

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
PLANNING CONFERENCE ROOM  
OCTOBER 5, 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, October 5, 2015.
2. Receive and discuss the Planning Director's Report containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments to the Unified Development Code (UDC).
3. Follow-up discussion on the Temple Medical Education District (TMED).

**NOTICE OF MEETING  
PLANNING AND ZONING COMMISSION  
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> FLOOR  
OCTOBER 5, 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 September 21, 2015.

**B. ACTION ITEMS**

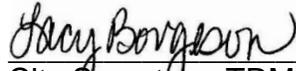
**Item 2:** [Z-FY-15-26](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit allowing the sale of less than 50% of the total gross revenue being from the sale of alcoholic beverages with on-premise consumption in Suite 70 of the Gateway Center, located at 4501 South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

**Item 3:** [P-FY-15-06](#) – Consider and take action on the Final Plat of Golden Valley Subdivision, a 4.25 +/- acres 3-lot, 1-block nonresidential subdivision, being part of the Stephen Frazier Survey, Abstract No. 311, situated in the City of Temple, Bell County, Texas, located on the south side of Taylors Valley Road,

adjacent to the Georgetown Railroad Company, and west of Shallow Ford Road.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 3:00 PM, October 1, 2015.

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

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

\_\_\_\_\_  
Title \_\_\_\_\_

**PLANNING AND ZONING COMMISSION  
SEPTEMBER 21, 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
Lester Fettig	

**PLANNING AND ZONING MEMBERS ABSENT:**

Omar Crisp

**STAFF PRESENT:**

Brian Chandler, Director of Planning  
Trudi Dill, Deputy City Attorney  
Tammy Lyerly, Senior Planner  
Mark Baker, 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, September 17, 2015 at 3:40 p.m. in compliance with the Open Meetings Law.**

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

Chair Rhoads called Meeting to Order at 5:32 P.M.

Invocation by Commissioner Johnson; Pledge of Allegiance by Commissioner Mikeska-Reed.

**A. CONSENT ITEMS**

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

Approved by general consent.

**B. ACTION ITEMS**

**Item 1: Z-FY-15-24** - Hold a public hearing to discuss and recommend action on 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 43rd Street, at the southeast corner of North 43rd Street and West Adams Avenue.

Ms. Tammy Lyerly, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on October 15, 2015 and second reading on November 5, 2015.

The subject property is a vacant residential lot within the Two Family District (2F) located along West Adams Avenue along the north and 43<sup>rd</sup> Street to the side.

The applicant is requesting a rezoning to Commercial (C) District for a “demo home” for Peerless Enterprises home construction. The building would be a two-story house that displays their building materials. The applicant would also like to have an ice machine with the development.

Staff does not support the applicant’s request for a C rezoning but would recommend approval of an O-1 district which is a less intensive zoning district.

Since O-1 is a less intensive zoning district than C, the Planning and Zoning Commission has the authority to recommend approval of a rezoning to O-1 without the need to re-advertise the rezoning case to the public.

The Future Land Use and Character Map designates the subject property as Auto-Urban Residential. Auto-Urban Residential 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 density, limited open space, relative amount of impervious surface devoted to buildings and parking lots, and increased building enclosure.

The O-1 district that Staff is recommending does not comply with the Future Land Use and Character Map. However, the property is located adjacent to West Adams Avenue, a major arterial, and makes it the most compatible non-residential district compatible with the surrounding residential area.

The Thoroughfare Plan show West Adams Avenue (FM 2305) as a major arterial and office uses would be appropriate. North 43<sup>rd</sup> Street is designated as a local street.

The subject property has an existing sidewalk along West Adams Avenue which is part of the Citywide Spine Trail.

An existing bus stop shelter for The Hop is along the right-of-way of West Adams Avenue.

North 43<sup>rd</sup> Street, a local street, is not appropriate for heavy commercial uses.

A six-inch water line and existing sewer line located at the rear of the property in the alley is available for use.

Surrounding properties include residential to the south and east, retail and commercial to the north, and the barber shop and golf course to the west.

Anytime a non-residential development goes in next to a residential development, the UDC requires screening and buffering and often times landscaping.

A non-inclusive list of allowed and prohibited uses for Commercial (C) and Office-One (O-1) are given along with development standards for both zonings.

As far as compliance for the C district, it is not in compliance with the Future Land Use and Character Map, it is not compatible with surrounding zoning uses, public facilities are available to the site, and the Thoroughfare Plan is partially compliant; it would be appropriate along a major arterial but heavy commercial uses are not appropriate along a local street.

Staff recommends an O-1 district which allows, but is not limited to, residential dwellings such as single family, attached and detached, townhouses, duplexes, and office use. It would allow institutional uses such as places of worship, halfway houses, and community centers with a Conditional Use Permit (CUP), banks, savings and loans, and kiosks which would include the ice machine the applicant is requesting.

Prohibited uses would include, but is not limited to, HUD-Code manufactured homes or land leased communities, restaurants, apartments, establishments selling alcohol/alcoholic beverages for on- or off-premise consumption, and commercial and industrial uses.

Compliance for an O-1 district would not be in compliance with the Future Land Use and Character Map since it recommends Auto-Urban Residential, however, Staff feels it is more compatible with the surrounding residential uses and zonings already in place. Public facilities are available and it is compliant with the Thoroughfare Plan.

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

Staff recommends denial of the request for a rezoning from Two Family (2F) to Commercial (C) but recommends approval of a rezoning from Two Family (2F) to Office-One (O-1).

Ms. Lyerly confirmed the entry point would be off of 43<sup>rd</sup> Street.

There is no current rendering of a proposed project for the subject property. Ms. Lyerly clarified that if this were a Planned Development (PD) or a CUP requiring a site plan, then a rendering would be possible; however, this is a straight rezoning request.

Ms. Lyerly reminded the Commission that any zoning district approved would allow all of the different uses allowed in that district.

Ms. Lyerly confirmed the restrictions in O-1 were stricter than C. The depth of the lot was approximately 100 feet and the width varied from approximately 53-65 feet.

Commissioner Pitts asked the Commission to consider adding a restriction of any multi-family dwellings or duplexes in both zoning districts.

Chair Rhoads opened the public hearing.

Mr. Brian Chandler, Director of Planning, explained if the Commission decided to add a restriction for multi-family it would need to be through a Planned Development (PD) since conditions cannot be added to a base zoning request. Mr. Chandler explained that O-1 already

prohibits multi-family, but duplexes are allowed by right in O-1 or C. However, duplexes require a lot width of 60 feet, which the lot does not appear to meet.

Mr. David Mojica, Belton Engineering, 414 Shelly Drive, Troy, Texas, stated he was representing the client. Mr. Mojica asked Ms. Lyerly if the Commission was going to consider C first and then offer O-1. Chair Rhoads responded the Commission would look at both zonings and if they disagreed with Staff they would go with C but if they agreed would go with O-1 as recommended by Staff.

Brief discussion about setbacks for both zonings.

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

Commissioner Johnson stated he felt the O-1 zoning would be more desirable.

Commissioner Johnson made a motion to approve Item 1, **Z-FY-15-24** as Office One (O1) and Commissioner Sears made a second.

*Motion passed: (5:1)*

Commissioners Crisp and Fettig and Vice-Chair Jones absent

**Item 2: Z-FY-15-25** – Hold a public hearing to discuss and recommend action on 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.

Mr. Mark Baker, Planner, stated this item was scheduled to go before City Council for first reading on October 15, 2015 and second reading on November 5, 2015.

Tarver Drive is located on the northern boundary of the subject property and Neuberry Cliffe is to the left. Old Waco Road is located to the east some distance.

This project is the anticipated next phase of the Hills of Westwood, specifically related or as a result of the requirement for multiple access points needed from previous phases. The plat is not part of this but will come at a future time.

The plat (when submitted) will be forwarded to DRC and then Planning & Zoning Commission.

The improvements on the northern boundary of Tarver Road would be part of a fiscal year 2016 Capital Improvement Project (TCIP) subject to remaining additional right-of-way acquisition along Tarver Road alignment and Old Waco Road.

The Future Land Use and Character Map designate the property as Suburban-Residential as well as a small part of the property for Suburban-Commercial. Suburban Residential addresses mid-sized single family lots which SF-3 is consistent with and the Suburban-Commercial (small 120 foot portion of property) is intended for retail and service uses and supports office, neighborhood services, and GR zoning. The remaining portion of Suburban-Commercial along Old Waco Road is sufficient to accommodate future retail and service zoning and

development. The intent of the Suburban-Commercial for retail and service uses is maintained and compliance is met.

The Thoroughfare Plan designates Tarver Road as a collector. The proposed alignment would be forthcoming and addressed with the preliminary plat and is subject to right-of-way acquisition.

*(Informational Only)* - Old Waco Road would not be a part of this rezoning or even a final plat. Improvements for a City Wide Spine Trail and the Outer Loop improvements for Old Waco Road would be forthcoming with future improvements as right-of-way is required and CIPs move forward.

Both water and sewer would be available to the project. An eight-inch water line in Coastal Drive to the north and a 10-inch line located in Tarver Drive.

An existing 12-inch and 10-inch sewer line are located within the unimproved alignment of Tarver Drive.

Surrounding properties include single family residential uses Freedom Village (SF-2) to the north, undeveloped (SF-3) property to the south, Hills of Westwood (SF-3) to the west, and undeveloped and scattered single family residential uses (AG) to the east, along with the Old Waco Road alignment.

Allowed and prohibited uses for SF-3 are given along with development standards.

Sixty-Four notices were mailed out with four notices returned in agreement and one notice in opposition.

This request is in compliance with the Future Land Use and Character Map, surrounding uses and zoning, public utilities are available, and it complies with the Thoroughfare Plan.

Staff recommends approval of the request for a rezoning from Agriculture (AG) to Single Family Three (SF-3).

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Johnson made a motion to approve Item 2, **Z-FY-15-25**, as presented, and Commissioner Pitts made a second.

*Motion passed: (6:0)*

Commissioners Crisp and Fettig and Vice-Chair Jones absent

**Item 3: O-FY-15-02** – Consideration of an Appeal of Standards to Section 6.8 of the Unified Development Code for the 1st and 3rd Overlay District related to landscaping, sidewalks and impervious cover for the renovation of an existing building at 420 N. 3rd Street.

Mr. Brian Chandler, Director of Planning, stated this item would go forward to City Council on October 1, 2015.

The applicant is Scott Horsak from U-Build It.

