

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
PLANNING CONFERENCE ROOM  
NOVEMBER 2, 2015, 4:45 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, November 2, 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).
3. Discuss proposed zoning code amendments regulating Credit Access Businesses ("Payday Lenders").

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
NOVEMBER 2, 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 October 19, 2015.

**B. ACTION ITEMS**

**Item 2:** [Z-FY-16-01](#) – Hold a public hearing to discuss and recommend action on 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.

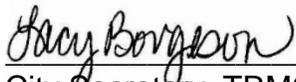
**Item 3:** [Z-FY-16-02](#) - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural District (AG) to Single Family Three Dwelling District (SF-3) on a tract of land situated in the MAXIMO MORENO Survey, Abstract 14, Bell County, Texas, located at 902 East Nugent Avenue.

**Item 4:** [P-FY-16-04](#) - Consider and take action on the Final Plat of Campus at Lakewood Ranch, Phase X, a 5.162 +/- acre tract, a 7-lot, 3-block residential subdivision,

situated in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, located at the end of Richland Drive, between existing Campus At Lakewood Ranch, Phase VIII and existing Campus At Lakewood Ranch, Phase IX, with a portion being in Temple's western E.T.J.

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.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 4:00 p.m., October 29, 2015.



\_\_\_\_\_  
City Secretary, TRMC  
City of Temple

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

\_\_\_\_\_ Title: \_\_\_\_\_

**PLANNING AND ZONING COMMISSION  
OCTOBER 19, 2015  
5:30 P.M.**

**PLANNING AND ZONING MEMBERS PRESENT**  
Chair Greg Rhoads

**COMMISSIONERS:**

Tanya Mikeska-Reed	James Staats
Blake Pitts	David Jones
Patrick Johnson	Will Sears
Omar Crisp	

**PLANNING AND ZONING MEMBERS ABSENT:**

Lester Fettig

**STAFF PRESENT:**

Brian Chandler, Director of Planning  
Trudi Dill, Deputy City Attorney  
Tammy Lyerly, Senior Planner  
Mark Baker, Senior Planner  
Dessie Redmond, Planner  
Mary Maxfield, Planning Technician  
Leslie Evans, Planning Technician

**The agenda for this meeting was posted on the bulletin board at the Municipal Building, October 15, 2015, at 11:30 a.m. in compliance with the Open Meetings Law.**

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

Chair Rhoads called Meeting to Order at 5:31 P.M.

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

**A. CONSENT ITEMS**

Chair Rhoads began the meeting by explaining about annual elections and thanked the Staff for all their help during his term. Chair Rhoads felt the current direction of the P&Z was very positive.

Chair Rhoads called for nominations for Chairperson. Commissioner Pitts nominated Vice-Chair Jones and Commissioner Johnson made a second. No further nominations being made, Chair Rhoads closed the nominations.

*Motion passed: (8:0)*  
Commissioner Fettig absent

Chair Rhoads opened nominations for Vice-Chairperson. Commissioner Sears nominated Commissioner Johnson and Commissioner Pitts made a second. No further nominations being made, Chair Rhoads closed the nominations

*Motion passed: (8:0)*  
Commissioner Fettig absent

New Chair is David Jones and Vice-Chair is Patrick Johnson.

Newly elected Chair and Vice-Chair were reseated.

Chair Jones presided over the rest of the meeting and thanked Commissioner Staats for an excellent job over the past several years serving as Commissioner and as Chair for P&Z. Chair Jones also thanked Commissioner Rhoads for all of his work and time on the P&Z.

**Item 1: Approval of Minutes:** Work session and the regular meeting of October 5, 2015.

Approved by general consent.

## **B. ACTION ITEMS**

**Item 2: Z-FY-15-26** – Hold a public hearing to discuss and recommend action on a Conditional Use Permit allowing the sale of less than 50% of the total gross revenue being from the sale of all alcoholic beverages with on-premise consumption in Suite 70 of the Gateway Center, located at 4501 South General Bruce Drive.

Commissioner Mikeska-Reed stated she would like to recuse herself from this item.

Mr. Mark Baker, Senior Planner, stated this item came before the P&Z Commission on October 5, 2015 where it was continued until tonight's meeting. This item is scheduled to go forward to City Council for first reading on November 5, 2015 and second reading on November 19, 2015.

Mr. Baker explained his presentation would be very similar to the one presented on October 5<sup>th</sup>; however, he would also include any updated information received by Staff for the P&Z to consider.

A vicinity map of the Gateway Center is shown.

The applicant is requesting to allow an establishment that generates less than 50 percent of its total gross generated revenue from the sale of all alcoholic beverages with on-site consumption. The base zoning of General Retail (GR) triggers the Conditional Use Permit (CUP) requirement.

The subject establishment would be located within the Gateway Center in Suite 60. Suite 60 currently contains the Harvest Church. The Harvest Church main sanctuary will be relocating approximately 349 feet away in Suite 30B; however, several other uses such as the youth

room / fellowship hall, children's church room, church offices and nursery rooms, will remain. These remaining uses meet the definition of a place of worship (Per City Attorney) and do not meet the 300 foot requirement.

Through the CUP and the Texas Alcoholic Beverage Code (TABC), the separation requirement is codified by Chapter 4, Code of Ordinances, does provide for a variance (waiver) process provided by City Council. The P&Z Commission would not take action on the variance and would be by separate resolution by City Council.

UDC Section 5.3.15 for separation requirements have been met. TABC Section 109.33 provides for 300 foot distance requirement (Codified by Chapter 4 – Alcoholic Beverages - Code of Ordinances). The separate resolution by City Council does not require a public hearing or re-advertising and the P&Z Commission does not need to take action on variance.

Background information on the variance criteria (Alcoholic Beverage Code Section 109.33(e):

- Not in the best interest of the public;
- Constitutes waste or inefficient use of land or other resources;
- Creates an undue hardship on an applicant for a license or permit;
- Does not serve its intended purpose;
- Is not effective or necessary; and
- Or any other reason after consideration of health, safety & welfare of the public.

At this time Staff is supportive of the variance and is recommending approval.

The underlying zoning is Planned Development General Retail (PD-GR) and is consistent with the GR zoning provided through the CUP process.

The Future Land Use and Character Map designate the area as Auto-Urban Commercial which is consistent with GR zoning.

The Thoroughfare Plan and Trails Plan – no improvements are proposed or required by proposed CUP.

Both water and sewer are available to serve the subject property.

Surrounding properties include I-35 and existing retail and service uses (PD-GR and GR) to the north, single family residential (Oakwood 1<sup>st</sup> Subdivision) (GR and SF-1) to the east, undeveloped land and CAP Fleet Upfitters (C) to the west, and single family residential (Briar Crest) (SF-3) to the south.

Development Standards are cited for GR (no building expansion is proposed).

Fifty-one notices were mailed out with six returned in approval and two in opposition.

Staff recommends approval of the request for a CUP to allow establishments where less than 50 percent of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption, subject to the following conditions:

1. That the use is contained within the future Suite 70 of the Gateway Center, located at 4501 South General Bruce Drive;
2. The use is subject to compliance to Chapter 4 of the Code of Ordinances related to alcoholic beverages, including either a City Council approved variance to the 300-foot spacing requirement or relocation of the remaining uses which constitute a place of worship outside the 300-foot distance; and
3. That the conditional use complies with UDC Section 5.3.15, related to alcoholic beverages with on-premise consumption.

Commissioner Johnson asked for clarification that P&Z was taking action only on the CUP for the leased space, Suite 70, and Mr. Baker confirmed that was correct. Mr. Baker added that Suite 70 would be created as part of the remodel and would be within the existing Suite 60.

Mr. Baker also explained if City Council were to deny the requested variance, the applicant would need to look for another option to relocate the remaining uses outside of the 300 foot buffer.

Commissioner Rhoads asked if P&Z could add a condition that pending approval of City Council on the variance, P&Z would recommend approval. Mr. Baker agreed P&Z could add a comment regarding compliance of the variance on the 300 foot buffer.

Commissioner Pitts asked about potential expansion and how that would affect the CUP. Mr. Baker replied the applicant would have to amend the CUP to allow for a larger area the restaurant would accommodate since it would only apply to Suite 70.

When asked why P&Z was not considering a CUP for the entire complex, Mr. Baker answered it was not currently part of the request. Any amendment to the CUP would be required to come back before P&Z as well as City Council.

Mr. Brian Chandler, Director of Planning, stated the applicant/landlord/property owner should be asked if there was a possibility of expansion within the complex.

Mr. Will Morris, applicant, responded that it would not be anticipated that the space would change in square footage.

Mr. Chandler explained that CUPs require a site plan so the space is verified by the site plan and what it would apply to.

Chair Jones opened the public hearing.

Mr. Will Morris, Charter Real Estate, P.O. Box 676, Salado, Texas 76571, stated he was appearing on behalf of the landowner, Bullish Resources.

Mr. Morris stated Harvest Church has been in the Center for a long time and been made aware the center would be redeveloped/remodeled. The Church has been searching for another location since they were informed that restaurants were looking for space. In order to assist the Church the landowner offered to relocate the sanctuary to Suite 30B.

Mr. Morris commented that while he was out of town Staff had changed their view as to what was considered worship space and the remaining uses would meet that criteria. It has since been proposed to the Church to relocate all of their spaces to Suite 50 which has an entrance on the opposite side of the center and would accommodate all of the Church's uses. The Church will give their decision before the first City Council meeting scheduled so the landowner/applicant can meet the criteria.

