

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
STAFF CONFERENCE ROOM, 1ST FLOOR
JULY 16, 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 Monday, July 16, 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
JULY 16, 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 July 2, 2012.

Item 2: **P-FY-12-15** - Consider and take action on the Final Plat of Residences At D'Antoni's Crossing Phase V, a 10.046 acres ± subdivision with five residential lots and one non-residential lot, located along the east side of South 31st Street, south of Fox Glen Lane and north of Venice Parkway. (Applicant: All County Surveying for Bobby Arnold and Scott Minzak)

B. REPORTS

Item 3: Receive and discuss the [Planning Director's Report](#) containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code. (*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 4:15 PM, on July 11, 2012.



Lacy Borgeson, TRMC
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, JULY 2, 2012
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

David Jones
H. Allan Talley

Bert Pope
Mike Pilkington

PLANNING AND ZONING MEMBERS ABSENT:

Chris Magaña
Will Sears

Greg Rhoads
James Staats

STAFF PRESENT:

Kim Foutz, Asst. City Manager, Acting Planning Dir
Trudi Dill, Deputy City Attorney
Beverly Zendt, Senior Planner
Mary Maxfield, Planning Technician
Leslie Evans, Administrative Assistant

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

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

With a quorum present, Chair Martin opened the work session at 5:01 p.m., assigned the Invocation and Pledge, and asked Ms. Kim Foutz, Assistant City Manager and Acting Planning Director, to proceed.

Ms. Foutz stated Item 2 was an AG zoned property and the applicant was requesting UE. Two homes located to the south and adjacent to the subject property sent in denial letters. A calculation had to be made to determine if 20 percent of the surrounding owners created a super majority but the amount came to 18 percent.

There are no sewer lines available in the area for the development so they would need septic systems.

The access easement is located on the properties to the south and will be addressed during the platting process.

The Director's Report was given which included three plats.

There being no further discussion, Chair Martin adjourned the meeting at 5:10 P.M.

**PLANNING AND ZONING COMMISSION
JULY 2, 2012
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair Derek Martin

COMMISSIONERS:

David Jones
H. Allan Talley

Bert Pope
Mike Pilkington

PLANNING AND ZONING MEMBERS ABSENT:

Chris Magaña
Will Sears

Greg Rhoads
James Staats

STAFF PRESENT:

Kim Foutz, Asst. City Manager, Acting Planning Dir
Trudi Dill, Deputy City Attorney
Beverly Zendt, Senior Planner
Mary Maxfield, Planning Technician
Leslie Evans, Administrative Assistant

The agenda for this meeting was posted on the bulletin board at the Municipal Building, June 28, 2012 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 Chair Martin; Pledge of Allegiance by Commissioner Pope.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of June 18, 2012.

Minutes approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-12-45 – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural District (AG) to Urban Estate District (UE) on 6.196 ± acres, situated in the S.P. Terry Survey, Abstract 812, Bell County, Texas, located north of the intersection of Rocky Lane and King's Cove. (Applicant: Brad Dusek)

Ms. Kim Foutz, Assistant City Manager and Acting Planning Director, stated the applicant was Brad Dusek and was requesting a rezoning from Agricultural (AG) to Urban Estates (UE). The subject property is located north of Rocky Lane in King's Cove, it was annexed into City limits several years ago, and has lake frontage on two sides. The owner would like to develop estate lots on this property.

Most of the surrounding properties are zoned AG. Lake Belton lies to the north and east, there is vacant land to the west, and two houses are located to the south which are currently zoned AG.

In accordance with the Thoroughfare Plan, this development would be served by a local street which would need to be developed. There are no trails or sidewalks required for this development.

The Future Land Use and Character Map designate the area as Estate Residential.

There is an eight inch line which would service this property along with a one and a half to two inch water line. There is no sewer available and would need to utilize a septic system.

Four notices were sent out with zero responses received in favor and two responses received in opposition which equals 18% of the notice area.

Staff recommends approval of this request since it meets the intent of the Future Land Use and Character Map, complies with the Thoroughfare Plan, Trails, and sidewalk plans, and complies with public utilities.

