

**NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
CITY MUNICIPAL BUILDING, 2 NORTH MAIN STREET
PLANNING CONFERENCE ROOM
JUNE 6, 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, June 6, 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
JUNE 6, 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 May 16, 2016.

B. ACTION ITEMS

Item 2: [Z-FY-16-33](#) – Hold a public hearing to consider and recommend action on a rezoning from Neighborhood Services (NS) to General Retail (GR) on Lot 1, Block 1, D'Antoni's Crossing Phase V, located at 6365 South 31st Street.

Item 3: [Z-FY-16-34](#) – Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow a substance abuse outpatient counseling service on Lot PT 2, 75' of 2, Block 2, LR Taylor Addition, located at 416 N. 3rd Street, Suite A.

Item 4: [Z-FY-16-35](#) – Hold a public hearing to consider and recommend action on property zoned Planned Development - General Retail (PD-GR), amending Ordinance No. 2002-3840 to consider a Conditional Use Permit (C.U.P.) to allow and construct a 5,000 square foot office warehouse on Lot 1, Block 1, Lake Belton Plaza Phase II, located at 37 Morgan's Point Road.

Item 5: [P-FY-16-26](#) - Consider and take action on the Final Plat of Highline Addition, a 39.44+/- acre, 11-lot, 1-tract, 1-block nonresidential 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.

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 3:30 PM on June 2, 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
MAY 16, 2016
5:30 P.M.**

PLANNING AND ZONING MEMBERS PRESENT
Chair David Jones

COMMISSIONERS:

Lydia Alaniz Tanya Mikeska-Reed
Greg Rhoads Will Sears
Lester Fettig

PLANNING AND ZONING MEMBERS ABSENT:

Blake Pitts Omar Crisp
Patrick Johnson

STAFF PRESENT:

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

The agenda for this meeting was posted on the bulletin board at the Municipal Building, May 12, 2016 at 11:00 a.m. in compliance with the Open Meetings Law.

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

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

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

A. CONSENT ITEMS

Item 1: Approval of Minutes: Work session and the regular meeting of May 2, 2016.

Approved by general consent.

B. ACTION ITEMS

Item 2: Z-FY-16-29 – Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) District to General Retail (GR) District on 4.889 +/- acres

situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located at 419 Hilliard Road.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go to City Council for first reading on June 16, 2016 and second reading on July 7, 2016.

No specific development has been identified by the applicant and is open to General Retail (GR) uses. A subdivision plat will be required prior to building permits for any multi-family or non-residential uses.

The request is in compliance with the zoning map.

The Future Land Use and Character Map designate the subject property as Suburban-Commercial, primarily for office, retail, and services uses, and does support the GR zoning.

Existing water and sewer are available to serve the site and is in compliance with public utilities.

The Thoroughfare Plan designates Hilliard Road as a major arterial and there are no anticipated Temple Capital Improvement Projects (TCIP) improvements funded or scheduled along this section of Hilliard.

An existing City-wide spine trail in within the Hilliard alignment and is in compliance.

Surrounding properties include undeveloped land and scattered single family uses zoned Agricultural (AG) to the north and south, scattered single family residences on acreage zoned AG to the west, and Holy Trinity Catholic High School, zoned Single Family-One (SF-1) to the east.

Allowed and prohibited uses for GR are given.

Current and proposed Development Standards for both AG and GR are cited.

Five notices were mailed out in accordance with state and local regulations with two notices returned in agreement and one notice returned in disagreement.

It was summarized the request complies with the Future Land Use and Character Map, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and public facilities are available to serve the site.

Staff recommends approval of the request for a rezoning from AG to GR.

Chair Jones opened the public hearing.

Mr. Mark Zwerneman, 518 Riverwood Drive, Belton, Texas, stated the house is currently vacant but has been used as rented property in the past.

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

Commissioner Rhoads made a motion to approve Item 2, **Z-FY-16-29**, as presented, and Commissioner Fettig made a second.

Motion passed: (6:0)

Vice-Chair Johnson, Commissioners Pitts and Crisp absent

Item 3: 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.

Mr. Baker stated this item was scheduled to go forward to City Council for first reading on June 16, 2016 and second reading on July 7, 2016.

Overall Shoppes on the Hill was approved in 2014 as a mixed use Planned Development (PD) with the underlying TMED T5-c zoning district. This request is specifically for Lot 2, Block 1, of the recorded Shoppes on the Hill, Phase II Subdivision, and a CUP is required for an establishment that generates less than 50 percent of the total gross revenue from all alcoholic beverages sales with on-site consumption.

Vicinity map shown.

For the CUP process, there are two primary considerations with compliance:

Subject to Chapter 4 - Code of Ordinances, specifically related to Alcoholic Beverages;

The sale of alcoholic beverages; and

Provides for the 300 feet minimum distances from Sensitive Uses (place of worship, public school or public hospital). Baylor Scott & White Hospital is approximately 621 feet to the east, measured per Chapter 4 and TABC measurement requirements which the request meets.

The Unified Development Code (UDC) Section 5.3.15:

UDC provisions for distance requirements from sensitive uses;

Based on percentage of gross revenue generated by the type and percentage of anticipated gross generated income by establishment;

Reiterates Chapter 4 requirements; and

Provides additional distances from a public park for bars.

Zoning Map shown.

Surrounding properties include undeveloped pad site (Shoppes on the Hill) zoned TMED-T5-c to the north, Baylor Scott & White Hospital zoned TMED-T5-c and SD-H to the east, developing multi-family apartments zoned TMED-T5-c to the west, and developing and existing retail and service uses zoned TMED-T5-c to the south.

Nine notices were mailed out in accordance with state and local regulations and four notices were returned in agreement and zero notices returned in disagreement.

The request is compatible with UDC Section 5.3.15, Chapter 4, Code of Ordinances, and is compatible with adjacent and anticipated retail and service uses.

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

That the sale of alcoholic beverages be restricted to on-premise consumption only, contained within the developed site of Lot 2, Block 1 of the Shoppes on the Hill, Phase II subdivision, located at 2320 South 31st Street, Suite 100;

The use is subject to compliance to Chapter 4 of the Code of Ordinances related to alcoholic beverages; and

That the conditional use complies with UDC Section 5.3.15 related to alcoholic beverage sales with on-premise consumption.

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Mikeska-Reed made a motion to approve Item 3, **Z-FY-16-30**, as presented, and Commissioner Sears made a second.

Motion passed: (6:0)

Vice-Chair Johnson, Commissioners Pitts and Crisp absent

Item 4: Z-FY-16-31 – Hold a public hearing to discuss and recommend action on a rezoning from Single Family-One District (SF-1) to Planned Development Single Family-One District (PD-SF-1) to allow continued use of existing secondary residential dwellings on Lot part of 4, 6, Block 4, Roselawn Addition, located at 1516 North 5th Street.

Ms. Tammy Lyerly, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on June 16, 2016 and second reading on July 7, 2016.

An aerial map is shown.

The applicant has requested rezoning from SF-1 to PD-SF-1 to allow continued existing multiple family uses on the subject property. The applicants are requesting this rezoning to bring the property into compliance with the UDC for a prospective buyer.

The property's survey will serve as the Planned Development site plan.

The single family home consists of a rear addition that has been converted into two apartments; an upstairs apartment and a downstairs apartment.

The permit history includes a remodel permit in 1992, a new residential single family (new house) permit in 1997, and a plumbing irrigation permit in 2013.

There is no permit indicated for the existing carport / storage unit that is located in the rear of the property.

The existing detached carport and storage unit observes zero line setbacks from the side and rear property lines and does not comply with UDC setbacks.

Staff recommends the existing carport / storage unit be removed as a condition for consideration of approval for the requested Planned Development-Single Family-One District (PD-SF-1) zoning.

Zoning map shown.

The Future Land Use and Character Map designates the area as Neighborhood Conservation and the request is in compliance since it is a continuation of residential uses.

There is sewer along the rear property line and water is located in the right-of-way of North 5th Street to serve the property.

Surrounding properties include residential uses to the north, south, east and west.

Current and proposed Development Standards are given for SF-1 and PD-SF1 along with allowed and prohibited uses for SF-1.

The request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and public facilities are available.

Twenty-two notices were mailed out in accordance with state and local regulations with one notice returned in agreement and zero notices returned in disagreement.

Staff recommends approval of a rezoning from SF-1 to PD-SF-1 with the following conditions:

The existing carport / storage unit be removed; and

The existing residential structure be allowed to remain, per the property's survey (PD-Site Plan).

For the record, the property owners nodded that the property has been used as rental property for many years.

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Mikeska-Reed made a motion to approve Item 4, **Z-FY-16-31**, as presented, and Commissioner Alaniz made a second.

Motion passed: (6:0)

Vice-Chair Johnson, Commissioners Pitts and Crisp absent

Item 5: Z-FY-16-32 – Hold a public hearing to consider and recommend action on a rezoning from Two Family (2F) District for 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.

Mr. Brian Chandler, Director of Planning, stated this item was scheduled to go forward to City Council first reading on June 2, 2016 and second reading on June 16, 2016.

Vicinity map and site exhibit shown.

The applicant's request is to allow additional parking to the rear of the existing business on the east 40 feet of both lots. The applicant owns the northernmost lot and the other lot is under contract.

Zoning map shown.

The Future Land Use and Character Map designates the area as both Auto-Urban Commercial and Neighborhood Conservation District.

The Thoroughfare Plan designates 31st Street as a major arterial and Avenue M is an existing minor arterial.

The alley contains both water and sewer lines to service the property.

Surrounding properties include residential and retail and parking to the west, existing single family residential to the north and south zoned 2F, and Precious Memories to the east.

A six-foot privacy fence would be used for screening from the residential area.

Twenty-eight notices were mailed out in according to state and local regulations with five notices returned in agreement and one notice returned in disagreement.

The Temple Medical Education District (TMED) standards encourage and require in some locations that commercial parking is to the rear accessed by public alleys. The existing 20-foot alley is paved and currently used for solid waste pick up.

1401 and 1405 South 33rd Street would still comply with development standards for the existing 2F district.

The existing footprint of approximately 5,300 square feet of retail building would require 22 parking spaces (one space per 250 square feet of total floor area) per UDC Sec. 7.5. :

Precious Memories currently has 19 spaces on-site; and

Additional rear parking would bring the business into compliance with Sec. 7.5.

The request is in compliance with the surrounding zoning uses, the Thoroughfare Plan, and public facilities are available to serve the property.

The request is partially in compliance with the Future Land Use and Character Map. The parking itself does not comply with Neighborhood Conservation; however, the parking lot will allow for the residential structures to remain and be preserved.

Staff recommends approval of the rezoning and accompanying development plan (site plan) with the following conditions:

- Perimeter privacy fencing;

- Curbing;

- Paved with asphalt or concrete; and

- The east 40 feet of Lots 1 and 2 would be used only for accessory parking tied to the business at 1404 S. 31st Street or revert back to the residential uses at 1401 and 1405 S. 33rd Street.

Staff recommends approval of an exception to the following TMED T5-e (Neighborhood Edge Zone) development standard for the parking lot:

- Sec. 6.3.10.D. Parking Lot Landscaping: Landscaped parking islands are required in all parking lots (due to the small size it allows for preservation of the other structures and is not visible from anywhere other than alley).

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Rhoads made a motion to approve Item 5, **Z-FY-16-32**, as presented, and Commissioner Fettig made a second.

Motion passed: (6:0)

Vice-Chair Johnson, Commissioners Pitts and Crisp absent

There being no further business, the meeting was adjourned at 6:11 p.m.

Respectfully submitted,

Leslie Evans

**PLANNING AND ZONING COMMISSION
MONDAY, MAY 16, 2016
5:00 P.M.
WORK SESSION**

PLANNING AND ZONING MEMBERS PRESENT

Chair David Jones

COMMISSIONERS:

Lydia Alaniz	Omar Crisp
Tanya Mikeska-Reed	Lester Fettig
Greg Rhoads	Patrick Johnson

PLANNING AND ZONING MEMBERS ABSENT:

Blake Pitts	Patrick Johnson
Omar Crisp	

STAFF PRESENT:

Brian Chandler, Director of Planning
Trudy 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 in compliance with the Open Meetings Law.

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

With a quorum present, Chair Jones opened the work session at 5:00 p.m. and asked Mr. Brian Chandler, Director of Planning, to proceed.

There are four cases on the Agenda tonight. There was one disagreement notice on the 419 Hilliard Road; however, no reason was stated.

Mr. Mark Baker stated he spoke with some of the neighbors and they were all in support of the request.

Freebird's Restaurant is requesting a CUP to allow on-premise consumption of alcohol.

The subject property in Item 4 belongs to the same property owners from the previous meeting who had an existing duplex. This is a single family home that from the street

looks like a 1950's ranch style home. The rear of the home consists of a two-story addition containing two apartments. Building permit history indicates this addition was permitted in the 1990's.

Ms. Lyerly stated the carport / storage structure was not permitted and Staff is asking that the carport / storage structure be removed as part of the PD. The carport / storage structure would not have been permitted since it did not meet required setback regulations.

Mr. Chandler stated the applicant/property owner is trying to sell the property and the lender is requiring it be brought into compliance.

Ms. Lyerly spoke with the applicants about removal of the structure and they were fine with that recommendation.

There were no responses from the neighbors regarding this item; however, Ms. Lyerly explained the trees are so dense it is difficult to see.

Last item is for Precious Memories to expand their parking area. Staff is recommending and applicant agreed to, is to have a PD district to tie that surface parking across the alley to the business rather than doing it separately with screening and curbing. The residential lots still remain in compliance with 2F zoning district. The applicant owns one of the lots and the other is under contract and the property owner agreed for her to proceed on the request.

The one notice in disagreement stated there were concerns about drainage. Mr. Chandler spoke directly with this respondent about his concerns about additional water and deterioration.

Mr. Richard Wilson, Deputy City Engineer, also spoke with the respondent about the drainage issues, who also has on-site gradient problems. The system was built probably in the 1960's.

For the Director's Report D'Antoni's Crossing on South 31st Street is a rezoning on a north side lot from NS to GR.

North 3rd Street is a request for a CUP for a proposed substance abuse facility (outpatient/counseling) for recovering alcoholics/addicts. Mr. Chandler was not certain but stated the operating hours would probably be 8:00 a.m. to 5:00 p.m. There is another office in Temple and one in Killeen.

A CUP request for an office warehouse located to the rear of Lake Belton Shopping Center would have matching building materials.

Mr. Chandler talked briefly about an upcoming follow-up APA workshop to be held at the CTCOG on June 24th, a Friday.

There being no further business, Chair Jones closed the meeting at 5:19 P.M.



