

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
STAFF CONFERENCE ROOM, 1<sup>ST</sup> FLOOR  
MARCH 5, 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, March 5, 2012.
2. Workshop on the 1st and 3rd Street Overlay.
3. 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, 2<sup>ND</sup> FLOOR  
MARCH 5, 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.

**Item 1:** [Approval of Minutes](#): Work session and the regular meeting of February 21, 2012.

**B. ACTION ITEMS:**

**Item 2:** [P-FY-12-10](#): Hold a public hearing to discuss and take action on the Final Plat of Wildflower Commercial Phase Two, a 1.417 ± acre, two-lot nonresidential subdivision, being a replat of Wildflower Commercial Subdivision, located at the southeast corner of Bright Lane and West Adams Avenue. (All County Surveying for Christopher Vonder Hoya)

**Item 3:** [Z-FY-12-29](#): Hold a public hearing to discuss and recommend action on a rezoning from Single Family One District (SF1) to General Retail District (GR) on Lot 3, Block 8, Parklawn Addition located at 2007 North 7th Street and 0.25 acres ± out of the Maximo Moreno Survey, Abstract 14, being a portion

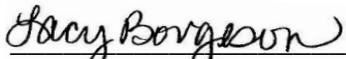
of North 7th Street adjacent to 2007 North 7th Street. (Scott Dye for Crispin Landeros)

**Item 4:** [Z-FY-12-30](#): Hold a public hearing to discuss and recommend action on a rezoning from Single Family One District (SF1) and Single Family Two District (SF2) to Multiple Family Two District (MF2) on a 15 ± acre tract of land out of the McKinney and Williams Survey, City of Temple, Bell County, Texas, located on the north side of SW H K Dodgen Loop, west of Bird Creek Shopping Mall. (Jason Willard for Immediate Real Properties, LP)

### C. REPORTS

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:30 PM, on February 29, 2012.

  
\_\_\_\_\_  
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  
TUESDAY, FEBRUARY 21, 2012  
5:00 P.M.  
WORK SESSION**

**PLANNING AND ZONING MEMBERS PRESENT**

Chair Derek Martin

**COMMISSIONERS:**

James Staats  
H. Allan Talley  
David Jones

Greg Rhoads  
Mike Pilkington  
Chris Magaña

**PLANNING AND ZONING MEMBERS ABSENT:**

Will Sears

**STAFF PRESENT:**

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

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

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

With a quorum present, Chair Martin opened the work session at 5:01 p.m., assigned the Invocation and Pledge and asked Mr. Brian Mabry, Planning Director, to proceed.

Mr. Mabry welcomed Chris Magaña as the newest appointed Commissioner to P&Z. Mr. Magaña works in insurance, is a Temple native, and this is the first board he has served on.

Mr. Mabry stated Mr. Bert Pope has also been reappointed to the Commission and will be seated at the next meeting.

There is only one Consent Item which are minutes from February 6, 2012 meetings.

Item 2 is an I-35 appeal for the existing Starbucks located on North General Bruce. They are remodeling internally and the drive isle around the building triggered I-35 compliance. Staff has a positive recommendation for this request. This case will go to City Council for their final decision.

Item 3 is an amendment to an existing PD on property at South 5<sup>th</sup> and Marlandwood. This location used to be Nan Vaden's Temple Temps office. The current owner is using the building as his office for a contracting company and has requested an amendment to the existing PD to have a contractor storage yard there. The base rezoning of O1 would stay in place and allowable uses would remain. This accessory use would be added to the property. The applicant would need to provide a six to eight foot fence around the entire contractor storage area and other Staff recommendations would become part of the PD. Mr. Mabry explained the house and any future buildings on the property would remain residential in character, the screening fence would be installed, and all existing trees remain in place.

Only one denial response has been received.

Staff and applicant have met and worked together previously to discuss various options and solutions to do this project.

Item 4 is a CUP to allow Bo's Barn, a dancehall and restaurant, to increase alcohol sales to 75% or more from total revenue. Ms. Autumn Speer, Director of Community Services, explained they currently have a private club membership they brought from Salado. In order to stay ahead of State licensing requirements, Staff proactively asked the applicant to do this CUP request just in case the restaurant does not succeed.

Vice-Chair Staats stated the parking was an issue and Ms. Speer stated that was being handled by Code Enforcement.

One response for approval was received.

Item 5 is a rezoning from 2F to GR at 2102 Scott Boulevard. This was initiated by the City. Rezoning the property would bring it into compliance with the Future Land Use and Character Map for the area. The subject property is located on a collector street and utilities are in place.

Two response letters were received in approval and one in denial. A separate denial letter was sent to City Council from someone outside of the notification area.

The Annual Report recaps the 2010-2011 year.

For the benefit of Mr. Magaña, Mr. Mabry briefly explains some Planning terms and acronyms.

A CUP for Smashburger will be coming forward to P&Z. They would like a 75% or less for on-premises consumption.

A rezoning from SF1 and SF2 to MF2 on property along the Loop and west of Bird Creek Crossing Shopping Center. Adjacent PD rezonings may be done in the future for the overall residential area.

A rezoning request from SF1 to GR for a portion of North 7<sup>th</sup> Street which is also going through an abandonment process. The abandonment was approved by City Council at first reading.

No second readings or updates from City Council.

Ms. Speer stated on March 5<sup>th</sup> there will be a work shop presented to the Commissioners regarding the 1<sup>st</sup> and 3<sup>rd</sup> Street Overlay.

There being no further discussion, Chair Martin adjourned the meeting at 5:17 P.M.

**PLANNING AND ZONING COMMISSION  
TUESDAY, FEBRUARY 21, 2012  
5:30 P.M.**

**PLANNING AND ZONING MEMBERS PRESENT**

Chair Derek Martin

**COMMISSIONERS:**

H. Allan Talley	James Staats
Greg Rhoads	Mike Pilkington
Chris Magaña	David Jones

**PLANNING AND ZONING MEMBERS ABSENT:**

Will Sears

**STAFF PRESENT:**

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

**The agenda for this meeting was posted on the bulletin board at the Municipal Building, February 16, 2012 at 2:00 p.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 5:30 P.M.

Invocation by Vice-Chair Staats; Pledge of Allegiance by Chair Martin.

**A. CONSENT ITEMS**

**Item 1: Approval of Minutes:** Work session and the regular meeting of February 6, 2012.

Approved by unanimous consent.

*[There was a typographical error caught in the Commissioners Present at the work session on February 6, 2012--Chair Martin was inadvertently listed twice and H. Allan Talley should have been listed as present]*

## B. ACTION ITEMS

**Item 2: Z-FY-12-31** - Consider and make recommendation on an Appeal of Standards in Sec. 6.7 of the Unified Development Code related to the I-35 Corridor Overlay Zoning District including landscaping, building treatment, and parking lot additions for Starbucks Coffee, located at 111 N. General Bruce Drive.

Ms. Leslie Matlock, Senior Planner, stated that this case would go to City Council on March 1, 2012 for final action. Pictures of the site were shown from the I-35 frontage road and from an aerial view. Ms. Matlock explained that the Applicant's proposal to remodel the coffee shop interior and to realign the drive aisle triggers improvements tied to the Overlay District and that the property is in the City Entry Sub-District.

Additional pictures were shown of existing mature landscaping, building exterior, and outdoor dining patio. Proposed building exterior modifications were shown including a new pergola with trained wisteria vines, new earth tone paint job, and new wood paneling with accent metal awnings. Screening will be provided in the form of a wood fence for the rear service area.

A landscaping slide was shown, showing existing and proposed landscaping. The existing primary drive aisle from the I-35 frontage road prevents the widening of the existing three feet wide strip of private property adjacent to the I-35 right-of-way. The Applicants proposed a screening hedge within this three foot strip. Width of the strip prevents required berming and tree planting. Additional new trees, shrubs and parking islands were pointed out by Ms. Matlock.

Ms. Matlock explained that the Applicant originally showed the four required parking landscape islands; however, Staff requested from the Applicant building entrance enhancements in exchange for two of the islands at the back of the lot. The enhancement is proposed to be an additional pergola along the southern side of the building and wisteria vine added to each pergola.

Ms. Matlock further explained that no enhanced driveway pavers are proposed for the entrance and that a screening row of shrubs should extend along the landscaped islands along Barton Avenue.

Ms. Matlock concluded by saying that the Applicant has an attractive, well maintained business in comparison to similar businesses on I-35. The landscaping and building improvements are in the spirit of the I-35 Overlay District and will add to an even more attractive site.

Staff Recommends approval of this Appeal with the extension of the shrub screen across the frontage islands of the Barton Avenue right-of-way.

Noticing that the Applicants were not in the audience as was expected, Vice-Chair Staats made a motion to skip on to other items on the agenda to give the applicants time to arrive. Commissioner Talley seconded the motion.

*Motion passed: (7:0)*

Commissioner Sears absent; Commissioner Pope has been appointed to the Commission as its ninth member but not yet been seated.

After all other items were addressed on the Agenda, the applicants still had not arrived. Mr. Brian Mabry, Planning Director, explained to the Commission that the Applicants and City Staff were in agreement on the proposal and that the Commission should vote on the item.

Commissioner Rhoads made a motion to approve **Z-FY-12-31** as recommended by Staff. Commissioner Pilkington made a second to the motion.

*Motion passed: (7:0)*

Commissioner Sears absent; Commissioner Pope has been appointed to the Commission as its ninth member but not yet been seated.

**Item 3: Z-FY-12-28** - Hold a public hearing to discuss and recommend action on an amendment to Ordinance Number 2001-2778, originally approved July 5, 2001, Planned Development (Office One) District, to allow a fenced contractor storage and equipment yard on 0.91 acre ± situated in the Maximo Moreno Survey, Abstract 14, City of Temple, located at 3802 South 5th Street. (Applicant: Randy Fulton)

Ms. Matlock stated this case would go to City Council on March 15<sup>th</sup> for first reading and April 5<sup>th</sup> for second reading and final action.

