

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
MAY 2, 2016, 5:00 P.M.
WORK SESSION AGENDA**

Staff will present the following items:

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Monday, April 18, 2016.
2. Receive and discuss the Planning Director's Report containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments (if any) to the Unified Development Code (UDC).

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
MAY 2, 2016, 5:30 P.M.
REGULAR MEETING AGENDA**

1. _____ Invocation
2. _____ Pledge of Allegiance

A. CONSENT ITEMS

All items listed under this section, Consent Agenda, are considered to be routine by the Planning & Zoning Commission and may be enacted in one motion. If discussion is desired by the Commission, any item may be removed from the Consent Agenda at the request of any Commissioner and will be considered separately.

Item 1: [Approval of Minutes](#): Work session and the regular meeting of April 18, 2016.

B. ACTION ITEMS

Item 2: [P-FY-16-29](#) - Consider and take action on the Final Plat of Bell County Flooring Addition, a 0.993 +/- acres, 1-lot, 1-block, non-residential subdivision, situated in and being a part of the Baldwin Robertson Survey, A-17, Bell County, Texas, located east of State Highway 317 and south of Tarver Drive.

Item 3: [P-FY-16-30](#) - Consider and take action on the Final Plat of Friars Creek Crossing, a 8.436 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located on the west side of South 5th Street, south of Canyon Creek Drive.

Item 4: [Z-FY-16-20](#) - Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to install a proposed 115' stealth monopole for Verizon Wireless at the Mueller building site on a tract of land , 0.0258 +/- acres, situated in the S. Bottsford Survey, Abstract No. 118, Bell County, Texas, located at 7050 North General Bruce Drive.

- Item 5:** [Z-FY-16-21](#) – Hold a public hearing to discuss and recommend action on a rezoning from Single Family Three - Planned Development (SF-3-PD) District to General Retail (GR) District on Lots 4-7, 21-25, Block 13, Hildell Estates, located at 18 South Pea Ridge.
- Item 6:** [Z-FY-16-22](#) - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to Commercial (C) on 0.993 +/- acres of land situated in and being a part of the Baldwin Robertson Survey, A-17, Bell County, Texas, located east of State Highway 317 and south of Tarver Drive.
- Item 7:** [Z-FY-16-24](#) – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to General Retail (GR) on 8.436 +/- acres of land, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, on the west side of South 5th Street, south of Canyon Creek Drive, located at 4350 South 5th Street.
- Item 8:** [Z-FY-16-25](#) – Hold a public hearing to discuss and recommend action on a rezoning from Multi-Family-Two (MF-2) to Office-Two (O-2) on .75 +/- acres of land, Lot 1, Block 1, Vandiver Subdivision, located at 416 North 11th Street.
- Item 9:** [Z-FY-16-26](#) - Hold a public hearing to discuss and recommend action on a rezoning from Light Industrial (LI) to Urban Estates (UE) OR Single Family One (SF-1) on 1.95 +/- acres, out of the Redding Roberts Survey, Abstract No. 345, Bell County, Texas, located at 3221 West Avenue R.
- Item 10:** [Z-FY-16-27](#)– Hold a public hearing to discuss and recommend action on a site plan review, amending Ordinance No. 2005-4025 for the existing Planned Development-General Retail District (PD-GR) and site plan for Lots 6 & 7, Block 1, Adam's Island Commercial Subdivision, for a new building with parking lot and sidewalks, new water and sewer services, and new storm sewer.
- Item 11:** [Z-FY-16-28](#) - Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One (SF-1) to Two Family (2F), Pt 2 for Lot 2, Block 1, Roselawn Addition, located at 1408 and 1410 N. 5th Street.

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

The agenda for this meeting was posted on the bulletin board at the Municipal Building in compliance with the Open Meetings Law at 2:00 PM on April 28, 2016.



Lacy Borgeson
City Secretary

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in Front of the City Municipal Building at _____ on the _____ day of _____ 2016.

_____ Title: _____

**PLANNING AND ZONING COMMISSION
APRIL 18, 2016
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT
Chair David Jones

COMMISSIONERS:

Lydia Alaniz	Tanya Mikeska-Reed
Blake Pitts	Patrick Johnson
Greg Rhoads	Will Sears
Omar Crisp	

PLANNING AND ZONING MEMBERS ABSENT:

Lester Fettig

STAFF PRESENT:

Brian Chandler, Director of Planning
Kayla Landeros, City Attorney
Trudi Dill, Deputy City Attorney
Richard Wilson, Deputy City Engineer
Tammy Lyerly, Senior Planner
Mark Baker, Senior Planner
Dessie Redmond, Planner
Leslie Evans, Planning Technician
Kelli Tibbit, Administrative Assistant

The agenda for this meeting was posted on the bulletin board at the Municipal Building, April 14, 2016 at 3:45 p.m. in compliance with the Open Meetings Law.

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

Chair Jones called Meeting to Order at 5:30 P.M.

Invocation by Commissioner Sears; Pledge of Allegiance by Commissioner Alaniz.

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of April 4, 2016.

Commissioner Rhoads made a motion to approve the minutes by general consent.

B. ACTION ITEMS

Item 2: P-FY-16-28 - Consider and take action on the Final Plat of Central Texas Mortuary Addition, a 0.891 +/- acres, 1-lot, 1-block non-residential subdivision, being part of the Maximo Moreno Survey, A-14, Bell County, TX and being part of a 16.13 +/- acre tract, located at 1313 S. Martin Luther King Jr. Drive.

Mr. Mark Baker, Senior Planner, stated the final plat was reviewed by the Development Review Committee (DRC) on March 24, 2016 and deemed administratively complete on April 14, 2016. Zoning on the subject property is Light Industrial (LI) and is anticipated to be developed for mortuary uses by the property owner, Central Texas Mortuary, located at 11 North 6th Street.

Both water and wastewater are available to serve the property with an existing six-inch waterline and an existing six-inch sewer line both located in South 30th Street.

Right-of-way dedication is needed along South 30th Street which is why it is before the P&Z Commission.

The Planning and Zoning Commission will be the final plat authority since applicant has not requested any exceptions to the Unified Development Code (UDC).

Staff recommends approval of the Final Plat of Central Texas Mortuary Addition.

This item does not require a public hearing.

Commissioner Sears made a motion to approve Item 2, **P-FY-16-28**, as presented and Commissioner Crisp made a second.

Motion passed: (8:0)

Commissioner Fettig absent

Item 3: Z-FY-16-19 – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to Light Industrial (LI), and to consider and recommend action on a Conditional Use Permit (CUP) to allow for landfill use in the Light Industrial zone on 282.73 +/- acres of land, recently annexed into the City of Temple by Ordinance No. 2015-4733, located to the south of Little Flock Road and to the west of Bob White Road.

Ms. Dessie Redmond, Planner, stated the applicant for this item was the Public Works Department for the City of Temple.

This item includes two separate issues: a rezoning from Agricultural (AG) to Light industrial (LI) and a Conditional Use Permit (CUP) request to allow for a landfill use. UDC Section 5.1, Use Tables, states a landfill use requires a CUP in the LI zoning district. The subject property was recently annexed into the City of Temple.

Surrounding properties include existing residential and rural to the north, south, and east, and the landfill is located to the west.

The Future Land Use and Character Map designates the subject property as Agricultural/Rural which is meant to protect areas in active farm and/or ranch use. The request does not comply with this designation; however, the request does comply with the overall purpose of the Comprehensive Plan which represents the “big picture” vision for the growth of the community. As Temple grows, the expansion of the landfill is inevitable and part of the “big picture” vision.

The Thoroughfare Plan designates Little Flock Road as a major arterial, Bob White Road as a collector, and Tower Road as a minor arterial.

There are no trails proposed for this vicinity.

There are no existing utilities in the area or the existing landfill and no projects are planned or funded even though the Water and Wastewater Master Plan show future potential extensions.

Development regulations for both AG and LI are given; however, no proposed buildings are planned or proposed.

Twenty-one notices were mailed out in accordance with state regulations to property owners within the 200 foot buffer with zero notices returned in favor and six returned notices in opposition. Due to the amount of land involved with the returned opposed notices, GIS will need to verify if this percentage will trigger a protest which would require a $\frac{3}{4}$ majority vote by City Council.

Planning Staff and Public Works Staff have discussed the following:

1. No structures are proposed for the property;
2. Existing fencing that is part of the existing permit on the existing landfill will continue;
3. Public Works will retain as many trees as practical;
4. Potential operational nuisances are addressed through the Site Operating Plan (operations comply with state regulations);
5. Planting additional trees is not anticipated; and
6. Platting is not anticipated.

According to the UDC, Section 3.5.4 Review Criteria, in determining whether to approve, approve with conditions, or deny a CUP application, the Planning and Zoning Commission must consider the following criteria (Sec. 3.5.2):

- A. The request is compatible with the property and does not significantly diminish property values within the immediate vicinity;
- B. The request does not impede the normal development of surrounding vacant property;
- C. The request has adequate access roads, drainage, and other support facilities provided;
- D. Location of all driveways provide safe movement of vehicular and pedestrian traffic;
- E. Adequate nuisance prevention measures will be taken to prevent odors, fumes, dust, noise and vibration;

- F. Directional lighting is provided to not disturb neighboring properties; and
- G. There is sufficient landscaping and screening to insure compatibility with adjacent properties.

UDC Section 3.5.5, states the P&Z Commission may recommend additional conditions of approval.

Staff recommends approval for a rezoning from AG to LI district. Staff also recommends approval with conditions on the CUP to allow for the landfill use in the LI zone. These recommendations are based on compliance with the Comprehensive Plan.

The request complies with the Future Land Use and Character Map, the Thoroughfare Plan, and is consistent with the infrastructure and public service capacities. No trails are proposed.

Staff recommends approval for the CUP along with the following conditions from the 1998 CUP of the existing landfill and some revised conditions:

- A. Must conform to the LI District standards;
- B. Must comply with all applicable state and federal regulations;
- C. The operator shall work with Planning staff to develop a fence and tree buffering plan to preserve some of the perimeter canopy trees and mitigate negative visual appearance;
- D. Future expansion of the landfill is allowed subject to proper permit processes;
- E. Shall operate to prevent excessive noise, dirt, litter, and odors on the establishment or in the surrounding area and shall operate the establishment to minimize disturbance to surrounding property owners;
- F. A CUP issued runs with the property and is not affected by a change in ownership; and
- G. The City Council may revoke, suspend, or modify the CUP after notice to the property owner and before a Council hearing (there must be evidence of violation to the permit).

Commissioner Pitts asked with the expansion how long would this project meet the City's needs as far as landfill capacity. Ms. Kayla Landeros, City Attorney, responded that the estimation was it would add approximately 75 years to the life of the landfill. The existing landfill still has an estimated 15 years left. The subject property was purchased and annexed long before needed since the permitting process for a landfill can take years to complete, especially if there is opposition from surrounding property owners.

Commissioner Pitts asked if any requirements for monitoring groundwater around the landfill was currently being implemented around the landfill and Mr. Richard Wilson, Deputy City Engineer responded yes.

Commissioner Rhoads asked if diminished values of the surrounding property owners would occur within 20 years. Mr. Brian Chandler, Director of Planning, replied that was one of the

criteria within the CUP and perhaps the most challenging—speculating the use of a landfill and how it would impact the neighboring properties and how to quantify that.

Commissioner Crisp asked about the creek running through the subject property. Mr. Wilson stated there was a flood plain through the property and the creek is isolated from the dump area and a drainage system collects the runoff from the landfill before it gets there. If the land is in the floodplain it will not be used.

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Vice-Chair Johnson made a motion to approve Item 3, Z-FY-16-19, as stated, and Commissioner Mikeska-Reed made a second.

Motion passed: (8:0)

Commissioner Fettig absent

Item 4: Z-FY-16-20 - Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to install a proposed 115' stealth monopole for Verizon Wireless at the Mueller building site on a tract of land, 0.0258 +/- acres, situated in the S. Bottsford Survey, Abstract No. 118, Bell County, Texas, located at 7050 North General Bruce Drive. (Staff requests postponement until the May 2, 2016 meeting to allow time to send notices to property owners within 500 feet per Sec. 5.4.4.D of the Unified Development Code, rather than those within 200 feet that were already sent)

Ms. Tammy Lyerly, Senior Planner, stated Staff was recommending that this item be tabled until the next scheduled P&Z meeting on May 2, 2016. This would allow Staff to extend the notification boundary from the 200 feet to 500 feet and readvertise the item. The applicant is aware of this request and will attend the May 2nd meeting.

Ms. Lyerly stated since the item had already been advertised, a public hearing was required to be opened.

Chair Jones opened the public hearing.

There being no speakers, Chair Jones left the public hearing opened until the May 2, 2016 P&Z meeting.

Commissioner Mikeska-Reed made a motion to table Item 3, **Z-FY-16-20**, and continue the public hearing meeting on May 2, 2016, Commissioner Rhoads made a second.

Motion passed: (8:0)

Commissioner Fettig absent

Item 5: Z-FY-16-23 – Hold a public hearing to discuss and recommend action on amendments to Temple Unified Development Code: Article 5 – Use Standards, deleting “tattoo parlor” as a prohibited use; allowing Body Piercing Studios and Tattoo Studios by right in Light Industrial, Heavy Industrial, General Retail, and Commercial zoning districts; providing certain limitations; Article 6 – Special Purpose and Overlay Zoning Districts,

prohibiting body Piercing Studios and Tattoo Studios in the Interstate 35 Corridor Overlay; and Article 11 – Definitions, providing definitions for Body Piercing, Body Piercing Studio, Tattoo, and Tattoo Studio.

Mr. Chandler stated this item was scheduled to go forward to City Council for first reading on May 5, 2016 and second reading on May 19, 2016.

Mr. Chris Simmons is a Temple resident and the owner of a tattoo studio, Lucky in Love, located in Morgan's Point. Mr. Simmons approached City Council approximately three years ago to express his desire to open a tattoo studio in Temple; however, the Code of Ordinances prohibited tattoo studios.

Legal and Planning Staff has been working with Mr. Simmons over the last year or so to discuss and become educated about Mr. Simmons' business and the industry in general. Staff took a site visit to Lucky in Love studio in October 2015 and met with Mr. Simmons.

A workshop was held for City Council in February 2016 regarding this subject. These proposed code amendments are a culmination of the research performed and also some of the comments made during the City Council workshop.

The tattoo studio use also addresses permanent cosmetics. Planning has also received three inquiries in the past year for the ability to open permanent cosmetics facilities, often within a beauty salon. Because this service is defined as 'tattoo' it is prohibited as well.

Mr. Chandler shows photos of and describes Mr. Simmons' studio.

At the time the code was adopted during the 1990's prohibiting tattoo studios, the state requirements did not address tattoo studios to the extent they do currently which is the reason for reconsideration of allowing them in Temple.

Code of Ordinances Sec. 16-108, Definitions, state for the purposes of this article, the following words and phrases shall be construed as follows:

Tattooing or Tattoo means the practice of marking the skin with indelible patterns or pictures by making punctures and inserting pigments by someone other than a licensed physician.

Tattoo operator means any person, other than a licensed physician, who actually performs the work of tattooing, or who operates, conducts or manages a tattoo shop, whether actually performing the work of tattooing or not.

Code of Ordinances Sec. 16-109. Tattooing Prohibited:

It shall be unlawful for any person within the city limits to operate a tattoo shop or engage in the practice or business of tattooing as a tattoo operator.

UDC, Sec. 5.1.1 Prohibited Uses:

C. Tattoo parlor

Current definition also applies to “permanent cosmetics” or “micropigmentation” or “intra-dermal cosmetics”: Consistent with the Texas Health and Safety Code (THSC).

Chapter 146: Tattoo and Body Piercing Studios:

Code currently does not define;

Not currently in the use table’ and

Would be classified as “retail sales and service uses other than listed,” which are allowed in Neighborhood Services (NS), General Retail (GR), C, LI, and HI zoning districts.

Neighboring peer cities such as Belton, Bryan, Georgetown, Killeen, and Waco were researched for comparison of standards and a chart is shown with the results. All of these cities allow tattoo studios by right in various commercial districts. They do not require a CUP except for Georgetown. Bryan is the only city with distance requirements and building size limitations.

Looking at THSC Chapter 146: Tattoo and Body Piercing Studios:

Requires a license for either studio;

Includes an initial inspection and annual license renewal (doesn’t appear to require an annual inspection); however, the Department has the authority to inspect at any time.

Sanitation requirements (very elaborate requirements);

Requires minors (under 18) to have legal guardian’s permission (with a few specific exceptions);

Requires registration; and

Licensing requires zoning verification by applicable municipality.

Staff is proposing to allow in GR, C, LI, and HI districts by right with a 1000 foot distance requirement from property lines; a 1000 foot distance from schools (private and public); prohibited in the I-35 Corridor Overlay and Temple’s Strategic Investment Zones (SIZs).

Staff also recommends a separate handwashing station.

Map of available zoning districts for allowed studios is shown. With all distance requirements there are 364 eligible parcels with a high concentration in the LI district.

Map of SIZs is shown.

Chair Jones asked why GR would be included since it was the least intense zoning and it did not look like the other cities included GR. Mr. Chandler responded Killeen’s B5 zoning is a standard commercial, equivalent to GR in Temple. Belton is allowing them in the commercial highway area. By Temple allowing them in GR, you need to define the permanent cosmetics and tattoo studios within the same definition (without separation). City Council was receptive to opening up the restriction a bit in order to allow the existing licensed salons.

Commissioner Rhoads asked why LI and HI were proposed and Mr. Chandler stated it was just another option within the most intense commercial corridors.

Commissioner Mikeska-Reed asked what the exceptions were to under 18.

Chair Jones opened the public hearing.

Mr. Christopher Simmons, 2710 Primrose Trail, Temple Texas, addressed Commissioner Mikeska-Reed's question by stating the only reason you could ever tattoo a minor would be to cover up profanity or something gang-related, otherwise, it is strictly prohibited.

Commissioner Alaniz asked Mr. Simmons if he had any idea where he would open a shop in Temple. Mr. Simmons responded he was waiting to see what would happen at P&Z before actually looking at locations or making any final decisions.

Mr. Simmons has been in Morgan's Point approximately two and half years and had to create the zoning in order to have his business since it was not an option. Morgan's Point had not yet addressed this issue so he was the first.

Mr. Simmons first came to Temple requesting to start his business but was told it was prohibited. After realizing this matter would be a lengthy process, and being a businessman, Mr. Simmons wanted to start a business as close to home as possible and Morgan's Point has been very good to him; however, he would rather be in Temple.

Mr. Simmons stated it would not be a second shop but he believed he would move his location from Morgan's Point to Temple.

Mr. Chandler stated all existing UDC standards would apply. No additional design standards are proposed.

Commissioner Mikeska-Reed commented it was a sign of the times and time for Temple to open the doors for something like this. Tattooing and body piercing would be subject to the same rules all other businesses are required to adhere to. She had no issue with the proposal.

Vice-Chair Johnson was in agreement and wished the applicant well with his business.

Chair Jones closed the public hearing.

Commissioner Rhoads made a motion to approve Item 5, **Z-FY-16-23**, as stated, and Commissioner Crisp made a second.

Motion passed: (8:0)

Commissioner Fettig absent

There being no further business, the meeting was adjourned at 6:27 p.m.

Respectfully submitted,
Leslie Evans

**PLANNING AND ZONING COMMISSION
MONDAY, APRIL 18, 2016
4:45 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair David Jones

COMMISSIONERS:

Lydia Alaniz	Tanya Mikeska-Reed
Blake Pitts	Patrick Johnson
Greg Rhoads	Will Sears
Omar Crisp	

PLANNING AND ZONING MEMBERS ABSENT:

Lester Fettig

STAFF PRESENT:

Brian Chandler, Director of Planning
Trudy Dill, Deputy City Attorney
Richard Wilson, Deputy City Attorney
Heather Bigham, GIS Manager
Tammy Lyerly, Senior Planner
Mark Baker, Senior Planner
Dessie Redmond, Planner
Leslie Evans, Planning Technician
Kelli Tibbit, Administrative Assistant

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

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

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

Mr. Chandler introduced the GIS Manager, Ms. Heather Bigham, who gave a presentation on the GIS interactive mapping system on the upgraded website for the City of Temple.

Ms. Bigham explained where to find the map on the new City website and some basic research functions. There are three Planning maps which are data enriched: Future Land Use and Character Map, Economic Development Map and Zoning Map.

The FEMA flood maps are live layers and come directly from FEMA and are not edited.

The Solid Waste Map gives information on brush pickup, recycle days, and solid waste pickups.

Some of the maps include the ETJ areas but not all.

The Economic Development map includes the Zoning Overlays, the SIZ's, RZ's, low to moderate income areas, and CDBG areas.

All maps have a search feature. Clicking on an individual parcel will give information about that parcel and also indicate additional layers for continued information. The Zoning Map would show property information which is updated monthly directly from BellCad. Ms. Bigham emphasized also checking with the Tax Appraisal District if there were questions.

The satellite image is available in only two maps: City Limit Map and Flood Map and has a 2015 aerial image.

A Legend is available with every map.

The Future Land Use and Character Map includes the Trails Master Plan, the Thoroughfare Plan, and the Future Land Use, which will give information about dedicated right-of-way, whether sidewalks are needed, development sites, designation of roads/streets, etc.

Ms. Bigham stated the maps will work on any platform.

The I-35 Corridor Overlay sub-districts (Economic Development Map) have been indicated by different colored cross-hatching. The determination for boundaries were if the property abutted or were adjacent to I-35 (or General Bruce) it would lie within the overlay. Some parcels would need to be on a case-by-case basis for those properties not abutting or adjoining I-35 but perhaps managed or owned by a property along I-35.

GIS adds any zoning changes within a very short time once the information is received.

Easements are not shown on the public map; however, locations of easements are available to the public.

Ms. Bigham explained a GIS Users Guide was available in PDF regarding basic searches. Printing features are available, measurements can be done, and exhibits can be made from the maps.

The Political Map indicates polling locations, voting districts, and City and Congressional related information.

Mr. Chandler briefly covered the agenda with a couple of updates. Five responses in opposition have been received on the landfill item. GIS needs to verify if whether that represents 20 percent of the land area within the 200 foot boundary which would trigger a super majority at City Council.

Ms. Dessie Redmond, Planner, explained the responses came from two property owners: one owner has four properties and the other owner has one property.

On Item 4, Staff is requesting that the stealth monopole CUP be postponed. The original notification went to the 200 foot notification boundary and cell towers require a 500 foot boundary notification. Staff will renotify the property owners for this item and would like

to postpone the item until the next P&Z meeting. The owner is aware of this issue and understands. The scheduled City Council dates will remain the same for this item.

Ms. Trudi Dill, Deputy City Attorney, explained when a motion is made, include in the motion that the public hearing is being continued and keeping it opened.

Item 5, Tattoo Studios and Body Piercing Studios code amendment proposal will have a tattoo studio owner from Morgan's Point who would like to locate a studio in Temple. The UDC currently prohibits these studios unless a physician is doing the tattooing. Staff would like to provide clarification on potential proposed locations. Other peer cities were researched and compared in order to provide comparison. What Mr. Chandler presented to City Council was actually stricter than what City Council felt comfortable with.

Ms. Dill explained when Temple passed the ordinance banning tattoos (unless conducted by direction of a physician), there were no State or health licensing rules regarding tattooing. That has since changed and Temple has the opportunity for reconsideration.

Mr. Chris Simmons, owner of Lucky In Love Tattoo Studio in Morgan's Point, will be available at the meeting for any questions.

Mr. Chandler commented the May 2nd P&Z agenda would have numerous zoning cases. Chair Jones will be out of town and Vice-Chair Johnson may be out of town which means a quorum is still needed. One of the previous Chairs would need to sit in as Acting Chair. Commissioner Rhoads informed Mr. Chandler he would also be out of town that date.

When asked, Commissioner Sears stated he would be able to attend and act as Chair for the May 2nd meeting and a quorum should be available.

No questions regarding the Director's Report.

Mr. Chandler presented an overview of the Annual Report which is going to City Council on May 5th and will be presented by Chair Jones.

These are cases covered by P&Z for the previous fiscal year that ended September 30th.

Population Growth is estimated on water accounts as has previously been done. Temple has had a consistent two percent growth each year which is healthy and enables Temple to keep up with the growth.

Temple's population has more than doubled since 1970s.

Rezoning cases (includes CUPs and PDs) came to 21 requests. This was a lower number than usual but the cases themselves were a bit larger, such as Westfield Master Plan and Shoppes on the Hill.

Plat numbers stayed comparable to 2014.

There were four appeals for the I-35 Overlay and two appeals for 1st and 3rd Overlay.

Shoppes on the Hill Apartment Phase is currently working on the clubhouse portion.

Westfield Master Plan had 749 lots. Brief discussion about Crossroads Community Park.

Westfield Market (south side of Adams) is almost completed.

Baylor Scott & White Distribution Center (along 35) is under construction.

A 13 percent reduction of overall cases in 2015 compared to the previous year, however, this year has a 26 percent increase just half way through 2016.

Due to time conflicts, Chair Jones closed the meeting at 5:30 P.M.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #2
Regular Agenda
Page 1 of 1

APPLICANT / DEVELOPMENT: Quintero Engineering – Bell County Flooring Addition

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: P-FY-16-29 Consider and take action on the Final Plat of Bell County Flooring Addition, a 0.993 +/- acres, 1-Lot, 1-Block, non-residential subdivision, situated in and being a part of the Baldwin Robertson Survey, A-17, Bell County, Texas, located east of State Highway 317 and south of Tarver Drive.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Bell County Flooring Addition.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Bell County Flooring Addition subdivision on April 21, 2016. It was deemed administratively complete on April 26, 2016. The property is currently zoned Agricultural (AG) district but there is a companion rezoning to General Retail (GR) with retail and service uses anticipated to be developed on the property. The rezoning is scheduled for City Council consideration and 1st and 2nd reading of the ordinance on June 2nd & June 16th respectively. The property is currently developed with several residential units.

The property takes access from SH 317, a major arterial, which requires a 6-foot sidewalk. In addition, the Master Trails Plan identifies a future local connector trail. The sidewalk is within the scope of work for the SH 317 widening project. A note for the sidewalk has been provided on the plat.

No sewer is available, so the property will be developed with on-site septic systems. Water is available through an extension of the 6-inch waterline from Tarver Drive. Due to the waterline extension, the plat is required to be reviewed by the Planning & Zoning Commission.

The Planning and Zoning Commission is the Final Plat authority for Bell County Flooring Addition, since the applicant has not requested any exceptions to the UDC.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Aerial and Site Photos
Final Plat
Topo / Utility Plan

Aerial Photo & Street View



Aerial Photo of Subject Property



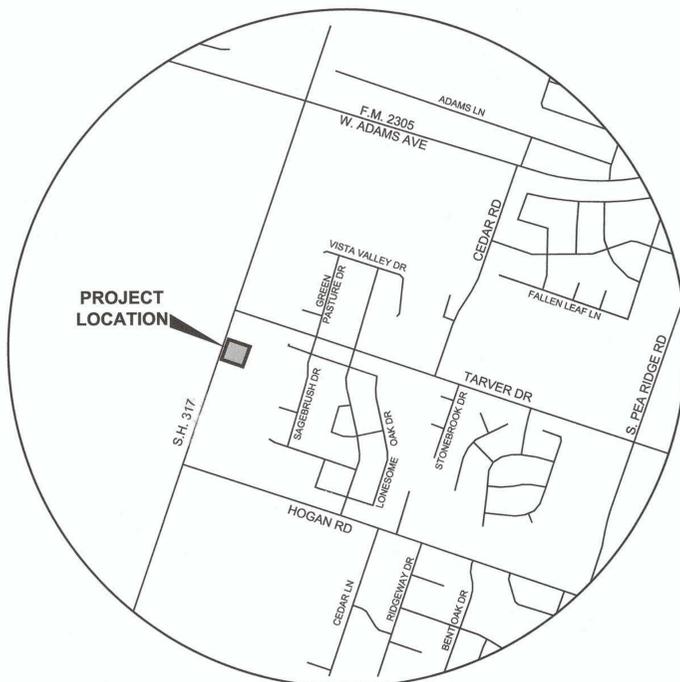
Street View: SH 317 frontage

**FINAL PLAT
BELL COUNTY FLOORING ADDITION
LOT 1, BLOCK 1
WITHIN THE CITY LIMITS OF THE CITY OF
TEMPLE, BELL COUNTY, TEXAS**

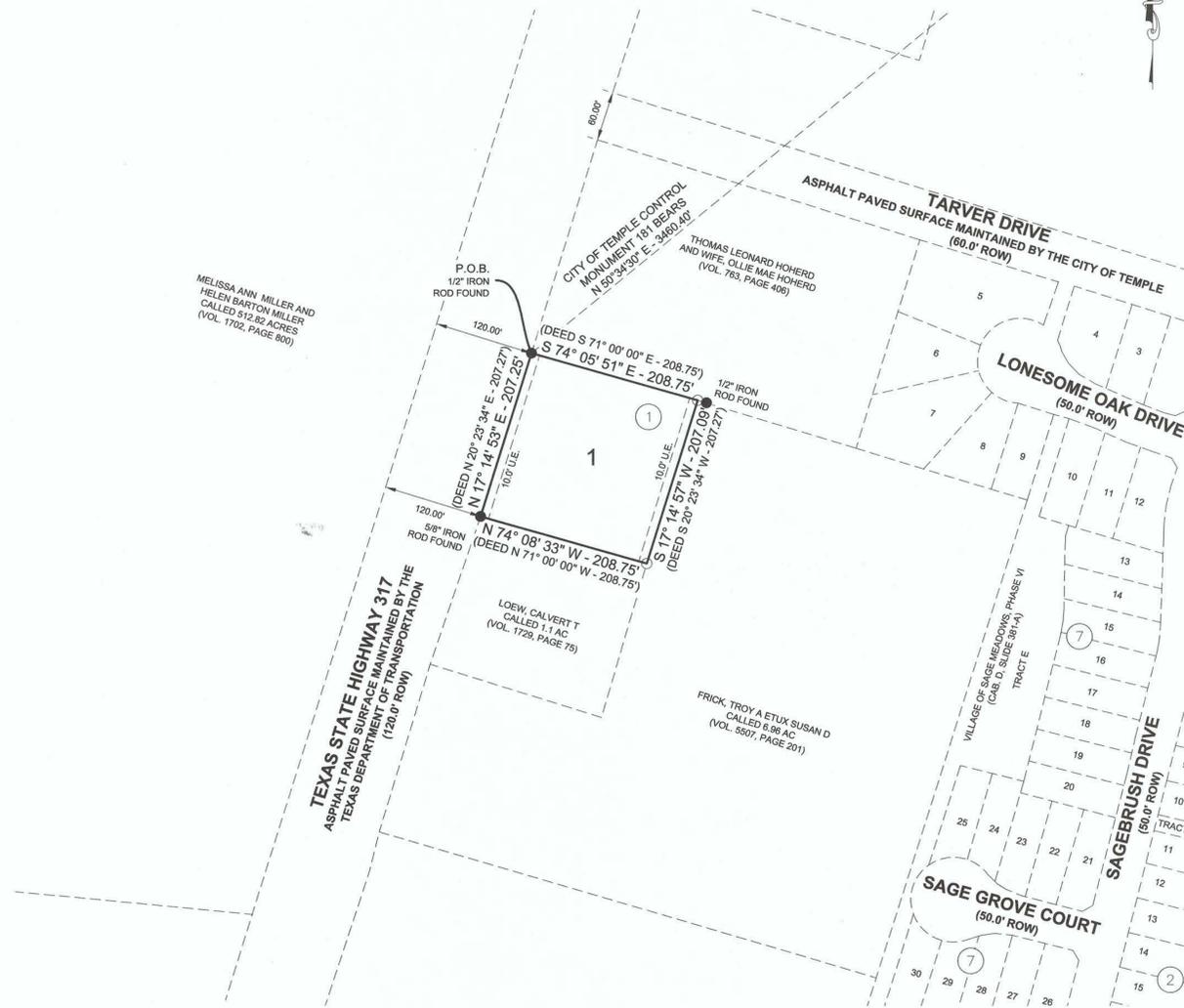
(BEING OUT OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT NUMBER 17, AND BEING ALL OF THAT CALLED 0.993 ACRES OF LAND IN A DEED TO BELL COUNTY FLOORING, LLC, TIMOTHY A. ELSER, AND IRMA V. ELSA, RECORDED IN DOCUMENT NUMBER 2014-42304 OF OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.)

LEGEND

- PROPERTY BOUNDARY
- - - - - EASEMENT LINES
- - - - - ADJOINING TRACT PROPERTY LINES
- IRON ROD FOUND
- IRON ROD SET (1/2" WITH QUINTERO CAP)
- ① **UNLESS OTHERWISE NOTED** BLOCK NUMBER



LOCATION MAP
SCALE: NTS



NOTES:

- THE BUILDING SETBACK LINES FOR THIS TRACT SHALL BE DETERMINED AS REQUIRED BY THE APPLICABLE ZONING SECTION OF THE CITY CODE OF ORDINANCES AS RELATED TO THE DEVELOPMENT OF THIS TRACT UNLESS SHOWN HERON.
- THE BEARINGS SHOWN HERON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, PER LEICANET GPS OBSERVATIONS. ALL DISTANCES ARE SURFACE DISTANCE.
- ALL CORNERS ARE 1/2 IRON ROD SET W/ QUINTERO CAP, UNLESS OTHERWISE NOTED.
- A 6 - FOOT SIDEWALK WILL BE PROVIDED BY TxDOT IMPROVEMENTS ON S.H. 317. THE SIDEWALK WILL BE UPSIZED TO 10 - FOOT BY CITY PARTICIPATION AT THE TIME OF CONSTRUCTION.
- NO PORTION OF THIS PROPERTY LIES WITHIN THE FEMA 100 YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 48027C0330E, WHICH BEARS AN EFFECTIVE DATE OF AUGUST 13, 2012.
- THIS PROJECT IS REFERENCED IN NAD 1983 CENTRAL TEXAS STATE PLANE, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS. ALL COORDINATES ARE REFERENCED TO CITY MONUMENT NO 181. THE THETA ANGLE AT CITY MONUMENT NO 181 IS 1° 29' 30". THE COMBINED CORRECTION FACTOR (CCF) IS 0.999853. GRID DISTANCE = SURFACE DISTANCE x CCF. GEODETIC NORTH = GRID NORTH + THETA ANGLE. REFERENCE TIE FROM CITY MONUMENT NO 181 TO THE POINT OF BEGINNING OF THE 0.993 ACRE TRACT IS N 50° 34' 30" E, 3,460.40 FEET. PUBLISHED CITY COORDINATES FOR PROJECT REFERENCE POINT 181 ARE NORTHING = 10,383,028.13, EASTING = 3,202,665.44.

BELL COUNTY FLOORING, LLC, TIMOTHY A. ELSER, AND IRMA V. ELSER, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS **BELL COUNTY FLOORING ADDITION**, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BELL COUNTY FLOORING, LLC

BY: TIMOTHY A. ELSER
MANAGING MEMBER

TIMOTHY A. ELSER

IRMA V. ELSER

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2016, BY TIMOTHY A. ELSER, IN HIS CAPACITY AS AN INDIVIDUAL AND AS MANAGING MEMBER OF BELL COUNTY FLOORING, LLC, A TEXAS LIMITED LIABILITY COMPANY, ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2016, BY IRMA V. ELSER.

NOTARY PUBLIC, STATE OF TEXAS

PLANNING AND ZONING COMMISSION

THIS 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.

APPROVED THIS _____ DAY OF _____, 20____.

CHAIRPERSON, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION.

SURVEYORS' CERTIFICATE:

I, A. W. KESSLER, DO HEREBY CERTIFY THAT AN ACTUAL AND ACCURATE SURVEY WAS MADE ON THE GROUND OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE FOUND OR PLACED, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

A. W. Kessler 4-25-16

A. W. KESSLER
R. P. L. S. NO. 1852
415 E. AVENUE D
KILLEEN, TX 76541



BELL COUNTY PUBLIC HEALTH DEPARTMENT

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HERBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGES FACILITIES AND IS HEREBY RECOMMENDED FOR APPROVAL.

BY: _____
BELL COUNTY PUBLIC HEALTH DEPARTMENT

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE _____ DAY OF _____, 20____, AD.

By: _____
BELL COUNTY TAX APPRAISAL DISTRICT

COUNTY CLERK INFORMATION:

FILED FOR RECORD THIS _____ DAY OF _____, 20____, IN PLAT YEAR _____, PLAT # _____

PLAT RECORDS OF BELL COUNTY, TEXAS, AND DEDICATION INSTRUMENT # _____, OFFICIAL RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

BY: _____

SURVEY:	BALDWIN ROBERTSON SURVEY, A-17	OWNER:	BELL COUNTY FLOORING, LLC
NUMBER OF BLOCKS:	1		TIMOTHY A. ELSER
NUMBER OF LOTS:	1		IRMA V. ELSER
TOTAL ACREAGE:	0.993 Ac.		120 MUELHOUSE STREET BELTON, TEXAS
DATE:	MARCH 2016	SURVEYOR:	QUINTERO ENGINEERING, LLC
			415 E. AVENUE D KILLEEN, TEXAS 76541 (254) 493-9962

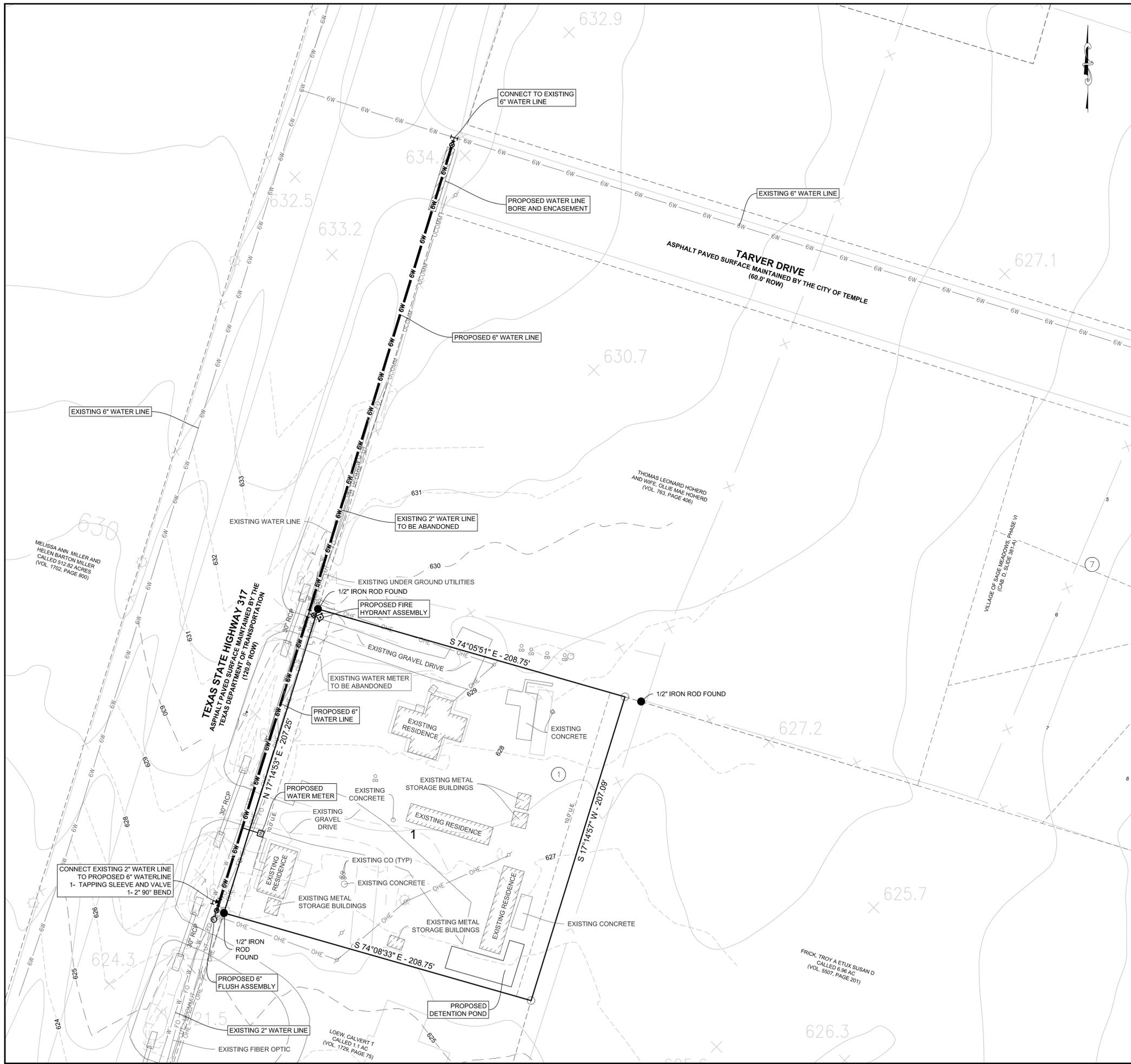
QUINTERO ENGINEERING
LLC
415 E. AVENUE D
KILLEEN, TEXAS 76541
T.B.P.E. FIRM NO.: 14709 T.B.P.L.S. FIRM NO.: 10194111



**FINAL PLAT
BELL COUNTY FLOORING ADDITION
TEMPLE, BELL COUNTY, TEXAS**

0.993 ACRE TRACT, BALDWIN ROBERTSON
SURVEY, ABSTRACT NO 17
TEMPLE, BELL COUNTY, TEXAS

DRAWING NO.:
P1



LEGEND

- EXISTING 6" WATER LINE
- EXISTING 2" WATER LINE
- PROPOSED 6" WATER LINE
- EXISTING WATER SERVICE
- PROPOSED FIRE HYDRANT ASSEMBLY
- PROPOSED FLUSH ASSEMBLY
- PROPOSED GATE VALVE
- PROPOSED TEE
- PROPOSED 90° BEND
- PROPOSED SINGLE WATER SERVICE

SEWER NOTES:

1. ALL SANITARY SEWER PIPE SHALL BE ASTM D3034, SDR 26 PVC PIPE UNLESS NOTED OTHERWISE.
2. ALL CONSTRUCTION SHOWN HEREIN SHALL BE PER CITY OF TEMPLE STANDARDS AND SPECIFICATIONS.
3. EXISTING UTILITIES SHOWN HEREIN HAVE BEEN LOCATED BY VISIBLE APPURTENANCES AND RECORD DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES REGARDLESS OF THERE DEPICTION HEREIN.
4. THIS PROPERTY WILL BE SERVED BY ON-SITE SEWAGE FACILITIES (OSSF). ALL PROPOSED OSSF SHALL BE IN ACCORDANCE WITH THE POLICIES AND LAWS OF BELL COUNTY. THE BELL COUNTY HEALTH DEPARTMENT HEREBY DESIGNATED AS THE FINAL AUTHORITY REGARDING THE USE OF PRIVATE SEWAGE SYSTEMS.
5. WATER - SEWER CROSSING SHALL MEET THE MINIMUM CURRENT REQUIREMENTS PER TCEQ AND CITY CODE.

