

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
JUNE 1, 2015, 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, June 1, 2015.
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
JUNE 1, 2015, 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.

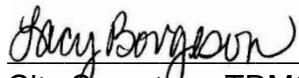
Item 1: [Approval of Minutes](#): Work session and the regular meeting of May 18, 2015.

B. ACTION ITEMS

Item 2: [Z-FY-15-20](#) – Hold a public hearing to consider and recommend action on a rezoning from Neighborhood Service District (NS) to Planned Development-Neighborhood Service District (PD-NS) with a development plan to allow drive-in restaurants, and a Conditional Use Permit to allow establishments where between 50% & 75% of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption, on approximately 4.916 +/- acres, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 7425 West Adams Avenue.

SPECIAL ACCOMMODATIONS: Persons with disabilities who have special communication or accommodation needs and desire to attend the Planning Commission Meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date. Agendas are posted on Internet Website <http://www.ci.temple.tx.us>. Please contact the City Secretary's Office at 254-298-5700 for further information.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 3:30 PM, May 28, 2015.



City Secretary, TRMC
City of Temple

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2015.

_____ Title _____

**PLANNING AND ZONING COMMISSION
MAY 18, 2015
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT
Chair Greg Rhoads

COMMISSIONERS:

Tanya Mikeska-Reed	James Staats
Blake Pitts	Patrick Johnson
Will Sears	Omar Crisp
Lester Fettig	

PLANNING AND ZONING MEMBERS ABSENT:

David Jones

STAFF PRESENT:

Brian Chandler, Director of Planning
Beverly Zendt, Assistant Director of Planning
Trudi Dill, Deputy City Attorney
Nanette Rodriguez, Deputy City Attorney
Richard Wilson, Deputy City Engineer
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, May 14, 2015 at 1:45 p.m. in compliance with the Open Meetings Law.

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

Chair Rhoads called Meeting to Order at 5:33 P.M.

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

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of May 4, 2015.

Approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-15-17 – Hold a public hearing to discuss and recommend action on rezoning of +/- 224.549 acres: from Agricultural District (AG), Light Industrial (LI) and General Retail (GR) to Planned Development-General Retail (PD-GR) District; Planned Development-Single Family Dwelling 3 (PD-SF3) District; and Planned Development-Single Family Attached Dwelling 3 (PD-SFA3) District; with a Conditional Use Permit for alcoholic beverage sales where the sale of all alcoholic beverages may be 75% or more of the total revenue; on Outblocks 2060-A, 2062-A, 2063-A, 2064-A, 2065-B, 1102-B, 1102-A, and 1100-B, and Lot 1, Block 2 Westfield Development Phase V, bordering North Pea Ridge Road, Prairie View Road, Stonehollow Drive, Westfield Boulevard, and Hilliard Road.

Ms. Beverly Zendt, Assistant Director of Planning, stated this item would go to City Council on June 18, 2015 for first reading and July 2, 2015 for second reading.

The applicant is John Kiella on behalf of Kiella Land Investments.

The subject property is bordered by multiple streets but not bounded by the streets: North Pea Ridge Road, Prairie View Road, Stonehollow Drive, Westfield Boulevard, and Hilliard Road.

There are multiple tracts within this zoning district and multiple zoning designations: Agricultural (AG), Light Industrial (LI), and General Retail (GR).

The applicant is proposing a development scheme that includes a mixture of zonings and uses within one master planned development community.

The applicant is proposing several planned developments: Planned Development General Retail (PD-GR), Planned Development General Retail One (PD-GR1), Planned Development Single Family Three (PD-SF3), and Planned Development Single Family Attached Three (PD-SFA3). This creates a mix of residential densities and commercial areas within one planned development.

Ms. Zendt summarized the applicant's request by planned development district. The following summarizes the proposals for the different areas:

PROPOSED ZONING PD-GR:

The applicant has requested all uses identified for the typical GR District;

The applicant has requested a Conditional Use Permit (CUP) for the sale of alcohol where sales may be more than 75 percent for off-premise consumption (could be restaurants/bars but not package stores). The applicant has requested a waiver to the 300 foot distance requirement to churches. This item will not be considered by the P&Z Commission per Texas Alcohol Beverage Commission (TABC) regulations but can be considered by City Council.

The applicant has requested a theatre or playhouse (open or drive in) to be in the general area.

As the applicant demonstrated in the work session, vertical mixed use would include mixed or retail uses on the bottom and residential on the top. Staff believes this to be a multi-family use but has incorporated this into the PD as well.

Multi-family dwelling-three.

The applicant has requested Farmers Markets which are allowed in GR but asked that the general requirements for the Farmers Markets to be waived.

Elimination of continuous buffering between residential and non-residential uses.

PROPOSED ZONING PD-GR1

Essentially the same items as requested for PD-GR with the addition of mini-storage warehouses indicated on east side of subject property.

PROPOSED ZONING SF-3 (largest proposed, primarily residential use)

The applicant has requested flexibility with the following changes to the residential dimensional standards for the district identified in Unified Development Code (UDC) Section 4.5.1 for Single Family Detached Dwellings:

- The elimination of the maximum building coverage standards for the rear half of the lot; and
- A reduction in the minimum side corner yard standard from 15 feet to 10 feet.

PROPOSED ZONING PD-SFA3 (Patio homes/attached townhouses; higher density lots)

The applicant has asked for flexibility in the dimensional requirements given the unique considerations of the development, the rear loading of these lots, and some of the unique common areas being provided (pocket parks):

- A reduction in the minimum lot area from 2,300 square feet to 2,000 square feet;
- A reduction in the minimum lot depth from 100 feet to 90 feet;
- The elimination of the maximum building coverage standards for the rear half of the lot;
- An increase in the maximum building height from two and a half stories to three stories; and
- A reduction in the minimum side corner yard standard from 15 feet to 10 feet.

Single Family Attached Dwellings:

- A reduction in the minimum lot area from 2,300 square feet to 2,000 square feet;
- A reduction in the minimum lot depth from 100 feet to 90 feet;

- The elimination of the maximum building coverage standards for the rear half of the lot;
- An increase in the maximum building height from two and a half stories to three stories; and
- A reduction in the minimum side corner yard standard from 15 feet to 10 feet.

Patio Homes:

- A reduction in the minimum lot area from 2,300 square feet to 2,000 square feet;
- The elimination of the maximum building coverage standards for the rear half of the lot;
- An increase in the maximum building height from two and a half stories to three stories; and
- A reduction in the minimum side corner yard standard from 15 feet to 10 feet.

Conditional Use Permit

The applicant has requested all areas identified as GR for the three different categories listed in Sec. 5.1 of the UDC in the Use Table:

- Alcoholic Beverage Sales for on-premise consumption: beer and wine only less than 75 percent revenue from alcohol;
- Alcoholic Beverage Sales for on-premise consumption: all alcoholic beverages 75 percent or more revenue; and
- Alcoholic Beverage Sales for on-premise consumption: all alcoholic beverages more than 50 percent and less than 75 percent revenue.

Ms. Zendt explained that the applicant has requested 75 percent or more which would cover all categories. Any place identified with a CUP is an area being considered for on-premise consumption in that category.

This Master Planned development is going in tandem with the Preliminary Master Plat. Many of the considerations worked out, i.e., open space, trails, sidewalk width, etc. are currently under review by the Development Review Committee (DRC). Utilities are being considered in tandem with the zoning as part of the platting process. This item will be brought to P&Z this evening as well.

Surrounding properties include undeveloped and residential to the north with multiple zonings, AG, Office Two (O2) and Single Family Three (SF3). The Future Land Use and Character Map identify this area as AG/rural. Properties to the south have multiple zonings, GR, Single Family Two (SF2), Multi-family Two (MF2) and AG with multiple uses for office, multi-family, and retail. The Future Land Use and Character Map identify the area as Suburban Commercial, Auto-Urban Residential. The Future Land Use and Character Map designate the properties to the

west as Suburban Residential, Suburban Commercial, with multiple zonings of SF2 and AG and the land use is undeveloped with a school in the general location. Properties to the east are identified by the Future Land Use and Character Map as Parks/Open Space, Business Park, Suburban Residential and Suburban Commercial. The uses include residential and a future community park.

An anticipated 250 +/- acre proposed park, The Crossroads Community Park, will be included to the east for open space.

The Future Land Use Map has identified area as Suburban Residential, Suburban Commercial, and Business Park.

Suburban Residential is the predominant character area.

Suburban Residential character district is suited for mid-sized single family lots, allowing for greater separation between dwellings, and more emphasis on green spaces versus streets and driveways.

The lot size may be reduced in developments that make corresponding increases in open space on the site to maintain the suburban character.

The applicant is proposing a fairly dense development scheme for this area. There are considerable open space considerations (pocket parts, trail systems) built into this development. The proposed land use is in partial agreement with the future land use map due to the proposed density but there are increases in open space.

The proposed zoning is in compliance with the other future land use character areas: Parks/Open Space, Business Park, Suburban Residential and Suburban Commercial

Trails Master Plan/Thoroughfare Plan. There are several collectors and two minor arterials identified in the general area. Several are slotted for road improvement projects on the City's part with several already underway.

- Stonehollow Drive-Proposed Collector
- North Pea Ridge Road-Proposed Collector
- Prairie View Road-Proposed Minor Arterial
- Westfield Boulevard-Proposed Minor Arterial

These have been taken into consideration as part of the platting process where additional right-of-way has been required and requested. Staff has been working with the applicant to make sure the needed right-of-way is reserved for the future roads.

Community wide connectors are located on the subject property along Westfield Boulevard and one along Prairie View Road. Staff is calling for larger sidewalk provisions for eight to ten feet. Staff is working with the applicant during the platting process to ensure that those sidewalks are provided and the note is provided on the plat.

A local connector is located along Stonehollow Drive.

This site is served by multiple water and sewer lines throughout the property.

The developer has stated that approximately 7.3 acres of parkland will be provided and maintained by the HOA and has planned various amenities within the parkland framework of pocket parks and trail linkages. An additional 11 acres of open space will be provided as part of a significant drainage feature and related trail feature.

Partial compliance with the Future Land Use and Character Map has been met. The Thoroughfare Plan, Trails Plan, Sidewalk Ordinance, utilities, and growth and development patterns are all in compliance and are being addressed during the platting process.

Staff recommends approval of the rezoning from Agricultural District (AG), Light Industrial (LI) and General Retail (GR) to Planned Development-General Retail (PD-GR) District; Planned Development-Single Family Dwelling Three (PD-SF3) District; and Planned Development-Single Family Attached Dwelling Three (PD-SFA3) District; with a Conditional Use Permit (CUP) for alcoholic beverage sales where the sale of all alcoholic beverages may be 75 percent or more of the total revenue in all PD-GR areas.

Staff has added additional design considerations to be included in the planned development and the applicant will provide the following minimum landscaping for residential units. The applicant intends to provide these routinely with the residential development projects in order to provide a quality development:

- Fully sodded lots – exclusive of driveways, walks, patios, swimming pools, and landscaped beds;
- Three shrubs planted in accordance with Section 7.4.5C; and
- One large canopy tree planted per residential unit.

Staff recommends approval of the proposed rezoning subject to the following conditions:

That the applicant provide a continuous buffer, along the common boundary between nonresidential or multiple-family uses and an agricultural or residential district (only) in accordance with the following table.

MINIMUM BUFFERYARD STANDARDS

Type	Minimum Width	Minimum Planting per 100 feet*
I**	30 feet	<ul style="list-style-type: none"> • 3 canopy trees; • 10 small trees; (50% evergreen) • 14 supplemental shrubs (50% evergreen)
II**	20 feet	<ul style="list-style-type: none"> • 3 canopy trees; • 13 small trees; (50% evergreen) • 16 supplemental shrubs (100% evergreen)
III**	15 feet	<ul style="list-style-type: none"> • 3 canopy trees; (100% evergreen) • 16 small trees; (75% evergreen) • 18 supplemental shrubs (100% evergreen)

*The required landscaping may be reduced by 30% when used in a combination with a decorative fence that is a minimum of 6 feet in height; constructed of wood, wrought iron or galvanized ornamental steel; and located behind the landscaped area.

** All planting shall be in conformance with planting standards located in **Section 7.4: Landscaping**

Forty-one notices were mailed out with 16 notices returned in favor and two notices returned in opposition.

The newspaper printed notice of the public hearing on May 7, 2015, in accordance with state law and local ordinance.

Commissioner Staats asked about using native and drought tolerant plants for the landscaping. Ms. Zendt explained the Staff has incorporated into the UDC an approved list of drought tolerant plants for landscaping requirements and that list is enforced. Other than one type of plant, the applicant will be using only plants from the approved list for the development.

Chair Rhoads asked if there was an update from the City about the road expansion.

Mr. Richard Wilson, Deputy City Engineer, 2604 Michaels Drive, Temple, Texas, explained that Prairie View is currently under construction from Research to North Pea Ridge as Phase I. Phase II is slated for 2018. Mr. Wilson could not recall when Pea Ridge was scheduled for development but thought it would be a couple of years. Westfield has been punched through to Prairie View and a bit further along Northgate and another expansion is planned to go up Highway 36 in a couple of years.

With the exception of North Pea Ridge, the subject area will be well served.

Chair Rhoads opened the public hearing.

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

Commissioner Sears made a motion to approve Item 2, **Z-FY-15-17**, as proposed, and Commissioner Pitts made a second.

Motion passed: (8:0)

Vice-Chair Jones absent

Item 3: Z-FY-15-18 – Hold a public hearing to consider and recommend action to amend Ordinance No. 2014-4689, for a TMED Planned Development District site plan review on 8.146 acres +/-, Lot 4, Block 1, Shoppes on the Hill Subdivision, located at 2510 South 31st Street, for a proposed apartment complex project.

Mr. Brian Chandler, Director of Planning, stated this item would go to City Council for first reading on June 18, 2015 and second reading on July 2, 2015.

This is Phase II for the apartment project which accompanies the Shoppes on the Hill project which was zoned PD-TMED T5-c back on October 16, 2014, a zoning district intended to create higher-density, mixed use buildings that accommodate retail, offices, row houses and apartments. It has a tight network of streets with wide sidewalks, rhythmic street tree planting and buildings set close to sidewalks.

The proposed Planned Development (PD) is for horizontal mixed use project. Retail in the first phase and the apartments to the west.

Mr. Chandler explained a traffic signal is proposed at the South 31st Street access point. The developer stated that signal is scheduled sometime at the end of summer or the beginning of fall.

An aerial is shown with the entire site. Scott & White is located across the street on 31st, the Hilton Garden Inn Hotel to the west/northwest abutting Scott Boulevard, Everton Drive to the south, and South 31st Street to the east.

