

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
MARCH 3, 2014, 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, March 3, 2014.
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
MARCH 3, 2014, 5:30 P.M.
REGULAR MEETING AGENDA**

1. _____ Invocation
2. _____ Pledge of Allegiance

A. CONSENT ITEMS

All items listed under this section, Consent Agenda, are considered to be routine by the Planning & Zoning Commission and may be enacted in one motion. If discussion is desired by the Commission, any item may be removed from the Consent Agenda at the request of any Commissioner and will be considered separately.

Item 1: [Approval of Minutes](#): Work session and the regular meeting of February 18, 2014.

B. ACTION ITEMS

Item 2: [P-FY-13-31](#) – Hold a public hearing to consider and take action on the Final Plat of Central and 31st Addition, a 2.066 +/- acre, 1-lot, 1 block non-residential subdivision, being a Replat of Lots 1-12, Block 8, Freeman Heights Addition, located at the southeast corner of South 31st Street and West Central Ave.

Item 3: [P-FY-14-05](#) – Consider and take action on the Final Plat of Fettig Subdivision, a 3.00 ± acres, 4 lot non-residential subdivision located at the northeast corner of West Adams Avenue and Beaver Loop.

Item 4: [P-FY-14-07](#)- Hold a public hearing to consider and recommend action on the Final Plat of Airport Park at Central Pointe, Phase II, a 19.505-acre, 3-lot, 1 block, nonresidential subdivision, being a replat of Lot 1, Block 2, Airport Park at Central Pointe, Phase I, located at the southwest corner of Central Pointe Parkway and Old Howard Road.

Item 5: [P-FY-14-11](#) - Consider and take action on the Preliminary Plat of Legacy Ranch, a 103.07 +/- acres, 183-lot, 12-block, residential and nonresidential subdivision with

a requested exception to Unified Development Code Section 8.2.1.D.4.b: Projection of Streets, regarding street openings every 1000 feet, located at the northwest corner of FM 1741 (South 31st Street) and West FM 93.

- Item 6:** [Z-FY-14-20](#) – Hold a public hearing to consider and recommend action on a rezoning from Agricultural District (AG) to Commercial District (C) on 5.01 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County Texas, located on the north side of East Adams Avenue, addressed as 2312 East Adams Avenue.
- Item 7:** [Z-FY-14-21](#) - Hold a public hearing to consider and recommend action on a rezoning from Agricultural District (AG) to Two-Family District (2-F) on 17.95 +/- acres, and from Agricultural District (AG) to Office-Two District (O-2) on +/- 3.64 acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates
- Item 8:** [O-FY-14-06](#) - Consider adopting a resolution authorizing an Appeal of Standards in Section 6.7.5(j) of the Unified Development Code related to the I-35 Corridor Overlay Zoning District for signs, located on Lots 1-4, Block 1, Gateway Center. 4501 South General Bruce Drive.

C. REPORTS

- Item 9:** 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 1:45 PM, on February 27, 2014.



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 _____, 2014. Title _____.

_____ Title: _____

**PLANNING AND ZONING COMMISSION
MONDAY, FEBRUARY 18, 2014
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Vice-Chair Greg Rhoads

COMMISSIONERS:

James Staats	Blake Pitts
Patrick Johnson	David Jones
Omar Crisp	Lester Fettig
Tanya Mikeska-Reed	

PLANNING AND ZONING MEMBERS ABSENT:

Will Sears

STAFF PRESENT:

Brian Chandler, Director 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, Vice-Chair Rhoads opened the work session at 5:01 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

Mr. Chandler introduced the two new Commissioners, Mr. Lester Fettig and Ms. Tanya Mikeska-Reed.

Mr. Chandler explained the Director's Report was to keep the Commission apprised of upcoming items.

Glynn Cummings case (Poison Oak and South Pea Ridge, Old Waco Road) went to City Council on February 6th and was approved at first reading. CIPs were discussed and perhaps shifting funding priorities were needed.

The plat for Plains at Riverside, P-FY-14-08, located in the donut hole, has been to DRC but will eventually come before P&Z. This case is in the same area as Cummings'

and very similar in nature and would require voluntary annexation. This is an area of ongoing growth.

Discussion about the roads and area for these plats.

Mr. Chandler stated discussion was stimulated at City Council about the need to evaluate the infrastructure priorities and open up that conversation again in terms of the CIPs.

The issue is a case-by-case scenario and Staff's job is to education the Commissioners as to the plans of the City so decisions can be made wisely. Infrastructure can be considered to some degree. City Council is aware of P&Z's concerns and is looking at other options.

Vice-Chair Rhoads commented Adams is the new 31st Street and will get worse before it gets better.

Mr. Chandler stated regional problems cannot be fixed at the platting stage. It is about dedication of adjacent right-of-way and is proportional. It does not provide funding for the construction of it; however, they are important pieces of information to weigh when making a recommendation.

Crescent View is still on schedule. Mr. Baker stated the plat is pending TxDOT but negotiations are currently going on.

Z-FY-14-21 will be coming back for Mr. John Martin's request for rezoning. The previous request was withdrawn before it went to City Council so no action was taken.

Mr. Chandler asked about the meeting evaluation sheet and whether it was a necessary part of the packet. P&Z members confirmed that they have not used the forms and therefore, they are not needed for inclusion in future packets.

The UDC is located on the City's website and should be current. City Council recently approved more text amendments and these amendments will be included in the next update of the UDC.

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

**PLANNING AND ZONING COMMISSION
FEBRUARY 18, 2014
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Vice-Chair Greg Rhoads

COMMISSIONERS:

James Staats	Blake Pitts
Patrick Johnson	David Jones
Omar Crisp	Lester Fettig
Tanya Mikeska-Reed	

PLANNING AND ZONING MEMBERS ABSENT:

Will Sears

STAFF PRESENT:

Brian Chandler, Director 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, February 13, 2014 at 9:55 a.m. in compliance with the Open Meetings Law.

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

Vice-Chair Rhoads called Meeting to Order at 5:32 P.M. and introduced the two newest P&Z Commissioners, Ms. Tanya Mikeska-Reed and Mr. Lester Fettig.

Invocation by Commissioner Johnson; Pledge of Allegiance by Commissioner Staats.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of February 3, 2014.

Approved by general consent.

B. ACTION ITEMS

Item 2: P-FY-14-16 – Consider and take action on the Final Plat of Carriage House Trails Phase I, a 35.086 +/- acres, 122-lot, 8-block residential subdivision located north of Poison Oak Road and east of Carriage House Drive.

Mr. Mark Baker, Planner, stated the preliminary plat came before the P&Z in November 2013 of approximately 195 lots. The final plat of Phase I incorporates 122 of those 195 lots. The applicant is Carothers Homes and the P&Z Commission is the final authority since the applicant did not request any exceptions to the Unified Development Code (UDC).

The final plat was reviewed by the Development Review Committee (DRC) on January 8, 2014 and deemed administratively complete on January 13, 2014.

There is an eight-inch water line and a six-inch sewer line available in Carriage House Drive.

Private parkland is proposed in Phase I and City Council approved the overall exception to park fees on December 5, 2013. As part of that park land, Brazos Electric had an easement to be used as a private trail. To date, Staff has not heard back from Brazos Electric regarding the use of the easement.

Staff recommends approval of the Final Plat of Carriage House Trails, Phase I.

Commissioner Johnson made a motion to approve Item 2, **P-FY-14-16**, and Commissioner Staats made a second.

Motion passed: (7:0)

Chair Sears and Commissioner Crisp absent

Item 3: Z-FY-14-19 – Hold a public hearing to consider and recommend action on a rezoning from Single Family-Two District (SF-2) to Commercial District (C) on 1.103 +/- acre tract of land situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, located on the south side of the Prairie View Road and North Pea Ridge Road intersection.

Ms. Tammy Lyerly, Senior Planner, stated this item would go to City Council for first reading on March 20, 2014 and second reading on April 3, 2014.

This is a zone change request from Single Family-Two (SF-2) District to Commercial (C) District. The rezoning is for an existing nonconforming use and is associated with the Preliminary Plat of Lake Pointe Phase III (P-FY-13-34) that is currently being reviewed in the DRC process. The subject property is surrounded by SF-2 zoning district and is located on the south side of the intersection of North Pea Ridge Road and Prairie View Road.

Surrounding properties included agricultural and rural residential to the north, undeveloped single family development to the east, agricultural and undeveloped single-family development to the south, and undeveloped single-family development to the west.

The Future Land Use and Character Map designates the subject property as Suburban-Residential and the Commercial district is not in compliance with this recommendation.

Commercial development standards are given, along with the allowed and prohibited uses in a Commercial district.

Prairie View Road is designated as a proposed minor arterial and is currently on the Capital Improvement Program (CIP) and North Pea Ridge Road is a collector.

Public facilities are available to serve the area.

Three notices were mailed out with zero responses returned in favor and one returned in opposition.

Staff recommends denial of the requested rezoning from SF-2 District to C District for the following reasons:

The requested Commercial District (C) does not comply with the Future Land Use and Character Map;

UDC Section 4.3.18 recommends the Commercial District be located away from low and medium density residential development such as the existing SF-2 District; and

The Commercial District allows light manufacturing and heavy machinery sales and storage with any legal height not prohibited by other laws, which would not be compatible with the surrounding SF-2 District.

Staff recommends the request:

Complies with the Thoroughfare Plan; and

Public and private facilities are available to the subject property.

Commissioner Pitts asked about background on existing uses why it was rezoned to SF-2 in the beginning.

Ms. Lyerly responded the entire property was being requested to be rezoned for the residential development (now Lake Pointe) and it all converted to SF-2 at that time. Ms. Lyerly confirmed that the Commercial use is a nonconforming use with the requested rezoning the applicant received. No citations were ever issued to Staff's knowledge.

Vice-Chair Rhoads opened the public hearing.

Mr. Garrett Nordyke, WBW Development, 3000 Illinois, Killeen, Texas, stated the property was originally purchased with the intent to develop it as single-family residential and with some commercial and multi-family zoning along 317. Mr. Nordyke was not certain why they did not save and except this portion as for commercial at the time. When the property was purchased it was being used as commercial purposes with an auto shop located there.

Mr. Nordyke stated there were two different issues: 1) it is not a conforming use for the way it is currently zoned, and 2) it was being used for commercial purposes when it was purchased and when it was zoned, and it is continued to be used for the same purposes. Mr. Nordyke

would like the zoning maps to reflect the actual use which would be fair to everyone in the area.

Mr. Nordyke stated WBW owned everything south of Prairie View Road west of Pea Ridge Road to the bottom left two-thirds of the map shown.

Mr. Nordyke explained they were not asking for the zoning request so they could change uses or do another use, just that the zoning maps reflect the actual current use which is an automotive shop. Mr. Nordyke stated if the request was disapproved they would continue to use it as an auto repair shop but it would be confusing when looking at a zoning map.

Mr. Nordyke stated the property has been used as an auto repair shop since before it was purchased by WBW approximately two years ago. Commissioner Mikeska-Reed asked if it was zoned commercial prior to changing it to SF-2. Ms. Lyerly responded the property was zoned Agricultural (AG) and the request was from AG to SF-2.

Vice-Chair Rhoads inquired why this was not addressed at that time. Ms. Lyerly replied that was because they were bringing in a single-family residential development so the intent at the time was to rezone the AG property for single-family residential development. Staff assumed everything on the property would go away and be replaced with their residential development and not stay as an automotive shop.

Commissioner Jones stated he found it interesting that even if it did not change, Mr. Nordyke would continue to keep it Commercial when it is not zoned for that. Mr. Nordyke responded that was the second point: whether it was an illegal or legal nonconforming use; if it was being used as an auto repair shop before the zoning request was made than it is a legal confirming use. Mr. Nordyke would need to speak with legal about this issue.

Mr. Nordyke indicated there was no solid plan or intent when they first purchased the property—they were going to remove the houses next to it, perhaps use the steel structure during construction for supply storage or for a field office in the area, or allow it to be used as an auto repair shop.

Ms. Lyerly cited the separation distance of 10 feet between a commercial use and residential use, based on if the building is over 40 feet the setback is increased by one foot for each three feet over 40 feet tall.

Commissioner Staats asked about the effect of grandfathering.

Ms. Trudi Dill, Deputy City Attorney, stated when the City determines an existing land use is nonconforming and the owner wants to continue that use, the owner has the burden of demonstrating that the nonconforming use is legal. In other words, the use began at a time when the use was legal. That investigation has not occurred to date.

Ms. Dill continued with the applicant comes in first to make a request for the rezoning to make it a conforming use. If they do not receive that zoning but want to continue, the investigation previously mentioned will have to occur in order to determine if that use was instituted at a time when it was legal. Major vehicle repair is not an allowed use in an AG district. Sometimes research goes back to the time of annexation. Staff cannot determine if this is a legal

conforming use because the owner has not brought proof that the use existed prior to annexation.

Ms. Joyce Novak, 3305 Oak Ridge, Temple, Texas, stated she was opposed to the business remaining there. The area was zoned as single family and the business has not been there that long because it was AG. Ms. Novak understood that when it was purchased it was purchased for single family and that building would be turned into a club house or some type of park. That property has always been AG and not a shop; the shop has only been there within the last few years.

Ms. Novak stated the property values would be lowered if it stayed.

There being no further speakers, Vice-Chair Rhoads closed the public hearing.

Vice-Chair Rhoads asked what the plan was for the buildings behind the automotive shop. Ms. Lyerly stated they were currently reviewing the plat and all of those lots are for single family.

Commissioner Staats made a motion to deny Item 3, **Z-FY-14-19**, as presented, and Commissioner Pitts made a second.

Motion passed: (7:0)

Chair Sears and Commissioner Crisp absent

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, the meeting was adjourned at 5:59 p.m.

Respectfully submitted,
Leslie Evans



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

03/03/14
Item #2
Regular Agenda
Page 1 of 2

APPLICANT / DEVELOPMENT: Mallet Development on behalf of 1519 Central LLC.

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: PUBLIC HEARING – P-FY-13-31 – Hold a public hearing to consider and take action on the Final Plat of Central and 31st Addition, a 2.066 +/- acre, 1-lot, 1 block non-residential subdivision, being a Replat of Lots 1-12, Block 8, Freeman Heights Addition, located at the southeast corner of South 31st Street and West Central Ave.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Central and 31st Addition.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Central and 31st Addition on June 19, 2013. It was deemed administratively complete on November 14, 2013.

This proposed plat is a replat of Lots 1 through 12, Block 8, Freeman Heights Addition and is needed for the development of a proposed 14,820 square foot Walgreens.

Water service is available from 8-inch water lines in West Central Ave, South 31st and South 29th Streets. Sewer services is available from an 8-inch sewer line in West Central Ave. The 6" sewerline in the closed alley is not active and is anticipated to be used in part as a service line when the site is developed.

The alley that contained the 6" sewer line has been closed and an easement has been reserved while outside utilities are being relocated. Once relocation is complete, staff anticipates release of the easement by approval of a resolution by City Council.

According to the Thoroughfare Plan, both South 31st Street and West Central Ave are identified as major arterials and both require sidewalks. However, since South 31st Street has been identified for a proposed connector spine trail, an 8' concrete sidewalk is required. West Central Ave requires only a 6' sidewalk and the City would typically fund the difference. In addition, since South 29th Street is a local street, a sidewalk is not required, however, the applicant has agreed to replace the previous 4' sidewalk. No sidewalk is required or proposed along West A Ave.

While at this time, the Planning and Zoning Commission may take action on the plat, the plat can not be recorded until the following are completed:

- ❖ All outside utility relocations have been completed,
- ❖ A resolution releasing the easement has been approved by City Council and,
- ❖ The recording information for the resolution is shown on the plat.

The applicant is in agreement of this stipulation. Staff has received notice from the outside utility providers that most relocation activities should be finalized by mid-March. It should be noted that per UDC Section 3.6.6.D, a final plat must be recorded within 120 days after final approval. The applicant is aware of the this issue and will be taking appropriate measures to expedite the remaining relocation process as much as possible.

As a replat, Texas Local Government Code 212.014 (replatting without vacating preceding plat) requires a public hearing.

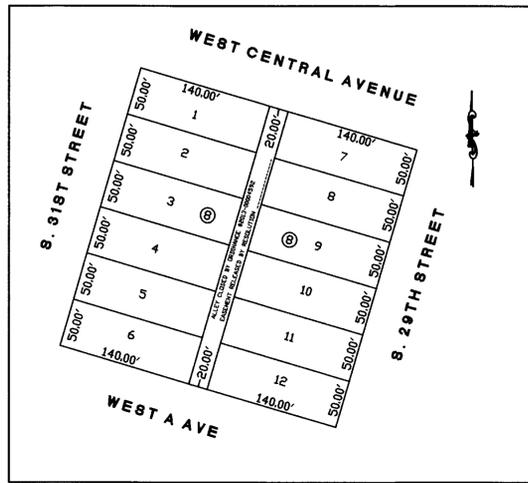
The Planning and Zoning Commission is the final plat authority since the applicant has not requested any exceptions to the UDC.

PUBLIC NOTICE: Seventeen notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by UDC Section 3.7.3. As of Thursday February 27, 2014 at 12:00 PM, one notice for approval and no notices for disapproval of the plat have been received.

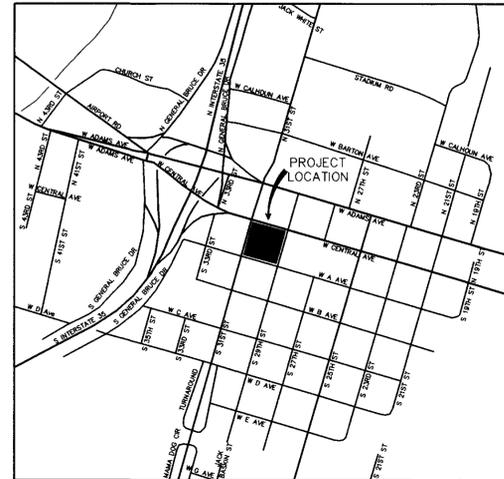
FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Final Plat
Site and Utility Plan
Notification Map
Returned Property Owner Notices



FREEMAN HEIGHTS ADDITION
VOLUME 98, PAGE 501
NTS



VICINITY MAP N.T.S.

STATE OF TEXAS

COUNTY OF BELL

1519 CENTRAL, LLC, MANAGER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CENTRAL AND 31ST ADDITION, 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.

1519 CENTRAL, LLC
A TEXAS LIMITED LIABILITY COMPANY

JEFF G. WALLETT, MANAGER _____ DATE _____

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2013 BY KENNETH H. MITCHELL.

NOTARY PUBLIC _____

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. Alvis
MICHAEL E. ALVIS, 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 _____ day of _____
in Year _____, Plat # _____, Plat Records of Bell County, Texas. Dedication
Instrument # _____, Official Records of Bell County, Texas.

FINAL PLAT OF:
CENTRAL AND 31ST ADDITION
2.066 ACRES
1 LOT, 1 BLOCK
BEING A REPLAT OF FREEMAN HEIGHTS
ADDITION, LOTS 1-12 BLOCK 8
VOLUME 98, PAGE 501 OFFICIAL
PUBLIC RECORDS OF BELL COUNTY, TEXAS.

REPLATTED TO COMBINE THE PREVIOUS LOTS AND ALLEY WAY INTO
ONE CONTIGUOUS LOT FOR COMMERCIAL DEVELOPMENT.

