

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
STAFF CONFERENCE ROOM, 1ST FLOOR
APRIL 2, 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, April 2, 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
APRIL 2, 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 March 19, 2012.
- Item 2:** [P-FY-12-17](#): Consider and take action on the Final Plat of Fryers Creek Medical Subdivision, a 3.72 acres±, 2-lot, 1-block nonresidential subdivision, located at the northeast corner of South 13th Street and SW H K Dodgen Loop.

B. ACTION ITEMS:

- Item 3:** [Z-FY-12-33](#): Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption of more than 50% and less than 75% of the gross revenue for Spare Time Entertainment, on Lot 5, Block 1, Friendship Plaza, located at 5434 205 Loop.
- Item 4:** [Z-FY-12-04](#) Hold a public hearing to discuss and consider action on an amendment to the City of Temple Unified Development Code to amend

Article 6 of the Unified Development Code to create an overlay called the 1st and 3rd Street Overlay and add standards for development in the specified area and consider a zoning map amendment defining the boundaries of the 1st and 3rd Street Overlay generally being defined as tracts of land that abut or adjoin South 1st Street from the north intersection of Avenue M to the north intersection of Avenue D and tracts of land that abut or adjoin North 3rd Street from the north intersection of Houston Avenue to the south intersection with West Bellaire North.

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 8:10 AM, on March 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
MONDAY, MARCH 19, 2012
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

Chris Magaña
Greg Rhoads
Mike Pilkington
David Jones

Will Sears
James Staats
H. Allan Talley
Bert Pope

PLANNING AND ZONING MEMBERS ABSENT:

STAFF PRESENT:

Autumn Speer, Dir. of Community Services
Trudi Dill, Deputy City Attorney
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 5:00 p.m., assigned the Invocation and Pledge, then asked Ms. Autumn Speer, Director of Community Services, to proceed.

Ms. Autumn Speer stated the first item on the agenda was the Diamond S replat which requires a public hearing.

Background includes the existing Shallow Ford West Road shown on the plat which would be partially abandoned and relocated for a long-term temporary basis to continue connection of traffic. The applicant originally proposed abandonment from the City and the abandonment process for the right-of-way was started to allow the new car lot. Research for the project revealed the specific portion of Shallow Ford West Road involved still belongs to TxDOT who never deeded it over to the County or City. The State still needs to go through the process. Lloyd Thomas will be attendance to describe in further details how the situation came about.

One of the conditions of this plat is that the City will get this through the process and then put it on hold. The plat will not be recorded until the abandonment has been cleared up and worked out.

The applicant is proposing the temporary road follow the property boundaries. Vice-Chair Staats asked how narrow the north/south strip was and Ms. Speer stated it was 40 feet and was a requested exception. One exception requested is for a collector street right-of-way with 40 feet, and proposed narrower pavement due to this being a temporary situation. When asked how 'temporary' this was, Ms. Speer responded five to ten years. Sidewalk requirements have also been requested as an exception. There will be two stop signs at 90 degree turns. The road is proposed to be built to county standards.

Vice-Chair Staats asked about commercial vehicles using the road with 90 degree corners and narrow pavement. He also asked if using the frontage road was a better option. Ms. Speer stated it would not work to tie into the frontage road only since the Fire Department would not have an adequate response time and this proposal became the only viable option.

The applicant will also need to come back and do a Street Use License (SUL) which is a 15 year agreement for parking and landscaping in the proposed street and utility easement.

Discussion about the proposed road and surrounding areas.

Item 2 is a CUP for Smashburger Restaurant for beer and wine on premise consumption up to 75% of revenue. They are located within the Market Loop Shopping Center at the corner. A building permit was also turned in to turn the landscaped median into an outside eating area. 26 seats are proposed for this area and Staff recommended 18 due to space constraints.

Commissioner Talley asked about the parking situation. Apparently there are sufficient spaces to accommodate all the businesses. The landscaped area can be moved to another location on site.

Discussion about the safety of the customers in the outdoor space.

Ms. Speer gives the Director's Report:

- Preliminary Plat for RBA Third Subdivision (Dollar General) on North 3rd Street;
- Final Plat for Residences of D'Antoni's;
- Rezoning near Morgan's Point which was withdrawn; and
- CUP for Spare Time Entertainment.

The City Council decisions are given.

Brief discussion about possible sidewalk development and escrows.

There being no further discussion, Chair Martin adjourned the meeting at 5:24 P.M.

**PLANNING AND ZONING COMMISSION
MARCH 19, 2012
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

Chris Magaña	Will Sears
Greg Rhoads	James Staats
Mike Pilkington	H. Allan Talley
David Jones	Bert Pope

PLANNING AND ZONING MEMBERS ABSENT:

STAFF PRESENT:

Autumn Speer, Dir. of Community Services
Trudi Dill, Deputy City Attorney
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, March 14, 2011 at 1:45 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 Commissioner Magaña; Pledge of Allegiance by Commissioner Jones.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of March 5, 2012.

Approved by general consent.

B. ACTION ITEMS

Item 2: P-FY-12-12: Hold a public hearing to consider and take action on the Final Plat of Diamond S Addition, a 10.39± acre, 2-lot non-residential subdivision, being a replat of Midway 1 Addition and part of the George Givens Survey Abstract 345, located at the

southeast corner of Midway Drive and S. General Bruce Drive. (Applicant: All County Surveying on behalf of Garland Shelton of GS Diamond S Holdings LP, Owner)

Ms. Autumn Speer, Director of Community Services, stated this was a replat and required a public hearing in accordance with Texas State law.

A future street abandonment for Shallow Ford West Road is slated and is a condition of this replat process. Currently TxDOT holds the right-of-way for this road and the applicant is going through the process of having it released from the county and then to the City so the abandonment process can be completed for the plat.

Some exceptions have been requested on this replat along with a proposed realignment for Shallow Ford West Road. The DRC deemed this plat administratively complete on March 9th.

Only a portion of Shallow Ford West Road would be abandoned and the new realignment for Shallow Ford West Road would be a temporary solution for keeping the access up to Midway. Two stop signs are proposed at both corners of the realignment and would be built to county standards, thus the exceptions requested: a collector street right-of-way on the east side to be reduced from 55 feet to 40 feet; the proposed pavement width for both sections of the road from 36 feet to 24 feet with a two foot ribbon curb on either side; and the sidewalks be waived for this portion of the road.

City Council would make final approval on April 5th for the exceptions.

Staff recommends approval along with the following conditions:

Add a reference to the title block that this is a replat of Midway I Addition;

Show the six foot sidewalk required along on Midway Drive;

Revise signature block on plat and in dedication According to the Secretary of State, "GS DIAMOND S HOLDINGS GP, LLC" is the General Partner for "GS DIAMOND S HOLDINGS, LP";

In the third paragraph of the dedication instrument, delete the word "drainage," so easement purpose in the dedication instrument will match the easement label on the plat; and

The plat will not be filed until the abandonment for Shallow Ford West Road is addressed with the State and City.

The applicant requested this item move forward due to financial obligations; however, there is an understanding with the applicant that the plat will not be recorded until all of the other conditions and abandonment issues have been cleared up.

Chair Martin opened the public hearing.

Mr. Lloyd Thomas, Aldrich-Thomas Group, 18 N. Third St., Temple, TX, stated there were many discussions regarding temporary realignment of Shallow Ford West Road and the two 90 degree corners was the best option to make it work (ring road). A bump out or a connection

directly to I-35 frontage road to the south was considered at the request of the City, however, upon further discussion with Fire and Police, the response time would not work. The ring road approach also affects the applicant's landscaping, setbacks, etc., but there was no other way to reroute traffic effectively.

Chair Martin asked Mr. Thomas's opinion of narrowing the street when big trucks would use the 90 degree angle. Mr. Thomas stated they had the width of the roadway and concrete ribbon to hold the asphalt and meet the requirements needed. They are not meeting the requirements of easement or street right-of-way (more narrow requested). The site is very constricted anyway with the ring road so the applicant is asking for exceptions.

Commissioner Rhoads asked if it were possible to include a bump out to go to I-35. Mr. Thomas stated along with the response time issue, TxDOT would not allow this. The ring road is not the best solution, but it is the best the City and developer can come up with for the situation.

Discussion regarding response time and southern locations.

Commissioner Pope asked if a ribbon curb at the 90 degree would be able to handle the lateral force of heavy truck traffic and Mr. Thomas stated the City's Engineering Department has been involved and seem to be in agreement.

Commissioner Pope asked how Shallow Ford Road became TxDOT property. Mr. Thomas stated it goes back to when I-35 was being widened or even before. Shallow Ford used to connect to Kegley (around the railroad track). When 81 came in, they (TxDOT) cut through the middle of that intersection and split it up making Shallow Ford parallel the frontage road of 81 so both of them hit side-by-side at Midway. When I-35 was widened, TxDOT acquired right-of-way in pieces (little strips) from just south of there, northward, up to Midway, which strips of land created the rerouting of Shallow Ford. Everything was transferred into TxDOT and TxDOT failed to transfer the title to the county. There was supposed to be a deed from the State of Texas to Bell County of that right-of-way they created but failed to get it done.

Vice-Chair Staats asked if it would be signed as no parking and Mr. Thomas stated yes.

It was undetermined when TxDOT would release this and discussions are ongoing, however, TxDOT was willing to do so.

Chair Martin closed the public hearing.

Vice-Chair Staats made a motion to approve Item 2, **P-FY-12-12**, as stated and with the exceptions requested and Commissioner Rhoads made a second.

Ms. Speer clarified that on Staff's submittal the exception proposed was 24 foot paving with two foot ribbon curve. Vice-Chair Staats asked if it was a 28 foot driving surface and Ms. Speer and Mr. Thomas agreed. Mr. Thomas misspoke earlier when stating 31 and it should be 28.

Motion passed: (9:0)

Item 3: Z-FY-12-32: Hold a public hearing to discuss and recommend action on a 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. (Brad Brown for TR Austin Retail Corp.)

Ms. Tammy Lyerly, Planner, stated this case would proceed to City Council for first reading on April 5th and second reading and final action on April 19th.

This request is for a Conditional Use Permit (CUP) for alcoholic beverage sales for on-premise consumption less than 75% of gross revenue for Smashburger Restaurant. The zoning is General Retail (GR) and the applicant is proposing indoor and outdoor seating.

Surrounding properties include the shopping center and office building to the north, Long John Silver's to the south, Temple Mall to the east (across 31st Street), and the back of Market Place Shopping Center to the west.

The request complies with the Future Land Use and Character Map which designate the area as Auto-Urban Commercial.

As in all CUP requests and in accordance with state and local laws requiring at least 300 feet distance from churches, places of worship, public schools, public hospitals, etc., the restaurant exceeds the required distance and the nearest residence is approximately 750 feet away from the subject site.

The site plan is shown.

The applicant is working with TABC and has indicated all staff would be trained to TABC regulations.

The indoor seating accommodates approximately 60 seats and the applicant is proposing outdoor seating which would accommodate 26 seats. The proposed outdoor seating would replace the current planting bed island area located by their front entrance, and would be enclosed with a railing and a gate.

Staff felt too many seats were being requested for the outdoor area and asked the applicant to reduce it to 18, take out the middle tables, and add some umbrellas for shade cover (50% coverage of shading).

Staff requested if the outdoor seating request were approved, that the landscaping/vegetation bed be kept but relocated.

Two notices were mailed out to the property owners with zero notices returned in favor or opposed. One courtesy notice was received from surrounding business owners.

Staff recommends approval of this request since it is compatible with the Future Land Use and Character Map, complies with the Thoroughfare Plan, and public facilities are available to serve the property. Staff also recommends the following conditions:

Staff also recommends the following conditions based on the proposed outdoor seating:

Finish the proposed outdoor seating area with concrete in a decorative finish with stained and stamped concrete;

Limit outdoor seating to 18 seats, removing the middle tables to allow for greater maneuverability;

Adhere to all TABC rules concerning outdoor consumption of alcohol;

Add decorative umbrellas for 50% of the outdoor tables; and

Relocate the existing landscape proposed to be removed for the outdoor seating area to another landscape area near the site on Market Loop and South 31st Street. Required in conjunction with the building permit required for the outdoor seating area improvements.

