

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
JANUARY 4, 2016, 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, January 4, 2016.
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 (if any) 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
JANUARY 4, 2016, 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 December 21, 2015.

B. ACTION ITEMS

Item 2: [Z-FY-16-08](#) - Hold a public hearing to discuss and recommend action on a rezoning from Two Family (2F) zoning district to Commercial (C) zoning district to allow for automotive uses, Lots 5 & 6, Block 011, Temple Heights, located at 1119 South 53rd Street.

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.templetx.gov>. Please contact the City Secretary's Office at 254-298-5700 for further information.

The agenda for this meeting was posted on the bulletin board at the Municipal Building in compliance with the Open Meetings Law on December 30, 2015 at 4:35 pm.

A handwritten signature in cursive script that reads "Lacy Borgeson". The signature is enclosed within a dashed rectangular border.

Lacy Borgeson
City Secretary

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

_____ Title: _____

**PLANNING AND ZONING COMMISSION
DECEMBER 21, 2015
5:32 P.M.**

PLANNING AND ZONING MEMBERS PRESENT

Chair David Jones

COMMISSIONERS:

Lydia Alaniz	Will Sears
Tanya Mikeska-Reed	Lester Fettig
Blake Pitts	Patrick Johnson
Greg Rhoads	

PLANNING AND ZONING MEMBERS ABSENT:

Omar Crisp

STAFF PRESENT:

Tammy Lyerly, Senior Planner
Kayla Landeros, City Attorney
Mark Baker, Senior Planner
Dessie Redmond, Planner
Mary Maxfield, Planning Technician
Leslie Evans, Planning Technician
Kelli Tibbit, Administrative Assistant

The agenda for this meeting was posted on the bulletin board at the Municipal Building, December 17, 2015 at 3:30 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 Jones called Meeting to Order at 5:32 P.M.

Invocation by Chair Jones; Pledge of Allegiance by Commissioner Fettig.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of December 8, 2015.

Approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-16-06 – Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One (SF-1) District to Planned Development Single Family-One

(SF-1) District to allow for a Bed and Breakfast within a single-family residence on Lot 2, Block 8, L. R. Taylor Addition, located at 518 North 7th Street.

Mr. Mark Baker, Senior Planner, stated that the first reading for this item is scheduled for January 21, 2015 and second reading is scheduled for February 4, 2015.

Mr. Baker presented background information for a proposed Bed & Breakfast within an existing single family home known as the Ferguson Mansion, the previous residence of James and Miriam Ferguson, two-term governors for the State of Texas.

There are currently no Bed & Breakfast uses in Temple so this would be the first request. The Unified Development Code (UDC) provisions do not provide for a Bed & Breakfast. The nearest Bed & Breakfast is located in Belton. The review as a permitted or a conditional use can only be addressed through a Planned Development (PD).

Site map is shown.

This property is located within the North Central Historic Overlay District and has received extensive renovations since 2012. A Certificate of Appropriateness (improvements that met with the Historic District requirements as well as building code requirements) was issued in 2012. A detached garage was built in 2013 and flatwork was done in 2014.

Functioning as a Bed & Breakfast and due to the historic preservation nature of the structure, it has to comply with Chapter 17 of the Code of Ordinances. The property has significant and historic value and the proximity to downtown lends itself to show-casing as a Bed & Breakfast venue.

As a PD, the UDC provides 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.

Along with the development plan which comes in with the rezoning stage, certain enhancements are usually included. The applicant is proposing improvements to the parking area, a sidewalk, and exterior and interior renovations. As a PD the Bed & Breakfast is subject to UDC Sec. 3.4.5 Criteria A-J as follows:

3.4.5 Review Criteria

In determining whether to approve, approve with conditions or deny a Planned Development application, the review bodies in Sec. 3.4.2 above must consider the following criteria.

- A. The plan complies with all provisions of the Design and Development Standards Manual, this UDC and other ordinances of the City.
- B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood is mitigated.
- C. The development is in harmony with the character, use and design of the surrounding area.

- D. Safe and efficient vehicular and pedestrian circulation systems are provided.
- E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.
- 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.
- G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.
- 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; and
 - 2. To complement the design and location of buildings.
- I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.
- J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.

Proposed parking enhancements: The parking area is a three-car garage and currently provides a driveway aisle and room for a turnaround area allowing for additional maneuvering room. The area is large enough to accommodate five parking spaces. The applicant has agreed to provide additional parking space by providing an enlarged area in either concrete or asphalt.

Although not required, the applicant has agreed to provide a four-foot sidewalk to be provided along North 7th Street frontage to provide accessibility to adjacent sidewalk. Additional landscaping is also provided.

Staff has determined the rezoning request is in compliance with the ten criteria provided in UDC Sec. 3.4.5. (listed above).

The subject property is surrounded by Single Family–One (SF-1) zoning on all four sides. There are some Neighborhood Services (NS) uses toward the east along French Avenue and 5th Street.

The Future Land Use and Character Map designate the property as Neighborhood Conservation which is primarily intended to establish standards consistent with those at the time of development. The combination residence / Bed & Breakfast does support Neighborhood Conservation Policy, particularly goal #10: Areas of historic value should be maintained and enhanced in accordance with preservation guidelines and development standards met back in 2012 with the Certificate of Appropriateness.

The request is in compliance with terms of the Historic Preservation, North Central Historic Overlay district and Chapter 17 – Code of Ordinances – Historic Preservation.

Both water and sewer services are available. Water is provided through a 12-inch water line along North 7th and a four-inch water line along West French Avenue. Wastewater is provided by an eight-inch sewer line located in the alley.

Thoroughfare and Trails Plan. Access is available from North 7th Street, designated as a local street and West French Avenue, also a local street. No trails are proposed.

Interior photographs of the Ferguson House were shown for reference to the layout of the Bed & Breakfast accommodations.

The subject property is totally surrounding by single family uses (SF-1 zoning).

Allowed and prohibited uses are cited.

Thirteen public notices were sent with four notices returned in agreement and zero notices in opposition. The newspaper printed notice of the public hearing on December 10th, 2015, in accordance with state law and local ordinance.

This request is in compliance with UDC Section 3.4.5, Plan Development Criteria, Chapter 17 Historic Preservation – Code of Ordinances, the Future Land Use and Character Map, is compatible with surrounding uses and zoning, public facilities are available to serve the property, and the Thoroughfare Plan.

Staff recommends approval of the request for a rezoning from Single-Family-One to Planned Development–Single-Family One (PD-SF-1) subject to the following six conditions:

1. As listed by UDC Section 5.1, all permitted uses within the Single Family-One (SF-1) District are allowed, with the addition of a Bed & Breakfast at 518 N. 7th Street;
2. That a maximum of three (3) bedrooms at one time are used for guests of the Bed & Breakfast;
3. On-site parking be provided at the rate of one (1) space per bedroom related to the Bed & Breakfast and two (2) spaces for the resident host for a total of five (5) minimum parking spaces;
4. That within six months of City Council approval, the applicant will expand the existing parking area for better on-site parking and maneuverability;
5. That within six months of City Council approval, the applicant will provide a four-foot section of sidewalk along the North 7th Street frontage to enhance pedestrian connectivity; and
6. That the Director of Planning may be authorized discretion to approve minor modifications to the City Council approved site plan, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout.

When asked about Condition Nos. 4 and 5 and why they could not be accomplished sooner, Mr. Baker responded the six month window would offer additional time for the applicant to

complete these items since they are new improvements and the expansion is not necessary to function as a Bed & Breakfast.

Commissioner Rhoads asked when the Bed & Breakfast would open. Mr. Baker deferred responses to the applicant.

Chair Jones opened the public hearing.

Mr. Larry Garner, 1130 Chimney Rock Trail, Garland, Texas, explained what their plans were for the City of Temple. Mr. Garner discussed the need for luxury and/or upscale lodging in the City of Temple. According to Trivago (a travel metasearch engine focusing on hotels and comparison of prices), there are no A-rated lodgings in Temple. The Garners would like to provide a quiet and relaxed atmosphere/environment for everyone to enjoy and appreciate the history and comfort of the Ferguson Home.

Ten years ago Mr. Garner and his wife bought a historic home in Granbury, Texas where they spent a year restoring it and ran it as a Bed & Breakfast for three years. Mrs. Garner received an award for her culinary skills and the Bed & Breakfast received over 300 five-star ratings within the three year period of operation. Mr. Garner stated that the Bed & Breakfast was also featured in the Historic Tour of Homes in Garland.

When asked when the Bed & Breakfast would open, Mr. Garner explained he would like to be open within 60 days, but realistically it would be more like 90-120 days.

There being no further speakers, the public hearing was closed.

Commissioner Rhoads made a motion to approve Item 2, **Z-FY-16-06**, as presented, and Commissioner Fettig made a second.

Motion passed: (8:0)

Commissioner Crisp absent

Item 3: Z-FY-16-07 - Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One (SF-1) District to Two Family (2-F) District, Lot 7 and 8, Block 18 of Fullview, 1106 North 5th Street. *Withdrawn by applicant.*

Since the item had already been advertised, Chair Jones opened the public hearing for comments.

