

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
STAFF CONFERENCE ROOM, 1ST FLOOR
JANUARY 3, 2012, 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, January 3, 2012.
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
JANUARY 3, 2012, 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. Consider approving the Consent Agenda for each of the following:

Item 1: [Approval of Minutes](#): Work session and the regular meeting of December 19, 2011.

B. ACTION ITEMS:

Item 2: [P-FY-12-03](#) - Consider and recommend action on the Final Plat of Westfield Development Phase VIII, a 71-lot residential and a 2.25± acre non-residential tract subdivision, with developer's requested exception to Section 8.2.3 of the Unified Development Code requiring sidewalks, located at the southeast corner of Stonehollow Drive and North Pea Ridge Road. (Applicant: Kiella Development)

Item 3: [Z-FY-12-09](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces in the Rocky Oaks Mobile Home Park, located at the northeast corner of FM 2305 and Cen-Tex Sportsman Club Road. (Applicant: James Crosby)

- Item 4:** [Z-FY-12-10](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces in the Midway Mobile Home Park, located at 4505 Midway Drive. (Applicant: Larry Wright for John Malek Family Trust)
- Item 5:** [Z-FY-12-11](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow four recreational vehicle (RV) spaces in the Robbins Mobile Home Park, located at 4707 Midway Drive. (Applicant: Larry Wright for Malek Family Trust)
- Item 6:** [Z-FY-12-12](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow fourteen (14) recreational vehicle (RV) spaces in the Santa Fe Trails Mobile Home Park, at 1618 West Avenue H. (Applicant: Andrew Spiwak for TempTex Properties)
- Item 7:** [Z-FY-12-17](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces in the Livingston Farms Mobile Home Park, located at the northwest corner of Prairie View and North Pea Ridge Road. (Applicant: Gregory Bethune)
- Item 8:** [Z-FY-12-20](#) - Hold a public hearing to consider and recommend action on an amendment to Article 3 of the Unified Development Code to change appeal approval authority for the I-35 Corridor Overlay zoning district from the Planning and Zoning Commission to the City Council.
- Item 9:** [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)

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)***

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 10:15 AM, on December 27, 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 _____, 2012. Title _____.

**PLANNING AND ZONING COMMISSION
DECEMBER 19, 2011
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

H. Allan Talley
James Staats

Greg Rhoads
Mike Pilkington

PLANNING AND ZONING MEMBERS ABSENT:

David Jones

Will Sears

STAFF PRESENT:

Autumn Speer, Dir. of Community Services
Trudi Dill, Deputy City Attorney
Kim Foutz, Assistant City Manager
Leslie Matlock, Senior Planner
Mary Maxfield, Planning Technician
Leslie Evans, Administrative Assistant

The agenda for this meeting was posted on the bulletin board at the Municipal Building, December 14, 2011 at 9:40 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 5:31 P.M.

Invocation by Chair Martin; Pledge of Allegiance by Commissioner Pilkington.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of December 6, 2011.

Approved by unanimous consent.

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)

Chair Martin stated this item has been tabled until January 3, 2012 P&Z meeting. The public hearing will remain open.

Item 3: P-FY-12-05 Consider and recommend action on the Final Plat of Lake Pointe Phase II, a 132.85±-acre, 347-lot single-family residential, 1 lot commercial and 1 lot multi-family residential subdivision, located southeast of S.H. 317 and Prairie View Road. (Applicant: Garrett Nordyke of Yalgo Engineering, on behalf of WB Development)

Ms. Leslie Matlock, Senior Planner, stated this development was 347 lots, single family (SF), one lot multi-family (MF), and one lot commercial (C). City Council is the final authority due to the requested exception and requested abandonment. This final plat meets the minimum requirements of the Development Code except for Section 8.2.4 of the Subdivision requirements which state that every lot must have access to a utility easement at the rear of the lot if they are not served by a public alley. There is a private HOA maintained park and a hike and bike trail. Sanitary sewer line abandonment and realignment is shown on the site plan and these realignments are acceptable to Staff. There is an existing 100 foot electrical utility easement.

The most recent park plan shows five parking spaces, two pools, two restrooms and a covered pavilion. Staff requests that a note be placed on the plat about the timing of the MF park fee payments as they will not be included in the HOA Park and that the plan is revised to show the landscaping, a setback line, and additional required parking spaces.

The C and multi-family zoned lots do not have utility easements to serve the rear of them. Oncor cannot use the 100 foot dedicated electrical easement that adjoins the lots since it goes along the back of the lots through the middle of the MF2 lots.

Discussions between Oncor, Staff and developer have taken place, however, the developer is asking for this exception to be approved and not to have to dedicate the required 15 foot wide easement.

Staff recommends approval of the plat with the following additions:

Add a plat note regarding park fees for MF development will be paid prior to the issuance of any building permit for the MF Lot 1, Block 14;

Provide at least 10 parking spaces in the private park; and

The minimum setback and landscaping as required in the Unified Development Code (UDC).

Staff recommends denial of the requested exception to Section 8.2.4 of the UDC.

This is not a public hearing but Chair Martin allows the representatives to speak.

Mr. Garrett Nordyke, WB Development, 3000 Illinois Avenue, Killeen, Texas, stated previously Oncor approached the developer about getting an easement across the property. During these discussions Oncor felt it may be easier to use this Section of the UDC to get the easement they require. The easement they requested is not for this subdivision and is not necessary for this subdivision. The exception was requested because that easement is not

required for this section and the developer would prefer to continue negotiations with Oncor without Temple being a party to those negotiations.

Mr. Nordyke shows an electrical distribution plan produced by Oncor and gives directional information. Oncor's electrical routing for primaries and secondaries are coming off of North Prairie View Road. Mr. Nordyke stated Oncor needs the easement to serve the C and MF property which is not being developed any time soon. All the properties along the east side (SH 317) are served by power lines that are located on the west side of 317. Oncor could provide distribution service to the C and MF lots in the same way they provide service to everyone else. The easement that Oncor is requesting is not for this subdivision and WB would continue to negotiate that with Oncor.

Vice-Chair Staats asked what the underlying purpose of the easement was for. Mr. Nordyke stated Oncor did not explain it in detail but were reworking their distribution in west Temple. Vice-Chair Staats asked why they would not upgrade the existing lines on the west side of 317. Mr. Nordyke was not told this information.

Mr. Nordyke stated it was difficult for WB with the Commercial property because they do not have any buyers, do not know what will go in there, and providing a 15 foot utility easement constrains future plans.

Commissioner Rhoads asked what the developer's opinion was of Staff's recommendation. Mr. Nordyke stated Staff was in a difficult position because according to the UDC, the developer is required to put a 15 foot utility easement in. If the utility easement were required for this subdivision he would support it. However, this easement is not required for this subdivision. The developer has agreed to all the parking requirements.

Commissioner Talley made a motion to approve Item 3, **P-FY-12-05**, with the two exceptions and Commissioner Rhoads made a second.

Motion passed: (4:1)

Commissioner Pilkington voted Nay; Commissioners Jones and Sears absent

Ms. Autumn Speer, Director of Community Services, asked for clarification on the motion made by Commissioner Talley. Chair Martin stated the motion made was to approve the plat with the one exception and two additions and Commissioner Talley agreed that was what he meant.

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.)

Ms. Speer stated this was a continuation from the last P&Z meeting. It is an appeal to the City's I-35 standards. This is a 4,500 square foot addition for the Longhorn Trucking facility. The existing building is 21,000 square feet. The evaluation of the property was verified that it does require having to meet all I-35 standards based on the value of the existing facility and the proposed amendments.

Pictures of the site are shown and Ms. Speer indicates the front area where I-35 standards would mostly apply as it relates to screening for buffer yards and for the building itself. On the south side of the property there is a gravel parking space. Two new maintenance bays would be located in the back, a new truck wash facility and the new parts storage and loading dock would be included.

The original site plan submitted by the applicant is shown where the applicant proposed live oaks at the corners of the lots, some live oaks on foundation plantings, a six foot black metal fence, and on the new portion extend the mansard roof line and continue the brick façade. The revised submittal received from the applicant included a three foot deep landscaped area across the frontage of the property with 104 shrubs and reduced the larger trees on the corner. The foundation planting areas remain the same.

The applicant's appeals have to do with the I-35 landscaping requirements, architectural design requirements, screening, walls, parking and lighting.

A site plan recommendation by Staff was included for reference which did not show Staff expecting full compliance for I-35. This recommended site plan would more than meet the spirit of the intent of the I-35 Overlay and includes a landscaped buffer across the front, some screening area on the side, along with shrubs and trees appropriate to the site. It was agreed that the gravel area could be addressed if there were future development on the site.

Ms. Speer described the area where landscaping buffer would go (between the fence and the trucks) and Staff was proposing approximately 150 foot depth of screening since there are bay doors on the site and also the gravel parking area. Although the 150 feet would not go the entire length of the property it would serve to soften it.

Staff continues to recommend denial of this appeal.

Ms. Speer also stated Staff recommended some articulation be done to the entryway to the building to break it up and would help to meet the intent of the architectural standards.

Commissioner Talley asked how much land TxDOT would be taking from the applicant. Ms. Speer stated to her knowledge TxDOT would be taking the area outside the existing fence line since the fence is the same on the submitted site plan. Mr. Dean Winkler stated the applicant would be losing about ten feet of the parking; some of the property is outside of the fence line. Vice-Chair Staats asked how much distance would be left between the property line and face of the building. The response was maybe 60 feet (if remembered accurately).

Commissioner Talley asked what would be missing out of the Staff recommended site plan. Ms. Speer stated the requirements called for one large tree per 30 feet. Staff did not include the required amount of trees with the understanding the applicant needed visibility. There are requirements for shrubs across the front and 50% of the landscaping buffer to be bermed. Staff did not include the berms. All of the parking should be paved. The screening should go all the way down on both north and south sides to screen the bay doors. Staff did not include these. Foundation plantings are further required to meet the percentage requirements. The building itself, with a little more work and articulation to the entryway, would be fine. Internal parking islands are also missing but Staff did not include these.

Vice-Chair Staats asked how much discussion with the applicant has taken place on Staff's proposal. Ms. Speer stated there has been no discussion with the applicant based on this proposal. Ms. Speer believed Mr. Mabry and Mr. Winkler shared some emails earlier after the last meeting. Vice-Chair Staats asked if the applicant had seen the proposal and Ms. Speer stated the applicant saw the information on Wednesday when the packet was sent out. Mr. Winkler claimed he has not seen the information. Ms. Speer also stated that at the last meeting the applicant and Staff were too far apart to further negotiate.

This is not a public hearing but Chair Martin asked if the applicant/representative would like to speak.

Mr. Dean Winkler, CRW Construction, 2703 Airport Road, Temple, Texas, stated after the last meeting, his impression from the P&Z Commission was that the biggest problem with the landscaping was not having a solid landscaped area across the I-35 frontage so this is what they addressed. Mr. Winkler stated discussions were held with the owner(s) and landscapers and what they did was add the landscaping with the trees, cut out the number of trees and moved them to the corners in groups of three as opposed to the one set in the middle. This would help block the view of the bays. With these revisions made, the applicant feels he has covered the looks of everything. Mr. Winkler stated by making these changes the cost would increase \$5,300 from what was stated at the last meeting. It looks like a \$45,000 addition opposed to the \$40,000 previously stated which is a 12% addition to their project costs which does not benefit the applicant.

The applicant will still install the black metal fence and they are already losing 10 feet of property with that. The applicant proposes to asphalt the truck display area (gravel area), will incur an increase in water and maintenance with all the landscaping the City requires, and there will still be less visibility for security, for access to the trucks and to the building. Mr. Winkler stated the owner is attempting to comply with the standards. It is Mr. Winkler's opinion that the I-35 Overlay standards should be less restrictive, especially for additions and/or renovations. This is an existing building. Mr. Winkler believes the Overlay standards should be tied strictly to square footage as opposed to cost of the project. You can design around square footage additions but it is hard to design around cost additions.

Mr. Winkler stated the owner was making good faith efforts to comply with many parts of the Ordinance.

Discussion about moving trees, types of trees and landscaping requirements.

Vice-Chair Staats stated he had been approached by some individuals who helped to develop the Overlay standards and were adamant about adhering to these standards. Vice-Chair Staats strongly encouraged both applicant and Staff to sit down again and work out any issues. There should be some compromise to help the businesses and to beautify the City since both plans offer good workable ideas.

Mr. Winkler stated the 20 foot landscaped area across the front kills the display area. Trucks need to be displayed for rent/lease and for sale and they cannot do that anywhere from the north property line to the south end of the building and still having parking in front of the building. It cannot be done, there is not enough space. A three or four foot landscaped area would allow for parking trucks.

Commissioner Rhoads stated, after going to and walking the site, the owner was at least trying to get things cleaned up. After meeting and talking with the General Manager, Commissioner Rhoads felt with the proposed new building, the shipping containers would go away which would be a significant improvement. Commissioner Rhoads agreed the tall trees did not need to go there so the inventory could be shown. Commissioner Rhoads understands the restrictions of the I-35 Overlay but one also had to look for the best in things and he felt the proposal was a significant improvement.

More discussion about landscaping possibilities.

Mr. Winkler was not certain if the owner was willing to do anything further. He stated when they first met with Planning & Zoning, Staff helped to develop the plan the applicant turned in. This proposal was presented at the last meeting and right before that meeting Staff stated they did not support it. At the last meeting it was understood that the applicant just needed more landscaping across the front which is what was presented this time. Mr. Winkler asked where they were at now. Chair Martin stated that was where he thought it was headed as well although nothing was written in stone.

Chair Martin stated people had put a lot of hard work into the Overlay district standards and it was his opinion they were too strict. Chair Martin stated they would never have a property on I-35 that would meet every single standard and everything would have to be looked at on each basis. The subject property looks bad right now. With the metal fence, the paving, and the hedge like it is, to allow them to show off their inventory would make the place look a lot better, along with the removal of the connexes. Chair Martin felt that the owner and the City were so far apart that it would be hard to find middle ground.

Commissioner Talley stated he did not want to table the item again but Mr. Winkler stated he would need to consult with the owner on the new proposal.

Mr. Robert Fields, General Manager of Longhorn International, 6043 N. General Bruce Drive, Temple, Texas, stated the owner stated to him emphatically if he had to put trees along the front, this is a no deal and will stay as it is. The owner has agreed to the amount of trees proposed but not to the extent suggested here tonight for the front of the building. Mr. Fields met with Commissioner Rhoads and it was very busy in that particular area. It says 53 feet of separation but it is hard for two trucks to pass through there now. As soon as they lose the additional 10 feet, two trucks passing will not happen. The trucks have to be put in at an angle so the trucks can get by and currently the inventory is full from edge to edge. Mr. Fields stated this changes from day to day because they also put out lease vehicles for customers to see.

More discussion on dimensions and landscaping.

Ms. Speer stated the connexes currently on the subject property may be kept even if they add on. Since they already exist on the property they can remain, however, they cannot add new ones.

Mr. Fields stated that if traffic is traveling down I-35 at 70 mph, one would see a wall of trees, not a line of trees. Also, when you approach their business it is hard to see the building because traffic comes up a hill and the property sits further down from the road. One can barely see the top of the building. Vice-Chair Staats stated he was confused since Mr. Fields was saying they need visibility for the inventory but now states if you travel south you cannot

see them and if you travel north you cannot see but a flash. Mr. Fields stated “true,” if you are on the service road you will see them. Mr. Fields stated the owner has stipulated that if trees have to go the entire length of the front then he will not have them. Mr. Fields stated if the trees were down the sides they would cover up more of what is being asked to be covered, such as the bays, the front of the building is not an eyesore. Vice-Chair Staats stated in the applicant’s plan there is nothing down the side. Mr. Fields stated they were told that was not part of plan--the owner was more willing to do the sides than the front.

Commissioner Rhoads made a motion to approve **Z-FY-12-18** with the stipulations Staff presented that 150 feet of trees be placed along the far side in a 15 foot deep landscaped area with one tree per 30 feet and the connexes be removed.

Vice-Chair Staats stated he felt the Commission was being made to create landscaping and these issues should have been resolved before coming before the P&Z Commission. Commissioner Talley agreed.

Vice-Chair Staats made a second to the motion.

Motion passed: (5:0)

Commissioners Jones and Sears absent.

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)***

There being no further business, Chair Martin adjourned the meeting at 6:29 p.m.

Respectfully submitted,

Leslie Evans

**PLANNING AND ZONING COMMISSION
DECEMBER 19, 2011
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

H. Allan Talley
James Staats

Greg Rhoads
Mike Pilkington

PLANNING AND ZONING MEMBERS ABSENT:

STAFF PRESENT:

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

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 5:01 p.m., asked Commissioner Pilkington to do the Pledge of Allegiance and stated he would do the Invocation. Once assigned, Chair Martin asked Ms. Autumn Speer, Director of Community Services, to proceed.

Ms. Speer asked if there were any questions regarding the regular meeting agenda. Commissioner Talley asked about the plat and stated the City was giving up \$166,000 for another park. Ms. Speer stated the Parks Department makes those arrangements with the applicants. Commissioner Talley's concern was there did not seem to be enough manpower to maintain all the parks and all the land given to the City. Ms. Leslie Matlock, Senior Planner, stated this was private and would be HOA maintained.

Ms. Speer stated the concrete batch plant would be tabled this evening and going forward to P&Z on January 3, 2012. Ms. Speer stated the applicants have been working with Staff.

Ms. Speer stated there were revisions for the site plan submitted by Longhorn International Trucking but Staff still does recommend approval of it.

Staff recommended a buffer area along the front and allowed for a view corridor of their trucks, and recommended some screening on the side of the bay (north side) so it would block the view of the bay. The applicant suggested a three foot landscaped buffer with 104 red tip photinias. Commissioner Rhoads asked if the applicant was receptive to the idea or had they seen it. Ms. Speer stated they received it when the packet was sent. There was no real desire for negotiation which was reflected in the last meeting. What the applicant submitted was a compromise of what was being requested. If the applicant did not do the addition, no standards would be triggered. Commissioner Rhoads stated anything would be an improvement to the current site.

Ms. Speer stated the problem with granting the appeal now is they are required to meet all of the requirements. If the appeal were granted with six live oaks and the three foot row of shrubs, they can add on to that site in the future and they have already met the requirements unless stipulations are made to do something else along the way. Commissioner Rhoads stated it was an eyesore. Chair Martin stated he felt the applicant was using that as a type of leverage in negotiating.

Ms. Speer explained the option was if the Commission denied the request, there would be no six month waiting period like there is with P&Z. The City is currently going through a text amendment change to give the appeal authority to the City Council which would be effective in February if approved. If P&Z denied the request, it would be dead for two months and the applicant could come back in February and asked City Council for an appeal.

Chair Martin stated he did not want to deny the request just so it appeared it would go to City Council. Commissioner Rhoads stated P&Z should decide on the case and move on.

Ms. Speer presented the Director's Report and highlighted the five Recreational Vehicle CUPs coming to P&Z. The text amendment was recently done making RV parks allowable by CUP in a few zoning districts. These are mobile home parks that have existing RVs in them and most of those RVs have been there for 10 years or longer and do not function like a recreational vehicle park. Rather than having Code Enforcement inspect, cite, and have them moved, this is a way to grandfather those specific RVs on those specific sites. Also, the text amendment to change the appeal process from P&Z body to City Council for I-35 is scheduled for the January 3rd meeting.

Vice-Chair Staats mentioned he had seen several RV park signs around town. Ms. Speer stated there was only one legal RV park in town—Lucky's—located on the north side of town and anything else would be in violation. Commissioner Pilkington has seen some as well.

Ms. Matlock stated the concrete batch people brought in their revisions and apparently changed management.

There being no further discussion, Chair Martin adjourned the meeting at 5:14 P.M.



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #2
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: Turley Associates for Kiella Development

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: P-FY-12-03 Consider and recommend action on the Final Plat of Westfield Development Phase VIII, a 71-lot residential and a 2.25± acre non-residential tract subdivision, with developer's requested exception to Section 8.2.3 of the Unified Development Code requiring sidewalks, located at the southeast corner of Stonehollow Drive and North Pea Ridge Road.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Westfield Development Phase VIII, subject to City Council's approval of rezoning case Z-FY-12-16 and thoroughfare amendment case Z-FY-12-08 on January 5, 2012. Staff recommends denial of the exception to Section 8.2.3 of the UDC requiring sidewalks. Due to the large volume of planned residential lots and the proposed school north of this development, multiple pedestrian access routes are needed. In addition the Lake Pointe subdivision north of the Westfield development will be installing sidewalks on the west side of Pea Ridge in the near future.

BACKGROUND: The Development Review Committee reviewed the Final Plat of Westfield Development Phase VIII on October 26, 2011. It was deemed administratively complete on December 22, 2011. This plat is the continuation of the Westfield Development along North Pea Ridge Road, north of FM 2305 and south of Stonehollow Road.

The plat's 2.25± acre non-residential tract adjacent to Stonehollow Drive is zoned General Retail District for non-residential development. The residential portion of this plat is currently zoned Single Family Two and is awaiting City Council's second reading on January 5, 2012 for rezoning case Z-FY-12-16 to allow front yard setbacks of 20 feet.

The Director of Community Services denied the developer's waiver for the required 4-foot wide sidewalk required along North Pea Ridge Road, currently a minor arterial awaiting City Council's potential reclassification to a collector on January 5, 2012 with its second reading of Thoroughfare Plan amendment case Z-FY-12-08.

Park fees in the amount of \$15,975 (\$225 per dwelling) are required for this subdivision.

ATTACHMENTS:

Sidewalk Exception Letter
Plat



TURLEY ASSOCIATES, INC.

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

December 28, 2011

City of Temple
Attn: Autumn Spears
2 North Main Street
Temple, TX 76501

RE: Final Plat Westfield Development, Phase VIII

Dear Autumn:

On behalf of our client, Turley Associates, Inc. respectfully requests that the City Council grant an exception to the City's Unified Development Code Section 8.2.3 requiring a sidewalk to be built along Pea Ridge Road.

It was our understanding that our client was granted an exception to the sidewalk requirement along Pea Ridge Road during the Preliminary Platting process of the Westfield Development. The Planning Department has not been able to confirm this so we would like to take the Plat of Westfield Development, Phase VIII before City Council to grant this exception.