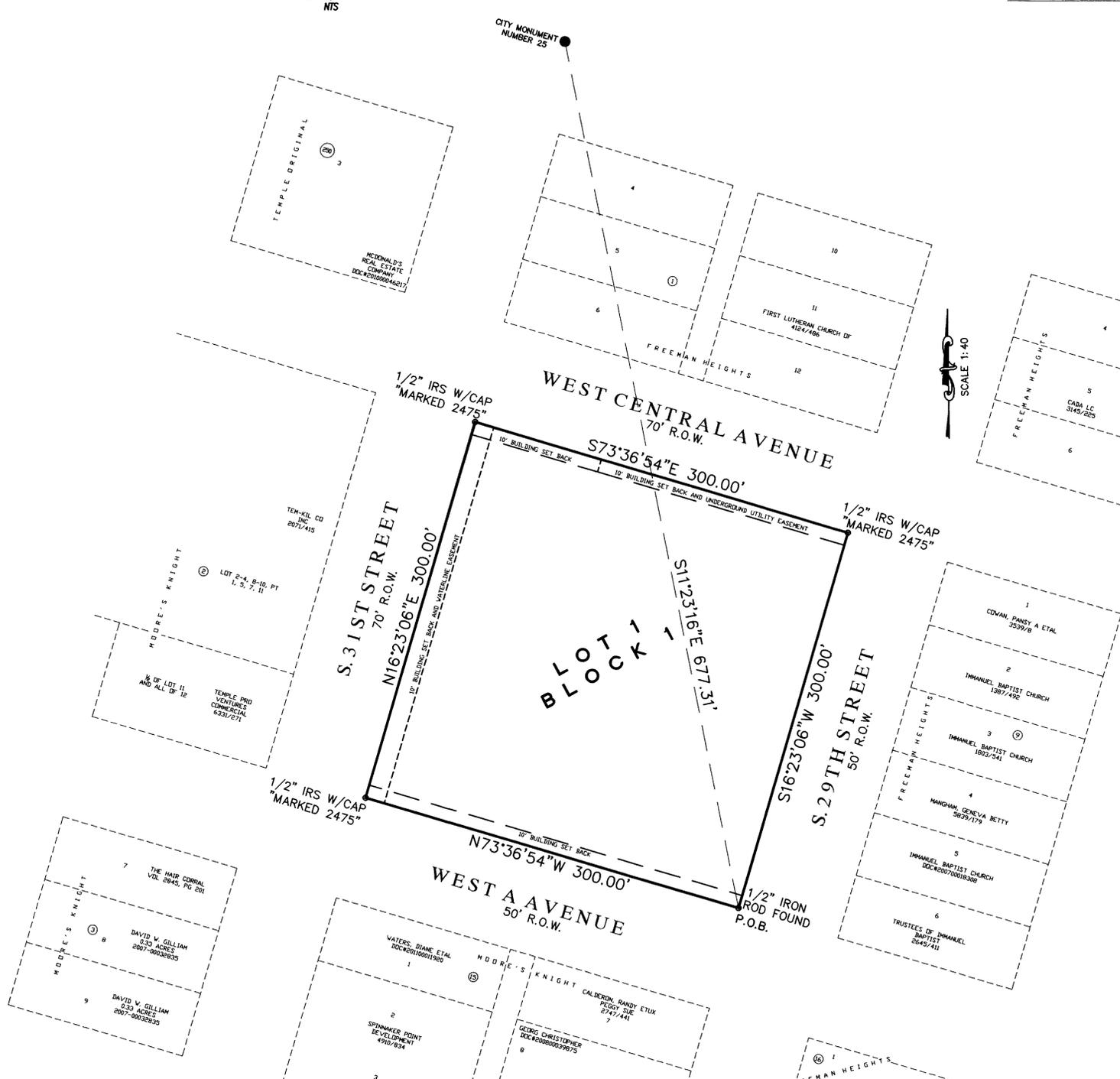
2.066 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY
SEPARATE FIELD NOTES PREPARED AND ATTACHED TO
DEDICATION INSTRUMENT TRACT SURVEYED JANUARY 9, 2013.

NOTES:

1. THIS PROPERTY IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48027C0355E, DATED SEPTEMBER 26, 2008.
2. THE PURPOSE FOR THIS REPLAT IS TO COMBINE LOTS 1 THROUGH 12 BLOCK EIGHT INTO ONE LOT AND ONE BLOCK.
3. AN 8' WIDE SIDEWALK IS REQUIRED ALONG SOUTH 31ST STREET.
4. A 6' WIDE SIDEWALK IS REQUIRED ALONG WEST CENTRAL AVENUE.
5. THE 4' WIDE SIDEWALK ALONG S. 29TH STREET WILL BE REMOVED AND REPLACED DURING CONSTRUCTION.

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. 25.
The theta angle of said monument is 01°31'58".
The Combined Correction Factor (CCF) is 0.999848.
Published City Coordinates are N=10376940.87, E=3227848.94.
The tie from the above City Monument to the POB of the 2.066 acre tract is S.11°23'16"E, 677.31 feet.
Grid Distance= Surface Distance X CCF
Geodetic North= Grid North + theta angle.

SCALE 1:40



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
FIRM REGISTRATION NO. F-1658
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: MAIL@TURLEY-INC.COM (254) 773-3998

FINAL PLAT OF:
CENTRAL AND 31ST ADDITION
BEING A REPLAT OF FREEMAN HEIGHTS ADDITION,
LOTS 1-12 BLOCK 8
VOLUME 98, PAGE 501 OFFICIAL
PUBLIC RECORDS OF BELL COUNTY, TEXAS
PREPARED FOR:
1519 CENTRAL, LLC
9764 WHITHORN
HOUSTON, TX 77095

REVISIONS		
06/20/13	DMC COMMENTS	TJJ
10/08/13	EASEMENT COMMENTS	TJJ

DATE:	05/30/13
DRN. BY:	TJJ
REF.:	-
FIELD BOOK:	-
JOB NO.:	12-718
SHEET	1 OF 1
COMPUTER DWG. NO.	12-718PLAT.DWG

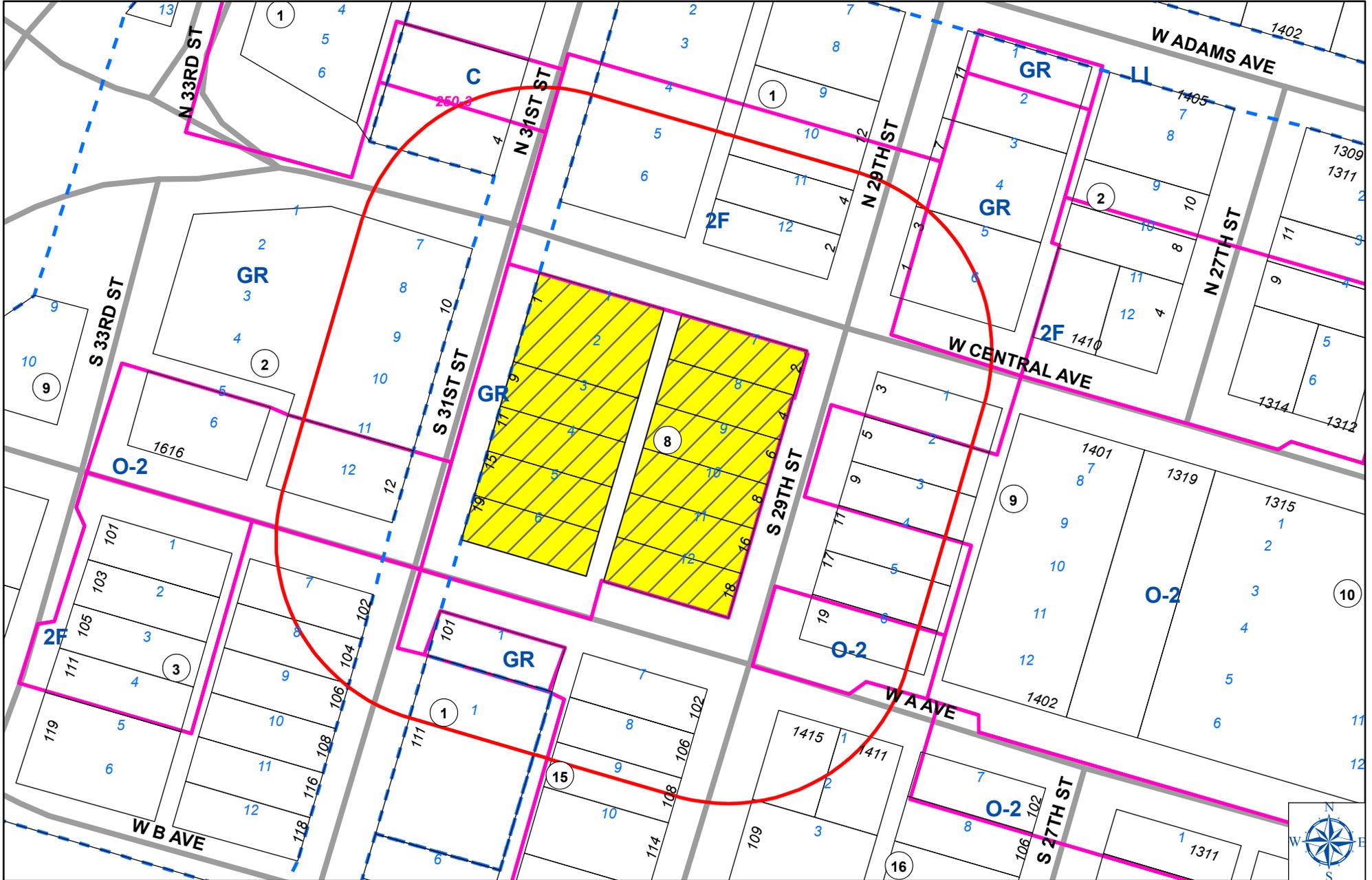
12582-D
DRAWING NUMBER²



P-FY-13-31

Notification Map

SE Corner West Adams Ave & S. 31st Street



Case



Zoning

1234-A

Outblock Number



200' Buffer



Subdivision

1234

Address



Block Number



Lot Number

0 100 200



Feet

2/10/2014
City of Temple GIS
mbaker

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





NOTICE TO ADJOINING PROPERTY OWNERS OF A RESIDENTIAL REPLAT

Alfred P. Mungia
1415 West Avenue A
Temple, Texas 76504

CASE NUMBER: P-FY-13-31

Project Manager: Mark Baker

Location: Southeast corner of South 31st Street and West Central Avenue

The proposed residential replat site is the area shown in yellow marking on the attached map. Because you own property within 200 feet of the requested replat, your opinions are welcomed. Please use this form to indicate whether you are in favor of the residential replat and provide any additional comments you may have. (Texas Local Government Code § 212.015(c))

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

Comments:

none
d approval

Alfred P. Mungia
Signature

2-18-14
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 3, 2014

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

RECEIVED

FEB 19 2014

City of Temple
Planning & Development



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

03/03/14
Item #3
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: Greg Davis (DB Commercial) for Stewart Eldon Fettig Estate Trust.

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: P-FY-14-05 Consider and take action on the Final Plat of Fettig Subdivision, a 3.00 acre +/-, 4-lot, 1 block, non-residential subdivision, along the north side of West Adams Avenue (FM 2305), east of Beaver Loop Road.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Fettig Subdivision.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Fettig Subdivision on November 20, 2013. It was deemed administratively complete on February 20, 2014. The property is zoned Office 1 (O-1), Neighborhood Services (NS) and most recently, by case number Z-FY-14-09, Planned Development-Neighborhood Services District (PD-NS) for Lot 3.

Water services will be available through 6-inch and 4-inch water lines in West Adams Ave. Sewer services will be available from an existing 6-inch sewer line at the end of Wildcat Drive and extension of an existing 6-inch sewer line in Beaver Loop.

Since West Adams Ave is identified as a major arterial, a 6-foot sidewalk is required. However, since the trails master plan identifies a spine trail, this will need to be upsized to a 10-foot concrete trail, which the City typically funds the difference.

The Planning and Zoning Commission is the final plat authority since the plat requires an extension of a public utility. However since Lot #3 is zoned with Planned Development – Neighborhood Services, a site plan will be subject to both Planning and Zoning Commission and City Council review.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Final Plat
Topo / Utility Plan

FINAL PLAT of FETTIG SUBDIVISION

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being part of the NANCY CHANCE SURVEY, ABSTRACT 5, Bell County, Texas, being all of a called 0.863 Acre tract (TRACT 3) and all of a called 1.158 Acre tract (TRACT 5), conveyed to Juanita Michelle Fettig, Trustee, in Document No. 2013-0001152, Official Public Records of Real Property, Bell County, Texas, and all of a called 0.982 Acre tract conveyed to Joe T. Sheppard and Martin B. Payne in Document No. 2014-00002525, Official Public Records of Real Property, Bell County, Texas.

This plat is to accompany a metes and bounds description of the herein shown 3.00 acre tract.

STATE OF TEXAS
COUNTY OF BELL

STEWART ELDON FETTIG ESTATE TAX EXEMPTION TRUST, OWNER OF LOTS 1, 2 AND 4 OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FETTIG SUBDIVISION, 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.

BY: JUANITA MICHELLE FETTIG, Trustee DATE

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JUANITA MICHELLE FETTIG, 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 _____, 2014.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

JOE T. SHEPHERD, PARTIAL OWNER OF LOT 3 OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FETTIG SUBDIVISION, 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.

BY: JOE T. SHEPHERD DATE

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOE T. SHEPHERD, 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 _____, 2014.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

MARTIN B. PAYNE, PARTIAL OWNER OF LOT 3 OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FETTIG SUBDIVISION, 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.

BY: MARTIN B. PAYNE DATE

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARTIN B. PAYNE, 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 _____, 2014.

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 _____, 2014.

CHAIRPERSON SECRETARY, PLANNING & ZONING

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.

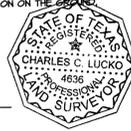
Dated this the _____ day of _____, 2014.

By: Bell County Tax Appraisal District

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE _____ DAY OF _____, 2012, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

Charles C. Lucko
REGISTRATION NO. 4636 DATE SURVEYED: OCTOBER 10, 2012



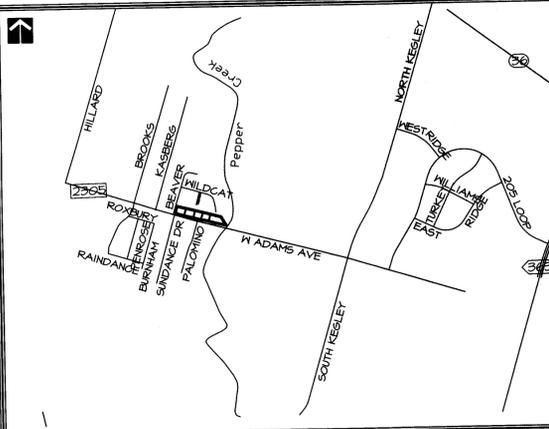
Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48021C0335E, dated September 26, 2008, the above shown property DOES NOT appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

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. 511. The theta angle at City Monument No. 511 is 20° 30' 27". The combined correction factor (CCF) is 0.9998986. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Published city coordinates for City Monument No. 511 are N= 10,381,314.83 E= 3,212,276.86. Reference tie from City Monument No. 511 to the northwest corner of said 3.00 Acre tract is N 50°34'35" W 335.17 feet.

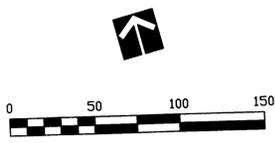
RECORDATION INFORMATION
FILED FOR RECORD THIS _____ DAY OF _____, 2014.
IN YEAR _____ PLAT # _____ FLAT RECORDS OF BELL COUNTY, TEXAS.
DEDICATION INSTRUMENT # _____ OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

LOTS - 4
BLOCKS - 1
AREA - 3.00 ACRES

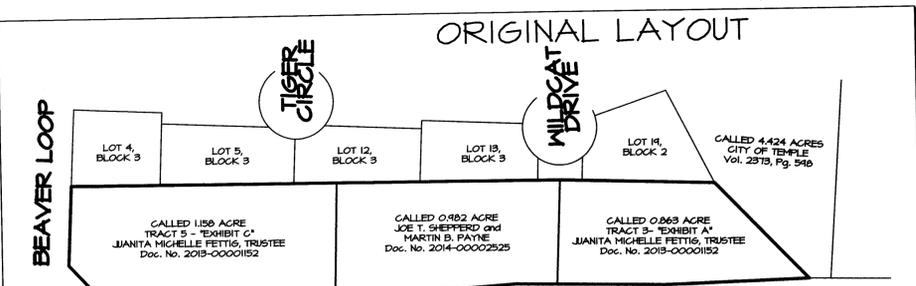
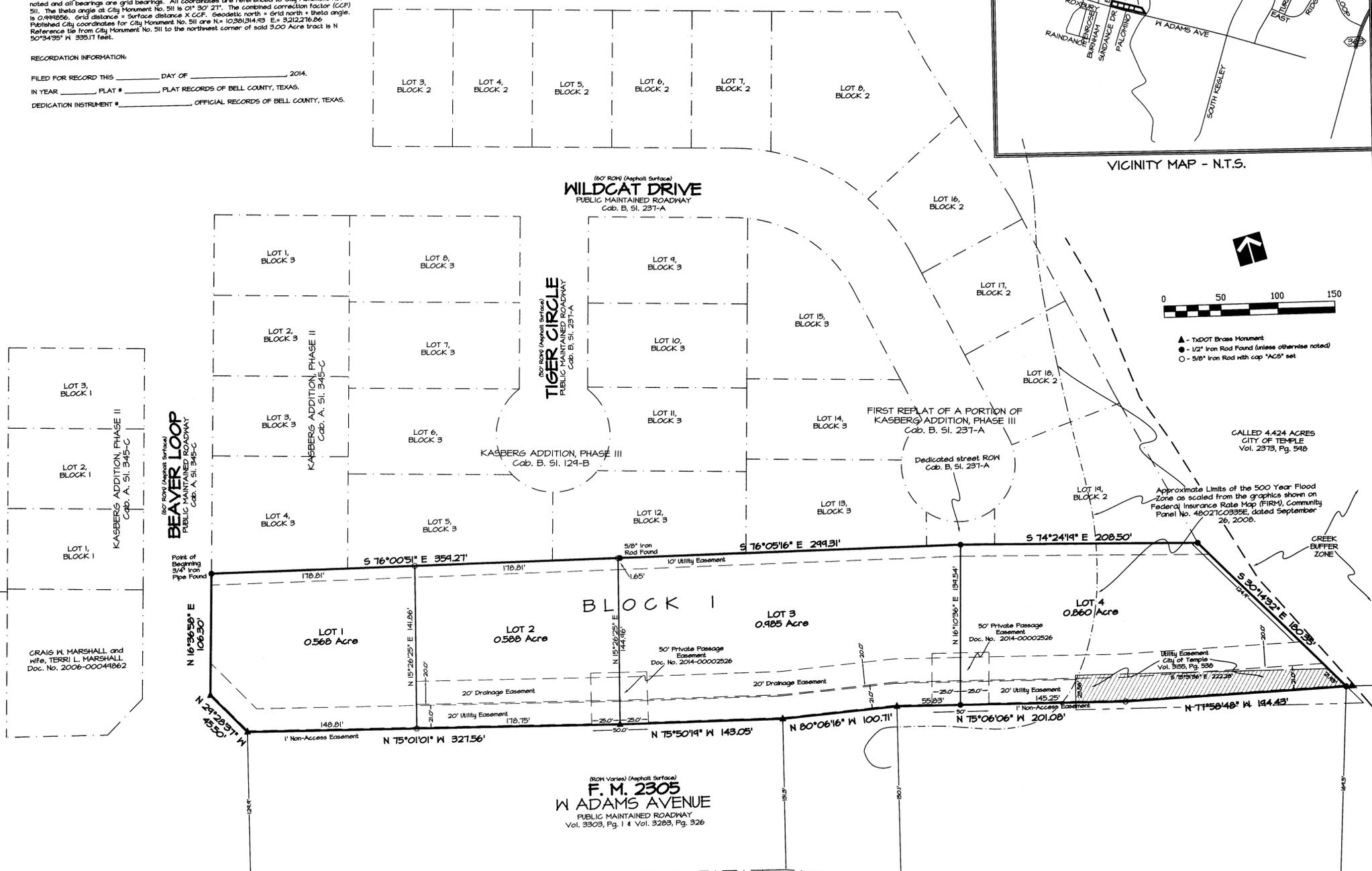
Per UDC Section 8.2.3, a minimum 10' wide sidewalk is required along West Adams Avenue.



VICINITY MAP - N.T.S.