Vice-Chair Staats asked if the umbrellas were required by an ordinance and Ms. Lyerly stated no, but it is something Staff felt would be needed since there are no trees or shade of any type around the subject site. A CUP may have additional conditions attached in order to improve the request and/or site.

Discussion regarding the amount of seats needed for the seating area which is 27 feet by 12 feet. Staff felt more maneuverability was needed and asked for less seating space.

Commissioner Talley asked about the fencing and Ms. Lyerly stated the applicant is proposing to enclose the outdoor seating area with a metal railing with a gate.

Discussion about the elevation of the seating area (planting bed island).

Chair Martin opened the public hearing.

Mr. Brad Brown, 3320 Fidel Avenue, Waco, Texas, approached.

Vice-Chair Staats asked about the outdoor seating fence gate that accesses the parking lot approximately ten feet away and people walking off with alcohol. Mr. Brown stated the design was intended to allow the gate to open directly in front of the front door area where there is good visibility to keep watch.

Discussion about the direction of the gate.

Mr. Brown stated if the center tables needed to be removed to allow access, he would do so. Chair Martin asked if the applicant were opposed to removing the center tables and making the side tables have more seats. Mr. Brown stated from his experience, patio seating tends to be used by smaller groups. If the outside tables needed to be four seats that could be done; however, they would like to get as much seating as possible.

Commissioner Talley asked about the landscaping and where it would go. Mr. Brown stated there was a bump out on the entry that is just grass. Landscaping would make that area look nicer.

Commissioner Rhoads asked if there had been any traffic issues in relation to the tightness of the driving and parking area. Mr. Brown stated so far there have been no traffic incidents and seems to be flowing smoothly.

Commissioner Sears stated rather than limiting the seating to 18, he felt 20 seats would fit comfortably in a design of the applicant's choosing. Mr. Brown stated 22 seats would give them a perfect setup with a wide enough isle.

Chair Martin closed the public hearing.

Commissioner Sears made a motion to approve Item 3, **Z-FY-12-32**, with the proposed exceptions, except to allow 22 seats instead of the 18 requested, and Commissioner Jones made a second.

Motion passed: 9:0

C. REPORTS

Item 4: 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 6:14 p.m.

Respectfully submitted,
Leslie Evans



PLANNING AND ZONING COMMISSION AGENDA ITEM

04/02/12
Item #2
Consent Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: Lane Kennedy for Jagdish A. Mehta

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: P-FY-12-17 Consider and take action on the Final Plat of Fryers Creek Medical Subdivision, a 3.72 acres±, 2-lot, 1-block nonresidential subdivision, located at the northeast corner of South 13th Street and SW H K Dodgen Loop.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Fryers Creek Medical Subdivision (P-FY-12-17).

BACKGROUND: The Final Plat of Fryers Creek Medical Subdivision (P-FY-12-17) is a 2-lot, 1 block nonresidential plat located in the TMED-T5-C zoning district.

The Design Review Committee reviewed the Final Plat of Fryers Creek Medical Subdivision on March 21, 2012 and deemed it administratively complete on March 23, 2012

At the time of development, the developer will be subject to a 6-foot wide strip of plantings along the back of curb and 6-foot wide sidewalks along Fryers Creek Circle and 8-foot wide sidewalks along South 13th Street, per UDC Section 6.3.11. A note on the plat reflects this requirement.

The developer will dedicate 0.08 acres of right-of-way along South 13th Street, as shown on the plat.

The plat reflects 15-wide utility easements to accommodate future water and sewer services for the subject property.

Park fees are not required because this is a nonresidential plat.

The Planning and Zoning Commission is the final plat authority since the developer has not requested any exceptions to the UDC.

ATTACHMENTS:

Plat

STATE OF TEXAS
COUNTY OF BELL

THAT, JAGDISH A. MEHTA, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FRYER'S CREEK MEDICAL SUBDIVISION, 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.

JAGDISH A. MEHTA
P. O. BOX 749
SOUTHAVEN, MS 38671-0008

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAGDISH A. MEHTA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

NOTARY PUBLIC, STATE OF TEXAS

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING DEPARTMENT OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH DEPARTMENT.

DATED THIS _____ DAY OF _____, 2012.

PLANNING DIRECTOR

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 THIS PLAT.

ANTHONY D. BEACH, P.E.
Registration Number 64801

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 AS SHOWN HEREON.

TIMOTHY LANE KENNEDY, R.P.L.S. DATE SURVEYED: FEBRUARY 2012
Registration Number 6119

RECORDATION INFORMATION:

PLAT RECORDED IN CABINET _____, SLIDE _____, PLAT RECORDS OF BELL COUNTY, TEXAS

DEDICATION RECORDED IN INSTRUMENT NUMBER _____ OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS FILED THIS THE _____ DAY OF _____, 2012

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 owed on the property described by this plat.

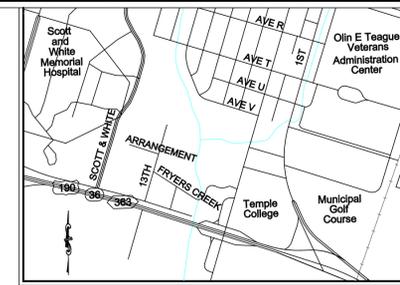
Dated this the _____ day of _____, 2012

By: _____
Bell County Tax Appraisal District

SIDEWALK & PLANTING REQUIREMENTS: This property is in the TMED District with a zoning of T5-C, which requires 6-foot wide plantings along the back of curb and 8-foot wide sidewalks along Fryers Creek Circle and 8-foot wide sidewalks along S. 13th Street at the time development of the property takes place.

FINAL PLAT OF FRYERS CREEK MEDICAL SUBDIVISION

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS
Being a 3.72 acre tract of land out of the Maximo Moreno Survey, Abstract 14, made up of two tracts of land as described and recorded in Volume 3248, Page 208 and Instrument #2009-00025692 of the Deed Records of Bell County, Texas.



VICINITY MAP

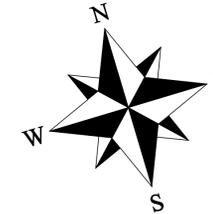
OWNER:

JAGDISH A. MEHTA
P.O. BOX 749
SOUTHAVEN, MS 38671-0008

This plat is to accompany a metes and bounds description of the herein shown 3.72 acre tract.

LOTS - TWO (2)
BLOCKS - ONE (1)
AREA - 3.72 ACRES

LOT 1 BLOCK 1
FRYERS CREEK COMMERCIAL
SUBDIVISION, 3RD REPLAT
TEXAS PROPERTY PARTNERS IV LTD.



6.087 ACRES (2 TRACTS)
TEXAS OSO LTD.
VOLUME 3807 PAGE 377

POINT OF BEGINNING

3.379 ACRES
JIGNA ENTERPRISES INCORPORATED
VOLUME 3608 PAGE 48

SOUTH 13TH STREET
(60' ROW) (Asphalt Surface)
PUBLIC MAINTAINED ROADWAY

SOUTH 13TH STREET
(60' ROW) (Asphalt Surface)
PUBLIC MAINTAINED ROADWAY

SOUTH 13TH STREET
(60' ROW) (Asphalt Surface)
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(60' ROW) (Asphalt Surface)
PUBLIC MAINTAINED ROADWAY

SOUTH 13TH STREET
(60' ROW) (Asphalt Surface)
PUBLIC MAINTAINED ROADWAY

LOT 11
FRYERS CREEK COMMERCIAL
SUBDIVISION PHASE I
CITY OF TEMPLE

LOT 1
BLOCK 1

LOT 2
BLOCK 1

0.224 ACRES (TRACT TWO)
DONNA PASSENTINO
VOLUME 5099, PAGE 216

LOT 2
FRYERS CREEK COMMERCIAL
SUBDIVISION PHASE I
DONNA PASSENTINO

LOT 1
FRYERS CREEK COMMERCIAL
SUBDIVISION PHASE IV
SOUTHWEST LAND ACQUISITION CORP.

LOT 1
FRYERS CREEK COMMERCIAL
SUBDIVISION PHASE I
TEMPLE 220 DODGEN LOOP PARTNERSHIP

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

SW H.K. DODGEN LOOP/LOOP 363
(Asphalt Surface)
PUBLIC MAINTAINED ROADWAY
Volume 917, Page 220

LEGEND:

- 1" METAL PIPE FOUND
- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON ROD WITH "ADVANCED SURVEYING" PLASTIC CAP SET



NOTES *

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 coordinates are referenced to City Monument Number 3. The combined correction factor is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City of Temple Monument Number 3 to the Point of Beginning of the 3.72 Acre Tract is S 51°31'45" E, 3,187.74 feet. Published City coordinates for the project reference point 3 are N = 10368408.89 E = 3225333.77

Copyright 2012 Advanced Surveying & Mapping, LLC REVISED PLOT DATE: 03-23-2012



FINAL PLAT OF
FRYERS CREEK MEDICAL SUBDIVISION
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS
Being part of the Maximo Moreno Survey,
Abstract Number 14, Bell County, Texas

1610 South 31st St., Ste. 102-299
Temple, Texas 76504
254-760-1894 254-760-4633
www.asm-bx.com

Advanced Surveying
& Mapping, LLC

Survey completed February 2012
Scale: 1" = 40'
Job No. 120008
Dwg No. 120008-P
Drawn by TLK
Surveyor TLK #6119



PLANNING AND ZONING COMMISSION AGENDA ITEM

04/02/12
Item #3
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Spare Time Entertainment, LLC

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: Z-FY-12-33 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption of more than 50% and less than 75% of the gross revenue for Spare Time Entertainment, on Lot 5, Block 1, Friendship Plaza, located at 5434 205 Loop.

BACKGROUND: The applicant requests this Conditional Use Permit (CUP) to allow the sale of alcoholic beverages for on-premise consumption of more than 50% and less than 75% of the gross revenue for Spare Time Entertainment.

This CUP request exceeds the 300-foot distance separation required from public schools, public hospitals, and places of worship. The nearest residential structure, from the Summit Ridge Apartments, is approximately 407 feet from the CUP site.

If approved, Spare Time Entertainment will require all servers and bartenders to successfully complete TABC training prior to working their first non-training shift. Additionally, TIPS group training for responsible alcohol service will be conducted for staff on a quarterly basis. Among one of Spare Time Entertainment's alcohol service policies is that all guests that are of age and consuming on the bowling lanes or in the game room will have a wristband applied, indicating that they are of the drinking age. Please see the attached Spare Time Temple Alcohol Service Policies for a complete list of alcohol service policies.

Spare Time Entertainment will be opened Sunday through Wednesday 11AM-11PM, Thursday and Friday 11 AM-1AM, and Saturday 9 AM-1AM. Proposed alcohol sales will be Sunday through Friday 12 PM (noon)-12 AM (midnight) and Saturday 12 PM (noon)-1 AM. These hours fall well within the hours also allowable by TABC without a Late Hours permit.

The CUP site plan shows adequate traffic circulation throughout the property. The applicant's site plan submittals will be exhibited to the ordinance for this CUP if it is approved by City Council.

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	C	Undeveloped Land	
North	GR	Assisted Living and Retirement Community	
South	C	Undeveloped Land	
East	GR	Apartments	

Direction	Zoning	Current Land Use	Photo
West	C	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	Compliance?
CP	Map 3.1 - Future Land Use and Character	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities.	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.	Yes

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 Suburban Commercial. Spare Time Entertainment complies with this designation.

Thoroughfare Plan (CP Map 5.2)

The Thoroughfare Plan classifies 205 Loop as a collector. The proposed Spare Time Entertainment is appropriate for a collector. The request complies with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

Water lines run along the north property line and along the east side of 205 Loop. A sewer line runs along the west side of 205 Loop.

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 C.U.P. site. As of Wednesday, March 28, 2012 at 10:00 AM, one notice from property owners was returned in favor of the request and none were returned in opposition to the request. No courtesy notices from surrounding were received in favor of the request or in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 22, 2012 in accordance with state law and local ordinance.