At the present time, there is no design (confirmed by the City's Public Works Department) for the future improvements of Pea Ridge Road. Future improvements would include additional right-of-way taking on the west side of Pea Ridge, widening of the road from its current width to 36' back to back, drainage infrastructure, utility relocation, etc. In the current conditions of Pea Ridge Road, it would be difficult and costly to install a 4' wide sidewalk. Water and sewer are currently located on the east side of Pea Ridge Road and would likely be relocated and upgraded within the 10' right-of-way dedicated along the east side of the street. Power poles also run along the east side of Pea Ridge Road that would need to be relocated in the future. Another consideration is the current drainage ditches along Pea Ridge Road.

It is our understanding that the City of Temple had already requested the 4' collector sidewalk to be located on the west side of Pea Ridge Road to be built with the Lake Pointe Subdivision. It makes more sense to have a continuous sidewalk on one side of the street rather than random sections on each side of the road.

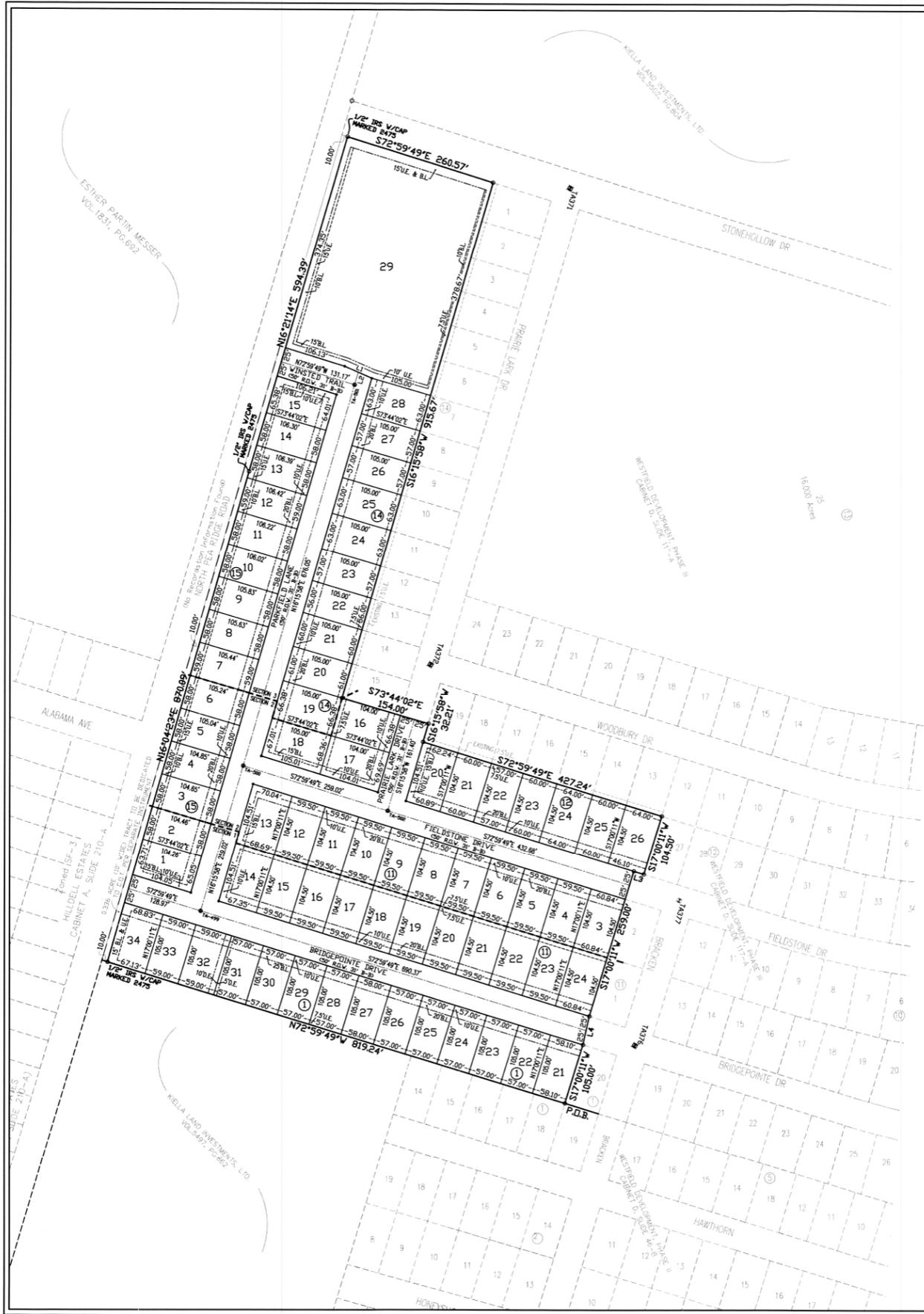
We feel that the lack of a design for future improvements will ultimately result in the destruction and relocation of any sidewalk that would be constructed along Pea Ridge Road at this time. We also feel an extension in the future from the Lake Pointe Subdivision along the west side of Pea Ridge Road would be more appropriate.

We greatly appreciate your consideration in this matter.

Thank you,
TURLEY ASSOCIATES, INC.

Jennifer Ryken, P.E.
Project Engineer

JR/sb



SCALE: 1" = 100'



MON.	NORTHING	EASTING
TA371	10385525.93	3206307.97
TA372	10384713.42	3206070.90
TA376	10384064.54	3206421.48
TA377	10384312.22	3206497.22
TA499	10384291.861	3205678.092
TA500	10384540.514	3205750.644
TA501	10384464.770	3205998.344
TA502	10385189.498	3205940.006

LINE	LENGTH	BEARING
L1	50.40	S66°33'03"E
L2	22.17	N16°15'08"E
L3	17.90	N72°59'49"W
L4	50.16	S12°25'45"W

****NOTES:**

ALL LOTS IN WESTFIELD DEVELOPMENT PHASE VIII EXCEPT LOT 29 BLOCK 14 ARE CURRENTLY ZONED AS "SF-3". LOT 29 BLOCK 14 IS CURRENTLY ZONED AS "GR".

ALL BOUNDARY CORNERS ARE 1/2" IRON ROD WITH CAP MARKED "RPLS 2475" FOUND UNLESS NOTED OTHERWISE.

RESIDENTIAL LOTS SHALL HAVE NO ACCESS OFF OF PEA RIDGE.

UTILITY COMPANIES HAVE BEEN PROVIDED A FINAL PLAT AND UTILITY PLAN FOR REVIEW.

WESTFIELD DEVELOPMENT, PHASE VIII IS NOT WITHIN THE 100-YEAR FLOOD BOUNDARY PER F.E.M.A. FEDERAL INSURANCE RATE MAP No. 48027C0170E AND MAP No. 48027C033E BOTH DATED SEPTEMBER 26, 2008.

◆ BENCHMARK CITY OF TEMPLE MONUMENT No. 4004 EL=633.41

THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 4004 THE THETA ANGLE AT SAID CITY MONUMENT IS 01°30'24"

THE COMBINED CORRECTION FACTOR (CCF) IS 0.999854

PUBLISHED CITY COORDINATES ARE X=3,206,128.30 Y=10,383,154.18

THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS N12°06'10"E, 829.33 FEET.

STATE OF TEXAS
 COUNTY OF BELL

KIELLA DEVELOPMENT, INC. OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS WESTFIELD DEVELOPMENT, PHASE VIII, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

KIELLA DEVELOPMENT, INC.

 JOHN KIELLA, PRESIDENT

STATE OF TEXAS
 COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 2011 BY JOHN KIELLA, PRESIDENT OF KIELLA DEVELOPMENT, INC. A TEXAS CORPORATION, ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS ____ DAY OF _____, 2011.

SECRETARY TO PLANNING & ZONING COMMISSION:

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS ____ DAY OF _____, 2011

CHAIRPERSON:

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS ____ DAY OF _____, 2011.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

STATE OF TEXAS
 COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY, THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT:



Victor D. Turley
 VICTOR D. TURLEY
 NO. 32525

STATE OF TEXAS
 COUNTY OF BELL



I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

Victor D. Turley
 VICTOR D. TURLEY
 NO. 2475

FINAL PLAT OF:
WESTFIELD DEVELOPMENT, PHASE VIII
5 BLOCKS, 72 LOTS

LOTS 21 thru 34, BLOCK 1
 LOTS 3 thru 24, BLOCK 11
 LOTS 20 thru 26, BLOCK 12
 LOTS 16 thru 29, BLOCK 14
 LOTS 1 thru 15, BLOCK 15

15.586 ACRES
 OUT OF AND A PART OF THE BALDWIN ROVERTSON LEAGUE SURVEY, ABST. #17
 A SUBDIVISION IN THE CITY OF TEMPLE
 BELL COUNTY, TEXAS

TRACT SURVEYED OCTOBER 4, 2011
 15.586 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

FILED FOR RECORD THIS DAY OF _____, 2011, IN CABINET _____, SLIDE _____



ENGINEERING • PLANNING • SURVEYING
 CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.
 301 N. 3rd ST. TEMPLE, TEXAS 76501
 E-MAIL: VTURLEY@AOL.COM (254) 773-2400 (254) 773-3998

FIRM #1658

FINAL PLAT OF:
WESTFIELD DEVELOPMENT, PHASE VIII
 BALDWIN ROBERTSON LEAGUE SURVEY, ABSTRACT #17
 A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

DEVELOPED BY:
KIELLA DEVELOPMENT, INC.
 P.O. BOX 1344
 TEMPLE, TEXAS 76503

BUL	DRC COMMENTS	11/1/11

DATE: OCTOBER 4, 2011
 DRAWN BY: BJL
 REF.: 08-372, 11523-DD
 04-281, 11362-D (Master)

LEVEL BOOK -
 JOB NO.: 10-292
 SHEET 1 OF 1
 COMPUTER DWG. NO. WESTFIELD VII PLAT.DWG

12435-D
 DRAWING NUMBER



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #3
Regular Agenda
Page 1 of 2

APPLICANT: Staff on behalf of Rocky Oaks Mobile Home Park, James Crosby

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-09 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces at the Rocky Oaks Mobile Home Park, located at the northeast corner of FM 2305 and Cen-Tex Sportsman Club Road.

BACKGROUND: In December 2011, all manufactured home parks were notified that they must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License in 2012. Part of the inspection process includes inspecting whether or not the parks have recreational vehicles (RV's) on site.

The City is proposing a process to permit existing RV's in mobile home parks by the granting of a Conditional Use Permit (CUP). Construction Safety Staff notified all mobile home park managers and owners who have RV's on site of this opportunity in November of this year.

This opportunity affords the owners a one-time opportunity to request a CUP for the existing RV(s) on their site. The CUP, once granted, will allow the existing RV(s) to continue to be located in the Rocky Oaks Mobile Home Park. However, if the RVs are removed they will not be permitted to be brought back or to be replaced with additional RVs. The CUP only applies to the specific RVs on site at the time of this CUP approval.

The Rocky Oaks Mobile Home Park was established over 10 years ago and annexed in 2008. The property is zoned Agriculture. The park contains two RV sites as shown on the attached site plan. They include lots 50 and 67.

CONDITIONAL USE SITE PLAN REVIEW:

This CUP request would allow the existing RV sites to remain in perpetuity. If the RVs are removed they will not be permitted to be brought back or be replaced with additional RVs. Construction Safety staff will verify compliance with this CUP each December during the annual inspection process.

PUBLIC NOTICE:

Six notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Thursday, December 22 at 5 PM, no notices had been returned.

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the CUP request allowing the two RV sites to remain in perpetuity. If the RV's that are currently located there now are ever removed, the sites will revert back to mobile home sites only.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Application, Inspection Form and Site Plan

Aerial

Zoning Map

Notice Map

Sample Staff Letter

CONDITIONAL USE PERMIT (CUP) APPLICATION

(this application may be filled out digitally by clicking each blank space and typing in your information)

Date: 11-20-11

Property Owner: JAMES CROSBY 55 Rocky Oaks Dr. (361) 935-8577
Name Address Belton TX 76513 Phone #

Applicant: SAME
Name Address Phone #

Email: jcrosby13@juno.com Fax Number: _____

Address of Property: SS Centex Sportsman Club Road Lot: _____ Block: _____ Subdivision: Rocky Oaks mobile home park

Outblock (if not platted): _____

Present Zoning: _____ Requested Zoning: _____

Certification: You as the property owner certify with your signature that the following statements are true:

- This application is complete and all of the information provided is accurate.
- Approval of this request by the City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.
- Any staff assistance in applying for a CUP is based on the explanation indicated above of what specific activities are intended to take place on the rezoned property and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

Applicant's Signature

[Handwritten Signature]

Property Owner's Signature

For Office Use Only
 ___ Completed Application ___ Field Notes ___ Site Plan ___
 Case #: Z-FY-12-09 Zoning Map Page: _____ Project Manager: Autumn Speer
 P&Z Date: January 3, 2012 City Council Date: February 2, 2012

(this application may be filled out digitally by clicking each blank space and typing in your information)

RECEIVED

NOV 29 2011

City of Temple
Planning & Development

Z-FY-12-09

**CODE ENFORCEMENT INSPECTION FORM
CUP FOR EXISTING RV(S) IN EXISTING MOBILE HOME PARK**

Mobile Home Park Name:	Rocky Oaks Mobile Home Park				
Address:	55 Rocky Oaks Drive Belton TX 76513				
Date of Inspection:	November 29, 2011				
Name of Manager or Owner Present:	JAMES CROSBY				
Contact Phone Number:	(361) 935-8577				
Number of RVs Present: (For each RV, identify by model, location and VIN)	① <u>Ray Klein</u> ,	<table border="1"> <tr><td>Model - Corsair</td></tr> <tr><td>Lot # - 50</td></tr> <tr><td>VIN# - ?</td></tr> </table>	Model - Corsair	Lot # - 50	VIN# - ?
	Model - Corsair				
Lot # - 50					
VIN# - ?					
	② <u>Barney Dubeil</u> ,	<table border="1"> <tr><td>Model - Aljo Aly by Skyline</td></tr> <tr><td>Lot # - 67</td></tr> <tr><td>VIN# - G203063</td></tr> </table>	Model - Aljo Aly by Skyline	Lot # - 67	VIN# - G203063
Model - Aljo Aly by Skyline					
Lot # - 67					
VIN# - G203063					

Barb's Ken have map. ASP

RECEIVED
NOV 29 2011
City of Temple
Planning & Development

Google

Address 55 Centex Sportsman Club Rd
Belton, TX 76513

Get Google Maps on your phone
Text the word "GMAPS" to 466453

Rocky Oaks Mobile Home Park

City of Temple
Inspector Copy

JAMES CROSBY - Owner
Ph # (261) 935-8574

- 10 rented lots with mobile homes
- 2 rented lots with RV's set up permanently
- 1 owner occupied permanent residency
- 5 Vacant Lots



← To Temple Lake Park and Lake Belton

To Temple →

RR = Rocky Oaks Drive

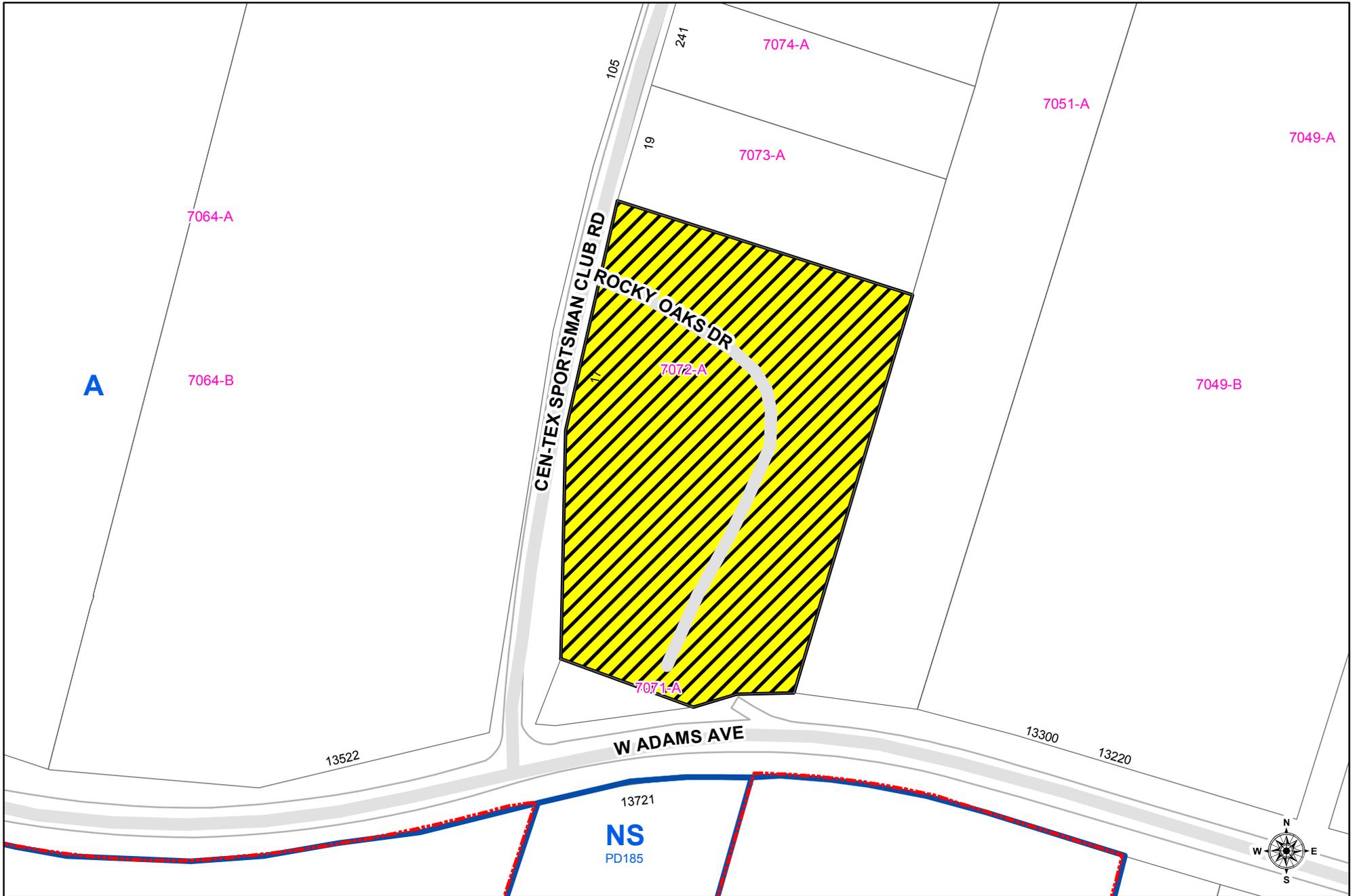
Rocky Oaks Mobile Home Park



 55 Rocky Oaks Dr.



Rocky Oaks Mobile Home Park



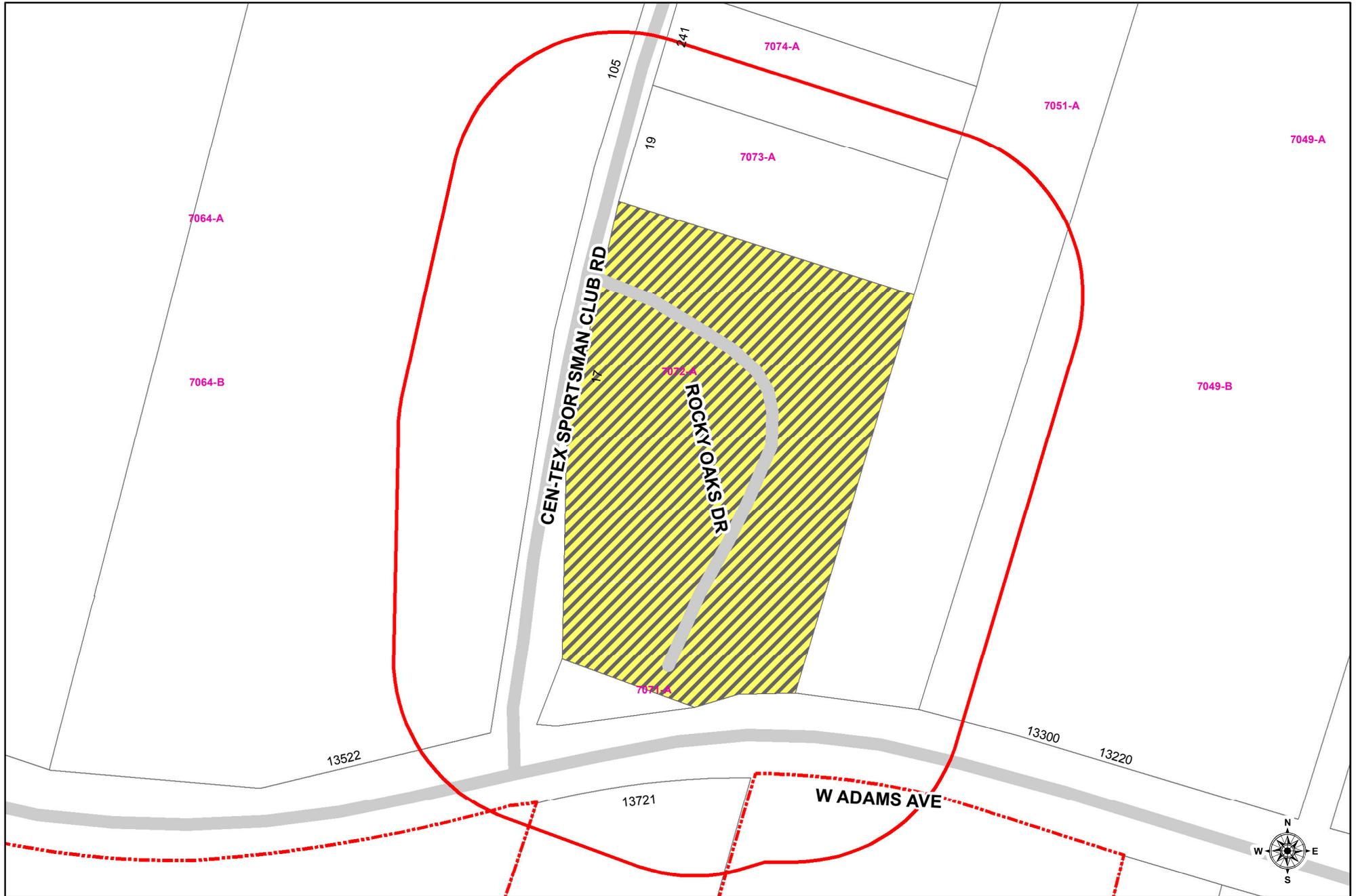
-  55 Rocky Oaks Dr.
-  Current Temple Boundary

Feet 0 100 200 300 400 500



Z-FY 12-09

Rocky Oaks Mobile Home Park



 55 Rocky Oaks Dr.

 200' Buffer





November 1, 2011

[Recipient]

Re: Upcoming Manufactured Home Land Lease Community License Renewal

Dear [Recipient]:

Last year you were notified that in December 2011 all manufactured home parks must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License. Part of the inspection process includes inspecting whether or not you have recreational vehicles (RV's) on site.

