’51”E, A DISTANCE OF 720.06 FEET TO A 3/8-INCH IRON ROD WITH ‘BLACKLAND’ CAP FOUND FOR THE NORTHEAST CORNER HEREOF, BEING THE NORTHEAST CORNER OF SAID BRUCEVILLE DEVELOPMENT TRACT AND BEING THE SOUTHEAST CORNER OF SAID BRASWELL IV TRACT, AND BEING IN THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH OLD TEMPLE ROAD;

THENCE, LEAVING THE SOUTH LINE OF SAID BRASWELL IV TRACT, WITH THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH OLD TEMPLE ROAD AND THE EAST AND SOUTH LINE OF SAID BRUCEVILLE DEVELOPMENT TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

- S39°34’35”W, A DISTANCE OF 947.38 FEET TO A CALCULATED POINT FOR AN ANGLE POINT HEREOF;
- N81°15’52”W, A DISTANCE OF 184.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.0002 ACRES (435,607 SQUARE FEET) OF LAND, MORE OR LESS.

NOTES:

- PROPERTY ADDRESS: I-35 N FRONTAGE RD, LORENA, TX 76630

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF LORENA FC TRAVEL CENTER ADDITION TO THE CITY OF LORENA, MCLENNAN COUNTY, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LORENA ON THIS, THE ____ DAY OF _____, 2024.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF MCLENNAN, COUNTY, TEXAS, WITHIN TWO (2) YEARS FROM SAID DATE OF FINAL APPROVAL. SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF LORENA. WITNESS OUR HAND, THIS THE ____ DAY OF _____, 2024.

MONICA HENDRIX
CITY SECRETARY

DATE

REVIEWED FOR PRELIMINARY APPROVAL:

PLANNING & ZONING COMMISSION CHAIRMAN

DATE

ATTEST:

CITY SECRETARY

DATE

APPROVED FOR PREPARATION OF FINAL PLAT:

MAYOR, CITY OF LORENA

DATE

ATTEST:

CITY SECRETARY

DATE

PRELIMINARY PLAT
LORENA FC TRAVEL CENTER
City of Lorena,
McLennan County, Texas

CASE NO: _____

SURVEYOR:
4WARD LAND SURVEYING
4120 FREIDRICH LANE, SUITE 200
AUSTIN, TX 78744
512-537-2384
RBRETTAIN@4WARDLS.COM

ENGINEER:
KIMLEY-HORN
1251 SADLER EAST DRIVE
BUILDING K, SUITE 3200
SAN MARCOS, TX 78666
737-242-7310
MATTHEW.GATTO@KIMLEY-HORN.COM

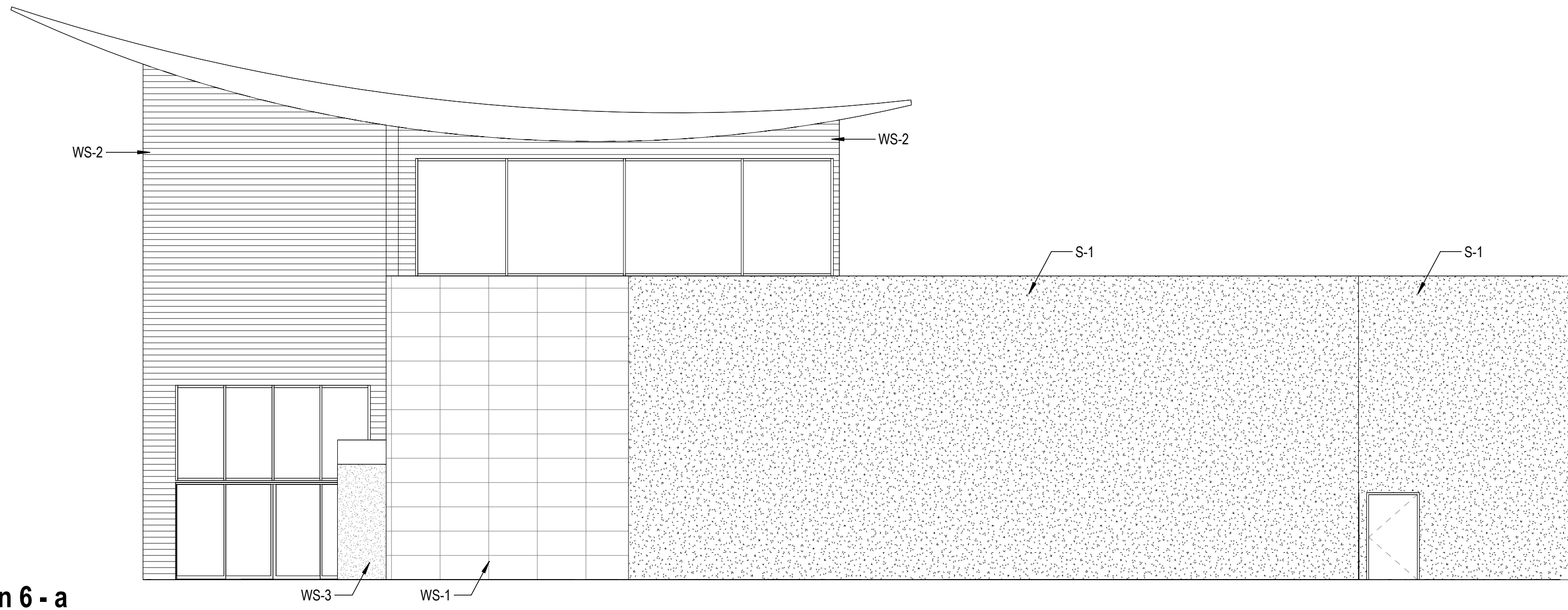
OWNER:
BRUCEVILLE DEVELOPMENT, LLC
11712 SHOREVIEW OVERLOOK
AUSTIN, TX 78732
512-909-1677
NURESHMAK@GMAIL.COM



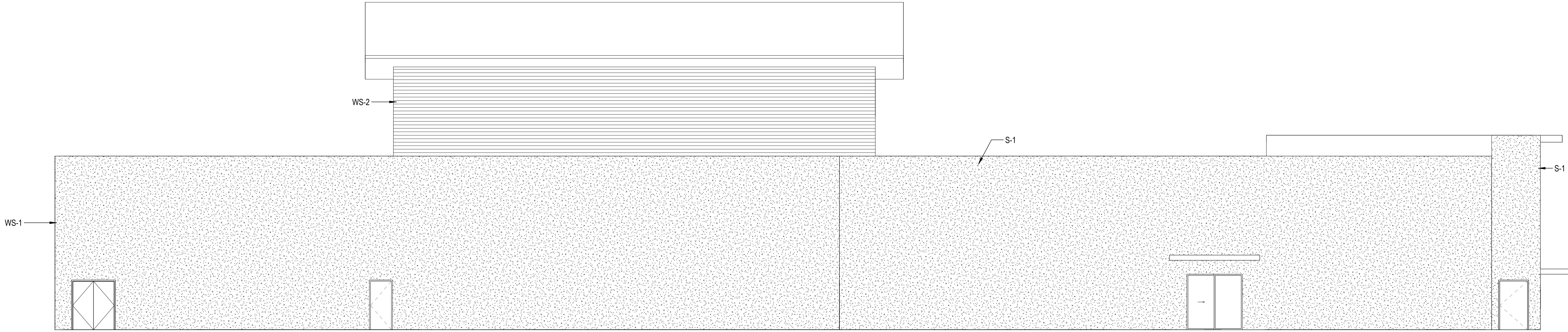
PO Box 90876, Austin Texas 78709
INFO@4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	9/24/2024
Project:	00369
Scale:	N/A
Reviewer:	PRB
Tech:	EBD
Field Crew:	JZ/FH
Survey Date:	JUN. 2024
Sheet:	2 OF 2

