

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
PLANNING CONFERENCE ROOM  
DECEMBER 21, 2015, 5:15 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, December 21, 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 (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, 2<sup>ND</sup> FLOOR  
DECEMBER 21, 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 December 8, 2015.

**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.

**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 *Withdrawn by applicant.*

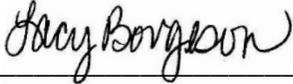
**Item 4:** [P-FY-16-07](#) - Consider and recommend action on the Preliminary Plat of Highline Addition, a 40-389 +/- acres, 9-lot, 1-block, nonresidential subdivision, being a part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located on the northwest corner of South 31st Street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

**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.

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 17, 2015 at 3:30 pm.



\_\_\_\_\_  
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 8, 2015  
5:30 P.M.**

**PLANNING AND ZONING MEMBERS PRESENT**  
Chair David Jones

**COMMISSIONERS:**

Blake Pitts  
Omar Crisp

Greg Rhoads  
Patrick Johnson

**PLANNING AND ZONING MEMBERS ABSENT:**

Lydia Alaniz  
Will Sears

Tanya Mikeska-Reed  
Lester Fettig

**STAFF PRESENT:**

Brian Chandler, Director of Planning  
Trudi Dill, Deputy City Attorney  
Richard Wilson, Deputy City Engineer  
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 2, 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 5:34 P.M.

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

**A. CONSENT ITEMS**

**Item 1: Approval of Minutes:** Work session and the regular meeting of November 16, 2015.

Approved by general consent.

**B. ACTION ITEMS**

**Item 2: Z-FY-16-03 –** Hold a public hearing to discuss and recommend action on a rezoning from TMED (Temple Medical Education District) T4 to PD-T5-e and T5-c to PD-T5-c (Planned Development District-TMED T5-e and T5-c Districts) to accommodate a

proposed mix of multi-family and commercial development on 40.389 +/- acres of land being a part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at the northwest corner of South 31st Street and Scott Boulevard.

Mr. Brian Chandler, Director of Planning, stated the applicants were Cypressbrook Company and GFF Architects representing developer Brian Lent and Highline Development. This item is scheduled to go forward to City Council for first reading on January 21, 2016 and second reading on February 4, 2016.

The Temple Medical Educational District (TMED) zoning map is shown. The subject property is zoned T4 and T5-c.

An aerial map is shown of the subject property which is located west of South 31<sup>st</sup> Street and north of Scott Boulevard. The existing drainage channel runs through the middle of the property which essentially separates the T4 and T5-c districts. The proposed multi-family development would be located on the T4 portion with commercial and retail development on the T5-c.

Zoning Summary:

Property currently zoned:

**TMED T5-c Urban Center Zone**, 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.

**TMED T4 General Urban Zone**, This transect zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, side yard and row houses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.

Proposed zoning:

**T5-e Neighborhood Edge Zone**, This transect zone consists of a mid-density mixed use but primarily commercial, retail and office urban fabric. It typically has a single row of teaser parking located in front of the principal building, with strong vehicular cross-connection among adjacent properties. It primarily has attached buildings with wide sidewalks, rhythmic street tree planting and buildings set close to the sidewalks.

The Future Land Use and Character Map designates the property as Suburban-Commercial and Staff feels the mix of uses are compliant.

In accordance with the Thoroughfare Plan and Trails Master Plan, 31<sup>st</sup> Street is designated as a major arterial and Scott Boulevard is a collector. The applicant is proposing a trail system to create connectivity to J.C. Park.

Sewer and water are available to serve the property.

Surrounding properties include Baylor Scott and White to the east, single family residential to the west, Candlewood Suites Hotel and offices to the south, and single family residential and Church of Christ to the north.

Proposed combined site plan for multi-family and commercial development is shown.

Five different commercial lots are proposed along 31<sup>st</sup> Street; two of them are proposed to include drive-through restaurants. To the west two more proposed restaurants; one with a drive-through. Tract 7 is a proposed hotel. Proposed multi-family development would be located to the west. A separate site plan will be shown for the multi-family development.

The applicant is proposing a trail to connect both phases of the development to the detention pond, and ultimately to 37<sup>th</sup> Street and across Scott to the J.C. Park Trails.

The multi-family phase would include 199 units with a clubhouse, pool, connecting trails, a wooded landscape plan, some garages, some storage units and other amenities. The proposed elevation site is shown. Hardi-board and stone materials would be incorporated into the exterior.

The applicant is requesting the following exceptions from the TMED multi-family standards:

1. Building story height (14 feet required: 10 feet six-inches proposed);
2. Exceeds 12 feet front and 30 feet side maximum setbacks;
3. Exceeding the 20 percent limit on cementitious siding;
4. Alleys are not proposed (T5-c requires alleys) ;
5. Tree planting behind the six-foot sidewalk, which will still abut a six-foot planting strip behind the curb, to accommodate utilities;
6. Roof pitch (5:12 required: 4:12 proposed);
7. Number of garage parking spaces (one per two units required: one per three point two five (3.25) units proposed);
8. Approximately 18,600 square feet of common area is required, which the applicant is exceeding (estimated 22,826 square feet provided); and
9. Applicant proposes the following combination of amenities: Grill house, pool water feature, dog wash station, new trees, benches, trail, preservation of trees along proposed trail, swimming pool, clubhouse, exercise facility, and office center.

Main access will be from 31<sup>st</sup> Street with one curb cut along 31<sup>st</sup> Street, a private drive connecting to the multi-family component and a private drive (north/south) connecting West Avenue T to Scott Boulevard. Sidewalks, as required, along the public frontage and also the private streets with sidewalk connections to each of the lots per TMED standards. Also meeting the tree spacing requirements. Connectivity to the trail along the drainage channel/area.

Photos provided by the applicant are shown of other developments done which are representative of the style of architecture and specifications proposed for this item.

The applicant is requesting the following exceptions from the TMED commercial standards:

1. Exceeds 12 feet maximum front setback;
2. Less than the two-story building height requirements;
3. Allowing a commercial surface parking lot;
4. Drive-throughs would be permitted for Tracts 1, 2, 4, 5, and 6;
5. Exceeds the 10,000 square foot Gross Floor Area (GFA) maximum for commercial uses;
6. No minimum foot block perimeter standard;
7. One tree per 12 parking spaces (one per 10 required);
8. Exceptions from parking lot screening;
9. Eight-foot sidewalk (along 31<sup>st</sup> Street) with six-foot planting strip behind the sidewalk;
10. No groundcover required in the planting strip while allowing the required trees to be clustered;
11. Fifty foot maximum building façade length with at least a two-foot articulation; and
12. No minimum percentage of window and door coverage for public facing facades for the hotel site.

The applicant is requesting the following exceptions from the TMED commercial signage standards (UDC Sec. 6.3.16.C):

Wall Signs:

Multi-tenant: One wall sign per façade of tenant's premises;

Single-tenant: One wall sign per façade; and

Code allows one per building.

Monument Signs:

One 25-foot tall project multi-tenant monument sign at the South 31st Street entrance;

One 20-foot tall multi-tenant monument sign at the Avenue T and Scott Boulevard entrances, respectively;

No more than one single-tenant or multi-tenant 10-foot tall monument sign for each individual lot; and

Code allows one six-foot x two-foot monument sign per lot with a warrant and one eight-foot x two-foot multi-tenant sign per lot with a warrant.

Examples of the proposed types of signage are shown and discussed.

Proposed specifications for the Tenant Wall signs are shown which would be subject to standards with the PD Ordinance but they would also have their own restrictive covenants which would be enforced by the property owners association.

Compliance Summary - The project proposes to comply with the following sample of relevant standards (highlights only):

Density/Residential requirements in T5-e (eight to 24 units/acre);  
Bike rack requirements;  
Minimum parking ratios and parking space dimensions;  
Sidewalk widths and locations;  
Selections from approved landscaping list;  
Irrigated landscaping for at least 20 percent of site;  
80 percent maximum of impervious cover;  
Screening of mechanical equipment and waste containers;  
Street lights consistent with the TMED design guidelines;  
All proposed electric, telephone, and cable wires along the public street right-of-way underground; and  
Implementation of Trails Master Plan by providing the trail next to the multi-family and making connectivity to 37<sup>th</sup> Street.

The Development Review Committee (DRC) review this item on November 23, 2015. The applicant has adequately addressed all comments.

Fifty-four notices were mailed out with two in agreement and seven in opposition. Two additional responses came in today; one in agreement and one in opposition.

This is a request for a Planned Development (PD) per 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

Staff believes the applicant meets the PD criteria:

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 systems;  
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 with the following conditions:

1. Each restaurant with a drive-through provide at least 150 square feet of outdoor dining space; and
2. For buildings located at public street corners (Tracts 1 and 4):
  - a. The building shall have a parapet or vertical roof element that is at least three feet higher than the top of parapet height or roof height;
  - b. The length of the parapet or roof element must be equivalent to at least 15 percent the length of the façade on the side of the building that has the main entrance.
3. Substantial compliance with the attached site plans is required
4. The Planning Director has authority to grant administrative approval to non-substantive changes to the plans.

Commissioner Rhoads asked about the various entrances/exits in the development and whether they would be lighted (stop light). Mr. Chandler replied the only lighted entrance would be on Scott Boulevard.

According to some of the opposition comments, Commissioner Rhoads asked if low income housing would be developed at the subject property. Mr. Chandler responded the apartments would be higher end. Staff never received any calls from the public regarding questions about this project in order to alieve any misunderstandings about the site development.

Mr. Chandler explained that the proposed retaining wall (between two and four feet tall) would be along Avenue T for most of the commercial frontage and the adjoining portion of 31<sup>st</sup> Street. Scott Boulevard, extending from the north/south private road to 31<sup>st</sup> Street and up approximately midway would also have the retaining wall (between two and four feet tall). More than half of the frontage for the five tracts would have retaining wall.

Mr. Chandler further explained the outdoor seating for Shoppes on the Hill was not requested of the applicant at the time of the request. The idea came up after working on the Shoppes on the Hill project and then looking at and evaluating the TMED standards regarding drive-throughs and outdoor seating.

When asked about the traffic on Avenue T, Mr. Chandler stated Avenue T was a generous two lane road.

Chair Jones was interested in knowing about options for sun blocking. Mr. Chandler stated on some of the projects shown there were trellises and/or umbrellas, but it was not actually discussed. Staff was looking at the minimal standards.

Chair Jones opened the public hearing.

Mr. Jonathan Wood, GFF Architects, 2808 Fairmount, Suite 300, Dallas, Texas, stated he reviewed the responses returned about the project and wanted to clarify this was a commercial area mixed use, minimum of two story buildings and maximum of five story buildings. The sphere of the project is a horizontal mixed use project containing multi-family, restaurant, retail, and hotel. There will also be a large hike and bike trail.

Mr. Wood explained there would be a north/south private drive and an east/west private drive allowing for smaller tracts and eliminates a large parking field. A network of sidewalks along the perimeter of the tract and the landscaped areas will connect the entire area. This will be a unified development with specified lamp poles along 31<sup>st</sup> Street to create the TMED architectural character.

Mr. Brian Lent, Highline Real Estate Group, 4445 Livingston, Dallas, Texas, stated the intent was to do as much as possible in the first phase. A proposed landscaped outdoor amenity area of approximate 2,000 +/- square feet may include more than just seating. Tract 6 is currently undetermined, Tract 3 is multi-family, and Tract 3B could be additional multi.

Mr. Jeff Presnal, Cypressbrook Development, 1776 Woodstead Court, Woodlands, Texas, stated Cypressbrook is a commercial real estate development firm that does largely apartments. A sister company handles management of the owned properties. The proposed apartments will not be a low end project, not remotely close. It will be at the very top of the market in Temple.

Cypressbrook is on track with Mr. Lent to complete the infrastructure and utilities and dovetail at the end of that project. The start date would tentatively be the beginning of summer 2016 and would correspond with Mr. Lent's development schedule.

Commissioner Pitts asked about the building materials and if they were standard products. Mr. Presnal responded this was a prototypical building. It is a product they have used in several other markets, they know how it works, they know how to make it look good, and have had great results over time. The one battle they currently face is the cost of construction which has not eased.

The 'modern craftsman' style works very well and appeals to the young professionals around the medical area.

Mr. John Cunningham, 3001 Sleepy Hollow Lane, Temple, Texas, stated he represents and is employed by Baylor Scott & White as General Counsel. Mr. Cunningham was not aware of tonight's meeting until late afternoon.

One of Baylor Scott & White's affiliates owns the Hilton Garden Inn located on Scott Boulevard. In the interest of full disclosure, that property is under contract to be sold to a much more experienced owner and operator. Through the years Scott & White has not been very concerned about development around its properties because it owned all the property around it. There is only one element of concern about this proposed development and that is the inclusion of a hotel. There have been a number of hotel properties developed on Scott Boulevard, Scott Boulevard and the Loop, along the Loop, and now this one. Baylor Scott & White's concern is that hotels are overbuilt in the area and they will all suffer and not as beneficial as it should be for all concerned.

Mr. Cunningham stated they had no other comments regarding Highline Group or their project and have the utmost respect for them, but they are concerned about overdevelopment of hotels in the area.

Mr. Cunningham confirmed this concern was not brought up in previous discussions with the perspective parties that he remembers. It was primarily commercial and apartments.

Mr. Zafar Khan, 2913 Kady Circle, Riley, Texas 75198, and are with the Candlewood Suites located at 1850 Scott Boulevard, Temple, Texas. Mr. Khan stated he had the same concerns as Mr. Cunningham. Mr. Khan and his partners recently purchased the Candlewood Suites

approximately three months ago. Mr. Khan went to Planning and was told the blue zone had no commercial property or planning on the site which is one of the reasons they invested in the hotel property. Now there is a project being developed.

The Holiday Inn is across the street from Candlewood and business is down 20 percent. If another hotel is built next to them Mr. Khan did not feel Candlewood would survive.

Mr. Khan commented the occupancy rate in the area is 65-70 percent. This time of year it is more like 45-50 percent. Half of his hotel is currently empty and having the proposed apartment building will also hurt them. Mr. Khan would need to check with his General Manager to see what the occupancy rates are for all of the hotels in the area.

Mr. Khan does not want to become bankrupt because of this proposed project and if he had known the project was coming he would not have purchased the property.

Mr. Chandler addressed the zoning issue. The existing TMED zoning T5-c allows a hotel (blue area) by right. However, the P&Z recommendation could eliminate other uses or recommend limitation of uses.

Mr. Brian Lent returned to the podium to respond to Commissioner Rhoads question regarding whether the space for the hotel was originally anticipated for an office building. Mr. Lent did not remember this since the plans have shown a hotel for some time. There has been significant interest in the hotel and an office building has not seriously been contemplated.

Mr. Lent felt the hotel to be an important component to the development and provides another use that is complimentary to everything else and in keeping with the mixed use feel.

Commissioner Crisp asked if any occupancy studies have been done for the hotels in the area. Mr. Lent commented he was not a hotel developer but they wanted to be good neighbors and a community partner to everyone in the area.

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

Commissioner Crisp stated hotels were already allowed in that zoning according to Staff. Commissioner Pitts added an exception could be included but agreed the hotel was a desirable key component of the entire mixed use development.

Commissioner Rhoads added that hotels are allowed in T5-c but was under the impression more office space was needed.

Chair Jones was in agreement with Commissioner Rhoads and asked Staff if City Council could manipulate as they need to or see fit so the hotel could or could not be included. Mr. Chandler confirmed this statement and expanded by stating that P&Z is just making a recommendation to City Council and part of that recommendation could be to get the various hotel interests together to have a meeting prior to that and look at feasibility. P&Z could also ask for a continuance in order for the applicant to bring back some specific direction as to what P&Z wanted to see, such as hotel data. This item would go to City Council on January 21, 2016.

Chair Jones added this was a win/win situation for the whole area but how do we work together to make it good for everyone.

Commissioner Rhoads made a motion to approve Item 2, **Z-FY-16-03**, as presented, and Commissioner Pitts made a second.