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

Commissioner Rhoads made a motion to approve Item 2, **Z-FY-15-26**, for a CUP subject to the three conditions Staff requested along with an added condition that City Council must approve the requested 300-foot distance variance requirement between the proposed restaurant and the adjacent place of worship; or the applicant complies with the 300-foot distance requirement and Commissioner Staats made a second.

*Motion passed: (7:0:1)*

Commissioner Mikeska-Reed abstained; Commissioner Fettig absent

**Item 3: P-FY-15-45** – Consider and take action on the Final Plat of The Plains At Riverside Phase II, a 29.339 +/- acres, 108-lot, 6-block residential subdivision, being a tract of land situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, west of the intersection with Riverside Drive.

Mr. Baker stated the preliminary plat was approved by the P&Z on June 16, 2014 for 159 lots. On October 14, 2014, Phase I for 51 lots was approved. The plat tonight is for Phase II and is consistent with the preliminary plat.

Water will be provided from an existing eight-inch waterline in South Pea Ridge Road and wastewater will be provided from an existing 15-inch sewer line on the north boundary.

The property is zoned Single Family-Two (SF-2) and provides the 5,000 square foot minimum lot size.

Phase II proposes the additional dedication, alignment, or creation of one arterial, a new alignment of Poison Oak Road, and an additional dedication of one collector which is South Pea Ridge Road and six local streets:

Crystal Ann Drive

Paisley Drive

Margie Drive

Sam Drive

White Wing Lane (Consistent with Dove Meadows, Phase I (North))

Kyndal Drive

Poison Oak would require a six-foot wide sidewalk and South Pea Ridge would require a four-foot wide sidewalk.

The P&Z would be the final plat authority since the applicant has not requested any exceptions to the UDC.

Roadway dedications requirements are given.

Staff recommends approval of the Final Plat for Plains at Riverside Phase II.

Commissioner Crisp made a motion to approve Item 3, **P-FY-15-45**, as presented, and Commissioner Mikeska-Reed made a second.

*Motion passed: (8:0)*

Commissioner Fettig absent

There being no further business, the meeting was adjourned at 5:59 p.m.

Respectfully submitted,

Leslie Evans

**PLANNING AND ZONING COMMISSION  
MONDAY, OCTOBER 19, 2015  
4:45 P.M.  
WORK SESSION**

**PLANNING AND ZONING MEMBERS PRESENT**

Chair Greg Rhoads

**COMMISSIONERS:**

Tanya Mikeska-Reed  
Blake Pitts  
Will Sears  
Omar Crisp

James Staats  
David Jones  
Patrick Johnson

**PLANNING AND ZONING MEMBERS ABSENT:**

Lester Fettig

**STAFF PRESENT:**

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

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

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

With a quorum present, Chair Rhoads opened the work session at 4:45 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

Mr. Chandler stated Mr. Will Morris was present for the CUP on the Backporch Draffhouse which was continued by P&Z at the October 5, 2015.

P&Z can take action on this item tonight for the CUP and the Resolution for the variance regarding the distance requirement would go to City Council and dovetail with the zoning process—two different actions.

All updated information has been incorporated into Mr. Baker's presentation along with Staff's recommendation.

Due to Commissioner Johnson's absence from the last meeting, Mr. Chandler briefly described what happened at the October 5, 2015 P&Z meeting for this CUP item to bring him up to date.

Mr. Will Morris commented that the applicant does have a proposal to the Church to completely relocate all of the offices and other uses to a suite further away which would meet the 300 foot distance requirement.

Mr. Morris showed the Commissioners a rough site plan explaining the new proposal.

Mr. Baker explained the CUP still needs action by the P&Z. The resolution for the distance requirement would go before City Council; however, if the relocation is finalized by or before the scheduled City Council reading, the variance would not be necessary.

Ms. Dill added that City Council may also approve the CUP because there is always the possibility of the Church going away or relocating. Mr. Morris explained the Church has been looking for a new location for the last six months. The applicant is happy to relocate the Church temporarily to the new space while they are searching for another location and this information has been relayed to the Church.

Ms. Dill explained there was a provision in the Alcoholic Beverage Code that if the protected use moves next to a permittee then the spacing does not count; based on when the license was issued.

Mr. Chandler continued with the final portion of the TMED presentation.

In reference to Public Frontage Standards, photos of Church's Chicken located at South 31<sup>st</sup> Street and Avenue R are shown. Church's is a recent example of testing the thresholds for TMED. A project needs the value of the project relative to the assessed value of improvements per the current tax rolls on the building.

Restoration or rehabilitation of existing structure with no increase in gross floor area should still go through the review process, the City would try to add bicycle facility standards (if bicycle and pedestrian connectivity is encouraged), and adding public frontage standards (sidewalk, landscaping, etc.) which are not on-site.

Trees will continue to be looked at since preserving visibility triangles is important, along with having TxDOT's comments/standards for their roads.

The slight changes made to Church's building and the parking lot area helped to define the public frontage and pedestrian areas more clearly and is currently being utilized by the public.

The landowner is required to maintain the right-of-way areas per Ordinances. General landscaping requirements state that within 90 days required landscaping that has died needs to be replaced.

Brief discussion regarding landscape requirements and standards and enforcement process.

Discussion regarding elections for Chair and Vice-Chair.

Chair Rhoads adjourned the meeting at 5:27 P.M.



## PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

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11/02/15  
Item #2  
Regular Agenda  
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**APPLICANT / DEVELOPMENT:** Scott Motsinger (On Behalf of Lisa Joshlin)

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

**ITEM DESCRIPTION:** Z-FY-16-01 – Hold a public hearing to discuss and recommend action on 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.

**STAFF RECOMMENDATION:** Based on the following, staff recommends approval for a rezoning from General Retail (GR), Office-1 (O-1) and Multi-Family-1 (MF-1) district to General Retail (GR) for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Plan's (FLUP) Suburban Commercial District;
2. The proposed zoning is compatible with surrounding zoning and uses;
3. The request complies with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

**ITEM SUMMARY:** The subject property contains three different zoning districts, General Retail (GR), Office 1 (O-1) and Multiple Family 1 (MF-1) was established by Ordinance #1350 in May 1981 on two different lots.

This rezoning follows the boundaries of Lot 2, Block 1, established by the recordation of the final plat of G2K North subdivision (Exhibit A) on January 8, 2014, and contains 6.414 +/- acres of undeveloped land. No further platting to the subject property is anticipated in the immediate future. Any future platting would be processed as a Replat and reviewed by the Design Review Committee (DRC).

While it is anticipated the property will be developed with non-residential uses, there are a number of residential and non-residential uses that are permitted by right in the GR zoning district. The uses allowed in the GR, include but are not limited to:

Residential uses

Detached / Attached SF Homes  
 Duplex  
 Home for the aged  
 Industrialized housing  
 Apartments

Nonresidential uses

Retail and Service Uses (Various)  
 Place of Worship  
 Convenience Stores with Fuel Sales  
 Hotel or Motel  
 Beer & Wine Sales (on-site consumption – Less than 75% Gross Revenue)

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses. A number of uses are allowed by an approved conditional use permit (package store, temporary asphalt concrete batching plants, sewage pumping station or petroleum gas well).

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

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial	GR, O-1 & MF-1	Undeveloped
North	Public institutional	SF-1	Undeveloped
South	Suburban Commercial	GR	Retail & Service Uses
East	Public Institutional & Suburban Comm.	SF-1, O-1	Holy Trinity Catholic High School
West	Suburban Commercial	GR	Retail & Service Uses

**COMPREHENSIVE PLAN (CP) COMPLIANCE:** The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

<b>Document</b>	<b>Policy, Goal, Objective or Map</b>	<b>Compliance?</b>
CP	Map 3.1 - Future Land Use Plan (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 Plan (FLUP) (CP Map 3.1)

The subject property is entirely within the Suburban Commercial land use district. While the office and retail service-related zoning districts are typically consistent with the Suburban Commercial land use district, the GR zoning is in-compliance for this location. In these circumstances, staff evaluates the appropriateness of GR on a case by case basis. While the GR zoning district lends itself more to the Auto-Urban Commercial land use district, the presence of existing GR and the location of arterial

roads as well as future development trends for an area influence the consideration of GR consistency. In this case, since the subject property would have direct access to W. Adams Ave (FM 2305), a major arterial and the property is surrounded on 2 of 4 sides by established GR-zoning, the request to GR is considered consistent with the Future Land Use Plan. A similar situation is the presence of GR-supported zoning along Old Waco Road, the Outer Loop, where the Future Land Use Plan designation is also Suburban Commercial.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from an existing 20-foot access easement leading to W. Adams Ave (FM 2305). The property does not front along any classified City roadway and therefore no additional Thoroughfare Plan compliance is applicable. No additional ROW or dedication is anticipated for the development of the subject property.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 18" sewer line on the eastern property line. The same line extends along a portion of the northern property line. Water is available through either an existing 14" or 4" water line in W. Adams Ave.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies an existing City-Wide Spine Trail along W. Adams Ave. A 10-foot asphalt trail is currently in existence. Trail improvements (sidewalk) would be addressed at the platting stage of development, if they include the lots that front along W. Adams Ave. The subject property does not front along W. Adams Ave. No new trails or sidewalks are anticipated by this project.