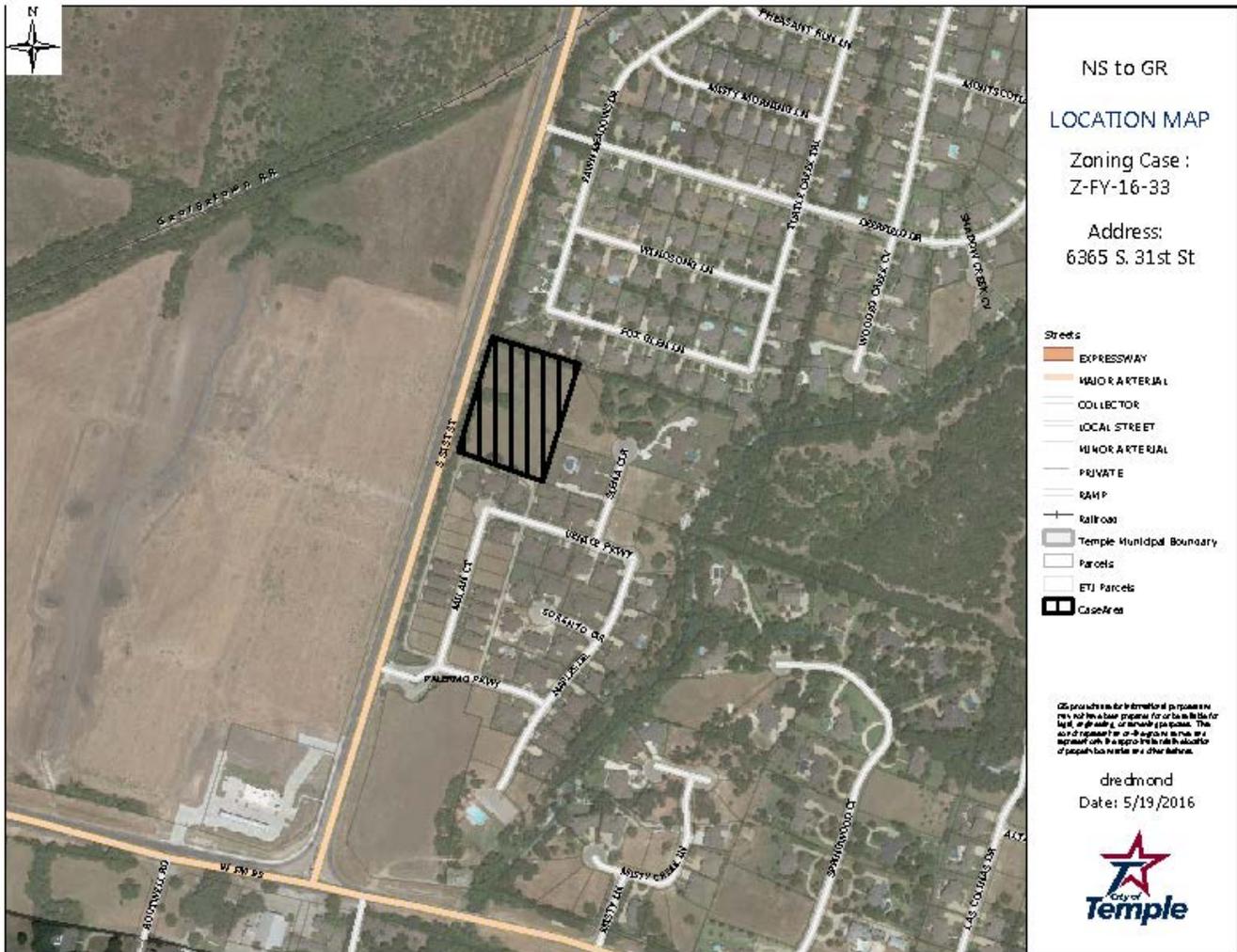
PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

06/06/16
Item #2
Regular Agenda
Page 1 of 15

APPLICANT / DEVELOPMENT: Bobby Arnold, Arnzak, LP

CASE MANAGER: Dessie Redmond, Planner

ITEM DESCRIPTION: Z-FY-16-33 Hold a public hearing to consider and recommend action on a rezoning from Neighborhood Services (NS) to General Retail (GR) on Lot 1, Block 1, D'Antoni's Crossing Phase V, located at 6365 South 31st Street, Bell County, Temple, Texas.



STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Neighborhood Services (NS) zoning district to General Retail (GR) zoning district for the following reasons:

1. The proposed zoning is compatible with surrounding zoning and uses;
2. The request complies with the Thoroughfare Plan;
3. Public facilities are available to serve the subject property;
4. The request complies with the Trails Master Plan Map and Sidewalks Ordinance.

ITEM SUMMARY: The subject property is 3 acres and is being proposed for rezoning from Neighborhood Services (NS) zoning district to General Retail (GR) zoning district. The property is currently undeveloped, vacant and vegetated. It was platted in 2012 which included drainage and utilities easements around the entire perimeter of the property.

While it is anticipated the property will be developed with retail, commercial and/or service uses, there are a number of residential and non-residential uses that are permitted in the GR zoning district. UDC, Section 5.1 Use Tables lists all uses permitted by right, permitted by right subject to limitations, prohibited and subject to obtaining a conditional use permit. The following table shows some of these:

Specific Use	Existing NS	Proposed GR
Boarding or rooming house		P
Family or group home	C	C
Home for the aged		P
Multi-family dwelling (apartment)		
Recreational vehicle park		C
Duplex		P
Farm, ranch, orchard or garden	P	P
Indoor flea market		P
Plumbing shop		P
Place of worship	P	P
School, business	P	P
Substance abuse treatment facility		C
Laboratory medical, dental, scientific or research	C	P
Office	P	P
Warehouse office		C

Hotel or motel		P
Beer & wine (on premise consumption) <75%	C	P
Dance hall		C
Day camp for children		C
Theater or playhouse (indoor)	P	P
Restaurant (not drive-in)	P	P
Restaurant (drive-in)		P
Alcohol beverage sales, off-premise	C	P
Discount or department store		P
Florist or garden shop	P	P
Hardware store or hobby store		P
Mortuary or funeral home		P
Retail shop, gift, apparel, accessory and similar	P	P
Helistop	C	C
Veterinary hospital (no kennels)	P	P
Veterinary hospital (kennels)		P
Fire station	P	P
Shop yard of local, state or federal government	C	P
Auto leasing, rental		P
Fuel sales	C	L

P = permitted by right; L = permitted by right subject to limitations, [blank cell] = prohibited; C = conditional use permit

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	NS	Vacant

North	Estate Residential	SF-1	Existing SF Residence
South	Suburban Residential	SF-3	Existing SF Residence
East	Suburban Residential	UE	Existing SF Residence
West	Suburban Commercial	GR	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	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 designated as Suburban Residential. The Suburban Residential district is intended for mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green spaces the streets and driveways that predominate in an auto-urban setting. It is anticipated the subject property will be developed with retail, commercial and/or service uses. Therefore, the request does not comply with the Suburban Residential designation. However, the subject property fronts S. 31st Street; therefore, staff does not believe the subject property would be ideal for residential uses.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from S. 31st Street which is designated as a major arterial in the Thoroughfare Plan. On S. 31st Street, there is existing and sufficient right-of-way dedicated to meet the standards of a major arterial roadway designation. Therefore, the request is in compliance with the Thoroughfare Plan.

Availability of Public Facilities (CP Goal 4.1)

There is a 3 inch water pipe that runs along the west side of the property and a 12 inch water pipe that runs under S. 31st Street on the opposite side of the subject property. Sewer is available by an existing pipe that abuts the subject property at the central east property line.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies a proposed Local Connector Trail along S. 31st Street. A 6' wide sidewalk will be built as it is required along S. 31st Street and it is also noted on the plat.

DEVELOPMENT REGULATIONS: Non-residential setbacks in the NS & GR zoning 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	15 Feet	15 Feet
Side Setback	10 Feet	10 Feet
Rear Setback	0 Feet	0 Feet
Max Building Height	2.5 Stories	3 Stories

SCREENING & BUFFERING: UDC, Section 7.7 Screening & Buffering details that a continuous buffering is required along the common boundary between nonresidential uses and residential zoning districts or uses. The design of this required buffer must either consist of evergreen hedges with a minimum of 6’ high and placed on 36” centers or consist of fences or walls constructed of wood, masonry, stone or pre-cast concrete, with integrated color, texture and pattern.

PUBLIC NOTICE: 24 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 Thursday June 2, 2016, no notices had been returned to the Planning Department.

The newspaper printed notice of the public hearing on May 26, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This rezoning is tentatively scheduled for the 1st Reading on July 7, 2016 and a 2nd Reading on July 21, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- Site Photos
- Final Plat for Residences at D’Antoni’s Crossing, Phase V
- Aerial Map
- Zoning Map
- Future Land Use and Character Map
- Thoroughfare & Trails Map
- Utility Map
- Notification Map



Looking north down S. 31st Street.



Looking south down S. 31st Street



Looking east into the property.



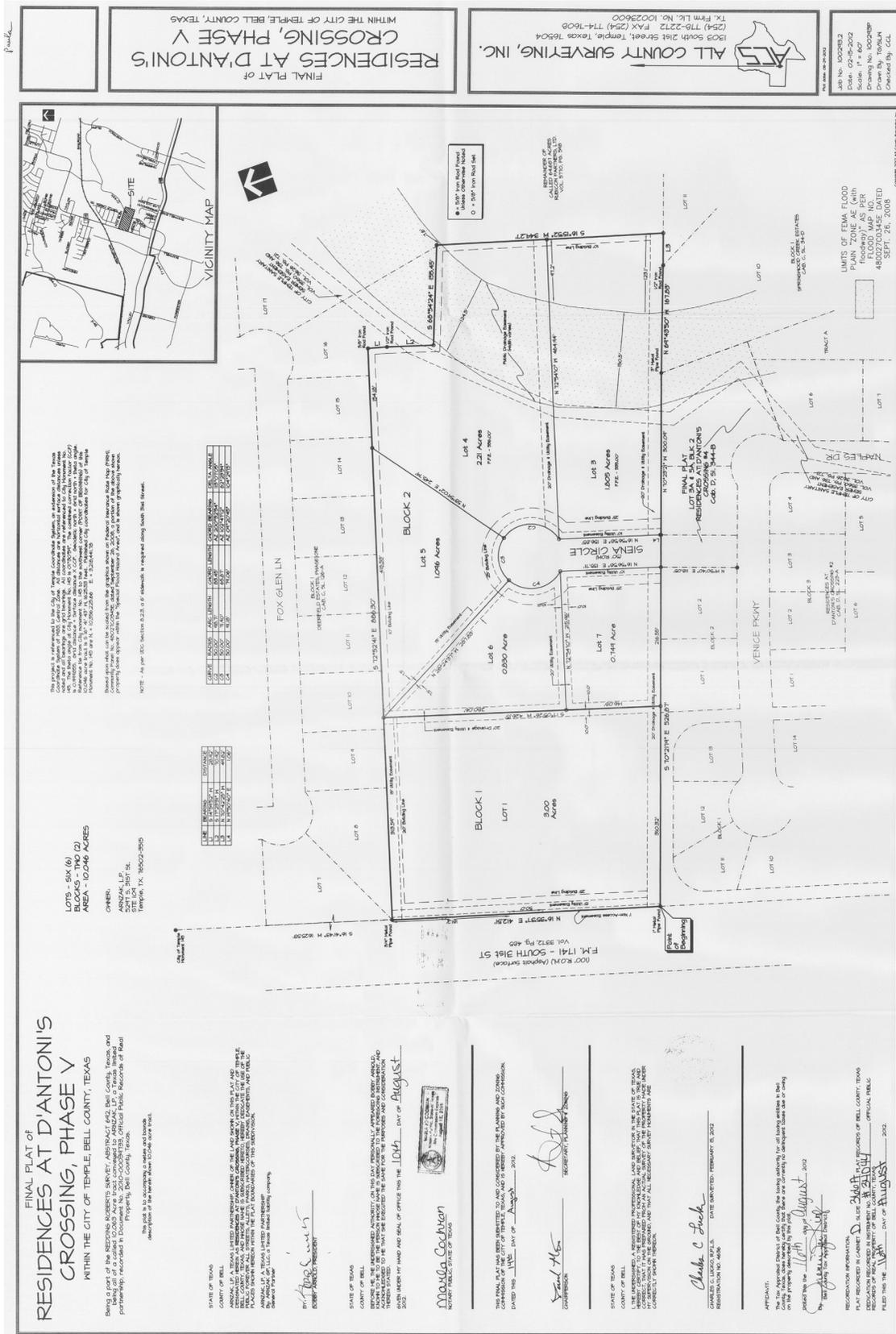
Undeveloped, vacant land to the west.

