

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
STAFF CONFERENCE ROOM, 1ST FLOOR
DECEMBER 6, 2011, 5:00 P.M.
WORK SESSION AGENDA**

Staff will present the following items:

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Tuesday, December 6, 2011.
2. Receive and discuss the Planning Director's Report containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code (UDC).

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
DECEMBER 6, 2011, 5:30 P.M.
REGULAR MEETING AGENDA**

1. _____ Invocation
2. _____ Pledge of Allegiance

A. CONSENT ITEMS

All items listed under this section, Consent Agenda, are considered to be routine by the Planning & Zoning Commission and may be enacted in one motion. If discussion is desired by the Commission, any item may be removed from the Consent Agenda at the request of any Commissioner and will be considered separately.

Item 1: **Approval of Minutes:** Work session and the regular meeting of November 21, 2011.

B. ACTION ITEMS:

Item 2: **Z-FY-11-49** Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow a permanent concrete batch plant on 3.787 ± acres of land situated in the City of Temple, Bell County, Texas, being a part of the Nancy Chance Survey, Abstract #5 and the T.M. Boggus Survey, Abstract #84, located at 4158 Shallow Ford West Road. (Applicant: Turley Associates and Yong Mullins of Americrete Concrete for Brittney Williams, property owner)

Item 3: **Z-FY-12-16** Hold a public hearing to discuss and recommend action on a rezoning from Single Family Two District (SF2) to Single Family Three District (SF3) on a 13.57-acre tract of land situated in the Baldwin Robertson

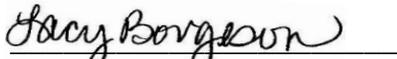
League Survey, Abstract 17, located along the east side of North Pea Ridge Road, and south of Stonehollow Drive. (Applicant: Kiella Development)

- Item 4:** [Z-FY-12-18](#) Consider and take action on an appeal of standards in Sec. 6.7 of the Unified Development Code related to the I-35 Corridor Overlay Zoning District for a proposed 8,200 square-foot addition to existing buildings located at 6043 N. General Bruce Drive. (Applicant: Dean Winkler for Longhorn International Trucks, Ltd.)

C. REPORTS

- Item 5:** Receive and discuss the [Planning Director's Report](#) containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code. *(continued, if not completed in Work Session)*

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:30 PM, on December 1, 2011.



Lacy Borgeson
City Secretary

SPECIAL ACCOMMODATIONS: Persons with disabilities, who have communication or accommodation needs and desire to attend the meeting, should notify the City Secretary's Office by mail or by telephone 48 hours prior to the meeting.

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building at _____ the _____ day of _____, 2011. Title _____.

**PLANNING AND ZONING COMMISSION
NOVEMBER 21, 2011
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

David Jones
Derek Martin
Will Sears

Greg Rhoads
Mike Pilkington
James Staats

PLANNING AND ZONING MEMBERS ABSENT:

STAFF PRESENT:

Brian Mabry, Planning Director
Trudi Dill, Deputy City Attorney
Autumn Speer, Dir. of Community Services
Salvador Rodriguez, Assistant City Engineer
Leslie Matlock, Senior Planner
Tammy Lyerly, Planner
Mary Maxfield, Planning Technician
Leslie Evans, Administrative Assistant
Jacob Calhoun, Intern

The agenda for this meeting was posted on the bulletin board at the Municipal Building in compliance with the Open Meetings Law.

The following is a summary of the proceedings of this meeting. It is not intended to be a verbatim translation.

With a quorum present, Chair Martin opened the work session at 5:02 p.m. and asked Mr. Brian Mabry, Planning Director, to proceed.

Mr. Mabry stated three items were on the Consent Agenda: approval of minutes from November 7, 2011 meeting; Item 2, P-FY-11-39, Lago Terra final plat, no exceptions requested; and Item 3, P-FY-12-06, final plat of West Ridge Village and no exceptions are requested.

The Action Items include Item 4, Z-FY-11-49, the concrete batch plant. A request has been received to table this item until the next meeting. Staff will meet with the landowner and operator of the plant and go over suggested revisions for the plant. A recommendation should be ready for the first meeting in December.

Item 5, Z-FY-12-06, is a rezoning request from AG to UE in the Campus at Lakewood area. No responses have been received from surrounding property owners. Staff recommends approval of this request.

Item 6, Z-FY-12-07, is a rezoning request from AG to SF1. Two responses have been received in favor of the request. Vice-Chair Staats will be recusing himself from this item. Staff is recommending approval of the request.

Item 7 is an amendment to the Comprehensive Plan Future Land Use and Character Map. This amendment involves any approved rezonings that did not match up with what the Comprehensive Plan recommends Staff requests a recommendation from the Commission as to changing the land use recommendation for the property that was rezoned and its surroundings. This required newspaper publications only. There were seven changes involved and Staff supports the amendment.

Item 8 is an amendment to the Thoroughfare Plan. The Thoroughfare Plan shows what roads should be widened or extended in the future, how wide they should be, what level of service they should provide, whether it should be a collector, minor arterial, or major arterial. This item involves two roads: demoting North Pea Ridge between West Adams and Highway 36 from a minor arterial, with the S curve on it, down to a collector street where no S curve would be involved and to upgrade Westfield Boulevard, from Adams up to Highway 36, from a local street to an arterial. Westfield is currently built as an arterial street on the ground as far as it goes, and it would continue on to meet up with Highway 36. This option would take care of previous issues discussed. Staff supports this request.

Item 9 are amendments related to the Unified Development Code (UDC):

1. Give City Council the ability to put a time limit and require reapproval for a CUP;
2. Add Recreational Vehicle Park and Transitional Emergency shelters to the use tables;
3. Provide several standards for shelters in the UDC related to separation requirements from other types of uses, working air conditioning, enough inside room for people being served, etc.

Brief discussion about Item 8 on the street locations and routing, properties involved, right-of-ways, etc.

4. TMED amendment related to setback of street trees. TxDOT would like an extra foot for the setbacks from 7.5 feet to 8.5 feet and Staff supports this recommendation.
5. Sidewalks in the I35 corridor. Currently, sidewalks are required along the entire stretch of the interstate on private property side of development. Staff recommends that the blanket sidewalk requirement be removed and instead rely on the Trails Plan that shows trails or sidewalks adjacent to or parallel with the interstate. If there are no Trails Plan recommendations for a property along the interstate then sidewalks would not be required. Mr. Mabry stated practicality played a part of this change since TxDOT has the right-of-way and several parts of the interstate are non-pedestrian oriented.

6. Amendments to the sign standards and the I35 Overlay. Currently, signs allowed are quite small with no other options available. Staff would recommend keeping the eight foot monument sign standards but also add the option of taller signs, create more separation standards, utilize pylon styled signs, require masonry encased bases, etc. Depending on the type of use, extra allowance may be made to the height of a sign, such as travel-oriented signs such as gas stations, hotels, and restaurants. Maximum height would be 40 feet and a multi-tenant sign can be 40 feet. Car dealerships would have a maximum of 25 feet.
7. Amendment to bring in definitions for the above standards mentioned.

Mr. Mabry gave a presentation of the I35 corridor overlay zoning describing the I35 contents, goals, and purposes.

I35 Overlay was originally a Planning and Zoning Commission initiative back in 2004 and a P&Z subcommittee was formed in 2006. The Reinvestment Zone had an umbrella group with different members and stakeholders of the community from the Temple Economic Development Corporation (TEDC), Keep Temple Beautiful (KTB), and some P&Z Commissioners that started in late 2008. TGB, the consulting firm that worked on the TMED standards, were involved in drafting the final I35 Ordinance. A property owners' meeting was held in 2009 to educate the public on what the standards entailed and the Ordinance was adopted in July 2009.

There has not been a lot of activity triggering the I35 standards. A project would only come before the P&Z Commission if an applicant appealed the standards. As I35 widens more activity will be noticeable.

The overlay stretches from the north boundaries to the south boundaries of the city with five city entry districts which Mr. Mabry describes.

The purpose of the I35 Overlay is to:

- Exercise greater control over the aesthetic, functional and safety characteristics of development and redevelopment along Interstate 35;
- Require higher development standards to enhance the City's image as a desirable place to live, work, and shop;
- Reduce visual clutter; and
- Optimize redevelopment resulting from I-35 expansion.

The overlay applies to all properties on either side of the interstate, both single tracts and tracts of a unified development such as shopping centers, and applies to multi-family uses and non-residential uses.

Levels of compliance required depend on the investment being made in the property. If it is new construction or 50% addition to the floor area or to the value of the property, everything within the overlay applies.

Between 25% - 49% requires compliance with these standards except architecture and underground utilities would no longer apply.

Between 10% - 24% requires compliance with these standards except architecture, utilities, parking, and lighting do not apply.

Tree preservation, landscaping, screening and signs apply regardless of the level of improvement.

If less than 10%, the improvements are accumulatively tracked for 15 years and determination would be made.

Uses and area regulations are part of the I35 overlay. Certain uses normally allowed citywide are either prohibited or require a CUP along the interstate. Minimum lot area, width, depth, and setbacks and maximum building coverage, FAR (floor area ratio), height requirements are established.

Tree preservation requirements apply to trees over six inches DBH within a floodplain or within 300' of floodplain. If the trees are removed, \$100 per caliper-inch fee, requirements and fees do not apply to certain fast growth, nuisance species, protected trees that are removed must be replaced with new trees on 1":1" basis.

Parking requirements would have a raised curb surrounding the parking area, a 25 foot buffer along the interstate with a rule not to encroach into the buffer with parking or display of materials. Parking area islands are required with certain specifications.

Screening provisions include screening of service bays with either berming or change in elevation, plantings, etc. Shipping containers used for storage are prohibited along I35. Also prohibited is the conversion of a portable building to a permanent building. Outdoor storage, loading areas, dumpsters, mechanical equipment, etc. must be screened.

Architecture standards apply in the overlay. Generally earth tone colors are required and standards may vary depending on the subdistrict and size of building involved.

Various subdistricts and building sizes require incorporation of design features such as, but not limited to:

- Awnings
- Arcades
- Peaked roof
- Outdoor patios/outdoor dining
- Articulated cornice line

Landscaping is probably the biggest part of the I35 Overlay. Landscaped buffers are required along I35, intersecting streets, and to the side and rear of the property. Berming provisions are required along the service road. Hedges or hedge type buffers are required for parking lots, fuel pumps, or drive-through facilities. Buildings have foundation planting requirements along the base.

Signs currently require an eight foot tall monument sign. Proposed amendments would allow larger signs, better separation requirements, and make allowances for travel-oriented uses.

Lighting standards would require a 30 foot height maximum, focused (so not glaring into sky), and provide appropriate illumination needed for safety issues. Light trespass provisions are currently only citywide and only apply to industrial uses.

Examples were shown and discussed related to future potential and compliance with the standards.

Representatives from Keep Temple Beautiful were present to speak. Mr. Thomas Baird stated the project started in 2000 and he has been involved from the beginning. The overlay came about due to many concerned citizens and organizations wanting to make needed changes in Temple. Two issues at the time was that Temple had “very poor curb appeal” and did not look like a pretty city and people also did not feel good about Temple but were accepting of the way things were. The image of Temple was negative reflective from the heavy volume of I35 traffic, what was seen, and responses from working professionals.

Standards were needed to be set and enforced for the City of Temple which is where the I35 Overlay originated. The decisions made included all property owners along the corridor.

Implementation of these standards can be difficult when applicants request exceptions or variances and do not want to comply, mainly due to incurred costs. Exceptions can be understandable since situations do and will occur. Mr. Baird stated the overall look and accomplishments of the I35 overlay must be maintained since the future is dependent on what is presently done. The best advertising for Temple can be done by I35.

Mr. Baird strongly encouraged the P&Z Commission to follow the rules, be a little tougher, and resist temptation to allow exceptions. The line must be held if possible and Temple cannot be capricious and arbitrary in applying the standards. The organizers of the I35 standards are completely supportive of City and Staff to uphold these standards and will work and support them to make Temple a beautiful city for years to come.

Mr. Mabry stated Barbara Brown resigned from the P&Z Board.

The Directors Report included an upcoming I35 appeal for Longhorn Trucking located on the north side of the interstate.

City Council items included:

Z-FY-11-30 – Donation boxes UDC Amendment - Approved on 1st Reading. This did not include the shipping containers or trailer storage, etc.;

Z-FY-11-48 – CUP for package store on Central and MLK – Approved on 1st Reading; and

Z-FY-11-51 – MF-1 to GR near Holy Trinity Driveway - Approved on 1st Reading.

There being no further discussion, Chair Martin adjourned the meeting at 5:56 P.M.

**PLANNING AND ZONING COMMISSION
NOVEMBER 21, 2011
6:00 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

Will Sears
James Staats
H. Allan Talley

Greg Rhoads
Mike Pilkington
David Jones

PLANNING AND ZONING MEMBERS ABSENT:

STAFF PRESENT:

Brian Mabry, Planning Director
Trudi Dill, Deputy City Attorney
Autumn Speer, Dir. of Community Services
Leslie Matlock, Senior Planner
Tammy Lyerly, Planner
Mary Maxfield, Planning Technician
Leslie Evans, Administrative Assistant
Jacob Calhoun, Planning Intern

The agenda for this meeting was posted on the bulletin board at the Municipal Building, November 17, 2011 at 8:15 a.m. in compliance with the Open Meetings Law.

The following is a summary of the proceedings of this meeting. It is not intended to be a verbatim translation.

Chair Martin called Meeting to Order at 6:02 P.M.

Invocation by Vice-Chair Staats; Pledge of Allegiance by Commissioner Talley.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of November 7, 2011.

Item 2: P-FY-11-39 – Consider and take action on the Final Plat for Lago Terra Subdivision, a 47.36± acre, 78-lot residential subdivision, located on the west side of Morgan's Point Road, south of Bonnie Lane. Zoned PD-SF1 (Applicant: Victor Turley for McLean Commercial, LTD)

Item 3: P-FY-12-06 – Consider and take action on the Final Plat of West Ridge Village Addition, a 11.503 ± acre, 13-lot duplex residential subdivision located at the southeast corner of East Ridge Blvd. and 205 Loop. Zoned PD- 2F (Applicant: All County Surveying for Grady Rosier of Temple Real Estate Investments, Inc)

Commissioner Jones made a motion to approve all Consent Items and Commissioner Rhoads made a second.

Motion passed: 7:0

B. ACTION ITEMS

Item 4: Z-FY-11-49 - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow a permanent concrete batch plant on 3.787 ± acres of land situated in the City of Temple, Bell County, Texas, being a part of the Nancy Chance Survey, Abstract #5 and the T.M. Boggus Survey, Abstract #84, located at 4158 Shallow Ford West Road. (Applicant: Turley Associates and Yong Mullins of Americrete Concrete for Brittney Williams, property owner)

Ms. Leslie Matlock, Senior Planner, stated the applicant would like to have this item tabled until the next meeting.

Chair Martin left the public hearing open.

Commissioner Sears made a motion to table **Item 4, Z-FY-11-49** and keep the public hearing opened and Commissioner Talley made a second.

Motion passed: 7:0

Item 5: Z-FY-12-06 - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to Urban Estates (UE) on 11.759 acres in the George W. Lindsey survey, Abstract No. 513, Bell County, TX, located North of FM 2305 and North of Inverness Drive. (Applicant: Turley Associates for Kiella Land Development)

Mr. Jacob Calhoun, Planning Intern, stated the applicant was requesting a rezoning from Agricultural (AG) to Urban Estates (UE) because the property is planned for a residential subdivision.

Surrounding properties include an UE residential subdivision (Campus at Lakewood Ranch) to the south, undeveloped AG to the east, and undeveloped ETJ properties to the north and west.

The Future Land Use and Character Map designates this property and its surroundings, as Suburban-Residential.

There are no major or minor arterial roads, only local designated roads.

A six-inch water line is located to the southwest with no sewer line connections. Most of the adjacent subdivision runs on septic systems.

Twelve notices were mailed out and zero responses were returned.

UE standards include:

- Permits single-family detached dwellings with rural characteristics in a suburban environment.
- Lot sizes are larger than other residential zonings
- Allows for larger single-family properties to be built.
- Parkland can also be permitted inside of an Urban Estate zoning district.

Staff recommends approval of the zoning request from AG to UE since the request complies with the Future Land Use and Character Plan; the Thoroughfare Plan; and public and private facilities will be available to serve the site.

Chair Martin opened the public hearing.

There being no speakers, Chair Martin closed the public hearing.

Commissioner Rhoads made a motion to approve Item 5, **Z-FY-12-06**, as presented and Commissioner Sears made a second.