The site plan shows an office and a beauty salon within the former residential building. The building is currently being used as applicant's construction business office and the rear area as a storage and equipment yard. Code Enforcement requested that issues be removed or the property be rezoned.

The applicant was given three options to resolve the problem: 1) the materials and equipment be moved off-site; 2) the applicant request Commercial (C) zoning that allows this type of use; or 3) the storage and equipment yard be added to the Planned Development (PD). The applicant requested to add it to his PD Ordinance with approved uses. If not approved, this use will have to be removed.

Surrounding properties include residential to the north, retail to the south, agricultural to the east, and undeveloped land to the west with a City spine trail along Friars Creek.

The site plan shows the proposed equipment yard screened by a solid wood fence, six to eight foot in height to be installed by applicant.

Seven notices were mailed out to surrounding owners with two letters received recommending denial.

Staff recommends approval of this request to permit a contractor storage and equipment yard, as submitted, with the following conditions:

Development of the subject property must be in accordance with the approved site plan attached to the Ordinance that approves the PD amendment;

The contractor storage yard must be completely enclosed with a solid wood fence six to eight feet in height;

The office building and all future structures built on the site must maintain a residential character with brick exteriors on all sides, pitched roofs and a maximum height of one story; and

The trees in place on the subject property on the effective date of the Ordinance that approves the PD amendment must be preserved and may not be removed without an amendment to the associated PD site plan. Normal maintenance is allowed without an amendment to the PD site plan

Vice-Chair Staats asked about employee parking and Ms. Matlock stated there was an asphalt parking lot in the rear of the site with a driveway off of Marlandwood, although there is a circular driveway in the front. Vice-Chair Staats asked the Commission to consider restricting the front circular drive to customers only with no employee parking allowed.

Chair Martin opened the public hearing.

Ms. Sandra Aikins and Mr. Russ Aikins, 3208 Rockbrook Drive, Plano, Texas, stated their parents were John and Madeline Gilly, and Sandra and her brother, Richard Gilly, own the property at 3606 S. 5<sup>th</sup> Street.

Mr. Aikins stated their concern was the impact this would make to the value of the land in the area. Most of the area is residential with spotted commercial uses. There is also a nature trail in the back area that is used quite frequently and will the people see the activities, employees, and equipment at the location.

Commissioner Jones asked if the Aikinses' concern were the aesthetics of the property and they responded yes. They did not want something 'junky' looking in the area. The Aikins were not in favor of this request.

The Aikins were more in favor of a nicer building to house the equipment and materials, however, they realized this would be more expensive. The City has put a lot of expense into a nature trail nearby (west side of creek) and it would be a shame to allow anything to hamper the image already developed.

Ms. Matlock stated this property did not go all the way to the creek; there is approximately 30 feet of space between the subject property and the creek.

Chair Martin stated the Commission might consider, in addition to the fence, some type of hedge greenery on the other side of the fence to block the fence to keep with the environment.

Commissioner Jones asked about lights and security involved. Ms. Matlock stated Staff discussed with applicant to keep the area residential character which precluded the large lights referred to. Any light on the property would not be allowed to trespass into other lots. The Commission could include a condition for this if desired.

Vice-Chair Staats asked if there were any restrictions on storage of materials and/or equipment outside the fence. Ms. Matlock stated the contractor storage yard must be completely enclosed within the solid six to eight foot high wooden fence.

Chair Martin stated he was pro business and would like the Commission to pass this but in a restrictive type of way without injury to surrounding properties.

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

Commissioner Jones agreed with the comments and suggestions made but was concerned about the lighting issues considering it is in a residential area. Chair Martin and Vice-Chair Staats suggested restricting the lighting height. Ms. Matlock stated lighting could be included within the conditions about office building and all future structures maintaining a residential character.

Vice-Chair Staats stated his concern was once the yard starts filling up with construction materials, the employees do not start parking in the front area (circular drive and/or grass) and would like the Commissioners to consider including that as a restriction as well.

Vice-Chair Staats made a motion to approve Item 3, **Z-FY-12-28**, with the Staff conditions presented, along with inclusion of employee parking being restricted within the fenced storage yard area only, and lighting to maintain the character of the neighborhood. Commissioner Talley made a second but with the inclusion of an eight foot fence.

*Motion passed: (7:0)*

Commissioner Sears absent; Commissioner Pope has been appointed to the Commission as its ninth member but not yet been seated.

**Item 4: Z-FY-12-26** - Amendment to Ordinance No. 2003-3908, originally approved June 19, 2003, PD-C District with a CUP to allow the sale of alcoholic beverages for on-premises alcohol consumption where the gross revenue from the sale of alcoholic beverages is more than 75% of the total gross revenue for a proposed dance hall and restaurant located at 4984 West FM 93. (Applicant: Lorinda Baum for David Beevers)

Ms. Matlock stated this matter would go before City Council for first reading on March 15, 2012 and for second reading and final action on April 5, 2012.

This site holds a CUP for alcoholic beverage service in conjunction with a restaurant use in a Commercial district. That service can produce revenue for 75% or less of the total revenue for the entire business. This business, a dancehall, has been opened with a restaurant since mid-January. The applicant wishes to increase the amount of revenue from alcohol in case the restaurant does not succeed.

Surrounding properties includes vacant land with Commercial zoning to the north, vacant land and Agricultural (AG) zoning to the south, vacant land to the east, and cement plant to the west, both zoned Light Industrial (LI).

Four notices were mailed to surrounding property owners and one approval was received.

Staff recommends approval of this request as submitted by applicant.

Chair Martin opened the public hearing.

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

Commissioner Rhoads made a motion to approve Item 4, Z-FY-12-26, and Commissioner Jones made a second.

*Motion passed: 7:0*

Commissioner Sears absent; Commissioner Pope has been appointed to the Commission as its ninth member but not yet been seated.

**Item 5: Z-FY-12-25** - Discuss and recommend action on a rezoning from Two Family District (2F) to General Retail District (GR) on a 0.939 ± acres tract of land out of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at 2102 Scott Boulevard. (Applicant: City of Temple)

Mr. Brian Mabry, Planning Director, stated if this case were approved it would go to City Council on March 1, 2012 for first reading and March 15, 2012 for second reading and final action.

The surrounding land includes undeveloped land to the north and south, a single-family dwelling to the west, and an office to the east. This property is not affected by the Master Trails Plan.

The Future Land Use and Character Map designate the property as Suburban Commercial. Neighborhood Conservation is to the west, Auto Urban Commercial to the south and Suburban Commercial to the east and north.

The Thoroughfare Plan designates Scott Boulevard as a collector street and public facilities are available to the site.

Twelve notices were mailed out; two were returned in favor of the request. One was returned in opposition to the request. However, this recipient stated he was against apartments on the property. The requested zoning district does not allow apartments. One other opposition letter was received in the form of an email addressed to City Council members. This citizen is outside of the 200' notice radius. His concerns related to traffic on Scott Boulevard.

Staff recommends approval of this request since it complies with the Future Land Use and Character Map, the Thoroughfare Plan, and utilities are available for the site.

Chair Martin opened the public hearing.

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

Commissioner Talley made a motion to approve Item 5, **Z-FY-12-25** and Commissioner Pilkington made a second.

*Motion passed: (7:0)*

Commissioner Sears absent; Commissioner Pope has been appointed to the Commission as its ninth member but not yet been seated.

**Item 6:** Receive and discuss the Planning Department's **Annual Report.**

Mr. Mabry stated the Annual Report would be presented to City Council on March 1, 2012.

The Annual Report includes the Mission of Planning to promote quality sense of place, administer the Comprehensive Plan (CP) and the Unified Development Code (UDC), and to work with all types of stakeholders for completion of development projects from beginning to completion.

Mr. Mabry introduced the Planning Staff.

Demographic and historic information include Temple's population growth from the 1960s census up to the 2010 census, including an internal estimate for 2011 population. From 2000 to 2010 there has been approximately 21% growth rate keeping in line with the entire state of Texas. Comparable city growth rates were given.

Applications that have come through Planning in 2010 and 2011 are briefly stated:

**2010**

One annexation for 10.83 acres which became the Northcliffe IX Subdivision. At that point, there were 44,353 acres of land and water within the City's boundaries.

Twenty amendments to the Future Land Use and Character Map which coordinates with rezonings approved during the year. Examples were given.

A couple of text amendments which include allowing package stores with a CUP and also the I-35 Overlay which related to applicability.

The UDC was adopted.

There were 14 rezoning applications. City Council approved 13 of these with one denied for the quarry along State Highway 36 (along with the CUP).

Sixteen CUP applications were submitted and City Council approved 13.

Eleven PDs were submitted and City Council approved nine.

Thirty subdivision plat applications were submitted: five preliminary plats, 14 final plats, and 11 minor or amending plats.

Building permits (including minor things such as fences, flatwork, etc.) were 699 residential permits, 97 non-residential permits, and 83 sign permits.

**2011**

Two annexations, one very large including Lake Belton area and surrounding shoreline, 3,233 acres and a small voluntary annexation of three acres. This brings the City's acreage to 47,597.5 acres, including land and water.

One Thoroughfare Plan request for the S curve along Pea Ridge Road. This request was eventually withdrawn and handled in a later case.

Some text amendments were done and broken down for the Commission.

Twenty-two rezoning requests were submitted and City Council approved 19.

Seven CUPs were submitted and City Council approved five.

Nine PDs were submitted and City Council approved eight.

Forty plats were submitted with five preliminary plats, 21 final plats, and 14 minor or amending plats.

Building permits were similar to 2010: 657 residential permits, 204 non-residential permits, and 94 sign permits.

Three I-35 appeals.

No action is required on this project.

Commissioner Talley congratulated the Planning Staff on a job well done the past year and Chair Martin agreed.