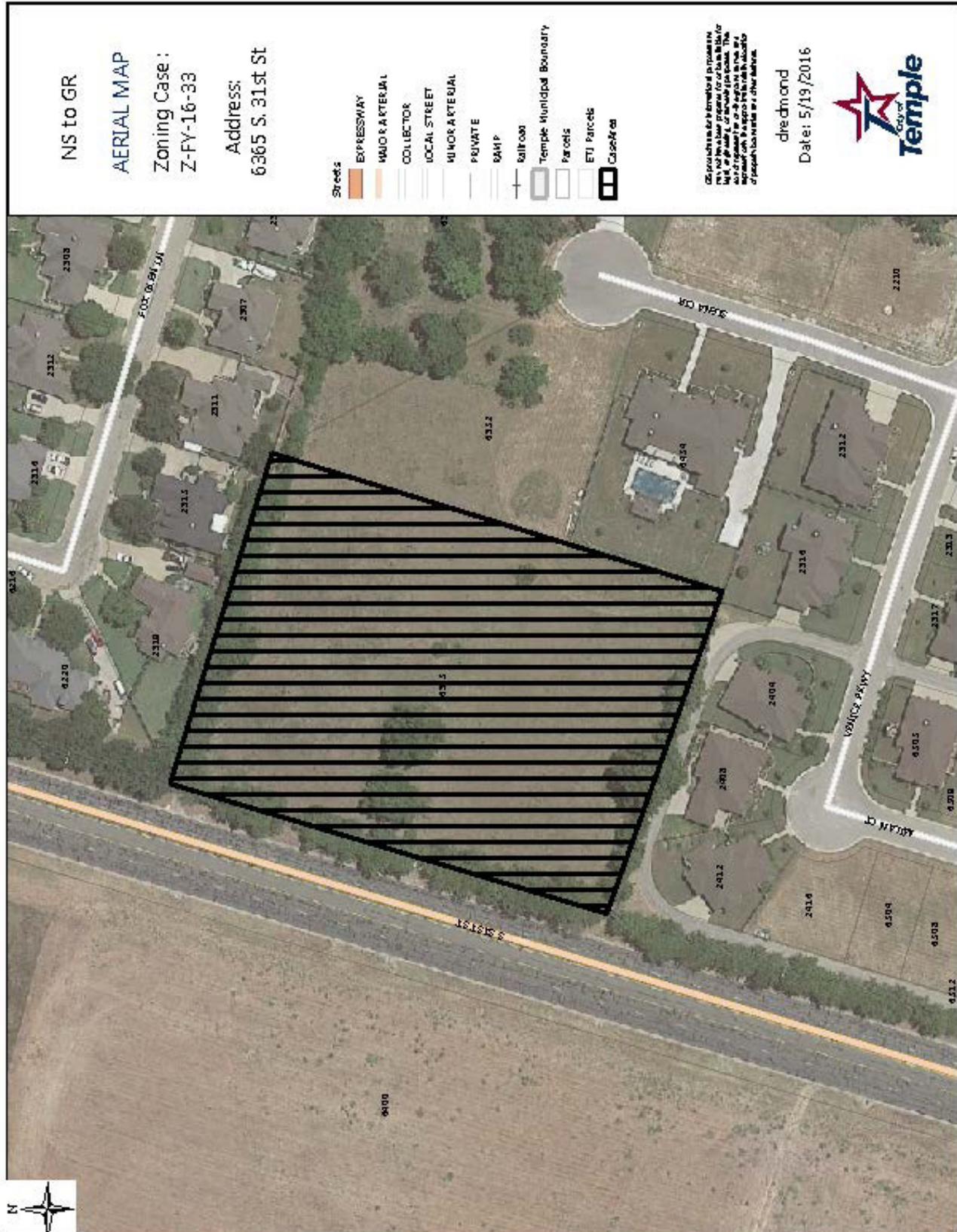


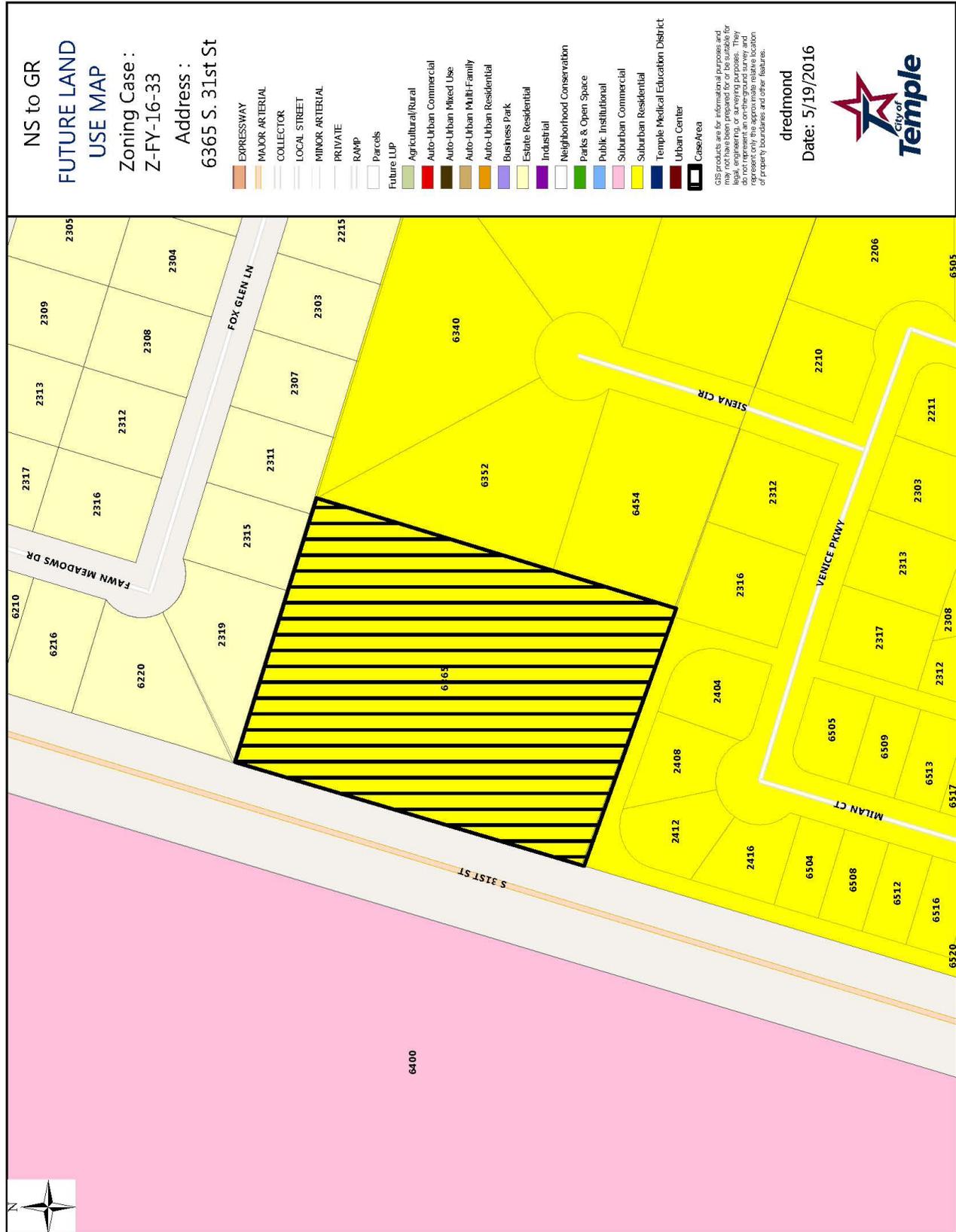
Neighboring residential to the south (D'Antoni's Crossing)

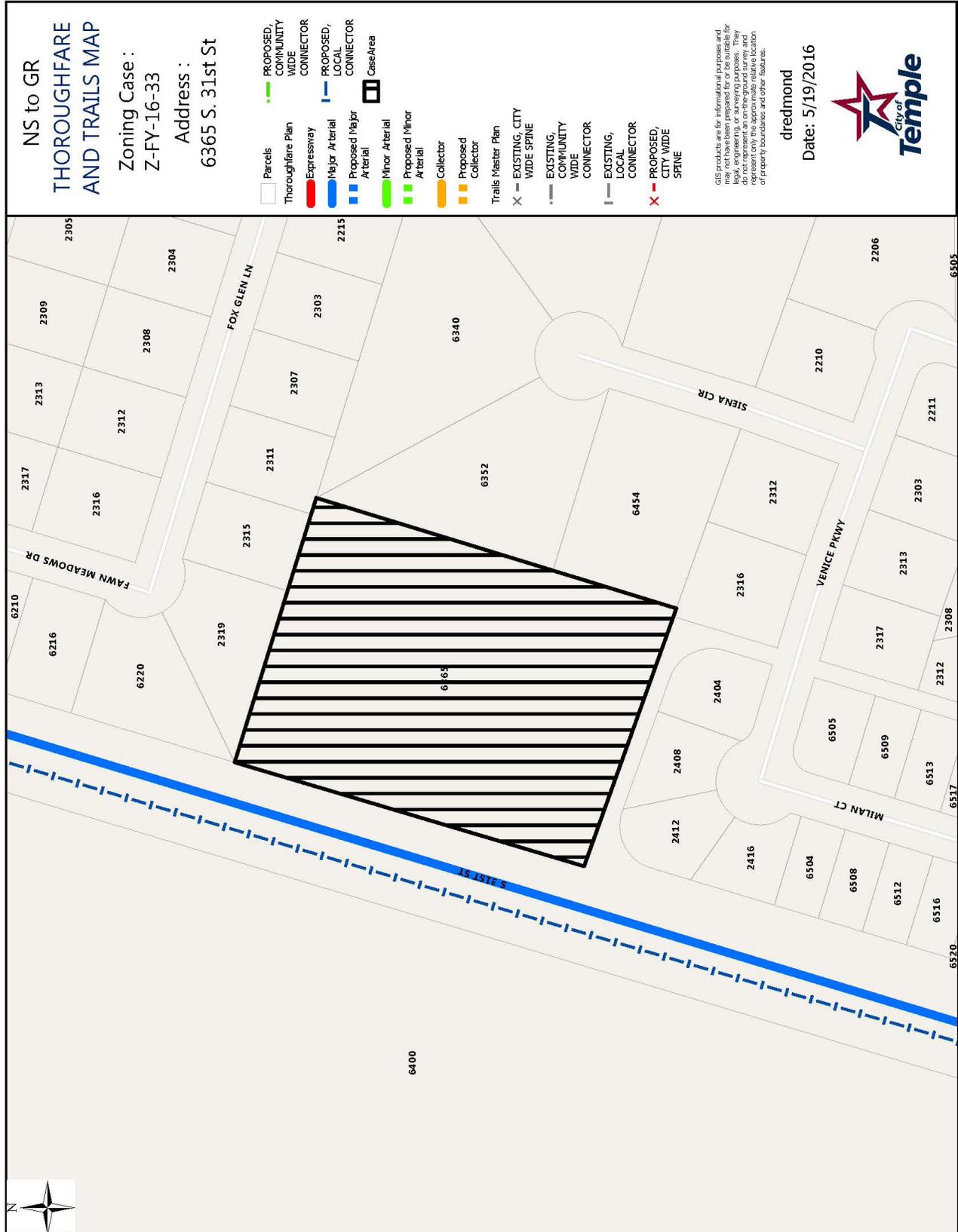


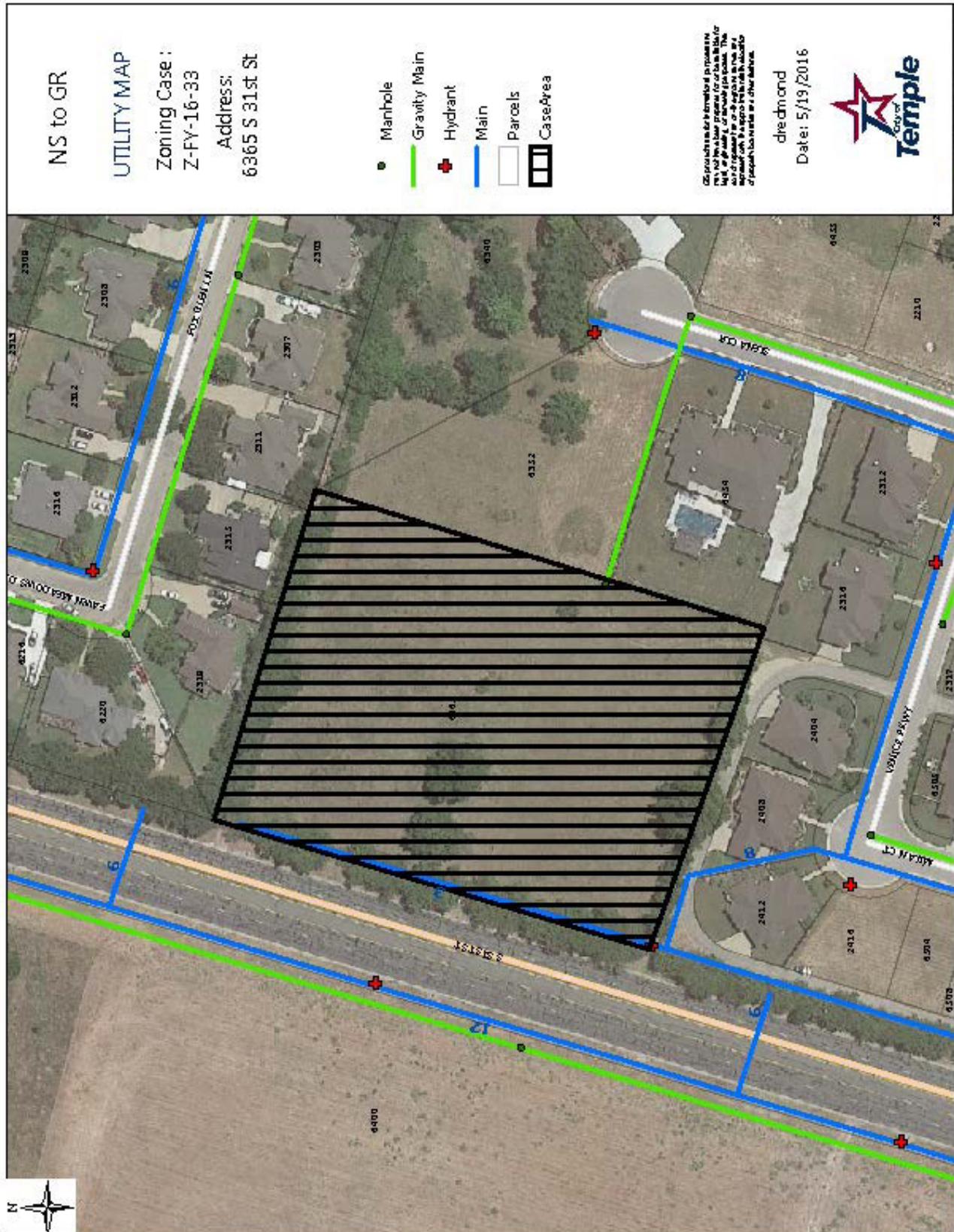
Neighboring residential to the north (Deerfield).













PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

06/06/16
Item 3
Regular Agenda
Page 1 of 3

APPLICANT / DEVELOPMENT: Nick Vache / Cenikor Foundation

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: Z-FY-16-34– Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to allow a substance abuse outpatient counseling service on Lot PT 2, 75' of 2, Block 2, LR Taylor Addition, located at 416 North 3rd Street, Suite A.



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

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 facilities are available to serve the subject property.
5. Striped parking spaces

ITEM SUMMARY: The applicant requests this Conditional Use Permit to allow a substance abuse outpatient counseling service. The property is zoned Central Area District (CA) and is also located within the 1st & 3rd Overlay District. Substance abuse treatment facilities are allowed in CA districts with a Conditional Use Permit (C.U.P.), per Unified Development Code (UDC), Section 5.1.3.-Use Standards.

The applicant’s requested substance abuse outpatient counseling service will require a license from the Texas Department of State Health Services (DSHS) and be subject to all DSHS regulatory laws associated with substance abuse services.

Since this is an existing business site, landscaping requirements would only be triggered in conjunction with a building permit for new development, or an addition that increases site intensity on the lot or tract by 100 percent or more, per Unified Development Code (UDC) Section 7.4.2.B: Landscaping Applicability.

Although the property’s parking lot has wheel stops along the south and rear edges of the parking lot, staff recommends parking spaces be striped to make parking areas more visible and maintain organized traffic flow throughout around the building.

Since this property is located within the First and Third Overlay District, any exterior improvements would be subject to UDC Section 6.8: 1st & 3rd Street Overlay District requirements.

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

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	CA	Office/Retail/Personal Services
North	Auto-Urban Commercial	CA	Vacant Building
South	Auto-Urban Commercial	CA	Minor Automotive
East	Auto-Urban Commercial	CA	City Offices / Municipal Court
West	Neighborhood Conservation	CA	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	Yes

Document	Policy, Goal, Objective or Map	Compliance?
	with the City's infrastructure and public service capacities	

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

The subject property is within the Auto-Urban Commercial character district of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested substance abuse outpatient counseling service complies with this character district with approval of a C.U.P.

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

The subject property fronts North 3rd Street, a major arterial, which is appropriate for retail, offices, and personal service uses.

Availability of Public Facilities (CP Goal 4.1)

An existing water line and sewer line are located within the alley.