Chair Martin opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Talley made a motion to approve Item 2, **Z-FY-12-45** and Commissioner Pilkington made a second.

Motion passed: (5:0)

Commissioners Magaña, Sears, Rhoads and Vice-Chair Staats absent

C. REPORTS

Item 3: Receive and discuss the **Planning Director's Report** containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code.
(continued, if not completed in Work Session)

There being no further business, Chair Martin adjourned the meeting at 5:37 p.m.

Respectfully submitted,
Leslie Evans



PLANNING AND ZONING COMMISSION AGENDA ITEM

07/16/12
Item #2
Consent Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: All County Surveying for Bobby Arnold and Scott Minzak

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: P-FY-12-15 Consider and take action on the Final Plat of Residences at D'Antoni's Crossing Phase V, a 10.046 acres ± subdivision with five residential lots and one non-residential lot, located along the east side of South 31st Street, south of Fox Glen Lane and north of Venice Parkway.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Residences at D'Antoni's Crossing Phase V.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Residences at D'Antoni's Crossing Phase V on March 21, 2012. It was deemed administratively complete on July 3, 2012.

The Final Plat of Residences at D'Antoni's Crossing Phase V proposes five residential lots along a newly created cul-de-sac, as well as a 3-acre nonresidential lot fronting the east side of South 31st Street, a major arterial. The plat has a note requiring a 6-foot wide sidewalk along South 31st Street (per UDC Section 8.2.3).

The residential lots are zoned Urban Estates District (UE) and the nonresidential lot is zoned Neighborhood Service District (NS). This proposed plat is adjacent to the north boundary of Residences at D'Antoni's Crossing #4, approved by the Planning and Zoning Commission at its July 2, 2012 meeting.

Water will be provided through 8-inch water lines. Sewer services will be provided through an 8-inch sanitary sewer main in the proposed cul-de-sac, Siena Circle. The plat reflects a 20-foot wide drainage and utility easement along the plat's south boundary for a new storm sewer for drainage into Friars Creek.

The Planning and Zoning Commission is the final plat authority since the applicant has not requested any exceptions to the Unified Development Code.

FISCAL IMPACT: Required park fees are \$1,125 (\$225 per new residential lot) for this plat.

ATTACHMENTS:
Plat

FINAL PLAT OF RESIDENCES AT D'ANTONI'S CROSSING, PHASE V WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being a part of the REDDING ROBERTS SURVEY, ABSTRACT 642, Bell County, Texas, and being all of a called 10.063 Acre tract conveyed to ARNZAK, L.P., a Texas limited partnership, recorded in Document No. 2010-00034733, Official Public Records of Real Property, Bell County, Texas.

This plat is to accompany a metes and bounds description of the herein shown 10.046 acre tract.

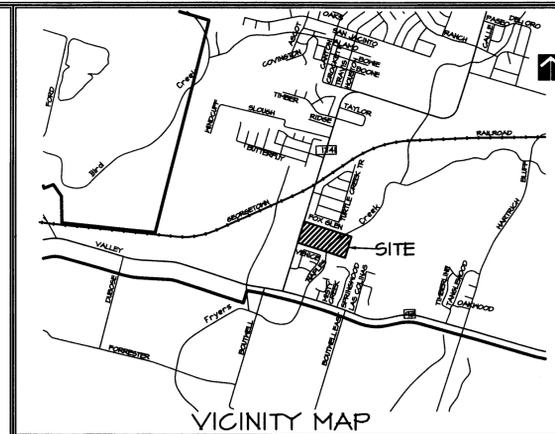
LOTS - SIX (6)
BLOCKS - TWO (2)
AREA - 10.046 ACRES

OWNER:
ARNZAK, L.P.
5247 S. 31ST ST.
STE 104
Temple, TX. 76502-3515

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 No. 145. The theta angle at City Monument No. 145 is 01°30'54". The combined correction factor (CCF) is 0.994855. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 145 to the southwest corner (POINT OF BEGINNING) of this 10.046 acre tract is S 16° 41' 43" W 162.258 Feet. Published City coordinates for City of Temple Monument No. 145 are N = 10,356,225.66 E = 9,210,441.70

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48027C0345E, dated September 26, 2008, a portion of the above shown property does appear within the "Special Flood Hazard Area", and is shown graphically hereon.