RV's are not permitted in the City Limits of Temple for more than 2 weeks for any 6 month period. However the City is considering a process to permit existing RV's by the granting of a Conditional Use Permit (CUP). CUP's require notification to adjacent property owners and two public hearings before the Planning and Zoning Commission and City Council.

At this time we would like to notify you of a one-time opportunity to request a CUP for the existing RV(s) in your mobile home park. The CUP, once granted, will allow the existing RV(s) to continue to be located in your mobile home park. However, if the RVs are removed they will not be permitted to be replaced with additional RVs or brought back. The CUP would only apply to the specific RVs on your property at the time of approval. Our preliminary research shows your Mobile Home Park currently has **xx** RVs on site.

In order to apply for the CUP process, you must fill out the attached application in its entirety and provide the location, model and vin number for the existing RV(s) on site. After you have completed the application contact Code Enforcement at 257-298-5670 to arrange a time for a Code Enforcement Officer to inspect and document the RV's you have on site in person. The in-person inspection must take place before November 20, 2011. The application and Code Enforcement Officer inspection form must be returned to the Planning Department by December 1, 2011 at 12:00 pm.

Failure to provide the information requested by December 1, 2011 will result in the denial of this request and any existing RVs on site will be cited during the annual basic inspection process and must be removed or additional legal action will follow.

The Public Hearing at the Planning and Zoning Commission will be held January 3, 2012 at 5:30 pm. The second public hearing will be held on February 2, 2012 before City Council at 5:00 pm. Your attendance is requested for both meetings, but not mandatory.

All additional items you were originally informed of will be inspected in December 2011. Among the primary things that City inspectors will be checking are violations of: (1) the International Property Maintenance Code and (2) the City's Unified Development Code. The elements that Inspectors will check in your park include, but are not limited to:

1. Skirting
2. Hand rails
3. Steps
4. Broken windows
5. Exterior surface repair (paint)
6. Junk & debris
7. Junk vehicles

Please let me know if you have any questions and I will be happy to assist you.

Very truly yours,

Autumn Speer, Community Services Director



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #4
Regular Agenda
Page 1 of 2

APPLICANT: Staff on behalf of Midway Mobile Home Park, Malek Family Trust

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-10 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces at the Midway Mobile Home Park, located at 4505 Midway Drive.

BACKGROUND: In December 2011, all manufactured home parks were notified that they must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License in 2012. Part of the inspection process includes inspecting whether or not the parks have recreational vehicles (RV's) on site.

The City is proposing a process to permit existing RV's in mobile home parks by the granting of a Conditional Use Permit (CUP). Construction Safety Staff notified all mobile home park managers and owners who have RV's on site of this opportunity in November of this year.

This opportunity affords the owners a one-time opportunity to request a CUP for the existing RV(s) on their site. The CUP, once granted, will allow the existing RV(s) to continue to be located in the Midway Mobile Home Park. However, if the RVs are removed they will not be permitted to be brought back or to be replaced with additional RVs. The CUP only applies to the specific RVs on site at the time of this CUP approval.

The Midway Mobile Home Park was established in 1970 and annexed in 1971. The property is zoned Manufactured Home (MH). The park contains two RV sites on lot 96 3803 Camelia Lane and Lot 5 at 4704 King Arthur.

CONDITIONAL USE SITE PLAN REVIEW:

This CUP request would allow the existing RV sites to remain in perpetuity. If the RVs are removed they will not be permitted to be brought back or be replaced with additional RVs. Construction Safety staff will verify compliance with this CUP each December during the annual inspection process.

PUBLIC NOTICE:

Eleven notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Thursday, December 22 at 5 PM, no notices had been returned.

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the CUP request allowing the two RV sites to remain in perpetuity. If the RV's that are currently located there now are ever removed, the sites will revert back to mobile home sites only.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Application and Inspection Form

Aerial

Zoning Map

Notice Map

Sample Staff Letter

CONDITIONAL USE PERMIT (CUP) APPLICATION

(this application may be filled out digitally by clicking each blank space and typing in your information)

Date: 11/16/11

Property Owner: MALEK Family Trust P.O. Box 1425 TORRANCE, CALIFORNIA
Name Address Phone #

Applicant: Midway Property Mgt. 4505 Midway Rd. Temple, TX 773-7686
Name Address Phone #
Larry Wright

Email: _____ Fax Number: _____

Address of Property: 4505 Midway Rd Lot: _____ Block: _____ Subdivision: _____

Outblock (if not platted): _____

Present Zoning: Mobile Home Park Requested Zoning: R.V.

Certification: You as the property owner certify with your signature that the following statements are true:

- This application is complete and all of the information provided is accurate.
- Approval of this request by the City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.
- Any staff assistance in applying for a CUP is based on the explanation indicated above of what specific activities are intended to take place on the rezoned property and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

Larry Wright Property Mgt.
Applicant's Signature

Property Owner's Signature

For Office Use Only

___ Completed Application ___ Field Notes ___ Site Plan ___

Case #: Z-FX-12-10 Zoning Map Page: _____ Project Manager: Autumn Speer

P&Z Date: January 3, 2012 City Council Date: February 2, 2012

(this application may be filled out digitally by clicking each blank space and typing in your information)

RECEIVED

NOV 21 2011

City of Temple
Planning & Development

CODE ENFORCEMENT INSPECTION FORM
CUP FOR EXISTING RV(S) IN EXISTING MOBILE HOME PARK

Mobile Home Park Name:	Midway Mobile Home Park
Address:	4505 Midway Rd. Temple, Tx
Date of Inspection:	11/16/11
Name of Manager or Owner Present:	F. Smith on site mgt. Lanny Wright owner Midway Parkmgt mgt.
Contact Phone Number:	Park # 773-9686 Lanny Wright 778-2936
Number of RVs Present: 2 (For each RV, identify by model, location and VIN)	① LT# 96 3803 Camelia Lane James Sibov
	model - 1998 Spartan
	VIN - 4Y0T30526W003477
② LT# 5 4704 King Arthur Jeanne Wharton	
model - Camarige Lite 2700	
VIN - 16F62CEM7L1006199	

RECEIVED

NOV 21 2011

City of Temple
 Planning & Development

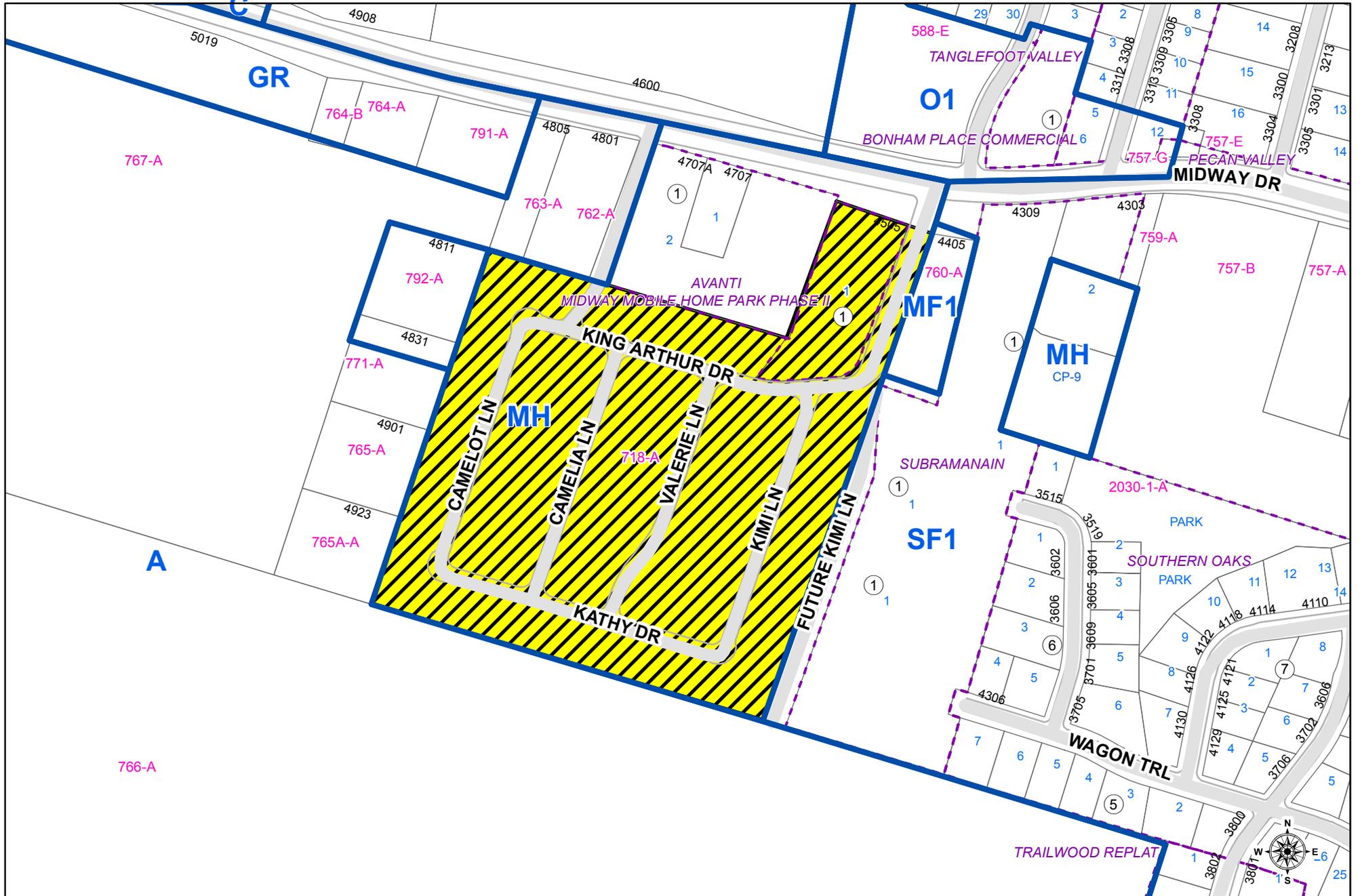
Midway Mobile Home Park



 4505 Midway Dr.



Midway Mobile Home Park



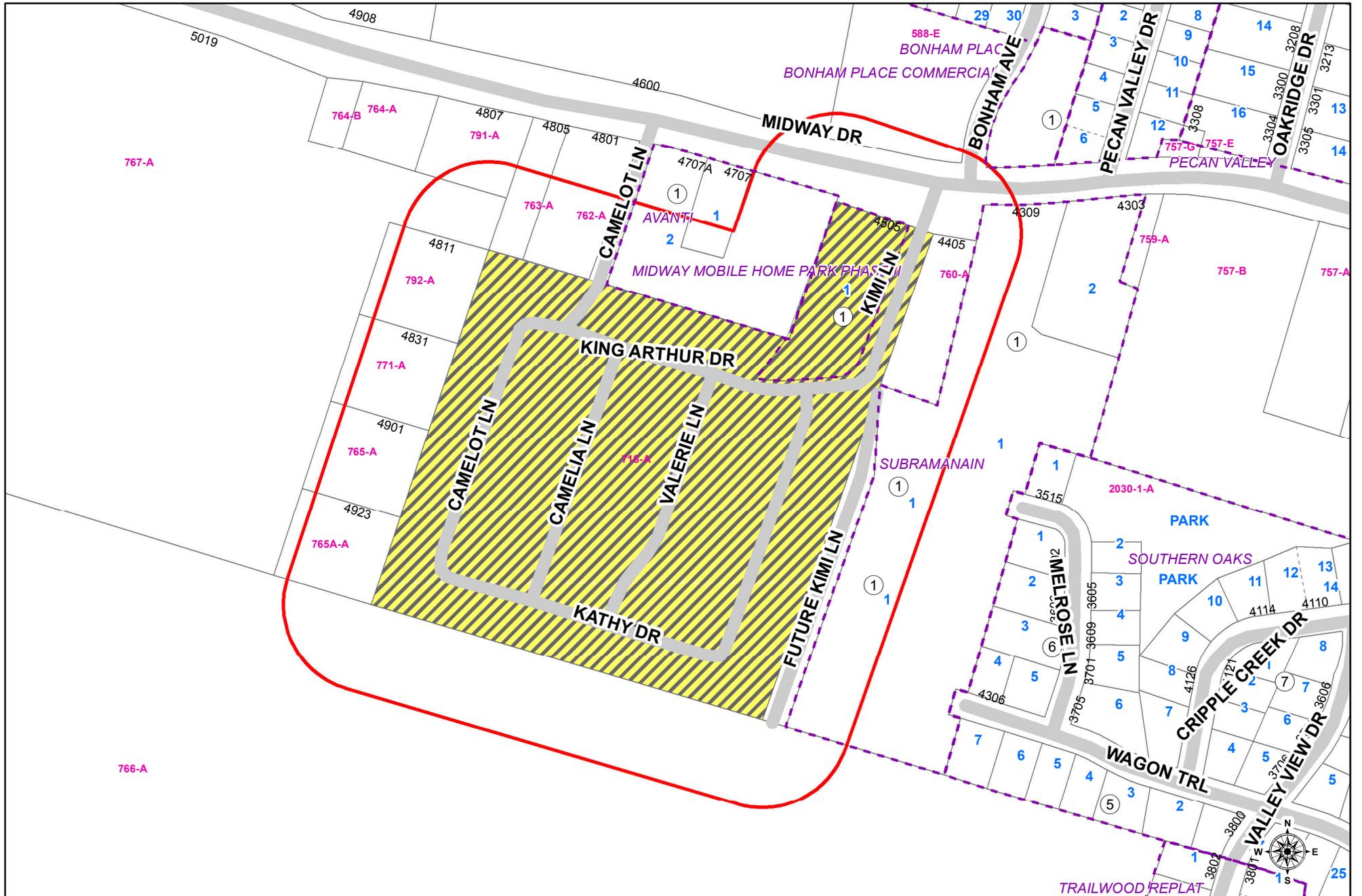
 4505 Midway Dr.





Z-FY 12-10

Midway Mobile Home Park



 4505 Midway Dr.

 200' Buffer





November 1, 2011

[Recipient]

Re: Upcoming Manufactured Home Land Lease Community License Renewal

Dear [Recipient]:

Last year you were notified that in December 2011 all manufactured home parks must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License. Part of the inspection process includes inspecting whether or not you have recreational vehicles (RV's) on site.

RV's are not permitted in the City Limits of Temple for more than 2 weeks for any 6 month period. However the City is considering a process to permit existing RV's by the granting of a Conditional Use Permit (CUP). CUP's require notification to adjacent property owners and two public hearings before the Planning and Zoning Commission and City Council.

At this time we would like to notify you of a one-time opportunity to request a CUP for the existing RV(s) in your mobile home park. The CUP, once granted, will allow the existing RV(s) to continue to be located in your mobile home park. However, if the RVs are removed they will not be permitted to be replaced with additional RVs or brought back. The CUP would only apply to the specific RVs on your property at the time of approval. Our preliminary research shows your Mobile Home Park currently has **xx** RVs on site.

In order to apply for the CUP process, you must fill out the attached application in its entirety and provide the location, model and vin number for the existing RV(s) on site. After you have completed the application contact Code Enforcement at 257-298-5670 to arrange a time for a Code Enforcement Officer to inspect and document the RV's you have on site in person. The in-person inspection must take place before November 20, 2011. The application and Code Enforcement Officer inspection form must be returned to the Planning Department by December 1, 2011 at 12:00 pm.

Failure to provide the information requested by December 1, 2011 will result in the denial of this request and any existing RVs on site will be cited during the annual basic inspection process and must be removed or additional legal action will follow.

The Public Hearing at the Planning and Zoning Commission will be held January 3, 2012 at 5:30 pm. The second public hearing will be held on February 2, 2012 before City Council at 5:00 pm. Your attendance is requested for both meetings, but not mandatory.

All additional items you were originally informed of will be inspected in December 2011. Among the primary things that City inspectors will be checking are violations of: (1) the International Property Maintenance Code and (2) the City's Unified Development Code. The elements that Inspectors will check in your park include, but are not limited to:

1. Skirting
2. Hand rails
3. Steps
4. Broken windows
5. Exterior surface repair (paint)
6. Junk & debris
7. Junk vehicles

Please let me know if you have any questions and I will be happy to assist you.

Very truly yours,

Autumn Speer, Community Services Director



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #5
Regular Agenda
Page 1 of 2

APPLICANT: Staff on behalf of Robbins Mobile Home Park, Malek Family Trust

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-11 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow four recreational vehicle (RV) spaces at the Robbins Mobile Home Park, located at 4707 Midway Drive.

BACKGROUND: In December 2011, all manufactured home parks were notified that they must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License in 2012. Part of the inspection process includes inspecting whether or not the parks have recreational vehicles (RV's) on site.

The City is proposing a process to permit existing RV's in mobile home parks by the granting of a Conditional Use Permit (CUP). Construction Safety Staff notified all mobile home park managers and owners who have RV's on site of this opportunity in November of this year.

This opportunity affords the owners a one-time opportunity to request a CUP for the existing RV(s) on their site. The CUP, once granted, will allow the existing RV(s) to continue to be located in the Robbins Mobile Home Park. However, if the RVs are removed they will not be permitted to be brought back or to be replaced with additional RVs. The CUP only applies to the specific RVs on site at the time of this CUP approval.

The Robbins Mobile Home Park was established in the 70's and annexed in 1971. The property is zoned Manufactured Home (MH). The park contains four RV sites located on Lot 5 at 4707 Midway Drive, Lot 10 at 4702 Midway Drive, Lot 16B at 4707 Midway Drive and Lot 21 at 4707 Midway Drive.

CONDITIONAL USE SITE PLAN REVIEW:

This CUP request would allow the existing RV sites to remain in perpetuity. If the RVs are removed they will not be permitted to be brought back or be replaced with additional RVs. Construction Safety staff will verify compliance with this CUP each December during the annual inspection process.

PUBLIC NOTICE:

Four notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Thursday, December 22 at 5 PM, no notices had been returned.

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the CUP request allowing the four RV sites to remain in perpetuity. If the RV's that are currently located there now are ever removed, the sites will revert back to mobile home sites only.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Application and Inspection Form

Aerial

Zoning Map

Notice Map

Sample Staff Letter

CONDITIONAL USE PERMIT (CUP) APPLICATION

(this application may be filled out digitally by clicking each blank space and typing in your information)

Date: 11/16/11

Property Owner: MALEK Family Trust P.O. Box 1425 TORRANCE, CALIFORNIA
Name Address Phone #

Applicant: Midway Property Mgt. 4505 Midway Dr. Temple TX 273-7686
Name Address Phone #
LARRY WRIGHT

Email: _____ Fax Number: _____

Address of Property: 4505 Midway Dr Lot: _____ Block: _____ Subdivision: _____

Outblock (if not platted): _____

Present Zoning: Mobile Home Park Requested Zoning: R.V.