Motion passed: 7:0

Item 6: Z-FY-12-07 - Hold a public hearing to discuss and recommend action on a rezoning from Agriculture (AG) to Single Family One (SF1) on 19.065 acres in Abstract 513, located on the southeast corner of Morgan's Point Road and Bonnie Lane. (Applicant: Jason Carothers of Carothers Executive Homes)

Vice-Chair Staats stated he would need to recuse himself from this Item.

Ms. Tammy Lyerly, Planner, stated City Council first reading would take place on December 15, 2011 and second and final action on January 5, 2012.

The subject property is currently zoned AG and the applicant requested Single Family One (SF1).

The subject property lies just south of the north city limit line. Surrounding properties include Morgan's Point Road to the west, UE to the east (Campus at Lakewood Ranch—several phases), Planned Development Single Family 1 (PD-SF1) to the south, and residential to the north (in the ETJ).

The Future Land Use and Character Map designate this property as Estate Residential. Morgan's Point Road is classified as a minor arterial and the development would be subject to development requirements along an arterial road.

Water lines are located along Morgan's Point Road (east side) and in the Lakewood Ranch area. The developer proposes to tie-in to the wastewater line that runs along Adams Avenue.

Single Family One (SF1) dimensional standards were given. The applicant proposes approximately 37 homes would have lot depths of 102 feet by 150 feet with approximately 15,000 square feet with a price range between \$275,000 and \$425,000. This is more than what the SF1 district permits.

Eighteen notices were mailed out within the City limits and two responses were received in favor, zero in opposition. Fifteen courtesy notices were mailed out to the ETJ property owners and zero responses were received.

Staff recommends approval of the requested rezoning since the request 'partially' complies with the Future Land Use and Character Map—Urban Estates would be a more fitting designation, however, the request is appropriate since UE is a single-family residential zoning district and sewer is proposed for the property. This request does comply with the Thoroughfare Plan and public facilities would be available to serve the property.

Chair Martin opened the public hearing.

Mr. David Hardy, 3 Buffalo Bill, Morgan's Point, Texas, stated there would only be two accesses for this development – 2483 (which ends at 317) and 2305 (which is well controlled). Traffic lights should be considered for intersection control of the area, especially with continued development and additional potential schools.

Mr. Jeff Bucher, 43 Briarwood Road, Belton, Texas, asked where all of the drainage would go since it currently runs into a valley that crosses Briarwood. Ms. Lyerly stated when the developer goes through the platting process, all drainage issues would be addressed to meet the appropriate requirements.

There being no further speakers, Chair Martin closed the public hearing.

Commissioner Rhoads asked if TxDOT were aware of the light situation (flashing light) and Ms. Lyerly stated during the platting process all utility providers, including TxDOT, would be contacted for their input in order to meet appropriate configurations and standards.

Commissioner Pilkington made a motion to approve Item 6, **Z-FY-12-07**, as presented and Commissioner Sears made a second.

Motion passed: 6:0

Vice-Chair Staats abstained

Item 7: Z-FY-12-01 - Hold a public hearing to discuss and recommend action on an amendment to Ordinance 2008-4230, Temple Comprehensive Plan, Section 3: Future Land Use and Character Plan Map, Figure 3.1. (Applicant: City of Temple)

Ms. Leslie Matlock stated the Future Land Use and Character Map cleanup was for the last few years where zoning approvals have taken place but did not conform to the map. City Council first reading would take place on December 15, 2011 and second and final action on January 5, 2012.

1. The intersection of Airport and Moffat Road has slowly developed into a commercial area. Changing the area to Suburban Commercial would be allowing

compatible uses such as Office One (O1), Office Two (O2), Neighborhood Services (NS), and General Retail (GR).

2. Eastridge Road and Loop 205 recently was changed from Suburban-Commercial and a Two Family (2F) residential is being considered. This would make it less likely to have a warehouse use in the area.
3. Hartrick Bluff Road and West Highway 93 is currently Estate Residential which usually has UE. The development taken place has been compatible with SF1 and SF2 and the proposed change would be Suburban Residential
4. Lago Terra came in and changed the area to SF1 to have single family houses. The proposal for this area is to change Suburban Commercial to Urban Estates.
5. Southeast corner of N. Pea Ridge Road and Stonehollow Rd. The zoning was changed to GR and the proposed designation would be Auto Urban Commercial changing from Suburban Residential.
6. HK Allen Parkway (nonexisting street directly south of Waters Dairy and South 31st Street) is currently designated as Single Family and Suburban-Residential. This area will now be considered a Suburban Commercial area.
7. West Adams Avenue and South Kegley Road, intersection of two arterials, primed for larger retail/shopping area. Proposal is Auto Urban Commercial wrapped by a Suburban-Commercial edge. This is a change from Suburban Residential and Suburban Commercial.

Staff recommends approval to these changes to the Future Land Use and Character Map.

Chair Martin opened the public hearing.

There being no speakers, Chair Martin closed the public hearing.

Vice-Chair Staats made a motion to approve Item 7, Z-FY-12-01, as presented and Commissioner Rhoads made a second.

Motion passed: 7:0

Item 8: Z-FY-12-08 - Hold a public hearing to consider and recommendation action on an amendment to the Thoroughfare Plan to designate the existing and future Westfield Boulevard from West Adams Avenue to State Highway 36 as an arterial road and to reclassify N. Pea Ridge Road from West Adams Avenue to State Highway 36 from a minor arterial to a collector road. (Applicant: Turley Associates for Kiella Land Development)

Mr. Brian Mabry, Planning Director, stated the Thoroughfare Plan was part of the Choices '08 Comprehensive Plan and shows what type of roads should be widen and/or where they should be extended in the future. There are several different categories of road in the Comprehensive Plan that deal with right-of-way widths and their paved widths including major arterials, minor

arterials, and collector roads. Roads within the City are built either through platting and development or as part of a Capital Improvements Plan.

North Pea Ridge Road, north of West Adams and south of State Highway 36 is shown as a minor arterial and Westfield Blvd. is shown as a local street. Westfield is built to minor arterial standards, has an 85 foot right-of-way and 75 foot paved width and exceeds current arterial standards.

If approved, this amendment would reclassify North Pea Ridge from West Adams to State Highway 36 from a minor arterial down to a collector road. A result of that reclassification would be the removal of the S curve that is currently shown for Pea Ridge Road south of Prairie View Road. This amendment would reclassify the existing and future path of Westfield Boulevard from Adams to State Highway 36 as a minor arterial, and remove a proposed unnamed collector that connects Prairie View to State Highway 36.

Route options are shown and explained.

A collector road has a 65 foot right-of-way and paved width of 36 feet. The Unified Development Code (UDC) and the Thoroughfare Plan state the purpose of a collector road is to provide circulation within neighborhoods and to carry traffic from local streets over to arterials and thoroughfares.

A minor arterial is a minimum of 70 foot right-of-way width and paved width is 49 feet. The purpose of an arterial is to provide higher speed traffic circulation with limited access (driveways in the street intersections).

The applicant's preferred route is shown for Westfield Boulevard, where existing route of Westfield starts at Adams and goes past the Westfield Subdivision and Belton school, crossing Stonehollow and continue up where the future path would end up passing just east of the future Belton school and continue north pass Prairie View through the Von Rosenberg and Shine properties eventually connecting to Airport Road.

An alternate route for Westfield Boulevard would be the same route as above but ending up across the road from the Draughton Miller Regional Airport driveway. A disadvantage to this alignment would be it is longer and more costly to build than the preferred alignment.

The two property owners involved, Mr. Shine and Von Rosenberg Family, were notified by certified mail. Mr. Shine came in and discussed his opinions with Mr. Mabry and Mr. Mabry could only verbally pass along some of Mr. Shine's comments and concerns. Mr. Shine ended up supporting both route proposals. The Von Rosenberg Family has not returned any written documentation or called in to discuss the proposals.

Staff supports this requested alignment and change in the Thoroughfare Plan because downgrading North Pea Ridge from an arterial to a collector would negate the need for the S curve option, fewer property owners are involved in the current proposal, and the amendment would result in three evenly spaced arterial intersections along Highway 36 (Highway 317, Westfield and Research).

Chair Martin opened the public hearing.

Ms. Joyce Novak, 3305 Oakridge, Temple, Texas, asked if Westfield Boulevard would be east of the school property and Mr. Mabry responded yes, either route being proposed is on the east border of the future school property that BISD would like to build at that site. Ms. Novak asked where it crosses the street at Prairie View, then it would be on the Von Rosenberg and Shine property. Mr. Mabry responded yes, and it would not touch Ms. Novak's property as presented by the applicant.

Ms. Phyllis Hardy, 3 Buffalo Bill, Morgan's Point, Texas, stated traffic at Highway 317 and 2483 was a death trap and difficult to get out. Safety issues and visibility were major concerns for Ms. Hardy and she suggested installing a traffic light at 2483 and 317 in order to help control the traffic.

Mr. John Kiella, 11122 Whiterock Drive, Temple, Texas, stated he represented the developer. Mr. Kiella stated he has had some discussions with the Belton I.S.D. and it seemed the proposed school would probably be built within three years instead of the six to seven years as originally planned. Mr. Kiella has worked with engineers and Public Works to analyze and develop the three options being presented.

Mr. Kiella stated he would continue to find and work with the Von Rosenberg Family. He stated Mr. Shine agrees with the proposed routes. Mr. Kiella stated he has been working with Nicole Torralva to take a look at the Prairie View issue and these matters needed to be addressed as early as possible.

Commissioner Rhoads asked Mr. Kiella what properties were his and Mr. Kiella stated most all the land (indicated on the monitor) except for the City owned 80 acre park.

Discussion regarding reasons and opinions for proposed options.

Commissioner Rhoads asked Staff, if based on Mr. Kiella's comments, would any of the options proposed and presented need to be reworked for what they might do in the future. Mr. Mabry stated if Westfield were approved as the applicant's preference has been presented, he did not feel it would need to be changed in the future.

Mr. David Hardy, 3 Buffalo Bill, Morgan's Point, Texas, stated Prairie View has become more populated with traffic. The Westfield connection would be much better than Pea Ridge. Research has become very dangerous on 36 and needs to be a controlled intersection.

There being no further speakers, Chair Martin closed the public hearing.

Commissioner Staats asked if a traffic study for that intersection area would be performed by a professional organization. Mr. Mabry stated there would have to be funds in the budget to allow for the study and is not the norm for an intersection.

Discussion about measurements, TxDOT, right-of-way, flexibility with developer, etc.

Commissioner Rhoads made a motion to approve Item 8, **Z-FY-12-08**, as presented by Staff and Mr. Kiella and Commissioner Jones made a second.

Motion passed: 7:0

Item 9: Z-FY-12-05 - Hold a public hearing to consider and recommend action on amendments to Articles 3, 5, 6 and 11 of the Unified Development Code: to allow the City Council to add a time limit to the approval of a Conditional Use Permit; add “Recreational Vehicle Park” and “Transitional Shelter” as Conditional Uses in the use table; increase the setbacks for street trees in the TMED zoning district; amend sidewalk and sign requirements in the Interstate 35 Corridor Overlay zoning district; and to establish definitions related to such standards. (Applicant: City of Temple)

Mr. Mabry stated these items were considered housekeeping issues which relate mainly to Planning and Code Enforcement.

1. Granting of a Conditional Use Permit (CUP) by City Council would provide a clear option for the City Council to approve a CUP with an attached associated time limit and a requirement for reapplying for the CUP to get a continuance on the use of the property for that CUP.

Mr. Mabry stated if things were not going as expected under the CUP, it could be revoked. This time limit would apply to new CUPs only.

2. Recreational Vehicle Parks - The UDC does not have provisions for where and what zoning districts an RV park may take place in. The proposed amendment would require a CUP for RV parks and they would be located in the Manufactured Home (MH), General Retail (GR), Light Industrial (LI) and Agricultural (AG) districts. RV parks would be prohibited in the I35 Overlay.
3. Transitional Shelter – Transitional or Emergency Shelter would be the same as far as the land use table in the UDC was concerned (although the uses differ). The proposed amendment would require a CUP for a transitional or emergency shelter located in the LI district. Some standards have been developed and proposed in order for these shelters to comply with eligibility for a CUP.

Separation standards of 1000 feet between the shelter and alcohol beverage sales (on- or off-premise sales—package store, convenience store, bar, etc.), 1000 foot separation between all residential uses and zoning districts—SF up to MF both in use and zoning districts), 1000 foot separation between day cares and schools (includes all levels of day care, businesses, public/private schools from K-12, etc.), and from other shelters as well.

Other standards include having adequate space for potential clients to wait inside the building, have working HVAC units in the building, meet International Fire and Building Codes, ratio of one staff person per 25 on-site clients, and limit emergency shelters to provide shelter not to exceed 30 days. As far as regulations, time limits are the only difference between emergency and transitional shelters.

Shelters would be prohibited in the I35 Overlay.

4. Increase the setbacks for street trees on South First Street per TxDOT request from 7.5 feet to 8.5 feet. This would allow for better safety, visibility, and maintenance.

5. Require sidewalks in the I-35 Corridor in specific locations, rather than along the entire I-35 frontage. Width and material standards would comply with the Trails Plan.

Trails Plan overlay is shown to provide additional details and locations.

6. Currently in the I35 Overlay some types of signs are addressed and others are not.

All permitted uses in the I35 Corridor may have a wall sign limited to 10% of the façade of the building and no projection of the wall sign will be over the building.

Window signs would be the same with 20% of the window area.

Monument signs are allowed, eight feet in height, 50 square feet, no setbacks needed. The proposed spacing standards would be 25 feet. Currently it is a 10 foot separation citywide and 20 feet in the Central Area.

Any permitted use within the overlay may have a pylon sign (large monument sign with encased base), 20 feet in height, 200 square foot sign face, 10 foot setback with 50 feet spacing between each sign.

Fuel sales, overnight accommodations, and restaurant uses (travel related) would be allowed a larger sign of 40 feet in height, 300 square foot sign face, a 15 foot setback from the property line, and 100 foot spacing between signs. For example, if a single restaurant had 200 feet of frontage, it could have one sign.

A multi-tenant site, 3 or more tenants on a unified site, may have a pylon sign, 40 feet in height and 400 square foot area, and same setbacks as travel related uses with a minimum spacing of 200 feet from other signs.

A multi-tenant monument sign may be 10 feet in height, 65 square foot area, no setback required, and 25 foot spacing between signs.

Specific provisions for multi-tenant signs:

- 1 freestanding per 200 feet of frontage on I-35;

- Multi-tenant pylon signs oriented to I-35 frontage roads;

- Multi-tenant monument signs may be used at primary entranceways (spacing permitting) on streets not directly fronting I-35;

- Businesses may not advertise on both multi-tenant pylon signs and individual single-site pylon signs; and

- 1 monument sign per individual business advertised on multi-tenant signs

Example:

- Bird Creek – +/- 1600' frontage on I-35 = Maximum 8 pylon signs

- Unlimited monument signs (spacing)

- Multi-Tenant monument on Loop side

Now (I-35 Side):

- 3 Multi-tenant pylon signs (2 on Loop)
- 0 Monument signs
- 3 Individual pole signs

Pylon Sign Provisions:

Minimum height to width ratio is 1:.15
Bottom of the sign face may be no more than 6' from the ground

Example:

40' tall pylon must be minimum 6' wide and 6' from ground

Prohibited Signs:

- Roof Signs
- Banner or Pole Banner
- Fence Sign
- Inflatable Device
- Message Board
- Pole Sign (pole with sign at the top)

7. Defining Terms related to the standards:

Recreational Vehicle Park

From City Code

Emergency Shelter

30 consecutive days or less

Transitional Shelter

Drug & alcohol, homelessness, domestic abuse
Longer-term

Multi-Tenant Site

Unified development that contains multiple commercial uses under same primary ownership or lease

Multi-Tenant Sign

Freestanding sign that advertises for more than two businesses on a multi-tenant site

Pole Sign

Freestanding sign with visible support structures

Pylon Sign

Freestanding sign with support structures concealed and enclosed with decorative masonry material

Staff supports the proposed amendments to UDC Articles 3, 5, 6, and 11 as presented:

1. Time limit for CUPs

2. Add RV Park as CUP in certain districts
3. Add Transitional or Emergency Shelter in certain districts
4. Increase street tree setback on S. 1st
5. Specify where sidewalks are required along I-35
6. Modify sign requirements along I-35
7. Add definitions related to above

Commissioner Talley asked for clarification of 'emergency' since some churches help out families periodically and would the church have to take out a permit? Mr. Mabry stated no, churches are usually temporary uses, such as Family Promise, are rotating and not an established use part of the church.

Commissioner Talley also asked what the procedure would be in a natural disaster and how would the 30 day time limit work. Mr. Mabry stated the intent was not meant to stand in the way of a declared emergency. This was directed toward shelters doing this as a living/profession.