NOTE - As per UDC Section 8.2.3, a 6' sidewalk is required along South 31st Street.



STATE OF TEXAS
COUNTY OF BELL

ARNZAK, L.P., A TEXAS LIMITED PARTNERSHIP, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS RESIDENCES AT D'ANTONI'S CROSSING, PHASE V, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, 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.

ARNZAK, L.P., A TEXAS LIMITED PARTNERSHIP

BY:
BOBBY ARNOLD, OWNER

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BOBBY ARNOLD, 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 THE _____ DAY OF _____ 2012.

NOTARY PUBLIC, STATE OF TEXAS

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS _____ DAY OF _____, 2012.

CHAIRPERSON _____ SECRETARY, PLANNING & ZONING _____

STATE OF TEXAS
COUNTY OF BELL

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

Charles C. Lucko

CHARLES C. LUCKO, R.P.L.S. DATE SURVEYED: FEBRUARY 15, 2012
REGISTRATION NO. 4636



AFFIDAVIT:

The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this the _____ day of _____, 2012

By: _____
Bell County Tax Appraisal District

RECORDATION INFORMATION:

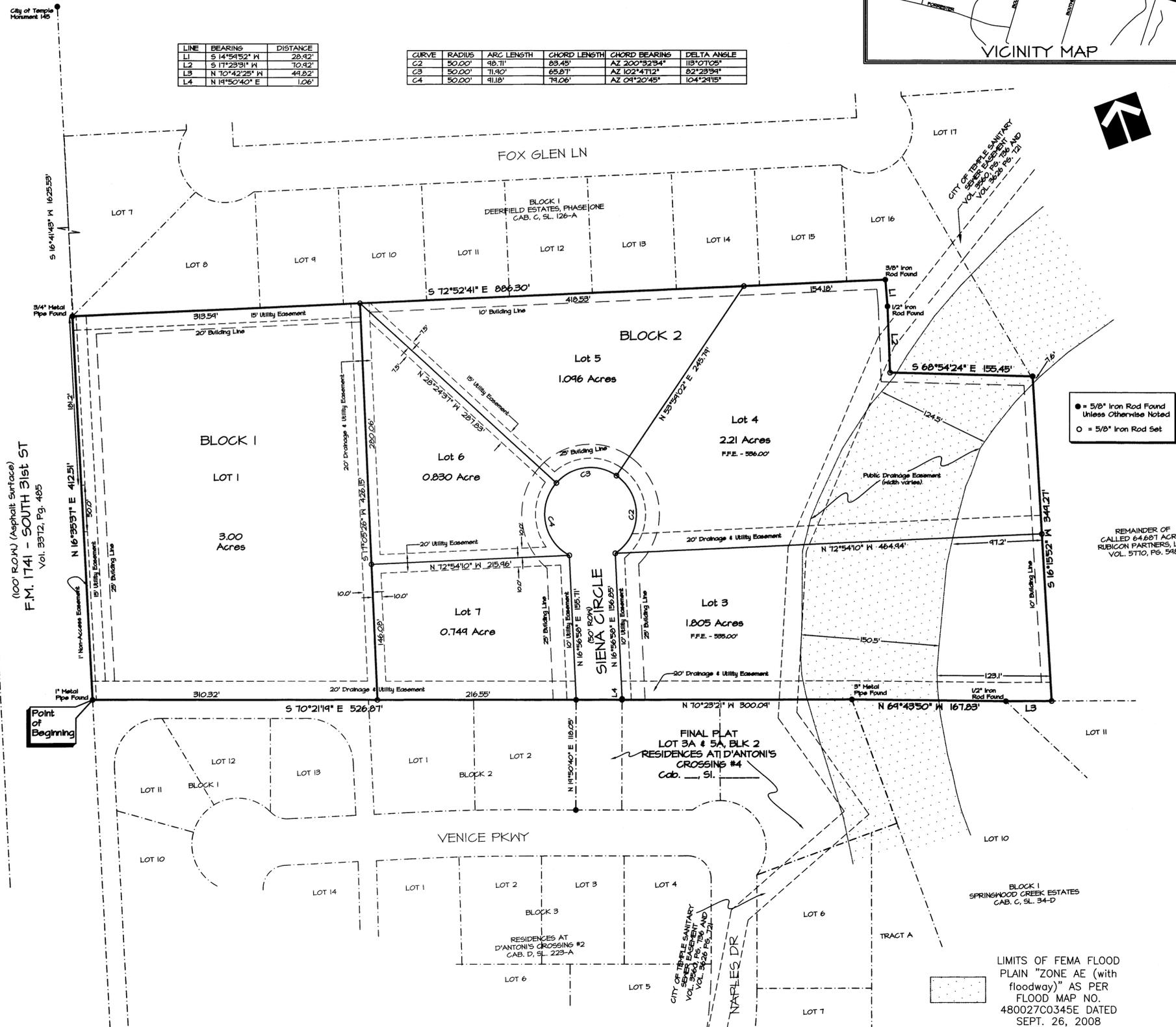
PLAT RECORDED IN CABINET _____, SLIDE _____, PLAT RECORDS OF BELL COUNTY, TEXAS

DEDICATION RECORDED IN INSTRUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

FILED THIS THE _____ DAY OF _____, 2012.

LINE	BEARING	DISTANCE
L1	S 14°54'52" W	28.92'
L2	S 11°23'31" W	10.02'
L3	N 10°42'25" W	44.82'
L4	N 14°50'40" E	1.06'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C2	50.00'	48.71'	83.45'	AZ 200°32'34"	115°07'05"
C3	50.00'	71.80'	65.87'	AZ 102°47'12"	82°23'34"
C4	50.00'	41.18'	74.06'	AZ 04°20'45"	104°24'15"



● = 5/8" Iron Rod Found
○ = 5/8" Iron Rod Set

REMAINDER OF
CALLED 64.687 ACRES
RUBICON PARTNERS, LTD.
VOL. 5710, PG. 549

LIMITS OF FEMA FLOOD
PLAIN "ZONE AE (with
floodway)" AS PER
FLOOD MAP NO.