The light signal previously mentioned is proposed to be located at the Scott & White Emergency access point but also for the South 31st Street access point for the development.

The Future Land Use and Character Map designate the area as Auto-Urban Commercial. Phase I complies but the multi-family project does not.

The subject property is zoned T5-c which is a sub-district in the TMED.

Mr. Chandler describes the site plan and indicates the retail section (Phase I) which will include a Panera Bread, a dental office, restaurant, and some additional retail. A shared access drive will be signalized later in the year.

Phase II is the proposed 207 multi-family units, five separate buildings, parking landscape and parking islands that comply with TMED standards, a proposed club house with pool, and a detention area proposed to double as a dog park.

The landscape plan is described and all of the landscaping plants are from the drought tolerant list in the UDC.

There is an ONCOR transmission line cutting across the multi-family phase. The developer is working with ONCOR and will have to submit a grading plan, if the zoning is approved, before ONCOR will give approval. The transmission line comes in to conflict with parking as well as the nearby pool. This will be one of the conditions for Staff recommendation.

There is a cluster of existing trees along Everton that the developer proposes to preserve.

A four foot sidewalk will be installed with significant landscaping.

Proposed apartment elevations are shown. Three stories with architectural tower elements, the buildings will be clad primarily with stone and stucco and each vertical unit has a garage.

The adjacent properties include Scott Boulevard to the north with undeveloped property on the other side, to the south additional retail, to the east is Scott & White, and the northwest is Hilton Garden Inn, immediate west is the nursing home.

There are 11 exceptions requested from TMED standards (the first six being architectural standards):

- 1) Building story height--TMED sub-district is 14 feet required and the applicant proposes 10 feet six-inches creating a shorter building and a lower pitched roof;
- 2) Uses are limited to a maximum gross floor area of 10,000 square feet (apartment units proposed within five different buildings that exceed the 10,000 square feet limitation);
- 3) TMED prohibits overhead doors and the applicant proposes garages which include overhead doors;
- 4) Number of garage parking spaces—TMED requires one per two units and the applicant proposes one per three and a half units proposed;
 - a. Garages are not permitted to front onto public right-of-way per TMED standards and the applicant proposes that some garages will face South 31st Street;
- 5) TMED requires a minimum roof pitch of 5:12 and the applicant proposes 4:12 (lower pitch);
- 6) TMED T5-c prohibits residential on the first floor; however, these are apartment buildings with garages and apartments on the ground floor;

Numbers 7 and 8 are related to alleys and sidewalk requirements:

- 7) TMED T5-c requires alleys to access residential and for the garage to be concealed, the applicant proposes no alleys, just standard garages in the front;
- 8) Constructing a six-foot sidewalk and six-foot planting strip along Everton to the back-of-curb (four foot sidewalk to the back-of-curb is proposed due to right-of-way and utility constraints);
- 9) An estimated 20,500 square feet of Common Area is required:
 - a. TMED calculations estimate 20,500 square feet of Common Area is required and the applicant proposes at least 11,860 square feet of Common Area: pool (2,100 square feet); deck (7,055 square feet); lawn (605 square feet);

additional green space north of pool (2,000 square feet) and a fountain (100 square feet)

A proposed estimated 8,000 square foot dog park within the storm water detention area is not included in the calculations.

The last two exceptions relate to monument signs and may be approved by Warrant only. An example of the sign is shown. TMED requires a six foot maximum monument sign; a proposed maximum height of seven-feet six-inches to top of sign face to accommodate architectural design elements that may extend above seven-feet six-inches and to accommodate grade changes. The applicant is requesting not having to go through the Warrant process and get approval of the monument sign by P&Z and City Council.

The applicant is requesting approximately 11 exceptions; however, the applicant has complied with the following:

The project proposes to comply with the following sample of relevant standards:

Minimum density/residential units per acre (24 units per acre required);

Bike rack requirements;

Minimum parking ratios and parking space dimensions;

Access and connectivity standards related to driveway spacing and connection requirements;

Sidewalks extending the entire length of the development's frontage on a public street;

Sidewalks connecting to existing adjacent sidewalks;

Selections from approved landscaping list;

Irrigated landscaping for at least 20 percent of site (33 percent proposed);

80 percent maximum of impervious cover;

Setback requirements;

Screening of mechanical equipment and waste containers;

Sidewalk connections to parking within the lot, to primary entrances of each residential building, to all associated outdoor amenities and to the perimeter street sidewalk system;

Exterior finish materials and percentages;

Architectural articulation;

Street lights that are consistent with the TMED design guidelines; and

All proposed electric, telephone, and cable wires along the public street right-of-way underground (not necessarily the transmission line).

Definition of a Planned Development UDC Sec. 3.4

A Planned development is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions

by allowing evaluation of land use relationships to surrounding areas through development/site plan approval.

Additional Standards Sec. 3.4.2C

In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light, landscaping, property owners associations, open space, topography and screening.

The DRC reviewed this item on May 7, 2015 in addition to the sidewalk requirements along Everton, park fees, fire access, and public utility easements.

Fifteen notices were mailed out with zero returned in agreement and one in opposition.

In terms of the PD criteria within UDC Sec. 3.4, Staff's interpretation is that it:

Complies with the UDC and other ordinances of the City;

The environmental impact to the surrounding properties and neighborhood is mitigated;

The development is in harmony with the character of the surrounding area;

Safe and efficient vehicular and pedestrian circulation system;

Parking and loading facilities are safe and convenient;

Streets are designed to accommodate future traffic and to provide emergency access to buildings;

Streets are consistent with the Thoroughfare Plan;

Landscaping and screening are integrated into the overall site design:

1. To provide adequate buffers for adjacent properties
2. To complement the design and location of buildings;

Open space areas designed for recreation and conservation; and

Adequate utilities are provided

Staff recommends approval of the eleven (11) Sec. 6.3 TMED T5-c exceptions associated with the Planned Development Site Plan, which has been determined to meet all of the Development Plan Review Criteria in Sec. 3.4.5, with the following condition:

Oncor provides approval of the site plan, which includes a proposed detention pond/dog park, pool, and parking either directly under or near an existing electrical transmission line.

Chair Rhoads addressed Mr. John Kiella, a member of the TMED review committee, and asked if the project had gone through TMED. Mr. Chandler added it has not which is not a requirement for the overall project but asked for Mr. Kiella's input.

Commissioner Staats asked if it would be simpler to rezone the subject property out of TMED to avoid all of the exceptions. Mr. Chandler responded it might be simpler; however, the other

47 standards the applicant is meeting, most would not apply. It would not ensure the quality of the product.

Commissioner Mikeska-Reed asked about the reason for the 14 foot story elevation. Mr. Chandler presumed that the intent was to provide higher ceilings/higher pitched roofs, promoting more verticality. Commissioner Mikeska-Reed then asked why the applicant was requesting the exception.

Mr. Eric Earnshaw, Partner of DGOR Architects, Addison, Texas, responded to the story height and commented in the apartment industry standards a minimum of an eight-foot six-inch ceiling is required. The applicant feels the standard is a little low and they like to go with a nine foot ceiling minimum. Some of the units on the first floor will have 10 to 11 foot ceilings depending on the location of them. All of the units on the second and third floor will have nine foot ceilings. Mr. Earnshaw talks about spatial relationships. Mr. Earnshaw also explains about the 4:12 pitch exception which is not unreasonable and the impact would not be noticeable.

Mr. Earnshaw explained the garage doors would be painted to the color scheme of the buildings which would be in earth tones. Sixty percent of the doors are recessed off the face of the buildings anywhere from two to four feet.

Mr. Earnshaw explained how the parking situation would work.

Mr. Chandler stated the road behind the retail portion and the front of the apartments would be a private road.

Commissioner Mikeska-Reed commented the value in reducing the heights of the buildings and roof pitch are strictly monetary choices. Nine foot ceilings are not excessive in any square footage.

Commissioner Mikeska-Reed expressed her concern that if P&Z set a precedence, the first thing they would start seeing in TMED applications would be a reduction in height and there should be no reason to do so. She would have issues with granting the exception to the heights.

Commissioner Staats agreed with Commissioner Mikeska-Reed.

Mr. John Kiella, 11122 White Rock Drive, Temple, Texas, commented that he was not on the TMED Design Committee. His personal comment was this is a first-class project and Temple needs those types of projects.

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Sears made a motion to approve Item 3, **Z-FY-15-18**, as proposed, and Commissioner Fettig made a second.

Motion passed: (6:2)

Vice-Chair Jones absent; Commissioners Mikeska-Reed and Crisp voted Nay.

Item 4: Z-FY-15-19 – Hold a public hearing to discuss and recommend action on a Conditional Use Permit for Lots 4, 5, 9, and 8 Block 2, Westfield Development Phase IV, located at 7373 and 7349 Honeysuckle Drive, 7348 West Adams Avenue and 7410 West Adams Avenue; allowing for establishments where the gross revenue from the on-premise sale of alcoholic beverages is less than 75% of the total gross revenue of the establishment sales.

Ms. Zendt stated this item is for a CUP for Westfield Development Phase IV and would go before City Council for first reading on June 18, 2015 and second reading on July 2, 2015.

The applicant is John Kiella, Kiella Land Investments, who is requesting a CUP for Lots 4, 5, 9, and 8, Block 2, Westfield Development Phase IV, located at 7373 and 7349 Honeysuckle Drive, 7348 West Adams Avenue and 7410 West Adams Avenue.

The applicant is seeking a CUP allowing for establishments where the gross revenue from the on-premise sale of alcoholic beverages is less than 75 percent of the total gross revenue of the establishment sales. The area is currently zoned General Retail (GR) which requires a CUP.

The Future Land Use and Character Map designate the subject property as Suburban-Commercial and is surrounded by Suburban-Residential.

According to the Temple Choices '08 Comprehensive Plan:

- The subject property is falls into the Suburban-Commercial Future Land Use Character Area. The Suburban-Commercial character area is appropriate for office, retail, and service uses adjacent to and abutting residential neighborhoods;
- Proposed zoning should be appropriate for areas where the community's image and aesthetic value should be promoted, such as gateways and high profile corridor locations;
- The existing uses, development character and proposed CUP are consistent with the Suburban Commercial Future Land Use Character area; and
- The site density, landscaping and the residential character of the building design and site amenity features demonstrate a high quality of development compatible with surrounding neighborhood and retail uses.

Ms. Zendt clarifies that a CUP runs with the land, not with the tenant, regardless of the use.

Some of the UDC requirements for a CUP include, related to the sale of all alcoholic beverages less than 50 percent and more than 75 percent revenue from Alcohol include

- The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code;
- The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City; and

- The permittee must, at all times, provide an adequate number of employees for security purposes.

Additionally, the UDC states:

The City Council may deny or revoke a Conditional Use Permit in accordance with Sec. 3.5 if it affirmatively determines that the issuance of the permit is:

- a. Incompatible with the surrounding uses of property; or
- b. Detrimental or offensive to the neighborhood or contrary to the health, safety and general welfare of the City and its inhabitants.

Master Trails Plan and Thoroughfare Plan:

- The subject property is located on West Adams and Honeysuckle Drive. West Adams is a constructed major arterial;
- An existing City-Wide Spine Trail is located on the north side of West Adams; and
- No new sidewalks or roads are proposed with this project.

As the property is already developed, adequate utilities have been established to serve this site. The subject lots are served by a 14-inch water line and a 12-inch sewer line.

Surrounding properties include commercial and residential to the north zoned GR; office, retail, bank and church to the south zoned Neighborhood Services (NS) and AG; office use to the west zoned GR; and bank located to the east zoned GR.

The request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, consistent with the City's infrastructure and public services are available to serve the site, and complies with the Trails Master Plan and Sidewalks Ordinance.

Twenty-two notices were mailed out with 18 notices in agreement and zero in opposition.

The newspaper printed notice of the public hearing on May 7, 2015, in accordance with state law and local ordinance.

Staff recommends approval of the requested Conditional Use Permit allowing for establishments where the gross revenue from the on-premise sale of alcoholic beverages is less than 75% of the total gross revenue of the establishment sales.

Chair Rhoads opened the public hearing.

Mr. John Kiella, 11122 White Rock Drive, Temple, Texas, stated one lot already has a restaurant located on it. The applicant is working with other possible tenants for the remaining lots.

Mr. Kiella commented in all his years of working with City Staff, the current Staff understands the Code very well and the best Staff he has worked with. Mr. Kiella thanked the staff for all their work and assistance with his projects.

Chair Rhoads closed the public hearing.

Commissioner Pitts made a motion to approve Item 4, **Z-FY-15-19**, as presented, and Commissioner Johnson made a second.

Motion passed: (8:0)

Vice-Chair Jones absent

Item 5: P-FY-15-19 – Consider and recommend action on the Final Plat of Dorsey II Subdivision, a 3.97 +/- acre, 3-lot, 1-block residential subdivision, with a developer requested exception to Section 8.1.3A.7 of the Unified Development Code (UDC) related to required fire hydrants, being a Replat of Lot 3, Block 1, Dorsey Subdivision, as recorded in Cabinet D, Slide 294-A of the real property records of Bell County, Texas, addressed as 7677 Acres Road within the Extra-Territorial Jurisdiction (ETJ) of the City of Temple.

Mr. Mark Baker, Planner, stated City Council is the final plat authority since the applicant has requested an exception to UDC Sec. 8.1.3A.7 – Required Fire Hydrants. The first reading will be held on May 18, 2015 and second reading on June 18, 2015.

The Final Plat was reviewed by the DRC on March 26, 2015 and deemed administratively complete on May 11, 2015.

There is no zoning applied since it is in the ETJ.

Staff worked with the applicant on a Private Easement Agreement for private drainage easement. This was recorded and is shown on the plat.

There is no sewer available to the property and on-site sewage is being provided. Water is available through a one and one-half-inch waterline and four-inch waterline both located in Acres Road. These are inadequate to support fire hydrant needs which is triggering the exception request.

There is no sidewalk required on Acres Road.

There is three criteria for the exception:

The proposed plat is not within the City's Fire District;

The City does not provide water service to the area proposed for platting; and

The City has not set forth plans to annex the area proposed for platting in the City's Municipal Annexation Plan.

Exception Criteria No. 2:

Existing water lines are inadequately sized to support a fire hydrant. The Fire Marshal recommends approval of exception.

Staff recommends approval of the Final Plat of Dorsey II subdivision and the developer requested exception to UDC Sec. 8.1.3A.7 related to fire hydrants for the following reasons:

The proposed plat is not within the City's Fire District;

The existing water lines are inadequately sized to support a fire hydrant;

The City has not set forth plans to annex the area proposed for platting in the City's Municipal Annexation Plan; and

The Fire Marshal recommends approval of the Exception.

