

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
STAFF CONFERENCE ROOM, 3rd FLOOR
APRIL 1, 2013, 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, April 1, 2013.
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 1, 2013, 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 18, 2013.

B. ACTION ITEMS

Item 2: [P-FY-13-18](#) – Hold a public hearing to consider and take action on the Final Plat of CEFCO #23 Commercial, a 3.009 ± acres, 2-lot, 1 block, non-residential subdivision, being a Replat of Lot 1, Block 1 CEFCO #23 Subdivision, located at the northwest corner of North Kegley Road and West Adams Ave and addressed as 5606 and 5510 West Adams Ave.

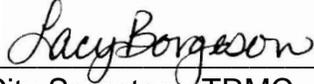
Item 3: [Z-FY-13-15](#): - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow an off-premise sign (billboard) relocation closer than 2,000 feet from another off-premise sign at 1611 Commerce Street. (Lamar Advertising for Robert Giniwicz)

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)***

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 5:10 PM, March 27, 2013.



City Secretary, TRMC
City of Temple

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

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 _____ 2013.
Name/Title _____

**PLANNING AND ZONING COMMISSION
MONDAY, MARCH 18, 2013
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair James Staats

COMMISSIONERS:

H. Allan Talley Randy Harrell
David Jones Derek Martin
Patrick Johnson

PLANNING AND ZONING MEMBERS ABSENT:

Will Sears Chris Magaña
Greg Rhoads

STAFF PRESENT:

Beverly Zendt, Interim Dir. of Planning
Trudi Dill, Deputy City Attorney
Tammy Lyerly, Senior Planner
Mark Baker, 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 Staats assigned the invocation and pledge, then opened the work session at 5:01 p.m. and asked Ms. Beverly Zendt, Interim Director of Planning, to proceed.

Ms. Zendt reminded the Commission about the Special Called Meeting scheduled for March 26, 2013 at 5:00 p.m. in Council Chambers for the Panda Power Plat. All County Surveying is the applicant and no exceptions are being requested.

Ms. Beverly Zendt, Interim Director of Planning, presented the Director's Report:

Valley Ranch preliminary plat and rezoning is still pending;
CEFCO #23 final plat at Kegley and Adams should be coming in April;

BRV Addition final plat has multiple zonings. Some of the lots do not meet the dimensional requirements for the districts they are located in so Staff comments are pending;

CUP – another relocated billboard;

Panda – Meeting set for 3/26/13;

Scott & White Final Plat will be coming forward; and

Porter Addition is pending.

Ms. Zendt gives the City Council results from the 3/07/13 meeting.

Ms. Zendt gives an overview of the High Crest Phase II subdivision. This is a 36 acre residential subdivision located in the western ETJ on the east side of Bowles Ranch Road. The applicant is Turley Associates on behalf of V.W. Barge. This item will go to City Council since there are several exceptions.

The subject property is off of 439 and near Nolanville. This was brought into the City's ETJ in 2011 with the annexation and High Crest I was built in 2007, a 68 lot residential development.

DRC deemed the plat administratively complete on February 20, 2013. There is an existing 14 inch water line available on Bowles Ranch Road and 439 Water Supply will be serving the site. A 50,000 gallon elevated water tank will be located on Lot 27. On-site sewage facilities will serve the subdivision and each configuration must be reviewed by Bell County.

This plat was close to recordation with the County when it was brought to the applicant's attention this property is located in Temple's ETJ. The applicant as requested several exceptions:

The City requires a 22 foot rural local street and 26 foot rural collector street with pavement width which is measured from outer edge of asphalt to outer edge of asphalt. The applicants provide 20 feet and 24 feet, respectively, but have added a one foot concrete ribbon curb on each side. Staff does recommend approval of this. Bell County is satisfied with this proposal.

The City requires \$225 per dwelling unit for park fees so Staff recommends disapproval of this requested exception. If a plat is in the ETJ and satisfies all three of the following requirements, it would be recommended that park fees be waived.

If the development is more than one mile into the ETJ;

If it creates fewer than nine lots; and

If the city has no plans to annex the area in its Municipal Annexation plan.

Since the plat does not meet all three of these requirements, the Parks staff has advised Planning Staff not to approve this exception request.

A minimum of 4:1 slope for roadside swales is the standard and applicants propose a 3:1 slope. Staff recommends approval since it continues the pattern in Phase I.

Two entrances are required for 75-150 lots and this proposed subdivision will result in 125 lots (High Crest I and II). Staff has refrained from making a recommendation on this exception.

No parking signs are required on streets with less than 26 foot pavement. Staff recommends approval. Developer proposes to place restrictions in the covenants to restrict parking on the streets. Bell County stated they would not support this since traffic signs are strictly regulated in the County and would require approval by Commissioners Court for them to post these signs.

Discussion regarding park fees and escrow accounts.

Commissioner Jones asked about the entrances. Ms. Zendt stated the owner's property ends in such a place that does not allow for an additional entrance from 439--there is no place to add a second entrance. Parcel lines are not available since the property is in the ETJ. Phase I was configured without a second entrance.

The Fire Marshall instructed Ms. Zendt to inform the P&Z that he does not recommend disapproval but he is not as comfortable going forward and recommending approval. Public Works has concurred with this. Sparta Fire Department is satisfied and the County is satisfied with the proposed future road extension of Mountain Rose Road.

Ms. Zendt asked the Commission to take several points into consideration in order to make a determination.

Commissioner Talley asked if Staff also works with the County. Ms. Zendt stated yes, the County is notified with a property is located in the ETJ and the County representatives also attend DRC meetings. Two sets of standards are in place; however, in the event of a conflict, the City standards prevail when the property is located in the ETJ.

There being no further discussion, Chair Staats adjourned the meeting at 5:22 P.M.

**PLANNING AND ZONING COMMISSION
MONDAY, MARCH 18, 2013
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT
Chair James Staats

COMMISSIONERS:

H. Allan Talley Randy Harrell
David Jones Derek Martin
Patrick Johnson

PLANNING AND ZONING MEMBERS ABSENT:

Will Sears Chris Magaña
Greg Rhoads

STAFF PRESENT:

Beverly Zendt, Interim Dir. of Planning
Trudi Dill, Deputy City Attorney
Tammy Lyerly, Senior Planner
Mark Baker, 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, 2013 at 2:45 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 Staats called Meeting to Order at 5:30 P.M.

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

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of March 4, 2013.

Approved by general consent.

B. ACTION ITEMS

Item 2: P-FY-13-14 - Hold a public hearing to consider and take action on the Final Plat for Trantum Subdivision Phase VIII, a 4.92 ± acres, 3-lot, 1 block, nonresidential

subdivision, located on the west side of South General Bruce Drive and east of Profit Place. (Applicant: All County Surveying)

Mr. Mark Baker, Planner, stated this was a replat of Lot 1, Block 2 of Tranum Subdivision Phase II and a portion of Lot 1, Block 2, Profit Place Addition. The property is located on the west side of South General Bruce Drive and east of Profit Place. The P&Z is the final plat authority since the applicant did not request exceptions.

DRC deemed this plat administratively complete as of February 26, 2013. The property is zoned Commercial (C). A replat is to reconfigure boundary lines to create a new lot layout with a net increase of one non-residential lot within the 4.92 ± acres.