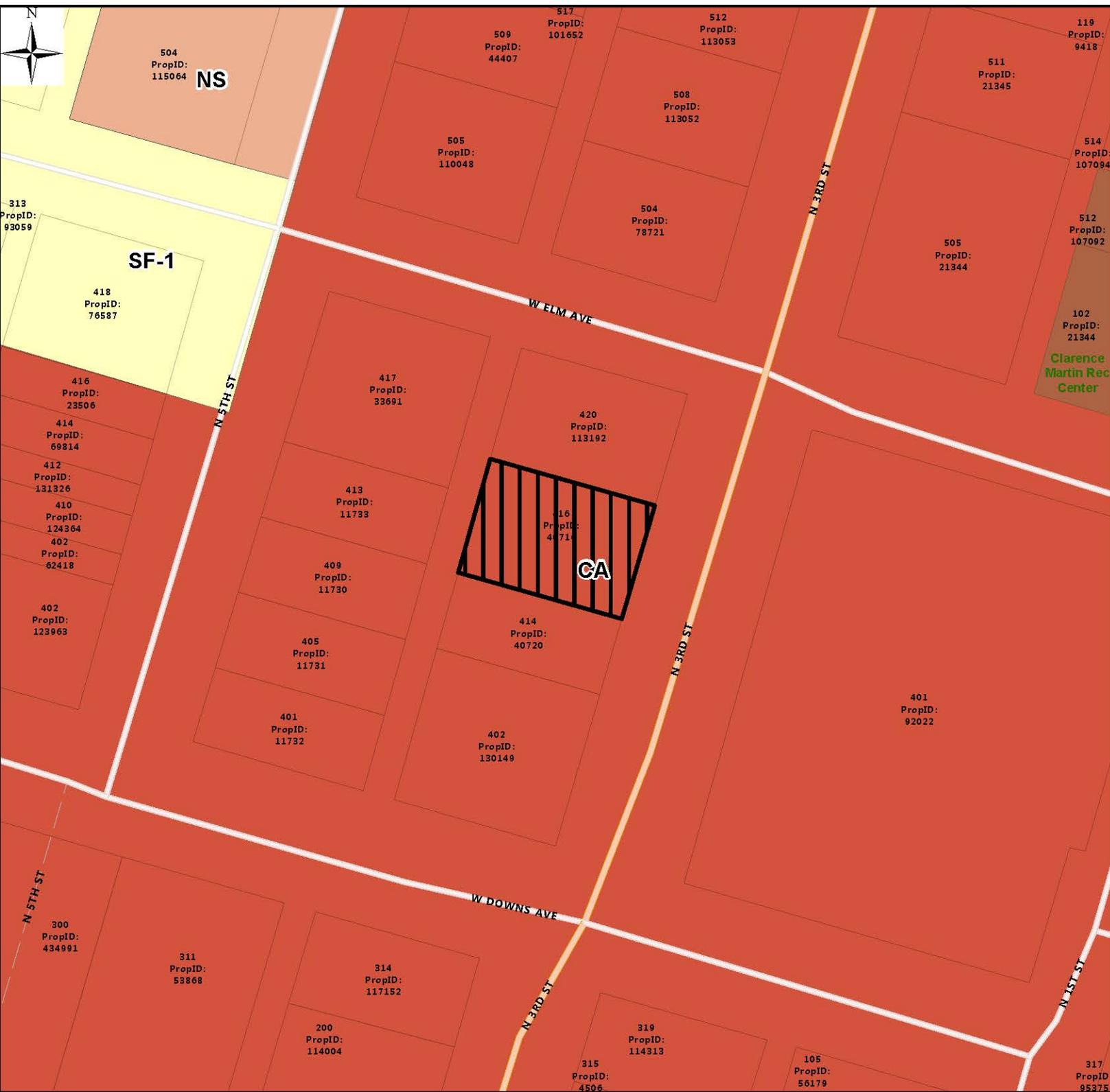
PUBLIC NOTICE: Eleven (11) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday, June 2, 2016, No notices have been received in favor of the proposed rezoning and no notices have been returned in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on May 26, 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 Map
- Notification Map
- Applicant's Exhibits



CA to CA with C.U.P.
Substance Abuse Counseling

Zoning Case :
Z-FY-16-34
Address :
416 N 3rd St, Ste A

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

tlyerly
Date: 5/19/2016





CA to CA with C.U.P.
Substance Abuse Counseling

AERIAL MAP

Zoning Case :
Z-FY-16-34

Address :
416 N 3rd St., Ste A



- 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: 5/19/2016



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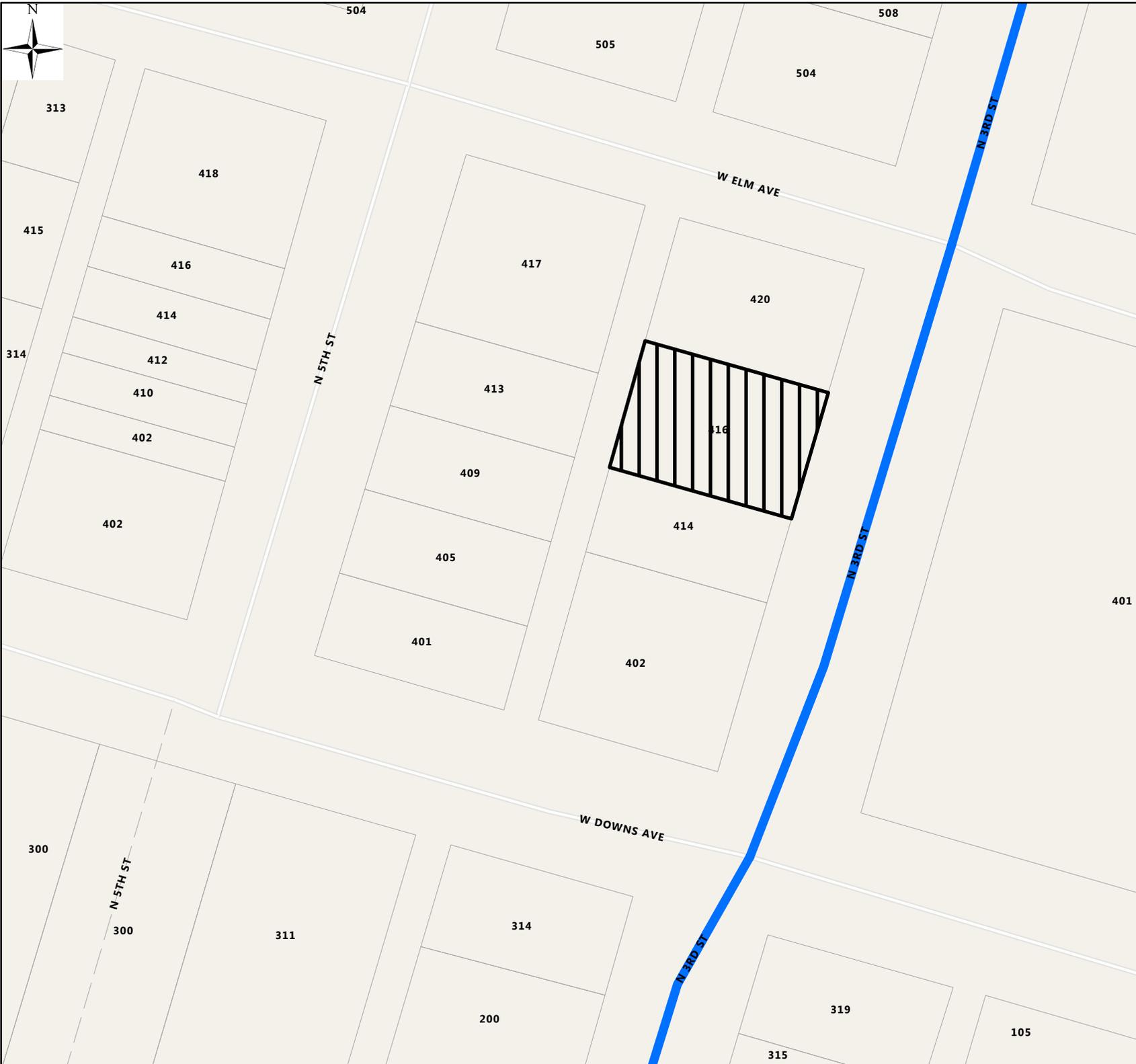
CA to CA with C.U.P.
 Substance Abuse Counseling
**FUTURE LAND
 USE MAP**
 Zoning Case :
 Z-FY-16-34
 Address :
 416 N 3rd St., Ste A

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

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tlyerly
 Date: 5/19/2016





CA to CA with C.U.P.
 Substance Abuse Counseling

THOROUGHFARE AND TRAILS MAP

Zoning Case :
 Z-FY-16-34

Address :
 416 N 3rd St., Ste A

-  Parcels
-  Expressway
-  Major Arterial
-  Proposed Major Arterial
-  Minor Arterial
-  Proposed Minor Arterial
-  Collector
-  Proposed Collector
-  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: 5/19/2016





UTILITY MAP

Zoning Case :
Z-FY-16-34

Address :
416 N 3rd St., Ste A

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

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tlyerly
Date: 5/19/2016





CA to CA with C.U.P.
 Substance Abuse Counseling
 200'
 NOTIFICATION MAP

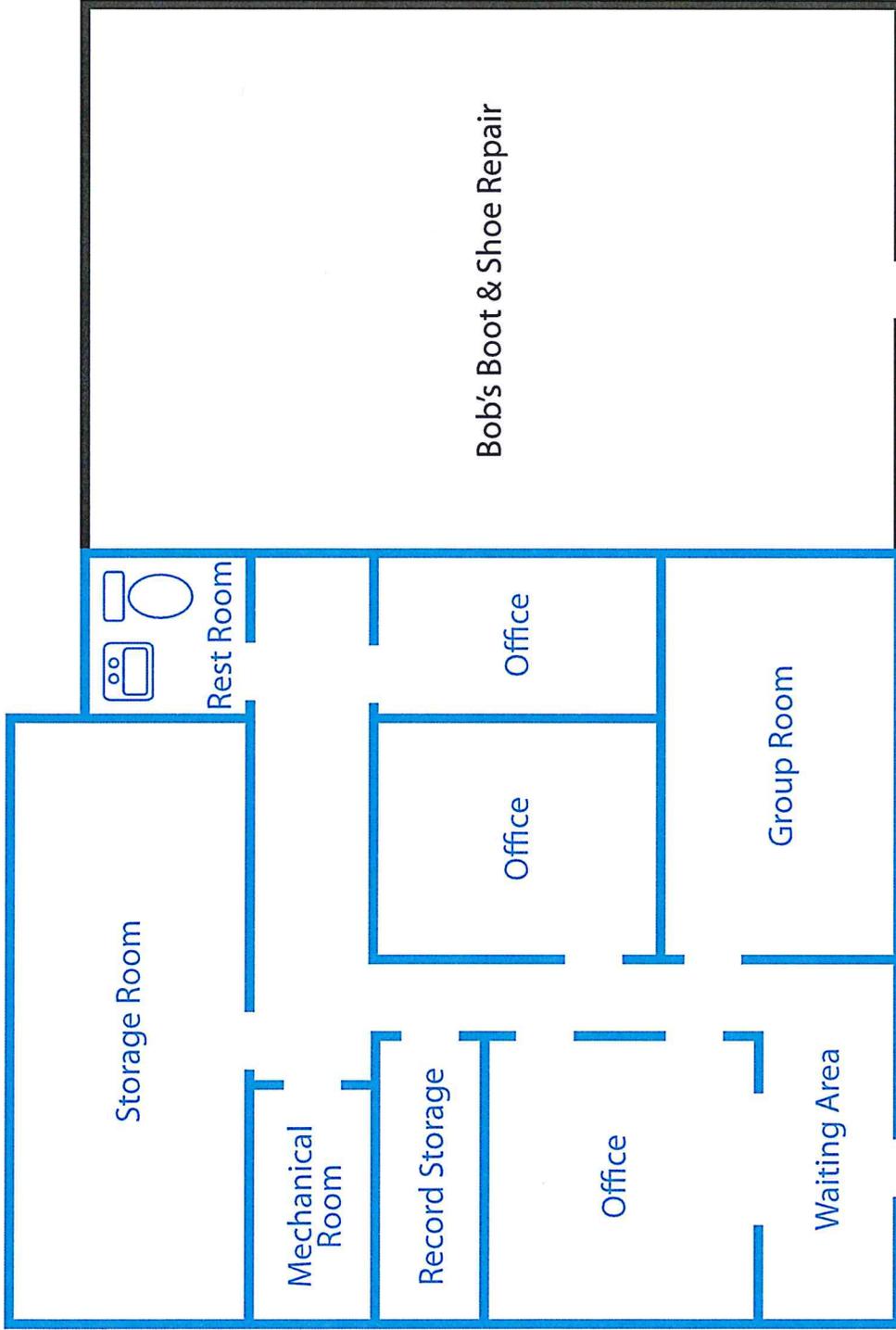
Zoning Case :
 Z-FY-16-34
 Address :
 416 N 3rd St, Ste A

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

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tlyerly
 Date: 5/19/2016





CENIKOR FOUNDATION
Suite A
1,250 sq. ft.

**Drawing is approximate*

CARE COUNSELING SERVICES

A program of CENIKOR Foundation

To whom it may concern,

Cenikor Foundation signed a lease at 416A N 3rd St. Temple, TX 76501 on 4/11/16 and plan to provide a service to the community by offering outpatient counseling to adults and adolescents who are needing help with a substance abuse problem. The services provided at this location will include individual counseling and group counseling sessions. Clients will come 2-3 times per week and meet with a licensed counselor who will be facilitating all group and individual counseling sessions.

Before Cenikor is able to start seeing clients, Cenikor must have a license from the Texas Department of State Health Services (DSHS). DSHS is the agency in charge of enforcing regulatory laws that organizations like Cenikor are to follow when providing substance abuse services.

The Regulatory Department at DSHS is needing certain pieces of documentation so that they can issue a license to Cenikor for the purpose mentioned earlier in this letter. The regulation comes from 25 Texas Administrative Code §448.505(b). One of the documents we need is a Certificate of Occupancy issued by the appropriate authority at the City of Temple. The initial document I obtained from Deb in the permits department explaining that a COO would not be issued for this location because the city will not issue a new COO unless renovations are taking place or it is a new building. We are not renovating the building and DSHS did not accept the documentation I obtained from Deb on 4/11/16 stating a COO would not be issued.

After multiple discussions with DSHS, my understanding is that they will accept a letter from the appropriate authority at the City of Temple that explains the fact that a COO is not issued for the purpose of granting a business permission for a specific type of use, but that this address is zoned for general office purposes and that Cenikor can provide outpatient substance abuse counseling at 416A N 3rd St. Temple, TX 76501 within the rules of this zoning type.

If any further explanation is needed for this request or if you have any questions please feel free to contact me at 940-206-4518 or nvache@cenikor.org. I thank you sincerely for considering this request and I also want to thank the employees that work within the Planning and Permits Department who have been helpful up to this point.