Certification: You as the property owner certify with your signature that the following statements are true:

- This application is complete and all of the information provided is accurate.
- Approval of this request by the City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.
- Any staff assistance in applying for a CUP is based on the explanation indicated above of what specific activities are intended to take place on the rezoned property and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

LARRY WRIGHT Property Mgt.
Applicant's Signature

Property Owner's Signature

For Office Use Only
 ___ Completed Application ___ Field Notes ___ Site Plan ___
 Case #: Z-FV-12-11 Zoning Map Page: ___ Project Manager: Autumn Speer
 P&Z Date: January 3, 2012 City Council Date: February 2, 2012

(this application may be filled out digitally by clicking each blank space and typing in your information)

RECEIVED
NOV 21 2011
City of Temple
Planning & Development

CODE ENFORCEMENT INSPECTION FORM
CUP FOR EXISTING RV(S) IN EXISTING MOBILE HOME PARK

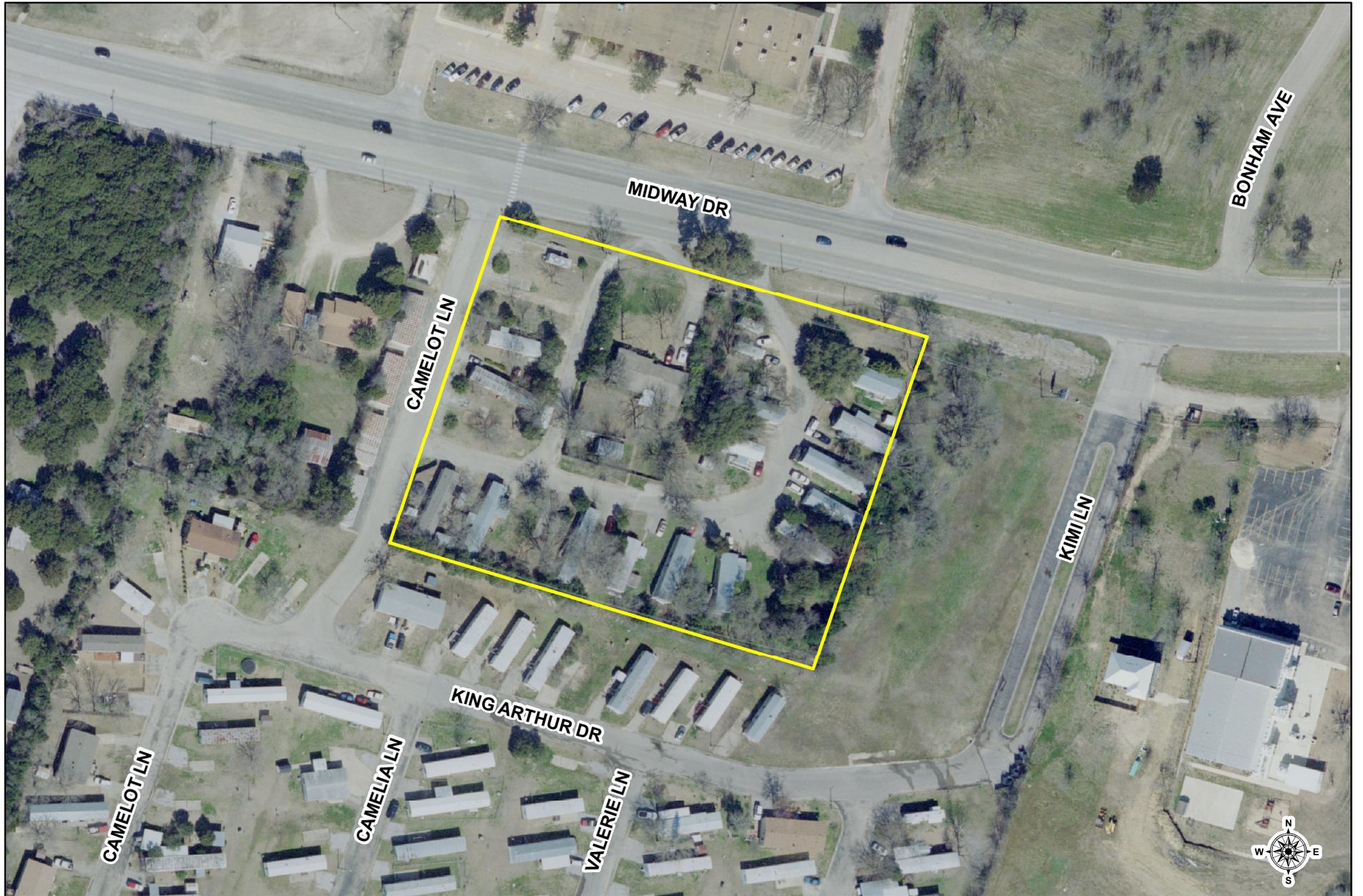
Mobile Home Park Name:	Robbins Mobile Home Park
Address:	4707 Midway Dr
Date of Inspection:	11/16/11
Name of Manager or Owner Present:	F. Smith on site manager Lanny Wright owner Midway Apartments mgt.
Contact Phone Number:	F. Smith 773-7680 L. Wright 778-2736
Number of RVs Present: 4 (For each RV, identify by model, location and VIN)	
	① 4707 Midway Dr LT#5 Alan Strickland Model - Firststream VIN - 1STAEAS29GT504028
	② 4702 Midway Dr LT#10 PAT Colacino Model - Challenger VIN - 3B7HC13Y71G807145
	③ 4707 Midway Dr LT#16B Michael Brewer Model - Capra CT VIN - 4SE260P26K1000551
	④ 4707 Midway Dr. LT#21 David Hunt Model - Cedar Creek Forest Rivin VIN - 4X4FCRK281A191985

RECEIVED

NOV 21 2011

City of Ten38le
 Planning & Development

Robbins Mobile Home Park

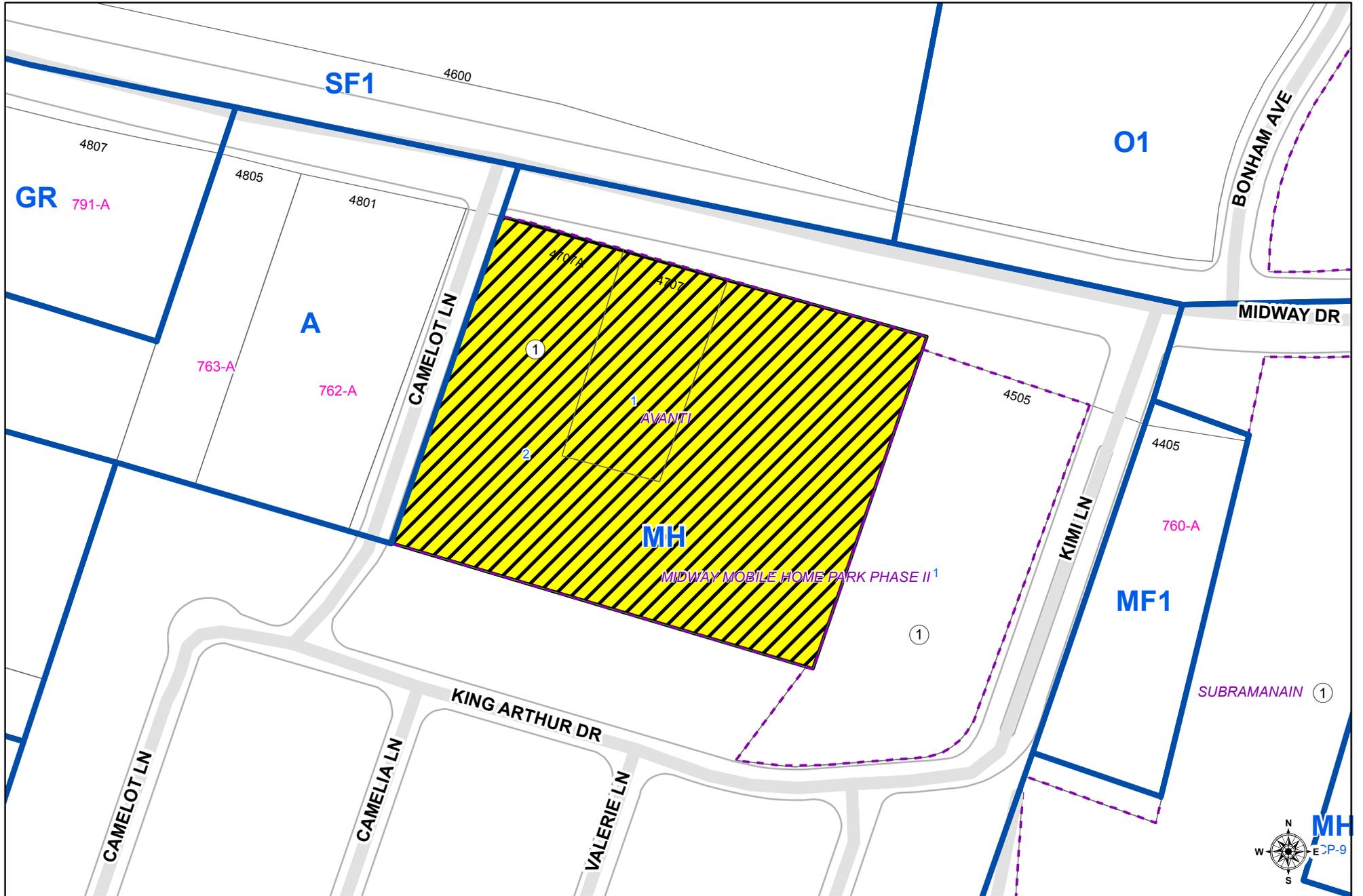


 4707 Midway Dr.

Feet 0 50 100 150 200 250


JCalhoun 12.07.2011

Robbins Mobile Home Park

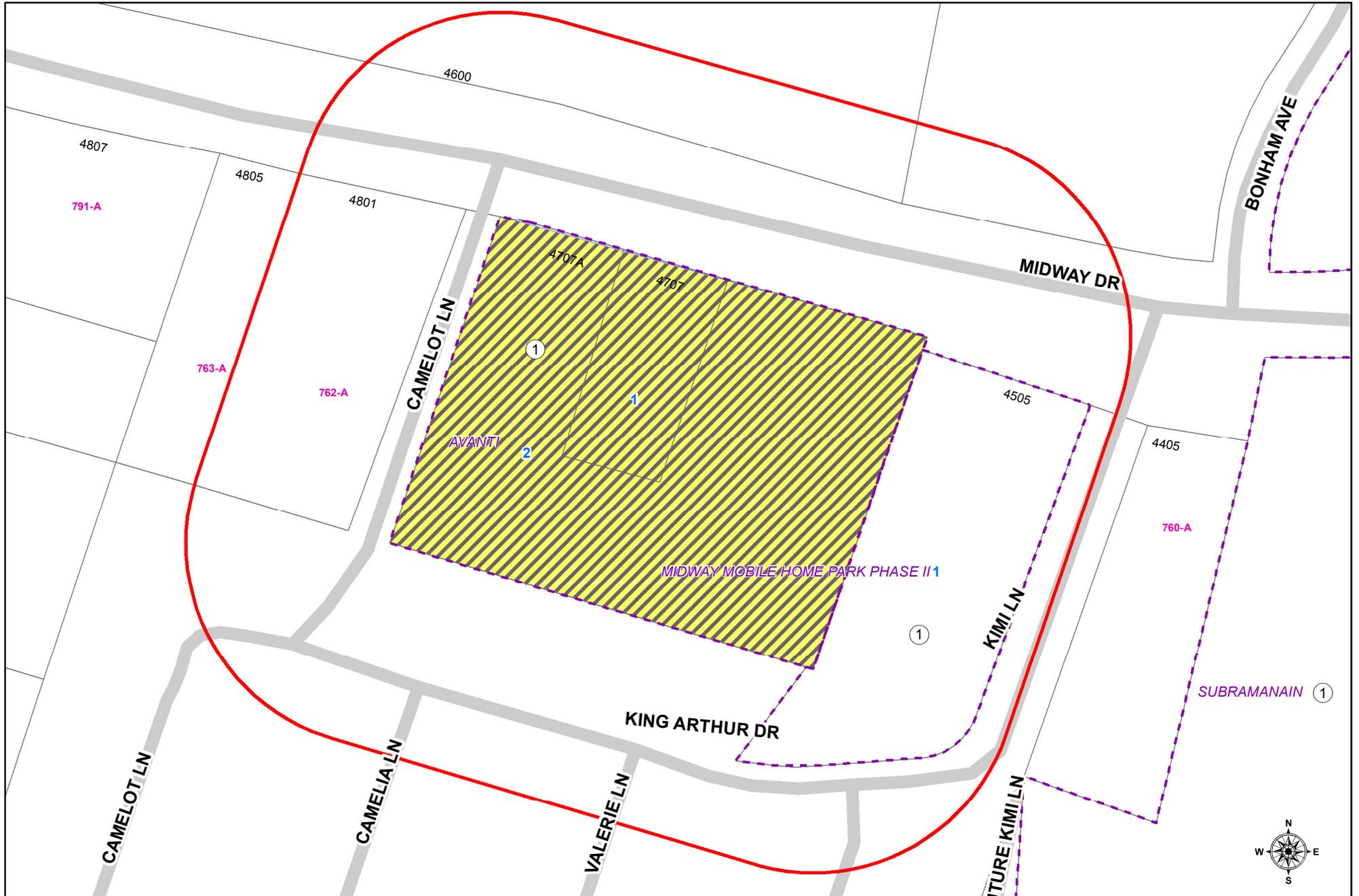


 4707 Midway Dr.



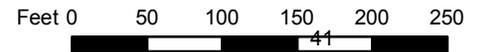
Z-FY 12-11

Robbins Mobile Home Park



 4707 Midway Dr.

 200' Buffer





November 1, 2011

[Recipient]

Re: Upcoming Manufactured Home Land Lease Community License Renewal

Dear [Recipient]:

Last year you were notified that in December 2011 all manufactured home parks must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License. Part of the inspection process includes inspecting whether or not you have recreational vehicles (RV's) on site.

RV's are not permitted in the City Limits of Temple for more than 2 weeks for any 6 month period. However the City is considering a process to permit existing RV's by the granting of a Conditional Use Permit (CUP). CUP's require notification to adjacent property owners and two public hearings before the Planning and Zoning Commission and City Council.

At this time we would like to notify you of a one-time opportunity to request a CUP for the existing RV(s) in your mobile home park. The CUP, once granted, will allow the existing RV(s) to continue to be located in your mobile home park. However, if the RVs are removed they will not be permitted to be replaced with additional RVs or brought back. The CUP would only apply to the specific RVs on your property at the time of approval. Our preliminary research shows your Mobile Home Park currently has xx RVs on site.

In order to apply for the CUP process, you must fill out the attached application in its entirety and provide the location, model and vin number for the existing RV(s) on site. After you have completed the application contact Code Enforcement at 257-298-5670 to arrange a time for a Code Enforcement Officer to inspect and document the RV's you have on site in person. The in-person inspection must take place before November 20, 2011. The application and Code Enforcement Officer inspection form must be returned to the Planning Department by December 1, 2011 at 12:00 pm.

Failure to provide the information requested by December 1, 2011 will result in the denial of this request and any existing RVs on site will be cited during the annual basic inspection process and must be removed or additional legal action will follow.

The Public Hearing at the Planning and Zoning Commission will be held January 3, 2012 at 5:30 pm. The second public hearing will be held on February 2, 2012 before City Council at 5:00 pm. Your attendance is requested for both meetings, but not mandatory.

All additional items you were originally informed of will be inspected in December 2011. Among the primary things that City inspectors will be checking are violations of: (1) the International Property Maintenance Code and (2) the City's Unified Development Code. The elements that Inspectors will check in your park include, but are not limited to:

1. Skirting
2. Hand rails
3. Steps
4. Broken windows
5. Exterior surface repair (paint)
6. Junk & debris
7. Junk vehicles

Please let me know if you have any questions and I will be happy to assist you.

Very truly yours,

Autumn Speer, Community Services Director



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #6
Regular Agenda
Page 1 of 2

APPLICANT: Staff on behalf of Santa Fe Trails Mobile Home Park, TempTex Properties, LLC

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-12 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow fourteen (14) recreational vehicle (RV) spaces at the Santa Fe Trails Mobile Home Park, located at 1618 West Avenue H.

BACKGROUND: In December 2011, all manufactured home parks were notified that they must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License in 2012. Part of the inspection process includes inspecting whether or not the parks have recreational vehicles (RV's) on site.

The City is proposing a process to permit existing RV's in mobile home parks by the granting of a Conditional Use Permit (CUP). Construction Safety Staff notified all mobile home park managers and owners who have RV's on site of this opportunity in November of this year.

This opportunity affords the owners a one-time opportunity to request a CUP for the existing RV(s) on their site. The CUP, once granted, will allow the existing RV(s) to continue to be located in the Santa Fe Trails Mobile Home Park. However, if the RVs are removed they will not be permitted to be brought back or to be replaced with additional RVs. The CUP only applies to the specific RVs on site at the time of this CUP approval.

The Santa Fe Trails Mobile Home Park was established in the 70's and annexed in 1949. The property is zoned Light Industrial (LI) and Two-Family (2-F). The park contains 14 RV sites as shown on the attached site plan.

CONDITIONAL USE SITE PLAN REVIEW:

This CUP request would allow the existing RV sites to remain in perpetuity. If the RVs are removed they will not be permitted to be brought back or be replaced with additional RVs. Construction Safety staff will verify compliance with this CUP each December during the annual inspection process.

PUBLIC NOTICE:

Thirteen notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Wednesday, December 28 at 5 PM, one notice in favor and one notice in denial had been returned.

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the CUP request allowing the 14 RV sites to remain in perpetuity. If the RV's that are currently located there now are ever removed, the sites will revert back to mobile home sites only.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Application, Inspection Form and Site Plan

Aerial

Zoning Map

Notice Map

Sample Staff Letter

Notice Letters

CONDITIONAL USE PERMIT (CUP) APPLICATION

(this application may be filled out digitally by clicking each blank space and typing in your information)

Date: 11/17/11

Property Owner: TempTex Properties, LLC 139 Lakeview Dr Sugar Land Tx 77498
Name Address Phone #

Applicant: Andrew Spiwak 139 Lakeview Dr Sugar Land, Tx 77498 (832) 689-5840
Name Address Phone #

Email: spiwak95@gmail.com Fax Number: 281-494-9596

Address of Property: 1616, 1618, 1620, 1708 W Ave H 3, 4+ Lot: 13 of 5 Block: 1 Subdivision: Bentley's Bellview Addition
Temple Tx 76501

Outblock (if not platted): _____

Present Zoning: HUD Manufactured Home Requested Zoning: CUP for permanent RVs
Land Lease Community

Certification: You as the property owner certify with your signature that the following statements are true:

- This application is complete and all of the information provided is accurate.
- Approval of this request by the City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.
- Any staff assistance in applying for a CUP is based on the explanation indicated above of what specific activities are intended to take place on the rezoned property and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

[Signature]
Applicant's Signature

[Signature]
Property Owner's Signature

For Office Use Only

___ Completed Application ___ Field Notes ___ Site Plan ___

Case #: 2-FY-12-12 Zoning Map Page: ___ Project Manager: Autumn Speer

P&Z Date: January 3, 2012 City Council Date: February 2, 2012

(this application may be filled out digitally by clicking each blank space and typing in your information)

RECEIVED

NOV 30 2011

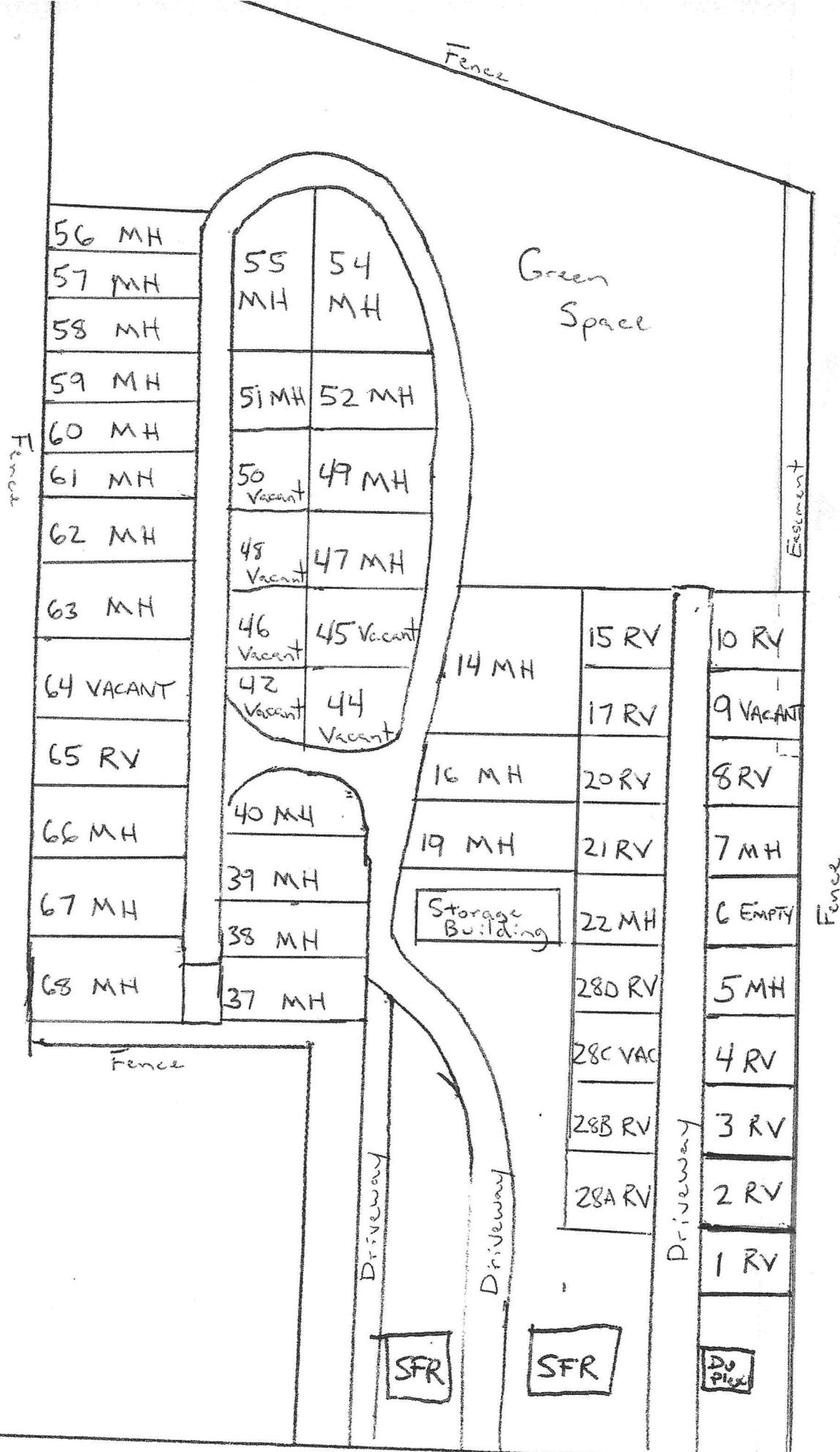
City of Temple
Planning & Development

2-FY-12-12

CODE ENFORCEMENT INSPECTION FORM
CUP FOR EXISTING RV(S) IN EXISTING MOBILE HOME PARK

Mobile Home Park Name:	Santa Fe Trails Mobile Home Community
Address:	1616, 1618, 1620, 1708 W. AVE H
Date of Inspection:	
Name of Manager or Owner Present:	ANDREW SPIWAK
Contact Phone Number:	832-689-0840
Number of RVs Present: (For each RV, identify by model, location and VIN)	1. 2006 Cavalier 57-G-T-CVDH 40292 2. Prowler Lynx VIN unknown 3. 2006 Cavalier 57-G-T CVDH 48079 4. 2006 Cavalier 67-G-T CVDH 28074 8. Pace Arrow 17N1530125JW010249 10. Prowler DUR28344msl 15. Huckabery VIN UNKNOWN 17. Prowler SN190TST9225 20. 2006 Cavalier 54-GT-CVDH307 21. Executive Dream 45E200R22X1010871 23D. 2006 Cavalier 67-G-7CVDH2409 28. B Layton by Skyline 171200R204000409 28A. 2006 Cavalier 332163020963 65. Hitchhiker 1NW32HR046A03845

14 RV's



56 MH
 57 MH
 58 MH
 59 MH
 60 MH
 61 MH
 62 MH
 63 MH
 64 VACANT
 65 RV
 66 MH
 67 MH
 68 MH

55 MH
 54 MH
 51 MH
 52 MH
 50 Vacant
 49 MH
 48 Vacant
 47 MH
 46 Vacant
 45 Vacant
 42 Vacant
 44 Vacant
 40 MH
 39 MH
 38 MH
 37 MH