Water will be provided through a six-inch water line along South General Bruce Drive and an eight-inch water line along Profit Place. Wastewater services will be provided through an eight-inch sanitary sewer line along South General Bruce Drive and a six-inch sanitary sewer line in Profit Place.

A public hearing is required and notice of the public hearing was published on March 2, 2013 in accordance with state law and local ordinance.

Staff is recommending approval of the final plat of Tranum Subdivision Phase VIII.

Chair Staats opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Martin made a motion to approve Item 2, **P-FY-13-14**, and Commissioner Talley made a second.

Motion passed: (6:0)

Commissioners Rhoads, Magaña, and Vice-Chair Sears absent

Item 3: P-FY-13-17 – Consider and make a recommendation on the Final Plat of High Crest Phase II, a 36.345 ±, 57-lot, 4-block, residential subdivision, with developer's exceptions to local regulations related to: street width, payment of park fees, slope design (roadside swales), minimum number of entrances, and the provision of no-parking signs; located on east side of Bowles Ranch Road, north of FM 439, in Temple's western ETJ (Turley Associates for V W Barge III).

Ms. Beverly Zendt, Interim Director of Planning, stated the developer/applicant has requested exceptions on this final plat and will go forward to City Council for first reading on April 18, 2013 and May for second reading.

The subject property is located off of FM 439 very close to Nolanville in the ETJ and was brought into the City's extraterritorial jurisdiction in 2011 with the annexation. Phase I, a 68 lot residential subdivision, was not in the City's ETJ when it was platted in accordance with County rules. It was built in 2007.

DRC deemed this plat administratively complete on February 20, 2013.

Water will be provided by an existing 14-inch water line on Bowles Ranch Road, 439 Water Supply Corporation will be serving the subdivision, and on-site sewage facilities are proposed. A 50,000 gallon elevated storage tank would be located on Lot 27 and all individual sewer facilities must be approved by Bell County Health District.

The developer/applicant has requested several exceptions:

An exception to street width standards. City requires a 22 foot local street and 26 foot rural street measured from outer edge of asphalt to outer edge of asphalt. Developer/Applicant proposes a 20 foot wide and 24 foot wide streets (respectively) with a one foot concrete ribbon on each side. Staff recommends approval of this request since the one foot ribbon curb is being included and Bell County is satisfied with the proposed width.

No park fees: \$225 per dwelling unit is usually required and Staff is recommending disapproval of this exception. A text amendment was brought to P&Z Commission which recommended approval for waiving fees when an ETJ plat satisfied the following three requirements:

- If the plat is more than one mile in the ETJ;
- If the plat will create fewer than nine lots; and
- If the City has no plans in their municipal annexation plan to annex the area.

Two of the items have been satisfied; but the subject plat will create more than nine lots.

Minimum of 4:1 slope for roadside swales is required and developer/applicant is proposing 3:1 side slopes consistent with Phase I. Staff recommends approval of this and Bell County is satisfied with the proposal.

Two entrances are required for subdivisions with 75-150 lots in accordance with the Design and Development Standards Manual and also the City Fire Code. This 125 lot subdivision will be served by one entrance, High Crest Drive. The Fire Marshall does not recommend disapproval but was not entirely comfortable with recommending approval of the plat the way it is. The Sparta Fire Department has expressed satisfaction with the configuration. The County is satisfied with the proposed future extension of Mountain Rose Road.

No parking signs are required on streets with less than 26' pavement width per Section 12-4 City Code of Ordinances and 2009 International Fire Code. The developer/applicant proposes placing no signs. Staff recommends approval of this request since the developer has proposed placing restrictions in the Homeowners Covenants and Bell County strictly regulates traffic signs and Staff has been advised by the County that they would not support this if Staff required the signs be put up. These types of signs are only allowed by the Commissioners Court.

Staff recommends approval of the plat; recommends approval of UDC Section 8.2 related to street width; recommends approval of the exception to the Design & Development Standards Manual related to roadside swales; recommends approval of the exception to 12-4 City Code of Ordinances and IFC 2009 requiring no parking signs; recommends disapproval of the

exception to UDC Section 8.3 related to park fees; and points to consider were given regarding the exception to residential subdivision entrances.

Clarification regarding Lot 27 (Tract A).

Commissioner Talley asked if the developer was going to have a park in the subdivision for the residents.

Ms. Zendt stated there was no proposed park in the plat reviewed, but would defer to the applicant/developer.

Chair Staats asked for public comments.

Mr. Victor Turley, 301 N. 3rd Street, Temple, Texas, stated he was the engineer for the owner/developer, Mr. Bill Barge. Mr. Turley stated this was the beginning portion of approximately 300 to 400 lots. The Master Plan shows another entrance onto TxDOT Highway over to the east. The property abuts Fort Hood further back. When you leave Northcliffe (edge of city limits) the subject property is located 3.6 miles to the entrance of the project.

Mr. Turley explained in 1963 it was enacted for the ETJ to be established so if developers/builders wanted to build a subdivision outside of the city limits, they would build a substandard development which would not meet City's standards in any way. Eventually as the City moved out they would take over the property and be responsible for it. Application for the ETJ requirements is for that purpose.

Mr. Turley stated 439 Water Supply would do an elevated tank which would serve the area along with a 14 inch water line through the development. The area has good fire protection.

Mr. Turley stated this development is being designed and meant to be expanded and have a second entrance.

Mr. Bill Barge, 3908 N. Main Street, Belton, Texas, responded to the park question from Commissioner Talley and stated the residents have been given an option through the Homeowners Association regarding two lots located at the front that could have a swimming pool installed along with a park area, if the homeowners could provide the funding. It may take three or four phases to justify the financial standpoint. Mr. Barge stated that many homeowners did not want a park area in the neighborhood because Belton Lake Outdoor Recreation Area (BLORA) is within two miles and also Lake Belton with its various parks. The residents felt there were so many parks nearby they do not want a park facility within the subdivision. It would be up to the Homeowners Association to decide. Mr. Barge was willing to place property for this reason, but not unless it was an active park area.

Discussion about the undeveloped portion of the subdivision.

Ms. Zendt stated Mr. Val Roming from the Parks Department was in attendance in case there were any questions about the park fees.

Commissioner Talley made a motion to approve Item 3, P-FY-13-17, as presented with the exception of the park fees and Commissioner Martin made a second.

Ms. Zendt asked the Commission to address the issue of entrances.

Commissioner Talley withdrew his motion.

Commissioner Martin made a motion to approve Item 3, **P-FY-13-17**, as presented including the one entrance, and with the exception of the park fees. Commissioner Jones made a second.

Motion passed: (6:0)

Commissioners Rhoads, Magaña, and Vice-Chair Sears absent

Item 4: Z-FY-13-14 – Hold a public hearing to discuss and recommend action on an amendments to Ordinance 2010-4413, Temple Unified Development Code, Articles 5 and 11, related to the following land uses: boarding/rooming house; correctional facility; halfway house; institution for alcoholic and narcotic patients; institution, religious, charitable, philanthropic nature; substance abuse treatment facility; social service shelter; and transitional or emergency shelter.