Mrs. Dorothy Goodall, 1111 North 7th Street, Temple, Texas, stated that she spoke with Ms. Lyerly prior to the P&Z meeting occurring and was aware the item had been withdrawn. Ms. Goodall attended the meeting and expressed concerns of notification procedures regarding withdrawn cases.

Chair Jones encouraged Mrs. Goodall to contact the Planning Director, Brian Chandler, and/or City Staff to express her concern since they are unable to address her concerns.

There being no further speakers, the public hearing was closed.

Item 4: P-FY-16-07 - Consider and recommend action on the Preliminary Plat of Highline Addition, a 40-389 +/- acres, 9-lot, 1-block, nonresidential subdivision, being a part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located on the northwest corner of South 31st Street and Scott Boulevard.

Ms. Tammy Lyerly, Senior Planner, stated the Development Review Committee (DRC) reviewed the plat on November 25, 2015 and it was deemed administratively complete on December 17, 2015.

The Planning and Zoning Commission is the final plat authority since the applicants have not requested any exceptions to the Unified Development Code (UDC).

Access will be available to West Avenue T, South 31st Street, and Scott Boulevard.

Private access and drainage easements will run throughout the development. Water services will be provided through public water easements. Sewer services will be provided through public wastewater easements.

An existing 15-foot wide Atmos Energy easement is located along the west property line.

Preliminary plat map and topo/utility map is shown.

Staff recommends approval of the Preliminary Plat of Highline Addition.

Commissioner Mikeska-Reed asked if the large easement in the middle of the property was just drainage. Ms. Lyerly confirmed it was both drainage and private access.

Commissioner Mikeska-Reed made a motion to approve Item 4, **P-FY-16-07**, as presented, and Commissioner Alaniz made a second.

Motion passed: (8:0)

Commissioner Crisp absent

Item 5: P-FY-16-09 – Consider and take action on a final plat of Hills of Westwood Phase IX, a 20.720 +/- acre, 96 lots, 4 blocks residential subdivision, situated in the NANCY CHANCE Survey, Abstract No. 5, located west of Old Waco Road, south of Freedom Drive, and east of Neuberry Cliffe.

Ms. Dessie Redmond, Planner, began her presentation by stating for the record that:

- On both the plat and the topo/utility map, Tarver Drive was labeled Tarver Road. Staff verified the correct name is Tarver Drive so that has been revised. Also in the sidewalk note on the plat it was changed to Tarver Drive.
- On the Topo/Utility Map it states there is an existing 12-inch water line along Tarver Drive; however, City records indicate there is not an existing water line there. The label was changed to “future” 12-inch water line. This proposed water line will be built as a part of a Capital Improvement Project (CIP) and not as part of the build out for this plat.

- These are revisions made after sending out the packets. If anyone would like a copy of the revised plat, the Planning Department can provide them one.

Ms. Redmond explained the subject properties are zoned Single-Family Three (SF-3) District and currently undeveloped and vacant.

The DRC reviewed the plat on December 10, 2015. It was deemed administratively complete on December 16, 2015.

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

On the north side of the subject property is Tarver Drive, designated as a collector street, which is required to have a 55 feet right-of-way with 36 feet of pavement.

The UDC requires a sidewalk on one side of Tarver Drive. A note on the plat requiring the sidewalk has been provided and it will be built as a separate CIP.

Water services will be provided through a proposed 12-inch water line under Tarver Drive which is part of a separate CIP. Sewer services will be provided by a 10-inch sewer line also under Tarver Drive.

Aerial map of subject property, plat, and topo/utility maps are shown.

Staff recommends approval of the Final Plat of Hills of Westwood, Phase IX.

Commissioner Sears made a motion to approve Item 5, **P-FY-16-09**, as presented, and Commissioner Johnson made a second.

Motion passed: (8:0)

Commissioner Crisp absent

There being no further business, the meeting was adjourned at 6:12 p.m.

Respectfully submitted,

Kelli Tibbit

**PLANNING AND ZONING COMMISSION
MONDAY, DECEMBER 21, 2015
5:15 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair David Jones

COMMISSIONERS:

Lydia Alaniz	Will Sears
Tanya Mikeska-Reed	Lester Fettig
Blake Pitts	Patrick Johnson
Greg Rhoads	

PLANNING AND ZONING MEMBERS ABSENT:

Omar Crisp

STAFF PRESENT:

Tammy Lyerly, Senior Planner
Kayla Landeros, City Attorney
Mark Baker, Senior Planner
Dessie Redmond, Planner
Mary Maxfield, Planning Technician
Leslie Evans, Planning Technician
Kelli Tibbit, Administrative Assistant

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

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

With a quorum present, Chair Jones opened the work session at 5:15 p.m. and asked Ms. Tammy Lyerly, Senior Planner, to proceed.

Tammy Lyerly stated Mr. Brian Chandler, Director of Planning, was out of the office and she was filling in for him.

Item 4: P-FY-16-07 The Highline Addition, which is a preliminary plat, is actually a plat for the property of Planned Development (PD) of The District, located north of Scott Boulevard and south of West Avenue T across from Baylor Scott & White Hospital. The PD has not gone to City Council first reading yet. Being a preliminary plat it would not be going before the PD.

Item 3: Z-FY-16-07 was withdrawn by the applicant. It was a request within the Historic District to rezone from SF-1 District to 2-F District to add a duplex on a corner lot where another duplex currently exists. The applicant needs a survey to see exactly where the location of the existing structure is to see if another duplex can be built on the property.

It is on the Agenda since the item has been advertised for a public hearing. Chair Jones will need to read it into the record and open and close a public hearing for comments.

Ms. Lyerly has discussed Item 3 with several people since notifications were mailed out.

Commissioner Alaniz commented on Item 2 (Bed & Breakfast) stating it was very well presented and quite interesting. Mr. Mark Baker, project manager on the case, stated Mr. Garner, the applicant who prepared the narrative, was available for additional questions.

Mr. Garner explained they currently had a contract on the house with the provision that if the property is not rezoned or City Council does not approve a Bed & Breakfast, the Garners have the option of backing out of the purchase.

Mr. Baker confirmed that Mr. Garner agreed to increase the size of the existing parking area to accommodate better maneuvering and additional parking, above and beyond what is already existing. The UDC requires that the parking areas be either concrete or asphalt. Mr. Baker did not believe there was a limit on the amount of concrete allowed.

Mr. Garner explained that one of the previous owners had poured a pad (perhaps for an RV) and there were pavers leading up to that pad. Mr. Garner would rather use those pavers for additional parking instead of having to pour concrete unless absolutely necessary. A hammerhead may need to be installed for a turnaround space.

Mr. Baker added additional parking would allow the resident host to freely move in and out of the garage without relocating vehicles. Additional parking overflow could be used with the pavers. The main parking would need to be concrete.

Mr. Garner stated eventually they would like to have three rooms with three bathrooms available for lodging.

There are no provisions in the UDC for Bed & Breakfast lodging so Staff is looking at the same type of parking as a boarding house with one parking space per guest room equaling three parking space plus two spaces for the resident(s) for a total of five parking spaces.

Mr. Baker clarified the six month time frame was developed in order to give Mr. Garner enough time and opportunity to make the adjustments and complete them. There is no Code requirement.

Conceivably, the Bed & Breakfast could function before the parking is totally completed. Most of the parking is already in place.

Ms. Lyerly stated this was a PD so if the Commission wanted to attach any conditions or recommendations, this was the time. This would not be possible with a straight zoning request.

Commissioner Mikeska-Reed commented this was the perfect place for a Bed & Breakfast.

Ms. Lyerly briefly covered the Director's Report. Several plats will be coming forward in the future but are currently awaiting revisions from the applicants.

Final Plat P-FY-16-46, Highline Addition, is waiting on the preliminary plat to go before P&Z tonight.

City Council approved code amendments for Z-FY-16-04 Payday Lenders on December 3, 2015.

Z-FY-16-01 was approved on first reading December 3, 2015.

Z-FY-16-02 was denied on first reading December 3, 2015 (902 East Nugent Avenue and the railroad crossing).

There being no further business, Chair Jones closed the meeting at 5:28 P.M.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

01/04/16
Item #2
Regular Agenda
Page 1 of 6

APPLICANT / DEVELOPMENT: Karl Miller

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-08 – Hold a public hearing to discuss and recommend action on a rezoning from Two Family (2F) zoning district to Commercial (C) zoning district, Lots 5 & 6, Block 011, Temple Heights, located at 1119 South 53rd Street.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Two Family (2F) district to Commercial (C) district for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Plan's (FLUP) Auto-Urban Commercial District;
2. The proposed zoning is compatible with surrounding zoning and automotive-related uses; and
3. Public facilities are available to serve the subject property.

ITEM SUMMARY: The requested rezoning is for two lots (Lots 5 & 6, Temple Heights subdivision) to be rezoned from Two-Family dwelling (2F) to Commercial (C) for automotive uses. The two lots are 0.411 +/- acres (17,920 square feet) in area. This request is the second in the immediate area within three years (Z-FY-12-22) from the same applicant to rezone property to the Commercial zoning district.