14 MH
 16 MH
 19 MH
 Storage Building
 22 MH
 28A RV
 28B RV
 28C VAC

15 RV
 17 RV
 20 RV
 21 RV
 10 RV
 9 VACANT
 8 RV
 7 MH
 6 EMPTY
 5 MH
 4 RV
 3 RV
 2 RV
 1 RV

SFR
 SFR
 Duplex

Green Space

Fence

Fence

Fence

Fence

Fence

Driveway

Driveway

Driveway

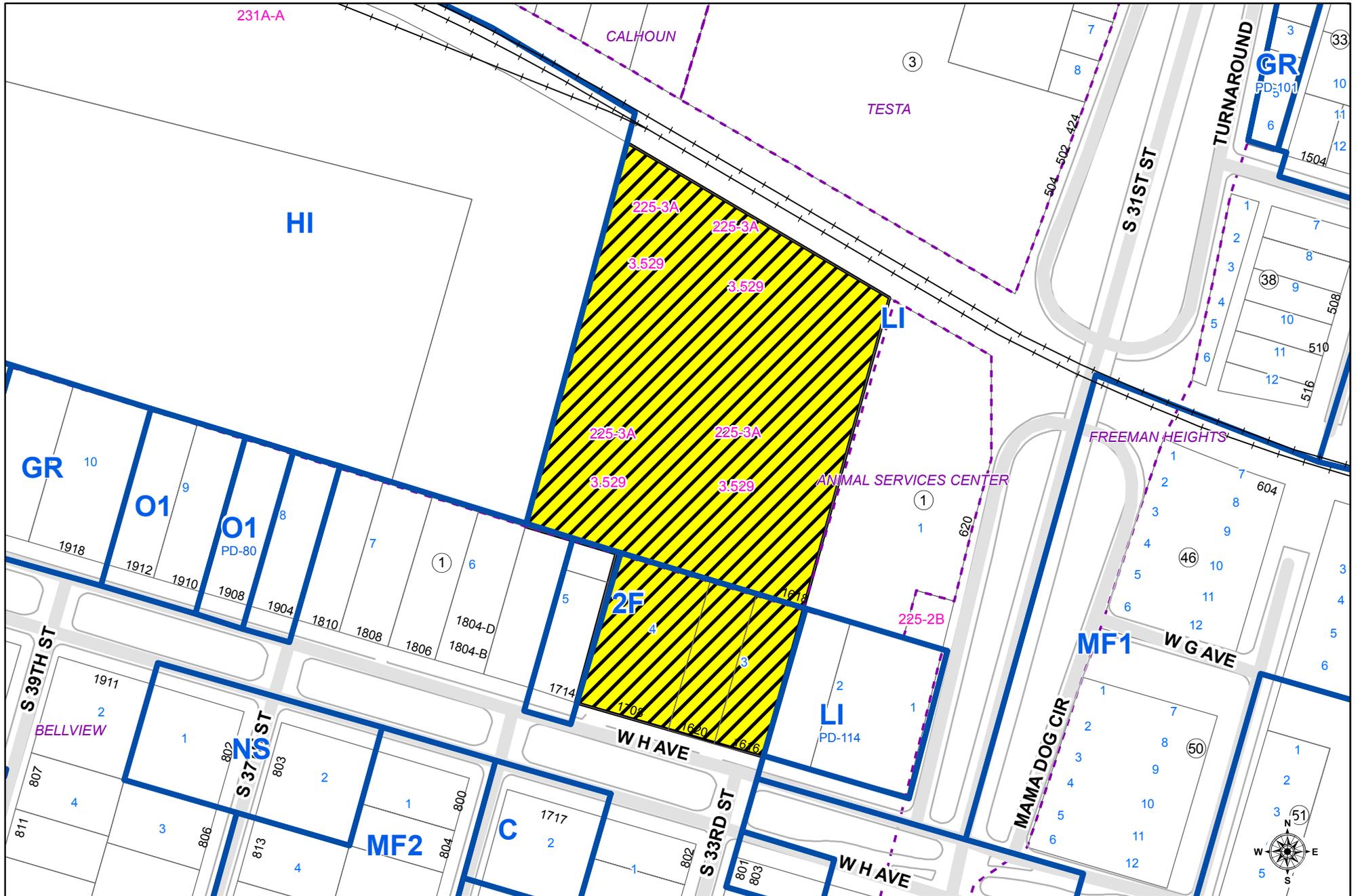
Santa Fe Trails Mobile Home Park



 1618 W Ave H

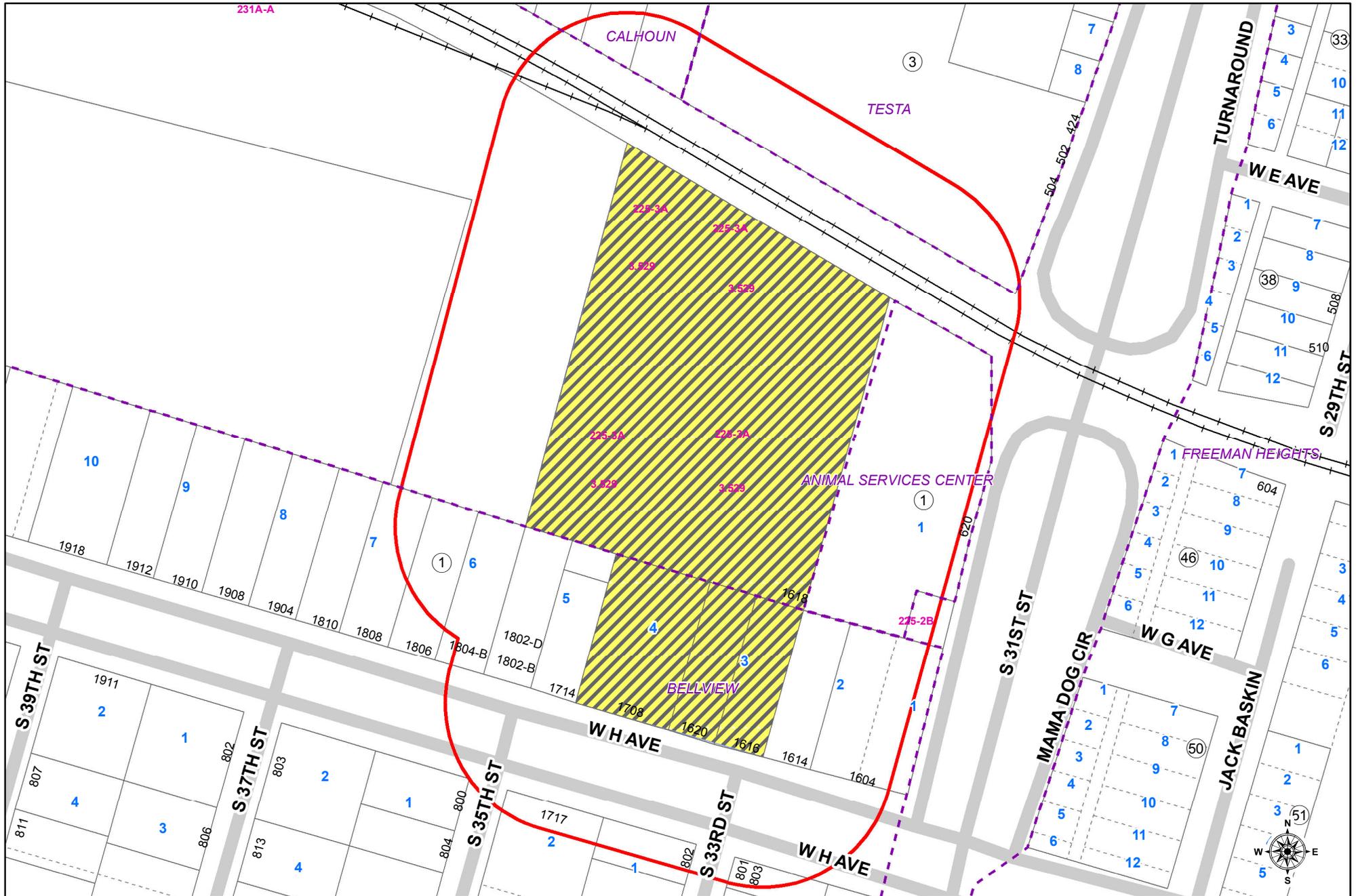


Santa Fe Trails Mobile Home Park



 1618 W Ave H





 1618 W Ave H

 200' Buffer





November 1, 2011

[Recipient]

Re: Upcoming Manufactured Home Land Lease Community License Renewal

Dear [Recipient]:

Last year you were notified that in December 2011 all manufactured home parks must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License. Part of the inspection process includes inspecting whether or not you have recreational vehicles (RV's) on site.

RV's are not permitted in the City Limits of Temple for more than 2 weeks for any 6 month period. However the City is considering a process to permit existing RV's by the granting of a Conditional Use Permit (CUP). CUP's require notification to adjacent property owners and two public hearings before the Planning and Zoning Commission and City Council.

At this time we would like to notify you of a one-time opportunity to request a CUP for the existing RV(s) in your mobile home park. The CUP, once granted, will allow the existing RV(s) to continue to be located in your mobile home park. However, if the RVs are removed they will not be permitted to be replaced with additional RVs or brought back. The CUP would only apply to the specific RVs on your property at the time of approval. Our preliminary research shows your Mobile Home Park currently has **xx** RVs on site.

In order to apply for the CUP process, you must fill out the attached application in its entirety and provide the location, model and vin number for the existing RV(s) on site. After you have completed the application contact Code Enforcement at 257-298-5670 to arrange a time for a Code Enforcement Officer to inspect and document the RV's you have on site in person. The in-person inspection must take place before November 20, 2011. The application and Code Enforcement Officer inspection form must be returned to the Planning Department by December 1, 2011 at 12:00 pm.

Failure to provide the information requested by December 1, 2011 will result in the denial of this request and any existing RVs on site will be cited during the annual basic inspection process and must be removed or additional legal action will follow.

The Public Hearing at the Planning and Zoning Commission will be held January 3, 2012 at 5:30 pm. The second public hearing will be held on February 2, 2012 before City Council at 5:00 pm. Your attendance is requested for both meetings, but not mandatory.

All additional items you were originally informed of will be inspected in December 2011. Among the primary things that City inspectors will be checking are violations of: (1) the International Property Maintenance Code and (2) the City's Unified Development Code. The elements that Inspectors will check in your park include, but are not limited to:

1. Skirting
2. Hand rails
3. Steps
4. Broken windows
5. Exterior surface repair (paint)
6. Junk & debris
7. Junk vehicles

Please let me know if you have any questions and I will be happy to assist you.

Very truly yours,

Autumn Speer, Community Services Director



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

Frank Capps
1723 West Avenue D
Temple, Texas 76504

RECEIVED

DEC 27 2011

City of Temple
Planning & Development

Zoning Application Number: Z-FY-12-12

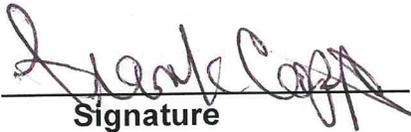
Project Manager: Autumn Speer

Location: Santa Fe Trails MHP, 1618 West Avenue H

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 () denial of this request.

Comments:


Signature

FRANK CAPP
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than January 3, 2012

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



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

Melinda Etvir Bryan Bulls
405 Cole Avenue
Temple, Texas 76501

Zoning Application Number: Z-FY-12-12

Project Manager: Autumn Speer

Location: Santa Fe Trails MHP, 1618 West Avenue H

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 (✓) denial of this request.

Comments:

There's too many transient people in this area
already.

Melinda Bulls
Signature

Melinda Bulls
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than January 3, 2012

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



PLANNING AND ZONING COMMISSION AGENDA ITEM

01/03/12
Item #7
Regular Agenda
Page 1 of 2

APPLICANT: Staff on behalf of Livingston Farms Mobile Home Park, Gregory Bethune

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-17 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow two recreational vehicle (RV) spaces at the Livingston Farms Mobile Home Park, located at the northwest corner of Prairie View Road and North Pea Ridge Road.

BACKGROUND: In December 2011, all manufactured home parks were notified that they must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License in 2012. Part of the inspection process includes inspecting whether or not the parks have recreational vehicles (RV's) on site.

The City is proposing a process to permit existing RV's in mobile home parks by the granting of a Conditional Use Permit (CUP). Construction Safety Staff notified all mobile home park managers and owners who have RV's on site of this opportunity in November of this year.

This opportunity affords the owners a one-time opportunity to request a CUP for the existing RV(s) on their site. The CUP, once granted, will allow the existing RV(s) to continue to be located in the Livingston Farms Mobile Home Park.

Because Mr. Bethune was required to remove two RV's from the Livingston Farms Mobile Home Park prior to this process being proposed, staff is recommending he be granted the use of the two RV spaces shown on the attached site plan as optional RV spaces as long as the property remains in the same configuration and primary use as a mobile home park.

CONDITIONAL USE SITE PLAN REVIEW:

This CUP request would allow the existing RV spaces to remain as long as the property remains in the same configuration and primary use as a mobile home park.

PUBLIC NOTICE:

Four notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Wednesday, December 28 at 5 PM, one notice in denial had been returned.

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance.

STAFF RECOMMENDATION: Staff recommends approval of the CUP request allowing the two RV spaces to remain as long as the property remains in the same configuration and primary use as a mobile home park.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Application and Site Plan

Aerial

Zoning Map

Notice Map

Sample Staff Letter

Notice Letter

CONDITIONAL USE PERMIT (CUP) APPLICATION

(this application may be filled out digitally by clicking each blank space and typing in your information)

Date: 11/15/2011

Property Owner: Gregory Bethune 1900 N Pea Ridge Rd 254-913-0360
Name Address Phone #

Applicant: Gregory Bethune 1900 N Pea Ridge Rd 254-913-0360
Name Address Phone #

Email: gtbinc6@yahoo.com Fax Number: none

Address of Property: 8530+8560 Prairie View Rd Lot: Block: Subdivision:

Outblock (if not platted): A0017BC Baldwin Robertson, 19-4 Acres 2.0

Present Zoning: Mobile Home Park Requested Zoning: RV+Mobile Home Park

Certification: You as the property owner certify with your signature that the following statements are true:

- This application is complete and all of the information provided is accurate.
- Approval of this request by the City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.
- Any staff assistance in applying for a CUP is based on the explanation indicated above of what specific activities are intended to take place on the rezoned property and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

Gregory Bethune
Applicant's Signature

Gregory Bethune
Property Owner's Signature

For Office Use Only

Completed Application Field Notes Site Plan

Case #: 2-FY-12-17 Zoning Map Page: Project Manager: Autumn Speer

P&Z Date: January 3, 2012 City Council Date: February 2, 2012

(this application may be filled out digitally by clicking each blank space and typing in your information)

RECEIVED

NOV 15 2011

City of Temple
Planning & Development



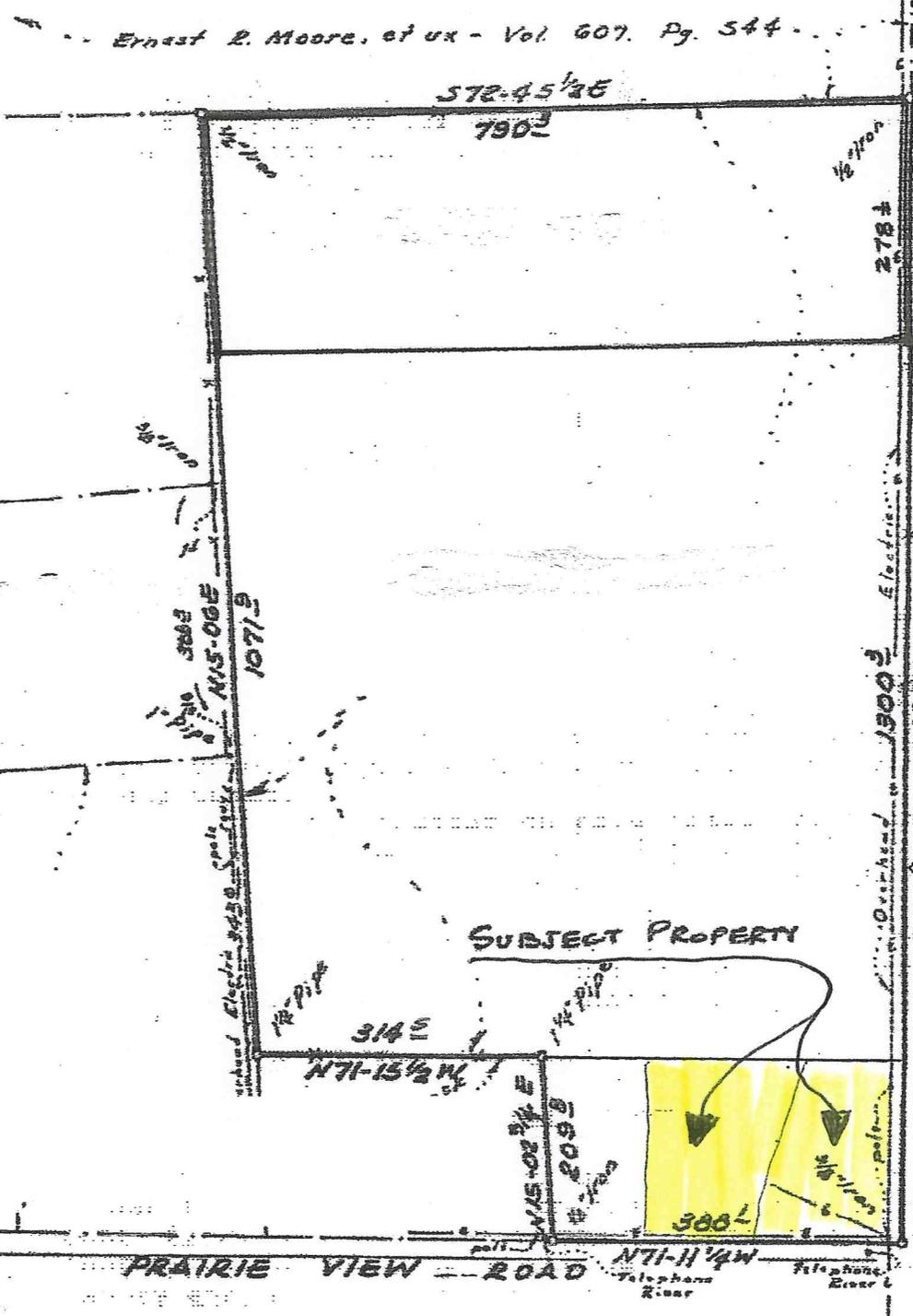
RONALD CARROLL Surveyors

Temple (817) 773-1447

Killeen (817) 526-0117

Round Rock (512) 244-9238

Sketch showing part of the BALDWIN ROBERTSON Survey, Abstract number 17, situated about 6 miles N20E from the courthouse in Belton, in Bell County, Texas.



BALDWIN ROBERTSON
Abstract No. 17

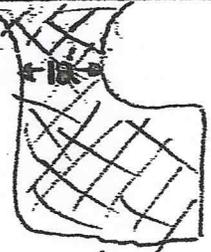
N Pea Ridge Road

fire hydrant

address 8530

209.6'

3/4" water line



Lot A
.67 acre

124'

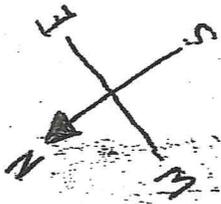
153.8'

5/14/98
Gregory Bethune
913-0360
owner/applicant

fire hydrant
Prairie View Road

— existing fences

▨ - driveways



1" = 40'

211.5'

address 8560

storage shed 12' x 12'



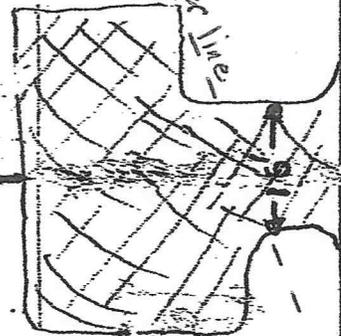
154'

124'
103.8'

Lot B
.67 acre

3/4" water line

209.6'



97.2'

.50 acre
Lot C

110.6'

address 8590

209.8'