STAFF RECOMMENDATION:

Staff will make a recommendation concerning this request at the Public Hearing pending a meeting scheduled with the City Manager and applicant.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Aerial](#)

[Land Use and Character Map](#)

[CUP Distance Map](#)

[CUP Site Plan](#)

[CUP Preliminary Conceptual Floor Plan](#)

[CUP Rendering and Elevations](#)

[Spare Time Temple-Alcohol Service Policy](#)

[Notice Map](#)

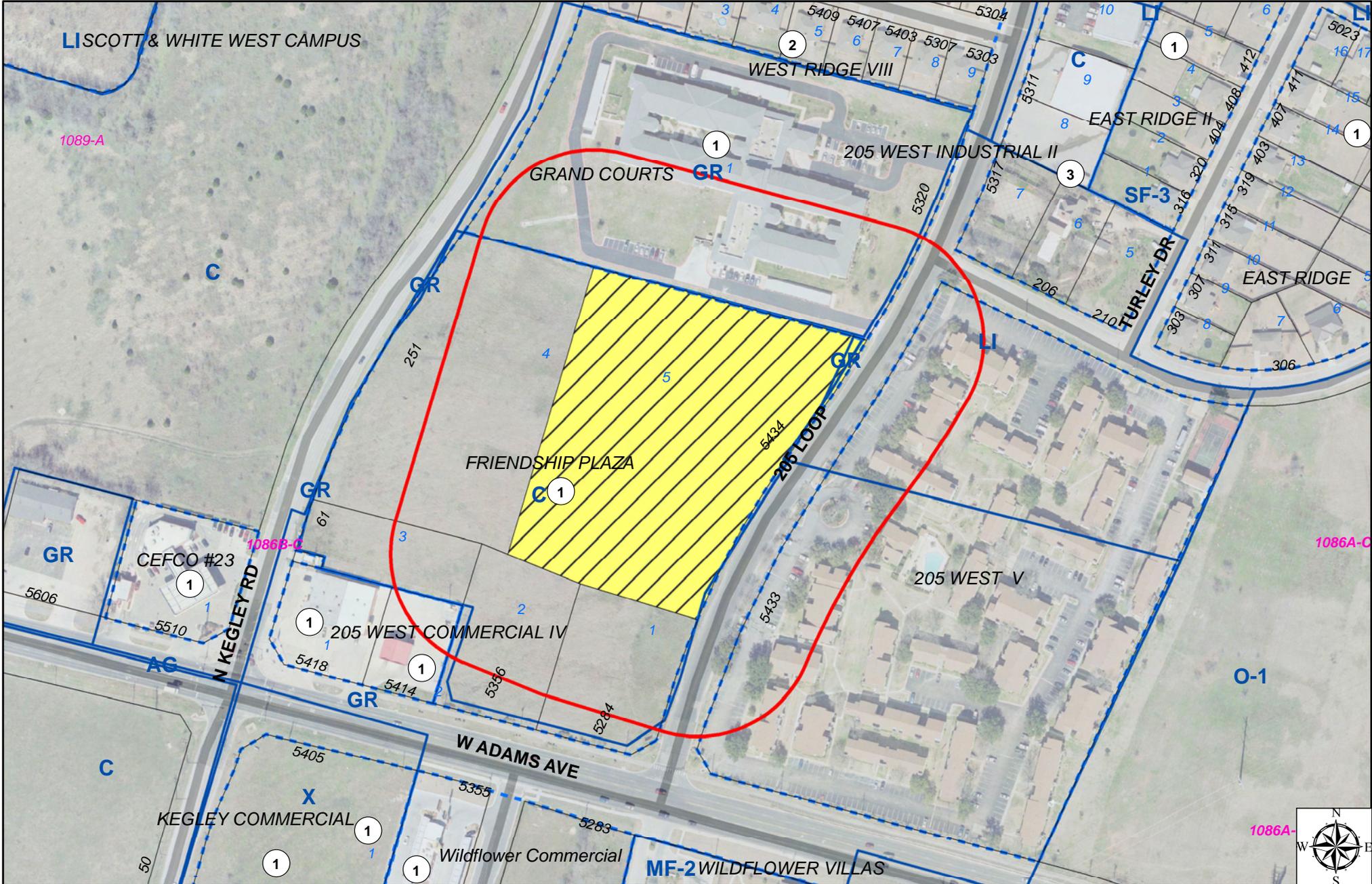
[Response Letter](#)



Z-FY-12-33

CUP - Alcohol
> 50% + < 75%

5434 205 Loop



 ZFY 1233	 Zoning Boundary	 1234-A	Outblock Number	 Block Number	 0 50 100 Feet
 200' Buffer	 Subdivision Boundary	 1234	Address	 Lot Number	

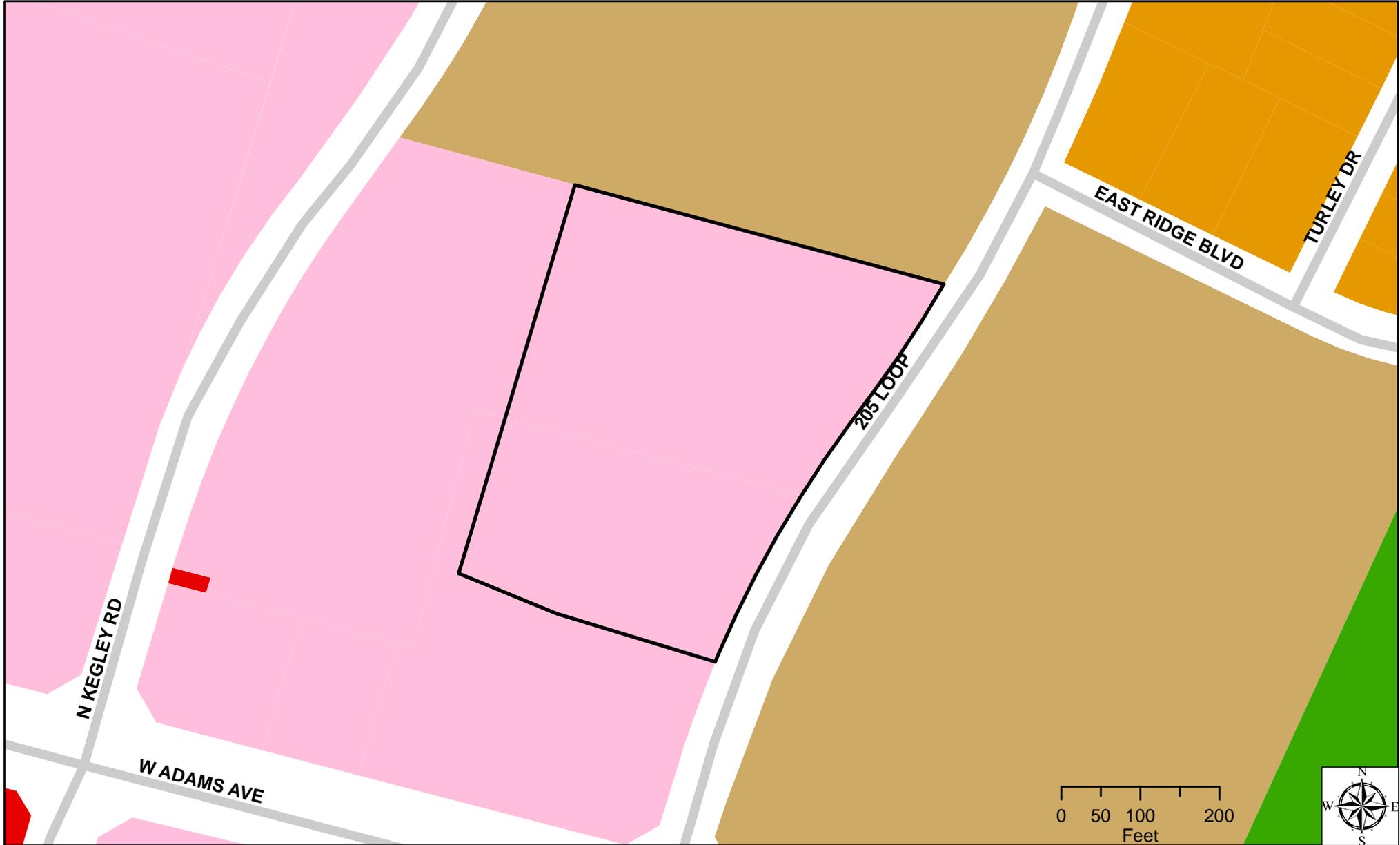
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Z-FY-12-33

CUP - Alcohol
> 50% + < 75%

5434 205 Loop



Future Land Use

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

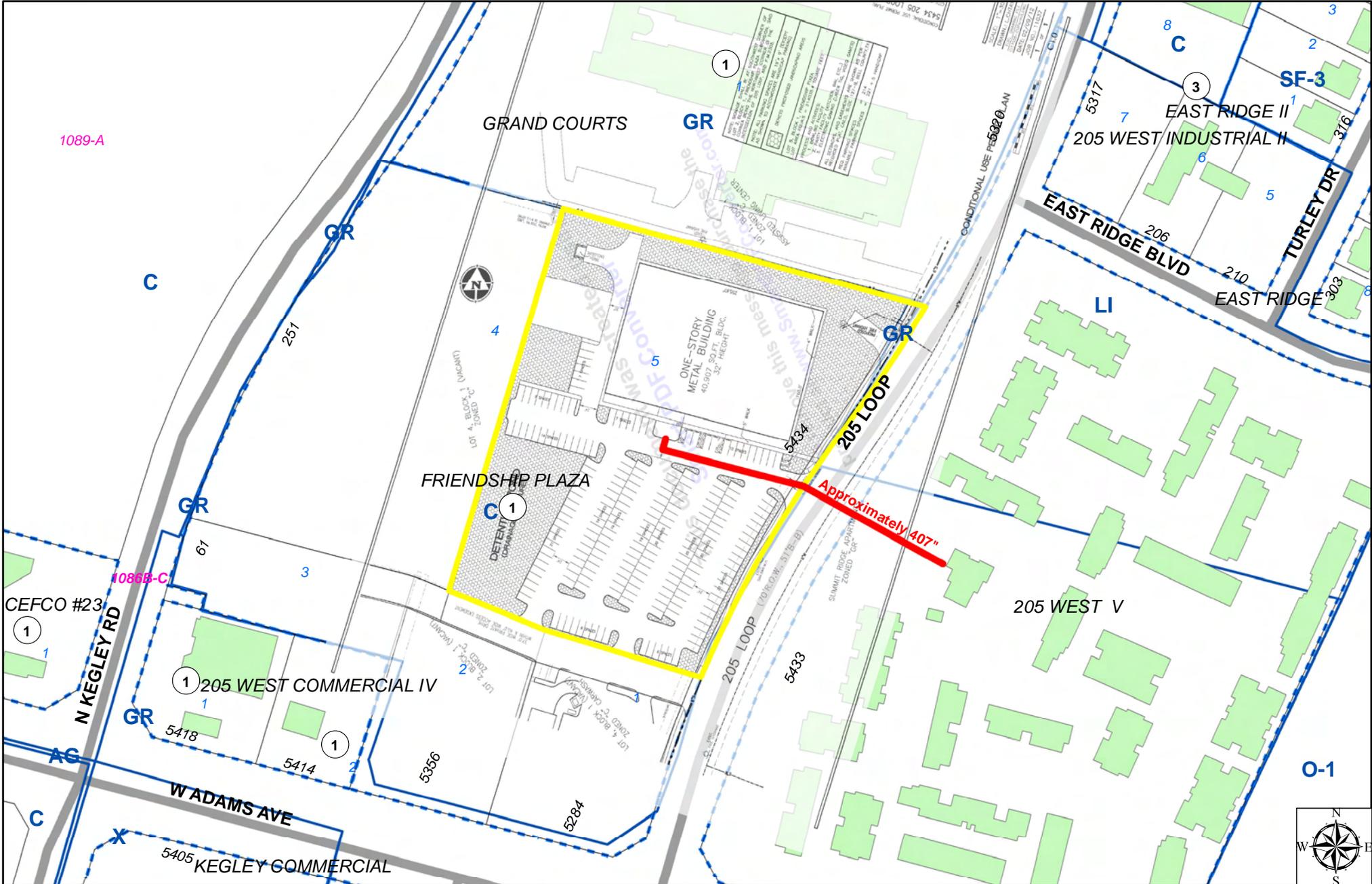
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Z-FY-12-33