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

Min Lot Size	N/A
Min Lot Width	N/A
Min Lot Depth	N/A
Front	15'
Side	10'
Side (corner)	10'
Rear	0' (10' adjacent to or abutting residential use or zoning district)
Max Height	3 Stories

Since the proposed GR zoning is adjacent to a residentially-zoned property, additional Development Regulations include but not limited to:

- \* A minimum 10' rear setback is required where a non-residential use abuts a residential zoning district or use (UDC Section 4.4.4.F3) and,

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

- \* Evergreen hedges with a minimum planted height of six feet, placed on 36-inch centers or, fences and walls constructed of wood , masonry, stone or pre-cast concrete from 6 to 8 feet in height above the adjacent grade (UDC Section 7.7.4),
- \* Refuse containers are to be located in the side or rear of the property and screened from view per UDC Section 7.7.6, and
- \* Outdoor storage is permitted in the GR zoning district, where the storage area is situated behind the principal building in the rear half of the property and where a solid wood or masonry fence screens the outdoor storage from public view. Such wood or masonry fence must be at least one-foot higher than the stored material (UDC Section 7.7.8.B1).

**PUBLIC NOTICE:** Seven notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday October 29, 2015 at 3:00 PM, No notices have been received. An update regarding late notices, will be provided at the Planning & Zoning Commission meeting, if necessary.

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

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Site and Surrounding Property Photos  
Boundary Survey (Exhibit A)  
Vicinity Map  
Zoning Map  
Future Land Use and Character Map  
Thoroughfare & Trails Map  
Utility Map  
Notification Map

# Site & Surrounding Property Photos



**Site: Undeveloped (GR, O-1 & MF-1)**



**Site: Undeveloped (GR, O-1 & MF-1)**



**North: Holy Trinity Catholic High School (SF-1)**



**North: Holy Trinity Catholic High School (SF-1)**



**West: Undeveloped (GR)**



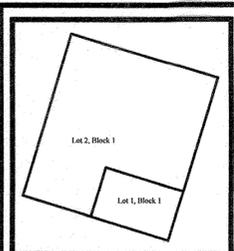
**East: Undeveloped (SF-1 & O-1)**



**South: Scott & White Medical Clinic (GR)**



**South: Retail Uses - Family Dollar (GR)**

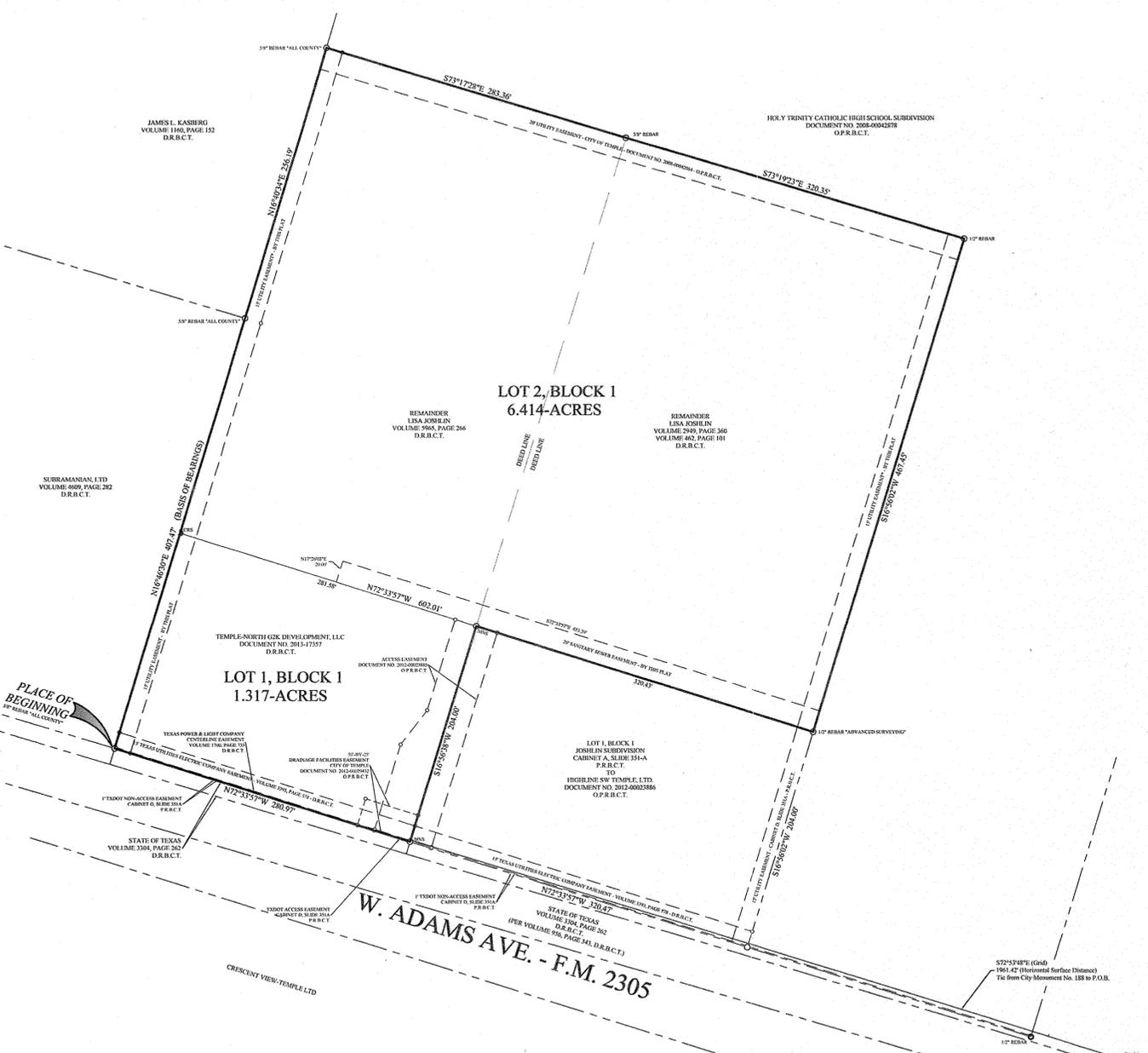


2014  
7

CONFIGURATION OF JOSHIN SUBDIVISION CABINET A, SLIDE 351-A P.R.B.C.T. (1"-250')

**Legend of Abbreviations**  
 P.R.B.C.T. - Plat Records Bell County, Texas  
 O.P.R.B.C.T. - Official Public Records Bell County, Texas  
 D.R.B.C.T. - Deed Records Bell County, Texas  
 CRS-1/2" capped rebar stamped "JPH Land Surveying" set  
 MNS-mag nail with metal washer stamped "JPH Land Surveying" set  
 -see note B  
 P.O.B. - Place of Beginning

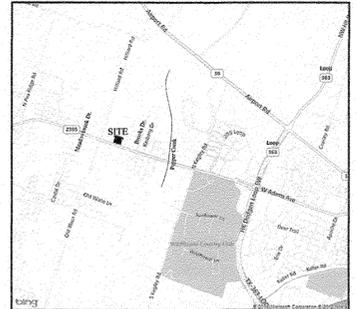
- Surveyor's Notes**
- Basis of Bearings: west line of Lot 2, Block 1 of Joshin Subdivision an addition in the City of Temple, Bell County, Texas according to the plat recorded on March 19, 2012 in Cabinet D, Slide 351-A of the Plat Records of Bell County, Texas.
  - According to the Flood Insurance Rate Map (FIRM) for Bell County, Texas and Incorporated Areas, Panel 335 of 725, Map Number 48027C033E, effective date of September 26, 2008 as published by the Federal Emergency Management Agency (FEMA), the subject tract lies within Zone X (unshaded), areas outside the 0.2-percent-annual-chance floodplain.
  - This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances and all bearings are grid bearings. The combined correction factor (CCF) is 0.999853 for this location. Grid distance = Surface distance X CCF. Reference tie from City of Temple Monument Number 188 to the P.O.B. is N 72°53'48" W, 1,961.42 feet. Published City coordinates for the project reference point 188 are N = 10,381,459.02; E = 3,211,709.53
  - Monuments are found, unless marked CRS or MNS.
  - The purpose of this replat is to subdivide Lot 2, Block 1, Joshin Subdivision into two lots.
  - A 10-foot wide concrete sidewalk is required along West Adams Avenue. Standard development regulations require a 6-foot wide sidewalk along Major Arterials, such as West Adams Avenue, per UDC Section 8.2.3-Sidewalks. Since a 10-foot wide concrete spine trail is required along the property's frontage along West Adams Avenue, the required 6-foot wide concrete sidewalk will need to be upsized to a 10-foot width, with the City's oversize participation agreement for the additional 4 feet.
  - This plat has one block (Block 1) and two lots (Lot 1 & Lot 2).
  - The 15' utility easements on the east and west lines as delineated by the plat recorded in Cabinet D, Slide 351A of the Plat Records of Bell County, Texas are marked (\*).



**OWNER'S CERTIFICATE**  
 STATE OF TEXAS §  
 COUNTY OF BELL §  
 KNOW ALL MEN BY THESE PRESENTS:  
 I, the undersigned, being the owner of the land shown on this plat and designated herein as G2K North subdivision, within the City limits of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.  
 LISA JOSHIN  
 Lisa Joshin  
 STATE OF TEXAS §  
 COUNTY OF BELL §  
 This instrument was acknowledged before me on the 18th day of November, 2013, by Lisa Joshin.  
 Linda C. Moore  
 Notary Public, State of Texas  
 My Commission Expires May 13, 2014

**OWNER'S CERTIFICATE**  
 STATE OF TEXAS §  
 COUNTY OF BELL §  
 KNOW ALL MEN BY THESE PRESENTS:  
 I, the undersigned, being the owner of the land shown on this plat and designated herein as G2K North subdivision, within the City limits of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.  
 TEMPLE NORTH G2K DEVELOPMENT LLC  
 a Texas limited liability company  
 By: Jim Chadd  
 Title: Land Surveyor  
 STATE OF TEXAS §  
 COUNTY OF BELL §  
 Before me, on this day personally appeared Jim Chadd, 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 purposes and consideration therein expressed.  
 Given under my hand and seal of office this 15th day of November, 2013.  
 Linda C. Moore  
 Notary Public, State of Texas  
 My Commission Expires May 13, 2014

Note: Please see separately filed dedication with metes & bounds description.