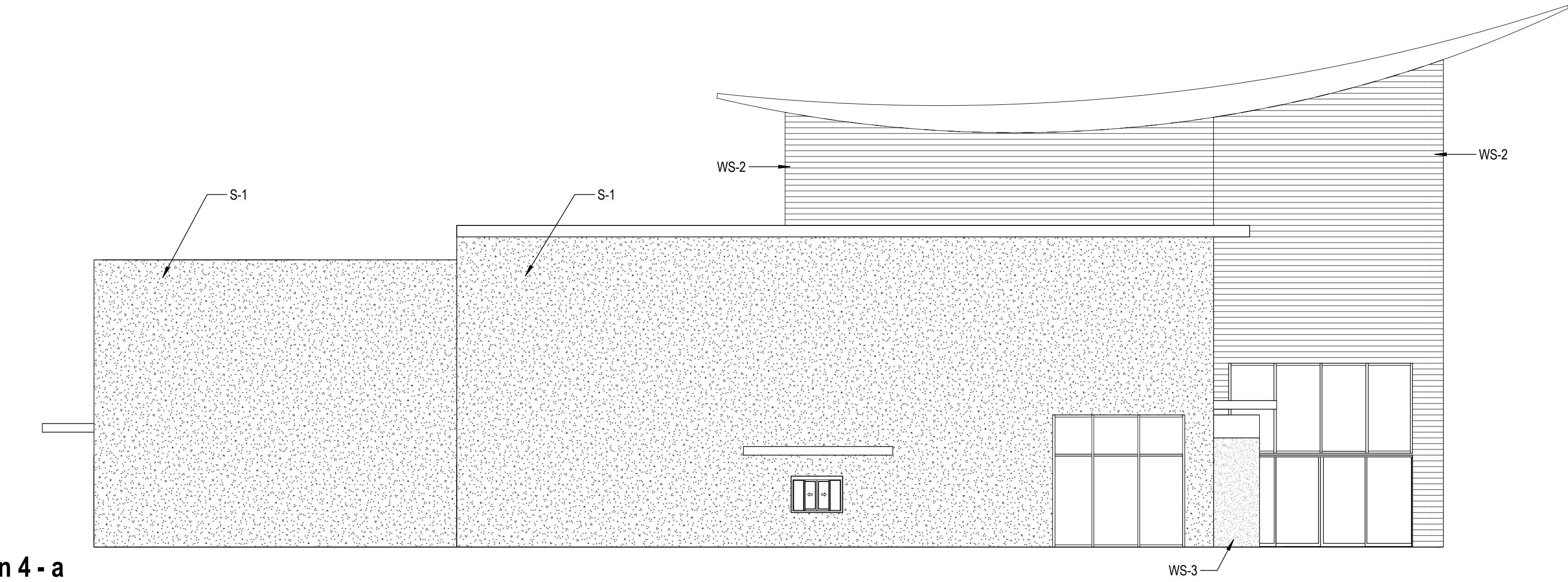
4 Elevation 6 - a
SCALE: 1/8" = 1'-0"



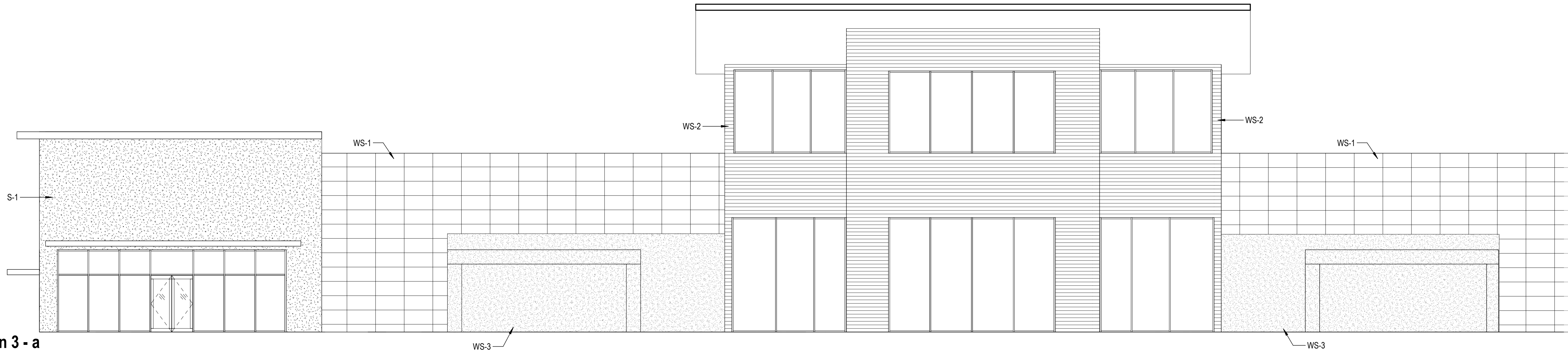
3 Elevation 5 - a
SCALE: 1/8" = 1'-0"



2 Elevation 4 - a
SCALE: 1/8" = 1'-0"



1 Elevation 3 - a
SCALE: 1/8" = 1'-0"



EXTERIOR FINISH SCHEDULE				
MARK	TYPE	SPECIFICATION	REMARKS	LOCATION
WS - 1	EXTERIOR CERAMIC PANEL	CERACLAD "CONTEMPORARY SMOOTH" ASH - HEM90554H	Filtrated, Horizontal Install	Exterior wall finish
WS - 2	EXTERIOR CERAMIC PANEL	CERACLAD "URBAN CEDAR" GOLDEN BROWN NH4993U	Extruded, Horizontal Install	Exterior wall finish At Entry Towers
WS - 3	EXTERIOR CERAMIC PANEL	CERACLAD "CONTEMPORARY SMOOTH" SILK - HEM905551H	Filtrated, Horizontal Install	Exterior wall finish Front Niches
S - 1	STUCCO	WHITE		Roof Underside
MT-1	METAL	Manufacturer: Dura-flex Type: Poly-crete MDB Color: Dark Grey	SEALED	• Parapet caps • Canopies
MT-2	Storefront Mullions	KAWNEER	match	Storefront

SKB
ARCHITECTURE AND DESIGN
3708 Spicewood Springs Rd.
Suite 200
Austin, Texas 78759
512.916.0041
www.skbatch.com

PROJECT
FOODIES - LORENA
A0006BC M F Connell, 138 & 138-1,
Acres 9.776
Belton, Texas 76513

ISSUED
03/06/23 PERMIT SET

Drawing Title:

ELEVATIONS

SKB-2

City of Lorena FY 2024 Audit



**Report to the City Council
February 18, 2025**

Agenda

- Financial Audit Overview
- Results of the Audit
- Financial Observations
- Internal Controls and Compliance
- Required Communications