Mr. Mabry clarified that any of the signs allowed in I35 under the proposal would not be pole signs. The support would need to be encased in some type of masonry from bottom to top.

Vice-Chair Staats asked about the 200 foot spacing (such as Bird Creek example) and there would be too many signs. Ms. Speer stated the Commission could increase the distance if desired. Vice-Chair Staats suggested regardless of the size of the property, the number of signs should be limited. A pylon sign may be 40 feet in height in the proposal. Optimum spacing would be 300 to 400 feet.

Discussion about various signs and pads along I35.

Commissioner Sears asked if there were currently any RVs or shelters located in the I35 overlay. Ms. Speer stated there was one, permitted, RV park with a CUP, called Lucky's, located on the north side of Temple along I35 and would not be affected by this proposal. Ms. Speer also stated there were seven mobile home parks within Temple that do have RVs in them and all are licensed but have no code enforcement or restrictions on RV uses. The City has offered a one-time CUP for an RV park with those specific RV sites grandfathered in.

Chair Martin opened the public hearing.

There being no speakers, Chair Martin closed the public hearing.

Commissioner Talley moved to accept the recommendation presented by Staff of Item 9, **Z-FY-12-05**, and Commissioner Pilkington made a second.

Vice-Chair Staats amended the motion by Commissioner Talley to recommend a 300 foot spacing increase opposed to the stated 200 foot spacing, and Commissioner Sears made a second to the amendment.

Amendment passed: (6:1)

Commissioner Pilkington voted nay

Amended Motion passed: (7:0)

C. REPORTS

Item 10: Receive and discuss the **Planning Director's Report** containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code. ***(continued, if not completed in Work Session)***

There being no further business, Chair Martin adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Leslie Evans



PLANNING AND ZONING COMMISSION AGENDA ITEM

12/06/11
Item #2
Regular Agenda
Page 1 of 9

APPLICANT: Yong Mullins of Americrete Concrete for Brittney Williams, property owner

CASE MANAGER: Leslie Matlock, AICP, Senior Planner

ITEM DESCRIPTION: Z-FY-11-49 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow a permanent concrete batch plant on 3.787 ± acres of land situated in the City of Temple, Bell County, Texas, being a part of the Nancy Chance Survey, Abstract #5 and the T.M. Boggus Survey, Abstract #84, located at 4158 Shallow Ford West Road.

BACKGROUND: This item has been brought to the Commission and tabled at the following meetings:

P&Z Meeting	Reason for Tabling	Date Tabled To
October 3	P&Z requested tabled for lack of Applicant	Tabled to October 17
October 17	Tabled at request of Engineer in order to contact Owner and Applicant	Tabled to indefinite date
October 26	Letter received from Owner to bring back to agenda for consideration: at meeting, Engineer requested that it again be tabled to next meeting	Tabled to November 4
November 4	Tabled at request of Engineer and Applicant	Tabled to November 21
November 21	Tabled at request of Engineer for meeting with Staff	Tabled to December 6
December 6	Table request to January 3, 2012, by Engineer to prepare exhibits because of reported change of Applicant	

As stated above and at this meeting, the applicant's engineer, Victor Turley, has requested that the case be tabled to the January 3, 2012. The applicant for the case is changing and the engineer requires time in order to finish the exhibits. No formal developer information has been received except the letter notification that the name is now Iconcrete (from Americrete). Staff supports this request. His letter is attached at the end of this report.

CASE BACKGROUND: The applicant is requesting to make a recently established temporary concrete batch plant permanent. Batch plants are used to mix large quantities of concrete and to fill concrete trucks traveling to building sites. Temporary batch plants are allowed by right in the Light Industrial (LI) zoning district, and are primarily used for building a large development that is too far from a permanent concrete plant. Temporary plants are removed when the development is completed. The time limit is 6 months for a temporary batch plant to be in one place in Temple. The temporary plant setup is completely on wheels and can be moved with a truck. A temporary trailer for programming the plant machinery is also currently in place and able to be moved. The applicants additionally have a second temporary trailer onsite being used as an office.

In order to establish the business permanently in the LI zoning district, a concrete batch plant must receive CUP recommendation from the P&Z and approval from the City Council. This approval process is set up in the Unified Development Code to allow review of the use and establish any mitigation for the use to be acceptable in its particular location. Mitigation, or easing of any negative impacts of the use on surrounding properties, would be needed in this case because of the industrial nature of the business, the outdoor bulk storage of materials, the appearance of the concrete mixing machinery, possible dust and particulate production, runoff and erosion from site conditions, and the amount of heavy load traffic produced or long term damage to public infrastructure, such as road deterioration. The P&Z and Council may impose additional conditions on the CUP that will impact the plant's operations at this site. A CUP is revocable at any time by the City Council if the use that received the CUP violates any of the terms of its approval.

The subject property has approximately 347 feet of frontage along Shallow Ford West Road. A separate tract under common ownership with the subject property has frontage on I-35, as shown in the aerial photo below, but the I-35 corridor overlay zoning district prohibits the proposed use. Therefore, all access to the batch plant facility must take place from Shallow Ford West Road.



The temporary batch plant began operations in mid-July 2011. If this CUP request is denied, then the batch plant will have to cease operation and remove all equipment from the property by January 16, 2012.

Surrounding Property and Uses

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
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Direction	Zoning	Current Land Use	Photo
Subject Property	LI	Temporary Concrete Batch Plant	
North	LI	Vacant Land	
South	AG	Vacant Land	
East	AG & C	Vacant Land & Pet Boarding / Training Business (across Shallow Ford West Rd)	

Direction	Zoning	Current Land Use	Photo
West	LI and I-35 Overlay	Vacant Land (yellow circle indicates top of batch plant barely visible from S. General Bruce Drive)	

COMPREHENSIVE PLAN COMPLIANCE REVIEW: The proposed CUP relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character	N*
	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	N*
	Map 5.2 - Thoroughfare Plan	Y/N*
STP	NA	NA

* = See Comments Below CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use and Character (CP Map 3.1)

The request does not conform to the Future Land Use and Character Map (FLUCM) which designates the property, and the land surrounding it, as Estate Residential. The Auto-Urban Commercial future land use category is identified nearby, along I-35.

Availability of Public Facilities (CP Goal 4.1)

Water and sanitary sewer do not currently serve the site from Shallow Ford West Road. The temporary batch plant is using water from a 2-inch line connected and metered on a public line along S. General Bruce Drive. The applicant also proposes a 2-inch extension for the irrigation of proposed landscaping. This private line is not large enough to support a fire hydrant.

Thoroughfare Plan (CP Map 5.2)

This request conforms to the Thoroughfare Plan in that the subject tract takes access from Shallow Ford West Road, a Collector classed road. The existing public right-of-way for Shallow Ford West Road is adequate for a Collector, but this road is built to county rural street standards with a paved width of approximately 22 feet with no curb or gutter. Concrete mixing trucks are considered heavy load trucks, and this use could place trucks going both ways on Shallow Ford West Road. In the recent Mobility Report published by the Public Works Department, Shallow Ford West Road received a "C" rating on its pavement condition, with "A" being best and "F" being worst.



View looking to the north on Shallow Ford West, toward the pet resort.

CONDITIONAL USE PERMIT SITE PLAN REVIEW:

If the Planning and Zoning Commission recommends and City Council approves this CUP request, it must be built according to the approved CUP site plan.

The site plan shows the arrangement of the batch plant on an approximately 25-acre disturbed area on the larger unplatted lot. The plan depicts the site as it is built right now, but shows a future office building. This office does not have elevations in this CUP package and, given the zoning of LI, will not be subject to the Citywide masonry requirements unless such requirements are placed on this development as a condition of CUP approval. An onsite septic system is proposed to serve this development.

Concrete pavement is shown on all vehicular maneuvering areas, parking areas and truck washout areas. Rock riprap is shown at the entrance of the site and serves as the connection to the right of way.

A drainage detention area is shown at the east and south portion of this site. A rock gabion is shown at the southeast corner of site, at the outfall of the drainage pipe, as a filter for site runoff that drains into this detention area and onto the right of way. At the southwest corner, a truck wash out is shown and appears to be at the top of the detention area.

The applicant has noted on the plans that dust suppression will be manually performed, with watering drives and operation areas as needed.

Below are southern-facing photos, taken of the property as it currently appears, from the north of the vehicle driveway to the rock gabion. The soil has been cleared on this site, but it is not apparent that the drainage detention pond has been built yet. The site has not received permits for the flatwork that is currently being done. The work also appears to the Building Official to be incorrectly reinforced and doweled.



View from North portion of site along Shallow Ford West, showing the gabion constructed at the SE corner of the site, and area where detention bond will be graded. Tree in center of photo near the porta-potty appears to be in section that will contain drainage area and will be retained.



Code Enforcement Photos: The site has not received permits for the flatwork that is currently being done. The work also appears to the Building Official to be incorrectly reinforced and sections not doweled together.

Landscaping is shown across the front of the parcel in question on the site plan. Nine 2-inch caliper approved trees would be normally required on a project not requiring a CUP. This CUP is showing 9 approved trees and 52 shrubs on 5-ft centers planted across the front area of the lot as mitigation. The applicants were asked by the Development Review Committee to screen the Shallow Ford West ROW from the view of the batch plant by providing additional trees along the north side of the site, and this plan does not show such screening. As shown in the site plan and photo below, additional landscape screening of the northern side of the site will be necessary to block the view from the right-of-way. The trees and shrubs should be shown on the site plan planted as far back as the placement of the batch plant on that northern side.

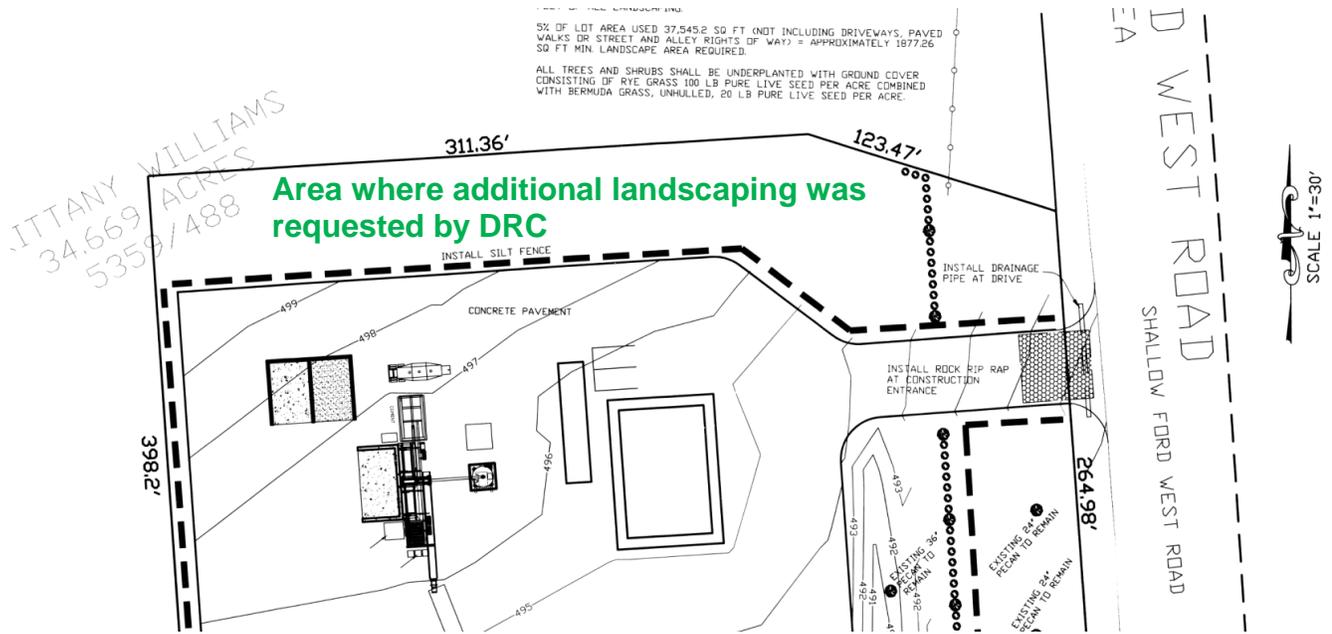




Photo was taken from the edge of the property with the site in question in the distance. The view of the batch plant will not be screened from the right of way with only plantings proposed on the street frontage.

The Staff recommendation includes an option for recommendation that the applicant submit a bond for the amount of money to clean the site up, should the CUP be approved and the batch plant subsequently cease operation. This is to prevent the site from becoming a visual eye sore and brownfield site if the plant closes down and the site is not cleaned up after closing. The City would be able to collect on the bond and pay to have the site cleaned up. Another concrete batch plant along I-35, shown below, ceased operation and remains in the state it was in while it was operating, thus making it more difficult to market or use the site for any other permitted use.



View of the abandoned permanent batch plant location, east of I-35 and north of Avenue H.

PUBLIC NOTICE: Five notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Wednesday, September 28, at 5 PM, no notice was returned in favor of and one notice was returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on September 16, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends denial of the requested CUP for a Permanent Concrete Batch Plant as shown on the PD exhibits.

Staff recommends denial because:

1. The request does not comply with the Future Land Use and Character Map, which shows Estate Residential.
2. While the request complies with the Thoroughfare Plan, the street section built along Shallow Ford Road is not built for heavy load transportation.
3. Public facilities do not serve the property and fire coverage does not currently exist.
4. The DRC recommended additional landscaped screening from Shallow Ford West ROW, which the applicant is not providing on the submitted CUP site plan.

If the Planning and Zoning Commission decides to recommend approval this CUP, staff requests that the recommendation is made with the following conditions:

- a. This CUP be allowed for 12 months only and be able to be reissued for consecutive 12 month periods with administrative approval if no road degradation is noted. If degradation is noted, the owner shall reapply for the CUP with plans to repair and improve the Shallow Ford West Road. Should the permit expire, the business must cease operation, and formal CUP approvals again must be sought from the City.
- b. A bond for the amount of money necessary to clean the site to pre-industrial standards will be presented and reissued before each 12 month request for reissuance of CUP permit. An itemized estimate of the total cleanup costs shall be performed, presented and approved before issuance of the CUP.
- c. All work shall be properly permitted and built to current standards adopted by the City of Temple, including any remedial work that needs to be done to bring that work already performed on site to city standards.
- d. A complying public water line and hydrant should be installed in conformity with the City of Temple fire protection ordinance.