**VICINITY MAP**  
 NOT TO SCALE  
**FINAL PLAT**  
**G2K NORTH**  
 LOTS 1 & 2, BLOCK 1  
 7.731 ACRES  
 BEING A REPLAT OF  
 LOT 2, BLOCK 1, JOSHIN SUBDIVISION  
 AN ADDITION IN THE  
 CITY OF TEMPLE, BELL COUNTY, TEXAS  
 CITY CASE NO. PFY-13-41

JPH Land Surveying, Inc.  
 807 Bluebonnet Drive, Suite C  
 Keller, Texas 76248  
 Tel: (817) 431-9771 www.jph.com  
 TPLS Firm #100195-00  
 © 2013 JPH Land Surveying, Inc. - All Rights Reserved

**Client**  
 CEI Engineering Associates Inc.  
 Tri West Plaza  
 3030 LBJ Freeway, Suite 100  
 Dallas, TX 75234

**Owners**  
 Lisa Joshin & C.A. Joshin  
 486 Valley Dr.  
 Moody, TX 76557-3822

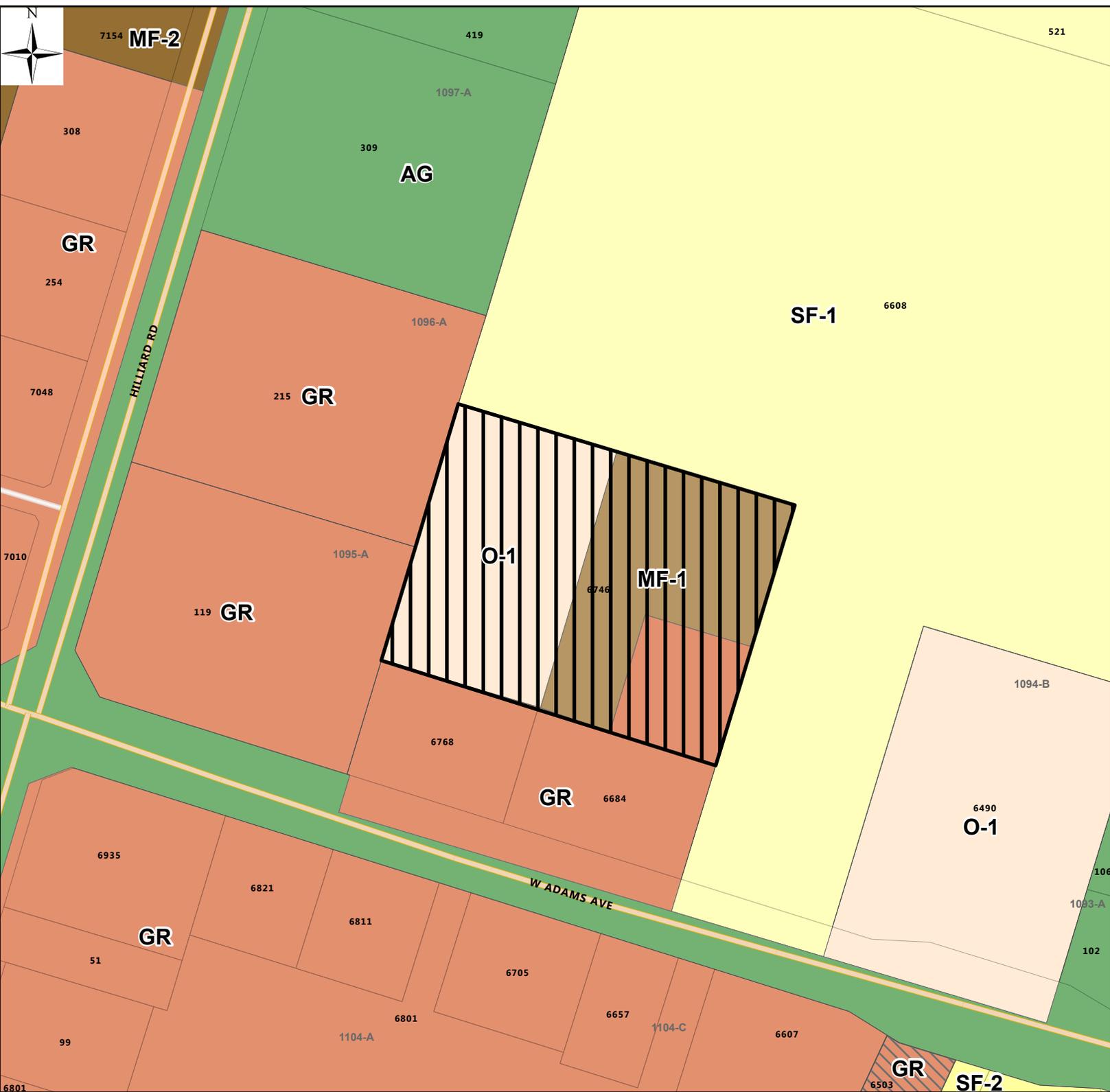
Temple-North G2K Development, LLC  
 11609 Kingsridge Dr.  
 Montgomery, TX 77316

THE STATE OF TEXAS §  
 COUNTY OF TARRANT §  
 I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.  
 Jewel Chadd  
 Registered Professional  
 Land Surveyor No. 5754  
 November 7, 2013



**Recordation Information:**  
 Plat recorded in Cabinet \_\_\_\_\_, Slide \_\_\_\_\_, Plat Records of Bell County, Texas  
 Dedication recorded in instrument number \_\_\_\_\_, Official Public Records of Real Property of Bell County, Texas, filed this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
**Affidavit:**  
 The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owed on the property described by this plat.  
 Dated this the 7th day of January, 2014.  
 Bell County Tax Appraisal District

This plat has been submitted to and considered by the Planning & Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.  
 Dated this 23rd day of December, 2013.  
 Secretary to Planning & Zoning Commission  
 This final plat has been submitted to and considered by the Planning & Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.  
 Dated this 23rd day of Dec, 2013.  
 City of Temple



GR, O-1, MF-1 TO GR

# 200' ZONING MAP

Zoning Case :  
Z-FY-16-01

Address :

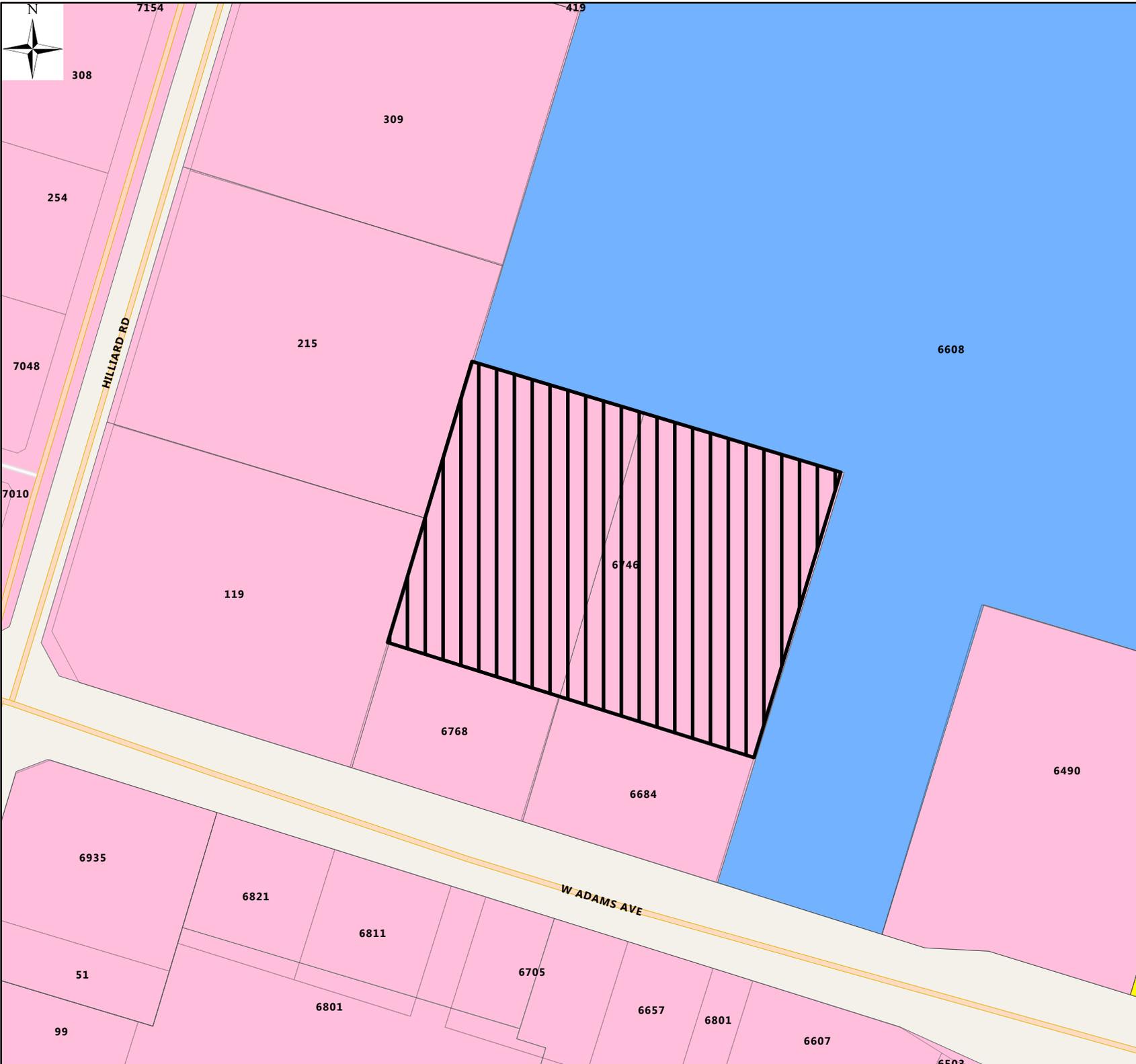
6746 W ADAMS AVE

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

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.