Financial Audit Overview

- Management's responsibility:
 - To prepare the financial statements and select accounting policies and procedures
- Auditor's responsibility:
 - Conduct the audit in accordance with generally accepted auditing standards
 - Obtain reasonable assurance the financial statements are free of material misstatements
 - Examine evidence supporting amounts and disclosures in the financial statements
 - Assess accounting principles used and estimates made by management
 - Evaluate the overall financial statement presentation

Financial Audit Overview

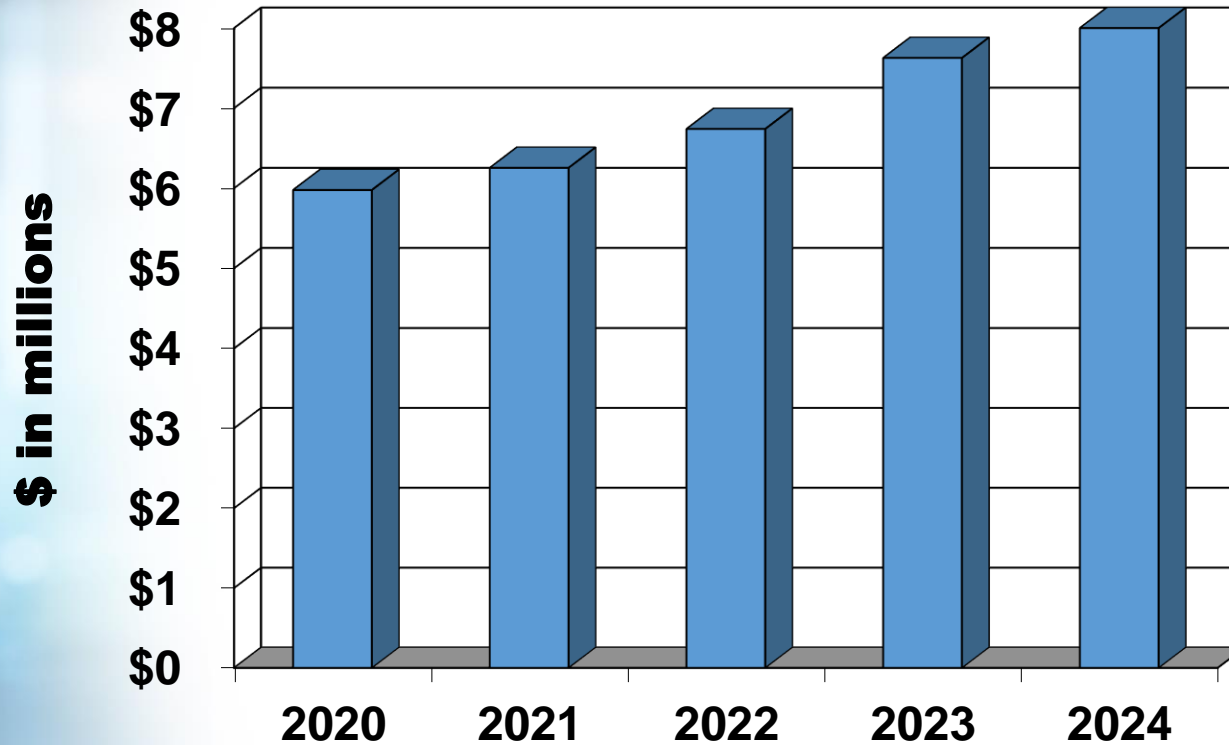
- Significant Accounting Estimates
 - Net pension and OPEB liabilities and related outflows and inflows

Results of the Audit

- Unmodified Opinion
- *In our opinion, the financial statements present fairly, in all material respects, the financial position as of September 30, 2024, and the changes in financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.*

Financial Observations

Government-Wide Net Position



Financial Observations

General Fund – Changes in Fund Balance

	2024	2023
Revenues	\$ 1,921,848	\$ 2,090,200
Expenditures	(1,703,885)	(1,954,833)
Other financing uses	(160,572)	(80,611)
Net change in fund balance	\$ 57,391	\$ 54,756

Financial Observations

General Fund – Compliance with Budget

	Budget	Actual	Variance
Revenues	\$ 1,904,371	2,048,539	144,168
Expenditures	(1,904,371)	(2,010,407)	(106,036)
Net change in fund balance	\$ -	38,132	38,132

Financial Observations

Enterprise Funds Operations

	2024	2023
Operating revenue	\$ 2,714,618	\$ 2,511,868
Operating expenses	(2,346,574)	(2,068,875)
Operating income	368,044	442,993
Nonoperating income	121,740	155,732
Net transfers	(137,200)	(107,100)
Change in net position	\$ 352,314	\$ 491,625

Internal Controls and Compliance

- Considered internal controls to design audit procedures, but not to express opinion on the effectiveness of controls.
- No material weaknesses noted.
- Performed procedures on compliance with Public Funds Investment Act and state competitive bidding requirements.
- No material instances of noncompliance noted.

Required Communications

- Letter to City Council
- Management Representation Letter and Summary of Uncorrected Misstatements



Questions?

RESOLUTION NO. 2025-0218-01

A RESOLUTION AUTHORIZING MEMBERSHIP IN THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION

WHEREAS, the City of Lorena is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City would like to become a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LORENA, TEXAS:

I.

That the City is authorized to become a member in the Atmos Cities Steering Committee to protect the interests of the City of Lorena and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2025 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “City of Arlington, c/o Atmos Cities Steering Committee,” shall be sent to:

City of Arlington
Brandi Stigler
PO Box 90231
Arlington, Texas 76004

PRESENTED AND PASSED on this the 18th day of February, 2025, by a vote of _____ ayes
and _____ nays at a regular meeting of the City Council of the City of Lorena, Texas.

Tommy Ross, Mayor

ATTEST:

Monica Hendrix, City Secretary

STAFF REPORT ON ASSESSMENT RESOLUTION FOR ATMOS CITIES STEERING COMMITTEE

Purpose of the Resolution:

Most municipalities have retained original jurisdiction over gas utility rates and services within municipal limits. The Atmos Cities Steering Committee (“ACSC”) is composed of 186 municipalities in the service area of Atmos Energy Corporation, Mid-Tex Division that have retained original jurisdiction. Atmos is a monopoly provider of natural gas. Because Atmos has no competitors, regulation of the rates that it charges its customers is the only way that cities can ensure that natural gas rates are fair. Working as a coalition to review the rates charged by Atmos allows cities to accomplish more collectively than each city could do acting alone. Cities have more than 100 years experience in regulating natural gas rates in Texas.

ACSC is the largest coalition of cities served by Atmos Mid-Tex. There are 186 ACSC member cities, which represent more than 60 percent of the total load served by Atmos-Mid Tex. ACSC protects the authority of municipalities over the monopoly natural gas provider and defends the interests of residential and small commercial customers within the cities. Although many of the activities undertaken by ACSC are connected to rate cases (and therefore expenses are reimbursed by the utility), ACSC also undertakes additional activities on behalf of municipalities for which it needs funding support from its members.

The ACSC Membership Assessment Supports Important Activities:

ACSC is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Explanation of Resolution Paragraphs:

- I. This paragraph authorizes the continuation of the City’s membership in ACSC.
- II. This paragraph authorizes payment of the City’s assessment to the ACSC in the amount of five cents (\$0.05) per capita.
- III. This paragraph requires notification that the City has adopted the Resolution.