### **C. REPORTS**

**Item 7:** 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 6:26 p.m.

Respectfully submitted,

Leslie Evans



# PLANNING AND ZONING COMMISSION AGENDA ITEM

3/05/12  
Item #2  
Regular Agenda  
Page 1 of 1

**APPLICANT / DEVELOPMENT:** Christopher Vonder Hoya

**CASE MANAGER:** Tammy Lyerly, Planner

**ITEM DESCRIPTION:** P-FY-12-10 Hold a public hearing to discuss and take action on the Final Plat of Wildflower Commercial Phase Two, a 1.417 ± acre, two-lot nonresidential subdivision, being a replat of Wildflower Commercial Subdivision, located at the southeast corner of Bright Lane and West Adams Avenue.

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Wildflower Commercial Phase Two.

**BACKGROUND:** The Development Review Committee reviewed the Final Plat of Wildflower Commercial Phase Two on February 8, 2012. It was deemed administratively complete on February 24, 2012.

The developer plans to divide the original nonresidential lot into two nonresidential lots so that the proposed Lot 2 may be sold. Texas Local Government Code 212.014 (replatting without vacating preceding plat) requires a public hearing for this replat. Bush's Chicken restaurant is located on Lot 1. Lot 2 is undeveloped and will be marketed for nonresidential development. The entire property is zoned General Retail District (GR).

A 4-foot wide sidewalk is required along the east side of Bright Lane at the time of development of the property.

A 12-inch water line is located along the south right-of-way of West Adams Avenue. A 6-inch water line is located along Bright Lane. An 8-inch sewer line will service the property through a 15-foot wide private waste water easement on Lot 2, along Bright Lane.

**PUBLIC NOTICE:**

The newspaper printed notice of the Planning and Zoning Commission's public hearing for this plat on February 18, 2012, in accordance with state law and local ordinance.

**ATTACHMENTS:**

[Plat](#)

# FINAL PLAT OF WILDFLOWER COMMERCIAL, PHASE TWO

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

BEING A REPLAT OF BLOCK 2, LOT 1 WILDFLOWER COMMERCIAL, A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, A SUBDIVISION OF RECORD IN CABINET D, SLIDE 241-C, PLAT RECORDS OF BELL COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF BELL

CHRISTOPHER H. VONDER HOYA, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS WILDFLOWER COMMERCIAL, PHASE TWO, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES HEREBY DEDICATE THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

By: \_\_\_\_\_  
CHRISTOPHER H. VONDER HOYA

STATE OF TEXAS  
COUNTY OF BELL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

NOTARY PUBLIC, STATE OF TEXAS

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 \_\_\_\_\_, 2012.

CHAIRPERSON \_\_\_\_\_ SECRETARY TO THE PLANNING AND ZONING COMMISSION

### AFFIDAVIT:

The Tax Appraisal District of Bell County, 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 the \_\_\_\_\_ day of \_\_\_\_\_, 2012 A. D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

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.

CHARLES C. LUCKO, R.P.L.S. DATE SURVEYED: January 5, 2012  
REGISTRATION NO. 4636

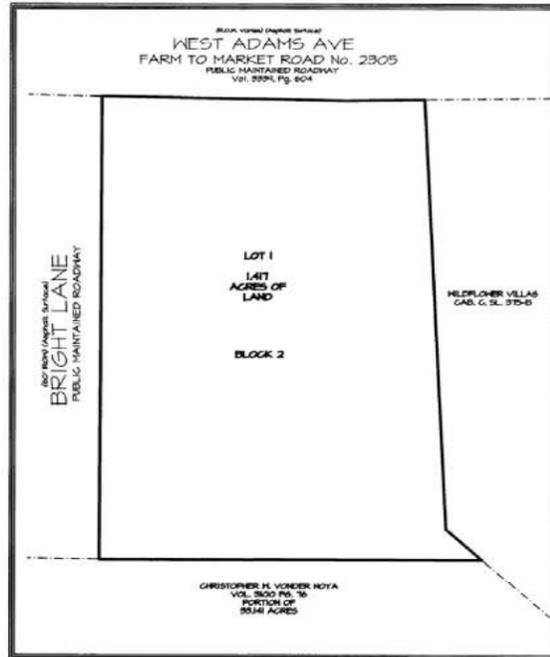
### RECORDATION INFORMATION:

PLAT RECORDED IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_  
PLAT RECORDS OF BELL COUNTY, TEXAS

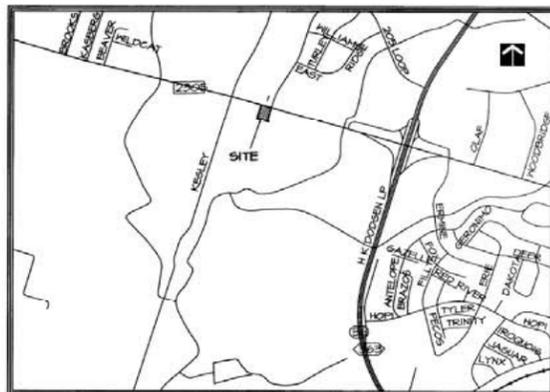
DEDICATION RECORDED IN DOCUMENT NO. \_\_\_\_\_  
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

FILED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

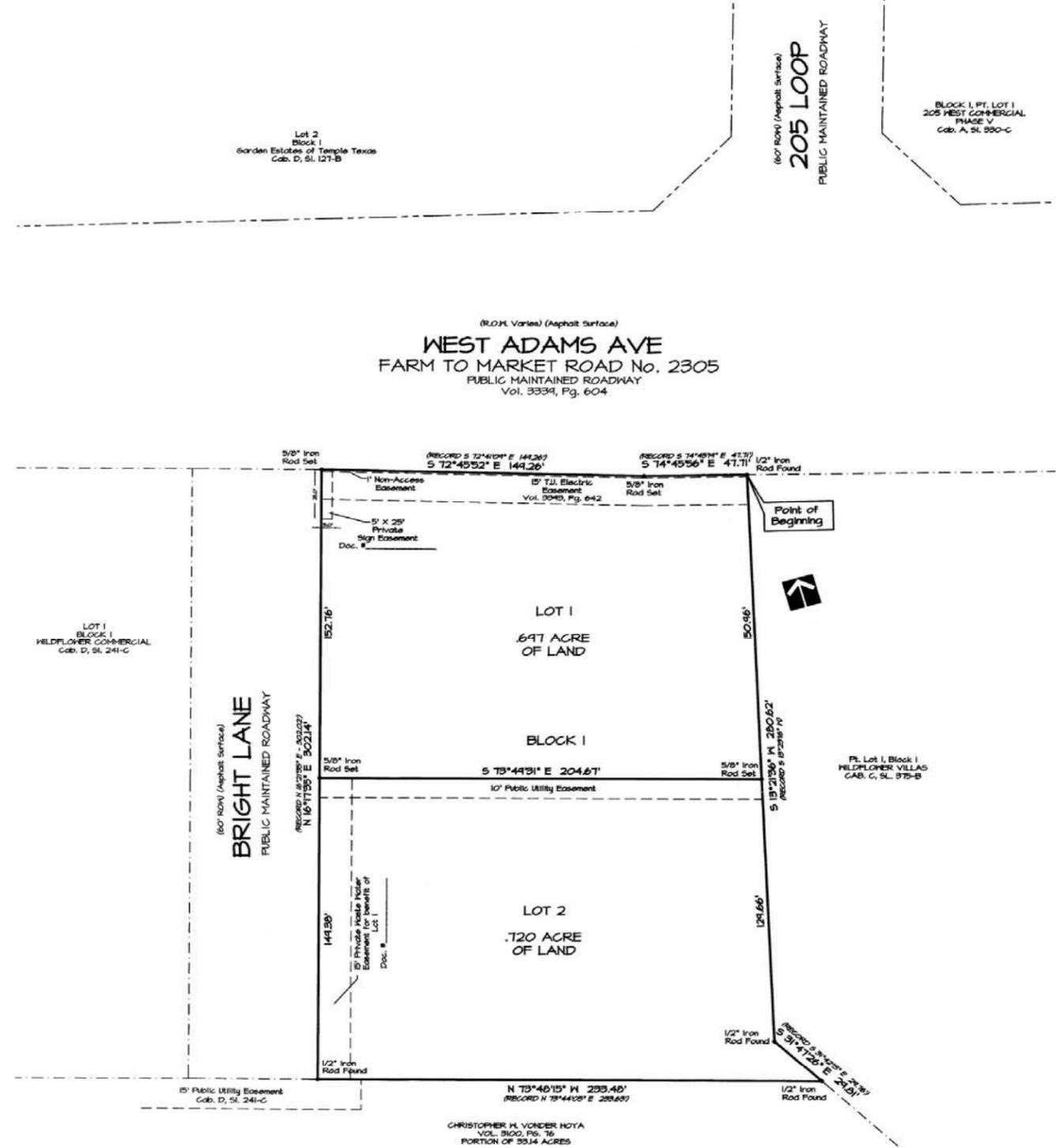
Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48021C0399E, dated September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area". This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.



PRE-PLAT CONFIGURATION



VICINITY MAP



LOTS - TWO (2)  
BLOCKS - ONE (1)  
AREA - 1.417 ACRES

OWNER:  
CHRISTOPHER H. VONDER HOYA,  
P. O. Box 8301  
Hico, Texas 76714

NOTE:  
BRIGHT LANE IS A COLLECTOR STREET WHICH REQUIRES A 4' SIDEWALK ON THE EAST SIDE OF THE STREET.

FINAL PLAT OF  
**WILDFLOWER COMMERCIAL, PHASE TWO**  
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

**ALL COUNTY SURVEYING, INC.**  
1303 South 21st Street, Temple, Texas 76704  
(254) 718-2272 FAX (254) 714-7608

Plot date: 02-22-2012  
Job No: 110431  
Date: 1-03-2012  
Scale: 1" = 20'  
Drawing No: 110431P.DWG  
Drawn By: TG  
Checked By: CCL  
Copyright 2012 All County Surveying, Inc.