myarberry  
Date: 10/6/2015





GR, O-1, MF-1 TO GR

## FUTURE LAND USE MAP

Zoning Case :  
Z-FY-16-01

Address :  
6746 W ADAMS AVE

- 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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myarberry  
Date: 10/5/2015





GR, O-1, MF-1 TO GR

### UTILITY MAP

Zoning Case :  
Z-FY-16-01

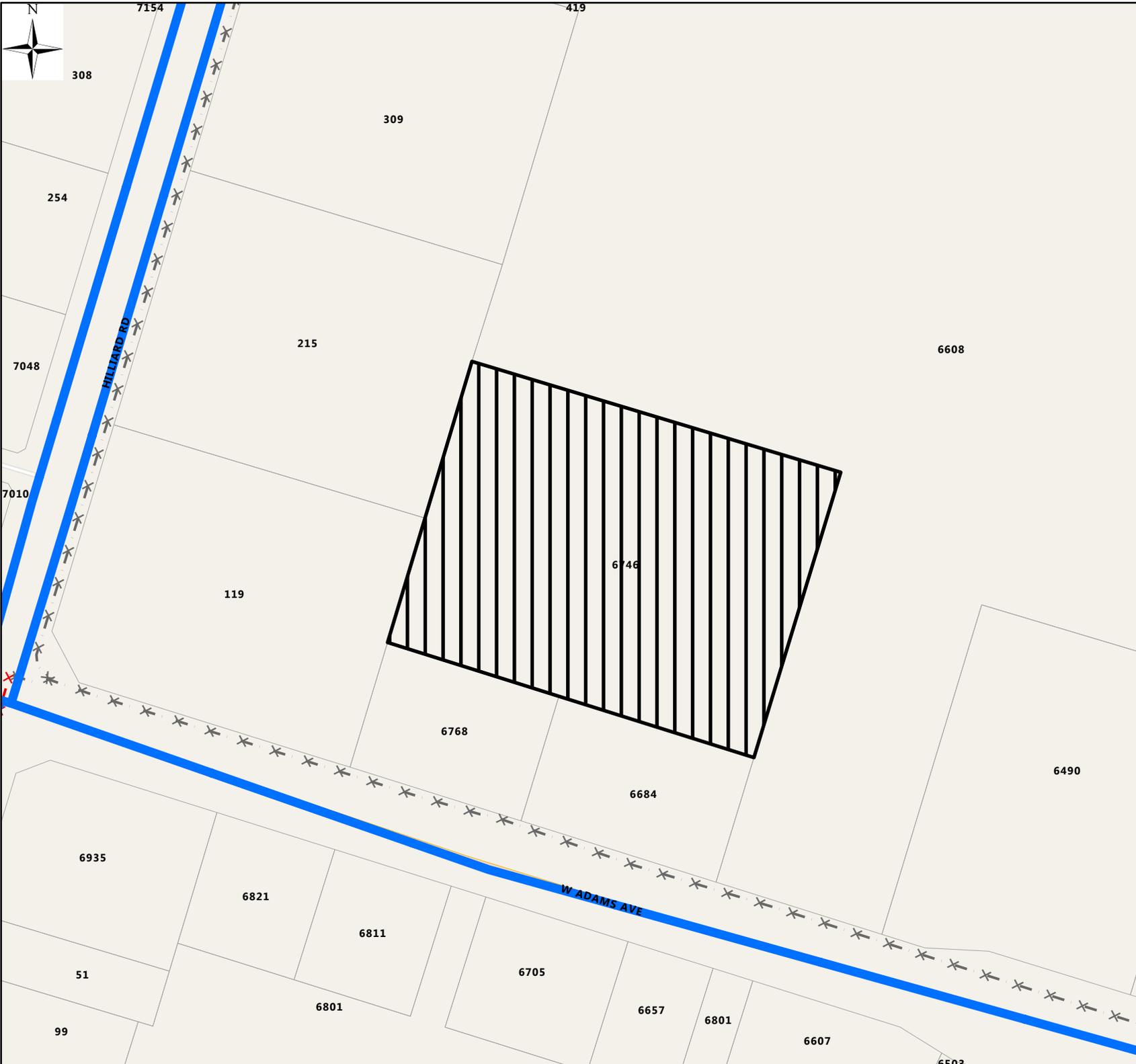
Address :  
6746 W ADAMS AVE

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

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myarberry  
Date: 10/5/2015





# GR, O-1, MF-1 TO GR THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-16-01

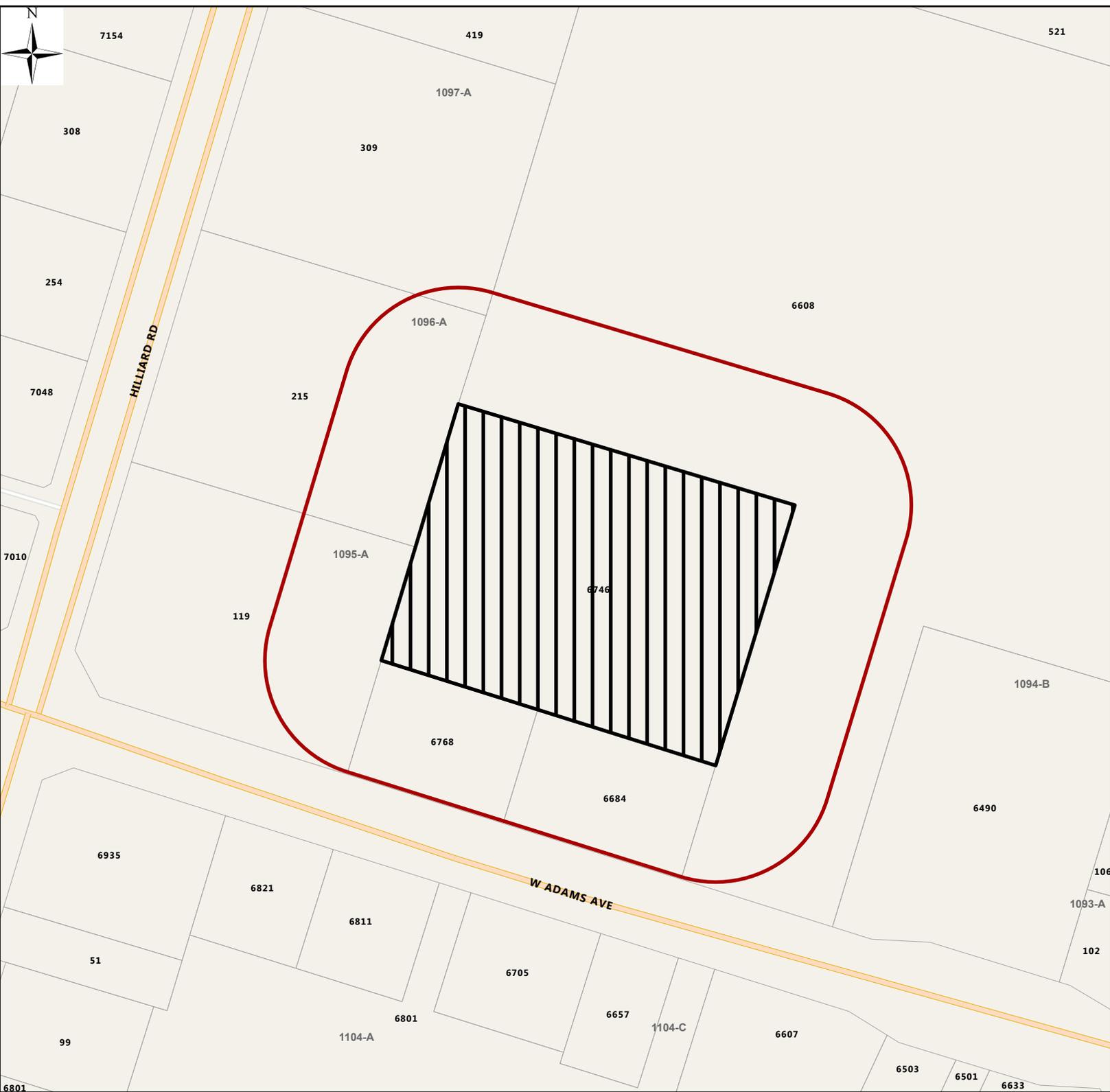
Address :  
6746 W ADAMS AVE

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

myarberry  
Date: 10/20/2015





GR, O-1, MF-1 TO GR  
**200'**  
**NOTIFICATION MAP**

Zoning Case :  
 Z-FY-16-01  
 Address :  
 6746 W ADAMS AVE

-  CaseArea
-  Buffer.shp

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.

myarberry  
 Date: 10/6/2015





## PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

---

11/02/15  
Item 3  
Regular Agenda  
Page 1 of 3

**APPLICANT / DEVELOPMENT:** Jeffrey Ling for Peerless Enterprises, LLC/Peerless Roofing

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

**ITEM DESCRIPTION:** Z-FY-16-02– Hold a public hearing to discuss and recommend action on 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 E. Nugent Avenue.