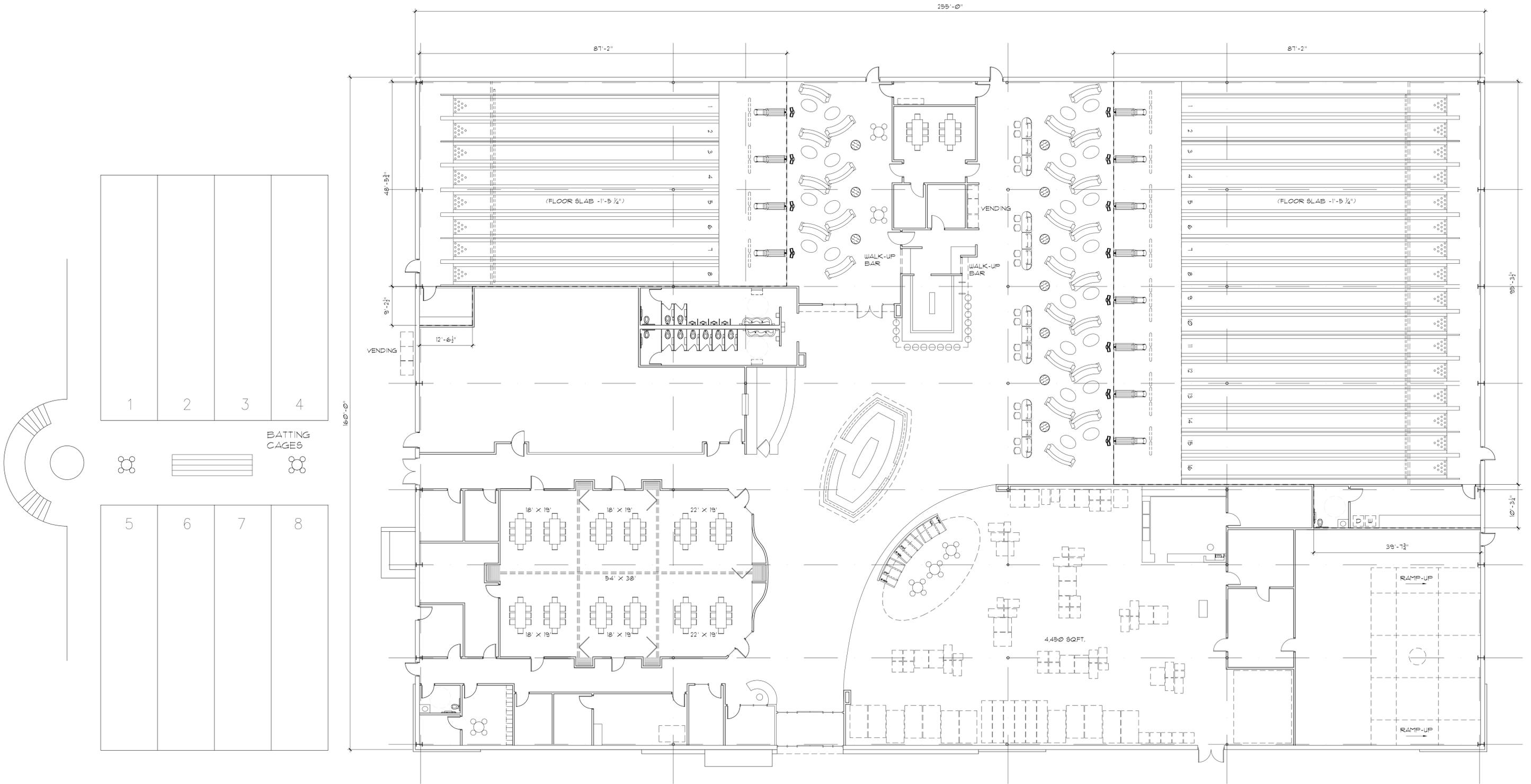
CUP - Alcohol
> 50% + < 75%

5434 205 Loop



- Residence Distance
- ZFY 1233
- 1234 Address
- ① Lot Number
- ① Block Number
- 1234-A Outblock Number
- Subdivision Boundary
- Zoning Boundary
- 0 100 200 Feet

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CONCEPTUAL PRELIMINARY FLOOR PLAN

24 LANE FAMILY ENTERTAINMENT CENTER - TEMPLE, TX

SCALE: 3/32" = 1'-0"

DATE: 10.7.2011



FITZGERALD+ASSOCIATES

2500 N. SANTA FE AVENUE
OKLAHOMA CITY, OKLAHOMA 73118
405.521.8888
WWW.FITZGERALD.COM



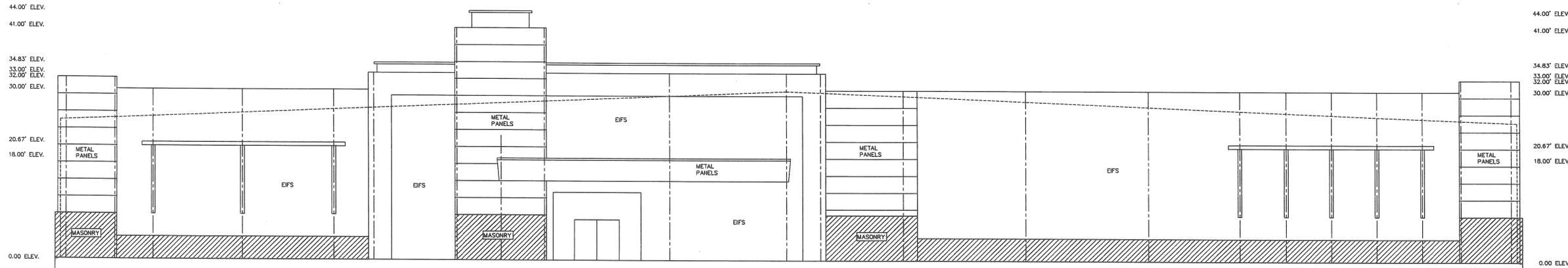
BOWLING

ARCADE

SPARE TIME
FAMILY FUN

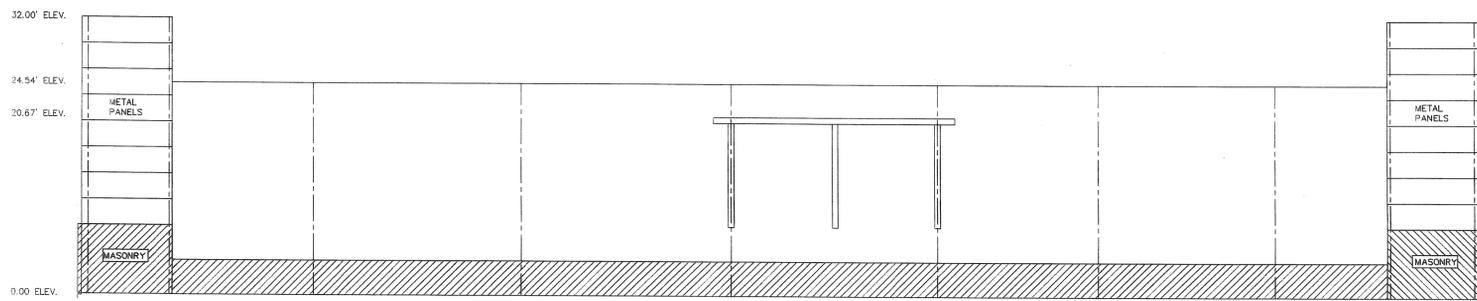
LASER TAG

FOOD & FUN

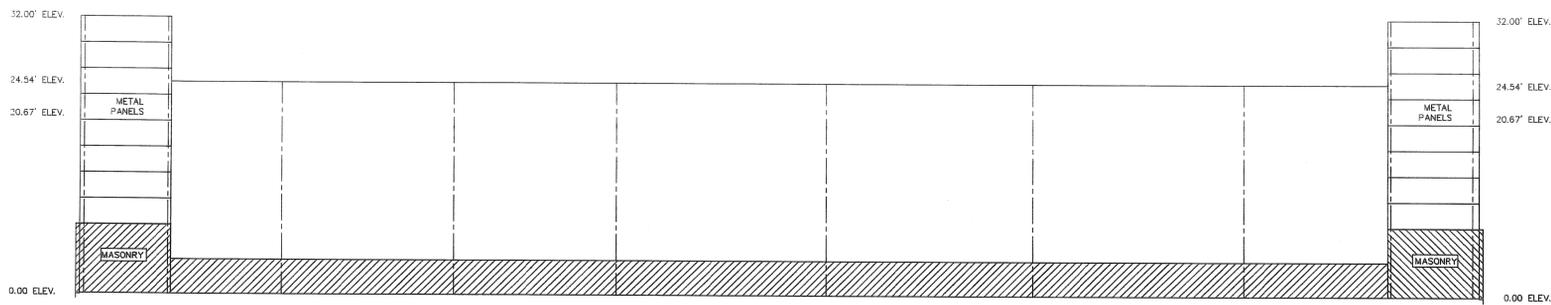


DD CC BB Z X W U T R Q P N M L K G F E C B A

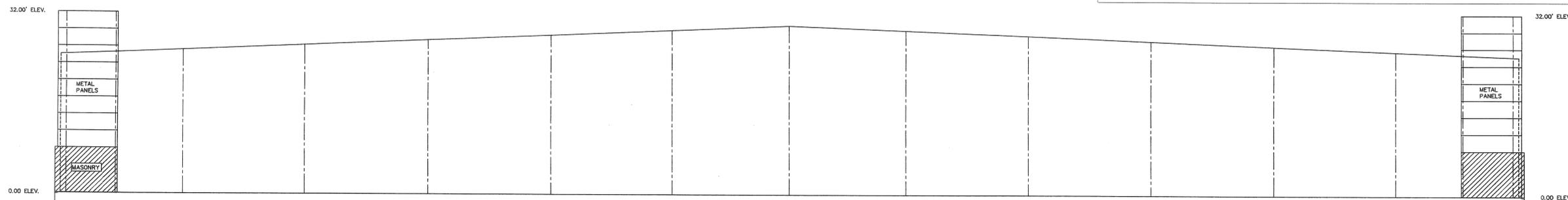
GRID LINE 8 ELEVATION



GRID LINE DD ELEVATION

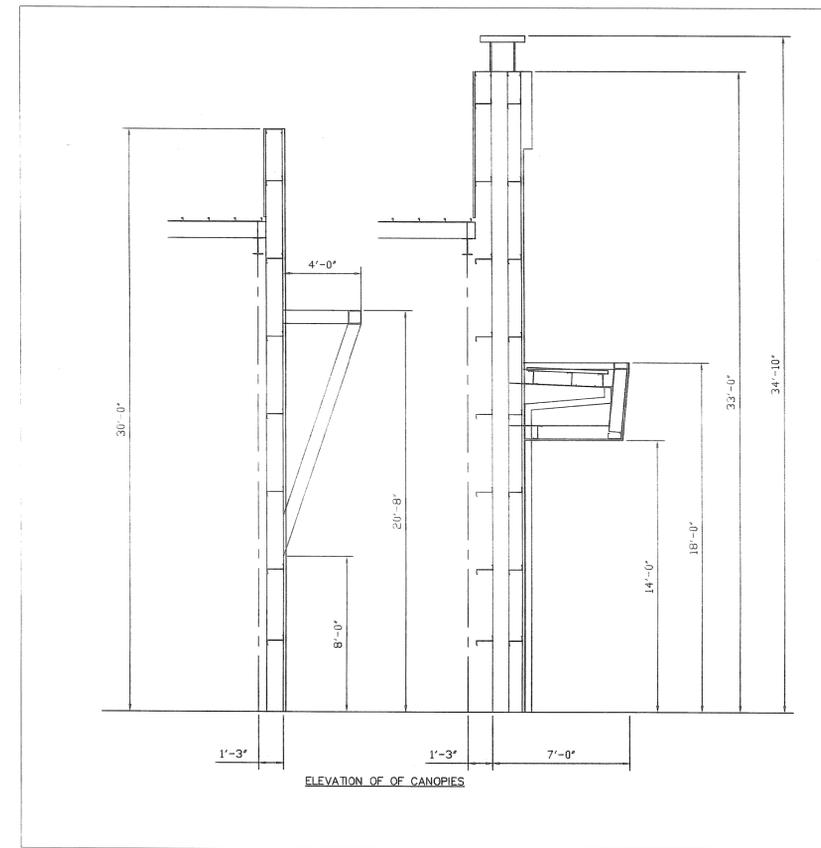


GRID LINE A ELEVATION



A B D J L M N Q R S V Y AA CC DD

GRID LINE 1 ELEVATION



ELEVATION OF CANOPIES

Project: SPARE TIME
 Builder: DESIGN BUILD SERVICES

BUILDING CODE:

Building Code: IBC 2009
 Live Load: 12/20 PSF
 Colateral Load: 5.0 PSF
 Wind Load: 90 MPH, EXP. C
 Snow Load: 5.0 PSF



Horizon Structural Systems, Inc.