# PLANNING AND ZONING COMMISSION AGENDA ITEM

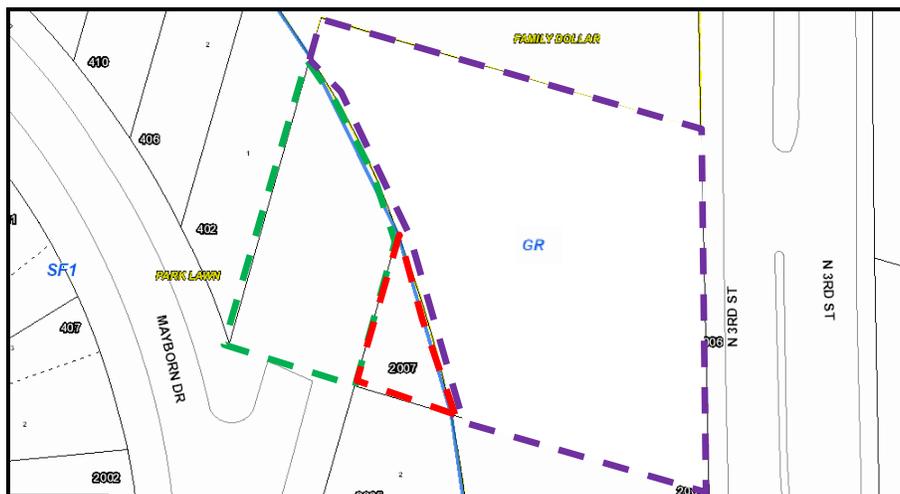
03/05/12  
Item 3  
Regular Agenda  
Page 1 of 5

**APPLICANT:** Scott Dye of Dye Enterprises, on behalf of Crispin and Martha Landeros and Dollar General, Owners

**CASE MANAGER:** Brian Mabry, AICP, Planning Director

**ITEM DESCRIPTION:** Z-FY-12-29 Hold a public hearing to discuss and recommend action on a rezoning from Single Family One District (SF1) to General Retail District (GR) on Lot 3, Block 8, Parklawn Addition, Bell County, Texas, located at 2007 N. 7<sup>th</sup> Street, and on 0.25-acre of an abandoned portion of N. 7<sup>th</sup> Street.

**BACKGROUND:** The Applicant has initiated Right-of-Way Abandonment procedures for the dead end right-of-way of N. 7<sup>th</sup> Street, which is one of the properties that is part of this Rezoning request and which is shown with a **green** dashed outline below. The City Council held a public hearing on the Right-of-Way Abandonment request and voted for approval on First Reading on February 16, 2012. It is expected that on March 1, 2012, the City Council will take final action to approve the Abandonment request. The applicant has also purchased what is currently a small (~2,800 sq. ft.) residential lot at 2007 N. 7<sup>th</sup> Street, shown in a **red** dashed outline below. He proposes to consolidate these properties with the larger property to the east, shown in a **purple** dashed outline below, into a single developable retail lot fronting on N. 3<sup>rd</sup> Street.



A rezoning from the SF1 to the GR zoning district would allow many uses that would not have been allowed before. Those uses include, but are not limited to, the following:

Lithographic or print shop  
 Plumbing shop  
 Hospital  
 Office  
 Hotel or motel  
 Multiple Retail, Office and Service Uses

On-premise consumption of beer and wine - less than 75% revenue  
 Restaurant  
 Car wash  
 Fuel sales  
 Auto sales, leasing, rental

**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	SF1	Undeveloped Residential Lot and Abandoned portion of N.7 <sup>th</sup> Street (stubbed to north at connection with Mayborn Drive)	
North	GR	Undeveloped portion of adjacent Family Dollar site	

Direction	Zoning	Current Land Use	Photo
South	SF1	Residential Neighborhood	
East	GR	Single-family dwelling and Undeveloped Property	

Direction	Zoning	Current Land Use	Photo
West	SF1	Single-family dwelling	

**COMPREHENSIVE PLAN COMPLIANCE:**

The proposed Planned Development amendment relates to the following goals, objectives or maps of the Comprehensive Plan:

Document	Policy, Goal, Objective or Map	Site Conditions	Compliance?
CP	Map 3.1 - Future Land Use and Character	Neighborhood Conservation (Neighborhood Conservation is to South and west; Auto Urban Retail is to north and east.)	Partially*
CP	Map 5.2 - Thoroughfare Plan	N. 7 <sup>th</sup> St. is a Local Street. – Ownership is on N. 3 <sup>rd</sup> , which is a Major Arterial	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City’s infrastructure and public service capacities.	2” and 6” water line, 8” Water line to northwest and 6” sewer line	Yes
CP	Land Use Policy 9 – New development or redevelopment on infill parcels in developed areas should maintain compatibility with existing uses and the prevailing land use pattern in the area.	GR zoning would serve as a transition between GR to the east and SF1 to the west	Yes

CP = Comprehensive Plan      \*\* See explanation below

**Future Land Use and Character Map (CP Map 3.1)**

The small, undevelopable residential lot that is part of this rezoning request is classified as Neighborhood Conservation. The requested rezoning does not comply with this classification; however, this lot is so small that applying required setbacks and parking to the property makes it unable to accommodate a single-family dwelling of any usable size.

**DEVELOPMENT REGULATIONS:**

The requested GR zoning district is the standard retail district and allows most retail sales, restaurants, grocery stores, department stores, or offices and all residential uses except apartments,

with a maximum building height of 3 stories. There is no minimum lot area, width or depth. The building setback for the front yard is 15 feet from the front property line. There is a minimum side yard setback requirement of 10 feet. If a residential use borders the subject property use, as in this case, then a 10-foot setback and fence or vegetative screening is required in the Unified Development Code.

**PUBLIC NOTICE:**

Staff mailed notices of the Planning and Zoning Commission's public hearing to the 15 property owners within a 200-foot radius surrounding the subject property. As of Wednesday, February 29, 2012 at 12:00 PM, no notices were returned in favor of the request and none were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on February 17, 2012 in accordance with state law and local ordinance.

**STAFF RECOMMENDATION:**

Staff recommends approval of the requested zone change to General Retail District for the following reasons:

1. While the request partially complies with the Future Land Use and Character Map, the area that is being rezoned is not currently buildable;
2. The request complies with the Thoroughfare Plan Map; and
3. Public facilities are available to serve the property.

**FISCAL IMPACT:**

Not Applicable

**ATTACHMENTS:**

[Aerial, Thoroughfare and Sidewalk and Trails Plan Map](#)

[Future Land Use and Character Map](#)

[Utility Map](#)

[Zoning and Notice Map](#)

[Responses](#)