**STAFF RECOMMENDATION:** Staff recommends denial of a rezoning from Agricultural District (AG) to Single Family Three Dwelling District (SF-3). The proposed rezoning demonstrates the following:

1. Compliance with the Future Land Use Plan;
2. Compatibility with surrounding zoning and land uses;
3. **Noncompliance** with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

**ITEM SUMMARY:** The applicant requests a rezoning from Agricultural District (AG) to Single Family Three Dwelling District (SF-3) to allow a 10.862-acre residential subdivision with approximately 23 single-family lots. A rezoning to SF-3 complies with the Future Land Use Plan which has identified this area as Auto-Urban Residential.

The following residential uses are **permitted by right** in the proposed Single Family Three (SF-3) zoning district:

- Industrialized housing;
- Single Family Detached Dwelling;
- Place of worship; and
- Fire Station

**Prohibited uses** include Home for the aged, apartment, patio home, single-family attached dwelling, duplex, and townhouse, among others.

**DEVELOPMENT REGULATIONS (SF-3):** Dimensional standards are as follows:

- Minimum lot size – 4,000 square feet
- Minimum Lot Width – 40 feet
- Minimum Lot Depth – 100 feet
- Front Yard Setback – 15 feet
- Side Yard Setback – 5 feet
- Side Yard Setback (Corner) – 15 feet
- Rear Yard Setback – 10 feet

**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	Auto-Urban Residential	AG	Undeveloped Property
North	Auto-Urban Residential	AG	Undeveloped Property
South	Auto-Urban Residential	AG and SFA-3	Residential and Undeveloped Property
East	Auto-Urban Residential	AG	Residential and Undeveloped Property
West	Auto-Urban Commercial	LI	Railroad

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

<u>Document</u>	<u>Policy, Goal, Objective or Map</u>	<u>Compliance?</u>
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	No
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

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

The property is within the Auto-Urban Residential character district of the *Choices '08* City of Temple Comprehensive Plan. The Auto-Urban Residential character district is suited for higher-density uses such as attached and multiple-family housing, manufactured home communities, recreational vehicle parks, and site-built homes on small lots due to their density, limited open space, relative amount of impervious surface devoted to buildings and parking lots, and increased building enclosure.

**Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance**

The subject property fronts East Monroe Avenue, North 16<sup>th</sup> Street, East Nugent Avenue, and North 18<sup>th</sup> Street. The Thoroughfare Plan classifies all these streets as local streets. Although local streets are appropriate for single-family residential developments, these surrounding streets do not meet local street width standards. The standard width for a local street is 31 feet from back of curb to back of curb. The subject streets do not have curbing and are not wide enough to allow two-way traffic, including East Munroe Avenue, which is estimated to be 14 feet wide at the railroad intersection. The other streets bordering the site are estimated to be between 12 and 14 feet wide.

The applicant's property and the surrounding properties only have one ingress/egress into the area from East Munroe Avenue at its intersection with the Burlington Northern Santa Fe Railroad (BNSF),

east of North 14<sup>th</sup> Street. Conversations with existing residents surrounding the subject property revealed current issues with trains parking on the railroad tracks and blocking ingress/egress to the existing rural neighborhood.

Planning staff contacted the Police Records Department for information regarding calls to the police regarding trains blocking ingress/egress into the neighborhood. Since “railroad related” calls are automatically transferred to Burlington Northern Santa Fe Railroad (BNSF), there are no records regarding this matter. Planning staff talked to Joe Faust, Public Affairs Officer for BNSF in our area. He said BNSF did not have the requested information regarding frequency of calls regarding trains blocking ingress/egress into the subject neighborhood.

Planning staff studied the surrounding area for potential options regarding an additional ingress/egress into the subject neighborhood. The most logical option appears to be extending North 16<sup>th</sup> Street southward, approximately 1200 feet, to fill in the gap to the other end of North 16<sup>th</sup> Street at East Jackson Avenue in the Tal-Gin Heights Addition.

Availability of Public Facilities (CP Goal 4.1)

An existing 8-inch water line is located along the property line adjacent North 16<sup>th</sup> Street, East Nugent, and North 18<sup>th</sup> Street. An existing sewer line exists on the properties to the east side of North 18<sup>th</sup> Street.

**PUBLIC NOTICE:** Fifteen (15) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Tuesday, October 27, 2015, No notices have been received in favor of the proposed rezoning and two notices have been returned in opposition to the proposed rezoning. Opposition to the rezoning request expressed concerns of existing narrow street widths, issues with trains blocking access to the neighborhood, and adding additional homes to the area without proper ingress/egress.

The newspaper printed notice of the public hearing on October 22, 2015, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

- Site and Surrounding Property Photos
- Zoning & Notification Map
- Location map with Aerial
- Future Land Use and Character Map
- Thoroughfare & Trails Map
- Utility Map
- Response letters

**SURROUNDING PROPERTY AND USES:**

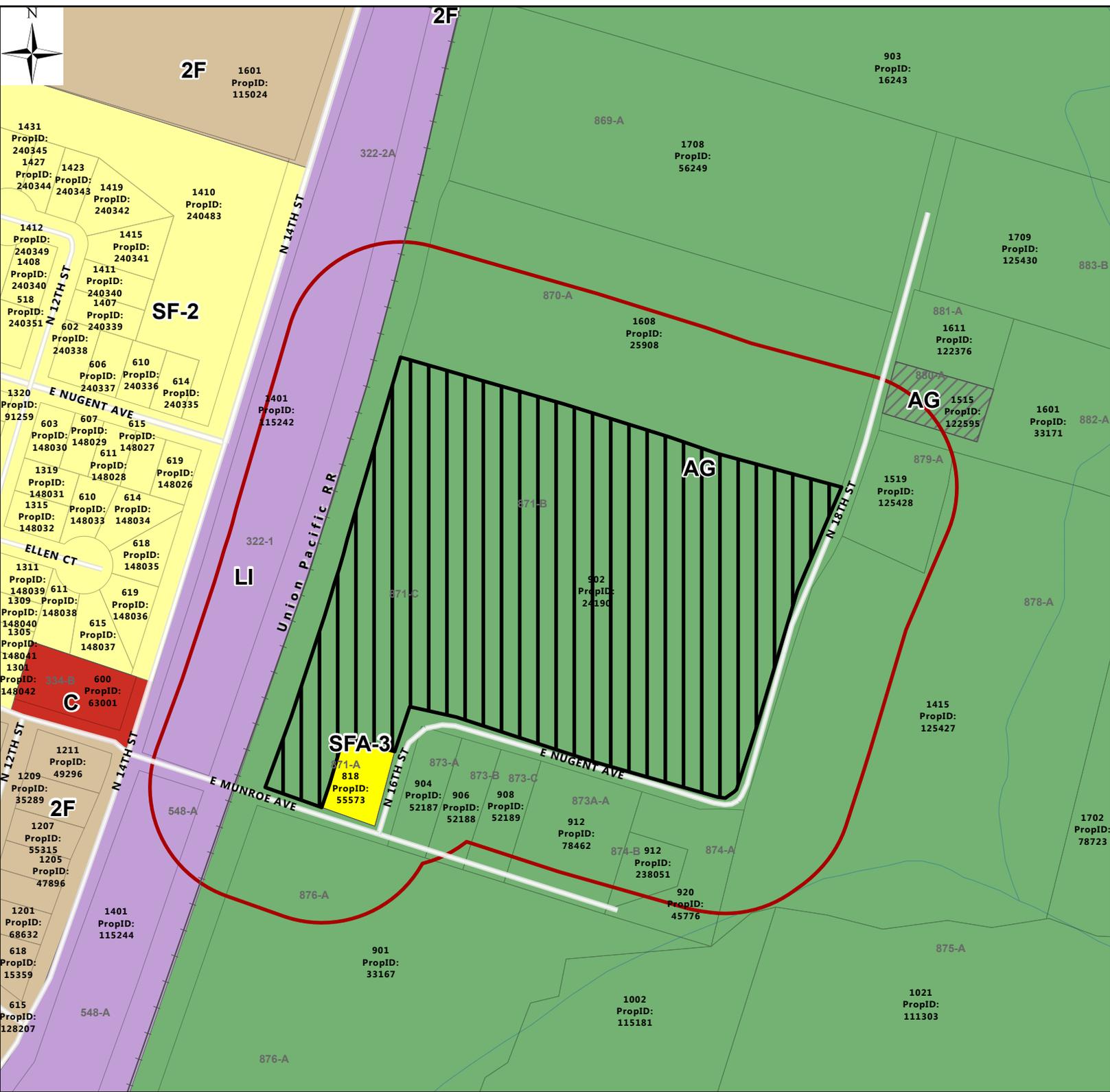
The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Undeveloped Property	 <p data-bbox="792 758 1008 793">E Munroe Ave</p>
			 <p data-bbox="802 1167 1015 1203">E Nugent Ave</p>
East	AG	Rural Residential and Undeveloped Property	 <p data-bbox="802 1608 935 1644">N 18<sup>th</sup> St</p>

Direction	Zoning	Current Land Use	Photo
			 <p data-bbox="831 646 964 684">N 18<sup>th</sup> St</p>
West	LI	Railroad Tracks	
			

Direction	Zoning	Current Land Use	Photo
South	AG and SFA-3	Rural Residential and Undeveloped Property	 <p data-bbox="971 667 1187 699">E Munroe Ave</p>
			 <p data-bbox="829 1157 1040 1188">E Nugent Ave</p>
			 <p data-bbox="792 1577 1003 1608">E Nugent Ave</p>

Direction	Zoning	Current Land Use	Photo
North	AG	Undeveloped Property	



# AG to SF-3

## 200'

### NOTIFICATION MAP

Zoning Case :  
Z-FY-16-02

Address :  
902 E. Nugent Ave.