Commissioner Mikeska-Reed made a motion to approve Item 5, **P-FY-15-19**, as stated, and Commissioner Staats made a second.

Motion passed: (8:0)

Vice-Chair Jones absent

Item 6: P-FY-15-22 - Consider and take action on the Westfield Master Preliminary, a 224.54 +/- acres, situated in the Baldwin Robertson Survey, Abstract No. 17 and in the Nancy Chance Survey, Abstract No. 5, both in Bell County, Texas, located on the north of West Adams Avenue, east side of North Pea Ridge Road, south of Prairie View Road with an exception to Unified Development Code Section 8.3: Park Land Dedication.

Ms. Zendt stated City Council is the final plat authority since the applicant has requested an exception to UDC Article 8: Subdivision Design and Improvements; Sec. 8.3.1 – Requirements for Park Land Dedication. First reading will be held on June 18, 2015 and second reading on July 2, 2015.

The applicant is John Kiella, Kiella Land Investments, and is presented in tandem with the previous case, Z-FY-15-17. The property is bordered by multiple streets and multiple tracts. The applicant is proposing a development scheme that includes a mixture of zonings and uses in one master planned community.

The proposed plat is shown with 748 lots and 32 blocks which is compliant with the proposed zoning for those sections.

The property is serve by utilities at multiple locations as previously identified. Staff has reviewed and generally approved the plat as brought to P&Z tonight.

The applicant has requested an exception to Article 8: Subdivision Design and Improvements; Section 8.3.1: Requirements for Park Land Dedication. To summarize, City Council may approve, approve with conditions or deny the request after consideration of the following factors:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions Article 8 would have a substantial adverse impact on the applicant's reasonable use of the land;
2. That the granting of the exception will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
3. That the granting of the exception will not have the effect of preventing the orderly subdividing of other land in the area in accordance with the provisions of this Section.

The developer has stated that approximately 7.3 acres of parkland will be provided and maintained by the Home Owners Association (HOA) and has planned various amenities within the parkland framework of pocket parks and linkages.

The exception is to allow these private parks to serve this development and to allow consideration for the pedestrian linkages that are being provided to the anticipated 250 acre Crossroads Park.

The Parks Department did have one consideration: The approximate seven acres will serve the number of single family dwellings shown in this preliminary master with a surplus acreage to serve approximately 175 multi-family dwellings. If more multi-family is proposed in the future than the surplus will serve, this may be addressed prior to multi-family development.

The DRC reviewed the Westfield Master Preliminary Plat and deemed it administratively complete on May 15, 2015.

Staff recommends approval of the Westfield Master Preliminary Plat and the exception to UDC Section 8.3 Park land Dedication.

Commissioner Sears made a motion to approve Item 6, **P-FY-15-22**, as proposed, and Commissioner Johnson made a second.

Motion passed: (8:0)
Vice-Chair Jones absent

There being no further business, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,
Leslie Evans

**PLANNING AND ZONING COMMISSION
MONDAY, MAY 18, 2015
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair Greg Rhoads

COMMISSIONERS:

Tanya Mikeska-Reed
Blake Pitts
Will Sears
Lester Fettig

James Staats
Patrick Johnson
Omar Crisp

PLANNING AND ZONING MEMBERS ABSENT:

Vice-Chair Jones

STAFF PRESENT:

Brian Chandler, Director of Planning
Beverly Zendt, Assistant Director of Planning
Trudi Dill, Deputy City Attorney
Tammy Lyerly, Senior Planner
Mark Baker, Planner
Leslie Evans, Planning Technician

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

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

With a quorum present, Chair Rhoads opened the work session at 5:00 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

Mr. John Kiella will be presenting an overview of his Westfield Master Plan at the work shop. If the Commission desires, the presentation may also be given at the open meeting.

Mr. Chandler stated the second part of the TMED PD (Shoppes on the Hill) will be presented regarding the residential section.

Mr. Kiella stated they were attempting to create a true Work/Live/Play community. The PowerPoint was an overview of what is currently existing there along FM 2305, as far as housing and retail. The development is being added to as it moves to the north.

There are three major arterials surrounding the project: FM 2305, Outer Loop which is the 35 to 35 connector, and Airport Road. The project will span from 2305 to Airport Road.

Three schools will be located within the project with a large concentration of housing and a minimal amount of retail.

All of the neighborhood parks will provide connectivity within the subdivision.

Sidewalks of six to eight-feet in width are already installed and a small center gathering area will be created next to the Scott & White Clinic. This will be done with current park fees.

The development will go around the detention pond to the north and connect to the north over Pecan in front of the school. Ten foot sidewalks are being installed along Westfield Boulevard which is also being done with park fees.

Neighborhood Trails/Parks: "Rear yard" parks located in the middle of the backs of housing and there will be 15 foot back yards on both sides along with 60 foot parks for gathering areas. A north/south hike and bike connector trail will go around the detention and sidewalk to the north. There will be concrete curb connections and crushed granite for the trails all maintained by the HOA.

Garden Courtyards: These will be in the front yards with rear entry homes accessed off of alleyways and they will all be facing on a park. The front yards will be five to six feet from the gates. More 10 and 30 foot parks will be interspersed.

Between the townhomes will be gathering areas with fire pits.

Pocket Parks will be sprinkled throughout the development.

School Park Nodes will be available for the kids.

Crossroads Park Connector will provide accessibility for the development and neighboring areas. Several connectors are planned for the area.

A 370 acre park will be provided.

Most of the medians and the boulevards will be irrigated, landscaped and maintained by the HOA.

The Central Park/Detention pond is about two and a half feet deep on approximately seven acres and the developer would like to create a water feature for the area. This would be used for a central park area with housing surrounding it.

A huge green belt will be between the houses which they will back up to.

Meadowbrook Boulevard and Stonehollow intersection will have a roundabout (traffic circle) as a calming device with green spaces and landscaping.

Across from Tarver will be six buildings containing four units on independent lots with fire walls between them.

Townhomes will be available and the developer is anxious to see how Temple accepts and utilizes them.

Ten garden courtyard homes will be built, five on each side.

Westfield will contain a multitude of projects: townhomes, garden facing fronts, rear entry single family, cottages, front facing rear yards, pocket parks, open spaces, trails, Crossroads Park, Central Park, school park nodes, and many other upscale and quality features.

Rentals will be available and homes may range between \$140,000 to \$400,000. The developer would prefer not to have a single price point subdivision; however, it depends on how Temple receives the product.

Vertical mixed use will be integrated as much as possible (multiple uses in a single space). West Temple does not have much in the way of retail. A huge amount of small retail would like to come into the marketplace but nowhere to put them. A lot of small startup businesses are being incorporated into the Westfield project.

Four unit shop/residential buildings will be sold as townhomes with 800 square foot of retail on the bottom. Currently a wine maker is interested in coming into one of the retail spaces. People are moving away from the big box idea to smaller venues where they own their own businesses and live in the same area. Two of the units have currently sold.

The pink areas on the presentation represent where these projects will be developed.

A food park with food trucks is being considered in conjunction with the parks and open spaces. A single grease trap would be installed for all of the trucks to connect to, the area would have crushed granite walkways, and farmers markets would be combined with the food park.

The developer has been in discussions with the City of Temple Parks Department who would also be interested in creating the same type of venues for the City parks.

Outdoor Concert venues would be implemented to bring the area together.

Developer's Agreements are being considered to increase sidewalks from three feet to eight feet along Honeysuckle Drive with the City's assistance and the development of Westfield detention area with public parking.

Conditions would include buffering standards, landscape standards, park land with HOA ownership and maintenance and CUP in GR districts.

Beautification Agreements would include continuation of current Westfield Boulevard beautification agreement, the City approves approximately 10 water meters, and the HOA maintains islands, entryways and detention areas.

The four zoning classifications are shown: PD-SF3 (723 Lots); PD-SFA-3 (20 townhome lots); PD-GR (five lots 750,000 square feet); and PD-GR1 (one lot 550,000 square feet).

Mr. Kiella is excited to bring a "small outpost" to the west Temple community. Mr. Kiella met with both churches to discuss the development.

Due to time conflicts Chair Rhoads adjourned the meeting at 5:28 P.M.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

06/01/15
Item #2
Regular Agenda
Page 1 of 10

APPLICANT / DEVELOPMENT: John Kiella (On behalf of Tem-Tex Investments LLC)

CASE MANAGER: Mark Baker, Planner

ITEM DESCRIPTION: Z-FY-15-20: Hold a public hearing to consider and recommend action on a rezoning from Neighborhood Service District (NS) to Planned Development-Neighborhood Service District (PD-NS) with a development plan to allow drive-in restaurants, and a Conditional Use Permit to allow establishments where between 50% & 75% of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption, on approximately 4.916 +/- acres, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 7425 West Adams Avenue.

STAFF RECOMMENDATION: Based on the following analysis and reasons that:

1. That the proposed Development Plan has demonstrated compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. The project has demonstrated compliance with the specific standards in Unified Development Code (UDC) Section 5.3.15A & B;
3. The project has demonstrated compliance to Chapter 4 of the City of Temple Code of Ordinances related to alcoholic beverages;
4. The request is consistent with adjacent Suburban Commercial land uses and the Neighborhood Service zoning district established, adjacent to and across the property on West Adams Ave (FM 2305);
5. The request is in compliance with the Thoroughfare Plan; and
6. Public facilities are available to serve the subject property.

Staff recommends approval of the requested rezoning from Neighborhood Services (NS) to Planned Development - Neighborhood Services (PD-NS), subject to the following conditions:

1. As listed by UDC Section 5.1, all permitted uses within the Neighborhood Service (NS) district are allowed, with the addition of drive-in restaurants, in the northerly 2.037 +/- acre portion of Westfield Market;
2. That drive-in restaurants are prohibited in the southerly 2.879 +/- acre portion of Westfield Market but subject to approval of a revised development plan;
3. That drive-in restaurants are restricted to a drive-aisle and drive-in (pick-up) window only;
4. That the Director of Planning may be authorized discretion to approve minor modifications to the City Council-approved Development Plan, including but not limited to the selection of

exterior building materials, screening, buffering, landscaping and minor modifications to the overall site layout;

5. At the time of development, of the southerly 2.879 +/- acre portion of the Westfield Market, a Development Plan is submitted for review by the Planning & Zoning Commission & City Council;
6. Submittal of a Development Plan at the time of Construction Documents that is in substantial compliance to the Development Plan attached as Exhibit A of the Rezoning Ordinance or as amended by subsequent action by the Director of Planning or City Council;
7. That prior to development of the southerly 2.879 +/- acre portion of the Westfield Market, a subdivision plat is filed for review with the Planning Department; and
8. That upon residential development or residential rezoning of the undeveloped property between the First Baptist Church and Westfield Market, the owner/developer of the Westfield Market shall be responsible for the submittal of a revised development plan to the Planning Department, confirming compliance of the required buffering and screening; and

Staff recommends approval of the requested Conditional Use Permit to allow establishments where between 50% & 75% of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption, subject to the following conditions:

1. That the use may be allowed in any of the developed building suites within the total 4.916 +/- acre Westfield Market;
2. The use is subject to compliance to Chapter 4 of the City Code of Ordinances related to alcoholic beverages;
3. That the Conditional Use, complies with UDC Section 5.3.15A related to alcoholic beverage sales for on-premise consumption and UDC Section 5.3.15B related to the 50% to 75% range of gross revenue, from all alcoholic beverage sales with on-premise consumption; and
4. That as listed in UDC Section 5.1 and upon separate request, all other conditional uses identified in the Neighborhood Service (NS) district, are subject to review by a separate conditional use permit application process.

ITEM SUMMARY: The applicant, John Kiella on behalf of Tem-Tex Investments LLC, requests rezoning of a 4.916 +/- acre property, comprised of a 2.037 +/- acre northern portion and a 2.879 +/- acre southern portion, from Neighborhood Service (NS) district to Plan Development – Neighborhood Service (PD-NS) district and allow “pickup” or “bank teller-style”, drive-in windows on two suites along with two separate drive aisles within the Westfield Market development. Drive-in restaurant uses are not permitted in the Neighborhood Service (NS) district but are permitted in the General Retail (GR) district. If approved, the requested Planned Development would include the additional use by-right.

In addition, a Conditional Use Permit, for establishments where between 50% & 75% of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption, is being requested. This use normally requires a conditional use in all non-residentially-zoned districts (Office through Heavy Industrial), with the exception of Office-1 (O-1), where it is prohibited altogether. If approved as a conditional use, the applicant is requesting that this use be permitted anywhere within the property without the need for multiple applications for a separate conditional use permit.

BACKGROUND: The 4.916 +/- acre subject property in its entirety was rezoned from General Agriculture (AG) to Neighborhood Service (NS) district by Ordinance 2013-4594 on June 20, 2013. The need for the rezoning to Planned Development was identified by staff during the review of Construction Documents for the proposed Westfield Market. The plans for the northern 2.037 +/- acre portion, show two (2) drive aisles along with “pickup”, drive-in windows, as identified and represented on the attached building elevations.

Staff has worked closely with the applicant to identify the nature of potential uses which utilize this feature, most notably drive-in restaurants with a pickup-style window were identified as potential tenants. A base zoning of Neighborhood Services does not permit restaurants with this feature.

In addition, establishments with alcoholic beverage sales with on-premise consumption that is between 50% and 75% of the gross total revenue were also identified. This use requires a conditional use permit within the Neighborhood Service (NS) district. Therefore, the current request entails a combination of Planned Development as well as Conditional Use Permit consideration.

Planned Development: Per UDC Section 3.4.5, when considering a Planned Development, the approving body must consider 10 criteria. Compliance to the criteria are discussed and provided in the attached Planned Development Criteria and compliance summary.

Further, per UDC Sec 3.4.3A, as a Planned Development, a Development Plan for consideration and approval by City Council is required.

UDC Section 3.4.1 defines a Planned Development as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

As a Planned Development, a Development Plan (Exhibit A) is subject to review and approval as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance. The Development Plan that has been submitted, provides the boundaries and the layout for the proposed building footprint, parking area, and drive-in aisles. While enhancements are normally an expectation of a Planned Development to off-set the unique manner of the request, the nature and location of this request did not generate the extensive need for such enhancements.