Most recently, per Ordinance 2012-4518, City Council approved a rezoning of Lots 9-12 of the Temple Heights subdivision from Two Family dwelling (2F) zoning to Commercial (C) zoning on March 15, 2012. Similarly, the request was to accommodate new as well as expand existing automotive uses in the area.

This request would convert two of three remaining 2F-zoned parcels to C zoning on this block, which has been established west of South 51st Street and more specifically west of the mid-block alley between South 51st Street and South 53rd Street and continuing westward toward Interstate 35. The only remaining 2F-zoned property is with three parcels across and “catty-corner” from the subject property which are currently occupied by single family residential uses.

A staff initiated inventory (attached) of the uses within a one-half to one block radius of the subject property suggest that while the area was initially developed with detached single family residences in the first-half of the 20th Century, the area is transitioning to more intensive commercialized uses, namely automotive related uses. This would support recent changes to surrounding zoning as well the current request and is supportive of the underlying Future Land Use designation of Auto-Urban Commercial. Additional discussion about the Future Land Use Plan consistency can be found later in this report.

Relative to the requested zoning of commercial, according to UDC Section 4.3.18:

The Commercial (C) zoning district permits all retail and most commercial land uses including auto dealerships with complete servicing facilities, building material sales, light manufacturing and heavy machinery sales and storage. The Commercial zoning district is intended to serve Citywide or regional service areas. This district should be located along major highways and should provide total on-site traffic maneuvering such that traffic entering and existing the facility should have room to turn, queue for parking area and park within the confines of the facility. This district should be located away from low and medium density residential development.

While commercial uses, specifically, automotive uses have been established along the adjacent local roads, additional commercial uses may complicate the infrastructure inadequacies. Commercial uses are more acceptable along thoroughfares and arterial streets and the subject property is one full block removed from W. Ave M, a collector street. While the introduction of additional commercial zoning is still consistent with the surrounding zoning, this block of S. 53rd street, containing the subject property is problematic, since concerns have been identified relative to compliance to the Thoroughfare Plan and the adequacy of the existing roadway infrastructure. See additional discussion about the Thoroughfare Plan later in this report.

Although it is anticipated the property will be cleared and developed with automotive repair, there are a number of residential and non-residential uses that are permitted by right in the Commercial zoning district. It should be noted that while the Commercial zoning district permits a wide range of uses either by right or with a Conditional Use Permit, not all uses can be accommodated on the subject property, if they do not meet development standards. The following table shows permitted and Conditional uses in the “2F” and “C” zoning districts, include but are not limited to:

Permitted & Conditional Use Table		
	Two-Family (2F) Existing	Commercial (C) Proposed
Agricultural Uses	* Farm, Ranch or Orchard	* Farm, Ranch or Orchard Nursery * Livestock Auction (CUP)
Residential Uses	* Industrialized Housing * Family or Group Home	* Single Family (Detached) * Single Family (Attached) * Home for the Aged * Industrialized Housing

Retail & Service Uses	None	<ul style="list-style-type: none"> * Cleaning Plant * Barber or Beauty Shop * Pawn Shop * Mortuary or Funeral Home * Tool Rental (Outside Storage) * All other Retail & Service Uses
Commercial Uses	None	<ul style="list-style-type: none"> * Livestock Auction * Building Material Sales * Poultry Hatchery * Indoor Flea Market * Mini Storage Warehouse
Industrial Uses	None	<ul style="list-style-type: none"> * Recycling Collection * Storage Warehouse * Temporary Asphalt or Concrete Batching Plant (CUP)
Recreational Uses	* Park or Playground	<ul style="list-style-type: none"> * Beer & Wine Sales with On-Premise Consumption * All Alcoholic Bev. Sales with On-Premise Consumption (CUP)
Vehicle Service Uses	None	<ul style="list-style-type: none"> * Auto Leasing - Rental * Auto Sales Facility * Fuel Sales * Boat Sales * Major & Minor Vehicles Repair * Auto Storage (CUP) * Outside Auto Parts Sales (CUP)
Restaurant Uses	None	* With & Without Drive-In
Overnight Accommodations	None	* Hotel or Motel
Transportation Uses	None	* Parking Lot, Trucks, Trailers & Moving Vans & Trucks

A number of uses are prohibited in the Two-Family (2F) and Commercial (C) zoning district to include but not limited to the following:

Prohibited Uses	
Two-Family (2F)	<ul style="list-style-type: none"> * Apartments * Townhouse * All Retail & Service, Commercial & Industrial Uses * Restaurant (With and Without Drive Through) * Recreational Uses (alcohol sales with on & off premise consumption) * Hotel or Motel * Offices

Commercial (C)	<ul style="list-style-type: none"> * Apartments * Townhome * Patio Home * Sewage Treatment Plant
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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:

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	2F	Unoccupied SF Residence
North	Auto Urban Commercial	2F & C	Commercial Uses
South	Auto Urban Commercial	2F, C & GR	Commercial Uses
East	Auto Urban Commercial	2F	Single Family Uses
West	Auto Urban Commercial	C	Commercial Uses

COMPREHENSIVE PLAN (CP) 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 Plan (FLUP)	YES
CP	Map 5.2 - Thoroughfare Plan	NO
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 Plan (FLUP) (CP Map 3.1)

The property is within the Auto-Urban Commercial land use district. The Auto-Urban Commercial district is intended for the majority of the areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads. As discussed in the Item Description of this report, an inventory supporting rezoning efforts from multi-family zoning to Commercial have transitioned the area to commercialized uses, namely those of an automotive nature. This transitioning is supported by the underlying FLUP, Auto-Urban Commercial district. Therefore, the requested Commercial zoning district is in full compliance with the Auto-Urban Commercial district.

Thoroughfare Plan (CP Map 5.2)

The requested property fronts on both South 53rd Street and West Ave L. Both streets are identified in the Thoroughfare Plan as local streets. No additional improvements are anticipated. However, as local streets, a minimum 31 feet of pavement is required.

According to the Temple Comprehensive Plan “Choices 08” – Land Use Policy No. 13, which states that commercial development should be concentrated in nodes at major intersections and other appropriate locations along highway frontages and primary roadways to maintain safe and efficient traffic flow on major roads. This is not being achieved since both South 53rd Street and W Ave L are local streets rather than collector or arterial streets. This deficiency could be problematic particularly since the applicant is proposing automotive uses and in general the proposed Commercial zoning will introduce the potential for more intensive uses in the neighborhood.

Further, as described in UDC Section 4.3.16, there are retail and service zoning districts, such as the Neighborhood Service (NS) district, that are intended to be located at the corners of collector and local streets which serve neighborhoods. This is further indicative that local streets are not appropriate for commercial traffic.

According to the trip generation values identified in the 9th Edition of the Institute of Transportation Engineers (ITE) manual, a single-family detached residence will generate 1.00 trip per dwelling unit (DU) during peak hour periods. For purposes of this request, since there are two lots under consideration, with an existing zoning of 2F, the table shows 4 DU, since two duplexes are allowed. While the following table is being provided to illustrate the potential traffic increase associated with automotive uses, it is clear that traffic generation will be increased onto a local street. Therefore, the proposed request for rezoning is not in compliance with the Thoroughfare Plan. The following table reflects the comparable residential units for the subject property and the anticipated automotive uses as well as their anticipated peak hour trip rates as follows:

Peak Hour Trip Rates Table (9th Ed. ITE Manual)	
<u>Use</u>	<u>Peak Hour Trip Rate</u>
Single Family Detached Residence	4.00 (4 Units Total - 1.00 trip per DU)
Automotive Care Center	3.11 (Per 1,000 S.F. of Building)
Automotive Parts & Service Center	4.46 (Per 1,000 S.F. of Building)
Quick Lubrication Vehicle Stop	5.19 (Per Service Bay)

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 6-inch sewer line in the alley between South 53rd Street & South 51st Street. Water is available through an existing 12” water line in South 53rd Street and a 6” water line in West Ave L.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan does not identify any trails on either West Ave L or South 53rd Street. Since both roads are identified as local roads, no sidewalks are required.

DEVELOPMENT REGULATIONS: Standard non-residential setbacks for the Two-Family (2F) & the Commercial (C) zoning districts are shown in the following table:

	<u>Current</u>	<u>Proposed</u>
	2F (Two Family)	C (Commercial)
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	25 Feet	15 Feet (UDC Sec 4.4.4F.1a)
Side Setback	20 Feet	0 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	2 1/2 Stories	ALH - Any Legal Height

PUBLIC NOTICE: Eighteen notices (18), representing 18 property owners 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 December 31, 2015 at 9:00 AM, no notices in agreement and no notices in disagreement have been received. If necessary, an update regarding any received notices, will be provided by staff at the Planning & Zoning Commission meeting.