The subject property is located at West Elm and 3<sup>rd</sup> Street. The building was formerly a print shop and filling station and has been vacant for some time. The applicant would like to renovate for a Pool's Grocery store.

This is the second appeal within the 1st and 3rd Overlay to come before the P&Z Commission since 2012 when the standards were adopted. The appeal process is very similar to the I-35 Overlay appeal process.

The subject property is characterized as Frontage Type A in the 1<sup>st</sup> and 3<sup>rd</sup> Overlay which is the section of North 3<sup>rd</sup> Street beginning from West Adams Avenue running north to West Houston Avenue.

All of the 1<sup>st</sup> and 3<sup>rd</sup> Overlay standards have been triggered due to the cost of the project. If the cost of the project exceeds 50 percent of the assessed value of the improvements, then it triggers all of the standards. The project scope includes interior finish out, façade renovation, partial demolition, and new landscaping.

The applicant has already begun some demolition on the property such as removal of signage that is non-compliant and the old canopy from the filling station.

The proposed site and landscape plan is shown and Mr. Chandler gives a brief overview.

The stucco will be redone along with new paint. One of the existing trees will be preserved. A landscaped island will be located along Elm Avenue. The drive-through is indicated on the site and the drive-through lane will be preserved. The metal addition in the rear will be demolished. Additional landscaped parking islands will be located to the south of the building, and the frontage (3<sup>rd</sup> Street) will have a curb cut to a 24 foot entryway and landscaped medians will be provided adjacent to North 3<sup>rd</sup> Street. The existing sidewalk will be further defined by staining it. The overhead garage doors will be enclosed and converted to a storefront with additional windows. A canopy will be added to the front for shade and signage.

Impervious cover: The UDC limits impervious cover to 70 percent and it is currently close to 95 percent. The applicant proposes to increase the green space to approximately 13 percent and provide adequate parking per the UDC parking ratio which would require five parking spaces for the front and one space for the rear warehouse area.

Public Frontage Landscape Standards: a four-foot planting strip is required in Frontage A behind an eight-foot sidewalk. The existing sidewalk will connect to other adjacent sidewalks. Having a green space between the street and the existing sidewalk also provides a green buffer for pedestrians.

The applicant proposes to plant Asian Jasmine (as opposed to river rock) in the planting area to create more green space. A four-foot planting area is required by code and the area available is closer to eight-feet.

Public Frontage Sidewalk Standards: An eight-foot sidewalk is required from back-of-curb; however, if the sidewalk were widened it would cut into the 20 foot drive aisle. The existing four-foot sidewalk will be cleaned and stained to provide more definition.

Seventy percent of impervious cover is required by code. The remaining area must have landscaping. In this case, 30 percent of this site will be required to have landscaping.

Foundation Planting: Four-foot deep planting area required along 50 percent of any façade visible from a public street (north along Elm Avenue and east along 3<sup>rd</sup> Avenue). Due to the limited space of the site, Staff is satisfied that applicant will provide landscaping wherever possible.

The project would comply with the following 1st and 3rd Overlay Standards:

- Permanent irrigation (a drip irrigation will be installed);
- Providing qualifying tree and shrub types and sizes;
- Adding a four-foot (or greater) planting strip (where one does not currently exist);
- Signage: removal of two non-compliant pole signs (new signage will be on the building awning);
- Screening of dumpster and mechanical equipment to the rear (NW corner of lot);
- Burying small section of overhead utilities which is required by code;
- Overall scope of the project exceeds landscaping and includes:
  - Interior finish-out;
  - Partial demolition;
  - Façade renovation (new stucco, paint, awning);
  - Add drive-through;
  - Removal of pole signs; and
  - New irrigated landscape.

SIZ grant application which applicant has applied for and will go before City Council on October 1, 2015.

Staff recommends approval of the request for appeals to the standards as requested for the following reasons:

Staff has been working closely with the applicant to meet the intent of the Overlay for landscaping and sidewalks, while also ensuring:

- Adequate on-site parking is provided; and
- Safe access and circulation for vehicles and pedestrians.

Mr. Chandler explained that Asian Jasmine does not grow very tall. It is a true groundcover. The landscaping would also need to have TxDOT approval.

Commissioner Mikeska-Reed asked about the portion of the building being demolished.

Mr. Scott Horsak, U-Build It, 5622 Riggs Lake Road, Temple, Texas, approached the podium and responded by physically indicating on the aerial map what portion of the building would be demolished. Mr. Horsak also commented the aerial map and the site plan images may be skewed some making it look like it does not match.

Mr. Horsak stated the handicapped parking would be located in the front of the building. The applicant is required to have six parking spaces but are proposing a seventh space to be designated as handicapped parking.

The drive-through is styled similar to a beer barn and will be located on the side portion of the building and due to the setbacks, the drive-through will be within the existing building. Mr. Chandler explained the property was zoned Central Area (CA) and allows for beer and wine off-premise consumption by right. If all alcohol were to be sold, a CUP would be required. Mr. Horsak stated his client was currently going through the Texas Alcohol Beverage Commission (TABC) process.

The drive-through would have two open garage doors which should provide adequate ventilation for the cars going through. There is space available up above to put an exhaust fan.

Commissioner Staats made a motion to approve Item 3, **O-FY-15-02**, as presented, and Commissioner Johnson made a second.

*Motion passed: (6:0)*

Commissioners Crisp and Fettig and Vice-Chair Jones absent

**Item 4: P-FY-15-41** – Consider and take action on the Final Plat of Wyndham Hill Addition, Phase V, a 24.554 +/- acre, 85-lot, 5-block residential subdivision, being part of the Maximo Moreno 11 League Grant, Abstract No. 14, Bell County, Texas, located east of Hartrick Bluff Road, north of FM 93.

Mr. Mark Baker stated the applicant for this plat was Gary Freytag on behalf of Jim Howe.

There is public and private parkland dedication included with this case. Two parcels would be for public, parcels B and D and for the private parkland dedication, parcels A and C. Parcels B and D will provide trail connectivity to South Temple Park.

The Planning and Zoning Commission would be the final plat authority since the applicant has not requested any exceptions.

Water will be provided from an existing eight-inch waterline in Wyndham Hill Parkway. Wastewater is provided from an existing six-inch sewer line in Wyndham Hill Parkway.

Phase V is part of the overall Planned Development for Wyndham Hill Subdivision and the plat is consistent with Planned Development SF-2 (PD-SF-2) zoning district standards.

A sidewalk waiver was approved for a four-foot sidewalk on Hartrick Bluff Road.

A revised copy of the Preliminary Plat will be provided to staff to address changes to a number of lots for Phase V. The preliminary plat will not need to be reviewed by Planning & Zoning Commission.

Staff recommends approval of the Final Plat for Wyndham Hill, Phase V.

Commissioner Mikeska-Reed made a motion to approve Item 4, **P-FY-15-41**, as presented, and Commissioner Staats made a second.

*Motion passed: (6:0)*

Commissioners Crisp and Fettig and Vice-Chair Jones absent

There being no further business, the meeting was adjourned at 6:33 p.m.

Respectfully submitted,  
Leslie Evans

**PLANNING AND ZONING COMMISSION  
MONDAY, SEPTEMBER 21, 2015  
4:30 P.M.  
WORK SESSION**

**PLANNING AND ZONING MEMBERS PRESENT**

Chair Greg Rhoads

**COMMISSIONERS:**

Tanya Mikeska-Reed  
Blake Pitts  
Patrick Johnson  
Lester Fettig

James Staats  
David Jones  
Will Sears

**PLANNING AND ZONING MEMBERS ABSENT:**

Omar Crisp

**STAFF PRESENT:**

Brian Chandler, Director of Planning  
Trudi Dill, Deputy City Attorney  
Tammy Lyerly, Senior Planner  
Mark Baker, 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, Vice-Chair Jones opened the work session at 4:33 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

Mr. Chandler introduced the new planner, Dessie Redmond, who has a Masters in Planning and Landscape Architecture, and recently moved to Temple from Nevada.

Ms. Lyerly's item for Peerless is a rezoning case from 2F to C. Staff's recommendation is to downsize the intensity to O1 which would be more neighborhood friendly. Single family surrounds the area and O1 would be more compatible.

Ms. Lyerly stated the applicant seems to be in agreement with this recommendation after discussion it with Belton Engineering. The applicant would like to build a two-story demo/model home to display their construction and building materials. The applicant

would also like to have an ice dispensing kiosk machine with the home. O1 allows kiosks and would be connected to the house.

Staff could not support a C zoning because of all the heavy uses allowed within C. Once it is zoned C, the applicant can sell the property and any of the heavy uses would be allowed. The height requirement in C allows any height and the setbacks would need to be met.

Ms. Lyerly explained that NS allows several other uses such as restaurants and convenience stores. Staff felt O1 offered more compatibility with the adjacent residential uses.

Commissioner Johnson asked if the materials would include multiple types of various items on the façade and if anyone would be living in the demo/model home, especially if they do not sell any houses.

Ms. Lyerly stated the applicant informed her no one would be living in the home; it would be a model home. The applicant told Ms. Lyerly that all of the display materials would be shown indoors, not outdoors.

Mr. Chandler added the home would be subject to the masonry standards as well. The home should represent the quality of the company. Unfortunately, the code does not prevent using several types of masonry.

When asked about the parking situation for getting ice from the machine, Ms. Lyerly explained the applicant would need to meet all the standards during the permit review.

The ice machine is also allowed under C.

Mr. Chandler explained the home would be an off-premise model home as opposed to being next to the neighborhood. It could also serve as an office.

Mr. Chandler presented the overview on TMED that was given to City Council previously.

Some of the issues to think about with TMED include form-based code basics, the vision, code overview, what we have learned (from previous cases), other proposed code amendments, and potential code amendments.

TMED is considered a form-based code. Most cities, including Temple, use a Conventional Zoning which segregates uses. Conventional zoning has the use as the primary driver, followed by the operations of the business/use, and the form follows the use.

Form-based code uses physical form rather than separation of uses as the organizing principle. It is a regulation adopted into a city or town, and offers powerful alternatives to conventional zoning.

Photo examples of both conventional and form-based zonings are shown.

Conventional zoning typically has parking in front of the business/home with limited variety.

Form-based zoning brings the business/home closer to the street allowing for pedestrian access and friendliness, it is very walkable, lots of landscaping along street frontage, and parking at the rear of the buildings or on the street, depending on the use.

The vision of TMED:

- Complete streets (multi-modal)
- Connectivity (streets and sidewalks with alternate routes)
- Mixed land use (encourage vertical mixed use)
- Pedestrian orientation
- Visual interest (design standards tied to zoning)
- Accommodation of outdoor living (common spaces, plazas, parks, etc. with connectivity to other areas)
- User in new growth and revitalization (are we meeting the objectives of TMED?)