Ms. Zendt stated this was a text amendment to the Unified Development Code (UDC) related to Social Services. This item would go forward to City Council for first reading on April 18th and second reading May 2nd.

A workshop was presented to City Council on February 7, 2013 where many of these shelters and social services were reviewed, the existing conditions of where they were in the community, and what types of facilities were in place. At that time, Staff was asked by City Council to provide and update all the definitions where none existed or were called for, identify appropriate districts for new uses, identify uses to be regulated with Conditional Use Permits (CUP), and to update the use table to reflect all recommendations.

Several new definitions came about:

Correctional facility: A penal facility including buildings and structures that are inhabited by 6 or more persons who are under restraint or security and are generally incapable of self-preservation due to security measures not under the occupants' control. This definition includes, but is not limited to prisons, jails, reformatories, detention centers, correction centers, and prerelease centers.

Previously these facilities were allowed in Agriculture (AG) and Commercial (C) zoning districts and now are only allowed with a CUP in the Light Industrial (LI) and Heavy Industrial (HI) zoning districts.

Social Service Shelter (Short Term Only): – A facility providing shelter, over a period of 30 days or less, for no more than 10 persons who are receiving therapy or counseling from support staff who are present at all times the residents are present, for one or more of the following purposes:

- (a) To help residents recuperate from the effects of drugs or alcohol addiction;
- (b) To help homeless persons or families achieve independence and obtain permanent housing; or

(c) To provide temporary shelter for persons who are victims of domestic abuse.

Proposed Social Service Shelters will be allowed in all districts, with a CUP, subject to specific use standards defined in Section 5.3.12 of the UDC.

Substance Abuse Treatment Facility. An outpatient or residential facility that offers treatment for persons with chemical dependency and operates such facility under a state license or registration of a faith-based (non-medical) exempt program.

These facilities would be allowed in Office-One (O-1), Office-Two (O-2), General Retail (GR), Commercial (C), Central Area (CA), and Light Industrial (LI) with a CUP.

Halfway House: A residential facility for the housing, rehabilitation, and training of persons who are subject to community supervision, parole, or mandatory supervision under state or federal law.

This term has been updated and coincides with the state definition.

These facilities would be allowed in most non-residential districts with a CUP.

Boarding House /Rooming House: A building other than a hotel, where lodging and meals for four or more persons are served for compensation and no rehabilitation services are provided

These facilities would be allowed by right in Multi-Family-Two (MF-2), Multi-Family-Three (MF-3), O-2, GR, C, CA, and LI.

Replaced Terms:

Institution for alcoholic or narcotic patients is now **Substance Abuse Treatment Facility.**

Institution, religious-charitable philanthropic nature is now **Social Service Shelter.**

Amended Definitions in Use Table only: Transitional, Emergency or Social Service Shelter. These are now allowed with a CUP also in GR and C districts.

Amended Section 5.3.12 in the UDC adds:

Social Service to sections providing specific use standards for transitional and emergency shelters;

Separation of Social Services Shelters from incompatible uses;

Supervisory staff/ resident ratios; and

Other provisions related to waiting areas and the provision of HVAC.

Staff recommends approval of amendments to Ordinance 2010-4413, Temple Unified Development Code, Articles 5 and 11.

Chair Staats opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Johnson made a motion to approve Item 4, **Z-FY-13-14**, as presented, and Commissioner Harrell made a second.

Motion passed: (6:0)

Commissioners Rhoads, Magaña, and Vice-Chair Sears absent

C. REPORTS

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

There being no further business, Chair Staats adjourned the meeting at 6:11 p.m.

Respectfully submitted,
Leslie Evans



PLANNING AND ZONING COMMISSION AGENDA ITEM

04/01/13
Item #2
Regular Agenda

APPLICANT / DEVELOPMENT: Turley Associates

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: P-FY-13-18 Hold a public hearing to consider and take action on the Final Plat of CEFCO #23 Commercial, a 3.009 ± acres, 2-lot, 1 block, non-residential subdivision, being a Replat of Lot 1, Block 1 CEFCO #23 Subdivision, located at the northwest corner of North Kegley Road and West Adams Ave and addressed as 5606 and 5510 West Adams Ave.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat for CEFCO #23 Commercial subdivision on March 6, 2013. The plat was deemed administratively complete on March 7, 2013.

The Final Plat of the CEFCO #23 Commercial subdivision is a Replat of the CEFCO #23 Commercial is a 2-lot, 1 block, non-residential subdivision located at the Northwest corner of West Adams Ave and North Kegley Road. The property is addressed as 5510 West Adams Ave.

The purpose of the Replat is to add 0.966 acres of a 32.204 acre tract and a 1.003 acre tract to Lot 1, Block 1 of the CEFCO #23 subdivision and then split it into 2 lots and 1 block with a gross acreage of 3.009 acres.

The subject property is bordered by West Adams Ave to the south and North Kegley Road which have been identified in the Thoroughfare Plan as major and minor arterials respectively. Both provide the minimum 70' of right-of way and 49' of pavement.

North Kegley Road requires a 6-foot concrete sidewalk. Although a 6' asphalt sidewalk is in place along West Adams Ave, the UDC calls for the construction of a 6' concrete sidewalk. Sidewalk construction will be triggered by the issuance of a building permit for new development.

A 15" sewer line is available in West Adams Ave and an 8" sewer line is available in North Kegley Road. A 14" waterline is available in West Adams Ave and an 8" waterline is available in North Kegley Road.

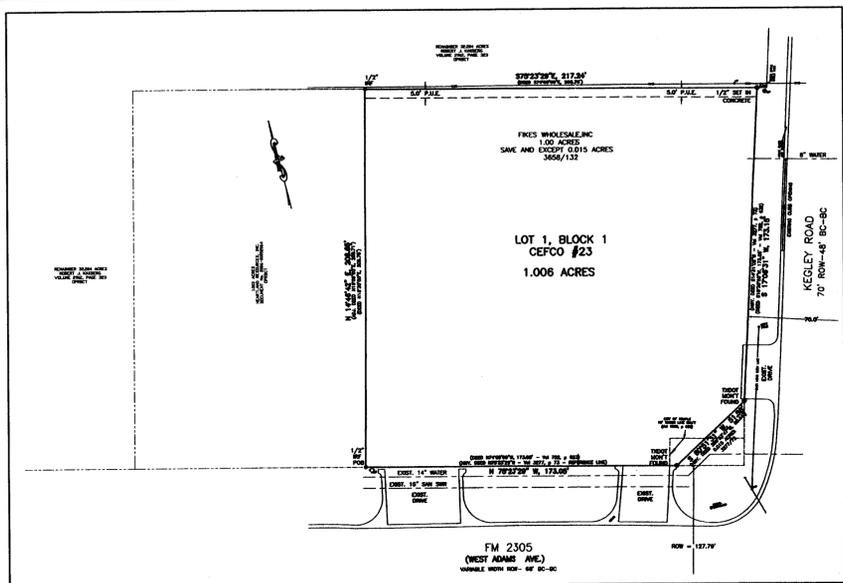
STAFF RECOMMENDATION: Staff recommends approval of the Final Plat for CEFCO #23 Commercial Subdivision.