The newspaper printed notice of the public hearing on December 25, 2015, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is scheduled for the 1st Reading on February 4, 2016 and a 2nd Reading for February 18, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Site and Surrounding Property Photos
- Boundary Survey (Exhibit A)
- Hand-Drawn Dimensioned Sketch of Lots 5 & 6
- Location Map
- Aerial Map
- Existing Neighborhood Land Use Inventory
- Zoning Map
- Future Land Use and Character Map
- Utility Map
- Thoroughfare & Trails Map
- Notification Map

Site & Surrounding Property Photos



Site: Unoccupied Single-Family House (2F)



North: Automotive Uses & Parking Area adjacent to Subject Property (2F & C)



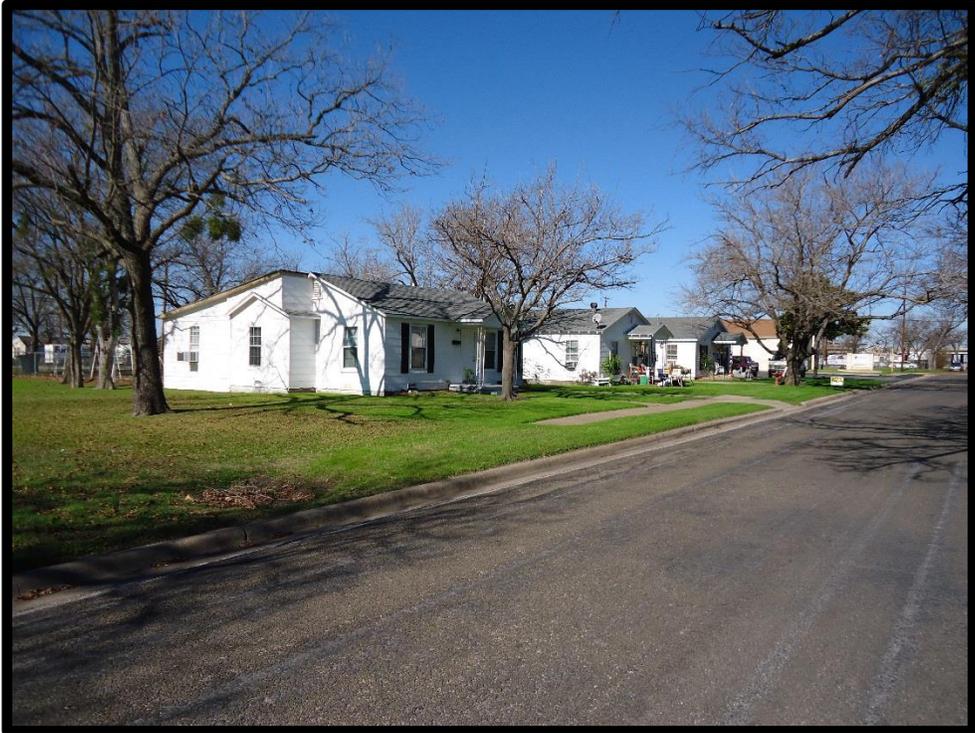
North: Parking Area & Automotive Uses (2F & C)



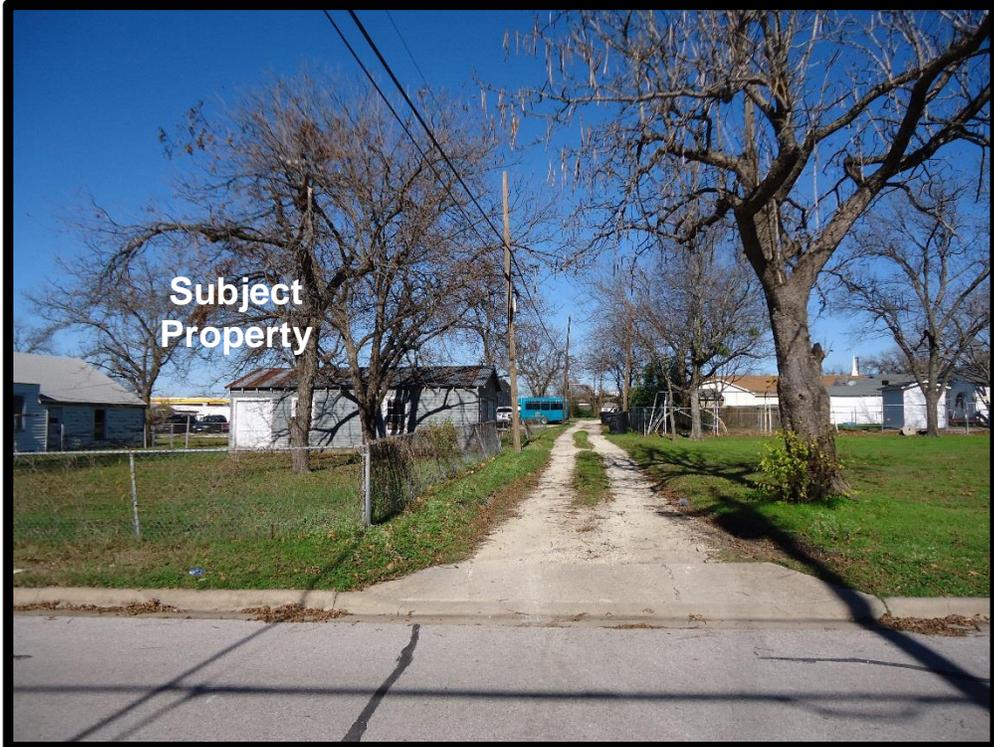
West: Single Family Residential Uses (2F)



East: Single Family Residential Uses (Behind Subject Property) (2F)



East: Single Family Residential Uses (As seen from S. 51st Street) (2F)



East: Alley (Between Subject Property & SF Residences) (2F)



South: Intersection of W Ave L & S. 53rd Street toward Avenue M (GR)