▲ - TxDOT Brass Monument
● - 1/2" Iron Rod Found (unless otherwise noted)
○ - 5/8" Iron Rod with cap "ACS" set



F. M. 2305 - W ADAMS AVENUE

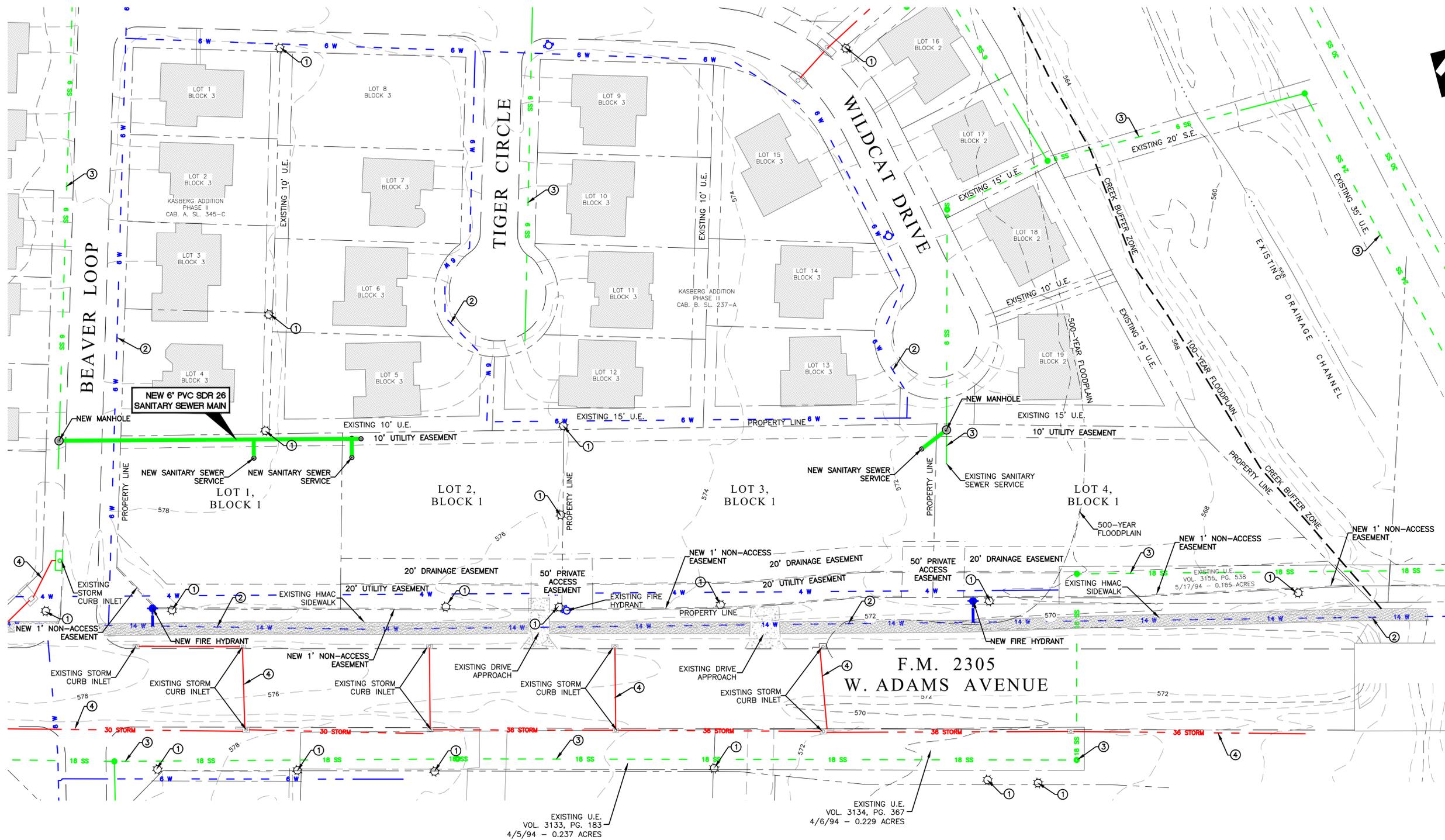
FINAL PLAT OF
FETTIG SUBDIVISION
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

ALL COUNTY SURVEYING, INC.
1303 South 21st Street, Temple, Texas 76504
(254) 778-2272 FAX (254) 774-7608



Plot date: 01-22-2014
Job No: 130746
Date: 10-23-2013
Scale: 1" = 50'
Drawing No: 130746P
Drawn By: SLW
Checked By: CCL

Copyright 2014 All County Surveying, Inc.

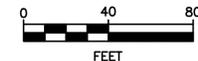


KEYED NOTES

1. CAUTION!!! EXISTING POWER POLE/LIGHT POLE
2. EXISTING WATER MAIN
3. EXISTING SANITARY SEWER
4. EXISTING STORM SEWER

CREEK BUFFER ZONE

1. CREEK BUFFER ZONE DOES NOT ENCR OACH INTO SITE.



Date:	Revisions
11/26/13	REVISIONS MADE TO INCORPORATE CITY OF TEMPLE COMMENTS.
11/26/13	REVISED TO INCORPORATE OWNERS COMMENTS.
2/13/14	REVISED TO INCORPORATE OWNERS COMMENTS.

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF THE PROFESSIONAL ENGINEER, CLARK & FULLER, P.L.L.C. FIRM NO. F-10384.

FOR REVIEW ONLY FOR THE PURPOSES OF PERMIT REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES. ONLY DRAWINGS ISSUED FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.

FOR CONSTRUCTION

FINAL DRAWINGS

**ADAMS AVENUE
FETTIG TRACT**

TEMPLE, TEXAS



Project No: 131415.00
 Plot Date: 2-13-14
 Drawn By: DGR
 Designed By: MLC

1

TOPOGRAPHIC AND UTILITY MAP

2-13-14



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

03/03/14
Item #4
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: Lonny Gillespie of The Wallace Group, Inc. / Fikes Companies, Inc.

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: PUBLIC HEARING - P-FY-14-07 Hold a public hearing to consider and recommend action on the Final Plat of Airport Park at Central Pointe, Phase II, a 19.505-acre, 3-lot, 1 block, nonresidential subdivision, being a replat of Lot 1, Block 2, Airport Park at Central Pointe, Phase I, located at the southwest corner of Central Pointe Parkway and Old Howard Road.

STAFF RECOMMENDATION: Staff recommends approval of the the Final Plat of Airport Park at Central Pointe, Phase II.

ITEM SUMMARY: The Development Review Committee reviewed the the Final Plat of Airport Park at Central Pointe, Phase II, on December 4, 2013. It was deemed administratively complete on February 25, 2014. The Final Plat of Airport Park at Central Pointe, Phase II is a 3-lot, 1-block nonresidential subdivision. The property is zoned Office Two District (O-2).

This proposed plat is a replat of Lot 1, Block 2, Airport Park at Central Pointe, Phase I. Texas Local Government Code 212.014 (replatting without vacating preceding plat) requires a public hearing for this replat.

Water and sewer services will be provided through existing and proposed water and sewer lines. The proposed plat includes a 25-foot wide public utility easement; a private 25-foot wide sewer easement; two private 10-foot wide storm sewer easements; and a private electric easement.

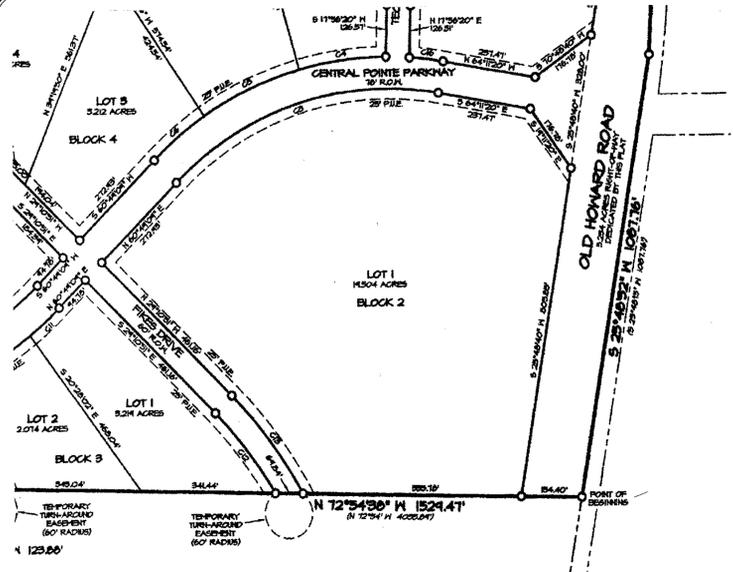
Access throughout the proposed plat will be through a private variable width ingress egress easement connecting from Fikes Drive to Central Pointe Drive.

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

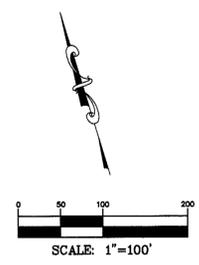
FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Final Plat
Topo/Utility Map



- LEGEND**
- FOUND 5/8" IRON ROD WITH PLASTIC CAP STAMPED "ALL COUNTY" UNLESS OTHERWISE NOTED
 - SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "WALLACE GROUP" UNLESS OTHERWISE NOTED
 - ✕ SET CUT "X" IN CONCRETE
 - ⊖ EXISTING FIRE HYDRANT
 - ⊕ PROPOSED FIRE HYDRANT
 - ⊔ PUBLIC UTILITY EASEMENT
 - P.R.B.C.T. = PLAT RECORDS OF BELL COUNTY, TEXAS
 - O.P.R.R.P.B.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS



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 _____, 2014.

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 _____, 2014.

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 _____, 2014.

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 HEREON.

LONNY GILLESPIE, R.P.L.S.
NO. 5261

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY, THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) GUIDELINES AND CRITERIA, AS WELL AS THOSE OF THE CITY OF TEMPLE, AND THAT THOSE HAVE BEEN FOLLOWED IN THE PREPARATION AND DESIGN OF THIS PLAT.

DAVID L. MAREK, P.E.
NO. 83327

STATE OF TEXAS
COUNTY OF BELL

Filed for record this the _____ day of _____, A.D.,

In Cabinet _____ Slide _____, Plat Records of Bell County, Texas.

STATE OF TEXAS
COUNTY OF BELL

FIKES WHOLESAL, INC., A TEXAS CORPORATION, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS "AIRPORT PARK AT CENTRAL POINTE, PHASE II", BEING OUT OF LOT 1, BLOCK 2, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE PUBLIC, THE USE OF ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN HEREON.

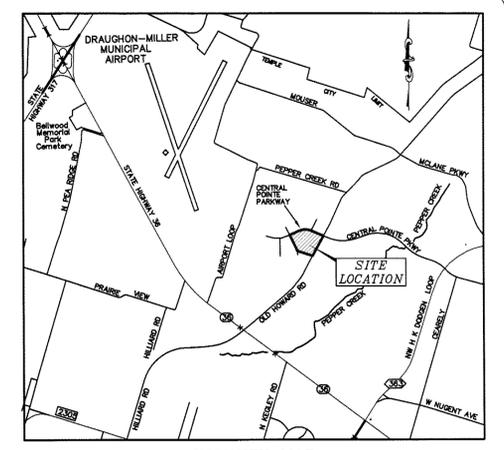
FIKES WHOLESAL, INC.,
A TEXAS CORPORATION.

RAYMOND W. SMITH, PRESIDENT

STATE OF TEXAS
COUNTY OF BELL

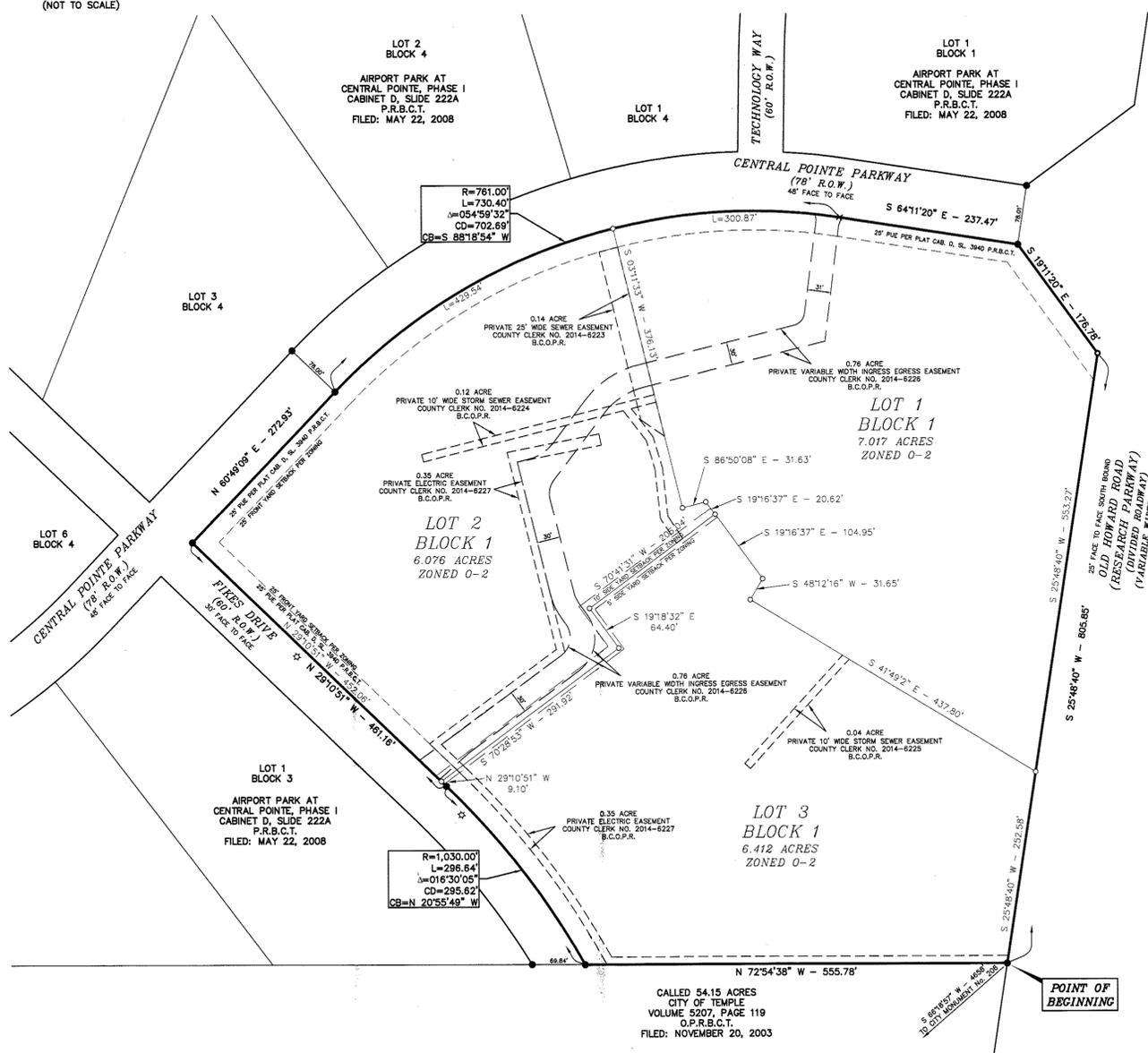
THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2014.

NOTARY PUBLIC _____



VICINITY MAP
(NOT TO SCALE)

**LOT 1, BLOCK 2
AIRPORT PARK AT CENTRAL POINTE, PHASE I
TEMPLE, BELL COUNTY, TEXAS
CABINET D, SLIDE 222-A
(NOT TO SCALE)**



NOTES

- 1) FLOOD NOTE: BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN A NONSHADED ZONE "X" (AREAS OUTSIDE OF THE 500 YEAR FLOODPLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR BELL COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 4802700705, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 2) THE PURPOSE OF THIS REPLAT IS TO DIVIDE THE LARGE SINGLE LOT INTO 3 LOTS FOR FUTURE DEVELOPMENT.
- 3) A 6' WIDE SIDEWALK WITH ACCESSIBLE RAMPS AT ALL INTERSECTIONS ARE REQUIRED ON BOTH SIDES OF CENTRAL POINTE PARKWAY.
- 4) BEARINGS AND DISTANCES ON THIS PLAT ARE REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS STATE PLANE COORDINATE SYSTEM - NAD83, TEXAS CENTRAL ZONE. ALL DISTANCES ARE SURFACE VALUES. TO OBTAIN GRID VALUES, MULTIPLY BY THE COMBINED SCALE FACTOR OF 0.9998573152. PUBLISHED CITY COORDINATES FOR CITY OF TEMPLE MONUMENT No. 206 ARE N-10387730.11, E-3212630.83. THE BEARING AND DISTANCE TO THE CITY OF TEMPLE MONUMENT No. 206 FROM THE POINT OF BEGINNING IS SOUTH 66°16'57" WEST - 4658 FEET.

FINAL PLAT OF:

AIRPORT PARK AT CENTRAL POINTE, PHASE II

Being a Replat of Lot 1, Block 2, Airport Park at Central Pointe, Phase I, recorded in Cabinet D, Slide 222-A, Plat Records of Bell County, Texas and being all of the land described in a General Warranty Deed to Fikes Wholesale, Inc. as recorded in Document No. 2008-00048764 of the Real Property Records of Bell County, Texas.

P.M. MERCER SURVEY, ABSTRACT NO. 553
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

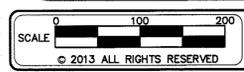
This plat is to accompany a metes and bounds description of the herein shown 19.505 acre tract.

**3 LOTS, 1 BLOCK
19.505 ACRES**

SHEET 1 OF 1



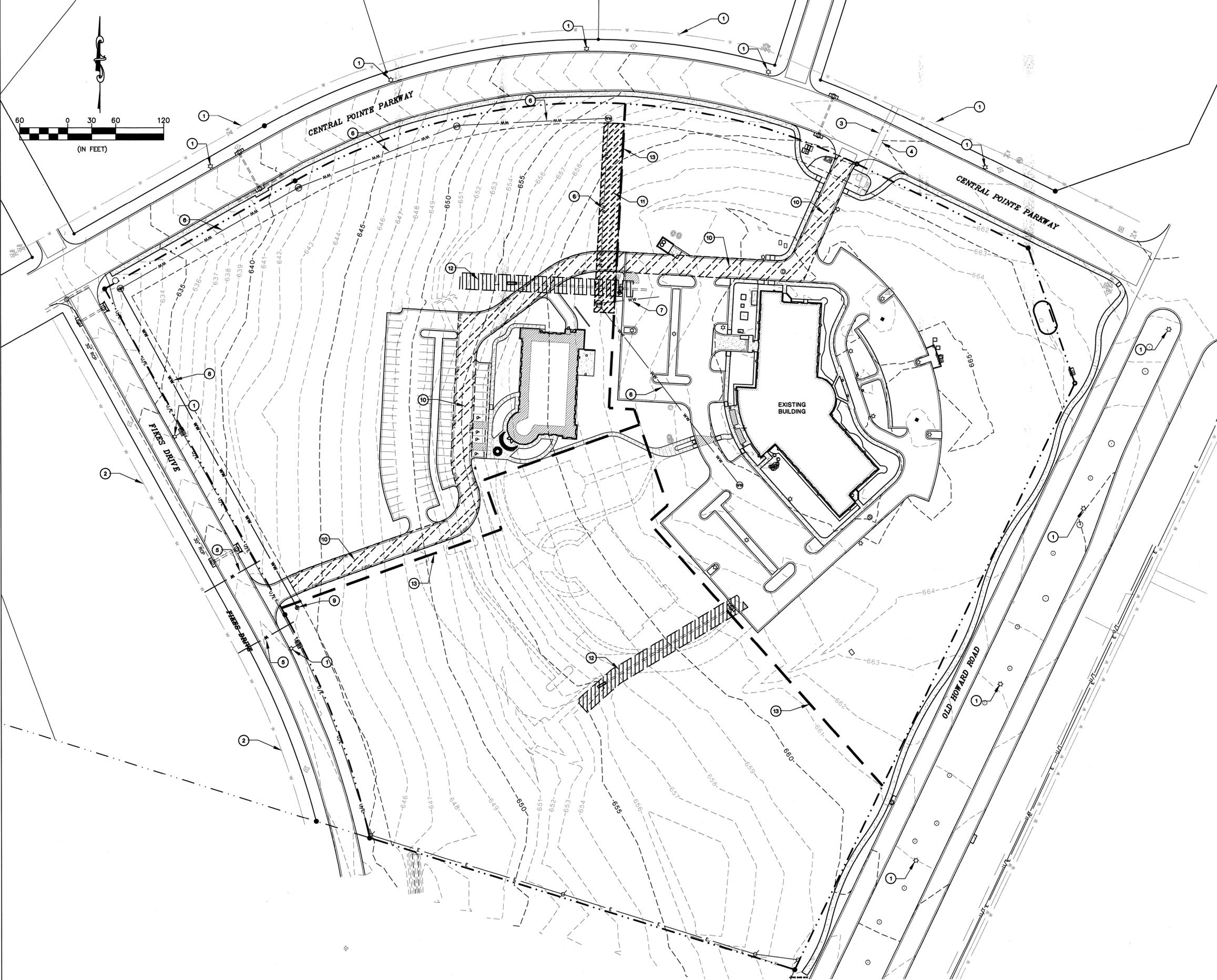
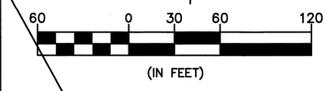
The Wallace Group, Inc.
One Chisholm Trail, Suite 130, Round Rock, Texas 78681 (512) 248-0065
Engineers ■ Architects ■ Planners ■ Surveyors
Waco ■ Killeen ■ Dallas ■ Round Rock



JOB NO.	FIELDBOOK/PAGE	SURVEY DATE	FILE NAME	DRAWN BY	DRAFT DATE	CHECKED BY	PLAT #
22848	184/31	11-14-2013	22848R-REPLAT	TAB/RKS	2-3-2014	DMF/LG	D-2079

REVISIONS		
NO.	DATE	REMARKS

REVISIONS		
NO.	DATE	REMARKS



UTILITY PLAN:

WATER:

- ① EXISTING 12" WATERLINE
- ② EXISTING 8" WATERLINE
- ③ EXISTING 6" FIRELINE
- ④ EXISTING 4" WATERLINE
- ⑤ PROPOSED WATER SERVICE
- ⑥ EXISTING 8" SEWERLINE
- ⑦ EXISTING 4" SEWERLINE
- ⑧ PROPOSED 8" SEWERLINE
- ⑨ PROPOSED SEWER MANHOLE
- ⑩ PROPOSED INGRESS EGRESS EASEMENT
- ⑪ PROPOSED PRIVATE SEWER EASEMENT
- ⑫ PROPOSED PRIVATE STORM DRAIN EASEMENT
- ⑬ PROPOSED LOT LINES

◆ EXISTING FIRE HYDRANT



ENGINEERS
ARCHITECTS
PLANNERS
SURVEYORS
WACO, TEXAS

FIKES COMPANIES
CORD BUILDING

TEMPLE, TEXAS

DATE
JUNE 10, 2013
JOB NUMBER
22848W
DRAWN BY
DVS
CHECKED BY
DLM
PLOT SCALE
1"

EX1
OF

TOPO/UTILITY MAP

1" = 60'

G:\Projects\22848W\DWG\EX\HIBIT\22848W-C40-TOPO-UTILITY.dwg, 1, 11/14/2013 9:51:47 AM, 1:1



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

03/03/14
Item #5
Regular Agenda
Page 1 of 2

APPLICANT / DEVELOPMENT: All County Surveying, Inc. for Highway 31 Properties, LLC

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: P-FY-14-11 Consider and take action on the Preliminary Plat of Legacy Ranch, a 103.07 +/- acres, 183-lot, 12-block, residential and nonresidential subdivision with a requested exception to Unified Development Code Section 8.2.1.D.4.b: Projection of Streets, regarding street openings every 1000 feet, located at the northwest corner of FM 1741 (South 31st Street) and West FM 93.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Legacy Ranch, subject to City Council's approval of the applicant's requested exception to Unified Development Code Section 8.2.1.D.4.b and City Council's approval of rezoning case Z-FY-14-18.