*Motion passed: (5:0)*

Commissioners Alaniz, Mikeska-Reed, Sears, and Fettig absent

There being no further business, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,  
Leslie Evans

**PLANNING AND ZONING COMMISSION  
TUESDAY, DECEMBER 8, 2015  
5:00 P.M.  
WORK SESSION**

**PLANNING AND ZONING MEMBERS PRESENT**

**COMMISSIONERS:**

**PLANNING AND ZONING MEMBERS ABSENT:**

**STAFF PRESENT:**

**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.*

**No official work session was held due to lack of a quorum.**



## PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

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12/21/15  
Item #2  
Regular Agenda  
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**APPLICANT / DEVELOPMENT:** Larry Garner (Temple Bed & Breakfast)

**CASE MANAGER:** Mark Baker, Senior Planner

**ITEM DESCRIPTION:** Z-FY-16-06: Hold a public hearing to discuss and recommend action on a rezoning from Single-Family 1 (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.

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

1. That the proposed Site Plan has demonstrated compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. That the proposed bed and breakfast is in conformance to the procedures and requirements contained in Chapter 17 – Historic Preservation, City Code of Ordinances;
3. The request is consistent with underlying Neighborhood Conservation Future Land Use designation and the residential land uses in the immediate area, since the historic neighborhood character is retained;
4. The request is in compliance with the Thoroughfare Plan; and
5. Public facilities are available to serve the subject property.

Staff recommends approval of the requested rezoning from Single-Family 1 (SF-1) to Planned Development – Single-Family 1 (PD-SF-1), subject to the following conditions:

1. As listed by UDC Section 5.1, all permitted uses within the Single-Family 1 (SF-1) district are allowed, with the addition of a bed and breakfast at 518 N. 7<sup>th</sup> Street;
2. That a maximum of three (3) bedrooms at one time are used for guests of the bed and breakfast;
3. On-site parking be provided at the rate of one (1) space per bedroom related to the bed and breakfast and two (2) spaces for the resident host for a total of five (5) minimum parking spaces;
4. That within 6 months of City Council approval, the applicant expand the existing parking area for better on-site parking and maneuvering capability;
5. That within 6 months of City Council approval, the applicant provides a 4-foot section of sidewalk along the N. 7<sup>th</sup> 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.

**ITEM SUMMARY:** The applicant, Larry Garner, on behalf of the property owners, John and Linda Ellis, requests rezoning of Lot 2, Block 8, L.R. Taylor Addition, containing 0.44 +/- acres, from Single Family 1 (SF-1) district to Plan Development – Single Family 1 (PD-SF-1) district and allow a bed and breakfast within a single family residence.

**BACKGROUND:** The UDC does not address nor has any provisions to allow a bed and breakfast in the City of Temple. Further, there are no known bed and breakfasts established within the City of Temple. The nearest is the “Amazing Grace of Texas, Bed and Breakfast & Tea Room” in Belton, approximately 5 miles away from Temple’s downtown.

In general, the bed and breakfast use provides lodging with a traditional residential setting and would be restricted to the renting of available bedrooms of a traditional single-family residence, in most cases 3 to 5 bedrooms. In addition, the property owner occupies one of the bedrooms as a host. Specifically to this request, a maximum of 3 bedrooms would be rented out for guests,

Staff has worked closely with the applicant to identify the nature of the anticipated activities. A narrative letter has been attached, which goes into the overall operation of the facility as well as details about the experience of the applicant.

**Historic Preservation:** The property is within the North Central Historic Overlay District. According to UDC Section 4.3.26A, The H, North Central Temple Historic Overlay zoning district is designed to protect, enhance and perpetuate historic areas, places and landmarks that represent or reflect distinctive and important elements of the City’s cultural, social, economic, political, archeological and architectural history.

It should be noted that this property is known as the Ferguson Mansion, which was owned by James and Miriam Ferguson, both former two-term governors of Texas. Additional history about the property has been provided by the applicant’s attached narrative letter.

While in response to Chapter 17 – City Code of Ordinances – Historic Preservation, preservation of this historically significant home in 2012 of the Ferguson Mansion resulted. The property’s proximity to the downtown area provides for overnight accommodation opportunities that are currently lacking. As a result, both the intent of the North Central Temple Historic Overlay district and the goals of Chapter 17 – Historic Preservation have been addressed.

In addition, policies of the Future Land Use Plan reflect the future vision of the community and its desired land use pattern. See Future Land Use Plan section for additional discussion. Applicable specifically, is Goal #10 as follows:

Areas of historic value should be maintained and enhanced in accordance with preservation guidelines and development standards.

**Planned Development:** In the absence of specific code provisions, defining the proposed use and accompanying standards, the bed and breakfast lends itself to a Planned Development concept.

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, per UDC Sec.3.4.3A, a Development Plan (Exhibit A) is subject to review and approval by City Council 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 and parking area. While enhancements are normally an expectation of a Planned Development to off-set the unique manner of the request, the nature, location and current state of site development, this request did not generate the need for such enhancements. However, parking, sidewalk construction and exterior and interior renovations are noteworthy as follows:

**Parking:** While there is no UDC parking requirement for bed and breakfast uses, UDC Section 7.5, currently requires for family and group homes, 1 space per guest and 1 parking space per employee. Similarly, since a maximum of 3-bedrooms would be available at any one time, a minimum of 3 parking stalls would be required for the bed and breakfast portion. Parking for the resident host would require a minimum of 2 spaces, which is the same for a stand-alone single family residence. Therefore, a total of 5 spaces would be a justifiable requirement for parking. Although there is a three-car garage and drive access with an opportunity of a hammer-head turnaround or an additional space, in order to better accommodate parking and maneuvering needs entirely on site, expansion of the existing parking area is recommended. A condition of approval has been provided to accommodate this need. Staff has met with the applicant and has agreed to the parking area expansion. Exhibit A reflects the expanded area.

**Sidewalk:** While sidewalks are not required improvements on local streets, there is an existing sidewalk along W. French Ave fronting the subject property. There are also sections of sidewalk along North 7<sup>th</sup> Street, on the same side of street as the subject property, as well as a more complete section of sidewalk along the opposite side along North 7<sup>th</sup> Street. However, there is no sidewalk along the immediate property frontage along North 7<sup>th</sup> Street. In order to more effectively accommodate pedestrian traffic associated with the bed and breakfast, it would be beneficial for the applicant to provide a 4-foot sidewalk along the property’s street frontage of North 7<sup>th</sup> Street. The applicant is in agreement with the requirement for the sidewalk and Exhibit A reflects its proposed location.

**Exterior / Interior Renovations / Detached Garage:** According to Building Department records, permits for exterior and interior renovations were issued in 2012. Staff has circulated related information of this request to the Building Official for review. Further, a building permit was issued in 2013 for the detached garage and a permit for flatwork was issued in 2014. According to the Building Official, a “Certificate of Appropriateness” (COA) was issued in 2012. The COA indicates that the rehab and/or renovation work meets both the historic district and building code criteria.

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.

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 entitled “Planned Development Criteria and Compliance Summary” is attached.

Although the subject property as Planned Development-Single-Family 1 (PD-SF-1) is anticipated to be used as a bed and breakfast, 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:

<u>Residential uses</u> Single Family Attached/Detached Industrialized Housing Family or Group Home	<u>Nonresidential uses</u> Farm or Ranch Place of Worship School
--	---

**Prohibited uses** include HUD-Code manufactured homes and land lease communities, duplexes and apartments. All retail, service, 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.

**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	Neighborhood Conservation	SF-1	Existing SF Residence
North	Neighborhood Conservation	SF-1	Existing SF Residences
South	Neighborhood Conservation	SF-1	Existing SF Residences
East	Neighborhood Conservation, Suburban Commercial	SF-1, NS (Next Block Over)	Existing SF Residences
West	Neighborhood Conservation, Auto-Urban Multi-Family & Public Institution	SF-1	Existing SF Residences

**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)	YES
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)**

According to the City of Temple Comprehensive Plan / FLUP, the subject property, being a total 0.44 +/- acres, is within the Neighborhood Conservation designation of the Future Land Use Plan (FLUP) and described as follows:

“The Neighborhood Conservation designation is intended to establish standards consistent with those at the time of development (i.e. lot size, setbacks, etc.), so as not to create non-conforming situations and to ensure that any infill activity or redevelopment maintains the neighborhood character.” The current land use designation is consistent with the proposed planned developed rezoning request which includes the Single-Family 1 (SF-1) base zoning.

In general, land use policies adopted by the City of Temple as stated by the Comprehensive Plan (“Choices 08”) indicate the City’s intentions for managing its future growth and development character. These policies reflect the future vision of the community and its desired land use pattern. Applicable specifically, is Goal #10 as discussed in the Historic Preservation section of this report.

Further, it is noteworthy to indicate that while the residence is with the historic district, the property specifically the residence, has received significant upgrades and rehabilitation, which make it presentable in a historical manner. The bed and breakfast provides an opportunity to showcase the property in an enhanced residential manner.

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

**Thoroughfare Plan (CP Map 5.2)**

The property has frontage along both W. French Ave and N. 7<sup>th</sup> Street. Both are identified by the Thoroughfare Plan as local streets. No new driveways are proposed and no issues have been identified relative to access.

**Availability of Public Facilities (CP Goal 4.1)**

Water is available through a 12-inch waterline in N. 7<sup>th</sup> Street and a 4-inch waterline in W. French Ave. Sewer is available from an 8-inch sewer line in the alley between N. 9<sup>th</sup> Street and N. 7<sup>th</sup> Street on the west side of the subject property.

**Temple Trails Master Plan Map and Sidewalks Ordinance**

According to the Trails Master Plan Map, no trails have been identified along the fronting streets.

**DEVELOPMENT REVIEW COMMITTEE (DRC):** As required by UDC Section 3.4.2B, the site plan for the proposed bed and breakfast was reviewed by the DRC on December 7, 2015. Neighborhood sidewalk connectivity as well as residential renovations that occurred in 2012 were discussed.

**PUBLIC NOTICE:** Owners of thirteen (13) 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 December 17, 2015 at 12:00 PM, two notices & an email in agreement 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 December 10, 2015, in accordance with state law and local ordinance.

**PROPOSED CITY COUNCIL MEETING SCHEDULE:** This Planned Development is scheduled for 1<sup>st</sup> Reading on January 21, 2016 and a 2<sup>nd</sup> Reading for February 4, 2016.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

- Site / Surrounding / Exterior & Interior Photos
- Planned Development Criteria and Compliance Summary Table
- Applicant's Narrative Letter
- Site Plan (Exhibit A) / Floor Plan / Parking Plan
- Aerial Map
- Historic District Map
- Zoning Map
- Future Land Use and Character Map
- Utility Map
- Thoroughfare Plan & Trails Plan
- Notification Map
- Returned Property Owner Notices

# Site, Surrounding, Exterior & Interior Photos



**Site: Existing Single Family Residence (SF-1)**



**Site: Detached Garage and Single Family Residence (SF-1)**



**Site: Garage, Access Driveway and Parking Area (SF-1)**



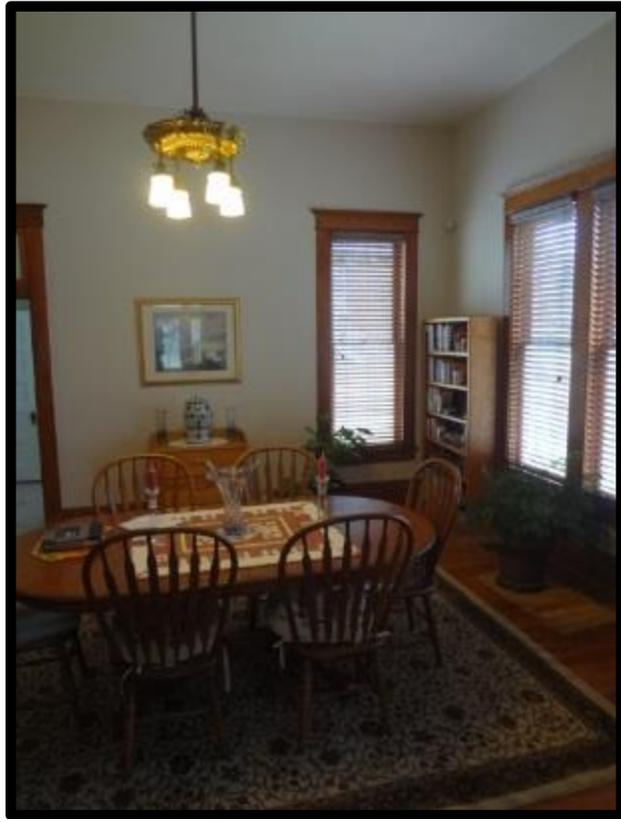
**Exterior – Porch Area**



**Interior – Living Room Area**



**Interior - Stairs**



**Interior – Dining Area**



**Interior – Bedroom & Fireplace**



**North: SF Residential Uses – N. 7<sup>th</sup> Street & French (SF-1)**



**West: Alley behind Subject Property (SF-1)**



**West: Existing SF Residential Uses (SF-1)**



**East: Existing SF Residential Uses (SF-1)**



**East: Existing SF Residential Uses (SF-1)**



**East: Along W. French Ave toward N. 3<sup>rd</sup> Street (SF-1, MF-2, NS, GR & CA)**



**South: Existing Single Family Residential Uses (SF-1)**



**South: Existing Single Family Residential Uses (SF-1)**

**Planned Development Criteria and Compliance Summary**

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
<b>A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.</b>	YES	It is fully anticipated that the site plan will conform to the UDC as well as to dimensional, developmental and design standards adopted by the City for any new building construction. It is staff's understanding that no additional improvements to the property are necessary and the property is essentially ready to start as a bed and breakfast.
<b>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 impacts and neighborhood is mitigated.</b>	YES	The property is developed and has been recently rehabilitated and improved. Building permits related as a residential use were issued in 2012, 2013 and 2014. No impacts to environment resources are anticipated.
<b>C. The development is in harmony with the character, use and design of the surrounding area.</b>	YES	The area is within the North Central Historic Overlay District. The property as a bed and breakfast would be in harmony with the character, use and design of the surrounding area.
<b>D. Safe and efficient vehicular and pedestrian circulation systems are provided.</b>	YES	The property is developed and fronting along both W. French Ave and N. 7th Street as well as backs-up to an alley on the western boundary of the property. While on-street parking would not be prohibited, required parking should be accommodated entirely on-site with the recently constructed 3-car garage and access driveway. These should not only accommodate the parking of needed vehicles per rented bedroom but also the resident host and provide for on-site turning area or an extra parking space. It has been suggested to the applicant to provide an additional space to allow for better parking and maneuvering opportunities.
<b>E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.</b>	YES	Parking and loading facilities are developed and in place. See discussion Item #D for additional information.
<b>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.</b>	YES	Streets are in developed and in place. No additional street construction is needed.
<b>G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.</b>	YES	Compliance and consistency with the Thoroughfare Plan is met. See discussion for Item #F for additional information.
<b>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.</b>	YES	While buffering and screening per UDC Section 7.7 are not triggered by the proposed use at this location. It is recommended that the Director of Planning be authorized discretion to require additional screening and/or landscaping if needed once the use has been established. Site currently has mature trees & a wood privacy fence. While the garage is located between the neighboring house and the house to the south, the distance between the two residences is approximately 80 feet. If needed, the following standards could be considered as follows: * 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).
<b>I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.</b>	YES	No parks are required as part of the proposed bed and breakfast use of the property. There are several established parks and recreation facilities already established in the vicinity which include but not limited to: Jackson Park, Whistlestop Playground and Optimist Park. No new park facilities are proposed as a result of the proposed bed and breakfast.
<b>J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.</b>	YES	Water, wastewater and drainage facilities as well as other utilities are established and in place. It is not anticipated that the use of the property as a bed and breakfast will generate any strain on these existing facilities.

**Proposal for Bed & Breakfast**

**At**

**518 N 7<sup>th</sup>**

**Temple, TX 76501**



**RECEIVED**

**NOV 20 2015**

City of Temple  
Planning & Development

The following pertains to the Historical Ferguson home which is located at 518 N 7<sup>th</sup> Street, Temple, Texas, 76501. Larry and Frankie Garner would like to purchase the home and convert it into a Bed and Breakfast. We currently have the house under contract. The business would offer alternative luxury lodging for Temple visitors that would highlight the history of the area. We believe it will also bring visitors to the area to visit the Ferguson Mansion which would also increase sales for local restaurants and merchants.