480027C0345E DATED
SEPT. 26, 2008

FINAL PLAT OF
**RESIDENCES AT D'ANTONI'S
CROSSING, PHASE V**
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

ALL COUNTY SURVEYING, INC.
1303 South 21st Street, Temple, Texas 76504
(254) 778-2272 FAX (254) 774-1608
Tx. Firm Lic. No. 10023600



Plot date: 06-24-2012
Job No: 100293.2
Date: 02-15-2012
Scale: 1" = 60'
Drawing No: 100293P
Drawn By: TG/SLW
Checked By: CCL



PLANNING AND ZONING COMMISSION AGENDA ITEM

07/16/12
Item #3
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
P-FY-12-19 - Final Plat of The Campus At Lakewood Ranch Phase VIII, a 15.047 ± acres, 19-lot, 3 block residential subdivision, located at the north end of Richland Drive, north of The Campus At Lakewood Ranch Phase VII	DRC 5/07/12	Turley Associates
P-FY-12-23 - Consider and take action on the Preliminary Plat of The Oaks At Lakewood, a 19.065 acres ±, 1 block, 38-lot residential subdivision located on the east side of Morgan's Point Road, north of the intersection of West Adams Avenue and Morgan's Point Road	DRC 5/21/12	Jason Carothers
P-FY-12-27 - Consider and take action on the Final Plat of Prairie Crossing Addition, a 6.91 ± acres, 33-lot, 2-block, residential subdivision located at the northeast corner of North 8th Street and East Young Avenue	DRC 6/04/12 2 nd DRC 7/23/12	Friars Ridge Ltd
P-FY-12-29 - Hold a public hearing to consider and take action on the Final Plat of Nathans Addition Phase 2, a 0.257 ± acre, 2-lot residential subdivision, located at the northeast corner of South 22nd Street and East Avenue C	DRC 7/23/12	Turley Associates
P-FY-12-30 - Consider and recommend action on the Final Plat of Temple Bioscience Park Subdivision, Phase II, a 45.489 ± acre, 11-lot, 3-block nonresidential subdivision located at the northeast corner of Research Parkway/Hilliard Road and Research Loop	DRC 7/23/12	All County Surveying