ITEM SUMMARY: The Development Review Committee reviewed the Preliminary Plat of Legacy Ranch on December 20, 2013 and February 5, 2014. It was deemed administratively complete on February 25, 2014.

The Preliminary Plat of Legacy Ranch is associated with case Z-FY-14-18, a rezoning from Agricultural District (AG) to Planned Development District–General Retail (PD-GR) to allow residential and nonresidential uses. Second reading at City Council for Z-FY-14-18 is on March 6, 2014.

City Council will be the final plat authority since the applicant requests an exception to Unified Development Code Section 8.2.1.D.4.b: Projection of Streets, regarding street openings every 1000 feet. Please see the applicant's attached letter of requested exception. The anticipated City Council meeting for this plat is April 3, 2014.

Water and sewer services will be provided to the subdivision through street rights-of-way and within easements shown on the plat.

Park fees will be required at \$225 per single-family dwelling. Therefore, with 177 single family lots, \$39,825 will be the amount owed for the single-family portion of this development. Park fees for Multi-family is also required at \$225 per dwelling. However, a 50% credit may be given for on-site recreational amenities such as a pool, fitness room, trail or combination. Tract A, shown on the plat, is for a proposed private park that will be owned and maintained by a Homeowners' Association.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Letter of Requested Exception
Final Plat



Comprehensive Engineering Solutions, Inc.

319 S. First Street Temple, TX 76504

(254) 742-2050 (800) 646-9789 FAX (254) 742-2055

February 21, 2014

Ms. Tammy Lyerly
Senior Planner
2 North Main
3210 E. Avenue H
Temple, Texas 76501

Re: Case #: P-FY-14-11
Legacy Ranch
Temple, Bell County, Texas

Dear Ms. Lyerly:

This letter requests an exception to the Uniform Development Code, section 8.2.1.D.4.b regarding street openings. This section of the code states that there must be openings at a minimum of every 1,000 feet or in alignment with existing or proposed subdivision streets along each boundary of the subdivision.

The code goes on to say that an exception may be granted to this requirement if a natural or manmade barrier, such as a railroad, prevents its implementation. The railroad made it difficult to lay out this tract of land. Even though the entire western border of this property is 2,000', the actual length of South Fork Drive along the western border of the tract is less than 500' while the length of Briscoe Ranch Circle along the western border is less than 300'. We are respectfully requesting an exception to section 8.2.1.D.4.b.

Also, Park's Comments requested a letter stating what on-site amenities will be provided for the apartments (see Item 2). At this time, it is anticipated that an on-site swimming pool will be provided.

If you should have any questions regarding the above items, please call at (254) 742-2050, ext. 101.

Thank you,


Kristine B. Andrews, P.E.

PRELIMINARY PLAT OF LEGACY RANCH

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being part of the REDDING ROBERTS SURVEY, ABSTRACT 642, Bell County, Texas, being all of a called 10.874 Acre tract (Tract I) and all of a called 42.141 Acre tract (Tract II), conveyed to HIGHWAY 31 PROPERTIES, L.L.C. A TEXAS LIMITED LIABILITY COMPANY, in Document No. 2013-00041474, Official Public Records of Real Property, Bell County, Texas.

This plat is to accompany a metes and bounds description of the herein shown 10.874 and 42.141 acre tracts.

STATE OF TEXAS

COUNTY OF BELL

HIGHWAY 31 PROPERTIES, L.L.C. A TEXAS LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS LEGACY RANCH, 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.

HIGHWAY 31 PROPERTIES, L.L.C. A TEXAS LIMITED LIABILITY COMPANY
36 WILLOW LEAF COURT
THE WOODLANDS, TEXAS 77381

BY:

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED 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 _____, 2014.

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 _____, 2014.

CHAIRPERSON

SECRETARY, PLANNING & ZONING

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF LEGACY RANCH, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE ON THE DAY OF _____, 2014. SAID SUBDIVISION SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESS MY HAND THIS _____ DAY OF _____, 2014.

CITY SECRETARY

STATE OF TEXAS

COUNTY OF BELL

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


CHARLES C. LUCKO, R.P.L.S. DATE SURVEYED: JULY 15, 2013
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.

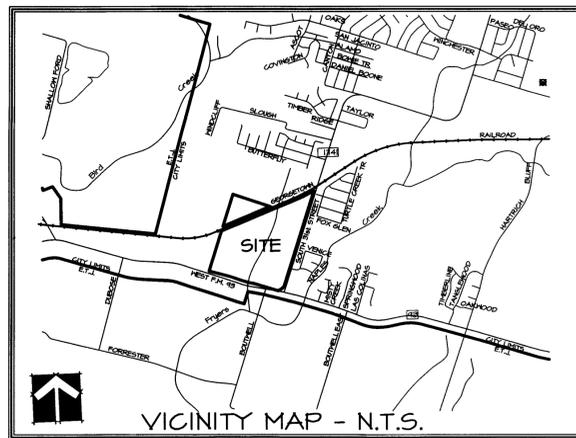
Dated this the _____ day of _____, 2014 A. D.

By: Bell County Tax Appraisal District

FILED FOR RECORD THIS _____ DAY OF _____, 2014.

IN YEAR _____ PLAT # _____ PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____ OFFICIAL RECORDS OF BELL COUNTY, TEXAS.



VICINITY MAP - N.T.S.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1883, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 1054. The theta angle at City Monument No. 1054 is 01°30'53". The combined correction factor (CCF) is 0.999871. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City Monument No. 1054 to the southwest corner of Block 6 is N 71°33'09" W 204.66 feet. Reference tie from City Monument No. 1054 to the northwest corner of Block 12 is N 26°34'55" W 305.49 feet. Published City coordinates for project reference point 1054 are N = 10,959,932.74 E = 3,217,452.45

Based upon what can be scaled from the graphics shown on FEMA Flood Insurance Rate Map (FIRM), Map No. 48027C0345E, effective date September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

EASEMENTS & BUILDING LINES (unless otherwise noted)

25' FRONT BUILDING LINE
15' FRONT BUILDING LINE IN CUL-DE-SACS
15' SIDE STREET BUILDING
5' SIDE BUILDING LINE
10' REAR BUILDING LINE

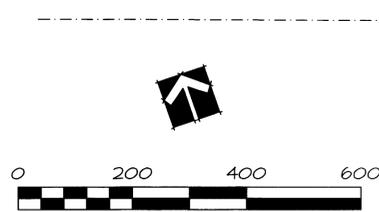
10' UTILITY EASEMENT ALONG ALL ROADS AND ALONG THE FRONT AND REAR OF ALL LOTS.

NOTES:

- THERE WILL BE A 6' SIDEWALK REQUIRED ALONG SOUTH 31st STREET.
- THERE WILL BE A 6' SIDEWALK REQUIRED ALONG F.M. 43.
- THERE WILL BE A 4' SIDEWALK REQUIRED ALONG ONE SIDE OF EACH COLLECTOR STREET.

10.669 ACRES
JEANNE A. RAFFAPORT and
LEONARD APT
Volume 1524, Page 151

LOTS - 183
(177 RESIDENTIAL)
BLOCKS - 12
TRACTS - 1 (1.171 ACRES)
AREA - 103.07 ACRES
13.36 ACRES IN ROADWAYS



56.444 ACRES
FIRST TRACT
JEANNE A. RAFFAPORT and
LEONARD APT
Volume 1524, Page 218

LINE	BEARING	DISTANCE
L1	S 39°51'42" W	39.46'
L2	S 51°50'35" W	95.49'
L3	S 64°48'06" W	69.74'
L4	N 73°11'23" W	247.40'
L5	N 78°01'53" W	166.96'
L6	N 75°01'20" W	181.89'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	DELTA ANGLE
C1	26.00'	23.76'	22.44'	52°21'18"
C11	50.00'	121.81'	48.62'	138°51'50"
C12	50.00'	118.50'	40.65'	130°03'50"
C13	50.00'	71.48'	21.37'	41°04'40"
C14	30.50'	64.31'	55.33'	130°12'36"
C15	30.50'	26.57'	25.78'	44°54'15"
C16	30.50'	47.85'	43.04'	84°53'04"
C17	30.50'	47.41'	43.13'	40°00'00"
C18	60.00'	101.21'	84.63'	46°39'10"

60.430 ACRES
SECOND TRACT
JEANNE A. RAFFAPORT and
LEONARD APT
Volume 1524, Page 218

NOTE:
All perimeter corners, block corners and points of curvature shall be monumented by 5/8" iron rod with cap stamped "ACS" after preliminary layout is approved by the City of Temple, and will be monumented as a part of the "Final Plat" submissions. All interior lot corners will be marked with same at time of completion of final construction roadways and utilities.



PRELIMINARY PLAT OF
LEGACY RANCH
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

ACS ALL COUNTY SURVEYING, INC.
1303 South 21st Street, Temple, Texas 76504
(254) 778-2272 FAX (254) 774-7608
TX Firm Lic No. 100236600

Plot date: 02-21-2014
Job No: 130500.3
Date: 07-15-2013
Scale: 1" = 150'
Drawing No: 130500.3P
Drawn By: SLW
Checked By: CCL

Copyright 2014 All County Surveying, Inc.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

03/03/14
Item #6
Regular Agenda
Page 1 of 3

APPLICANT / DEVELOPMENT: Martha Hugley-Priori

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: PUBLIC HEARING – Z-FY-14-20 – Hold a public hearing to consider and recommend action on a rezoning from Agricultural District (AG) to Commercial District (C) on 5.01 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County Texas, located on the north side of East Adams Avenue, addressed as 2312 East Adams Avenue.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a zone change from AG to C:

1. The proposed zoning partially complies with the FLUP which identifies this area as Auto-Urban Commercial & Suburban Residential;
2. The request complies with the Thoroughfare Plan;
3. The proposed zoning is compatible with the surrounding uses; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: The subject property, see Exhibit A, is within both, the Auto-Urban Commercial & Suburban Residential Districts according to the Comprehensive Plan / FLUP. While the Auto-Urban Commercial District is for the majority of areas identified for commercial use and would support a Commercial (C) zoning designation, the Suburban Residential district is for mid-sized single-family lots and does not comply.

While, the portion of the property that is within the Suburban Residential District is not in compliance with the request, it does not lend itself to future residential development either. The northern portion of the property contains FEMA designated floodplain which limits residential development. Additionally, if the residentially-designated portion of the property were to be zoned and developed for residential uses, access would be problematic. Future access would need to go through the commercial development fronting on East Adams Ave, taken across the FEMA floodway toward the north or toward the east through existing un-platted residentially developed property.

Therefore, while the current zoning request is not completely in compliance with the FLUP, due to the presence of the floodplain and access issues, the property lends itself to commercial zoning. If the request is approved, the FLUP will need to be updated.

Although it is anticipated the property will be developed with non-residential, there are a number of uses that are permitted by right. Those uses include but are not limited to:

Residential uses

Single Family (Attached & Detached)

Nonresidential uses

Mini Storage

Industrialized Housing
 Home for the aged
 Duplex

Retail & Service Uses
 Truck Stop
 Fuel sales

Prohibited uses include HUD-Code manufactured homes and land lease communities, triplex and apartments. A number of uses are allowed by an approved conditional use permit (temporary asphalt concrete batching plants, outdoor auto parts sales).

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Commercial & Suburban Residential	AG	Undeveloped
North	Suburban Residential	AG	Undeveloped
South	Commercial & Suburban Residential	C, AG, GR	Commercial Uses
East	Commercial & Suburban Residential Suburban Commercial	AG, C	Rehab Center & Commercial Uses
West	Commercial & Suburban Residential	AG	Cabinet Shop

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning 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 (FLUP)	Partially
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
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The property is within both the Auto-Urban Commercial and the Suburban Residential districts. The requested commercial zoning designation only complies with the Auto-Urban Commercial district. The Suburban Residential district is for zoning that provides mid-sized residential lots. Due to issues related to a designated FEMA floodway result in residential zoning on this property being problematic. The property as a whole would be better suited for Commercial zoning.

Thoroughfare Plan (CP Map 5.2)

The portion of the property under consideration has frontage along East Adams Ave. East Adams Ave has been identified as a major arterial. Any needed right-of-way dedication and design will be determined with the plat, since the property is currently unplatted. A 6' sidewalk will be required and will be noted on the final plat.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property by a 24" line that is within and cuts across the northern portion of the property. Water is available through a 6" waterline in East Adams Ave.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, a City-wide spine trail is identified in East Adams Ave. Final location and design will be addressed with the final plat.

DEVELOPMENT REGULATIONS: Standard non-residential setbacks in the C district are:

Min Lot Size	N/A
Min Lot Width	N/A
Min Lot Depth	N/A
Front	30' from centerline (Special Setback per UDC Section 4.4.4.F.1D)
Side	0'
Side (corner)	10'
Rear	0'

Per UDC Section 8.2.3, sidewalks are required on arterial streets. The sidewalk will be installed at the time of development, and will be noted on the plat.

PUBLIC NOTICE: Twelve notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday February 27, 2014 at 12:00 PM, no notices have been received.

The newspaper printed notice of the public hearing on February 20, 2014, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Site and Surrounding Property Photos
- Zoning and Location Map (Exhibit A)
- FEMA Flood Map
- Future Land Use and Character Map
- Localized area of the Thoroughfare Plan
- Localized area of the Trails Plan
- Utility Map
- Notification Map

Site & Surrounding Property Photos



Site: Undeveloped - Looking North (AG)



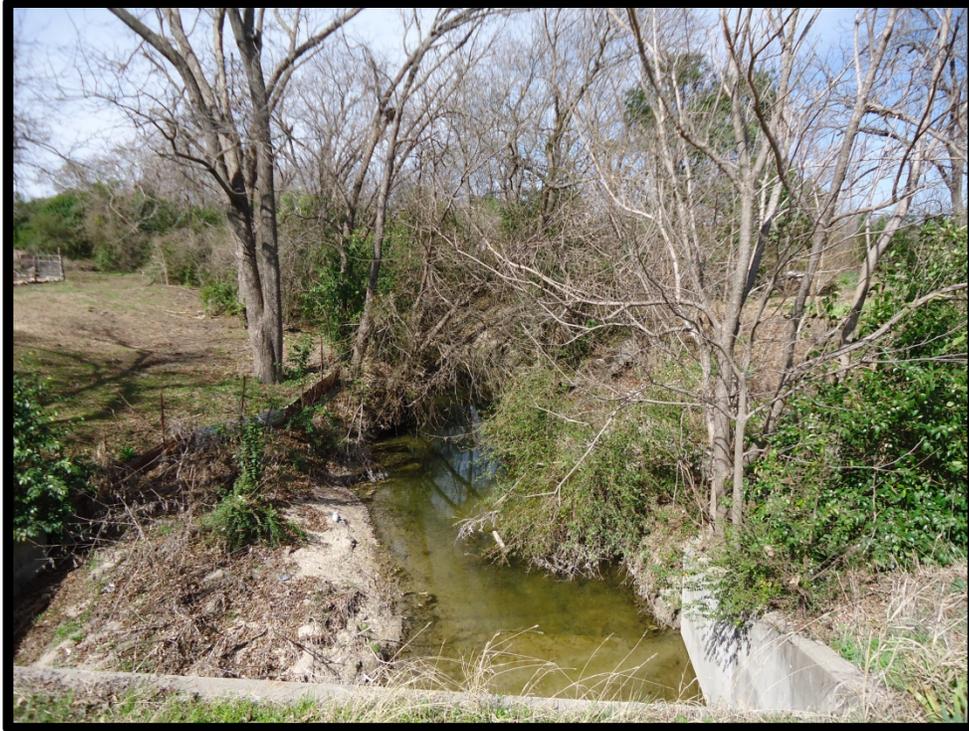
East: Scattered Developed Non-Residential Uses (C)



West: Scattered Developed Commercial Uses (C)



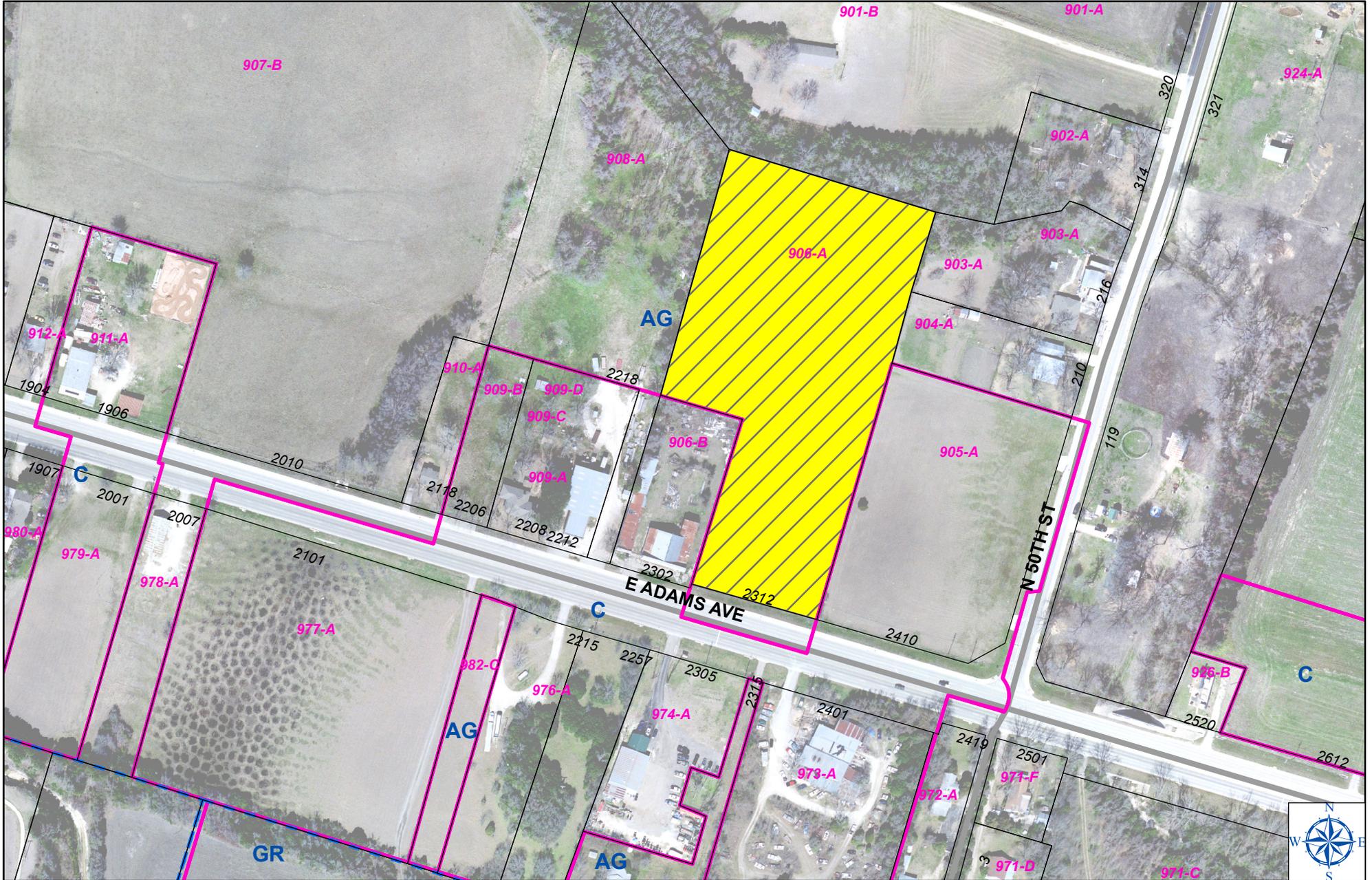
North: Undeveloped & FEMA Floodplain (AG)