### ***The House & Its History***

The Ferguson Mansion was built in 1907 as the home of James and Miriam Ferguson who were both former two term governors of Texas. It is a classic Victorian style house that has 3,012 square feet located on .44 acres. It is a two story that currently has 4 bedrooms and 2 ½ bathrooms along with a detached three car garage. Features include 2 wraparound porches and two indoor staircases, crown molding, pocket doors, transoms, wood floors, built in seats, wavy glass windows and features exquisite wood working along with features from the period in which it was built. This house is listed on both the Texas and National Historic Registries. Jim Ferguson was known as Pa Ferguson and his wife Miriam Amanda Wallace Ferguson who was known as Ma Ferguson. She got her nickname "Ma" partly from her initials "M.A.", and also because her husband was known as "Pa" Ferguson. Both were colorful characters in Central Texas history. Former Governor Rick Perry has often been compared to Pa Ferguson.

Pa Ferguson was a lawyer, successful business owner and considered by many as one of the greatest speakers Texas as ever produced. During his time as governor, Pa made many enemies of former friends, supporters and powerful people in Texas including the power brokers at the University of Texas. He was impeached during his second term in office, convicted of misusing state funds, and was banned from ever holding another state office. He later ran for political office in Texas and for President of the United States, in which he received 10% of the Texas vote, but lost both races.

Ma Ferguson was the first female governor of Texas and second female state governor to be elected in the United States. People either seemed to love or hate her. She told voters that she would follow the advice of her husband and Texas thus would get "two governors for the price of one." A common campaign slogan was, "Me for Ma, and I ain't got a durned thing against Pa." Ma is often credited with a quote allegedly spoken in reference to bilingualism in Texas schools: "If English was good enough for Jesus Christ, it ought to be good enough for the children of Texas." She was a teetotaler but aligned herself with the "wets" in the battle over prohibition and also took a firm stand against the Ku Klux Klan. The Ferguson Cut Off, between Hwy. 290 East and the Old Manor Road in Austin, Texas is named after her. Pa died in 1944 and Ma died in 1961 at the age of eight-six, penniless.

The house has been restored and remodeled inside and out including a new roof, tankless hot water heater, new plumbing, new central air and heating units, a new three car garage and restored wood features. There are two paved areas for parking with room for at least six vehicles. Over time we will make even more improvements to the historical Ferguson house including adding a bathroom, outdoor lighting and upgraded landscaping.

### ***The Innkeepers***

Larry had 25 years of successful business experience before entering the ministry. He is a licensed Baptist Pastor who loves The Lord and tries to show God's love to all. He has multiple advanced degrees from Texas A&M and Dallas Theological Seminary. For the last 16 years he has worked at Garland Independent School District with at-risk teens who have been in the juvenile justice systems, homeless or have just made poor life choices. He has multiple ministries that include teaching theology courses at The Michael's Unit, a maximum security prison in Tennessee Colony, Texas, and counseling with inmates. He has been heavily involved in ministries to the homeless and the poor and have had Bible teaching ministries through multiple churches. Both Larry and Frankie have also worked with teams to provide disaster relief in Haiti after the earthquake and Joplin Mo. after the tornado.

Frankie was raised in Troy, Texas and graduated from Mary Hardin Baylor with a degree in business. She is now a Human Resource manager for Raytheon. She started her career in Central Texas working for McLane Company and the former Texas Instruments. While there she graduated from Leadership Temple. She is involved with various ministries in and outside our church including Women's Ministries. Frankie is also well known for her baking skills and popular desserts. She loves the Lord and it shows in her work and relationships with others.

Nine years ago Larry and Frankie bought a run down 100 year old Historic Home in Granbury Texas. For more than a year they worked to restore it and turn it into Granbury Gardens Bed and Breakfast. We were on the Historic Tour of Homes and had over 2,000 people visit our Bed and Breakfast on a cold and rainy December day. We served a four course gourmet breakfast and Frankie was honored as having one of the Best Breakfast for B&B's in the state of Texas by Bed and Breakfast .com. Our B&B was consistently rated as five stars by our guests. We had visitors from almost every state in the United States and people from 35 different countries stay with us. After three years we were forced to sell it to take care of our aging parents when their health began declining. Granbury Gardens continues to operate as a successful bed and breakfast today.

### ***The Business***

If approved for the Bed and Breakfast, Larry will retire from Garland ISD in January and live at the B&B full time. In the beginning, Frankie will be at the B&B primarily on the weekends although she will be retiring and living here full time within the next two years. They will offer rooms seven days a week with guests checking in between 3:00 – 6:00 PM in the evening and checking out before 11:00 AM. The B&B will be open year round but will close for the Thanksgiving and Christmas holidays. We intend to have two or three bedrooms for our guests and expect to be open within sixty days after getting the approval from the city.

### ***Benefit to the Community***

There are many benefits for the city allowing us to open a Bed and Breakfast. We will provide alternative lodging in Temple that will:

- offer luxury lodging for visiting executives and doctors for the many businesses and travelers coming in for special events in the area
- offer a place to stay where travelers feel safe with fewer people coming and going verses hotel/motel atmosphere
- provide a place for honeymooners or wedding guests
- offer an interesting stay for those interested in Texas history
- help to highlight the Historical district, both locally and statewide
- bring more people into the area because of our advertising
- help other merchants because we will encourage our guests to visit the many attractions Temple has to offer such as the downtown square
- Ensure Temple will have a Historic Victorian Home that will be kept in pristine condition
- offer a perfect romantic getaway where guests will be able to purchase packages that include roses and chocolate covered strawberries
- provide a place where guests will enjoy personal service from the owners because, with only two to six guests, they get a much more personal experience than larger establishments can offer

The B&B will offer unexpected luxuries such as plush bathrobes, german chocolate cake, pies and cookies in the afternoon. Free bottled water bottle and soft drinks. Four course gourmet breakfasts, luxury bed and linens, and much more. The Innkeepers' previous B&B had a high number of repeat guests and many that told their friends and family about Granbury Gardens and encouraged them to come.

Just think, when is the last time you told a friend about the great motel experience you had?

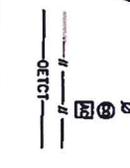
This information has hopefully answered any questions you have and informed you about our desire and the benefits to having a quality Bed and Breakfast in Temple. Please feel free to call with any questions you might have.

Thank You for your time and consideration,  
 Larry & Frankie Garner  
 1130 Chimneyrock Trail  
 Garland, Tx. 75043  
 Larry's cell-214-770-3533



LOT 1  
BLOCK 8

77<sup>th</sup> STREET (W-M-D) (NORTH-SOUTH)  
147' 28" 28' W 148' 27"



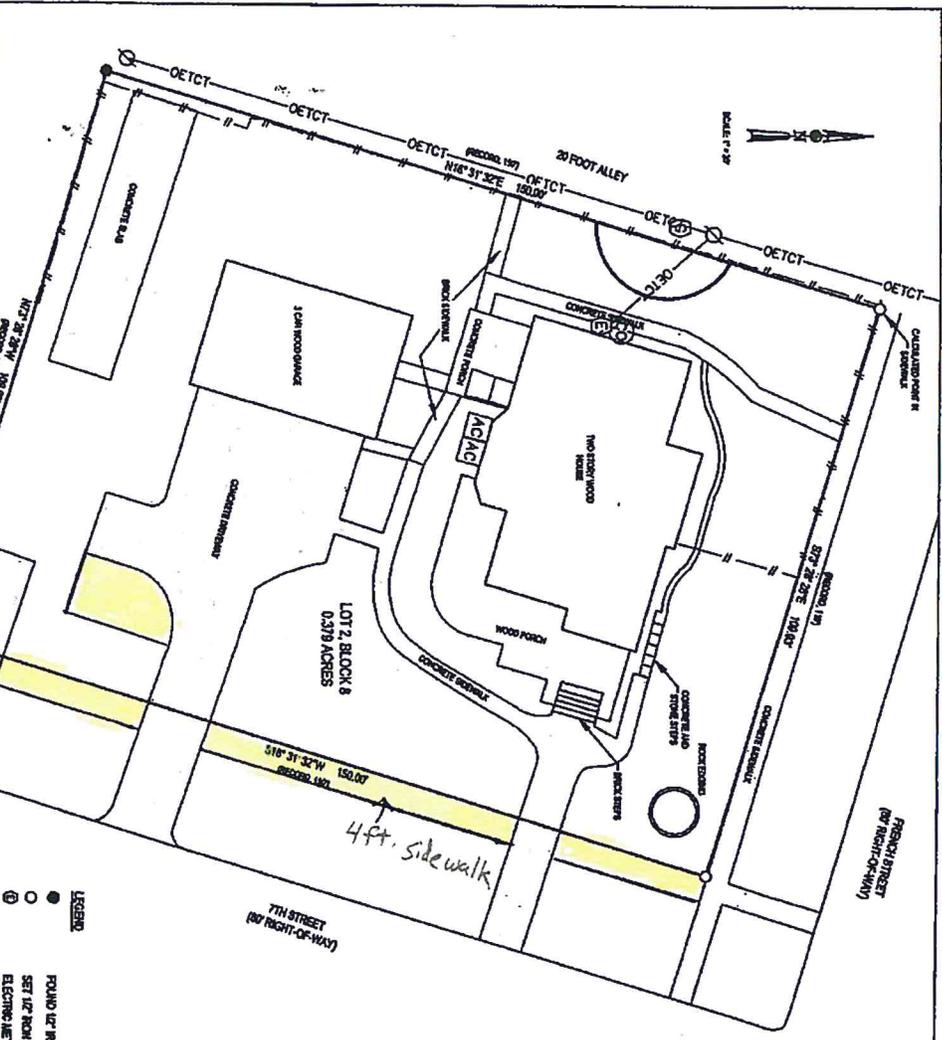
**LEGEND**

- FOUND 1/2" IRON ROD
- SET 1/2" IRON ROD UNLESS STATED OTHERWISE
- ⊙ ELECTRIC METER
- ⊗ UTILITY POLE
- ⊕ SANITARY SEWER CLEAROUT
- ⊖ A/C P/N/O
- ⊘ WOOD FENCE
- ⊙ ELECTRIC TELEPHONE CABLE TV (OVERHEAD)

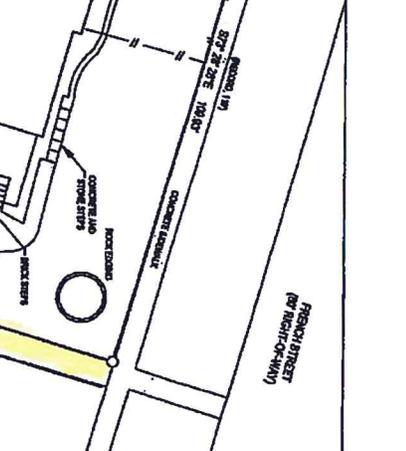


THOMAS L. GUINN  
6447  
STATE OF TEXAS  
SURVEYOR

I HEREBY CERTIFY THAT THE ABOVE WAS MADE ON THE GROUNDS, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE IS NO OTHER SURVEY OR INTEREST IN THE TRACT OF LAND DESCRIBED IN THE FOREGOING, AND THAT THE SAME IS UNENCUMBERED AND UNDIVIDED.  
DATE OF SURVEY: 11/11/2011  
BY: THOMAS L. GUINN, SURVEYOR  
147' 28" 28' W 148' 27"



77<sup>th</sup> STREET (W-M-D) (NORTH-SOUTH)  
150.00'  
S16°31'32\" W 150.00'  
4ft. sidewalk



**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

5. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

6. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

7. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

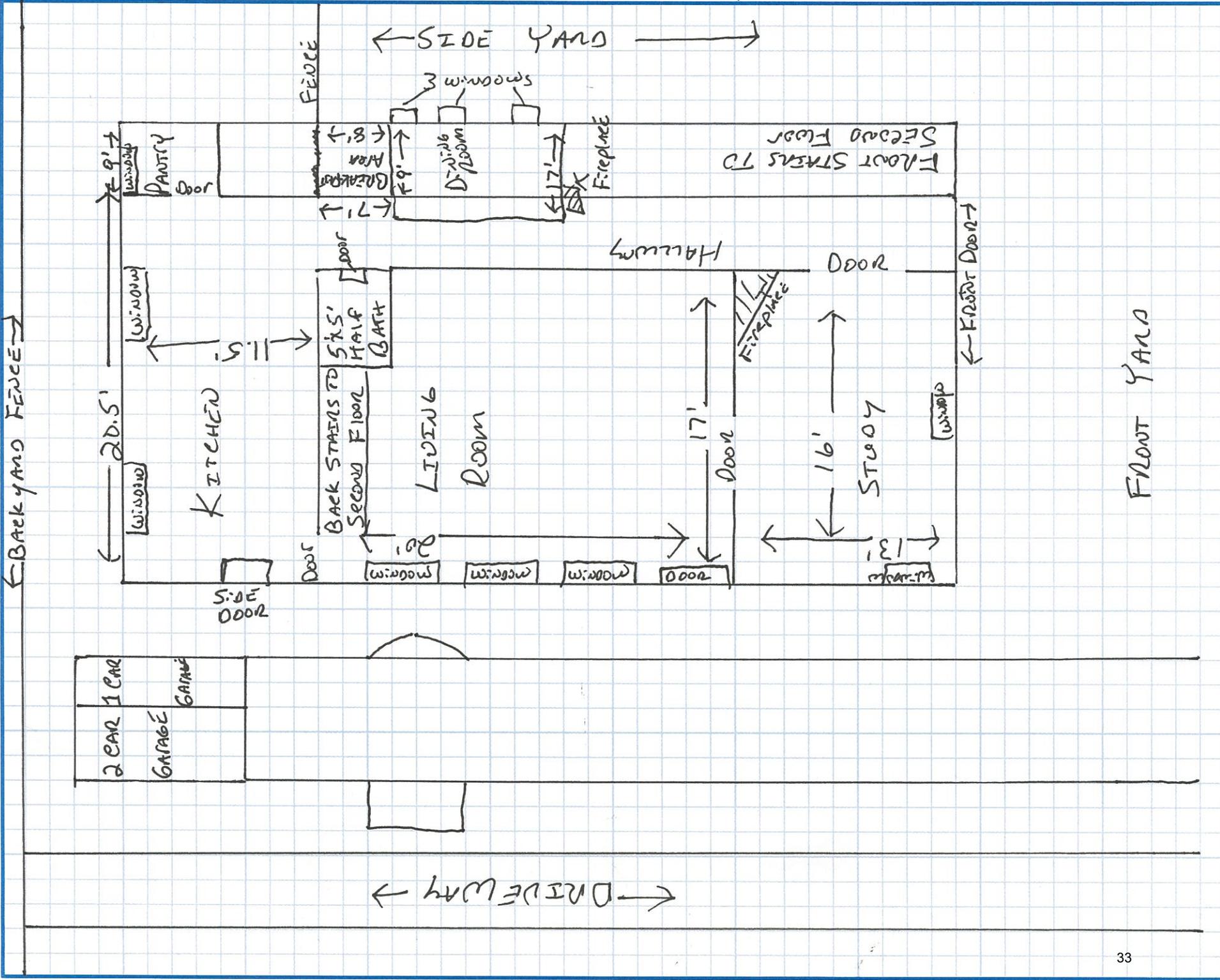
10. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.