Z-FY-12-29

SF1 to GR Lot 3 Block 8 Parklawn Addition and Portion of N. 7th Street

2007 N. 7th Street



2010 Bell County Aerial

Feet 0 50 100 150

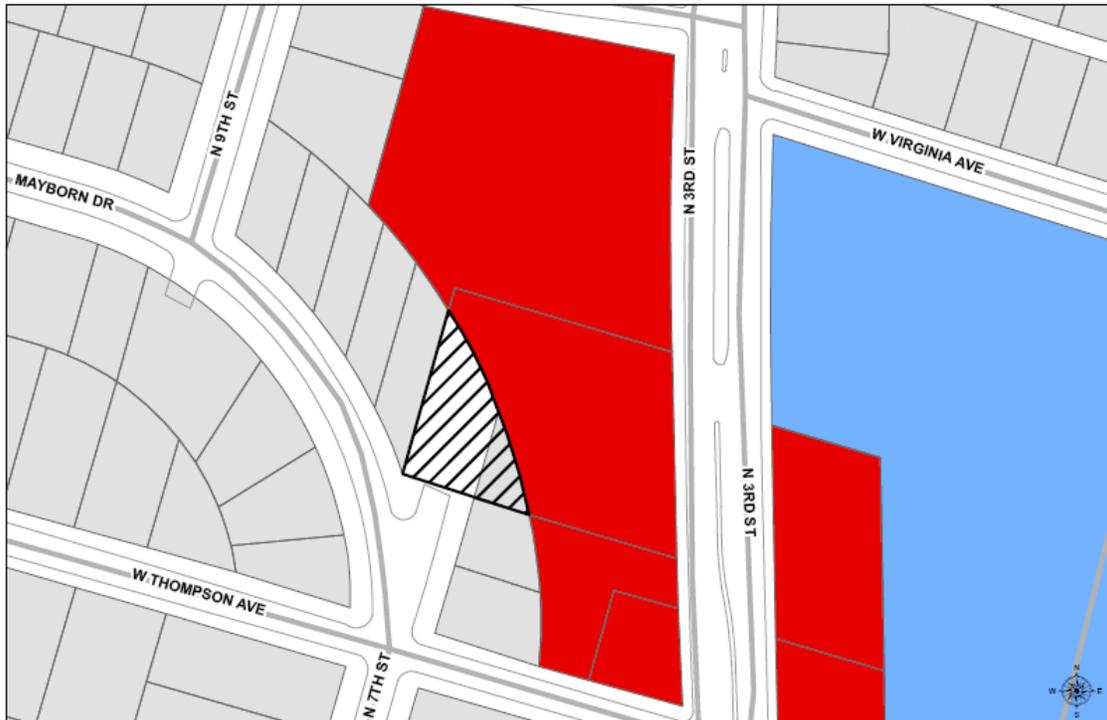
LMatlock 02.09.12



Z-FY-12-29

SF1 to GR Lot 3 Block 8 Parklawn Addition and Abandoned Portion of N. 7th Street

2007 N. 7th Street



ZFY 1229, SF1	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 = 114 feet

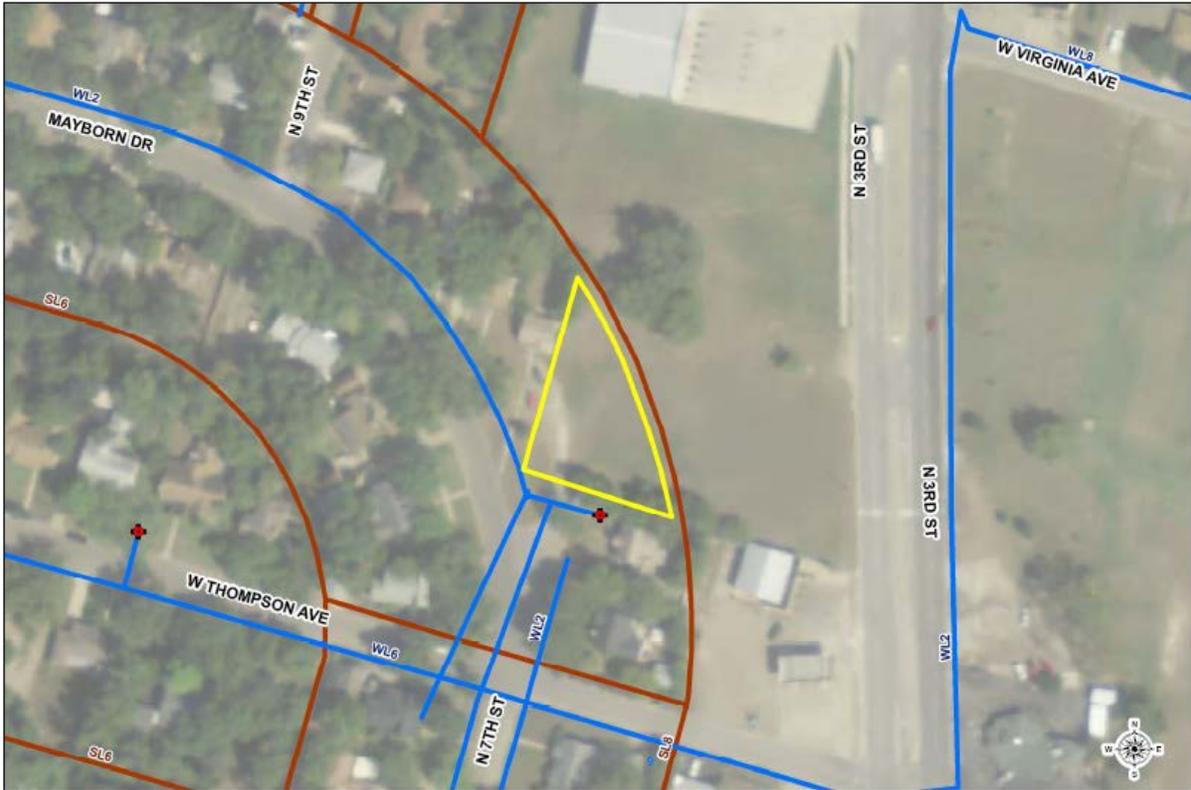
LMatlock Planning 02.09.12



Z-FY-12-29

SF1 to GR Lot 3 Block 8 Parklawn Addition and Abandoned Portion of N. 7th Street

2007 N. 7th Street



Legend: Yellow box for ZFY 12-29, blue line for Domestic Water Lines, red line for Sanitary Sewer Line, red circle for Fire Hydrant.

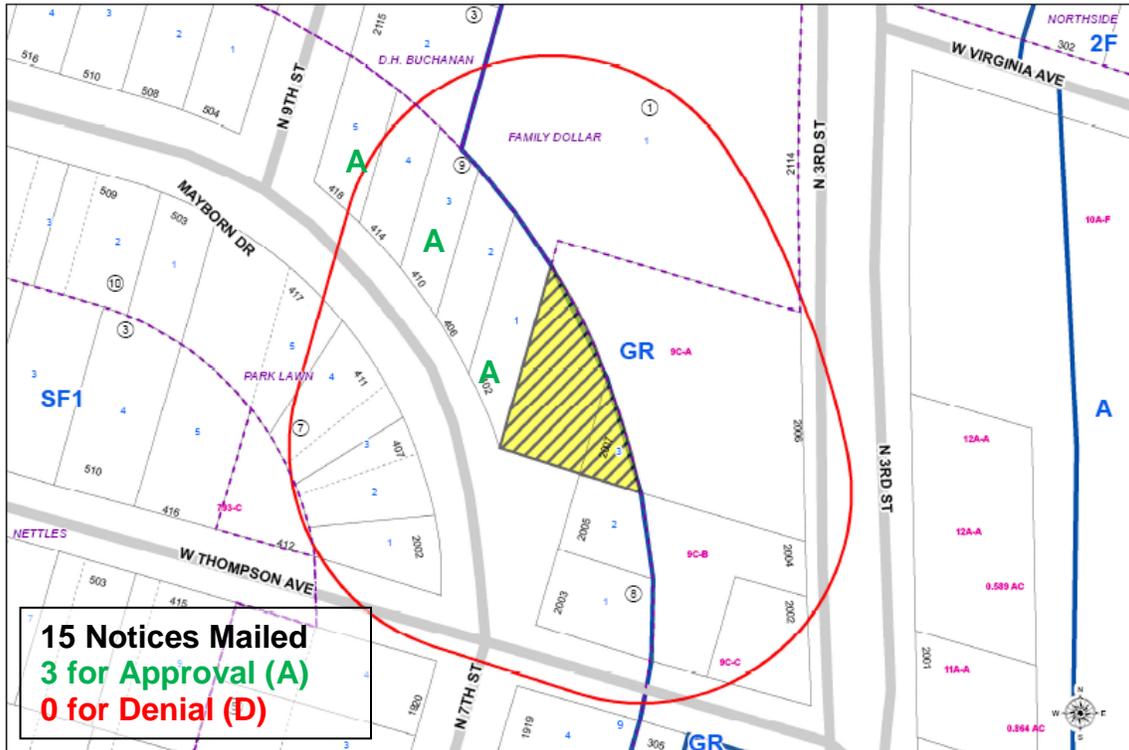
Scale: Feet 0 50 100 150. LMatlock 02.09.12



Z-FY-12-29

SF1 to GR Lot 3 Block 8 Parklawn Addition and Abandoned Portion of N. 7th Street

2007 N. 7th Street



15 Notices Mailed  
3 for Approval (A)  
0 for Denial (D)

Legend: Yellow box for ZFY 12-29, blue line for Zoning District Boundary, purple dashed line for Subdivision Boundary, pink text for 9876-A Outblock Number 2345 Address, circle with 9 for Block Number, circle with 9 for Lot Number.

Scale: Feet 0 50 100 150. LMatlock 02.09.12



**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

Texvestments LLC  
1719 West Avenue M, Suite C  
Temple, Texas 76504

**Zoning Application Number:** Z-FY-12-29

**Project Manager:** Leslie Matlock

**Location:** 2007 North 7<sup>th</sup> Street

The proposed rezoning 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:**

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*Ross Vest*  
Signature

ROSS VEST  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 5, 2012

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

**RECEIVED**  
FEB 28 2012  
City of Temple  
Planning & Development

Number of Notices Mailed: 15

Date Mailed: February 23, 2012



**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

Oakleigh Holdings Ltd  
P.O. Box 1364  
Salado, Texas 76571

**Zoning Application Number:** Z-FY-12-29

**Project Manager:** Leslie Matlock

**Location:** 2007 North 7<sup>th</sup> Street

The proposed rezoning 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:**

*Good growth in neighborhood.*

Signature

Print Name

*R.A. Olson  
Oakleigh Holdings*

Please mail or hand-deliver this comment form to the address shown below, no later than March 5, 2012

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

**RECEIVED**  
FEB 28 2012  
City of Temple  
Planning & Development

Number of Notices Mailed: 15

Date Mailed: February 23, 2012



**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

Kevin & Hope Koch  
605 West Park Avenue  
Temple, Texas 76501

**Zoning Application Number:** Z-FY-12-29

**Project Manager:** Leslie Matlock

**Location:** 2007 North 7<sup>th</sup> Street

The proposed rezoning 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:**

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Signature

KEVIN J KOCH

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 5, 2012

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

**RECEIVED**

FEB 28 2012

City of Temple  
Planning & Development

Number of Notices Mailed: 15

Date Mailed: February 23, 2012



# PLANNING AND ZONING COMMISSION AGENDA ITEM

3/05/12  
Item 4  
Regular Agenda  
Page 1 of 5

**APPLICANT / DEVELOPMENT:** Jason Willard for Immediate Real Properties, LP

**CASE MANAGER:** Tammy Lyerly, Planner

**ITEM DESCRIPTION:** Z-FY-12-30 Hold a public hearing to discuss and recommend action on a rezoning from General Retail District (GR), Single Family One District (SF1), and Single Family Two District (SF2) to Multiple Family Two (MF2) on a 15 ± acre tract of land out of the McKinney and Williams Survey, City of Temple, Bell County, Texas, located on the north side of SW H.K. Dodgen Loop, west of Bird Creek Crossing shopping center and east of Hopi Trail.

**BACKGROUND:** The applicant requests a rezoning to Multiple Family Two District (MF2) to allow construction of a multiple-family development (apartments). The property spans three zoning districts, General Retail District (GR), Single Family One District (SF1), and Single Family Two District (SF2). The Unified Development Code does not allow multiple-family development within any of these zoning districts. The MF2 zoning district could allow up to 300 dwelling units on 15 acres of land. The applicant has informed staff that he intends to later apply for a Planned Development rezoning for adjacent properties in order to build several single-family units on a single lot. The subject property for which he is requesting this base rezoning will be part of such future development.