**North: FEMA Floodplain (AG)
(As viewed looking west from North 50th Street)**



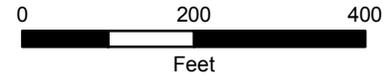
South: Scattered Developed Commercial Uses (C)



 Case
  Zoning
 Subdivision

Outblock Number
 1234-A
 Address
 1234

Block Number
 ①
 Lot Number
 1

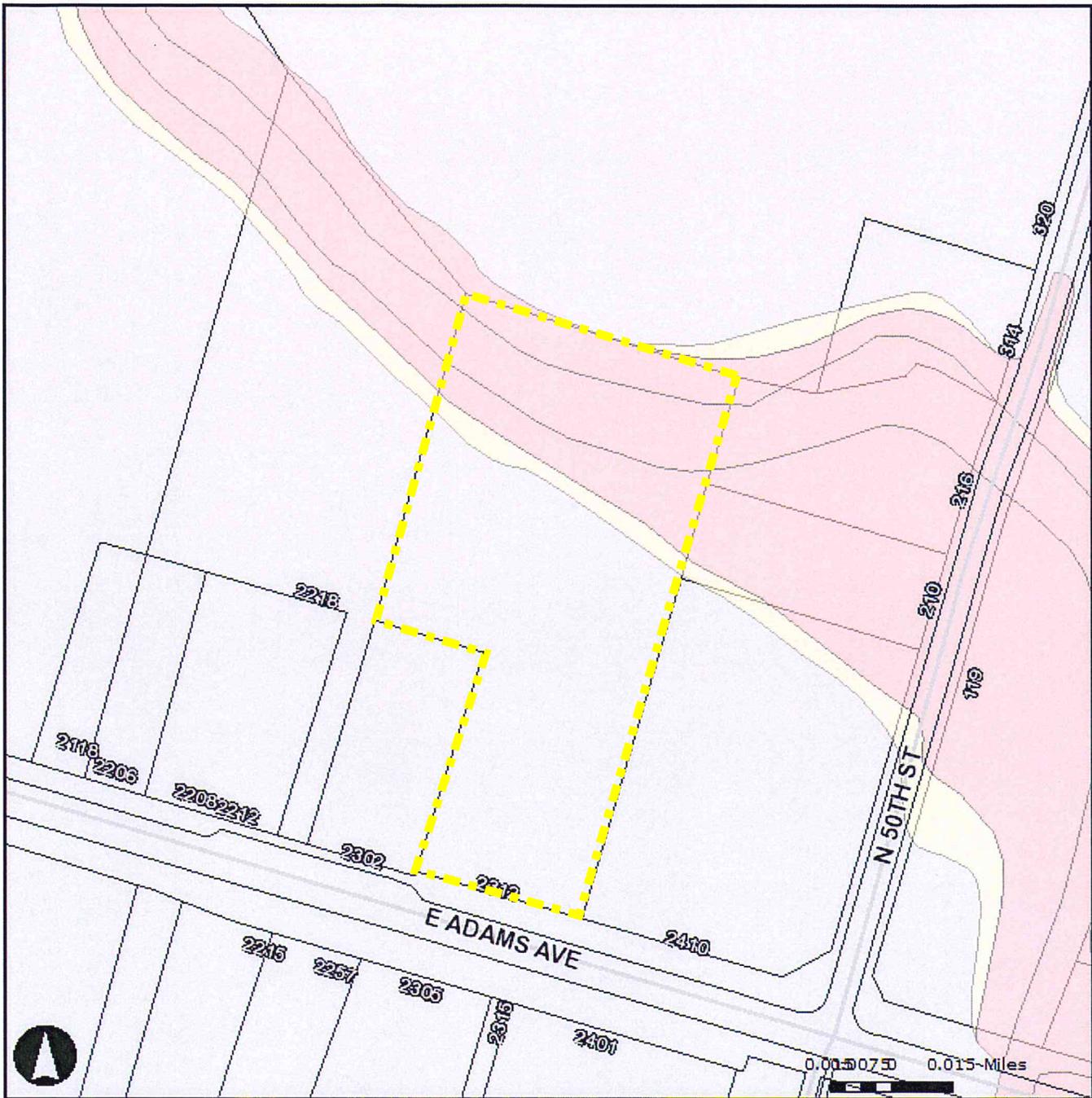


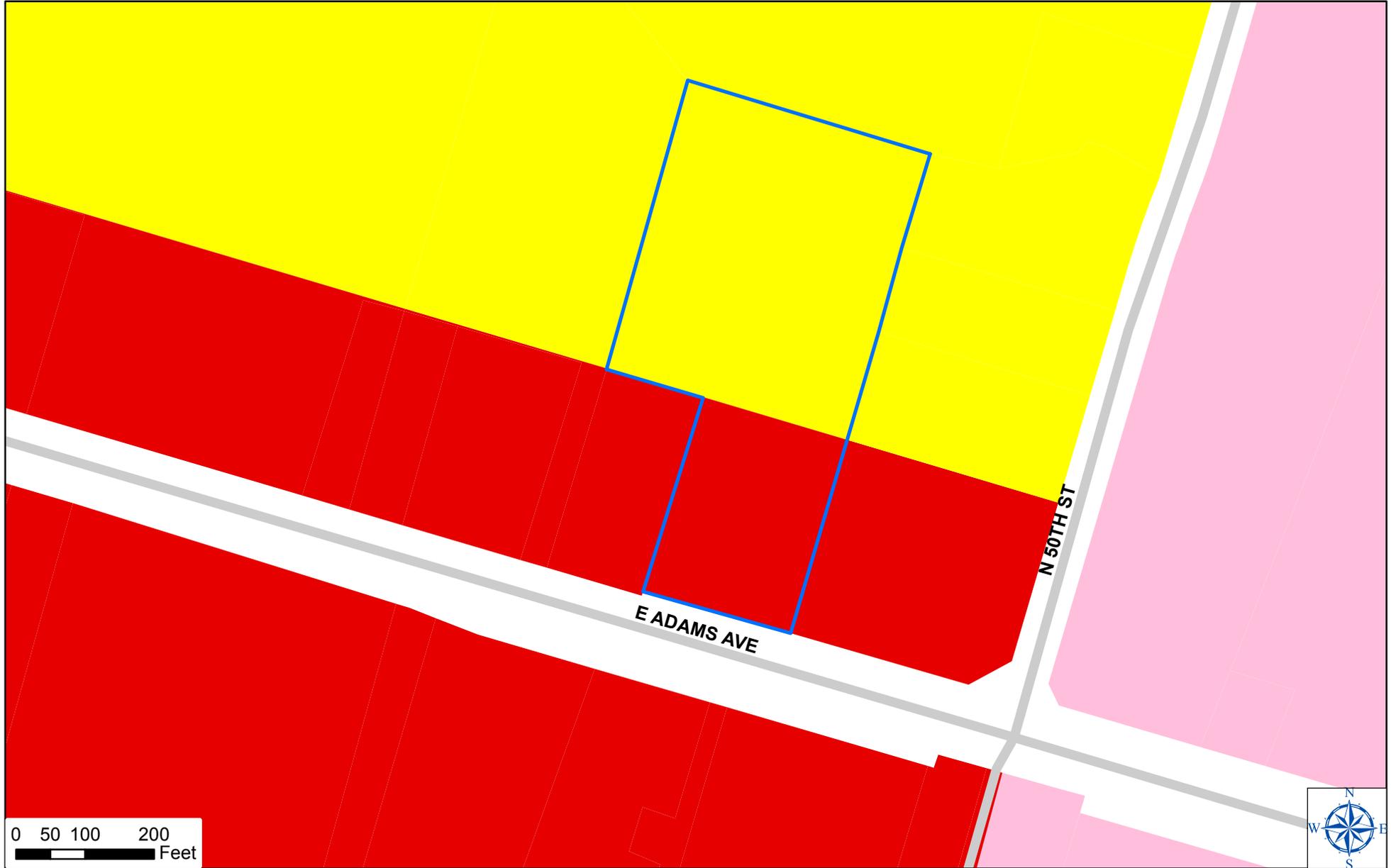
2/27/2014
 City of Temple GIS
 mbaker

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



FEMA FLOOD MAP



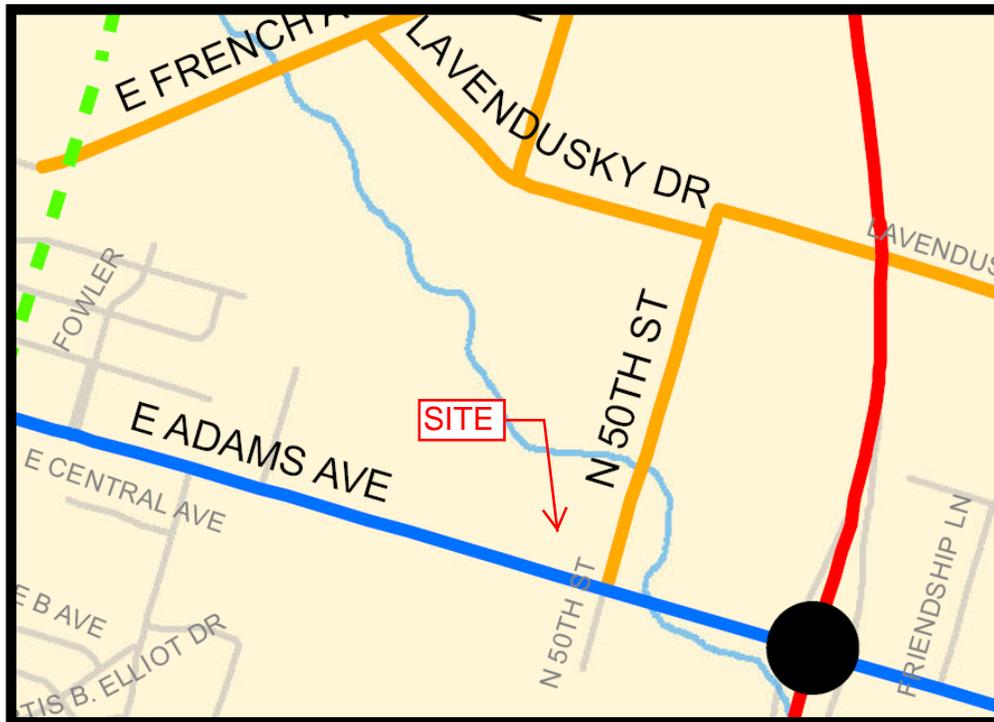


Future Land Use

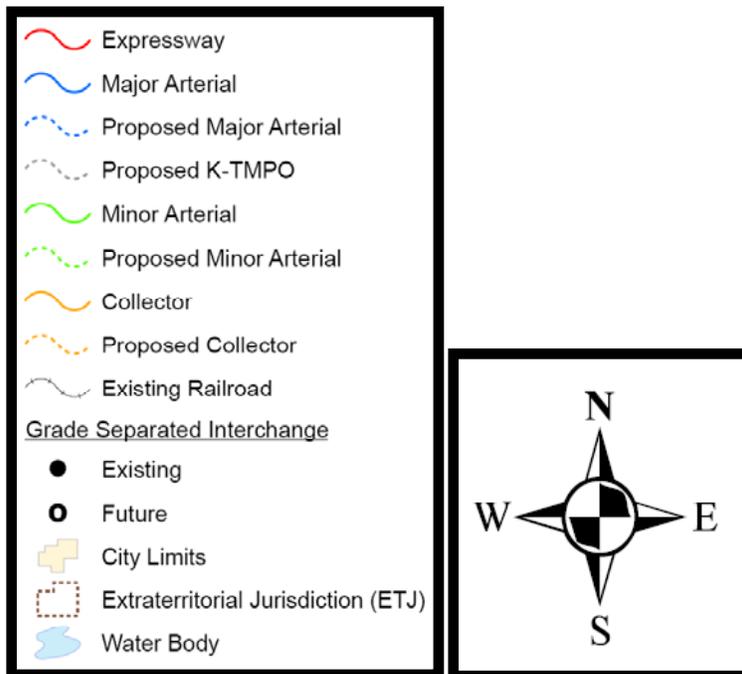
- | | | | | |
|---------------------------|-------------------------|-----------------------|-----------------------------------|----------------------|
| Neighborhood Conservation | Auto-Urban Residential | Auto-Urban Commercial | Temple Medical Education District | Public Institutional |
| Estate Residential | 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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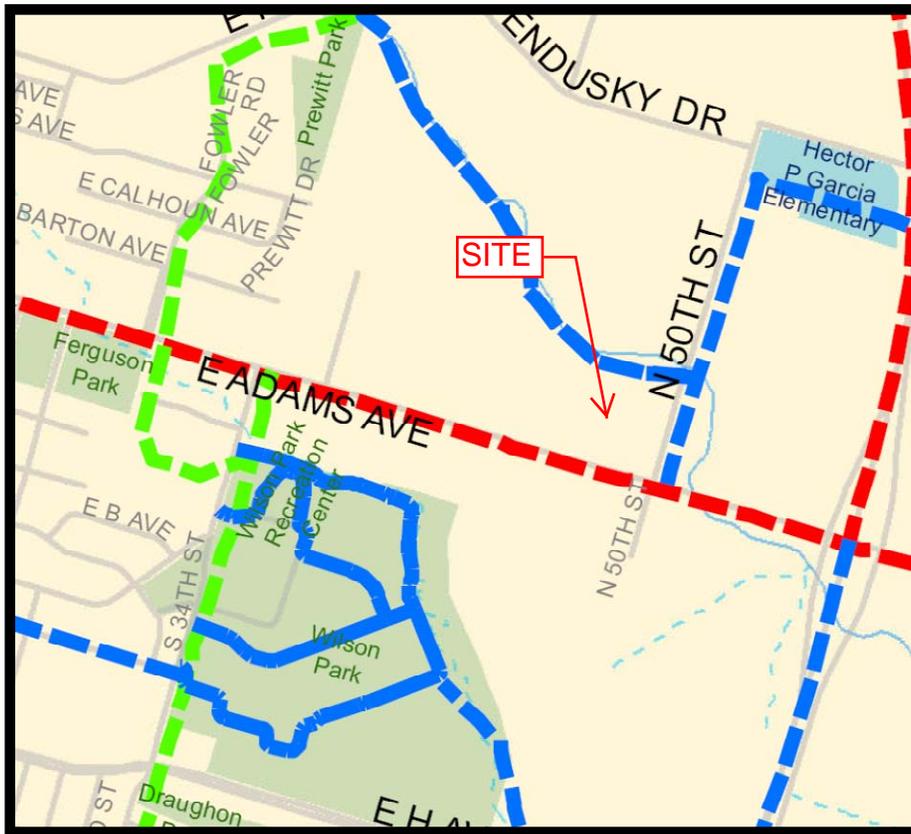
Localized Area of the Thoroughfare Plan



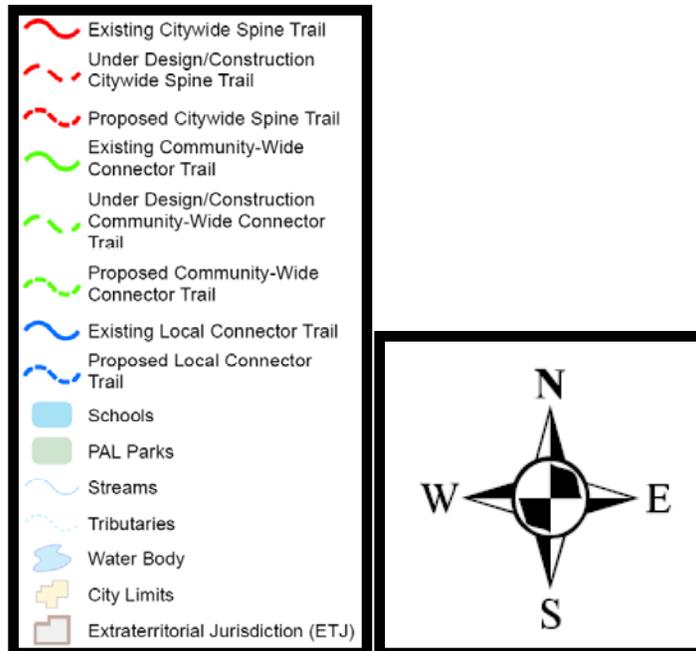
Map Legend (Map not to scale)

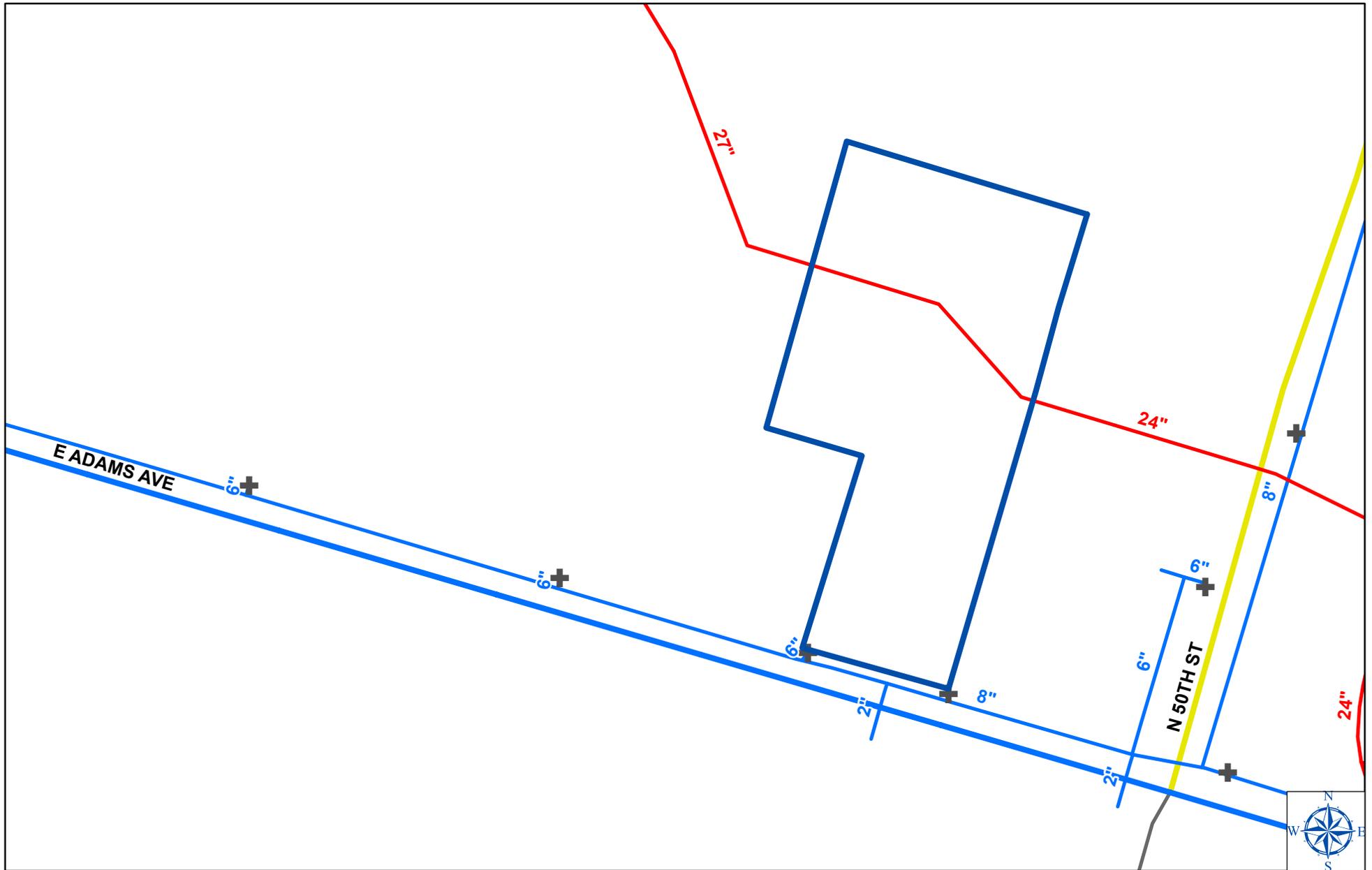


Localized Area of the Trails Plan

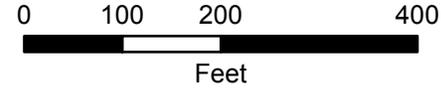


Map Legend (Map not to scale)