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

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tlyerly  
Date: 10/13/2015





# AG to SF-3

## LOCATION MAP

Zoning Case :  
Z-FY-16-02

Address :  
902 E. Nugent Ave.

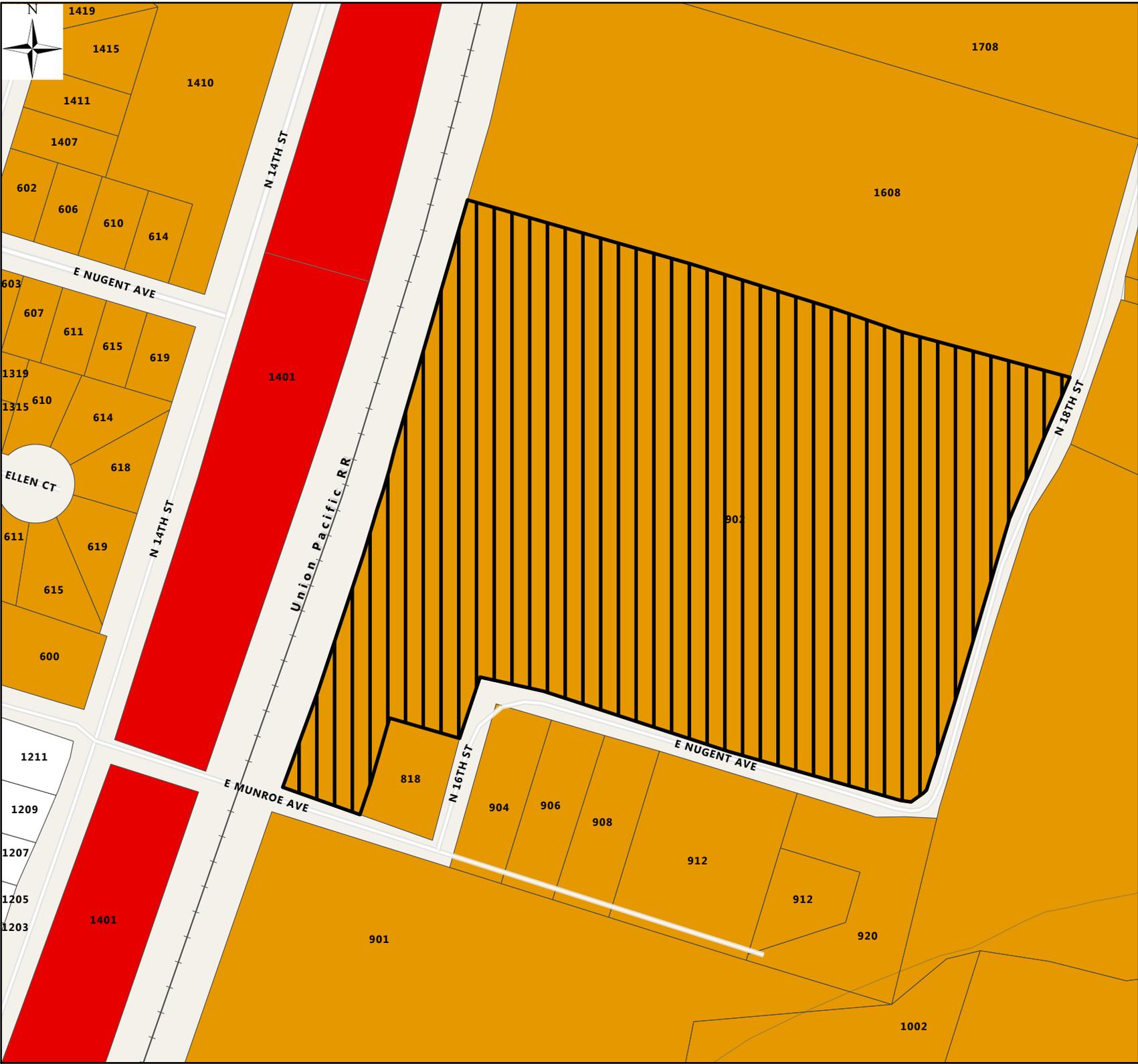


- Streets
- EXPRESSWAY
  - MAJOR ARTERIAL
  - COLLECTOR
  - LOCAL STREET
  - MINOR ARTERIAL
  - PRIVATE
  - RAMP
  - Railroad
  - Temple Municipal Boundary
  - Parcels
  - ETJ Parcels
  - CaseArea

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tlyerly  
Date: 10/9/2015





**AG to SF-3  
FUTURE LAND  
USE MAP**

Zoning Case :  
Z-FY-16-02

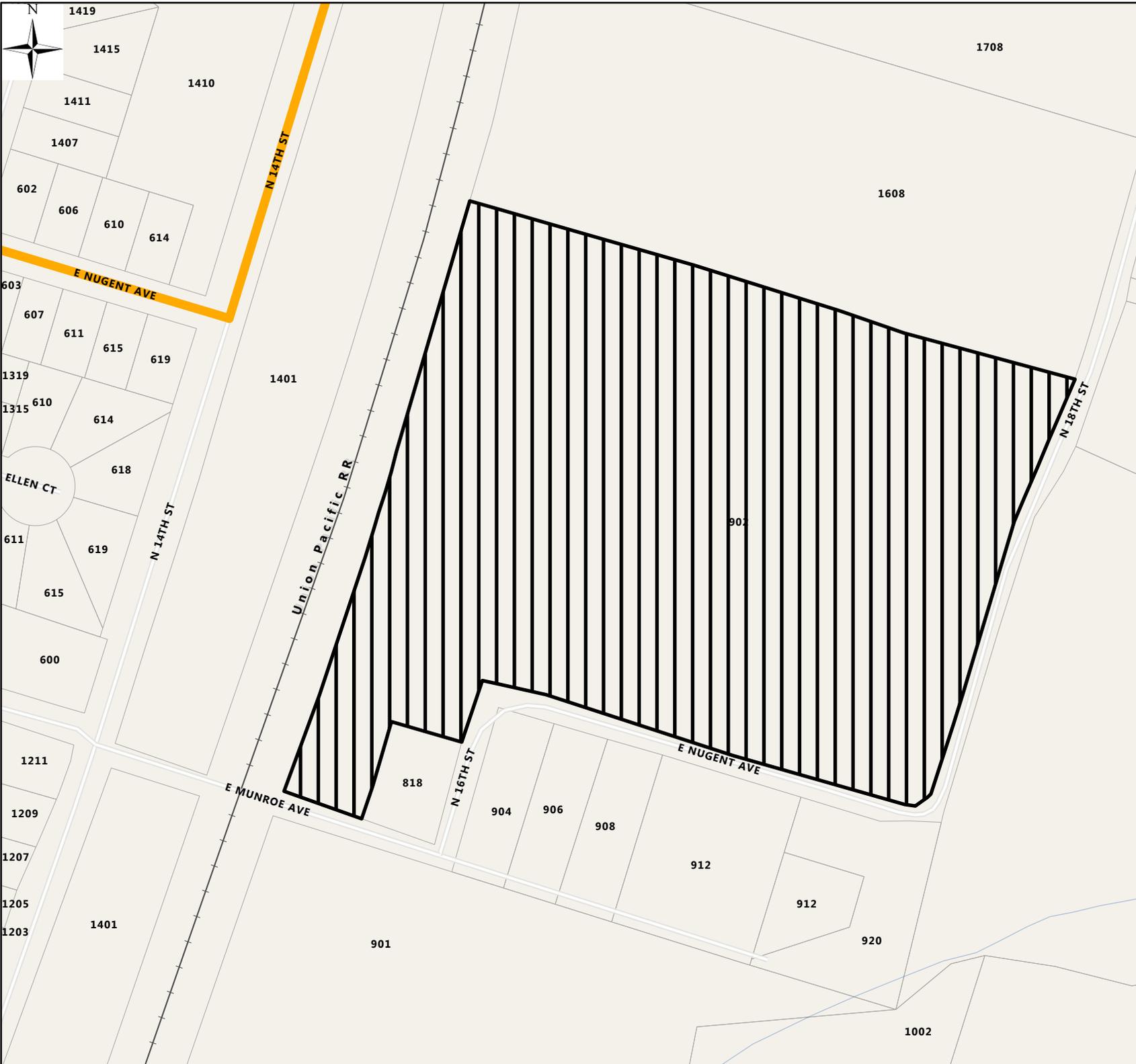
Address :  
902 E. Nugent Ave.

- 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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tlyerly  
Date: 10/9/2015





# AG to SF-3 THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-16-02

Address :  
902 E. Nugent Ave.

-  Parcels
-  Thoroughfare Plan
-  Expressway
-  Major Arterial
-  Proposed Major Arterial
-  Minor Arterial
-  Proposed Minor Arterial
-  Collector
-  Proposed Collector
-  CaseArea

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tlyerly  
Date: 10/9/2015





# AG to SF-3

## UTILITY MAP

Zoning Case :  
Z-FY-16-02

Address :  
902 E. Nugent Ave.