Livingston Farms Mobile Home Park

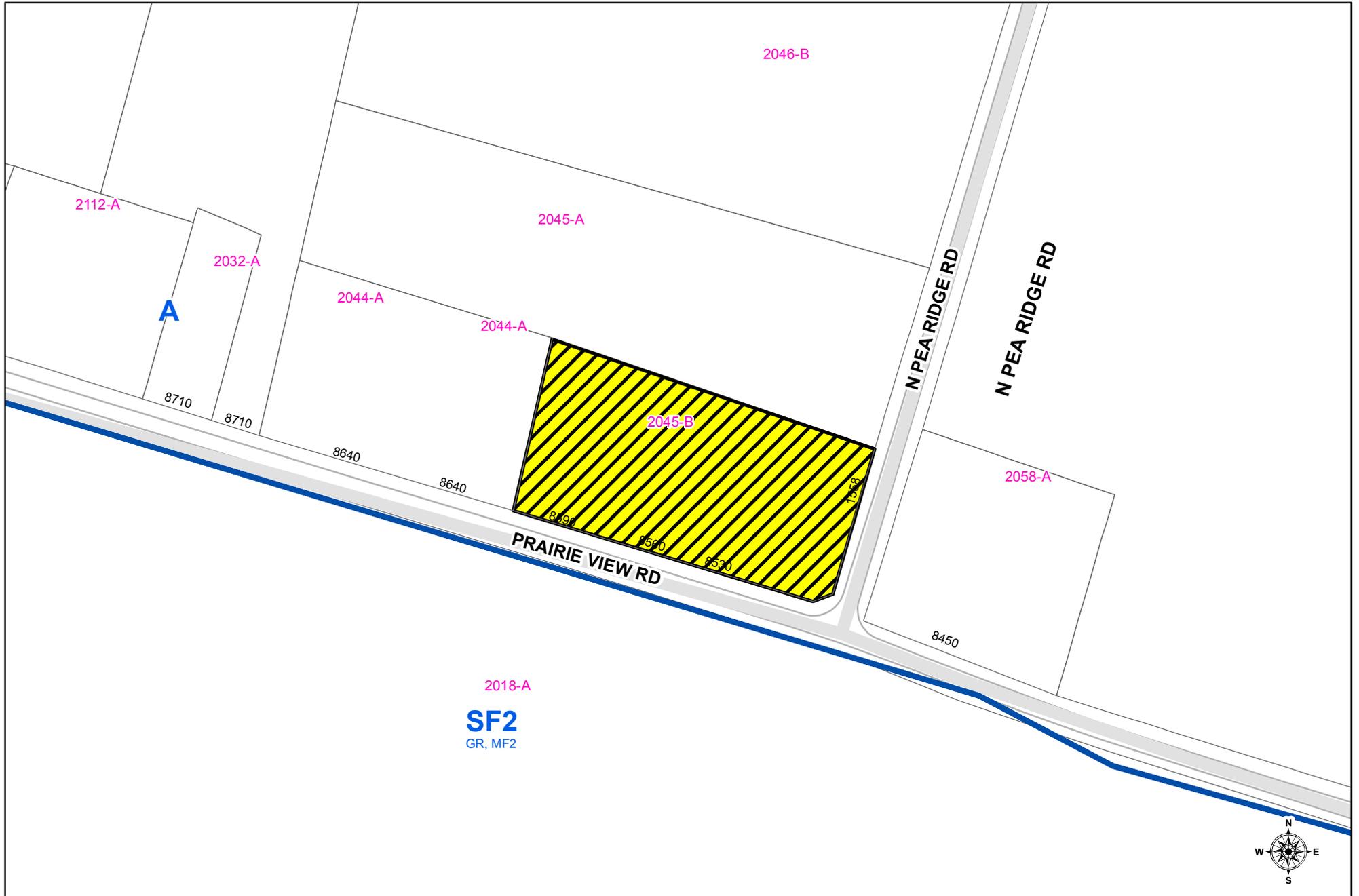


 8560 Prarie View Rd.

Feet 0 100 200 300 400 500

JCalhoun 12.13.2011

Livingston Farms Mobile Home Park



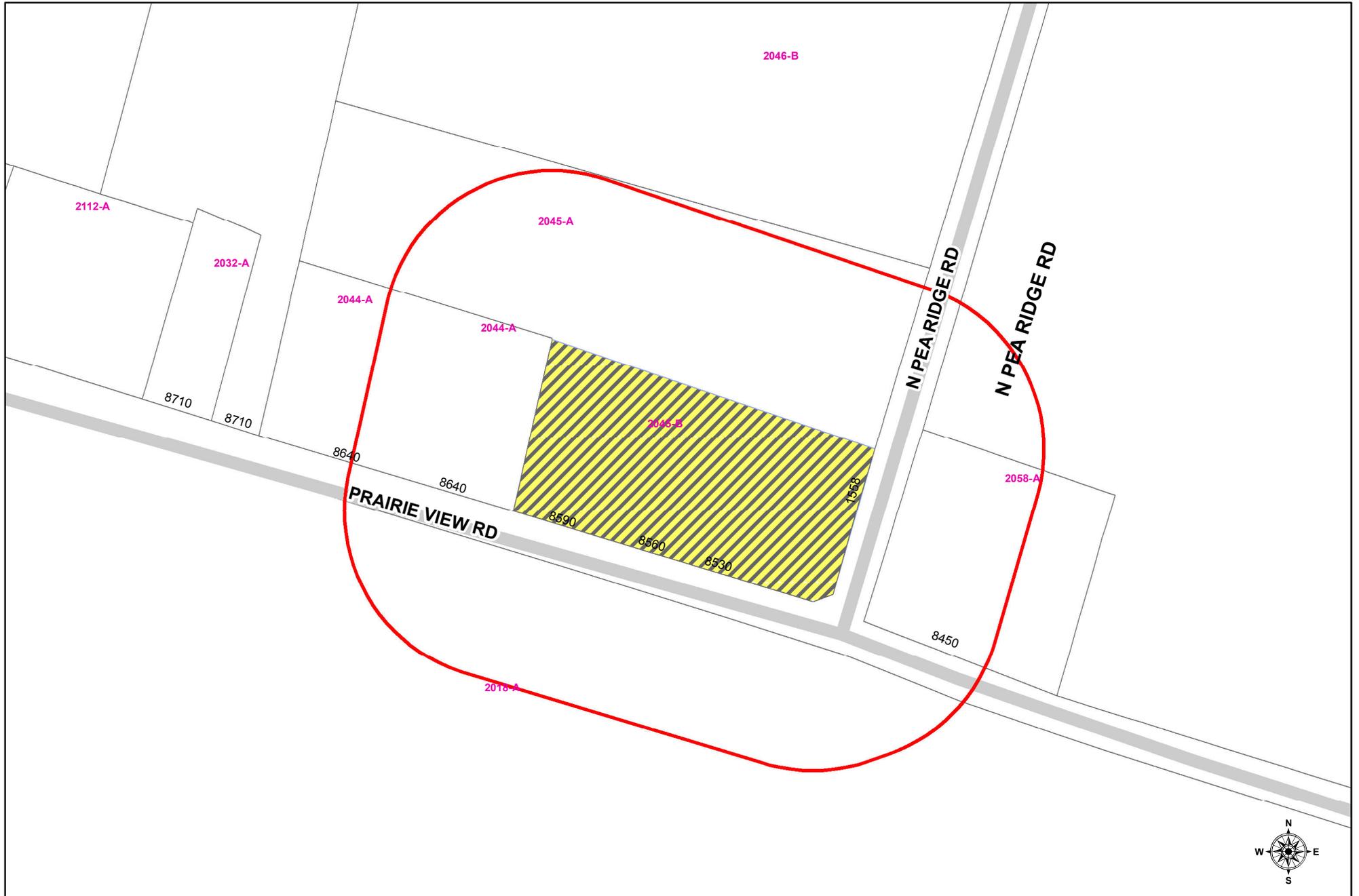
 8560 Prarie View Rd.





Z-FY 12-10

Livingston Farms Mobile Home Park



 8560 Prarie View Rd.

 200' Buffer

Feet 0 100 200 300 400 500



November 1, 2011

[Recipient]

Re: Upcoming Manufactured Home Land Lease Community License Renewal

Dear Mr. Bethune:

Last year you were notified that in December 2011 all manufactured home parks must pass an annual basic inspection in order to receive a renewed Manufactured Home Land Lease Community License. Part of the inspection process includes inspecting whether or not you have recreational vehicles (RV's) on site.

RV's are not permitted in the City Limits of Temple for more than 2 weeks for any 6 month period. However the City is considering a process to permit existing RV's by the granting of a Conditional Use Permit (CUP). CUP's require notification to adjacent property owners and two public hearings before the Planning and Zoning Commission and City Council.

At this time we would like to notify you of a one-time opportunity to request a CUP for the two previously existing RV(s) in your mobile home park. The CUP, once granted, will allow the two previously existing RV spaces to be rented out in your mobile home park for RV's as well as mobile homes.

In order to apply for the CUP process, you must fill out the attached application in its entirety and provide the location for the existing RV on sites. After you have completed the application contact Code Enforcement at 257-298-5670 to arrange a time for a Code Enforcement Officer to inspect and document the sites you have in person. The in-person inspection must take place before November 20, 2011. The application and Code Enforcement Officer inspection form must be returned to the Planning Department by December 1, 2011 at 12:00 pm.

Failure to provide the information requested by December 1, 2011 will result in the loss of this opportunity.

The Public Hearing at the Planning and Zoning Commission will be held January 3, 2012 at 5:30 pm. The second public hearing will be held on February 2, 2012 before City Council at 5:00 pm. Your attendance is requested for both meetings, but not mandatory.

All additional items you were originally informed of will be inspected in December 2011. Among the primary things that City inspectors will be checking are violations of: (1) the International Property Maintenance Code and (2) the City's Unified Development Code. The elements that Inspectors will check in your park include, but are not limited to:

1. Skirting
2. Hand rails
3. Steps
4. Broken windows
5. Exterior surface repair (paint)
6. Junk & debris
7. Junk vehicles

Please let me know if you have any questions and I will be happy to assist you.

Very truly yours,

Autumn Speer, Community Services Director



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

Gregory S. Etux Wanda Laminack
8640 Prairie View Road
Temple, Texas 76502

RECEIVED

DEC 27 2011

City of Temple
Planning & Development

Zoning Application Number: Z-FY-12-17

Project Manager: Autumn Speer

Location: Livingston Farms MHP, 1900 North Pea Ridge Road

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

denial of this request.

Comments:

In my opinion, mobile homes and RV's would only devalue surrounding properties. In the past, the City of Temple has denied Gregory Bethune the right to use this property for this purpose. New homes are being built in the surrounding properties. It is not feasible to have an RV facility in this section of Temple. I trust the Planning Dept and the City Council will consider the other projects that currently are underway. Nobody will want or appreciate a decision in favor of this request.

Signature

Gregory S. Laminack
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than January 3, 2012

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



PLANNING AND ZONING COMMISSION AGENDA ITEM

1/05/12
Item #8
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: City of Temple

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-20 Hold a public hearing to consider and recommend action on an amendment to Article 3 of the Unified Development Code to change approval authority for the I-35 Corridor Overlay zoning district from the Planning and Zoning Commission to the City Council.

BACKGROUND: Planning staff presented a presentation concerning the I-35 expansion plans and a review of the I-35 Overlay standards on December 1, 2011. Due to the extensive changes that are planned along I-35 in the next several years and the importance of the I-35 Overlay zoning district, City Council directed staff to amend the UDC to change the appeal authority from the Planning and Zoning Commission to the City Council.

PUBLIC NOTICE:

The newspaper printed notice of the Planning and Zoning Commission public hearing on December 20, 2011 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendment.

FISCAL IMPACT: NA

ATTACHMENTS:

[Article 3 - I-35 Appeal Amendment \(Attachment 1\)](#)

Sec. 3.1.3 Appeals

...

A. Administrative Decisions

With the exception of decisions related to building exterior material requirements set forth in Sec. 7.7, or the provisions of the I-35 Corridor Overlay zoning district, any party aggrieved by any final decision of any administrative official regarding the provisions of this UDC may appeal to the Zoning Board of Adjustment in accordance with Sec. 3.16.

B. Quasi-Judicial Decisions

Any party aggrieved by any decision of the Zoning Board of Adjustment may present to the court of competent jurisdiction a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality. Such petition must be presented to the court within 10 days after the filing of the decision by the Zoning Board of Adjustment.

C. Building Exterior Materials

Any party aggrieved by a decision of the Planning Director on building exterior material requirements set forth in Sec. 7.7 may appeal to City Council. In deciding an appeal, the City Council will consider the same criteria applicable to exceptions found in subsection 7.7.3H.

D. I-35 Corridor Overlay Zoning District

Any party aggrieved by a decision of the Planning Director on a development review application in the I-35 Corridor Overlay zoning district may appeal to the ~~Planning and Zoning Commission~~ City Council for final action.



PLANNING AND ZONING COMMISSION AGENDA ITEM

1/03/12
Item #9
Regular Agenda
Page 1 of 9

APPLICANT: W.B. Worton and Yong Mullins of Americrete Concrete and Iconcrete 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	Tabled to January 3, 2012

The applicant and his engineer have delivered revisions per staff comments on December 15, 2011. This report is written for these revisions.

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
Subject Property	LI	Temporary Concrete Batch Plant	
North	LI	Vacant Land	
South	AG	Vacant Land	

Direction	Zoning	Current Land Use	Photo
East	AG & C	Vacant Land & Pet Boarding / Training Business (across Shallow Ford West Rd)	
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 located behind the trees on the right.

CONDITIONAL USE PERMIT SITE PLAN REVIEW:

For Revised Plans Delivered December 15

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 originally submitted site plan was not drawn in regards to staff’s original comments. The new plans with proposed changes are attached to the end of this report. This review is in response to the revisions.

Site Layout

The site plan continues to show 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, with the cement machinery and trailers, but has removed the future office building shown on the first drawing. This makes all above ground improvements portable. An on-site septic system is proposed to serve this development.

Originally, this site did not have fire coverage. The water line that was brought in for the development was a connection from the city line along I-35. Staff requested that a complying public water line and hydrant be installed in conformity with the City of Temple fire protection ordinance. On this plan, fire suppression has been addressed with an 8,000-gallon tank with a 3-inch pipe leading to a fire department connection near front of the lot. This was a solution was worked on between the applicant and the Fire Marshal, and is an acceptable solution to the fire department.

The applicant has not changed the note on the plans that dust suppression will be manually performed, with watering drives and operation areas as needed.

Below is a photo looking southward, taken of the property as it remains, 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.



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.

A drainage detention area continues to be shown on the plans at the east and south portion of this site. A rock gabion is also depicted 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, to the back of the lot, a truck wash out is depicted on the site plan, and appears to be properly sited at the top of the detention area.

The previously poured concrete as shown below has not been touched since being poured last summer. The plans now show gravel or rock on an approved base for the vehicular maneuvering areas, parking areas and truck washout areas. Rock riprap is still shown at the entrance of the site and serves as the connection to the right of way.

The site did not received permits for the flatwork that is shown below. It was done during the summer of 2011. The concrete work also appears to the Building Official to be incorrectly reinforced and doweled. The applicant has stated that the improperly poured concrete will be removed and any new flatwork will be properly permitted. The photos below show the area as it remains.



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.



View from the edge of the property with the site in question in the distance. Batch plant is on the right side of the photo.

Landscaping Plans

Landscaping is shown along the front and across the north side of the site plan as requested by staff. Nine 2-inch caliper approved trees would be normally required on a project not requiring a CUP. This CUP is showing 15 Texas Ash trees and 96 Red Tip Photinia shrubs on 5-ft centers planted across the frontage and north side area of the lot as view mitigation. Four hose bibs are shown along an irrigation line. While the note on the landscaping plans say that all required landscaping will be within 50-ft of a hose bib, the plan does not show this. The north side of the lot should have an extension and bibs shown within 50 feet of the landscaping screen. Bermuda turf planting under all required landscaping is noted on plan. This note should be reworded to state that all disturbed areas on the total lot, including landscaping areas, will be underplanted with Bermuda turf.

Site Cleanup Bond

The Staff recommendation included an option for recommendation that the applicant submit a 12-month 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.

While the applicant was not adverse to this bond, he found that the insurance company was reluctant to issue such a bond. Staff is prepared to resolve this issue through Code Enforcement measures if it becomes necessary in the future.



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. Should the permit expire, the business must cease operation, and formal CUP approvals again must be sought from the City.
- b. 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.
- c. All parking and vehicle maneuvering surfaces will be concrete or asphalt covered as required.
- d. A fire suppression tank and fire department connection shall be installed as shown on the CUP site plan attached.
- e. The area as a whole shall be landscaped as shown on the accompanying CUP site plan.
- f. The entire disturbed area of the site and required landscape area shall be underplanted with turf or another ground cover.
- g. Irrigation shall extend to within 50-ft of all required landscaped areas.
- h. 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](#)

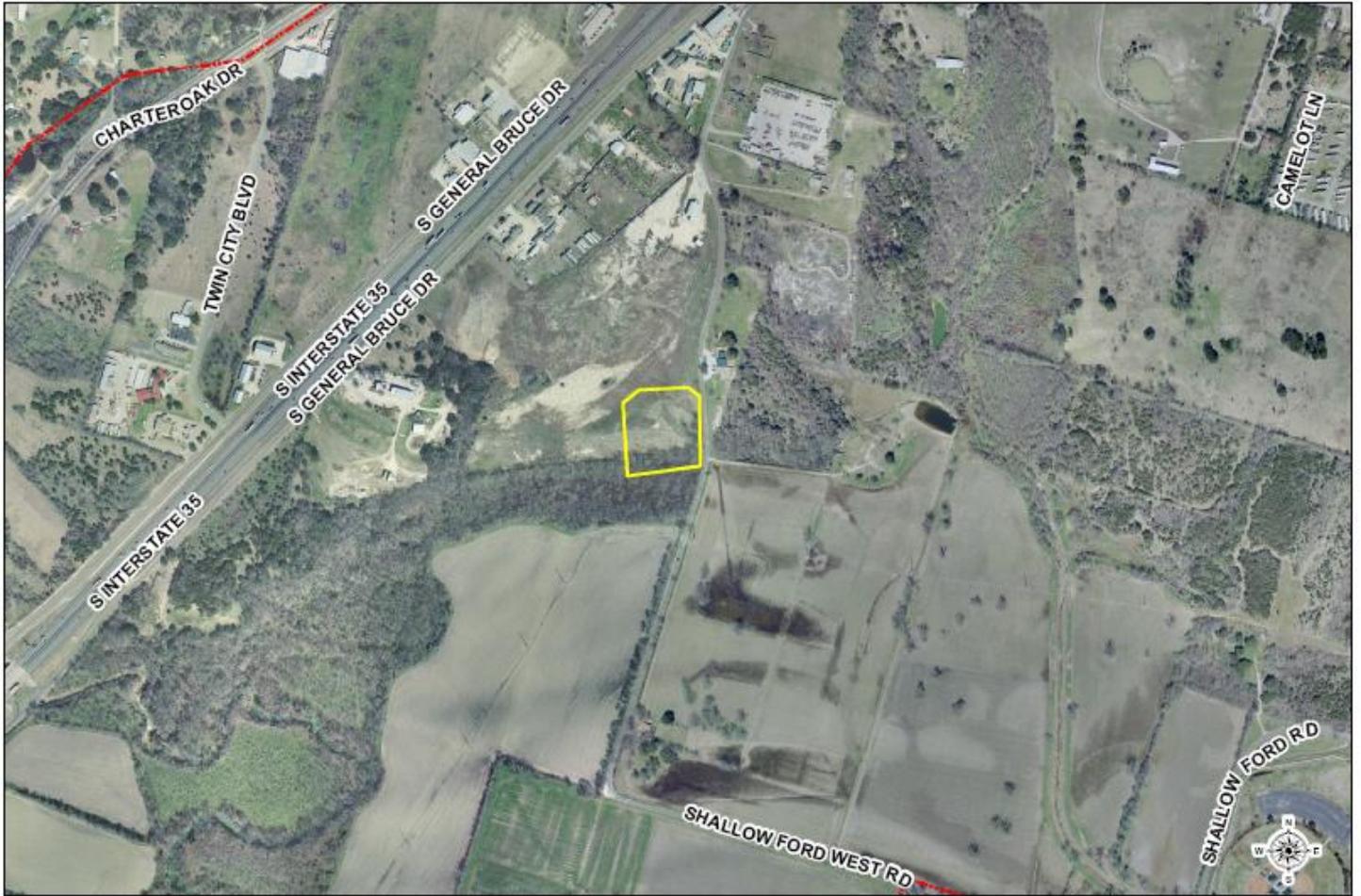
[Responses](#)
[Applicant's Narrative](#)
[Applicant's Site Plan](#)
[Applicant's Site Plan with Topo and Drainage Area](#)
[Applicant's Site Plan with Landscaping](#)
[Applicant's Request to Table dated Nov. 18, 2011](#)⁷⁸



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

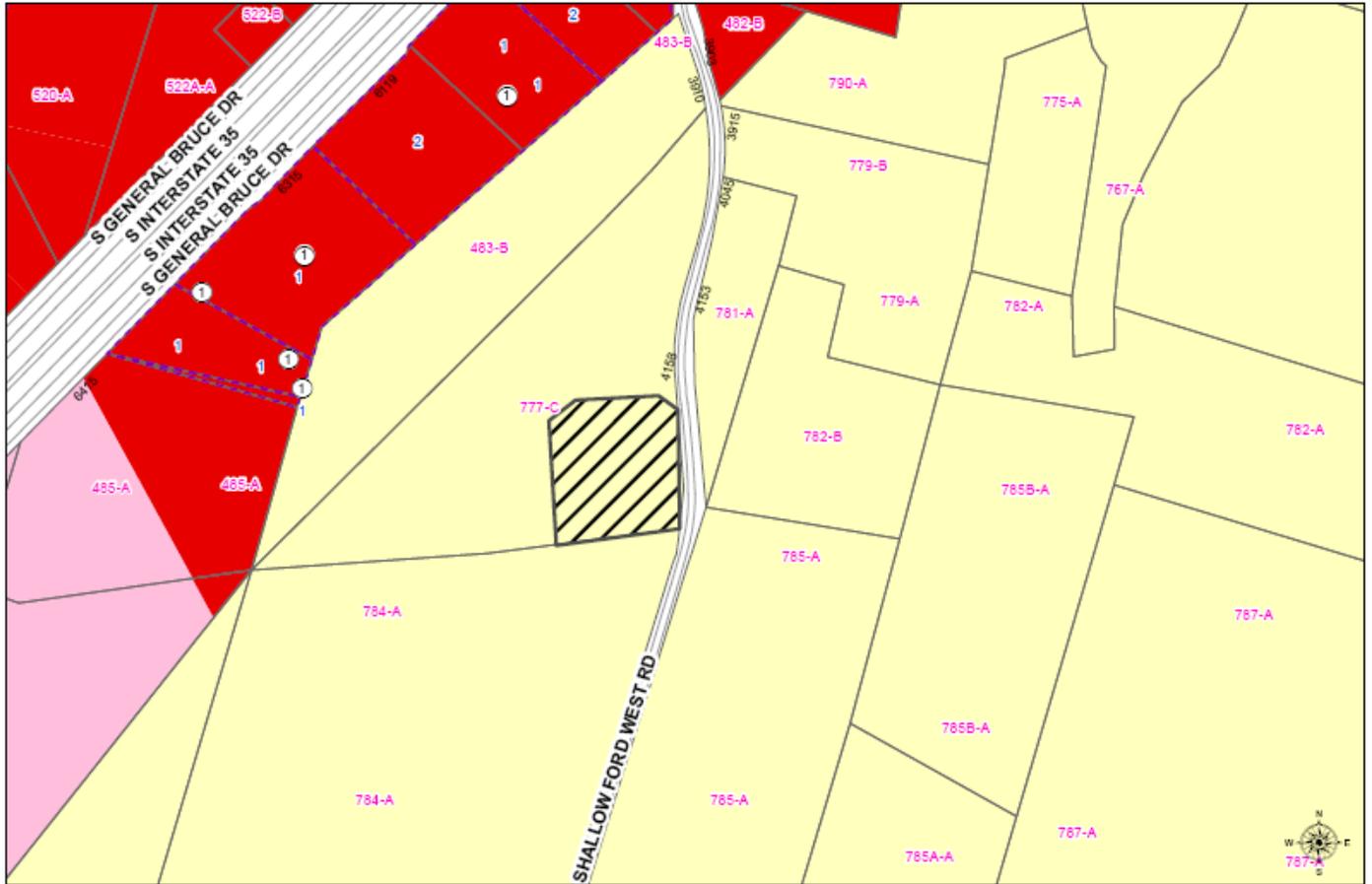
LMatlock Planning 9.15.11



Z-FY-11-49

3.787 Acre Portion of the Nancy Chance Survey #5

4158 Shallow Ford West Road



- | | | | | | |
|-----------------------|-------------------------|--------------------|---------------------------|-----------------------------------|--------------|
| ZFY 11-49 | 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 | |