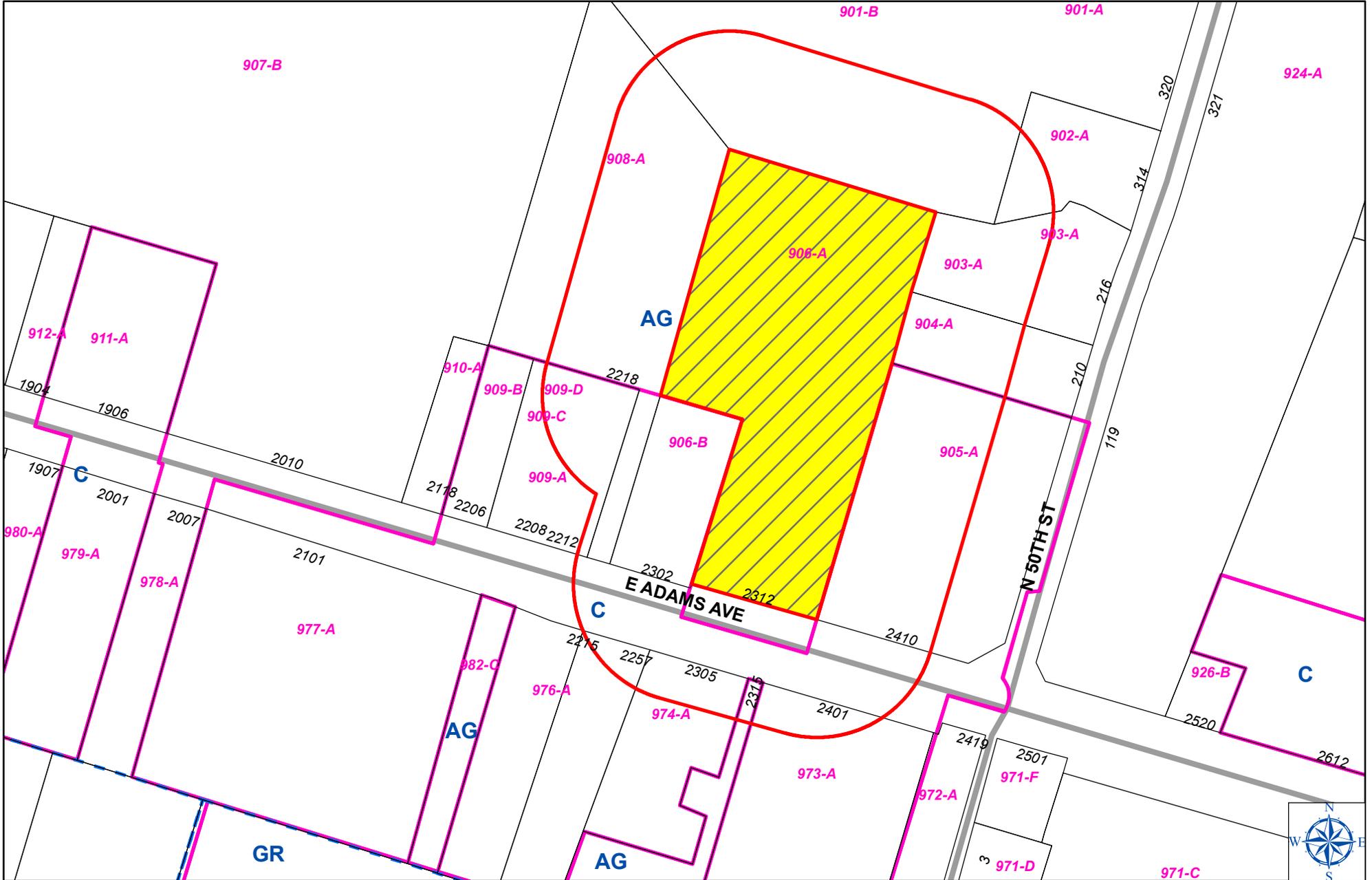


- | | | | |
|--------------|----------------|-------------------------|-------------------------|
| Case | Water Line | Proposed Major Arterial | Proposed Minor Arterial |
| Fire Hydrant | Expressway | Proposed K-TUTS | Collector |
| Sewer Line | Major Arterial | Minor Arterial | Conceptual Collector |



2/24/2014
City of Temple GIS

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Case



Zoning

1234-A

Outblock Number



200' Buffer



Subdivision

1234

Address

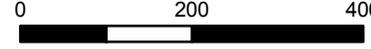


Block Number

0



Lot Number



Feet

2/10/2014
City of Temple GIS
mbaker

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying 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 ITEM MEMORANDUM

03/03/14
Item # 7
Regular Agenda
Page 1 of 5

APPLICANT/ DEVELOPMENT: John Martin for Jack P. Hilliard Jr.

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: Z-FY-14-21 Hold a public hearing to consider and recommend action on a rezoning from Agricultural District (AG) to Two-Family District (2-F) on 17.95 +/- acres, and from Agricultural District (AG) to Office-Two District (O-2) on +/- 3.64 acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates.

STAFF RECOMMENDATION: Staff recommends denial of the requested zone change to 2-F District for the following reasons:

1. The request does not comply with the Future Land Use and Character Map;
2. Although the request complies with the Thoroughfare Plan, Old Waco Road is not built to major arterial capacity; and
3. Public facilities are available to the subject property.

Staff recommends approval of the requested zone change to O-2 District for the following reasons:

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

ITEM SUMMARY: The applicant requests a rezoning from Agricultural District (AG) to Two Family District (2-F) to allow duplexes on 17.95 acres. The applicant also requests a rezoning from Agricultural District (AG) to Office-Two District (O-2) on 3.64 acres of land at the property frontage along Old Waco Road.

This is the applicant's third rezoning request for this property. At its meeting on September 19, 2013, City Council did not vote to approve the applicant's first request (Z-FY-13-30) for a rezoning from Agricultural District (AG) to General Retail District (GR) due to lack of a second motion.

The applicant's most recent case, Z-FY-14-07, was a rezoning request from Agricultural District (AG) to Two-Family District (2-F) for a portion of the property. At its meeting on December 3, 2013, the

Planning and Zoning Commission did not vote to recommend approval of Z-FY-14-21 due to lack of a second motion. The applicant withdrew case Z-FY-14-07 prior to City Council action at first reading.

According to the City of Temple Comprehensive Plan, **the property's Suburban Residential land use classification on the west half of the applicant's property is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. The applicant's requested 2F District does not comply with the property's Suburban Residential land use classification.**

The 2F zoning district permits single-family to duplex housing, with approximately seven units per acre possible, and is designed to accommodate single-family and duplex dwellings as an intermediate classification allowing an orderly transition from single family neighborhoods to higher densities of residential use.

A rezoning from the AG to the 2F zoning district would allow several uses by right that would not have been allowed before. Those uses include, but are not limited to, the following:

Residential uses

Single Family Detached
Single-Family Attached
Duplex
Triplex

Nonresidential uses

Place of worship
Child care
Community center

Prohibited uses include townhouse, HUD-Code manufactured home land lease community or subdivision, Patio home, apartment, recreational vehicle park, and retail and commercial uses, among others.

DEVELOPMENT REGULATIONS: Dimensional standards for development in the 2-F District are as follows:

- Minimum lot size – 4,000 Sq. Ft.
- Minimum Lot Width – 60 feet
- Minimum Lot Depth – 100 feet
- Front Yard Setback – 25 feet
- Side Yard Setback – 5 feet
- Side Yard Setback (corner) – 15 feet
- Rear Yard Setback – 10 feet

The property's Suburban Commercial land use classification on the east half of the applicant's property is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it limits the floor area ratio and requires a higher landscape surface ratio than in the Auto Urban Commercial district. To maintain the suburban character and achieve higher quality development, design standards should be integrated into the zoning ordinance. **The applicant's requested O-2 District complies with the Suburban Commercial land use classification.**

The O-2 zoning district permits a variety of low, mid and high rise office development. Apartments are allowed. Buildings in the O-2 District may be built to any legal height. Office buildings over 40 feet in height must provide additional yard space.

The O-2 zoning district is intended to allow for office uses in an area that is primarily business or high density residential. This district provides for professional, financial, medical and other office services and may include corporate offices and major employment centers. Uses in this district generally have low traffic generation characteristics and do not require high visibility to conduct business.

A rezoning from the AG to the O-2 zoning district would allow many uses that would not have been allowed before. Those uses include, but are not limited to, the following:

Residential uses

- Single Family Attached
- Single Family Detached
- Townhouse
- Duplex
- Triplex

Nonresidential uses

- Office
- Home for the aged
- Restaurant
- Hotel or motel
- Beauty or barber shop

Prohibited uses include building material sales, contractor storage or equipment yard, mini-storage warehouse, welding or machine shop, and alcohol beverage sales for off-premise consumption in beer and wine store or package store, among others.

DEVELOPMENT REGULATIONS: Non-Residential Dimensional standards for development in the O-2 District are as follows:

- Minimum lot size – N/A
- Minimum Lot Width – N/A
- Minimum Lot Depth – N/A
- Front Yard Setback – 25 feet
(Requires a setback increase of 1 foot for each 3 feet of additional building height over 35 feet)
- Side Yard Setback – 5 feet
(Requires a setback increase of 1 foot for each 3 feet of additional building height over 40 feet)
- Side Yard Setback (corner) – 10 feet
- Rear Yard Setback – 10 feet (adjacent to residential district or uses)

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Residential & Suburban Commercial	AG	Undeveloped Land
North	Suburban Residential & Suburban Commercial	-3 & O-2	Undeveloped Land
South	Suburban Residential & Suburban Commercial	AG	Agricultural/Rural Residential

East
 West

Suburban Commercial
 Suburban Residential

AG
 SF-3 & AG

Agricultural/Rural Residential
 Agricultural/Rural Residential

COMPREHENSIVE PLAN COMPLIANCE:

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

Document	Policy, Goal, Objective or Map	Site Conditions	Compliance
CP	Map 3.1 - Future Land Use and Character (FLUP)	<p>The east half of the subject property is identified as Suburban Commercial. The applicant's requested O-2 District complies with this recommendation.</p> <p>The west half of the property is identified as Suburban Residential. The applicant's requested 2F District is too dense and does not comply with this recommendation.</p>	Partial
CP	Map 5.2 - Thoroughfare Plan	<p>Old Waco Road, along the east boundary of the subject property, is identified as a proposed major arterial. This is appropriate for the O-2 zoning district.</p> <p>The Transportation Capital Improvement Program includes a section of the Outer Loop along Old Waco Road from West Adams Avenue to Jupiter, which is north of this property.</p> <p>The southwest corner of the applicant's property fronts South Pea Ridge Road, which is classified as a collector. Collectors are appropriate for connecting to local streets within residential subdivisions.</p>	Partially-Old Waco Road is not built to Major Arterial capacity.
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	<p>An 18-inch water line runs along the west side of the property. A 14-inch water line runs along the north property line. A 24-inch water line runs along the west right-of-way of Old Waco Road.</p> <p>An 8-inch and 12-inch sewer line exists along the east right-of-way of Old Waco Road.</p>	Yes
STP	Temple Trails Master Plan Map & sidewalks	<p>The Temple Trails Master Plan reflects a proposed 10' Citywide Spine Trail along the east right-of-way of Old Waco Road. Per UDC section 8.2.3, sidewalks are required on both sides of arterials and one side of collector streets. Sidewalks are required to be installed at the time of</p>	No, but this will be addressed during the platting process.

		<p>development. The combined sidewalk and trail will be constructed as part of the overall Old Waco Road improvement project.</p> <p>A 4-foot wide sidewalk is required along collectors, such as South Pea Ridge Road.</p>	
--	--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

PUBLIC NOTICE:

Eight notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of February 27, 2014, no notices were returned in favor of the request and one notice was returned in opposition. (In case Z-FY-14-07, one notice was returned in favor of the request and three notices were returned in opposition.)

The newspaper printed notice of the Planning and Zoning Commission public hearing on February 20, 2014, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Surrounding Property Pictures
- Zoning and Location Map
- Future Land Use and Character Map
- Thoroughfare/ Trails Map
- Utility Map
- Notification Map
- Response Letter

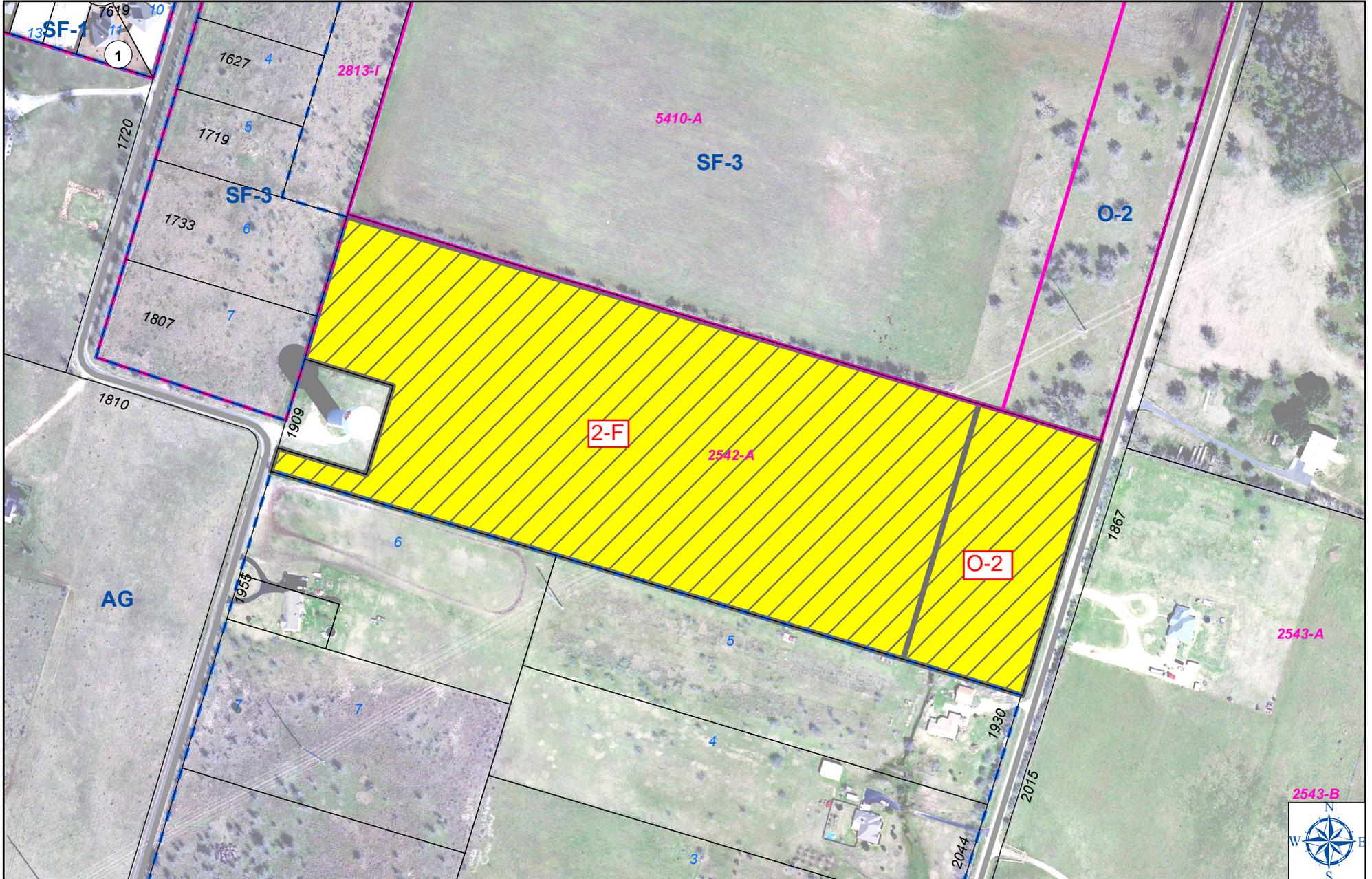
SURROUNDING PROPERTY AND USES:

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Undeveloped Land	 <p data-bbox="1214 793 1464 829">S Pea Ridge Rd.</p>
			 <p data-bbox="1234 1371 1448 1407">Old Waco Rd.</p>
East	AG	Agricultural Land/ Rural Residential	 <p data-bbox="1234 1875 1448 1911">Old Waco Rd.</p>

Direction	Zoning	Current Land Use	Photo
West	AG and SF-3	Agricultural Land/ Rural Residential	
South	AG	Agricultural Land/ Rural Residential	 <p data-bbox="1256 1234 1463 1268">Old Waco Rd.</p>
			 <p data-bbox="1187 1730 1430 1764">S Pea Ridge Rd.</p>

Direction	Zoning	Current Land Use	Photo
North	SF3 and O-2	Undeveloped Land	 A photograph showing a landscape of undeveloped land. In the foreground, there is a field of green and brown grass. In the middle ground, a tall utility pole with several cross-arms stands prominently. To the left, a white water tower is visible. The background consists of a line of trees under a clear blue sky with a few small clouds.