WATER NOTES:

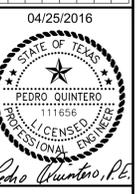
1. ALL WATERLINES SHALL BE AWWA C900 PVC PIPE UNLESS OTHERWISE NOTED.
2. ALL CONSTRUCTION SHOWN HEREIN SHALL BE PER CITY OF TEMPLE STANDARDS AND SPECIFICATIONS.
3. EXISTING UTILITIES SHOWN HEREIN HAVE BEEN LOCATED BY VISIBLE APPURTENANCES AND RECORD DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES REGARDLESS OF THERE DEPICTION HEREIN.
4. ALL WATER MAINS SHALL HAVE A MINIMUM DEPTH OF COVER OF 42" BELOW FINISH GRADE.
5. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PER CITY OF TEMPLE STANDARD DETAIL.
6. ALL FIELD BENDS SHALL BE PER PIPE MANUFACTURER RECOMMENDATIONS.
7. WATER SERVICES TO BE PROVIDED BY THE TEMPLE.
8. WATER - SEWER CROSSING SHALL MEET THE MINIMUM CURRENT REQUIREMENTS PER TCEQ AND CITY CODE.

DRAINAGE NOTES:

1. DRAINAGE METHODOLOGY AND ASSUMPTIONS
 - 1.1. HYDROLOGY METHOD OF ANALYSIS: RATIONAL METHOD
 - 1.2. TIME OF CONCENTRATION: SCS TECHNICAL RELEASE 55 (TR-55) (MINIMUM 6 MINUTES)
 - 1.3. LAND USE: 2006 PLANIMETRIC DATA AND 2015 IMAGERY FROM GOOGLE EARTH
 - 1.4. RUNOFF COEFFICIENT: RATIONAL METHOD "C" RUNOFF COEFFICIENT.
 - 1.5. HYDROLOGIC SOIL TYPES: NOT APPLICABLE
 - 1.6. RAINFALL INTENSITY: TXDOT'S 24-HOUR RAINFALL DEPTH DATA FOR BELL COUNTY, TEXAS.
2. ALL UPSTREAM FLOWS SHALL BE ACCEPTED ONSITE AS THEY CURRENTLY EXIST AND SHALL NOT BE OBSTRUCTED.
3. ENERGY DISSIPATION SHALL BE PROVIDED AT EACH OUTFALL BY THE USE OF ROCK RIPRAP OR CONCRETE RIPRAP WITH FORMED CONCRETE DISSIPATORS.
4. ALL LOTS MUST HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES.
5. UNDER PROPOSED CONDITIONS, THE SITE SHALL BE DESIGNED TO SURFACE DRAIN TO THE SOUTHWEST PROPERTY CORNER ALONG 30TH STREET.
6. THE PROPOSED SITE DRAINAGE DESIGN SHALL NOT CREATE A POINT DISCHARGE ONTO ADJACENT PARCELS AND ALL SURFACE RUNOFF SHALL BE APPROXIMATED TO SHEET FLOW PRIOR TO LEAVING THE PARCEL.
7. A FINAL SITE DRAINAGE ANALYSIS WILL BE PROVIDED WITH THE BUILDING PERMIT PROCESS. AT THIS TIME, DETENTION IS PROPOSED FOR THIS SITE.



No.	DATE	REVISIONS	REMARKS	BY



ISSUED FOR REVIEW, COMMENT

PROJECT NO.: 16-013
DATE: April 2016

QUINTERO ENGINEERING, LLC
415 E. AVENUE D
KILLEEN, TEXAS 76541
PHONE: (254) 493-9982
FAX: (254) 432-7070
T.B.P.E. FIRM NO.: 14789
T.B.P.L.S. FIRM NO.: 10194111



BELL COUNTY FLOORING ADDITION
6401 N. HIGHWAY 317
TEMPLE, BELL COUNTY, TEXAS

SHEET TITLE: TOPOGRAPHIC AND UTILITY LAYOUT

DRAWING NO.: C1



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/2016

Item #3

Regular Agenda

Page 1 of 2

Applicant: Charles Lucko, All County Surveying

Case Manager: Dessie Redmond, Planner

Item Description: P-FY-16-30 Consider and take action on the Final Plat of Friars Creek Crossing, 8.436 +/- acres, 5-lot, 1-block commercial subdivision, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located at 4350 S 5th Street.



Photo 1: Google Earth image showing bird's eye view of subject property area.

Staff Recommendation: Staff recommends approval for the Friars Creek Crossing Final Plat.

Summary: Friars Creek Crossing is a final plat for approximately 8.436 acres of land. The applicant proposes to subdivide the subject property into 5 commercial lots. The Development Review Committee (DRC) reviewed and requested revisions to the Final Plat on March 21, 2016. The applicant responded to requested revisions during the DRC process per staff and per the Unified Development Code (UDC). During the DRC review, staff discussed with the applicant the existing median cut on S 5th Street to remain to allow access into the property and also the possibility of interior shared cross access between the proposed 5 lots. The applicant was receptive to this discussion. The plat was deemed

administratively complete by staff on April 25, 2016 and is now before the Planning & Zoning Commission to approve, approve with conditions or deny the plat.

A companion rezoning (Z-FY-16-24) requesting a change from the existing Agriculture (AG) district to General Retail (GR) district was reviewed by the Planning Department for the same +/- 8.436 acre tract of land. The Planning & Zoning Commission will hear this rezoning also on May 2, 2016 with an anticipated first reading at Council on June 2 and the second reading on June 16, 2016.

The property is currently vacant undeveloped land. To the north of the property is the Friars Creek Crossing at Canyon Ridge subdivision. Recently, a commercial building was constructed on the property abutting the subject property to the north. To the south of the property is an existing single-family residence. To the west of the property is an existing creek and open space and to the east of the property is agricultural land.

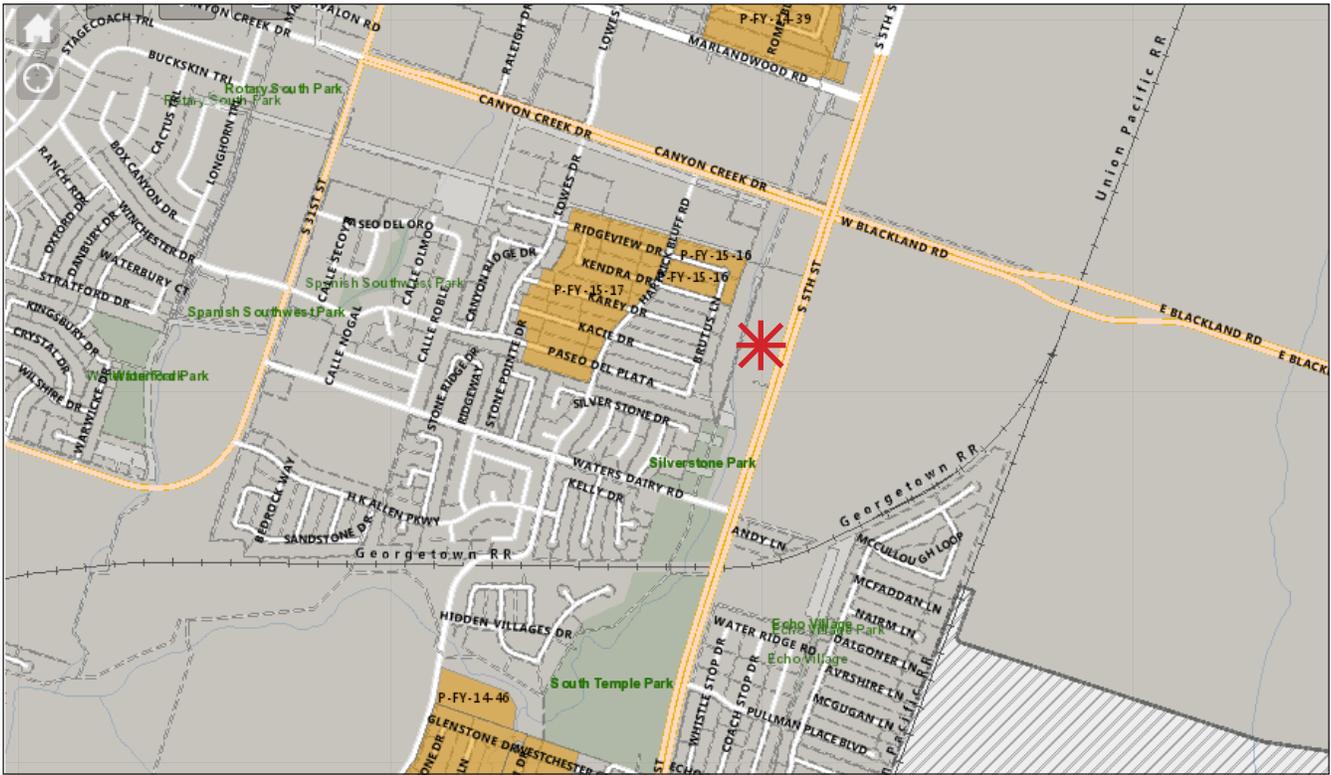
Sewer is available to the subject properties by a 24 inch sewer line that runs along the west boundary. Water is available through a 3 inch waterline or a 12 inch waterline both which run under S 5th Street (Topo/Utility Map).

The Planning and Zoning Commission is the Final Plat authority for the Friars Creek Crossing final plat because the applicant has not requested any exceptions to the UDC.

Fiscal Impact: Not Applicable

Attachments:

Vicinity Map
Site Photos
Final Plat
Topo/Utility Plan



Vicinity Map



On 5th Street looking south, down the east property line.



On 5th Street looking west through the subject property.

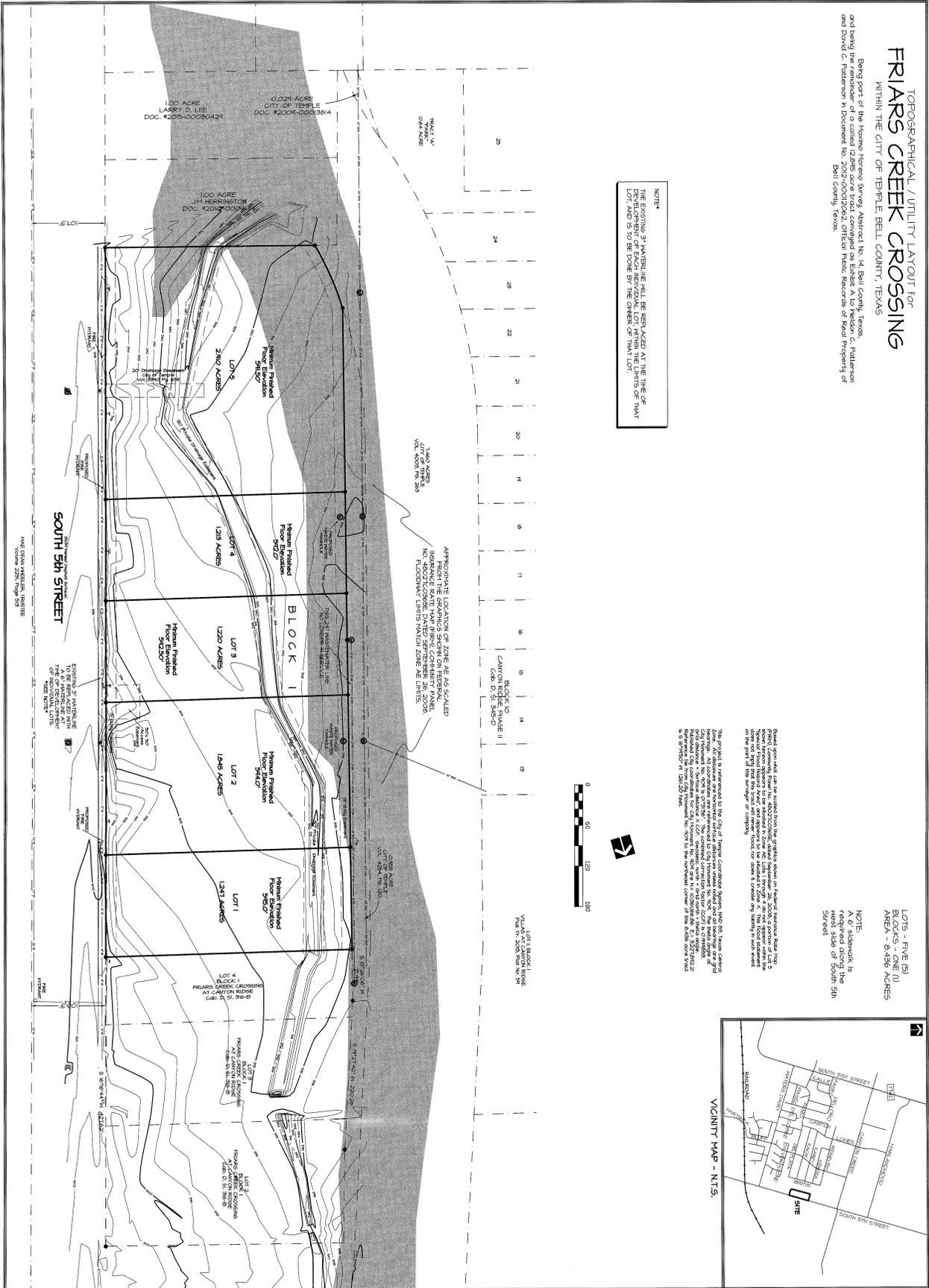


On the north property line, looking south through subject property.

TOPOGRAPHICAL / UTILITY LAYOUT FOR FRIARS CREEK CROSSING

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

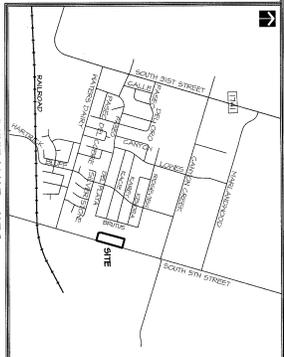
Being part of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, and being the remainder of a called 12.845 acre tract conveyed as Exhibit A to Heldon C. Patterson and David C. Patterson in Document No. 2012-00012062, Official Public Records of Real Property of Bell County, Texas.



NOTE
THE EXISTING STAIRCASE WILL BE REPLACED AT THE TIME OF DEVELOPMENT OF EACH INDIVIDUAL LOT WITHIN THE LIMITS OF THAT LOT, AND IS TO BE DONE BY THE OWNER OF THAT LOT.

Based upon field data collected from the geographic information system (GIS) data, the topographic contours shown on this plat are approximate and do not represent actual ground elevations. The contours are shown for informational purposes only and are not to be used for engineering or construction purposes. The contours are shown for informational purposes only and are not to be used for engineering or construction purposes. The contours are shown for informational purposes only and are not to be used for engineering or construction purposes.

NOTE:
A 6' sidewalk is to be provided on the north side of South 5th Street.



TOPOGRAPHICAL / UTILITY LAYOUT FOR
FRIARS CREEK CROSSING
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS
Being part of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, and being the remainder of a called 12.845 acre tract conveyed as Exhibit A to Heldon C. Patterson and David C. Patterson in Document No. 2012-00012062, Official Public Records of Real Property of Bell County, Texas.

ACS
ALL COUNTY SURVEYING, INC.

1303 South 21st Street
Temple, Texas 76504
254-718-2212 • Kilisen 254-634-4696
Fax 254-714-7608
Tx. Firm Lic. No. 10023600

DATE PLOTTED: 05/25/2016
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
DATE: 05/25/2016
SCALE: AS SHOWN
SURVEY NO.: 001-4696

Topo/Utility



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item 4
Regular Agenda
Page 1 of 5

APPLICANT / DEVELOPMENT: Vincent G. Huebinger for Mueller Inc.

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: Z-FY-16-20– Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to install a proposed 115' stealth monopole for Verizon Wireless at the Mueller building site on a tract of land of 0.0258 +/- acres, situated in the S. Bottsford Survey, Abstract No. 118, Bell County, Texas, located at 7050 North General Bruce Drive.

STAFF RECOMMENDATION: Staff recommends approval of the requested Conditional Use Permit (CUP) for the following reasons:

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

ITEM SUMMARY: The applicant requests this Conditional Use Permit to allow installation of a 115' stealth monopole for Verizon Wireless at the Mueller building site located at 7050 North General Bruce Drive. The property is zoned Light Industrial District (LI) and is located within the I-35 Interstate Corridor Overlay Industrial Sub-District. The applicants were unable to find a suitable collocation site in this area and propose a stealth monopole to resemble a flagpole with a flag. The applicants have submitted a letter regarding the inability to collocate.

Although the Unified Development Code (UDC) prohibits freestanding personal wireless service facilities in the other I-35 interstate Corridor Overlay Sub-District, **UDC Section 5.4.4.C permits freestanding monopoles in the Industrial Sub-District.**

UDC Section 5.4.3. (I-35 Interstate Corridor Overlay District Standards) allows the Director of Planning to consider Freestanding Stealth Personal Wireless Service Facilities in all I-35 Interstate Corridor Overlay Sub-Districts.

A **Conditional Use Permit is required** because the applicant's **proposed stealth monopole placement of 345 feet within adjacent residential uses does not meet the condition that requires freestanding towers within Light Industrial and Heavy Industrial Districts to be located no closer than 1,000 feet to the boundary of any residential use or district, per UDC Section 5.4.4. (Chief Building Official Review and Final Action).**

Personal wireless cell towers pursuing C.U.P.s are subject to the following design standards in Section 5.4.5 of the UDC:

A. Boundary and Use Setbacks

1. A guy or guy anchor for a facility must not be closer than 20 feet to a bounding property line.

Staff note: The proposed freestanding monopole does not have a guy or guy anchors. It is a stealth monopole that will resemble a flagpole without a flag.

2. The distance between the base of a self-supported tower and the property line of any residential zoning district or use must not be less than 3 times the height of the tower structure.

Staff note: The proposed monopole is located within an existing Light Industrial zoning district and is located no closer than 345 feet from the nearest residential use. The nearest residential use is located within the Agricultural zoning district.

B. Security Screening Fence

1. A solid, wood or masonry fence, a minimum of eight feet in height, must completely enclose the base of every tower. **Staff note: The site plan proposes a six foot high wood fence enclosed around the tower base and equipment shelter.**

2. In a residential zoning district or on property that abuts a residential zoning district or use, a solid wood or masonry fence, a minimum of eight feet in height, must completely enclose all mechanical equipment and accessory structures. **Staff note: The request is in an existing Light Industrial District and proposes a six foot high wood fence enclosed around the tower base and equipment shelter.**

3. A security screening fence for a facility built or permitted after May 17th, 2001, may not be less than 6 feet in height. **Staff note: This request proposes a six foot high wood fence.**

4. A security fence must be built to safely discourage unauthorized access to facilities by climbing. **Staff note: The applicants propose a six foot high fence topped with barbed wire, as allowed by UDC Section 7.7.5 D.**

5. External and internal gates and doors that provide access to a facility must be equipped with a self-locking or self-latching mechanism for purposes of preventing unauthorized access. **Staff note: The site plan reflects compliance with this requirement.**

6. Screening is not required for a facility located on a building that is not designed or built primarily to support the facility, if the ancillary equipment, including but not limited to the equipment enclosure, is not visible from an abutting property line or public street right-of-way. **Staff note: The site plan reflects a six foot high wood fence for screening around the site's perimeter.**

C. Screening

1. As much of the total facility as possible must be screened or located so as to not be visible from prevalent views. **Staff note: The proposed tower base and equipment shelter will be screened by a six foot high wood fence.**

2. Landscaping must be continuously maintained in a healthy, growing condition and be trimmed as necessary to comply with ordinances governing height of grass, corner sight obstruction and street and sidewalk obstruction. **Staff note: The applicant proposes to remove the five existing trees within the fenced area and plant six new trees along the along the outer border of the proposed 6-foot high wooden privacy fence. Placement of the six new replacement trees will be free of any corner sight obstructions.**

D. Collocation

A new freestanding tower is not permitted unless the applicant demonstrates to the satisfaction of the approving authority that existing, permitted or proposed alternative support structures cannot accommodate the proposed facilities for the following reasons:

1. Height is not sufficient to meet applicant’s engineering requirements;
2. Structural strength is not sufficient to support applicant’s proposed facilities and cannot be reinforced in accordance with engineering requirements;
3. Other aspects of structure do not meet applicant’s technical design requirements;
4. Electromagnetic interference would result from collocation;
5. Fees or costs for sharing or adapting are unreasonable; any cost that is less than the cost to construct and develop a new tower is presumed to be reasonable;
6. Owners of alternative structures are unwilling to accommodate the applicant’s needs within 30 days after the date such owners received applicant’s written request; or
7. Other factors render alternative support structures unsuitable.

Staff note: The applicants have submitted a letter regarding the inability to collocate.

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	LI	Industrial/ Manufacturing
North	Suburban Commercial	AG	Industrial/ Manufacturing & Rural Residential
South	Suburban Commercial	LI	Undeveloped Industrial Property
East	Suburban Commercial	LI	Industrial/ Manufacturing & I-35
West	Agricultural / Rural	AG	Agricultural / Rural Residential

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

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

The property is within the Suburban Commercial character district of the *Choices '08* City of Temple Comprehensive Plan. The property is also within the I-35 Interstate Corridor Overlay Industrial Sub-District, which specifically allows freestanding monopoles in the Industrial Sub-District, **per UDC Section 5.4.4.C.**

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

The subject property fronts North General Bruce Drive/ I-35, a highway, which is appropriate for commercial and industrial uses. Pegasus Drive, a collector, is appropriate for the applicant's requested stealth monopole.

Availability of Public Facilities (CP Goal 4.1)

An existing 10-inch water line is located within the right-of-way of Pegasus Drive. A 6-inch water line is located on the northern portion of the applicant's property. Sewer services to the property are provided by septic system.

PUBLIC NOTICE: Eight (8) notices of the **May 2, 2016**, Planning and Zoning Commission public hearing were sent out to property owners within **500-feet** of the subject property as required by State law and City Ordinance. As of Wednesday, April 27, 2016, no notices have been received in favor of the requested Conditional Use Permit and no notices have been returned in opposition to the requested Conditional Use Permit.

Staff sent out notices to all property owners within 500 feet, per UDC Section 5.4.5.D (Conditional Use Permit), which requires a notification boundary of 500 feet. Since Staff initially only notified property owners within 200 feet, new notification maps were sent out to property owners within 500 feet for the May 2, 2016, Planning and Zoning meeting.

The newspaper printed notice of the public hearing on **April 21, 2016**, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Site and Surrounding Property Photos
- Zoning Map
- Location map with Aerial

Future Land Use and Character Map
Thoroughfare & Trails Map
Utility Maps
Applicant's Collocation Letter
Applicant's Site Plan Exhibits

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	LI	Industrial / Manufacturing	
			
			

Direction	Zoning	Current Land Use	Photo
East	LI	Industrial/ Manufacturing & I-35	
West	AG	Agricultural / Rural Residential	

Direction	Zoning	Current Land Use	Photo
South	LI	Undeveloped Industrial Property	
North	AG	Industrial / Manufacturing & Rural Residential	

Direction	Zoning	Current Land Use	Photo
			



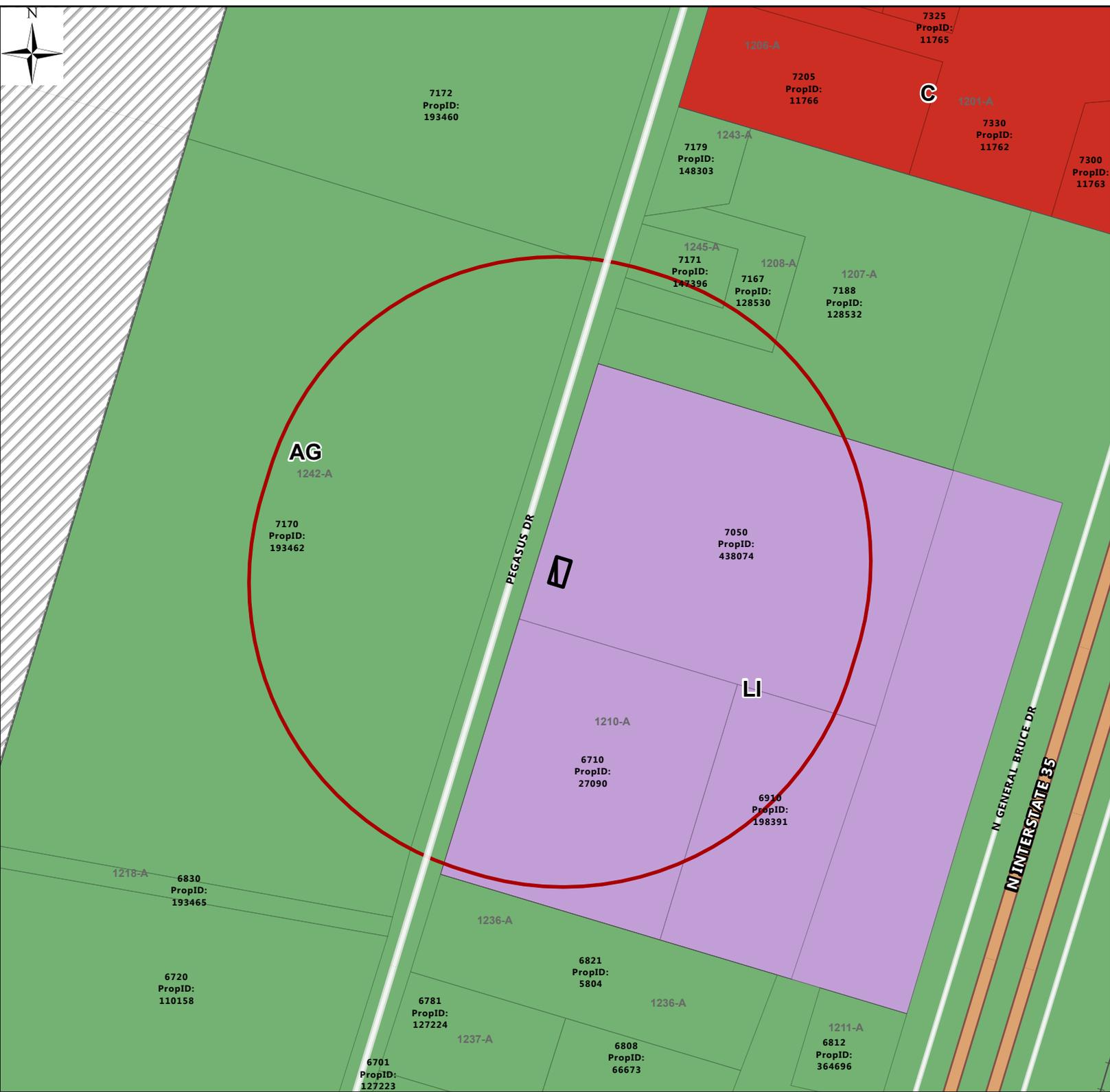
LI to LI-CUP

500' NOTIFICATION MAP

Zoning Case :
Z-FY-16-20

Address :

7050 N General Bruce DR



CurrentZoning		
HI - CUP	O-1	AG - CUP
UE	O-1 - CUP	MH
UE - PD	O-1 - PD	MH - CUP
SF-1	O-2	MH - PD
SF-1 - CUP	O-2 - CUP	MU
SF-1 - PD	O-2 - PD	MU - CUP
SF-2	NS	SD-C
SF-2 - PD	NS - CUP	SD-C - CUP
SF-3	NS - PD	SD-H
SF-3 - PD	GR	SD-H - CUP
SF-3 - CUP, PD	GR - CUP	SD-T
SFA	GR - PD	SD-V
SFA-2	GR - CUP, PD	T4
SFA-3	CA	T4 - PD
SFA-3 - PD	CA - CUP	T4 - CUP
2F	CA - PD	T5-C
2F - CUP	C	T5-C - CUP
2F - PD	C - CUP	T5-C - PD
MF-1	C - PD	T5-E
MF-1 - CUP	C - CUP, PD	T5-E - CUP
MF-1 - PD	LI	T5-E - PD
MF-2	LI - CUP	NO BASE
MF-2 - CUP	LI - CUP	CUP
MF-2 - PD	LI - PD	PD
MF-3 - PD	LI - CUP, PD	CaseArea
	HI	Buffer500
	HI - 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: 4/19/2016





LI to LI-CUP

AERIAL MAP

Zoning Case :
Z-FY-16-20

Address :
7050 N General Bruce DR

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

myarberry
Date: 4/19/2016

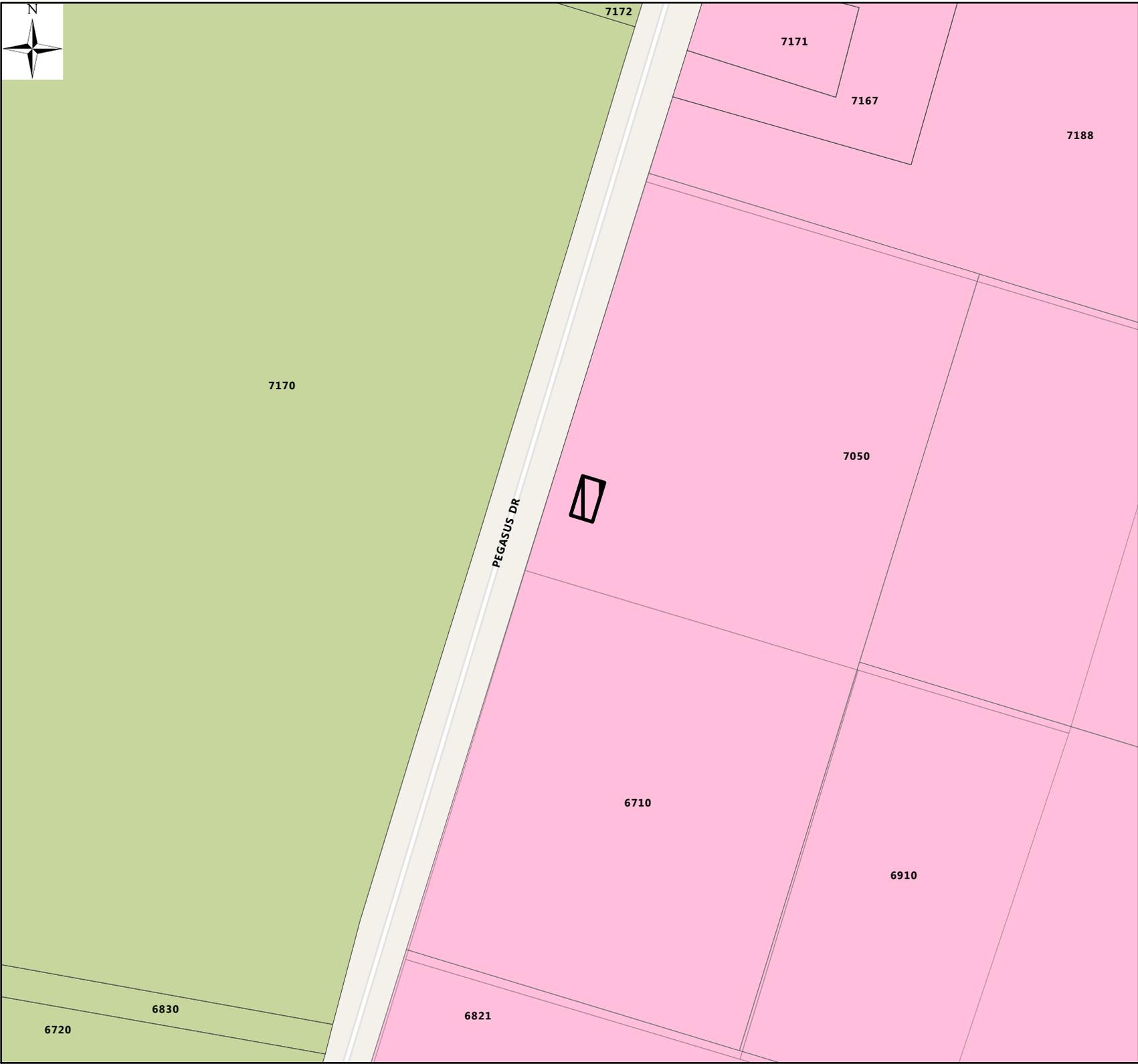




LI to LI-CUP FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-20

Address :
7050 N General Bruce DR



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

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: 4/19/2016

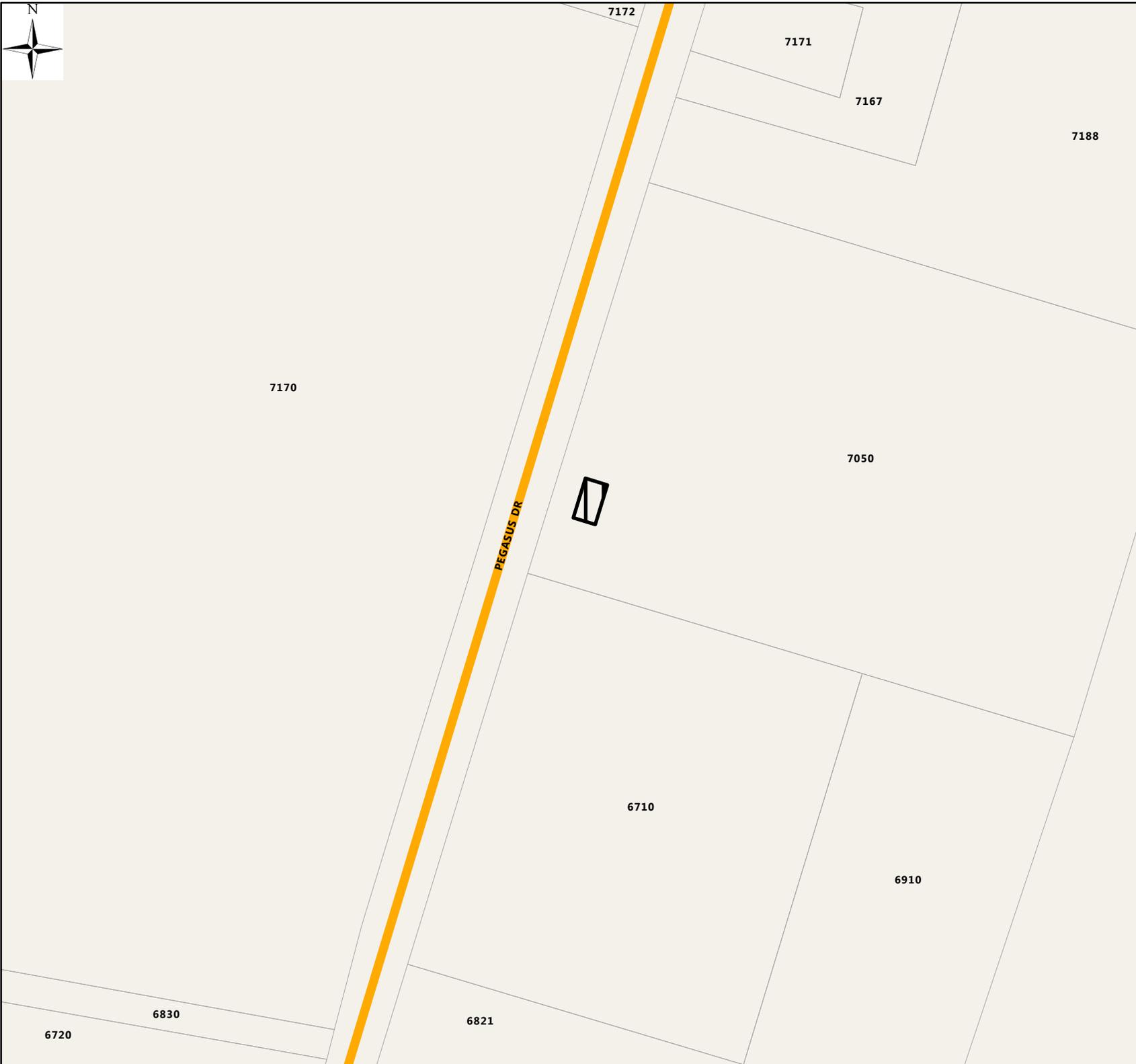




LI to LI-CUP
**THOROUGHFARE
 AND TRAILS MAP**

Zoning Case :
 Z-FY-16-20

Address :
 7050 N General Bruce DR

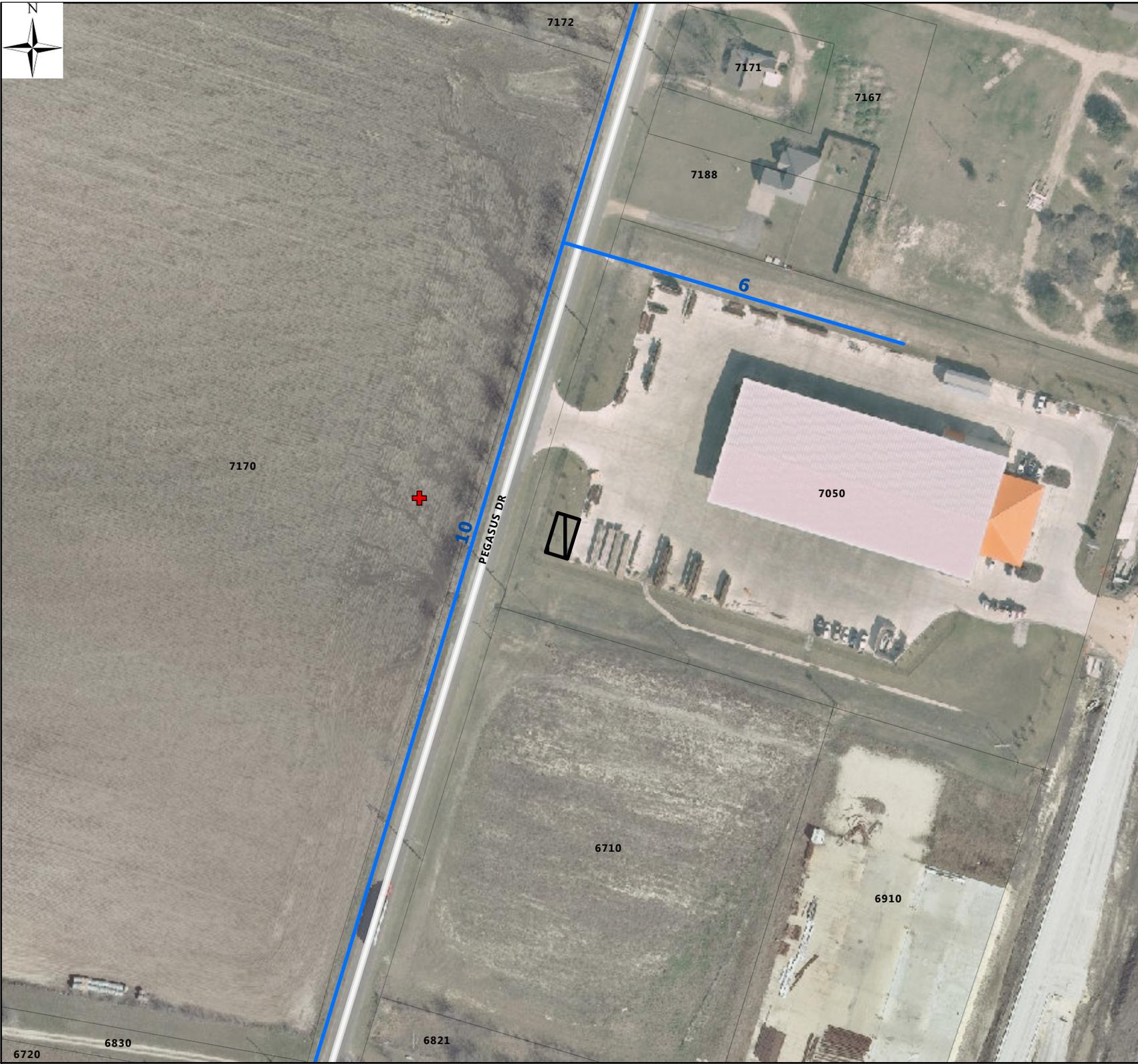


- Parcels
- Expressway
- Major Arterial
- Proposed Major Arterial
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Proposed Collector
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- Parcels
- Parcels
- CaseArea
- Trails Master Plan**
- EXISTING, CITY WIDE SPINE
- EXISTING,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

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

myarberry
 Date: 4/19/2016





LI to LI-CUP

UTILITY MAP

Zoning Case :
Z-FY-16-20

Address :
7050 N General Bruce DR

-  Manhole
-  Gravity Main
-  Hydrant
-  Main
-  Parcels
-  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.

myarberry
Date: 4/19/2016



WIRELESS COMMUNICATION FACILITY RF LOCATION STATEMENT

**Re: Verizon Wireless – Verizon Mueller/Telecommunication facility located at
7050 N. General Bruce Drive, Temple Texas 76501**

Verizon Wireless hereby states that a careful review of the geographical area to be served by the proposed new tower was made, which revealed that an antenna height of one hundred (115') feet would be required.

This tower will be located on a specific parcel, and sits in a location designed to enhance and expand both the available coverage and the necessary capacity for the citizens of Temple, Texas. This location will provide Verizon customers with enhanced communications and added capacity for adjacent highway traffic along IH 35 for Temple, Texas.

Verizon Wireless considered other immediate locations, structures and possibilities, but no other option was available that would allow Verizon Wireless to utilize a tower less than one hundred fifteen (115') feet while serving the intended coverage area and providing sufficient capacity. No other structure has sufficient height to meet these engineering requirements.

This RF Location Statement confirms the importance of this specific location in order to provide service, i.e. coverage and capacity, to the citizens of Temple Texas.

Kathryn L. Foster
R.F. Engineer for Verizon Wireless

3/16/2016
Date



5804 Tri County Parkway
Schertz, TX 78154

To Whom it may concern:

I, Tim Caletka (Principal Const. Engineer-Verizon Wireless) hereby authorize Vincent Gerard & Associates to file and pull all appropriate documents, permits and applications with respect to Verizon permits on our projects. Vincent Gerard & Associates is an authorized agent for Verizon Wireless.