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

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tlyerly  
Date: 10/9/2015





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

Lloyd Hodge  
P.O. Box 2452  
Temple, Texas 76503-2452

**Zoning Application Number: Z-FY-16-02      Project Manager: Tammy Lyerly**

Location: 902 E. Nugent Avenue

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:**

*We own 12 Acres of Hay - Farming  
There are no kids back here! this  
train has slept on the only way out  
of here for 6 hours or more at a  
time too much traffic backed up here  
emergency vehicles will have to wait for  
all this traffic to go by before they could  
enter you did not permit a soccer field here  
for that reason and that traffic from that  
soccer event was the reason a ambulance could not  
get back here to save my husband*

**Signature**

**Print Name**

**Please mail or hand-deliver this comment form to the address shown below, no later than  
November 2, 2015.**

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

**RECEIVED**  
OCT 26 2015  
City of Temple  
Planning & Development

Number of Notices Mailed: 15

Date Mailed: October 22, 2015



RESPONSE TO PROPOSED REZONING REQUEST CITY OF TEMPLE

RECEIVED

OCT 26 2015

City of Temple Planning & Development

Lloyd Hodge Estate c/o Myndie Hodge P.O. Box 2452 Temple, Texas 76503-2452

Zoning Application Number: Z-FY-16-02 Project Manager: Tammy Lyerly

Location: 902 E. Nugent Avenue

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 (X) denial of this request.

Comments:

What would be the reason to put traffic on a dead end street where the train has blocked us in YES

in here this is TARM Land Back Here you cant even myndie Hodge Mrs. Lloyd Hodge

Signature Print Name get A FIRE TRUCK OVER those tracks RAILROAD

Please mail or hand-deliver this comment form to the address shown below, no later than November 2, 2015.

Rediculous why there is no kids

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

We are all retired

Number of Notices Mailed: 15

Date Mailed: October 22, 2015

Living Back here how will they get to school blocked in A TRAIN



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

11/02/15  
Item #4  
Regular Agenda  
Page 1 of 2

**APPLICANTS:** John Kiella

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

**ITEM DESCRIPTION:** P-FY-16-04 Consider and take action on the Final Plat of Campus at Lakewood Ranch, Phase X, a 5.162 +/- acre tract, a 7-lot, 3-block residential subdivision, situated in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, located at the end of Richland Drive, between existing Campus At Lakewood Ranch, Phase VIII and existing Campus at Lakewood Ranch, Phase IX, with a portion being in Temple's western E.T.J.

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Campus at Lakewood Ranch, Phase X.

**ITEM SUMMARY:** The Development Review Committee reviewed the Final Plat of Campus at Lakewood Ranch, Phase X on October 19, 2015. It was deemed administratively complete on October 28, 2015.

Final Plat of Campus at Lakewood Ranch, Phase X, a 7-lot, 3-block residential subdivision, located at the end of Richland Drive, between existing Campus at Lakewood Ranch, Phase VIII and existing Campus at Lakewood Ranch, Phase IX, with a portion being in Temple's western Extraterritorial Jurisdiction (E.T.J.). Since a portion of the plat is within Temple's western E.T.J., the Bell County Commissioners' signature block has been added to the plat. The applicant has indicated future plans to go through voluntary annexation for the portion within the E.T.J.

Water services will be provided 6-inch and 8-inch water lines. On-site sewage facilities will be provided throughout for all 7 lots.

Private park land dedication and development, with trail and neighborhood park amenities within The Groves at Lakewood Ranch, will fulfill the park land requirements for the lots shown within this plat.

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







## PLANNING AND ZONING COMMISSION AGENDA ITEM

**11/02/15**  
**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 5/04/15 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-15-40</b> - Consider and recommend action on the Final Plat of Whitehall Road Addition, a 14.234 +/- acre, 1-lot, 1-block, residential subdivision, with a developer-requested exception to UDC Section 8.1.3A.7 of the Unified Development Code (UDC) related to required fire hydrants, located on the north side of Whitehall Road, approximately 2900 feet east of its intersection with FM 2409.	DRC on 9/08/15 Awaiting Revisions	Turley Associates
<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

<p><b>P-FY-15-44</b> - Consider and take action on the Final Plat of Marjorie Addition, a 5.32 +/- acre, 2-lot, 1-block residential subdivision, located at the northwest corner of Charter Oak Drive and Dusty Lane.</p>	<p>DRC on 10/05/15</p>	<p>All County Surveying</p>
<p><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.</p>	<p>DRC TBD Waiting on revisions from applicant</p>	<p>Advanced Surveying and Mapping</p>
<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</p>	<p>Ron Carroll</p>
<p><b>P-FY-16-01</b> - Consider and take action on the Final Plat of Barton Business Park, Phase One, a 1.653 +/- acre, 3-lot, 1-block nonresidential subdivision, being a replat of Block 4, MOORE'S ADDITION, located at the northeast corner of West Barton Avenue and North 3rd Street.</p>	<p>DRC 10/19/15 Awaiting revisions</p>	<p>All County Surveying</p>
<p><b>P-FY-16-02</b> - Consider and take action on the Final Plat of Barton Business Park, Phase Two, a 0.530 +/- acre, 2-lots, 1-block nonresidential subdivision, being a replat of Lot 3 and Lot 4, Block 29, MOORE'S ADDITION, located at the northwest corner of W. Calhoun Avenue and N. 1st Street</p>	<p>DRC 10/19/15 Awaiting revisions</p>	<p>All County Surveying</p>
<p><b>P-FY-16-03</b> - Consider and take action on the Final Plat of Drive Time Addition, a 1.339 +/- acre, 1-lot, 1-block nonresidential subdivision, situated in the REDDING ROBERTS SURVEY, Abstract 692, Bell County, Texas, located at the southwest corner of the intersection of S. General Bruce Drive and Ira Young Drive.</p>	<p>DRC 10/19/15</p>	<p>All County Surveying</p>
<p><b>P-FY-16-05</b> - Consider and take action on the Final Plat of Country Lane Commercial Phase II, a 4.930 +/- acre, 2-lot, 1-block, non-residential subdivision and being a replat of Lot 1, Block 1, Country Lane Commercial Addition, located at the southeast corner of Country View Lane and South Martin Luther King, Jr. Drive</p>	<p>DRC 11/02/15</p>	<p>Turley Associates</p>
<p><b>P-FY-16-06</b> - Consider and take action on the Final Plat of Heritage Place, Phase IV, Replat No 1, a 3-lot, 1-block residential subdivision, being a replat of Lots 60, 61, and 62, Block 6, Heritage Place, Phase IV, located south side of West Nugent Avenue, across from Eberhardt Drive.</p>	<p>DRC 11/02/15</p>	<p>Turley Associates</p>

<p><b>X-FY-16-01</b> - Consider a Voluntary Annexation Petition for Texas JB Investments, 20.855 +/- acre tract of land situated in the Sarah Fitzpatrick Survey, Abstract #312, Temple, Bell County, Texas, located on the north side of State Highway 36 and the intersection at Moffat Road</p>	<p>Awaiting revisions to petition before scheduling for City Council</p>	<p>Jennifer Beck</p>
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<p><b>City Council Final Decisions</b></p>	<p><b>Status</b></p>
<p><b>Z-FY-15-24:</b> Consider adopting an ordinance authorizing a rezoning from Two Family Dwelling District (2F) to Commercial District (C) on portions of Lots 1 and 2, Block 1, Country Club Heights Addition, located at 29 North 43<sup>rd</sup> Street, at the southeast corner of North 43<sup>rd</sup> Street and West Adams Avenue.</p>	<p>APPROVED at 1<sup>st</sup> Reading on October 15, 2015</p>
<p><b>Z-FY-15-25:</b> Consider adopting an ordinance authorizing a rezoning from Agriculture District (AG) to Single Family Dwelling District Three (SF3) on a 21.905 +/- acre tract of land situated in the Nancy Chance survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road, south of Freedom Drive, east of Neuberry Cliffe.</p>	<p>APPROVED at 1<sup>st</sup> Reading on October 15, 2015</p>

P&Z COMMISSION ATTENDANCE

2015															P	A	
	Jan 5	Jan 20	Feb 2	Feb 17	Mar 2	Mar 16	Apr 6	Apr 20	Apr 27 Spec Mtg	May 4	May 18	June 1	June 15				
James Staats	P	No Meeting Held	P	P	P	P	P	No Meeting Held	P	P	P	P	P	11			
Blake Pitts	P		P	A	P	P	P		P	P	A	P	P	P	9	2	
Patrick Johnson	P		P	P	A	P	P		P	P	A	P	P	P	9	2	
Omar Crisp	P		P	A	P	A	P		P	P	P	P	P	A	8	3	
David Jones	P		P	A	P	P	P		P	P	P	A	P	P	9	2	
Greg Rhoads	P		P	P	P	A	P		P	P	A	P	P	P	9	2	
Will Sears	P		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 7	Dec 21	P	A	
James Staats	P	A	No Meeting Held	P	P	P	P	P					17	1	
Lydia Alaniz															
Blake Pitts	P	P		P	A	P	P	P						15	3
Patrick Johnson	P	P		P	A	P	P	A	P					14	4
Omar Crisp	P	P		P	P	A	P	P	P					14	4
David Jones	A	P		P	P	P	P	P	P					15	3
Greg Rhoads	P	P		P	A	P	P	P	P					15	3
Will Sears	P	P		P	P	P	P	P	P					11	7
Lester Fettig	P	P		P	P	P	P	P	A					15	3
Tanya Mikeska-Reed	P	P		P	A	P	P	P	P					12	6

not a Board member

New Officers Elected:  
Jones Chair, Johnson V-C