Case



Zoning



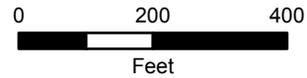
Subdivision

Outblock Number

Address

Block Number

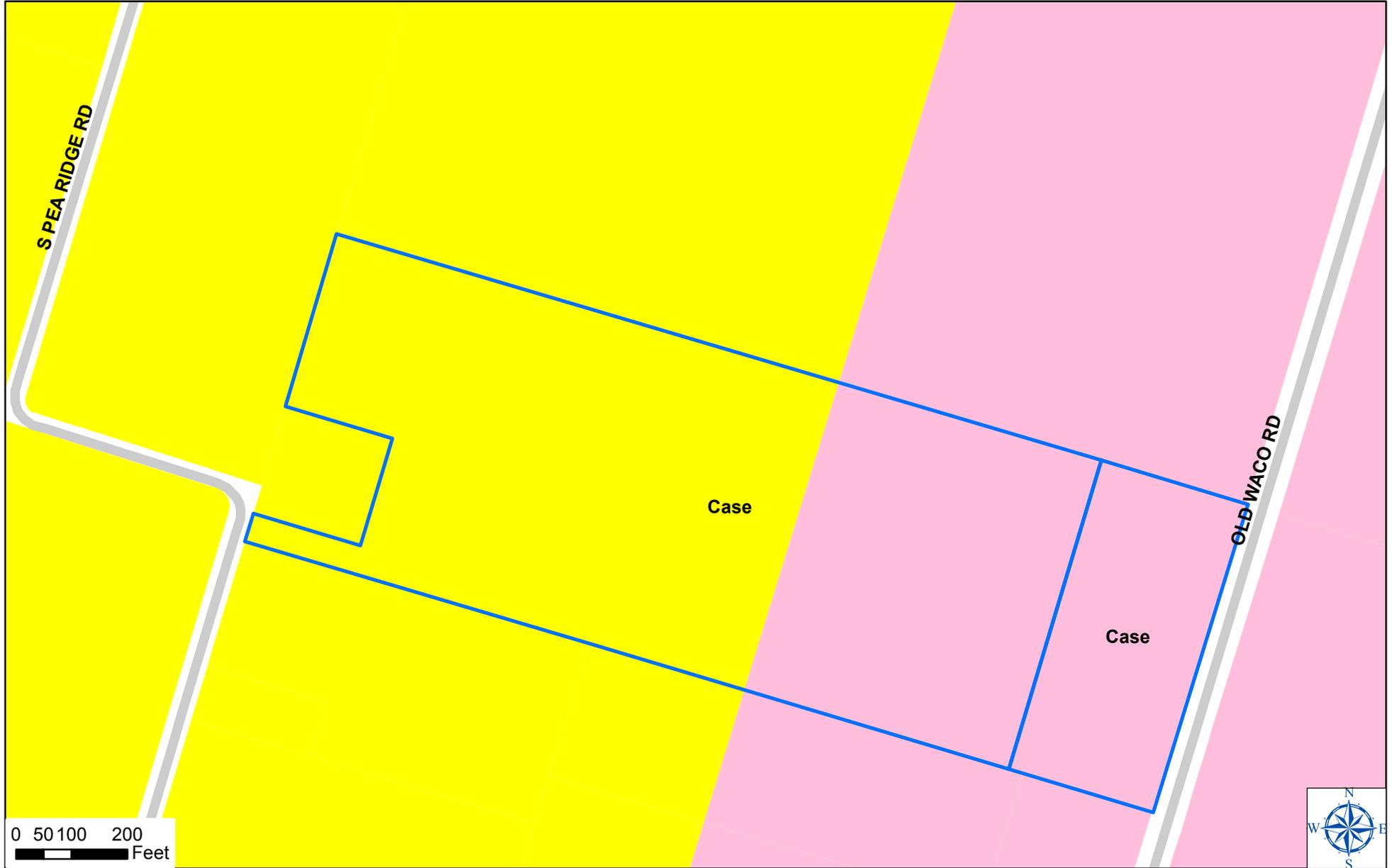
Lot Number



2/25/2014
 City of Temple GIS
 tlyerly

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

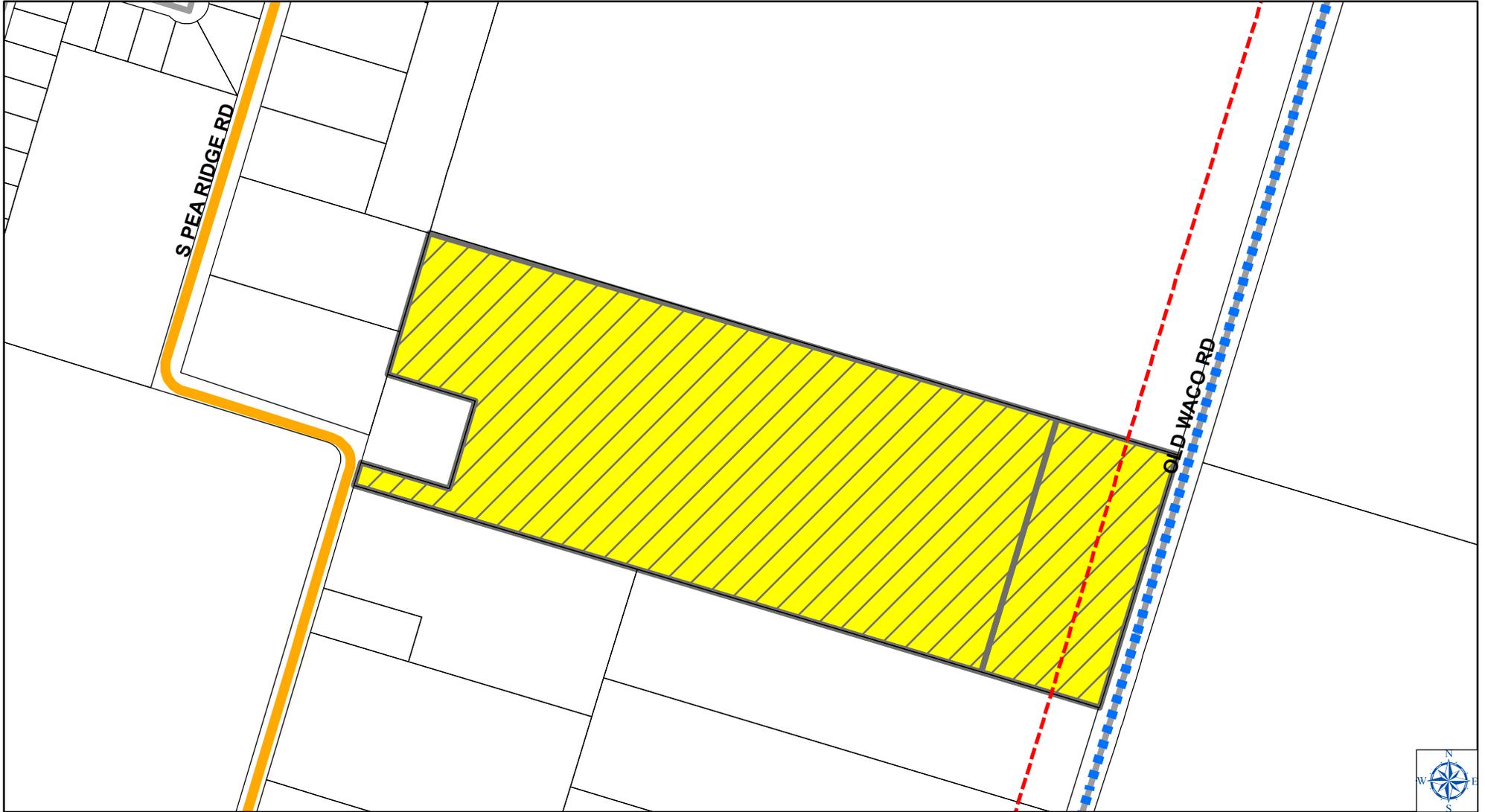




Future Land Use

- | | | | | |
|---------------------------|-------------------------|-----------------------|-----------------------------------|----------------------|
| 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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Trails

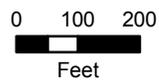
- Existing Citywide Spine Trail
- Under Design/Construction Citywide Spine Trail
- Proposed Citywide Spine Trail
- Existing Community-Wide Connector Trail

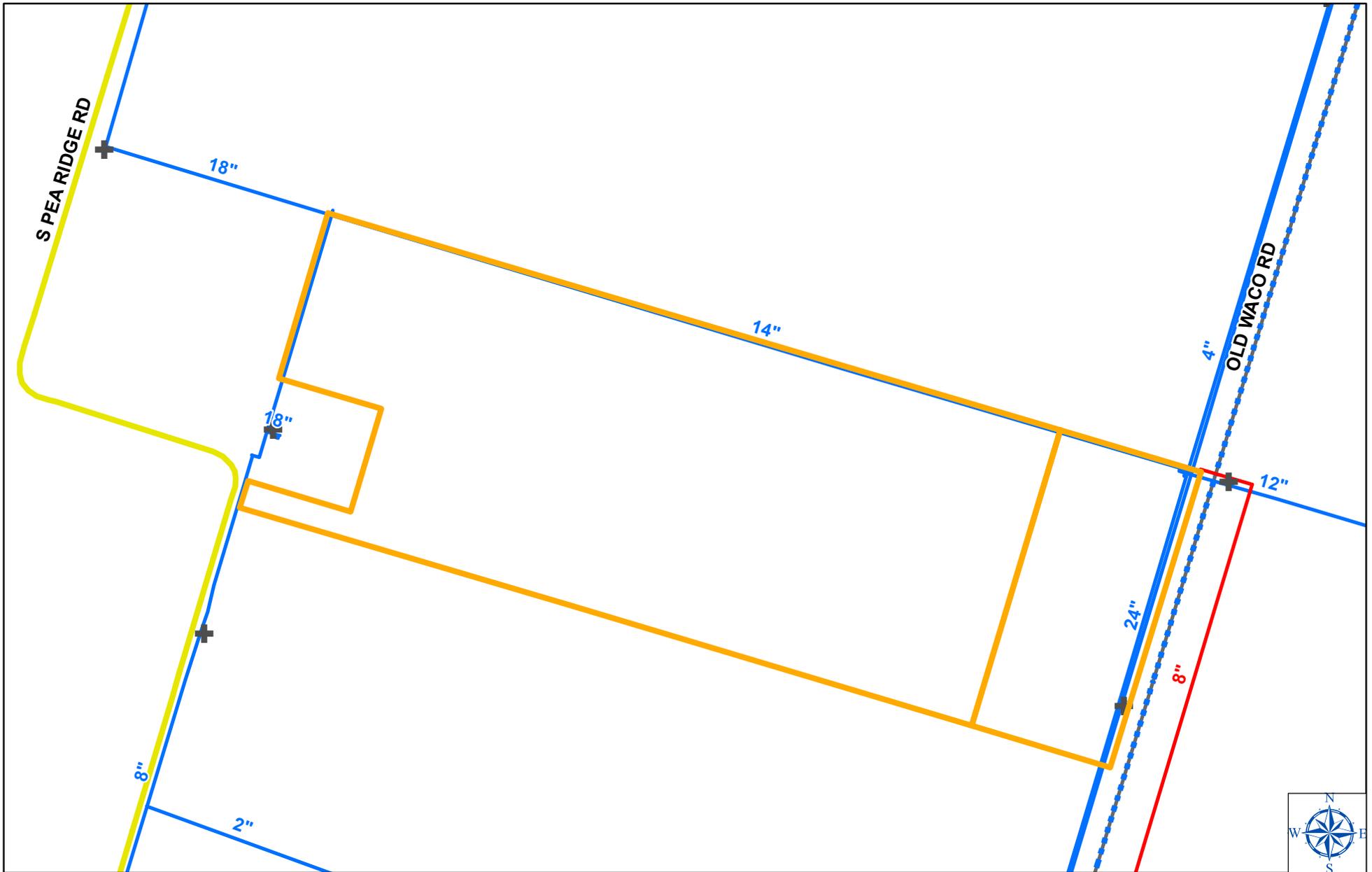
- Under Design/Construction Community-Wide Connector Trail
- Proposed Community-Wide Connector Trail
- Existing Local Connector Trail
- Proposed Local Connector Trail

Thoroughfare

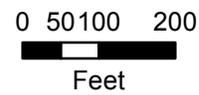
- Expressway
- Major Arterial
- Proposed Major Arterial

- Proposed K-TUTS
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Conceptual Collector



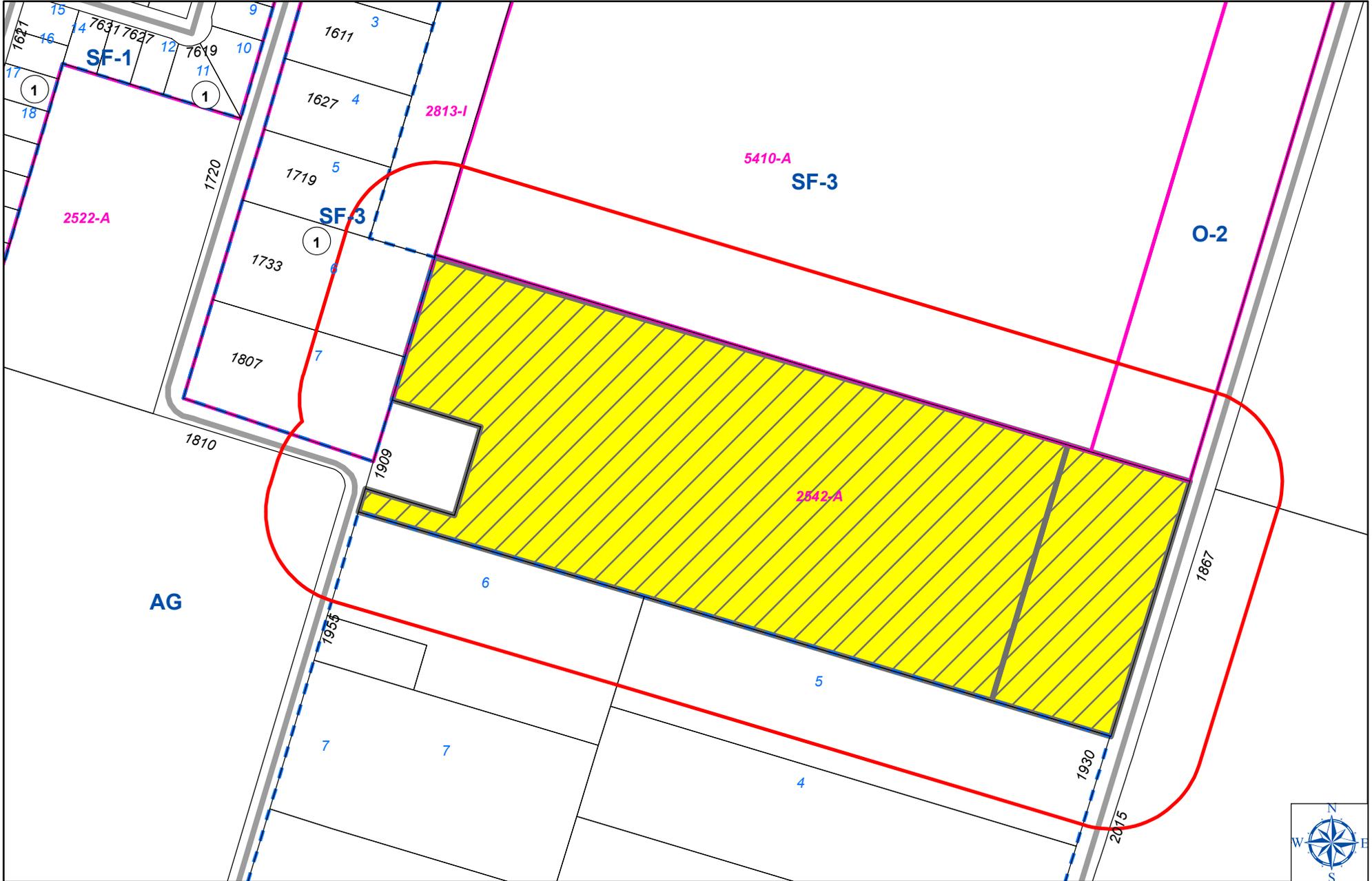


- | | | | |
|--------------|----------------|-------------------------|-------------------------|
| Case | Water Line | Proposed Major Arterial | Proposed Minor Arterial |
| Fire Hydrant | Expressway | Proposed K-TUTS | Collector |
| Sewer Line | Major Arterial | Minor Arterial | Conceptual Collector |



2/25/2014
City of Temple GIS

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Case



Zoning

1234-A

Outblock Number



Block Number



200' Buffer



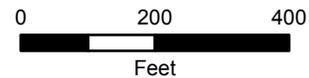
Subdivision

1234

Address



Lot Number



2/11/2014
City of Temple GIS
tlyerly

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



**RESPONSE TO PROPOSED
ZONE CHANGE REQUEST
CITY OF TEMPLE**

Kurt W. Hentschel
1930 Old Waco Road
Temple, Texas 76502

Zoning Application Number: Z-FY-14-21 **Project Manager:** Tammy Lyerly

Zone Change Request: **Agricultural District (AG) to Two- Family District (2F)
And Office-Two District (O2)**

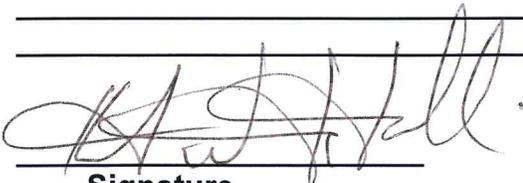
Location: West side of Old Waco Road and the east side of south Pea Ridge Road, east of Westwood Estates

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I recommend () approval denial of this request.

Comments:

Two Family District will damage
The property values in the area.


Signature

Kurt w. Hentschel
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than
March 3, 2014**

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
FEB 27 2014
City of Temple
Planning & Development



PLANNING AND ZONING COMMISSION AGENDA ITEM

3/03/14
Item #8
Regular Agenda
Page 1 of 2

APPLICANT: David Bessent, Architect

CASE MANAGER: Brian Chandler, Director of Planning

ITEM DESCRIPTION: **O-FY-14-06** –Consider adopting a resolution authorizing an Appeal of Standards in Section 6.7.5(j) of the Unified Development Code related to the I-35 Corridor Overlay Zoning District for signs, located on Lots 1-4, Block 1, Gateway Center, 4501 South General Bruce Drive.

STAFF RECOMMENDATION: Staff recommends approval of the appeal request as submitted, considering that the signs on the neighborhood-facing south and east elevations would not be illuminated after closing.

ITEM SUMMARY: The project is located in the Freeway/Commercial Sub-District of the I-35 Corridor Overlay District.

In accordance with Article 6 of the Unified Development Code relating to Interstate 35 Corridor Overlay, all new signage must conform to the standards of the I-35 Overlay District.

City Council approved an appeal to the I-35 Overlay District standards in 2013 for the entire Gateway Center, which is where Ashley Furniture will be located, for landscaping and the Cinema for signage. The value of investment for the Ashley Furniture project did not trigger compliance with any additional sets of I-35 Corridor Overlay standards.

The applicant has requested an appeal to the following Overlay signage standards to allow for the Ashley Furniture trademark tower element that includes signs on all 4 sides:

1. Sec. 6.7-Wall Signs: 1 per public facade (max. 2)---Requesting 4 signs
2. Sec. 6.7-300 sf maximum---Requesting increase to 489 sf per sign face

3. Sec. 6.7-Lighting, including for signage (and excluding illumination of entryways and other security lighting) must be turned off within an hour after closing---Requesting ability to keep the west and north elevation signs on at night and would turn off lighting on east and south elevation signs

FISCAL IMPACT: N/A

ATTACHMENTS:

Application
I-35 Corridor Overlay Checklist
Site Plan
Elevation and Sign Exhibit
"Views" Exhibit

City of Temple Universal Application

(Incomplete applications will not be accepted)

- | | | |
|---------------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Appeal of Administrative Decision |
| <input type="checkbox"/> Plat Vacation | <input type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Residential Masonry Exception |
| <input type="checkbox"/> Minor or Amending Plat | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Nonresidential Masonry Exception |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> I-35 Appeal | <input type="checkbox"/> Park, Facility or Street Renaming |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> I-35 Site Plan Review | <input type="checkbox"/> Cost Sharing Offsite Participation |
| <input type="checkbox"/> Variance (Board of Adjustment) | <input type="checkbox"/> TMED Site Plan Review | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Abandonment | <input type="checkbox"/> TMED Variances/Warrants | <input type="checkbox"/> Street Use License (SUL) |

PROJECT INFORMATION:

Residential Commercial Property Platted Property Not Platted ETJ

Project Name: Ashley Furniture Home Store Parcel(s) Tax ID# (Required): 129862

Project Address (Location): 4501 General Bruce Drive Total Acres: _____

Lot: 1,2,3 &4 Block: _____ Subdivision: Gateway Center

Cabinet #: 1 Slide #: 398-C

Outblock (if not platted): _____

Brief Description of Project: interior remodel and addition of tenant entry, entry feature, windows in front facade and tenant signage.

Current Zoning I-35 Corridor Overlay # of Existing Lots 4 # of Existing Units N/A

Proposed Zoning N/A # of Proposed Lots N/A # of Proposed Units N/A

APPLICANT / CONTACT INFORMATION: *(This will be the primary contact; please ensure email address is legible)*

Name: David Bessent Company Name: David Bessent Architects Inc.

Address: 3939 Bee Caves Road Ste. B-17 City: Austin State: TX Zip: 78746

Phone: (512) 327-6868 Cell #: (512) 921-0544 Fax #: (512) 327-6030

Email Address: david@dbarchitectsinc.com

PROPERTY OWNER INFORMATION:

Name: Greg Spence Company Name: Bullish Resources, Inc.