Thank You,

A handwritten signature in blue ink that reads "Tim Caletka". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Tim Caletka –Sr. Construction Engineer

Verizon Mueller

Proposed 110' monopole

Legend

-  Proposed Verizon Mueller



Proposed Verizon Mueller

35

Pegasus Dr

Interstate 35 Frontage Rd

Google earth

© 2015 Google

800 ft



42

Verizon Mueller

IH35- Distance 550'

Legend

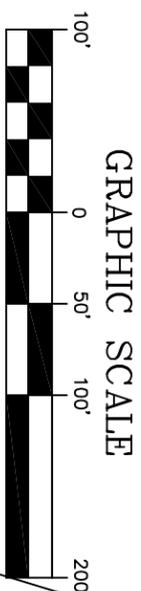
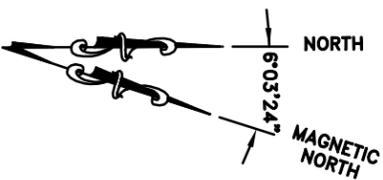
 Proposed Verizon Mueller

 Proposed Verizon Mueller

Pegasus Dr

Interstate 35 Frontage Rd





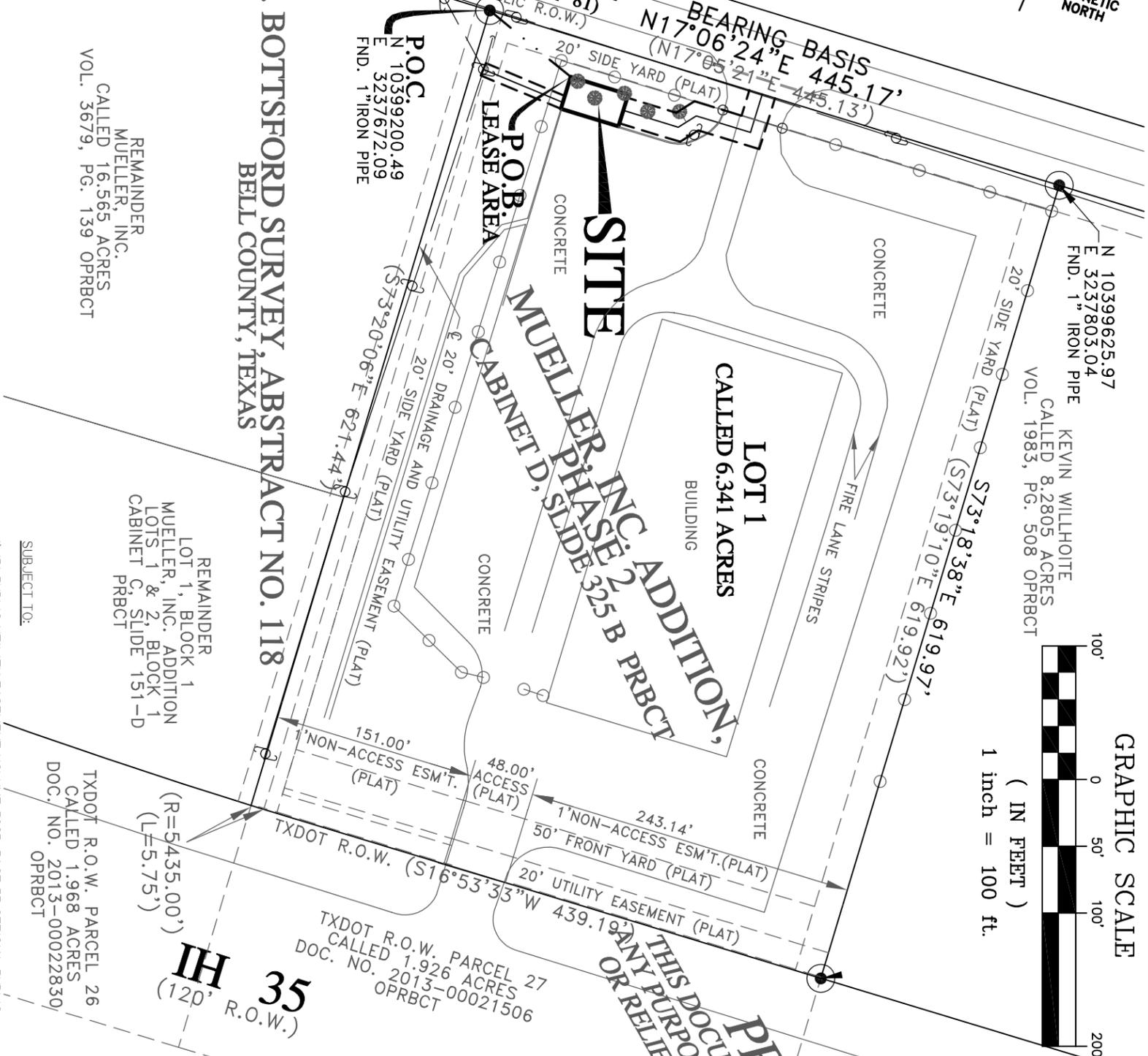
GRAPHIC SCALE

PEGASUS DRIVE
(A.K.A. OLD HIGHWAY 81)
(60' PUBLIC R.O.W.)
BEARING BASIS
N17°06'24"E 445.17'
(N17°05'21"E 445.13')

S. BOTTSFORD SURVEY, ABSTRACT NO. 118
BELL COUNTY, TEXAS

REMAINDER
MUELLER, INC.
CALLED 16.565 ACRES
VOL. 3679, PG. 139 OPRBCT

SURVEY OF:
A 0.0258 OF AN ACRE LEASE AREA, A 20 FOOT WIDE ACCESS AND UTILITY EASEMENT AND A 10 FOOT WIDE UTILITY EASEMENT OUT OF LOT 1, MUELLER, INC. ADDITION, PHASE 2 RECORDED IN CABINET D, SLIDE 325 B PLAT RECORDS BELL COUNTY, TEXAS, SITUATED IN THE S. BOTTSFORD SURVEY ABSTRACT NO. 118, BELL COUNTY, TEXAS.



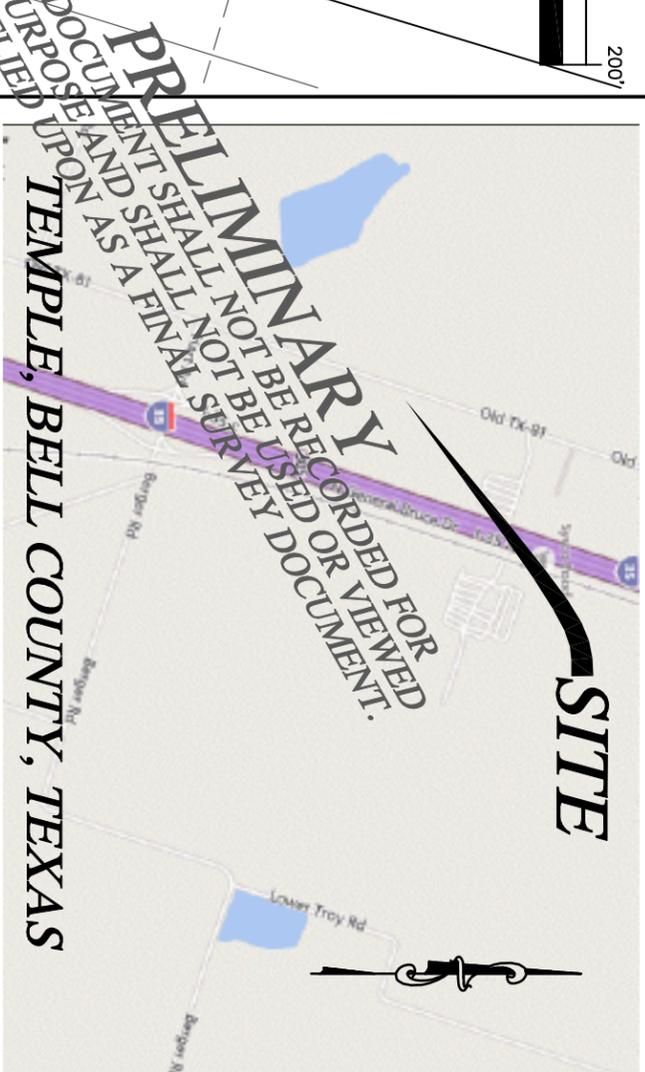
REMAINDER
LOT 1, BLOCK 1
MUELLER, INC. ADDITION
LOTS 1 & 2, BLOCK 1
CABINET C, SLIDE 151-D
PRBCT

TXDOT R.O.W. PARCEL 26
CALLED 1.968 ACRES
DOC. NO. 2013-00022830
OPRBC

TXDOT R.O.W. PARCEL 27
CALLED 1.926 ACRES
DOC. NO. 2013-00021506
OPRBC

SUBJECT TO:

- 1) 15' PUBLIC UTILITY EASEMENT VOLUME 3895, PAGE 37 OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS (OPRBC). (DOES NOT AFFECT LESSEE'S LEASE AREA OR ACCESS AND UTILITY EASEMENT (DNA)).
- 2) POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES INSTRUMENT NO. 2011-32660 OPRBC. (DNA)
- 3) POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES INSTRUMENT NO. 2011-32661 OPRBC (DNA).
- 4) COURT ORDER CONDITIONALLY GRANTING WRIT OF POSSESSION INSTRUMENT NO. 2013-00014288 OPRBC (DNA).
- 5) COURT ORDER CONDITIONALLY GRANTING WRIT OF POSSESSION INSTRUMENT NO. 2013-00015557 OPRBC (DNA).
- 6) COURT ORDER CONDITIONALLY GRANTING WRIT OF POSSESSION INSTRUMENT NO. 2013-00015924 OPRBC (DNA).



VICINITY MAP

N.T.S.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED UPON AS A FINAL SURVEY DOCUMENT.

LEGEND

- △ = SET 60D NAIL
- ▲ = SET MAG NAIL W/ DISK SOLIS-KANAK
- () = DENOTES BEARINGS & DISTANCES PER RECORD
- = 1/2" IRON BAR FOUND UNLESS OTHERWISE NOTED.
- = UTILITY POLE
- - - = OVERHEAD LINE
- X - = WIRE FENCE
- = SET 1/2" IRON BAR W/ SOLIS-KANAK CAP
- ☑ = HWY. CONC. MONUMENT

FLOOD ZONE

This property described above appears on the Federal Emergency Management Agency Flood Insurance Rate Map: FIRM 48027C0190E, Effective date September 26, 2008. This property appears in Zone "X", areas of minimal flooding, shown on the map. No warranty is expressed or implied is made regarding the accuracy of the National Flood Insurance Program Map

PROJECT INFORMATION

SITE NAME: MUELLER

OWNER/LESSOR NAME: MUELLER INC.

SITE ADDRESS: PEGASUS DRIVE
TEMPLE, TX 76501

LATITUDE: 31° 09' 45.16" N LONGITUDE: 97° 19' 25.74" W

GROUND ELEVATION: 727.7' AMSL

LATITUDE NORTH: 31° 09' 45.16" 31° 09' 44.59"

LONGITUDE WEST: 97° 19' 25.74" 97° 19' 24.65"

SYSTEM: GEODETIC GEODETIC

DATUM TRANS.: NAD 1983 NAD 1927

ELLIPSOID: GRS 1980 CLARK 1866

NOTES:

- 1) ALL ELEVATIONS ARE MEAN SEA LEVEL. (NORTH AMERICAN VERTICAL DATUM OF 1988)
- 2) METES AND BOUNDS DESCRIPTION PREPARED THIS DATE.
- 3) THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF AN OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY OLD REPUBLIC TITLE DATED OCTOBER 13, 2014, UPDATED SEPTEMBER 18, 2015.
- 4) BEARINGS BASED ON TEXAS STATE PLANE COORDINATES CENTRAL ZONE (NAD 83).

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO VERIZON WIRELESS, ARCHCOMM, INC., AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS IN INTEREST THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY IB, CONDITION II SURVEY.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

CLINTON L. KANAK, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4499



Solis-Kanak & Associates, Inc.
Professional Surveyors
FIRM LICENSE NO. 10140200
17500 FM 306
CANYON LAKE, TX 78133
(830) 935-4011 FAX (830) 935-4012



ArchComm Design, Inc. Architects
1840 Lockhill-Selma, Suite 101
San Antonio, Texas 78213
(210)308-9905

MUELLER
TEMPLE,
BELL COUNTY, TX

JOB NUMBER: 14-0184
DATE: 10-28-15
REV. I:
PRELIMINARY:
DATE: 02-16-16
PURPOSE:
FOR REVIEW

DRAWN BY: J.C.S./M.H.
REVISED BY:
SHEET NO.
1 of 2

ZONING MAP



ZONING DISTRICT LEGEND

- "AG" - Agricultural Open Space District
- "LI" - Limited Industrial District Permit "UD"

CONDITIONAL USE PERMIT

SITE INFORMATION

JURISDICTION: CITY OF TEMPLE, TEXAS 76501
 BELL COUNTY
 Latitude 31°09'44.071"N, Longitude - 97°19'70.00"W
 OCCUPANCY: N/A (UNMANNED)

USE: TELECOMMUNICATIONS FACILITY
 ZONING FILE NO.: NA

PROJECT TYPE

115' MONOPOLE TOWER SITE

DATE

FEBRUARY 29, 2016

SITE NAME:

MUELLER /VERIZON
 - SITE LOCATED IN 'LI' ZONING
 - SITE LOCATED IN IH 35 CORRIDOR
 (STEALTH MONOPOLE)
 -SITE MEETS 3X HEIGHT SETBACK
 FROM RESIDENTIAL USE

CONTACT INFORMATION

VINCENT GERARD & ASSOCIATES
 1715 S. CAPITAL OF TEXAS HWY
 SUITE 207
 AUSTIN, TEXAS 78746
 PHONE: (512) 328-2693

VINCE HUEBINGER

SITE ADDRESS

7050 N. GENERAL BRUCE DRIVE
 TEMPLE, TX., 76501

LEGAL DESCRIPTION

MUELLER ADDITION PHASE 2
 LOT 1 BLOCK 1, BELL COUNTY, TEXAS

CONSULTANTS

VINCENT GERARD & ASSOCIATES
 1715 S. CAPITAL OF TEXAS HWY
 SUITE 207
 AUSTIN, TEXAS 78746
 PHONE: (512) 328-2693

VINCE HUEBINGER

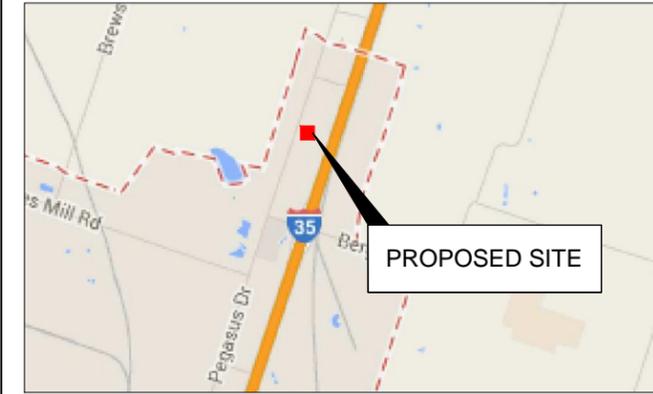
CARRIER INFORMATION

VERIZON WIRELESS
 KANDI VONGSOMBATH
 MNG., REAL ESTATE & REGULATORY
 7 VILLAGE CIRCLE STE. 400
 WESTLAKE TX 76262
 PHONE: (817) 961-2596
 EMAIL: viengxai.vangsombath@vzw.com

ZONING SITE PLAN

(NOT FOR CONSTRUCTION)
 ADVERTISING IS PROHIBITED ANYWHERE ON A WTF, WITH THE EXCEPTION OF THE MINIMUM SIGNAGE AS REQUIRED BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS OR NECESSARY FOR THE OPERATIONS OF A WTF.
 AN IDENTIFICATION SIGN FOR EACH SERVICE PROVIDER RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF A WTF AT THE SITE, NOT LARGER THAN TWO SQUARE FEET, SHALL BE POSTED AT A LOCATION FROM WHICH IT CAN BE EASILY READ FROM OUTSIDE THE PERIMETER OF THE WTF, AND SHALL PROVIDE THE NAME, ADDRESS, AND EMERGENCY NUMBER OF THE RESPONSIBLE SERVICE PROVIDER.

VICINITY MAP



NOT TO SCALE

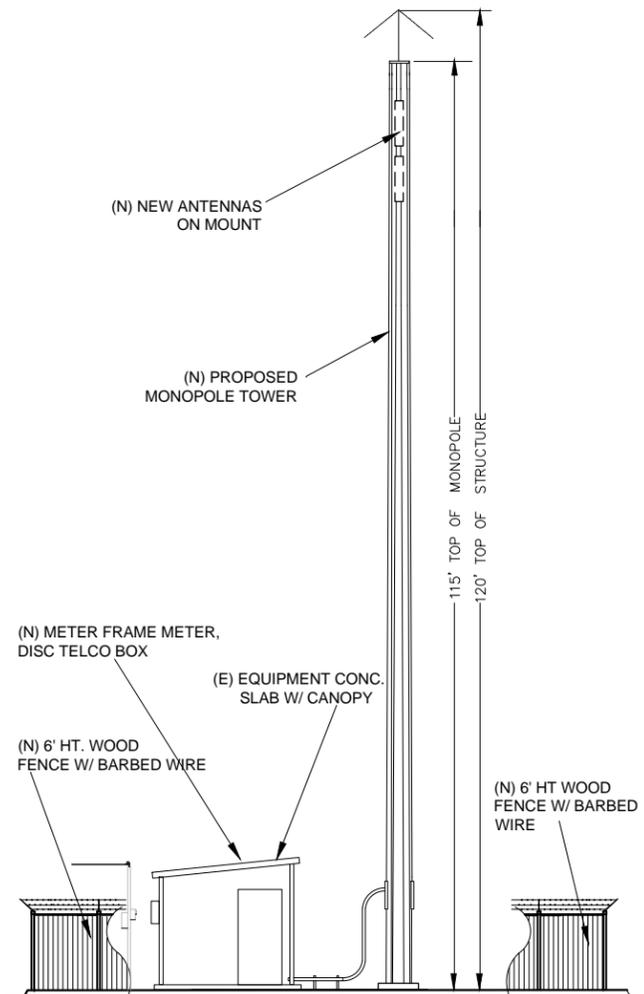
AERIAL IMAGERY



NOTE: SETBACK INDICATES 3X HEIGHT OF TOWER FROM RESIDENTIAL USE

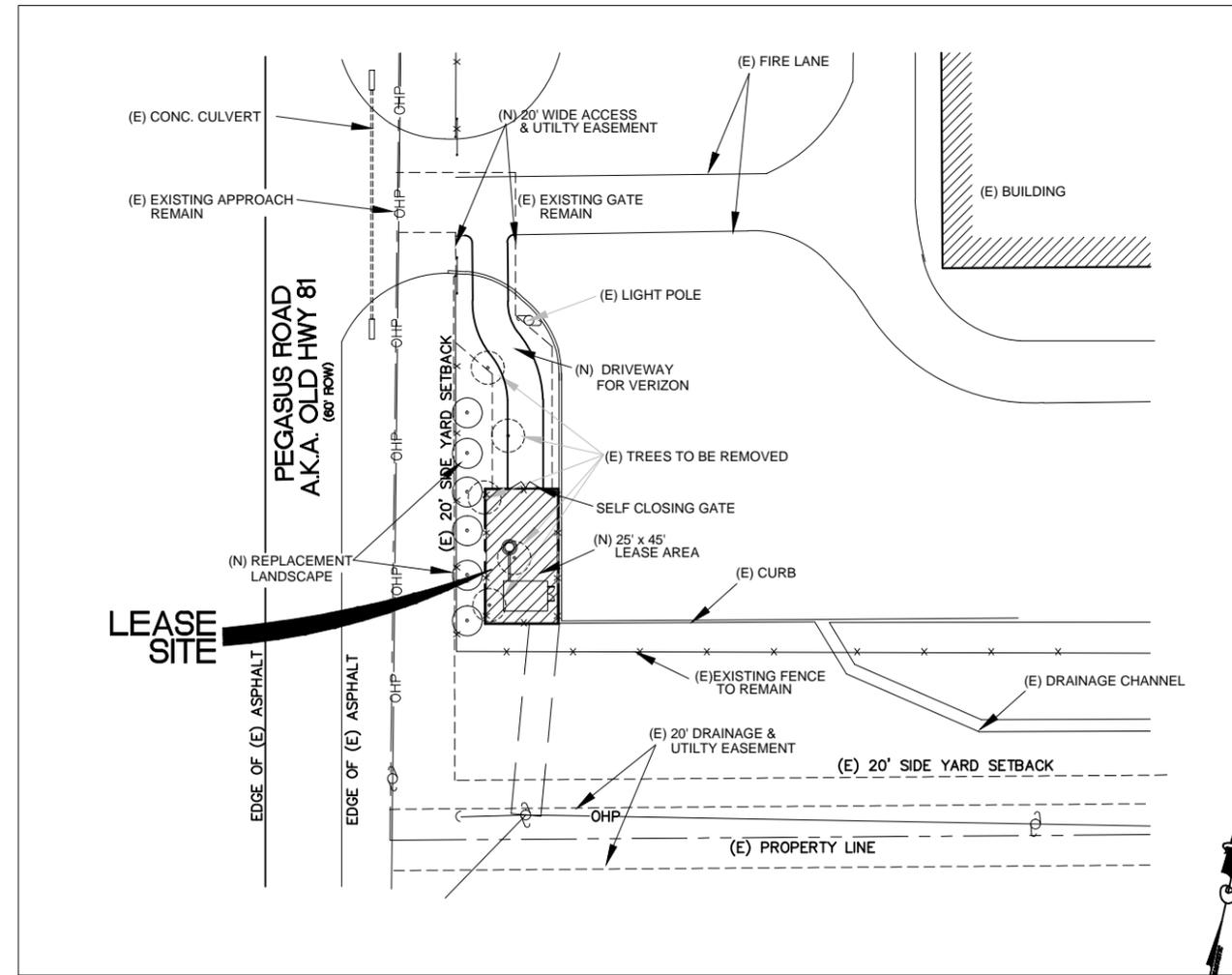
NOT TO SCALE

TOWER - TYPICAL



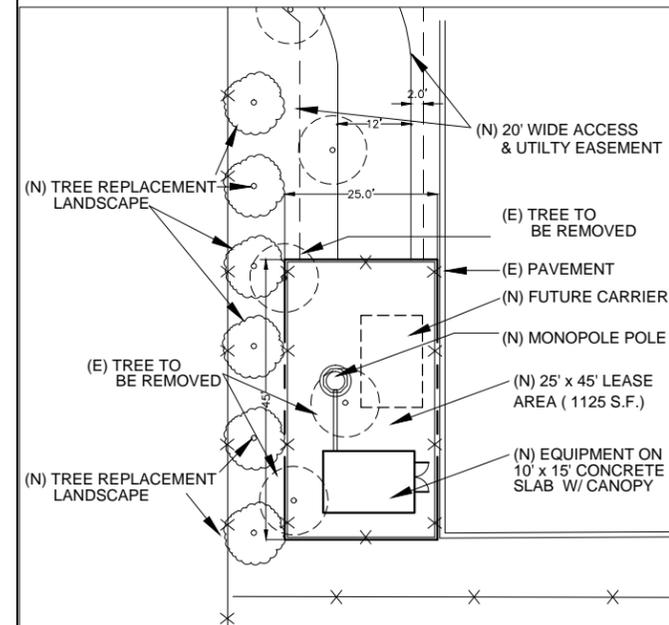
NOTE: TYPICAL LEASE AREA, ACTUAL EQUIPMENT LOCATIONS MAY VARY.

SITE PLAN



SCALE 1" = 60'-0"

DETAIL SITE PLAN



SCALE 1" = 30'-0"

APPROVAL BOX

ORIGINAL SUBMITTAL DATE: _____

ACCEPTED FOR APPROVAL: _____

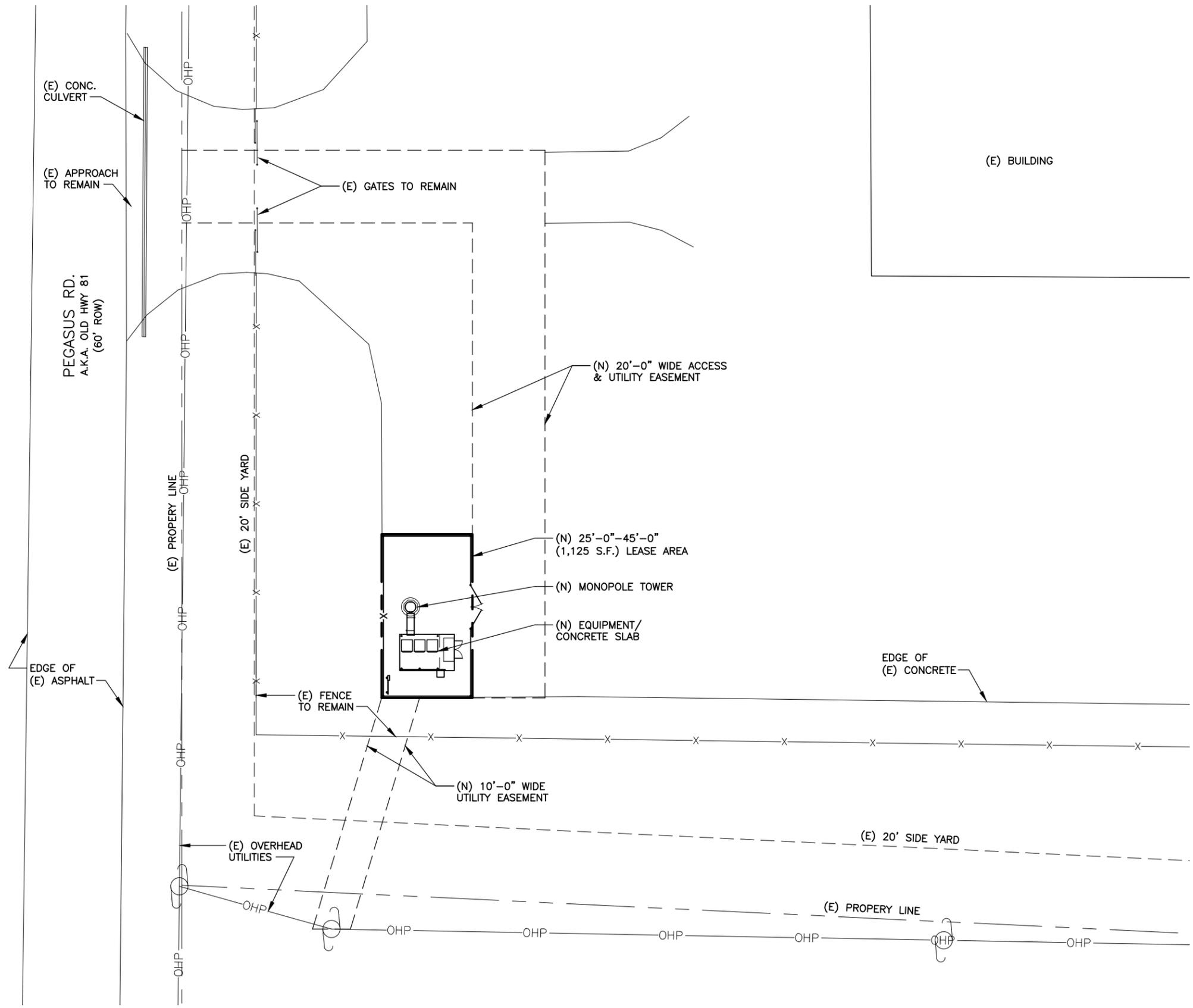
CITY OF TEMPLE, TEXAS



ZONING SITE PLAN
 MUELLER
 VERIZON COMMUNICATIONS
 7050 N. GENERAL BRUCE DRIVE
 TEMPLE, TEXAS 76501



H:\VERIZON\SOUTH TEXAS\Mueller - 299934\20141079122-NB\Mueller-ENSITE BASE DRAWING.dwg, 10/7/2015 4:08:33 PM, mlopez



1 SITE PLAN
SCALE: 1" = 30'-0"
NORTH

(N) = NEW LESSEE
(E) = EXISTING
(F) = FUTURE



MUELLER

PEGASUS DRIVE
TEMPLE, BELL COUNTY, TEXAS
(299934)

APPROVAL SIGNATURES
LANDLORD
LEASING
CONSTRUCTION

THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET

ARCHCOMM, LLC.
1006 Beckett
San Antonio, Texas 78213
(210) 308-9905
TBPE NO. F-15659

SHEET TITLE
SITE PLAN

SHEET HISTORY
10.01.15 ISSUE

46

EN1

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

H:\VERIZON\SOUTH TEXAS\Mueller - 299934\20141079122-NB\Mueller-ENSITE BASE DRAWING.dwg, 10/7/2015 4:06:58 PM, mlopez



MUELLER

PEGASUS DRIVE
TEMPLE, BELL COUNTY, TEXAS
(299934)

APPROVAL SIGNATURES
LANDLORD
LEASING
CONSTRUCTION

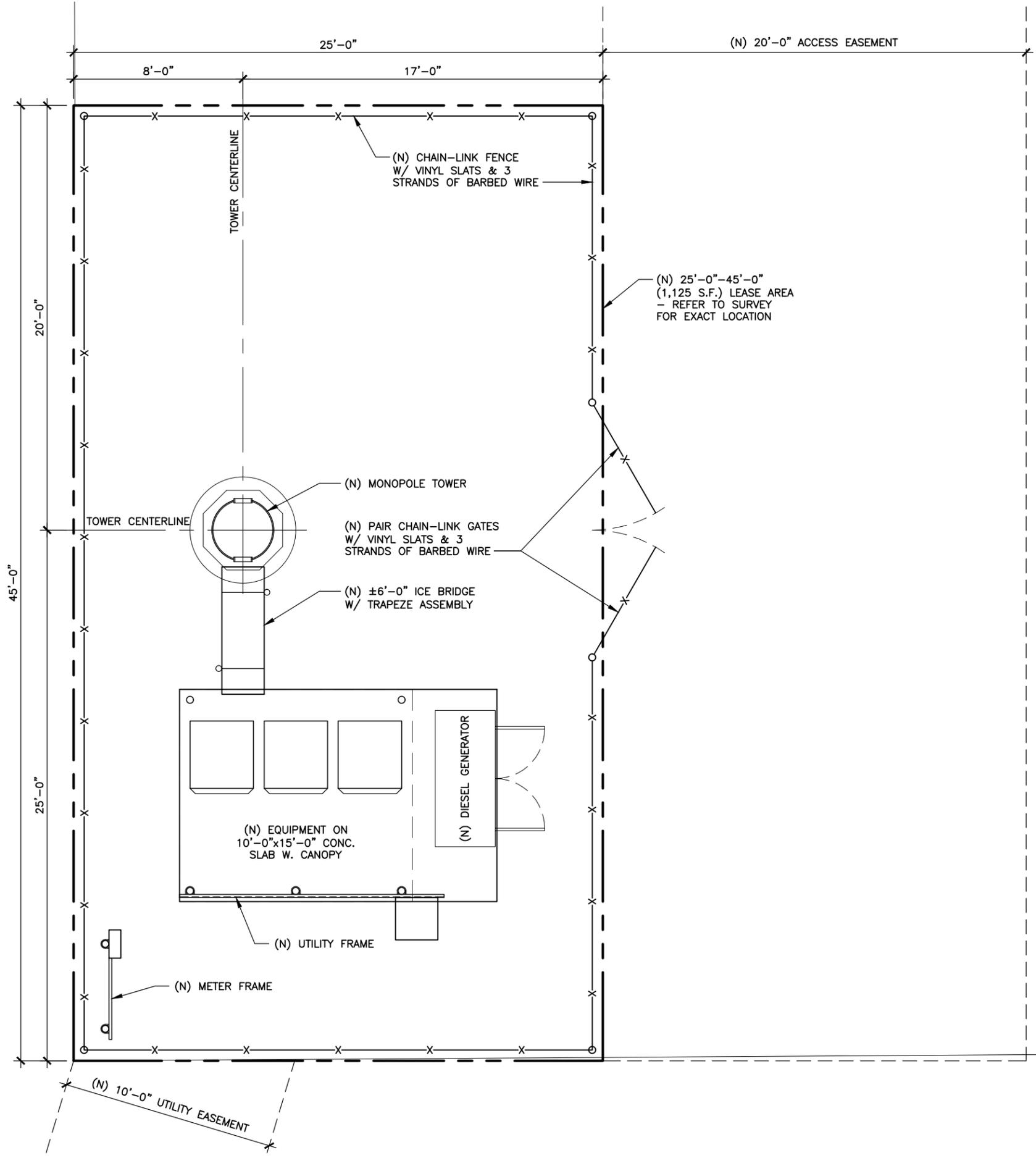
THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET


ARCHCOMM, LLC.
1006 Beckett
San Antonio, Texas 78213
(210) 308-9905
TBPE NO. F-15659
SHEET TITLE

SITE PLAN
SHEET HISTORY
10.01.15 ISSUE

EN2

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.



1 SITE PLAN
SCALE: 3/16" = 1'-0"

NORTH

(N) = NEW LESSEE
(E) = EXISTING
(F) = FUTURE



MUELLER

PEGASUS DRIVE
TEMPLE, BELL COUNTY, TEXAS
(299934)

APPROVAL SIGNATURES
LANDLORD
LEASING
CONSTRUCTION

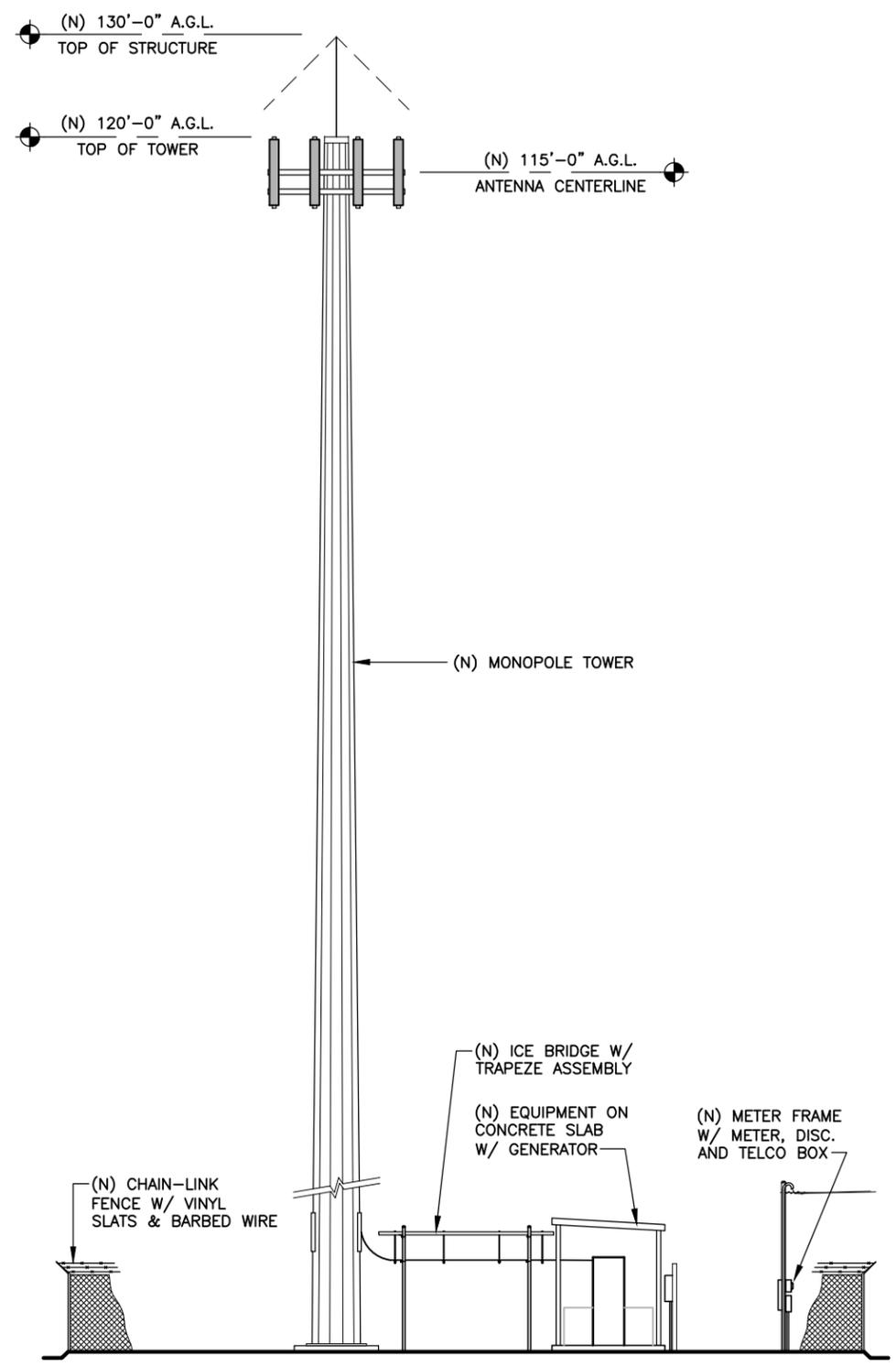
THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET


ARCHCOMM, LLC.
1006 Beckett
San Antonio, Texas 78213
(210) 308-9905
TBPE NO. F-15659

SHEET TITLE
SITE ELEVATION

SHEET HISTORY
10.01.15 ISSUE

EN3



1 SITE ELEVATION
SCALE: N.T.S.

(N) = NEW LESSEE
(E) = EXISTING
(F) = FUTURE

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #5
Regular Agenda
Page 1 of 5

APPLICANT / DEVELOPMENT: Evelyn Sanderson

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-21 Hold a public hearing to discuss and recommend action on a rezoning from Single Family Three - Planned Development (SF-3-PD) District to General Retail (GR) District on Lots 4-7, 21-25, Block 13, Hilldell Estates, located at 18 South Pea Ridge.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Single Family 3 - Planned Development (SF-3 PD) district to General Retail (GR) district for the following reasons:

1. The proposed zoning is compatible with the lack of residential development south of Georgia Ave and the anticipated non-residential development and growth along South Pea Ridge Road and West Adams (FM 2305);
2. The request complies with the Thoroughfare Plan; and
3. Public facilities are available to serve the subject property.

ITEM SUMMARY: The subject property is currently developed with a single family residence, which is comprised of Lots 4 through 7 and 21 through 25, Block 13, Hilldell Estates subdivision, an approximately 1.14 +/- acre tract of land. As per Ordinance 95-2321, Block 13 was included with the overall establishment of the current Single-Family Three – Planned Development (SF-3- PD) zoning, which became effective on March 2, 1995. The current request is from the SF-3 PD to General Retail (GR) for future non-residential development.

The Planned Development as adopted by Ordinance 95-2321 identifies zoning classification for a portion of Hilldell Estates subdivision and identifies development and dimensional standards for (1) single family detached homes, (2) industrialized modular homes and (3) mobile homes, which were occupied and existed at the time of ordinance adoption.

While it is anticipated the property will be developed with retail and service 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:

Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	* Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	* Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	* Emergency Vehicle Service * Helistop

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses.

Surrounding Property & Uses			
Direction	Future Land Use Map	Zoning	Current Land Use
Site	Suburban Residential	SF-3 PD	Existing Residence
North	Suburban Residential	SF-3 PD	Undeveloped
South	Suburban Residential	SF-3 PD	Undeveloped
East	Suburban Commercial & Auto-Urban Residential	GR	Big Chew Chew's Restaurant
West	Parks & Open Space	AG	West Temple Park

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

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	NO
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use Map (CP Map 3.1)

The subject property is entirely within the Suburban Residential land use district. Platted by the Hilldell Estates subdivision, with SF-3 Planned Development zoning, land immediately to the north and the south is vacant and undeveloped, leaving the subject property the only residentially-developed lot south of Georgia Ave. Based on this, Georgia Ave could be considered a boundary between potential retail and service uses and development while maintaining the residential character and development north of Georgia Ave. Further, the property across from the subject site is developed with non-residential uses (Big Chew Chews Burgers) with underlying GR zoning. This has established non-residential uses along this portion of South Pea Ridge, which is less than 200 feet north from its intersection with West Adams Ave (FM 2305).

Primarily due to the lack of residential development along this portion of South Pea Ridge Road, the established General Retail (GR) zoning, across from the subject property and the proximity to West Adams (FM 2305) to the south as well as the overall anticipated non-residential development in the immediate vicinity, a Future Land Use Map designation of Suburban Commercial supported by General Retail (GR) zoning may fare better at this location.

While the requested GR zoning **is not** consistent with the Future Land Use Map, the area lends itself to a transitioning to non-residential zoning and uses due to its location of south of Georgia Ave along South Pea Ridge and proximity to West Adams Ave. If the zoning is approved, the Future Land Use Map will need to be updated.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from south Pea Ridge Road, a proposed collector. Any needed right-of-way (ROW) to meet the road standards will be addressed with any re-platting of the property. While not funded, Series Three TCIP improvements to this section of North Pea Ridge Road are scheduled for fiscal year 2019.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 8-inch sewer line in South Pea Ridge Road. Water is available through an existing 1.5-inch waterline on the west side of the property.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails were identified by the Trails Master Plan fronting along this property. Since South Pea Ridge Road is identified as a proposed collector, a 4-foot sidewalk would be required along one side of the street. Sidewalk improvements however would not be addressed until re-platting, which would be triggered by non-single-family residential development.

DEVELOPMENT REGULATIONS: Setbacks for detached residential uses in the SF-3 PD and the non-residential setbacks in the General Retail (GR) district are as follows:

	Current (SF-3 PD) (SF Residential)	Proposed (GR) (Non-Residential)
Minimum Lot Size	4,000 Square Feet	N/A
Minimum Lot Width	40 Feet	N/A
Minimum Lot Depth	100 Feet	N/A
Front Setback	15 Feet	15 Feet
Side Setback	5 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	2 1/2 Stories	3 Stories

- ❖ 10' rear setback (Non-residential use abuts a residential zoning district or use - UDC Section 4.4.4.F3) and,

General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:

- * Landscaping or solid fencing from 6 to 8 feet in height (UDC Section 7.7.4),
- * Refuse containers located in the side or rear of the property (UDC Section 7.7.6), and
- * Screened outdoor storage (UDC Section 7.7.8.B1).