3950 Hwy. 46 West
 New Braunfels, Texas 78132
 (830) 629-8000 Fax (830) 629-2611
 EMAIL: horizon@horizonstructural.com

DISTRIBUTION:	DATE:

ENGINEER:
 DETAILER:

ELEVATIONS DRAWINGS

HORIZON JOB NO.

DRAWING NO. EL1

SPARE TIME TEMPLE ALCOHOL SERVICE POLICIES

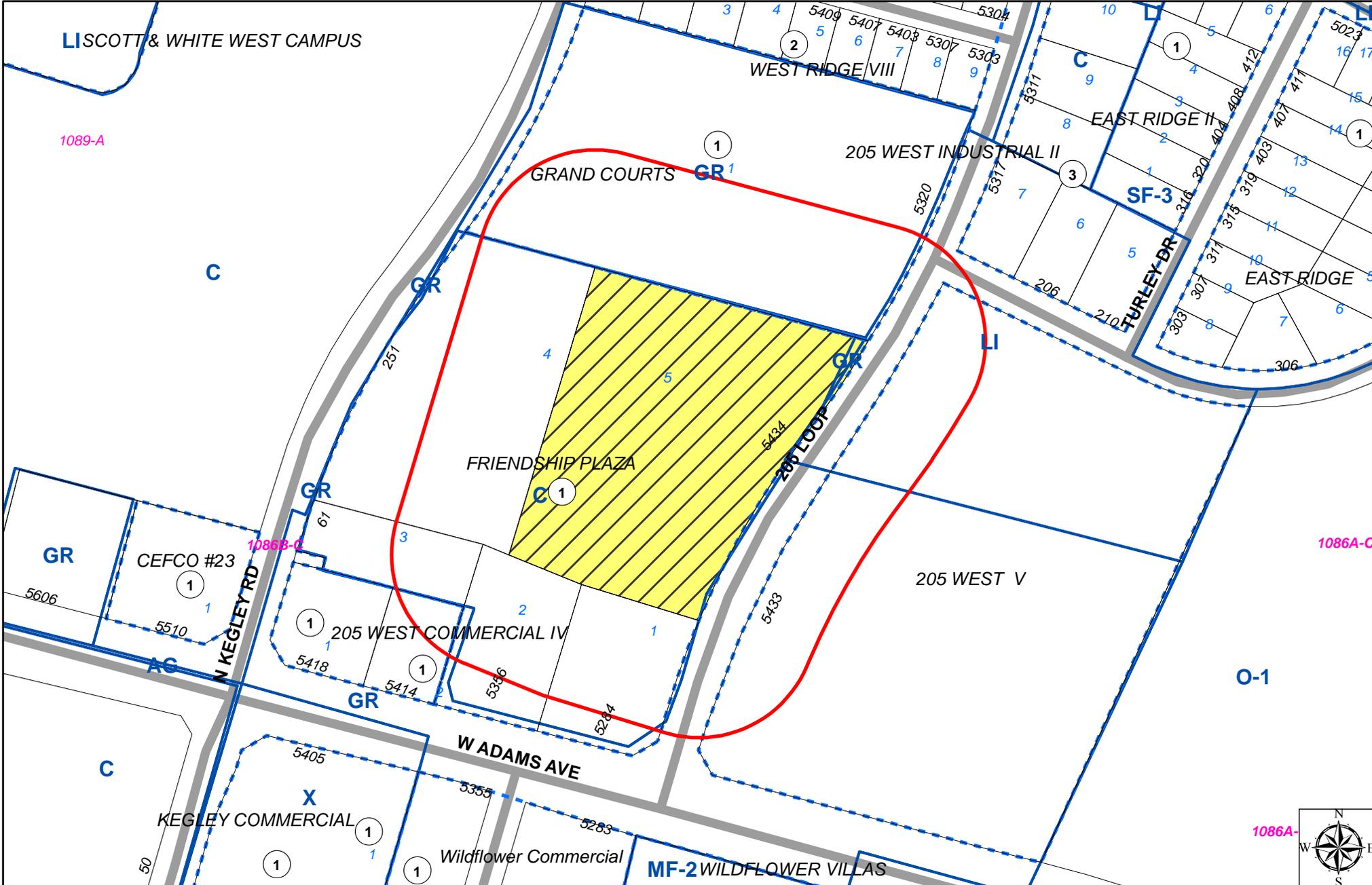
- ALL SERVERS & BARTENDERS WILL SUCCESSFULLY COMPLETE TABC TRAINING PRIOR TO WORKING THEIR FIRST NON-TRAINING SHIFT.
- ADDITIONALLY, TIPS GROUP TRAINING FOR RESPONSIBLE ALCOHOL SERVICE WILL BE CONDUCTED FOR STAFF ON A QUARTERLY BASIS.
- NO STAFF PERSON CAN KNOWINGLY SERVE AN UNDERAGE GUEST OR A GUEST THAT IS SHOWING VISIBLE SIGNS OF INTOXICATION.
- ALL GUESTS THAT APPEAR TO BE AGE 40 AND UNDER WILL HAVE THEIR AGE VERIFIED BY ID INSPECTION.
- ALL GUESTS THAT ARE OF AGE AND CONSUMING ON THE LANES OR IN THE GAME ROOM WILL HAVE A WRISTBAND APPLIED, INDICATING THAT THEY ARE OF THE DRINKING AGE.
- THE BAR POINT OF SALE SYSTEM IS EQUIPPED WITH AGE VERIFICATION SOFTWARE THAT READS THE STATE OF TEXAS DRIVER'S LICENSES. ANY QUESTIONABLE LICENSES WILL BE TAKEN TO THE BAR FOR VERIFICATION PRIOR TO ALCOHOL BEING SERVED.
- PITCHERS OF BEER WILL BE SERVED TO NO LESS THAN 2 PATRONS; ALL CONSUMERS OF PITCHERS MUST PRODUCE VALID IDs.
- NO DOUBLES WILL BE SERVED AT LAST CALL.
- ALL LIQUOR DRINKS WILL BE SERVED AT THE MEASURED AMOUNT OF THE RESPECTIVE DRINK RECIPE. OVERPOURING IS CONSIDERED AT TERMINABLE VIOLATION OF POLICY.
- ALL SERVERS AND BARTENDERS CAN ACCEPT THE FOLLOWING AS ACCEPTABLE FORMS OF ID:
 - DRIVER'S LICENSES ISSUED BY THE STATE OF TEXAS
 - MILITARY PICTURE IDs
 - ALL OTHER FORMS OF ID MUST BE VERIFIED BY MANAGEMENT PRIOR TO THE SERVICE OF ALCOHOL.
- IF A STAFF MEMBER IS DETECTED TO HAVE SERVED A MINOR OR AN INTOXICATED GUEST, AN INVESTIGATION WILL BE CONDUCTED. IF THE STAFF MEMBER IS FOUND TO HAVE VIOLATED THE COMPANY ALCOHOL SERVICE POLICES, THEY WILL BE SUBJECT TO TERMINATION OF EMPLOYMENT.
- AN INCIDENT LOG BOOK IS MAINTAINED BEHIND THE MAIN BAR. ALL INCIDENTS RELATED TO ALCOHOL SERVICE WILL BE RECORDED IN THE LOG BOOK.
- STAFF MEMBERS CANNOT CONSUME ALCOHOL WHILE ON DUTY. OFF DUTY STAFF MEMBERS CANNOT CONSUME ALCOHOL WHILE IN UNIFORM. STAFF MEMBERS CANNOT RUN BAR TABS AT ANY TIME.
- NO HUSBANDS, WIVES, BOYFRIENDS OR GIRLFRIENDS OF BARTENDERS ARE ALLOWED TO SIT AT THE BAR WHILE THEIR PARTNER IS BARTENDING.
- EVERY EFFORT WILL BE MADE TO KEEP AN INTOXICATED PERSON FROM DRIVING AN AUTOMOBILE, INCLUDING CALLING A CAB FOR A GUEST OR CALLING THE POLICE .



Z-FY-12-33

CUP - Alcohol
> 50% + < 75%

5434 205 Loop



- ZFY 1233
- 200' Buffer
- Zoning Boundary
- Subdivision Boundary
- 1234-A Outblock Number
- 1234 Address
- Block Number
- Lot Number
- 0 50 100 Feet

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RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT
CITY OF TEMPLE

William G. Rosier
1111 Mill Creek Drive
Salado, Texas 76571

Zoning Application Number: Z-FY-12-33

Project Manager: Tammy Lyerly

Location: 5434 205 Loop

The proposed request for a Conditional Use Permit is the area shown in hatched marking on the attached map. The Conditional Use Permit will allow the sale of alcoholic beverages for on-premise consumption in a proposed bowling alley. 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 Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend approval () denial of this request.

Comments:

THIS NEW FAMILY ENTERTAINMENT
CENTER WILL BE A MUCH NEEDED ADDITION
TO THE QUALITY OF LIFE IN BELL COUNTY.

W. Grady Rosier
(Signature)

W. GRADY ROSIER
(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

MAR 27 2012

City of Temple
Planning & Development



PLANNING AND ZONING COMMISSION AGENDA ITEM

4/02/12
Item #4
Regular Agenda
Page 1 of 3

APPLICANT: City of Temple

CASE MANAGER: Autumn Speer, Director of Community Services

ITEM DESCRIPTION: Z-FY-12-04 Hold a public hearing and recommend action on an amendment to the City of Temple Unified Development Code to amend Article 6 of the Unified Development Code to create an overlay called the 1st and 3rd Street Overlay and add standards for development in the specified area and consider a zoning map amendment defining the boundaries of the 1st and 3rd Street Overlay generally being defined as tracts of land that abut or adjoin South 1st Street from the north intersection of Avenue M to the north intersection of Avenue D and tracts of land that abut or adjoin North 3rd Street from the north intersection of Houston Avenue to the south intersection with West Bellaire North.

BACKGROUND:

The City of Temple is proposing an overlay district for the South 1st Street and North 3rd Street Corridor to promote enhanced development and redevelopment in this very important corridor through Temple.

The proposed overlay incorporates enhanced public realm requirements such as wider sidewalks and street trees with decorative lighting as well as includes minimal enhanced standards for on-site development including landscaping and smaller signs. The proposal does not change or amend any zoning or uses that are currently permitted in the area.

PROCESS:

The Planning staff walked the City Council through a Strength, Weakness, Opportunity, Threat (SWOT) exercise on January 19, 2012 to brainstorm about issues and potential for this area. On February 9, 2012, Staff presented a Visual Preference Survey to City Council to better understand their desires and direction for the proposed overlay. Based upon the results of City Council direction, staff drafted the proposed ordinance and presented information to the property owners at a public meeting on March 27, 2012 for input and questions.

1st AND 3rd OVERLAY DISTRICT BOUNDARY:

The 1st and 3rd Street Overlay is generally being defined as tracts of land that abut or adjoin South 1st Street from the north intersection of Avenue M to the north intersection of Avenue D and tracts of land that abut or adjoin North 3rd Street from the north intersection of Houston Avenue to the south intersection with West Bellaire North.

DISTRICT FORMAT:

Applicability: Applicability of the various sections of the ordinance is defined based on the development and/or redevelopment on each property as well as specific applicability to districts stated in each section.

General Standards: General Standards refer the reader to Article 4 Zoning Districts which applies in its entirety with the addition of the impervious lot coverage percentages; Article 5 Use Standards applies in its entirety; and Article 7 General Development Standards, Section 7.1 Performance Standards applies in its entirety.

Access and Circulation Standards: This section includes specific prohibition of cul-de-sacs and flag lots. It also defines driveway specifications.