Address: 10855 IH 10 West City: San Antonio State: TX Zip: 78230

Phone: 210-558-5323 Cell #: _____ Fax #: _____

Email Address: gspence@ancira.com

DEVELOPER ENGINEER SURVEYOR INFORMATION: *(Please ensure email address is legible)*

Name: Clint Schroff Company Name: Schroff Commercial Associates, LLC

Address: 524 N. Lamar, Suite 204 City: Austin State: TX Zip: 78703

Phone: 512-476-5600 x 4003 Cell #: 979-229-4384 Fax #: 512-472-1405

Email Address: clint@regtexas.com

VARIANCE / EXCEPTION / APPEAL DESCRIPTION: *(Attach additional page if additional space is required)*

UDC Section 6.7.5.J (signage)

item 1: Wall Signs: 1 per public facade (max. 2)---Requesting 4 signs due to number and site configuration of publically visible facades on entry element. Item 2: 300 s.f. minimum.---Requesting increase to 489 s.f. per sign face due to entry feature design and appropriate scale due to proximity to adjacent high speed interstate highway frontage.

City of Temple Universal Application

(Incomplete applications will not be accepted)

CHECKLIST

Submittal Requirements <i>All Checklists are available on Planning Applications webpage</i>	All Plats	CUP & PD	Zone Change	Sketch Plan	I-35	I-35 Appeal	TMED	TMED Variance/Warra	ZBA Variance	Masonry Exception	Appeal of Administrative Decision	Abandonment	Street Use License
Complete Universal Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Electronic copy (PDF) of all required materials submitted as hard copies (must be legible)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hard Copies for all submittals	9	2	1	9	2	2	2	2	1	1	1	1	1
Field Notes or Lot and Block Description	✓	✓	✓		✓	✓	✓	✓	✓			✓	✓
Site Plan Checklist		✓			✓	✓	✓	✓	*				
Plat Checklist	✓			✓									
I-35 Checklist					✓	✓							
TMED Checklist							✓	✓					
Abandonment Checklist												✓	
SUL Checklist													✓
Site Plan		✓			✓	✓	✓	✓	✓	✓	*	✓	✓
Elevations		✓			✓	*	✓	*		✓			
Landscape Plan					*	*	*	*					
Lighting Plan					*	*	*	*					
Fee	✓	✓	✓	NA	NA	NA	NA	NA	✓	NA	NA	✓	✓
Survey												✓	✓

**-May be required depending on nature of Appeal/Variance* Interior Remodel - 1,100,00.00

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35: \$ Tower Element - 200,000.00

FEE SCHEDULE

Abandonment	\$100.00
Board of Adjustment (Variance)	\$ 75.00
*Preliminary/Final Plat	\$150.00 + \$3.00/lot (residential) or \$10.00/acre (nonresidential)
Street Use License (SUL) (renewed every 15 years)	\$150.00
*Zone Change/CUP/PD	\$150.00 + \$3.00/acre unplatted

The filing fee for a piece of property that is 3.125 acres in size would be a total of \$159.36 (\$150 + [\$3 x 3.12]). City staff uses the second decimal place when calculating a filing fee and **does not round up or down.*

By signing this application, staff is granted access to your property to perform work related to your case. Each signature must be notarized.

SIGNATURE: _____
(Letter of authorization required if signature is other than property owner)

For Plats Only: This waiver must be completed for all Plat applications; failure to do so will result in the rejection of your application.

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government code.

SIGNATURE: _____
(Letter of authorization required if signature is other than property owner)

Print or Type Name: _____

Known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration expressed and in the capacity there instated.

Given under my hand and seal of office on this _____ day of _____, 20_____.

Notary Public Signature

SEAL

For Department Use Only

Project #: _____

Project Manager: _____

Total Fee(s): _____

Fee Credit: _____

Payment Method: _____

Submittal Date: _____

Accepted By: _____

Accepted Date: _____



PLANNING DEPARTMENT CHECKLIST I-35 OVERLAY PROJECTS*

Project Name Ashley Furniture Homestore	Zoning I-35 Corridor Overlay-General Retail
Address 4501 South General Bruce Drive	Proposed Use Furniture Sales
Sub-District <input type="checkbox"/> Civic <input type="checkbox"/> Industrial <input type="checkbox"/> Freeway Retail/Commercial <input type="checkbox"/> City Entry	

*The checklist below represents a summary of all requirements for the I-35 Overlay District standards. Applicant is responsible for the full list of requirements located in the City of Temple Unified Development Code (UDC) Section 6.7 located on the City’s website at <http://www.ci.temple.tx.us/index.aspx?NID=1221>

I-35 Requirements	
Review Process(UDC 6.7.4)	
<input type="checkbox"/>	Preliminary Design/ Site Plan Review – Date Completed Prelim. Design Meeting with Staff 2-6-14
Tree Preservation (General) (UDC 6.7.5B)	
<input type="checkbox"/>	Required N/A
Signs (UDC 6.7.5G)	
A separate sign permit is required for signs. I-35 Overlay District standards relate to:	
<ul style="list-style-type: none"> • Sign Type Wall Signs • # of Sign Faces 4 • Height 54' • Setbacks N/A • # of signs per site N/A • Multi-tenant signs • Sign Materials E.I.F.S. • Sign Illumination Externally lit 	
Dimensions and Use Requirements (UDC 6.7.7, 6.7.8, 6.7.9, 6.7.10)	
<input type="checkbox"/>	Is the use allowed in the district? Yes
<input type="checkbox"/>	Does the project meet dimensional requirements to include landscape buffer and setbacks? refer to variance res. 2013-6867-R
Parking (General) (UDC 6.7.5C)	
<input type="checkbox"/>	Does the project meet all parking standards related to curb and gutter, parking aisles, parking configuration, wheel stops, parking ratios, and parking location? Refer to variance res. 2013-6867-R
Screening and Wall Standards (UDC 6.7.5D)	
<input type="checkbox"/>	Are any storage connexes, shipping containers or portable buildings proposed? (Not allowed) No
<input type="checkbox"/>	Are garage and service bays located to the rear or side (not visible) of the building? If not, has appropriate screening been provided? Yes, existing fence screening
<input type="checkbox"/>	Has any outside storage, display, sales, leasing, or operation of merchandise outside of sales area been appropriately screened from all streets, and adjacent property lines of residentially zoned property or future residential area? N/A
<input type="checkbox"/>	Have public utility stations been appropriately screened? Existing Fence screening
<input type="checkbox"/>	Has appropriate screening been provided for any multi-family or residential abutting use? Exist. fence
<input type="checkbox"/>	Have vehicle loading and unloading zones been appropriately screened? Existing fence
<input type="checkbox"/>	Has refuse storage and compactors been enclosed on three sides and located outside of setbacks?
<input type="checkbox"/>	Has mechanical and utility equipment been appropriately located screened?
Landscaping UDC(UDC 6.7.5E)	
<input type="checkbox"/>	Is a min. of 15% or the total site area landscaped with approved species? refer variance res. 2013-6867-R

I-35 Requirements

General Requirements

<input type="checkbox"/>	Have areas not covered by building or pavement been landscaped? Existing retail center
<input type="checkbox"/>	Does all proposed landscaping meet requirements related to location and spacing? N/A
<input type="checkbox"/>	Has irrigation been provided? N/A
<input type="checkbox"/>	Is landscaping drought resistant? N/A
<input type="checkbox"/>	Has a landscape buffer been provided adjacent to the public street right-of-way?refer var. res. 2012-6867-R
<input type="checkbox"/>	Does the proposed buffer meet all landscaping requirements? refer variance res. 2012-6867-R
<input type="checkbox"/>	Have all the following been screened with landscaping: <ul style="list-style-type: none"> • Parking lot or vehicle use area; existing retail center • Fuel pumps visible from direction of the flow of traffic; and N/A • Vehicle drive through windows facing the street or traffic flow? N/A
<input type="checkbox"/>	Is a meandering sidewalk required (Civic Sub-district or in Trails Master Plan)? If so has the sidewalk been constructed to standards? exist. retail center
<input type="checkbox"/>	Have landscaped parking islands been provided in accordance with standards?refer variance res. 2013-6867-R
<input type="checkbox"/>	Is all proposed landscaping from the approved drought tolerant list?
On Premises Lighting UDC 6.7.5H	
<input type="checkbox"/>	Have all directional control standards been met? sign lighting to be exterior lit shuttered fixtures
<input type="checkbox"/>	Have all intensity (total lumens) standards been met?
<input type="checkbox"/>	Have light trespass standards been met? sign lighting to be exterior lit shuttered fixtures
<input type="checkbox"/>	Have all sign lighting standards been met? sign lighting to be externally lit shuttered
<input type="checkbox"/>	Have all lighting standards related to the following been met: <ul style="list-style-type: none"> • Temporary lighting N/A • All-night lighting None proposed
<input type="checkbox"/>	Are any uses or features exempt from the standards in this section?
Utilities UDC 6.7.5I	
<input type="checkbox"/>	Have all electric, telephone, cable TV. wires and cables from the property line to the structure been placed underground? N/A existing
Architectural Design UDC: 6.7.8D; 6.7.9D; 6.7.10D (does not apply to Civic Sub-District)	
Site Development UDC: 6.7.8D.1; 6.7.9D.1; 6.7.10D.1 Exempt	
<input type="checkbox"/>	Does proposed development meet location and placement requirements?
<input type="checkbox"/>	Is proposed development adjacent to residential property line (non-mixed use) and if so, does it meet the minimum slope requirements? Yes
Exterior Appearance of Buildings and Structures UDC: 6.7.8D.2; 6.7.9D.2; 6.7.10D.2	
<input type="checkbox"/>	Do all buildings meet architectural standards related to: <ul style="list-style-type: none"> • Architectural finish and detailing? Yes • Building articulation requirements and entrance insets and offsets (projections and recesses)? Yes • Minimum window requirements? (Freeway Retail/ Commercial and Civic Entry Sub-District s only)
<input type="checkbox"/>	Are all buildings designed and constructed in tri-partite architecture. (Freeway Retail/ Commercial and Civic Entry Sub-District s only) Yes
Materials and Colors UDC: 6.7.8D.3; 6.7.9D.3; 6.7.10D.3	
<input type="checkbox"/>	Are all proposed structure colors earth tone in hue? (Planning Dir. may approve 10% variation). Yes
<input type="checkbox"/>	Have building materials been limited to no more than three types? Yes
<input type="checkbox"/>	Have architectural standards related to the following been met: Exempt <ul style="list-style-type: none"> • Material types (primary and accent) and percentages Generally • Window glazing (no reflective glass) Generally • Maintenance and durability of materials General

I-35 Requirements

Civic Sub-District UDC 6.7.7 N/A

- Has an additional 10% of vegetation been provided in addition to general landscape requirements.
- In addition to trees already required – ornamental trees also required in landscape buffer. One min. 2” caliper ornamental tree must be planted for every 30’ of frontage along public ROW.

Industrial Sub-District UDC 6.7.8 N/A

- All buildings must incorporate no less than 1 architectural element. > 50,000 sq. ft. must incorporate 2 elements; > 100,000 sq. ft. 3 elements (UDC 6.7.9 D and 6.7.10D)
- All industrial buildings with facades greater than 250’ in length (visible from ROW) must incorporate wall plane projections or recesses that are at least 6’ deep. Projections and recesses must be at least 25 % of length of the façade. No uninterrupted length may exceed 200’
- Must select from list of approved building materials (max 100%; min 80%) and accent materials (max 20%) (UDC 6.7.8 D. 3)

Freeway Retail/ Commercial UDC 6.7.9 N/A

- All retail/commercial buildings with facades greater than 200’ (visible from ROW) must incorporate wall plane projections or recesses that are at least 6’ deep. Projections and recesses must be at least 25 % of length of the façade. No uninterrupted length may exceed 100’. Generally
- Windows must be a min of 40% - 80% of each building elevation.
- Parking lot islands must be located at the end of inventory aisle and span the width of aisle and have min. depth of 10’
- Parking lot islands (inventory aisles) must be filled with 5. gal. evergreen shrubs
- Where an auto sales, leasing or rental establishment is located between N. General Bruce and North 31st Street, North of Jack White Blvd. up to 2654 feet north of the northern boundary of public street ROW of Bray Street, has the applicant met specific standards related to:
 - Parking lot island location, size, and composition ,
 - Landscape buffer,
 - Location, orientation, and screening of garage and service bays?
- Facades not visible from the street may reflect only similar colors if screened with single row of trees planted along the building or in the landscape buffer on offset 30’ centers in min. 10’ landscape edge where 50% of trees are evergreen.

City- Entry Sub-District UDC 6.7.10 N/A

- All retail/commercial buildings with facades greater than 150’ (visible from ROW) must incorporate wall plane projections or recesses that are at least 6’ deep. Projections and recesses must be at least 25 % of length of the façade. No uninterrupted length may exceed 100’.
- 50% of all driveways into the site must have enhanced paving of stone, brick, or patterned concrete for a min of 50% of the driveway throat
- Windows must be a min of 40% - 80% of each building elevation.
- An additional 10% of vegetation is required in addition to those requirements in Sec 6.7.5E
- Additional ornamental trees must be used in the landscape buffer. One min. 2” caliper ornamental tree must be planted for each 30’ of frontage along public ROW measured along lot lines
- One min. 3” caliper canopy tree must be planted for every 25’ of frontage along public ROW measured along lot lines.
- Facades not visible from the street may reflect only similar colors if screened with single row of trees planted along the building or in the landscape buffer on offset 25’ centers in min. 10’ landscape edge where 50% of trees are evergreen
- The principle building wall setback 18’- 24’ from BOC.
- Building entrances must present strong entry presence and be inset or offset by min 4’.

I-35 Sub-District Special Requirements



3939 BEE CAVE ROAD
BUILDING B, SUITE B-17
AUSTIN, TEXAS 78746
512/327-6868 FAX: 512/327-6030

TEXAS REGISTRATION NO. 11436



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ASHLEY TEMPLE

4501 S General
Bruce

TEMPLE, TX

DATE ISSUED:

PRINT DATE:

REVISIONS:



APPLIED E.I.F.S.
LETTER SIGNAGE
AREA 489 S.F.

- ① SW6521 "COMMODORE"
- ② SW6911 "CONFIDENT YELLOW"
- ③ SW6884 "OBSTINATE ORANGE"
- ④ WHITE

4 SIGNAGE ELEVATION
SCALE N.T.S.



3 PARTIAL EAST ELEVATION
SCALE N.T.S.



2 PARTIAL EAST ELEVATION
SCALE N.T.S.



1 PARTIAL ENLARGED WEST ELEVATION
SCALE N.T.S.

**ELEVATION
AND SIGNAGE
EXHIBIT**

SHEET NUMBER:

V2.0



PLANNING AND ZONING COMMISSION AGENDA ITEM

3/03/14

Item #9

Regular Agenda

Page 1 of 3

APPLICANT: Planning & Zoning Commission

CASE MANAGER: Brian Chandler, 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-13-34 – Consider and take action on the preliminary plat of Lake Pointe III, a 67.71 +/- acre, 317 lot, 10 block residential subdivision, located west of N. Pea Ridge Road and south of Prairie View Road.</p>	<p>DRC 2/05/14</p>	<p>WBW Development</p>
<p>P-FY-13-46 - Consider and take action on the Preliminary Plat of Shiloh Terrace Phase Four, a 27.84 ± acre, 42-lot, 2-block, residential subdivision located on the north side of Sparta Road, west of Water Works Road in Temple's Western E.T.J.</p>	<p>DRC 9/25/13 Pending</p>	<p>Robert Mitchell for James Herring</p>
<p>P-FY-14-01 - Consider and take action on the Final Plat of JENCER Addition, a 28.29 ± acres, 2-lot, 1-block, nonresidential subdivision, located on the south side of Industrial Boulevard, along the east side of the Burlington Northern Santa Fe Railroad, and on the north side of I-35.</p>	<p>DRC 10/22/13 Pending</p>	<p>Chuck Lucko for Arthur Brashier</p>
<p>P-FY-14-08 - Consider and recommend action on the Preliminary Plat of The Plains At Riverside, a 49.979 +/- acres, 200-lots, 7-blocks residential subdivision, located at the southeast corner of South Pea Ridge Road and Old Waco Road. (Requires Annexation)</p>	<p>DRC 12/4/13 2nd DRC Pending</p>	<p>Turley Associates</p>
<p>P-FY-14-10 - Consider and take action on the Final Plat of Cedarbrake Retreat Addition, a 43.261 +/- acres. 1-lot, 1-block nonresidential subdivision, being part of the John J. Simmons Survey, Abstract No. 737, located on the west side of State Highway 317, south of FM 2305.</p>	<p>DRC 12/20/13</p>	<p>Rev. Michael Sis - Catholic Diocese of Austin</p>

P-FY-14-17 - Consider and take action on the Final Plat of Crescent View Commercial Phase 3, a 29.953 +/- acre, 8-lot, 1 block, nonresidential subdivision, located at the southeast corner of West Adams Avenue and Old Waco Road, situated in the Nancy Chance Survey, Abstract No. 5, City of Temple, Bell County, Texas.	DRC 2/05/14	Kimley-Horn for Crescent View
P-FY-14-18 – Consider and take action on the Final Plat of Western Emulsions Addition, a 6.58 +/- acres, 2 lot, 1 block, non-residential subdivision, located east of Wendland Road and north of Wilsonart Drive.	DRC 2/20/14	All County Surveying
P-FY-14-19 - Consider and take action on the Final Plat of RWYC Addition, a 7.867 acre, 2-lot, 1-block, non-residential subdivision, located on the west side of South 22nd Street, adjacent to and south of Travis Science Academy.	DRC 3/05/14	All County Surveying
Z-FY-13-37 - Hold a public hearing to discuss and recommend action on a Conditional Use Permit to allow a transitional shelter operated by the Salvation Army to be known as the Temple McLane Center of Hope, within portions of Lot 3, Block 39, Lots 1 & 2, Block 62, Lot 2, Block 56 and Lot 1, Block 57, Original Town of Temple, County of Bell, Texas, addressed as 501, 420, 413, 411, 410, 409 W. G Ave, 708 and 709 S. 9th Street.	PZC 4/7/2014 Tentative	Salvation Army
Z-FY-14-22 - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural District (AG) to Light Industrial District (LI) on 44.20 +/- acres, situated in the Mercer Phelan Survey, Abstract 659 and the J. W. Christian Survey, Abstract 1070, Bell County, Texas, located at the southwest corner of NW Loop 363 and Pegasus Drive.	PZC 4/07/2014	Ranger Excavating

City Council Final Decisions	Status
Z-FY-13-29: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Single-Family Two District (SF-2) on 26.88 + / - acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located South of Poison Oak Road, east of South Pea Ridge Road.	February 20, 2014 -- Delayed until March 6, 2014
Z-FY-14-12: Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to allow a used tire service and repair facility to be located within the I-35 Overlay Zone, Lot 3, Block 13, Temple Heights subdivision, County of Bell, Texas, addressed as 2815 South General Bruce Drive.	Approved at 2 nd Reading on February 20, 2014
Z-FY-14-15: Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to allow a pet crematorium within a new 1500 square foot building as part of an existing veterinary hospital located on a portion of Lot 1, Block 1, Gosney Commercial Subdivision, Bell County, Texas, addressed as 2055 Scott Blvd.	Approved at 2 nd Reading on February 20, 2014
Z-FY-14-17: Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to construct a freestanding 150 foot personal wireless cell tower and ground equipment on a tract of land situated in the John J. Simmons Survey, Abstract No.737, located at 7378 State Highway 317.	Approved at 2 nd Reading on February 20, 2014

City Council Final Decisions	Status
<p>Z-FY-14-18: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Planned Development District –General Retail (PD-GR) to allow residential and nonresidential uses on 103.07 +/- acres being part of the Redding Roberts Survey, Abstract 692, Bell County, Texas, located at the northwest corner of FM 1741 (South 31st Street) and FM 93.</p>	<p>Approved at 1st Reading on February 20, 2014</p>

P&Z COMMISSION ATTENDANCE

2014														
	Jan 6	Jan 21	Feb 3	Feb 18	Mar 3	Mar 17	Apr 7	Apr 21	May 5	May 19	June 2	June 16	P	A
James Staats	P	P	P	P									4	
Blake Pitts	A	P	P	P									3	1
Patrick Johnson	P	P	P	P									4	
Omar Crisp	P	P	P	A									3	1
David Jones	P	P	P	P									4	
Greg Rhoads	P	A	P	P									3	1
Will Sears	P	P	P	A									3	1
Lester Fettig				P									1	
Tanya Mikeska-Reed				P									1	

	July 7	July 21	Aug 4	Aug 18	Sept 2	Sept 15	Oct 6	Oct 20	Nov 3	Nov 17	Dec 1	Dec 15	P	A
James Staats														
Blake Pitts														
Patrick Johnson														
Omar Crisp														
David Jones														
Greg Rhoads														
Will Sears														
Lester Fettig														
Tanya Mikeska-Reed														

not a Board member
 Vacant