PUBLIC NOTICE: Fifteen 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 April 28, 2016 at 3:00 PM, three notices have been received in agreement of the proposed rezoning. 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 April 21, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is scheduled for the 1st Reading on June 2, 2016 and a 2nd Reading on June 16, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Location Map (Exhibit A)
Aerial Map
Zoning Map
Future Land Use and Character Map
Thoroughfare & Trails Map
Utility Map
Notification Map
Returned Property Notices
Planned Development Ordinance #95-2321

Site & Surrounding Property Photos



Site – Looking from N. Pea Ridge Road - Existing SF Residence (SF-3 - PD)



Site – Alternative View from N. Pea Ridge Road: SFR (SF-3-PD)



**North: North Pea Ridge Road – SF Residences on both sides of Street
Hilldell Estates on Left (SF-3-PD) – Westfield, Phase X on Right (SF-2)**



**North: SF Residences along North Pea Ridge Road – North of Georgia Ave
alignment (Hilldell Estates subdivision - SF-3-PD)**



North: Georgia Ave - Current Alignment Conditions (SF-3-PD)



North: Looking back toward the site from Georgia Ave Alignment (SF-3-PD)



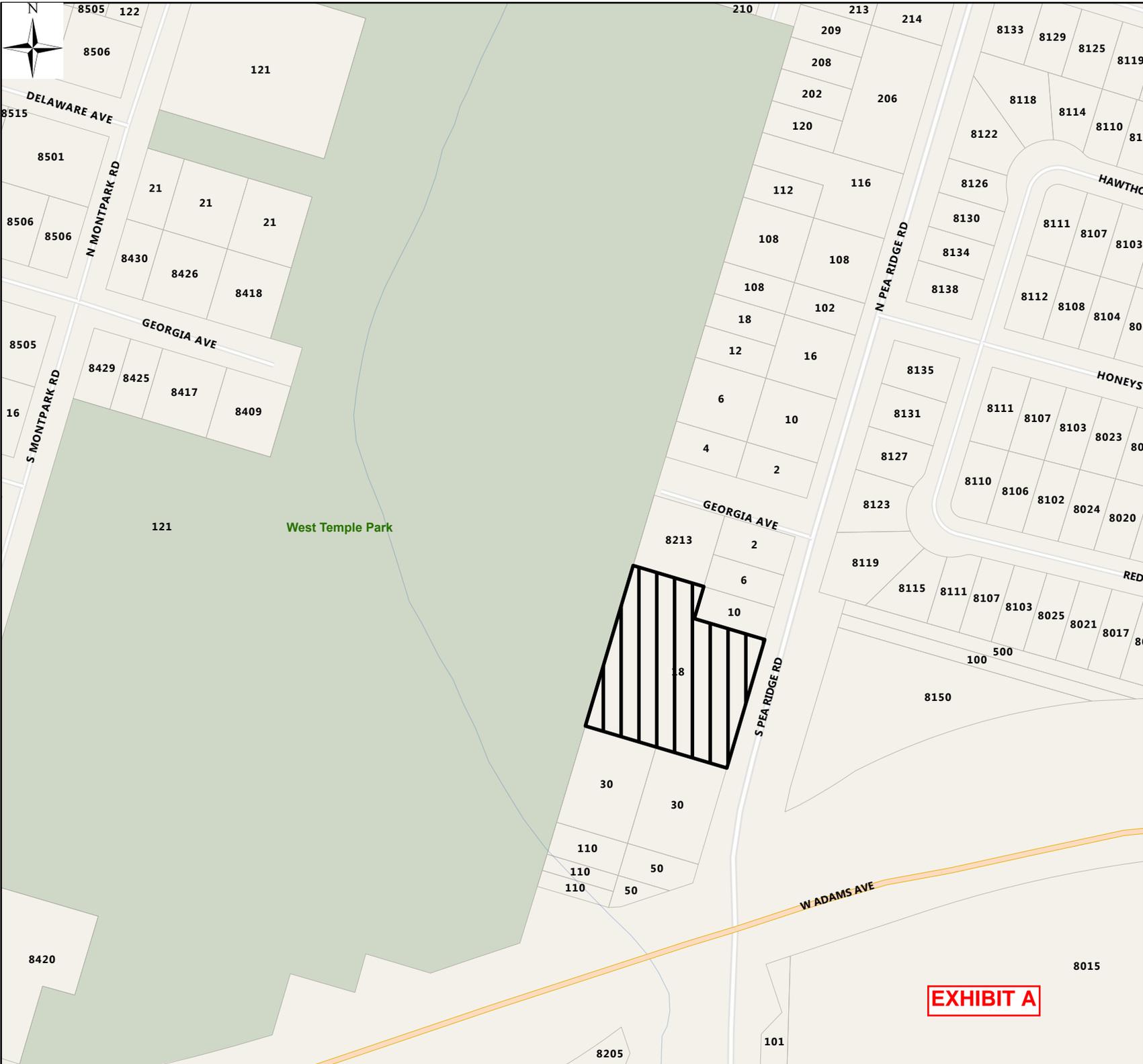
South: Intersection of S. Pea Ridge Road & W. Adams (FM2305) - Undeveloped (AG & GR)



East: Big Chew Chew's Burgers – (GR)



West: West Temple Park (AG)



SF-3 PD to GR

LOCATION MAP

Zoning Case :
Z-FY-16-21

Address :
18 South Pea Ridge

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

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

mbaker
Date: 3/31/2016

EXHIBIT A





SF-3 PD to GR

AERIAL MAP

Zoning Case :
Z-FY-16-21

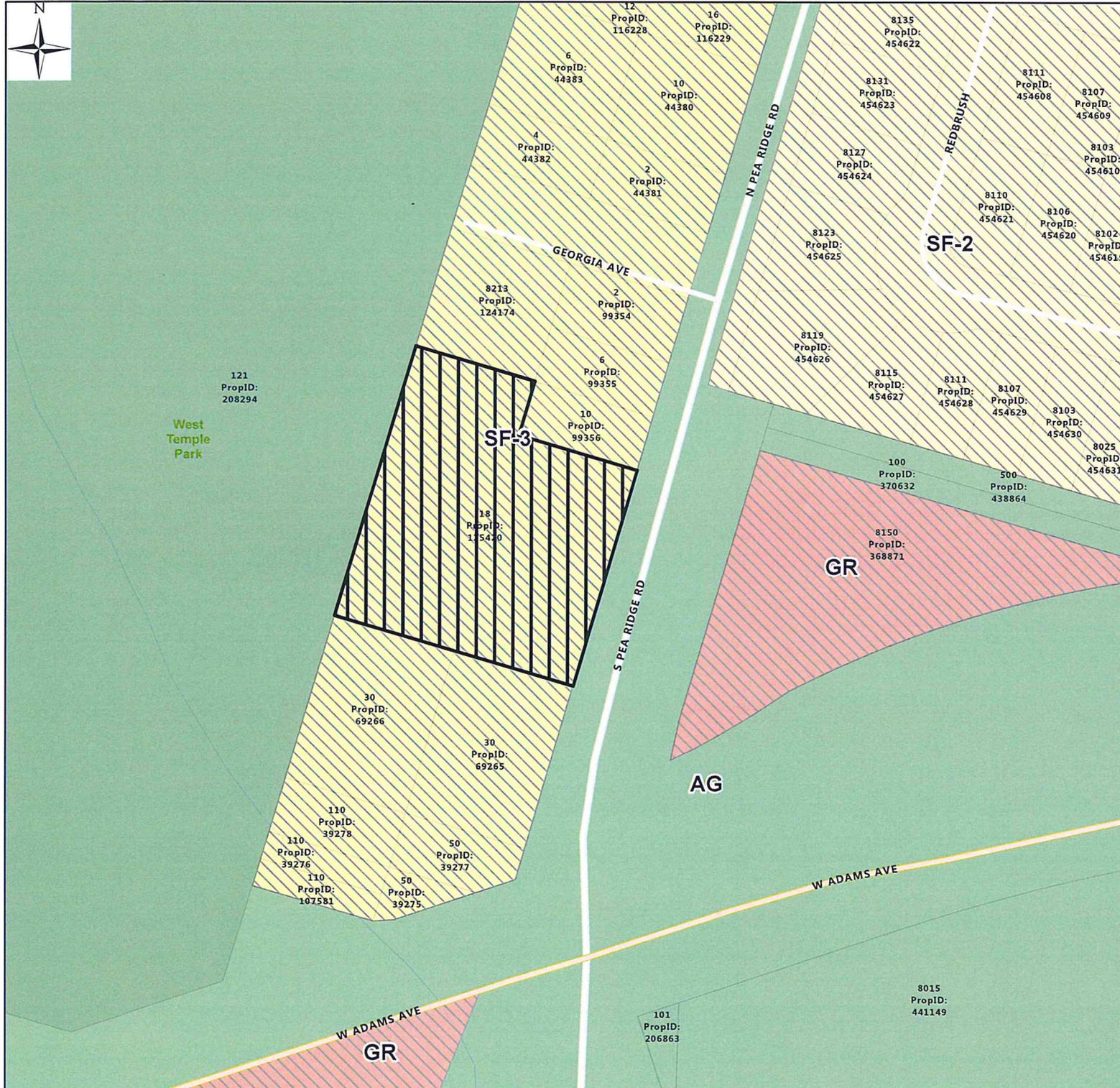
Address :
18 South Pea Ridge

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

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

mbaker
Date: 3/31/2016





SF-3 - PD to GR

ZONING MAP

Zoning Case :
Z-FY-16-21

Address :
18 South Pea Ridge

CurrentZoning	0-1	AG - CUP
HI - CUP	0-1 - CUP	MH
UE	0-1 - PD	MH - CUP
UE - PD	0-2	MH - PD
SF-1	0-2 - CUP	MU
SF-1 - CUP	0-2 - 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	Buffer
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.

mbaker

Date: 3/31/2016





SF-3 PD to GR FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-21

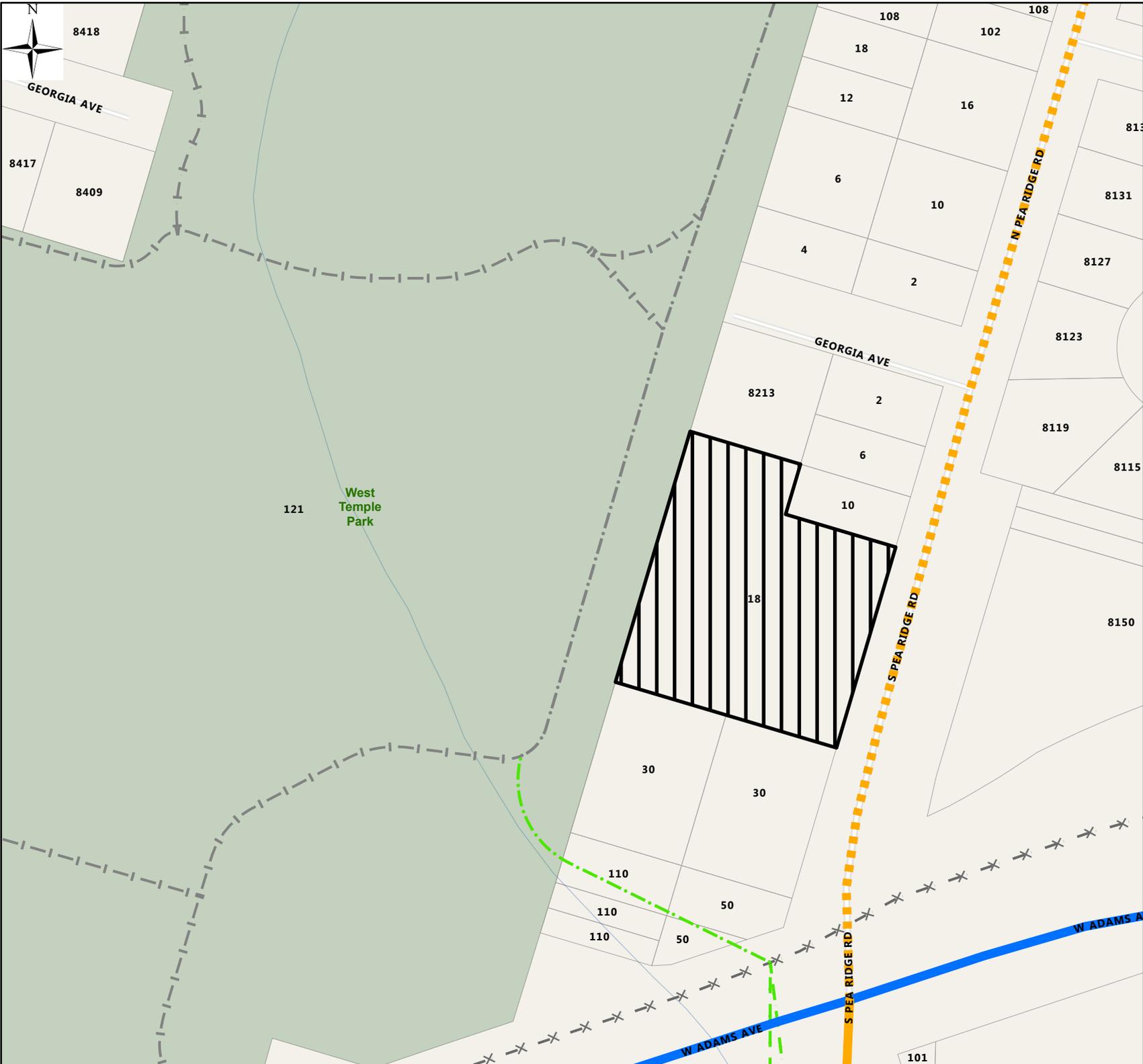
Address :
18 South Pea Ridge

- 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

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: 3/31/2016





SF-3 PD to GR
**THOROUGHFARE
 AND TRAILS MAP**

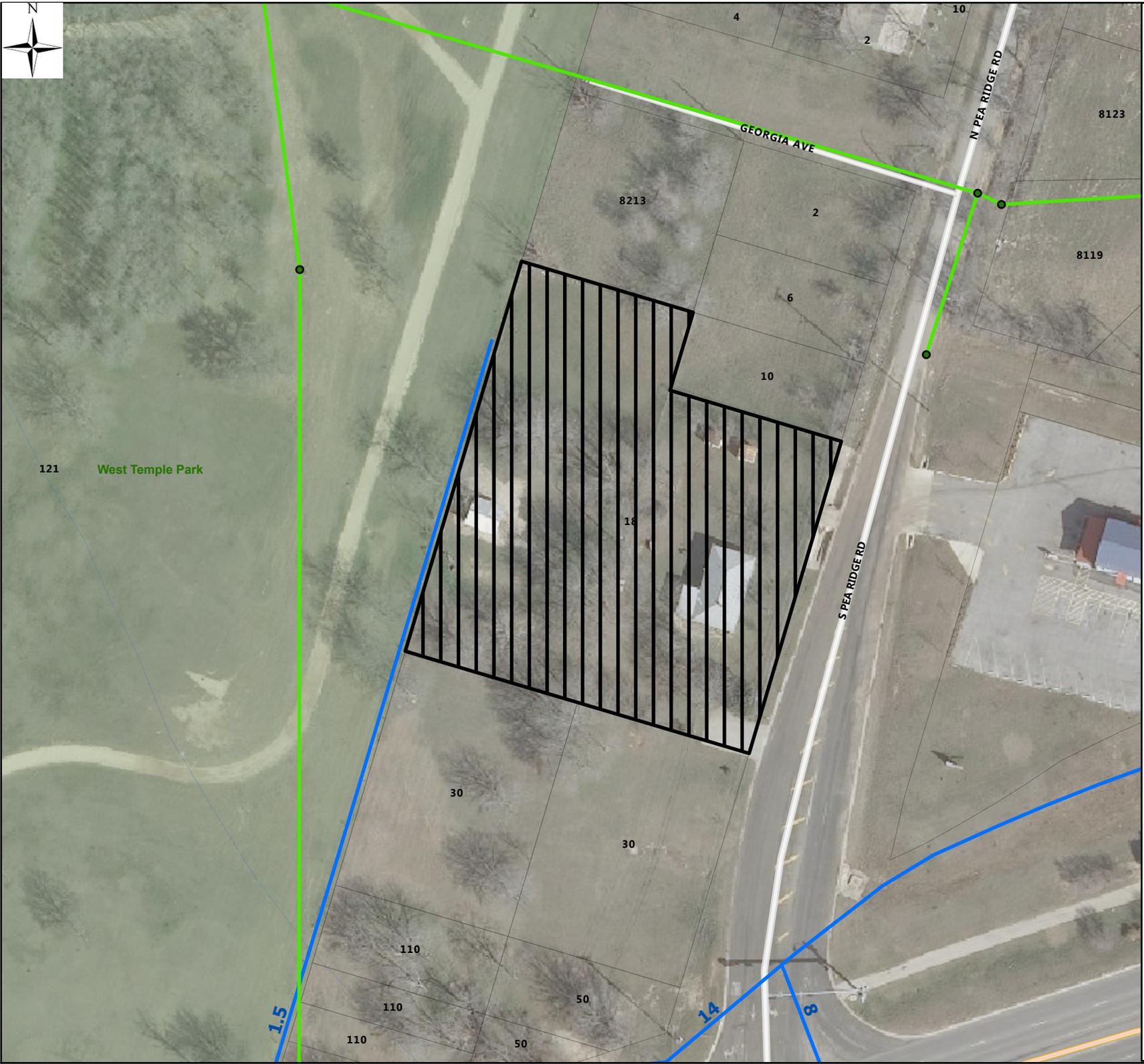
Zoning Case :
 Z-FY-16-21
 Address :
 18 South Pea Ridge

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

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

mbaker
 Date: 3/31/2016





SF-3 PD to GR

UTILITY MAP

Zoning Case :
Z-FY-16-21

Address :
18 South Pea Ridge

-  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: 3/31/2016





SF-3 - PD to GR

200' NOTIFICATION MAP

Zoning Case :
Z-FY-16-21
Address :

18 South Pea Ridge



West Temple Park

- CaseArea
- Buffer

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

mbaker
Date: 3/31/2016





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

SANDERSON, EVELYN
18 S PEA RIDGE RD
TEMPLE, TX 76502-5035

Zoning Application Number: Z-FY-16-21

Project Manager: MARK BAKER

Location: 18 South Pea Ridge Road

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.

agree

disagree with this request

Comments:

RECEIVED
APR 26 2016
City of Temple
Planning & Development

Evelyn Sanderson
Signature

Evelyn Sanderson
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

Number of Notices Mailed: 15

Date Mailed: April 21, 2016



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

JDLG VENTURES LLC
202 E BARTON AVE
TEMPLE, TX 76501-3371

Zoning Application Number: Z-FY-16-21 Project Manager: MARK BAKER

Location: 18 South Pea Ridge Road

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 agree () disagree with this request

Comments:


Signature


Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

RECEIVED

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

APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 15

Date Mailed: April 21, 2016



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

JDLG VENTURES LLC
202 E BARTON AVE
TEMPLE, TX 76501-3371

Zoning Application Number: Z-FY-16-21

Project Manager: MARK BAKER

Location: 18 South Pea Ridge Road

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 agree

() disagree with this request

Comments:

Jeanne O'Brien
Signature

Jeanne O'Brien
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 15

Date Mailed: April 21, 2016

ORDINANCE NO. 95-2321

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CITY-INITIATED ZONING CHANGE FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT DISTRICT FOR RESIDENTIAL USE IN THE HILDELL ESTATES SUBDIVISION, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF PEA RIDGE ROAD AND FM 2305, WITH MODIFIED BASE ZONING DISTRICTS--SINGLE FAMILY-3, MOBILE HOME AND AGRICULTURAL, TO ALLOW: (1) SINGLE FAMILY DETACHED HOMES; (2) INDUSTRIALIZED/MODULAR HOMES; AND/OR (3) MOBILE HOMES UNDER CERTAIN CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on January 23, 1995, the Planning and Zoning Commission approved the City-initiated zoning change from Agricultural District to Planned Development District for residential use in the Hilldell Estates Subdivision, located at the corner of the intersection of Pea Ridge Road and FM 2305, with modified base zoning districts--Single Family-3, Mobile Home and Agricultural, to allow: (1) single family detached homes, (2) industrialized/modular homes, and/or (3) mobile homes under certain conditions; and

Whereas, consistent with the Comprehensive Plan, surrounding zoning conditions and proposed uses, the Staff recommends approval of this zone change.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The zoning classification of a portion of the Hilldell Estates Subdivision, described as:

Block 1	Block 11
Block 2	Block 12, Lots 11-16
Block 3	Block 13
Block 4	Block 15
Block 5, Lots 1-16	Block 16
Block 6	Block 19, Lots 1-20
Block 7, Lots 12-21	Block 20
Block 8	
Block 9, Lots 12-21	
Block 10	

located at the northwest corner of the intersection of Pea Ridge Road and FM 2305, more fully shown on Exhibit "A," attached hereto and made a part hereof for all purposes, is changed from Agricultural District to Planned Development District for residential use in the Hilldell Estates Subdivision

Part 2: The use and development of this property shall conform in all respects to the Single Family-3 District, except as conditioned below.

A. Single family detached homes are allowed and may be built under the following conditions:

- (1) A minimum of 3 lots, 50 feet by 110 feet, for a total of 16,500 square foot minimum shall be assembled for any new construction (TRACT).

- (2) Septic tank permits must be authorized by Bell County.
- (3) Adequate public water supply must be available and adequate to serve the site.
- (4) Tract must be located on or adjacent to a publicly improved and maintained street.
- (5) Tax delinquency on the tract must be cleared prior to the issuance of the building permit.
- (6) Site development standards shall conform in all respects to a SF-3 base zoning district, with dimensions measured from the "TRACT" boundary with the exception that the minimum front yard setback shall be 20 feet.

B. Industrialized Modular homes are allowed by right and may be built under the following conditions:

- (1) A minimum of 3 lots, 50 feet by 110 feet, for a total of 16,500 square foot minimum shall be assembled for any new construction (TRACT).
- (2) Septic tank permits must be authorized by Bell County.
- (3) Adequate public water supply must be available and adequate to serve the site.
- (4) Tract must be located on or adjacent to a publicly improved and maintained street.
- (5) Tax delinquency on the tract must be cleared prior to the issuance of the building permit.
- (6) Site development standards shall conform in all respects to a SF-3 base zoning district, with dimensions measured from the "TRACT" boundary with the exception that the minimum front yard setback shall be 20 feet.

C. Mobile homes existing and occupied on the effective date of this rezoning are nonconforming uses, which are subject to the restrictions on nonconforming uses provided in the Zoning Ordinance, except that during the five (5) year period following adoption of this ordinance a building permit shall be authorized for replacement of an existing mobile home with another mobile home under the following conditions:

- (1) A minimum of 3 lots, 50 feet by 110 feet, for a total of 16,500 square foot minimum shall be assembled for any new construction (TRACT).
- (2) Septic tank permits must be authorized by Bell County.
- (3) Adequate public water supply must be available and adequate to service the site.
- (4) Tract must be located on or adjacent to a publicly improved and maintained street.
- (5) Tax delinquency on the tract must be cleared prior to the issuance of the building permit.
- (6) Site development standards shall conform in all respects to a SF-3 base zoning district, with dimensions measured from the "TRACT" boundary with the exception that the minimum front yard setback shall be 20 feet.
- (7) The replacement mobile home must be inspected and meet state specifications for mobile homes used as dwellings.
- (8) The replacement mobile home must be placed on a permanent foundation and have the axle and tongue removed.

D. No modifications of the City's minimum housing standards are adopted for this property.

Part 3: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 4: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or

applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 5: This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading on the 2nd day of February, 1995.

PASSED AND APPROVED on Second Reading on the 16th day of February, 1995.

PASSED AND APPROVED on Third Reading on the 2nd day of March, 1995.



ATTEST:

Clydette Entzminger
Clydette Entzminger
City Secretary

THE CITY OF TEMPLE, TEXAS

J. W. Perry
J.W. PERRY, Mayor

APPROVED AS TO FORM:

Jonathan Graham
Jonathan Graham
City Attorney

RECOMMENDED ZONING PLAN

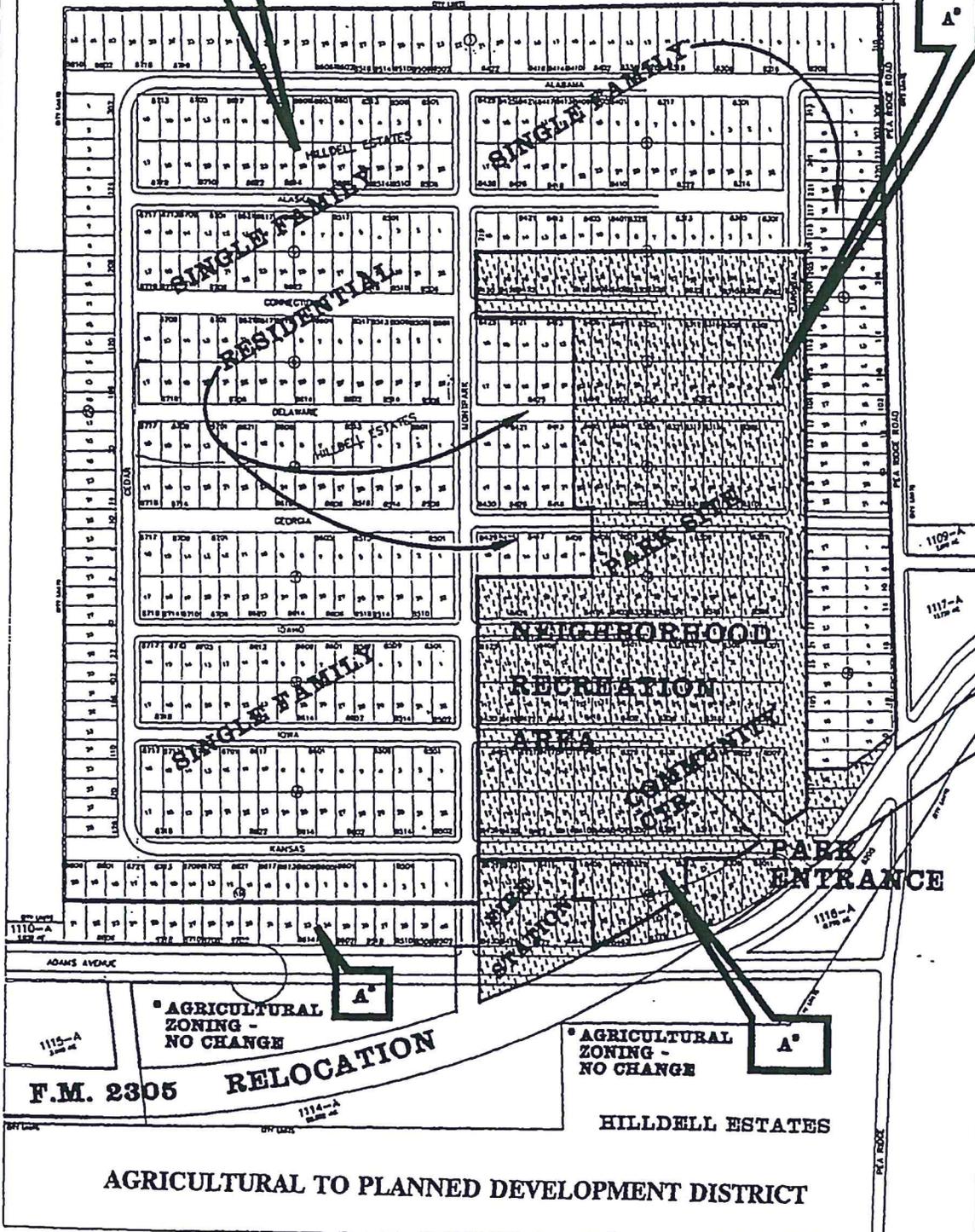
EXHIBIT

"A"

AGRICULTURAL TO
PLANNED DEVELOPMENT
DISTRICT

HILDELL ESTATES COMPREHENSIVE ZONING PLAN

AGRICULTURAL
ZONING -
NO CHANGE



F.M. 2305

RELOCATION

AGRICULTURAL TO PLANNED DEVELOPMENT DISTRICT

HILDELL ESTATES



SCALE : 1" = 400'

CITY OF TEMPLE
PUBLIC WORKS : ENGINEERING DEPARTMENT
MUNICIPAL BUILDING
TEMPLE, TX. 76501

HILDELL ESTATES



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #6
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Quintero Engineering (On behalf of Bell County Flooring)

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-22 Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) district to General Retail (GR) district on 0.993 +/- acres of land situated in and being a part of the Baldwin Robertson Survey, A-17, Bell County, Texas, located east of State Highway 317 and south of Tarver Drive, addressed as 6401 State Hwy 317.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Agricultural (AG) district to General Retail (GR) district for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Map's 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 a 0.993 +/- acre tract, which is being proposed for rezoning from Agricultural (AG) district to General Retail (GR) district. The property is currently developed with several occupied residential units.

A companion final plat (Bell County Flooring Addition - P-FY-16-29) was reviewed by the Development Review Committee (DRC) for the same 0.993 +/- acre tract of land on April 21, 2016. Since there is an extension of the sewer, the plat will proceed to the Planning & Zoning Commission when deemed administratively complete.

While it is anticipated the property will be developed with retail and service 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:

Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	* Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	* Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	* Emergency Vehicle Service * Helistop

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses.

Surrounding Property & Uses			
Direction	Future Land Use Map	Zoning	Current Land Use
Site	Suburban Commercial	AG	Existing SF Residence
North	Suburban Commercial	GR	Undeveloped & SF Uses
South	Suburban Commercial	AG	Scattered SF Uses

East	Suburban Commercial	AG	Undeveloped & Developing SF Uses
West	Suburban Commercial	AG	Undeveloped

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

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	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 Map (CP Map 3.1)

The subject property is entirely within the Suburban Commercial land use district. The Suburban Commercial district is intended for office and retail service-related zoning districts. The requested GR-zoning is in compliance with the Future Land Use Map.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from State Highway 31, a major thoroughfare. The companion final plat, Bell County Flooring Addition, is being evaluated for Thoroughfare Plan compliance. No Thoroughfare Plan compliance issues have been identified.

Availability of Public Facilities (CP Goal 4.1)

No sewer is available, so the property will be developed with an on-site septic system. Water is available through an extension of the 6-inch waterline from Tarver Drive. The extension is being addressed through the subdivision plat process.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies a proposed Local Connector Trail in State Highway 317. A sidewalk is being provided by TxDot improvements. The sidewalk will be upsized to 10-foot as a result of City participation. TxDOT Construction for the State Highway 317 widening project is currently in process.

DEVELOPMENT REGULATIONS: Non-residential setbacks in the Agriculture (AG) & General Retail (GR) districts are:

	Current (AG)	Proposed (GR)
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	50 Feet	15 Feet
Side Setback	20 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	0 Feet
Max Building Height	3 Stories	3 Stories

PUBLIC NOTICE: Five 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 April 28, 2016 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 April 21, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is scheduled for the 1st Reading on June 2, 2016 and a 2nd Reading on June 16, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Site and Surrounding Property Photos
- Surveyor Sketch (Exhibit A)
- Final Plat for Bell County Flooring Addition
- Location Map
- Aerial Map
- Zoning Map
- Future Land Use and Character Map
- Thoroughfare & Trails Map
- Utility Map
- Notification Map

Site & Surrounding Property Photos



Site – Existing SF Residences (AG)



Site – Alternative View –Scattered SF Residences (AG)



North: Existing Stripes Convenience Store (GR)



South: Scattered SFR & Undeveloped Land (AG)



**East: Scattered SF Uses and SF Residential Development
Village of Sage Meadows
(AG & SF-3)**



West: Undeveloped Land (AG)



QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

415 E. AVENUE D, KILLEEN, TEXAS (254) 493-9962

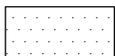
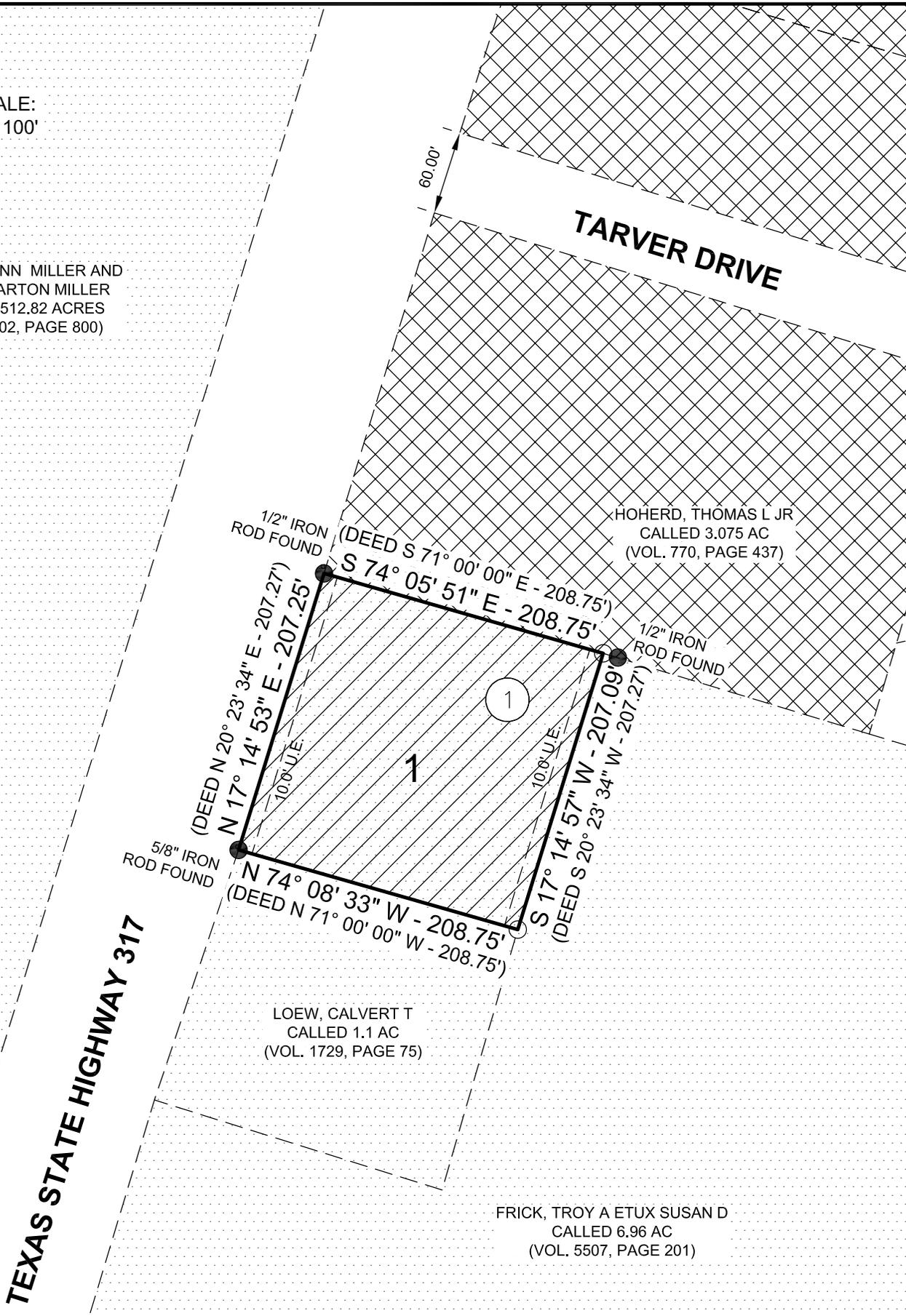
T.B.P.E. FIRM REGISTRATION NO. 14709

T.B.P.L.S. REGISTRATION NO. 10194111



SCALE:
1" = 100'

MELISSA ANN MILLER AND
HELEN BARTON MILLER
CALLED 512.82 ACRES
(VOL. 1702, PAGE 800)



EXISTING "AG - AGRICULTURAL" ZONING



EXISTING "GR - GENERAL RETAIL" ZONING



PROPOSED "GR - GENERAL RETAIL" ZONING (0.993 ACRES)

SURVEYOR'S SKETCH SHOWING A PROPOSED 0.993 ACRE REZONE TRACT, PART OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT No. 17, TEMPLE, BELL COUNTY, TEXAS, AND BEING ALL OF A CALLED 0.993 ACRE TRACT, OF RECORD IN DOC. No. 2014-42304, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

Exhibit "A" - SURVEYOR'S SKETCH

**FINAL PLAT
BELL COUNTY FLOORING ADDITION
LOT 1, BLOCK 1
WITHIN THE CITY LIMITS OF THE CITY OF
TEMPLE, BELL COUNTY, TEXAS**

(BEING OUT OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT NUMBER 17, AND BEING ALL OF THAT CALLED 0.993 ACRES OF LAND IN A DEED TO BELL COUNTY FLOORING, LLC, TIMOTHY A. ELSER, AND IRMA V. ELSA, RECORDED IN DOCUMENT NUMBER 2014-42304 OF OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.)

BELL COUNTY FLOORING, LLC, TIMOTHY A. ELSER, AND IRMA V. ELSER, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS **BELL COUNTY FLOORING ADDITION**, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BELL COUNTY FLOORING, LLC

BY: TIMOTHY A. ELSER
MANAGING MEMBER

TIMOTHY A. ELSER

IRMA V. ELSER

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2016, BY TIMOTHY A. ELSER, IN HIS CAPACITY AS AN INDIVIDUAL AND AS MANAGING MEMBER OF BELL COUNTY FLOORING, LLC, A TEXAS LIMITED LIABILITY COMPANY, ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2016, BY IRMA V. ELSER.

NOTARY PUBLIC, STATE OF TEXAS

PLANNING AND ZONING COMMISSION

THIS 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.

APPROVED THIS _____ DAY OF _____, 20____.

CHAIRPERSON, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION

SURVEYORS' CERTIFICATE:

I, A. W. KESSLER, DO HEREBY CERTIFY THAT AN ACTUAL AND ACCURATE SURVEY WAS MADE ON THE GROUND OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE FOUND OR PLACED, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

A. W. Kessler 4-25-16

A. W. KESSLER
R. P. L. S. NO. 1852
415 E. AVENUE D
KILLEEN, TX 76541



BELL COUNTY PUBLIC HEALTH DEPARTMENT

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HERBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGES FACILITIES AND IS HEREBY RECOMMENDED FOR APPROVAL.

BY: _____
BELL COUNTY PUBLIC HEALTH DEPARTMENT

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE _____ DAY OF _____, 20____, AD.

By: _____
BELL COUNTY TAX APPRAISAL DISTRICT

COUNTY CLERK INFORMATION:

FILED FOR RECORD THIS _____ DAY OF _____, 20____, IN PLAT YEAR _____, PLAT # _____

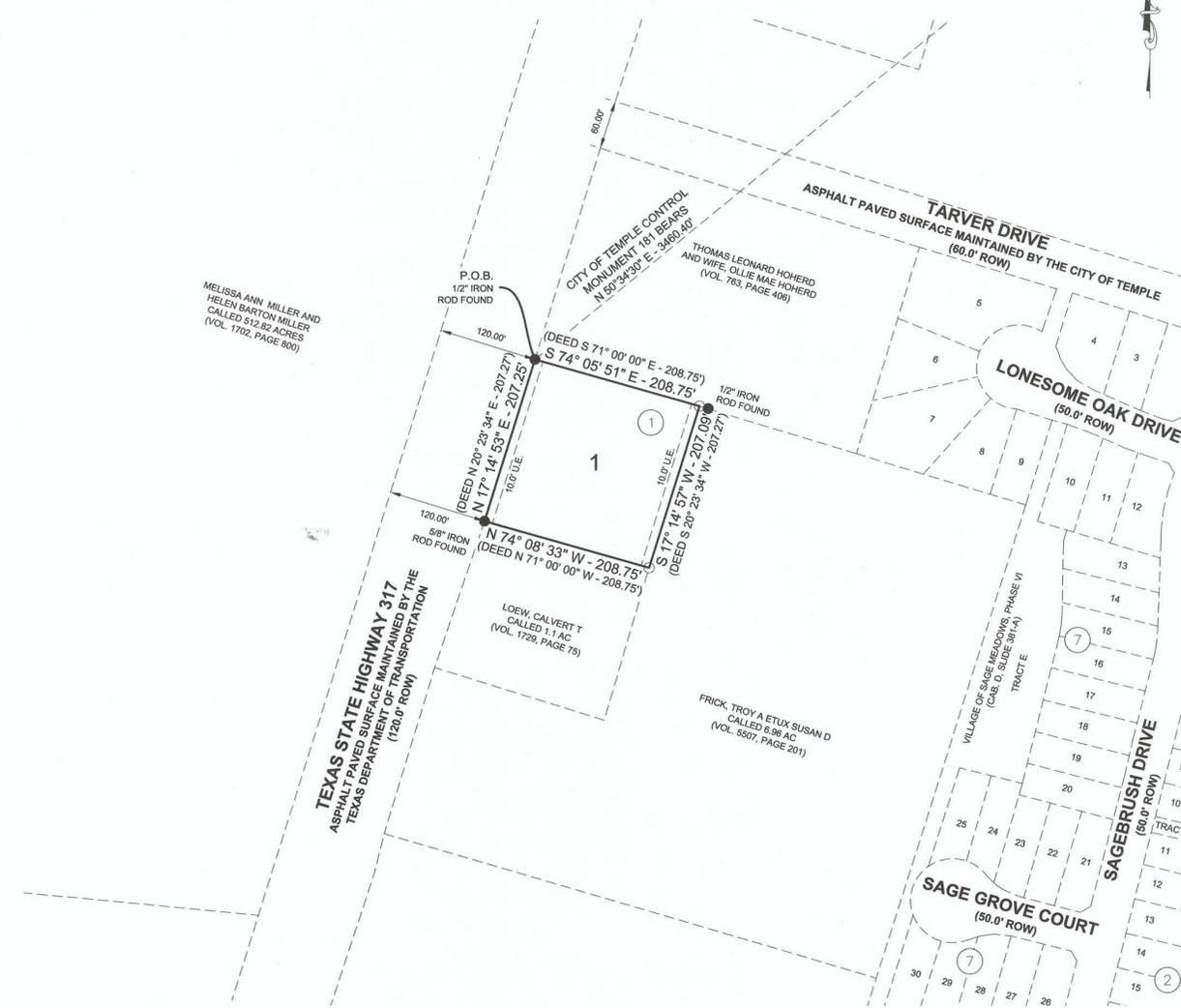
PLAT RECORDS OF BELL COUNTY, TEXAS, AND DEDICATION INSTRUMENT # _____, OFFICIAL RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

BY: _____

SURVEY:	BALDWIN ROBERTSON SURVEY, A-17	OWNER:	BELL COUNTY FLOORING, LLC
NUMBER OF BLOCKS:	1		TIMOTHY A. ELSER
NUMBER OF LOTS:	1		IRMA V. ELSER
TOTAL ACREAGE:	0.993 Ac.		120 MUELHOUSE STREET BELTON, TEXAS
DATE:	MARCH 2016	SURVEYOR:	QUINTERO ENGINEERING, LLC
			415 E. AVENUE D KILLEEN, TEXAS 76541 (254) 493-9962

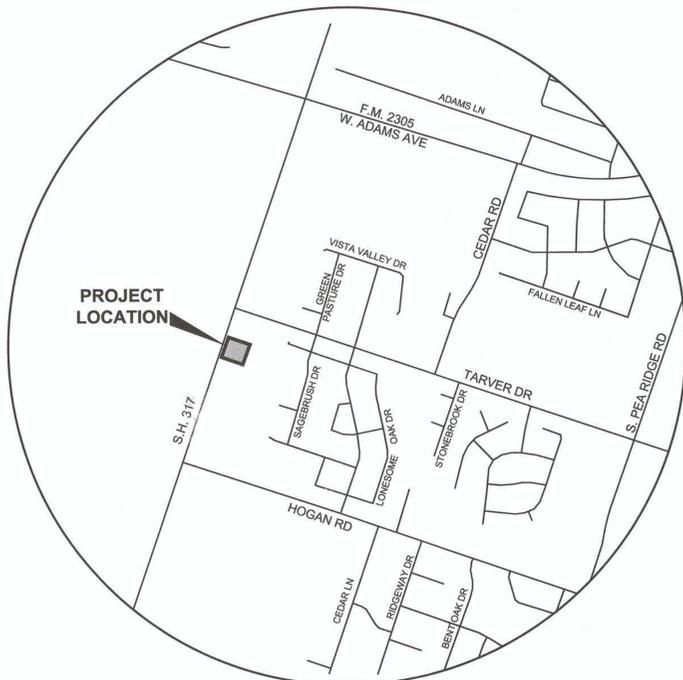
LEGEND

- _____ PROPERTY BOUNDARY
- - - - - EASEMENT LINES
- - - - - ADJOINING TRACT PROPERTY LINES
- IRON ROD FOUND
- IRON ROD SET (1/2" WITH QUINTERO CAP)
- ① **UNLESS OTHERWISE NOTED**
BLOCK NUMBER



NOTES:

- THE BUILDING SETBACK LINES FOR THIS TRACT SHALL BE DETERMINED AS REQUIRED BY THE APPLICABLE ZONING SECTION OF THE CITY CODE OF ORDINANCES AS RELATED TO THE DEVELOPMENT OF THIS TRACT UNLESS SHOWN HERON.
- THE BEARINGS SHOWN HERON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, PER LEICANET GPS OBSERVATIONS. ALL DISTANCES ARE SURFACE DISTANCE.
- ALL CORNERS ARE 1/2 IRON ROD SET W/ QUINTERO CAP, UNLESS OTHERWISE NOTED.
- A 6 - FOOT SIDEWALK WILL BE PROVIDED BY TxDOT IMPROVEMENTS ON S.H. 317. THE SIDEWALK WILL BE UPSIZED TO 10 - FOOT BY CITY PARTICIPATION AT THE TIME OF CONSTRUCTION.
- NO PORTION OF THIS PROPERTY LIES WITHIN THE FEMA 100 YEAR FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 48027C0330E, WHICH BEARS AN EFFECTIVE DATE OF AUGUST 13, 2012.
- THIS PROJECT IS REFERENCED IN NAD 1983 CENTRAL TEXAS STATE PLANE, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS. ALL COORDINATES ARE REFERENCED TO CITY MONUMENT NO 181. THE THETA ANGLE AT CITY MONUMENT NO 181 IS 1° 29' 30". THE COMBINED CORRECTION FACTOR (CCF) IS 0.999853. GRID DISTANCE = SURFACE DISTANCE x CCF. GEODETIC NORTH = GRID NORTH + THETA ANGLE. REFERENCE TIE FROM CITY MONUMENT NO 181 TO THE POINT OF BEGINNING OF THE 0.993 ACRE TRACT IS N 60° 34' 30" E, 3,460.40 FEET. PUBLISHED CITY COORDINATES FOR PROJECT REFERENCE POINT 181 ARE NORTHING = 10,383,028.13, EASTING = 3,202,665.44.