- e. The area as a whole shall be landscaped to screen the use from public view along the Shallow Ford West Road right-of-way with shrubs planted on 36-inch centers of a size and species capable of reaching 6-feet within 1 year. The site plan shall show shrubs and trees extending to the same point on the northern site boundary as the back of the batch plant. There shall be a tree planted per each 40 feet of the screened shrub border as shown on the site plan and extended to the end of the shrub screening.
- f. The entire landscape area shall be underplanted with turf or another ground cover and irrigated to approved City of Temple Unified Development Code standards.
- g. Septic service shall be permitted and built as approved through the Bell County Sanitarian's Office.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Aerial](#)
[Land Use and Character Map](#)
[Zoning Map](#)
[Thoroughfare Map](#)
[Utility Map](#)
[Notice Map](#)

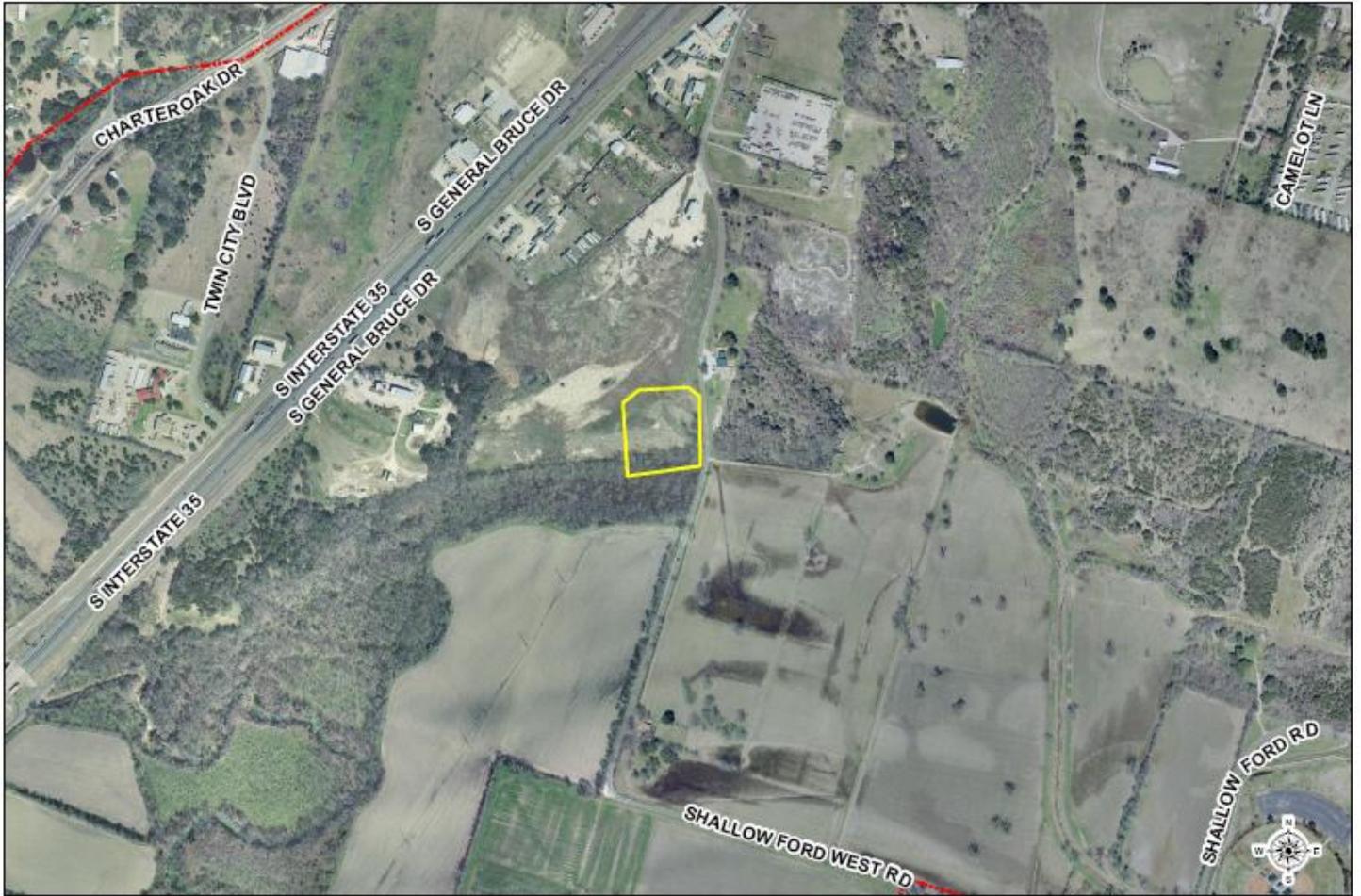
[Responses](#)
[Applicant's Narrative](#)
[Applicant's Site Plan](#)
[Applicant's Site Plan with Topo and Drainage Area](#)
[Applicant's Site Plan with Landscaping](#)
[Applicant's Request to Table dated Dec. 1, 2011](#)



Z-FY-11-49

3.787 Acre Portion of the Nancy Chance Survey #5

4158 Shallow Ford West Road



2008 Bell County Aerial

ZFY 11-49

Temple City Limits

Feet 0 1,000 2,000 3,000

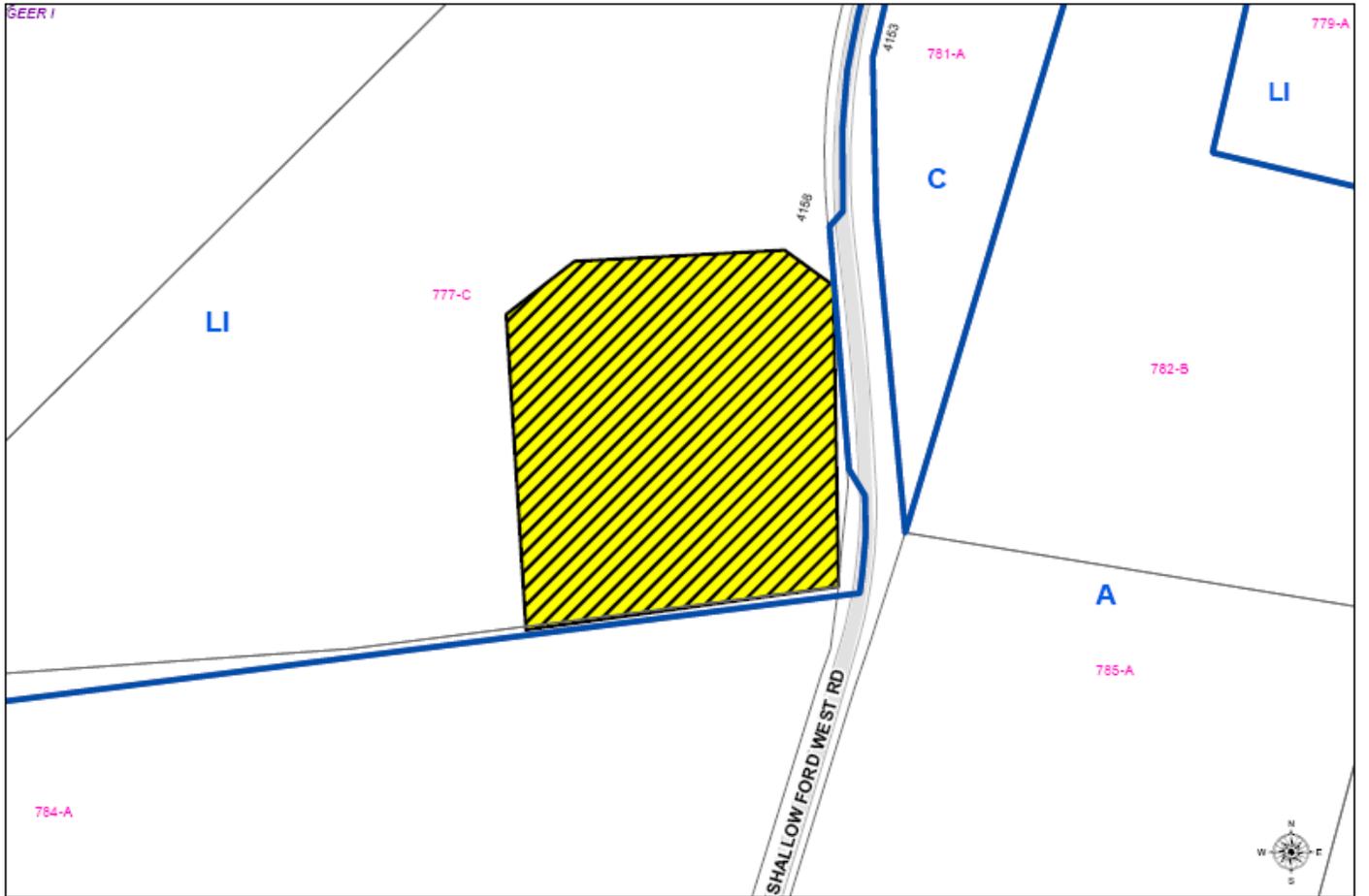
LMatlock Planning 9.15.11



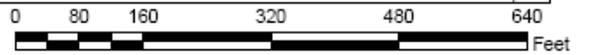
Z-FY-11-49

3.787 Acre Portion of the
Nancy Chance Survey #5

4158 Shallow Ford West Road



-  ZFY 11-49 **2211** Address
-  Parcels **229-Z** Outblocks



LMatlock Planning 9.15.11



Z-FY-11-49

3.787 Acre Portion of the Nancy Chance Survey #5

4158 Shallow Ford West Road



 ZFY 11-49

Collector Class Street 
Local Class Street 

0 80 160 320 480 640 Feet

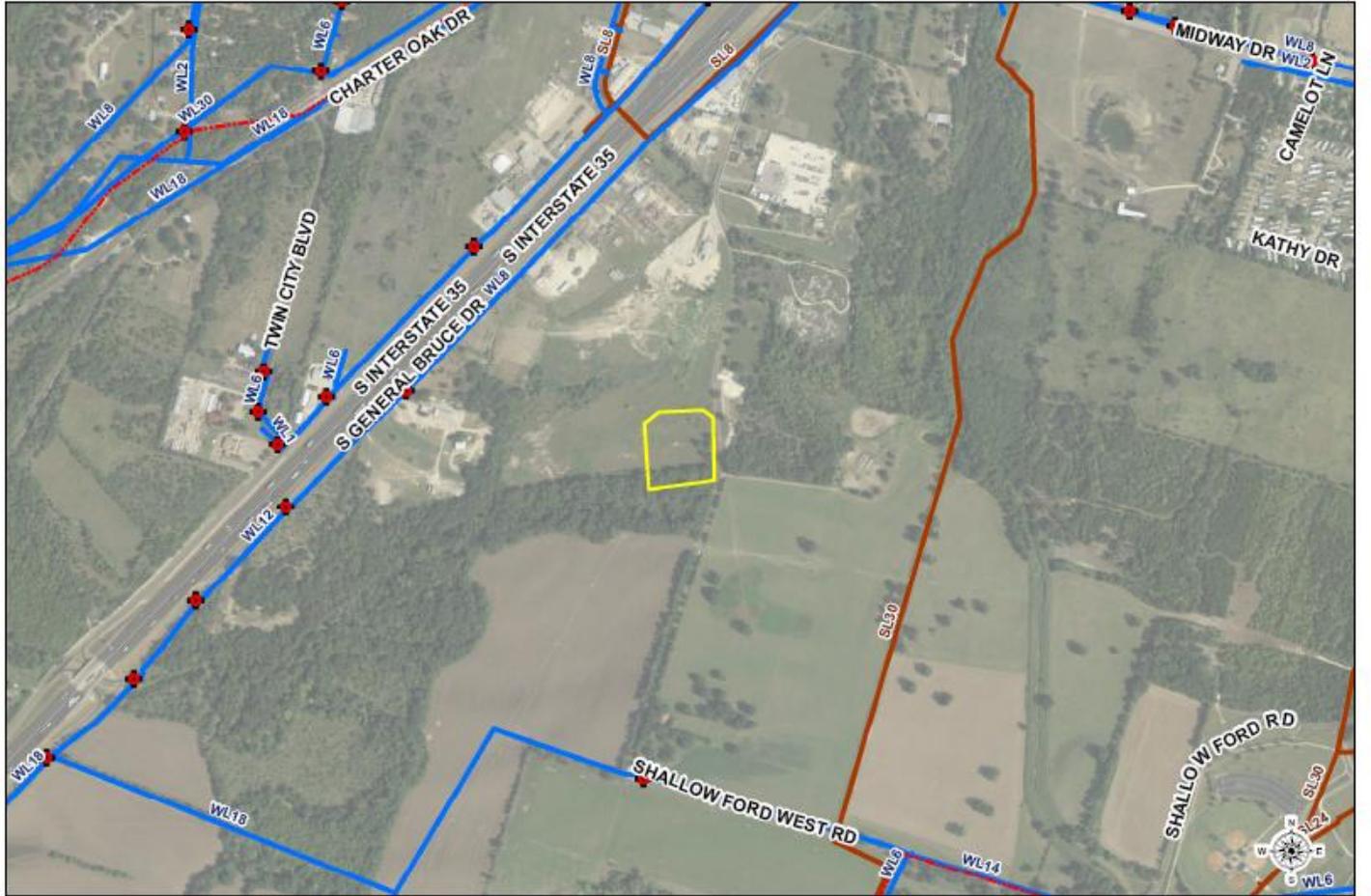
LMatlock Planning 9.15.11



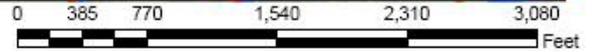
Z-FY-11-49

3.787 Acre Portion of the Nancy Chance Survey #5

4158 Shallow Ford West Road



ZFY 11-49 Sanitary Sewer Lines

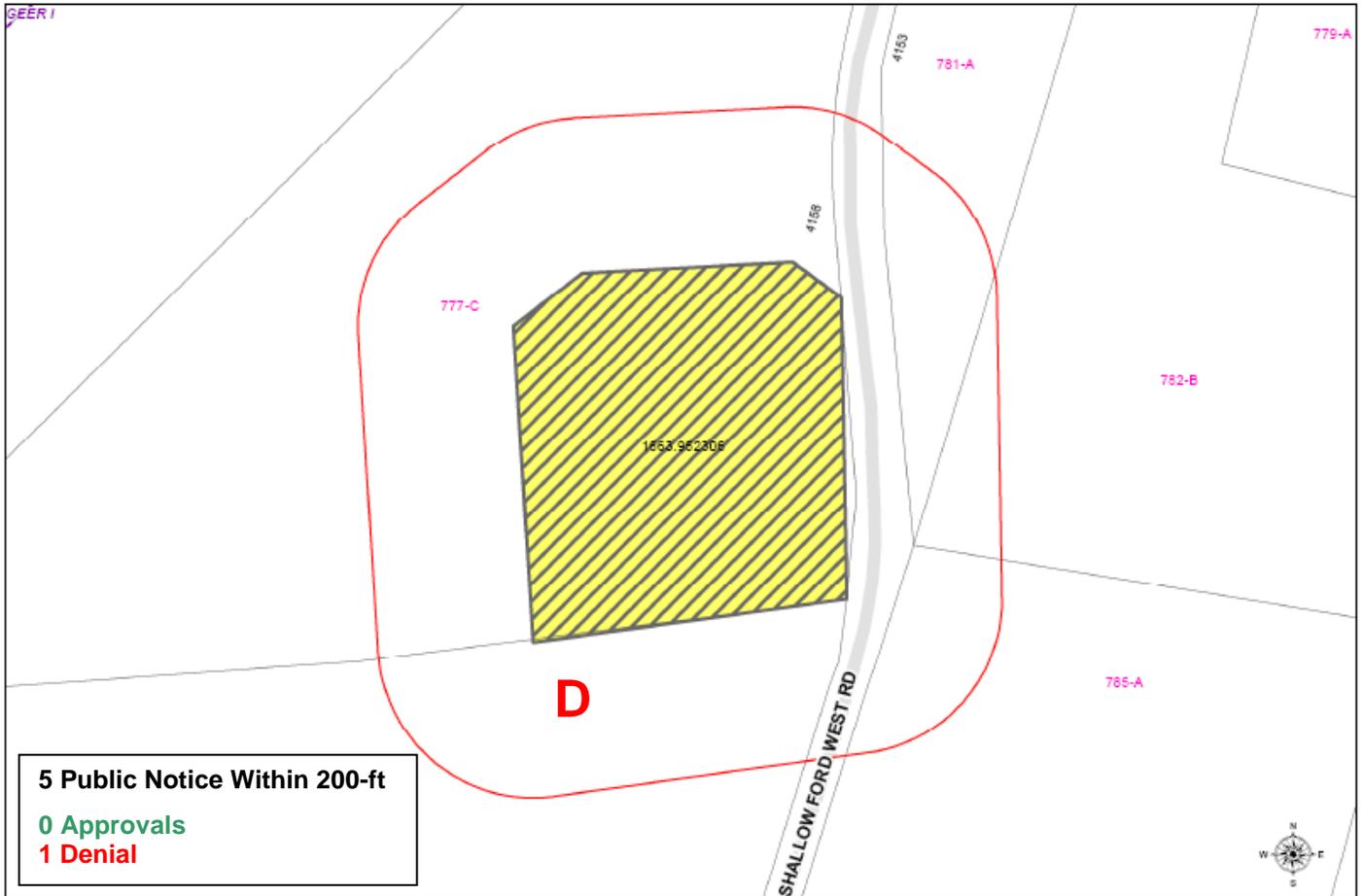




Z-FY-11-49

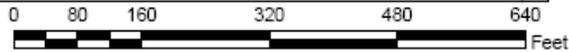
3.787 Acre Portion of the
Nancy Chance Survey #5

4158 Shallow Ford West Road



5 Public Notice Within 200-ft
0 Approvals
1 Denial

- ZFY 11-49
- Subdivisions
- zfy 1149 - 200-ft Notification Buffer
- 2211** Address
- 229-Z** Outblocks



LMatlock Planning 9.9.11



**RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT REQUEST
CITY OF TEMPLE**

Protex Family Limited Partners
Attn: Dr. Richard Tay
5508 Summerhill Lane
Temple, Texas 76502

Zoning Application Number: Z-FY-11-49 **Project Manager:** Leslie Matlock

Location: 4158 Shallow ford West Road, west from the Barking Oaks Pet Resort

The proposed conditional use permit is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I recommend () approval (X) denial of this request.

Comments:

The requested use will negatively impact the appearance and lower property value in the area.