P-FY-12-31 - Consider and take action on the Preliminary Plat of Valley Ranch Phases III & IV, a 44.234 ± acre, 94-lot residential subdivision, located at the southeast corner of FM 93 and Dubose	DRC 7/23/12	Gary Freytag for Lexington Holdings
Z-FY-12-50 - Hold a public hearing to discuss and recommend action on a rezoning from Planned Development (Urban Estate) District PD(UE) to Single Family One District (SF-1) on 39.3 ± acres of land, being part of the William Frazier Survey, Abstract 310, in the City of Temple, Bell County, Texas, located along the southwest corner of FM 93 and Dubose Road	P&Z 8/06/12	Gary Freytag for J & B Holdings Ltd
Z-FY-12-51 – I-35 Sign Exception request for Johnson Brothers Ford	P&Z 8/06/12	Harry Adams

City Council Final Decisions	Status
P-FY-12-22: Consider adopting a resolution authorizing the Final Plat of West Adams Addition, a 1.620 ± acres, 1-lot, 1-block nonresidential subdivision, with developer's requested exception to Section 8.5.1 of the Unified Development Code requiring perimeter street fees, located at the southwest corner of West Adams Avenue and South Kegley Road.	APPROVED on 2 nd Reading
Z-FY-12-46A&B: Consider adopting ordinances authorizing a rezoning from Agricultural District (AG) to Light Industrial District (LI) on: Z-FY-12-46A: 8.273± acres, a part of the S. Bottsford Survey, Abstract Number 118, Bell County, Texas, located at 7300 and 7330 North General Bruce Drive and 7205, 7305, and 7325 Pegasus Drive. Z-FY-12-46B: 15.345± acres, a part of the S. Bottsford Survey, Abstract Number 118, Bell County, Texas, located at 7590 North General Bruce Drive and 7405 and 7445 Pegasus Drive.	Commercial Zoning APPROVED on 1 st Reading on July 5, 2012
Z-FY-12-47: Consider adopting an ordinance authorizing 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 B. Dell's Fire and Ice Grill, on Lot 9, Block 2, Commerce Park Commercial Subdivision, a replat of a portion of Lots 3, 4, 5, & 7, Block 2, Commerce Park Commercial Subdivision, located at 221 S.W. HK Dodgen Loop.	APPROVED on 1 st Reading on July 5, 2012

City Council Final Decisions	Status
<p>Z-FY-12-49: Consider adopting an ordinance authorizing an amendment to Ordinance 2010-4413, Temple Unified Development Code, Articles 3,5,7, and 8 of the Unified Development Code to add requirements for Site Plan and establish review procedures and submission standards related to such requirement; clarify language related to requirement for enclosure of Major Vehicle Repair; clarify language related to Access and Circulation standards; add requirement for Curb and Gutter for off-street parking and landscaping; amend required size of subdivision Water and Wastewater Mains; and eliminate developer cost participation requirements on certain streets adjacent to subdivisions.</p>	<p>APPROVED on 1st Reading on July 5, 2012</p>



**PLANNING AND ZONING COMMISSION
MEETING EVALUATION
July 16, 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	P	P	P	No Meeting Held	No Meeting Held	P	9	1
Mike Pilkington	P	P	P	P	P	P	P	P	P			P	10	
Allan Talley	P	P	P	P	P	P	P	P	P			P	10	
Derek Martin	P	P	P	P	P	P	A	P	P			P	9	1
Will Sears	P	P	P	A	P	P	P	P	P			P	9	1
Greg Rhoads	A	A	P	P	P	P	P	P	P			P	8	2
David Jones	P	P	P	P	P	P	P	P	P			P	10	
Chris Magaña				P	A	P	P	P	P			P	6	1
Bert Pope					P	P	P	P	A			P	5	1

	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	A												9	2
Mike Pilkington	P												11	
Allan Talley	P												11	
Derek Martin	P												10	1
Will Sears	A												9	2
Greg Rhoads	A												8	3
David Jones	P												11	
Chris Magaña	A												6	2
Bert Pope	P												6	1

not a Board member