**SURVEY SHOWING LOT TWO (2), BLOCK EIGHT (8), TAYLOR ADDITION, LOCATED IN THE CITY OF TEMPLE RECORDED IN VOLUME 80, PAGE 487, DEED RECORDS, BELL COUNTY, TEXAS**

**EXHIBIT**

**A**

tabbles



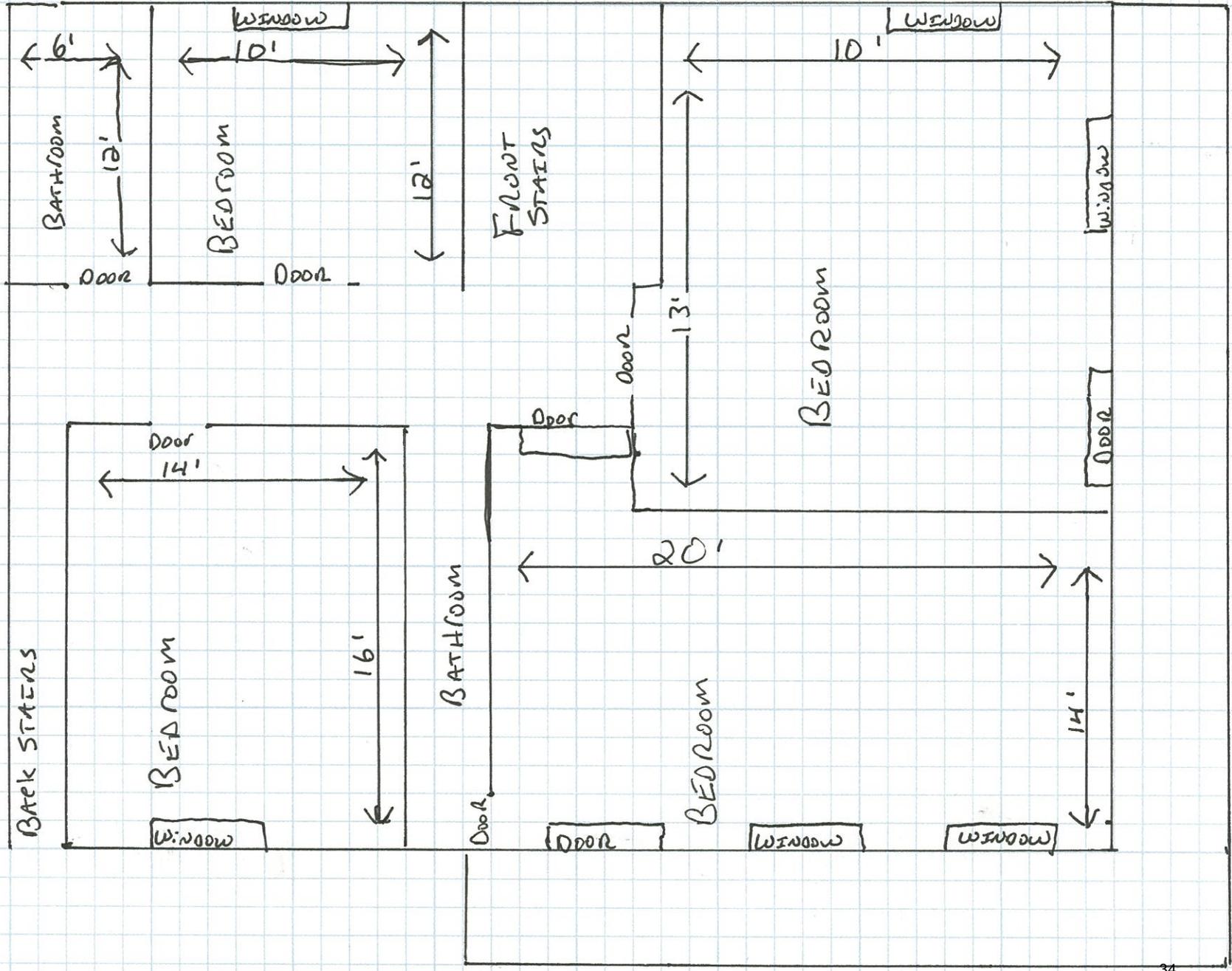
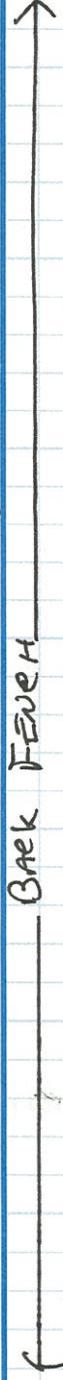
FRONT YARD

FRONT DOOR

Company Second Floor Plan

NOT TO SCALE

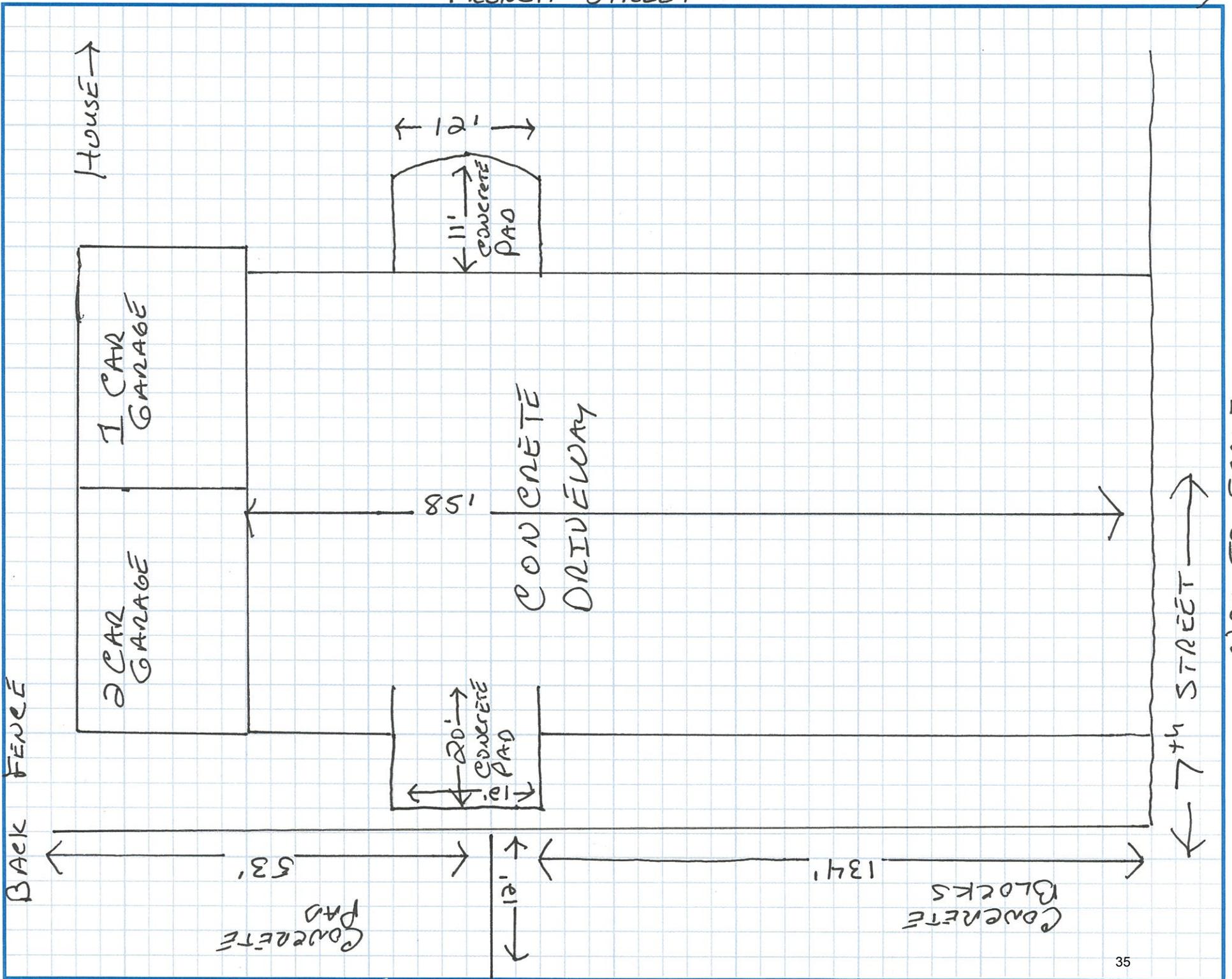
Back French



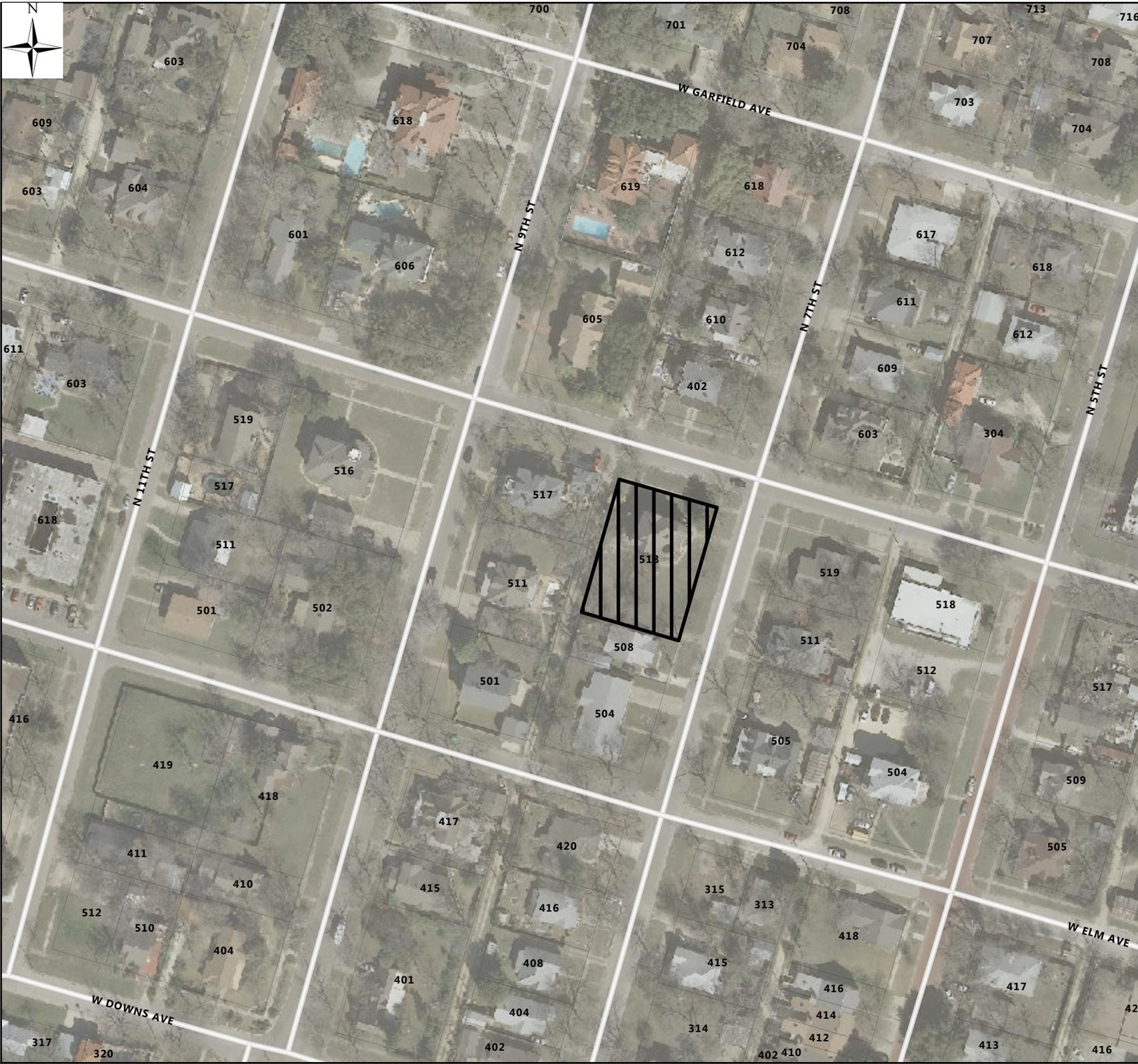
← 11 7th Street →



FRENCH STREET



11' FT TO CORNER



SF-1 to PD SF-1

### AERIAL MAP

Zoning Case :  
Z-FY-16-06

Address :  
518 N. 7th Street

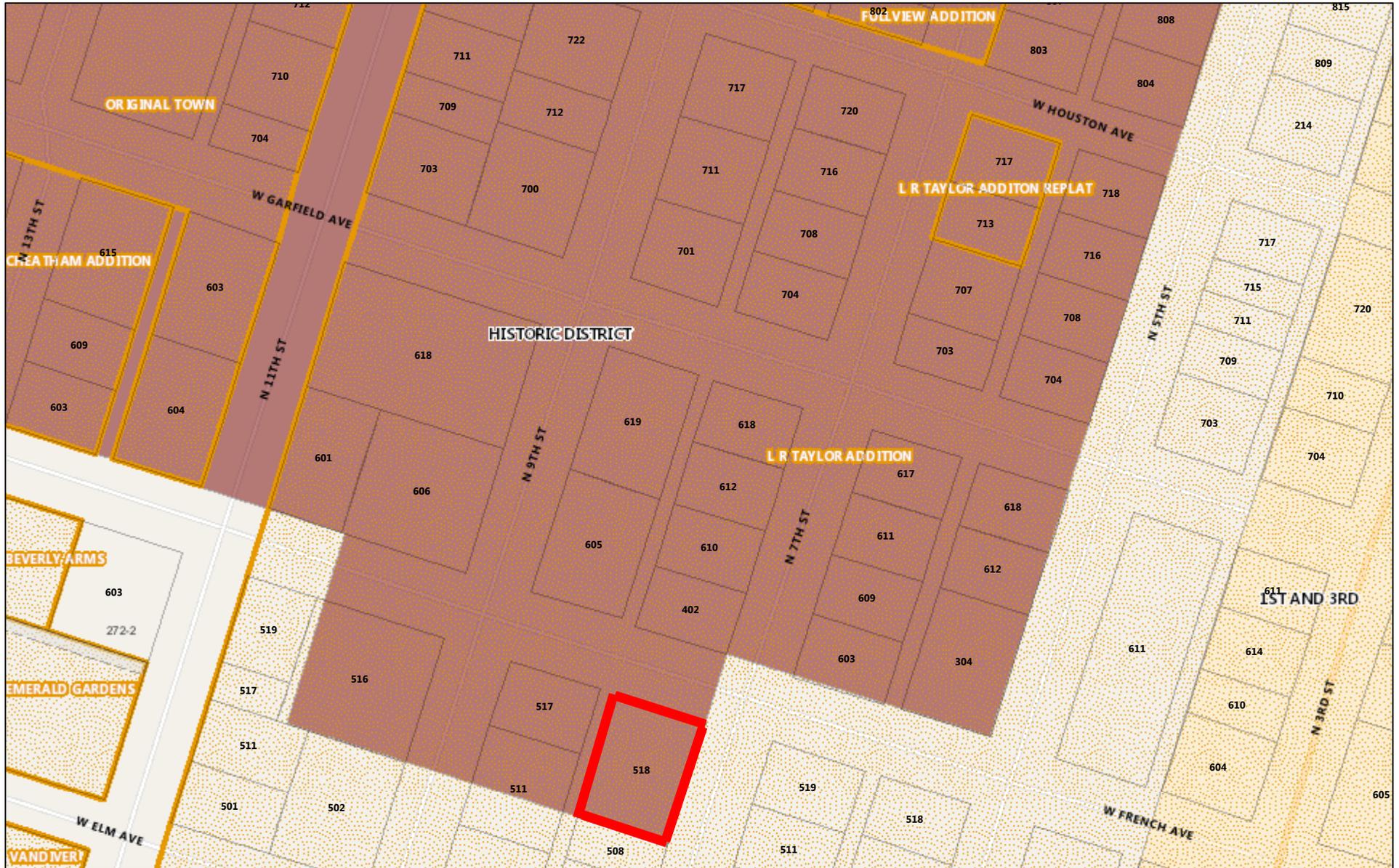
- Streets
- EXPRESSWAY
  - MAJOR ARTERIAL
  - COLLECTOR
  - LOCAL STREET
  - MINOR ARTERIAL
  - PRIVATE
  - RAMP
  - Railroad
  - Temple Municipal Boundary
  - Parcels
  - ETJ Parcels
  - CaseArea