Payment of Assessment

The assessment payment check should be made out to “City of Arlington, c/o Atmos Cities Steering Committee,” and mailed to City of Arlington, Brandi Stigler, PO Box 90231, Arlington, Texas 76004.

2024 ACSC Newsletter



2024 YEAR IN REVIEW ISSUE

This past year was a busy one for ACSC. This annual review highlights the significant events of 2024 that impacted ACSC and what's on the horizon next year.

ACSC Thanks Outgoing President Jennifer Richie

The Atmos Cities Steering Committee offered its sincere thanks in 2024 to Jennifer Richie, who resigned her post as City Attorney for the City of Waco. With her Aug. 12 departure, Ms. Richie also left her post as head of ACSC, a position she has held with distinction since 2014.

Thomas Brocato, general counsel for ACSC, praised Ms. Richie for her leadership. "Jennifer is the consummate professional and a great friend. It has been my pleasure partnering with her over the years."

Waco Mayor Jim Holmes also expressed his thanks. "We are appreciative of Jennifer's contributions to our city — her expertise and dedication have been vital in navigating the complex landscape of municipal governance," he said.

Richie, who received her law degree in 1998 from the Paul M. Hebert Law Center at Louisiana State University, said she is leaving her post to pursue other opportunities. She praised the City of Waco's legal team and said "it has been a true joy" working with her colleagues during a period of unprecedented growth for the city. "I have been so lucky to lead a legal team made up of smart, talented, and diligent professionals," she said. "I am confident that this team will continue to excel and support Waco's growth and development."

On December 17, 2014, ACSC held a quarterly meeting at the Arlington Convention Center during which Ms. Richie was elected as president to replace Jay Doegey, who had retired from the City of Arlington.

With Ms. Richie's departure, the ACSC officers for 2025 are Chair Meg Jakubik, Treasurer David Johnson, and Secretary Lupe Orozco. The vice chair position remains open.



From left: Lloyd Gosselink attorney Jamie Mauldin, outgoing ACSC Chair Jennifer Ritchie, and Lloyd Gosselink attorney Thomas Brocato

ACSC Welcomed New Members in 2024

The Atmos Cities Steering Committee welcomed two new members in 2024 — the town of Bartonville and the city of Llano. Bartonville and Llano became ACSC's 185th and 186th members respectively.

Town of Bartonville. Located eight miles south of Denton in south central Denton County, Bartonville was settled in 1878, and by 1890 had twenty-five residents, a general store, a gristmill, and cotton gin — all owned by the family of the town's namesake, T. Bent Barton. The present town of Bartonville, which incorporated in 1973, continues to grow as part of the general development of the area north of the Dallas / Fort Worth International Airport.

City of Llano. The county seat of Llano County, this Central Texas municipality was founded in 1855 as a frontier trading hub. Various 19th century buildings remain standing in the city's historic downtown area — including the charming Llano County courthouse, which was completed in 1893; and the grey granite building known as the Red Top Jail, built in 1895.

Welcome aboard Bartonville and Llano!

2024 Rate Case Round-Up

Atmos West Texas Seeks \$66.1 Million Hike; ACSC Intervenes for Consumers

Atmos Energy has filed paperwork seeking to increase system-wide base rates in its West Texas Division by approximately \$66.1 million. If approved, annual revenues received from the incorporated areas of that division would increase by approximately \$26.9 million, which equates to 32.27 percent, excluding gas costs. Average monthly residential bills also would go up by about \$16.66, or 10 percent, according to the company's Oct. 25 filing. The company seeks a rate of return of 8.21 percent.

In addition to establishing new rates, the company seeks in its filing to establish a new "System Safety and Integrity Rider" through which it could recover expenses for inspection activities, incremental leak surveying, pipeline integrity testing, and other associated costs. Atmos likewise seeks to obtain approval to recover cloud computing costs through the interim Gas Reliability Infrastructure Program, and it seeks approval to increase limits on recoverable meals and lodging expenditures.

ACSC has intervened in the matter. The case number is 00018879.

Atmos Rev Rider Filing

On Oct. 15, the Texas Railroad Commission ordered a \$38,875,709 reduction in Atmos Pipeline Texas rates, the result of a utility filing earlier in the year through the Rider Revenue Adjustment process.

Under the new Rev Rider Adjustment, the city gate capacity charge decreased by \$.100616, bringing the new charge to \$20.30379. Measured in million British thermal

units of maximum gas quantity flowing over the pipeline system, the charge gets allocated in an indirect fashion to residential customers. According to ACSC calculations, typical bills would decrease by approximately \$1.20 per month as a result.

The effective date was Nov. 1, 2024. More information can be found at the Railroad Commission website, under Case No. 00018176.

Rate Review Mechanism and GRIP

Atmos has a statutory right to an annual rate increase associated with recovery of capital investment made in the preceding 12 months. The statutory right to recovery of capital costs is pursuant to a process referred to as Gas Reliability Infrastructure Program (also known as "GRIP," see below). However, ACSC has always objected to GRIP as piecemeal ratemaking because it does not evaluate rising revenues or declining expenses that may offset the need for a rate increase associated with increased capital investment.

Additionally, cities are not entitled to challenge any portion of a GRIP filing as unreasonable. In response, ACSC negotiated a Rate Review Mechanism ("RRM") with Atmos as a substitute for GRIP. The RRM has no existence in statutes and exists only pursuant to city ordinances.

Environs (areas outside municipal limits) are subject to GRIP, and some non-ACSC member cities have chosen to remain under GRIP. ACSC current rates are lower than GRIP rates, and research has shown that consumer outcomes under the RRM process are generally better than under GRIP.

Atmos RRM Filings

Mid-Tex RRM. On April 1, Atmos Energy filed its annual Rate Revenue Mechanism rate case for the RRM cities of its Mid-Tex Division. The company initially sought a \$196.8 million annual revenue increase on a system-wide basis. The initial request was reduced to \$182.5 million due to limitations in the RRM tariff. ACSC consultants conducted a review of the filing and prepared a report identifying other potential decreases totaling \$32.9 million. The company subsequently agreed to settle for a \$164.7 million increase, or a reduction of \$32.1 million from its initial request.

West Texas RRM. On April 1, Atmos filed its annual RRM request for its West Texas service territory. As filed, the request would have resulted in a \$6.7 million revenue increase for affected customers. The initial request for the utility's West Texas Division was subsequently reduced to \$5.8 million due to limitations in the RRM tariff. Consultants for the Cities Served by Atmos West Texas conducted a review of the filing and prepared a report identifying more potential decreases totaling \$2.7 million. The company subsequently agreed to settle for a \$4.3 million increase, or a reduction of \$2.4 million from its initial request.

Atmos GRIP Filings

Mid-Tex. On May 14, the Texas Railroad Commission approved an interim \$173.4 million increase for the environs in the Atmos Mid-Tex region, of which \$8,529,031 is recoverable from the 97,217 customers subject to the order.

Atmos made the rate request on February 23 under the state's GRIP statute. The residential charge set in the last

environs base rate case in 2018 was \$17.05. Since then, six consecutive GRIP cases have added \$29.06 to the customer charge (including \$6.73 in the current filing). With the new Railroad Commission action, the residential customer charge in the environs will be \$46.11, or more than 170 percent of the charge set in the last rate case. More information in Case No. 00016391.