Regards,

Nick Vaché
Senior Outpatient Manager
Cenikor Foundation



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

6/06/16
Item #4
Regular Agenda
Page 1 of 6

APPLICANT / DEVELOPMENT: RMSJ Investments

CASE MANAGER: Mark Baker, Senior Planner

ITEM DESCRIPTION: Z-FY-16-35: Hold a public hearing to consider and recommend action on property zoned Planned Development - General Retail (PD-GR), amending Ordinance No. 2002-3840 to consider a Conditional Use Permit (C.U.P.) to allow and construct a 5,000 square foot office warehouse on Lot 1, Block 1, Lake Belton Plaza Phase II, located at 37 Morgan's Point Road.



Figure 1: Aerial Location Map

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

1. That the proposed Conditional Use Permit and Development Plan are consistent with the underlying General Retail (GR) zoning and demonstrated compliance with the Planned Development Ordinance (Ord. 2002-3840) with regard to exterior building materials;
2. The request is consistent with underlying Suburban Commercial Future Land Use Map designation;
3. The proposed office warehouse, will be adequately buffered and screened from the adjacent residential use to the north;
4. The request is in compliance with the Thoroughfare Plan; and
5. Public facilities are available to serve the subject property.

Staff recommends approval of the requested Conditional Use Permit, subject to the following conditions:

1. That the proposed use as an office warehouse, on 0.783 +/- acres, as allowed with a conditional use permit, by Planned Development Ordinance 2002-3840, is developed in substantial compliance to and as further described by the site plan and building elevations attached as Exhibits A & B of the Ordinance related to the conditional use permit;
2. That a 6-foot sidewalk is provided along the entire property frontage of Morgan's Point Road, and reviewed at the time of permitting;
3. Exterior building elevations for the office warehouse, shall contain a combination of limestone and brick on the western and southern facing elevations with copper roofing material in substantial compliance to the attached elevations;
4. That the Director of Planning may be authorized discretion to approve minor modifications to the City Council-approved site / development plan for the 0.783 +/- acre tract, including but not limited to, screening, buffering, landscaping and minor modifications to the building materials and overall site layout.

ITEM SUMMARY: The applicant, Rueben Marek, on behalf of RMSJ Investments, requests a conditional use permit, as provided by Planned Development (PD-GR) Ordinance 2002-3840, for a 5,000 square foot office warehouse on 0.783 +/- acres. The property is located within Lot 1, Block 1 in the Lake Belton Plaza, Phase II subdivision, addressed as 37 Morgan's Point Road. The Planned Development Ordinance provides for a base-zoning of General Retail, which allows an office warehouse with an approved Conditional Use Permit.

The proposed conditional use permit would allow a 5,000 square foot office warehouse building along with improvements to provide for 14 public parking spaces as well as necessary landscaping improvements. There is currently a storage building on-site which will be razed to accommodate the new office warehouse development.

BACKGROUND: The original Planned Development approved by Ordinance 2002-3840 (attached), encompasses approximately 3.78 +/- acres of land located generally within the platted Lake Belton Plaza and Lake Belton Phase II subdivisions at the northeast corner of Morgan's Point Road and

West Adams Ave (FM2305). The Planned Development – General Retail (PD-GR) rezoning Ordinance became effective on June 6, 2002. The base-zoning of General Retail (GR) requires a conditional use permit for an office warehouse use.

REVIEW CRITERIA: While more detailed discussion (table attached) is available for the seven conditional use permit review criteria as provided for by UDC Section 3.5.4, a synopsis of the more significant criteria are as follows:

Screening / Buffering: Per UDC Section 7.7.4, enhanced landscaping or a solid privacy fence is required, when a residential use or district abuts a non-residential use or district. While both enhanced landscaping and a privacy fence has been discussed with the applicant, a final decision has not made identified. Compliance with this requirement will be determined during the review of the building plans.

Landscaping: While preserving as many of the existing trees on the property as possible, the applicant has agreed to enhanced landscaping in the form of trees, turf and foundation plantings, per UDC Section 7.4. The attached site plan is illustrative only and compliance to UDC Section 7.4.5 as well as Ordinance 2002-3840, regarding specific plant numbers and size will be determined with the review of the building plans. However, due to the necessity to require alternative or additional materials, a condition has been proposed to give the Director of Planning flexibility during the building permit review so the development plan does not need to go back before the public review process for minor modifications.

Exterior Building Materials: While the roof consists of a copper material, exterior building materials are proposed which provide for 100% masonry. Materials consist of a combination of brick and limestone on the west and southern facing elevations and will be matching materials on the adjacent building at 11720 W. Adams Ave. Metal will be provided on the north and east facing building elevations which will not be visible from public right of way. Use of brick and limestone is a recommendation of Ordinance 2002-3840. A condition of approval for use of brick and limestone has been provided to address consistency between the buildings, which will be confirmed during the review of the building plans for the office warehouse.

Sidewalk: UDC Section 8.2.3 requires a 6-foot sidewalk, along Morgan's Point Road, which is a minor arterial. While not connecting to the sidewalk to the north along Morgan's Point Road, this 6-foot sidewalk will reduce the needed connection distance to approximately 570 +/- feet. The proposed sidewalk however, will provide direct connectivity to the existing sidewalk along W. Adams Road. The sidewalk will be installed at the time of development.

Parking: Per UDC Section 7.5.4B, office warehouse requires parking at the rate of 1 space per 2 employees or one (1) space 5,000 square feet of gross floor area, whichever is greater. The site plan has been developed at the rate of 1:300 square feet with 14 spaces provided which exceed code requirements.

Per UDC Section 3.5.5, the Planning & Zoning Commission may recommend and the City Council may impose additional conditions of approval into the rezoning ordinance.

In conclusion, in approving a Conditional Use Permit, the City Council may require additional standards deemed necessary related to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glares, offensive view or other undesirable or hazardous conditions.

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

Surrounding Property & Uses			
Direction	FLUM	Zoning	Current Land Use
Site	Suburban Commercial	PD-GR	Existing Non-Residential Structure
North	Suburban Commercial & Estate Residential	UE	SF Residential Uses
South	Suburban Commercial	PD-GR	Service & Retail Uses
East	Suburban Commercial	PD-GR & UE	Non & SF Residential Uses
West	Suburban Commercial	AG & PD-GR	Service & Retail Uses

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 Map (FLUM)	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 (FLUM) (CP Map 3.1)

According to the City of Temple Comprehensive Map / FLUM, the subject property, being a total 0.783 +/- acres, is within the Suburban Commercial designation of the Future Land Use Map (FLUM) which is appropriate for office, retail and service uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as 'gateways' and high-profile corridor locations.

Due to the "Commercial" aspects of an office warehouse use, the base-zoning of General Retail (GR) requires a conditional use permit to evaluate potential impacts associated with such a use. Details related to those impacts are provided in the Review Criteria section of this report.

It should be noted however, that through the conditional use permit process, the project can be "conditioned" to be more compatible. Therefore, with an approved conditional use permit, the proposed use **is** compliant with the Future Land Map.

Thoroughfare Plan (CP Map 5.2)

The property has frontage along Morgan’s Point Road, which is identified by the Thoroughfare Plan as a minor arterial. Direct access will be from a driveway cut along Morgan’s Point Road. While the 6-foot sidewalk is discussed in the trails sub-section of this report, no other Thoroughfare Plan discussion is necessary and no further deficiencies have been identified.

Availability of Public Facilities (CP Goal 4.1)

Water is available through an 8-inch waterline in Morgan’s Point Road. Sewer is available in West Adams Ave through an 8-inch sewer line.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, a proposed local connector trail has been identified along the Morgan’s Point Road. The applicant is proposing a 6-foot sidewalk along Morgan’s Point Road to help meet this requirement. While the City may participate in the upsizing of that sidewalk, improvements will be addressed during the building plan stage of review. The sidewalk will be required to be shown on the Building Plans and installed at the time of development.

DEVELOPMENT REVIEW COMMITTEE (DRC): As required by UDC Section 3.4.2B, the site plan for the proposed mini storage was reviewed by the DRC on May 23, 2016. Discussion was centered on parking lot configuration and the need for a separately recorded joint-use access easement. The applicant has agreed to the easement and it is being prepared. It will be recorded by separate instrument. This will be accomplished prior to the issuance of a building permit. No other issues were identified during the review.

DEVELOPMENT REGULATIONS: The following table shows the current dimensional standards and the proposed standards. Both current and proposed standards are reflective of the underlying Planned Development & base-zoning of GR.

	Current (Non-Residential)	Proposed C.U.P.
	PD-GR (Ord. 2002-3840)	PD-GR
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	30 Feet from Centerline	30 Feet from Centerline
Side Setback	10 Feet (UDC Sec. 4.6)	10 Feet (UDC Sec. 4.6)
Side Setback (corner)	10 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	3 Stories (UDC Sec. 4.6)	3 Stories (UDC Sec. 4.6)

- ❖ 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: Owners of twelve (12) properties within 200-feet of the subject property, were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday June 2, 2016 at 12:00 PM, No notices have been received. In addition, staff has met with the property owner immediately to the north and discussed screening and buffering requirements as well as opportunity, which the developer of the office warehouse's responsibility. Staff will provide an update regarding property response, if necessary, at the Planning and Zoning Commission meeting.

The newspaper printed notice of the public hearing on May 26, 2016, in accordance with state law and local ordinance.

PROPOSED CITY COUNCIL MEETING SCHEDULE: This Planned Development is scheduled for 1st Reading on July 7, 2016 and a 2nd Reading for July 21, 2016.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site & Surrounding Photos
Conditional Use Permit Review Criteria Table
Site / Development Plan (Exhibit A) / Building Elevations (Exhibit B)
Aerial Map / Zoning Map/ Future Land Use and Character Map
Utility Map / Thoroughfare Plan & Trails Plan
Notification Map
Planned Development Ordinance 2002-3840

Site & Surrounding Property Photos



Site – Partially Developed with Storage Building (PD-GR)



Site (Alternative Angle): Partially Developed with Storage Building (PD-GR)



North: SF Residence on Acreage (UE)



East: Non-Residential Uses & SF Residence on Acreage (PD-GR & UE)



West: Retail & Service Uses & Undeveloped Land (PD-GR & AG)



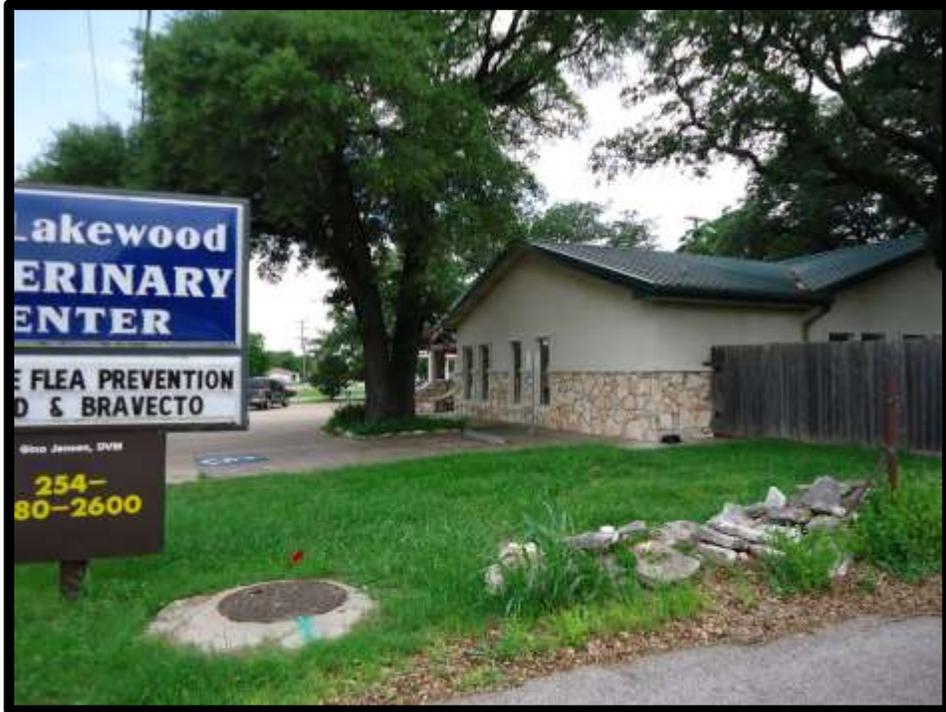
West (Alternative View): Undeveloped Land (AG)



South: Retail & Service Uses (PD-GR)



South: Exterior Building Materials on Structure in-Common Ownership with Proposed Office Warehouse (PD-GR)



South: Lakewood Veterinary Center (PD-GR)



South: Existing Fence between Subject Property & Lakewood Veterinary Center (PD-GR)

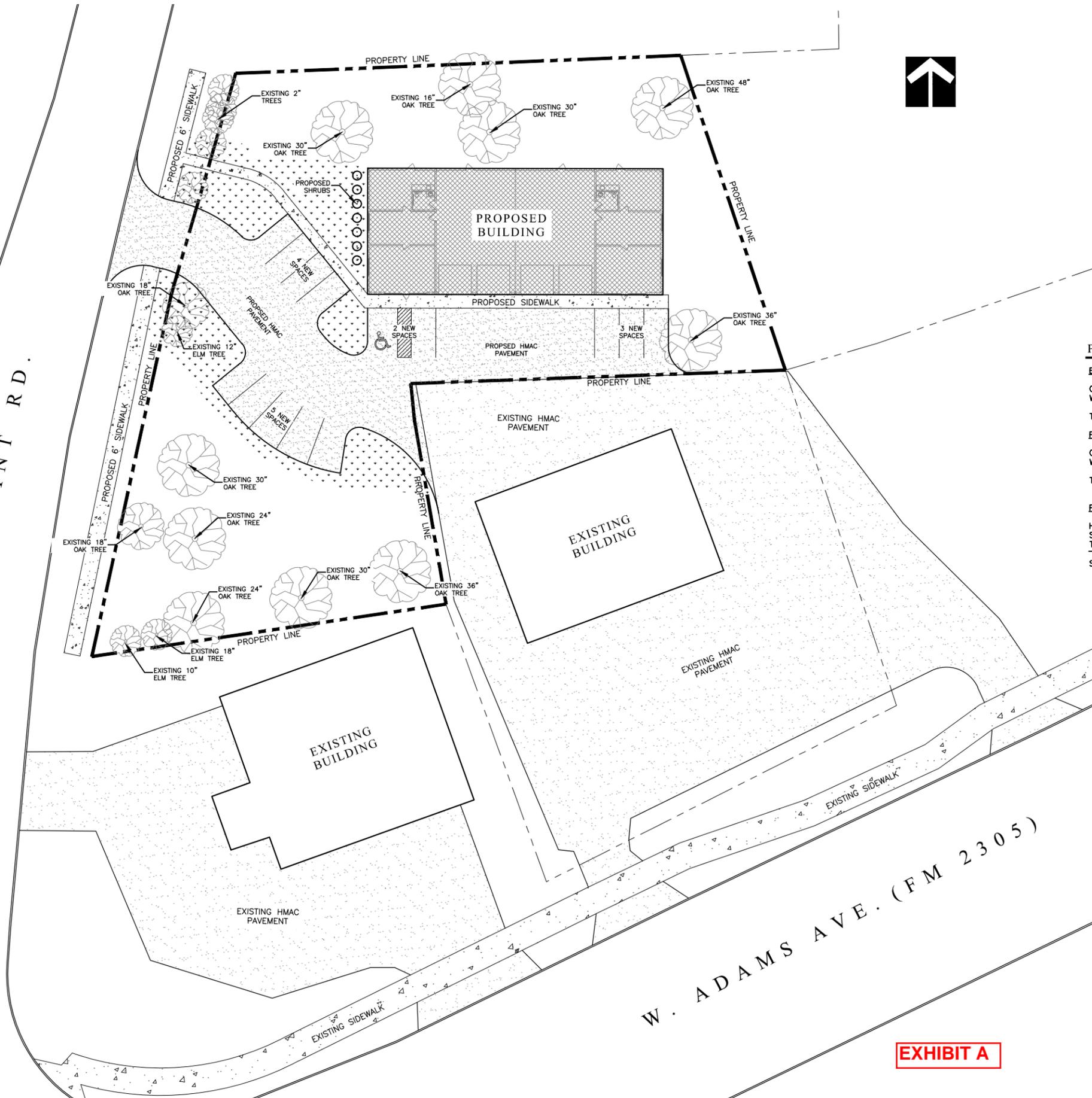


South: Retail & Service Uses across W. Adams Ave (PD-GR)