The Domain located in Austin is shown as an excellent example of form-based zoning.

The sub-districts in TMED, T4, T5-e, T5-c are based on transects in a form-based code. A transect is a graduated index starting with T1 being the most rural and T5 being the most urban and densest environment. Temple's TMED is using T4 and T5 districts.

Special districts include institutions that have unique conditions such as:

- Baylor Scott & White
- Veterans Administration
- Temple College
- Temple I.S.D.

A large part of form-based code is improving the public frontage which requires the private developments to invest in the landscaping of the right-of-way, maintenance of the landscaping, wider sidewalks, street lighting, etc. A before and after example of Temple College located on South 5<sup>th</sup> Street was shown.

TMED Code Overview:

Applicability (“threshold triggers”) – indicates the level of investment triggers which standards, similar to I-35 Overlay

General Regulations:

- Development (minimum and maximum setbacks, impervious cover, permitted uses, etc.)
- Circulation
- Parking and Loading
- Bicycle Facilities (TMED commercial development requires bike racks)
- Private Property Landscaping
- Public Frontage
- General Planting Criteria
- Architectural Standards (only in TMED and I-35)
- Common Areas
- Signage (limited)

What We Have Learned:

Shoppes on the Hill – all the exceptions requested by the applicant were granted with a Planned Development. However, this case culminated into proposed code amendments for the following:

Less than the 2-story building height minimum (T5-c district specifically);

Allowing a commercial surface parking lot (not defined and needs to be clarified); and

Allow two 8 foot by 9 foot single-tenant monument signs and two 12 foot by 10 foot multi-tenant monument signs. (Monument signs in T5-c district are allowed only by warrant).

UDC Article 3, Section 3.11.6 Warrants and Variances:

A warrant is a ruling that would permit a practice that is not consistent with a specific provision of the TMED standards in Sec. 6.3 but is justified by the purpose of the TMED zoning district. The TRC has the authority to approve, approve with conditions or deny a request for a warrant.

South 31<sup>st</sup> Street Apartments: all the exceptions requested by the applicant were granted with a Planned Development. However, this case culminated into proposed code amendments for the following:

Building story height (14' required);

Exceed maximum gross floor area of 10,000 square feet (per building per use—would not apply to a larger hotel or business);

Allow overhead doors (the apartments require garages which have overhead doors – needs to be more clearly defined since they are prohibited);

Number of garage parking spaces;

Roof pitch (TMED is very specific);

Allow residential on the ground floor (commercial and office is required on ground floor—this project allows for mixed use);

Alleys are not proposed;

Common Area requirements;

Monument Signs may be approved by Warrant only; and

Allow a 7'6" Monument Sign Height (to accommodate architectural design elements and grade changes).

The T5-c district intent was to not have free standing type of apartment complexes but to have the residential above the retail/commercial, vertical integration of the uses, which is not what is happening in TMED.

Ralph Wilson Youth Club Signage: (Special District - SD): TMED monument sign requests are required to go before a separate committee to get a warrant even if it meets all the other standards.

This project has brought about several standards which need to be reevaluated, including that only one monument sign is allowed per site.

Directional signs are approved by warrant only, whether vertical mixed use or not.

Temple Health & Bioscience Signage: The original proposed sign was not approved so the applicant went with signage that met the current standards.

The code needs to be reconsidered to allow for more flexibility where needed.

Proposed project at Northwest corner of Scott Blvd. and South 31<sup>st</sup> Street: Multi-family will be located to the west of the drainage channel with eight retail pad sites; very similar to Shoppes on the Hill project including needed exceptions.

Colors of buildings are not regulated in TMED.

The drainage area will be turned into an amenity.

Discussion about horizontal v. vertical use and TMED standards.

Due to time constraints the meeting was adjourned at 5:27 P.M.



## PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

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10/05/2015  
Item #2  
Regular Agenda  
Page 1 of 5

**APPLICANT / DEVELOPMENT:** Backporch Draffhouse (On behalf of Bullish Resources Inc.)

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

**ITEM DESCRIPTION:** 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.

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

1. The project has demonstrated compliance with the specific standards in Unified Development Code (UDC) Section 5.3.15;
2. The project has demonstrated compliance to Chapter 4 of the City of Temple Code of Ordinances related to alcoholic beverages; and
3. The request is compatible with existing adjacent General Retail-zoned land uses;
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 Conditional Use Permit to allow establishments where less than 50% 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 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 City Code of Ordinances related to alcoholic beverages; and
3. That the Conditional Use, complies with UDC Section 5.3.15 related to all alcoholic beverage sales with on-premise consumption.

**ITEM SUMMARY:** The applicant, Back Porch Draffhouse on behalf of Bullish Resources, requests 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 (currently Suite #60) at the Gateway Center.

Section 5.3.15 of the Unified Development Code provides for multiple performance standards related to the provision of a Conditional Use Permit for the on-premise sale of alcoholic beverages. Some of which include, but not limited to:

- *The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within 6 months from the date of the issuance of the Conditional Use Permit, such limitation in time being subject to City review and possible extension,*
- *The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the Citizens of the City,*
- *The permittee must, at all times, provide an adequate number of employees for security purposes to adequately control the establishment to prevent incidents of drunkenness, disorderly conduct and raucous behavior. The permittee must consult with the Chief of Police, who acts in an advisory capacity, to determine the number of qualified employees necessary to meet such obligations.*

*Additionally, the UDC states:*

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

- a. Incompatible with the surrounding uses of property; or*
- b. Detrimental or offensive to the neighborhood or contrary to the health, safety and general welfare of the City and its inhabitants, and*
- c. Per UDC Section 3.5.5, the Planning & Zoning Commission may recommend and the City Council may impose additional conditions of approval.*

Adherence to UDC Section 5.3.15 in its entirety is included by reference in the conditions of approval for the permit. A Conditional Use Permit runs with the property and a change in ownership or change in the lessee does not affect the Conditional Use Permit.

**BACKGROUND:** The 20.388 +/- acre subject property, which does not include the surrounding "island" building pad sites, is currently zoned Planned Development-General Retail (PD-GR). A restaurant that generates less than 50% of its total gross revenue from the sale of all alcoholic beverages is a compatible use subject to approval of a Conditional Use Permit.

In addition, UDC Section 5.3.15B provides standards for all establishments with alcoholic beverage sales with on-premise consumption that is less than 75% of the gross total revenue. The standards are as follows:

1. The establishment must not be within 300 feet of a place of worship, public school or public hospital;

2. The distance between the establishment where alcoholic beverages are sold and a place of worship or public hospital must be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. The distance between the place of business where alcoholic beverages are sold and the public school must be measured in a straight, direct line from the property line of the public school to the property line of the establishment, and in a direct line across intersections;
3. If the permit or license holder is located on or above the fifth story of a multi-story building, in a direct line from the property line of the public school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permittee is located.

It should be noted that the existing Suite 60 will be remodeled creating Suite 70. The current tenant of Suite 60 is the Harvest Church, which will be relocating its sanctuary to Suite 30B. Administrative offices for the church will remain within the remodeled Suite 60.

Staff has considered the three (3) standards above, estimated by the applicant (attached) as roughly 345 feet from door to door. This measurement however, is not provided for by the UDC.

Using the prescribed measurement method provided by the UDC, the location of the restaurant suite and the relocated Harvest Church exceeds 1,300 feet, confirming that the minimum 300-foot distance has been met. There are no other sensitive uses such as a public hospital or public school within the immediate area. The administrative office remaining in the remodeled Suite 60 does not meet the definition of a place of worship and function only as an administrative office.

In addition, Chapter 4 of the City of Temple Code of Ordinances reiterates state laws for distancing with regard to alcohol sales and on-premise consumption. Compliance to Chapter 4 standards are required and are included as a condition.

**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 Commercial	GR	Retail & Service Uses
North	Auto-Urban Commercial	GR	Retail & Service Uses
South	Neighborhood Conservation	SF-3	SF Residential (Briar Crest)
East	Neighborhood Conservation,	SF-1 & GR	SF Residential (Oakwoods 1 <sup>st</sup> )
West	Auto-Urban Commercial	C	Undeveloped (Gilmeister PH. II)

**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 20.388 +/- acres is within the Auto-Urban Commercial designation of the Future Land Use Plan (FLUP).

The Auto-Urban Commercial designation is intended for the majority of areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads. Similar to the Suburban Commercial designation, minimum site area is commonly 10,000 square feet but may be larger for multi-tenant buildings and centers. The current land use designation is consistent with the proposed conditional use request for a restaurant serving a variety of alcoholic beverages.

**Thoroughfare Plan (CP Map 5.2)**

The property takes access from both South General Bruce Drive & Gilmeister Lane. No new roadway or sidewalk improvements are proposed by this project.

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

As the property is already developed, adequate utilities have been established to serve the site. The subject property is served by a 12" water line and a 6" sewer line both along the eastern property line. In addition, there is a 21" sewer line in Gilmeister Lane.

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

No trails have been identified along South General Bruce Drive or Gilmeister Lane.

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

- Min Lot Size            N/A
- Min Lot Width        N/A
- Min Lot Depth        N/A
- Front                    15'
- Side                     10'
- Side (corner)        10'
- Rear                    10' (UDC sec. 4.4.4.F3)
- Max Height            3 Stories

While buffering and screening standards per UDC Section 7.7 are triggered by the proximity of the residential zoning to the east and the south of the proposed use, standards were put in place with the development of the Gateway Center. Therefore, no additional buffering or screening is required.

**PUBLIC NOTICE:** Owners of Fifty-one (51) 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 October 1, 2015 at 12:00 PM, no notices have been received.

The newspaper printed notice of the public hearing on September 24, 2015, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Chapter 4 – Code of Ordinances – Alcoholic Beverages  
Site and Surrounding Property Photos  
Gateway Center (Suite Layout) (Exhibit A)  
Applicant-Supplied Distance Measurement  
Zoning Map  
Future Land Use and Character Map  
Utility Map  
Thoroughfare & Trails Map  
Notification Map

## **Chapter 4**

### **ALCOHOLIC BEVERAGES**

#### **ARTICLE I. EXTENDED HOURS**

##### **Sec. 4-1. Extended hours.**

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

#### **ARTICLE II. SPACING**

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

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

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

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

##### **Sec. 4-4. Measurement for public school.**

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

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

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

**Sections 4-5 through 4-10 reserved.**

### ARTICLE III. LICENSE AND PERMIT FEES

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

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

#### Sec. 4-12. Display.

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

Sections 4-13 through 4-20 reserved.