The current request for a Planned Development (PD) is proposed to retain the Neighborhood Service base-zoning with the addition of the use of allowing drive-in restaurants. Uses that are permitted by-right in the Neighborhood Service (NS) district which utilize the drive-in window include:

1. Bank,
2. Cleaning, pressing or pick-up shop, and
3. Pharmacy

It should be noted that package stores are not permitted and require a minimum Commercial (C) zoning with approval of a separate conditional use permit. Establishments that generate 75% or

more of their revenue from on-premise sales of all alcoholic beverages with on-premise consumption are also not permitted. Additionally, sale of beer and wine, which include beer and wine-based products with off-premise consumption, such as those using the pickup window for sales would also be prohibited in the Neighborhood Service district and require review of a separate conditional use permit.

A drive-in restaurant is defined by Section 11.2 of the UDC as follows:

“An establishment designed and constructed to serve food for consumption on premises in an automobile or for carry-out for off-premises consumption and that establishment may or may not have an on-premise dining room or counter”.

It should be noted that the UDC does not specifically differentiate between a drive-in and a drive-thru (through) window in the general development standards. However, a drive-thru (through) window, as anticipated by this application, is provided for and listed exclusively in the Temple, Medical and Educational Overlay district (TMED). Per UDC Sections 6.3.6E.2 & 10, the TMED district provides for locational standards on the building for the drive-thru as well as vehicle stacking space for the drive-aisles. While not required by the Neighborhood Service zoning district, the standards appear to have been met.

Since a restaurant with a drive-in window is a consideration of the Planned Development, it should be noted that per UDC Section 7.1.2, there are performance standards related to noise and noise levels received at the property line of any zoned property. Further, UDC Section 7.1.8 is applicable related to glare on any zoned property.

Per UDC Section 7.7, since this adjacent property is Agriculture-zoned (AG), it is considered residentially-zoned and triggers the buffering and screening requirements. According to the applicant, both the applicant and the pastor of the church have expressed a desire to forego the requirement of solid fencing to meet the buffering and screening requirement.

Further, the applicant has indicated that a letter is forthcoming from the First Baptist Church regarding the solid fence, as of staff report preparation, it has not been received. Staff is in agreement that a solid fence would not be appropriate but would request enhanced landscaping to serve as a buffer instead. While the applicant acknowledges that additional landscaping will be provided along the western boundary, currently, this additional landscaping has not been finalized. As such, the applicant is requesting flexibility to identify locations for some additional landscaping at the time of construction permit review. This request is addressed by a proposed condition allowing the needed flexibility by staff when reviewing the development plan at the time of Construction Plan review.

Buffering and screening enhancements the applicant has agreed to specifically are as follows:

- I. **Replacement of chain-link fencing with solid wood panels on southern boundary:** While required for buffering and screening, the applicant has agreed to replace the existing chain-link fencing to create a continuous solid wood fence along the southern boundary of the property. This is immediately adjacent to the developed lots of the Meadows, Phase I residential subdivision.

II. Enhanced Landscaping: The attached Landscape Plan for Construction Plan review shows 15% of the 2.037 +/- acre site being provided with landscape materials. This exceeds the minimum requirement of 5% landscaping.

In addition, discussions between the applicant and the church pastor identified potential uses of the church's undeveloped portion of property to the west of the proposed Westfield Market. It was speculated that the land will be sold-off and developed with non-residential uses, if that occurs, the buffer requirement would no longer be necessary. The only time this buffer is required, is if developed with residential uses. The buffer would likely be in the form of landscaping and a condition of approval is proposed to address this possibility.

Additional Site Development (Future 2nd Phase): Since a site plan for the southerly 2.879 +/- acre portion of the property is not available, buffering and screening as well as discussion about impacts related to noise, light and buffering standards is problematic. Any impacts would be evaluated at the time the site development is proposed.

As a result, staff is recommending that the use of the drive-in window feature be limited to the building suites depicted in the Development Plan attached as Exhibit A for the northerly 2.037 +/- acre portion.

Further, it is being recommended that restaurants that meet the drive-in definition be limited to those with the drive-in window and drive aisles features exclusively. Effectively, this restriction would prohibit a drive-in restaurant, such as "Sonic" or other similar type of "50's" / "60's – style" restaurant establishments in their entirety. This restriction is consistent with the intent of the base zoning, since the zoning is Neighborhood Service (NS).

Conditional Use Permit: In this case, the use of allowing establishments which generate between 50% and 75% of their gross revenue may be from the sale and on-premise consumption of all alcoholic beverages is being requested. The use would be applied in any of the building suites.

UDC Section 5.1 – Use Table, differentiates between four (4) different categories of alcoholic beverage sales for on-premise consumption and are shown by the following table:

Alcoholic Beverage Sales with On-Premise Consumption UDC Section 5.1 (Use Table)	
<i>Percentage of Alcohol Sales to Gross Revenue</i>	<i>Permitted with CUP in NS</i>
A. Beer & Wine Only Less Than 75% Revenue from Alcohol	YES
B. All Alcoholic Beverages 75% or more from Revenue from Alcohol	NO
C. All Alcoholic Beverages >50% & <75%	YES
D. All Alcoholic Beverages 50% or less Revenue from Alcohol	YES

The request to "blanket" the use in any of the proposed suites would reduce the processing of multiple conditional use permits. To date, no other conditional uses have been identified. If at a later date, other conditional uses are identified, they will require a separate consideration of a conditional use permit application.

Whether permitted by-right or conditionally permitted, UDC Section 5.3.15, addresses provisions for establishments where there is alcoholic beverage sales for on-premise consumption. These provisions, address permitting requirements through the Texas Alcohol Beverage Commission (TABC), distance requirements from sensitive uses, as well as cancelation, suspension and revocation of the conditional use permit. Adherence to these standards in their entirety are included by reference in the conditions of approval for the permit.

Additionally, UDC Section 5.3.15B provides standards for establishments with alcoholic beverage sales with on-premise consumption that is between 50% and 75% of the gross total revenue. The standards are as follows:

1. The establishment must not be within 300 feet of a place of worship, public school or public hospital;
2. The distance between the establishment where alcoholic beverages are sold and a place of worship or public hospital must be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. The distance between the place of business where alcoholic beverages are sold and the public school must be measured in a straight, direct line from the property line of the public school to the property line of the establishment, and in a direct line across intersections;
3. If the permit or license holder is located on or above the fifth story of a multi-story building, in a direct line from the property line of the public school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permittee is located.

Staff has considered these three (3) standards and “as the crow flies”, is about 1300 feet to the closest point from door to door. However, that measurement is not provided for by the UDC.

Using the prescribed measurement method provided by the UDC, the northerly 2.037 +/- acre portion of Westfield Market to the adjacent First Baptist Church is approximately 1,700 feet, confirming that the minimum 300-foot distance has been exceeded. There are no other sensitive uses such as a public hospital or public school within the immediate area.

With regard to the southerly 2.879 +/- acre portion of the subject property, as indicated earlier in the report, there is no proposed site plan at this time. Staff has estimated the distances, using the minimum Neighborhood Service dimensional standards for a hypothetical building footprint, and determined that the 300-foot distance has also been exceeded at over 2,000 feet to the adjacent First Baptist Church.

It should be noted that UDC Section 5.3.15C.1 requires a 300 foot distance between the establishment serving alcoholic beverages and a residentially zoned or developed lot. This distance provision only applies in cases where the percentage of alcohol sales exceeds 75% of gross revenue and is not applicable to this case.

In addition, Chapter 4 of the City of Temple Code of Ordinances reiterates state laws for distancing with regard to alcohol sales and consumption restrictions. This is regardless of whether UDC Section 5.3.15 is applicable to a given instance. Compliance to Chapter 4 standards are required and are included as a condition.

Development of the southerly 2.879 +/- acre portion of the property will trigger a subdivision plat. The plat will be required to be reviewed by the Development Review Committee (DRC) and recorded with Bell County. Since this is part of the Planned Development, when the southerly portion is developed, staff is required per UDC Section 3.4.2, to bring forward the development plan to DRC. Staff is requesting that based on review by the DRC, that the Director of Planning can be authorized discretion to approve any future development plan.

In conclusion, in accordance with UDC Section 3.4.5, in determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider specific criteria. While more detailed discussion can be found throughout this report, a synopsis to compliance with the required criteria can be found in the attached table entitled "Planned Development Criteria and Compliance Summary"

Per UDC Section 3.4.2C, the City Council may include additional conditions of approval into the rezoning ordinance as follows:

In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening.

Therefore, the requested Planned Development and Conditional Use Permit have been requested for the entire 4.916 +/- acres. Based on the above discussion, while the conditional use permit is being applied to the entire 4.916 +/- acre property, the Planned Development would be restricted to the northerly 2.037 +/- acre portion, with a condition that would authorize the DRC and Director of Planning to consider any future Development Plan without requiring City Council review.

Although the subject property as Planned Development-Neighborhood Service is anticipated to be developed with retail and service uses, there are a number of uses that are permitted by-right. As shown in the following table, the uses include but are not limited to:

Residential uses

Single Family Attached/Detached
Industrialized Housing
Townhouse

Nonresidential uses

Farm or Ranch
Place of Worship
Pre-School

Prohibited uses include HUD-Code manufactured homes and land lease communities, duplexes and apartments. All commercial and industrial uses are prohibited, except these uses allowed by an approved conditional use permit, such as a temporary asphalt concrete batching plants, a petroleum or gas well or a cemetery, crematory or mausoleum and establishments which sells beer and wine with off-premise consumption.

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	NS	Undeveloped
North	Suburban Commercial	GR	Retail & Service Uses
South	Auto-Urban Residential	SF-3	The Meadows, Phase I, subdivision
East	Auto-Urban Residential	NS, GR, AG	Retail & Service Uses & Undeveloped
West	Suburban Residential	AG	First Baptist Church / Undeveloped

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)	NO
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)

Per Ordinance 2013-4594, on June 20, 2013, City Council approved the rezoning of 4.916 +/- acre property from Agriculture (AG) district to Neighborhood Service (NS) district.

According to the City of Temple Comprehensive Plan / FLUP, the subject property, being a total 4.916 +/- acres, is within the Suburban Residential designation of the Future Land Use Plan (FLUP).

“The Suburban Residential designation is intended mid-size single family lots, allowing for greater separation between dwelling and more emphasis on green spaces versus the streets and driveways that predominate in an auto-urban setting. The current land use designation is not consistent with the current or proposed rezoning request which includes the Neighborhood Service base zoning.

While the proposed zoning is not consistent with the underlying Future Land Use Plan, the request is consistent with the Suburban Commercial Future Land Use Plan designation established across West Adams Ave (FM 2305) and that is established on both sides of West Adams, east of Meadowbrook Drive.

In addition, Neighborhood Service (NS) zoning is established on the south side of West Adams Ave (FM 2305) and General Retail (GR) on the north side of West Adams Ave. This would be expected and is consistent with zoning designations along this corridor under the Suburban Commercial Future Land Use Plan designation.

Additional discussion regarding compliance to UDC Section 3.4.3, Planned Development, is provided in the “Background” section in this report.

If the rezoning from Neighborhood Service (NS) to Planned Development - Neighborhood Service (PD-NS) is approved, the Future Land Use Plan will need to be updated.

Thoroughfare Plan (CP Map 5.2)

The property has frontage along West Adams Ave (FM 2305). The Thoroughfare Plan (see attached map) identifies West Adams Ave (FM 2305) as a major arterial. The property takes access from West Adams Ave (FM 2305) from existing driveways. No new driveways are proposed and no issues have been identified relative to access. The existing driveways are a result of previous development on the subject property.

Availability of Public Facilities (CP Goal 4.1)

Water is available through a 3-inch waterline on the south side of West Adams Ave (FM 2305). Sewer is available from an 8-inch sewer line on the eastern side of the subject property.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, a City-Wide Spine Trail has been identified on the north side of West Adams Ave (FM 2305). As a major arterial, a minimum 6-foot sidewalk is required. The building plans, which are currently in review for the Westfield Market, show a 6-foot sidewalk, as required by code.

DEVELOPMENT REGULATIONS: Non-Residential setbacks for this planned development with a base-zoning of Neighborhood Service district are:

Min Lot Size	N/A
Min Lot Width	N/A
Min Lot Depth	N/A
Front	15'
Side	10'
Side (corner)	10'
Rear	10' (UDC sec. 4.4.4.F3)
Max Height	ALH (Any legal height not prohibited by other laws)

Per UDC Section 8.2.3, sidewalks are required on both sides of the road for arterial streets. A 6-foot sidewalk will be installed at the time of development and is shown on the building plans, which are currently in review with the Construction Safety Department. The building plans are on-hold pending the outcome of the requested rezoning.

While general provisions for buffering and screening are found in UDC Section 7.7, highlighted provisions include but not limited to:

- * Evergreen hedges with a minimum planted height of six feet, placed on 36-inch centers or, fences and walls constructed of wood , masonry, stone or pre-cast concrete from 6 to 8 feet in height above the adjacent grade (UDC Section 7.7.4),

- * Refuse containers are to be located in the side or rear of the property and screened from view per UDC Section 7.7.6, and
- * Outdoor storage is permitted in the NS zoning district, where the storage area is situated behind the principal building in the rear half of the property and where a solid wood or masonry fence screens the outdoor storage from public view. Such wood or masonry fence must be at least one foot higher than the stored material (UDC Section 7.7.8.B1).

DEVELOPMENT REVIEW COMMITTEE (DRC): As required by UDC Section 3.4.2B, the Development Plan for the proposed Westfield Market was reviewed by the DRC on May 18, 2015. No issues were identified.

PUBLIC NOTICE: Owners of Thirty-six (36) properties within 200-feet of the subject property, were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday May 28, 2015 at 12:00 PM, no notices have been received. Staff will provide an update, if necessary at the Planning and Zoning Commission meeting.

The newspaper printed notice of the public hearing on May 21, 2015, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Chapter 4 – Code of Ordinances – Alcoholic Beverages
- Planned Development Criteria and Compliance Summary Table
- Site and Surrounding Property Photos
- Development Plan (Exhibit A)
- Landscape Plan
- Building Elevations (Pickup Windows Encircled)
- Aerial Map
- Zoning Map
- Future Land Use and Character Map
- Utility Map
- Localized area of the Thoroughfare Plan
- Localized area of the Trails Plan
- Notification Map



Chapter 4

ALCOHOLIC BEVERAGES

ARTICLE I. EXTENDED HOURS

Sec. 4-1. Extended hours.

ARTICLE II. SPACING

Sec. 4-2. Sales near school, church or hospital

Sec. 4-3. Measurement for church or public hospital

Sec. 4-4. Measurement for public school.

Secs. 4-5--4-10. Reserved.

ARTICLE III. LICENSE AND PERMIT FEES

Sec. 4-11. Alcoholic beverage license and permit fees.

Sec. 4-12. Display

Secs. 4-13 -- 4-20. Reserved.