PUBLIC NOTICE: The newspaper printed notice of the public hearing on March 16, 2013, in accordance with state law and local ordinance.

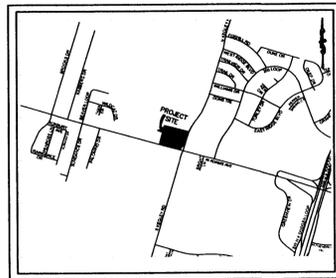
FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Final Plat
Utility Plan

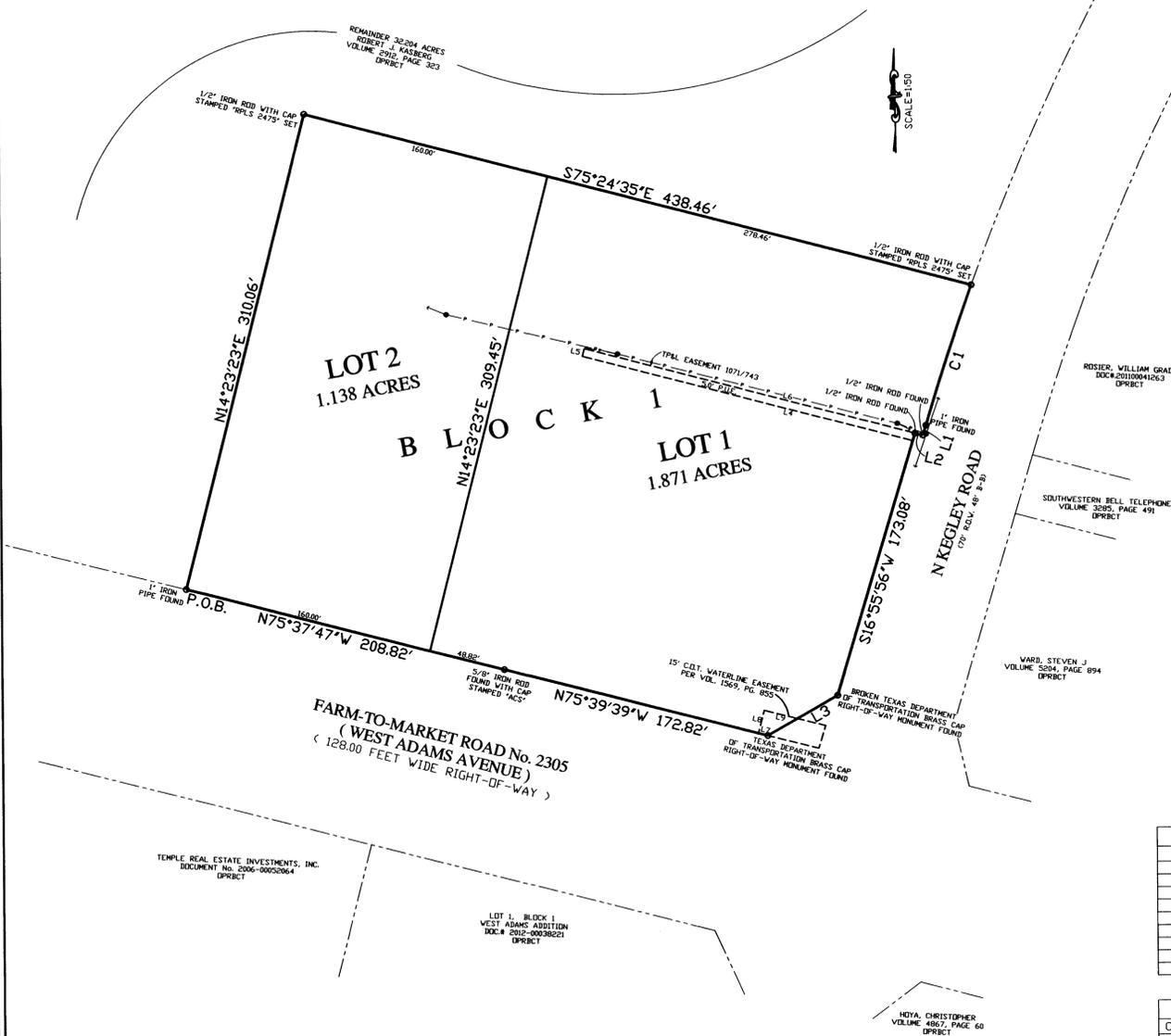


LOT 1, BLOCK 1 CEFCO #23 SUBDIVISION
TEMPLE, BELL COUNTY, TEXAS
CABINET C, SLIDE 136-B
(NTS)



VICINITY MAP
NTS

NOTE: This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted, and all bearings are grid bearings. All coordinate values are referenced to City Monument No. 511. The theta angle at said monument is 01°30'27". The Combined Correction Factor (CCF) is 0.999856. Published City Coordinates are N=10381314.93, E=3212276.86. The tie from the above City Monument to the POB of the 3.009 acre tract is S.75°31'02"E, 1656.05 feet. Grid Distance = Surface Distance X CCF. Geodetic North = Grid North + theta angle.



LINE	LENGTH	BEARING
L1	6.98	S18°19'43"W
L2	5.12	N76°32'41"W
L3	51.24	S60°37'58"W
L4	217.03	S75°24'35"E
L5	5.00	N14°27'51"E
L6	217.24	S75°24'35"E
L7	6.11	S75°39'39"E
L8	15.00	S14°19'25"W
L9	21.81	S75°39'39"E

CURVE	LENGTH	RADIUS	CHDRD
C1	93.55	1518.55	S18°24'16"W 93.54'

STATE OF TEXAS
COUNTY OF BELL
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 _____, 2013.

CHAIRPERSON

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

DATED THIS ____ DAY OF _____, 2013.

SECRETARY TO PLANNING & ZONING COMMISSION

TAX CERTIFICATE

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

DATED THIS ____ DAY OF _____, 2013.

BELL COUNTY TAX APPRAISAL DISTRICT

STATE OF TEXAS
COUNTY OF BELL

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



Michael E. Alms
MIKE E. ALMS, R.P.L.S.
NO. 5402

STATE OF TEXAS
COUNTY OF BELL

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



Jennifer Ryken
JENNIFER RYKEN, P.E.
NO. 106277

STATE OF TEXAS
COUNTY OF BELL

Filed for record this the ____ day of _____, A.D.,
in Cabinet _____, Slide _____, Plat Records of Bell County, Texas.

NOTES:

- THIS PROPERTY IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 4802700335E, DATED SEPTEMBER 26, 2008.
- THE PURPOSE OF THIS REPLAT IS TO ADD 0.966 ACRES OF THE 32.204 ACRE TRACT AND THE 1.003 ACRE TRACT TO LOT 1, BLOCK 1, CEFCO #23 SUBDIVISION AND THEN SPLIT IT INTO 2 LOTS, 1 BLOCK.
- 10' WIDE CONCRETE SIDEWALK WILL BE REQUIRED ALONG W. ADAMS ROAD.
- 6' WIDE CONCRETE SIDEWALK WILL BE REQUIRED ALONG N. KEGLEY ROAD.