### ARTICLE IV. SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY

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

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

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

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

# Site & Surrounding Property Photos



**Site: Current Suite #60 (PD-GR)**



**Site: Front of Suite #60 (Looking toward Cinemark (PD-GR))**



**East: Single Family Residential (Oakwood 1<sup>st</sup> Subdivision) (GR & SF-1)**



**West: Undeveloped & Cap Fleet Service – (Gilmeister Phase II) (C)**



**North: Gateway Center - I-35, Retail & Service Uses (PD-GR & GR)**



**North / Aerial: Gateway Center, I-35 & Existing Retail & Service Uses (PD-GR & GR)**



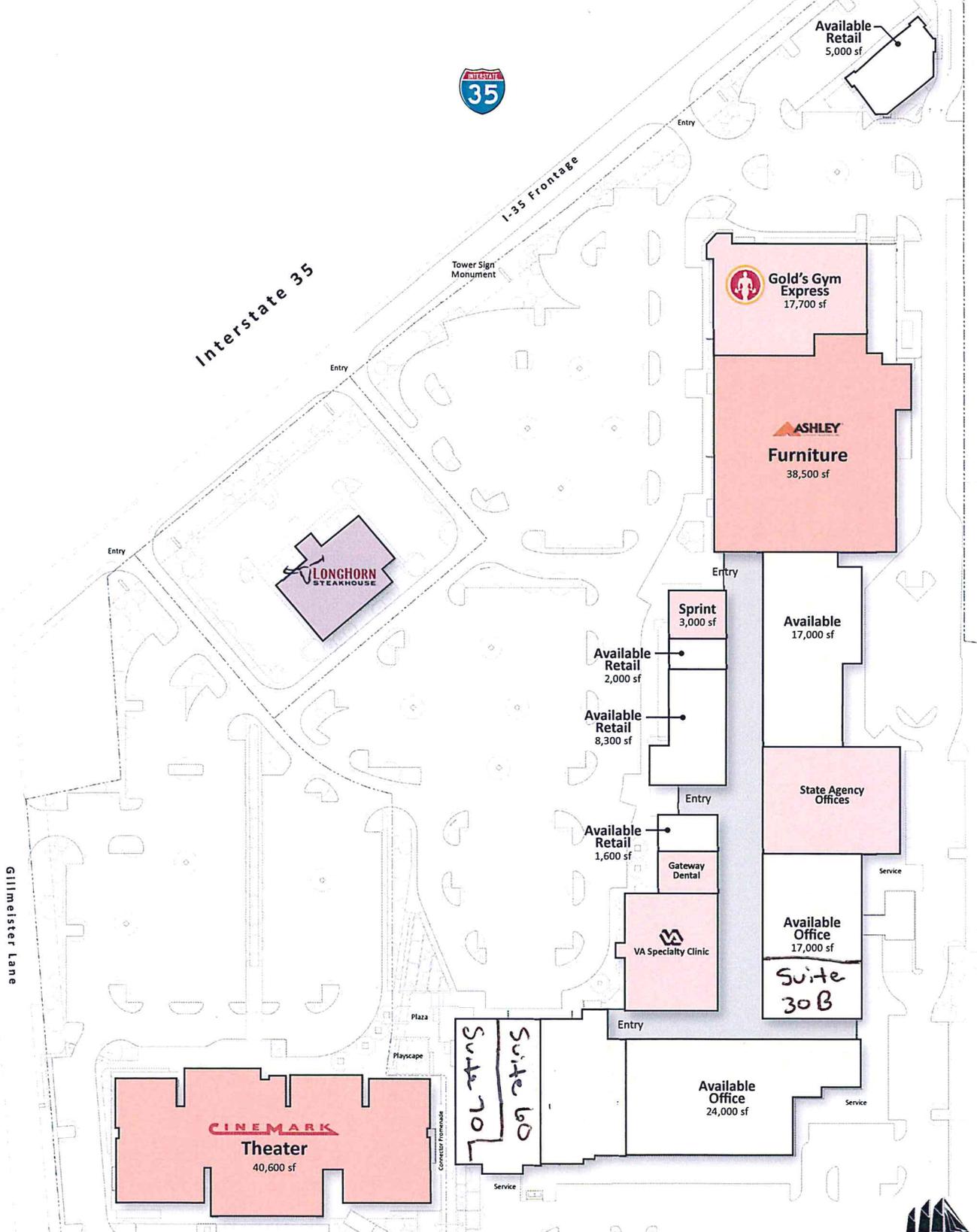
**South: Single Family Residential – Briar Crest Subdivision (SF-3)**



**South: Single Family Residential – Briar Crest Subdivision (SF-3)**

# GATEWAY CENTER

Temple Texas | Conceptual Leasing Plan



This plan is conceptual, and is subject to change.

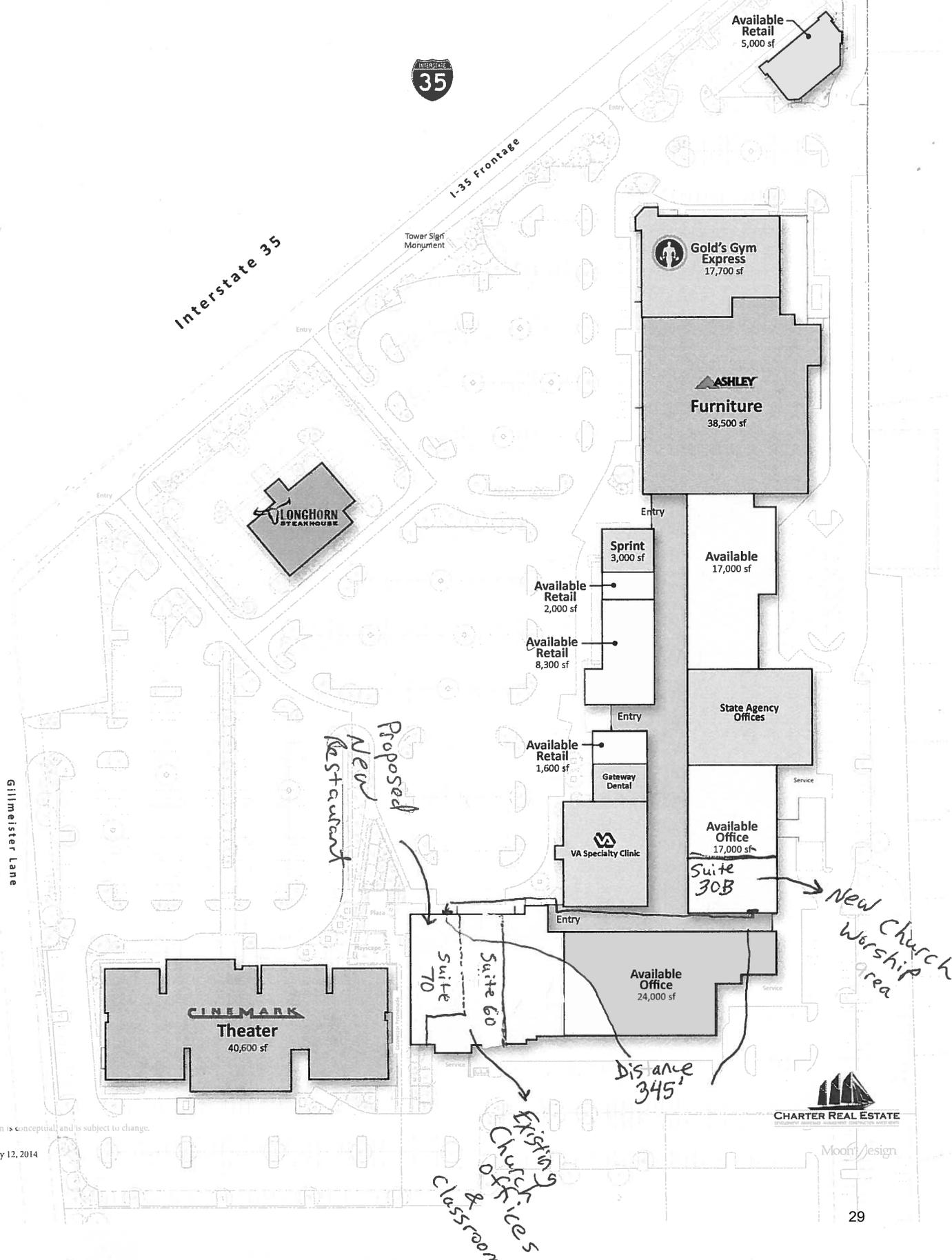
February 12, 2014



Moon/esign

# GATEWAY CENTER

Temple Texas | Conceptual Leasing Plan



This plan is conceptual and is subject to change.