Richard Tay
Signature

RICHARD TAY for PROTEx, FLP
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than October 3, 2011

City of Temple
Planning Department
Room 201
Municipal Building
Temple, Texas 76501

RECEIVED
SEP 28 2011
City of Temple
Planning & Development

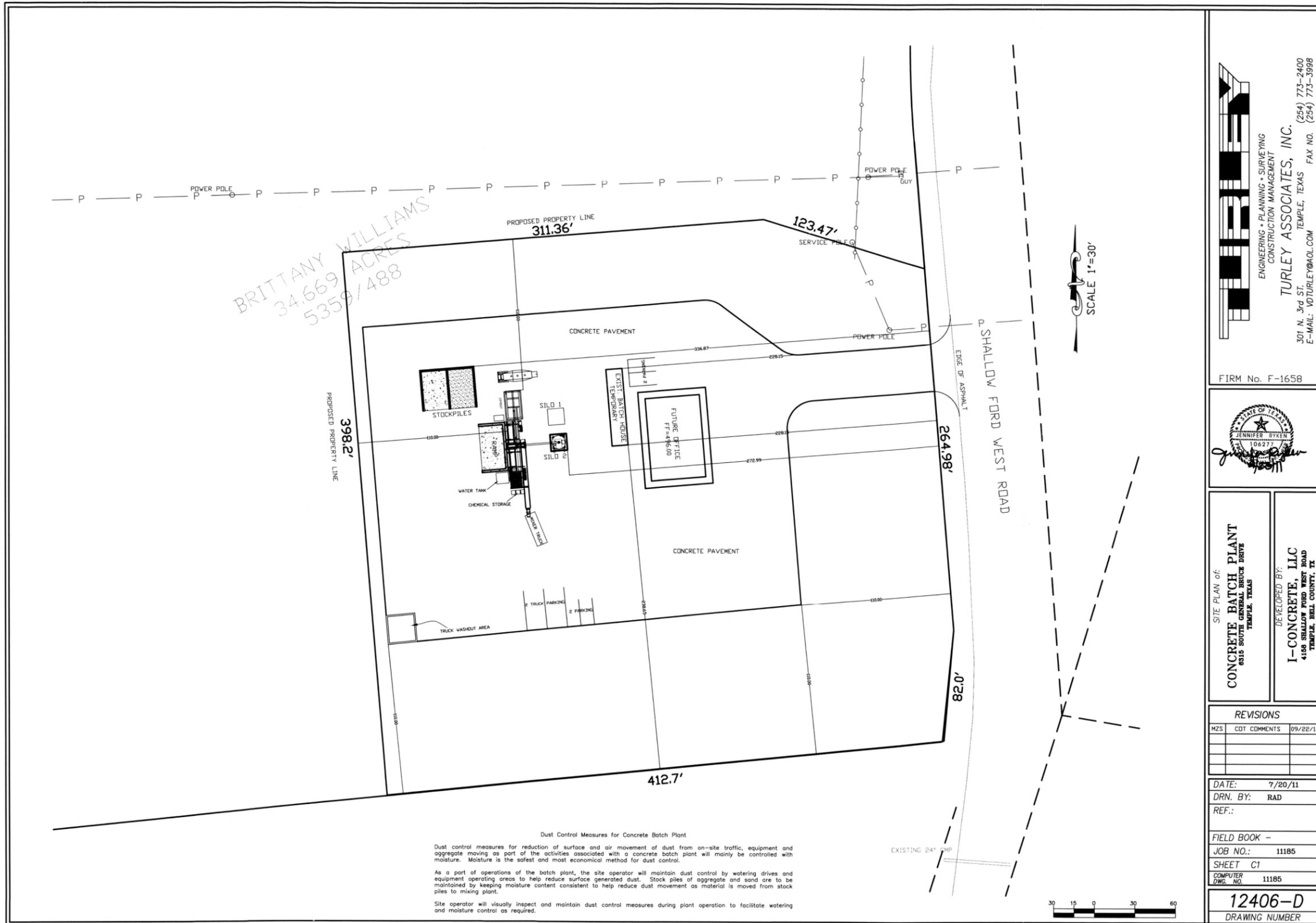
Number of Notices Mailed: 4

Date Mailed: September 22, 2011

Applicant's Narrative

The process includes delivery of aggregates (rock and sand) put in stock piles. Cement and fly ash materials are delivered and transferred into silos.

The operations include the aggregates being loaded into cement machine to be sifted together. The cement machine is computer operated from a batch house where all the operations of the system is controlled. While the cement machine is operational it mixes the aggregates (rock and sand) with the powders (cement and fly ash) to make a dry mixture that is loaded into a concrete truck. Wet products are in the cement truck which is provider from the system to finalize the concrete mixture.



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: VDTURLEY@AOL.COM FAX NO. (254) 773-3998

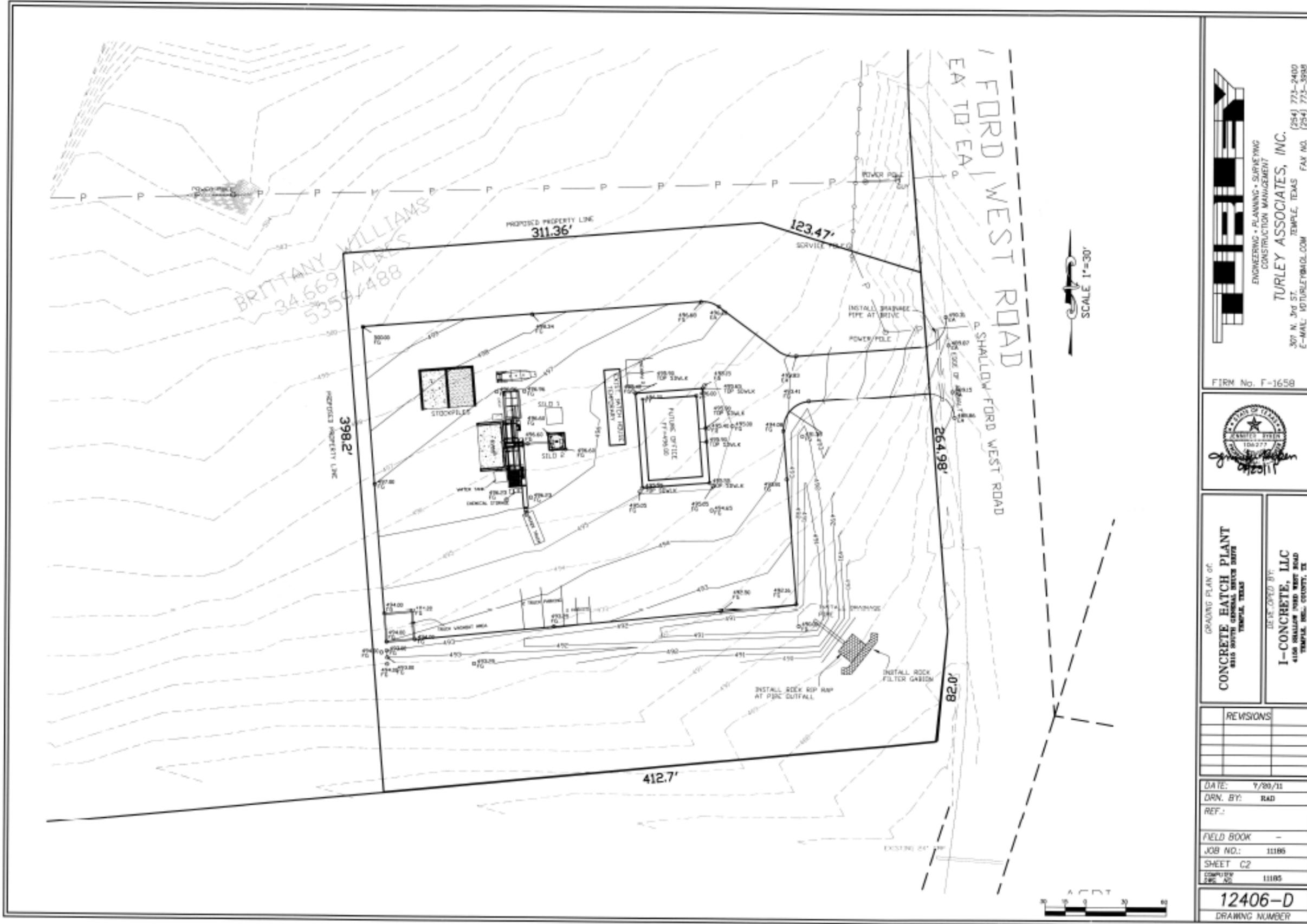
FIRM No. F-1658

STATE OF TEXAS
JENNIFER BYRNE
10627

SITE PLAN OF:
CONCRETE BATCH PLANT
6315 SOUTH GENERAL BRUCE DRIVE
TEMPLE, TEXAS

DEVELOPED BY:
I-CONCRETE, LLC
4159 SHALLOW FORD WEST ROAD
TEMPLE, BELL COUNTY, TX

12406-D
DRAWING NUMBER



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.
307 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: RT@TURLEYBIOLOG.COM FAX NO. (254) 773-3998

FIRM No. F-1658



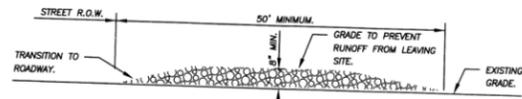
GRADING PLAN OF
CONCRETE BATCH PLANT
4106 SHALLOW FORD WEST ROAD
TEMPLE, TEXAS

DEVELOPED BY:
I-CONCRETE, LLC
4106 SHALLOW FORD WEST ROAD
TEMPLE, TEXAS

REVISIONS	

DATE: 9/29/11
DRN. BY: RAD
REF.:
FIELD BOOK: -
JOB NO.: 11185
SHEET C2
COMPUTED BY: 11185

12406-D
DRAWING NUMBER



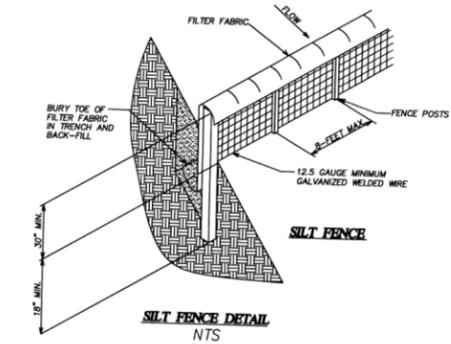
STABILIZED CONSTRUCTION ENTRANCE

NOTES:

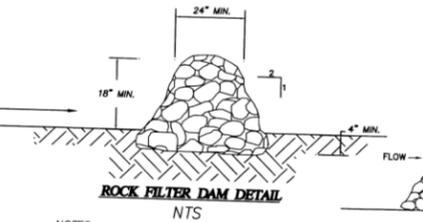
1. STONE SIZE SHALL BE 4" - 8" OPEN GRADED ROCK WRAPPED IN WIRE MESH.
2. THICKNESS OF CRUSHED STONE PAD TO BE NOT LESS THAN 8".
3. LENGTH SHALL BE A MINIMUM OF 50' FROM ACTUAL ROADWAY, AND WIDTH NOT LESS THAN FULL WIDTH OF INGRESS/EGRESS.
4. ENTRANCE SHALL BE PROPERLY GRADED TO PREVENT RUNOFF FROM LEAVING THE CONSTRUCTION SITE.

THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS OF WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS OF WAY MUST BE REMOVED IMMEDIATELY BY CONTRACTOR.

AS NECESSARY, WHEELS MUST BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATERCOURSE USING APPROVED METHODS.



- SILT FENCE DETAIL NTS**
1. POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE.
 2. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW.
 3. THE TRENCH SHOULD BE A MIN. OF 6" DEEP AND 6" WIDE TO ALLOW FOR THE SILT FENCE TO BE LAID IN THE GROUND AND BACKFILLED.
 4. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.



- ROCK FILTER DAM DETAIL NTS**
1. USE ONLY OPEN-GRADED ROCK, WITH MOST OF THE FINES REMOVED.
 2. STONE SHALL BE CRUSHED AND, UNLESS OTHERWISE SPECIFIED, SHALL BE AT LEAST 3 INCHES IN DIAMETER AND LESS THAN 1 CUBIC FOOT IN VOLUME.
 3. THE ROCK FILTER DAM SHALL BE EMBEDDED INTO SOIL A MINIMUM OF 12 INCHES.
 4. THE ROCK FILTER DAM SHALL BE INSPECTED AFTER EACH RAIN, AND THE STONE SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED, DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.

BRITTANY WILLIAMS
34.669 ACRES
5359/488

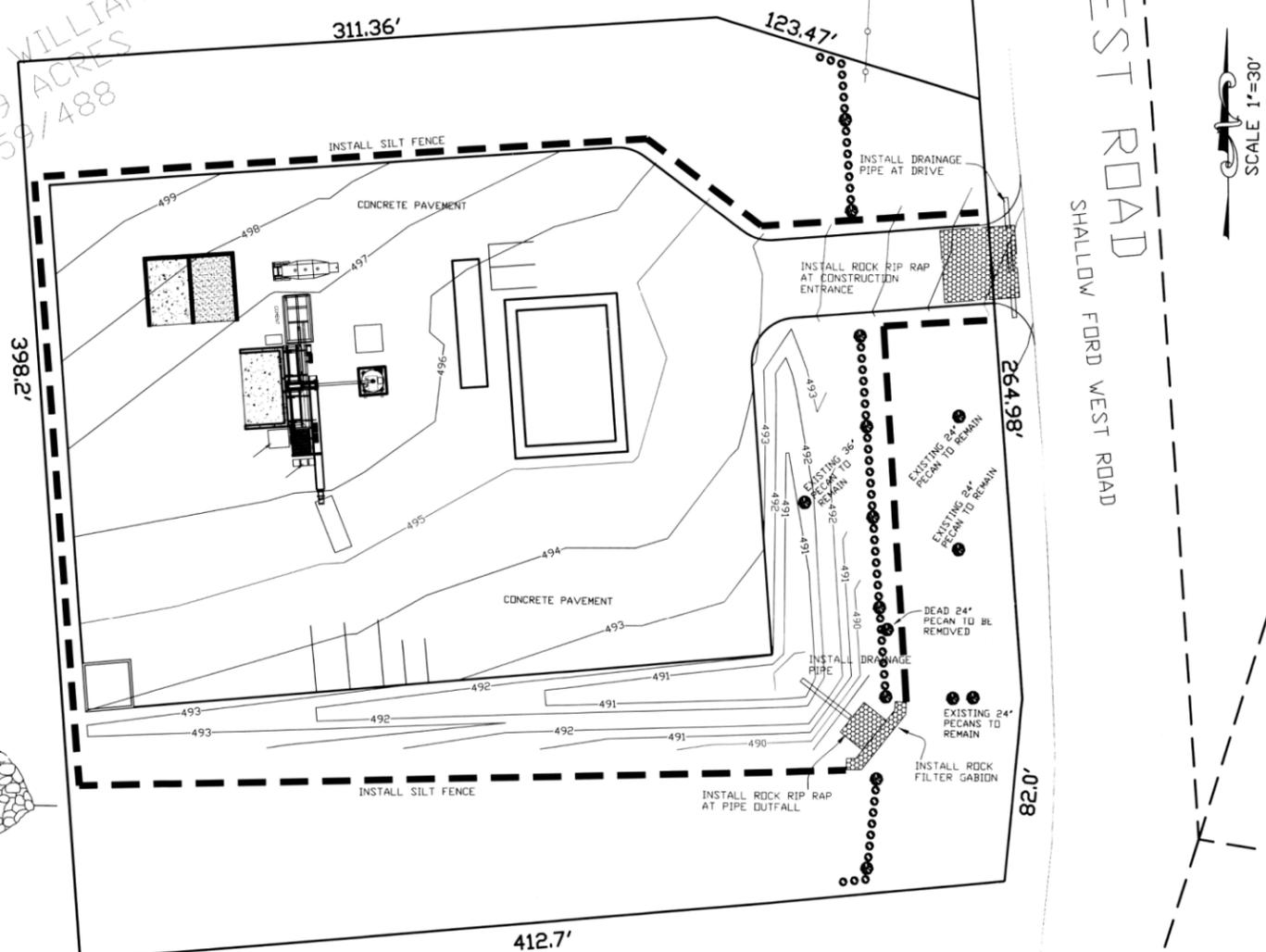
LOT FRONTAGE = 346.98'
TREES REQUIRED = 1 TREE FOR EVERY 40' OF ROAD FRONTAGE
TREES REQUIRED 346.98/40 = 8.67 TREES (9 TREES REQUIRED - MIN. 2" CALIPER AND 5' OVERALL HEIGHT)
THREE (3) SHRUBS 5 GALLONS IN SIZE MAY BE SUBSTITUTED FOR ONE REQUIRED TREE

- TREE - TEXAS ASH (FRAXINUS TEXENSIS) SPACED 40' APART (9 TOTAL)
- SHRUB - TEXAS SAGE (LEUCOPHYLLUM FRUTESCENS) SPACED 5' APART (52 TOTAL)

ALL REQUIRED LANDSCAPING SHALL BE IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM OR HAVE ACCESS TO A HOSE CONNECTION WITHIN 50 FEET OF ALL LANDSCAPING

5% OF LOT AREA USED 37,545.2 SQ FT (NOT INCLUDING DRIVEWAYS, PAVED WALKS OR STREET AND ALLEY RIGHTS OF WAY) = APPROXIMATELY 1877.26 SQ FT MIN. LANDSCAPE AREA REQUIRED.