LOCATION MAP
SCALE: NTS



QC
QUINTERO ENGINEERING LLC

415 E. AVENUE D
KILLEEN, TEXAS 76541
T.B.P.E. FIRM NO.: 14709 T.B.P.L.S. FIRM NO.: 10194111

PHONE: (254) 493-9962
FAX: (254) 432-7070

**FINAL PLAT
BELL COUNTY FLOORING ADDITION
TEMPLE, BELL COUNTY, TEXAS**

0.993 ACRE TRACT, BALDWIN ROBERTSON
SURVEY, ABSTRACT NO 17
TEMPLE, BELL COUNTY, TEXAS

DRAWING NO.:
P1



AG to GR
LOCATION MAP

Zoning Case :
 Z-FY-16-22

Address :
 6401 N. Hwy 317



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

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

mbaker
 Date: 4/6/2016





AG to GR

AERIAL MAP

Zoning Case :
Z-FY-16-22

Address :
6401 N. Hwy 317

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

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

mbaker
Date: 4/6/2016





AG TO GR

ZONING MAP

Zoning Case :
Z-FY-16-22
Address :
6401 N Hwy 317

CurrentZoning	Symbol	Symbol	Symbol
HI - CUP	[Symbol]	O-1 - CUP	AG - CUP
UE	[Symbol]	O-1 - PD	MH
UE - PD	[Symbol]	O-2	MH - CUP
SF-1	[Symbol]	O-2 - CUP	MH - PD
SF-1 - CUP	[Symbol]	O-2 - PD	MU
SF-1 - PD	[Symbol]	NS	MU - CUP
SF-2	[Symbol]	NS - CUP	SD-C
SF-2 - PD	[Symbol]	NS - PD	SD-C - CUP
SF-3	[Symbol]	GR	SD-H
SF-3 - PD	[Symbol]	GR - CUP	SD-H - CUP
SF-3 - CUP, PD	[Symbol]	GR - PD	SD-T
SFA	[Symbol]	GR - CUP, PD	SD-V
SFA-2	[Symbol]	CA	T4
SFA-2 - PD	[Symbol]	CA - CUP	T4 - PD
SFA-3	[Symbol]	CA - PD	T4 - CUP
SFA-3 - PD	[Symbol]	C	T5-C
2F	[Symbol]	C - CUP	T5-C - CUP
2F - CUP	[Symbol]	C - PD	T5-C - PD
2F - PD	[Symbol]	C - CUP, PD	T5-E
MF-1	[Symbol]	LI	T5-E - CUP
MF-1 - CUP	[Symbol]	LI - CUP	T5-E - PD
MF-1 - PD	[Symbol]	LI - PD	NO BASE
MF-2	[Symbol]	LI - CUP, PD	CUP
MF-2 - CUP	[Symbol]	HI	Buffer
MF-2 - PD	[Symbol]	HI - PD	CaseArea
MF-3 - PD	[Symbol]	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: 4/7/2016





AG to GR FUTURE LAND USE MAP

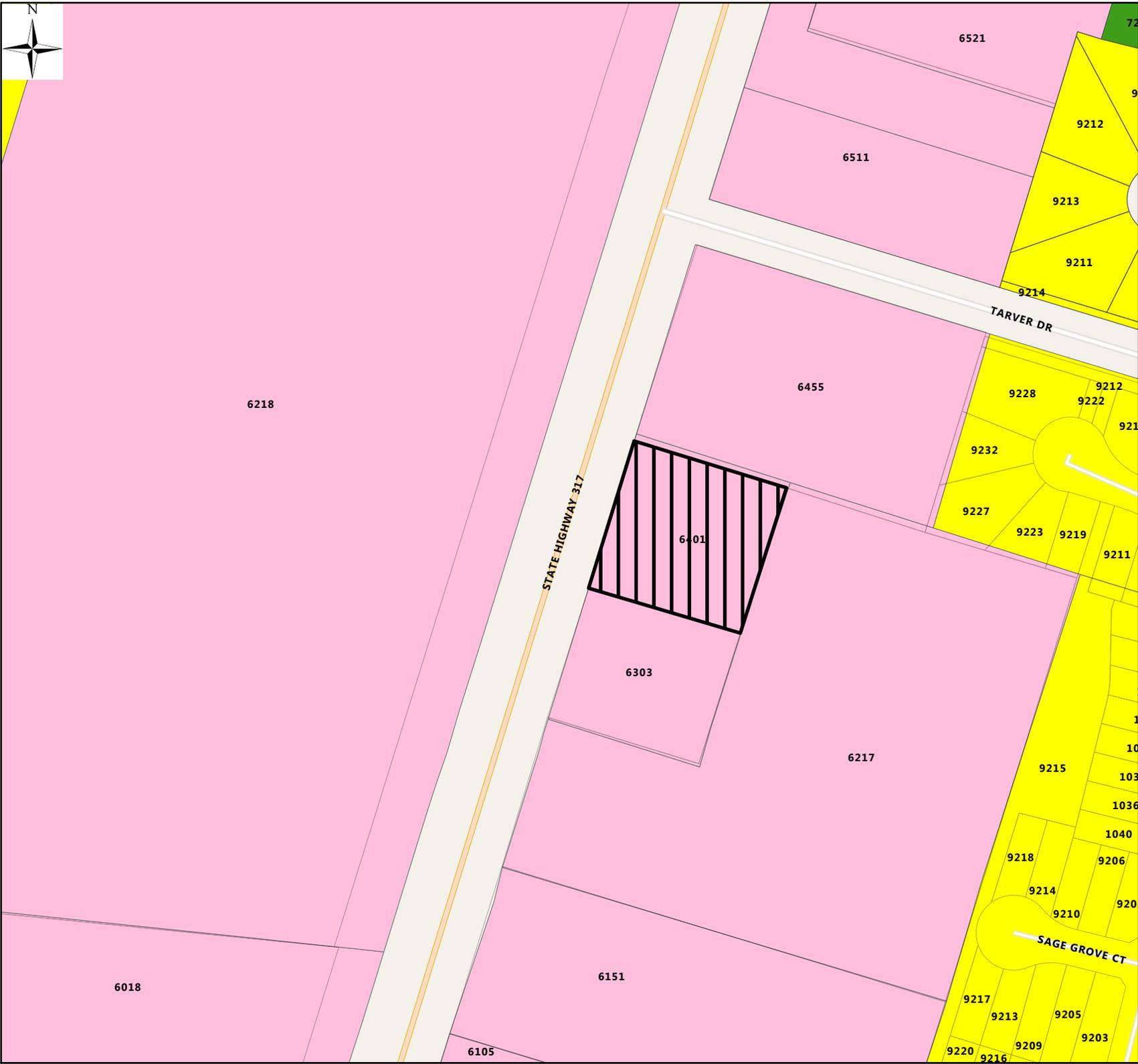
Zoning Case :
Z-FY-16-22

Address :
6401 N. Hwy 317

- 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

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: 4/6/2016

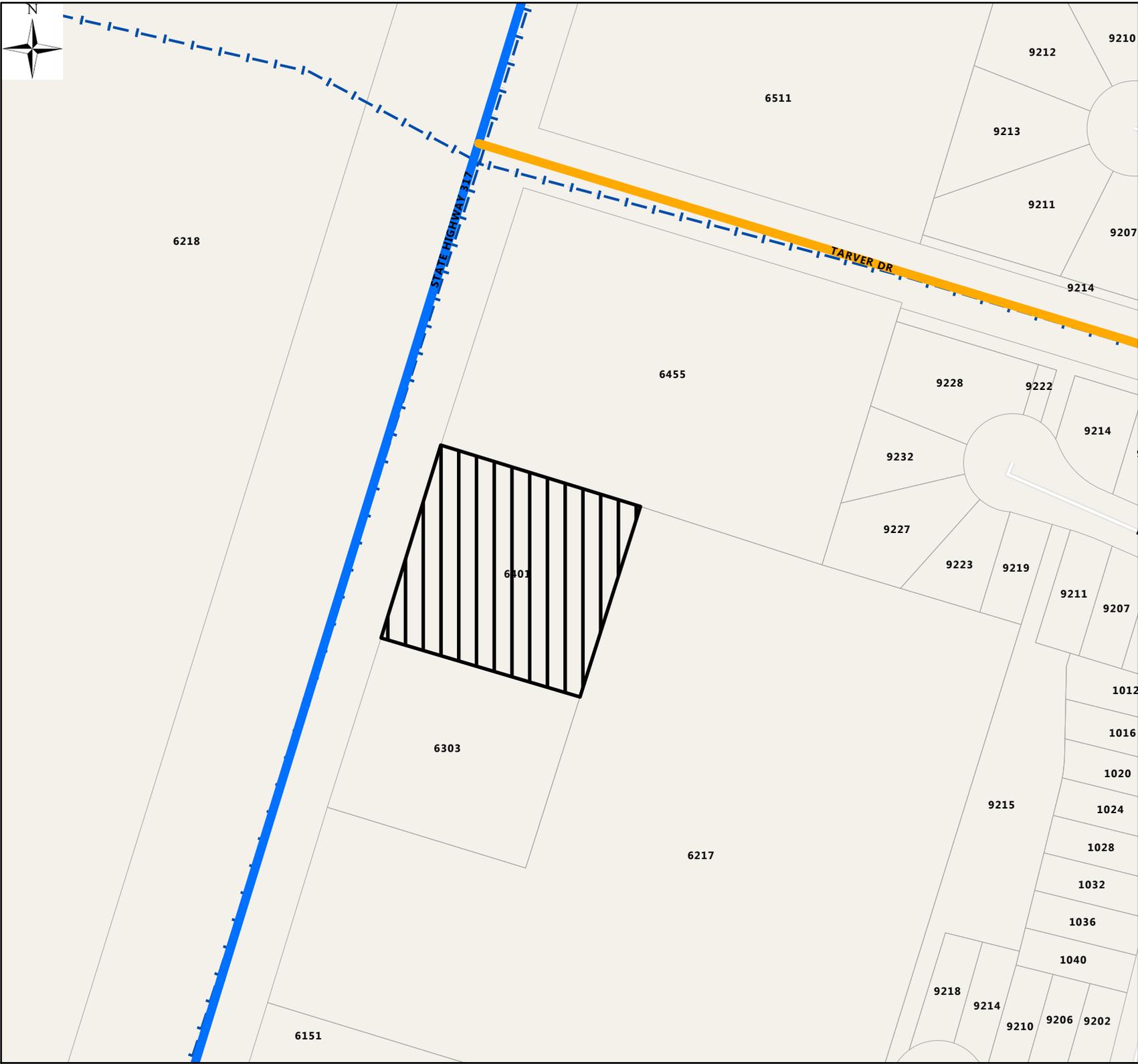




AG TO GR THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-22

Address :
6401 N Hwy 317



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

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

myarberry
Date: 4/11/2016





AG to GR

UTILITY MAP

Zoning Case :
Z-FY-16-22

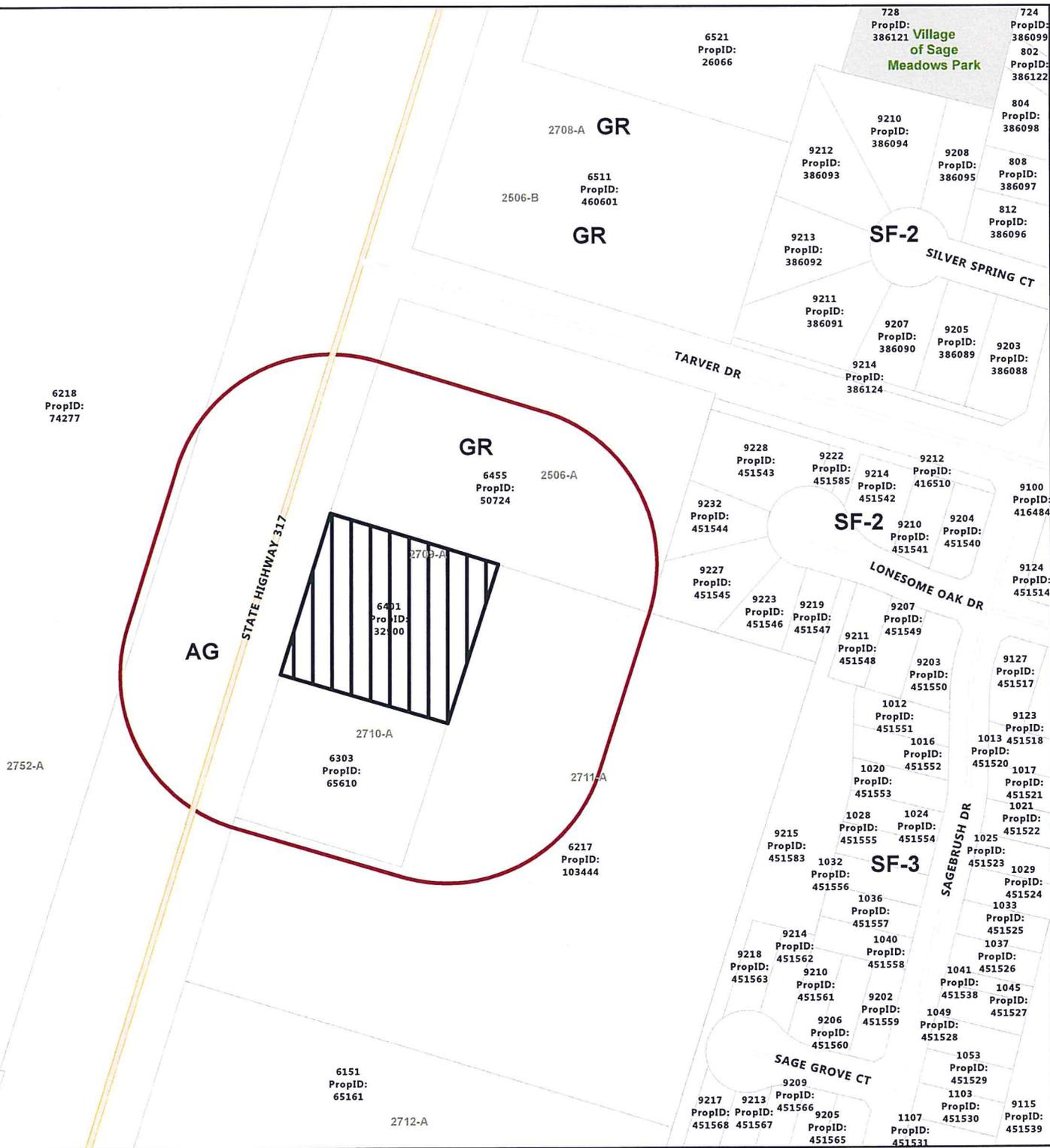
Address :
6401 N. Hwy 317

-  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: 4/6/2016





AG TO GR

200' NOTIFICATION MAP

Zoning Case :
Z-FY-16-22

Address :
6401 N Hwy 317

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: 4/7/2016





PLANNING & ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #7
Regular Agenda
Page 1 of 4

Applicant: Charles Lucko, All County Surveying, Inc.

Case Manager: Dessie Redmond, Planner

Item Description: Z-FY-16-24 Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) to General Retail (GR) on 8.436 +/- acres of land, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located at 4350 S. 5th Street, Temple, Texas.

Staff Recommendation: Staff recommends approval for a rezoning from AG district to GR district based on the following:

1. The proposed rezoning is in compliance with the Future Land Use Map (FLUM) Auto-Urban 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 applicant has requested a rezoning of approximately 8.436 acres from AG to GR. The subject property is currently undeveloped and vacant. A companion final plat (P-FY-16-30) was reviewed by the Development Review Committee (DRC) for the same +/- 8.436 acre tract of land on April 21, 2016. The plat is proposing to subdivide the property into 5 separate lots. During (DRC), staff discussed with the applicant the existing median cut on S 5th Street to remain to allow access into the property and also the possibility of interior shared cross access between the proposed 5 lots. The applicant was receptive to this discussion. It is projected the Planning & Zoning Commission will be the final plat authority since the applicant has not requested any exceptions to the Unified Development Code (UDC).

While it is anticipated the property will be developed with retail or office uses, there are other allowed uses by right and with a Conditional Use Permit (CUP) in the GR zoning district. Uses allowed in the GR district, include but are not limited to:

Permitted & *Conditional Use Table – General Retail (GR)

Residential Uses	Duplexes Boarding house Convent or monastery *Family or group home
Agricultural Uses	Farm, ranch, orchard or garden *Kennel without veterinary hospital
Commercial Uses	Flea market Plumbing shop Upholstery shop
Education & Institutional Uses	Art gallery or museum *Cemetery, crematorium or mausoleum College, university or seminary *Emergency shelter
Industrial Uses	*Asphalt or concrete batching plant (permanent) Laboratory Medical, dental, scientific or research
Office Uses	Office *Warehouse office
Overnight Accommodations Uses	Hotel *Recreational vehicle park
Recreational & Entertainment Uses	Alcoholic beverage sales for on-premise consumption: Beer and wine only less than 75% revenue from alcohol *All alcoholic beverages 75% or more revenue from alcohol Amusement, commercial (indoor and outdoor) Country club Roller or Ice Rink *Zoo
Restaurant Uses	Restaurant (not drive-in) Restaurant (drive-in)
Retail Sales and Service Uses	Antique shop Barber shop Medical appliances, fitting, sales or rental
Transportation and Related Uses	Emergency vehicle service *Helistop
Utility and Service Uses	Electrical substation (high voltage bulk power) *Sewage plumbing station Water treatment plant
Vehicle Sales and Services Uses	Auto leasing, rental Car wash

Prohibited uses include but not limited to: truck stop, auto storage or auto auction, utility shop, storage yard or building, railroad yard or roundhouse, veterinary hospital (kennels).

Surrounding Property and Uses: The following tables provide information regarding the subject property and surrounding properties on Future Land Use Map (FLUM) designations, existing zoning and current land uses:

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUM</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	AG	Undeveloped
North	Auto-Urban Commercial	GR	Retail & Service Uses
South	Auto-Urban Commercial	AG	SFR
East	Suburban Residential	AG	Agriculture
West	Parks & Open Space	AG	Open Space

Comprehensive Plan Compliance: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan (Comp Plan) and Sidewalk and Trails Plan (S&T Plan):

Document	Policy, Goal, Objective or Map	Compliance?
Comp Plan	Map 3.1 - Future Land Use Map	Yes
Comp Plan	Map 5.2 - Thoroughfare Plan	Yes
Comp Plan	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
S&T Plan	Temple Trails Master Plan Map	Yes

Future Land Use Map, Comp Plan Map 3.1

The subject property is located in the Auto-Urban Commercial character district according to the Comp Plan. The propose zoning is compatible with this character district as described in the Choice '08 Comp Plan – FLUM. This designation is meant for commercial development and the proposed is anticipated for commercial/retail and office development. According to the FLUM, the majority of the Auto-Urban Commercial designation should be concentrated at intersections versus strip development along major roads. The subject property is not located at an intersection.

Thoroughfare Plan (Comp Plan Map 5.2)

The subject property is accessed off of S. 5th Street (major arterial) which abuts the property to the east. According to the Thoroughfare Plan, there are no other roads existing or proposed abutting the property.

Availability of Public Facilities (Comp Plan Goal 4.1)

Sewer is available to the subject property through an existing 24-inch sewer line along the west side of the property. Water is available through an existing 3-inch waterline along S. 5th Street. It should be noted that a portion of the subject property is located within the Regulatory Floodway Flood Hazard Zone.

Temple Trails Master Plan Map and Sidewalks Ordinance

South 5th Street is designated as a major arterial thoroughfare and therefore, at the time of development, the installation of a 6 foot wide sidewalk will be required. Also, there is an existing city wide spine trail located on the property to the west of the subject property.

Development Regulations: It is anticipated the applicant will develop the property with retail or office uses. Staff included a comparison table for non-residential setbacks in the AG & GR zoning districts for review:

	Current AG	Proposed GR
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	50'	15'
Side Setback	20'	10'
Side Setback (corner)	15'	10'
Rear Setback	10'	*0'
Max Building Height	3 stories	3 stories

*Subject to UDC, Section 4.4 Measurements & Special Cases

Public Notice: 20 notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by state law and local ordinance. As of Wednesday, April 27, 2016, 4 notices (all 4 from the same property owner) have been returned with disagreement of the request.

The newspaper printed notice of the public hearing on April 21, 2016, in accordance with state law and local ordinance.

Proposed City Council meeting Schedule: This rezoning is scheduled for the 1st Reading on June 2, 2016 and a 2nd Reading on June 16, 2016.

Fiscal Impact: Not Applicable

Attachments:

- | | | |
|---|----------------------------|-------------------------|
| Site Photos | Future Land Use Map (FLUM) | Returned Property Owner |
| Location Map | Thoroughfare & Trails Map | Notices |
| Aerial | Utility Map | |
| Zoning Map | Notification Map | |
| Existing Zoning District vs
Proposed Zoning District | | |

Site Photos



On the east central boundary looking west through site.



On the north boundary looking south through the subject property.

Site Photos

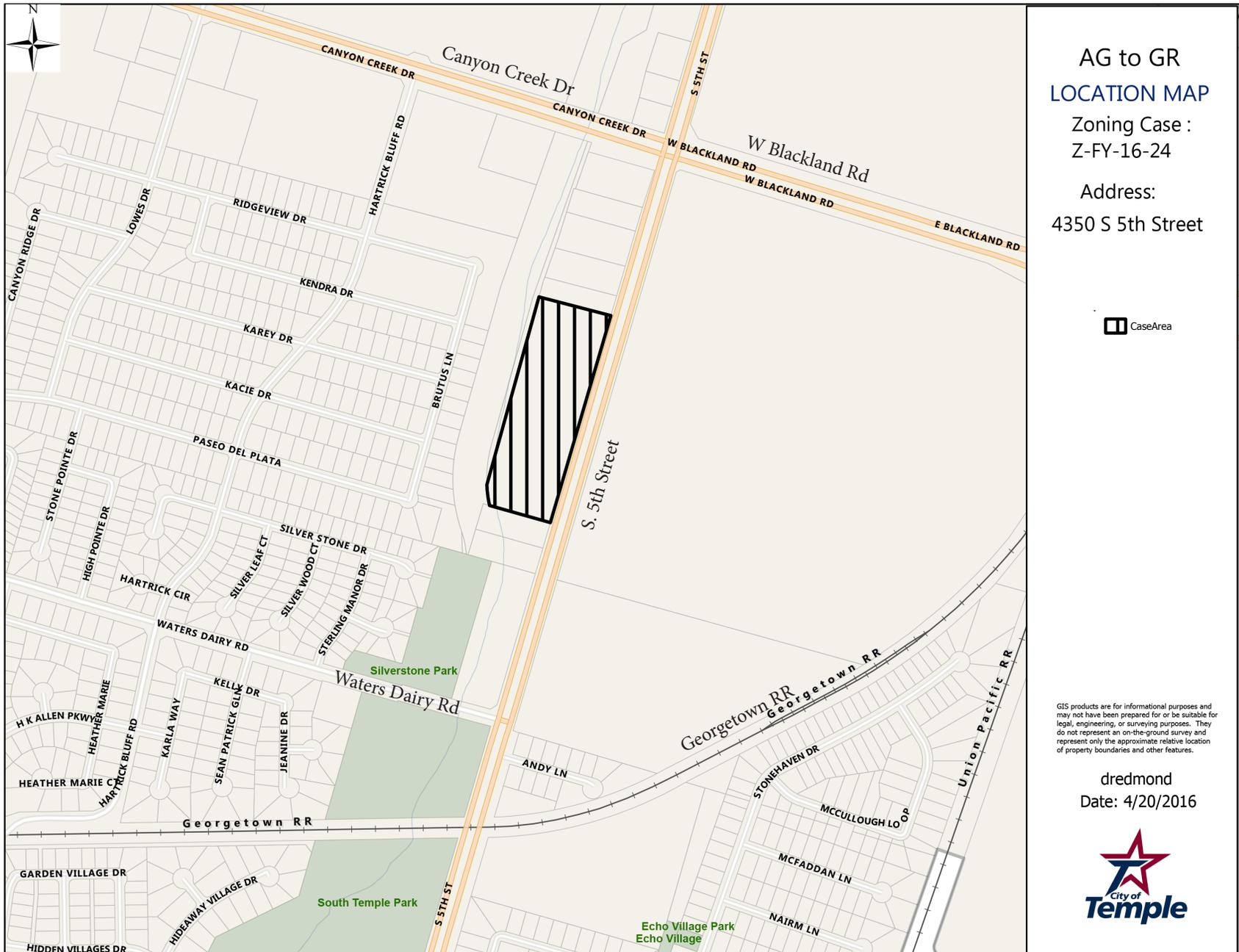


Existing retail building to the north of the subject property.



Existing single-family residence to the south of the property.

Location Map



AG to GR
LOCATION MAP

Zoning Case :
Z-FY-16-24

Address:
4350 S 5th Street



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.

dredmond
Date: 4/20/2016



Aerial



AG to GR

AERIAL

Zoning Case :
Z-FY-16-24

Address:
4350 S 5th Street

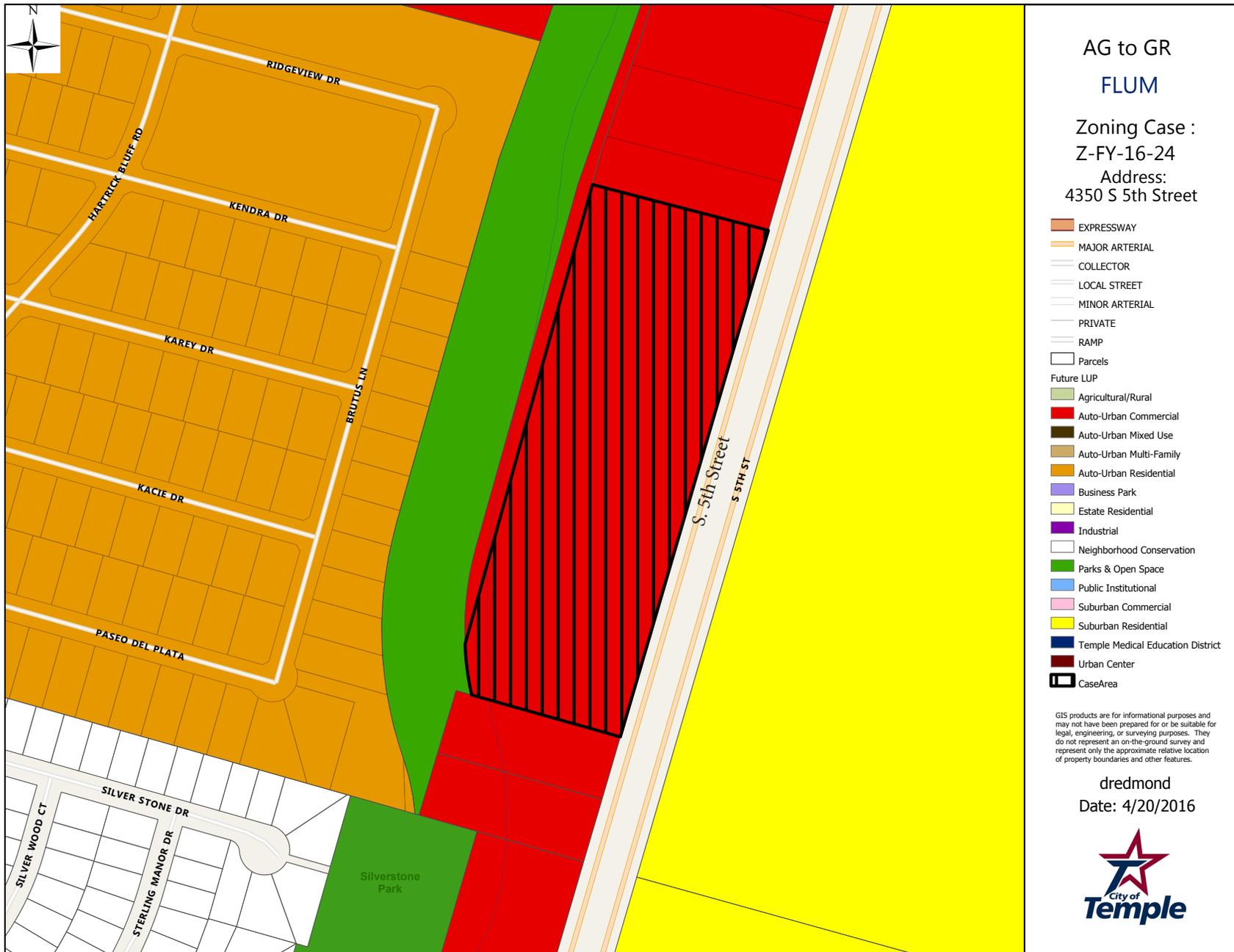
 CaseArea

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.

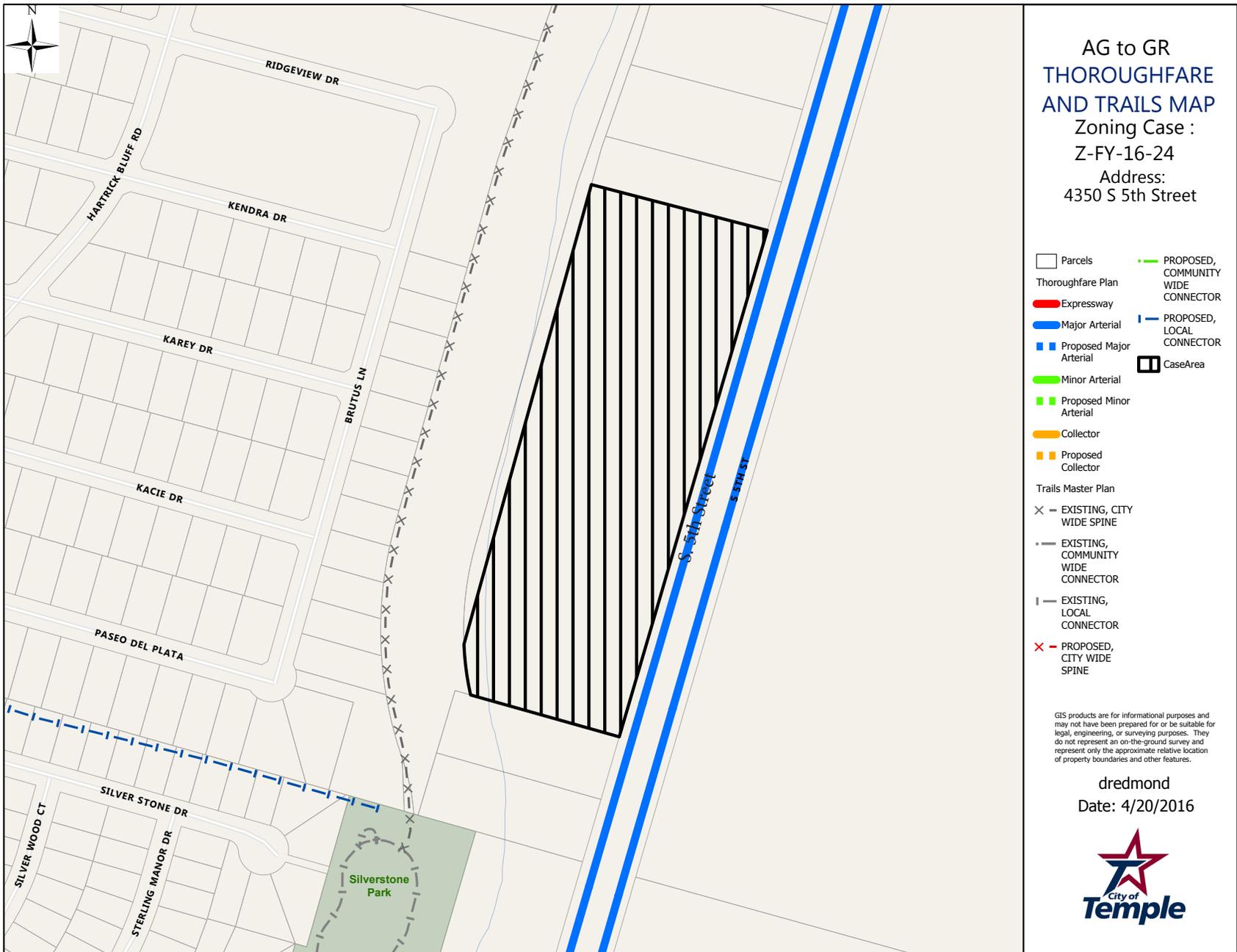
dredmond
Date: 4/20/2016



Future Land Use Map



Thoroughfare and Trails Map



Utility Map



AG to GR
UTILITY MAP
 Zoning Case :
 Z-FY-16-24
 Address:
 4350 S 5th Street

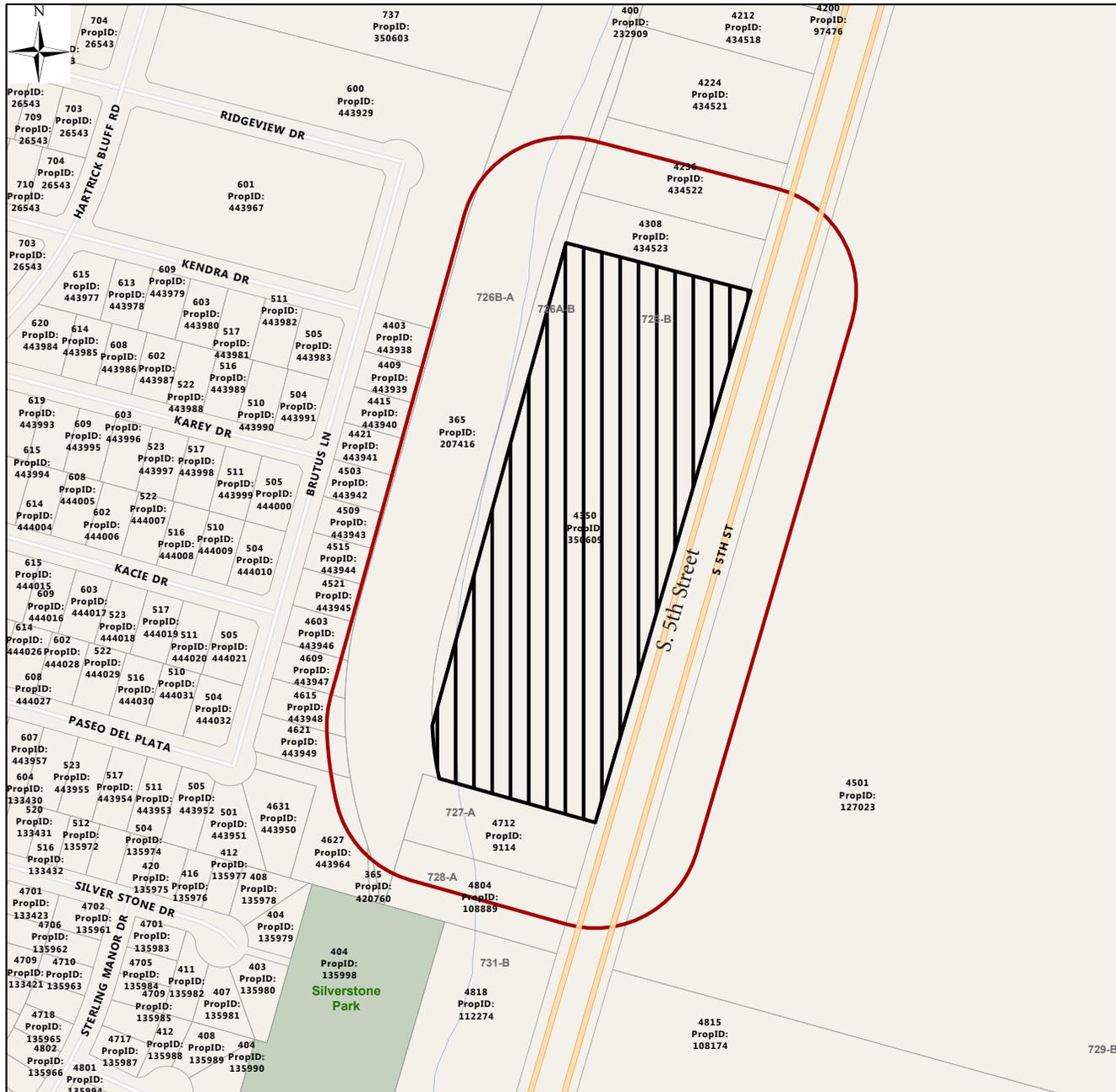
- Manhole
- Gravity Main
- ⊕ Hydrant
- Main
- ▭ Parcels
- ▨ CaseArea

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.

dredmond
 Date: 4/20/2016



Notification Map



AG to GR NOTIFICATION MAP

Zoning Case :
Z-FY-16-24
Address :
4350 S 5th Street

-  CaseArea
-  Buffer

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

dredmond
Date: 4/20/2016



Returned Property Owner Notice



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

AMBROSINI, DENISE G
6802 AMBROSE CIR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-16-24 **Project Manager:** Dessie Redmond

Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 () agree

disagree with this request

Comments:

Denise G Ambrosini
Signature

Denise G Ambrosini
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016

City of Temple
Planning & Development

Number of Notices Mailed: 20

Date Mailed: April 21, 2016

Returned Property Owner Notice



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

RATHBUN FAMILY TRUST
C/O AMBROSINI, DENISE G & DARIO FABIANI CO-TRUSTEES
6802 AMBROSE CIR
TEMPLE, TX 76502

Zoning Application Number: **Z-FY-16-24** Project Manager: Dessie Redmond

Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 agree

disagree with this request

Comments:

Denise G Ambrosini
Signature

Denise G Ambrosini
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016.**

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

RECEIVED

APR 27 2016
City of Temple
Planning & Development

Returned Property Owner Notice



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

RATHBUN FAMILY TRUST
C/O AMBROSINI, DENISE G & DARIO FABIANI CO-TRUSTEES
6802 AMBROSE CIR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-16-24 **Project Manager: Dessie Redmond**

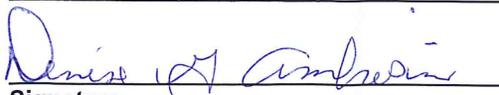
Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 agree

disagree with this request

Comments:


Signature

Denise G Ambrosini
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED
APR 27 2016
City of Temple
Planning & Development

Returned Property Owner Notice



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

RATHBUN FAMILY TRUST
C/O AMBROSINI, DENISE G & DARIO FABIANI CO-TRUSTEES
6802 AMBROSE CIR
TEMPLE, TX 76502

Zoning Application Number: **Z-FY-16-24** Project Manager: Dessie Redmond

Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 agree disagree with this request

Comments:

Denise G Ambrosini
Signature

Denise G Ambrosini
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED
APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 20

Date Mailed: April 21, 2016

Returned Property Owner Notice



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

WHEELER, MAE DEAN TRUSTEE
1919 WHITNEY ST
HOUSTON, TX 77006-1431

Zoning Application Number: Z-FY-16-24 **Project Manager:** Dessie Redmond

Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 agree () disagree with this request

Comments:

Ronald A. Lowe MAE DEAN WHEELER, BY RONALD A. LOWE
Signature Power of Attorney
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED
APR 28 2016
City of Temple
Planning & Development

Number of Notices Mailed: 20

Date Mailed: April 21, 2016

Returned Property Owner Notice



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

HUNT, JOHN DERRICK ETUX SHERI LEE
1023 CANYON CREEK DR STE 100
TEMPLE, TX 76502

Zoning Application Number: **Z-FY-16-24** Project Manager: Dessie Redmond

Location: West side of South 5th Street, south of Canyon Creek Drive, 4350 S. 5th Street

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 agree () disagree with this request

Comments: No comments.