Atmos West Texas. On May 14, the Texas Railroad Commission approved a \$16.8 million increase for the Atmos West Texas region, of which \$1,379,450 is recoverable from 25,257 customers subject to the order. Atmos made the rate request on February 23 under the state's GRIP statute. The residential charge set in the last base rate case was \$16.10. Since then, six consecutive GRIP cases have added \$19.01 to the environs customer charge (including \$3.62 in the current filing), more than doubling the charge set in the 2018 rate case. With the new Railroad Commission action, the residential customer charge now becomes \$35.11. Find more information in Case No. 00016393.

Atmos Pipeline. On May 14, the Texas Railroad Commission approved an \$82,440,179 million increase for Atmos Pipeline Texas. The company requested the increase on February 27. The increase represents the first such GRIP adjustment for Atmos Pipeline Texas since the last base rate case (Case No. 00013758) in 2023. The adjustment adds \$2.12 to the Atmos Pipeline capacity charge, bringing the total to \$20.35. (The capacity charge is measured in million British thermal units of MDQ, where MDQ is defined as the maximum daily quantity of gas over the pipeline system). Find more information in Case No. 00016396.

RRC Chair Craddick Elected to Third Term

Railroad Commission Chair Christi Craddick has won reelection for her third term to the powerful energy-related regulatory agency.

In addition to regulating the Texas oil and gas industries, the Railroad Commission oversees gas utility regulatory matters. The GCCC intervenes in gas utility rate cases at the Railroad Commission.

As a top campaign issue, Craddick pointed to the growth of the Texas oil and gas industries during her tenure. She also criticized federal regulations intended to reduce emissions and fight climate change but that she said would damage the fossil fuel industries.

Each of Craddick's opponents — Democrat Katherine Culbert, Libertarian Hawk Dunlap, and Green Party Candidate Eddie Espinoza — called for reform, arguing that the fossil fuel industry exerts too much control over the Railroad Commission.

Because the Texas Railroad Commission regulates the economically and politically powerful Texas fossil fuel industry, a seat there has been called one of the nation's most important elected offices relating to energy.

However, the agency has no authority over Railroads, and members of the public often report confusion about the agency's mission.

The elected officials who sit on the three-member commission serve six-year terms and run in staggered elections. As such, one commission is always up for re-election every two years.

All Railroad commissioners have been Republicans since the mid-1990s.

RRC Approves Gas Conservation Program Rules

New regulations to implement House Bill 2263, state legislation that authorized gas utilities to create ratepayer-supported energy conservation programs, received final approval in 2024.

HB 2263 specifies that local gas distribution companies such as Atmos in the Dallas-Fort Worth area and CenterPoint in Houston can offer energy conservation programs to their residential and commercial customers. The legislation also sets forth rules for cost recovery by utilities.

The Texas Railroad Commission adopted the final rules on March 20 after a public comment period and input from various stakeholders, including the Atmos Cities Steering Committee. As adopted, the rules establish a new section in state law, 16 Texas Administrative Code §7.480, that specifically addresses the implementation of Energy Conservation Programs by gas utilities.

The Details

- The new rules create a cost cap for energy conservation programs, such that the maximum rate for them may not exceed a volumetric charge of \$0.20 per Mcf for residential and commercial customers. The rate increase due to an ECP charge would be no more than approximately 1.2 percent of the 2023 average cost of residential gas service in Texas according to the U.S. Energy Information Administration. Various stakeholder groups supported this change.
- The final adopted rules did not include a cost-effectiveness standard for the conservation programs, although commission staff indicated that they may revisit the issue after the program is up and running. ASCC and other stakeholder groups recommended the inclusion of such a standard.
- The rules did not include a contested case prudence review of costs, as recommended by consumer and city groups, including the ACSC.
- The rule included a 120-day deadline in which commission staff must complete its administrative review of an ECP application. This deadline was suggested by ACSC.
- ACSC asked that the Commission allow program modifications more frequently than once every three years. The Commission pointed to its limited staff resources and said that once every year would not be manageable. However, it agreed with ACSC that once every three years is too infrequent, so the Commission included a provision in the final rule to allow new program applications every other year.
- The final rule contemplates an annual review of the ECP rate to ensure rates match ECP costs, as suggested by ACSC. Staff will instruct the local distribution company to adjust its ECP rate for the next program year if the rate needs to be adjusted.

2025 ACSC Meetings

March 6
June 12 — Virtual
September 11
December 11 — Virtual

2025 Officers

Chair—Meg Jakubik (Bedford)
Vice Chair—Open
Secretary—Lupe Orozco (Keller)
Treasurer—David Johnson (Arlington)

For more questions or concerns regarding any ACSC matter or communication, please contact the following representative, who will be happy to provide assistance:

Atmos Reports Fiscal Year Earnings for 2024

Atmos Energy made \$2.9 billion in capital expenditures during the fiscal year ending Sept. 30 — an increase from the \$2.8 billion in capital expenditures it made during the prior fiscal year.

The company also expects to make another \$3.7 billion in capital expenditures during the 2025 fiscal year.

Those top-line capital expenditure numbers were among the highlights of a conference call conducted by Atmos executives on Nov. 7. Atmos Energy also released additional regulatory information to investment analysts on the call.

Fiscal Year Data

- Atmos reports that about \$1.3 billion in 2024 capital spending — or 83 percent of this year's \$2.9 billion total — was used to repair and replace transmission and distribution pipelines.
- Atmos reported \$854.5 million in distribution income and \$500.9 million in pipeline income during the 2024 fiscal year. That compares to \$692.6 million in distribution income and \$364.5 million in 2023 pipeline income during the prior fiscal year.
- Some of the key income drivers in 2024 were a \$219.2 million net increase from distribution rate adjustments and \$68.4 million from pipeline rate adjustments.

RRC Makes Big Legislative Ask for IT Funding

The Railroad Commission would receive tens of millions of dollars in additional funding for new hardware, software, and information technology-related capital projects, under a budgeting request issued by the agency in advance of the 89th Texas Legislature.

In all, the commission has requested \$466,560,272 in biennial funding, with revenues from fees and surcharges covering 34.9 percent of its request and tax-supported General Revenue sources comprising 41.2 percent. The federal government will provide 23.3 percent.

But the “last big ask” in its Legislative Appropriations Request is for IT, according to Railroad Commission chairwoman Christi Craddick. “We have to work to get more data,” she said, according to media reports.

Some details:

Microfilm Digitization — \$907,496

The agency endeavors to make all oil and gas records available digitally online for use by the public. However, records held at the district offices won't be completely digitized until the end of the 2025 fiscal year. The agency requests \$907,496 to complete this project.

Oversight and Safety Regulatory Filing Systems — \$6,288,068

The Railroad Commission collects multiple reports with large amounts of data from natural gas utilities

related to the sale of natural gas. The Commission uses this data to audit utility companies and ensure the accuracy of collected Natural Gas Utility Taxes. As such, the agency requests \$6,288,068 to create a new online filing system to make reporting easier for utility companies and an Alternative Fuels Online System to streamline the permitting process for operators.

Data Center Services Adjustment — \$7,700,000

The agency seeks an additional \$7,700,000 to fund Data Center Services (DCS) for the biennium. The agency says the extra funding is needed because its DCS costs are estimated to increase by 50.5 percent beyond the 2024-2025 appropriated amount.