BLOCK MAP SYSTEM OF BELL COUNTY, TEXAS

CITY OF TEMPLE

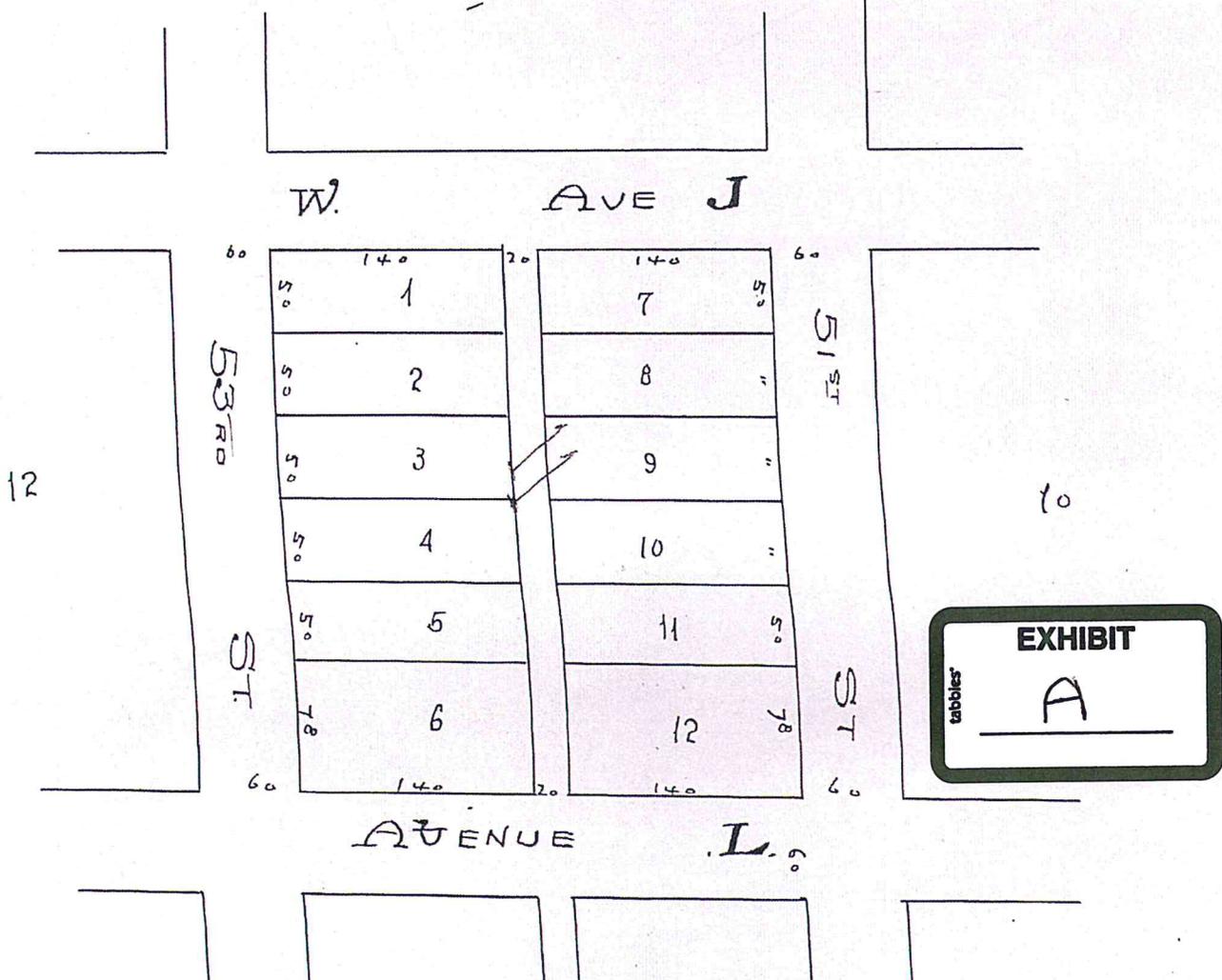
CITY BLOCK No. _____

CITY ADDITION TEMPLE HEIGHTS

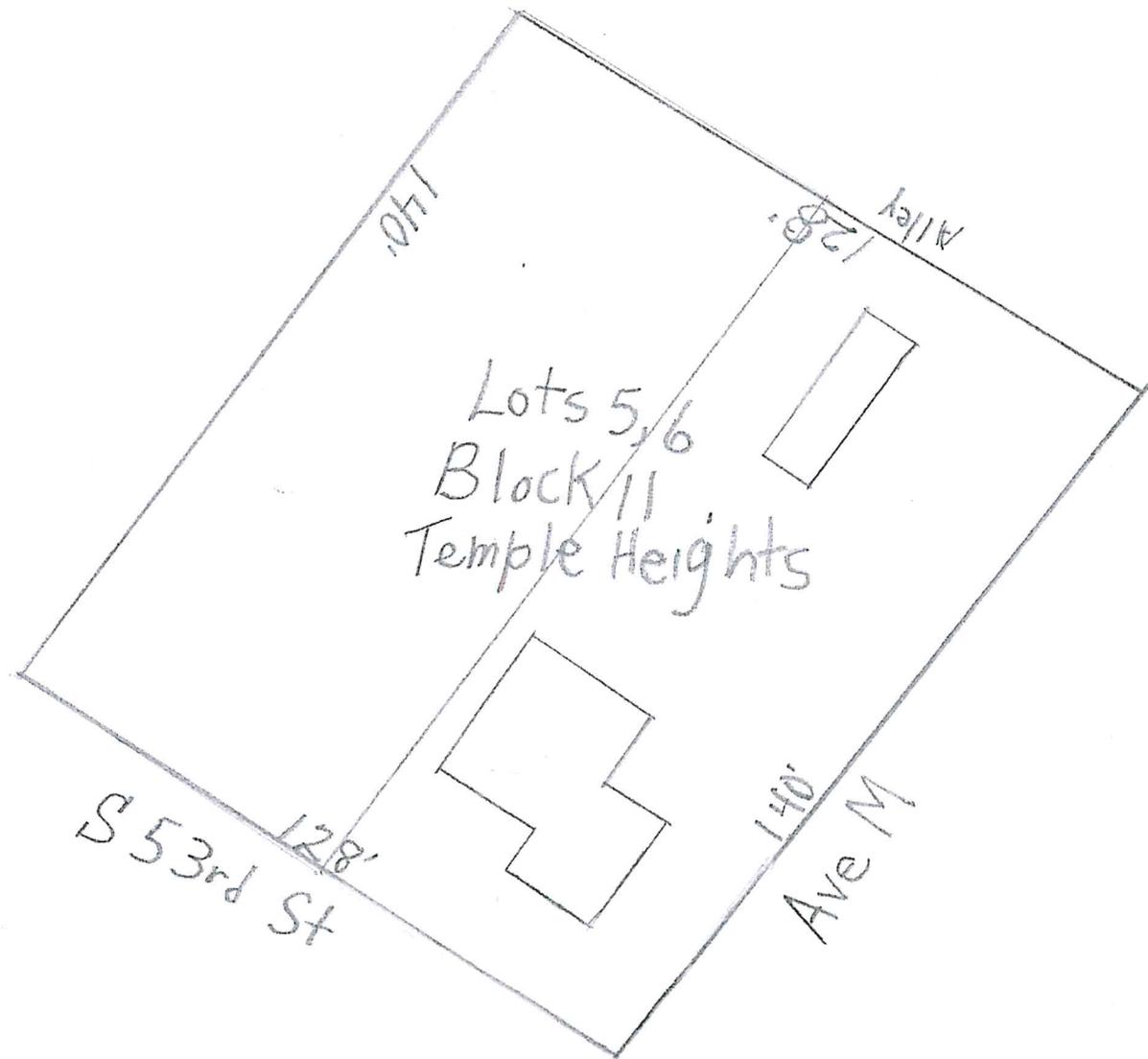
OLD BLOCK No. 11

SCALE 100ft=1INCH

-15-



N



1119 S. 53rd St Temple TX 76504 also known as:
Lots 5 & 6 Block 11 Temple Heights, Bell County, Temple TX 76504

Mar Miller
owner



S INTERSTATE 35

S GENERAL BRUCE DR

S 55TH ST

S 53RD ST

S 51ST ST

W AVE L

W AVE M

2F to C

LOCATION MAP

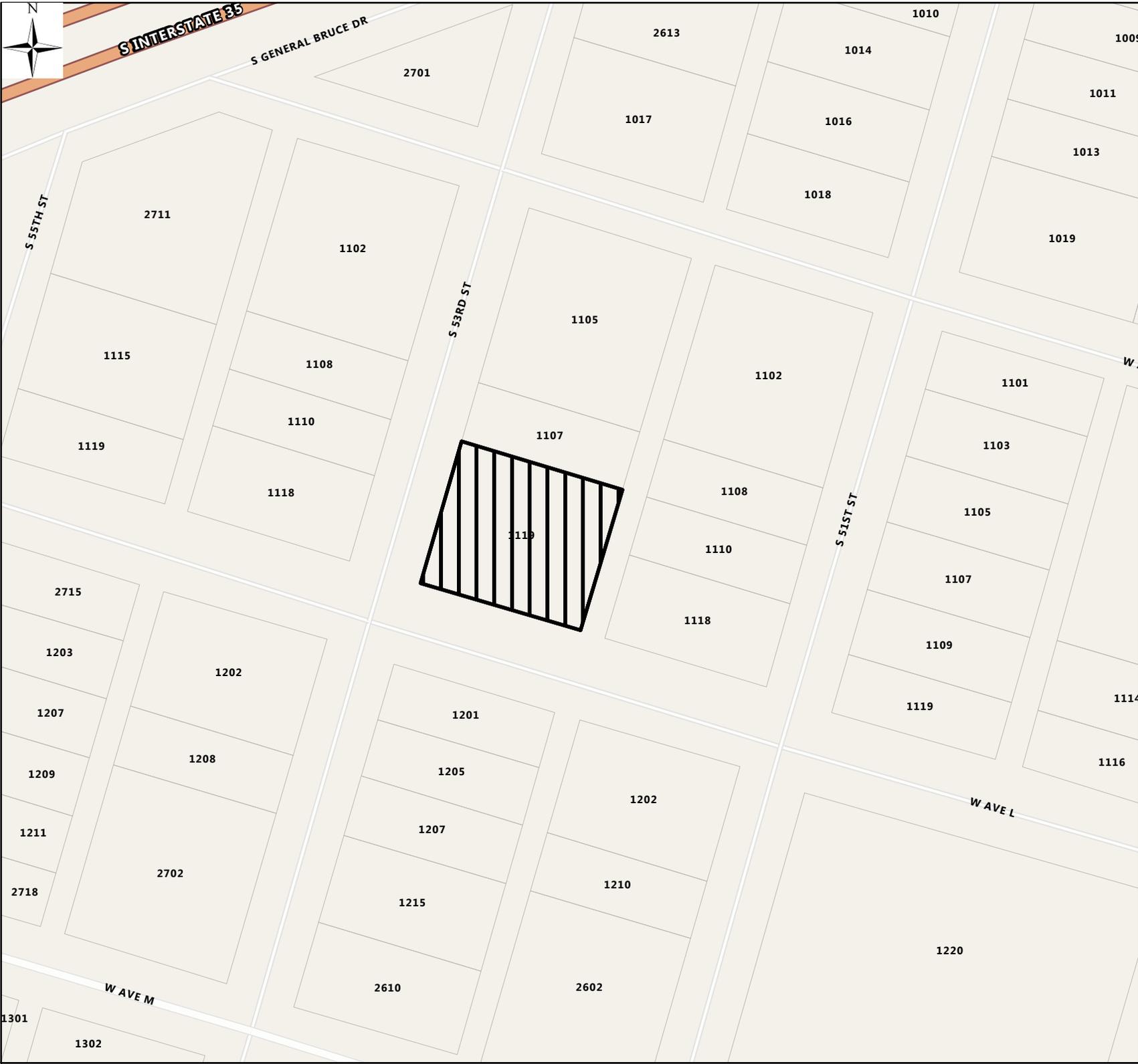
Zoning Case :
Z-FY-16-08

Address :
1119 South 53rd St.

- Streets
-  EXPRESSWAY
 -  MAJOR ARTERIAL
 -  COLLECTOR
 -  LOCAL STREET
 -  MINOR ARTERIAL
 -  PRIVATE
 -  RAMP
 -  Railroad
 -  Temple Municipal Boundary
 -  Parcels
 -  ETJ Parcels
- CaseArea1
-  CaseArea1
 -  CaseArea1
 -  CaseArea1

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.

mbaker
Date: 11/30/2015





2F to C

AERIAL MAP

Zoning Case :
Z-FY-16-08

Address :
1119 South 53rd St.