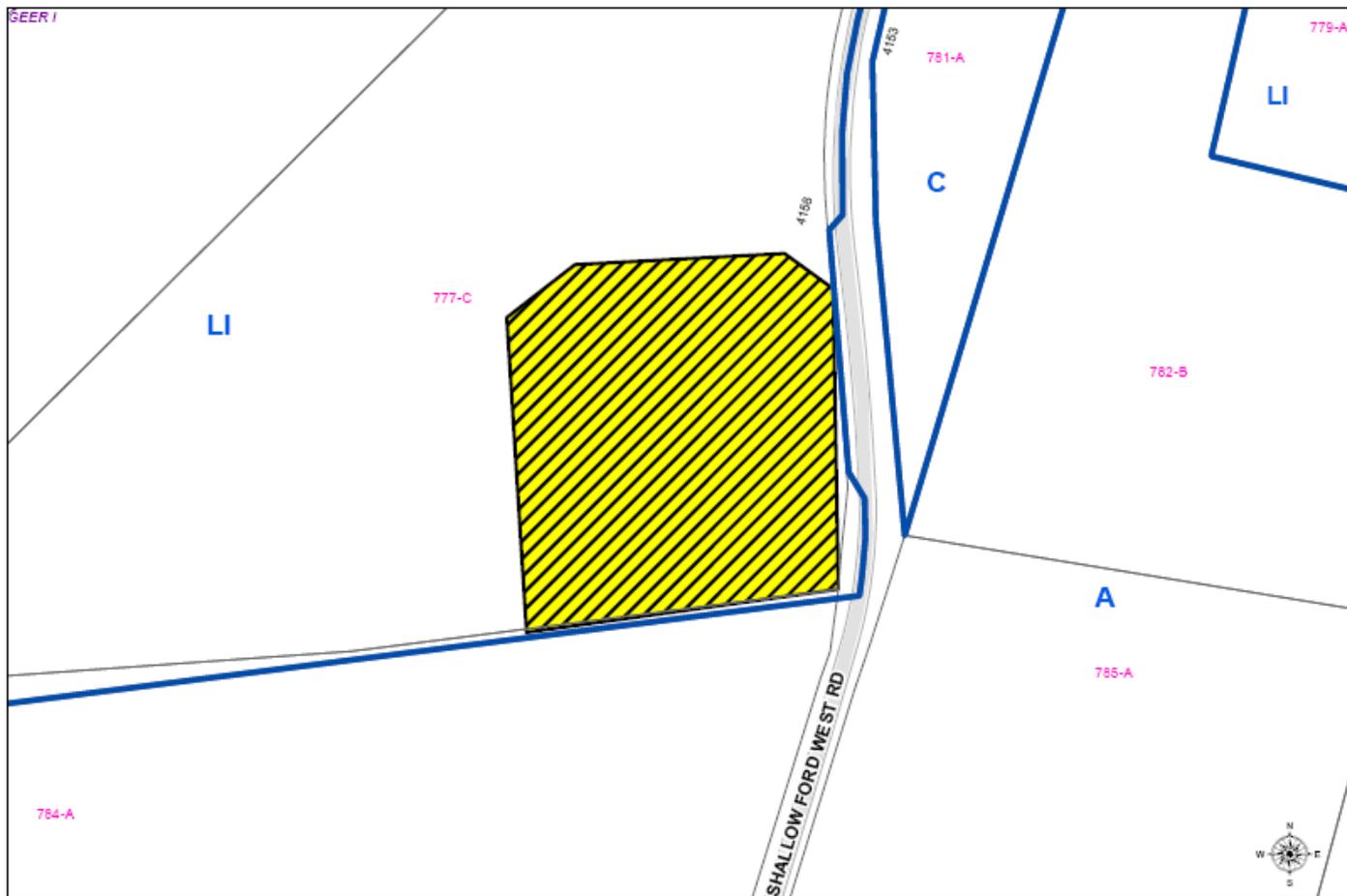
1 inch = 430 feet
 LMatlock Planning 9.15.11



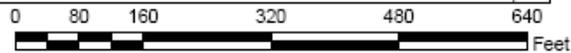
Z-FY-11-49

3.787 Acre Portion of the
Nancy Chance Survey #5

4158 Shallow Ford West Road



- ZFY 11-49 **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

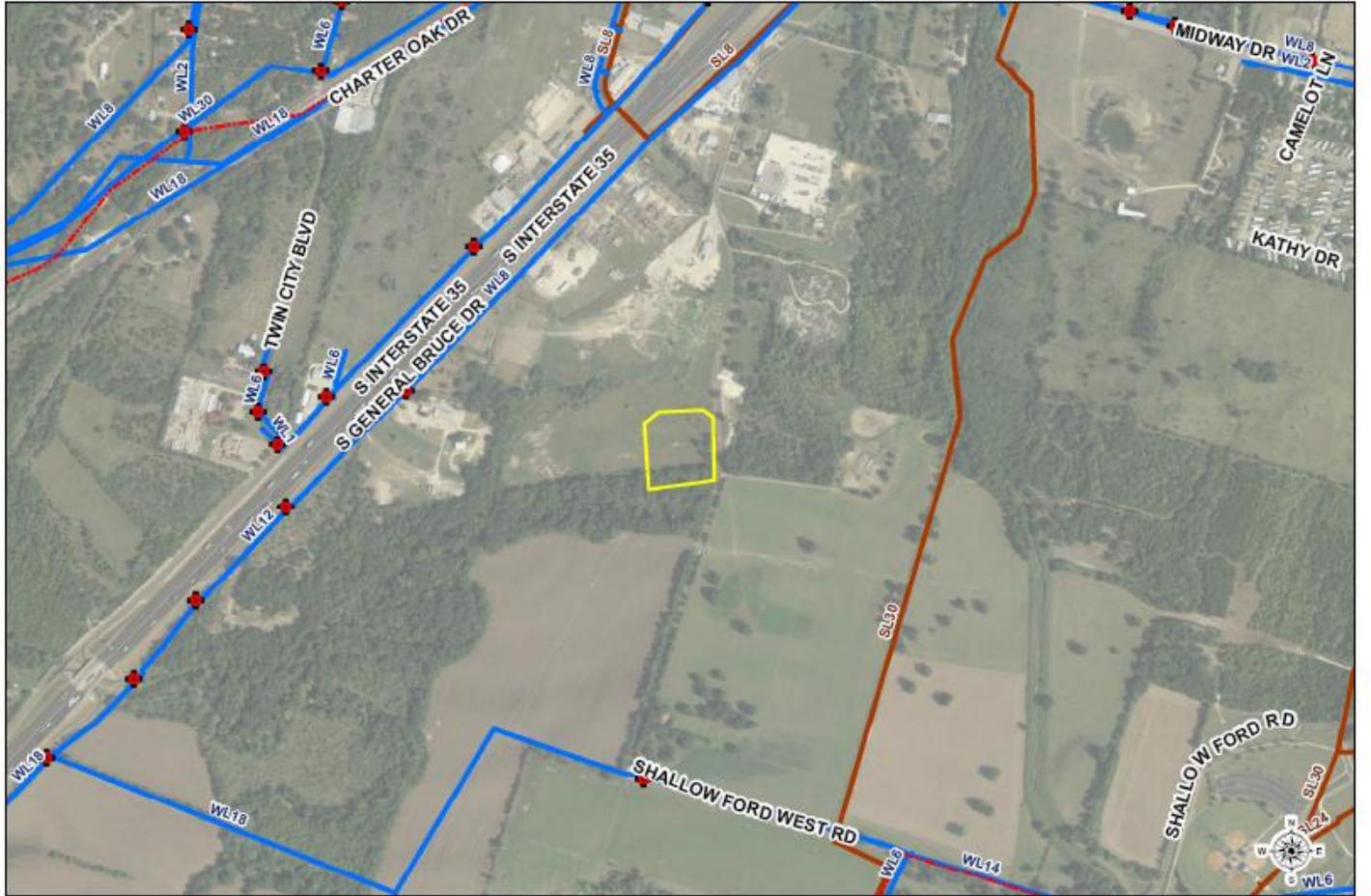
LMatlock Planning 9.15.11



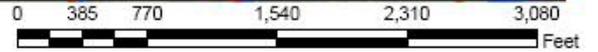
Z-FY-11-49

3.787 Acre Portion of the Nancy Chance Survey #5

4158 Shallow Ford West Road



 ZFY 11-49  Sanitary Sewer Lines

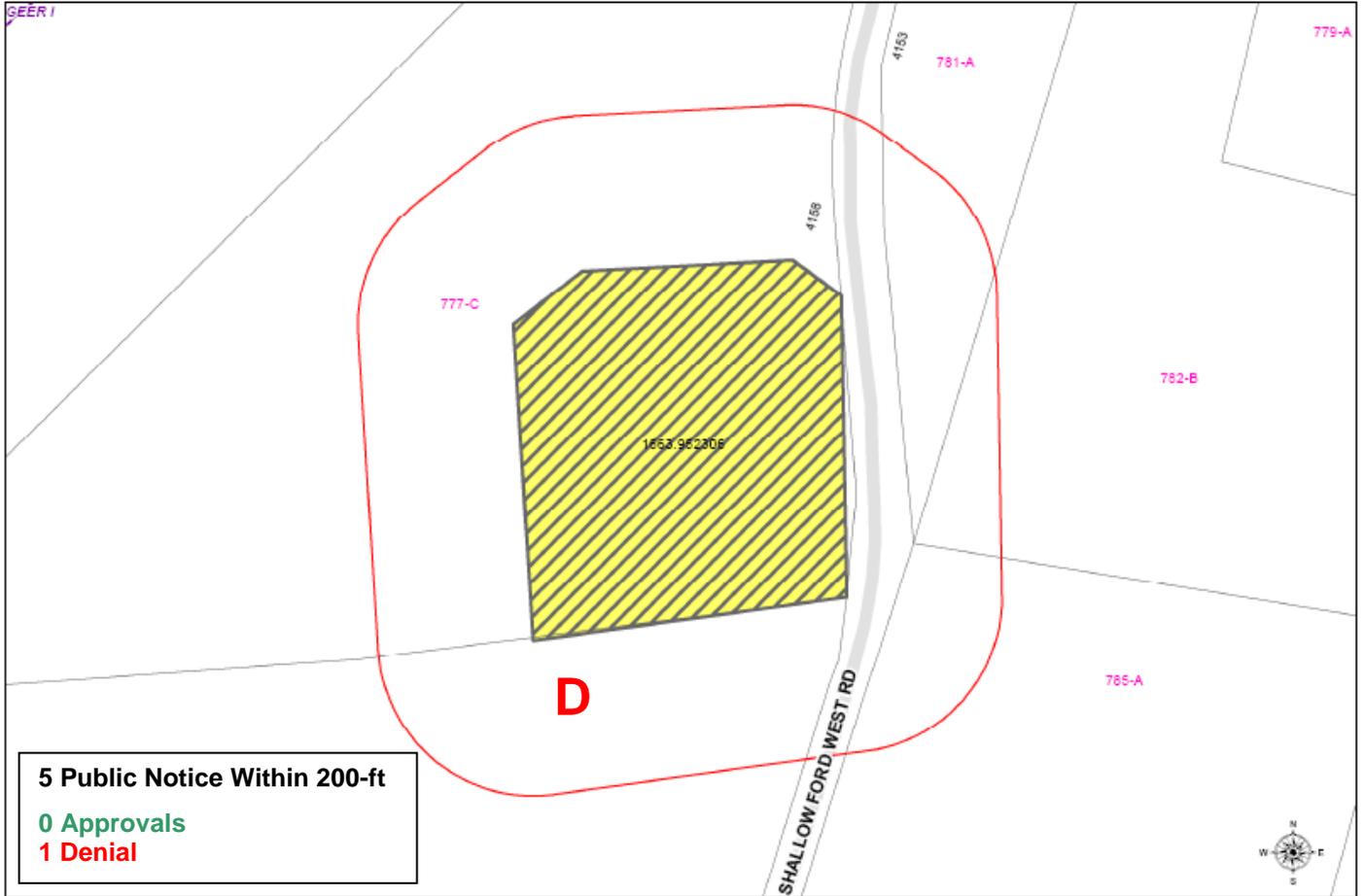




Z-FY-11-49

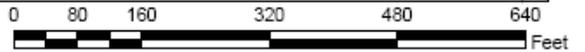
3.787 Acre Portion of the
Nancy Chance Survey #5

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

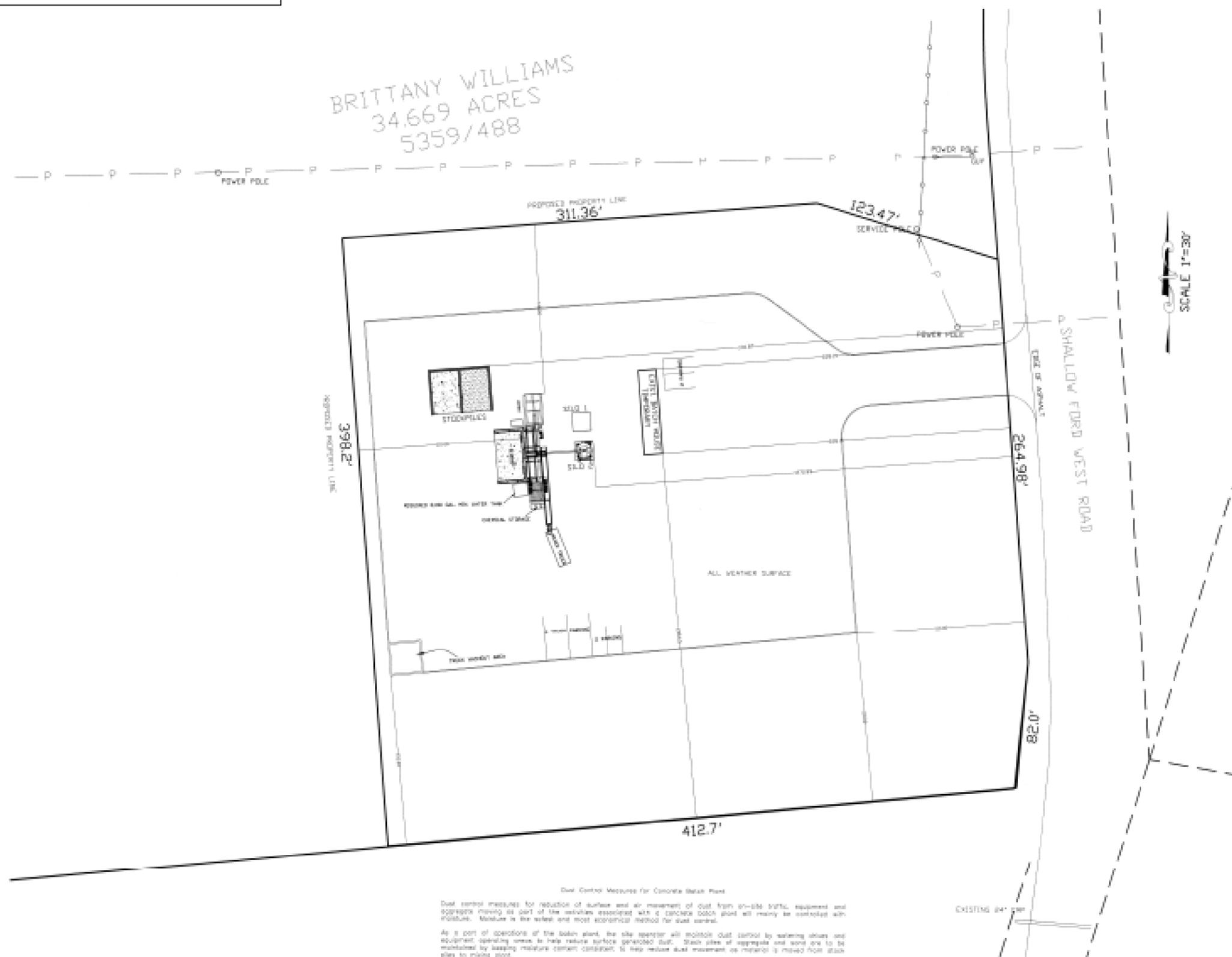
Applicant's Narrative

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.

December 15, 2011
Batch Plant Overall Site Plan

BRITTANY WILLIAMS
34.669 ACRES
5359/488



Dust Control Measures for Concrete Batch Plant

Dust control measures for reduction of surface and air movement of dust from on-site PPE, equipment and aggregate moving as part of the activities associated with a concrete batch plant will mainly be controlled with water. Water is the safest and most economical method for dust control.

As a part of operations of the batch plant, the site operator will maintain dust control by watering areas and equipment operating areas to help reduce surface generated dust. Stock piles of aggregate and sand are to be maintained by keeping moisture content constant. It help reduce dust movement as material is moved from stock piles to mixing plant.

Site operator will visually inspect and maintain dust control measures during plant operation to facilitate watering and moisture control as required.

ENGINEERING - PLANNING - SURVEYING
CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.
301 N. 3rd St.
Temple, Texas (254) 773-2400
E-MAIL: VOTURLEY@TURKEY.COM FAX NO. (254) 773-3588

FIRM No. T-1628



SITE PLAN of
CONCRETE BATCH PLANT
4100 SHALLOW FORD WEST ROAD
TEMPLE, TEXAS

DESIGNED BY
I-CONCRETE, LLC
4100 SHALLOW FORD WEST ROAD
TEMPLE, BELL COUNTY, TX

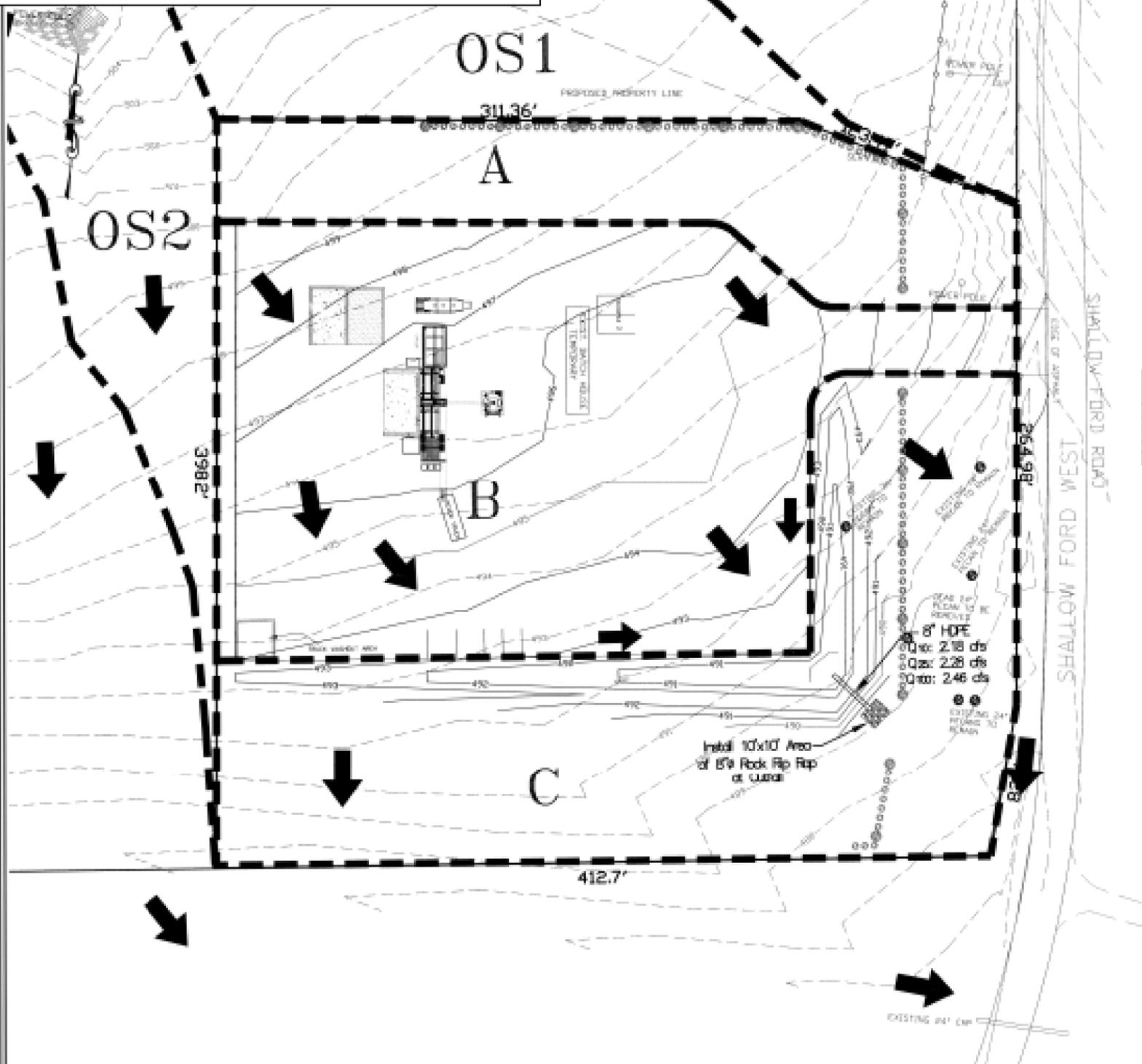
REVISIONS

NO.	BY	DATE
R01	CET CORRECTION	01/08/11
R02	CET CORRECTION	11/26/11
R03	CET CORRECTION	01/08/11

DATE: 7/30/11
DRN. BY: RAB
REF.:
FIELD BOOK -
JOB NO.: 11185
SHEET: 07
CONCRETE
SHEET NO. 11185

12406-D
DRAWING NUMBER

Batch Plant Topography and Drainage Site Plan



- NOTES:**
1. THE DESIGNER, THROUGH HIS OWNERS OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED INFORMATION FROM ALL SOURCES AND SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THE DESIGNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THE DESIGNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION.
 2. DRAINAGE CALCULATIONS WERE PERFORMED USING THE RATIONAL METHOD, BY THE CITY ENGINEER REVIEWING THE CITY OF TEMPLE APPROVAL, EXCEPT AS NOTED.
 3. AREA ESTIMATED BY APPROXIMATE, BASED ON THE CITY OF TEMPLE TOPOGRAPHY AND EXISTING ELEVATIONS, SEE SURVEYING PLAN.
 4. THE DESIGNER AND CONTRACTOR IS RESPONSIBLE FOR DRAINAGE AND SUSTAINING FROM WATER POLLUTION PREVENTION PLAN AND ALL OTHER CONTROL MEASURES.