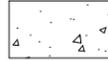
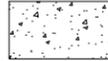
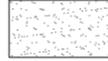
Conditional Use Permit Review Criteria Table

UDC Code Section 3.5.4 (A-G)	Yes/No	Discussion / Synopsis
A. The conditional use is compatible with and not injurious to the use and enjoyment of the property , and does not significantly diminish or impair property values within the immediate area.	YES	It is fully anticipated that the site plan will conform to the UDC as well as to dimensional, developmental and design standards adopted by the City for any new building construction. While metal will be provided on the northern and eastern building elevations, the applicant has demonstrated an effort to provide nearly 100% masonry exterior building materials on the southern and western facing elevations by the use of a combination of limestone and brick. Proposed elevations will match those materials on the existing and adjacent building, which is also owned by the applicant at 11720 West Adams Ave.
B. The establishment of the conditional use does not impede normal and orderly development and improvement of surrounding vacant property.	YES	It is not anticipated that development of this property will impede the normal and orderly development of the surrounding property.
C. Adequate utilities, access roads, drainage, and other necessary to support facilities have been or will be provided.	YES	Adequacies of support facilities will be further reviewed during submittal of the building plans. While utilities to serve the subject 0.783 +/- acres are in place, additional facilities such as access roads and drainage will be reviewed with the building plans.
D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.	YES	The attached site / development plan, which will be attached to the rezoning Ordinance for the Conditional Use Permit provides for parking, circulation and access. Additional provisions for a 6-foot pedestrian sidewalk along Morgan's Point Road are also shown. No issues related to design, location or arrangement of circulation have been identified with the review of the conditional use permit. A more detailed review will be conducted at the review of the building plans.
E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.	YES	The proposed site / development plan has demonstrated that adequate nuisance measures have been taken into account.
F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.	YES	While exterior lighting has not been proposed with site / development plan, any directional lighting will be required, in general, to meet the provisions of UDC 7.1 and specifically 7.1.8 with regard to glare. Compliance for exterior lighting will be addressed with the review of the building plans.
G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.	YES	While the site / development plan shows enhanced landscape materials proposed for the site, compliance related to buffering and screening by the use of landscape materials will be confirmed by the review of the building plans.

MORGAN'S POINT RD.

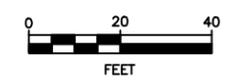


LEGEND

-  EXISTING REINFORCED CONCRETE SIDEWALK
-  EXISTING HMAc PAVEMENT
-  PROPOSED REINFORCED CONCRETE SIDEWALK
-  PROPOSED HMAc PAVEMENT
-  PROPOSED IRRIGATED HYDROMULCH GRASS SEEDING

PARKING CALCULATIONS

BUILDING AREA			
OFFICE S.F.	=	2,500 S.F.	
WAREHOUSE S.F.	=	2,500 S.F.	
TOTAL S.F.	=	5,000 S.F.	
PARKING REQUIREMENTS:			
OFFICE PARKING RATIO	-	1:300 S.F.	= 9
WAREHOUSE PARKING RATIO	-	1:5,000 S.F.	= 1
TOTAL PARKING REQUIRED			= 10
PARKING PROVIDED:			
HANDICAP PARKING	=	1	
STANDARD PARKING	=	13	
TOTAL PARKING	=	14	
STANDARD PARKING DIMENSIONS	=	9'X18'	



Date: _____ Revisions
Remarks:

EXHIBIT A

CONCEPTUAL SITE PLAN

Project No: 161682.00
Designed By: JBF
Plot Date: 5-6-16
Drawn By: JBF

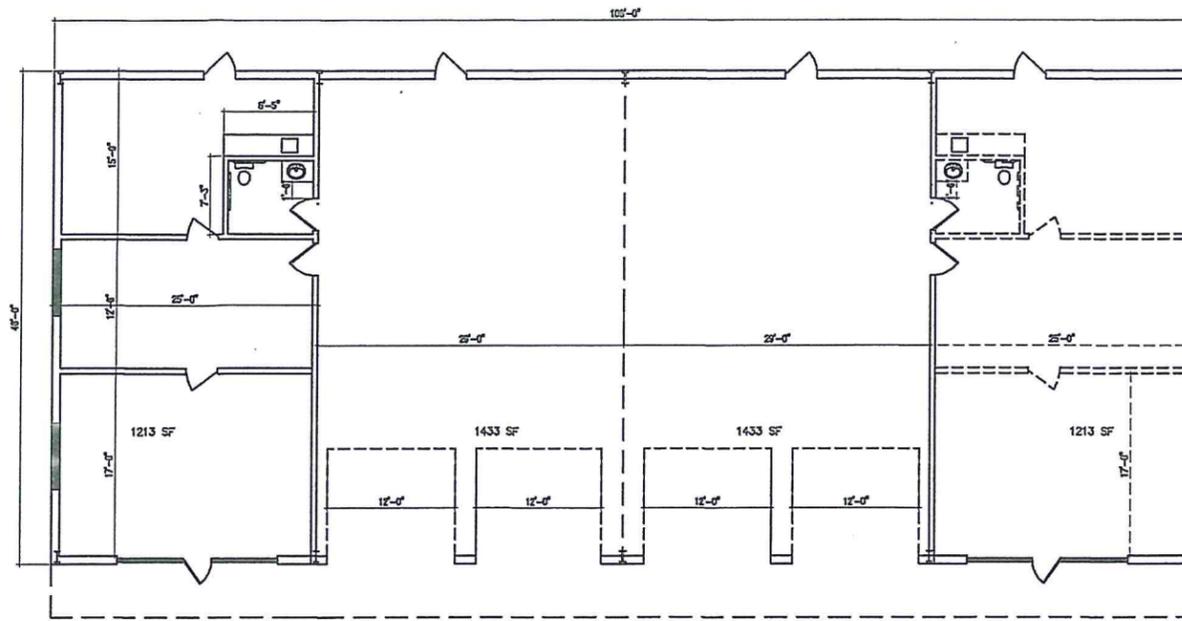


CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING
215 North Main Street, Temple, TX 76701
254.899.0899 www.clarkfuller.com F-10394

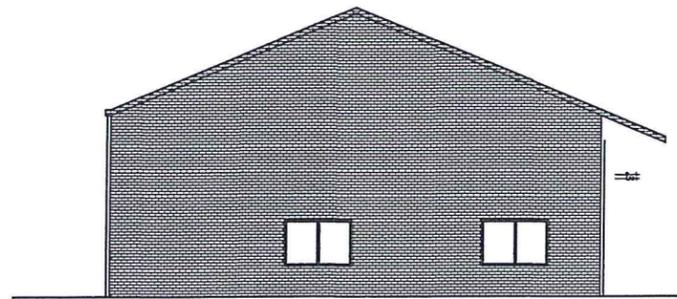


LAKE BELTON PLAZA
NEW OFFICE WAREHOUSE
DEVELOPMENT
Temple, Texas

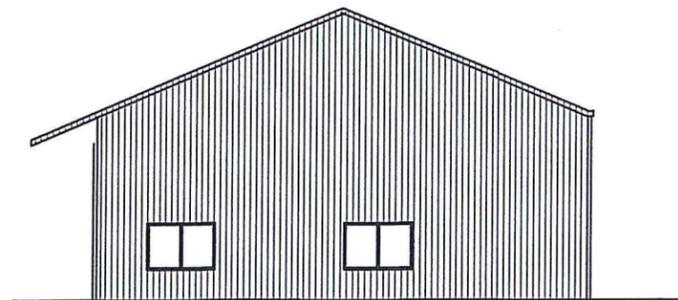
DRAWING STATUS
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF JUSTIN B. FULLER P.E. (00183), CLARK & FULLER, PLLC FIRM NO. F-10394.
 THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR CONSTRUCTION.
 FINAL CONSTRUCTION
 FINAL DRAWINGS



FLOOR PLAN
 $\frac{1}{8}'' = 1' - 0''$

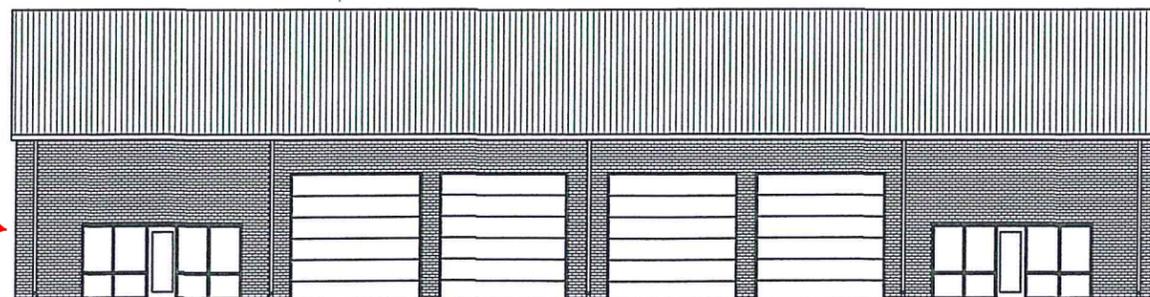


SIDE WEST ELEVATION
 $\frac{1}{8}'' = 1' - 0''$



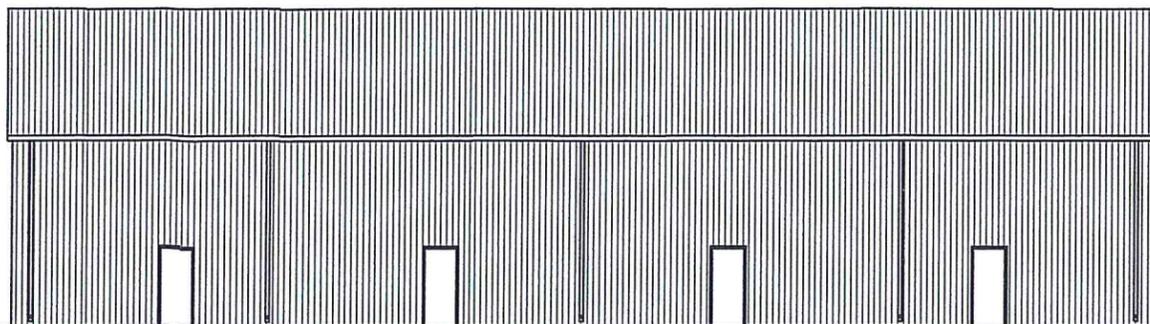
SIDE EAST ELEVATION
 $\frac{1}{8}'' = 1' - 0''$

Limestone
 &
 Brick Siding



FRONT SOUTH ELEVATION
 $\frac{1}{8}'' = 1' - 0''$

Copper Roof



BACK NORTH ELEVATION
 $\frac{1}{8}'' = 1' - 0''$

Metal Siding

EXHIBIT B

RENTAL BUILDING
 TEMPLE, TEXAS

LARRY NEAL / ARCHITECT
 1023 CANYON CREEK DRIVE #125
 TEMPLE, TEXAS 76702
 (254) 778-1466

SHEET NO.

A1

PLAN STUDY

DATE: 03/16/2016 JOB NO: 1632



Conditional Use Permit

AERIAL MAP

Zoning Case :
Z-FY-16-35

Address :
37 Morgan's Point Rd

- 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: 5/6/2016





Conditional Use Permit

ZONING MAP

Zoning Case :

Z-FY-16-35

Address :