[Signature]
Signature

Derrick Hunt
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

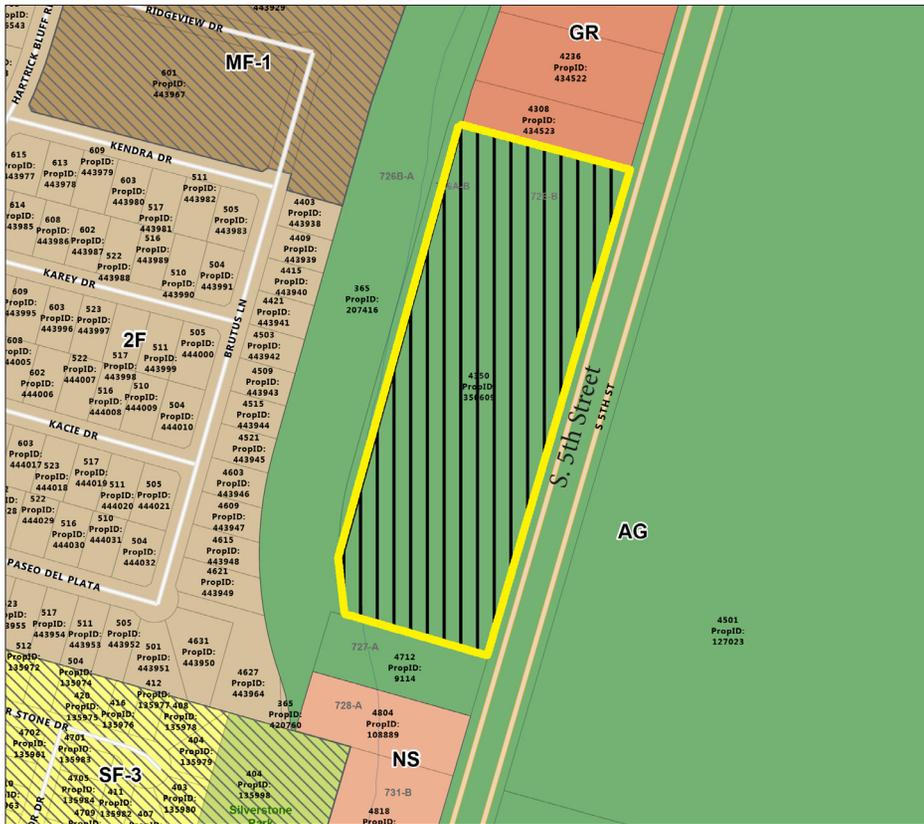
City of Temple
Planning Department
Municipal Building, Room 102
Temple, Texas 76501

RECEIVED
APR 28 2016
City of Temple
Planning & Development

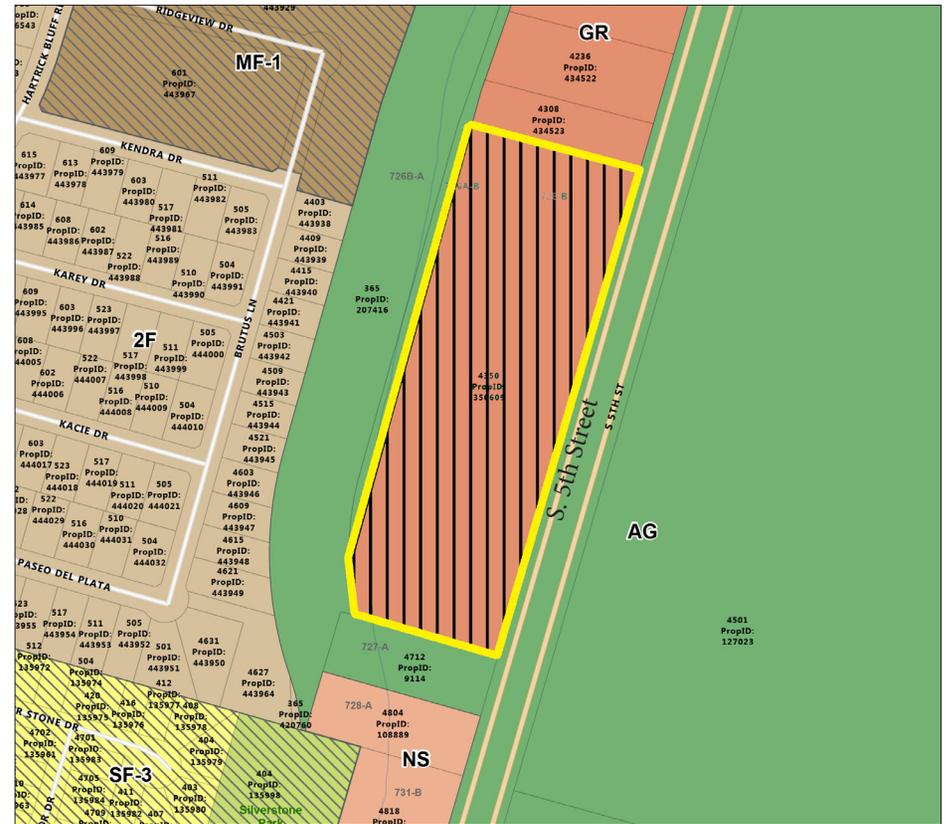
Number of Notices Mailed: 20

Date Mailed: April 21, 2016

Existing Zoning District versus Proposed Zoning District



Existing Agricultural Zoning District



Proposed General Retail Zoning District

- | | | | |
|--|-----------------------------------|--|---------------------------------|
| | Agricultural (AG) | | Neighborhood Services (NS) |
| | General Retail (GR) | | Single-Family Dwelling 3 (SF-3) |
| | Two-Family Dwelling (2F) | | Subject Property Boundary |
| | Multiple-Family Dwelling 1 (MF-1) | | |



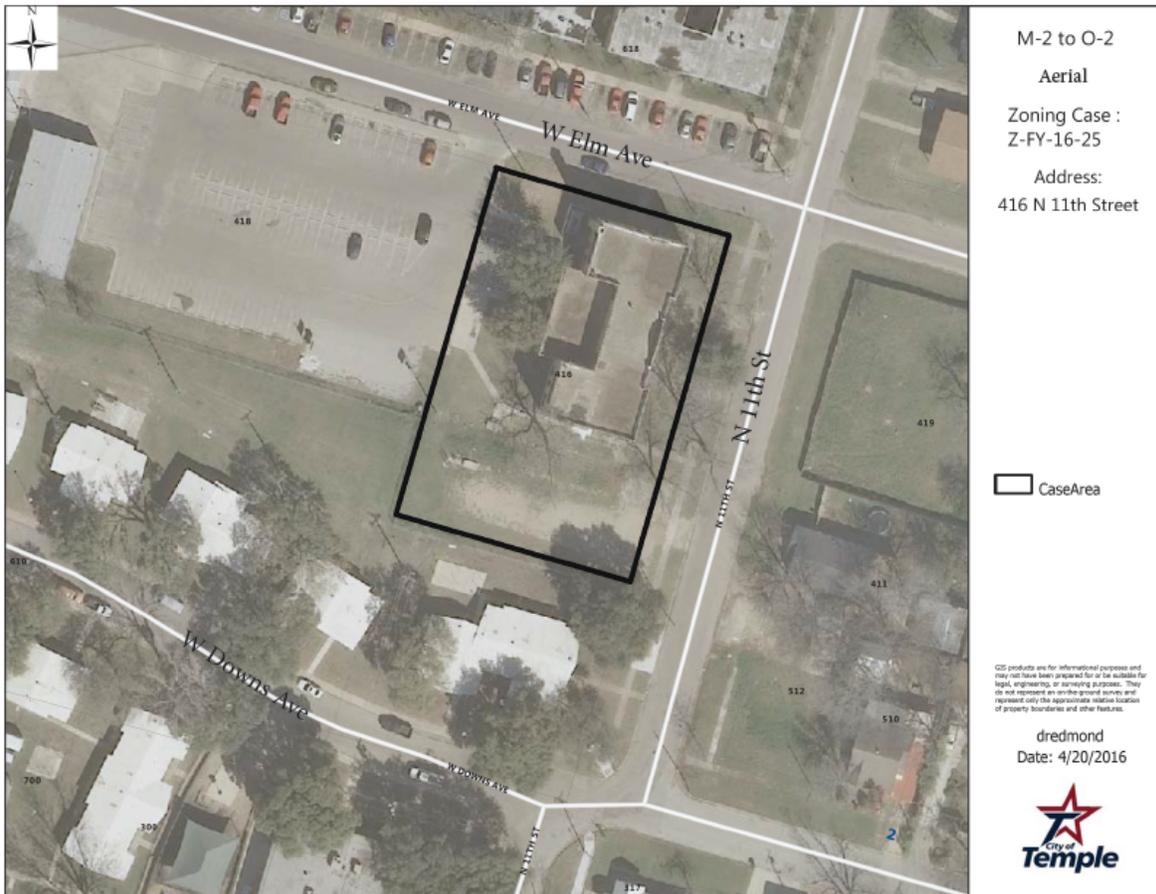
PLANNING & ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #8
Regular Agenda
Page 1 of 5

Applicant: Tina Ortiz, Helping Hands Day Habilitation

Case Manager: Dessie Redmond, Planner

Item Description: Z-FY-16-25 Hold a public hearing to discuss and recommend action on a rezoning from Multifamily-2 (MF-2) to Office-2 (O-2) on .711 +/- acres of land, Lot 1, Block 1, Vandiver Subdivision, Bell County, 416 N 11th Street, Temple, Texas.



Staff Recommendation: Staff recommends approval for a rezoning from Multi-Family Dwelling 2 (MF-2) district to Office-1 (O-1) district. The applicant applied for a rezoning to the O-2 district; however, the applicant’s proposed use (“school, business”) is also permitted by right in the O-1 district and this district is less intense than the O-2 district. Staff also believes the O-1 zoning district is more appropriate for the property. Therefore, staff is recommending approval for a rezoning to the O-1 district.

Item Summary: The applicant has requested a rezoning of approximately .711 acres from MF-2 to O-2. There is a vacant school (Vandiver Elementary) on the subject property.

It is anticipated the property will be developed with a “school, business” use, there are other allowed uses by right and with a Conditional Use Permit (CUP) in the O-1 zoning district. Uses allowed in the O-1 district, include but are not limited to:

Permitted & *Conditional Use Table – Office-1 (O-1)	
Residential Uses	Boarding house *Family or group home
Agricultural Uses	Farm, ranch, orchard or garden
Commercial Uses	none
Education & Institutional Uses	Art gallery or museum *Cemetery, crematorium or mausoleum Place of Worship School, business
Industrial Uses	*Laboratory medical, dental, scientific or research
Office Uses	Office
Overnight Accommodations Uses	none
Recreational & Entertainment Uses	*Day camp for children Park or playground
Restaurant Uses	none
Retail Sales and Service Uses	Bank or savings and loan Travel agency Veterinary office (no animal hospital)
Transportation and Related Uses	*Emergency vehicle service *Helistop
Utility and Service Uses	*Electrical substation (high voltage bulk power) Fire Station
Vehicle Sales and Services Uses	none

Surrounding Property and Uses: The following table provide information regarding the subject property and surrounding properties on Future Land Use Map (FLUM) designations, existing zoning and current land uses:

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUM</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Public Institutional/Auto-Urban Multi-Family	MF-2	Vacant building
North	Auto-Urban Multi-Family	MF-2	Multi-Family (apartment)
South	Auto-Urban Multi-Family	O-2	Multi-Family (apartment)
East	Neighborhood Conservation	SF-1	Vacant lot/SFR
West	Public Institutional/Auto-Urban Multi-Family	O-2/MF-2	Parking lot

Comprehensive Plan Compliance: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan (Comp Plan) and Sidewalk and Trails Plan (S&T Plan):

Document	Policy, Goal, Objective or Map	Compliance?
Comp Plan	Map 3.1 - Future Land Use Map	Yes
Comp Plan	Map 5.2 - Thoroughfare Plan	Yes
Comp Plan	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
S&T Plan	Temple Trails Master Plan Map	N/A

Future Land Use Map, Comp Plan Map 3.1

Approximately two-thirds of the subject property is located in the Public Institutional character district according to the Comp Plan. The proposed zoning is compatible with this character district as described in the Choice '08 Comp Plan – FLUM. The Public Institutional designation is meant for the community's major public and civic facilities, including schools, government buildings, community facilities and cemeteries. The design of public sites and buildings should also respect the character context of their locations, especially in and near residential neighborhoods. It is the intent of the applicant to utilize the existing building as a Day Habilitation for special needs adults. Staff believes, the use could be viewed as an important asset to the community by providing a unique business that contributes to the overall health of the community. Further, the applicant intends to utilize the building with proper "up-to-code" building standards. By utilizing the existing building, the applicant preserves the character context of the neighborhood. Therefore, the proposal does comply with the FLUM with the Public Institutional designation.

The other portion of the subject property is located in the Auto-Urban Multi-Family character district. The intent of this designation is to accommodate multi-family only development. The anticipated development of this property is not for multi-family; however, the proposal is compatible with the designation.

Thoroughfare Plan (Comp Plan Map 5.2)

The subject property is accessed off both N. 11th Street and W. Elm Avenue (both local road designations). North 11th Street runs along the east side of the property and W. Elm Ave runs along the north side of the property. According to the Thoroughfare Plan, there are no roads proposed in the vicinity of the subject property.

Availability of Public Facilities (Comp Plan Goal 4.1)

Sewer is available to the subject property through an existing sewer line along the north side of the property (W. Elm Avenue) or through an existing line to the east side (N. 11th Street). Water is available through an existing 16-inch waterline to the east side (N. 11th Street).

Temple Trails Master Plan Map and Sidewalks Ordinance

There are no proposed or existing trails abutting the site or in the vicinity of the subject property. It should be noted there is an existing sidewalk along the east side of the property (N. 11th Street). The applicant proposes to maintain the location of the existing sidewalk.

Development Regulations: It is anticipated the applicant will develop the property with a “school, business” use. Staff included a comparison table for non-residential setbacks in the MF-2 & O-1 zoning districts for review:

	Current MF-2	Proposed O-1
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	25’	25’
Side Setback	20’	5’
Side Setback (corner)	15’	15’
Rear Setback	10’	0*
Max Building Height	4 stories	3 stories

*Subject to UDC, Section 4.4 Measurements & Special Cases

Public Notice: 12 notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by state law and local ordinance. As of Wednesday, April 27, 2016, one notice had been returned in disagreement with the proposal.

The newspaper printed notice of the public hearing on April 21, 2016, in accordance with state law and local ordinance.

Proposed City Council meeting Schedule: This rezoning is scheduled for the 1st Reading on June 2, 2016 and a 2nd Reading on June 16, 2016.

Fiscal Impact: Not Applicable

Attachments:

Site Photos

Location Map

Aerial

Future Land Use Map (FLUM)

Thoroughfare & Trails Map

Utility Map

Notification Map

Returned Property Owner Notice

Existing Zoning District vs Proposed Zoning District

Site Photos



Corner of N 11th Street and W Elm Ave looking southwest through subject property.



Looking west down W Elm Ave along the north side of subject property.

Site Photos



Corner of N 11th Street and W Elm Ave looking south along N 11th Street.



Front of vacant building.

Site Photos



Existing multi-family apartments to the north of the subject property.



Parking lot to the west adjacent to the the subject property.

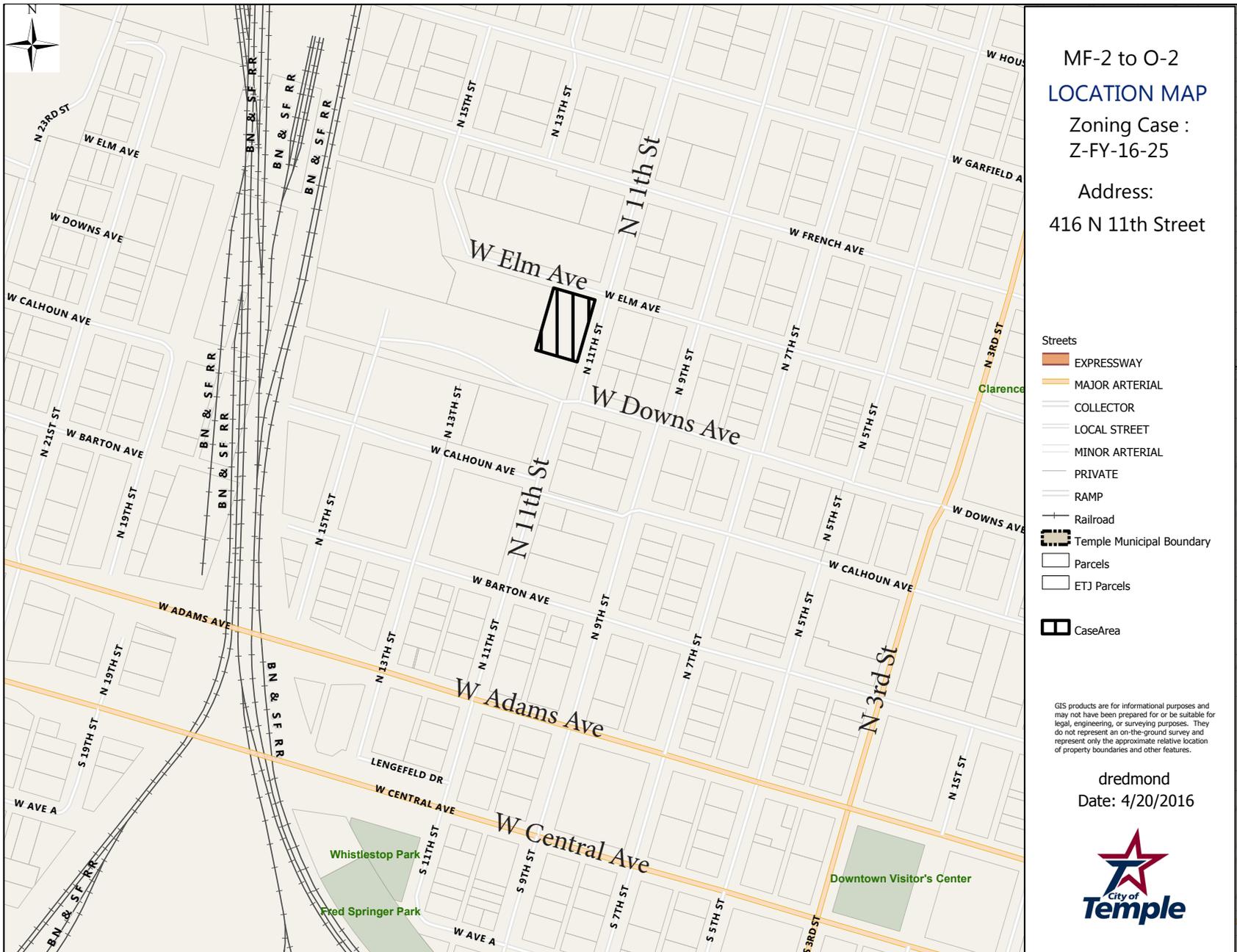
Site Photos

 Subject property
 Approximate boundary



Google Earth image showing vicinity.

Location Map



MF-2 to O-2
LOCATION MAP
 Zoning Case :
 Z-FY-16-25
 Address:
 416 N 11th Street

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

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

dredmond
 Date: 4/20/2016



Aerial



M-2 to O-2

Aerial

Zoning Case :
Z-FY-16-25

Address:
416 N 11th Street

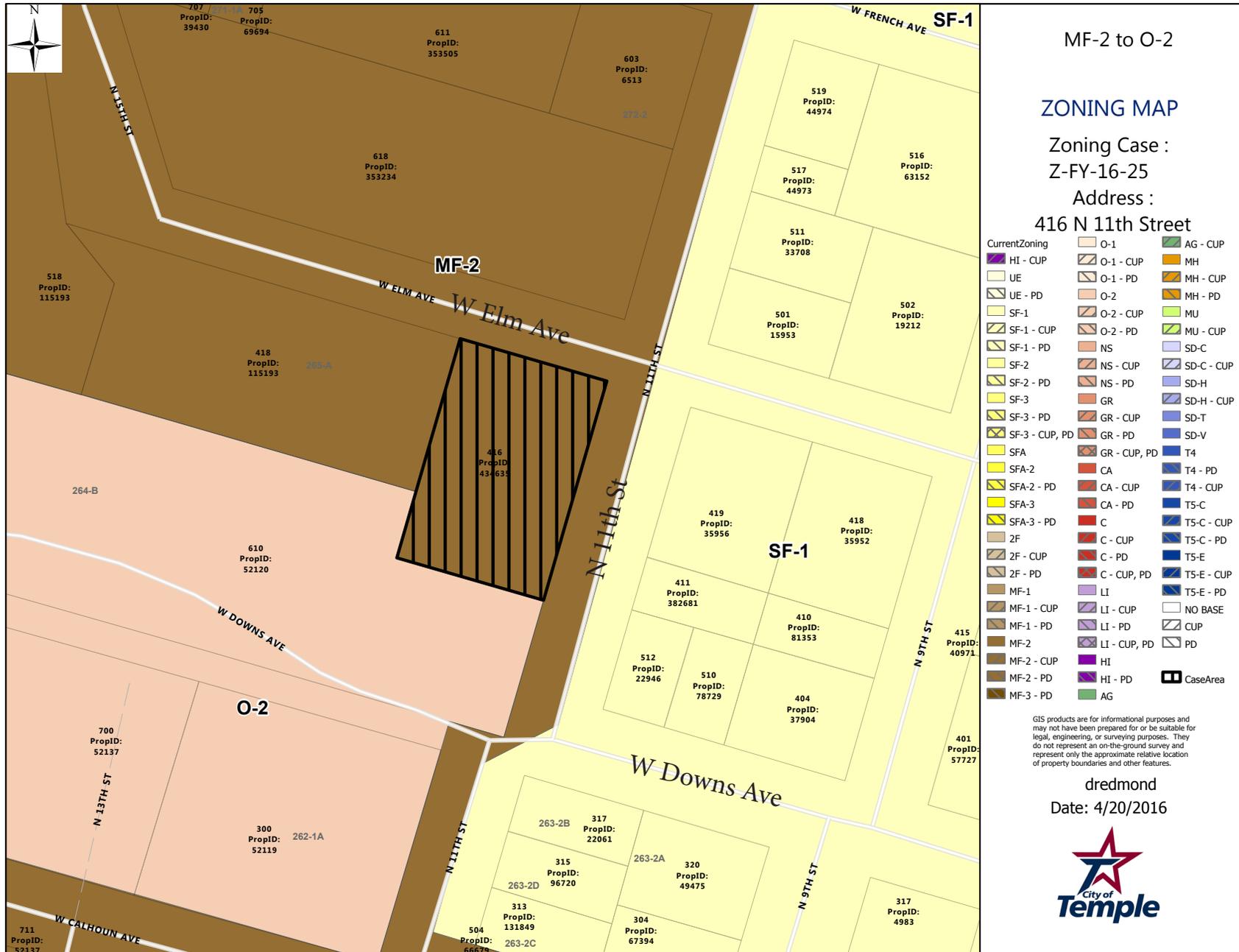
 CaseArea

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.

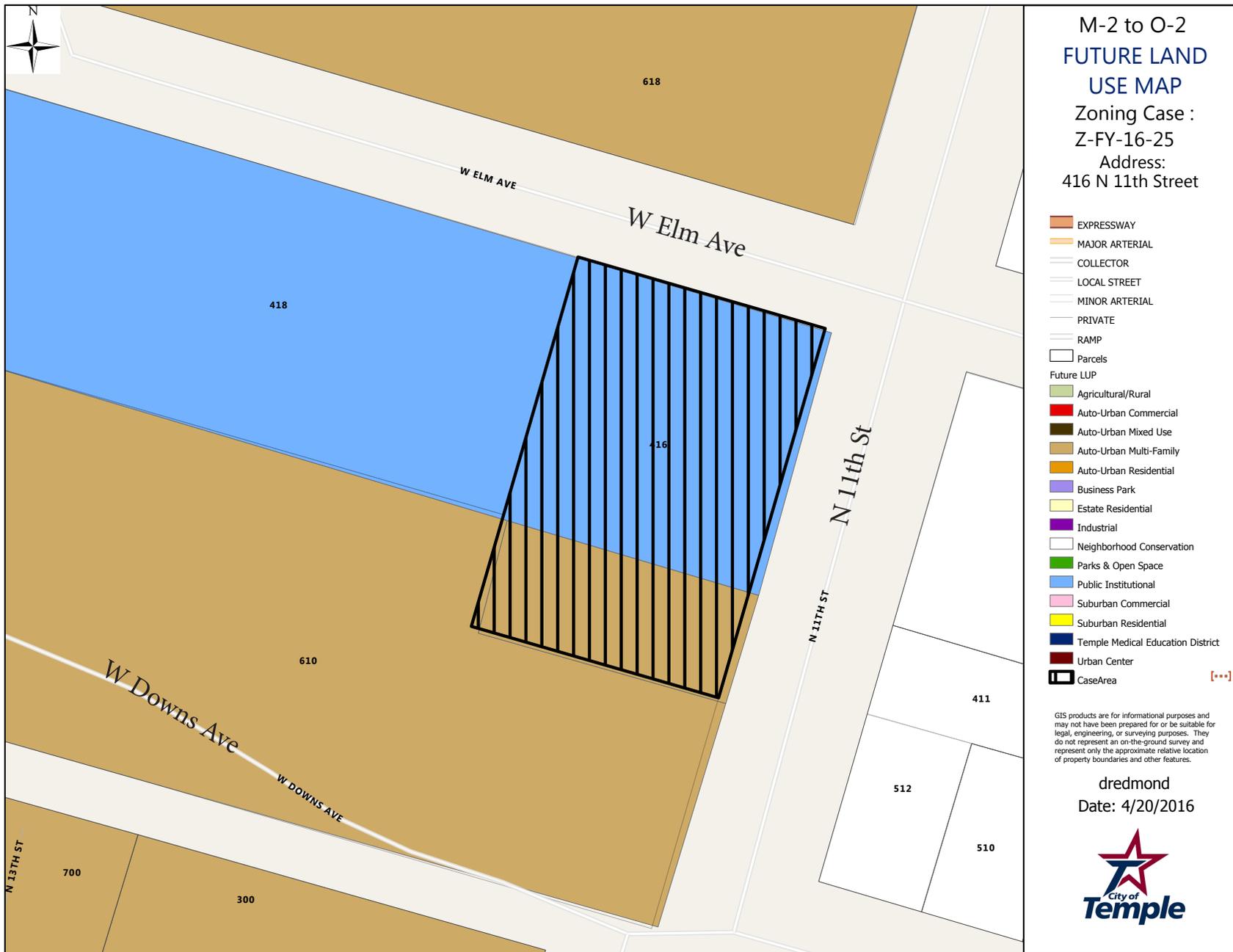
dredmond
Date: 4/20/2016



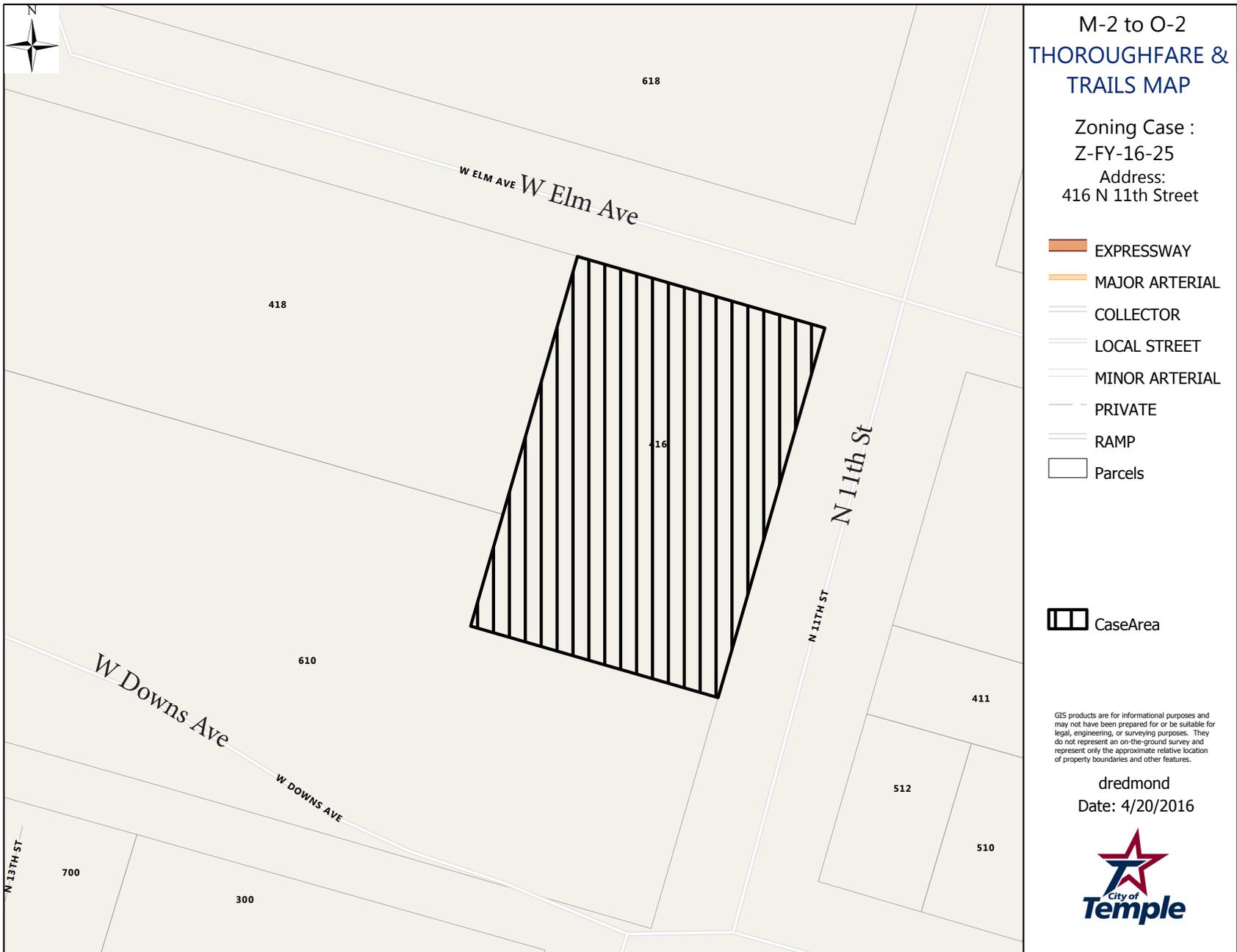
Zoning Map



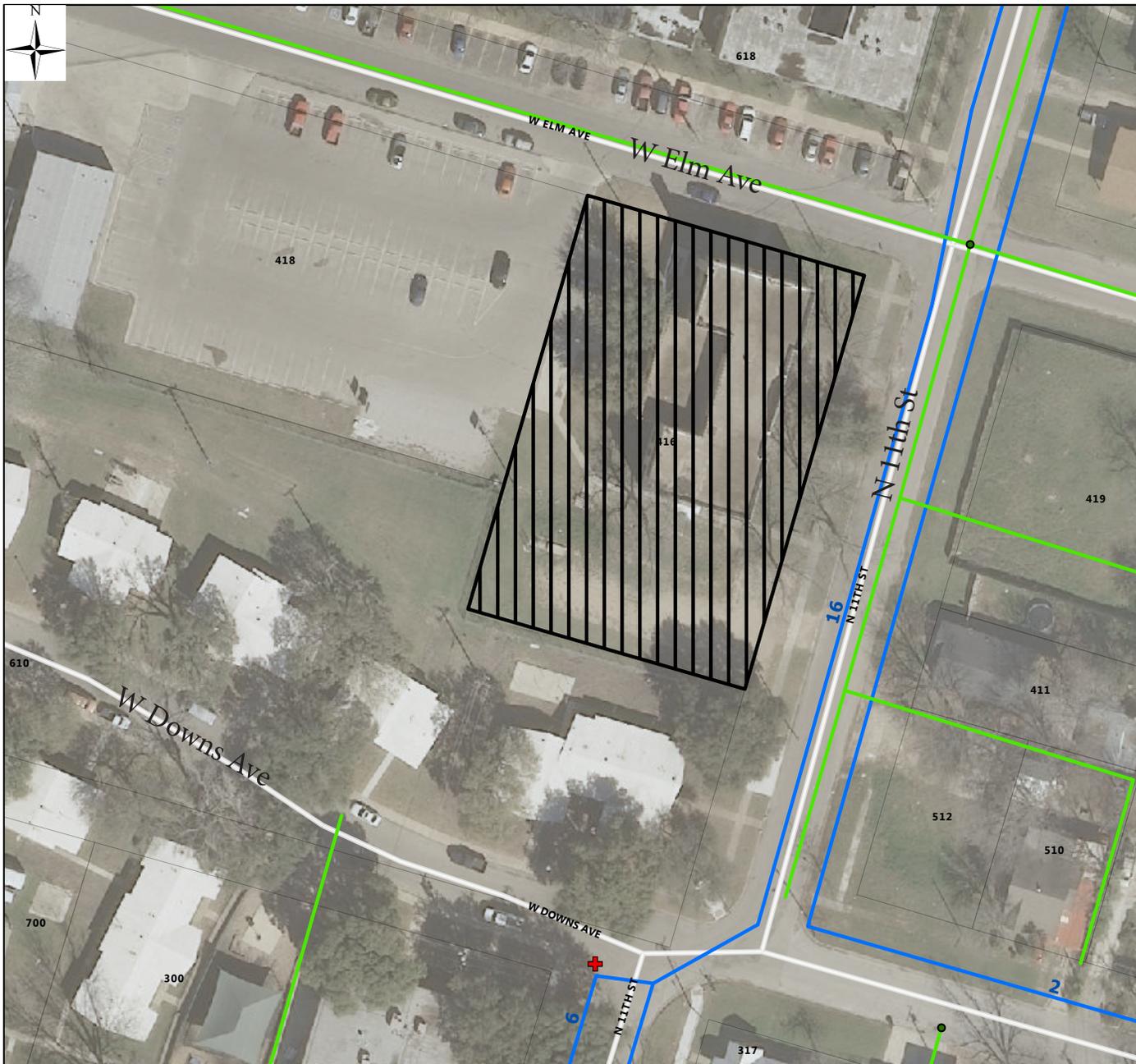
Future Land Use Map



Thoroughfare and Trails Map



Utility Map



M-2 to O-2
UTILITY MAP
 Zoning Case :
 Z-FY-16-25
 Address:
 416 N 11th Street

- 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.

dredmond
 Date: 4/20/2016



Notification Map



Returned Property Owner Notice



RESPONSE TO PROPOSED REZONING REQUEST CITY OF TEMPLE

LITTLEJOHN, ALEXANDER
501 N 11TH ST
TEMPLE, TX 76501-3057

Zoning Application Number: Z-FY-16-25 Project Manager: Dessie Redmond

Location: 416 North 11th Street

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 () agree (X) disagree with this request

Comments: There is too much traffic on north 11th as it is I don't want to see a subst station every morning when I get up plus the noise that it brings. I see it some where else I see the work that is being done so you've already made a decision but you should think better to make it look good if this is the case may I open a restaurant be side it.

Alexander Littlejohn
Signature

Alexander Littlejohn
Print Name

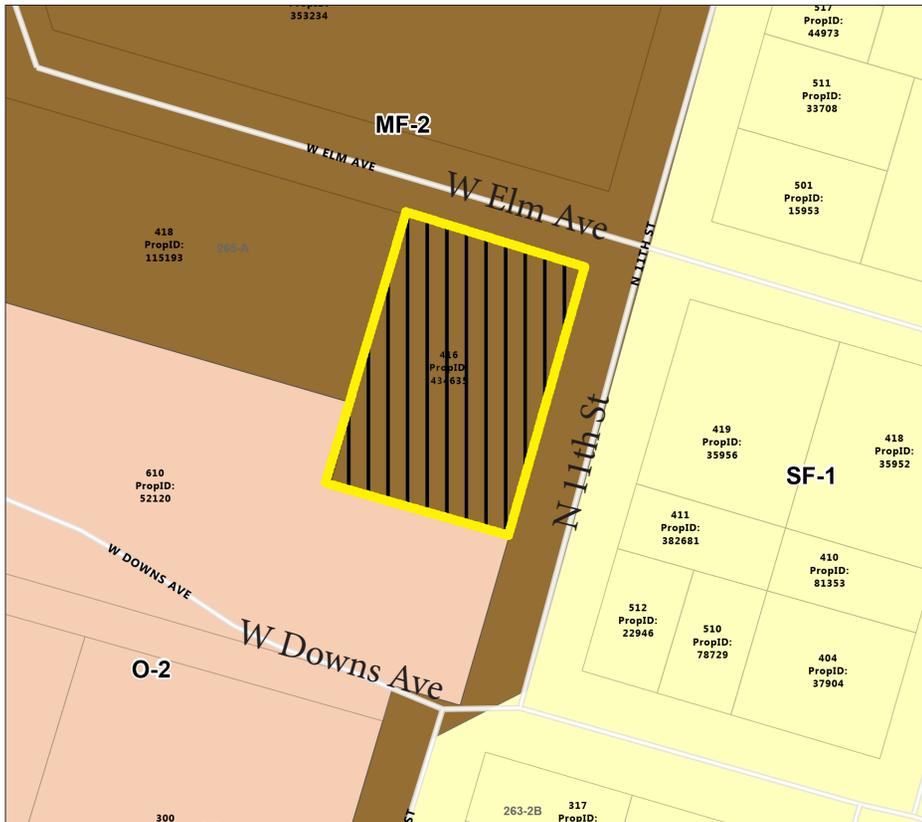
Please mail or hand-deliver this comment form to the address shown below, no later than May 2, 2016.

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

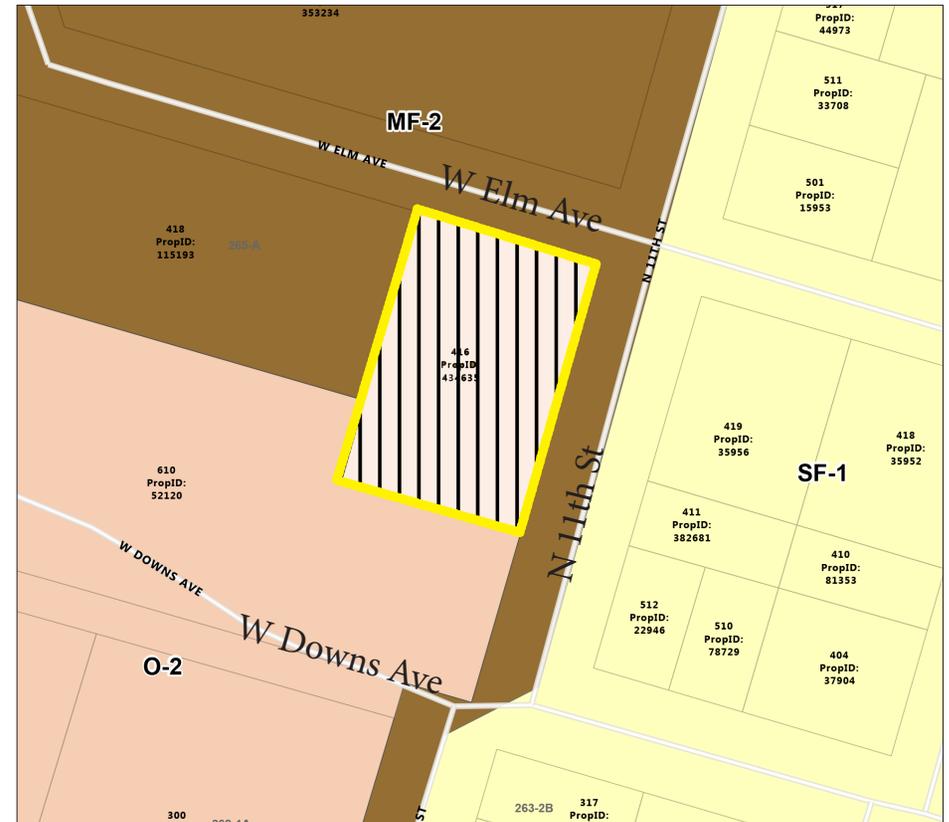
RECEIVED
APR 26 2016
City of Temple
Planning & Development

Number of Notices Mailed: 12 Date Mailed: April 21, 2016

Existing Zoning District versus Proposed Zoning District



Existing Multi-Family-2 Zoning District



Proposed Office-1 Zoning District

-  Office 1 (O-1)
-  Single-Family Dwelling 1 (SF-1)
-  Office 2 (O-2)
-  Multi-Family Dwelling 2 (MF-2)
-  Subject Property Boundary



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #9
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: REMAX Realty – Temple (On behalf of Clem Mikeska)

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-26 Hold a public hearing to discuss and recommend action on a rezoning from Light Industrial (LI) district to Single Family One (SF-1) district on 1.88 +/- acres, out of the Redding Roberts Survey, Abstract No. 345, Bell County, Texas, located at 3221 West Avenue R.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Light Industrial (LI) district to Single Family One (SF-1) district for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Map's Neighborhood Conservation District;
2. The proposed zoning is compatible with the surrounding residential 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 a 1.88 +/- acre tract of land, which is being proposed for rezoning from Light Industrial (LI) district to Single-Family One (SF-1) district.

The rezoning is being requested to Single-Family One (SF-1) to allow the buyer to obtain a home loan and allow conveyance and pending sale of the property. Non-residential uses were not anticipated to be developed by the current or proposed owners. While the property is anticipated to remain developed with a detached single family residence, there are a number of other uses allowed in the SF-1 district which, include but are not limited to:

Permitted & Conditional Use Table – Single Family One (SF-1)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached Only) * Industrialized Housing * Family or Group Home

Retail & Service Uses	* None
Commercial Uses	* None
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground
Educational & Institutional Uses	* Cemetery, Crematorium or Mausoleum (CUP) * Place of Worship * Child Care: Group Day Care (CUP) * Social Service Center (CUP)
Restaurant Uses	* None
Overnight Accommodations	* None
Transportation Uses	* Railroad Track Right-of-Way

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses.

Surrounding Property & Uses			
Direction	Future Land Use Map	Zoning	Current Land Use
Site	Neighborhood Conservation	LI	Existing SF Residence
North	Auto-Urban Multi-Family	MF-2	MF Uses – Chappell Hill Apartments
South	Park & Open Space	2F	SF Uses – Woodlawn Park Subdivision
East	Neighborhood Conservation	2F & LI	SF Uses – Woodlawn Park Subdivision
West	Auto-Urban Multi-Family	PD, C & LI	Creekside Planned Development

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

:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	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 Map (CP Map 3.1)

The subject property is entirely within the Neighborhood Conservation Future Land Use Map district. The purpose of the district is to establish standards consistent with those at the time of development (i.e., lot size, setbacks etc.) so as not to create nonconforming situations and to ensure that any infill activity or redevelopment maintains the neighborhood character. The requested single family-one (SF-1) zoning, while more restrictive than the surrounding Two-Family (2F) and the developed lots can be used as a baseline for which the current residential lot can be developed by, if redevelopment should occur on this property. Therefore, the request **is** consistent with the Future Land Use Plan.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from West Ave R, a local street that serves the adjacent Woodlawn Park subdivision. No plat is triggered by the rezoning or for the conveyance of the real property. Any future platting will address access deficiencies or needed ROW.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 6-inch sewer line in West Ave R. Water is available through an existing 6-inch waterline in West Ave R.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan does not identify any trail in West Ave R or adjoining the property. Additionally, since West Ave R is a local street, no sidewalk is required.