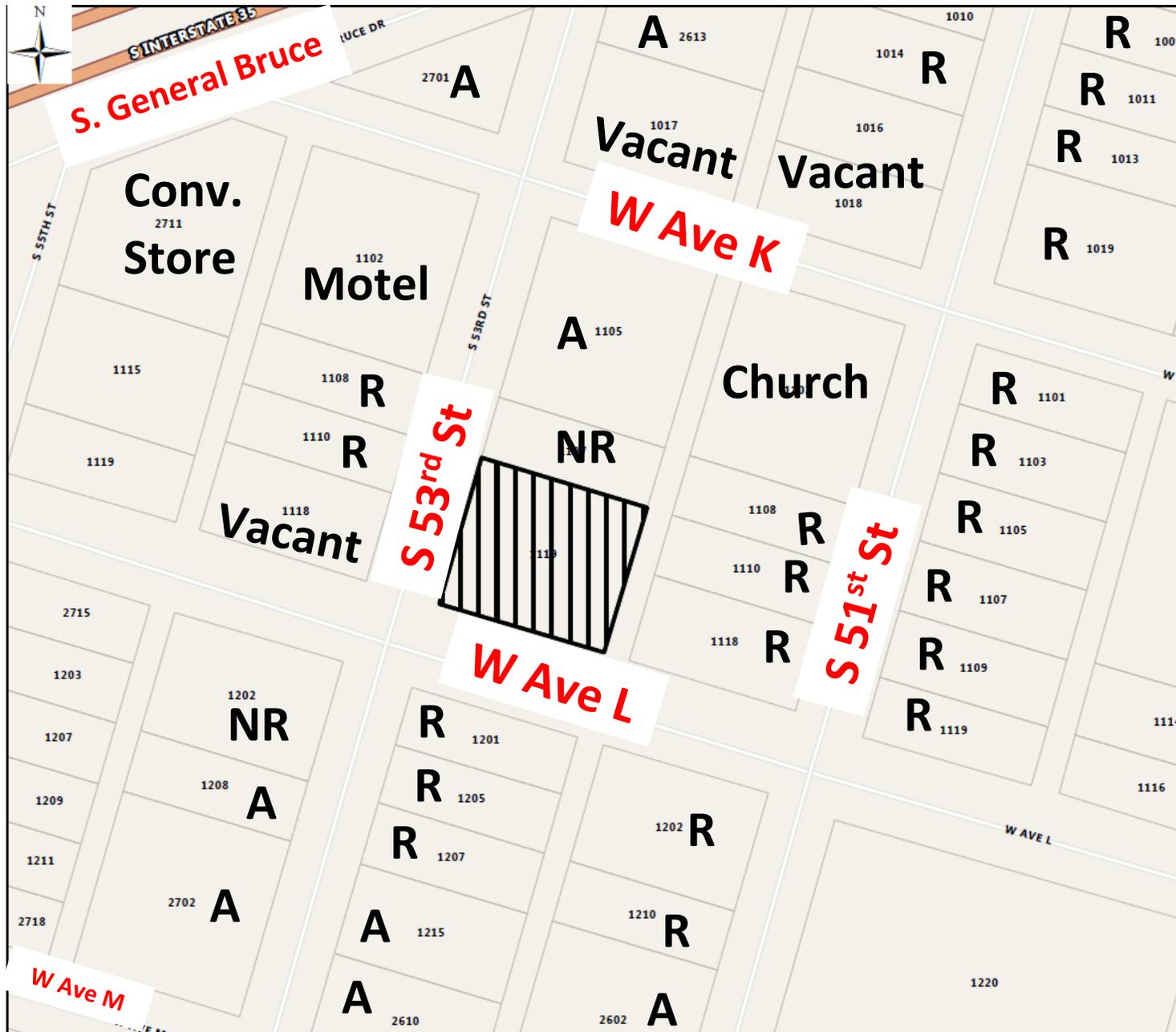
- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
 - Temple Municipal Boundary
 - Parcels
 - ETJ Parcels
 - CaseArea1

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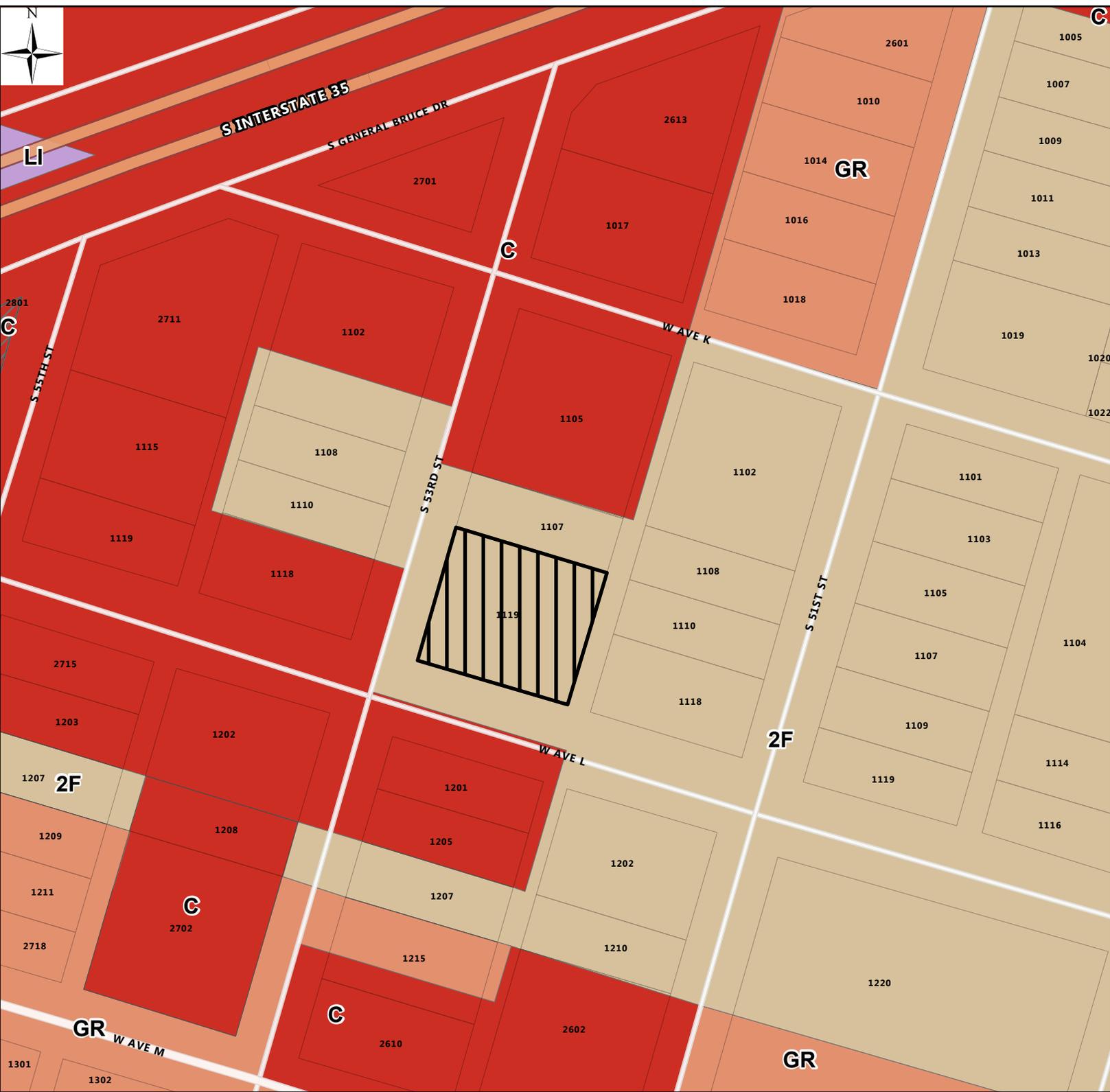
mbaker
Date: 11/30/2015



Existing Neighborhood Land Use Inventory



A = Automotive Use NR = Other Non-Residential Use R = Residential Use



2F to C

ZONING MAP

Zoning Case :
Z-FY-16-08

Address :

1119 South 53rd Street

CurrentZoning	O-1	AG - CUP
HI - CUP	O-1 - CUP	MH
UE	O-1 - PD	MH - CUP
UE - PD	O-2	MH - PD
SF-1	O-2 - CUP	MU
SF-1 - CUP	O-2 - PD	MU - CUP
SF-1 - PD	NS	SD-C
SF-2	NS - CUP	SD-C - CUP
SF-2 - PD	NS - PD	SD-H
SF-3	GR	SD-H - CUP
SF-3 - PD	GR - CUP	SD-T
SF-3 - CUP, PD	GR - PD	SD-V
SFA	GR - CUP, PD	T4
SFA-2	CA	T4 - PD
SFA-2 - PD	CA - CUP	T4 - CUP
SFA-3	CA - PD	T5-C
SFA-3 - PD	C	T5-C - CUP
2F	C - CUP	T5-C - PD
2F - CUP	C - PD	T5-E
2F - PD	C - CUP, PD	T5-E - PD
MF-1	LI	NO BASE
MF-1 - CUP	LI - CUP	CUP
MF-1 - PD	LI - PD	PD
MF-2	LI - CUP, PD	CaseArea1
MF-2 - CUP	HI	
MF-2 - PD	HI - PD	
MF-3 - PD	AG	