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: 11/20/2015

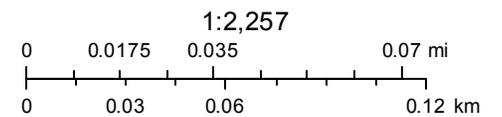


# North Central Historic Overlay District - 518 N. 7th Street

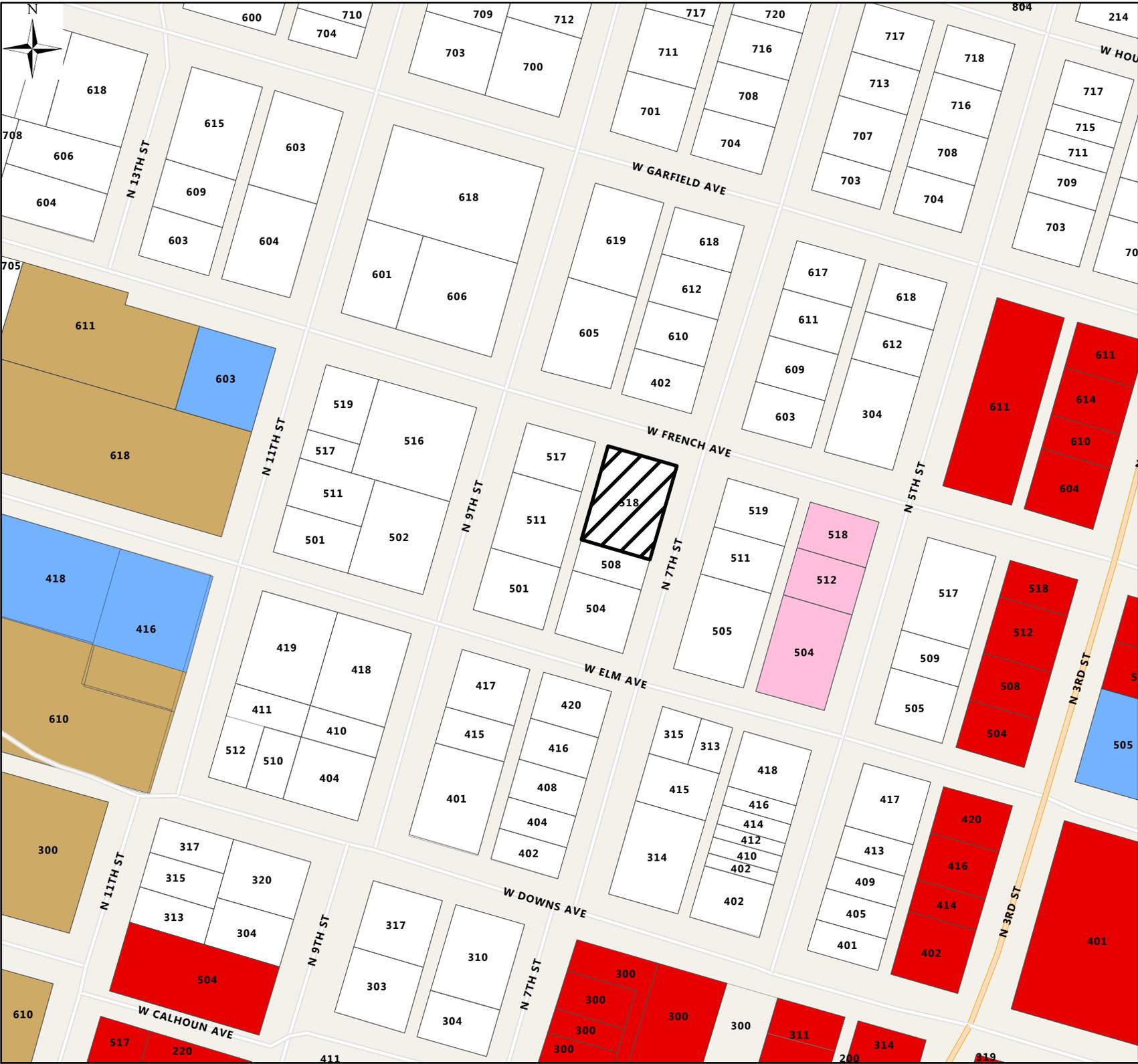


November 25, 2015

- Parcels
- Street Labels
- Railroad Labels
- P Park Labels
- Easement
- Outblock Numbers
- Subdivision







SF-1 to PD SF-1

## FUTURE LAND USE MAP

Zoning Case :  
Z-FY-16-06

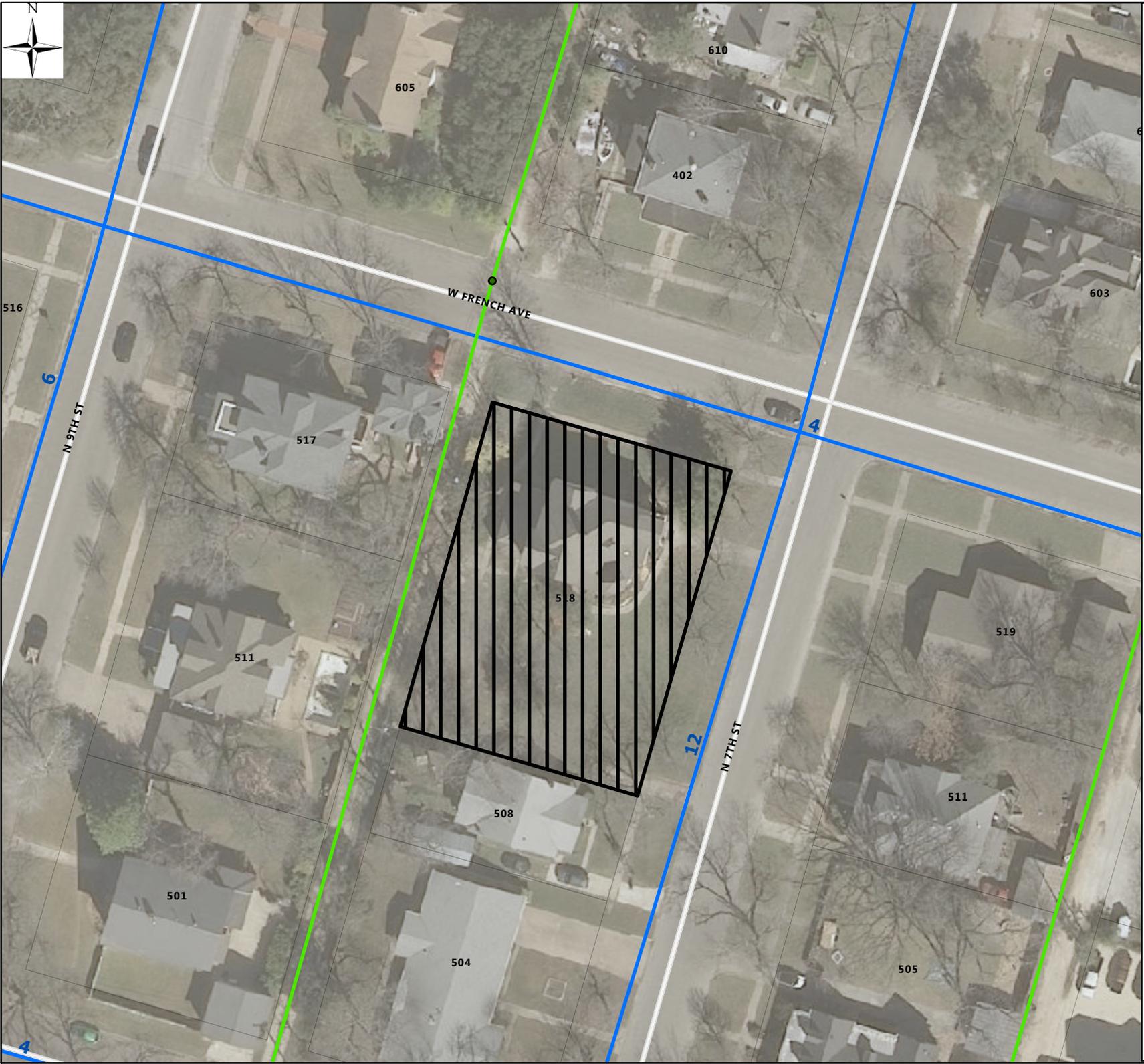
Address :  
518 N. 7th Street

-  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
  -  CaseArea

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mbaker  
Date: 11/23/2015





SF-1 to PD SF-1

### UTILITY MAP

Zoning Case :  
Z-FY-16-06

Address :  
518 N. 7th Street

-  Manhole
-  Gravity Main
-  Hydrant
-  Main
-  Parcels
-  CaseArea

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mbaker  
Date: 11/20/2015





SF-1 to PD SF-1  
**THOROUGHFARE  
 AND TRAILS MAP**

Zoning Case :  
 Z-FY-16-06

Address :  
 518 N. 7th Street



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

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: 11/20/2015





SF-1 to PD SF-1

**200'**  
**NOTIFICATION MAP**

Zoning Case :  
Z-FY-16-06  
Address :  
518 N. 7th Street

-  CaseArea
-  Buffer

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: 11/20/2015





**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

BOWKER, FRANCES INMON  
504 N 7TH ST  
TEMPLE, TX 76501-3122

**Zoning Application Number: Z-FY-16-06      Project Manager: Mark Baker**

Location: 518 North 7<sup>th</sup> Street—Proposed rezoning from Single Family-One (SF-1) to Planned Development Single Family-One (PD-SF-1) to allow for a Bed & Breakfast in a single family residence.

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

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

**Comments:**

**RECEIVED**  
DEC 16 2015  
City of Temple  
Planning & Development

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*Frances J Bowker*  
**Signature**

FRANCES J. BOWKER  
**Print Name**

**Please mail or hand-deliver this comment form to the address shown below, no later than December 21, 2015.**

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

Number of Notices Mailed: 14

Date Mailed: December 10, 2015

## Mark Baker

---

**From:** Ron Germann <rgermann@templetx.gov>  
**Sent:** Wednesday, December 16, 2015 11:49 AM  
**To:** Brian Chandler  
**Cc:** Mark Baker  
**Subject:** RE: Ferguson House re-zoning

Gents, thanks to you both for such a quick and thorough reply!

Germanns at 511 North 9<sup>th</sup> are in favor of rezoning the Ferguson home and the new owner's intent to operate a B&B.

Thanks, again, and Merry Christmas to you and yours! Ron

---

**From:** Brian Chandler  
**Sent:** Wednesday, December 16, 2015 10:43 AM  
**To:** Ron Germann  
**Cc:** Mark Baker  
**Subject:** RE: Ferguson House re-zoning

Hi Ron,  
Thanks for your email, which we will include in the packet that goes to the Planning and Zoning Commissioners. Essentially, if the rezoning request is approved, it would limit the property to only a B&B or any other use currently allowed under the SF-1 Single Family base zoning district. Therefore, if sold in the future, it could not be converted to some other commercial use without rezoning at that time to some other commercial zoning district. I hope that answers your question. Either way, Mark Baker, Senior Planner, is the case manager for this request and could answer any other questions that you might have.

Sincerely,  
Brian

Brian L. Chandler, AICP  
Director of Planning  
City of Temple  
(254) 298-5272

---

**From:** Ron Germann [<mailto:rgermann@templetx.gov>]  
**Sent:** Wednesday, December 16, 2015 9:24 AM  
**To:** Barbara Morgenroth; Brian Chandler; Dessie Redmond; Kelli Tibbit; Leslie Evans; Mark Baker; Mary Maxfield; Tammy Lyerly  
**Subject:** Ferguson House re-zoning

All,

Please pardon the group email, but I'm unsure of who I should contact about the topic!

I received a mailing from Planning asking me to comment on the proposed rezoning of the Ferguson home on North 7<sup>th</sup> to a B&B. I have misplaced the form, but recall that responses were due this week. I'll hope you'll forgive my mistake and that you might be able to use this email.

Germann residence at 511 North 9<sup>th</sup> is all for the rezoning. Our only concern would be should the prospective B&B owners decide to sell at some point, that they would be required to sell as a B&B or single family residence vs multi family or any of the other categories that might accompany the rezoning to B&B.

Again, apologies for misplacing the notice!

Thanks, Ron



**RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE**

MANSKY, LINDA DRAUGHON  
1114 SHADY OAK TRL  
MANSFIELD, TX 76063

**Zoning Application Number: Z-FY-16-06**

**Project Manager: Mark Baker**

Location: 518 North 7<sup>th</sup> Street—Proposed rezoning from Single Family-One (SF-1) to Planned Development Single Family-One (PD-SF-1) to allow for a Bed & Breakfast in a single family residence.

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

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

**Comments:**

I RECOMMEND APPROVAL, AS A BED AND BREAKFAST  
WILL ENHANCE THE REDEVELOPMENT OF AN HISTORICALLY  
MAGNIFICENT AREA OF TEMPLE.

RECEIVED

DEC 17 2015

City of Temple  
Planning & Development

Linda Mansky  
Signature

LINDA MANSKY  
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than December 21, 2015.**

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



## **PLANNING AND ZONING COMMISSION ITEM MEMORANDUM**

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12/21/15  
Item #4  
Regular Agenda  
Page 1 of 2

**APPLICANT:** Jonathan Wood of GFF Architects for Brian R. Lent of Highline Temple 39, Ltd.

**CASE MANAGER:** Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** 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.

**STAFF RECOMMENDATION:** Staff recommends approval of the Preliminary Plat of Highline Addition.

**ITEM SUMMARY:** The Development Review Committee reviewed the Preliminary Plat of Highline Addition on November 25, 2015. It was deemed administratively complete on December 17, 2015.

The Preliminary Plat of Highline Addition, a 40-389 +/- acres, 9-lot, 1-block, nonresidential subdivision, located on the northwest corner of South 31st Street and Scott Boulevard.

The plat reflects access to West Avenue T from South 41<sup>st</sup> Street. The plat also reflects access to South 31<sup>st</sup> Street. The plat also reflects access to Scott Boulevard through South 37<sup>th</sup> Street.

The proposed plat contains “private access & drainage” easements that run throughout the development.

Water services will be provided through “public water” easements. Sewer services will be provided though “public wastewater” easements.

The plat reflects an existing 15-foot wide ATMOS Energy easement along the west property line.

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



**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

- Plat
- Topo Utility Sheet
- Access & Drainage Easement Sheet

STATE OF TEXAS  
COUNTY OF BELL

HIGHLINE TEMPLE 39, LTD., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS HIGHLINE ADDITION, A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

HIGHLINE TEMPLE 39, LTD.

BRIAN LENT, PRESIDENT, MEMBER  
HLDEV, L.L.C.  
GENERAL PARTNER

STATE OF TEXAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared BRIAN LENT, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of Texas

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

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

CHAIRPERSON

SECRETARY TO PLANNING & ZONING COMMISSION

AFFIDAVIT:

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

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015

BY: BELL COUNTY TAX APPRAISAL DISTRICT

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

JOEL BOCK, P.E. DATE  
REGISTRATION NO. 98441

KNOW ALL MEN BY THESE PRESENTS:

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

LANE KENNEDY, R.P.L.S. DATE  
REGISTRATION NO. 6119

This project is referenced to the City of Temple Coordinate System, referenced in NAD 1983 Central Texas State Plane. All distances are horizontal surface distances and all bearings are grid bearings. All coordinates are referenced to City of Temple Monument No. 3. The theta angle at Monument No. 3 is 01°31'42". The combined correction factor (CCF) is 0.99857. Grid distance = Surface distance X CCF. Geodetic North = Grid North + theta angle. Published City coordinates for City Monument No. 3 are N=10,368,408.891 E=3,225,333.768 Reference tie from the City Monument No. 3 to the Southwest corner and Point of Beginning of the subject tract is S 71° 22' 44" E 1,867.79 feet.