ALL TREES AND SHRUBS SHALL BE UNDERPLANTED WITH GROUND COVER CONSISTING OF RYE GRASS 100 LB PURE LIVE SEED PER ACRE COMBINED WITH BERMUDA GRASS, UNHULLED, 20 LB PURE LIVE SEED PER ACRE.



FORD WEST ROAD
SHALLOW FORD WEST ROAD
EA TO EA



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: VDTURLEY@AOL.COM FAX NO. (254) 773-3998

FIRM No. F-1658

EROSION CONTROL / LANDSCAPING
CONCRETE BATCH PLANT
6315 SOUTH GENERAL BRUCE DRIVE
TEMPLE, TEXAS

DEVELOPED BY:
I-CONCRETE, LLC
4106 SHALLOW FORD WEST ROAD
TEMPLE, BELL COUNTY, TX

REVISIONS			
MZS	CDT	COMMENTS	09/22/11

DATE:	7/20/11
DRN. BY:	RAD
REF.:	
FIELD BOOK -	
JOB NO.:	11185
SHEET	C6
COMPUTER DWG. NO.	11185

12406-D
DRAWING NUMBER



TURLEY ASSOCIATES, INC.

301 NORTH THIRD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400
F-1658 FAX • (254) 773-3998

MEMORANDUM

DATE: December 1, 2011

TO: Brian Mabry, Director of Planning
City of Temple

FROM: Victor D. Turley, P.E., R.P.L.S.

RE: **ICONCRETE Concrete Batch Plant**
Z-FY-11-49

The Conditional Use Permit to allow a permanent concrete batch plant (Z-FY-11-49) was placed on the Planning and Zoning Commission Agenda for December 6, 2011 for public hearing and recommendation. This memorandum is to officially request that the item be tabled at the meeting on December 6, 2011 and be placed on the Planning and Zoning Commission scheduled for January 3, 2012.

Revised plans addressing the City comments will be submitted to the City on December 15, 2011.

The developer is now Iconcrete.

Please contact our office if you have any questions or need any additional information.

APPLICANT / DEVELOPMENT: Kiella Development

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: Z-FY-12-16 Hold a public hearing to discuss and recommend action on a rezoning from Single Family Two District (SF2) to Single Family Three District (SF3) on a 13.57-acre tract of land situated in the Baldwin Robertson League Survey, Abstract 17, located along the east side of North Pea Ridge Road, and south of Stonehollow Drive.

BACKGROUND: The developer requests a rezoning from Single Family Two (SF2) to Single Family Three (SF3) to allow the continued use of 20-foot front yard setbacks for proposed single-family homes within the next phase of Westfield Development.

The applicant received approval from City Council on August 18, 2011 for a rezoning on the subject property from AG to SF2. The SF2 District requires a minimum front yard setback of 25 feet and a minimum lot are of 5,000 square feet. The requested SF3 District has a minimum front yard setback of 15 feet and a minimum Lot area of 4,000 square feet. The surrounding Planned Development Single Family Two District (PD-SF2) to the east and south allows 20-foot front yard setbacks. If developed to its maximum yield, this single-family development could consist of approximately 90 lots.

SURROUNDING PROPERTY AND USES:

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	SF-2	Undeveloped Land	

Direction	Zoning	Current Land Use	Photo
North	GR	Undeveloped General Retail land	
South	PD-SF2	Residential Subdivision and Undeveloped Land	
East	PD-SF2	Residential Uses and School and Playgrounds	
West	AG and SF3	Single-Family Residential, Undeveloped Lots and Agricultural Land	

COMPREHENSIVE PLAN COMPLIANCE:

The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Y*
CP	Map 5.2 - Thoroughfare Plan	Y*
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Y*
STP	Temple Trails Master Plan Map	Y*

* = See Comments Below CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The future land use and character map designates the entire property as Auto Urban Residential. The Comprehensive Plan states that this is the dominant development pattern of the older portions of Temple. The Single Family Three request complies with the FLUP map.

Thoroughfare Plan (CP Map 5.2)

The Thoroughfare Plan designates North Pea Ridge Road a proposed minor arterial; however the road is currently under review to be reclassified as a collector. Other roads that are impacted are classed as local roads. The rezoning request complies with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

A 6- and an 8-inch water line and sewer line are available near the property. Public facilities are available for extension to the property.

Temple Trails Master Plan Map

The Sidewalk and Trails Plan designates property to the west as a future community-wide connector trail. It also shows a future Local Collector Trail to the north. This rezoning will not affect the Trails Master Plan as any dedication must happen at time of platting.

DEVELOPMENT REGULATIONS:

The purpose of the Single Family Three zoning district is to permit single-family detached residences at urban densities in locations well served by public utilities and roadways. This district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks and shopping areas and transit services. Typical prohibited uses include patio homes, duplexes, apartments, and nonresidential development.

SF-3, Single-Family Three	Minimum Standards
Min. Lot Area (sq. ft.)	4,000
Min. Lot Width (ft.)	40
Min. Lot Depth (ft.)	100
Max. Height (stories)	2 ½ stories
Min. Yard (ft)	
Front	15'
Side	15' (street side) and 5' (interior)
Rear	10'

PUBLIC NOTICE:

Thirty-eight notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the property in question, as required by State law and City Ordinance. As of Wednesday, November 30, 2011, at 2 PM, no notices were returned in favor of and no notices were returned in opposition to the request.

The newspaper printed notice of the Planning and Zoning Commission public hearing on November 23, 2011, in accordance with state law and local ordinance.

STAFF RECOMMENDATION:

Staff recommends approval of a rezoning from SF2 to SF3 for the following reasons:

1. The request complies with the Future Land Use and Character Map.
2. The request complies with the Thoroughfare Plan.
3. Public and private facilities are available to serve the property.
4. The request would allow the continuation of 20-foot front yard setbacks already established in previous phases of the Westfield Development.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Aerial](#)

[Land Use and Character Map](#)

[Zoning Map](#)

[Thoroughfare Plan Map](#)

[Utility Map](#)

[Notice Map](#)



Z FY 12-16

SF2 to SF3

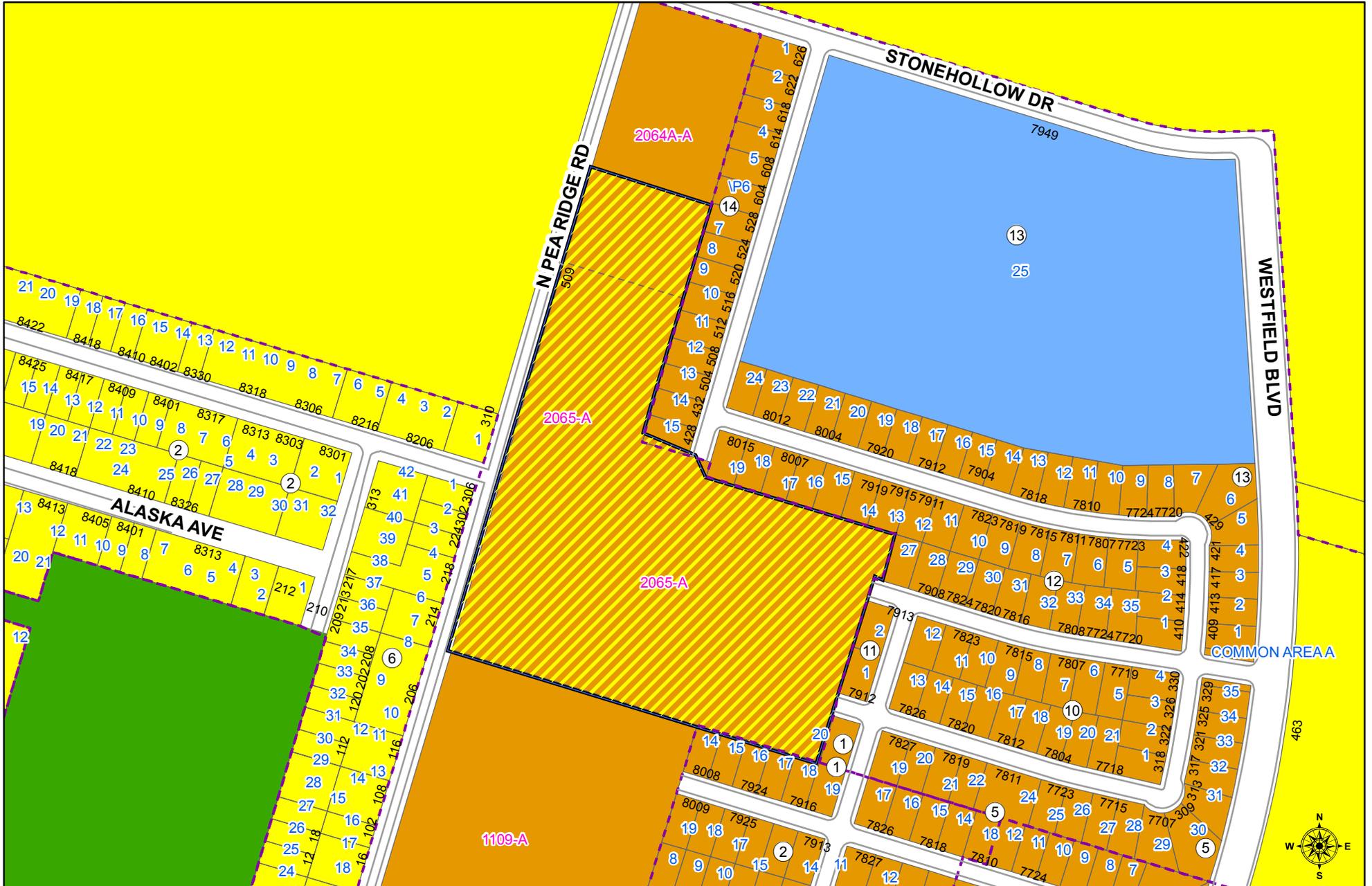
Along Eastside of N. Pea Ridge Rd.



 ZFY 12-16

Feet 0 200 400 600 800 1,000

JCalhoun 11.14.2011



- | | | | | | | | | | | | |
|--|-----------------------|--|-------------------------|--|--------------------|--|---------------------------|--|-----------------------------------|--|--------------|
| | ZFY 12-16 | | Auto-Urban Mixed Use | | Business Park | | Neighborhood Conservation | | Suburban Commercial | | Urban Center |
| | Agricultural/Rural | | Auto-Urban Multi-Family | | Estate Residential | | Parks & Open Space | | Suburban Residential | | |
| | Auto-Urban Commercial | | Auto-Urban Residential | | Industrial | | Public Institutional | | Temple Medical Education District | | |

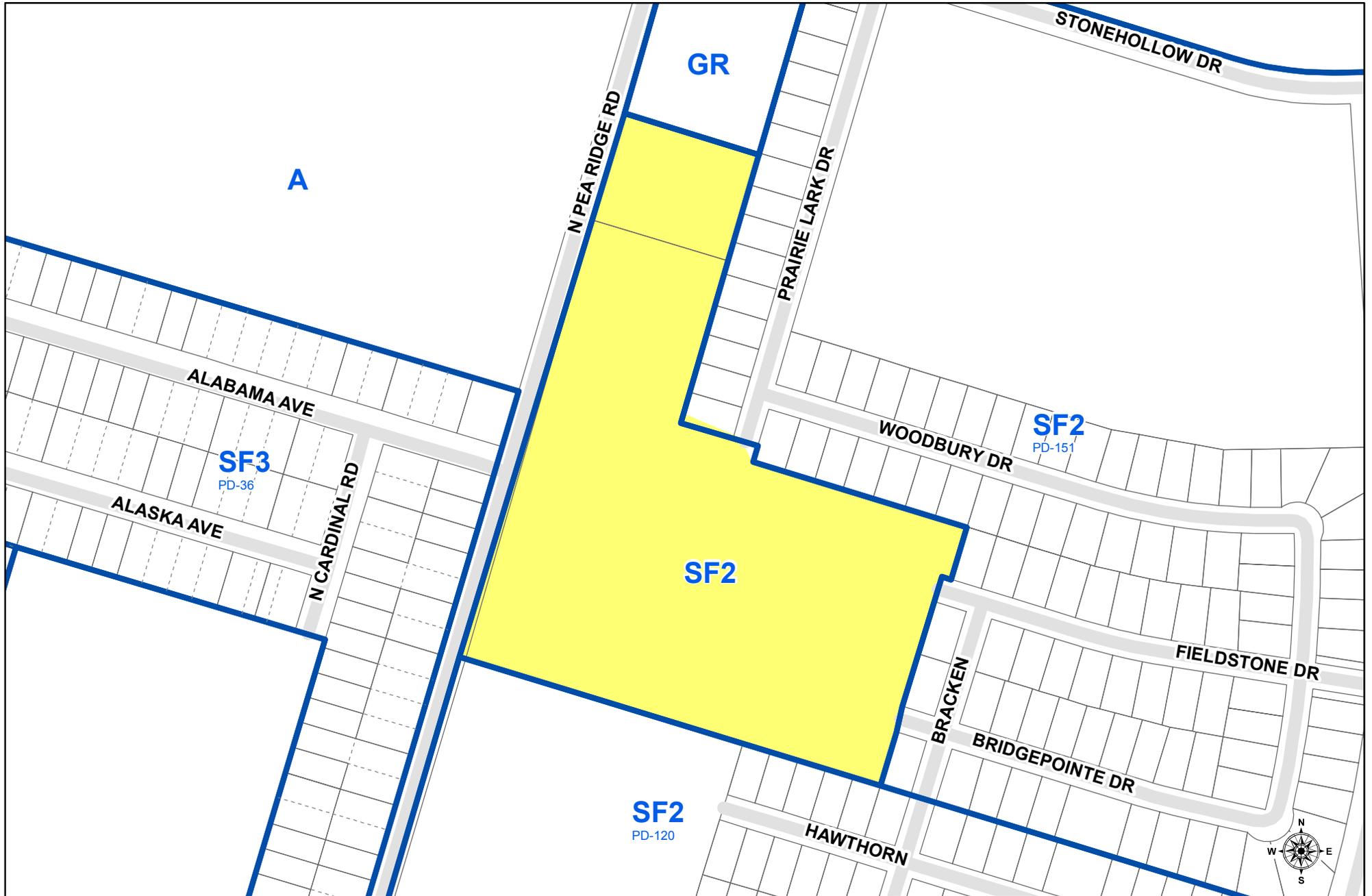
1 inch = 285 feet



Z FY 12-16

SF2 to SF3

Along Eastside of N. Pea Ridge Rd.