Drainage Calculations, Developed Conditions, Calculated:

Area	AREA (SQ. FT.)	C ₁	C ₂	C ₃	C ₄	C ₅	C ₆	C ₇	C ₈	C ₉	C ₁₀	C ₁₁	C ₁₂
OS1	1,811	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
OS2	1,811	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
A	0.82	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
B	1.74	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
C	1.43	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
A+B+C	3.99	0.35	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30

STAGE STORAGE TABLE

STAGE	ELEVATION	AREA (SQ. FT.)	INCREMENTAL STORAGE (CU. FT.)	TOTAL STORAGE (CU. FT.)	TOTAL POND CAPACITY (CU. FT.)
1	48	311	1	1	1
2	49	2,208	1,897	1,898	1,899
3	50	1,820	1,509	3,407	3,408
4	51	1,750	1,411	4,818	4,819

DESIGN STORM OUTFLOW

DESIGN STORM	PEAK INFLOW (GPM)	POST DEVELOPED POND OUTFLOW (GPM)	STORAGE VOLUME (CU. FT.)	MAX ELEVATION (FT.)
10	1,400	1,100	4,818	51.0
25	11,200	8,800	4,818	51.0
50	22,400	17,600	4,818	51.0

Pre vs Post-Development

DESIGN STORM	Pre	Post
10	1,400	1,100
25	11,200	8,800
50	22,400	17,600

ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.
309 N. 3rd ST. TEMPLE, TEXAS
E-MAIL: info@turleyinc.com FAX NO. (254) 773-3999

FIRM No. F-1658



POST-DEVELOPMENT DRAINAGE PLAN

CONCRETE BATCH PLANT
WITH WATER STORAGE, WATER TREATMENT

DEVELOPED BY:
J-CRBTE
4500 WILSON ROAD, SUITE 100
TEMPLE, TEXAS, 76788

REVISIONS

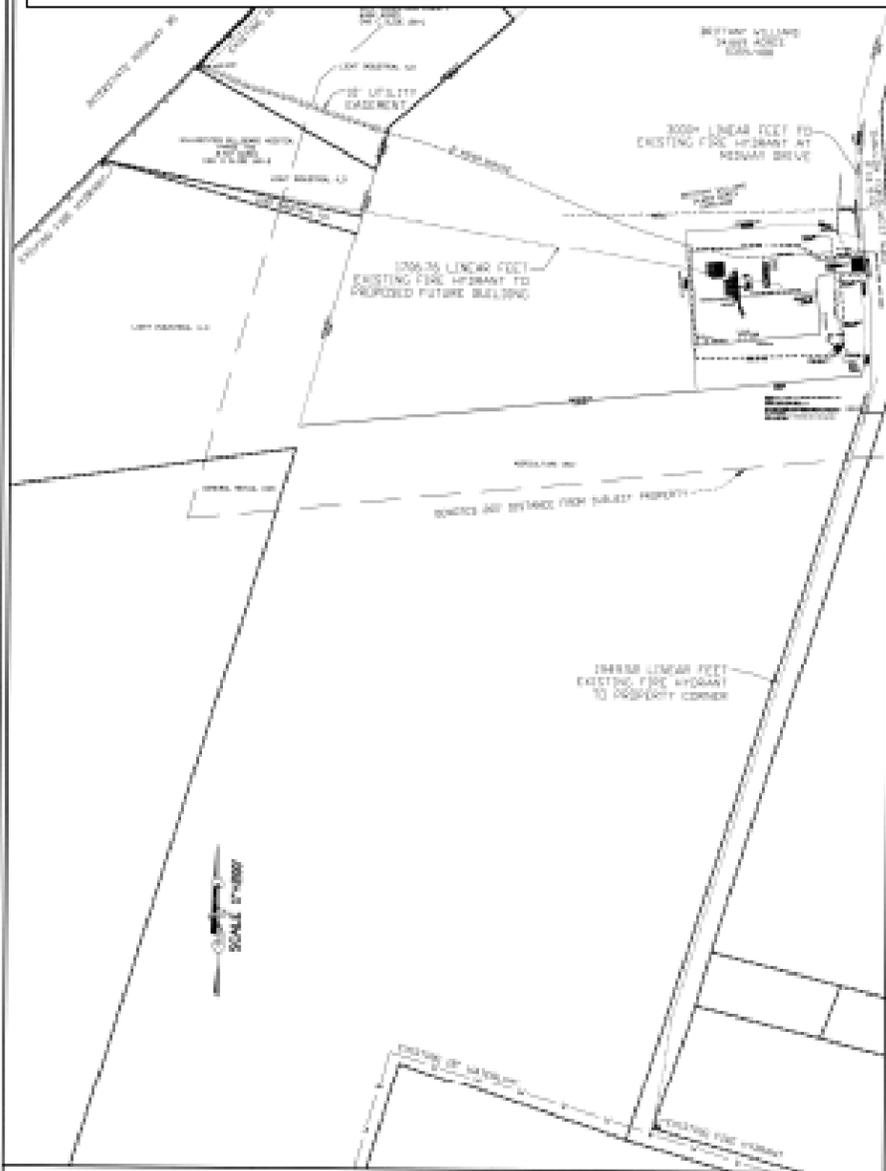
NO.	DESCRIPTION	DATE

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REF:
FIELD BOOK -
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SHEET: 05
COMPUTER FILE NO.: 11185_05

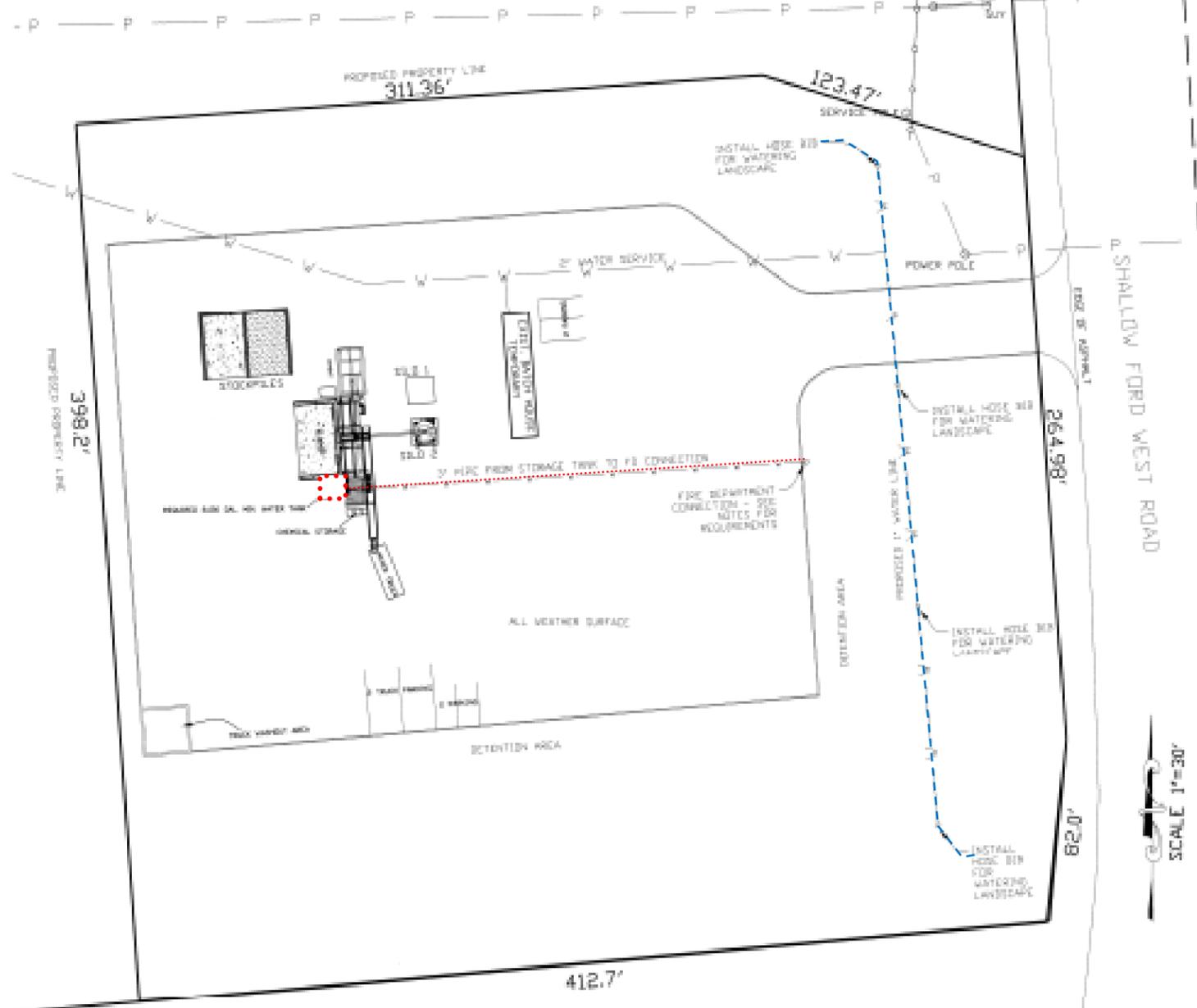
12406-D
DRAWING NUMBER



Private Fire Suppression Tank and Fire Connection In **Red**
Irrigation Lines Shown In **Blue**



BRITTANY WILLIAMS
34.669 ACRES
5359/488



- OWNER / DEVELOPER WILL PROVIDE TEMPORARY WATER SUPPLY WITH THE FOLLOWING RESTRICTIONS AND LOCATED APPROXIMATELY 100 FEET AWAY FROM THE BUILDING:
1. MINIMUM OF 8,000 GALLON STORAGE TANK
 2. FIRE DEPARTMENT SUPPLY/HOOK-UP WITH THE FOLLOWING:
 - 3" PIPE RUN FROM STORAGE TANK
 - VALVE WITH 3/4" MALE CONNECTION THAT MUST MEET NST (NATIONAL STANDARD THREAD)
 - 10 FOOT HARD SUCTION HOSE WITH 3/4" MALE CONNECTION THAT MUST MEET NST (NATIONAL STANDARD THREAD)
 - BALLARD PROTECTION
 - PAINTED RED AND LABELED AS "EMERGENCY WATER SUPPLY"

APPROXIMATELY 40 ACRES TO BE DISTURBED FOR CONSTRUCTION OF THIS PROJECT.
TEMPORARY BATCH TRAILER USING TEMPORARY ON-SITE SEPTIC HOLDING TANK.
ON-SITE SEPTIC SYSTEM TO BE APPROVED THROUGH BELL COUNTY HEALTH DEPT. BEFORE CONSTRUCTION OF PERMANENT OFFICE IF CITY SEWER IS STILL UNAVAILABLE.
WATER IS SERVICED BY 2" WATER METER AND 2" WATER LINE FROM GENERAL BRUCE DRIVE.

TURLEY ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
307 W. 3rd ST. TEMPLE, TEXAS 76788
TEL: (254) 773-2400
FAX: (254) 773-1898
E-MAIL: INFO@TURLEY.COM

FORM No. T-1608

UTILITY PLAN FOR:
CONCRETE BATCH PLANT
4100 SHALLOW FORD WEST ROAD
TEMPLE, TEXAS 76788

DEVELOPED BY:
I-CONCRETE, LLC
4100 SHALLOW FORD WEST ROAD
TEMPLE, TEXAS 76788

REVISIONS	
REV	DATE
REV	DATE
REV	DATE
DATE:	7/20/11
DRN. BY:	RMB
REF.:	
FIELD BOOK:	
JOB NO.:	11005
SHEET:	C3
DATE:	11/05
12406-D	
DRAWING NUMBER	

Batch Plant Landscaping Proposal



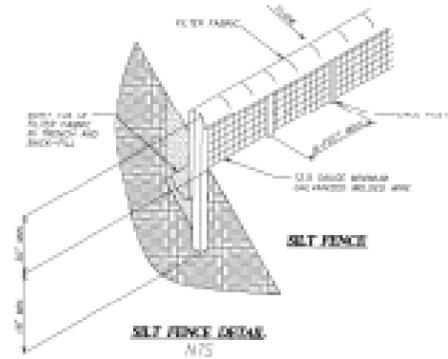
STABILIZED CONSTRUCTION ENTRANCE

NOTES

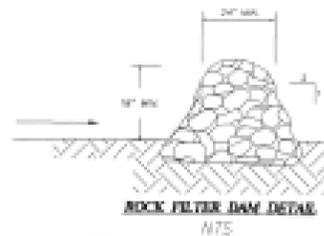
1. STORM DRAIN SHALL BE 4" - 8" OPEN GRADES ROCK GRADED IN AREA BEHIND
2. THICKNESS OF DRAINAGE CURB AND TO BE NOT LESS THAN 8"
3. WIDTH SHALL BE A MINIMUM OF 20 FEET FROM ACTUAL ROADWAY AND WITH NOT LESS THAN FULL WIDTH OF ROADWAY/STREET
4. ENTRANCE SHALL BE PROPERLY GRADED TO PREVENT ROADWAY FROM LEAVING THE CONSTRUCTION SITE.

THE ENTRANCE SHALL BE MAINTAINED AS A CHANNEL WHICH WILL PREVENT TRACKING OF FLOWS OF SEDIMENT INTO PUBLIC RIGHTS OF WAY. ALL SEDIMENT SHALL BE PROPERLY STORED OR TRACKED INTO PUBLIC RIGHTS OF WAY MUST BE REMOVED IMMEDIATELY BY CONTRACTOR.

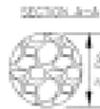
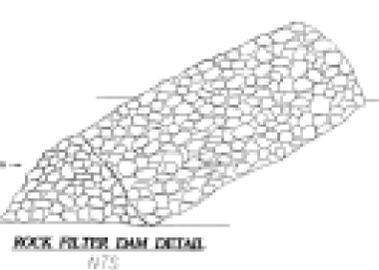
AS NECESSARY, BARRIERS MUST BE COULDED TO REMOVE SEDIMENT FROM TO ENTRANCE (AND PUBLIC RIGHTS OF WAY). SUCH BARRIERS IS REQUIRED, IT SHALL BE DONE ON AN AREA ESTABLISHED AND CHAINED OFF WITH DRAINAGE AND AN APPROVED SEDIMENT TRAP OR SEDIMENT BASK. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATERCOURSE UNLESS APPROVED OTHERWISE.



- ### NOTES
1. POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE UNPROTECTED DRAINAGE SOURCE.
 2. THE TOP OF THE SILT FENCE SHALL BE FINISHED BY WITH A GRADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSTREAM FACE OF THE FENCE IS FLAT AND SUBSTANTIALLY CLEAR TO THE LINE OF FLOW.
 3. THE TRENCH SHOULD BE 4 MIN OF 8" 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 WOODEN BARS, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POSTS.



- ### NOTES
1. USE ONLY OPEN-DRAINED ROCK, WITH MOST OF THE FACES ROUNDED.
 2. STONES SHALL BE SORTED AND LARGEST OVERSIZED SPECIFICATIONS SHALL BE AT LEAST 1/2 IN DIAMETER AND LESS THAN 1 CUBIC FOOT IN VOLUME.
 3. THE ROCK FILTER DAM SHALL BE DIVIDED INTO ONE A MINIMUM OF 10 FEET.
 4. THE ROCK FILTER DAM SHALL BE INSPECTED AFTER EACH DAY, AND THE STONE SHALL BE REPLACED WHEN THE DAM IS NOT FUNCTIONING AS INTENDED, DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.



ROCK CAPPING SHOULD BE STAPLED DOWN WITH 1/2" DIAMETER REBAR STAPLES.

BRITTANY WILLIAMS
34.669 ACRES
5359/488

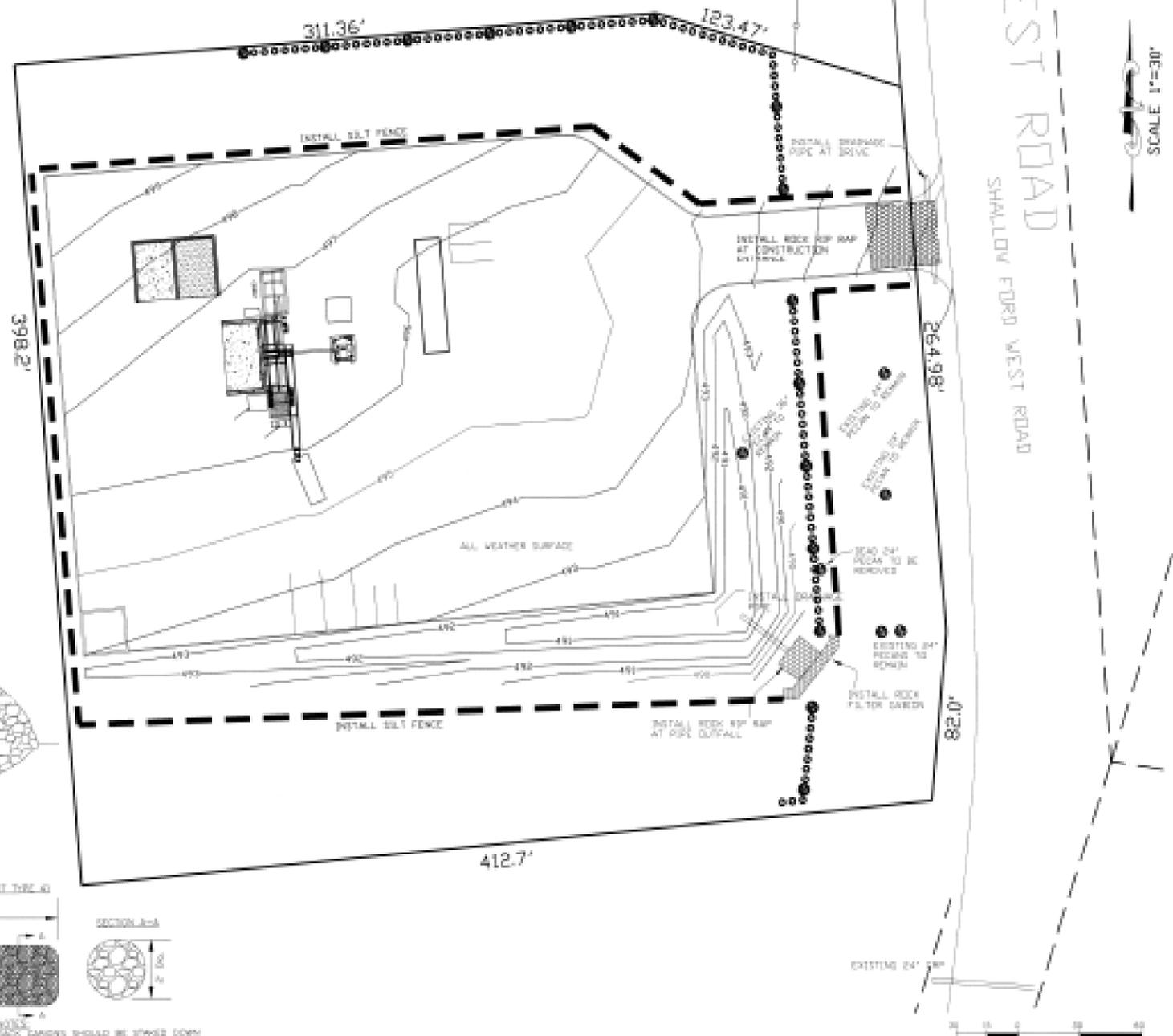
LOT FRONTAGE = 346.90'
TREES REQUIRED = 1 TREE FOR EVERY 40' OF ROAD FRONTAGE
TREES REQUIRED 346.90/40 = 8.67 ROUNDED UP TREES REQUIRED = MIN 9' CALIBER AND 3" OVERALL HEIGHT
THREE (3) SHRUBS 5 GALLONS IN SIZE MAY BE SUBSTITUTED FOR ONE REQUIRED TREE

- 1. TREE - TEXAS ASH (FRAXINUS TEXENSIS) SPACES 40' APART (15 TOTAL)
- 2. SHRUB - TEXAS SAGE (LEUCOPHYLLUM FRUTESCENS) SPACES 5' APART (196 TOTAL)

ALL TREES AND SHRUBS SHALL BE PRESENTED BY AN AUTOMATIC SPRINKLER SYSTEM OR HAVE ACCESS TO A HOSE CONNECTION WITHIN 30 FEET OF ALL LANDSCAPING

3% OF LOT AREA USES 37,549.2 SQ FT (NOT INCLUDING DRIVEWAYS, PAVED WALKS OR STREET AND ALLEY RIGHTS OF WAY) = APPROXIMATELY 307,208 SQ FT 10% LANDSCAPE AREA REQUIRED

ALL TREES AND SHRUBS SHALL BE UNDERPLANTED WITH GROUND COVER CONSISTING OF ONE DRAIN 20 LB PURE LIVE SEED PER ACRE COMBINED WITH SCRUBBER GRASS, SPHALLED, 20 LB PURE LIVE SEED PER ACRE



ENGINEERING - PLANNING - SURVEYING
CONSTRUCTION ADMINISTRATION
TURLEY ASSOCIATES, INC.
301 W. 3rd ST. TEMPLE, TEXAS
F-MAIL - 101001@TURLEY.COM FAX NO. (254) 773-1598

FIRM No. F-1658



DESIGNER/CONTRACTOR/LANDSCAPING
CONCRETE BATCH PLANT
1000 SOUTH GENERAL STREET SUITE 100
TEMPLE, TEXAS

DEVELOPED BY:
I-CONCRETE, LLC
1000 SOUTH GENERAL STREET SUITE 100
TEMPLE, TEXAS

REVISIONS		
NO.	DATE	DESCRIPTION

DATE:	3/26/11
DWN. BY:	RAD
REF:	
FIELD BOOK -	
JOB NO.:	11299
SHEET OF	08
DATE:	11/28/10

12406-D
DRAWING NUMBER



PLANNING AND ZONING COMMISSION AGENDA ITEM

1/03/12
Item #10
Regular Agenda
Page 1 of 2

APPLICANT: Planning & Zoning Commission

CASE MANAGER: Autumn Speer, Director of Community Services

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
Golf Range. Discuss and recommend action on a rezoning from Agricultural District to Commercial District on Tract 1, being a 7.684 acre ± tract of land and Tract 2, being a 5.779 acre ± tract of land both out of the George Givens Survey, Abstract No. 345 and the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the east side of South Kegley Road, north of the Caddy Shack	P&Z 1.17.12	
Discuss and recommend action on amendments to Articles 5, 6, 7, 8 and 11 of the Unified Development Code to: add “Kiosk”, “Assisted Living” and “Nursing Home” as permitted uses in the use table of certain zoning districts with specifications; remove “home occupation” as an allowable residential accessory use in the LI and HI zoning districts; Clarify all parking areas must be paved with either asphalt or concrete; Clarify that vehicular backing motions are prohibited into a public street from a parking area on all newly developed non-residential sites; Clarify utility poles or other obstructions are not permitted in sidewalks; and to establish or amend definitions related to such uses and standards.	P&Z 1.17.12	

City Council Final Decisions	Status
<p>2011-4493: SECOND READING - 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</p>



**PLANNING AND ZONING COMMISSION
MEETING EVALUATION
January 3, 2012**

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.).