**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	GR, SF1, and SF2	Undeveloped Land	 <p style="text-align: center;">Dead-end at Erie and Filly Lane</p>

Direction	Zoning	Current Land Use	Photo
North	SF1 and SF2	Undeveloped Land and Residential	
South	LI	SW H.K. Dodgen Loop and Undeveloped Land	
East	SF1, HI, and LI	Railroad, Industrial, and Retail Center	

Direction	Zoning	Current Land Use	Photo
West	SF2 and GR	Undeveloped Land	

**COMPREHENSIVE PLAN COMPLIANCE:**

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

Document	Policy, Goal, Objective or Map	Site Conditions	Compliance
CP	Map 3.1 - Future Land Use and Character	Auto-Urban Commercial and Suburban Residential	Partially*
CP	Map 5.2 - Thoroughfare Plan	See explanation below	Yes*
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities.	8" sewer line runs through property. 12" water line runs along SW H.K. Dodgen Loop. 27" water line along east property line.	Yes

\* = See explanation below CP = Comprehensive Plan STP = Sidewalk and Trails Plan

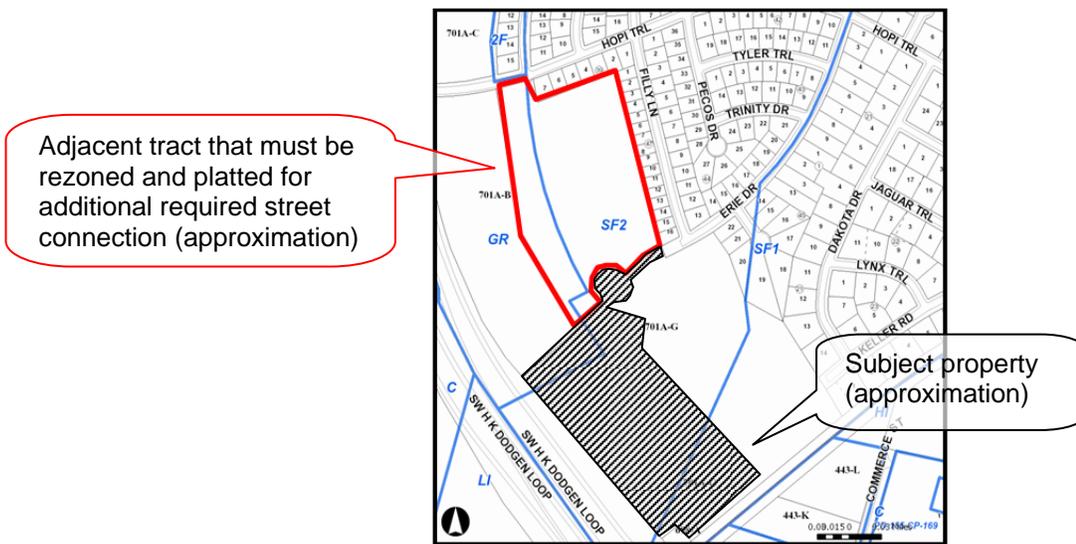
**Future Land Use and Character (Cp Map 3.1)**

The Future Land Use and Character Map designates the subject property as **Auto-Urban Commercial** for the front portion of the property bordering SW H.K. Dodgen Loop and **Suburban Residential** for the rear portion of the property adjacent to the Western Hills Subdivision. Apartments have a residential and a commercial character due to their coordinated landscaping, signs and parking. With its current Auto Urban designation, this property is open to the possibility of being rezoned to C, Commercial, rather than the proposed MF2. The list of possible uses in the C zoning district may not be appropriate for this highly visible area of the City, so the requested MF2 is a preferable option. The request partially complies with the Future Land Use and Character Map.

**Thoroughfare Plan (CP Map 5.2)**

The proposed development is adjacent to SW H.K. Dodgen Loop from the frontage road. The Thoroughfare Plan classifies SW H.K. Dodgen Loop as an Expressway. The retaining wall along this portion of the road prevents direct access from taking place onto the Loop frontage road. Erie Drive, a local street, dead-ends at the north boundary of the subject property. Hopi Trail to the west of the subject property, which the applicant plans to be the street from which the overall development would eventually take primary access, is classified as a collector on the Thoroughfare Plan. The proposed rezoning could allow up to 300 units on the subject property. This number of units, according to the Public Works Department's subdivision entry standards, requires two to three entries from abutting public streets. This means that subsequent platting of the subject property and adjacent property to

the northwest, as shown below, will be necessary in order to have a second required connection to Hopi Trail.



**DEVELOPMENT STANDARDS:**

The Multiple Family Two District allows more modest sized dwelling units and an increased number of units within the multifamily complex. Maximum density is 20 units per acre in buildings three to four stories. The MF-2 zoning district provides more modest sized dwelling units within the multifamily complex. This district should be designed for a higher density use of the land with the amenities and facilities, such as a major thoroughfare, parks, transit, and utilities close by and adequate for the volume of use.

The MF-2 zoning district allows most residential uses, except for manufactured homes. It also allows some residential support uses such as school and places of worship.

**4.5.5 Multiple-Family Dwelling, 1-2 Stories**

Type of Use	AG	UE	SF-1	SF-2	SF-3	SFA-1	SFA-2	SFA-3	TH	2F	MF-1	MF-2	MF-3	O-1	O-2	NS	GR	CA	C	LI	HI
Min. Lot Area (sq. ft.)	-	-	-	-	-	-	-	-	-	-	3,000	2,800	2,200	-	3,000	-	-	1,800	-	-	-
Min. Lot Width (ft.)	-	-	-	-	-	-	-	-	-	-	60	60	60	-	60	-	-	60	-	-	-
Min. Lot Depth (ft.)	-	-	-	-	-	-	-	-	-	-	120	120	120	-	120	-	-	120	-	-	-
Min. Front Yard Setback(ft.)	-	-	-	-	-	-	-	-	-	-	25	25	25*	-	25*	-	-	See 4.4.4F.1.d*	-	-	-
Min. Side Yard Setback(ft.)	-	-	-	-	-	-	-	-	-	-	See 5.3.3			-	See 5.3.3	-	-	See 5.3.3	-	-	-
Min. Side (Corner)Yard Setback(ft.)	-	-	-	-	-	-	-	-	-	-	15	15	15	-	15*	-	-	15	-	-	-
Min. Rear Yard Setback(ft.)	-	-	-	-	-	-	-	-	-	-	10	10	10	-	10	-	-	10	-	-	-
Max. Building Coverage (%) for Rear Half of Lot	-	-	-	-	-	-	-	-	-	-	See 5.3.3			-	See 5.3.3	-	-	See 5.3.3	-	-	-
Max. Height (stories)											2	2	2*		2*			2			

ALH = Any Legal Height not prohibited by other laws -- = Use not permitted NA = Use permitted but standard does not apply \* = See Sec. 4.4. Measurements and Special Case

#### 4.5.6 Multiple-Family Dwelling, 3-4 Stories

Type of Use	AG	UE	SF-1	SF-2	SF-3	SFA-1	SFA-2	SFA-3	TH	2F	MF-1	MF-2	MF-3	O-1	O-2	NS	GR	CA	C	LI	HI
Min. Lot Area (sq. ft.)	--	--	--	--	--	--	--	--	--	--	--	2,500	2,000	--	2,000	--	--	600	--	--	--
Min. Lot Width (ft.)	--	--	--	--	--	--	--	--	--	--	--	60	60	--	60	--	--	60	--	--	--
Min. Lot Depth (ft.)	--	--	--	--	--	--	--	--	--	--	--	120	120	--	120	--	--	120	--	--	--
Min. Front Yard Setback(ft.)	--	--	--	--	--	--	--	--	--	--	--	25	25*	--	25*	--	--	See 4.4.4F.1.d*	--	--	--
Min. Side Yard Setback(ft.)	--	--	--	--	--	--	--	--	--	--	--	See 5.3.3		--	See 5.3.3	--	--	See 5.3.3	--	--	--
Min. Side (Corner) Yard Setback(ft.)	--	--	--	--	--	--	--	--	--	--	--	15	15	--	15*	--	--	15	--	--	--
Min. Rear Yard Setback(ft.)	--	--	--	--	--	--	--	--	--	--	--	10	10	--	10	--	--	10	--	--	--
Max. Building Coverage (%) for Rear Half of Lot	--	--	--	--	--	--	--	--	--	--	--	See 5.3.3		--	See 5.3.3	--	--	See 5.3.3	--	--	--
Max. Height (stories)	--	--	--	--	--	--	--	--	--	--	--	4	4*	--	4*	--	--	4	--	--	--

ALH = Any Legal Height not prohibited by other laws -- = Use not permitted NA = Use permitted but standard does not apply \* = See Sec. 4.4, Measurements and Special Case

#### **PUBLIC NOTICE:**

Staff mailed notices of the Planning and Zoning Commission’s public hearing to the seven property owners within the 200-foot radius surrounding the rezoning site. As of Wednesday, February 29, 2012 at 12:00 PM, one notice was returned in favor of the request and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on February 23, 2012 in accordance with state law and local ordinance.