STATE OF TEXAS

COUNTY OF BELL

FIKES WHOLESAL, INC., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CEFCO #23 COMMERCIAL, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

FIKES WHOLESAL, INC.
A TEXAS CORPORATION

RAYMOND W. SMITH, PRESIDENT

Date:

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 2013
BY RAYMOND W. SMITH.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF BELL

ROBERT J. KASEBERG, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CEFCO #23 COMMERCIAL, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

ROBERT J. KASEBERG

Date:

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 2013
BY ROBERT J. KASEBERG.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF BELL

HEARTLAND RESOURCES, INC., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CEFCO #23 COMMERCIAL, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

HEARTLAND RESOURCES, INC.
A TEXAS CORPORATION

JOE T. SHEPPARD, PRESIDENT

Date:

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 2013
BY JOE T. SHEPPARD.

NOTARY PUBLIC

FINAL PLAT OF:
CEFCO #23 COMMERCIAL
Being a Replat of Lot 1, Block 1, Cefco #23 Subdivision recorded in Cabinet C, Slide 136-B, Plat Records of Bell County, Texas and being a part of the 32.204 acre tract of land described in a RTC Texas Special Warranty Deed dated November 9, 1992 to Robert J. Kasberg and being of record in Volume 2912, Page 323, Official Public Records of Bell County, Texas and being all of that certain 1.003 acre tract of land described in a Warranty deed dated November 3, 2006 from Kasberg Development, Co. to Heartland Resources, Inc. and being of record in Document No. 2006-00052064, Official Public Records of Bell County, Texas.

2 LOTS, 1 BLOCK
3.009 ACRES

NANCY CHANCE SURVEY, ABSTRACT NO. 5
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

3.009 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT FIRM REGISTRATION NO. F-1658

TURLEY ASSOCIATES, INC.

301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: VDTURLEY@AOL.COM (254) 773-3998

FINAL PLAT OF:
CEFCO #23 COMMERCIAL

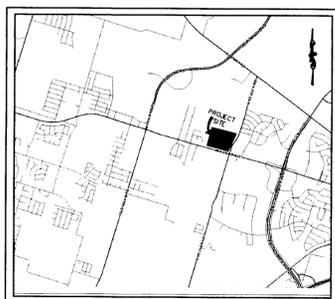
NANCY CHANCE SURVEY, ABSTRACT NO. 5
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

REVISIONS		
JFB	COMMENTS	8/6/13

DATE: 2/07/13
DRN. BY: JFB
REF.:

FIELD BOOK -
JOB NO.: 12-833
SHEET 1 OF 1
COMPUTER DWS. NO. 12-833

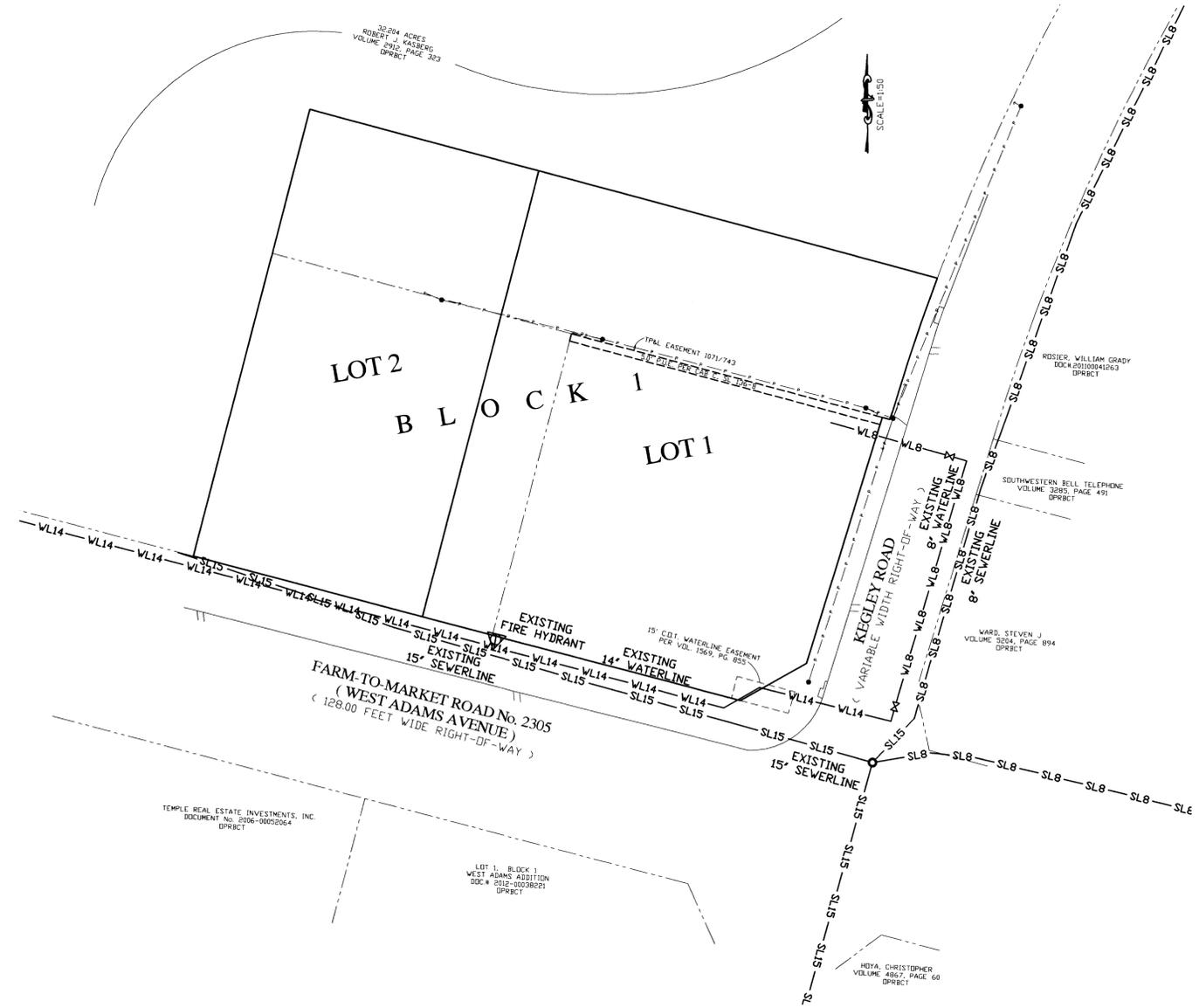
12617-D
DRAWING NUMBER



VICINITY MAP
NTS

LEGEND

- EXISTING FIRE HYDRANT △
- EXISTING WATERLINE W/SIZE — WL14 — WL14 —
- EXISTING SEWERLINE W/SIZE — SL15 — SL15 —
- EXISTING MANHOLE ⊙
- EXISTING WATER VALVE ⊗
- EXISTING POWER POLE ●
- EXISTING POWER LINE — P — P —



UTILITY PLAN OF:
CEFCO #23 COMMERCIAL
NANCY CHANCE SURVEY, ABSTRACT NO. 5
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

REVISIONS	

DATE:	2/07/13
DRN. BY:	JFB
REF.:	
FIELD BOOK	-
JOB NO.:	12-833
SHEET	1 OF 1
COMPUTER DWG. NO.	12-833

12617-D
DRAWING NUMBER



UTILITY PLAN OF:
CEFCO #23 COMMERCIAL

ENGINEERING • PLANNING • SURVEYING
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PLANNING AND ZONING COMMISSION AGENDA ITEM

04/01/2013
Item 3
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Lamar Advertising

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: Z-FY-13-15 Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow an off-premise sign (billboard) relocation closer than 2,000 feet from another off-premise sign at 1611 Commerce Street.