Capital Budget— \$40,844,771

The agency seeks capital spending authority totaling \$40,844,771 for four capital projects: \$21,475,647 for mainframe modernization; \$15,280,374 for Data Center Services capital expenditures; \$3,000,000 for Inspection and Enforcement Tracking and Reporting System upgrades; and \$1,088,750 for new personal computers.

In addition, the agency notes that funding from the 2021 Infrastructure and Investment Jobs Act supports or is anticipated to support several programs including well plugging and site remediation activities, the Commission's Brownfields program, and a program providing for the remediation of pre-1977 mining sites in Texas.

ACSC Master List of Members (186 Total)

- | | | |
|----------------------------|---------------------------|---------------------------|
| 1. Abilene | 63. Fairview | 125. Nocona |
| 2. Addison | 64. Farmers Branch | 126. North Richland Hills |
| 3. Albany | 65. Farmersville | 127. Northlake |
| 4. Allen | 66. Fate | 128. Oak Leaf |
| 5. Alvarado | 67. Flower Mound | 129. Ovilla |
| 6. Angus | 68. Forest Hill | 130. Palestine |
| 7. Anna | 69. Forney | 131. Pantego |
| 8. Archer City | 70. Fort Worth | 132. Paris |
| 9. Argyle | 71. Frisco | 133. Parker |
| 10. Arlington | 72. Frost | 134. Pecan Hill |
| 11. Aubrey | 73. Gainesville | 135. Petrolia |
| 12. Azle | 74. Garland | 136. Plano |
| 13. Bartonville | 75. Garrett | 137. Ponder |
| 14. Bedford | 76. Georgetown | 138. Pottsboro |
| 15. Bellmead | 77. Glenn Heights | 139. Prosper |
| 16. Belton | 78. Grand Prairie | 140. Quitman |
| 17. Benbrook | 79. Grapevine | 141. Red Oak |
| 18. Beverly Hills | 80. Groesbeck | 142. Reno (Parker County) |
| 19. Blossom | 81. Gunter | 143. Rhome |
| 20. Blue Ridge | 82. Haltom City | 144. Richardson |
| 21. Bowie | 83. Harker Heights | 145. Richland |
| 22. Boyd | 84. Haskell | 146. Richland Hills |
| 23. Bridgeport | 85. Haslet | 147. River Oaks |
| 24. Brownwood | 86. Hewitt | 148. Roanoke |
| 25. Bryan | 87. Highland Park | 149. Robinson |
| 26. Buffalo | 88. Highland Village | 150. Rockwall |
| 27. Burkburnett | 89. Honey Grove | 151. Roscoe |
| 28. Burleson | 90. Hurst | 152. Rowlett |
| 29. Caddo Mills | 91. Hutchison | 153. Royse City |
| 30. Canton | 92. Hutto | 154. Sachse |
| 31. Carrollton | 93. Iowa Park | 155. Saginaw |
| 32. Cedar Hill | 94. Irving | 156. Sansom Park |
| 33. Celeste | 95. Justin | 157. Seagoville |
| 34. Celina | 96. Kaufman | 158. Seymour |
| 35. Centerville | 97. Keene | 159. Sherman |
| 36. Cisco | 98. Keller | 160. Snyder |
| 37. Clarksville | 99. Kemp | 161. Southlake |
| 38. Cleburne | 100. Kennedale | 162. Springtown |
| 39. Clyde | 101. Kerens | 163. Stamford |
| 40. College Station | 102. Kerrville | 164. Stephenville |
| 41. Colleyville | 103. Killeen | 165. Sulphur Springs |
| 42. Colorado City | 104. Krum | 166. Sweetwater |
| 43. Comanche | 105. Lakeside | 167. Temple |
| 44. Coolidge | 106. Lake Dallas | 168. Terrell |
| 45. Coppell | 107. Lake Worth | 169. The Colony |
| 46. Corinth | 108. Lancaster | 170. Trophy Club |
| 47. Crandall | 109. Lavon | 171. Tyler |
| 48. Cross Roads | 110. Lewisville | 172. University Park |
| 49. Crowley | 111. Little Elm | 173. Venus |
| 50. Dalworthington Gardens | 112. Little River Academy | 174. Vernon |
| 51. Denison | 113. Llano | 175. Waco |
| 52. Denton | 114. Lorena | 176. Watauga |
| 53. DeSoto | 115. Madisonville | 177. Waxahachie |
| 54. Draper | 116. Malakoff | 178. Westlake |
| 55. Duncanville | 117. Mansfield | 179. Westover Hills |
| 56. Early | 118. McKinney | 180. Westworth Village |
| 57. Eastland | 119. Melissa | 181. Whitesboro |
| 58. Edgecliff Village | 120. Mesquite | 182. White Settlement |
| 59. Emory | 121. Midlothian | 183. Wichita Falls |
| 60. Ennis | 122. Murphy | 184. Wilmer |
| 61. Euless | 123. Newark | 185. Woodway |
| 62. Everman | 124. New Fairview | 186. Wylie |

SUBJECT: Discussion and possible action authorizing the City of Lorena to retire K9 Drogen into the care of his former handler, Jay Greer. Discussion and possible action authorizing the Chief of Police to enter into a contract between the City of Lorena and Jay Greer regarding the terms of Drogen's retirement.

BACKGROUND: On February 11, 2025, Officer Jay Greer resigned his employment with the City of Lorena. This presented a situation where his K9 partner, Drogen, was without a handler. The options available to the City of Lorena are to keep Drogen or transfer ownership. While continuing Drogen as a working asset is possible, I do not feel this is the best course of action. My reasoning is outlined below.

1. Care for Drogen – If the City of Lorena decides to keep Drogen, we are now responsible for his care. Besides boarding Drogen, the City of Lorena does not have the quarters and accommodations to house the canine.
2. Handler – If the City of Lorena were to keep Drogen, the Lorena Police Department would be tasked with hiring/selecting a new handler. While this is feasible, it would demand extensive time and money. Moreover, it could disrupt the strong bond that Drogen and Jay have developed over the years. Introducing a new person into this relationship may not be the best course of action.
3. Financial obligation – As you are aware, the K9 program incurs substantial costs. The need to board, care, and maintain Drogen is a significant financial obligation. Additionally, the prospect of hiring and training another handler would impose an unbudgeted financial burden on the City of Lorena.
4. Canine availability – Without our own K9 team, the City of Lorena would depend on others to provide this resource. This is commonplace as other departments our size do not have a dedicated program. We are fortunate to have a great working relationship with those departments and even have an available Waco PD K9 team who lives within our ISD district.
5. And finally, the most compelling reason for me is to do what I believe is right. Officer Greer joined us in 2018, and Drogen became part of our team in 2020. Since then, they have worked tirelessly for the citizens of this community, achieving remarkable feats. A canine's working life typically spans 5-7 years, considering various factors. In Drogen's case, the most crucial factor is his health. Drogen recently underwent surgery for a torn ligament, a clear sign that his best working years are behind him and his working life is limited.

RECOMMENDATION: City staff recommends the council's review and approval of the transfer of Drogen into the care of Jay Greer, effective February 19, 2025.