ZFY 12-16

Feet 0 200 400 600 800 1,000

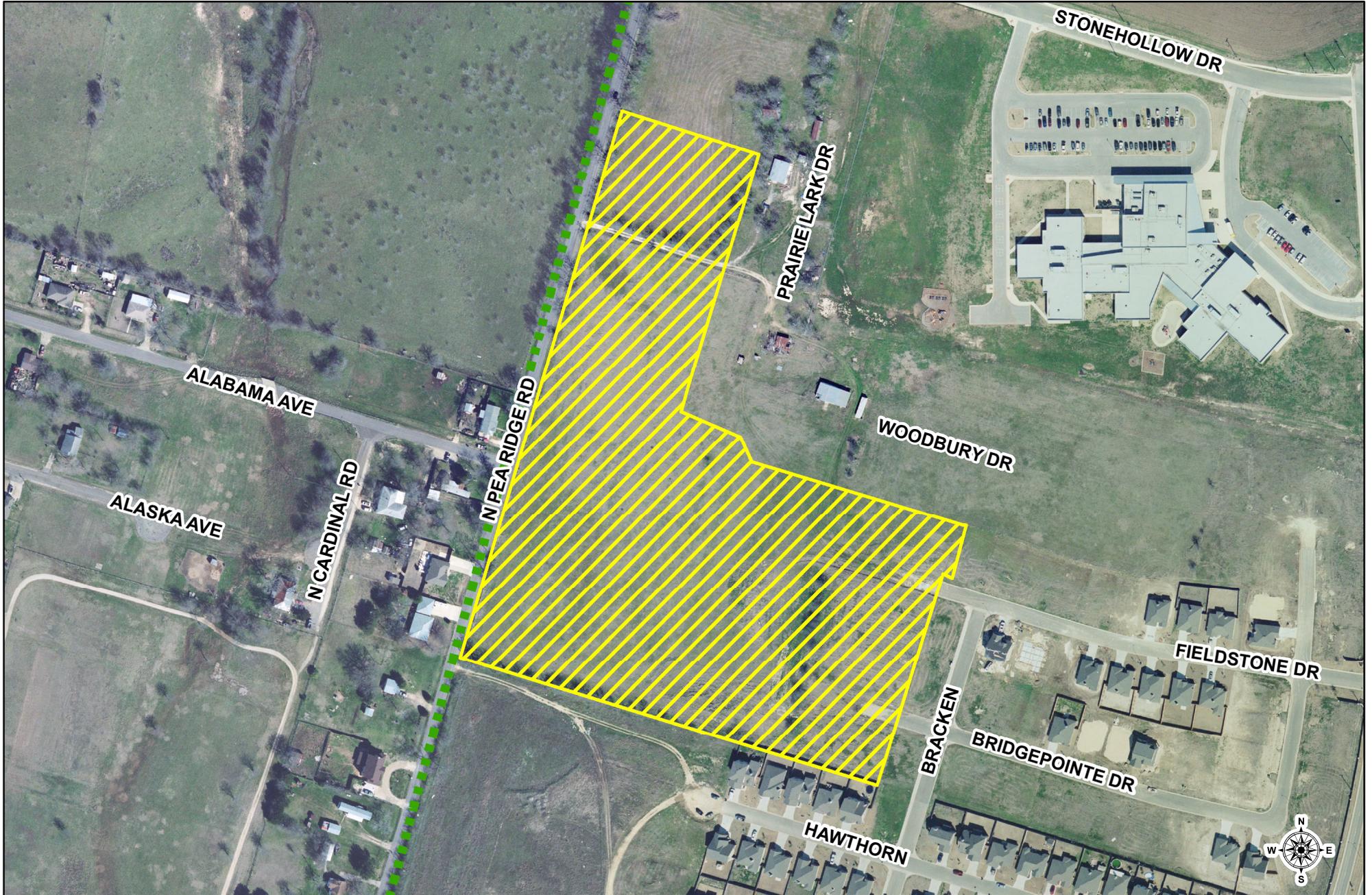
JCalhoun 11.14.2011



Z FY 12-16

SF2 to SF3

Along Eastside of N. Pea Ridge Rd.



 ZFY 12-16

 Proposed Major Arterial

Feet 0 200 400 600 800 1,000

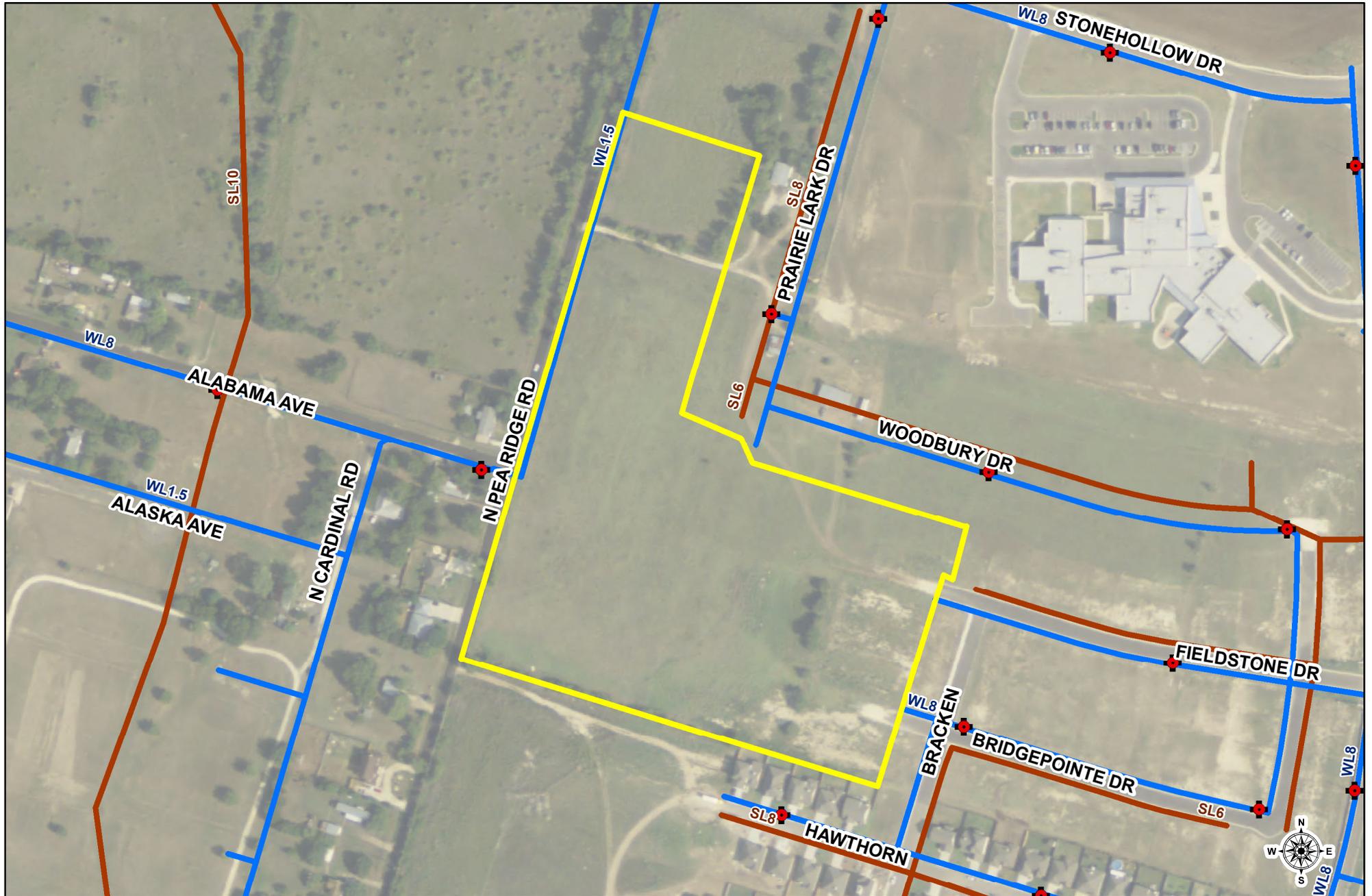
JCalhoun 11.14.2011



Z FY 12-16

SF2 to SF3

Along Eastside of N. Pea Ridge Rd.



- ZFY 12-16
- Water Line
- Sewer Line
- ◆ Fire Hydrant

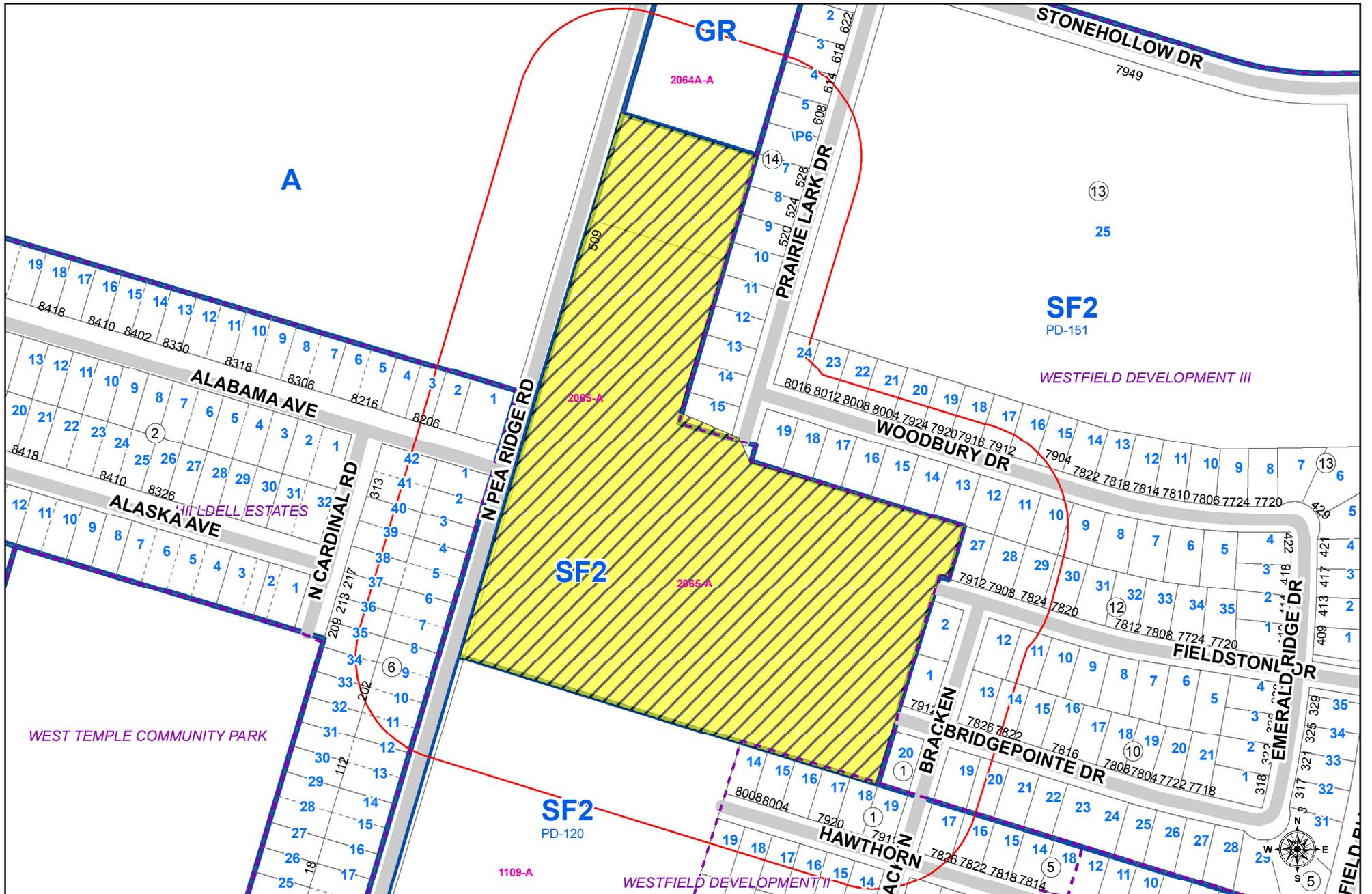
Feet 0 200 400 600 800 1000



Z FY 12-16

SF2 to SF3

Along Eastside of N. Pea Ridge Rd.



 ZFY 12-16

 200 ft. Buffer

Feet 0 200 400 600 800 1,000

APPLICANT: Dean Winkler for Longhorn International Trucking

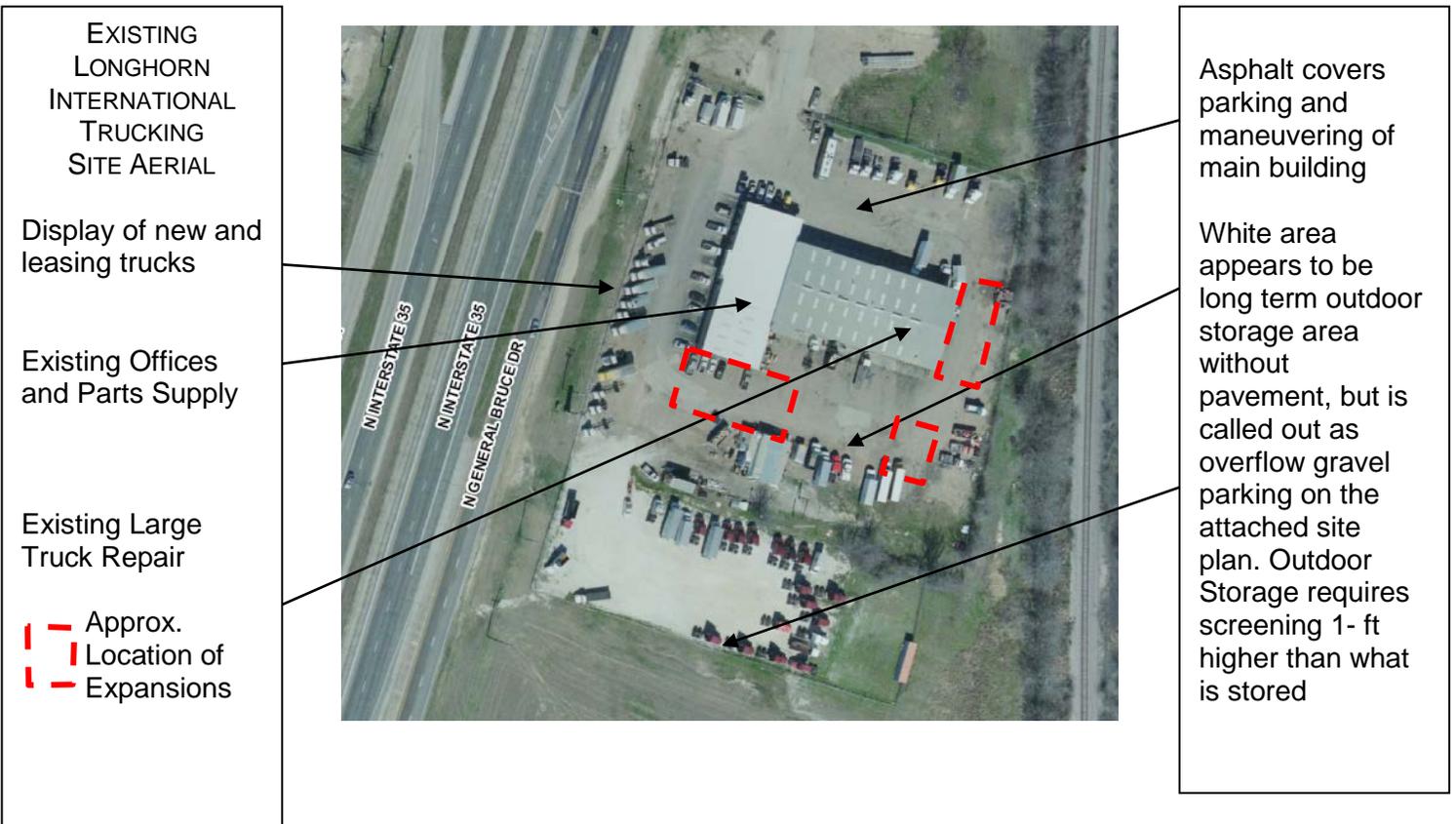
CASE MANAGER: Brian Mabry, AICP, Planning Director

ITEM DESCRIPTION: Z-FY-12-18 - Consider and take action on an Appeal of Standards in Sec. 6.7 of the Unified Development Code related to the I-35 Corridor Overlay Zoning District for a proposed 8,200 square-foot addition to existing buildings, located at 6043 N. General Bruce Drive.

BACKGROUND: The owner of Longhorn International Trucking, a new and used truck sales and leasing business, proposes to add floor space for a new maintenance bay, truck washing facility, and parts storage, as shown in the aerial below. The property is in the C, Commercial zoning district and in the Industrial sub-district of the I-35 overlay.

The cost of the proposed improvements, as compared to the assessed value of the property, is greater than 50%. This addition triggers all of the I-35 overlay zoning district requirements, which are:

- Tree Preservation (not applicable to this site)
- Landscaping
- Architectural Design
- Screening and Wall Standards
- Parking
- Lighting
- Signs
- Utilities



The applicant requests relief from complying with these standards in the form of this appeal.

APPEALS: Below is a summary of the I-35 Corridor requirements and how the applicant's submittal compares with them.