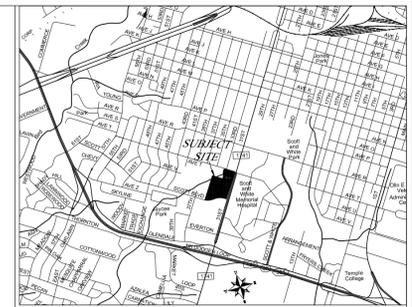
# PRELIMINARY PLAT OF HIGHLINE ADDITION

WITHIN THE CITY LIMITS OF TEMPLE, BELL COUNTY, TEXAS

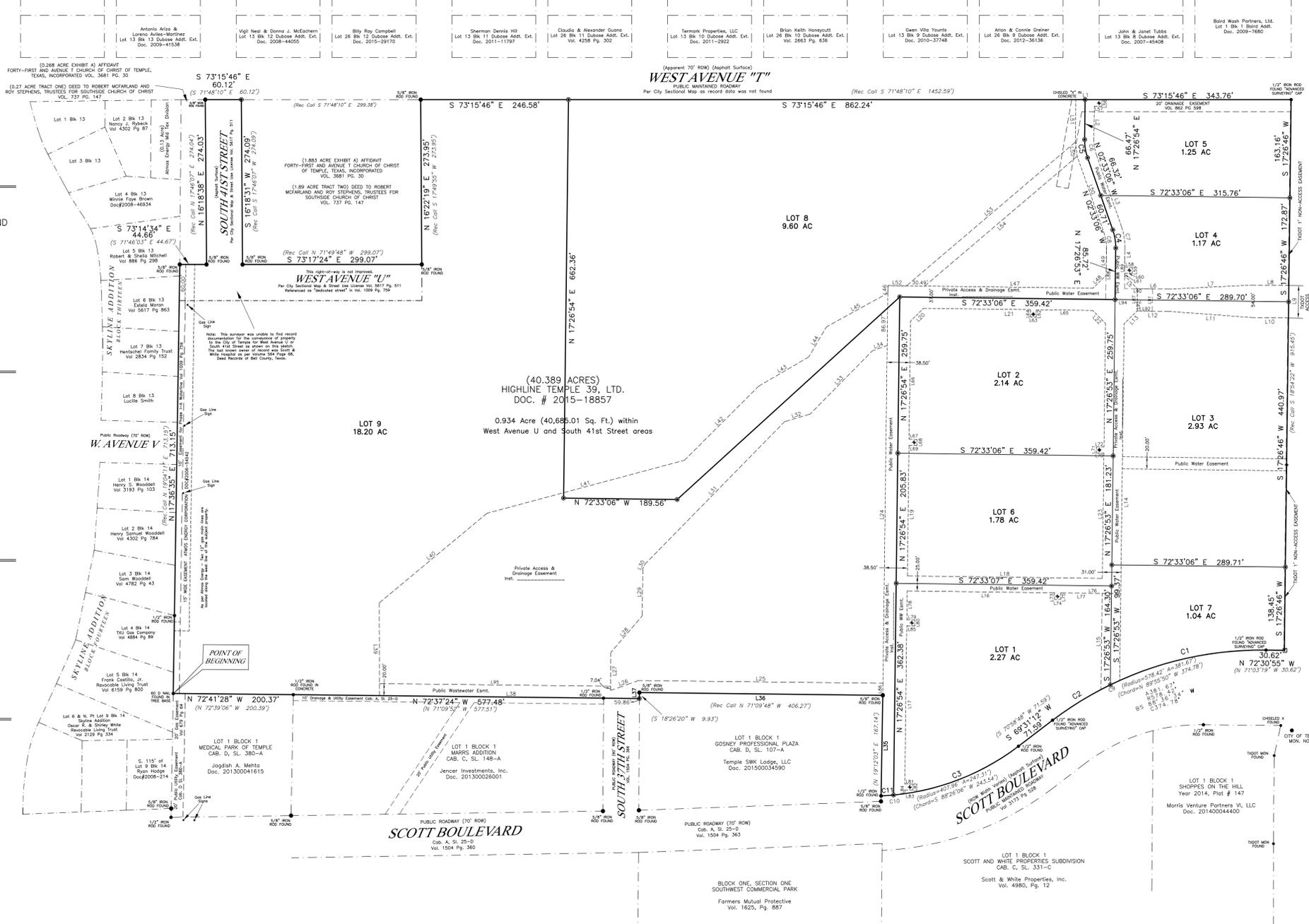
being a part of the REDDING ROBERTS SURVEY, ABSTRACT NO. 692, in Bell County, Texas, and being a part of that 40.389 acre tract conveyed to HIGHLINE TEMPLE 39, LTD., of record in Document No. 2015-18857, Deed Records of Bell County, Texas (DRBCT).

OWNER:  
HIGHLINE TEMPLE 39 LTD.  
300 CRESCENT COURT, SUITE 1113  
DALLAS, TEXAS 75201  
  
LOTS - 9  
BLOCKS - 1  
TOTAL ACREAGE - 40.389 ACRES

This plat is to accompany a metes and bounds description of the herein shown 40.389 acre tract.



VICINITY MAP  
1"=3000'



SOUTH 31ST STREET (FM 1741)  
PUBLIC MAINTAINED HIGHWAY  
VOL. 2007 PG. 205

LINE	BEARING	DISTANCE
L1	S 73°15'46" E	43.70'
L2	S 72°26'54" W	66.66'
L3	S 02°33'06" E	127.03'
L4	S 17°26'53" W	51.73'
L5	S 27°33'06" E	30.41'
L6	S 72°33'06" E	53.48'
L7	S 60°04'18" E	138.44'
L8	S 72°33'06" E	61.03'
L9	S 17°26'45" W	54.00'
L10	N 72°33'06" E	61.03'
L11	N 69°01'54" W	138.44'
L12	N 72°33'06" E	53.48'
L13	S 62°28'54" W	30.41'
L14	S 17°26'53" W	592.93'
L15	N 17°26'53" E	159.88'
L16	N 72°33'07" W	246.08'
L17	S 17°26'54" W	262.98'
L18	N 72°33'07" E	325.52'
L19	N 72°33'06" E	217.09'
L20	N 62°26'54" E	30.41'
L21	S 17°26'54" W	561.48'
L22	S 27°33'06" E	30.41'
L23	S 17°26'53" W	208.34'
L24	S 17°26'54" W	561.48'
L25	N 72°37'17" W	407.80'
L26	S 87°22'43" W	49.62'
L27	N 17°15'16" E	63.29'
L28	N 57°29'13" E	80.27'
L29	N 17°22'39" E	78.53'
L30	N 62°39'54" E	61.11'
L31	N 61°16'34" E	332.26'
L32	S 89°46'13" E	44.48'
L33	N 61°23'54" E	147.52'
L34	N 86°57'16" E	26.41'
L35	N 17°44'27" E	167.14'
L36	N 72°33'24" W	606.27'
L37	S 16°58'44" W	9.93'
L38	N 72°33'09" W	433.96'
L39	N 16°40'55" E	154.21'
L40	N 67°05'05" E	233.43'
L41	S 88°10'01" W	541.21'
L42	N 61°55'11" E	174.66'
L43	N 76°37'13" E	96.34'
L44	N 67°19'59" E	58.23'
L45	N 78°03'01" E	116.75'
L46	N 17°26'54" E	12.55'
L47	S 17°23'06" E	281.01'
L48	N 62°26'54" E	30.41'
L49	N 17°26'53" E	45.72'
L50	N 62°33'06" W	135.12'
L51	N 17°26'54" E	70.60'
L52	S 72°33'06" E	30.92'
L53	S 09°01'52" E	23.74'
L54	N 66°26'54" E	333.80'
L55	S 09°01'52" E	369.59'
L56	S 17°26'54" W	10.96'
L57	N 72°33'06" W	12.70'
L58	S 17°26'53" W	3.99'
L59	S 17°26'52" W	10.00'
L60	N 72°33'07" W	12.76'
L61	S 17°26'53" W	3.99'
L62	S 17°26'52" W	12.34'
L63	N 72°33'08" W	10.00'
L64	N 17°26'52" E	12.34'
L65	S 72°33'06" E	94.03'
L66	N 17°26'54" E	196.42'
L67	S 17°26'52" W	13.72'
L68	S 17°58'25" W	10.00'
L69	N 72°33'06" W	13.48'
L70	N 72°33'06" W	12.65'
L71	N 17°26'53" E	10.00'
L72	S 72°33'07" E	12.62'
L73	S 16°44'41" W	11.06'
L74	S 73°15'19" E	10.00'
L75	N 16°44'41" E	10.33'
L76	S 72°33'07" E	100.34'
L77	S 72°33'07" E	69.34'
L78	S 17°26'54" W	47.86'
L79	S 72°21'55" E	13.68'
L80	S 17°38'25" W	10.00'
L81	S 17°26'54" W	13.68'
L82	S 17°38'25" W	10.00'
L83	N 72°21'55" W	13.64'
L84	S 17°26'54" W	6.17'
L85	N 72°21'55" W	13.64'
L86	N 17°26'54" E	20.00'
L87	S 17°26'52" W	37.00'
L88	N 17°26'53" E	85.72'
L89	S 17°26'53" W	87.22'
L90	S 72°33'06" W	46.80'
L91	S 17°26'54" W	37.00'
L92	S 72°33'06" W	20.00'
L93	N 17°26'54" W	18.50'
L94	N 72°33'06" W	57.85'
L95	S 72°33'24" E	385.95'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	578.42'	268.57'	266.16'	N 85°47'21" W	26.36°12"
C2	578.42'	113.10'	112.92'	S 75°18'29" W	111°12'01"
C3	407.96'	226.43'	223.53'	S 85°30'30" W	31°48'01"
C4	88.00'	30.72'	30.56'	N 07°26'54" E	19°59'59"
C5	88.00'	30.72'	30.56'	N 07°26'54" E	20°00'00"
C6	72.50'	25.31'	25.18'	S 07°26'54" W	20°00'00"
C7	103.50'	36.13'	35.94'	S 07°26'54" W	19°59'59"
C8	72.50'	25.31'	25.18'	S 07°26'54" W	19°59'59"
C9	578.40'	34.66'	34.65'	S 80°53'44" W	37°26'00"
C10	407.96'	39.54'	39.53'	N 78°26'05" W	8°33'13"
C11	407.96'	20.89'	20.89'	N 77°07'29" W	2°56'01"

RECORDATION INFORMATION:  
FILED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015  
IN YEAR \_\_\_\_\_, PLAT # \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS  
DEDICATION RECORDED IN INSTRUMENT NUMBER \_\_\_\_\_  
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

Floodplain Notes \*  
Based upon what can be scaled from graphics shown on FEMA Flood Insurance Rate (FIRM) Map Number 48027C0355E, Effective date: September 26, 2008, the above shown property does not appear within the 100-Year Flood Plain. This flood statement does not guarantee that flooding will not occur. Nor does it create any liability in such event on the part of this surveyor or company.  
  
Sidewalk Notes:  
Sidewalks are required along South 31st Street (major arterial) and Scott Boulevard (collector), in accordance with the City of Temple Unified Development Code, Section 6.3 (TMED).



PRELIMINARY PLAT OF  
**HIGHLINE ADDITION**  
WITHIN THE CITY LIMITS OF TEMPLE, BELL COUNTY, TEXAS

1610 South 31st St., Ste. 102-299  
Temple, Texas 76504  
254-760-1894 254-760-4633  
www.asm-tx.com

Advanced Surveying  
& Mapping, LLC

Scale: 1" = 100'  
Job No. 140144-2  
Dwg No. 140144-2  
Surveyor TLK #6119  
Plot Date 12-7-15

TOPOGRAPHY MAP of 40.389 acre tract out of the REDDING ROBERTS SURVEY, ABSTRACT NO. 692,  
in Bell County, Texas, and embracing all of that 40.389 acre tract conveyed to HIGHLINE TEMPLE 39, LTD.,  
of record in Document No. 2015-18857, Official Public Records of Bell County, Texas (OPRBCT).

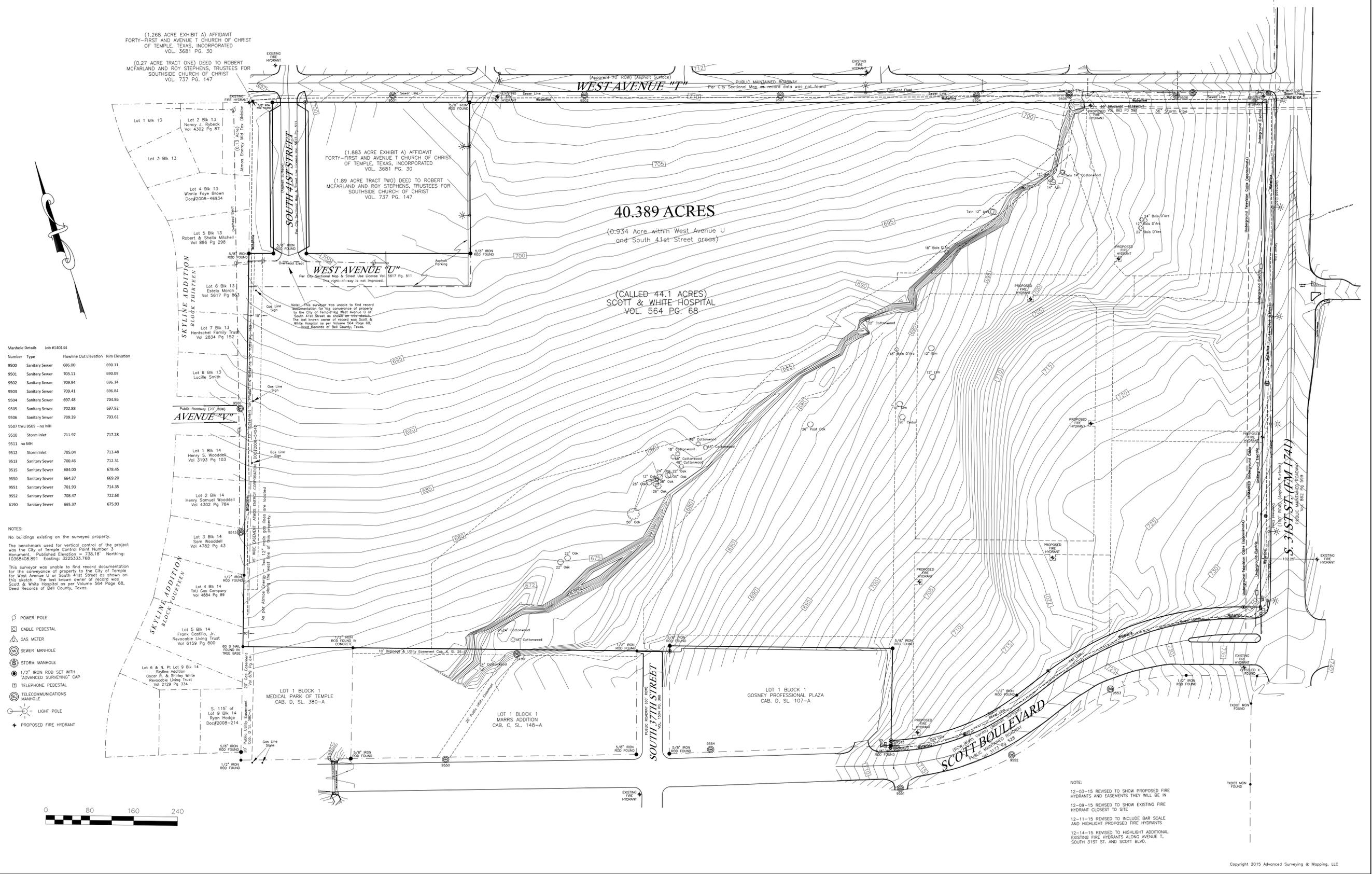
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TOPOGRAPHY MAP  
OF 40.389 ACRE TRACT

1610 South 31st St., Ste. 102-299  
Temple, Texas 76504  
254-760-1894  
254-760-4633  
www.asm-tx.com

Advanced Surveying  
& Mapping, LLC

Survey completed OCT. 2014  
Scale: 1" = 80'  
Job No. 140144  
Surveyor TJK #6119  
Revised: 12-14-15