CANINE OWNERSHIP/TRANSFER AGREEMENT

This Canine Ownership/Transfer Agreement ("Transfer Agreement") is entered into by and between the **CITY OF LORENA, TEXAS** ("City") and **JAY GREER**, a resigning officer of the Lorena Police Department ("Officer"). The purpose of this Agreement is to set forth the terms under which the City will transfer a canine named "Drogen" to Officer. The canine named "Drogen" shall hereinafter be referred to as "Canine". The parties agree as follows:

1. This Transfer Agreement is entered into pursuant to the authority granted by Article III, Section 52l of the Texas Constitution and Chapter 614, subchapter L of the Texas Government Code.

2. In consideration of the agreements herein made by Officer, City transfers ownership and title of Canine to Officer effective February 19, 2025 ("Effective Date"). From and after the Effective Date, Officer shall have sole ownership of Canine and complete responsibility for the care and maintenance of Canine.

3. It is found by the City that Canine is suitable for transfer and surplus to the needs of the City because of a medical condition that limits the ability of Canine to perform its duties within the K-9 corps of the Police Department of the City of Lorena.

4. Officer warrants and represents that he is fully capable of humanely caring for the Canine and will provide for the health, care and maintenance of the Canine once ownership is transferred to Officer from the City. Officer further warrants and represents that he is Canine's former handler at the City of Lorena Police Department. Officer agrees that Officer shall be solely responsible to assure that Canine will interact safely with persons after the date of transfer.

5. Pursuant to the authority of Section 614.214, Texas Government Code, title to the Canine is transferred without charge, other than the agreements set forth herein, to Officer.

6. As consideration for the transfer of the Canine, Officer agrees to humanely care for the Canine, including providing food, shelter and regular and appropriate veterinary care including medication, to properly provide for Canine's health. Officer further agrees to comply with all state and local laws applicable to keeping domestic animals. Officer further agrees to notify the City if he becomes unable to humanely care for the Canine. In the event Officer notifies the City that he is unable to care for the Canine, Officer must transfer the Canine back to the City at the City's request.

7. In further consideration for the transfer of the Canine from the City to Officer, Officer agrees to indemnify and hold harmless the City of and from any and all claims for injury, death, or property damage of whatsoever kind, caused or alleged to have been caused by Canine after the Effective Date.

8. Officer agrees that Canine shall not be used in any manner for police or law enforcement purposes after Canine is transferred to Officer. Additionally, Officer agrees not to enter into any contract to make use of the Canine for any security, drug interdiction, or law enforcement purpose. Further, Officer agrees not to lend, rent or lease the Canine to any person or law enforcement agency for any purpose that relates to law enforcement or drug interdiction.

9. Pursuant to Section 614.215, Texas Government Code, the City of Lorena is not liable in civil damages for any damage arising from the transfer of Canine, including damages arising from Canine's law enforcement training. Further, the City is not liable for veterinary expenses of Canine, including expenses associated with the care for a condition of Canine that existed before or at the time of transfer, regardless of whether the City was aware of the condition.

10. Nothing herein shall waive the City's sovereign or governmental immunity to suit or liability.

11. The obligations of this Transfer Agreement shall continue to be effective until the death of Canine.

12. City transfers Canine to Officer "as is" and with all faults and conditions. The City makes no warranty or representation as to the condition, health or safety of Canine. Officer accepts Canine in its present condition.

13. This Transfer Agreement constitutes the sole and only agreement and understanding between the parties with respect to the subject matter of this Transfer Agreement and no other warranties, representations, or terms of any kind exist.

This Transfer Agreement is entered into on February 19, 2025.

SCOTT HOLT, Chief of Police
CITY OF LORENA

THE STATE OF TEXAS §
COUNTY OF McLENNAN §

This instrument was acknowledged before me on February _____, 2025 by Scott Holt, Chief of Police, City of Lorena.

Notary Public, State of Texas

JAY GREER

THE STATE OF TEXAS §
COUNTY OF McLENNAN §

This instrument was acknowledged before me on February _____, 2025 by Jay Greer.

Notary Public, State of Texas

LORENA POLICE DEPARTMENT



COUNCIL REPORT
JANUARY 2025

CALLS FOR SERVICE BY TYPE – JANUARY 2025

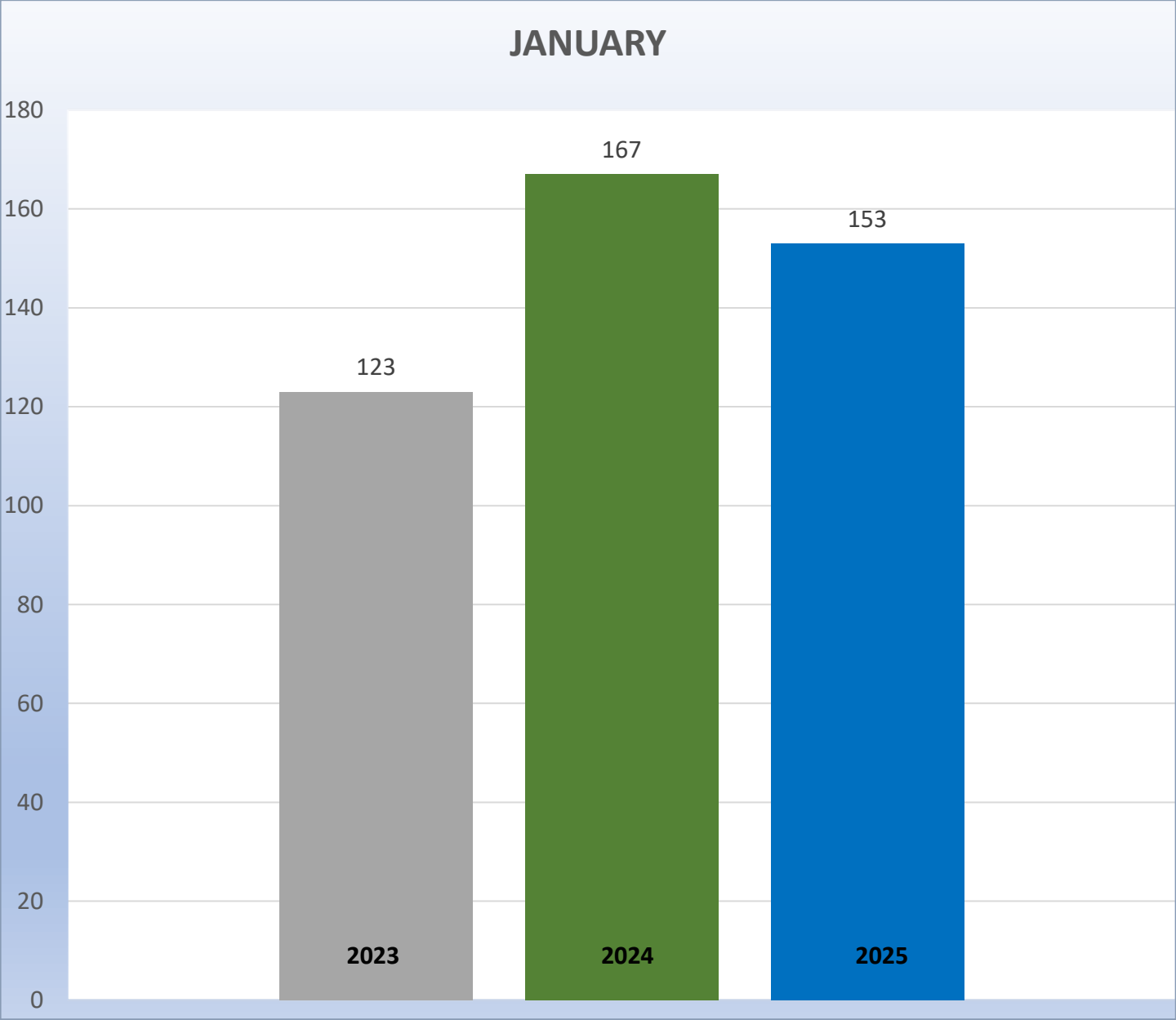
DESCRIPTION	# OF CALLS
BURGLAR ALARM	1
ABANDONED VEHICLE	2
ACCIDENT	8
ANIMAL CALL	2
ASSIST CITIZEN	2
ASSIST MOTORIST	12
ASSIST OTHER AGENCIES	13
ASSIST OTHER AGENCIES-K9	2
BURGLARY	2
CIVIL MATTER	2
DISTURBANCE	1
DOMESTIC DISTURBANCE	1
EMS	12
FIRE	4
FOLLOW UP	12
FOOT PATROL	31
HARRASSMENT	2
LIFTING ASSISTANCE	1
MUTUAL AID	1
PANIC ALARM	1
RECKLESS DAMAGE OR DESTRUCTION	1
RECKLESS DRIVING	4
SUSPICIOUS CIRCUMSTANCES	3
SUSPICIOUS PERSON	1
SUSPICIOUS VEHICLE	6
TERRORISTIC THREAT	1
THEFT	1
TRAFFIC COMPLAINTS	2
TRAFFIC CONTROL	2
TRAFFIC HAZARD	6
VCO - DOG	4
VCO-NOISE VIOLATION	1
VIOLATION OF CITY ORDINANCE	1
WARRANT SERVICE	1
WELFARE CONCERN	7
TOTAL	153