I-35 Requirements	Requirements Specific to this Site	Submitted Plan and Elevations Show
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • Areas not covered by building or pavement must be landscaped • Foundation plantings required along 70% of the length of any façade visible to public • One three-inch caliper tree per 30 feet street frontage • 25' landscape buffer along front street • 20% of required landscape buffer must have native grass beds or wildflowers • Berming required in 50% of the landscape buffer • Parking area must be screened by a continuous hedge or shrubs, berm, or retaining walls • Landscaping is required within parking area in the form of islands and medians 	<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • ±59,200-sf gravel parking lot must be paved for outdoor display and overflow parking or landscaped • 147-ft of foundation plantings for 210-ft building front façade • 18 trees required for 517- ft of frontage • 12,925 – sf buffer along street frontage (517- linear feet at 25 ft wide) • 2,600 sf minimum native landscaping is required • 258.5 - linear feet of berming required • 517 – linear feet of frontage is parking area • Unclear how much parking area landscaping is needed as parking and outdoor display area is not diagramed 	<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • No pavement shown on excess gravel parking area • 45-ft of foundation plantings shown (17%) • 18 trees shown on plan (spacing not appropriate for species) • 2,000- sf buffer at street frontage (Two ~1,000 sf planting beds proposed) • 2,000-sf hydromulch grass is proposed • None proposed • None provided • None provided
<p><u>Architectural Design</u></p> <ul style="list-style-type: none"> • Building entrances must be articulated six feet 	<p><u>Architectural Design</u></p> <ul style="list-style-type: none"> • Existing entry would need modification 	<p><u>Architectural Design</u></p> <ul style="list-style-type: none"> • No articulation of building entrance proposed

I-35 Requirements	Requirements Specific to this Site	Submitted Plan and Elevations Show
<ul style="list-style-type: none"> Buildings must have one articulation element (canopy, arcade, articulated cornice line, accent materials, etc.) Industrial buildings with front facades greater than 250' must provide wall plane projections or recesses min. 6' deep Architectural metal, stone, brick, stucco, color integrated split face block, painted tilt wall, smooth insulated wall panel 	<ul style="list-style-type: none"> Incorporation of one articulation element required Façade is less than 250' Materials required for new addition 	<ul style="list-style-type: none"> No articulation element proposed NA Brick proposed to match existing
<p><u>Screening and Walls</u></p> <ul style="list-style-type: none"> Garage & service bays must be located to rear of building or on side not visible to traffic flow on abutting side of I-35. Loading zones & mechanical equipment must not be clearly visible at eye level from any public street or located within 100 feet of any public street, unless screened I-35 regulations are silent on fence materials however Citywide standards allow barbed wire and razor wire only in LI and HI. 	<p><u>Screening and Walls</u></p> <ul style="list-style-type: none"> Existing Garage & service bays are located in a rear building and not visible from traffic flow New loading dock is shown on visible side of building to I35 traffic flow. Existing chain link and barbed wire fencing along front is being removed. 	<p><u>Screening and Walls</u></p> <ul style="list-style-type: none"> NA New loading dock is shown with landscaping area surrounding the foundation. No other provision, such as a wing wall for screening, is provided. Applicant is proposing a 6-ft black steel fence along front.
<p><u>Parking</u></p> <ul style="list-style-type: none"> Curb & gutter 6 inches in height required around perimeter of parking area and all landscaped parking islands Parking aisles must be perpendicular to the front of the principal building 	<p><u>Parking</u></p> <ul style="list-style-type: none"> Unclear how much parking area curbing would be needed as parking and outdoor display area is not diagramed- Curbing not shown Distance from front of building to front property line is impractical for parking aisles perpendicular to building. 	<p><u>Parking</u></p> <ul style="list-style-type: none"> None provided NA

I-35 Requirements	Requirements Specific to this Site	Submitted Plan and Elevations Show
<ul style="list-style-type: none"> • Parking areas must be planned so that vehicles are not required to back out directly into a public or private street • No parking is allowed in the landscape buffer 	<ul style="list-style-type: none"> • Not applicable in this case. • Fraction of required landscaped buffer is provided 	<ul style="list-style-type: none"> • NA • NA
<p><u>Lighting</u></p> <ul style="list-style-type: none"> • Light sources must be housed in full cut-off fixtures • Outdoor lighting fixtures must be a maximum of 30 feet in height. 	<p><u>Lighting</u></p> <ul style="list-style-type: none"> • Unclear how lot is lit, no information is given 	<p><u>Lighting</u></p> <ul style="list-style-type: none"> • No information provided
<p><u>Signs</u></p> <ul style="list-style-type: none"> • 8' monument signs required (pending change) 	<p><u>Signs</u></p> <ul style="list-style-type: none"> • One vertical monument sign and one pole sign on property 	<p><u>Signs</u></p> <ul style="list-style-type: none"> • No change in existing signs proposed
<p><u>Utilities</u></p> <ul style="list-style-type: none"> • All wires & cables on property must be located underground 	<p><u>Utilities</u></p> <ul style="list-style-type: none"> • Such utilities already appear to comply 	<p><u>Utilities</u></p> <ul style="list-style-type: none"> • NA

STAFF RECOMMENDATION: Staff recommends denial of this Appeal of the I-35 Corridor Overlay standards for Z-FY-12-18. The applicant has not met the intent of the I-35 overlay zoning district standards primarily as they relate to: Landscaping, Architectural Design, Screening and Walls, Parking and Lighting. Existing utilities comply and no change is proposed for the existing signs on the property.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Property Owner's Appeal Request](#)

[Applicant's Site Plan](#)

[Applicant's Landscape Plan](#)

[Applicant's Building Elevations](#)



Longhorn International Trucks Ltd.

November 11, 2011

City of Temple
Planning Department
2 N Main
Temple, Texas 76501

Brian Mabry;

Our company, Longhorn International Trucks, is in the process of adding to the building at 6043 N General Bruce Dr. in Temple. We have hired Dean Winkler with CRW Construction Co., Inc. to complete the project. In the permitting process for the buildings its has been brought to our attention that our site is affected by Ordinance #2009-4293, which is the IH 35 Corridor Overlay District. This ordinance contains many very restrictive and costly upgrades to our project which serves us no purpose. Landscape, parking, architectural accents, screening berms signage, lighting, and too many other issues to list are both expensive to install and costly to maintain. With our oppressed economy I'm frankly surprised that the City would endeavor to put more burdens on a business that's trying to expand and spur growth.

Our company has other concerns besides the initial cost and maintenance of the ordinance. Longhorn displays trucks for sale and lease along the IH35 frontage and any landscape will restrict that visibility not to mention making it better for criminals to target us even more since we have been burglarized 4 times since 2008 where they have stolen tires and rims off of our new, used and customer vehicles totaling conservatively over \$10,000.00 in loss.

The site we are on is fed by Little Elm Water Supply with a 1-1/2" water line. This will also affect our ability to maintain landscape. Small water supply districts often have more severe watering restrictions during times of drought.

Our frontage is about to be under construction by TXDOT. Any work that is required along IH35 needs to be completed after their construction is complete so it's not damaged during the process.

After discussion with our contractor we propose limiting our requirements to some scattered trees on the north and south sides, two landscaped beds next to the building and ornamental iron fencing at the front property line.

Our hope is that you will agree with this proposal so the construction can start as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Robert Fields".

Robert Fields
General Manager

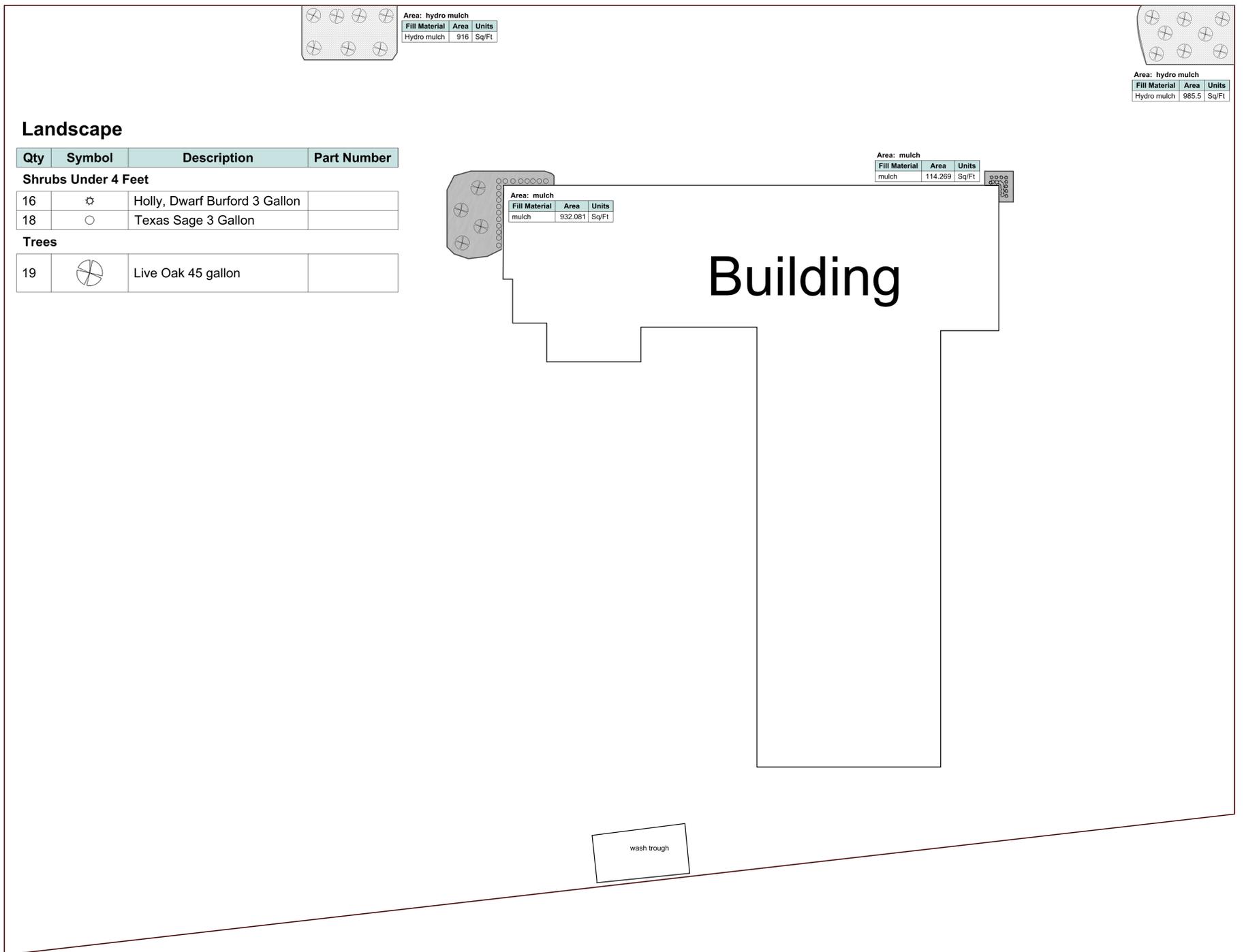


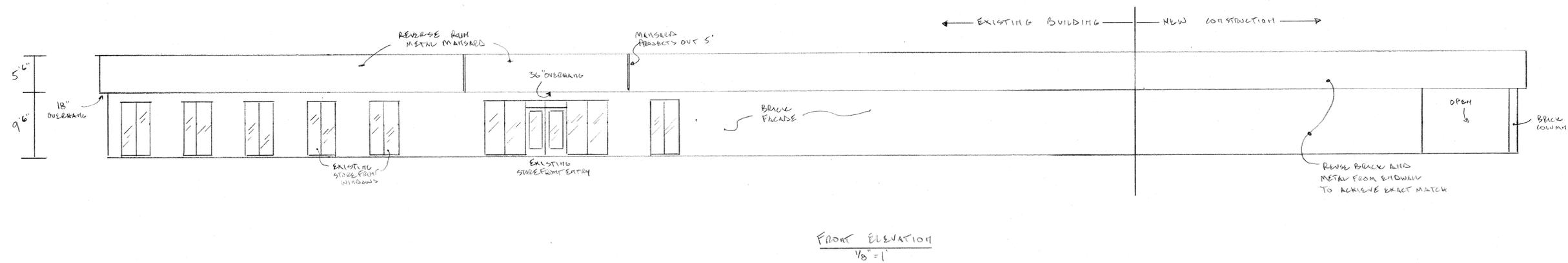
Austin: 4711 E 7th Street • Austin, TX 78702 • (512) 389-1111
Idealease: 4811 E 7th Street • Austin, TX 78702 • (512) 389-3891
Temple: 6043 N IH-35 • Temple, TX 76504 • (254)778-3648



Longhorn International G.C. CRW Construction

Heart of Texas
Landscape and Irrigation
939 0254
Chris Armour





FRONT ELEVATION
1/8" = 1'

LONGHORN INTERNATIONAL TRUCKS 6043 HOOR GENERAL BLVD		
SCALE: 1/8" = 1'	APPROVED BY:	DRAWN BY: DSW
DATE: 11/18/2011		REVISED
NEW CONSTRUCTION AS 270 S AIRPORT		
ELEVATIONS		DRAWING NUMBER 515



PLANNING AND ZONING COMMISSION AGENDA ITEM

12/06/11
Item #5
Regular Agenda
Page 1 of 2

APPLICANT: Planning & Zoning Commission

CASE MANAGER: Brian Mabry, Planning Director

ITEM DESCRIPTION: Receive and discuss the Planning Director’s Report containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code (UDC).

BACKGROUND: The Planning & Zoning Commission will consider several items at future meetings which may also require City Council review for a final decision, shown on the following table.

Future Commission Projects	Status	Comments
Z-FY-12-09 & -12: Hold a public hearing to consider and recommend action on Conditional Use Permits for existing manufactured home parks with RV spaces	DRC Dec. 19 & 21 st	Follow up to UDC amendment

City Council Final Decisions	Status
Z-FY-11-30: Consider adopting an ordinance authorizing amendments to Section 7.6 General Development Standards to provide standards for the use of donation boxes	APPROVED on 2 nd Reading
Z-FY-11-48: Consider adopting an ordinance authorizing a Conditional Use Permit to allow a package store with alcoholic beverage sales for off-premise consumption on a portion of Lots 11, 12, and 13, Block 25, Roach Addition, commonly known as 313 East Central Avenue, zoned Central Area (CA) District	APPROVED on 2 nd Reading
Z-FY-11-51: Consider adopting an ordinance authorizing a rezoning from Multiple-Family One District (MF1) to General Retail District (GR) on ± 0.6 acres in Abstract 5, located on the north side of West Adams Avenue/FM 2305, ±185-feet west of the Holy Trinity Catholic High school driveway, generally known as 6758 West Adams Avenue.	APPROVED on 2 nd Reading

City Council Final Decisions	Status
<p>Z-FY-11-52: Consider adopting an ordinance authorizing a Conditional Use Permit for the sale of alcoholic beverages for on-premise consumption with more than 75% revenue from alcohol sales in an existing bar on a portion of Lots 11 and 12, Block 22, Original Town Addition, commonly known as 11 East Central Avenue.</p>	<p>APPROVED on 1st Reading</p>
<p>P-FY-12-04: Consider adopting a resolution authorizing the Second Amended Preliminary Plat of Heritage Place and Heritage Place Village, 37.868± acre, 212-lot residential subdivision, located south of West Nugent Avenue, west of Bird Creek and east of Heritage Place Phase II with developer-requested exceptions to Unified Development Code Sections 8.2.1.C, 8.2.1.K and 8.3 related to reduced street width, installation of mountable curbs and reduced parkland dedication.</p>	<p>APPROVED on 1st And Final Reading</p>



**PLANNING AND ZONING COMMISSION
MEETING EVALUATION**

December 6, 2011

Rating Scale

Excellent Average Poor

- 1. What is your overall rating of the P & ZC's Meeting?
- 2. How would you rate the content of the staff's reports?
- 3. How would you rate the clarity of the meeting agenda?
- 4. How would you rate the staff presentation?

Excellent	Average	Poor

5. In what ways did tonight's meeting meet (or not meet) your expectations?

6. Please provide any comments and suggestions that you feel would be useful for the next meeting (content, speakers, materials, resources, etc.).

P&Z COMMISSION ATTENDANCE

2011														
	Jan 3	Jan 18	Feb 7	Feb 22	Mar 7	Mar 21	Apr 4	Apr 18	May 2	May 16	June 6	June 20	P	A
Jack Barton	A													1
Ashley Williams	P	P	A	A	A								2	3
James Staats	P	P	P	P	A	P	P	P	P	P	P	P	11	1
Mike Pilkington	P	P	P	P	P	P	P	P	P	P	P	P	12	
Bert Pope	P	P	P	P	P	P	P	A	P	P	P	A	10	2
Allan Talley	P	P	P	P	P	P	P	P	P	P	P	P	12	
Derek Martin	A	P	A	P	P	P	P	P	A	P	A	P	8	4
Marvin Hurd	A	A												2
Will Sears	P	P	P	P	P	P	P	P	P	P	P	P	12	
Barbara Brown			P	P	P	P	P	P	P	P	A	P	9	1
Greg Rhoads				P	P	P	P	P	P	P	P	P	9	
David Jones									P	P	P	P	4	

	July 5	July 18	Aug 1	Aug 15	Sept 6	Sept 19	Oct 3	Oct 17	Nov 7	Nov 21	Dec 6	Dec 19	P	A
James Staats	P	P	No Meeting	P	P	P	P	P	P	P			18	1
Mike Pilkington	P	P		P	P	P	P	P	P	P			19	
Bert Pope	A	P		P	A	A	A						12	6
Allan Talley	P	P		P	P	P	P	P	A	P			19	
Derek Martin	P	P		P	P	P	P	P	P	P	P		15	4
Will Sears	P	A		P	P	P	P	P	P	P	P		18	1
Barbara Brown	P	P		P	P	P	P	A	A				14	2
Greg Rhoads	P	A		P	P	P	P	P	P	P	P		15	1
David Jones	P	P	P	P	P	P	P	P	P	P		11		

not a Board member