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Date: 11/30/2015





S INTERSTATE 35

S GENERAL BRUCE DR

2801

S 55TH ST

2715

1203

1207

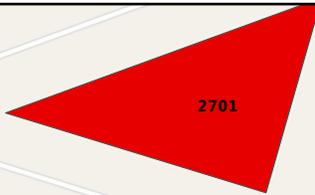
1209

1211

2718

1301

W AVE M

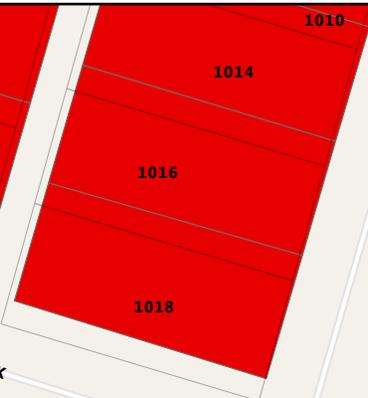


2701



2613

1017



1010

1014

1016

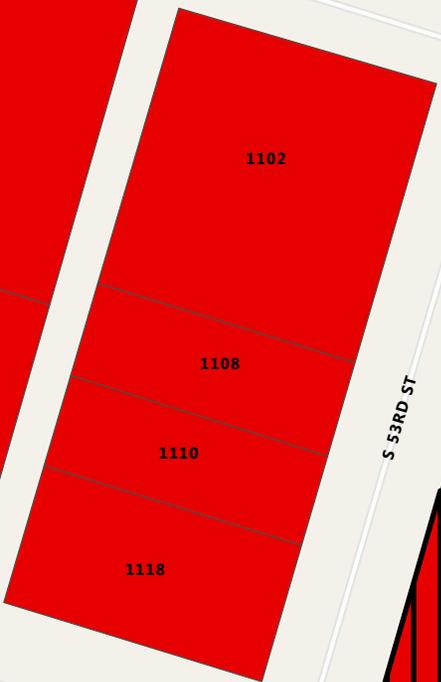
1018



2711

1115

1119



1102

1108

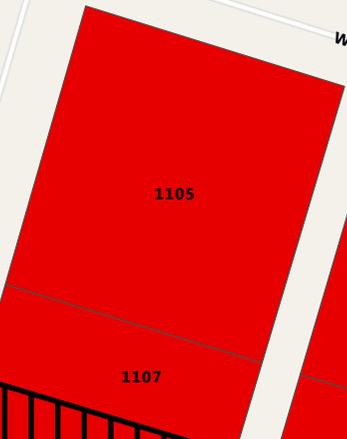
1110

1118

S 53RD ST



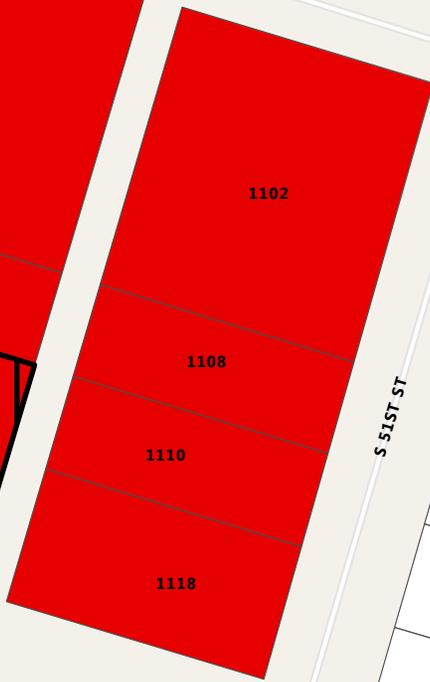
1119



1105

1107

W AVE K



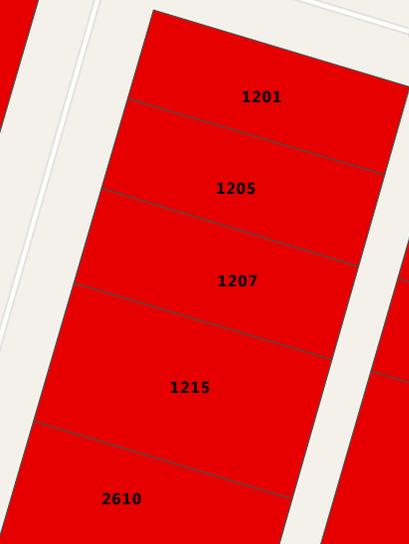
1102

1108

1110

1118

W AVE L



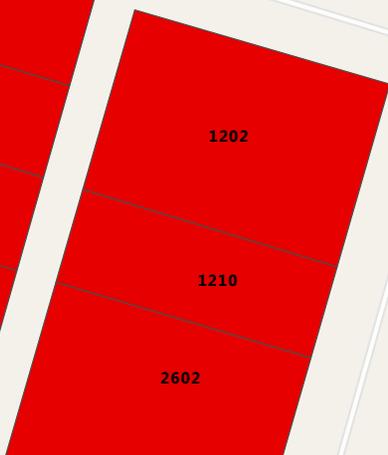
1201

1205

1207

1215

2610

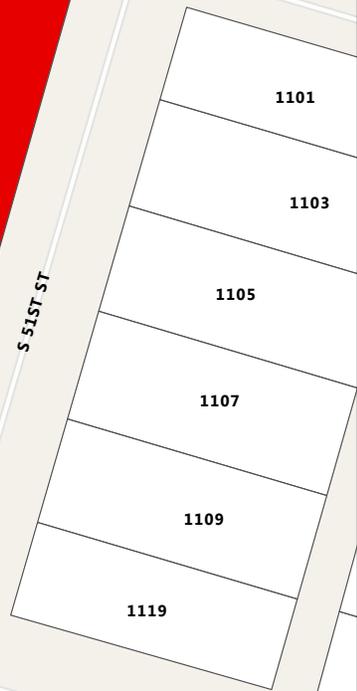


1202

1210

2602

S 51ST ST



1101

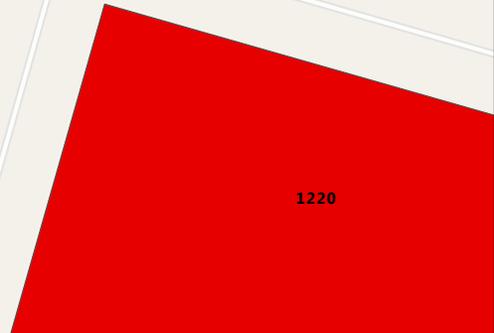
1103

1105

1107

1109

1119



1220

2F to C

FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-08

Address :
1119 South 53rd Street

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
 - CaseArea1

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Date: 11/30/2015





2F to C

UTILITY MAP

Zoning Case :
Z-FY-16-08

Address :
1119 South 53rd St.