February 12, 2014

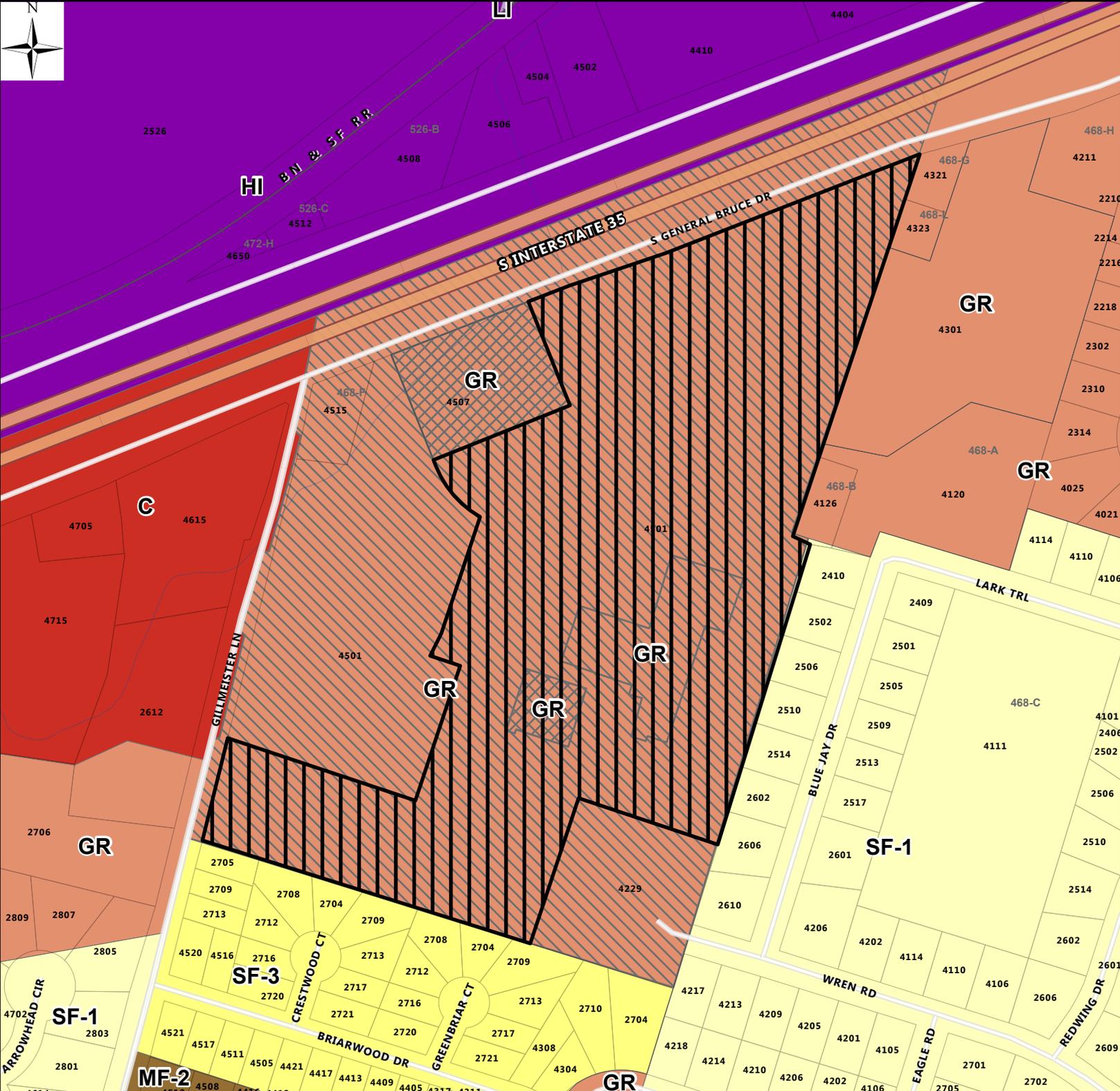


# CONDITIONAL USE PERMIT

## ZONING MAP

Zoning Case :  
Z-FY-15-26

Address :  
4501 S GENERAL BRUCE DR



Current Zoning	Symbol	Symbol	Symbol
HI - CUP	[Purple box]	O-1	[White box]
UE	[White box]	O-1 - CUP	[Green box]
UE - PD	[White box with diagonal lines]	O-1 - PD	[Orange box]
SF-1	[Yellow box]	O-2	[White box]
SF-1 - CUP	[Yellow box with diagonal lines]	O-2 - CUP	[Orange box with diagonal lines]
SF-1 - PD	[Yellow box with diagonal lines]	O-2 - PD	[Orange box with diagonal lines]
SF-2	[Yellow box]	NS	[White box]
SF-2 - PD	[Yellow box with diagonal lines]	NS - CUP	[Orange box]
SF-3	[Yellow box]	NS - PD	[Orange box]
SF-3 - PD	[Yellow box with diagonal lines]	GR	[Orange box]
SFA	[Yellow box]	GR - CUP	[Orange box with diagonal lines]
SFA-2	[Yellow box]	GR - PD	[Orange box with diagonal lines]
SFA-2 - PD	[Yellow box with diagonal lines]	GR - CUP, PD	[Orange box with diagonal lines]
SFA-3	[Yellow box]	CA	[Red box]
SFA-3 - PD	[Yellow box with diagonal lines]	CA - CUP	[Red box]
2F	[White box]	CA - PD	[Red box]
2F - CUP	[White box with diagonal lines]	C	[Red box]
2F - PD	[White box with diagonal lines]	C - CUP	[Red box]
MF-1	[Brown box]	C - PD	[Red box]
MF-1 - CUP	[Brown box with diagonal lines]	C - CUP, PD	[Red box]
MF-1 - PD	[Brown box with diagonal lines]	LI	[Purple box]
MF-2	[Brown box]	LI - CUP	[Purple box]
MF-2 - CUP	[Brown box with diagonal lines]	LI - PD	[Purple box]
MF-2 - PD	[Brown box with diagonal lines]	LI - CUP, PD	[Purple box]
MF-3 - PD	[Brown box with diagonal lines]	HI	[Purple box]
		HI - PD	[Purple box]
		AG	[Green box]
		AG - CUP	[Green box]
		MH	[Orange box]
		MH - CUP	[Orange box]
		MH - PD	[Orange box]
		MU	[Yellow box]
		MU - CUP	[Yellow box]
		SD-C	[White box]
		SD-C - CUP	[White box]
		SD-H	[White box]
		SD-H - CUP	[White box]
		SD-T	[Blue box]
		SD-V	[Blue box]
		T4	[Blue box]
		T4 - PD	[Blue box]
		T4 - CUP	[Blue box]
		T5-C	[Blue box]
		T5-C - CUP	[Blue box]
		T5-C - PD	[Blue box]
		T5-E	[Blue box]
		T5-E - CUP	[Blue box]
		T5-E - PD	[Blue box]
		NO BASE	[White box]
		CUP	[White box]
		PD	[White box]
		Casearea	[Black outline]

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: 9/21/2015



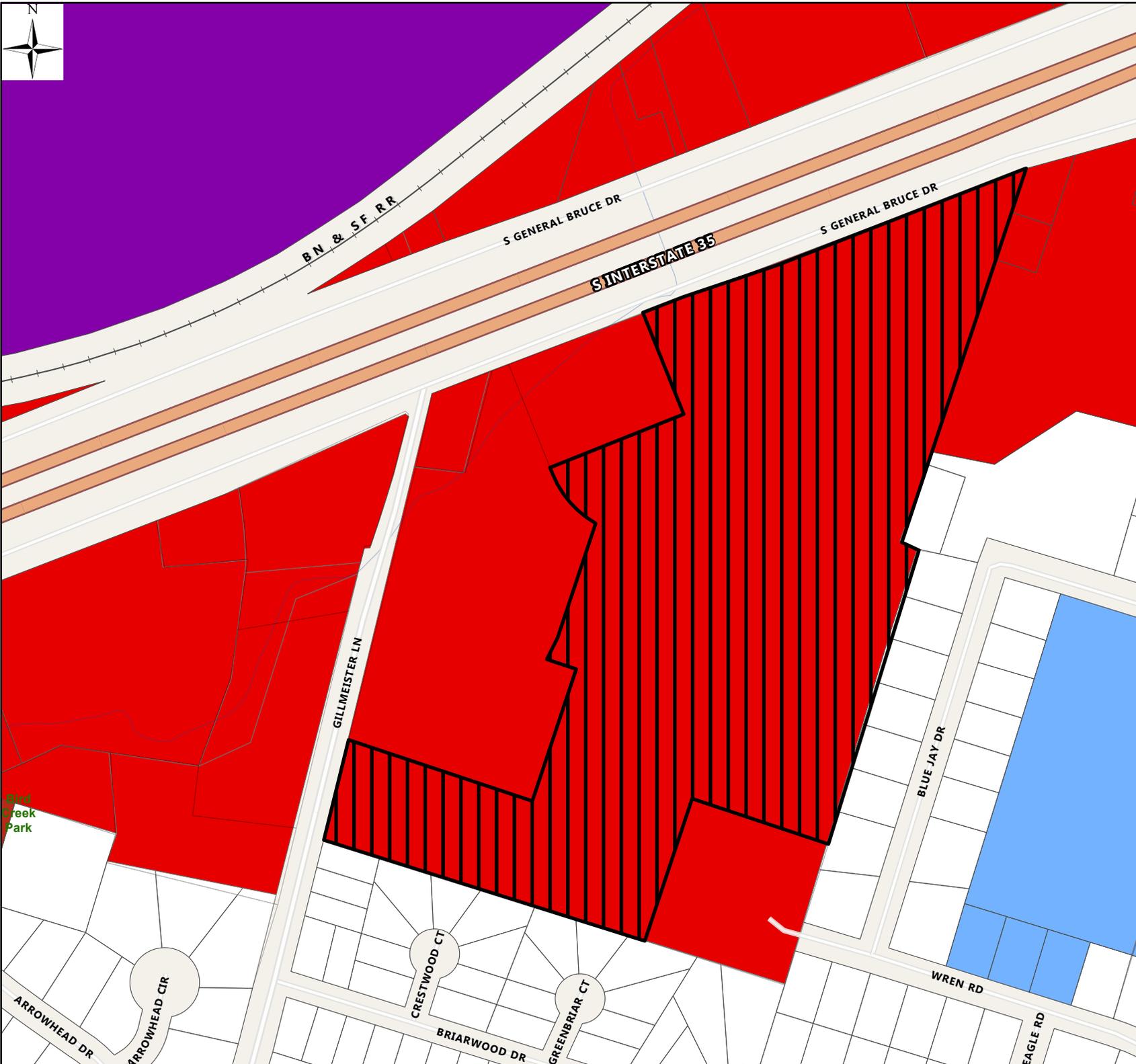


Conditional Use Permit

# FUTURE LAND USE MAP

Zoning Case :  
Z-FY-15-26

Address :  
4501 S. General Bruce



- 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: 9/10/2015





Conditional Use Permit

### UTILITY MAP

Zoning Case :  
Z-FY-15-26

Address :  
4501 S. General Bruce



- Manhole
- Gravity Main
- Hydrant
- Main
- 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: 9/10/2015