Public Frontage Standards: This section deals with the areas in public ROW, or the areas between back of curb and property line. Three public frontage types are defined and assigned to applicable locations in the overlay. Public frontage includes planting bed and street trees and sidewalks.

Private Property Landscape Standards: This section addresses minimum landscape area and the amount of trees and shrubs required on private property. Landscaping is based on the type of use.

General Planting Criteria: This section provides the list for specific trees, shrubs and groundcover required, as well as installation, maintenance and irrigation requirements.

Off-Street Parking and Loading: This section refers the reader to Article 7 General Development Standards, Section 7.4 Off-street Parking and Loading, applies in its entirety with the addition that all surface parking areas must be constructed with raised curb and gutter.

Sign Standards: This section refers the reader to Article 7 General Development Standards, Section 7.5 Signs, applies in its entirety with the additions that all signs must be internally illuminated and pole signs and roof signs are prohibited in the 1st and 3rd Street Overlay.

Screening and Buffering: The section refers the reader to Article 7 General Development Standards, Section 7.6 Screening, and adds specific standards for the screening of mechanical equipment, waste containers, loading docks and includes fence standards. This section also prohibits outdoor storage and specifies requirements for outdoor display of goods.

Utility Standards: This section states that utilities must be underground for non-residential and multi-family development if triggered.

Exception Requests: This section establishes the appeal process to the Planning and Zoning Commission and City Council for applicants wishing to appeal the requirements of the 1st and 3rd Street Overlay District.

PUBLIC NOTICE: The newspaper printed notice of the Planning and Zoning Commission public hearing on March 22, 2012 in accordance with state law and local ordinance. Staff mailed out 380 property owner notices and 306 200' property owner notices.

As of March 28, 2012, staff has received the following responses:

Type	In Favor	In Denial
Property Owners	5	6+2 additional from public meeting
200' Neighbors	13	4

STAFF RECOMMENDATION: Staff recommends approval of Z-FY-12-04, to amend Article 6 of the Unified Development Code to create an overlay called the 1st and 3rd Street Overlay and add standards for development in the specified area and consider a zoning map amendment defining the boundaries of the 1st and 3rd Street Overlay generally being defined as tracts of land that abut or adjoin South 1st Street from the north intersection of Avenue M to the north intersection of Avenue D and tracts of land that abut or adjoin North 3rd Street from the north intersection of Houston Avenue to the south intersection with West Bellaire North.

FISCAL IMPACT:
NA

ATTACHMENTS:
Proposed Ordinance
Notices Received

Sec. 6.7. 1st and 3rd Overlay District

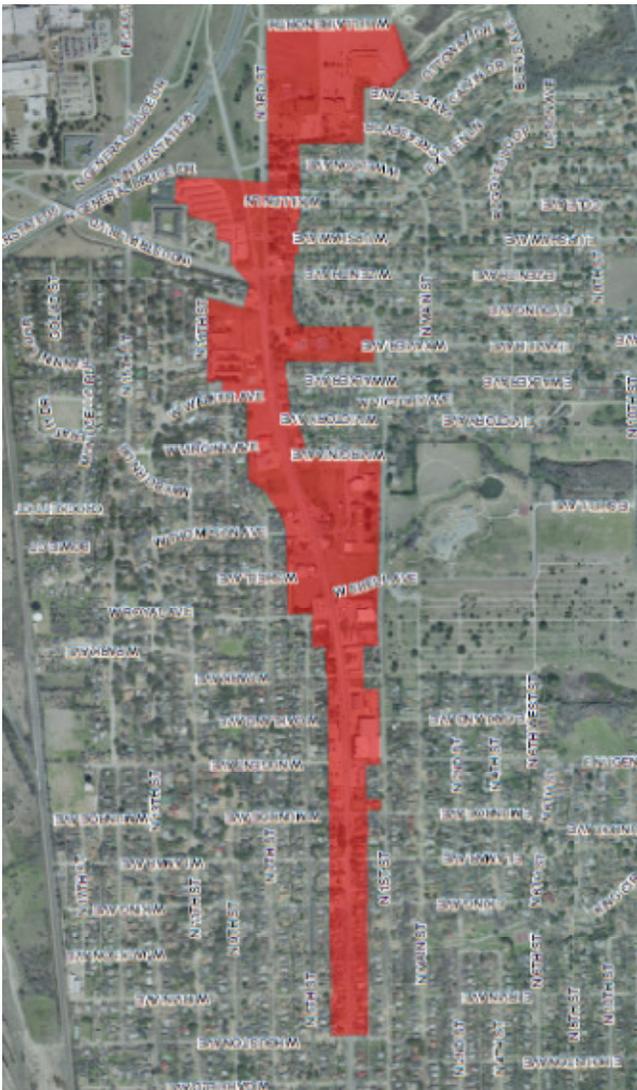
6.7.1 Boundary

The 1st and 3rd Overlay District is defined as tracts of land that abut or adjoin South 1st Street from the north intersection of Avenue M to the north intersection of Avenue D and tracts of land that abut or adjoin North 3rd Street from the north intersection of Houston Avenue to the south intersection with West Bellaire North.

Any property that is consolidated into property that meets the above criteria or is shown on the following map must also conform to the Overlay Standards.

The 1st and 3rd Overlay District is more specifically shown in the map below, which is adopted by reference and declared a part of this UDC.

North Section:



South Section:



6.7.2 Applicability

The provisions of 1st and 3rd Overlay District apply to development types in the table below. Improvements to existing buildings are cumulative within a 15-year period when determining which of the following provisions apply.

All other provisions of the UDC apply unless otherwise stated.

Nonresidential and Multiple-Family Development Type	General Standards	Circulation Standards	Private Property Landscaping Standards and General Planting Criteria	Screening Standards	Public Frontage Standards	Sign Standards	Utility Standards
New construction (Non-residential and Multi-Family)	✓	✓	✓	✓	✓	✓	✓
Change in use from single-family residential to multiple-family and nonresidential use (See City Code 12-16 Business Registration)	✓	✓	✓	✓	✓	✓	
Increase in gross floor area of 50% or more or modifications with a cost equal to or greater than 50% of the assessed value of improvements per the current tax roll	✓	✓	✓	✓	✓	✓	
Increase in gross floor area of 25%-49% or modifications with a cost equal to 25%-49% of the assessed value of improvements per the current tax roll	✓		✓	✓			
Increase in gross floor area of 10%-24% or modifications with a cost equal to 10%-24% of the assessed value of improvements per the current tax roll	✓						
Interior or exterior maintenance of existing structure with like or similar materials; no increase in gross floor area or remodeling							
New Sign Proposed						✓	

Single Family Development Type	General Standards	Public Frontage Standards and general Planting Criteria
New construction (Single family attached and detached)	✓	✓

6.7.3 1st and 3rd Overlay District Site Plan Review Process

All redevelopment and new development in the 1st and 3rd Overlay District must follow the TMED site plan review process as described in Article 3.

6.7.4 General Standards

A. Article 4 Zoning Districts applies in its entirety with the addition of the following:

1. Maximum impervious lot coverage for residential uses is 50%.
2. Maximum impervious lot coverage for non-residential uses is 70%.

B. Article 5 Use Standards applies in its entirety.

C. Article 7 General Development Standards, Section 7.1 Performance Standards applies in its entirety.

6.7.5 Access and Circulation Standards

A. Article 7 General Development Standards, Section 7.2 Access and Circulation does not apply.

B. Applicability

The 1st and 3rd Overlay District circulation standards in this Section apply to all zoning districts and uses unless otherwise stated.

Thoroughfare Standards

1. Cul-de-sacs are prohibited in the 1st and 3rd Overlay District.
2. Flag lots are prohibited in the 1st and 3rd Overlay District.

C. Access and Connectivity

1. General

- a. All driveway connections must be constructed and stubbed or connected to any existing stub.
- b. Driveway spacing must be based on the appropriate alignment with any existing or proposed median breaks as approved by the City Engineer and TxDOT.
- c. Each business is permitted one 24' wide curb cut per street frontage.
- d. If a site has greater than 300' of frontage on South 1st or greater than 400' of frontage on North 3rd, they may have two 24' wide curb cuts for that street frontage.

6.7.6 Public Frontage Standards

A. Applicability

The 1st and 3rd Overlay District public frontage standards in this Section apply to all zoning districts and uses.

B. Public Frontage

1. Public frontage is generally the space between the existing or proposed back-of-curb and the property line.
2. Total public frontage depth is measured from back-of-curb. If existing right-of-way does not accommodate all requirements, private property must be used to account for the additional required depth.
3. Raised curb and gutter installation is required.
4. The table below establishes public frontage type and assigns standards to each public frontage type.

Public Frontage Type	Location	On-Street Parking Permitted	Typical Public Frontage Depth (ft.)	Sidewalk Width (ft.)	Planting Strip and Buffer Zone (ft.) Behind Sidewalk
A	South 1st Street from Avenue M to Avenue D	No	12'	8' Sidewalk Back of Curb	4'
B	North 3 rd Street Houston to South Intersection with Monroe Avenue	No	15'	5' Sidewalk 8' From back of Curb	2' or greater
C	North 3 rd Street North Intersection with Monroe to West Bellaire North	No	14'	8' Sidewalk Back of Curb	4' or greater

C. Public Frontage Landscape Standards

I. Street Trees

- a. One tree per 25' linear street frontage is required. Trees must be planted in a regularly spaced pattern. Spacing of trees may be offset to allow a view corridor into the primary entry of a nonresidential use.
- b. Trees must be a single species selected from the table in Section 6.7.9.
- c. Trees must be planted within the required planting strip and buffer zone adjacent to the back of sidewalk based on public frontage type.
- d. Large canopy trees must be planted if overhead utilities are not present. Medium canopy trees must be planted if overhead utilities are present.
- e. Public Frontage Type A - Trees must be planted a minimum ten feet from back-of-curb in the required planting strip.
- f. Public Frontage Type B - Trees must be planted a minimum thirteen feet from back-of-curb in the required planting strip. If TxDOT right-of-way is greater than 13', the required street trees must be located 1' away from TxDOT right-of-way. The Planting strip and buffer zone must be increased 1' for every 1' of additional TxDOT controlled right-of-way.
- g. Public Frontage Type C - Trees must be planted a minimum twelve feet from back-of-curb in the required planting strip. If TxDOT right-of-way is greater than 12', the required street trees must be located 1' away from

TxDOT right-of-way. The Planting strip and buffer zone must be increased 1' for every 1' of additional TxDOT controlled right-of-way.

2. Planting Area

- a. Public Frontage Planting Strip Type A – must be planted with approved shrubs in accordance with Section 6.7.9 at a rate of one one-gallon container per 3 linear feet of street yard planting area and filled with river rock.
- b. Public Frontage Planting Strip Type B – must be planted in sod or evergreen groundcover in accordance with Section 6.7.9.
- c. Public Frontage Planting Strip Type C – must be planted in sod or evergreen groundcover in accordance with Section 6.7.9.

D. Parking Lot Screen

This subsection applies only to non-residential and multiple-family development and uses in the 1st and 3rd Overlay District. Additional parking lot screen is not required for Type A public frontage sections.

1. All parking must be screened from public rights-of-way a minimum 36 inches in height, through one of the following methods:
 - a. Planting screen of evergreen shrubs;
 - b. Masonry wall;
 - c. Combination of evergreen shrubs and wall.
2. Planted screening must be capable of providing a solid, opaque 36-inch screen within two years, and must be planted in the public frontage planting strip and buffer zone.
3. Parking lot screening shrubs and landscape area may be counted towards the general site landscaping requirements established in Section 6.7.8 but not towards public frontage planting area.

E. Public Frontage Sidewalk Standards

1. Public Frontage Type A sidewalks must include an 18" concrete band on both sides of a 5' paver sidewalk.
2. Sidewalks must extend the entire length of the development's frontage on a public street and must be constructed in accordance with the Design and Development Standards Manual and related provisions in this UDC.
3. Sidewalks must be constructed before the Director of Construction Safety issues a Certificate of Occupancy.
4. Sidewalks must be constructed at the back of curb.
5. Sidewalks must connect to existing adjacent sidewalks, or be designed and placed to allow connection to future adjacent sidewalks.
6. Sidewalks of different widths must be transitioned within a length of sidewalk by two expansion joints not less than six feet apart as required by Texas Accessibility Standards.
7. Sidewalks must connect to parking within the lot and to primary entrances of each nonresidential building.