ARTICLE IV. SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY

Sec. 4-21. Sale of alcoholic beverages on city property prohibited except where specially permitted.

Chapter 4

ALCOHOLIC BEVERAGES

ARTICLE I. EXTENDED HOURS

Sec. 4-1. Extended hours.

The City of Temple is an “extended hours area” as that term is defined in the Texas Alcoholic Beverage Code. (Ref. V.T.C.A., Alcoholic Beverage Code § 105.06)

ARTICLE II. SPACING

Sec. 4-2. Sales near school, church or hospital.

It is an offense for any person to sell alcoholic beverages at a place of business which is within 300 feet of a church, public school or public hospital. (Ref. V.T.C.A., Alcoholic Beverage Code § 109.33)

Sec. 4-3. Measurement for church or public hospital.

The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

Sec. 4-4. Measurement for public school.

The measurement of the distance between the place of business where alcoholic beverages are sold and the public school shall be:

(a) in a direct line from the property line of the public school to the property line of the place of business, and in a direct line across intersections; or

(b) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

Sections 4-5 through 4-10 reserved.

ARTICLE III. LICENSE AND PERMIT FEES

Sec. 4-11. Alcoholic beverage license and permit fees.

A license fee and permit fee is levied in the amount of one-half of the state license and permit fees for each permit issued for premises located within the City, except for permits that are exempted from municipal fees. The city license and permit fees shall be paid to the City at the same time that the state license and permit fees are paid to the state. (Ref. V.T.C.A. Alcoholic Beverage Code § 11.38, § 61.36.

Sec. 4-12. Display.

It is an offense for any person licensed under this article to fail to display such the City license and keep the same displayed in a conspicuous place in the place of business licensed.

Sections 4-13 through 4-20 reserved.

ARTICLE IV. SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY

Sec. 4-21. Sale of alcoholic beverages on city property prohibited except where specially permitted.

(a) **City Property.** It shall be unlawful for any person to sell alcoholic beverages in any public park of the city, or on or in other publicly owned property, save and except that the city and concessionaires or caterers having a contract with the city to sell alcoholic beverages at the Frank W. Mayborn Civic and Convention Center, Santa Fe Depot, and at Sammons Park, if properly licensed, may sell alcoholic beverages upon the premises of the civic and convention center, depot, and within the Sammons Park Restaurant, Clubhouse, and deck exclusively. The city manager or his designee may authorize a special event permit for the sale of alcoholic beverages on city property other than a city park.

(b) **Criteria for Permits.** The City Council shall from time to time by resolution establish criteria for special event permit applications and approvals under this section.

(Ordinance No. 2009-4323, 11-05-09)

PLANNED DEVELOPMENT CRITERIA AND COMPLIANCE SUMMARY

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.	YES	It is fully anticipated that the site plan design will conform to the UDC as well as to dimensional, developmental and design standards adopted by the City. Review and determination of compliance is made at several review stages prior to the issuance of permits for construction and occupancy.
B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on natural resources of the surrounding properties and neighborhood is mitigated.	YES	No environmental impacts associated with the preservation of existing natural resources, the surrounding properties and neighborhood are anticipated that can't be mitigated at the construction plan review phase.
C. The development is in harmony with the character, use and design of the surrounding area.	YES	The surrounding area is being developed with non-residential uses fronting along W. Adams Ave, area (FM2305) which is identified as a major arterial. Both Neighborhood Service (NS) and General Retail (GR) has been established in the immediate area which allows a variety of non-residential uses. Proposed character is consistent with existing character. Full compliance is anticipated.
D. Safe and efficient vehicular and pedestrian circulation systems are provided.	YES	Existing driveway cuts will be utilized and circulation will be addressed at the construction plan review stage of processing. Full compliance is anticipated.
E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.	YES	Compliance determination is made Constuction plan review. Full compliance is anticipated.
F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.	YES	West Adams Ave is existing. No new streets are proposed. Compliance with related requirements will be determined with the reveiw of constuction documents. Full compliance is anticipated.
G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.	YES	West Adams Ave (FM 2305) is existing. No new streets are proposed. Compliance to related requirements will be determined with the review of construction documents. Full compliance is anticipated.
H. Landscaping and screening are integrated into the overall site design: 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary. 2. To complement the design and location of buildings.	YES / TBD	Landscaping which exceeds minimal code requirements has been provided. Discussion between staff and the applicant is on-going. A condition of approval has been proposed to allow flexibility to negotiate additional landscaping on the western and southern boundaries as identified during the construction plan review. Additional landscaping would be triggered if undeveloped portion of church property to the west is sold-off and developed with residential uses. It is anticipated that land will eventually be developed with non-residential uses. Full compliance to buffering and screening standards is anticipated.
I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.	YES	Compliance will be determined with review of constuction documents. Full compliance is anticipated.
J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.	YES	All facilities are available. Compliance to standards will be addressed with the review of construction documents. Full compliance is anticipated.

Site & Surrounding Property Photos



Site: Undeveloped Property (NS)



Site: Undeveloped Property – Close Up (NS)



East: Retail & Service Uses & Undeveloped (NS & GR & AG)



West: First Baptist Church / Undeveloped (AG)



North: Retail & Service Uses (GR)



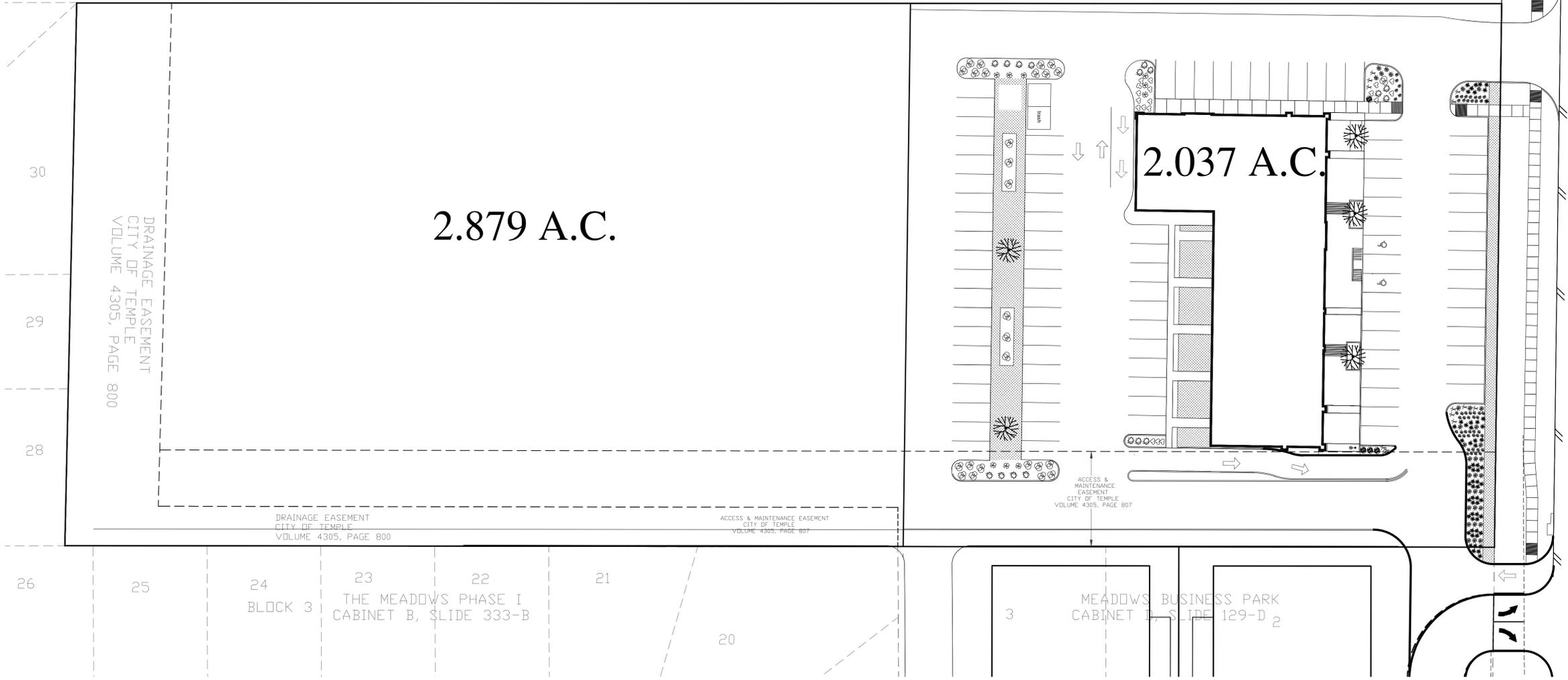
North: Retail & Service Uses (GR)



South: Single Family Residential - The Meadows, Phase 1 (SF-3)



South: Existing Fencing (Both Chain-Link & Solid Wood)



F.M. 2305

SITE PLAN for
WESTFIELD MARKET



REVISIONS	

DATE:	5/26/15
DRN. BY:	JFBII
REF.:	
FIELD BOOK	SKETCH
JOB NO.:	13-540
SHEET	c1 OF 54
COMPUTER DWG. NO.	13540

12324-D
DRAWING NUMBER

SITE PLAN for
WESTFIELD MARKET
7525 WEST ADAMS AVENUE
TEMPLE, BELL COUNTY, TEXAS

PREPARED FOR:
KIELLA DEVELOPMENT
7462 WEST ADAMS AVENUE
TEMPLE, TEXAS 76502

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

GENERAL NOTES:

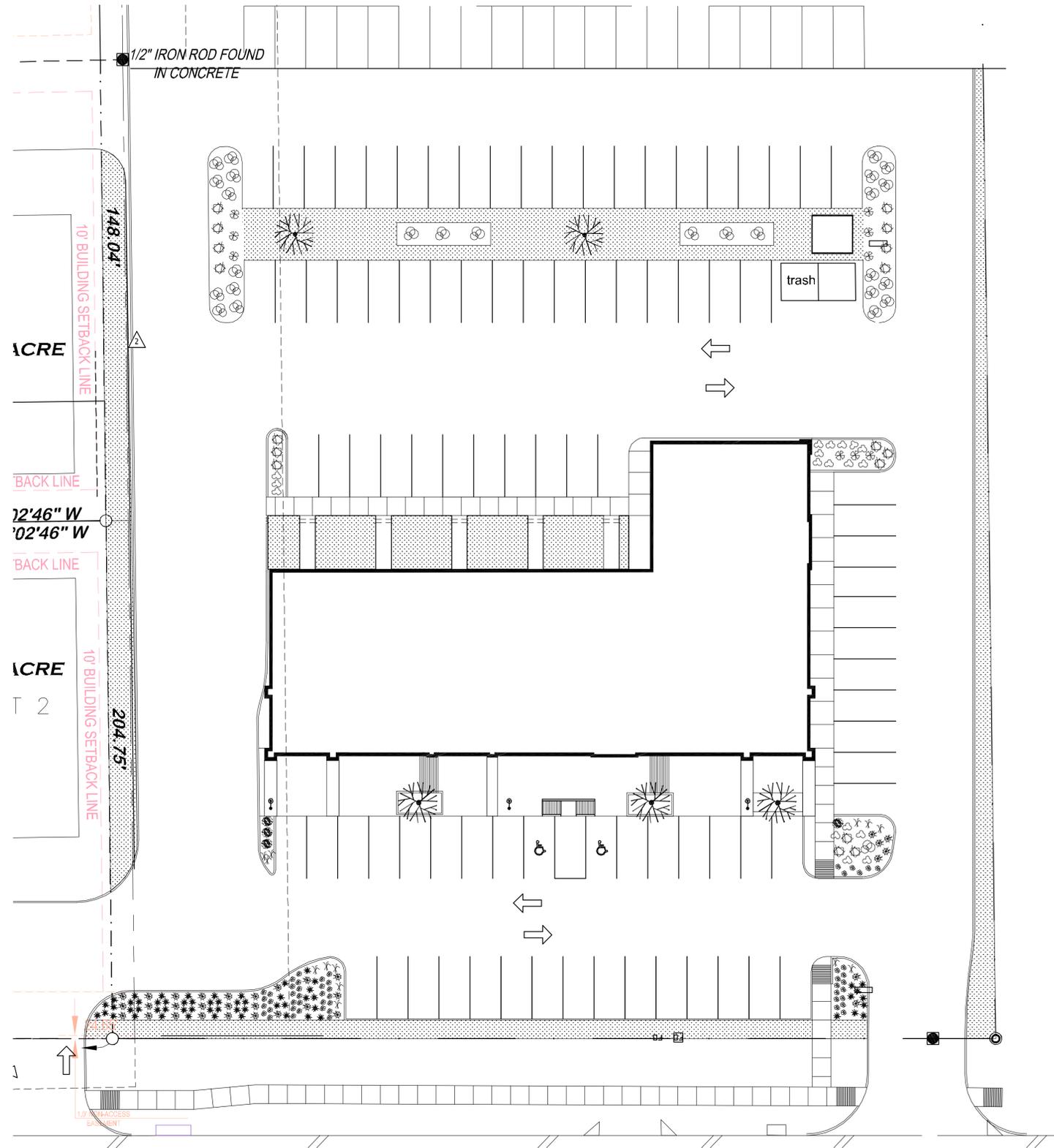
1. SEED ALL DISTURBED AREAS.
2. ALL LANDSCAPE SHOWN SHALL BE IRRIGATED WITH AN AUTOMATIC SPRINKLER SYSTEM.
3. IRRIGATION PLANS WILL BE SUBMITTED FOR APPROVAL PRIOR TO IRRIGATION AND LANDSCAPE INSTALLATION.

AREA CALCULATIONS REPRESENT THE PROPERTY AS IT IS CURRENTLY PLATTED. IF ADDITIONAL BUILDINGS OR REPLATTING OCCUR IN THE FUTURE, THE LANDSCAPING PERCENTAGES WILL BE CODE COMPLIANT.