#### **STAFF RECOMMENDATION:**

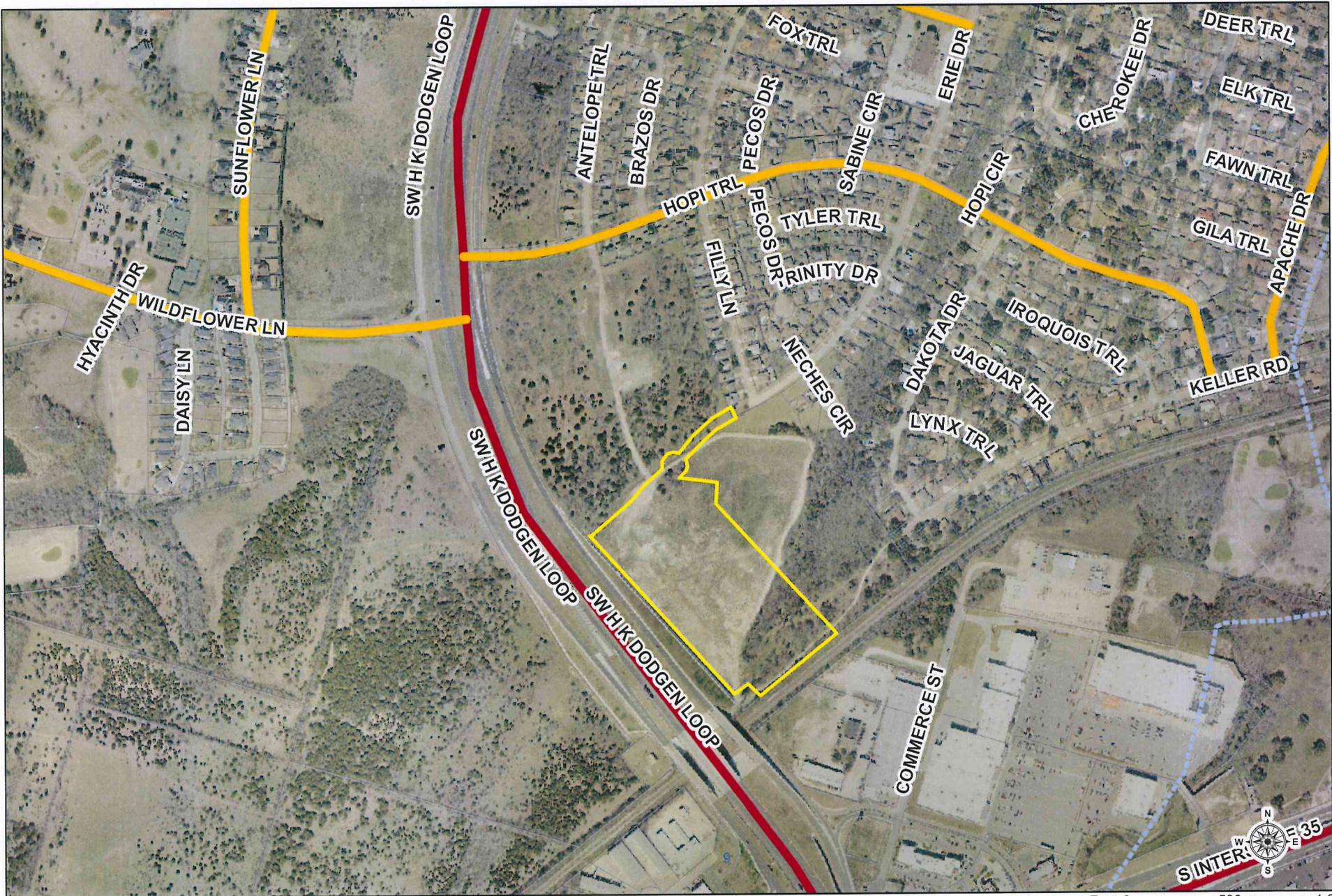
Staff recommends approval of the requested rezoning to Multiple Family Two District (MF2) for the following reasons:

1. The request partially complies with the Future Land Use and Character Map;
2. The request complies with the Thoroughfare Plan Map; and
3. Public facilities are available to serve the property.

**FISCAL IMPACT:** Not Applicable

#### **ATTACHMENTS:**

- [Aerial, Thoroughfare Plan Map and Trails Plan Map](#)
- [Future Land Use and Character Map](#)
- [Zoning and Notice Map](#)
- [Utility Map](#)
- [Response Letter](#)



- ZFY 12-29
- Expressway
- Proposed Local Connector Trail
- Collector Class Street

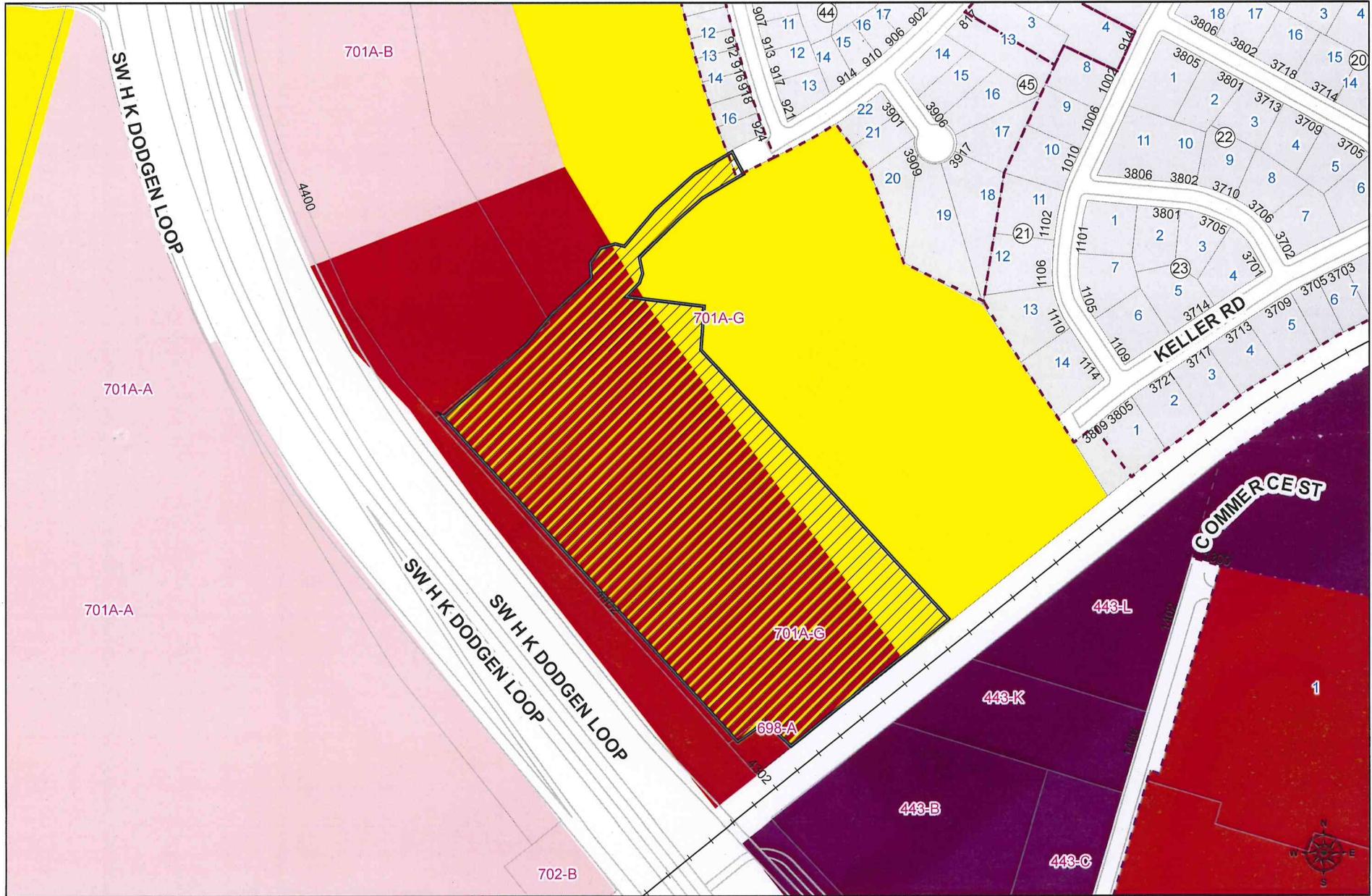




Z-FY-12-30

GR, SF1 & SF2 to MF2  
15 Acres, McKinney and Williams Survey Abstract 609

4400 Block  
of Loop 363



- |  |                       |  |                         |  |                    |  |                           |  |                                   |  |              |
|--|-----------------------|--|-------------------------|--|--------------------|--|---------------------------|--|-----------------------------------|--|--------------|
|  | ZFY 12-30             |  | 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 = 313 feet