CALLS FOR SERVICE – DETAILED

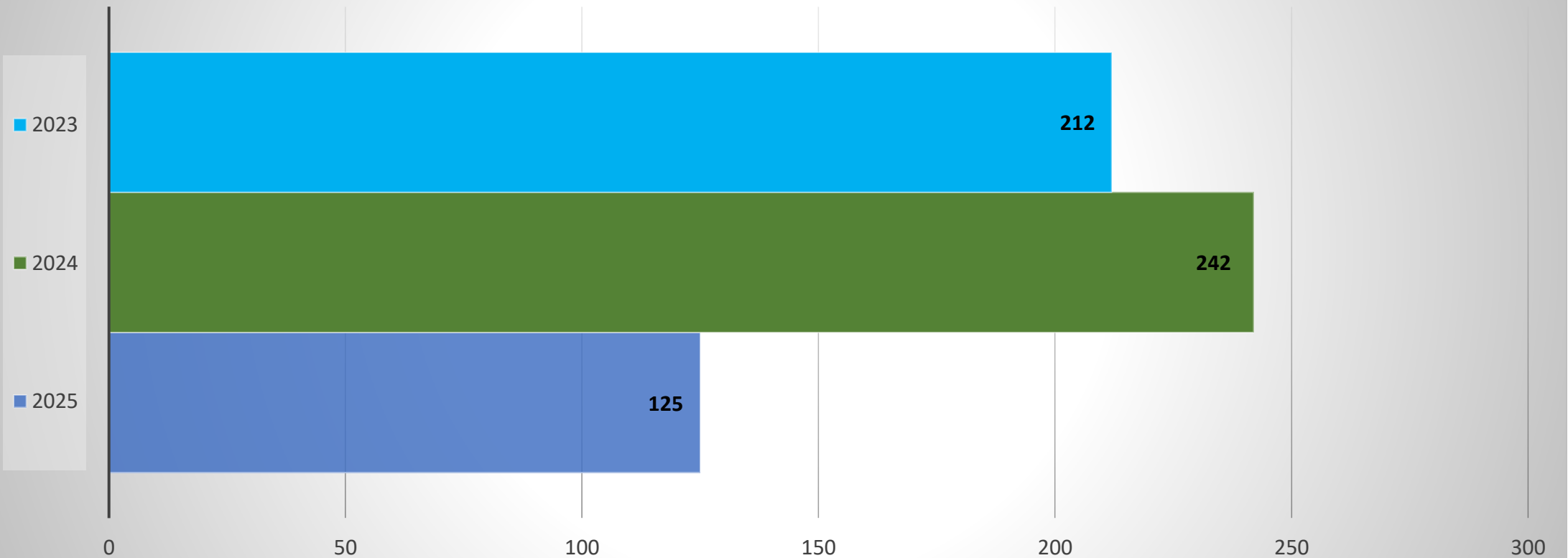
- 1/7/25- Assist LVFD on a house fire on Brandy Hill. Fire was contained to one bedroom and home was saved from major damage. One patient transported for smoke inhalation.
- 1/9/25- Multiple crashes S/B IH-35 between MM 322 & 321
- 1/17/25- Welfare concern regarding elderly male at Brookshire's. Subject was later found to reside in the Tyler area and is diagnosed with Alzheimer's with severe cognitive impairment. Officer Board stayed with him until his son could arrive to take care of him.
- 1/25/25- Assist Troy PD on felony stop of vehicle. Suspect vehicle reported to have pointed a firearm at another motorist. Suspect was taken into custody and charged.
- 1/28/25- Reported of a Theft that occurred at 100 Lasso Loop of construction material. Case ongoing.
- 1/30/25- IH-35 MM 323 on flooding of the interstate southbound. Two lanes of the interstate were shut down until TXDOT was able to clear the drain and let the water recede.

CALLS FOR SERVICE - GRAPH



TRAFFIC STOPS BY LORENA POLICE

JANUARY



ARRESTS

Total Arrests- 4

- Wanted person from Fayette County Sheriff's Office for Possession of Dangerous Drugs.
- Wanted person from Aransas County Sheriff's Office for Sexual Assault of a Child.
- Wanted person from Lorena PD for Duty on striking unattended vehicle.
- Subject arrested for Assault cause bodily injury to a family member.

INVESTIGATIONS

- Burglary of a Building- exterior building of Brookshire Brother's was broken into. Large number of cigarettes taken from building.



K-9 DEPLOYMENT/SEIZURES

TOTAL DEPLOYMENTS: 5

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graph TD; A[TOTAL DEPLOYMENTS: 5] --> B[DEPLOYMENT FOR NEIGHBORING AGENCIES: 2  
LORENA UNIT DEPLOYMENTS: 3]; B --> C[SEIZURES OF DRUGS: 4; DRUG PARAPHERNALIA: 6  
ALCOHOL SEIZURE: 1]; C --> D[DRUG TYPES: MARIJUANA, METHAMPHETAMINE,  
VODKA,];
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DEPLOYMENT FOR NEIGHBORING AGENCIES: 2
LORENA UNIT DEPLOYMENTS: 3

SEIZURES OF DRUGS: 4; DRUG PARAPHERNALIA: 6
ALCOHOL SEIZURE: 1

DRUG TYPES: MARIJUANA, METHAMPHETAMINE,
VODKA,

WELCOME MIREYA QUETZ!!!-
SRO AT LORENA HIGH SCHOOL