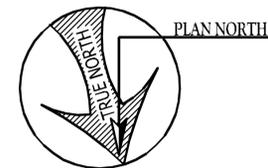
LOT SQFT =	88,720
GRASS/SOD/ OTHER SQFT =	13,400
GRASS/SOD/ OTHER % =	15%

- SOUTHERN WAX MYRTLE.....9
- MISCANTHUS 3 GALLON.....11
- CREPE MYRTLE TUSCARORA 30.....11
- INDIAN HAWTHORN 3 GALLON.....15
- HOLLY DWARF YAUPON 3GALLON.....13
- 4IN CATHEDRAL OAK TREE5
- LANTANA WHITE.....4
- DBL KNOCK OUT ROSES 3 GALLON.....12
- MEXICAN FEATHER GRASS 1 GALLON.....13
- YELLOW BELLS 3 GALLON.....21

LANDSCAPING LEGEND	
TREES	
	4" CATHEDRAL OAK TREE
	CREPE MYRTLE, TUSCARORA, 30 GALLON
ANNUALS-PERENNIALS	
	LANTANA, WHITE EACH
	MISCANTHUS 3 GALLON
	YELLOW BELLS 3 GALLON
SHRUBS OVER 4 FEET	
	SOUTHERN WAX MYRTLE
SHRUBS UNDER 4 FEET	
	DBL KNOCK OUT ROSES 3 GALLON
	HOLLY, DWARF YAUPON 3 GALLON
	INDIAN HAWTHORN 3 GALLON
	MEXICAN FEATHER GRASS 1 GALLON
	GRASS



1 LANDSCAPE PLAN
SCALE: 1/16" = 1'-0"



This drawing is not to be reproduced or used for contracting any building without the written authorization of Kiella Commercial DFB

7462 W. Adams Ave.
Temple, Texas 76502
(254) 778-0085

Revisions:
04/14/15
REVISED PROJECT NAME



Project:
H.O.T. WESTFIELD MARKET SOUTH

Address:
**7425 West Adams
Temple, Texas
76502**

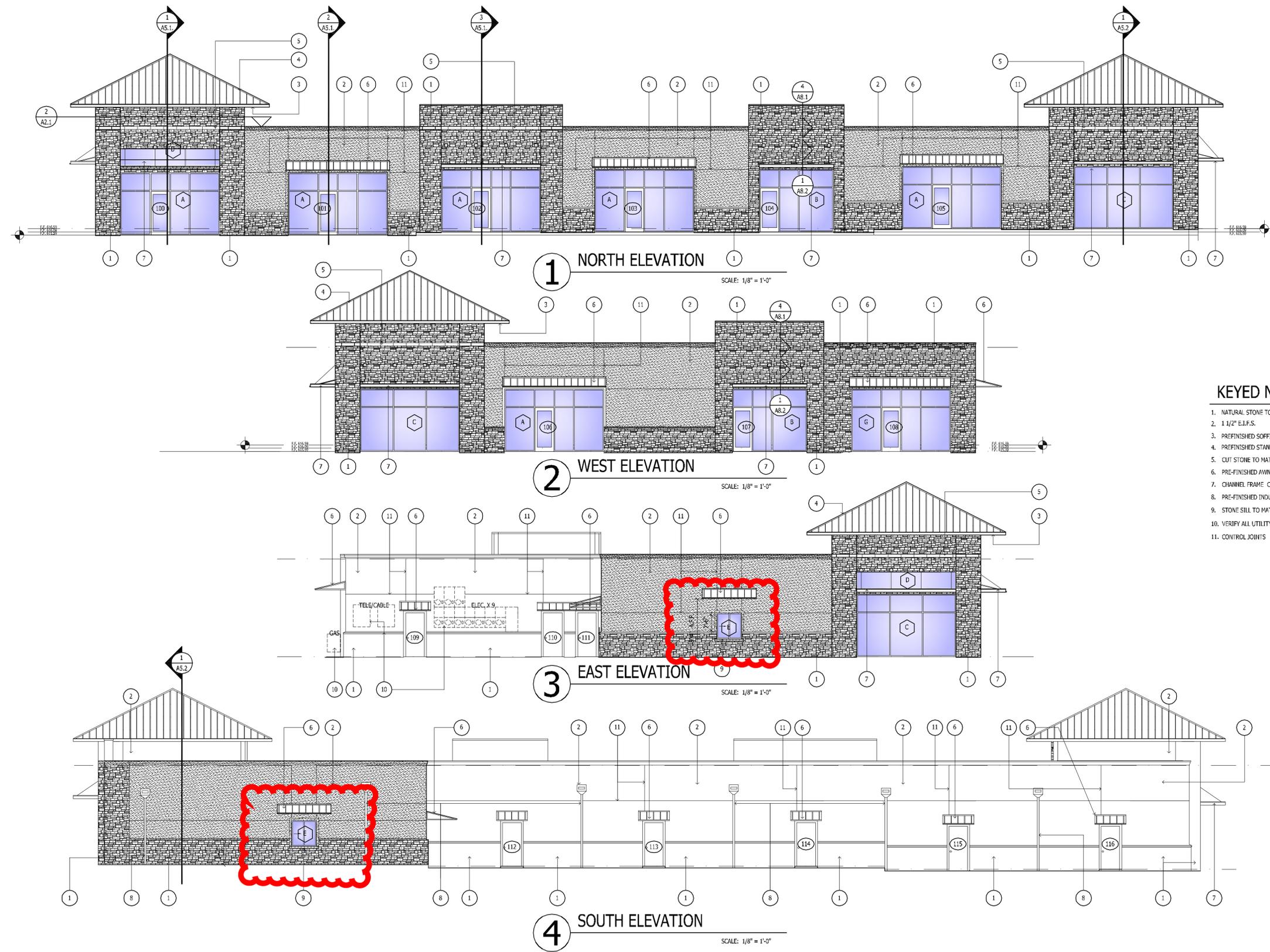
Plan#: **WV**
Date: **12/10/2014** Drawn By: **DWC**

Sheet #:
L1.0

This drawing is not to be reproduced or used for contracting any building without the written authorization of Kiella Commercial DFB

7462 W. Adams Ave.
Temple, Texas 76502
(254) 778-0085

Revisions:
04/14/15
REVISED PROJECT NAME



- KEYED NOTES:**
1. NATURAL STONE TO MATCH EXISTING
 2. 1 1/2" E.L.F.S.
 3. PREFINISHED SOFFIT PANEL TO MATCH EXISTING
 4. PREFINISHED STANDING SEAM METAL ROOF TO MATCH EXISTING
 5. CUT STONE TO MATCH EXISTING BUILDING
 6. PRE-FINISHED AWNING TO MATCH EXISTING. VERIFY COLOR WITH OWNER.
 7. CHANNEL FRAME CANOPY TO MATCH EXISTING. VERIFY COLOR WITH OWNER.
 8. PRE-FINISHED INDUCATOR HEAD AND DOWN SPOUT TO MATCH EXISTING.
 9. STONE SILL TO MATCH EXISTING.
 10. VERIFY ALL UTILITY LOCATIONS MEET ALL APPLICABLE CODES.
 11. CONTROL JOINTS

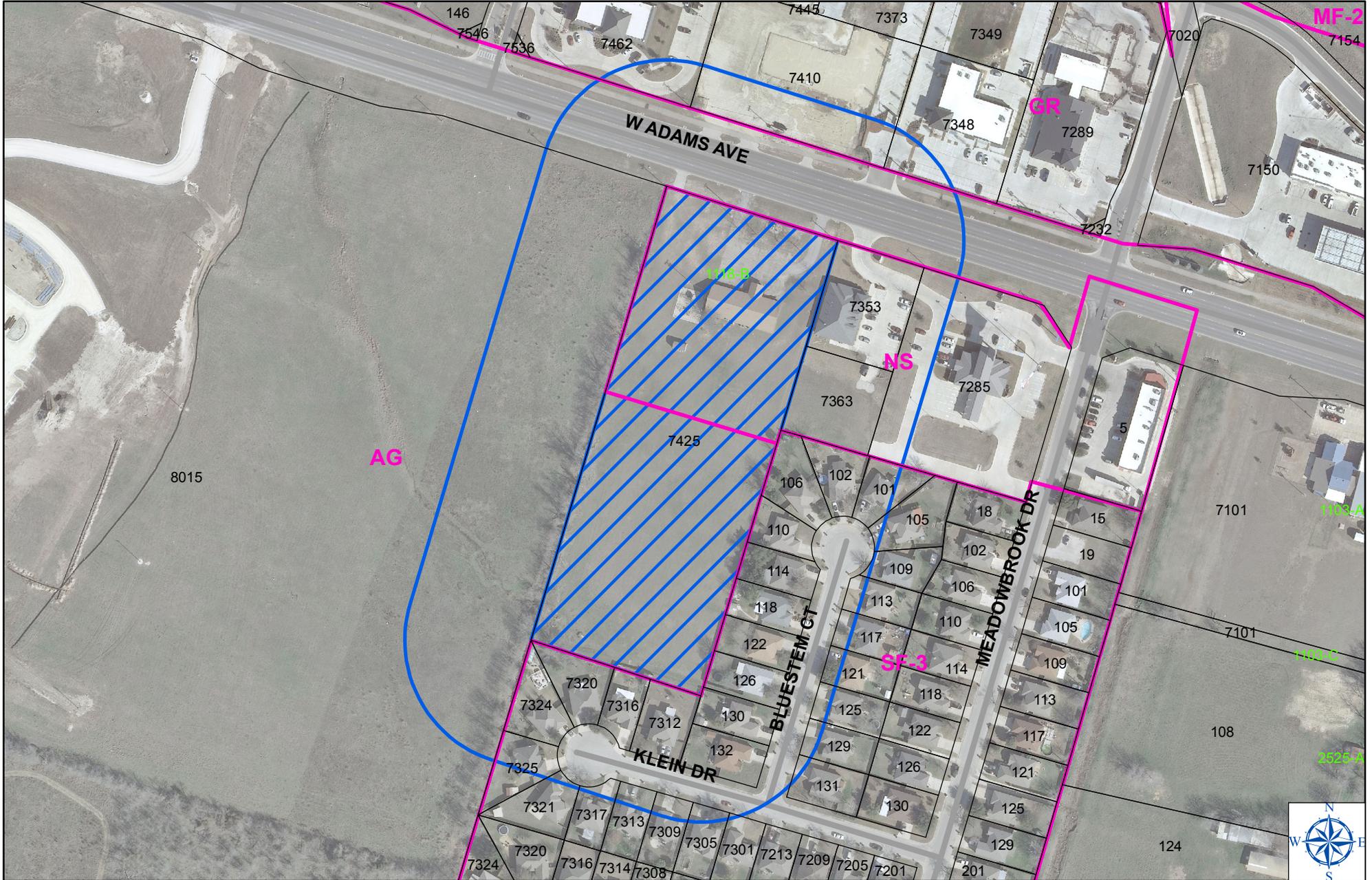


Project:
H.O.T. WESTFIELD MARKET SOUTH

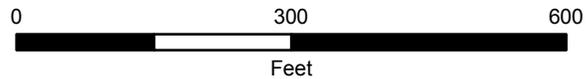
Address:
**7425 West Adams
Temple, Texas
76502**

Plan#:
WV
Date: **12/10/2014** Drawn By: **DWC**
Sheet Title:
Elevations

Sheet #:
A3.1



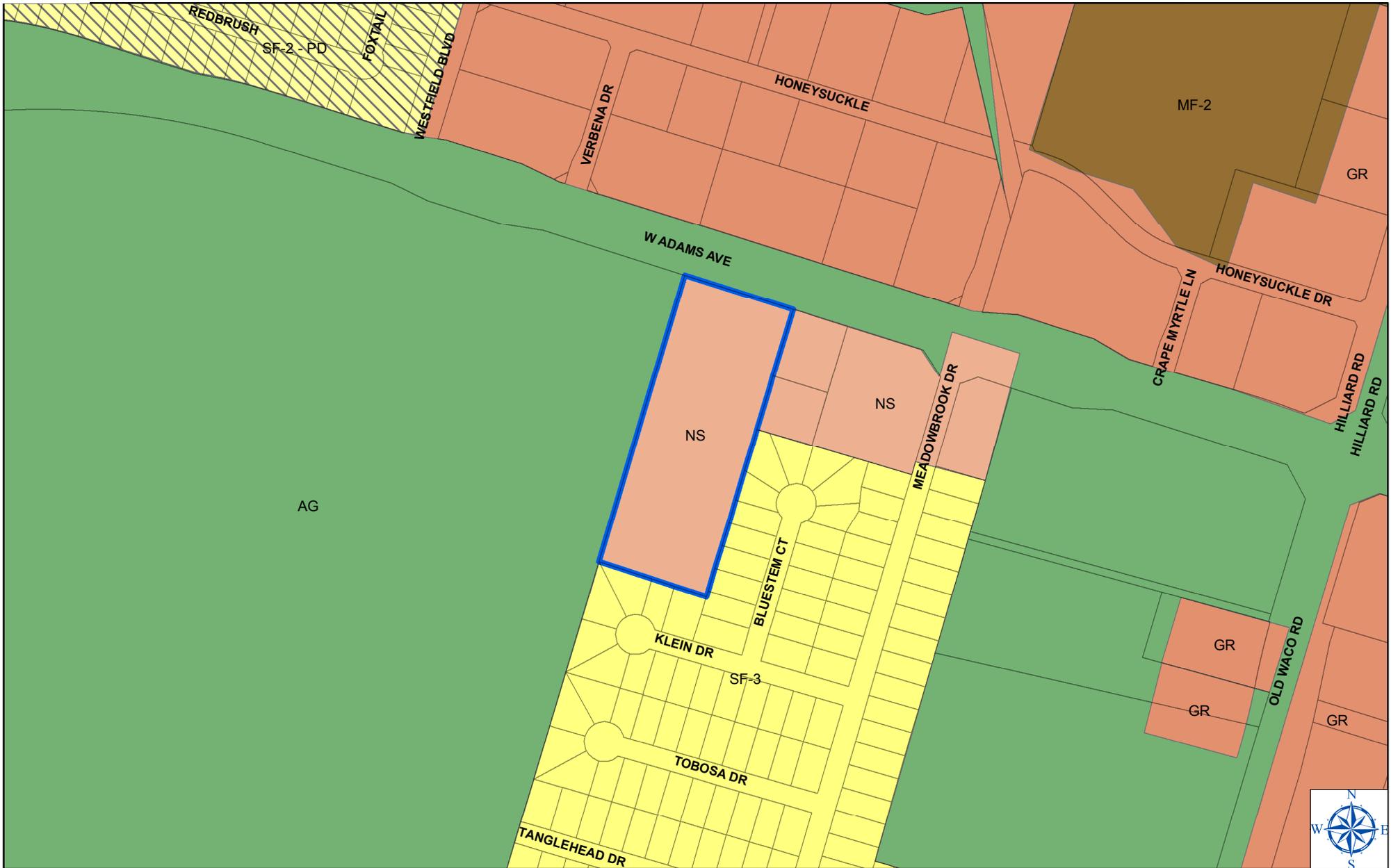
- Case
- Zoning
- 1234-A Outblock Number
- 200' Buffer
- Parcel