8. Pedestrian walkways must also connect the principal building entrances to all associated outdoor amenities, such as courtyards and other outdoor gathering places.
9. Residential sidewalks must be installed from the primary entrance of the residence to the perimeter street sidewalk system.

6.7.7 Public Frontage Lighting

This subsection applies only to City initiated projects in the 1st and 3rd Overlay District.

1. Pedestrian-scale lighting must be provided at all intersections and at 100’ intervals along all public and private roadways within the development. Refer to the TMED Design Criteria Manual for the specific pedestrian-scale lighting models and styles that are permitted in the 1st and 3rd Overlay District.

6.7.8 Private Property Landscape Standards

A. Article 7 General Development Standards, Section 7.3 Landscaping does not apply.

B. Applicability

The private property landscape standards in this Section apply to all non-residential and multi-family zoning districts and uses in the 1st and 3rd Overlay District.

C. General Site Landscape

1. A minimum percentage of the total area of the private property on which development, construction or reconstruction is proposed must be dedicated to landscape area including trees, shrubs, groundcover, sod or other living plant material.
2. The table below establishes minimum site landscape requirements for the 1st and 3rd Overlay District.

Development Type	Minimum Landscape Area (%)	Trees and Shrubs per Lot
Multi-family	40%	2 trees and 8 shrubs per 1,000 sq ft landscape area
Non-residential	30%	1 tree and 4 shrubs per 600 sq ft landscape area

D. Foundation Planting

1. Foundation plantings are required within a planting area a minimum of four feet in depth along 50% of the length of any façade visible to the public.
2. Foundation planting shrubs and landscape area may be counted towards the general site landscaping requirements established in Section 6.7.8.

E. Tree Mix

1. Private property trees must be selected from the table in Section 6.7.9.
2. A minimum of 50 percent of required trees must be selected from the medium or large size tree list.

3. A minimum of 40 percent of required trees must be evergreen species.

6.7.9 General Planting Criteria

A. Applicability

The 1st and 3rd Overlay District general planting criteria in this Section apply to all zoning districts and uses.

B. Approved Tree List

The table below lists the tree species that are eligible to fulfill the tree planting requirements in 1st and 3rd Overlay District. The Planning Director and City Arborist may determine as acceptable other species for plantings other than street trees.

Large Canopy Trees			
Common Name	Scientific Name	Type	Street Tree
American Sycamore	<i>Platanus occidentalis</i>	Deciduous	
Cypress, Bald	<i>Taxodium distichum</i>	Deciduous	Yes
Cypress, Arizona	<i>Cupressus arizonica</i>	Evergreen	Yes
Elm, Cedar	<i>Ulmus crassifolia</i>	Deciduous	Yes
Oak, Chinkapin	<i>Quercus muhlenbergii</i>	Deciduous	
Oak, Live	<i>Quercus virginiana</i>	Evergreen	Yes
Pecan	<i>Carya illinoensis</i>	Deciduous	
Southern Magnolia	<i>Magnolia grandiflora</i>	Evergreen	
Medium Canopy Trees			
Common Name	Scientific Name	Type	Street Tree
Chinese Pistache	<i>Pistacia chinensis</i>	Deciduous	Yes
Elm, Lacebark	<i>Ulmus parvifolia</i>	Deciduous	
Oak, Lacey	<i>Quercus laceyi</i>	Deciduous	Yes
Oak, Mexican White	<i>Quercus polymorpha</i>	Deciduous	
Oak, Texas Red	<i>Quercus texana</i>	Deciduous	Yes
Small Trees			
Common Name	Scientific Name	Type	Street Tree
Buckeye, Mexican	<i>Ungnadia speciosa</i>	Deciduous	
Crape Myrtle	<i>Lagerstroemia indica</i>	Deciduous	
Holly, Yaupon	<i>Ilex vomitoria</i>	Evergreen	
Laurel, Texas Mountain	<i>Sophora secundiflora</i>	Evergreen	
Persimmon, Texas	<i>Diospyros texana</i>	Deciduous	
Pistache, Texas	<i>Pistacia texana</i>	Deciduous	
Plum, Mexican	<i>Prunus mexicana</i>	Deciduous	
Possumhaw Holly	<i>Ilex decidua</i>	Deciduous	
Redbud, Eastern	<i>Cercis canadensis</i>	Deciduous	
Southern Wax Myrtle	<i>Myrica cerifera</i>	Evergreen	
Vitex (Chaste Tree)	<i>Vitex agnus castus</i>	Deciduous	
Willow, Desert	<i>Chilopsis linearis</i>	Deciduous	

C. Approved Groundcover List

The table below lists the groundcover species that are eligible to fulfill the groundcover planting requirements in the 1st and 3rd Overlay District.

Groundcover		
Common Name	Scientific Name	Type
Asian Jasmine	<i>Trachelospermum asiaticum</i>	Evergreen
English Ivy	<i>Hedera helix</i>	Evergreen
Liriope	<i>Liriope muscari</i>	Evergreen
Monkey Grass (Mondo Grass)	<i>Ophiopogon japonicus</i>	Evergreen

D. Approved Shrubs

Shrubs must be appropriate perennial and evergreen species for the Central Texas region.

E. Approved Lawn Grass

Grass areas must be planted with drought resistant species normally grown as permanent lawns, such as Bermuda, Zoysia or Buffalo.

F. Landscape Installation

1. Trees

- a. All required large trees must be a minimum of three inches in diameter (single trunk) at breast height or 65-gallon container size at planting.
- b. All required medium trees must be a minimum of two and one-half inches in diameter (single trunk) at breast height at planting.
- c. All required small trees must be a minimum of two inches in diameter (single trunk) at breast height at planting at planting.

2. Shrubs

All required shrubs must be a minimum three-gallon container size at planting.

3. Groundcover

All required groundcover must be a minimum one-gallon container size at planting.

4. Lawn Grass

Grass areas must be sodded, plugged, sprigged, or seeded. However, solid sod must be used in swales, berms or other areas subject to erosion.

5. Landscape Maintenance

- a. All new plant material must be planted and maintained in accordance with the latest edition of the American National Standards Institute requirements for Tree, Shrub, and Other Woody Plant Maintenance (ANSI A300 Parts I through 6).
- b. All required public frontage and private frontage landscaping must be maintained in good condition after installation. The owner must replace any plant material that ever becomes diseased, deteriorates or dies within 30 days of death of the plant material. The Planning Director may issue up to a 90 day a time extension for replacement in case of drought or summer months.

6. Irrigation

Permanent irrigation is required for all landscape. City Code Chapter 7, Buildings, Article 7, Landscape Irrigation Standards, applies in its entirety.

6.7.10 Off-Street Parking and Loading

- A. Article 7 General Development Standards, Section 7.4 Off-street Parking and Loading applies in its entirety with the following additions.**

I. General

All surface parking shall be constructed on-site in accordance with the following standards:

Surface parking areas must be constructed with raised curb and gutter.

6.7.11 Signs

- A. Article 7 General Development Standards, Section 7.5 Signs applies in its entirety with the following additions and exceptions.**

I. Lighting

All signs must be internally illuminated.

2. Prohibited Signs

Pole signs and roof signs are prohibited in the 1st and 3rd Street Overlay.

6.7.12 Screening and Buffering

- A. Article 7 General Development Standards, Section 7.6 Screening and Buffering applies in its entirety with the following additions and exceptions.**

B. Screening of Mechanical Equipment

This subsection applies to all nonresidential and multiple-family development and uses in the 1st and 3rd Overlay District.

- 1.** All roof, ground and wall-mounted mechanical equipment (e.g., air handling equipment, compressors, duct work, transformers and elevator equipment) must be screened from view or isolated so as not to be visible from any residential districts or uses, streets, rights-of-way or public park areas within 150 feet of the property line of the subject lot or tract, measured from a point five feet above grade in accordance with this Section.
- 2.** Roof-mounted mechanical equipment must be shielded from view on all sides using parapet walls.
- 3.** Wall or ground-mounted equipment screening must be constructed of:
 - a.** Vegetative screens; or
 - b.** Brick, stone, architecturally finished concrete, or other similar masonry materials; and
 - c.** All fence or wall posts must be concrete-based masonry or concrete pillars.
- 4.** Exposed conduit, ladders, utility boxes and drain spouts must be painted to match the color of the building.
- 5.** Mechanical equipment screening shrubs and landscape area may be counted towards the general site landscaping requirements established in Section 6.7.8.

C. Screening of Waste Containers

This subsection applies to all nonresidential and multiple-family development and uses in the 1st and 3rd Overlay District.

1. Waste containers must be located at the rear of the building and screened on all sides, including gates, from public view to minimize visibility. If the property has two public frontages the waste container must be placed on the side of the structure.
2. Waste containers must be located a minimum of 50 feet away from any residential use or district's property lines.
3. Waste containers must be located a minimum of 50 feet away from a multi-family entryway.
4. Screening must be at least as tall as the waste container(s) and comprised of materials and color schemes that are visually and aesthetically compatible with the overall project that incorporate the following:
 - a. Brick;
 - b. Stone;
 - c. Stucco;
 - d. Architecturally finished concrete; or
 - e. Other similar masonry materials.
5. Waste containers with fence posts must be rust-protected metal, concrete based, masonry or concrete pillars; and waste containers must have six-inch concrete filled steel pipes (bollards) that are located to protect the enclosure from truck operations and not obstruct operations associated with the waste container.
6. Waste container enclosures must have steel gates with spring-loaded hinges or the equivalent and fasteners to keep them closed. When in use, tie-backs must be used to secure the steel gates in the open position.
7. Waste container screening must be maintained by the owner at all times.
8. The ingress, egress, and approach to all waste container pads must conform to fire lane requirements.
9. Waste container pad and aprons requirements must be constructed in accordance with the Design and Development Standards Manual.
10. Waste container screening shrubs and landscape area may be counted towards the general site landscaping requirements established in Section 6.7.8.

D. Screening of Loading Docks

This subsection applies to all nonresidential development and uses in the 1st and 3rd Overlay District.

1. Loading and service areas must be located at the rear of the building and screened from public view to minimize visibility. If the property has two public frontages the waste container must be placed on the side of the principal building.
2. Loading areas must not be located closer than 50 feet to any single-family lot, unless wholly within an enclosed building.

3. Off-street loading areas must be screened from view from any street or adjacent property of differing land use.
4. All loading areas must be enclosed on three sides by a wall or other screening device a minimum of eight feet in height.
5. Loading areas that are visible from any public right-of-way must also include a combination of evergreen trees and shrubs that will result in solid opaque vegetative screening a minimum of eight feet in height within two years of planting. The planting area must be a prepared bed that is at least four feet in width.
6. Loading dock screening shrubs and landscape area may be counted towards the general site landscaping requirements established in Section 6.7.8.

E. Fence and Wall Standards for All Uses

This subsection applies to all development and uses in the 1st and 3rd Overlay District.

1. Fences and walls on the primary and secondary frontage may have a maximum height of four feet.
2. Fences and walls to the rear of the site may have a maximum height of six feet, unless they are required for loading dock screening.
3. Fencing and walls must not be placed within the required line of sight as determined by the sight triangle established in Section 4.4.8.
4. Chain link, barbed wire, razor wire and metal or corrugated panels are prohibited for all uses.

F. Nonresidential and Multiple-Family Uses - Fences

This subsection is applicable to all nonresidential and multiple-family development and uses in the 1st and 3rd Overlay District.

1. Fences and walls must be constructed of wood panels on steel posts, decorative blocks, brick, stone, vinyl, woodcrete and wrought iron.
2. Breaks in the fence or wall must be made to provide for required pedestrian connections to the perimeter of the site and to adjacent developments.

G. Single-Family Uses - Fences

This subsection is applicable to all single family-detached or attached dwelling, row house and townhouse uses in the 1st and 3rd Overlay District. Fences and walls must be constructed of decorative blocks, brick, stone, vinyl, wood, woodcrete and wrought iron.

H. Outdoor Storage

Outdoor storage is not permitted in the 1st and 3rd Overlay District. Prohibited outdoor storage includes open storage of inventory and equipment, portable containers, portable buildings or any other structure not fixed onto a permanent slab and that adheres to the architectural standards defined in Section 7.7.