Conditional Use Permit

# THOROUGHFARE AND TRAILS MAP

Zoning Case :  
Z-FY-15-26

Address :  
4501 S. General Bruce

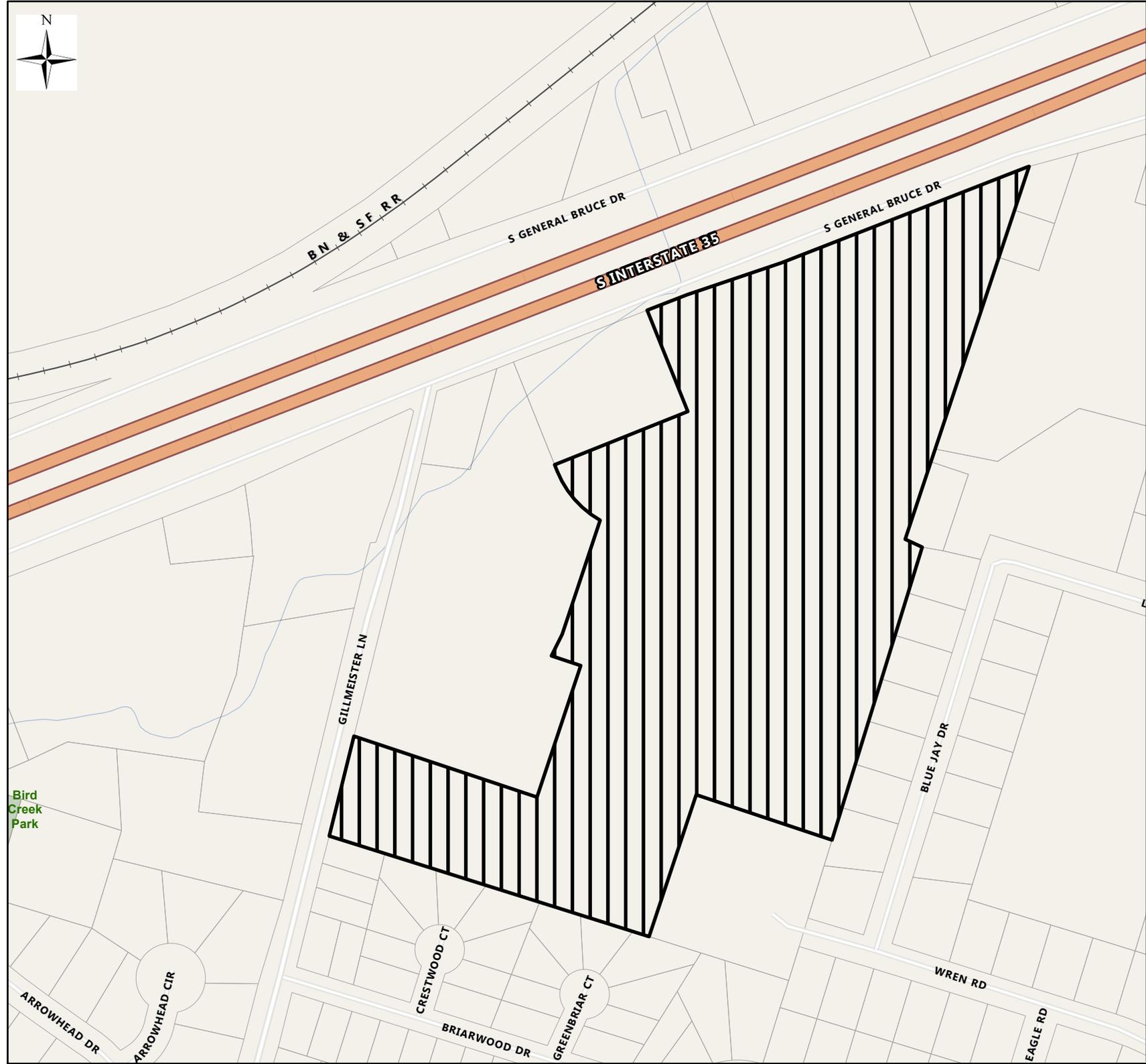
-  EXPRESSWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL STREET
-  MINOR ARTERIAL
-  PRIVATE
-  RAMP
-  Parcels

 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: 9/10/2015





# CONDITIONAL USE PERMIT

## 200' NOTIFICATION MAP

Zoning Case :  
Z-FY-15-26

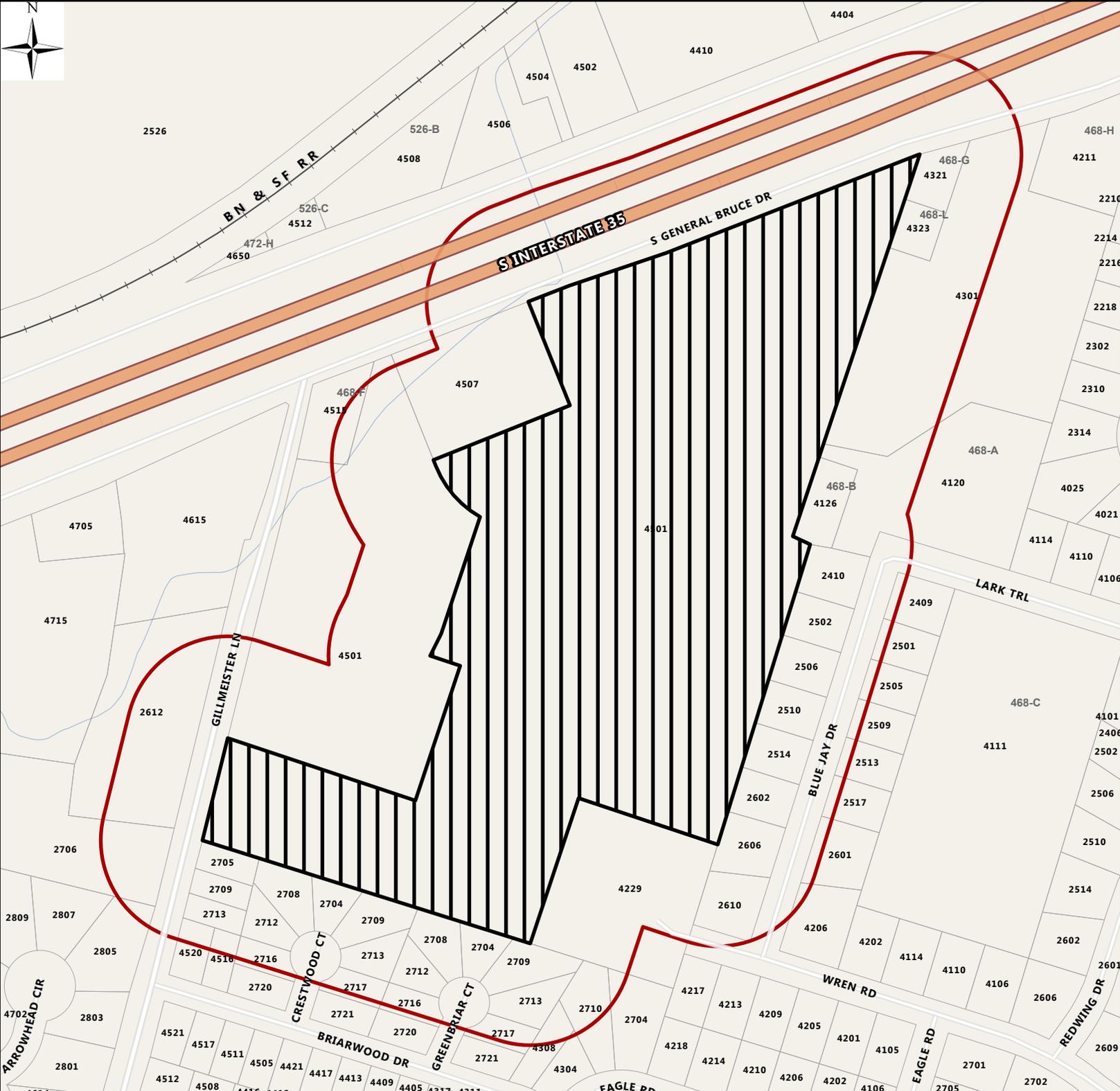
Address :  
4501 S GENERAL BRUCE DR

-  Buffer
-  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: 9/16/2015





## PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

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10/05/15  
Item #3  
Regular Agenda  
Page 1 of 2

**APPLICANTS:** Ronald Carroll for Gregory and Alma Golden

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

**ITEM DESCRIPTION:** P-FY-15-06 Consider and take action on the Final Plat of Golden Valley Subdivision, a 4.25 +/- acres 3-lot, 1-block nonresidential subdivision, being part of the Stephen Frazier Survey, Abstract No. 311, situated in the City of Temple, Bell County, Texas, located on the south side of Taylors Valley Road, adjacent to the Georgetown Railroad Company, and west of Shallow Ford Road.

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Golden Valley Subdivision.

**ITEM SUMMARY:** The Development Review Committee reviewed the Final Plat of Golden Valley Subdivision on November 5, 2015. It was deemed administratively complete on September 24, 2015.

The Final Plat of Golden Valley Subdivision, is a 3-lot, 1- block, nonresidential subdivision. The property is zoned Commercial District (C). The property is currently going through the street use license process for existing encroachments into the Georgetown Railroad right-of-way, located along the plat's southern boundary.

Water services will be provided through well water. The plat reflects a signature block for Clearwater Underground Water Conservation District (CUWCD). The topo/utility sheet reflects a proposed fire hydrant to be installed during the building permit process at the time of future development.

Sewer services will be provided through septic system.

The City of Temple Thoroughfare Plan shows Taylor's Valley Road as a proposed collector, which requires a 4-foot wide sidewalk, per Unified Development Code (UDC) Section 8.2.3: Sidewalks and Trails. The applicants have submitted a request for an administrative sidewalk waiver.

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

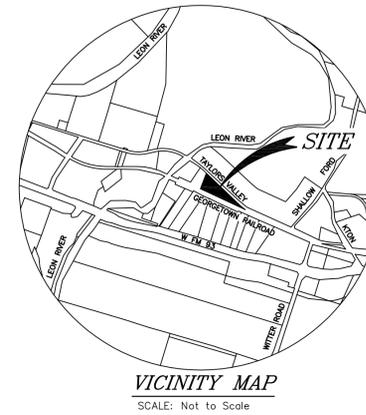


**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

- Plat
- Topo Utility Sheet

STEPHEN FRAZIER SURVEY, Abstract Number 311



STATE OF TEXAS  
 COUNTY OF BELL

I, Jeffrey Martin Ling, being the owner of the land shown in this plat, in the STEPHEN FRAZIER SURVEY, Abstract Number 311, and being designated herein as the **GOLDEN VALLEY SUBDIVISION**, a subdivision situated in the City of Temple, Bell County, Texas and whose name is subscribed hereto, hereby dedicate the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places as shown hereon within the plat boundary of this subdivision.

Jeffrey Martin Ling  
 5513 Taylors Valley Road  
 Temple, Texas 76502

STATE OF TEXAS  
 COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared Jeffrey Martin Ling, 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 stated.

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

Notary Public, State of Texas

STATE OF TEXAS  
 COUNTY OF BELL

I, Lyndall Ling, being the owner of the land shown in this plat, in the STEPHEN FRAZIER SURVEY, Abstract Number 311, and being designated herein as the **GOLDEN VALLEY SUBDIVISION**, a subdivision situated in the City of Temple, Bell County, Texas and whose name is subscribed hereto, hereby dedicate the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places as shown hereon within the plat boundary of this subdivision.