DEVELOPMENT REGULATIONS: Standards for detached Single Family residential homes in the SF-1 district are:

	SF-1 (Proposed)
Minimum Lot Size	7500 Square Feet
Minimum Lot Width	60 Feet
Minimum Lot Depth	100 Feet
Front Setback	25 Feet
Side Setback	10% Lot Width (6' Min – 7.5' Max)
Side Setback (corner)	15 Feet
Rear Setback	10 Feet
Max Building Height	2 Stories

PUBLIC NOTICE: Eleven 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 April 28, 2016 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 April 21, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is scheduled for the 1st Reading on June 2, 2016 and a 2nd Reading on June 16, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Surveyor Sketch (Exhibit A)
Location Map
Aerial Map
Zoning Map
Future Land Use and Character Map
Thoroughfare & Trails Map
Utility Map
Notification Map

Site & Surrounding Property Photos



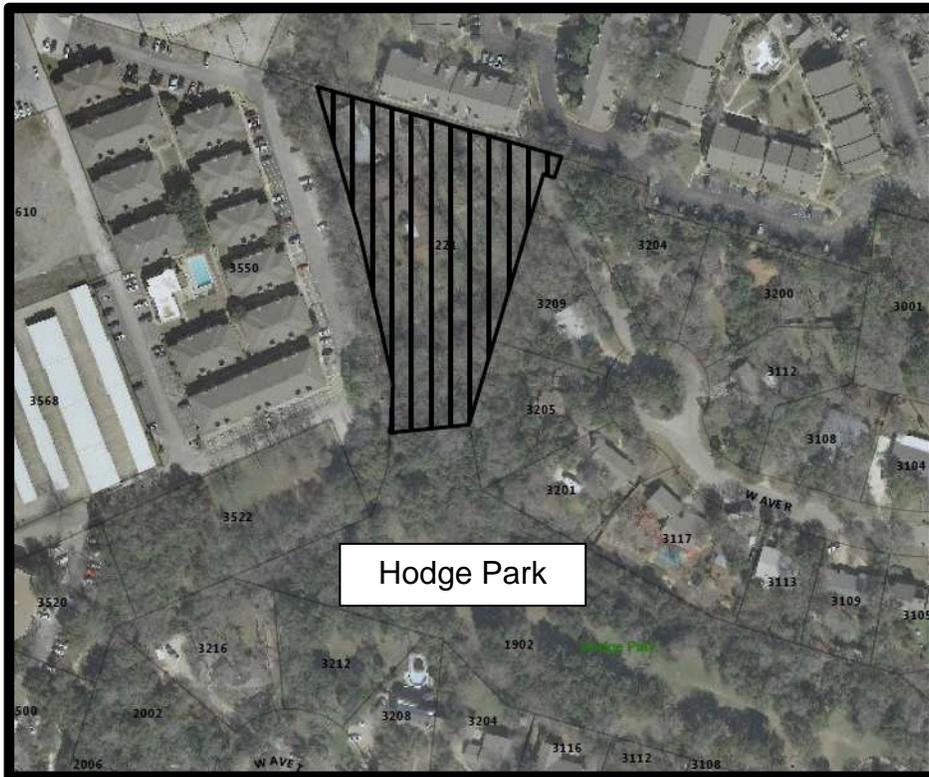
Site – Existing SF Residence (LI)



Site – Alternative View – SF Residence (LI)



North: Chappell Hill Apartments (MF-2)



South – Hodge Park and Woodlawn Park Residential subdivision (2F)



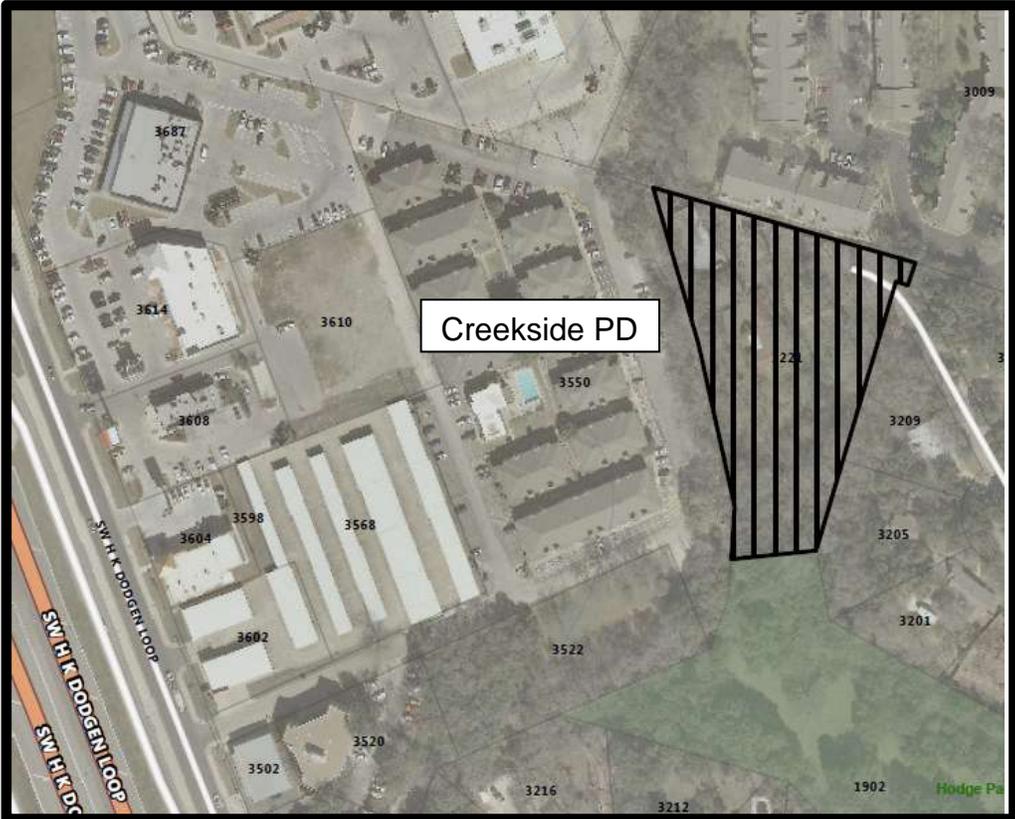
**East: Single Family Uses
Woodlawn SF Residential Subdivision (2F)**



**East: Single Family Uses
Woodlawn SF Residential subdivision (2F)**



West: Creekside Planned Development (PD)



West: Existing Mixed Uses (C, LI & PD)

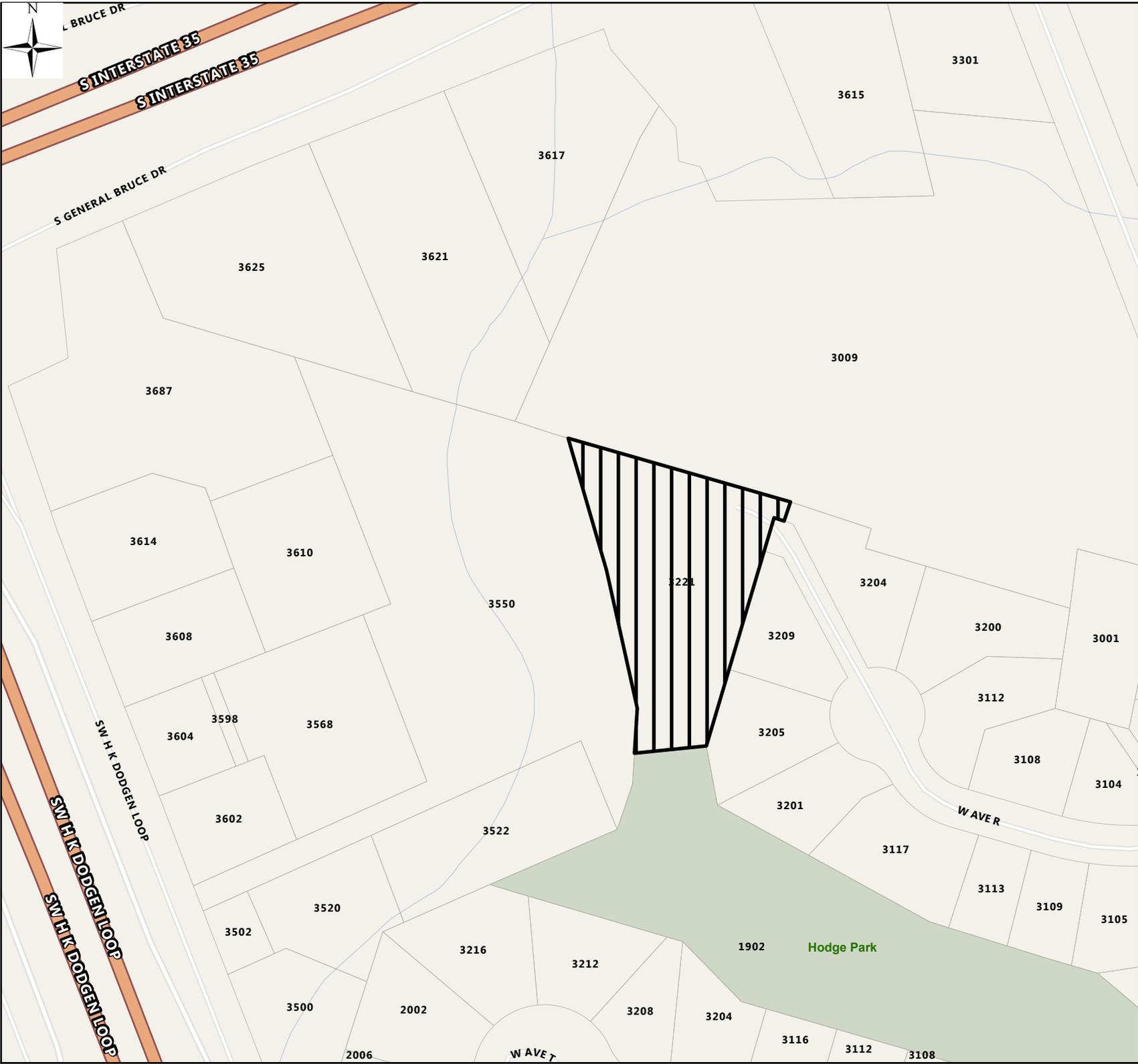


S INTERSTATE 35
S INTERSTATE 35

S GENERAL BRUCE DR

SW H K DODGEN LOOP

SW H K DODGEN LOOP
SW H K DODGEN LOOP



LI to SF-1

LOCATION MAP

Zoning Case :
Z-FY-16-26

Address :
3221 West Ave R

Streets

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

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

mbaker
Date: 4/7/2016





LI to SF-1

AERIAL MAP

Zoning Case :
Z-FY-16-26

Address :
3221 West Ave R

Streets

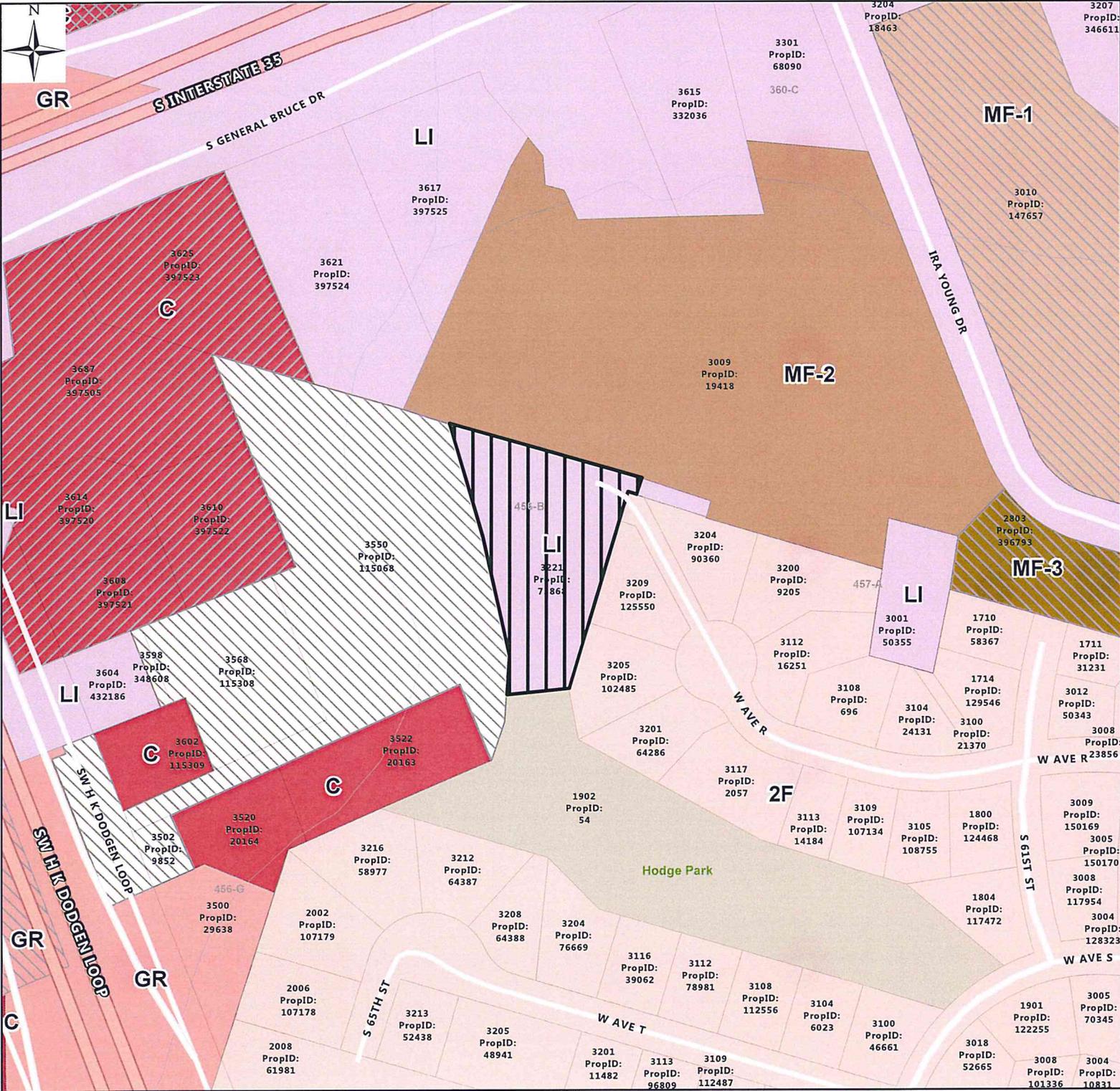
-  EXPRESSWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL STREET
-  MINOR ARTERIAL
-  PRIVATE
-  RAMP
-  Railroad
-  Temple Municipal Boundary
-  Parcels
-  ETJ Parcels
-  CaseArea

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

mbaker

Date: 4/7/2016





LI to SF-1

ZONING MAP

Zoning Case :
Z-FY-16-26
Address :
3221 West Ave R

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

mbaker

Date: 4/7/2016

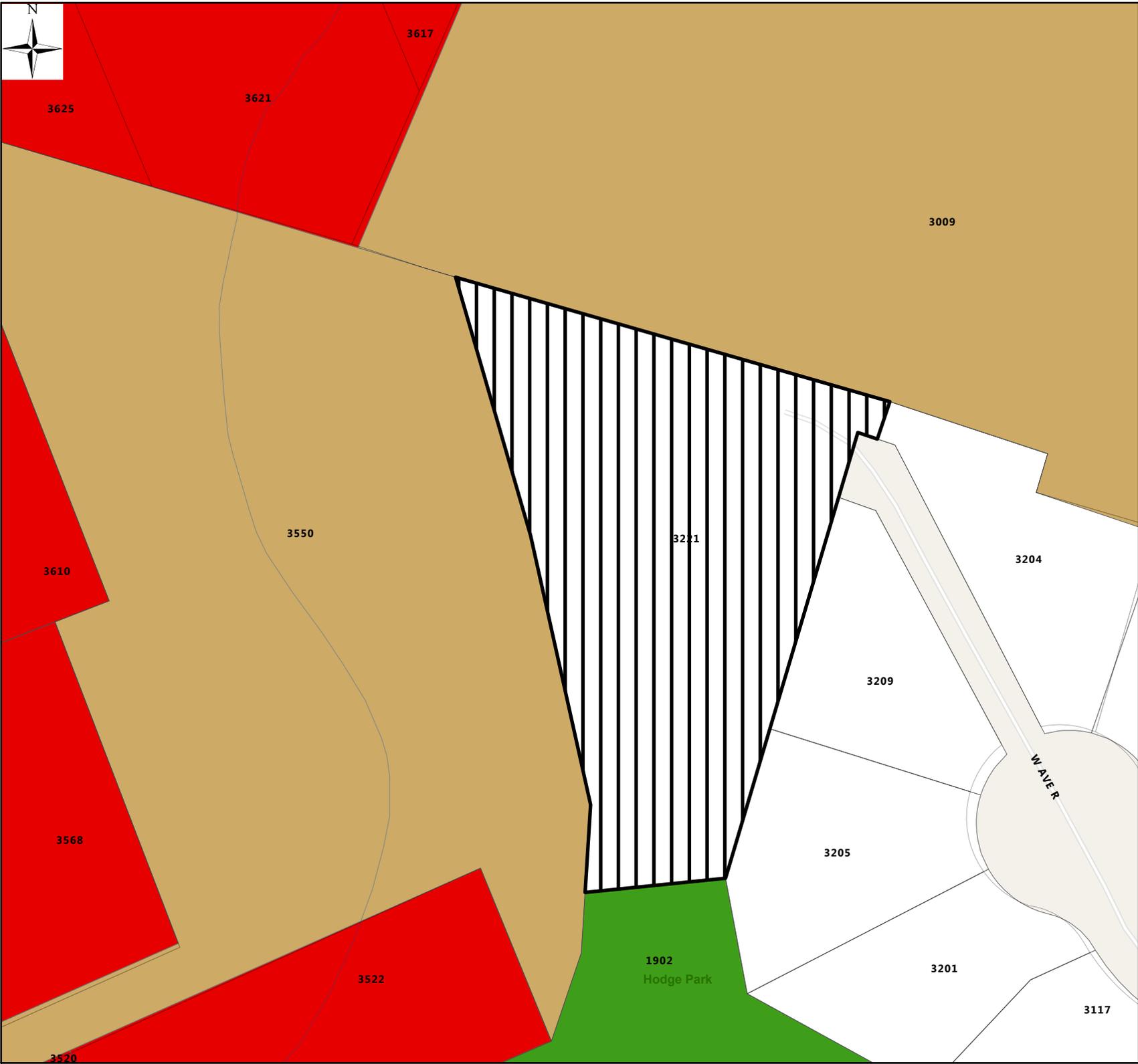




LI to SF-1 FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-26

Address :
3221 West Ave R



- 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

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: 4/7/2016

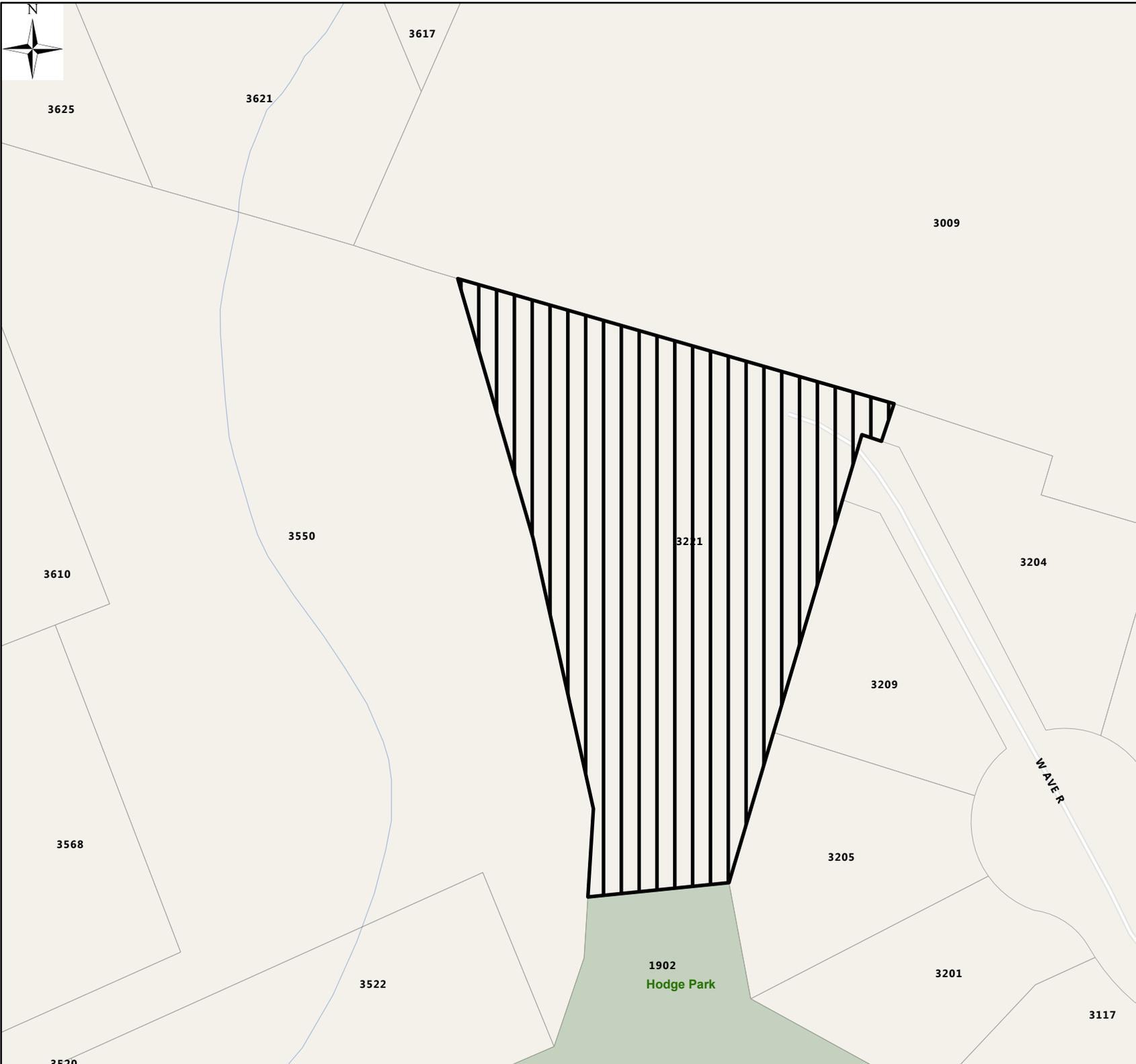




LI to SF-1
**THOROUGHFARE
 AND TRAILS MAP**

Zoning Case :
 Z-FY-16-26

Address :
 3221 West Ave R



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

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

mbaker
 Date: 4/7/2016





LI to SF-1

UTILITY MAP

Zoning Case :
Z-FY-16-26

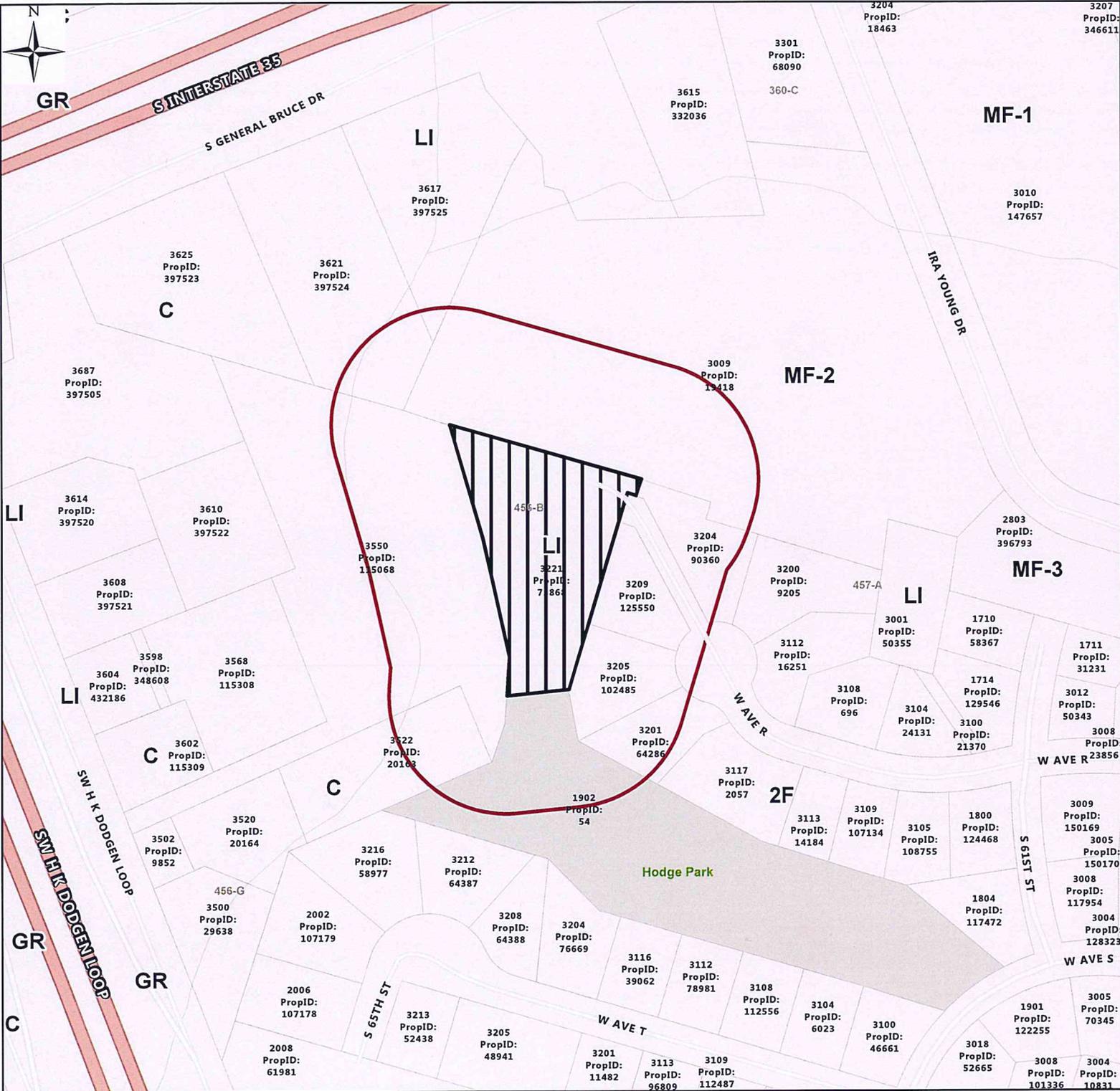
Address :
3221 West Ave R

- 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: 4/7/2016





LI to SF-1

200' NOTIFICATION MAP

Zoning Case :
Z-FY-16-26
Address :
3221 West Ave R

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: 4/7/2016





PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item #10
Regular Agenda

APPLICANT: Monty Clark for Wapiti Investment Properties, LLC

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: PUBLIC HEARING – Z-FY-16-27 – Hold a public hearing to discuss and recommend action on a site plan review, amending Ordinance No. 2005-4025 for the existing Planned Development-General Retail District (PD-GR) and site plan for Lots 6 & 7, Block 1, Adam's Island Commercial Subdivision, for a new building with parking lot and sidewalks, new water and sewer services, and new storm sewer.

STAFF RECOMMENDATION: Based on the following, staff recommends amending the original Planned Development by approving the proposed site plan for the following reasons:

1. Compliance with the Future Land Use Plan;
2. Compliance with surrounding zoning and land uses;
3. Compliance with the Thoroughfare Plan;
4. Public facilities are available to serve the subject property;
5. The Planned Development site plan exceeds the 5% landscaping plan requirements for non-residential development, per the Unified Development Code (UDC).
6. The site plan is designed around existing oak and elm trees.
7. The proposed Planned Development site plan must meet all applicable Unified Development Codes (UDC), Engineering/Drainage, Building Codes, and Fire Codes during the building permit process, regardless of any approved site plan.

ITEM SUMMARY: This Planned Development site plan request is associated with property located on Lots 6 and 7, Block 1, Adam's Island Commercial Subdivision. The original Planned Development (General Retail) District for this property, approved by Ordinance No. 2005-4025, did not include a Planned Development site plan for this portion on the Planned Development.

The applicants request amending the existing Planned Development-General Retail District (PD-GR) for this property, approved by Ordinance No. 2005-4025, to allow construction of a new retail building and parking lot, per the attached exhibits.

The proposed site plan not only exceeds parking space requirements. It also exceeds the 5% landscaping plan requirements for non-residential development, per the Unified Development Code (UDC) and is consistent with the adjacent site plan for Lots 1 through 5, approved by City Council on July 17, 2014 (Ordinance 2014-4677).

The Development Review Committee (DRC) reviewed the proposed Planned Development site plan on Monday, April 18, 2016.

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	PD-GR	Undeveloped Property
North	Suburban Commercial	AG	Agricultural
South	Suburban Commercial	AG	Major Arterial (Adams Avenue)
East	Suburban Commercial	PD-GR	Undeveloped Property
West	Suburban Commercial	PD-GR	Undeveloped Property

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)

The subject property is within the Suburban Commercial District according to the Comprehensive Plan / Future Land Use Plan (FLUP). The existing Planned Development and requested site plan are in compliance with the Suburban Commercial FLUP district.

Thoroughfare Plan (CP Map 5.2)

The subject property has frontage along West Adams Avenue, a major arterial. The subject property also fronts Adams Lane, a local street. The only entrance to the site will be from Adams Lane, but the proposed building and business activities will be adjacent to West Adams Avenue.

The site plan reflects a series of sidewalks from the parking lot to every entrance into the proposed building.

Availability of Public Facilities (CP Goal 4.1)

Water will be provided by a new connection to the existing 6-inch water line along Adams Lane. Sewer will be provided through a new connection to the existing 10-inch sanitary sewer line along Adams Lane.

A new HDPE storm sewer will be built on this site, as well as a new reinforced concrete detention pond outlet structure.

PUBLIC NOTICE: Nine notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property. As of Wednesday April 27, 2014 at 1:00 PM, five response notification letters were returned in approval of the request and none were returned in opposition.

The newspaper printed notice of the Planning and Zoning Commission public hearings for Z-FY-16-27 on April 21, 2016, 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
Proposed Planned Development Site Plan Exhibits
Ordinance No 2005-4025 (original PD-GR Zoning)
Notification 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	PD-GR	Undeveloped Property	
East	PD-GR	Undeveloped Property	
West	PD-GR	Undeveloped Property	

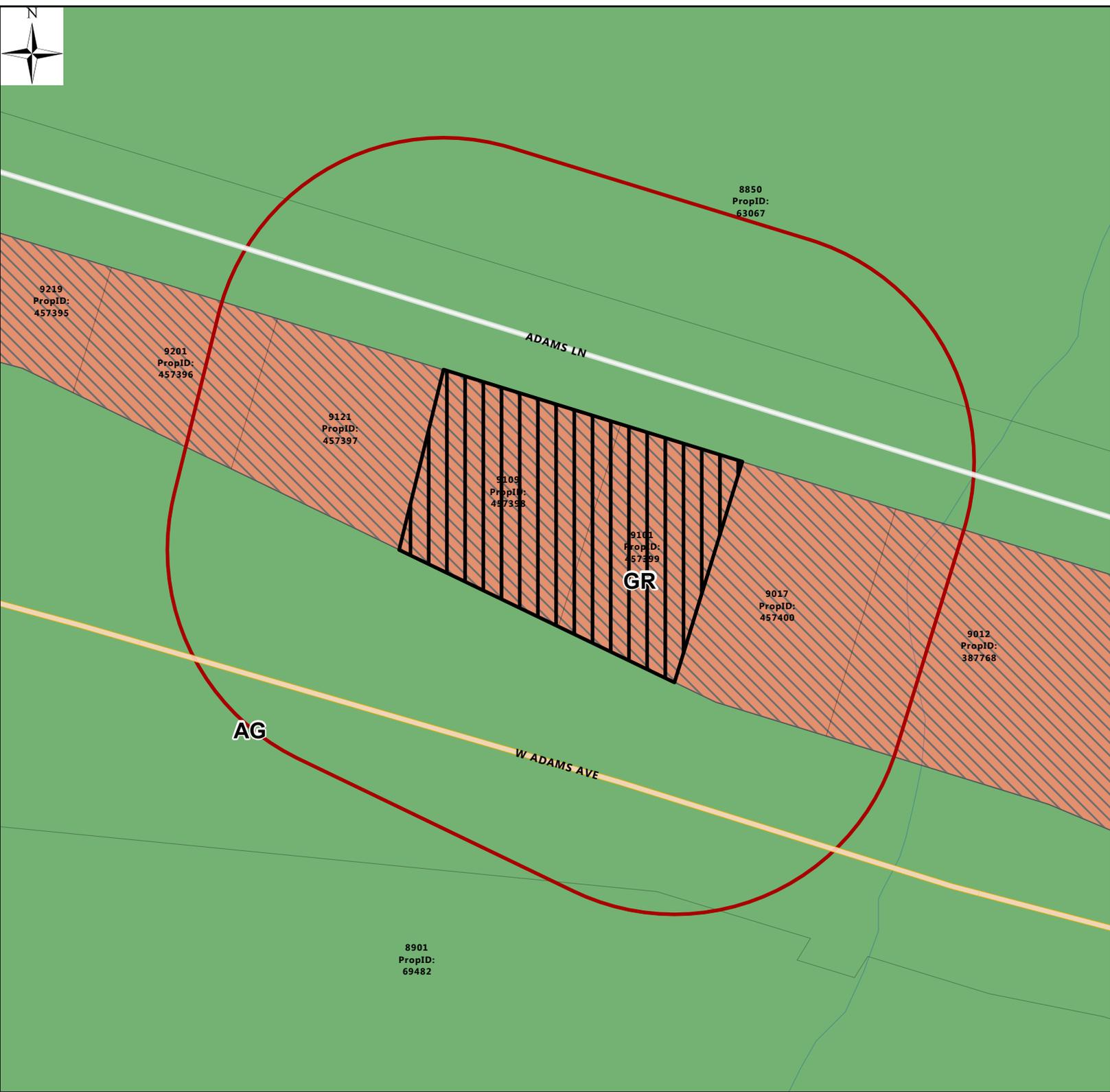
Direction	Zoning	Current Land Use	Photo
South	AG	Major Arterial	
North	AG	Agricultural	



PD-GR Site Plan
 200'
 NOTIFICATION MAP

Zoning Case :
 Z-FY-16-27
 Address :

9100 & 9108 Adams Ln



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

tlyerly
 Date: 4/20/2016

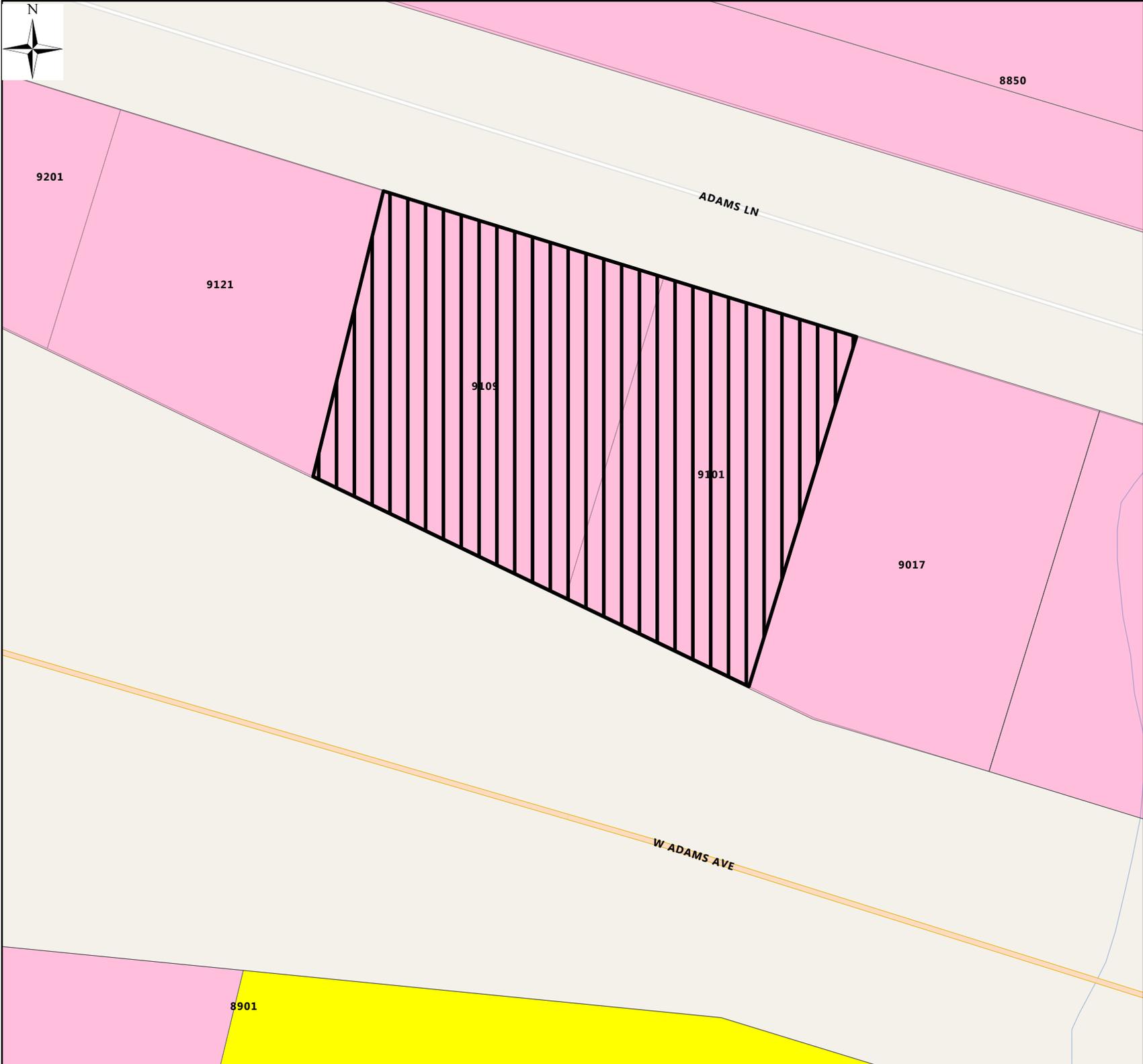




PD-GR Site Plan FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-27

Address :
9100 & 9108 Adams Ln



- 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

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.

tlyerly
Date: 4/20/2016

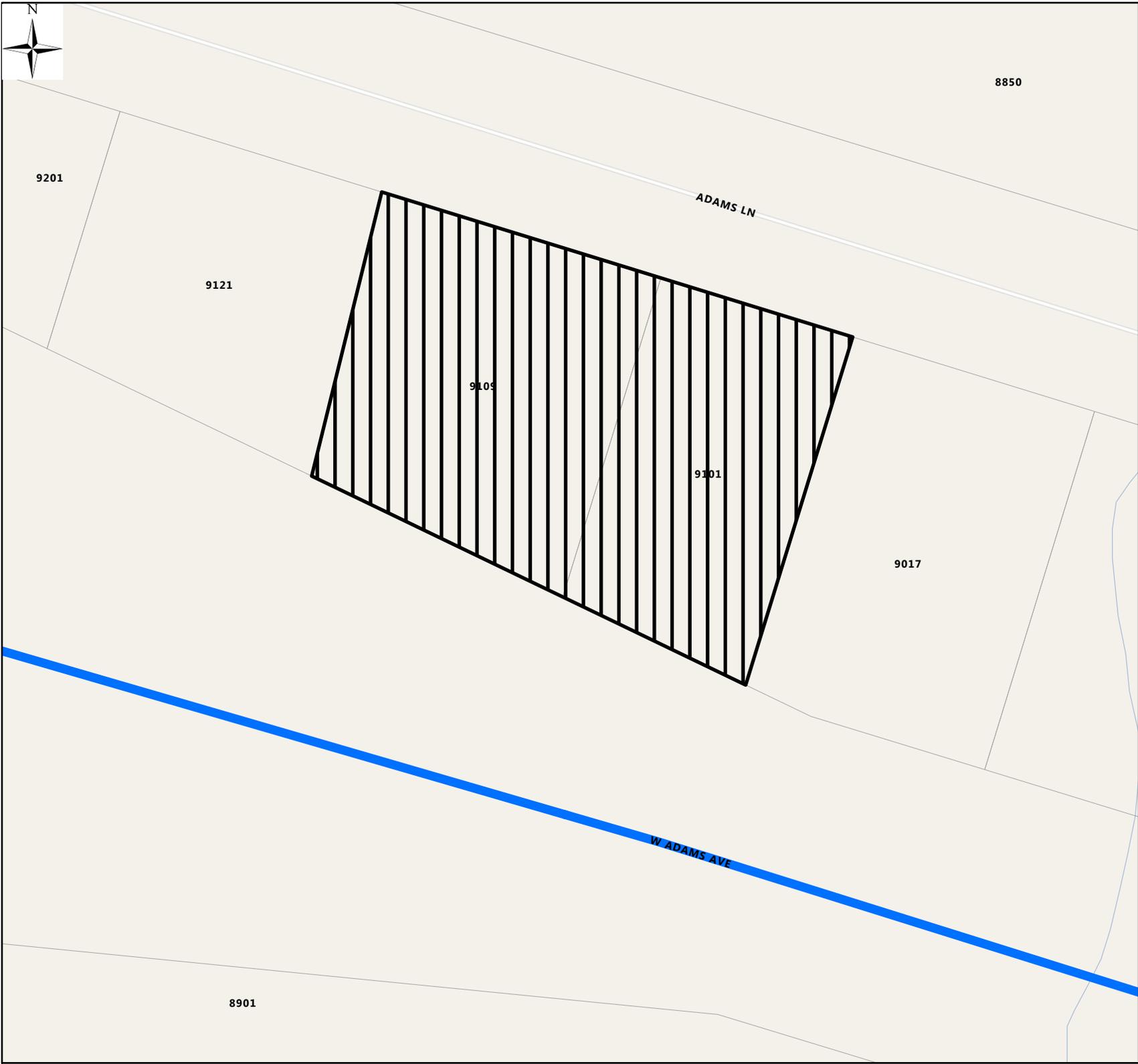




PD-GR Site Plan THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-27

Address :
9100 & 9108 Adams Ln



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

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.