37 Morgan's Point Rd

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	Buffer
MF-3 - PD	AG	

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mbaker

Date: 5/6/2016



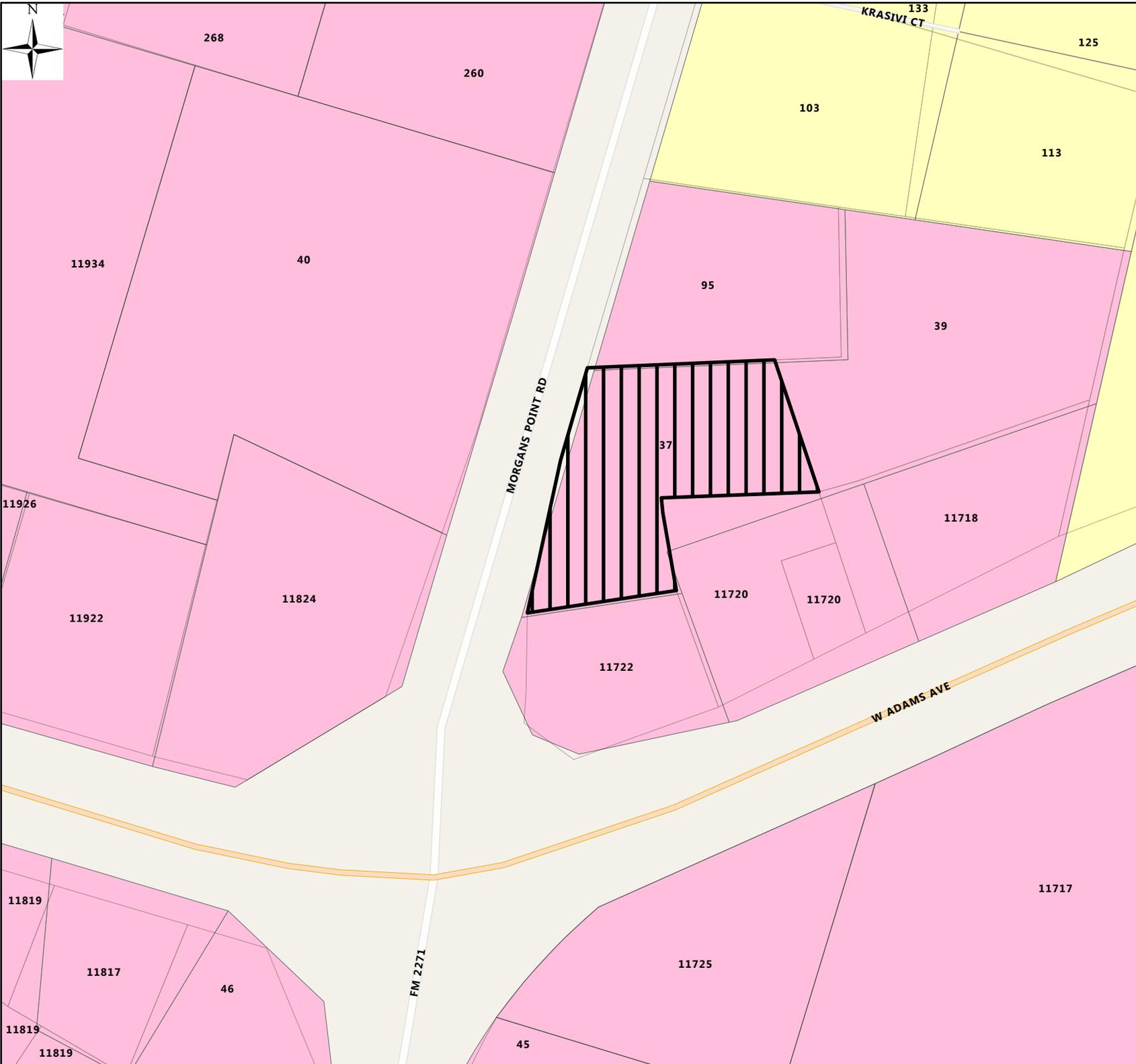


Conditional Use Permit

FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-35

Address :
37 Morgan's Point Rd



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

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mbaker
Date: 5/6/2016





Conditional Use Permit

THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-35

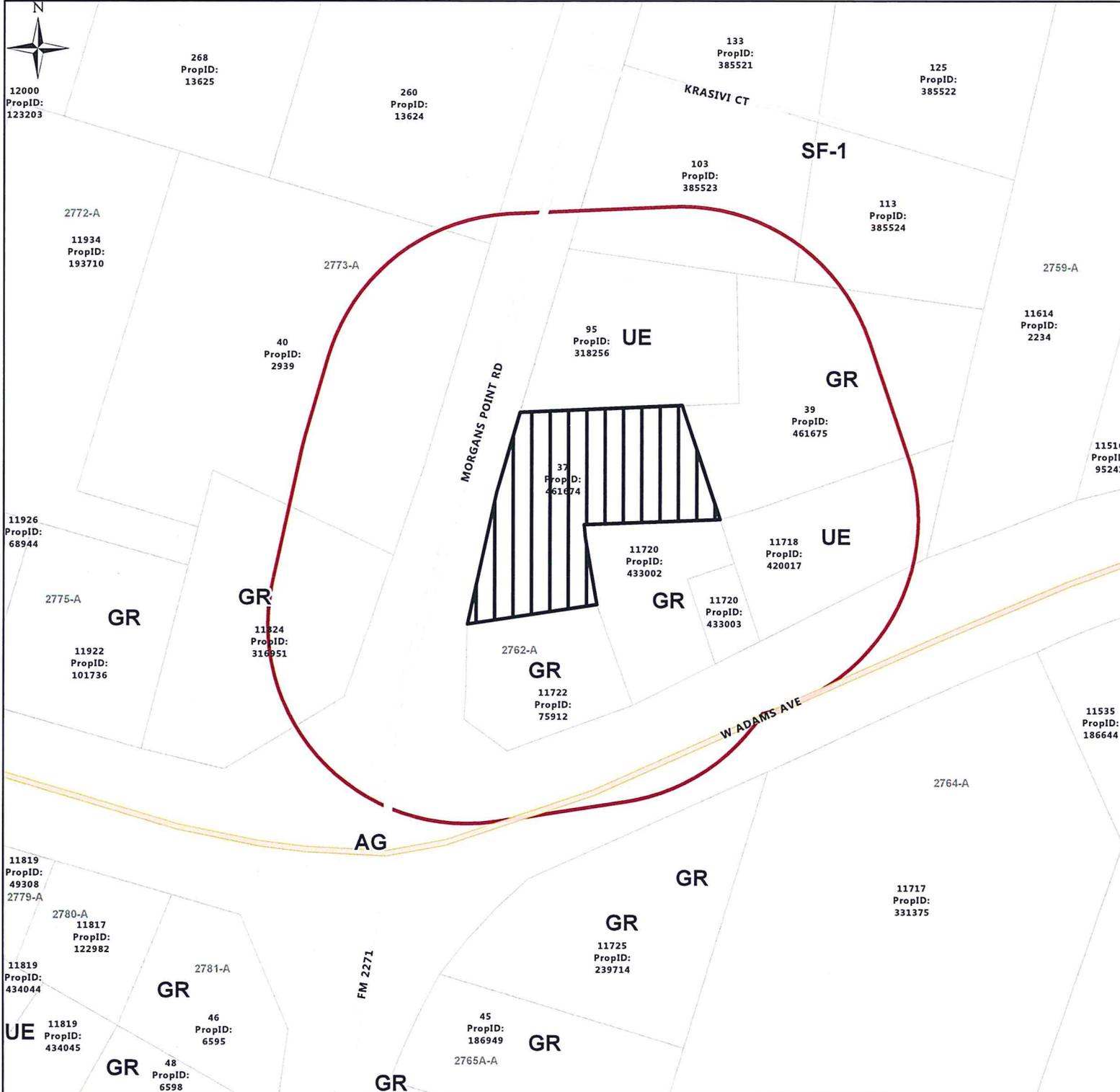
Address :
37 Morgan's Point Rd

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

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

mbaker
Date: 5/6/2016





Conditional Use Permit

**200'
NOTIFICATION MAP**

Zoning Case :

Z-FY-16-35

Address :

37 Morgan's Point Rd

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: 5/6/2016



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONE CHANGE FROM AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT GENERAL RETAIL (PD-GR) AND URBAN ESTATES ON 1.93 ACRES AND 1.85 ACRES, RESPECTIVELY, FOR THE PROPOSED SIMPSON ADDITION, LOCATED ON THE NORTHEAST CORNER OF FM 2305 AND FM 2271, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property described as a 1.93 and a 1.85 acre tract located on the northeast corner of FM 2305 and FM 2271, has requested a zoning change from Agricultural District (A) to Planned Development (General Retail) District (PD-GR) and Urban Estates, respectively, for the proposed Simpson Addition; and

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

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

Part 1: The zoning classification of the property described as a 1.93 and a 1.85 acre tract located on the northeast corner of FM 2305 and FM 2271 in Temple, Bell County, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes, is changed from Agricultural District (A) to Planned Development (General Retail) District (PD-GR) and Urban Estates, respectively,

Part 2: 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 1.93 acre tract described in Part 1 above, to Planned Development (General Retail) District (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 of the property shall conform to all requirements of the General Retail District (GR) standards.
- (b) All uses and development standards specified in the General Retail District shall be permitted.

- (c) Buildings used for business purposes should be of a structure in keeping with the rustic, lake type development with a maximum building height of 25 feet.
- (d) New businesses should be built with a residential appearance, including pitched roofs, windows, and foundation plantings.
- (e) The building facades are recommended to be of brick or masonry construction.
- (f) Driveway openings may occur no closer than 150 feet apart.
- (g) Any parking lot serving a business should be screened from the street view by planting continuous shrubs along the street side elevation. Parking for new businesses must be designed so that no backing onto FM 2271 occurs.
- (h) Street trees are to be provided for approximately every 60 feet of street frontage. Planting height and minimum caliper shall be in accordance with the Landscaping Ordinance (Sections 8-910 through 8-912 of the Zoning Ordinance). Flexible application of this is encouraged to take advantage of existing landscaping.
- (i) Detached signs are recommended to be a maximum of 30 feet in height with a maximum sign area of 50 square feet, keeping the signs below the existing and proposed street tree canopies, to enhance visibility. Off-premise signs are prohibited.
- (j) The site plan will need to be approved by the City Council before any building permit is issued.

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 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 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.

PASSED AND APPROVED on First Reading on the 16th day of May, 2002.

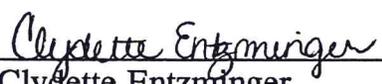
PASSED AND APPROVED on Second and Final Reading on the 6th day of June, 2002.

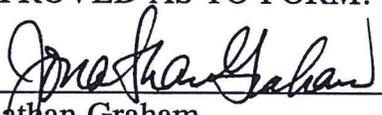
THE CITY OF TEMPLE, TEXAS


WILLIAM A. JONES, III, Mayor



ATTEST:


Clydette Entzminger
City Secretary

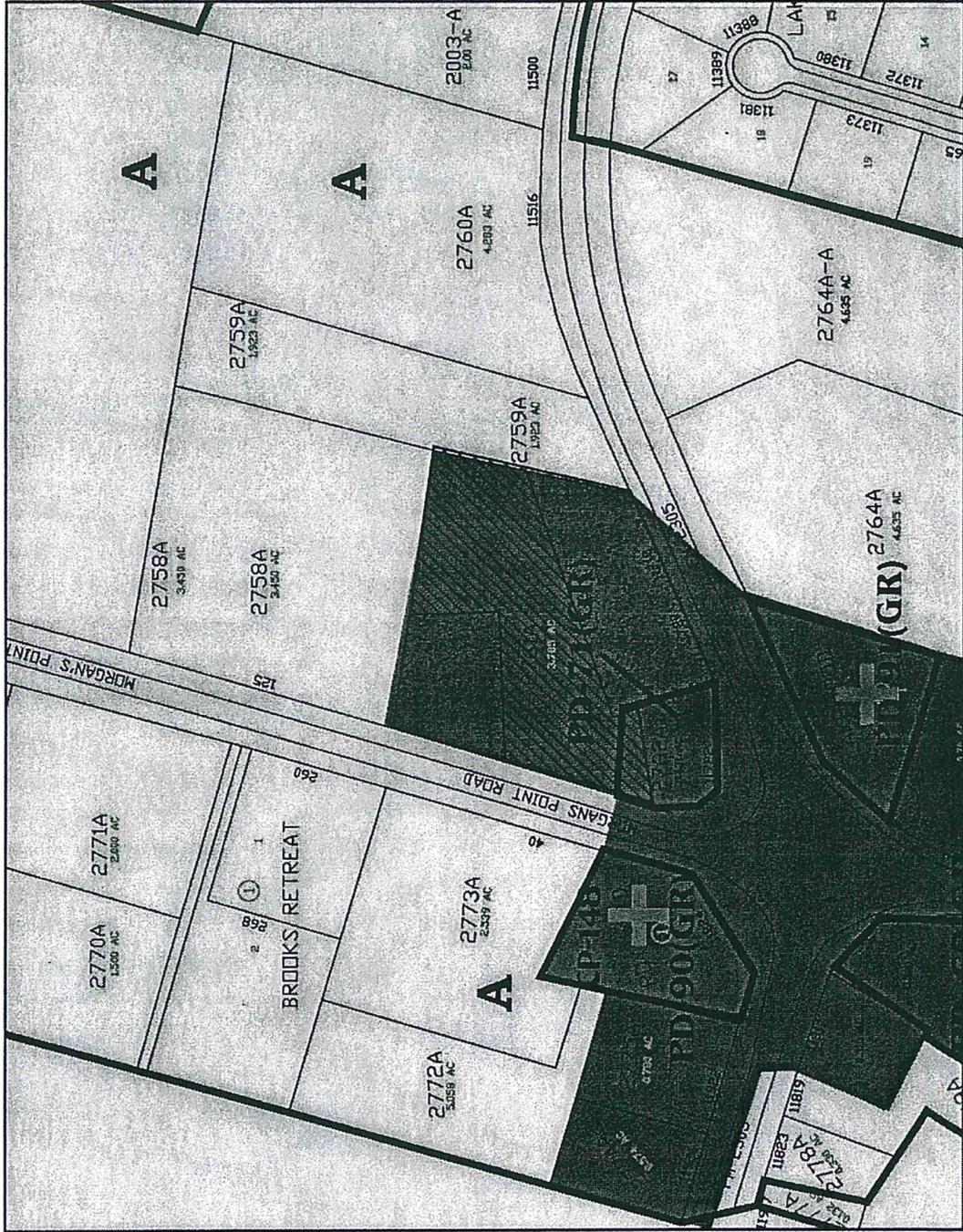
APPROVED AS TO FORM:

Jonathan Graham
City Attorney

EXHIBIT

tabbles

"A"

Case Z-2002-11: Rezoning Proposed Simpson Subdivision



- AGRICULTURAL**
- Agricultural (A)
- RESIDENTIAL**
- Low Density Residential (R1)
- Moderate Density Residential (R2)
- Medium Density Residential (R3)
- High Density Residential (R4)
- COMMERCIAL**
- Neighborhood and Community Retail (C1, C2)
- Office (O1, O2)
- Regional Commercial (C3)
- MIXED USE**
- Mixed Use Areas (MU)
- INDUSTRIAL**
- Light and Heavy Industrial (I1, I2)
- COMMUNITY FACILITIES**
- CF-E (Schools)
- CF-G (General)
- CF-M (Medical)
- CF-R (Religious)
- PARKS
- Notices returned in favor.
- Notices returned NOT in favor.
- Proposed Rezoned to PD(GR)
- Proposed Rezoned to UE



PLANNING AND ZONING COMMISSION ITEM MEMORANDUM

06/06/16
Item #5
Regular Agenda
Page 1 of 2

APPLICANT: Lane Kennedy for Highline Temple 39, LTD.

CASE MANAGER: Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: P-FY-16-26 Consider and take action on the Final Plat of Highline Addition, a 39.44+/- acre, 11-lot, 1-tract, 1-block nonresidential 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.

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

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Highline Addition on March 21, 2016. It was deemed administratively complete on June 2, 2016.

The Final Plat of Highline Addition, a 39.44 +/- acres, 11-lot, 1-tract, 1-block, nonresidential subdivision, located on the northwest corner of South 31st Street and Scott Boulevard.

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

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

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

Tract A will be owned and maintained by the property owners association for drainage and a trail.

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

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



FISCAL IMPACT: N/A

ATTACHMENTS:
Plat

STATE OF TEXAS
COUNTY OF BELL

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

HIGHLINE TEMPLE 39, LTD.
BRIAN LENT, PRESIDENT, MEMBER
HLDDEV, L.L.C.
GENERAL PARTNER

STATE OF TEXAS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this _____ day of _____, 2016, BRIAN LENT, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2016.

Notary Public in and for the State of Texas

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

DATED THIS THE _____ DAY OF _____, 2016.