STAFF RECOMMENDATION: Staff recommends disapproval of the requested Conditional Use Permit. Based on current City spacing requirements of 2000' this area - approximately 1.4 miles (7984') from South 57th Street to Wildflower Lane - this area should not exceed 4 billboards on each side if an average spacing were calculated. The west side of H.K. Dodgen Loop currently has four off-premise signs. The east side of H.K. Dodgen Loop currently has two signs with an additional proposed sign to be located at 3602 SW H.K. Dodgen Loop. A rezoning application for the proposed sign (Z-FY-13-10) is currently under consideration by the City Council. The Planning and Zoning Commission recommended approval of the proposed sign at their Meeting on February 19, 2013. At their recent March 21, 2013 City Council Meeting, the application was tabled until April 4, 2013.

Current Location – Relocated from the W/S I-35 approximately 0.55 Mile south of the North Loop 363

Proposed Location – 1611 Commerce Street



Figure 1: Current and Proposed Location of Sign

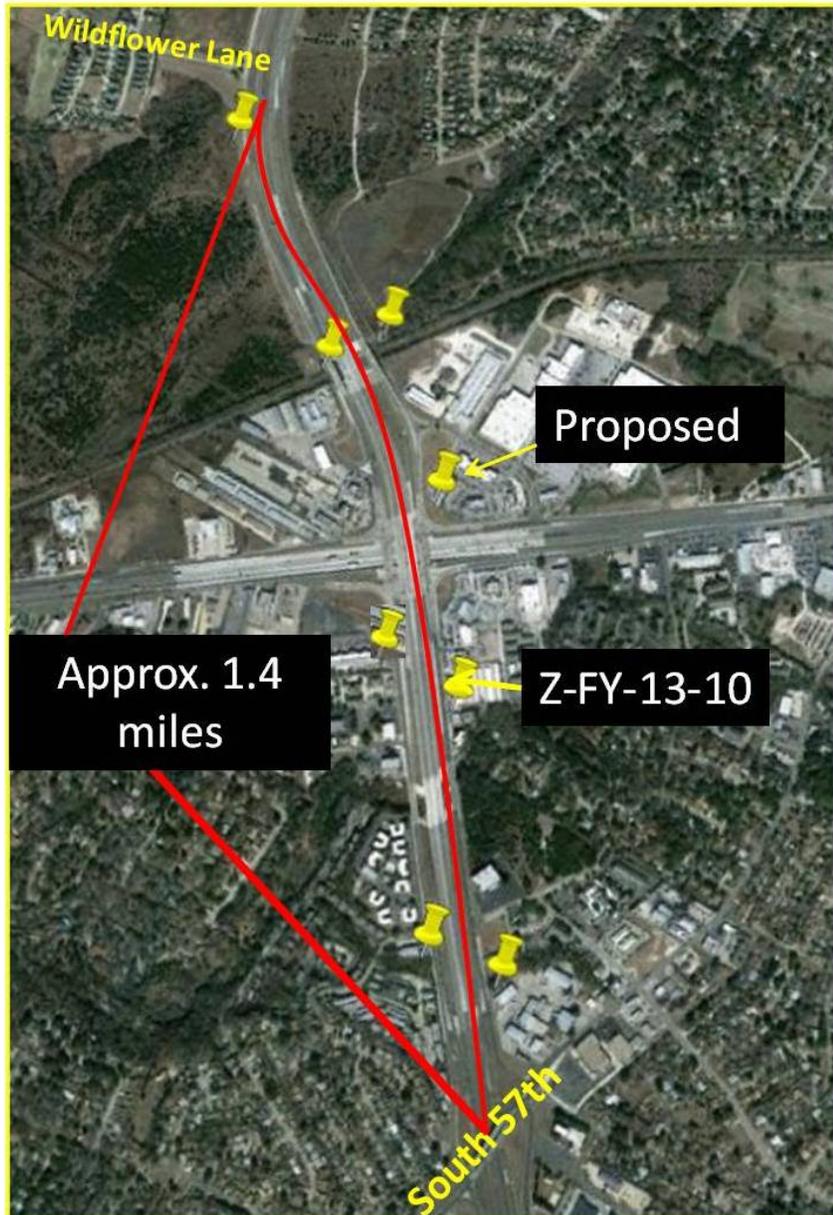


Figure 2: H.K. Dodgen Loop Corridor (Approximate Road Surface Distance of 1.4 Miles)

The proposed relocated sign would be approximately 1,341' to an existing sign to the north and approximately 1,477' to the Z-FY-13-10 sign to the south. Although the proposed sign would not result in an overall increase in the number of signs that would be permitted if average spacing were calculated, the sign's lack of required spacing to the east and west will create a clustering of off-premise signs in this general location. Additionally, the proposed sign would be located in what has been identified as "City-Entry" sub-district of the I-35 Overlay District. The most restrictive I-35 Overlay District requirements have been put in place in this general area to ensure that these entries create attractive portals to the city and that development "enhance the image of the City and entice people to stop, shop, and visit the city" (UDC 6.7.10).



**Figure 3: Intersection of I-35 and H.K. Dodgen Loop
(Approx distances between Existing and Proposed Signs)**

ITEM SUMMARY: The UDC limits the number of off-premise signs to the number of signs in existence on March 7, 2002. The UDC provides standards for the erection of replacement signs and for sign relocations necessitated by Texas Department of Transportation (TxDOT) road improvement projects. Specifically Section 7.5.11L of the Unified Development Code (UDC) states,

*If a sign located within the proposed public street right-of-way of a state highway is to be relocated to accommodate a regulated highway project and the Texas Department of Transportation issues a permit for relocation of the sign, the Director of Construction Safety **may** also issue a Sign Permit if the sign meets all current City standards, except that the relocated sign:*

- 1. Does not require payment of a permit fee;*
- 2. May be erected a minimum of five feet from any highway right-of-way line;*
- 3. May be constructed with the same number of poles and same type of materials as the existing sign; and*
- 4. May be erected without enlarging the sign face.*

The I-35 expansion project and the subsequent TxDOT right of way acquisition have resulted in the displacement of numerous billboards. Lamar Advertising, the applicant, currently has a billboard that will be affected by the TxDOT right-of-way acquisition. The sign is proposed to be relocated from its

current location, approximately 0.55 miles south of the North Loop 363 to 1611 Commerce Street (northeast corner of I-35 and H.K. Dodgen Loop).

Section 7.5.11B of the UDC permits the erection of signs only in Commercial, Light Industrial, and Heavy Industrial districts on property fronting on I-35 and on H.K. Dodgen Loop. The area proposed for relocation is zoned Light Industrial in compliance with this requirement. Section 7.5.11B further establishes requirements for spacing, area, height, and setbacks of new off-premise signs along H.K. Dodgen Loop. The proposed sign will not exceed area and height standards established in this section and with setback and material standards governing TxDOT initiated relocations. The proposal calls for 11' X 23' (253 S.F), illuminated metal-framed sign set upon a steel monopole replacing an existing 13' X 42' (546 SF) sign with 5-wood poles to an 11' X 23' (253 S.F). The new sign will be setback 78' from the right-of way and no taller than 35'.