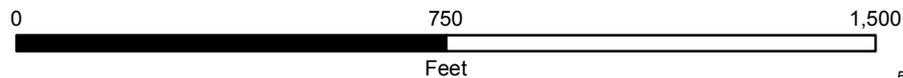
5/7/2015
 City of Temple GIS
 myarberry

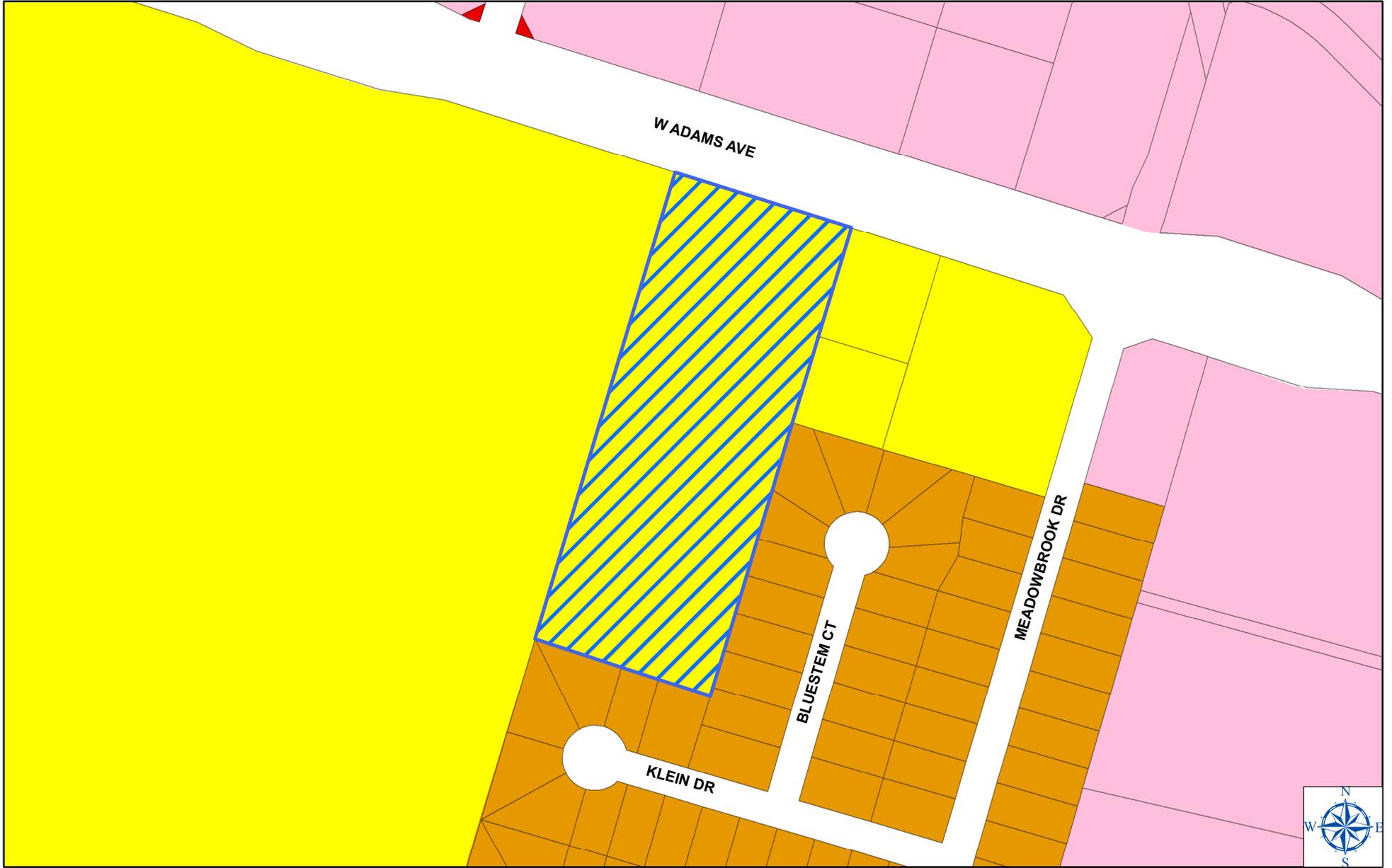
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



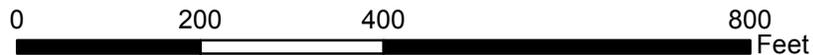


	Case		MF-2
Production.SDE.CurrentZoning			NS
Representation: Production.SDE.CurrentZoning_Rep			GR
	SF-2 - PD		AG
	SF-3		City Limits



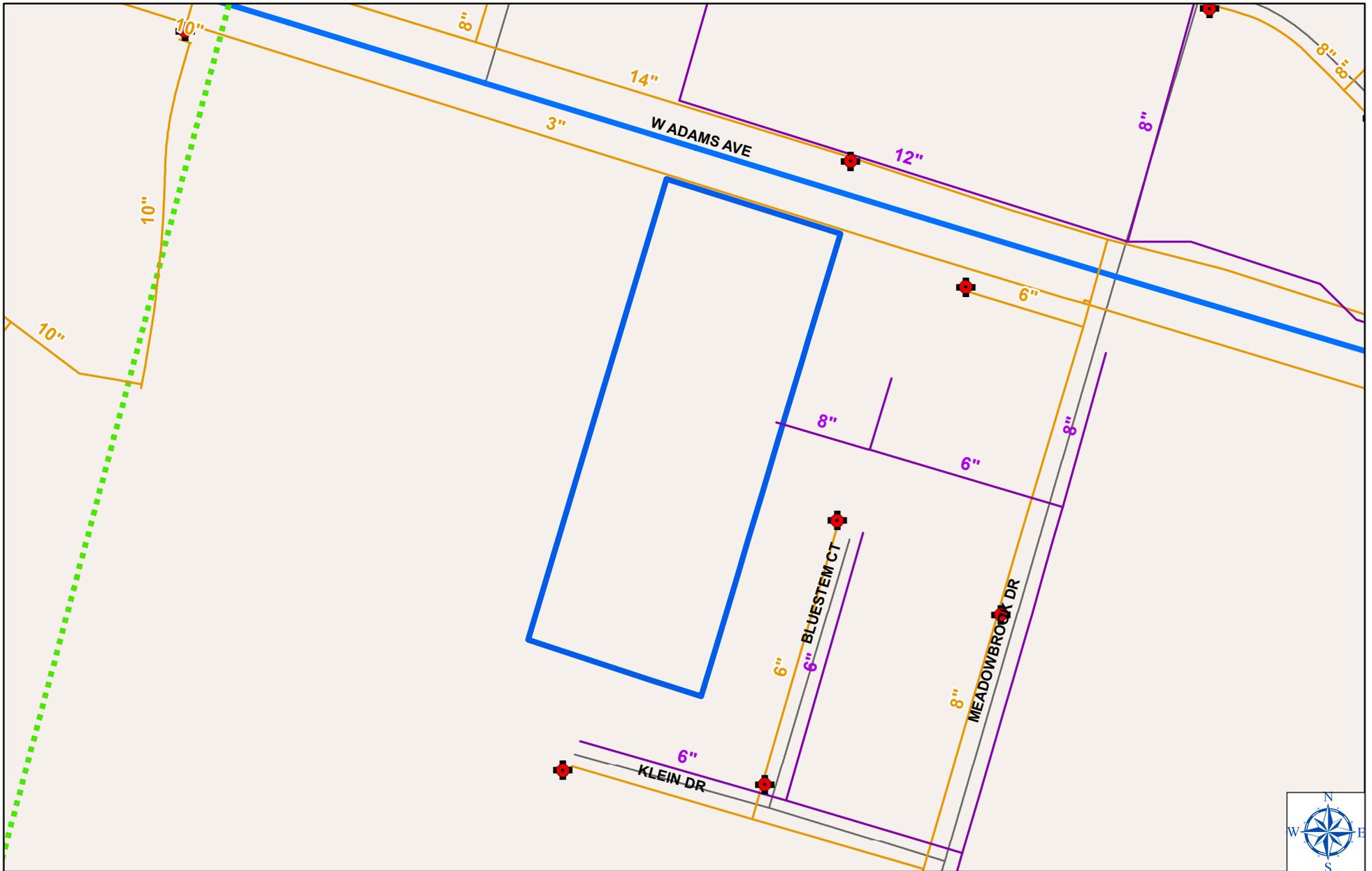


-  Case
-  Parcels
-  Suburban Residential
-  Auto-Urban Residential
-  Auto-Urban Commercial
-  Suburban Commercial

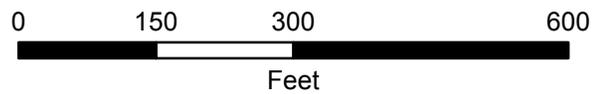


5/7/2015
City of Temple GIS

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.



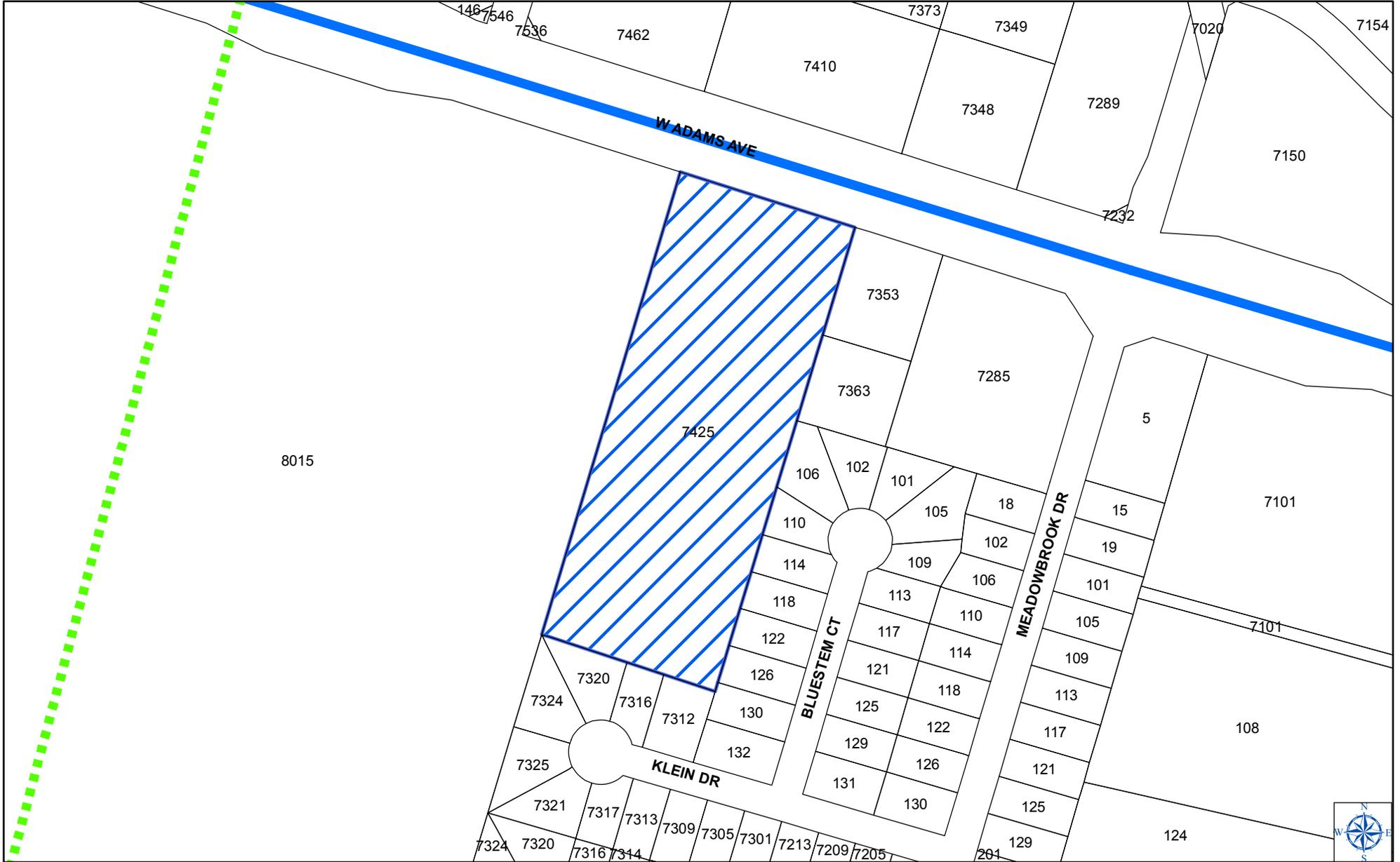
- | | | | |
|--------------|-----------------|-------------------------|-------------------------|
| City Limits | Water Line | Major Arterial | Proposed Minor Arterial |
| Fire Hydrant | Case | Proposed Major Arterial | Collector |
| Sewer Line | Proposed K-TUTS | Conceptual Collector | |
| Expressway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



5/7/2015
City of Temple GIS

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.