-  Manhole
-  Gravity Main
-  Hydrant
-  Main
-  Parcels
-  CaseArea1

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mbaker
Date: 11/30/2015





S INTERSTATE 35

S GENERAL BRUCE DR

2801

S 55TH ST

2711

1102

1115

1108

1119

1110

1118

S 53RD ST

1105

1107

1119

W AVE K

1102

1108

1110

1118

S 51ST ST

1101

1105

1107

1109

1119

2715

1203

1207

1209

1211

2718

1202

1208

2702

1201

1205

1207

1215

W AVE L

1202

1210

2602

2610

2613

1017

1014

1016

1018

1010

1010

1301

W AVE M

2F to C THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-08

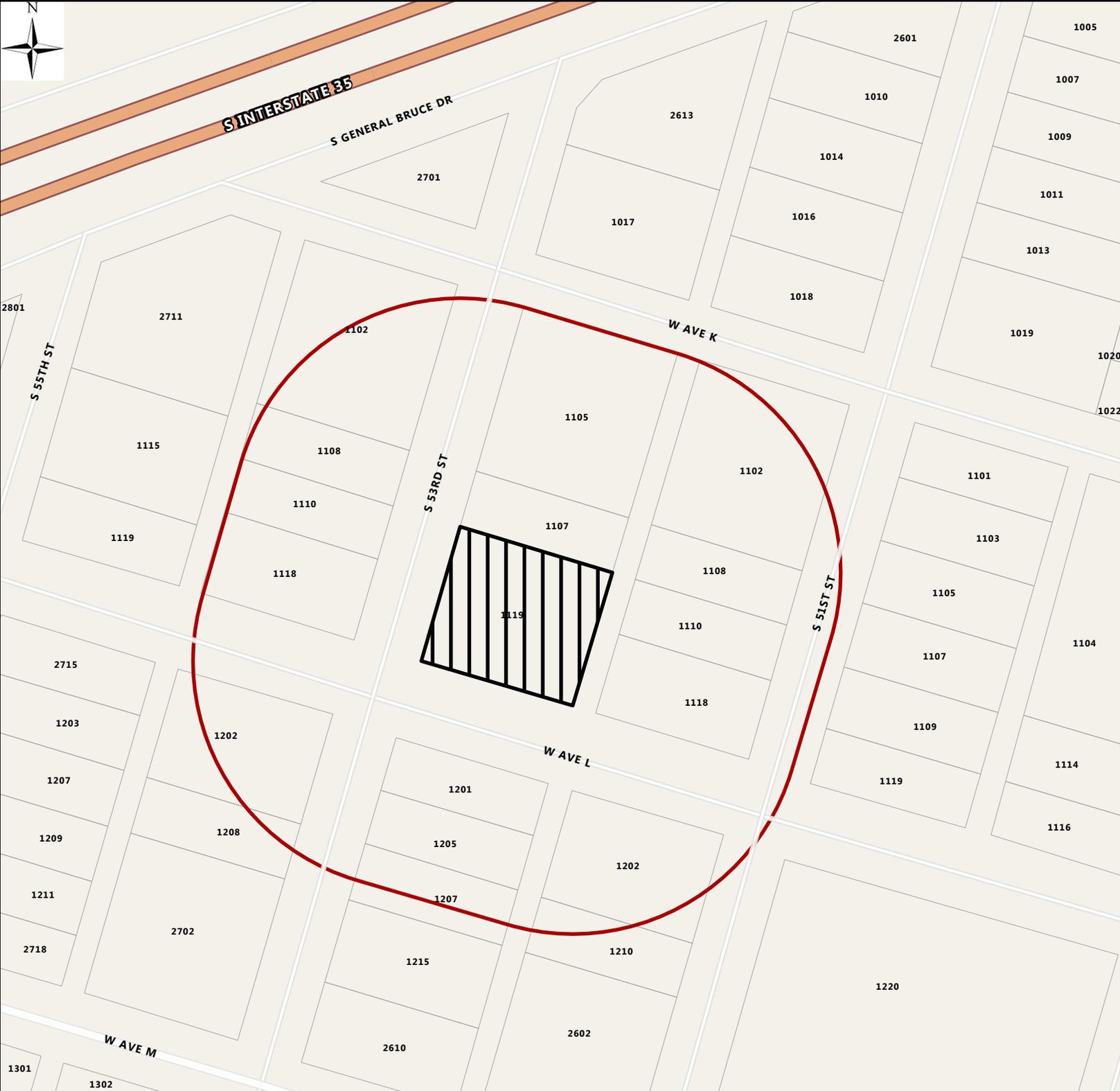
Address :
1119 South 53rd Street

- Parcels
- Expressway
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Proposed Collector
- CaseArea1
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- CaseArea1
- EXISTING, CITY WIDE SPINE
- EXISTING, COMMUNITY WIDE CONNECTOR
- EXISTING, LOCAL CONNECTOR
- PROPOSED, CITY WIDE SPINE

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Date: 11/30/2015





2F to C

200' NOTIFICATION MAP

Zoning Case :

Z-FY-16-08

Address :

1119 South 53rd Street

 CaseArea1

 Buffer1

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mbaker

Date: 11/30/2015





PLANNING AND ZONING COMMISSION AGENDA ITEM

01/04/16
Workshop Agenda

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 (if any) 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	Project Mgr.
P-FY-15-27 - Consider and take 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).	DRC 11/25/15 Awaiting Revisions from Applicant	All County Surveying	Tammy
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.	DRC 5/04/15 Awaiting revisions from applicant	Turley Associates	Mark
P-FY-15-36 - Consider and take action on the Final Plat of Morgan Ridge Estates, a 5.143 +/- acre 2-lot, 1-block residential subdivision within the E.T.J of the City of Temple. Bell County , Texas, being a portion of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at the southwest corner of the Morgan Drive and Hartrick Bluff Road intersection	DRC 7/06/15 (administrative approval) awaiting revisions from applicant	All County Surveying	Tammy
P-FY-15-42 - Consider and take action on the Final Plat of Wilson Addition, a 3.530 +/- acre, 2-lot, 1-block subdivision situated in the Stephen P. Terry Survey, Abstract No. 812, Bell County, Texas, located on the south side of FM 2305, east of Arrowhead Point and west of Woodland Trails, partly in the Temple City limits and western ETJ.	Signed mylars released for recordation	Turley Associates	Mark

P-FY-15-46 - Consider and recommend action on the Final Plat of Highline Addition, a 7-lot, 1-block, 12.59 +/- acre nonresidential subdivision, out of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at the northwest corner of Scott Boulevard and South 31st Street.	DRC 11/25/15 Pending Prelim Plat	Advanced Surveying and Mapping	Tammy
P-FY-15-47 - Consider and take action on the Final Plat of Baylor Scott & White Distribution Center, a 64.62 +/- acres, a 1-lot, 1-block non-residential subdivision, being part of the Vincent Barrow Survey, Abstract No. 64, situated in Temple, Bell County, Texas, at the northeast corner of H.K. Dodgen Loop and north General Bruce Drive, located at 5141 N. General Bruce Drive.	DRC 10/19/15 Awaiting Revisions from Applicant	Ron Carroll	Tammy
P-FY-16-08 - Consider and recommend action for the Final Plat of Spurlock's Arbour Addition, in the southeastern ETJ, a 5.87 +/- acre, 2 lot, 1 block, residential subdivision, out of the MAXIMO MORENA SURVEY, Abstract No. 14, in Bell County Texas, with exceptions to UDC for fire hydrant and sidewalks (project manager look at exceptions on application), located south of Barnhart Road, west of State Highway 95, and north of State Highway 93.	Waiting for applicant's response to post-DRC comments	Advanced Surveying and Mapping	Dessie
P-FY-16-11 - Consider and take action on the Amending Final Plat of The Canyon Creek West Addition, a 0.627 +/- acre, 2 lot, 1 block residential subdivision, located on the east side of Hemlock Blvd. and south of Michaels Drive, 4105 Michaels Drive.	DRC 12-21-15	Caleb Mooney	Tammy
P-FY-16-12 - Consider and take action on the Amending Final Plat of Lake Pointe Phase II-A3, a 6.02 +/- acre, a 32-lot, 2-Block residential subdivision, located on Blue Leaf Drive in Lake Pointe Subdivision.	Deemed complete; awaiting mylars	Scott Brooks	Mark

City Council Final Decisions	Status
Z-FY-16-04: Consider adopting an ordinance authorizing amendments to Ordinance 2010-4413, Temple Unified Development Code related to regulating Credit Access Businesses (commonly referred to as "Payday Lenders") and the following specific Articles: Article 5-Use Standards, including specific locational standards; and Article 11-Definitions, providing a definition for Credit Access Businesses.	APPROVED at 2 nd Reading on December 17, 2015
Z-FY-16-01: Consider adopting an ordinance authorizing a rezoning from General Retail District (GR), Office 1 District (O-1) and Multiple-Family Dwelling 1 District (MF-1) to General Retail District (GR), on 6.414 +/- acres, being all of Lot 1, Block 1, G2K North subdivision, located on the north side of West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road.	APPROVED at 2 nd Reading on December 17, 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	P	P	11		
Blake Pitts	P		P	A	P	P	P		P	P	A	P	P	P	9	2
Patrick Johnson	P		P	P	A	P	P		P	P	A	P	P	P	9	2
Omar Crisp	P		P	A	P	A	P		P	P	P	P	P	A	8	3
David Jones	P		P	A	P	P	P		P	P	P	A	P	P	9	2
Greg Rhoads	P		P	P	P	A	P		P	P	A	P	P	P	9	2
Will Sears	P		A	P	A	A	P		P	A	A	P	A	A	4	7
Lester Fettig	P		P	P	P	A	P		P	P	P	P	A	P	9	2
Tanya Mikeska-Reed	A		A	P	P	P	A		P	P	A	P	A	P	6	5

	July 6	July 20	Aug 3	Aug 17	Sept 8	Sept 21	Oct 5	Oct 19	Nov 2	Nov 16	Dec 8	Dec 21	P	A
James Staats	P	A	No Meeting Held	P	P	P	P	P					17	1
Lydia Alaniz									P	P	A	P	3	1
Blake Pitts	P	P		P	A	P	P	P	P	P	P	P	19	3
Patrick Johnson	P	P		A	P	P	A	P	P	P	P	P	18	4
Omar Crisp	P	P		P	P	A	P	P	P	A	P	A	16	6
David Jones	A	P		P	P	P	P	P	P	A	P	P	18	4
Greg Rhoads	P	P		A	P	P	P	P	P	P	P	P	19	3
Will Sears	P	P		P	P	P	P	P	P	A	A	A	13	9
Lester Fettig	P	P		P	P	P	P	A	P	A	A	P	17	5
Tanya Mikeska-Reed	P	P		A	P	P	P	P	P	A	P	A	P	14

not a Board member

New Officers Elected:
Jones Chair, Johnson V-C