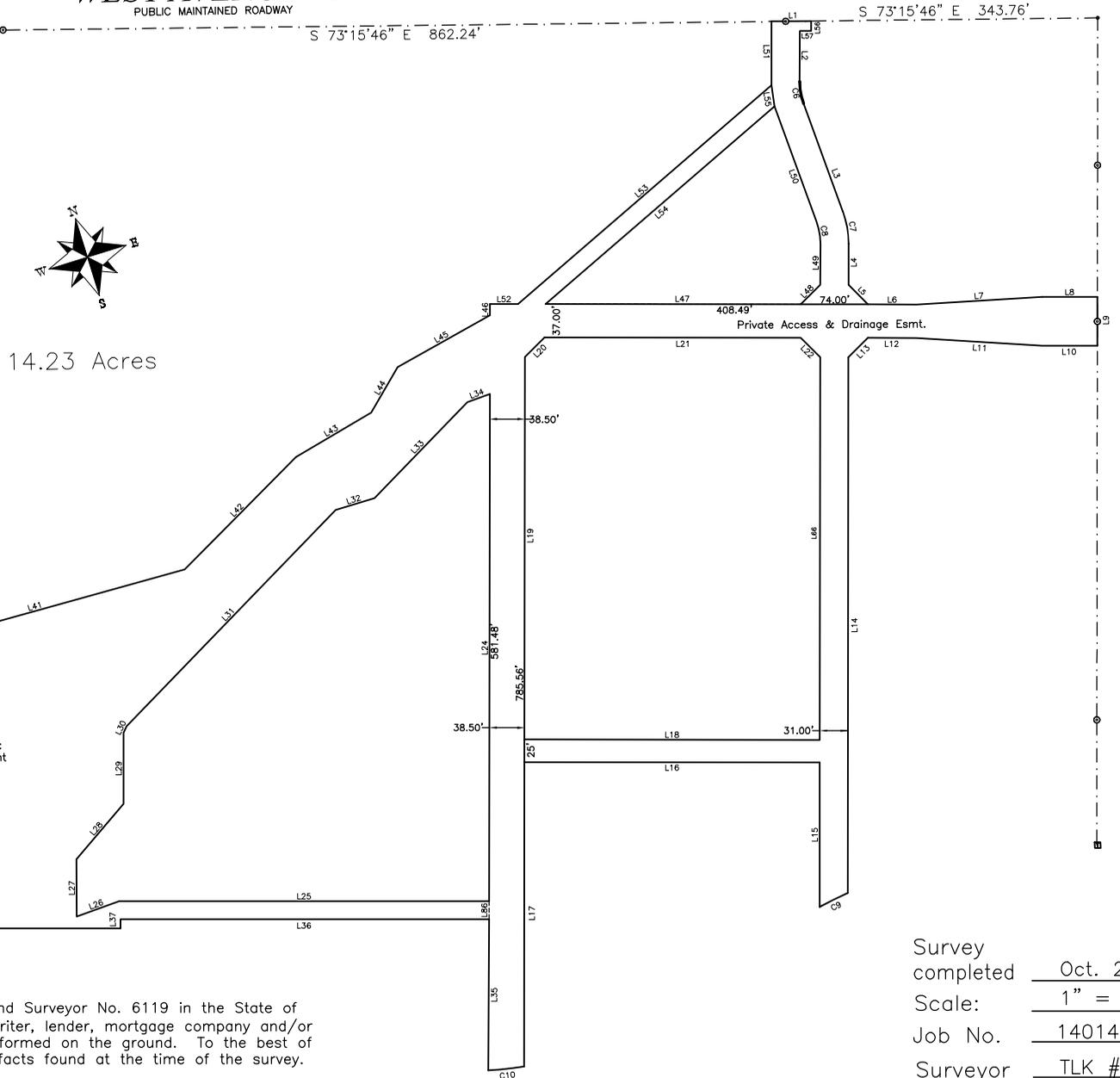


Surveyor's Sketch showing 14.23 acre tract, being part of that certain 40.389 acre tract conveyed to HIGHLINE TEMPLE 39, LTD., of record in Document No. 2015-18857, Deed Records of Bell County, Texas (DRBCT).

(Apparent 70' ROW) (Asphalt Surface)  
**WEST AVENUE "T"**  
 PUBLIC MAINTAINED ROADWAY

LINE	BEARING	DISTANCE
L1	S 73°15'46" E	43.70'
L2	S 17°26'54" W	66.66'
L3	S 02°33'06" E	127.03'
L4	S 17°26'53" W	45.72'
L5	S 27°33'06" E	30.41'
L6	S 72°33'06" E	53.48'
L7	S 76°04'18" E	138.44'
L8	S 72°33'06" E	61.03'
L9	S 17°26'46" W	54.00'
L10	N 72°33'06" W	61.03'
L11	N 69°01'54" W	138.44'
L12	N 72°33'06" W	53.48'
L13	S 62°26'54" W	30.41'
L14	S 17°26'53" W	592.93'
L15	N 17°26'53" E	159.86'
L16	N 72°33'07" W	325.42'
L17	S 17°26'54" W	337.01'
L18	N 72°33'07" W	325.42'
L19	N 17°26'54" E	423.56'
L20	N 62°26'54" E	30.41'
L21	S 72°33'06" E	282.42'
L22	S 27°33'06" E	30.41'
L23	S 17°26'53" W	208.34'
L24	S 17°26'54" W	561.48'
L25	N 72°37'17" W	407.80'
L26	S 87°22'43" W	49.62'
L27	N 17°15'16" E	63.29'
L28	N 57°29'13" E	80.27'
L29	N 17°22'39" E	78.53'
L30	N 42°39'34" E	8.11'
L31	N 61°16'34" E	332.26'
L32	S 89°46'13" E	44.48'
L33	N 61°21'34" E	147.52'
L34	N 86°57'16" E	26.41'
L35	N 17°44'27" E	167.14'
L36	N 72°37'24" W	406.27'
L37	S 16°58'44" W	9.93'
L38	N 72°37'39" W	433.96'
L39	N 16°40'55" E	154.21'
L40	N 67°05'05" E	233.43'
L41	S 88°14'01" E	341.21'
L42	N 61°55'11" E	174.66'
L43	N 76°37'13" E	96.34'
L44	N 47°19'39" E	58.23'
L45	N 78°03'01" E	116.75'
L46	N 17°26'54" E	12.55'
L47	S 72°33'06" E	281.01'
L48	N 62°26'54" E	30.41'

LINE	BEARING	DISTANCE
L49	N 17°26'53" E	45.72'
L50	N 02°33'06" W	135.12'
L51	N 17°26'54" E	70.60'
L52	S 72°33'06" E	30.92'
L53	N 66°26'54" E	369.59'
L54	N 66°26'54" E	333.80'
L55	S 09°01'52" W	23.74'
L56	S 17°26'54" W	10.96'
L57	N 72°33'06" W	12.70'
L58	S 72°33'07" E	12.76'
L59	S 17°26'53" W	10.00'
L60	N 72°33'07" W	12.76'
L61	S 17°26'53" W	3.99'
L62	S 17°26'52" W	12.34'
L63	N 72°33'08" W	10.00'
L64	N 17°26'52" E	12.34'
L65	S 72°33'06" E	94.03'
L66	N 17°26'54" E	423.56'
L67	S 72°21'35" E	13.52'
L68	S 17°38'25" W	10.00'
L69	N 72°33'06" W	13.48'
L70	N 72°33'07" W	12.62'
L71	N 17°26'53" E	10.00'
L72	S 72°33'07" E	12.62'
L73	S 16°44'41" W	11.06'
L74	S 73°15'19" E	10.00'
L75	N 16°44'41" E	10.93'
L76	S 72°33'07" E	100.34'
L77	S 72°33'07" E	69.34'
L78	S 17°26'54" W	47.86'
L79	S 72°21'35" E	13.68'
L80	S 17°38'25" W	10.00'
L81	S 72°21'35" E	13.68'
L82	S 17°38'25" W	10.00'
L83	N 72°21'35" W	13.64'
L84	S 17°26'54" W	6.17'
L85	N 72°21'35" W	13.64'
L86	N 17°26'54" E	20.00'
L87	S 17°26'52" W	37.00'
L88	N 17°26'53" E	85.72'
L89	S 17°26'53" W	67.22'
L90	S 72°33'06" E	46.85'
L91	S 17°26'54" W	37.00'
L92	N 72°33'06" W	20.00'
L93	N 17°26'54" E	18.50'
L94	N 72°33'06" W	57.85'
L95	S 72°37'24" E	385.95'



**A** Advanced Surveying & Mapping, LLC

1610 South 31st St., Ste. 102-299  
 Temple, Texas 76504  
 254-760-1894 254-760-4633  
 www.asm-tx.com Firm Reg. #10193722  
 Copyright 2015 Advanced Surveying & Mapping, LLC

I, Timothy Lane Kennedy, Registered Professional Land Surveyor No. 6119 in the State of Texas, do hereby certify to the title agency, underwriter, lender, mortgage company and/or purchaser that this drawing represents a survey performed on the ground. To the best of my knowledge the drawing correctly represents the facts found at the time of the survey.

Survey completed Oct. 2015  
 Scale: 1" = 180'  
 Job No. 140144-E1  
 Surveyor TLK #6119  
 Plot Date: 12-7-15



## Planning & Zoning Commission Item Memorandum

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12/21/15  
Item #5  
Regular Agenda  
Page 1 of 2

**APPLICANT:** John Kiella

**CASE MANAGER:** Dessie Redmond, Planner

**ITEM DESCRIPTION:** 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.

**STAFF RECOMMENDATION:** Staff recommends approval for the Final Plat Hills of Westwood, Phase IX.

**SUMMARY:** The Hills of Westwood, Phase IX is a final plat for approximately 20.72 acres for two tracts of vacant land. The applicant proposes to subdivide the subject properties into 96 single family residential lots. The Development Review Committee (DRC) reviewed and requested revisions to the Final Plat on December 10, 2015. The applicant responded to requested revisions during the DRC process per staff and per the Unified Development Code (UDC). It was deemed administratively complete by staff on December 15, 2015 and is now before the Planning & Zoning Commission to approve, approve with conditions or deny the plat.

The subject properties are is zoned Single-Family 3 (SF-3). The properties are currently vacant and undeveloped.

On the north side, the subject properties fronts Tarver Drive, a collector street, which is proposed to have a 55 feet right-of-way (ROW) with 36 feet of pavement. A sidewalk on one side of Tarver Drive is required by the UDC. A note on the plat requiring the sidewalk has been provided.

Sewer is available to the subject properties by a 10 inch sewer line along the northern boundary of the properties. Water will be available through a 12 inch waterline which currently there is an existing waterline that ends where Tarver Drive dead ends but will continue along Tarver Drive with the build out of this project (as shown on the Topo/Utility Map).

The Planning and Zoning Commission is the Final Plat authority for the Hills of Westwood, Phase IX because the applicant has not requested any exceptions to the UDC.

**FISCAL IMPACT:** Not Applicable

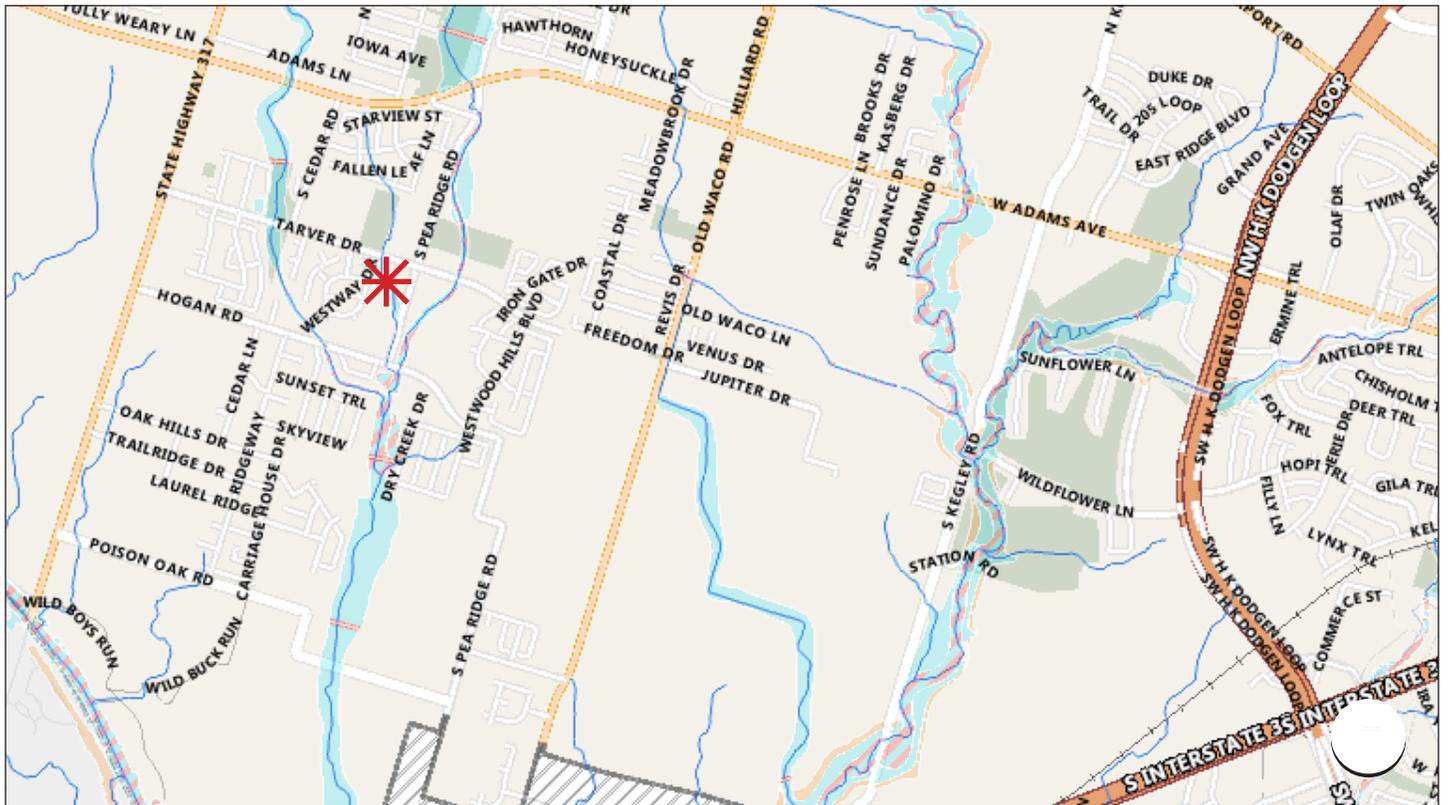
**ATTACHMENTS:**

Aerial  
Vicinity Map  
Zoning Map

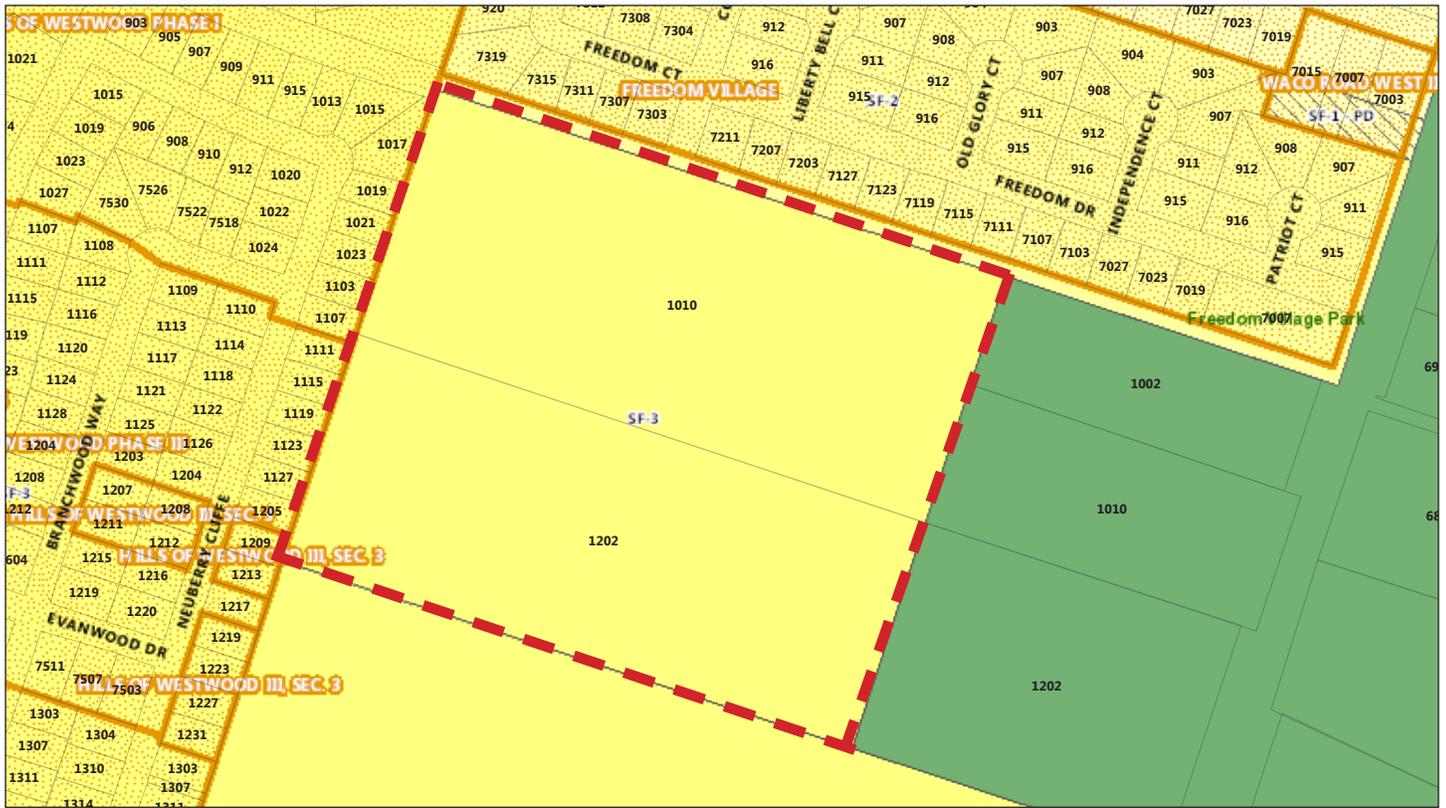
Utility Map  
Site Photos  
Final Plat  
Topo/Utility Plan