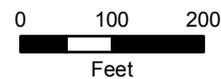




- Expressway
- Major Arterial
- Proposed Major Arterial

- Minor Arterial
- Proposed Minor Arterial

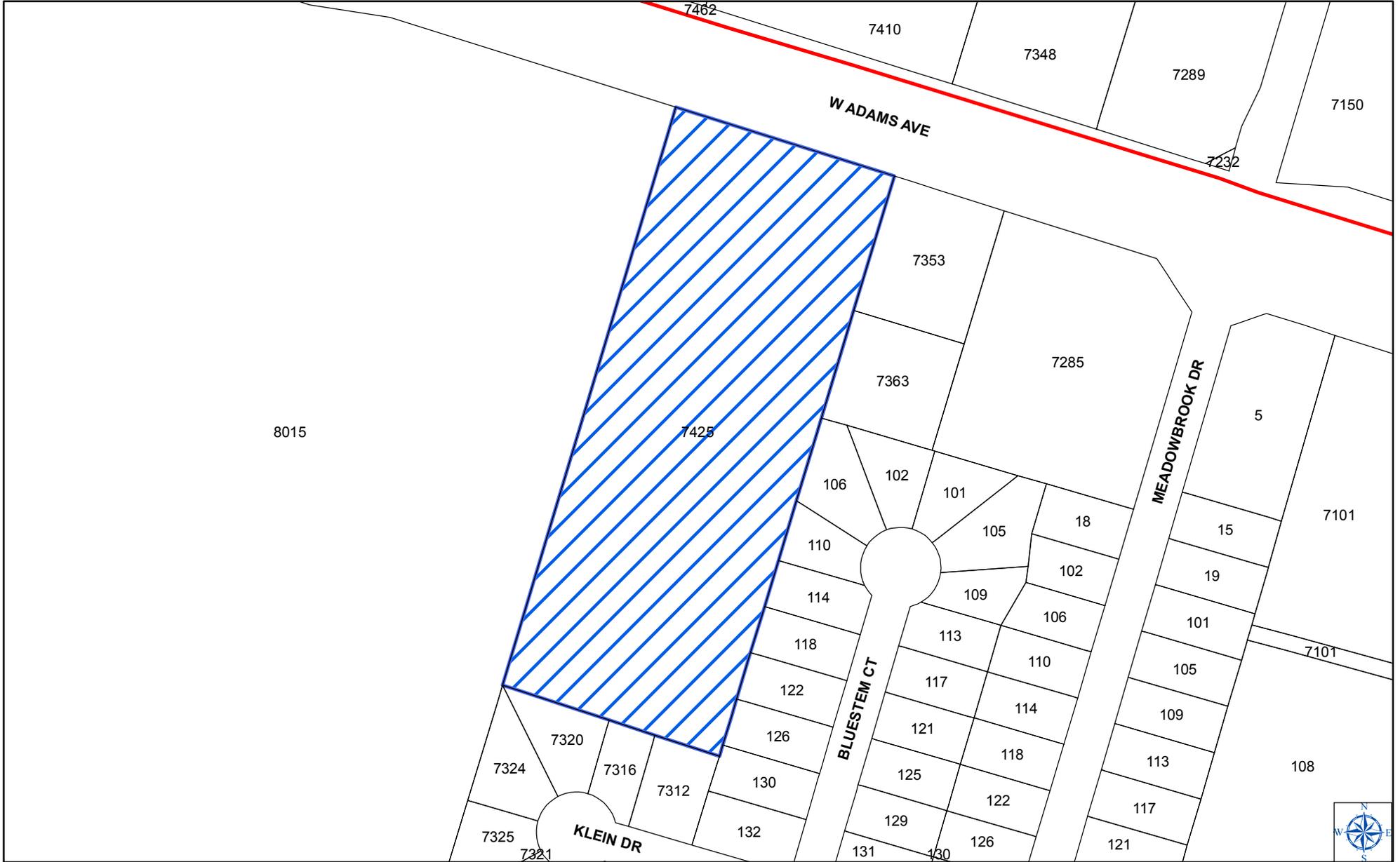
- Collector
- Proposed Collector



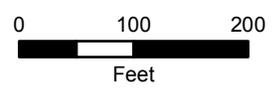
5/7/2015
City of Temple GIS
myarberry

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.

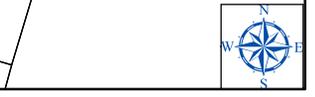




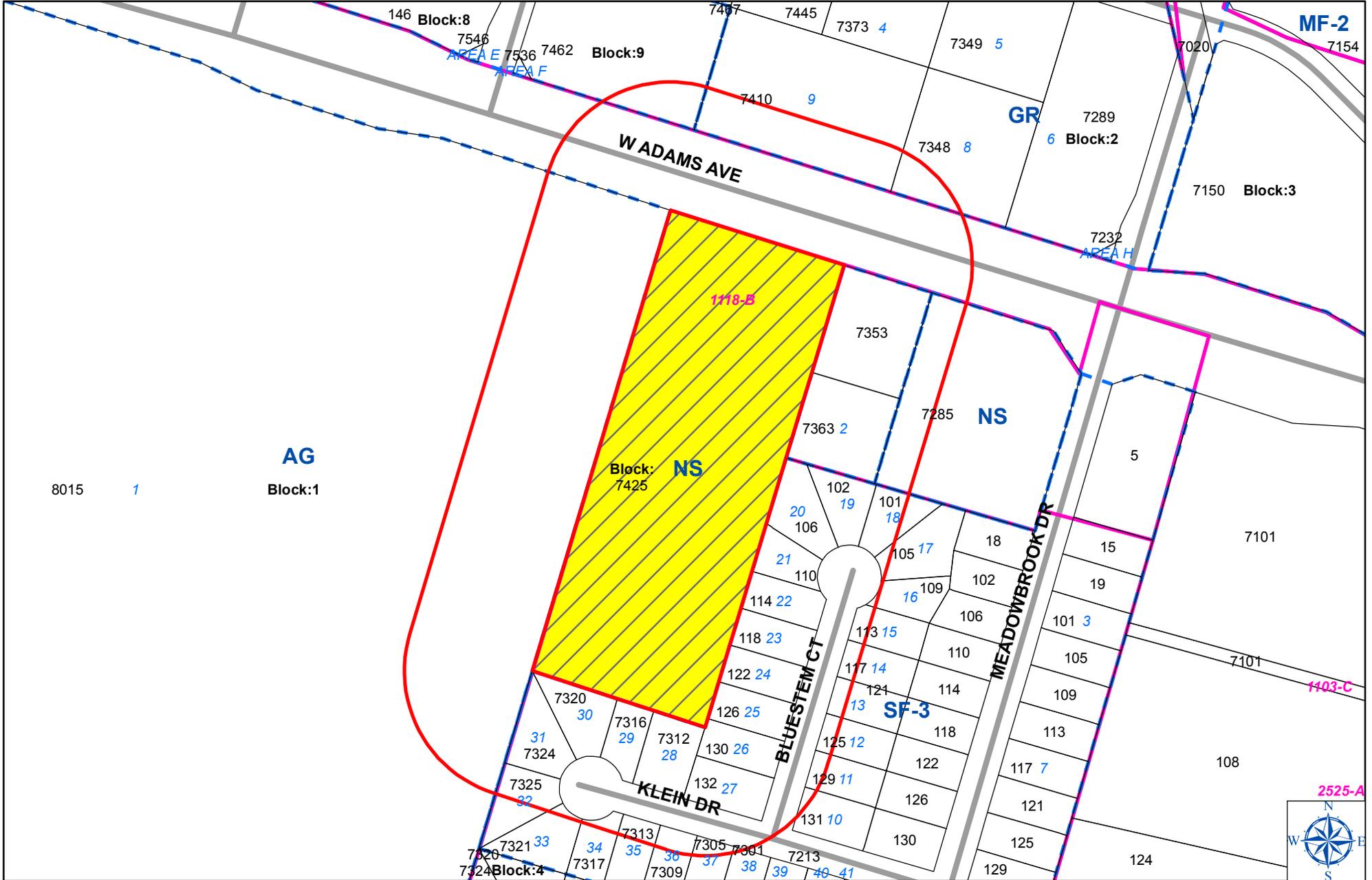
- Trails**
- Existing Citywide Spine Trail
 - Under Design/Construction Citywide Spine Trail
 - Proposed Citywide Spine Trail
 - Existing Community-Wide Connector Trail
 - Under Design/Construction Community-Wide Connector Trail
 - Proposed Community-Wide Connector Trail
 - Existing Local Connector Trail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



5/7/2015
 City of Temple GIS
 myarberry



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.



 Case	 Zoning	 1234-A Outblock Number	 Block Number	
 200' Buffer	 Subdivision	 1234 Addresses	 1 Lot Number	0 200 400 Feet

5/7/2015
City of Temple GIS
myarberry

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 AGENDA ITEM

6/01/15
Workshop Agenda

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-FY-14-36 - Consider and recommend action on the final plat of Phillips Addition, a 0.82, 1-lot, 1-block residential subdivision, with a developer-requested exception to Section 8.1.3A.7 of the Unified Development Code (UDC) related to required fire hydrants, situated in the George Lindsey Survey, Abstract 513, in Bell County, Texas, located on the west side of Brown Lane, south of FM 2305, in Temple's western Extra-Territorial Jurisdiction (ETJ).	DRC 6/25/14 Awaiting revisions from applicant	All County Surveying
P-FY-15-12 - Consider and take action on the Final Plat of Preddy-Procter Addition, a 1.00 acre +/-, 1-lot, 1-block nonresidential subdivision, situated in the Nancy Chance Survey, Abstract 5, Bell Count, Texas, located on the west side of Old Waco Road, south of its intersection with FM2305 (West Adams Avenue).	Administratively Complete-Mylars released for recordation 5/8/15	All County Surveying
P-FY-15-13 - Consider and take action on the Final Plat of Northcliffe HOA Addition, a 0.745 +/- acre, 2-lot 1-block, residential subdivision, being a replat of all of Lots 1 and 2, Block 2, First Replat, Northcliffe Phase I, located on the west side of FM 2271, south of FM 2305.	Administrative	All County Surveying
P-FY-15-16 - Consider and take action on the Final Plat of Villas at Canyon Ridge, 5.987 +/- acres, (a replat of Canyon Ridge, Phase II, Lots 1-12 & Lots 1-12, Blocks 10 & 11), located at Hartrick Bluff Road at Ridgeview Drive and Kendra Drive.	DRC 3/02/15	All County Surveying

<p>P-FY-15-25 - Consider and take action on the Final Plat of Morrow Addition, a 1.346 +/- acres of land situated in the F. Neibling Survey, Abstract No. 663, Bell County, Texas, being a replat of Lots 471 and 472, Block 1, Tanglewood Addition, according to plat of record in Cabinet A, Slides 340-A, B, C, & D, Plat Records of Bell County, Texas, located at 5087 and 5093 Comanche Drive.</p>	<p>DRC 5/04/15 Awaiting revisions from Applicant</p>	<p>Turley Associates</p>
<p>P-FY-15-26 - Consider and take action on the Final Plat of Crescent View Commercial Replat of Lot 1, Block 1, a 2.562 acre tract located at the southeast corner of West Adams Avenue and Old Waco Road, located at 6935 West Adams Avenue.</p>	<p>DRC 5/04/15 Awaiting revisions from Applicant</p>	<p>Walker Partners</p>
<p>P-FY-15-27 - Consider and take action or (and recommend action on the Final Plat of Legacy Ranch Phase Two, a 78.07 +/- acre, 156 lot, 8 block residential plat with 3 non-residential tracts (lots) subdivision, located at the northwest corner of FM 93 and FM 1741 (South 31st Street).</p>	<p>DRC 5/04/15 Awaiting revisions from Applicant</p>	<p>All County Surveying</p>
<p>P-FY-15-28 - Consider and take action on the Final Plat of Heritage Crossing, a 9.587 +/- acre, 5-lot, 1 block, non-residential subdivision, located at the northeast corner of West Adams Avenue and Research Parkway, situated in the Nancy Chance Survey, Abstract No. 5, City of Temple, Bell County, Texas.</p>	<p>DRC 5/04/15 Awaiting revisions from Applicant</p>	<p>Turley Associates</p>
<p>P-FY-15-29 - Consider and take action on the Final Plat of 438 Loop Addition, a 5 +/- acre 3-lot, 1-block residential subdivision situated in the U. Holbrook survey, Abstract 1010, Bell County, Texas, located on the east side of 438 Loop, in Temple's Extra Territorial Jurisdiction.</p>	<p>DRC 5/18/2015</p>	<p>All County Surveying</p>
<p>P-FY-15-30 - Consider and take action on the Final Plat of Lake Pointe Phase II-A2, amending Lots 41 and 42, Block 72, Lake Pointe Phase II-A1.</p>	<p>Administratively Approved</p>	<p>Turley Associates</p>
<p>P-FY-15-31 - Consider and take action on the Final Plat of Tutor Subdivision, a 2.727, 2-lot, 1- block subdivision, being a tract of land in the I. & G. N. R. R. Survey, Abstract No. 958, Bell County, Texas, located at 7301 FM 2086, in Temple's Eastern E.T.J.</p>	<p>DRC 6/01/2015</p>	<p>Cathy Kohn</p>
<p>P-FY-15-32 - Consider and take action on the Final Plat of West Adams Addition Phase III, a 24.257 +/- acre 4-lot, 1- block, non-residential subdivision situated in the Nancy Chance Survey, Abstract 5, Bell County, Texas, located southwest of the intersection of West Adams Avenue and South Kegley Road.</p>	<p>DRC 6/01/2015</p>	<p>All County Surveying</p>
<p>P-FY-15-33 - Consider and take action on the Amending Plat of Lots 18,45,47,48,49,58,62 & 70, Block 1 and Lots 1 and 6, Block 2, The Meadows At Creekside, located north of Case Road.</p>	<p>DRC 6/01/2015</p>	<p>Turley Associates</p>

Z-FY-15-21 - Hold a public hearing to consider and discuss a rezoning from Agriculture District (AG) to Light Industrial District (LI) on 64.09 +/- acres being part of the Vincent Barrow Survey, Abstract Number 64, situated in Bell County, Texas, located at 4767, 4849 and 5141 North General Bruce Drive.	PZC 6/15/2015	Ron Carroll
Z-FY-15-22 - Hold a public hearing to discuss and recommend action on a rezoning from Multiple Family Two District (MF2) to Neighborhood Service District (NS) on Lot 4, Block 3, The Groves At Lakewood Ranch Phase I, on the west side of Clinite Grove Boulevard and bordered on the west by Starlight Drive.	PZC 6/15/2015	John Kiella

City Council Final Decisions	Status
Z-FY-15-15: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to General Retail District (GR) on 4.707 +/- acres situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 119 Hilliard Road.	APPROVED at 2 nd Reading on May 21, 2015
Z-FY-15-16: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to General Retail District (GR) on 4.880 +/- acres of land situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 215 Hilliard Road.	APPROVED at 2 nd Reading on May 21, 2015
Z-FY-15-14: Consider adopting an ordinance authorizing a Conditional Use Permit for a Paint Shop/General Contractor facility on Lot 2, Block, Trantum Subdivision Phase VIII, located at 5806 South General Bruce Drive.	TABLED at 2 nd Reading until June 4, 2015

P&Z COMMISSION ATTENDANCE

2015															P	A
	Jan 5	Jan 20	Feb 2	Feb 17	Mar 2	Mar 16	Apr 6	Apr 20	Apr 27 Spec Mtg	May 4	May 18	June 1	June 15			
James Staats	P	No Meeting Held	P	P	P	P	P	No Meeting Held	P	P	P			9		
Blake Pitts	P		P	A	P	P	P		P	A	P				7	2
Patrick Johnson	P		P	P	A	P	P		P	P	A	P			7	2
Omar Crisp	P		P	A	P	A	P		P	P	P	P			7	2
David Jones	P		P	A	P	P	P		P	P	P	A			7	2
Greg Rhoads	P		P	P	P	A	P		P	P	A	P			7	2
Will Sears	P		A	P	A	A	P		P	A	A	P			4	5
Lester Fettig	P		P	P	P	A	P		P	P	P	P			8	1
Tanya Mikeska-Reed	A		A	P	P	P	A		P	P	A	P			5	4

	July 6	July 20	Aug 3	Aug 17	Sept 8	Sept 21	Oct 5	Oct 19	Nov 2	Nov 16	Dec 7	Dec 21	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