I. Outdoor Retail Display

Commodities must not be displayed outdoors for sale in the 1st and 3rd Overlay District, except that temporary outdoor display for a sidewalk sale is permitted that does not extend more than five feet from a front façade and reserves at least five feet of

sidewalk or walkway for pedestrian use. Commodities must be brought indoors at the end of each business day.

6.7.13 Building Exterior Materials

A. Article 7 General Development Standards, Section 7.7 Building Exterior Materials Applies in its entirety

6.7.14 Utility Standards

A. Applicability

The 1st and 3rd Overlay District utility standards in this Section apply to all nonresidential and multiple-family development zoning districts and uses.

B. Underground Utilities Required

All proposed new electric, telephone and cable television wires along the public street right-of-way must be located underground.

6.7.15 Exception Requests

Any party aggrieved by a decision of the Planning Director on a development review application in the 1st and 3rd Street Overlay District district may appeal to the Planning and Zoning Commission and City Council for final action.



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 Project Manager Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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:

Arnita Jackson
Signature

Arnita Jackson
Print Name

Your Address: 2201 N. 3rd Street
Temple, Texas 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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City of Temple
Planning & Development



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

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Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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I recommend approval () denial of this request.

Comments:

Rebecca M. Ellis
Signature

Rebecca M. Ellis
Print Name

Your Address: 1613 North 5th
Temple Texas 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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Planning Department
Room 201
Municipal Building
Temple, Texas 76501

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Date Mailed: March 16, 2012



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:

Harry B. Macey, III
Signature

Harry B. Macey, III
Print Name

Your Address: 1401 North 3rd Street (as well as 1501, 1515
and 1519 North 3rd)

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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Planning Department
Room 201
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Temple, Texas 76501

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**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 Project Manager Autumn Speer

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I recommend approval () denial of this request.

Comments:

I would like to see zoning change only if it will attract retail businesses to the north side, example being a grocery store willing to compete with Walmart & HEB.

S.A. Hudgins
Signature

Shelton Gene Hudgins
Print Name

Your Address: 306 W. Upshaw Ave

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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Planning Department
Room 201
Municipal Building
Temple, Texas 76501

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Date Mailed: March 16, 2012

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**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:

WE ARE IN FAVOR OF BEAUTIFYING ALL OF THE CITY OF TEMPLE, BUT
ESPECIALLY IN OUR AREA, WHICH HAS BEEN IN DECLINE FOR A NUMBER OF
YEARS. LET US KNOW HOW WE CAN HELP.

L. Jeff Harris, pastor
Signature

L. JEFF HARRIS, PASTOR
Print Name

Your Address: GRACE COMMUNITY PRIMITIVE BAPTIST CHURCH
3111 N. 3RD ST., TEMPLE, TX 79501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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Date Mailed: March 16, 2012

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City of Temple
Planning & Development



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 Project Manager Autumn Speer

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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. *Vehemently opposed*

Comments:
South 1st Street businesses would all need significant exceptions. We will be PROHIBITED COST-WISE from making improvements. We will let S. 1st sit + rot. no improvements. ALSO- S. 1st should be a separate consideration from N. 3rd street!

Marilyn Simon

 Signature Vice President *RANDALL SIMMON*

 Print Name

Your Address: *816 S. 1st, Temple 76501* (254) 760-3128

(mailing address 5218 Sunflower Lane, Temple, Tx. 76502

Please mail or hand-deliver this comment form to the address shown below, no later than **April 2, 2012**.

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

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MAR 27 2012

Date Mailed: March 16, 2012

City of Temple
 Planning & Development



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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:

Kenny M. Marlin
(Signature)

KENNY M. MARLIN
Print Name

Your Address: 1115 South 1st STREET
 Temple, TEXAS

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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Date Mailed: March 16, 2012



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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I recommend () approval denial of this request.

Comments:
DONT KNOW ENOUGH ABOUT WHY WE
NEED THIS CHANGE.

Harold D. Eaks
 Signature

HAROLD D. EAKS
 Print Name

Your Address: 312 W. KILLEN LANE
TEMPLE, TX, 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

City of Temple
 Planning Department
 Room 201
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 Temple, Texas 76501

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Date Mailed: March 16, 2012

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 Planning & Development



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

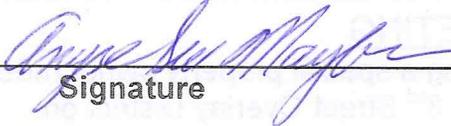
Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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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:


Signature

Anyse Sue Mayborn, President
Print Name
Frank Mayborn Enterprises, Inc.

Your Address: 10 South Third Street
Temple, TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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Date Mailed: March 16, 2012

City of Temple
Planning & Development



**OWNERS
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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I recommend () approval denial of this request.

Comments:

My house is considered to be in the Historical District as a single family dwelling. I do not believe or feel this area should be rezoned for anything but single family structures. I am at 1101 N. 3rd St.

Scott Branscum
Signature

Scott Branscum
Print Name

Your Address: 1101 N 3rd ST.
Temple, TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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MAR 23 2012
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Date Mailed: March 16, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

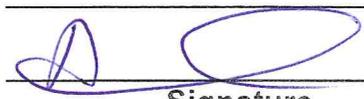
Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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I recommend approval () denial of this request.

Comments:



Signature

Amanda Boyd (Flores)

Print Name

Your Address: 4110 North Main Street
 Tempe, TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

Date Mailed: March 19, 2012

MAR 26 2012

City of Temple
Planning & Development



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:

I recommend that any new business in this area not be allowed to have loud music or bright lights or late business hours that would interfere with the residents' rest and sleep after 9:00 PM

Joyce M. Kattner
Signature

Joyce M. Kattner
Print Name

Your Address: 302 West Victory Avenue
 Temple, TX 76501-1719

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED
MAR 26 2012
City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
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1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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I recommend approval () denial of this request.

Comments:

*I like what you have done
w/ 3rd keep it up
I want it in my area!!!
zone me in!*

[Handwritten Signature]

Signature

TOE MARKS

Print Name

Your Address: 905 N. 5th
 Temple, TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

MAR 27 2012

City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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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:

Timothy C. Hobbs
Signature

Timothy C. Hobbs
Print Name

Your Address: 705 HESSTON CIRCLE
ROBINSON, TX 76706

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

Date Mailed: March 19, 2012

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**200' NEIGHBOR
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Z-FY-12-04**

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I recommend approval () denial of this request.

Comments:

I hope all this means an over all
improvement of the appearance of
these areas.

Edwards
Signature

Trina Edwards
Print Name

Your Address: 814 No. First st. Temple

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

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Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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:

Harry W. Johnson
Signature

Harry W. Johnson
Print Name

Your Address: 410 W. Nugent Ave.

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

MAR 22 2012

City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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:

EAITHER WAY, FINE WITH ME

W.R. Lagrone
Signature

W. R. LAGRONE
Print Name

Your Address: 1515 N 5TH ST.

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

Date Mailed: March 19, 2012

MAR 22 2012
City of Temple
Planning & Development



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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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

Billy W. Redis
Print Name

Your Address: 1417 N. 15th St.

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

Date Mailed: March 19, 2012

RECEIVED
MAR 22 2012
City of Temple
Planning & Development



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

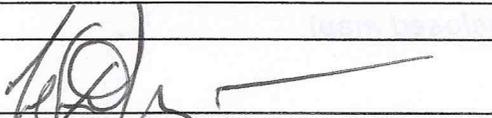
Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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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

David Jennings
Print Name

Your Address:

1304 S. 1ST
Temple, TX 76504

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

MAR 22 2012

City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:

Lois Redwine
Signature

Lois Redwine
Print Name

Your Address: 1317 N. 1st St.
Temple, Texas 76501-2048

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED
MAR 21 2012
City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:

Bernice Talasek
Signature

Bernice Talasek
Print Name

Your Address: 502 W Zenith
 Temple TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

Date Mailed: March 19, 2012

RECEIVED

MAR 23 2012

City of Temple
Planning & Development



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

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

Comments:


Signature

Gordhan C. Patel
Print Name

Your Address: 3309 N. General Bruce Dr
Temple TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

Date Mailed: March 19, 2012

RECEIVED

MAR 26 2012

City of Temple
Planning & Development



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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:

Jerry M. Lyon
Signature

Jerry M. Lyon
Print Name

Your Address: 211 W. Killian
Temple, TX 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

RECEIVED

MAR 27 2012

City of Temple
Planning & Development

Date Mailed: March 19, 2012



**200' NEIGHBOR
RESPONSE TO ZONING CHANGE
1st and 3rd Street Overlay District
Z-FY-12-04**

Subject Property: Proposed 1st and 3rd Street Overlay District (See Map)

Zoning Application Number: Z-FY-12-04 **Project Manager** Autumn Speer

The City of Temple would like to change the zoning on the property shown in red on the enclosed map to the 1st and 3rd Street Overlay District.

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.

← PICK THE ONE YOU WANT!!

Comments:

C.T. Goolsby
Signature

C.T. GOOLSBY
Print Name

Your Address: 2611 N 13TH
TEMPLE 76501

Please mail or hand-deliver this comment form to the address shown below, no later than April 2, 2012.

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

Date Mailed: March 19, 2012

RECEIVED
MAR 26 2012
City of Temple 72
Planning & Development



PLANNING AND ZONING COMMISSION AGENDA ITEM

04/02/12
Item #5
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
Z-FY-12-36 - Rezoning from AG to GR District on a 1.50 ± acre tract of land situated in the John Simmons Survey, A-737, Bell County, Texas, located at 5412 North SH 317.	P&Z 5/07/12	

City Council Final Decisions	Status
Z-FY-12-26: Consider adopting an ordinance authorizing a Conditional Use Permit for the sale of alcoholic beverages for onpremise consumption with more than 75% revenue from alcohol sales in an existing bar and restaurant on 5.68 acres of Outblock 5008, City Addition, commonly known as 4984 West FM 93.	APPROVED on 1 st Reading March 15, 2012
Z-FY-12-28: Consider adopting an ordinance authorizing an amendment to Planned Development Ordinance 2001-2778, PD-92 for O1 and specific uses, originally approved July 5, 2001, to allow a fenced contractor storage and equipment yard on ±0.91 acres of land being a part of the Maximo Moreno Survey, Abstract 14, City of Temple, Bell County, Texas, more commonly known as 3802 South 5 th Street.	APPROVED on 1 st Reading March 15, 2012
Z-FY-12-22: Consider adopting an ordinance authorizing a rezoning from 2F, GR, and GR-CUP to C on Lots 9 – 12, Block 17, Temple Heights Addition, located at 1208 and 1210 South 53rd Street and 2702 and 2706 West Avenue M.	Approved on 2 nd Reading March 15, 2012

City Council Final Decisions	Status
<p>Z-FY-12-23: Consider adopting an ordinance authorizing an amendment to Ordinance No. 2001-2748, originally approved March 1, 2001, PD NS District, to allow additional units and covered RV parking on Lot 1, Block 1, Johnson Lone Star Properties Addition, located at 7950 North State Highway 317.</p>	<p>Approved on 2nd Reading March 15, 2012</p>
<p>Z-FY-12-25: Consider adopting an ordinance authorizing a rezoning from 2F to GR on a 0.939 ± acre tract of land out of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas located at 2102 Scott Boulevard.</p>	<p>Approved on 2nd Reading March 15, 2012</p>
<p>Z-FY-12-24: Consider adopting an ordinance authorizing a rezoning from GR District to PD-MF1 on Lot 10, Block 1, Elmwood Addition, located at 4011 Brooklawn Drive.</p>	<p>Tabled on March 15, 2012</p>



**PLANNING AND ZONING COMMISSION
MEETING EVALUATION**

April 2, 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.).

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	A	P							5	1	
Mike Pilkington	P	P	P	P	P	P							6		
Allan Talley	P	P	P	P	P	P							6		
Derek Martin	P	P	P	P	P	P							6		
Will Sears	P	P	P	A	P	P							5	1	
Greg Rhoads	A	A	P	P	P	P							4	2	
David Jones	P	P	P	P	P	P							6		
Chris Magaña				P	A	P							2	1	
Bert Pope					P	P							2		

	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