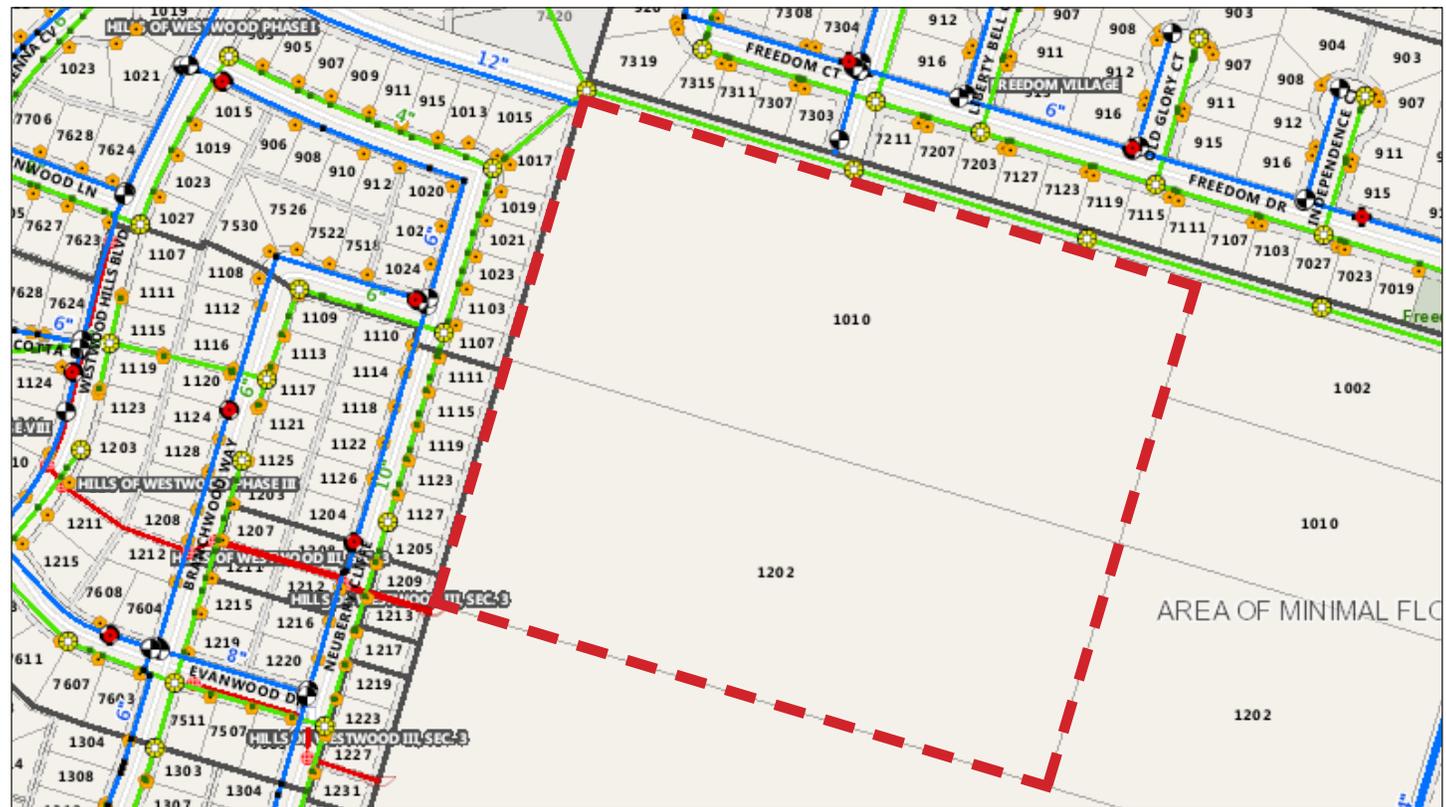
Aerial



Vicinity Map: showing the subject properties vicinity.



Zoning Map: showing the subject properties zoning.



Utility Map: showing the utilities in the area.



Photo 3: Standing at the northwest corner of the property 1010 Old Waco and looking southeast through the subject property.



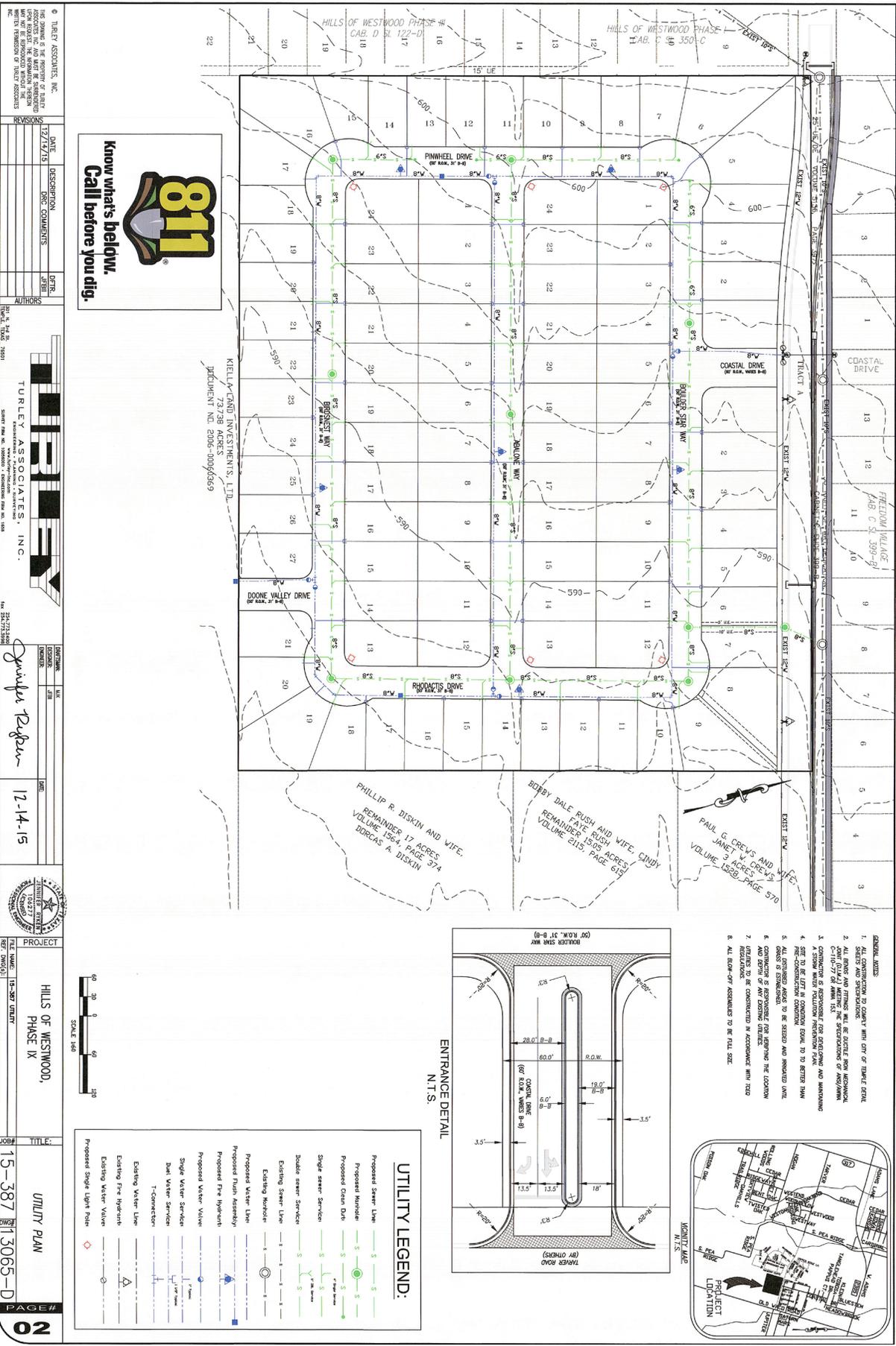
Photo 4: Adjacent residential development to the west (similar residential development to the north).



Photo 1: Standing at the northwest corner of the property 1010 Old Waco and looking west to adjacent developed properties and where Tarver Drive currently dead ends.



Photo 2: Standing at the northwest corner of the property 1010 Old Waco and looking east to what is proposed to be the continued part of Tarver Drive.



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REVISION	DATE	DESCRIPTION	BY	CHK
1	12/14/15	FINAL	JFB	JFB

AUTHOR: TURLEY ASSOCIATES, INC.



DATE: 12-14-15

PROJECT: HILLS OF WESTWOOD, PHASE IX

SCALE: 1"=50'



PROJECT: HILLS OF WESTWOOD, PHASE IX

DATE: 12-14-15

TITLE: UTILITY PLAN

DATE: 15-387

PAGE # 02

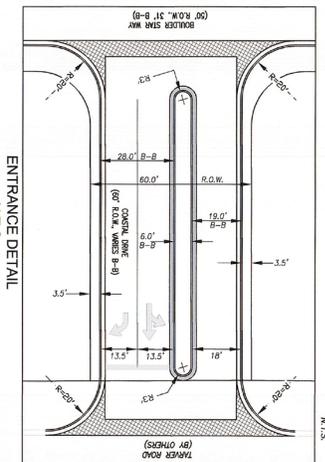


KIELLA (KIM) INVESTMENTS, L.L.C.  
73.738 ACRES  
JULIETT, NC 28066-0066369



**UTILITY LEGEND:**

Proposed Sewer Line	— S —
Proposed Sanitary	— S —
Proposed Clean Data	— S —
Single sewer Services	— S —
Double sewer Services	— S —
Existing Sewer Line	— S —
Existing Sanitary	— S —
Proposed Water Line	— W —
Proposed Flush Assembly	— W —
Proposed Fire Hydrant	— W —
Proposed Water Valve	— W —
Single Water Services	— W —
Double Water Services	— W —
Existing Water Line	— W —
Existing Fire Hydrant	— W —
Existing Water Valve	— W —
Proposed Single Light Pole	— L —



- GENERAL NOTES:**
1. ALL CONSTRUCTION TO COMPLY WITH CITY OF TAYLOR ORDINANCE.
  2. ALL WORK AND MATERIALS SHALL BE SUBJECT TO INSPECTION BY THE CITY OF TAYLOR.
  3. A SHOWN WITHIN TOLERANCE PERMITS SHALL BE USED TO LOCATE ALL UTILITIES.
  4. SET TO BE LEFT IN CONDITION EQUAL TO OR BETTER THAN ORIGINAL CONDITION.
  5. ALL UTILITIES TO BE RELOCATED AND PROTECTED UNTIL THE CONSTRUCTION IS COMPLETED.
  6. CONSTRUCTION IS RESPONSIBLE FOR REPAIRING THE LOCATION AND DEPTH OF ANY EXISTING UTILITIES.
  7. UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH TIER 2.
  8. ALL ROW-OF ASSEMBLIES TO BE FULL SIZE.



Topo/Utility Map





## PLANNING AND ZONING COMMISSION AGENDA ITEM

12/21/15  
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
<b>P-FY-15-27</b> - 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
<b>P-FY-15-28</b> - 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
<b>P-FY-15-36</b> - 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
<b>P-FY-15-42</b> - 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.	DRC on 9/08/15 Awaiting Revisions from Applicant	Turley Associates
<b>P-FY-15-46</b> - 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

<p><b>P-FY-15-47</b> - Consider and take action on the Final Plat of Baylor Scott &amp; 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.</p>	<p>DRC 10/19/15 Awaiting Revisions from Applicant</p>	<p>Ron Carroll</p>
<p><b>P-FY-16-08</b> - 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.</p>	<p>Waiting for applicant's response to post-DRC comments</p>	<p>Advanced Surveying and Mapping</p>
<p><b>P-FY-16-10</b> - Consider and take action on the Amending Plat of Highland Park Estates, a 10.00 +/- acre, 30-lot, 3-block residential subdivision, within the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County, Texas, located on the north side of West FM 93, adjacent to and west of Ridgewood Estates, west of Hartrick Bluff Road. This plat will add dimensions on Lot 20, Block 1, and Lots 1-4, Block 2, that were omitted on the final plat.</p>	<p>DRC 12-21-15</p>	<p>All County Surveying</p>
<p><b>P-FY-16-11</b> - Consider and take action on the Preliminary 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.</p>	<p>DRC 12-21-15</p>	<p>Caleb Mooney</p>
<p><b>P-FY-16-12</b> - 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.</p>	<p>DRC 12-21-15</p>	<p>Scott Brooks</p>
<p><b>Z-FY-16-07</b> - 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</p>	<p>PZC 12-21-15 Applicant withdrew request</p>	<p>Jack Folsom</p>
<p><b>Z-FY-16-08</b> - 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 &amp; 6, Block 011, Temple Heights, located at 1119 South 53rd Street.</p>	<p>PZC 1-04-16</p>	<p>Karl Miller</p>

City Council Final Decisions	Status
<p><b>Z-FY-16-04:</b> 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.</p>	<p>APPROVED at 1<sup>st</sup> Reading on December 3, 2015</p>
<p><b>Z-FY-16-01:</b> 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.</p>	<p>APPROVED at 1<sup>st</sup> Reading on December 3, 2015</p>
<p><b>Z-FY-16-02:</b> Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Single Family Three Dwelling District (SF-3) on a tract of land situated in the MAXIMO MORENO Survey, Abstract 14, Bell County, Texas, located at 902 East Nugent Avenue.</p>	<p>DENIED on December 3, 2015 per P&amp;Z recommendation</p>

P&Z COMMISSION ATTENDANCE

2015																	
	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	P	A		
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		P	A	P	A	P		P	P	A	A	A	A	4	7	
Lester Fettig	P		P	P	P	A	P		P	P	P	P	P	A	P	9	2
Tanya Mikeska-Reed	A		P	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			2	1
Blake Pitts	P	P		P	A	P	P	P	P	P	P			18	3
Patrick Johnson	P	P		A	P	P	A	P	P	P	P			17	4
Omar Crisp	P	P		P	P	A	P	P	P	A	P			16	5
David Jones	A	P		P	P	P	P	P	P	A	P			17	4
Greg Rhoads	P	P		A	P	P	P	P	P	P	P			18	3
Will Sears	P	P		P	P	P	P	P	P	A	A			12	9
Lester Fettig	P	P		P	P	P	P	A	P	A	A			16	5
Tanya Mikeska-Reed	P	P		A	P	P	P	P	P	A	P	A		13	8

not a Board member

New Officers Elected:  
Jones Chair, Johnson V-C