City staff has maintained the position that if an existing off-premise sign on I-35 must be relocated because of the I-35 expansion, City staff will approve the sign relocation on the same site. If the existing zoning is not correct the City will consider processing a zoning change to allow compliance or a Planned Development if the straight zoning is not a positive option for the City. If the sign cannot be relocated on the same site the City will consider an alternate location on either I-35 or along H.K. Dodgen Loop. On September 20, 2012, City Council amended the UDC to include a requirement that an applicant obtain a Conditional Use Permit when any of the criteria above cannot be met. Although the proposed sign complies with dimensional and zoning requirements, the proposed location will not be compliant with spacing requirements. The proposed sign will be approximately 1,341' from an existing off-premise sign to the north and 1477' from a proposed and pending off-premise sign to the south.

The Conditional Use Permit is required because the 2,000' spacing requirement between off-premise signs is not met. All other requirements have been satisfied.

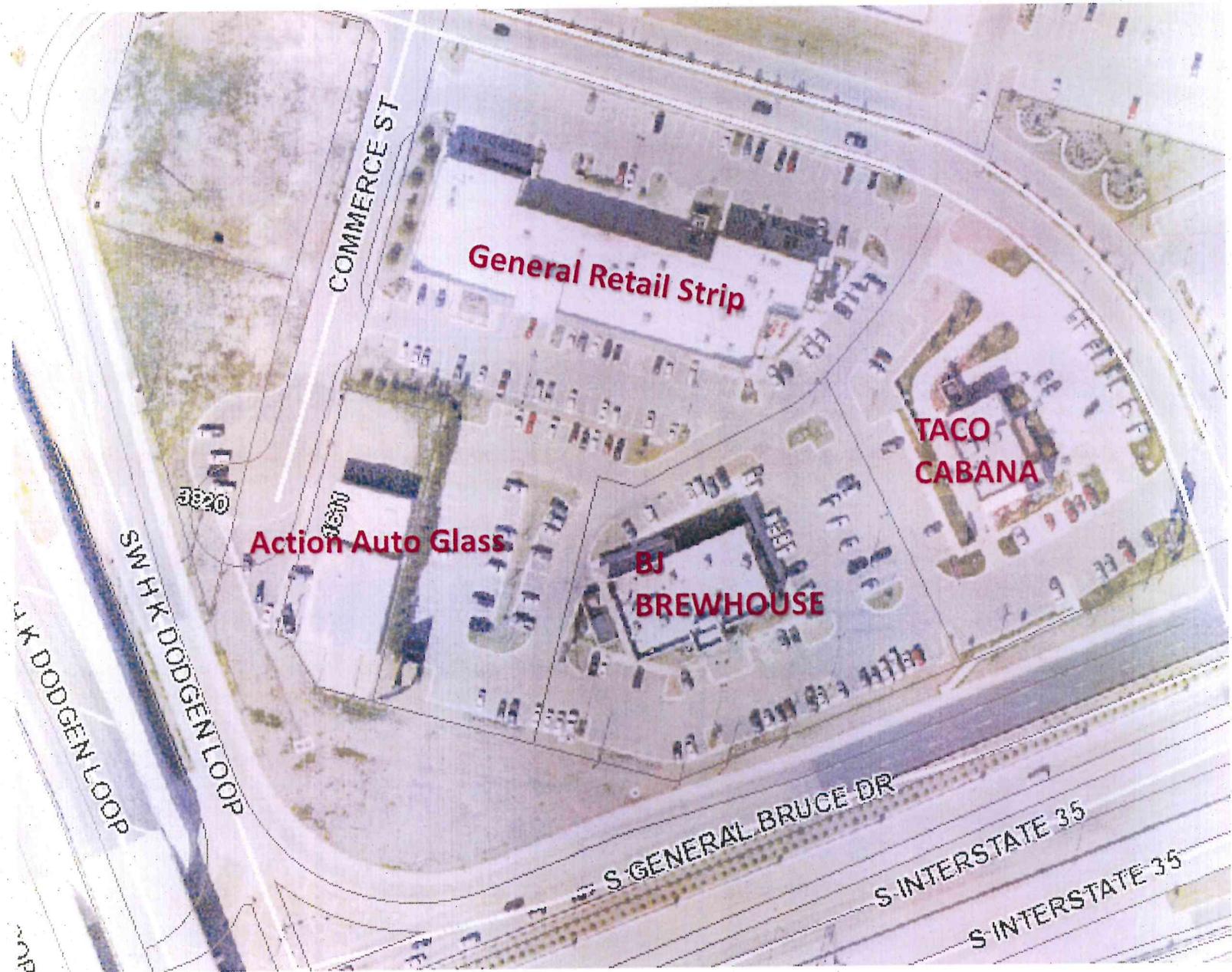
DEVELOPMENT REGULATIONS: The proposed sign complies with dimensional and setback standards for the Light Industrial zoning district. The proposed sign complies with all design standards identified in Section 7.5.11 of the UDC except the minimum spacing requirement of 2,000' between signs.

PUBLIC NOTICE: Four notices of the Planning and Zoning Commission public hearing were sent to surrounding property owners. As of Wednesday, March 27, 2013 at 12:00 PM, 0 notices had been returned. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 21, 2013, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Aerial Map
Buffer Notification Map