tlyerly
Date: 4/20/2016





PD-GR Site Plan

UTILITY MAP

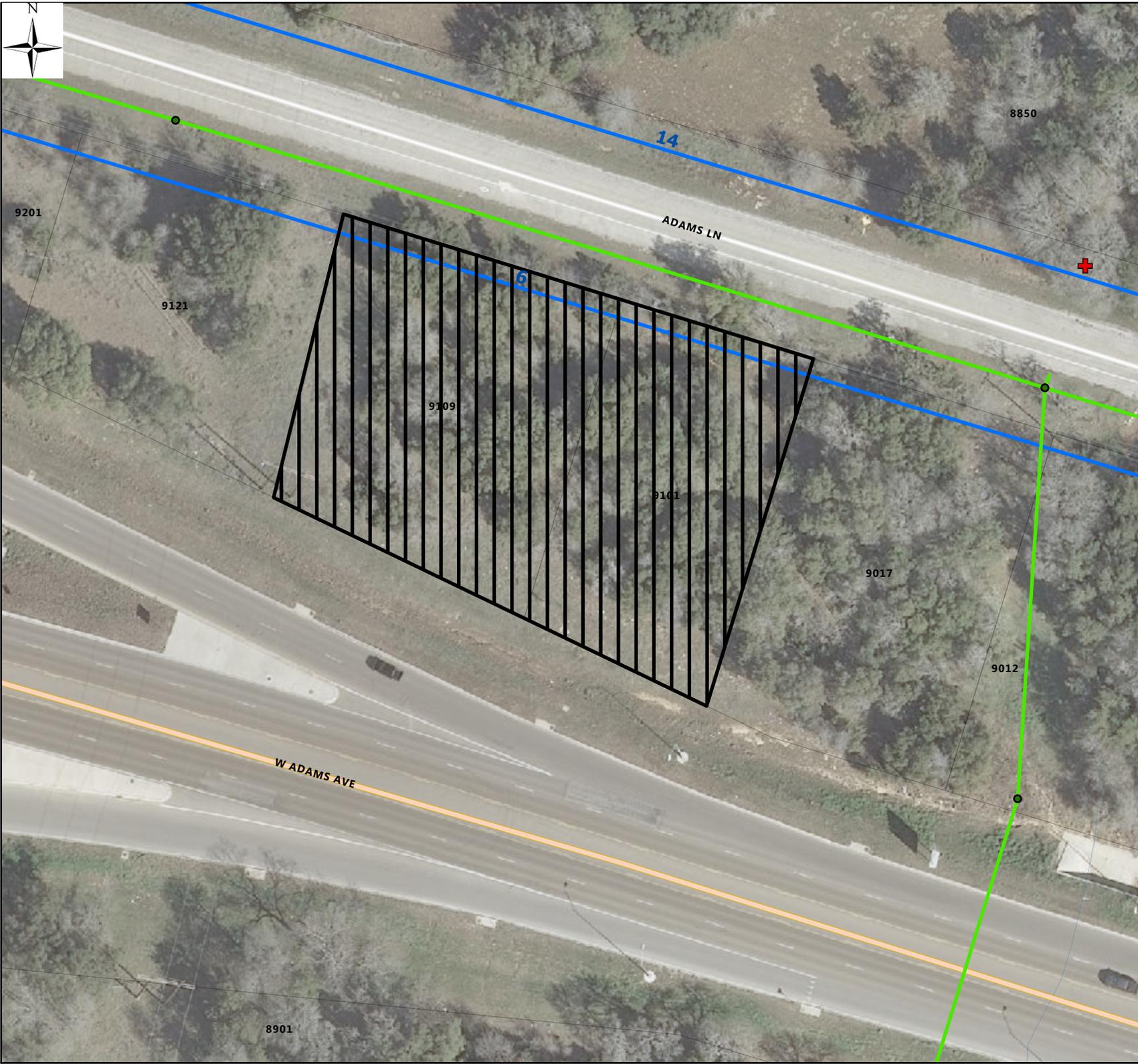
Zoning Case :
Z-FY-16-27

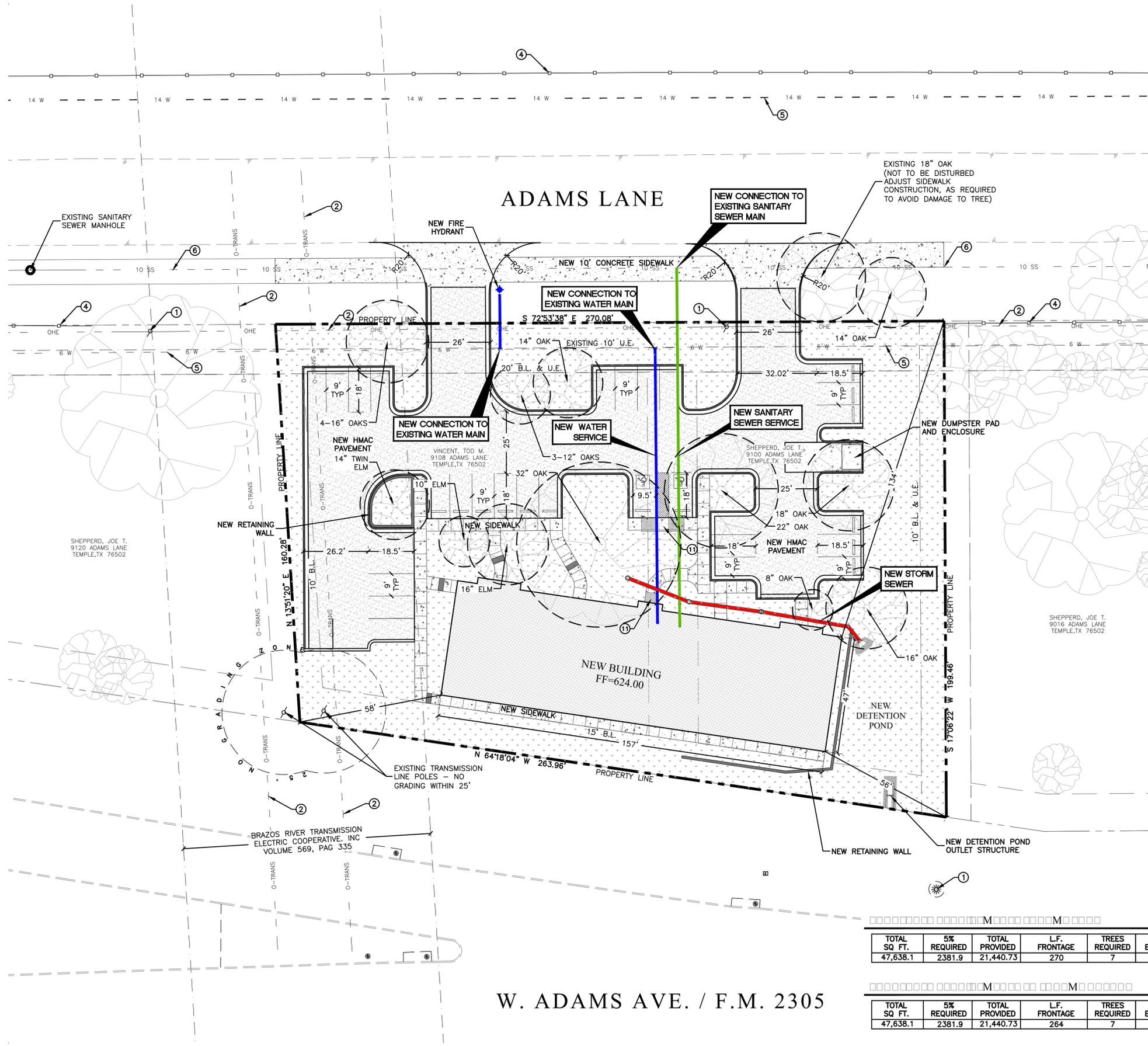
Address :
9100 & 9108 Adams Ln

-  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.

tlyerly
Date: 4/20/2016





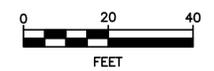
- LEGEND**
- NEW HMAC PAVEMENT (PER GEOTECHNICAL REPORT)
 - NEW CONCRETE FLATWORK (PER PROJECT DETAILS)
 - NEW REINFORCED CONCRETE PAVEMENT SECTION (PER GEOTECH REPORT)
 - NEW CURB AND GUTTER (PER PROJECT DETAILS)
 - NEW CONCRETE EDGING (PER DETAILS)
 - FURNISH AND INSTALL PRECAST CONCRETE WHEEL STOP (PER DETAILS)
 - NEW BERMUDA GRASS SOD (PRIOR TO CONSTRUCTION, COORDINATE EXTENTS WITH OWNER'S PROJECT REPRESENTATIVE)

- KEYED NOTES**
1. CAUTION!!! EXISTING POWER POLE/LIGHT POLE
 2. CAUTION!!! OVERHEAD ELECTRIC
 3. EXISTING TELEPHONE/FIBER OPTIC
 4. EXISTING FENCING (NOT TO BE DISTURBED)
 5. EXISTING WATER MAIN/METER
 6. EXISTING SANITARY SEWER
 7. EXISTING STORM SEWER
 8. NEW SANITARY SEWER SERVICE (REFER TO UTILITY SHEET FOR CONSTRUCTION)
 9. NEW WATER/FIRE SERVICE (REFER TO UTILITY PLAN FOR CONSTRUCTION)
 10. NEW STORM SEWER (REFER TO UTILITY PLAN FOR CONSTRUCTION)
 11. FURNISH AND INSTALL 1-HANDICAP SIDEWALK RAMP (PER TAS STANDARDS)

- GENERAL NOTES:**
1. STORM DRAINAGE SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF TEMPLE'S DRAINAGE ORDINANCE.
 2. BASED ON INFORMATION AVAILABLE FROM THE FIRM RATE MAP NUMBER 48027C0330E, DATED SEPTEMBER 26, 2008, THE SUBJECT PROPERTY DOES NOT APPEAR TO BE WITHIN THE "SPECIAL FLOOD HAZARD AREA" AND APPEARS TO BE SITUATED IN ZONE X. (REFER TO SUBDIVISION PLAT FOR LOCATION).

1. PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE DEMOLITION OF EXISTING STRUCTURES, PAVEMENT SECTIONS, VEGETATION, ETC. WITH OWNER.
2. EXISTING UTILITIES WERE LOCATED BY FIELD RESEARCH/OBSERVATION. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND COORDINATE UTILITY REMOVAL AND RELOCATION WITH OWNER AND APPROPRIATE UTILITY COMPANY.
3. PRIOR TO INSTALLATION, LANDSCAPE CONTRACTOR SHALL COORDINATE THE TYPE AND LOCATION OF NEW GRASS, TREES AND SHRUBBERY WITH OWNER.
4. NO REQUIRED LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER TO ADVERSELY AFFECT DRAINAGE OR UTILITY EASEMENTS.
5. ALL AREAS NOT COVERED BY IMPERVIOUS SURFACES SHALL HAVE NEW GRASS SOD, GRASS SEEDING, MULCH, WASHED GRAVEL, ROCK, SAND OR OTHER DECORATIVE COVERINGS.
6. TURF AREAS TO BE SODDED WITH BERMUDA GRASS PER CITY OF TEMPLE APPROVED GRASS.
7. PROPOSED NEW TREES SHALL BE OF SPECIES ON THE CITY OF TEMPLE APPROVED TREE LIST.

LOT NO.	BUILDING SQ. FT.	PARKING REQUIRED	SPACES REQUIRED	SPACES PROVIDED
1	6253	1/300	21	30



TOTAL SQ. FT.	5% REQUIRED	TOTAL PROVIDED	L.F. FRONTAGE	TREES REQUIRED	TREES EXISTING	TREES NEW
47,638.1	2381.9	21,440.73	270	7	18	0

TOTAL SQ. FT.	5% REQUIRED	TOTAL PROVIDED	L.F. FRONTAGE	TREES REQUIRED	TREES EXISTING	TREES NEW
47,638.1	2381.9	21,440.73	264	7	18	0

Date: _____ Remarks: _____

W. ADAMS AVE. / F.M. 2305

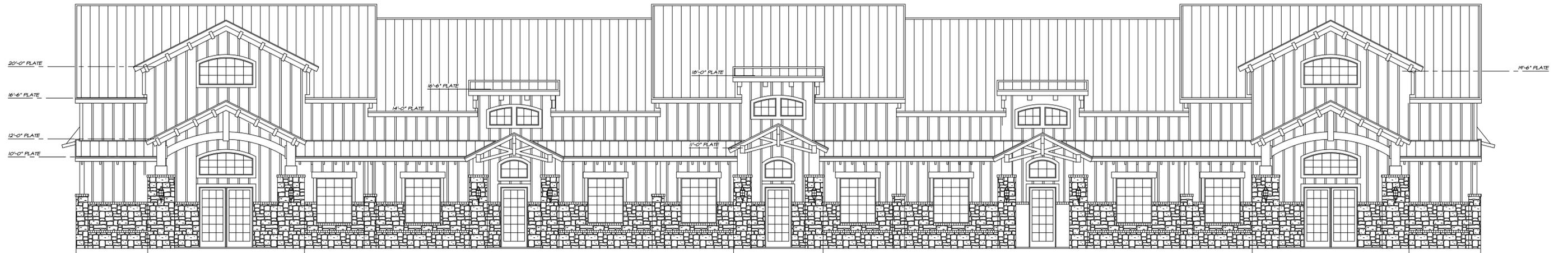
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF P.E. CLARK & FULLER, P.L.L.C. FIRM NO. 1-10384.

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF PERMIT REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES. ONLY DRAWINGS ISSUED FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.

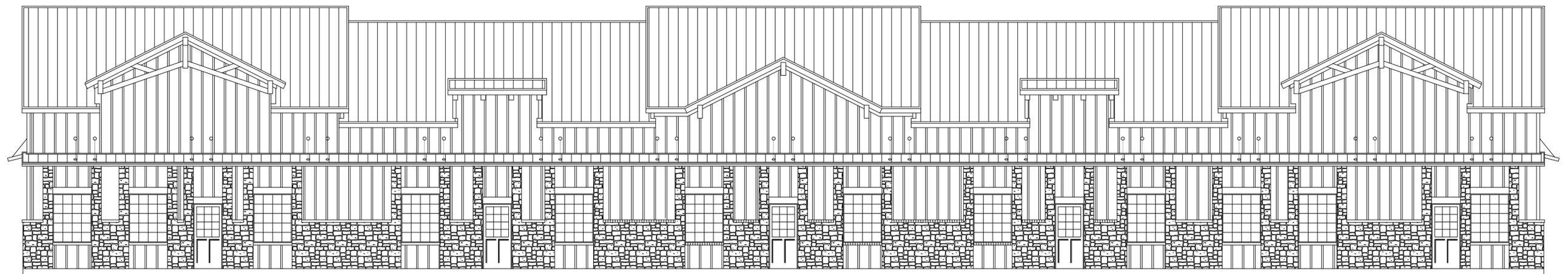
CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING
215 North Main Street, Temple, TX 76701
254-899-0899 www.clarkfuller.com F-10984

Project No: 151634-00
Plot Date: 3-16-16
Designed By: MLC
Drawn By: LLW

Temple, Texas



FRONT ELEVATION
SC 3/16" = 1'-0"



REAR ELEVATION
SC 3/16" = 1'-0"

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT GENERAL RETAIL DISTRICT (PD-GR) ON LAND COMMONLY REFERRED TO AS OUTBLOCKS 1114-A, B, & E, CITY ADDITION AND OUTBLOCK 1115-A, CITY ADDITION, LOCATED ON THE NORTH SIDE OF FM 2305, EAST OF SH 317 IN THE CITY OF TEMPLE, TEXAS, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; AMENDING THE WEST TEMPLE COMPREHENSIVE PLAN TO REFLECT NEIGHBORHOOD AND COMMUNITY RETAIL USES; PROVIDING CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property commonly referred to as Outblocks 1114-A, B, & E, City Addition, and Outblock 1115-A, City Addition, located on the north side of FM 2305, east SH 317 in the City of Temple, Texas, has requested a zoning change from Agricultural District (A) to Planned Development General Retail District (PD-GR); and

Whereas, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District (A) to Planned Development General Retail District (PD-GR) on property commonly referred to as Outblocks 1114-A, B, & E, City Addition, and Outblock 1115-A, City Addition, located on the north side of FM 2305, east SH 317 in the City of Temple, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council approves an amendment to the West Temple Comprehensive Plan to reflect neighborhood and community retail uses.

Part 3: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development General Retail (PD-GR), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) The development standards of the property shall conform to requirements of the General Retail District; and
- (b) Prior to the issuance of a building permit, the property owner must submit an amendment to the planned development and a site plan to the Planning & Zoning Commission and the City Council.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

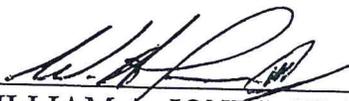
Part 6: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 7: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

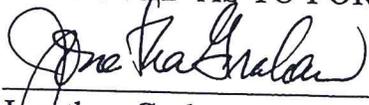
PASSED AND APPROVED on First Reading on the 16th day of June, 2005.

PASSED AND APPROVED on Second Reading on the 7th day of July, 2005.

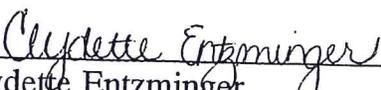
THE CITY OF TEMPLE, TEXAS


 WILLIAM A. JONES, III, Mayor

APPROVED AS TO FORM:


 Jonathan Graham
 City Attorney

ATTEST:


 Clydette Entzminger
 City Secretary





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

SHEPPERD, JOE T
6 S 1ST ST
TEMPLE, TX 76501

Zoning Application Number: Z-FY-16-27

Project Manager: TAMMY LYERLY

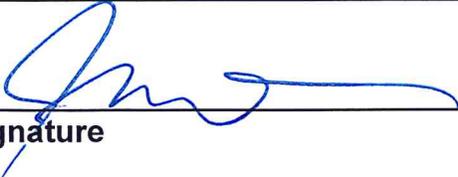
Location: 9108 and 9100 Adam's Lane

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 agree

disagree with this request

Comments:



Signature

Joe Shepperd

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED
APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: April 21, 2016



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

SHEPPERD, JOE T
6 S 1ST ST
TEMPLE, TX 76501

Zoning Application Number: Z-FY-16-27

Project Manager: TAMMY LYERLY

Location: 9108 and 9100 Adam's Lane

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 agree

() disagree with this request

Comments:


Signature

Joe Shepperd
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016

City of Temple
Planning & Developpr

Date Mailed: April 21, 2016

Number of Notices Mailed: 9



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

SHEPPERD, JOE T
6 S 1ST ST
TEMPLE, TX 76501

Zoning Application Number: Z-FY-16-27

Project Manager: TAMMY LYERLY

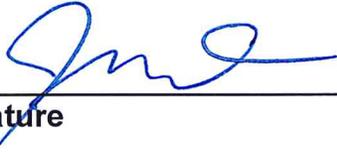
Location: 9108 and 9100 Adam's Lane

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 agree

disagree with this request

Comments:



Signature

Joe Shepperd

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016

City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: April 21, 2016



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

SHEPPERD, JOE T
6 S 1ST ST
TEMPLE, TX 76501

Zoning Application Number: Z-FY-16-27

Project Manager: TAMMY LYERLY

Location: 9108 and 9100 Adam's Lane

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 agree

() disagree with this request

Comments:



Signature

Joe Sheppard

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: April 21, 2016



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

05/02/16
Item 11
Regular Agenda
Page 1 of 3

APPLICANT / DEVELOPMENT: Barry Massey

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: Z-FY-16-28– Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One District (SF-1) to Two Family District (2F) for an existing duplex, on Pt 2 of Lot 2, Block 1, Roselawn Addition, located at 1408 and 1410 North 5th Street.

STAFF RECOMMENDATION: Staff recommends approval of a rezoning from Single Family One District (SF-1) to 2F District (2F) for the following reasons:

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

ITEM SUMMARY: The applicant requests a rezoning from Single Family-One District (SF-1) to Two Family District (2F) for continued use of the property's existing duplex, which was built in the 1930's. The applicants have a buyer for the property and request this rezoning to bring this property into compliance with the Unified Development Code (UDC).

The existing duplex, which is located to the north of the North Temple Historic District, is considered a legal non-conforming use because it was built prior to the existence of the City of Temple Zoning Ordinance, which was adopted in 1944.

The 2F zoning district permits single-family to duplex housing, with approximately seven units per acre possible, and is designed to accommodate single-family and duplex dwellings as an intermediate classification allowing an orderly transition from single family neighborhoods to higher densities of residential use.

The following residential uses are **permitted by right** in the proposed 2F zoning district:

- Single Family Detached
- Single-Family Attached
- Duplex

Prohibited uses include townhouse, HUD-Code manufactured home land lease community or subdivision, Patio home, apartment, recreational vehicle park, and retail and commercial uses, among others.

DEVELOPMENT REGULATIONS: Dimensional standards for development in the 2-F District are as follows:

- Minimum lot size – 4,000 Sq. Ft.
- Minimum Lot Width – 50 feet (single-family detached dwelling)
- Minimum Lot Width – 60 feet (duplex)
- Minimum Lot Depth – 100 feet
- Front Yard Setback – 25 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	Neighborhood Conservation	SF-1	Two-Family Residential
North	Neighborhood Conservation	SF-1	Single-Family Residential
South	Neighborhood Conservation	AG & GR	Single-Family Residential
East	Auto-Urban Commercial	MF-1 & SF-1	Multi & Single-Family Residential
West	Neighborhood Conservation	SF-1	Single-Family Residential

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	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)

The property is within the Neighborhood Conservation character district of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested rezoning to 2F District complies with this character district.

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

The subject property fronts North 5th Street, a local street, which is appropriate for residential uses.

Availability of Public Facilities (CP Goal 4.1)

Water and sewer services for this property are provided by existing water and sewer lines within the North 5th Street right-of-way.

PUBLIC NOTICE: Twenty-one (21) 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 Wednesday, April 27, 2016, one notification response letter has been received in favor of the proposed rezoning and no notices have been returned in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on April 21, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

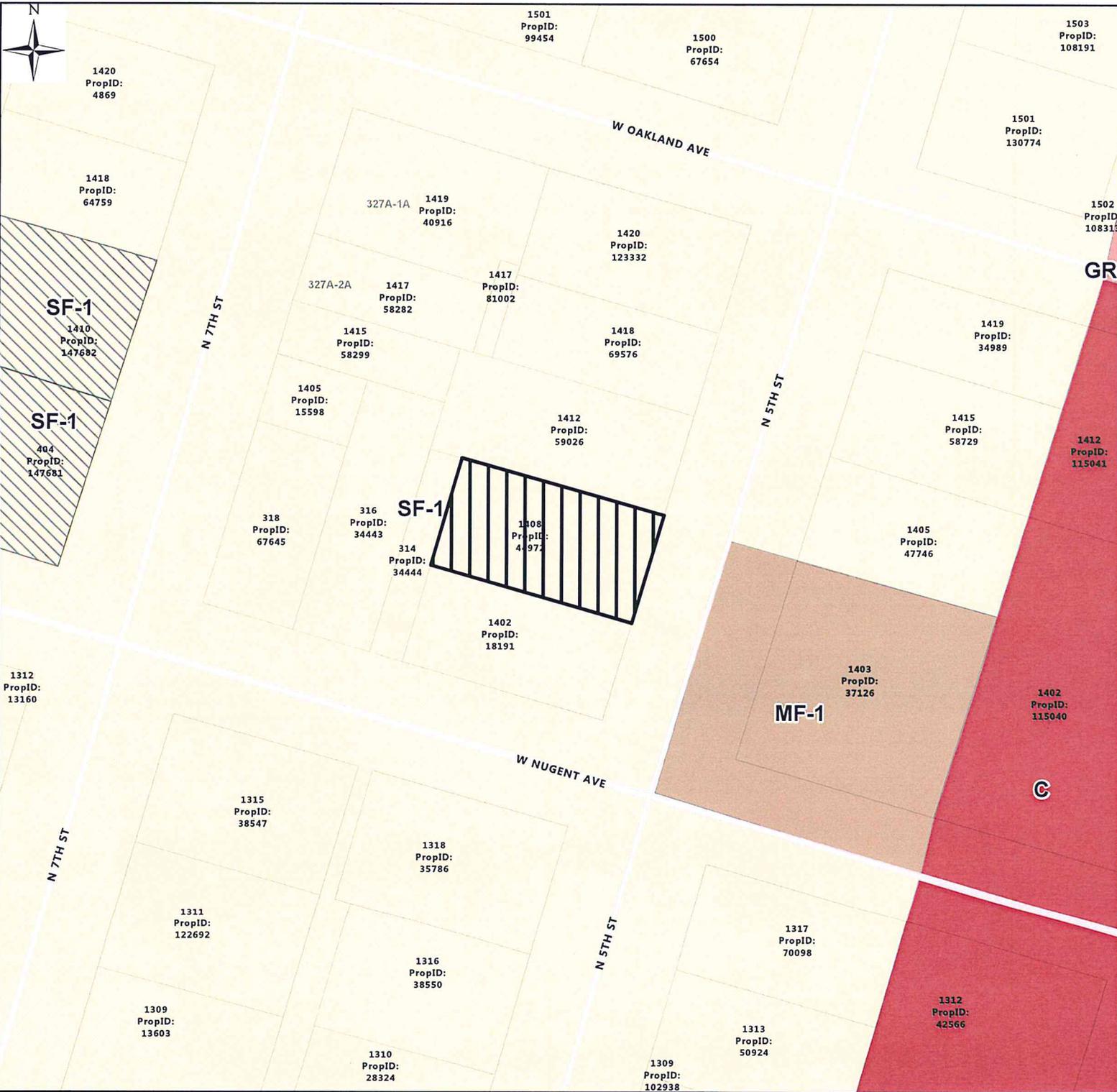
Site and Surrounding Property Photos
Zoning & Notification Map
Location map with Aerial
Future Land Use and Character Map
Utility Map
Notification Response Letter

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	SF-1	Duplex	
			
East	MF-1 and SF-1	Multi-Family and Single-Family Residential Use	

Direction	Zoning	Current Land Use	Photo
West	SF-1	Single-Family Residential Uses	
South	SF-1	Single-Family Residential Uses	
North	SF-1	Single-Family Residential Uses	



SF-1 to 2F
200'
NOTIFICATION MAP

Zoning Case :
Z-FY-16-28

Address:
1408 & 1410 N 5th St

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.

tlyerly
Date: 4/20/2016





SF-1 to 2F
 200'
 NOTIFICATION MAP

Zoning Case :
 Z-FY-16-28

Address:
 1408 & 1410 N 5th St.

-  CaseArea
-  Buffer

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

tlyerly
 Date: 4/20/2016





SF-1 to 2F

AERIAL MAP

Zoning Case :
Z-FY-16-28

Address:
1408 & 1410 N 5th St

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

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

tlyerly
Date: 4/20/2016





SF-1 to 2F
**FUTURE LAND
 USE MAP**

Zoning Case :
 Z-FY-16-28

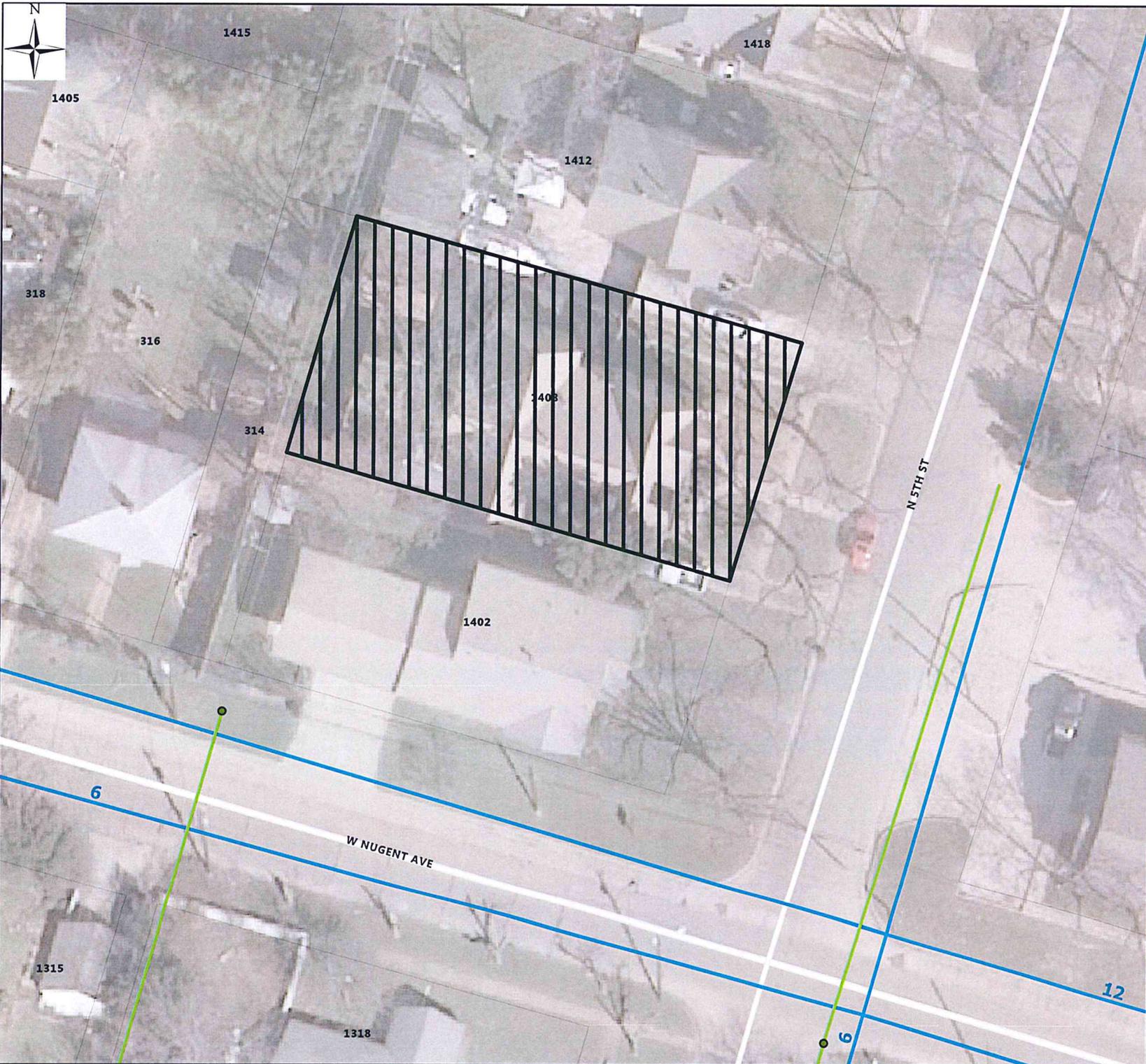
Address :
 1408 & 1410 N 5th St

-  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

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: 4/25/2016





SF-1 to 2F

UTILITY MAP

Zoning Case :
Z-FY-16-28

Address:
1408 & 1410 N 5th St

-  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.

tlyerly
Date: 4/20/2016





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

MASSEY, BARRY ETAL
1707 SCHIEFFER AVE
AUSTIN, TX 78722-1227

Zoning Application Number: Z-FY-16-28 **Project Manager:** Tammy Lyerly

Location: 1404 & 1408 North 5th Street

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 agree () disagree with this request

Comments:


Signature

BARRY MASSEY / PAST MASSEY
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **May 2, 2016**.

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

RECEIVED

APR 27 2016
City of Temple
Planning & Development

Number of Notices Mailed: 20

Date Mailed: April 21, 2016



PLANNING AND ZONING COMMISSION AGENDA ITEM

05/02/16

Workshop Agenda

ITEM DESCRIPTION: Receive and discuss the Planning Director's Report containing items for future meetings regarding subdivision plats, zoning cases, conditional use permits, annexations, and proposed text amendments (if any) to the Unified Development Code (UDC).

BACKGROUND: The Planning & Zoning Commission will consider several items at future meetings which may also require City Council review for a final decision, shown on the following table.

Future Commission Projects	Status	Applicant	Project Mgr.
P-FY-15-27 - Consider and take action on the Final Plat of Legacy Ranch Phase Two, a 78.07 +/- acre, 156 lot, 8 block residential plat with 3 non-residential tracts (lots) subdivision, located at the northwest corner of FM 93 and FM 1741 (South 31st Street).	DRC 11/25/15 Awaiting Revisions from Applicant	All County Surveying	Tammy
P-FY-15-46 - Consider and recommend action on the Final Plat of Highline Addition, a 7-lot, 1-block, 12.59 +/- acre nonresidential subdivision, out of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at the northwest corner of Scott Boulevard and South 31st Street.	DRC 11/25/15 Pending Prelim Plat	Advanced Surveying and Mapping	Tammy
P-FY-15-47 - Consider and take action on the Final Plat of Baylor Scott & White Distribution Center, a 64.62 +/- acres, a 1-lot, 1-block non-residential subdivision, being part of the Vincent Barrow Survey, Abstract No. 64, situated in Temple, Bell County, Texas, at the northeast corner of H.K. Dodgen Loop and north General Bruce Drive, located at 5141 N. General Bruce Drive.	Approved by P&Z and awaiting mylars for signatures	Ron Carroll	Tammy
P-FY-16-08 - Consider and recommend action for the Final Plat of Spurlock's Arbour Addition, in the southeastern ETJ, a 5.87 +/- acre, 2 lot, 1 block, residential subdivision, out of the MAXIMO MORENA SURVEY, Abstract No. 14, in Bell County Texas, with exceptions to UDC for fire hydrant and sidewalks (project manager look at exceptions on application), located south of Barnhart Road, west of State Highway 95, and north of State Highway 93.	Waiting for applicant's response to post- DRC comments	Advanced Surveying and Mapping	Dessie

Future Commission Projects	Status	Applicant	Project Mgr.
<p>P-FY-16-16 - Consider and take action on the Final Plat of Las Colinas Replat, 5+ acres, Lots 9, 10, & 11, Block 1, and Lots 13 & 14, Block 3, Las Colinas Subdivision, located at 1710 & 1719 Las Lomas Court & 1545, 1605, 1615 Altavista Loop.</p>	<p>DRC 2/04/16 Awaiting revisions from applicants</p>	<p>Mark Rendon</p>	<p>Tammy</p>
<p>P-FY-16-17 - Consider and take action on the Final Plat of Angelica Acres, a 3.00 +/- acres, situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, embracing all of a called 2.00 Acre tract, conveyed as Tract One, and all of a called 1.00 Acre tract, conveyed as Tract Two, located at 9151 State Highway 317.</p>	<p>DRC 2/04/16 Awaiting revisions from applicants</p>	<p>Ronald & Angelica Cox</p>	<p>Mark</p>
<p>P-FY-16-18 - Consider and take action on the Preliminary Plat of Park Ridge Single Phase Residential Development, a 5.888 +/- acre, 12-lot, 1 Block, situated in the Mary Cherry Survey, Abstract 175, Bell County Texas, located at the northwest corner of Lyons Park Drive and Hickory Road.</p>	<p>DRC 2/25/16 Awaiting response to Post-DRC comments</p>	<p>Clark & Fuller</p>	<p>Mark</p>
<p>P-FY-16-20 - Consider and take action on the Final Plat of Carriage House Trails, Phase II, 25.089 +/- acres, 73-lot, 4-block residential subdivision, situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, located south of Skyview, and north and northeast of Thicket Trail and Broken Shoe Trail</p>	<p>DRC 2/25/16 Awaiting response to Post-DRC comments</p>	<p>All County Surveying</p>	<p>Mark</p>
<p>P-FY-16-21 - Consider and take action on the Final Plat of Lake Pointe Phase III, 67.69 +/- acres, 300-lot, 11-block residential subdivision, situated in, and being out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, located east of Lake Pointe Subdivision Phases II and II-A-2, west of the intersection of N. Pea Ridge and Prairie View Road.</p>	<p>Waiting on mylars</p>	<p>Yalgo Engineering</p>	<p>Dessie</p>
<p>P-FY-16-23 - Consider and take action on the Final Plat of Kegley Crossing Addition, a 6.97 +/- acre, 4-lot, 4-block non-residential subdivision, situated in the NANCY CHANCE SURVEY, Abstract No. 5, situated in the City of Temple, in Bell County, Texas, located between Kegley Lane and South Kegley Drive, north of Charter Oak Drive.</p>	<p>DRC 3/10/16</p>	<p>Ron Carroll</p>	<p>Tammy</p>
<p>P-FY-16-24 - Consider and take action on the Final Plat of Long View Estates, a 13.06 +/- acre, 13-lot, 1-block residential subdivision, situated in the Henry Millard Survey, Abstract No. 552, Bell County, Texas, located northwest of Old Howard Lane and east of Cedar Creek Road in Temple's northwestern ETJ.</p>	<p>On hold. County is requiring applicant submit a Prelim Plat. (see P-FY-16-31 below)</p>	<p>All County Surveying</p>	<p>Dessie</p>

Future Commission Projects	Status	Applicant	Project Mgr.
<p>P-FY-16-25 - Consider and take action on the Final Plat of Cedar Ridge Crossing II, a 32.40 +/- acre, 7-lot, 1-block non-residential subdivision, situated in the Sara Fitzhenry Survey, Abstract 312, Bell County, Texas, located on the north side of the intersection at State Highway 36 and Moffat Road.</p>	<p>Waiting on Applicant's response to Post_DRC comments</p>	<p>All County Surveying</p>	<p>Dessie</p>
<p>P-FY-16-26 - Consider and take action on the Final Plat of Highline Addition, a 40.389 +/- acre, 12-lot, 1-block non-residential subdivision, out of the Redding Roberts Survey, Abstract No. 692, in Bell County, Texas, located at the northwest corner of South 31st Street and Scott Boulevard</p>	<p>DRC 3/24/16</p>	<p>Advanced Mapping & Surveying</p>	<p>Tammy</p>
<p>P-FY-16-27 - Consider and recommend action on the Preliminary Plat of Circle C Ranch Estates, a 72.49 +/- acres, 51-lot, 3-block, residential subdivision, situated in the Lewis Walker Survey, Abstract 860, Bell County Texas, located in Temple's western ETJ at the southeast corner of Sparta Loop and Sparta Road, west of FM 439.</p>	<p>DRC 3/24/16</p>	<p>Clark & Fuller</p>	<p>Tammy</p>
<p>P-FY-16-30 - Consider and take action on the Final Plat of Friars Creek Crossing, a 8.436 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located on the west side of South 5th Street, south of Canyon Creek Drive.</p>	<p>P&Z 5/2/16</p>	<p>All County Surveying</p>	<p>Dessie</p>
<p>P-FY-16-31 - Consider and take action on the Preliminary Plat of Long View Estates, a 13.06 +/- acre, 13-lot, 1-block non-residential subdivision, situated in the Henry Millard Survey, Abstract No. 552, Bell County, Texas, located northwest of Old Howard Lane and east of Cedar Creek Road in Temple's northwestern ETJ.</p>	<p>Waiting on revisions from applicant</p>	<p>All County Surveying</p>	<p>Dessie</p>
<p>P-FY-16-32 - Consider and take action on the Amending Plat for Lot 13, Block 1, Woodbridge Creek Phase V and Lot 1, Block 1, Woodbridge Creek Phase VI, located at 602 & 604 Park Place Lane.</p>	<p>DRC 5/05/16</p>	<p>All County Surveying</p>	<p>Tammy</p>
<p>P-FY-16-33 - Consider and take action on the Amending Plat of The Plains at Riverside Phase III, 17.708 +/- acres, 65-lot, 5-block residential subdivision, 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 Trail.</p>	<p>DRC 5/05/16</p>	<p>Cory Herring</p>	<p>Mark</p>

Future Commission Projects	Status	Applicant	Project Mgr.
<p>Z-FY-16-29 - Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) to General Retail (GR) on 4.889 +/- acres situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 419 Hilliard Road.</p>	PZC 5/16/16	Mark Zwerneman	Mark
<p>Z-FY-16-30 - Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow a restaurant where less than 50% of the total gross revenue may be from the sale of all alcoholic beverages with on-premise consumption on Lot 2, Block 1, of the Shoppes on the Hill, Phase II Subdivision, located at 2320 South 31st Street, Suite 100.</p>	PZC 5/16/16	Mark House	Mark
<p>Z-FY-16-31 - Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One (SF-1) to Planned Development Single Family-One (PD-SF-1), Lot part 4, 6, Block 4, Roselawn Addition, located at 1516 North 5th Street.</p>	PZC 5/16/16	Barry Massey	Tammy
<p>Z-FY-16-32 - Hold a public hearing to consider and recommend action on a rezoning from Two Family (2F) District on the east 40 feet of Lots 1 and 2, Block 1, Fairview Addition (1401 and 1405 S. 33rd Street) and from TMED T5-e located at 1404 South 31st Street to Planned Development District TMED T5-e (PD T5-e) to allow for a commercial parking lot to serve an existing business.</p>	PZC 5/16/16	Seleese Thompson	Brian

City Council Final Decisions	Status
<p><u>Z-FY-16-10</u> - Consider adopting an ordinance authorizing a rezoning from Commercial (C) to Planned Development-Commercial (PD-C) Freeway Retail/Commercial Sub-District, I35 Overlay Corridor, to authorize additional land uses; modify landscaping, architectural and outdoor storage standards; and modify triggers for applicability of I35 Overlay standards; on Lot 1, Block 2 (less strip conveyed for I35 ROW) (3.643 acres), and Lot 2, Block 1, (1.241 acres), Walker Saulsbury Commercial Subdivision Phase III, and A0550BC CS Masters OB 553 (3.204 acres).</p>	<p>APPROVED at 2nd Reading on April 21, 2016</p>
<p><u>Z-FY-16-16</u> - Consider adopting an ordinance authorizing a rezoning from Agriculture (AG) district to Single Family One (SF-1) district, on 5.888 +/- acres, situated in the Mary Cherry Survey, Abstract No. 175, Bell County, Texas, located at 4516 Hickory Road.</p>	<p>APPROVED at 2nd Reading on April 21, 2016</p>
<p><u>TMED-FY-16-01</u> - Consider adopting an amendment to Ordinance No. 2014-4689, for a Temple Medical Education District (TMED) Planned Development (PD) District site plan on 1.27 acres +/-, Lot 1, Block 1, Shoppes on the Hill Subdivision, to allow for a drive-through restaurant, located at 2304 South 31st Street.</p>	<p>APPROVED at 2nd Reading on April 21, 2016</p>
<p><u>Z-FY-16-17</u>: Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) District to Commercial (C) District, 1.8+/- acres out of 6.97 acres, Nancy Chance Survey, Abstract No. 5 in the City of Temple, Bell County, Texas, at 3404 South Kegley Road, located between Kegley Lane and South Kegley Road, north of Charter Oak Drive.</p>	<p>APPROVED at 1st Reading on April 21, 2016</p>

P&Z COMMISSION ATTENDANCE

2016														P	A
	Jan 4	Jan 19	Feb 1	Feb 16	Mar 7	Mar 21	Apr 4	Apr 18	May 2	May 16	June 6	June 20			
Lydia Alaniz	P	P	P	P	P	P	P	P					8		
Tanya Mikeska-Reed	P	A	P	P	P	A	P	P					6	2	
Blake Pitts	A	P	P	P	A	P	A	P					5	3	
Patrick Johnson	P	P	P	A	P	P	A	P					6	2	
Omar Crisp	P	A	P	P	P	P	P	P					7	1	
David Jones	P	A	P	P	P	A	P	P					6	2	
Greg Rhoads	P	P	P	A	P	P	P	P					7	1	
Will Sears	A	A	P	P	P	A	P	P					5	3	
Lester Fettig	P	P	P	P	P	P	P	A					7	1	

	July 5	July 18	Aug 1	Aug 15	Sept 6	Sept 19	Oct 3	Oct 17	Nov 7	Nov 21	Dec 6	Dec 19	P	A
Lydia Alaniz														
Tanya Mikeska-Reed														
Blake Pitts														
Patrick Johnson														
Omar Crisp														
David Jones														
Greg Rhoads														
Will Sears														
Lester Fettig														

not a Board member