CHAIRPERSON

SECRETARY TO PLANNING & ZONING COMMISSION

AFFIDAVIT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, TEXAS, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THE PROPERTY DESCRIBED IN THIS PLAT IS DUE OR OWED ON THE PROPERTY DESCRIBED BY THIS PLAT:

DATED THIS THE _____ DAY OF _____, 2016

BY: _____
BELL COUNTY TAX APPRAISAL DISTRICT

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

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

KNOW ALL MEN BY THESE PRESENTS:

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

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

This project is referenced to the City of Temple Coordinate System, referenced in NAD 1983 Central Texas State Plane. All distances are horizontal surface distances and all bearings are grid bearings. All coordinates are referenced to City of Temple Monument No. 3. The Meridian angle of Monument No. 3 is 01°31'42.14" East. The City Monument No. 3 is located at the intersection of the City of Temple XCCF, Geodetic North = Grid North + theta angle. Published City coordinates for City Monument No. 3 are N=10,368,408.891 E=3,225,333.768. Reference tie to Monument No. 3 is 71° 22' 44" E, 1,867.79 feet. Reference tie to the subject tract is S 71° 22' 44" E, 1,867.79 feet.

FINAL PLAT OF

HIGHLINE ADDITION

WITHIN THE CITY LIMITS OF TEMPLE, BELL COUNTY, TEXAS

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

OWNER:

HIGHLINE TEMPLE 39 LTD.
3131 TURTLE CREEK, STE. 850
DALLAS, TEXAS 75219

LOTS - 11

TRACTS - 1

BLOCKS - 1

TOTAL ACREAGE - 39.44 ACRES

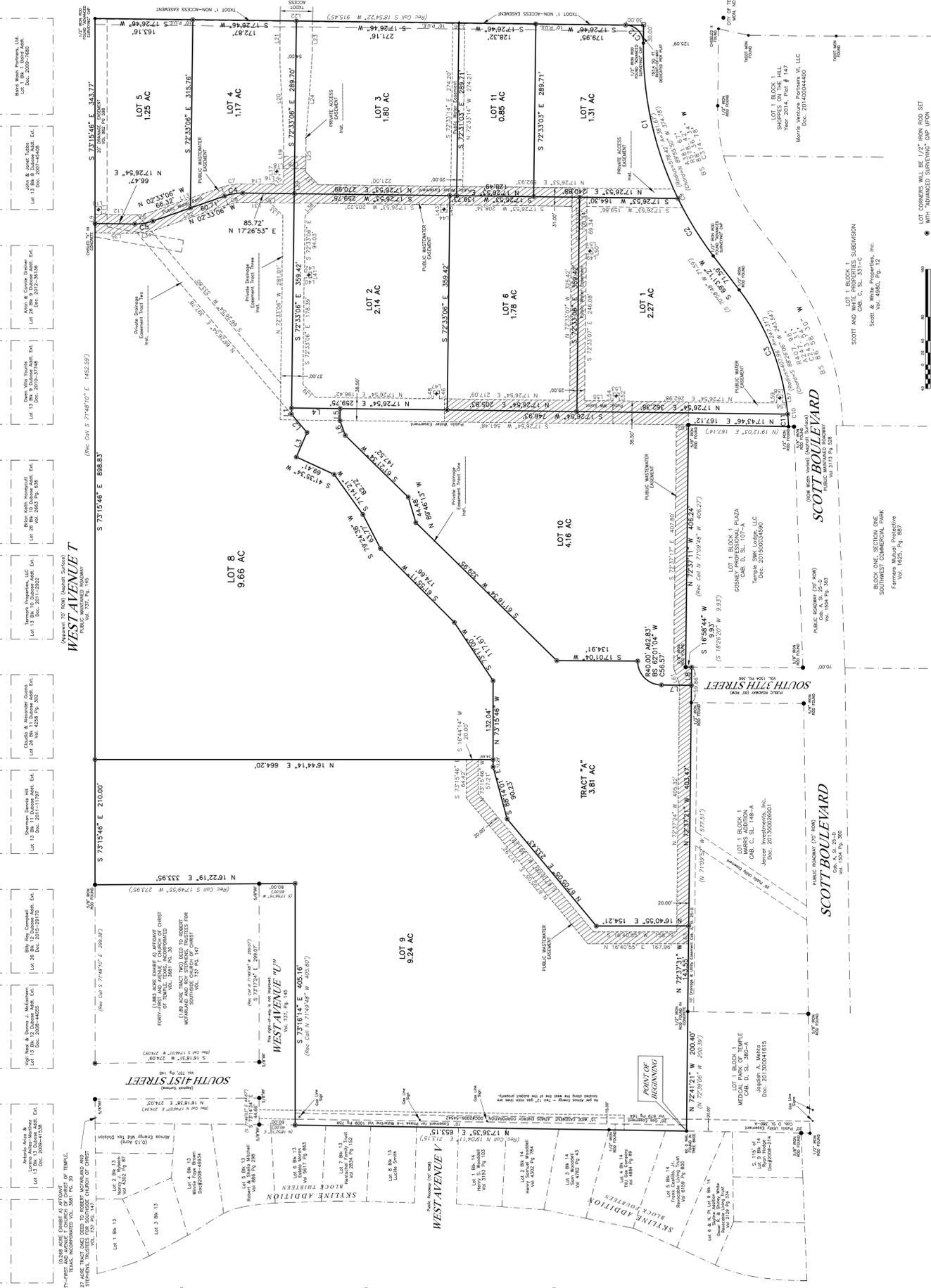
This plat is to accompany a metes and bounds description of the herein shown 39.44 acre tract.



VICINITY MAP
1"=500'



SOUTH 31ST STREET (FM 1741)
(100' RIGHT OF WAY)



LINE	BEARINGS	DISTANCE
L1	S 72°33'06" E	10.36
L2	N 66°28'54" W	40.04
L3	S 49°59'31" E	44.89
L4	S 17°25'54" W	81.07
L5	S 72°33'06" E	26.41
L6	S 17°25'54" W	50.00
L7	S 72°33'06" E	30.49
L8	S 72°33'06" E	43.70
L9	S 72°33'06" E	10.90
L10	S 72°33'06" E	55.80
L11	S 72°33'06" E	127.03
L12	S 72°33'06" E	45.72
L13	S 02°33'06" E	23.17
L14	S 72°33'06" E	10.00
L15	S 72°33'06" E	15.16
L16	S 72°33'06" E	48.60
L17	S 72°33'06" E	136.44
L18	S 72°33'06" E	54.48
L19	S 72°33'06" E	30.41
L20	S 72°33'06" E	70.60
L21	S 72°33'06" E	9.83
L22	S 72°33'06" E	30.41
L23	S 72°33'06" E	30.41
L24	S 72°33'06" E	12.34
L25	S 72°33'06" E	10.00
L26	S 72°33'06" E	12.62
L27	S 72°33'06" E	13.48
L28	S 72°33'06" E	10.00
L29	S 72°33'06" E	11.06
L30	S 72°33'06" E	10.00
L31	S 72°33'06" E	10.93
L32	S 72°33'06" E	13.64
L33	S 72°33'06" E	13.68
L34	S 72°33'06" E	47.80
L35	S 72°33'06" E	6.17
L36	S 72°33'06" E	13.64
L37	S 72°33'06" E	13.64
L38	S 72°33'06" E	13.64
L39	S 72°33'06" E	10.32
L40	S 72°33'06" E	29.03
L41	S 72°33'06" E	20.00
L42	S 72°33'06" E	20.00
L43	S 72°33'06" E	20.00
L44	S 72°33'06" E	20.00
L45	S 72°33'06" E	20.00
L46	S 72°33'06" E	20.00
L47	S 72°33'06" E	20.00
L48	S 72°33'06" E	20.00
L49	S 72°33'06" E	20.00
L50	S 72°33'06" E	20.00
L51	S 72°33'06" E	20.00
L52	S 72°33'06" E	20.00
L53	S 72°33'06" E	20.00
L54	S 72°33'06" E	20.00
L55	S 72°33'06" E	20.00
L56	S 72°33'06" E	20.00
L57	S 72°33'06" E	20.00
L58	S 72°33'06" E	20.00
L59	S 72°33'06" E	20.00
L60	S 72°33'06" E	20.00
L61	S 72°33'06" E	20.00
L62	S 72°33'06" E	20.00
L63	S 72°33'06" E	20.00

RECORDATION INFORMATION:
FILED THIS THE _____ DAY OF _____, 2016
IN YEAR _____ PLAT # _____ PLAT RECORDS OF BELL COUNTY, TEXAS
DEDICATION RECORDED IN INSTRUMENT NUMBER _____
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	DELTA ANGLE
C1	578.42'	269.13'	N 85°45'50" W	26°59'54"
C2	407.66'	224.43'	N 85°45'50" W	31°48'01"
C3	407.66'	30.72'	N 85°45'50" W	31°48'01"
C4	89.00'	30.72'	N 07°26'54" E	19°59'59"
C5	89.00'	30.72'	N 07°26'54" E	20°00'00"
C6	103.50'	35.13'	N 07°26'54" W	19°59'59"
C7	103.50'	35.13'	N 07°26'54" W	19°59'59"
C8	72.50'	25.31'	S 07°26'54" W	25°18'
C9	72.50'	25.31'	S 07°26'54" W	25°18'
C10	407.66'	34.64'	S 85°45'50" W	31°48'01"
C11	407.66'	20.89'	S 85°45'50" W	31°48'01"
C12	50.00'	47.10'	S 62°27'54" W	89°57'45"



PLANNING AND ZONING COMMISSION AGENDA ITEM

06/06/16
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-15-47 - 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.	Awaiting revisions	Ron Carroll	Tammy
P-FY-16-08 - Consider and recommend action for the Final Plat of Spurlock's Arbour Addition, in the southeastern ETJ, a 5.87 +/- acre, 2 lot, 1 block, residential subdivision, out of the MAXIMO MORENA SURVEY, Abstract No. 14, in Bell County Texas, with exceptions to UDC for fire hydrant and sidewalks (project manager look at exceptions on application), located south of Barnhart Road, west of State Highway 95, and north of State Highway 93.	Waiting for applicant's response to post- DRC comments	Advanced Surveying and Mapping	Dessie
P-FY-16-16 - 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.	DRC 2/04/16 Awaiting revisions from applicants	Mark Rendon	Tammy

Future Commission Projects	Status	Applicant	Project Mgr.
<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 DRC reviewing revisions</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-16-24 - 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>
<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-16-27 - 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 Awaiting Revisions</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>waiting on mylars</p>	<p>All County Surveying</p>	<p>Dessie</p>

Future Commission Projects	Status	Applicant	Project Mgr.
<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&Z June 20	All County Surveying	Dessie
<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>	DRC 5/05/16 Awaiting response to Post-DRC comments	Cory Herring	Mark
<p>P-FY-16-34 - Consider and take action on the Amending Plat for Tract C and Lot 11, Block 4, Carriage House Trails, Phase I, located at 2113 Broken Shoe Trail.</p>	DRC 5/25/16	All County Surveying	Mark
<p>P-FY-16-35 - Consider and take action on the Minor Plat for Lot 1, Block 1, R.C. Moore Survey, Abstract No. 581, on 4.483 +/- acres, located at 3600 Range Road.</p>	DRC 5/25/16	Ralph Roberts on behalf of Grady Jenkins	Tammy
<p>P-FY-16-36 - Consider and take action on the Final Plat of Aikins Plat, a 3.986 +/- acres, 1-lot, 1-block, non-residential subdivision, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located east of Ferrara Circle, west of South 5th Street, and north of Marlandwood Drive.</p>	DRC 6/09/16	Turley Associates	Mark
<p>P-FY-16-37 - Consider and take action on the Amending Plat of Ashcraft Acres, a 6.75 +/- acres, 2-lot, 1-block, residential subdivision, out of the Maximo Moreno Survey, Abstract No. 14, in Bell County, Texas, located north of Stallion Road and east of Rabbit Road in Temple's Southeastern ETJ, 5549 Rabbit Road.</p>	DRC 6/09/16	Advanced Surveying & Mapping	Dessie
<p>P-FY-16-38 - Consider and take action on the Amending Plat of The Duce, a 1.042 +/- acres, 1-lot, 1-block, residential subdivision, situated in and being a part of the J.M. Porter Survey, A-648, Bell County, Texas and being all of the called Lot 17 and Lot 18, Block 1 of North Nolan Estates, located in Temple's Western ETJ, north of Stacey Drive, east of Mountain View Trail, south of the intersection of Jamie Drive and Duce Spur, 1807 & 1815 Duce Spur, Belton, Texas</p>	DRC 6/09/16	Pedro Quintero	Tammy

Future Commission Projects	Status	Applicant	Project Mgr.
Z-FY-16-36 - Hold a public hearing to consider and recommend action on a rezoning from Single Family-One (SF-1) district and Multi-Family (MF) district to Neighborhood Service (NS) district on 3.986 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at 3502 South 5th Street.	PZC 6/20/16	Turley Associates	Mark
X-FY-16-10 - Consider a Voluntary Annexation Petition for a portion of the existing right-of-way of Dubose Road (a publicly maintained roadway) situated in the William Frazier Survey, Abstract No. 310, Bell County, Texas.	City Council 6/2/16 Request	City of Temple	Brian
Z-FY-16-37 - Hold a public hearing to consider and recommend action for a request of a Special Temporary Permit for a manufactured home placement on property for a medical hardship for elderly parents.	PZC 6/20/16	Raymond Smith	Tammy

City Council Final Decisions	Status
<p>Z-FY-16-18: Consider adopting an Ordinance authorizing 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 1, Block 1, of the proposed Highline Addition subdivision, located on the north side of Scott Boulevard, west of its intersection with South 31st Street.</p>	<p>APPROVED at 2nd Reading on May 19, 2016</p>
<p>Z-FY-16-19: Consider adopting an ordinance authorizing 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 LI zone on 283.73 +/- acre tract 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.</p>	<p>APPROVED at 1st Reading on May 19, 2016</p>
<p>Z-FY-16-20: Consider adopting an ordinance authorizing 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.</p>	<p>APPROVED at 1st Reading on May 19, 2016</p>
<p>A-FY-16-02: Consider adopting an ordinance authorizing the abandonment and conveyance of 146.78 feet of a 20-foot-wide alley located between Lot 6, Block 1, Black's Addition, and Lot 6, Block 2, Black's Addition, City of Temple, Bell County, Texas.</p>	<p>APPROVED at 1st Reading on May 19, 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	P	P			10		
Tanya Mikeska-Reed	P	A	P	P	P	A	P	P	P	P			8	2	
Blake Pitts	A	P	P	P	A	P	A	P	P	A			6	4	
Patrick Johnson	P	P	P	A	P	P	A	P	P	A			7	3	
Omar Crisp	P	A	P	P	P	P	P	P	P	A			8	2	
David Jones	P	A	P	P	P	A	P	P	A	P			7	3	
Greg Rhoads	P	P	P	A	P	P	P	P	A	P			8	2	
Will Sears	A	A	P	P	P	A	P	P	P	P			7	3	
Lester Fettig	P	P	P	P	P	P	P	A	P	P			9	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