Lyndall Ling  
 5513 Taylors Valley Road  
 Temple, Texas 76502

STATE OF TEXAS  
 COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared Lyndall Ling, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein stated.

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

Notary Public, State of Texas

This Final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015

Secretary to Planning & Zoning Commission

This Final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015

Chairperson

TAX CERTIFICATE

The Bell County Tax Appraisal District, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this the \_\_\_\_ Day of \_\_\_\_\_, A.D. 2015.

BELL COUNTY TAX APPRAISAL DISTRICT

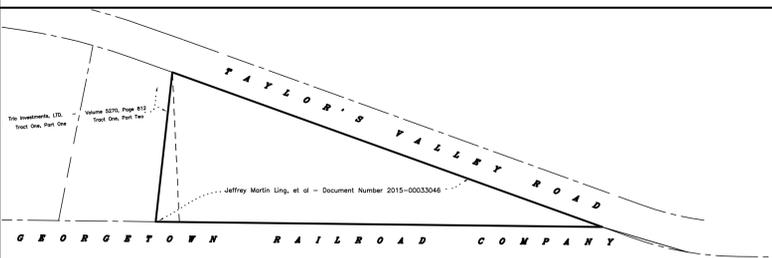
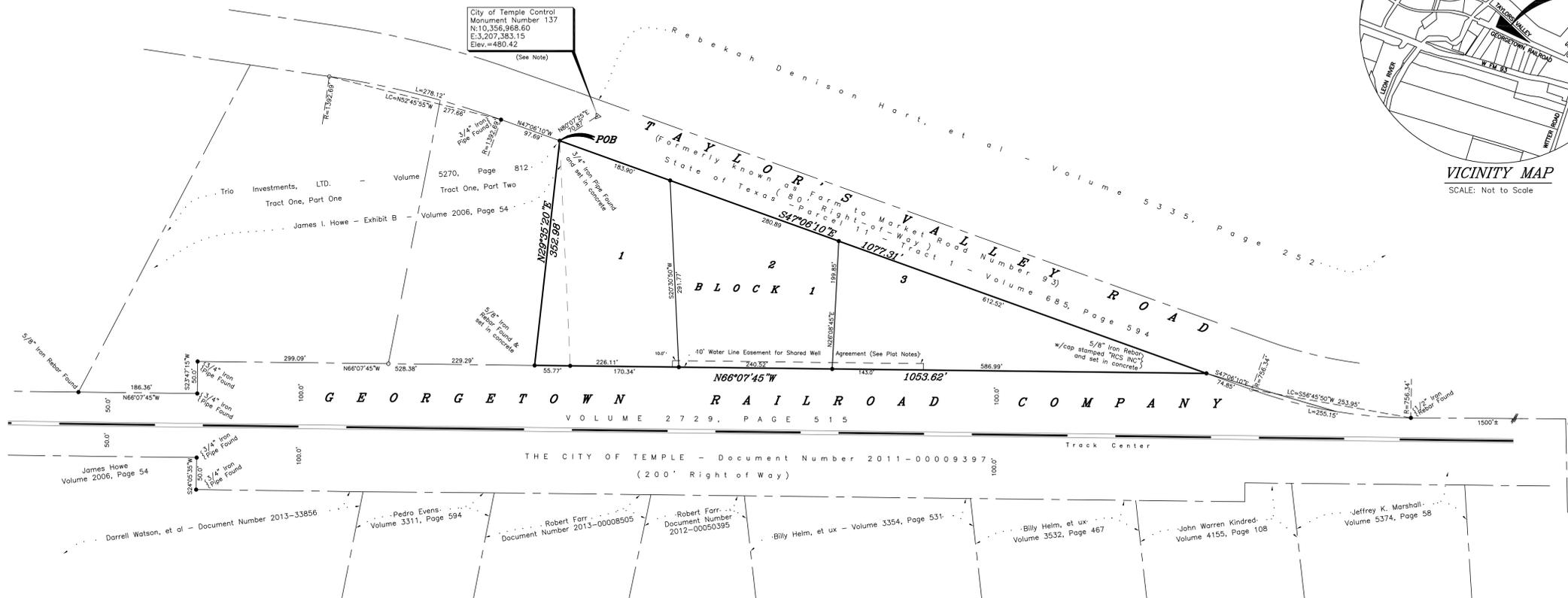
By:

RECORDATION INFORMATION

Plat Recorded in Plat Year 2015, Number \_\_\_\_\_, of the Plat Records of Bell County, Texas.

Dedication Recorded in Document Number 2015-\_\_\_\_\_, of the Official Public Records of Real Property of Bell County, Texas.

County Clerk



- LEGEND:**
- Property Corners are 5/8" Iron Rebar Set with cap stamped "RCS INC", unless otherwise stated.
  - Calculated Point.
  - ▲ 5/8" Iron Rebar Found with 3" Aluminum cap stamped City of Temple Engineering Department Survey Monument.
  - POB = Point of Beginning

**FINAL PLAT**  
**GOLDEN VALLEY SUBDIVISION,**  
 a subdivision situated in the STEPHEN FRAZIER SURVEY,  
 Abstract Number 311, in the City of Temple, in Bell County, Texas.  
 Surveyed June 15, 2013.  
**RONALD CARROLL SURVEYORS, INC.**

CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT (CUWCD) CERTIFICATE:

Clearwater Underground Water Conservation District, the Licensing Authority for on-site water wells in Bell County Texas hereby certifies that this subdivision has been evaluated for on-site water wells. In its current condition, the proposed subdivision meets or exceeds the minimum standards established by the (CUWCD).

Dirk Aaron  
 General Manager

BELL COUNTY  
 PUBLIC HEALTH DISTRICT CERTIFICATE:

The Bell County Public Health District, the Licensing Authority for on-site sewage disposal in Bell County Texas hereby certifies that this subdivision has been evaluated for on-site disposal. In its current condition, the proposed subdivision meets or exceeds the minimum standards established by the Bell County Board of Health.

Sanitarian: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF TEXAS  
 COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That I, Ronald Carroll, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown thereon shall be properly placed, under my supervision, in accordance with the subdivision regulations of the City of Temple, Bell County, Texas.

IN WITNESS THEREOF, my hand and seal, this \_\_\_\_ day of \_\_\_\_\_, 2015.

RONALD CARROLL  
 Registered Professional Land Surveyor  
 Registration Number No. 2025

Block - 1  
 Lot 1 - 1.48 Acres  
 Lot 2 - 1.42 Acres  
 Lot 3 - 1.35 Acres  
 Total - 4.25 Acres

Owners:  
 Jeffrey Martin Ling  
 and Lyndall Ling  
 5513 Taylors Valley Road  
 Temple, Texas 76502

**FINAL PLAT**  
**GOLDEN VALLEY SUBDIVISION**  
 a subdivision situated in the STEPHEN FRAZIER SURVEY,  
 Abstract Number 311, situated in the City of Temple,  
 in, Bell County, Texas.

**RONALD CARROLL SURVEYORS, INC.**  
 5302 South 31st Street - Temple, Texas 76502  
 Phone: (254) 773-1447 Fax: (254) 773-1728

FOR: Jeffrey Martin Ling	DRAWN BY: M.J.A.	DATE: 10/01/15
DISK: S:\Data RCS Job Database	DRAWING NAME: 13041-PL-Golden.dwg	JOB#: 13041
COORDINATE NORTHEAST CORNER: NORTHING 10,356,956.443	EASTING 3,207,313.349	SHEET: 1 of 1

**NOTES:**

Basis of Bearing: The survey work for this project is on Grid Bearings and Coordinates, referenced to the Texas State Plane Coordinate System, Central Zone, NAD83 datum obtained from GPS observations and referenced to the SMARTNET NETWORK OF NORTH AMERICA Base Station "TCTX" at Temple College in Temple, Texas whose published coordinate value: N=10,356,800.416 E=3,229,830.944. The distances shown are surface distances. The Combined Correction Factor (CCF) for this project is 0.9997573.

The theta angle at the northwest property corner is 129°53' Combined Correction Factor (CCF) is 0.9998633. Grid Coordinates for the corner is stated.

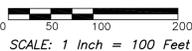
This tract does not appear within the Zone A of the "Special Flood Hazard Area" as per F.E.M.A. Federal Insurance Administration Map Number 480270045E effective date September 26, 2008. This statement does not imply this tract will never flood, nor does it create liability on the part of this surveyor or company in such an event.

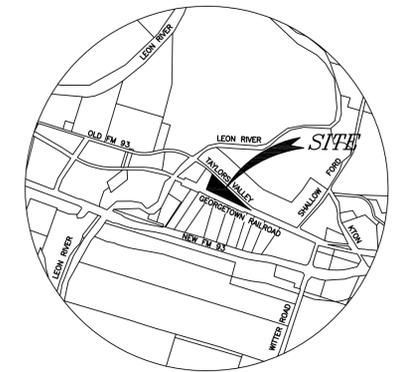
CITY OF TEMPLE MONUMENT NO. 137 = 5/8" Iron Rebar with a Aluminum Cap stamped "City of Temple Central Monument" and inscribed (#137) 4' north of the north edge of pavement in the centerline of a gravel road driveway at cattle guard to the north. N:10,356,968.49 E:3,207,383.01 Elev.=480.36 per City of Temple Records.

See attached field notes that accompany this plat.

CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT- Plat Notes:

- The private water line easement shown on the rear of Lots 1, 2 and 3 is for the use and benefit of Lots 1 & 2 for the purpose of maintaining, repairing, and replacing the existing water line. Lots 1 & 2 shall have the use of the shared well on Lot 3 with the right and privileges set out in the Restrictive Covenants filed on even date herewith. The arrangements for the shared well is made pursuant to a common plan, scheme, and design for this subdivision of three lots.
- a. This subdivision lies within the City of Temple service area as defined by a state issued Certificate of Convenience and Necessity (CCN). At the time of this plat, water service to this subdivision will be provided by groundwater from a private water well. Groundwater withdrawal and use in Bell County is regulated by Clearwater Underground Water Conservation District (CUWCD).
  - b. Water service to the three lots in this subdivision is provided by groundwater from one private water well located respectively on Lot 3. Lots 1 & 2 are not an eligible site for water well and will receive water only from the well located on Lot 3. CUWCD is not required to issue a permit for water wells on Lots 1 & 2.
  - c. New wells must obtain a drilling permit and an operating permit, subject to CUWCD Board approval, and must be located in accordance with CUWCD regulations. All alterations to existing well must be approved by the CUWCD prior to commencement of alterations. Changes in ownership, production volume, or use of the well(s) must be reported to the CUWCD.
  - d. The quality and available quantity of water from the well may vary over time. A brief analysis of predicted drawdown is available at the CUWCD office. Factors influencing the long-term viability of the Trinity aquifer are rainfall, recharge, storage capacity, and level of discharge. If discharge from the aquifer is greater than the recharge, the level of the aquifer will drop. This may affect the quality and quantity of available water from this aquifer. Texas statutory law authorizes CUWCD to impose pumping restrictions to minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, to control subsidence, to prevent interference between wells, to prevent degradation of water quality, or to prevent waste.