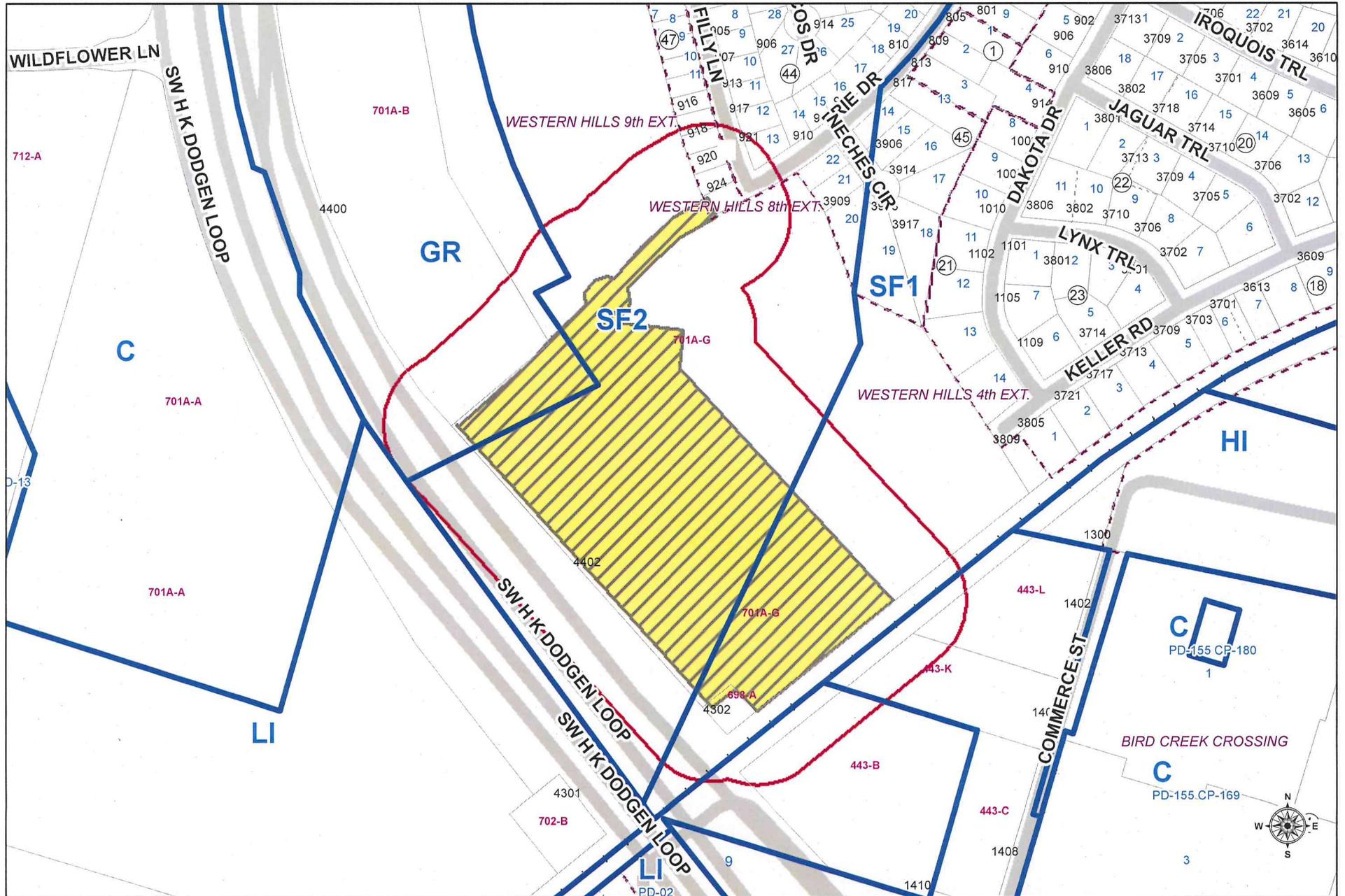
LMatlock Planning 02.17.12



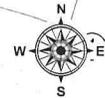
Z-FY-12-30

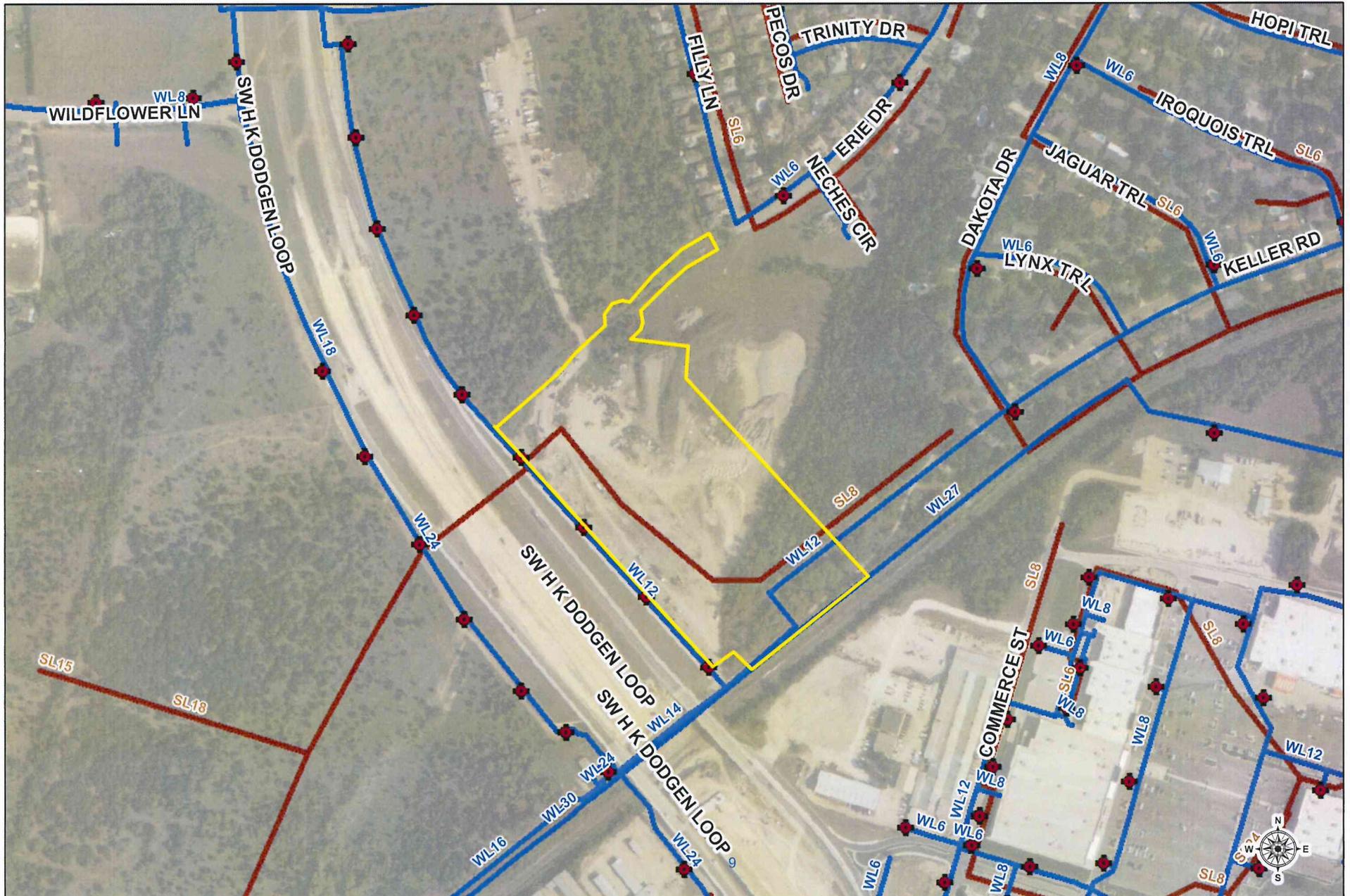
GR, SF1 & SF2 to MF2  
15 Acres, McKinney and Williams Survey Abstract 609

4400 Block  
of Loop 363



- ZFY 12-30
- Zoning Boundaries
- Subdivision Boundary
- 9876 Addresses
- 200-ft Notification Buffer
- 234-M Subdivision Boundary





- ZFY 12-30
- Sanitary Sewer
- Fire Hydrant
- Domestic Water

Feet 0 500 1,000





**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

Materials Transportation  
1408 Commerce Drive  
Temple, Texas 76504

**Zoning Application Number:** Z-FY-12-30      **Project Manager:** Tammy Lyerly

**Location:** On the north side of SW H K Dodgen Loop, west of Bird Creek Crossing Shopping Center and east of Hopi Trail

The proposed rezoning 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:**

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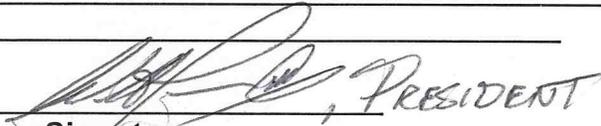
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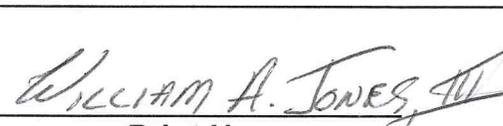
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Signature

  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 5, 2012

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

**RECEIVED**  
FEB 28 2012  
City of Temple  
Planning & Development



# PLANNING AND ZONING COMMISSION AGENDA ITEM

03/05/12  
Item #5  
Regular Agenda  
Page 1 of 2

**APPLICANT:** Planning & Zoning Commission

**CASE MANAGER:** Brian Mabry, Planning Director

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

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

Future Commission Projects	Status	Comments
<b>Z-FY-12-32</b> - Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption less than 75% of the gross revenue in a restaurant, on Lot 1, Block 1, The Market Place Section One, located at 3008 South 31st Street.	DRC 2/22/12 PZC 3/19/12	For Smashburger

City Council Final Decisions	Status
<b>Z-FY-12-09:</b> CUP 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.	Approved on 2 <sup>nd</sup> Reading 02/16/12
<b>Z-FY-12-10:</b> CUP to allow two RV spaces at the Midway Mobile Home Park, located at 4505 Midway Drive.	Approved on 2 <sup>nd</sup> Reading 02/16/12
<b>Z-FY-12-11:</b> CUP to allow four RV spaces at the Robbins Mobile Home Park, located at 4707 Midway Drive.	Approved on 2 <sup>nd</sup> Reading 02/16/12
<b>Z-FY-12-12:</b> CUP to allow 14 RV spaces at the Santa Fe Trails Mobile Home Park, located at 1618 West Avenue H.	Approved on 2 <sup>nd</sup> Reading 02/16/12
<b>Z-FY-12-20:</b> Consider adopting an ordinance authorizing 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.	Approved on 2 <sup>nd</sup> Reading 02/16/12

City Council Final Decisions	Status
<p><b>Z-FY-11-49:</b> CUP 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</p>	<p>Approved on 2<sup>nd</sup> Reading 02/16/12; Landscaping not required until 6 months after approval; Concept plan for surrounding development required 6 months after approval</p>
<p><b>Z-FY-12-17:</b> CUP 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.</p>	<p>Approved on 2<sup>nd</sup> Reading 02/16/12</p>



**PLANNING AND ZONING COMMISSION  
MEETING EVALUATION**

March 5, 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?

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

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**P&Z COMMISSION ATTENDANCE**

2012															
	Jan 3	Jan 17	Feb 6	Feb 21	Mar 5	Mar 19	Apr 2	Apr 16	May 7	May 21	June 4	June 18	P	A	
James Staats	P	P	P	P									4		
Mike Pilkington	P	P	P	P									4		
Allan Talley	P	P	P	P									4		
Derek Martin	P	P	P	P									4		
Will Sears	P	P	P	A									3	1	
Greg Rhoads	A	A	P	P									2	2	
David Jones	P	P	P	P									4		
Chris Magaña				P									1		
Bert Pope															

	July 2	July 16	Aug 6	Aug 20	Sept 4	Sept 17	Oct 1	Oct 15	Nov 5	Nov 19	Dec 4	Dec 17	P	A
James Staats														
Mike Pilkington														
Allan Talley														
Derek Martin														
Will Sears														
Greg Rhoads														
David Jones														
Chris Magaña														
Bert Pope														

 not a Board member