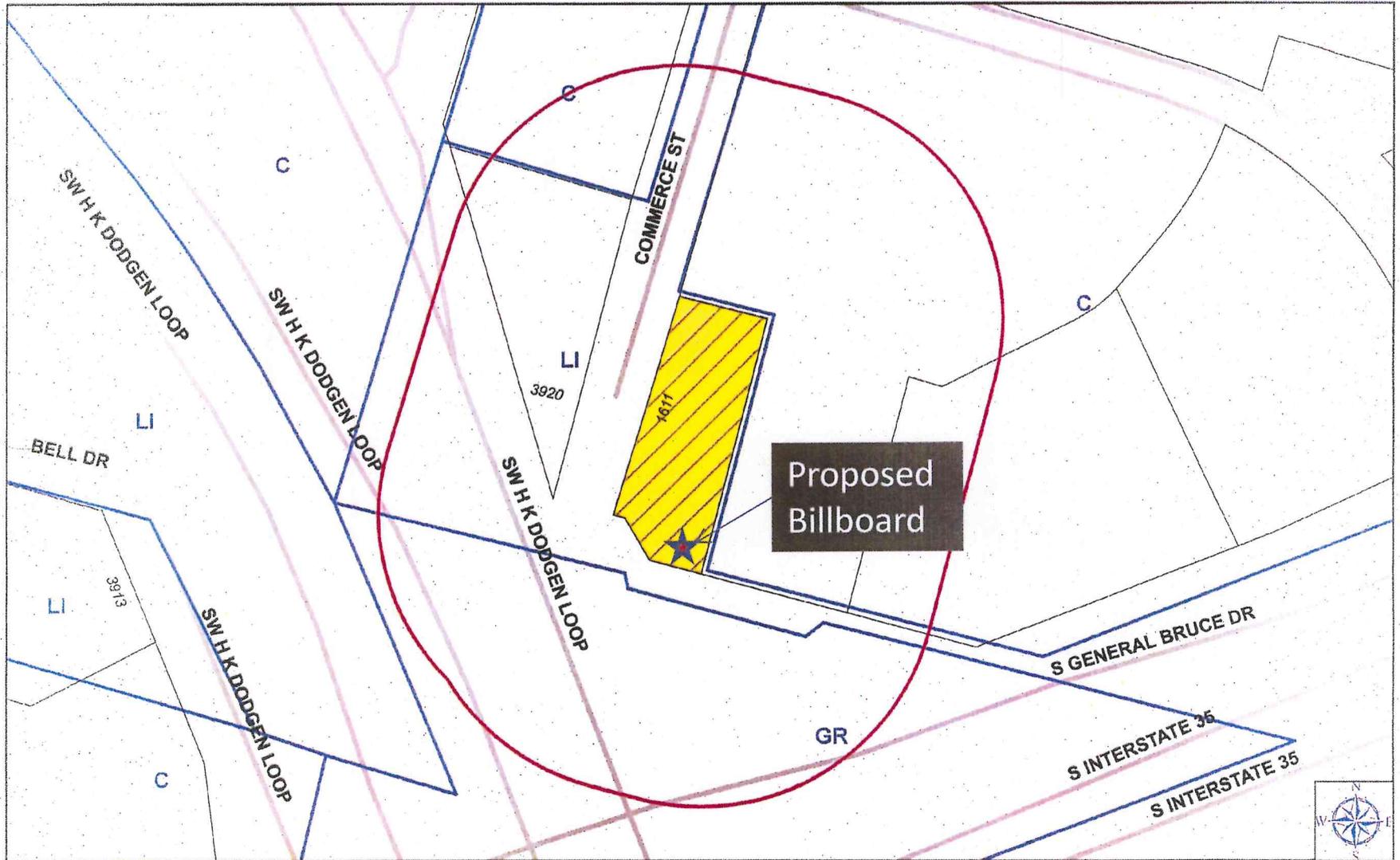




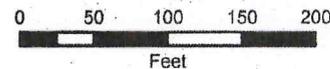
Z-FY-13-15

Conditional Use Permit Request for a Off-Premise (billboard) Sign

1611 Commerce St.



Case
 Buffer_200
 Zoning
 1234 Address



City of Temple
bzndct
3-14-13

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or planning purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



PLANNING AND ZONING COMMISSION AGENDA ITEM

4/01/13
Item #4
Regular Agenda
Page 1 of 2

APPLICANT: Planning & Zoning Commission

CASE MANAGER: Beverly Zendt, Interim Director of Planning

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	Applicant
<p>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</p>	Pending	Gary Freytag for Lexington Holdings
<p>Z-FY-12-50 Hold a public-hearing to discuss and recommend action on a zone change from PD Planned Development-Urban Estates District (PD-UE) to Planned Development -Single Family-1 District (PD-SF-1) on 39.3± acres of land, being part of the William Frazier Survey, Abstract #310 located south of FM 93 along the west side of Dubose Road.</p>	Pending	Gary Freytag
<p>P-FY-13-19 Consider and take action on the Preliminary Plat of BRV Addition, a 43.00 ± acres, a 139-lot, 6-block residential subdivision, located on the northeast side of SW H K Dodgen Loop, south of Hopi Trail.</p>	Pending	Jon Hake for J. Kirk Willard)
<p>P-FY-13-21 Consider and take action on the Final Plat of Scott and White Memorial Hospital, a 209.04 ± acre 1 lot, 1-block nonresidential subdivision located generally from the main campus to various locations along West Avenue R to south 13th, 15th, 19th Streets to Fryers Creek.</p>	DRC 3/18/13	Ronald Carroll
<p>P-FY-13-20 Consider and take action on the Final Plat of Porter Addition, a 4.003 ± acres, 2-lot, 1-block residential subdivision, located on the west side of Old Howard Road, North of Mouser Road & South of Moore's Mill Road.</p>	DRC 3/18/13	Turley Associates

<p>Z-FY-13-13 Hold a public hearing to consider and recommend action on a zone change from Agricultural District (AG) to Single Family One District (SF-1) for lots 1-3 and Lots 5-20, Block 1, and all of Blocks 2 – 5, The Highlands Phase 1, located on the north side of West Adams Avenue, west of Windmill Farms Subdivision.</p>	<p>PZC 4/15/13</p>	<p>City Initiated</p>
<p>Z-FY-13-16 Consider and make a recommendation on an Appeal of Standards in Section 6.7, Unified Development Code related to the I-35 Corridor Overlay Zoning District for Golden Corral Restaurant.</p>	<p>PZC 4/15/13</p>	<p>Justin Fuller for Golden Corral Development</p>
<p>Z-FY-13-17 Hold a public hearing to discuss and recommend action on a zone change from Agricultural District (AG) to Neighborhood Service District (NS) on 4.196 ± acres, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 7425 West Adams Avenue.</p>	<p>PZC 5/06/13</p>	<p>John Kiella for Vineyard Christian Fellowship Church</p>

<p>City Council Final Decisions</p>	<p>Status</p>
<p>Z-FY-13-10 Hold a public hearing to discuss and recommend action on a zone change form Planned Development District (PD) with specific uses of shopping center and housing development to Commercial District (C) on 0.52 to allow an off-premise sign (billboard) on 0.6483 ± acres, in Bell County, Texas, being part of the Redding Roberts Survey, Abstract Number 692, a part of that 9.173 acres of land described in the Dedication of Creekside Planned Development, a planned development in the City of Temple, Bell County, Texas, being of record in Volume 1528, Page 813, Deed Records of Bell County, Texas, located at 3602 SW H K Dodgen Loop.</p>	<p>APPROVED at 2nd Reading on March 21, 2013</p>
<p>Z-FY-13-12 Hold a public hearing to discuss and recommend action on an amendment to Ordinance 2010-4413, Temple Unified Development Code, in its entirety to address personnel title changes; Article 1 to address purpose, compliance, enforcement and violations; Article 2 to clarify final action requirements; Article 3 to amend subdivision plat review, add requirements for preliminary plat, amend site plan requirements, clarify appeal processes, amend warrant and variance requirements in TMED; Article 4 and Article 5 to remove single family detached and single family attached uses in non-residential districts and clarify manufactured home requirements; Article 6 to amend landscape requirements for overlay districts and clarify material in I-35; Article 7 to amend landscape requirements, lighting requirements relating to glare, amend sidewalk requirements, address wall sign placement for certain facades; Article 8 to amend general provisions to address fire safety requirements, amend fire and park requirements in ETJ, amend sidewalk requirements and applicability in Industrial Park; and Article 11 to amend definitions as needed.</p>	<p>APPROVED at 2nd Reading on March 21, 2013</p>



**PLANNING AND ZONING COMMISSION
MEETING EVALUATION**

April 1, 2013

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.).