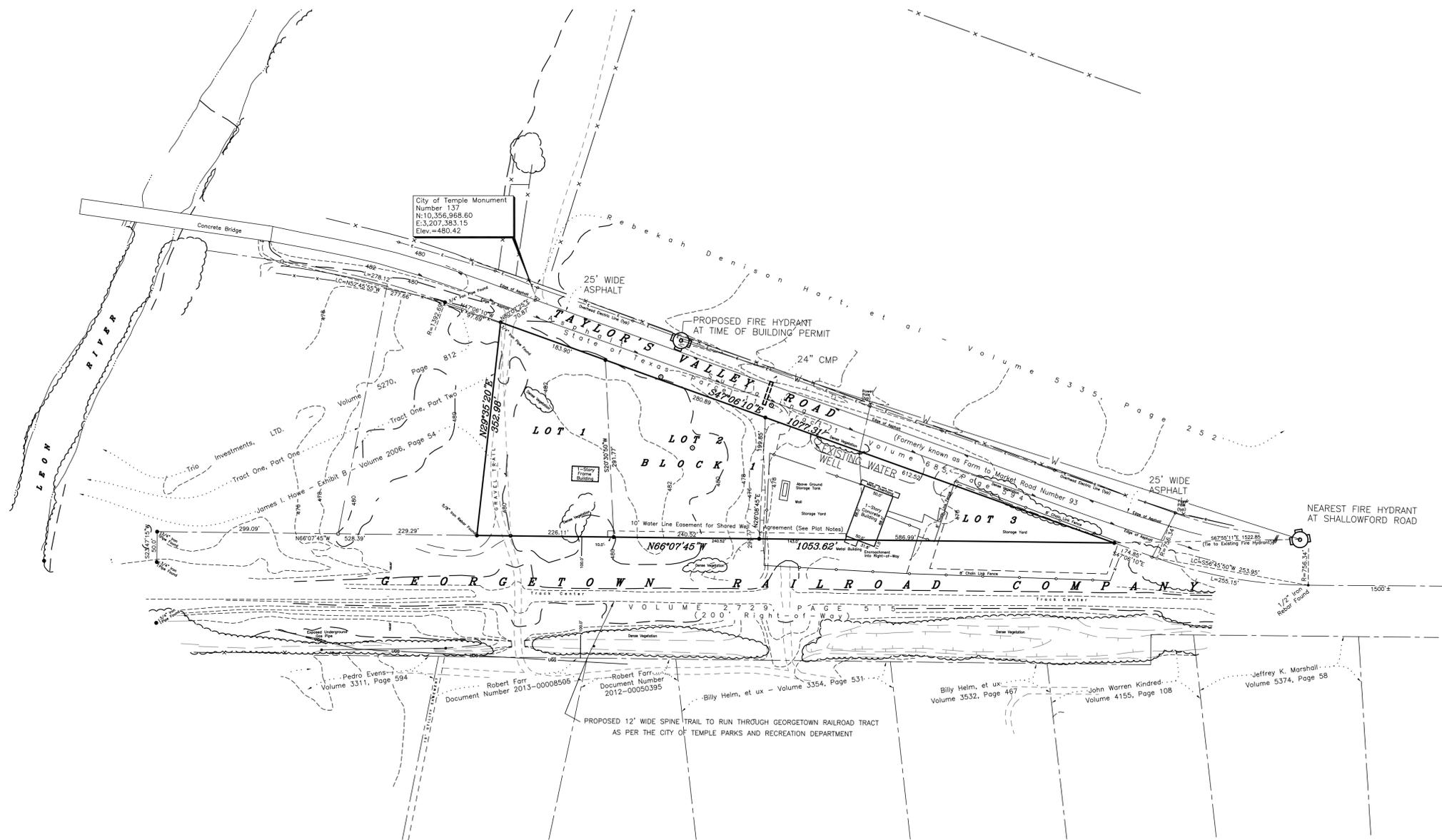


VICINITY MAP  
SCALE: Not to Scale

LEGEND

- = Asphalt Surfacing
- = Clean Out
- = Drain Inlet
- = Electric Meter
- = Fire Hydrant
- = Gas Meter
- = Light
- = Manhole
- = Power Pole
- = Sign
- = Tree
- = Vegetation
- = Water Meter
- = Water Valve
- = Electrical Line
- = Electrical and Telephone Line
- = Overhead Electric Line
- = Sanitary Sewer Line
- = Storm Drain
- = Under Ground Electric Line
- = Under Ground Fiber Optic Line
- = Under Ground Gas Line
- = Water Line

- Property Corners are 5/8" Iron Rebar Set in concrete with cap stamped "RCS, INC.", unless otherwise stated.
- Calculated Point.
- △ 1xDot 5/8" Iron Rebar Found with 3" Aluminum cap stamped Texas Department of Transportation, unless otherwise stated.



Sketch showing Topography and Utility Map of  
**GOLDEN VALLEY SUBDIVISION,**  
being part of the **STEPHEN FRAZIER SURVEY, Abstract Number 311**  
situated in the City of Temple, Bell County, Texas.  
Elevation is based on NAVD88 datum.  
Compiled from Maps July 1, 2013.  
**RONALD CARROLL SURVEYORS, INC.**

NOTES:

Basis of Bearing: The survey work for this project is on Grid Bearings and Coordinates, Texas State Plane Coordinate System, Central Zone, NAD83 datum obtained from GPS observations and referenced to the SMARTNET NETWORK OF NORTH AMERICA Base Station "TCTX" at Temple College in Temple, Texas whose published coordinate value: N=10,366,800.416 E=3,229,830.944. The distances shown are surface distances. The Combined Correction Factor (CCF) for this project is 0.9997573.

This tract does not appear within the Zone A of the "Special Flood Hazard Area" as per F.E.M.A. Federal Insurance Administration Map Number 4802700345E effective date September 26, 2008. This statement does not imply this tract will never flood, nor does it create liability on the part of this surveyor or company in such an event.

Easements with existing recording information shown on this Plat are not a part of this plat dedication.

A horizontal tie to the City of Temple Control Monument (#137) is shown on this sheet, being a survey monument set 4' north of the north edge of pavement in the centerline of a gravel road crossing at cattle guard to the north. N:10,356,968.49 E:3,207,383.01 Elev.=480.36 per City of Temple Records. The theta angle at the northwest property corner is 129°53'. Combined Correction Factor (CCF) is 0.9998633. Grid Coordinates for the corner is stated.

Topography and Utility Map of

**GOLDEN VALLEY SUBDIVISION,**

being part of the **STEPHEN FRAZIER SURVEY,**  
Abstract Number 311, situated in the  
City of Temple, Bell County, Texas.

**RONALD CARROLL SURVEYORS, INC.**

5302 South 31st Street - Temple, Texas 76502  
Phone: (254) 773-1447 Fax: (254) 773-1728

FOR:	Alma Golden	DRAWN BY:	M.J.A.	DATE:	02/26/15
DISK:	S:\Data RCS Job Database	DRAWING NAME:	13041topoGolden.dwg	JOB#:	13041
COORDINATE NORTHWEST CORNER:	NORTHING 10,356,956.443	EASTING	3,207,313.349	SHEET#:	1 of 1

AMENDED SEPTEMBER 23, 2015 TO SHOW PROPOSED FIRE HYDRANT AND NOTE PER THE CITY FIRE MARSHALL REQUIREMENT.



0 50 100 200  
SCALE: 1 Inch = 100 Feet



## PLANNING AND ZONING COMMISSION AGENDA ITEM

**10/05/15**  
**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 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 take action on the Final Plat of Whitehall Road Addition, a 14.234 +/- acre, 1-lot, 1-block, residential subdivision located on the north side of Whitehall Road, west of the intersection of FM 317.	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

<b>P-FY-15-43</b> - Consider and take action on the Final Plat of Cliffs of Canyon Creek Phase II, a replat of Lots 46 and 47, Phase I, located at 4317 Stonehill Court.	DRC on 9/08/15 Awaiting Revisions from Applicant	Ron Carroll
<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.	DRC on 10/05/15	All County Surveying
<b>P-FY-15-45</b> - Consider and take action on the Final Plat of The Plains At Riverside Phase II, being a tract of land situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, west of the intersection with Riverside Drive.	DRC on 10/05/15	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 TBD Waiting on revisions from applicant	Turley Associates
<b>P-FY-15-47</b> - Consider and take action on the Final Plat of Baylor Scott & White Distribution Center, a 64.62 +/- acres, a 1-lot, 1-block non-residential subdivision, being part of the Vincent Barrow Survey, Abstract No. 64, situated in Temple, Bell County, Texas, at the northeast corner of H.K. Dodgen Loop and north General Bruce Drive, located at 5141 N. General Bruce Drive.	DRC 10/19/15	Ron Carroll

<b>City Council Final Decisions</b>	<b>Status</b>
<b>P-FY-14-36</b> - Consider adopting a resolution authorizing a final plat of Phillips Addition, subdivision, located on Brown Lane, south of FM 2305, in Temple's western extra-territorial jurisdiction and granting a developer-requested exception to Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants.	APPROVED at City Council on September 17, 2015

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	P	A	P	A		P	P	P	P	P	A	8	3	
David Jones	P		P	P	A	P	P		P	P	P	P	A	P	9	2	
Greg Rhoads	P		P	P	P	P	A		P	P	P	A	P	P	9	2	
Will Sears	P		P	A	P	A	A		P	P	A	A	P	A	4	7	
Lester Fettig	P		P	P	P	P	A		P	P	P	P	P	A	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							15	1	
Blake Pitts	P	P		P	A	P								13	3
Patrick Johnson	P	P		A	P	P								13	3
Omar Crisp	P	P		P	P	A								12	4
David Jones	A	P		P	P	P								13	3
Greg Rhoads	P	P		A	P	P								13	3
Will Sears	P	P		P	P	P								9	7
Lester Fettig	P	P		P	P	P								14	2
Tanya Mikeska-Reed	P	P		A	P	P								10	6

not a Board member